

ZONING BOARD OF ADJUSTMENT, PANEL C
MONDAY, APRIL 21, 2014
AGENDA

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

Neva Dean, Interim Assistant Director
Steve Long, Board Administrator

MISCELLANEOUS ITEM

Approval of the March 17, 2014 Board of Adjustment
Panel C Public Hearing Minutes M1

UNCONTESTED CASES

BDA 134-027	1414 Record Crossing Road REQUEST: Application of Fred Shelton for a special exception to the duplex use regulations to authorize more than one electrical utility service or more than two electrical meters	1
BDA 134-028	501 Hollywood Avenue REQUEST: Application of Mark Llanes for special exceptions to the fence height and visual obstruction regulations	2
BDA 134-037	3000 Turtle Creek Plaza REQUEST: Application of Ken Reese, represented by Robert Reeves of Robert Reeves and Associates, Inc., for a variance to the side yard setback regulations and a special exception to the landscape regulations	3

REGULAR CASES

BDA 134-038

3723 Greenville Avenue

4

REQUEST: Application of Ed Simons for a variance to the height regulations

EXECUTIVE SESSION NOTICE

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

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

MISCELLANEOUS ITEM NO. 1

To approve the Board of Adjustment Panel C March 17, 2014 public hearing minutes.

FILE NUMBER: BDA 134-027

BUILDING OFFICIAL'S REPORT: Application of Fred Shelton for a special exception to the duplex use regulations to authorize more than one electrical utility service or more than two electrical meters at 1414 Record Crossing Road. This property is more fully described as Lot 30, Block 5629, and is zoned PD-465 (Area 2), which requires that in a duplex district, a lot for a duplex use may be supplied by not more than one electrical utility service and metered by not more than two electrical meters. The applicant proposes to construct and maintain a duplex use in a duplex district and have more than one electrical utility service, or more than two electrical meters, which will require a special exception to the duplex use regulations.

LOCATION: 1414 Record Crossing Road

APPLICANT: Fred Shelton

REQUEST:

A special exception to the duplex use regulations is requested to install and maintain an additional electrical meter on a site developed with a duplex structure/use that the applicant intends to enlarge/expand.

STANDARD FOR A SPECIAL EXCEPTION TO THE DUPLEX USE REGULATIONS TO AUTHORIZE AN ADDITIONAL ELECTRICAL UTILITY SERVICE AND MORE THAN TWO ELECTRICAL METERS:

The board may grant a special exception to authorize more than one electrical utility service or more than two electrical meters for a duplex use on a lot in a duplex district when, in the opinion of the board, the special exception will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties; and 3) not be used to conduct a use not permitted in the zoning district where the building site is located.

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to authorize more than one electrical utility service or more than two electrical meters for a duplex use on a lot in a duplex district since the basis for this type of appeal is when in the opinion of the board, the special exception will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties; and 3) not be used to conduct a use not permitted in the zoning district where the building site is located.

BACKGROUND INFORMATION:

Zoning:

Site: PD 465 (Area 2) (Planned Development District)
North: MU-3 (Mixed Use)
South: PD 465 (Area 3) (Planned Development District)
East: PD 465 (Area 2) (Planned Development District)
West: PD 465 (Area 2) (Planned Development District)

Land Use:

The subject site is developed with a duplex structure/use. The area to the north is undeveloped; and the areas to the east, south, and west appear to be developed with either single family or duplex 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:

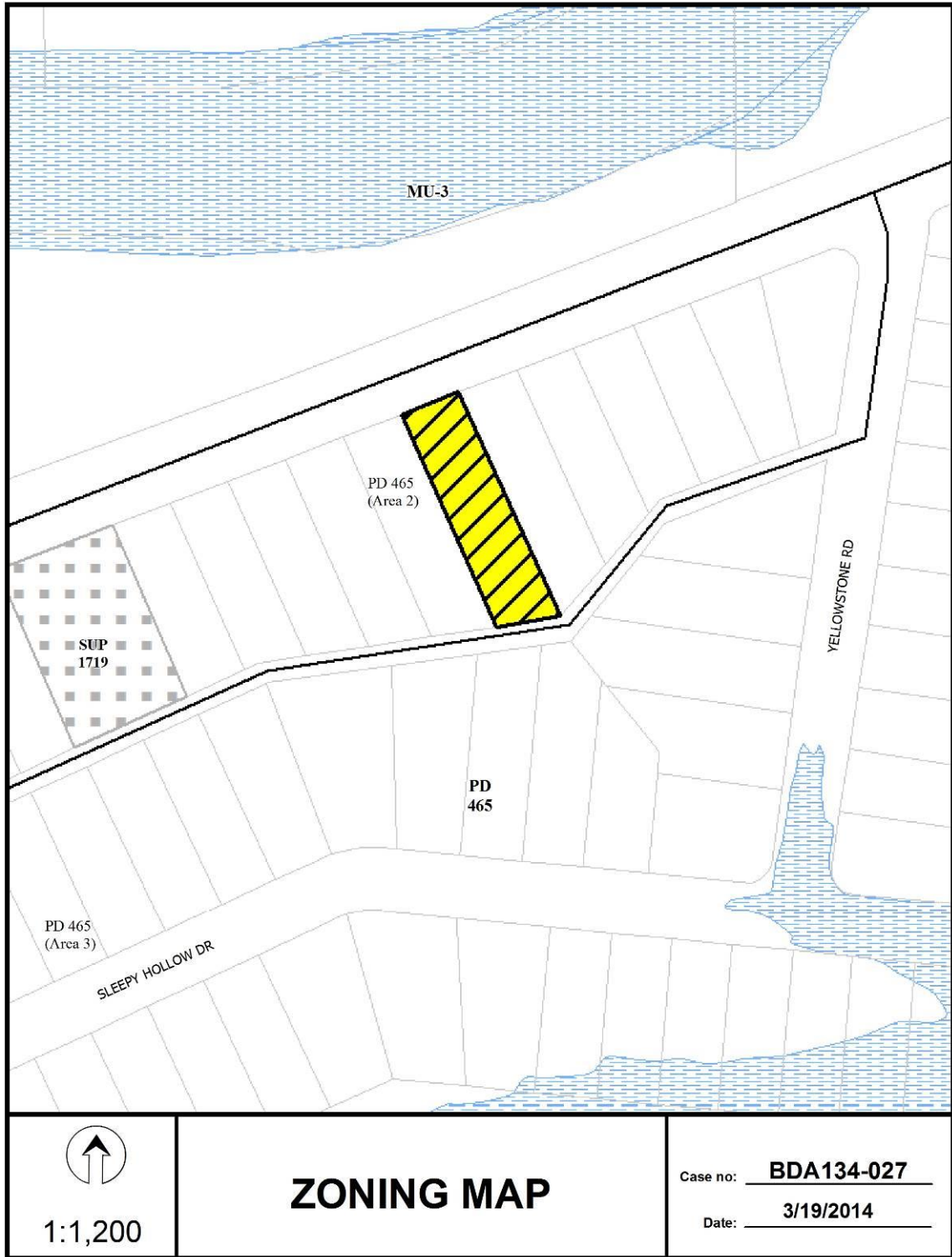
- January 19, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- March 12, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- March 12, 2014: The Board Administrator contacted the applicant and emailed him the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the March 26th deadline to submit additional evidence for staff to factor into their analysis; and the April 11th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

April 8, 2014 : The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for April public hearings. Review team members in attendance included: the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on installing and maintaining a third electrical meter on a site developed with a duplex structure/use that the applicant intends to enlarge/expand.
- The Dallas Development Code states that in the PD 465 (Area 2) zoning that allows residential uses that include duplex, handicapped group dwelling unit, and single family, a lot for a duplex use may be supplied by not more than one electrical service, and metered by not more than two electrical meters.
- The applicant has submitted a site plan/survey plat of the 0.25 acre subject site that denotes the locations of the two existing electrical meters allowed on the site and two alternate locations of where the third electrical meter would be located on the site.
- The site plan denotes that the existing floor plan is 2,082 square feet and the proposed floor plan is 1,972 square feet with a total floor plan of 4,054 square feet.
- The application states that “request one additional electrical meter since it will not be detrimental to the neighborhood.”
- The applicant has the burden of proof in establishing that the additional electrical meter to be installed and/or maintained on the site will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties; and 3) not be used to conduct a use not permitted in the zoning district.





1:1,200

AERIAL MAP

Case no: BDA134-027

Date: 3/19/2014



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-027

Data Relative to Subject Property:

Date: 1-19-14

Location address: 1414 Record Crossing Rd., Dallas Zoning District: PD-465 (Area 2)

Lot No.: 30 Block No.: 5629 Acreage: .25 Census Tract: 100.00

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

To the Honorable Board of Adjustment: Frederick E. Shelton,
Owner of Property (per Warranty Deed): Lana R. Shelton, and Aaron D. Shelton
Applicant: Fred, Lana & Aaron Shelton Telephone: (254) 535-5782
(254) 535-5779

Mailing Address: 1219 Fire Ln, Killeen TX Zip Code: 76542

E-mail Address: Lshelton@sheltonsplumbing.com

Represented by: - Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance _____, or Special Exception , of one
additional electrical meter (duplex)

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:

Request one additional electrical meter since it will not be detrimental to the neighborhood.

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.

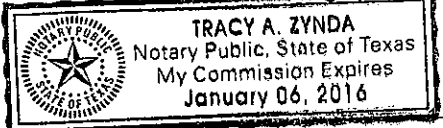
Affidavit Fred E. Shelton
Lana R. Shelton

Before me the undersigned on this day personally appeared Aaron D. Shelton
(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: Lana R. Shelton
(Affiant/Applicant's signature)

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



Tracy Zynda
Notary Public in and for Dallas County, Texas
Bell County,

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was---Granted OR Denied

Remarks _____

Chairman

Building Official's Report

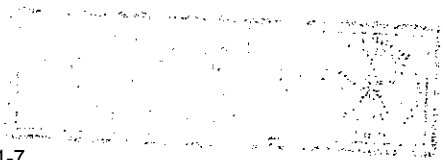
I hereby certify that FRED SHELTON

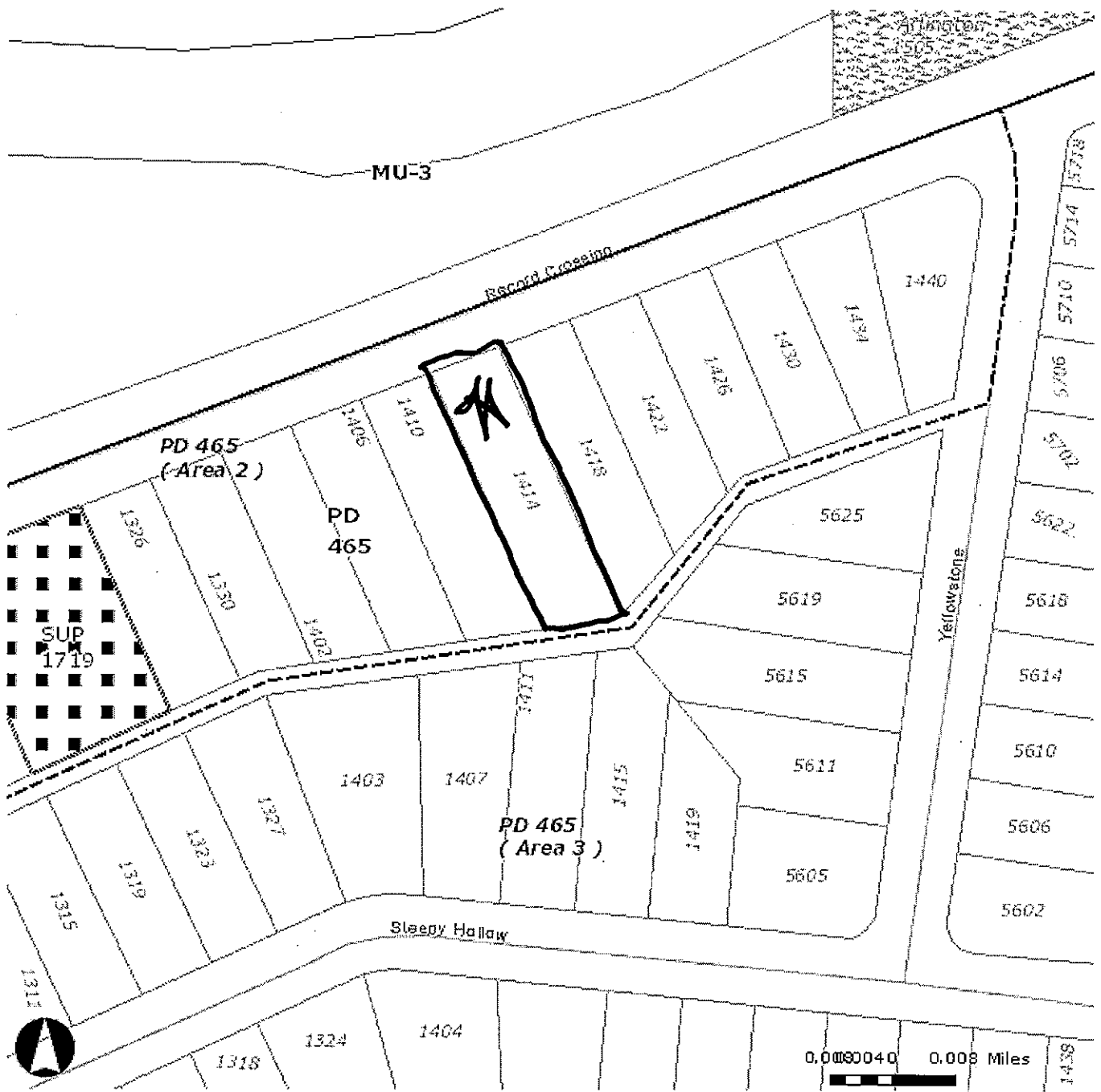
did submit a request provide an additional electrical meter
at 1414 record crossing road

BDA134-027. Application of Fred Shelton to provide an additional electrical meter at 1414 Record Crossing Road: This property is more fully described as Lot 30, Block 5629, and is zoned PD-465 (Area 2), which requires that in a duplex district, a lot for a duplex use may be supplied by not more than one electrical utility service and metered by not more than two electrical meters. The applicant proposes to construct and maintain a duplex dwelling in a duplex district and have more than one electrical utility service, or more than two electrical meters, which will require a special exception to the zoning use regulations.

Sincerely,


Larry Holmes, Building Official



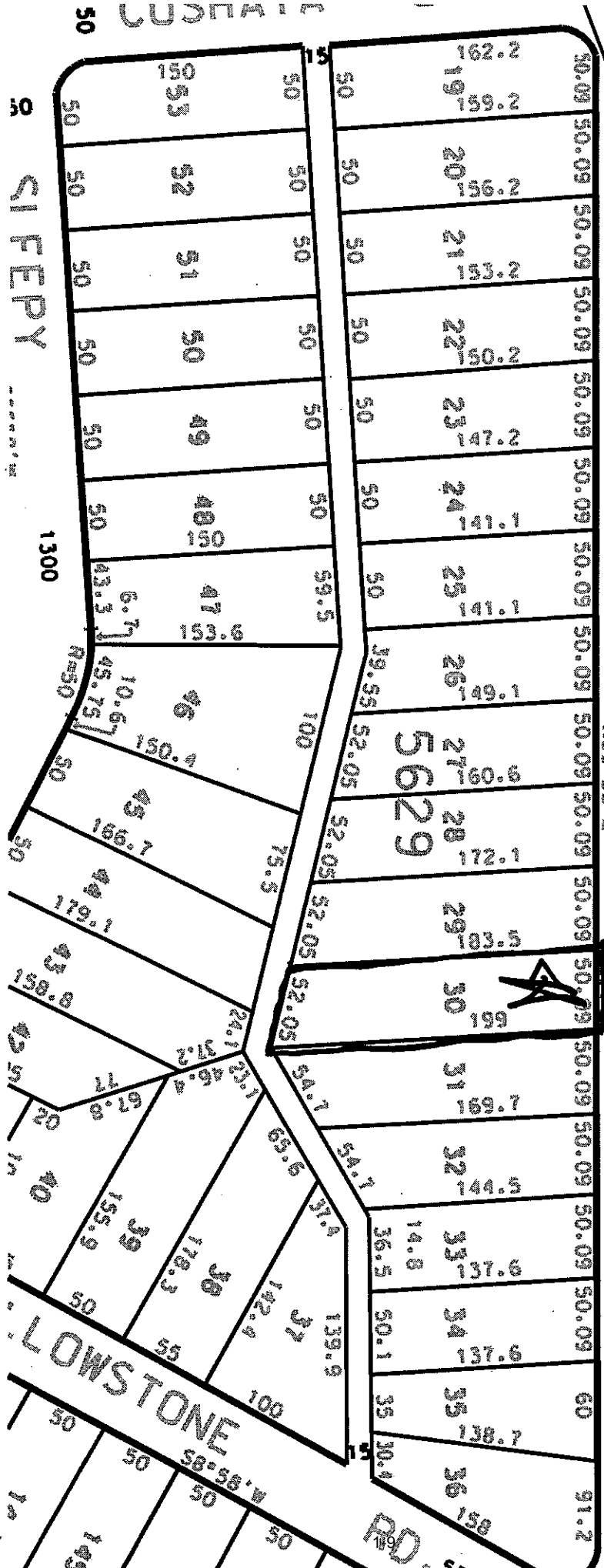


RECORD

1300

CROSSING

1400





SCALE: 1"=20'

Zoning: PD 485 Area #2

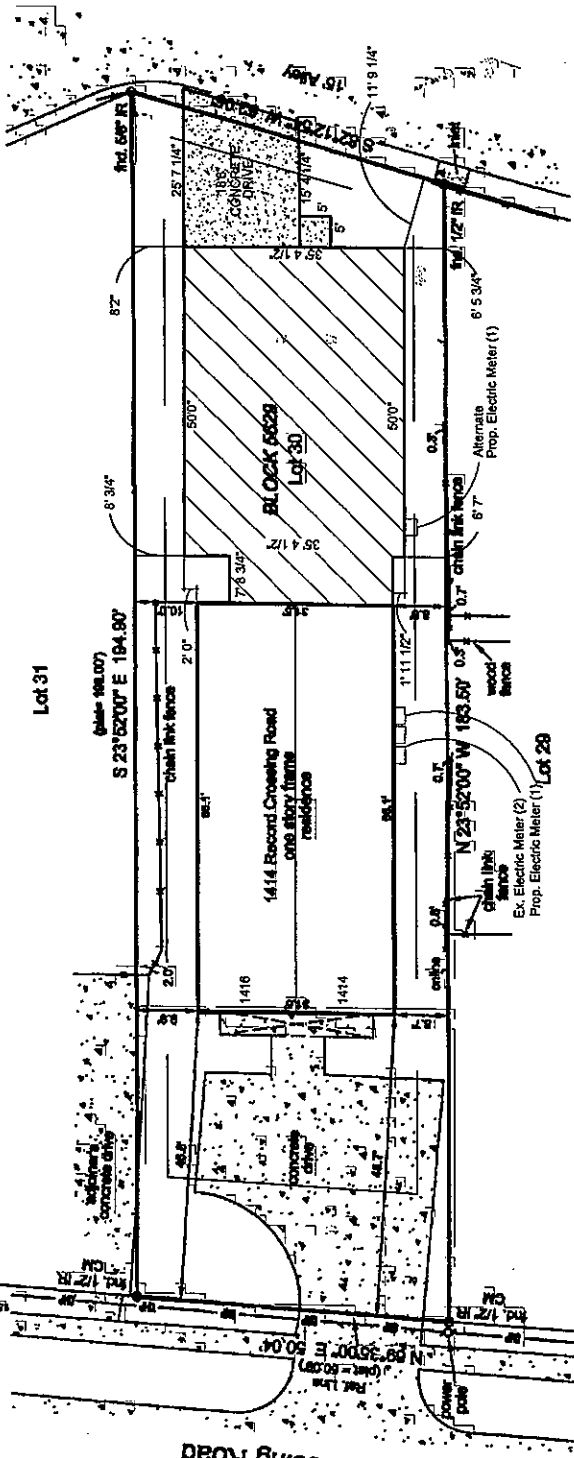
Lot Size = 9500 sq ft
 Existing Floorplan = 2082
 Proposed Floorplan = 1972
 Total Floorplan Coverage = 42.7%

Proposed Addition
 1972 sq ft

Lot 31

S 23° 52' 00" E 194.90'

Record Crossing Road



Notes:

Property is subject to the terms, provisions, conditions, easements, and restrictions recorded in Volume 3281, Page 513 and Volume 3291, Page 818, DRD-07.

All bearings and distances are plat and actual unless otherwise noted.

The date of bearing is the plat call for the line noted above as the "Plat Date".

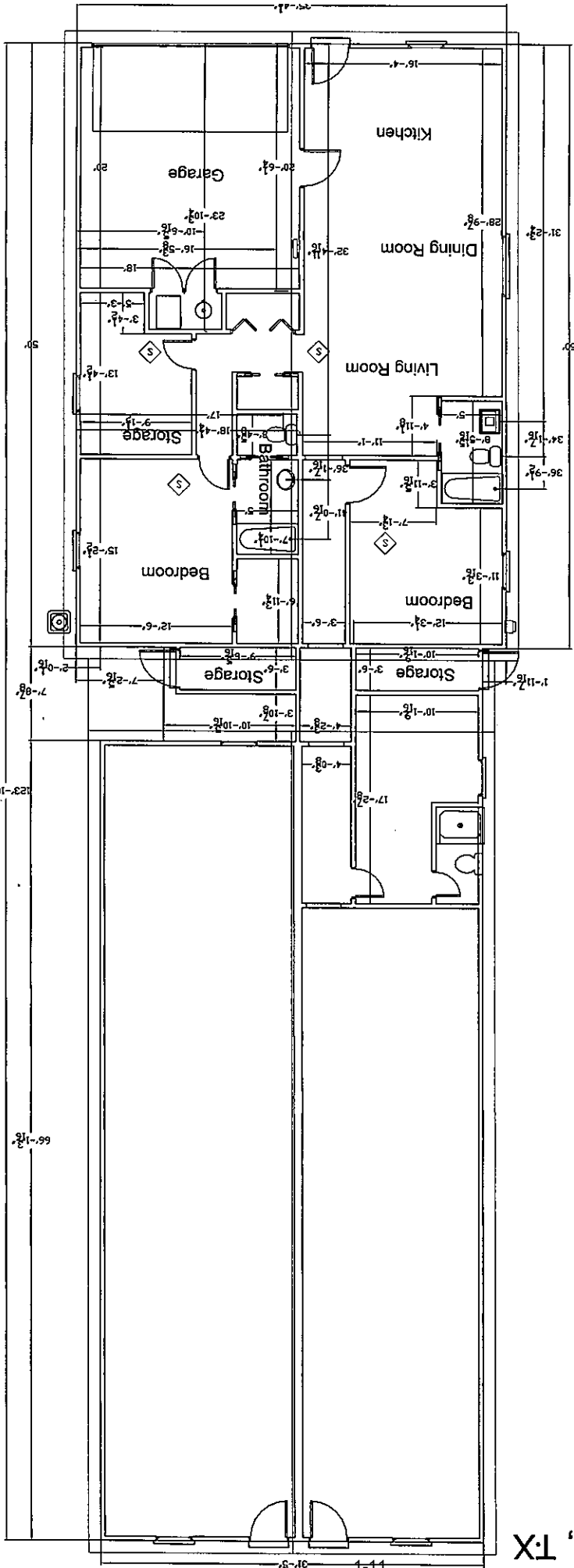
"CM" indicates a controlling monument.

The subject property does not appear to be in a flood hazard area as shown on FEMA Panel 48113C0330-J, dated August 23, 2001. Property is in Zone X.

1414 Record Crossing Road
 Lot 30, Block 5629
 Arlington Park Estates,
 Fourth Section
 Dallas, Texas

1414 Record Crossing Road
Fourth Section
Arlington Park Estates,
Lot 30, Block 5629
Dallas Texas

SCALE 1/8"=1'



Total Slab Area - 4049 sf



BDA 134-027

1414 Record Crossing Rd
Dallas, TX



 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;">22</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	22	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA134-027</u> Date: <u>3/19/2014</u>
200'	AREA OF NOTIFICATION					
22	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA134-027

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1414	RECORD CROSSING RD TRANSCEND HOMES LLC
2	1330	RECORD CROSSING RDSNEED HODGE HATTIE LEE
3	1402	RECORD CROSSING RD RODRIGUEZ JOSE A BAZALDUA
4	1406	RECORD CROSSING RD DURHAM MURDIS
5	1410	RECORD CROSSING RD WISE WILMA
6	1418	RECORD CROSSING RD 2012 MAYDAY LLC
7	1422	RECORD CROSSING RD JACKSON EDDIE
8	1426	RECORD CROSSING RD GARCIA NELLY
9	1430	RECORD CROSSING RD CALDWELL MELVA JOE
10	1434	RECORD CROSSING RD HOGG DONNELL & AVIN J
11	5625	YELLOWSTONE RD TUCKER LINDA R
12	5619	YELLOWSTONE RD WILLIAMS RAYMOND
13	5615	YELLOWSTONE RD COX LURLEANE H TR
14	5611	YELLOWSTONE RD NGUYEN DUNG VAN & HOA THI HO
15	5605	YELLOWSTONE RD URBINA HUGO ARMANDO ARELLANO & DORA FLOR
16	1419	SLEEPY HOLLOW DR UMLAUF BENJAMIN J
17	1415	SLEEPY HOLLOW DR SHEPHERD CHARLES A
18	1411	SLEEPY HOLLOW DR SHEPHERD RICHARD W
19	1407	SLEEPY HOLLOW DR UPTMOR BARBARA ANN
20	1403	SLEEPY HOLLOW DR RENFRO VAIREE
21	1327	SLEEPY HOLLOW DR LOVELESS MARY M
22	1277	RECORD CROSSING RDFELDER NEIL

FILE NUMBER: BDA 134-028

BUILDING OFFICIAL'S REPORT: Application of Mark Llanes for special exceptions to the fence height and visual obstruction regulations at 501 Hollywood Avenue. This property is more fully described as Lot 7, Block 4/3451, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct and maintain an 8 foot high fence, which will require a 4 foot special exception to the fence height regulations, and to locate and maintain items in a required visibility triangle, which will require a special exception to the visual obstruction regulations.

LOCATION: 501 Hollywood Avenue

APPLICANT: Mark Llanes

REQUESTS:

The following appeals have been made on a site that is currently developed with a single family home/use:

1. A request for a special exception to the fence height regulations of 4' is made to construct/maintain an 8' high solid wood fence in one of the site's two, 25' front yard setbacks – 12th Street.
2. A request for special exception to the visual obstruction regulations is made to locate/maintain a portion of the proposed 8' high solid wood fence in the 20' visibility triangle on east side of the driveway into the site from 12th Street.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:

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

STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:

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

STAFF RECOMMENDATION (fence height):

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

STAFF RECOMMENDATION (visual obstruction):

Approval, subject to the following condition:

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

Rationale:

- The Sustainable Development and Construction Department Senior Engineer has indicated that he has no objection to this request.
- The applicant has substantiated how locating/maintaining a portion of the proposed 8' high solid wood fence in the 20' visibility triangle on east side of the driveway into the site from 12th Street does not constitute a traffic hazard.

BACKGROUND INFORMATION:

Zoning:

- Site: R-7.5(A) (Single family district 7,500 square feet)
- North: R-7.5(A) & CR (Single family district 7,500 square feet and Community Retail)
- 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: CR (Community Retail)

Land Use:

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

- February 13, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- March 12, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- March 12, 2014: The Board Administrator contacted the applicant and emailed him following information:

- an attachment that provided the public hearing date and panel that will consider the application; the March 26th deadline to submit additional evidence for staff to factor into their analysis; and the April 11th 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.”

April 8, 2014 : The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for April public hearings. Review team members in attendance included: the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

April 9, 2014: The Sustainable Development and Construction Department Senior Engineer submitted a review comment sheet regarding the applicant’s request for a special exception to the visual obstruction regulations marked “Has no objections.”

GENERAL FACTS/STAFF ANALYSIS (fence height):

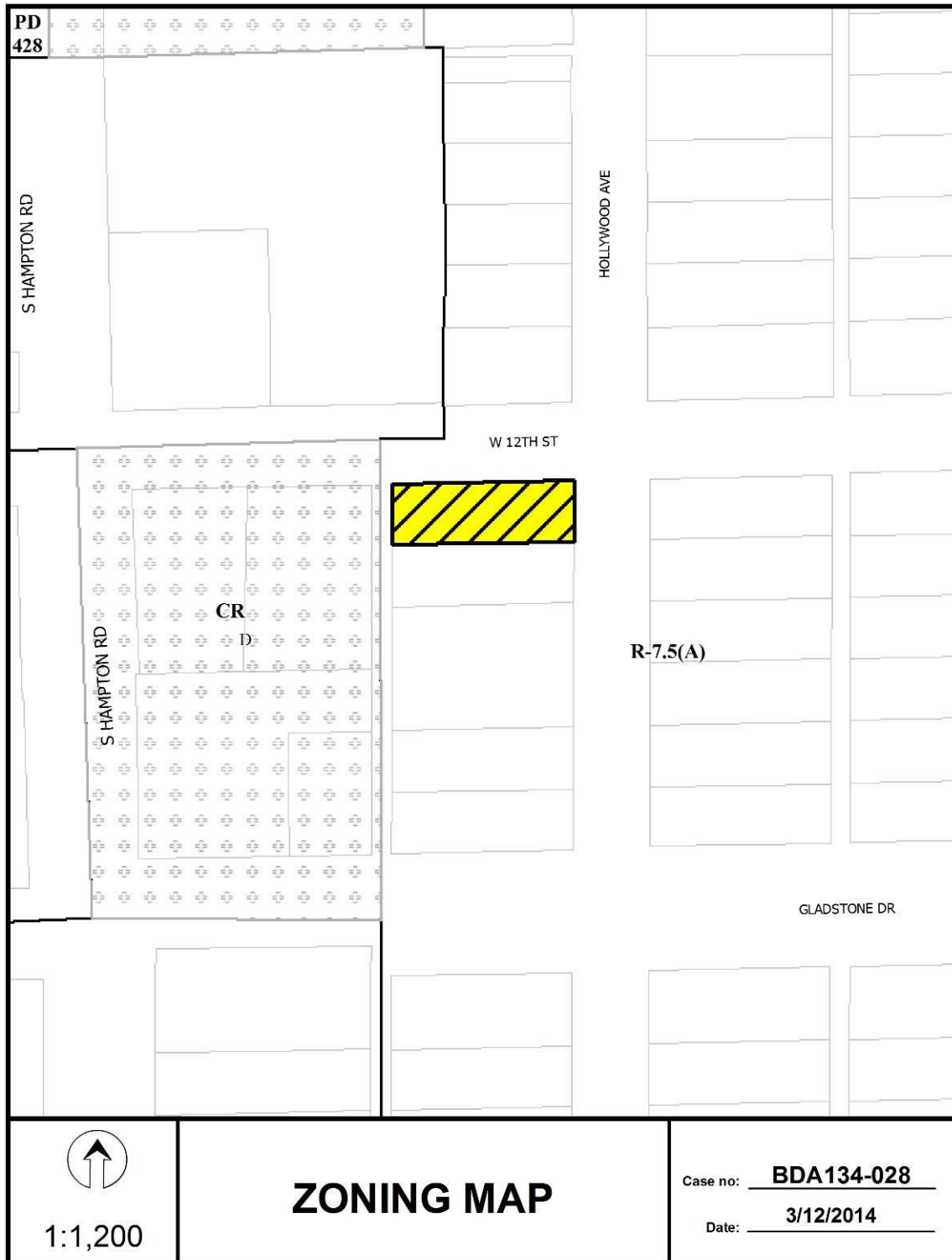
- This request focuses on construct/maintain an 8’ high solid wood fence in one of the site’s two, 25’ front yard setbacks – 12th Street.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4’ above grade when located in the required front yard.
- The site is located at the southwest corner of 12th Street and Hollywood Avenue. The site has a 25’ front yard setback along Hollywood Avenue, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in a single-family zoning district. The site also has a 25’ front yard setback along 12th Street, the longer of the two frontages of this corner lot, which is typically regarded as a side yard where only a 5’ setback is required. But the site’s 12th Street frontage is a side yard treated as a front yard setback nonetheless to maintain the continuity of the established front yard setback established by the lots developed with retail uses west of the site that front/are oriented northward towards 12th Street. Regardless of how the existing home is oriented to front onto Hollywood Avenue (and to “side” to 12th Street), the site has two 25’ front yard setbacks where the focus of the applicant’s request in this application is only to construct/maintain a fence higher than 4’ in the site’s front yard setback on 12th Street. No part of the application is made to address any fence in the site’s Hollywood Avenue front yard setback.
- The applicant has submitted a site plan/elevation of the proposal in the 12th Street front yard setback that reaches a maximum height of 8’.

- The following additional information was gleaned from the submitted site plan/elevation:
 - The proposal is represented as being approximately 60’ in length parallel to the 12th Street and approximately 10’ and 19’ in length perpendicular to 12th Street on the east and west sides of the site in the 12th Street front yard setback.
 - The proposal is represented as being located approximately on the property line or about 9’ from the 12th Street pavement line.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other fences above 4 feet high which appeared to be located in a front yard setback.
- No home fronts the proposal since the lot developed with a single family home to the north on 12th Street faces/fronts eastward towards Hollywood Avenue as does the home on the subject site.
- As of April 14, 2014, no letters have been submitted in support of or in opposition to this request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 4’ will not adversely affect neighboring property.
- Granting this special exception of 4’ with a condition imposed that the applicant complies with the submitted site plan/elevation would require the proposal exceeding 4’ in height in the front yard setback to be constructed/maintained in the location and of the heights and materials as shown on this document.

GENERAL FACTS/STAFF ANALYSIS (visual obstruction):

- This request focuses on locating/maintaining a portion of the proposed 8’ high solid wood fence in the 20’ visibility triangle on east side of the driveway into the site from 12th Street.
- The Dallas Development Code states the following: A person shall not erect, place, or maintain a structure, berm, plant life or any other item on a lot if the item is:
 - in a visibility triangle as defined in the Code (45-foot visibility triangles at street intersections, and 20 foot visibility triangles at drive approaches and at alleys on properties zoned single family); and
 - between two and a half and eight feet in height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).
- A site plan/elevation has been submitted indicating portions of an 8’ high solid wood fence in the 20’ visibility triangle on east side of the driveway into the site from 12th Street.
- The Sustainable Development and Construction Department Senior Engineer submitted a review comment sheet regarding the applicant’s request for a special exception to the visual obstruction regulations marked “Has no objections.”
- The applicant has the burden of proof in establishing how granting the request for a special exception to the visual obstruction regulations to locate/maintain portions of an 8’ high solid wood fence in the 20’ visibility triangle on the east side of the driveway into the site from 12th Street does not constitute a traffic hazard.

- Granting this request with a condition imposed that the applicant complies with the submitted site plan/elevation would require the item (an 8' high solid wood fence in the 20' visibility triangle on the east side of the driveway into the site from 12th Street) to be limited to and maintained in the locations, height and materials as shown on this document.

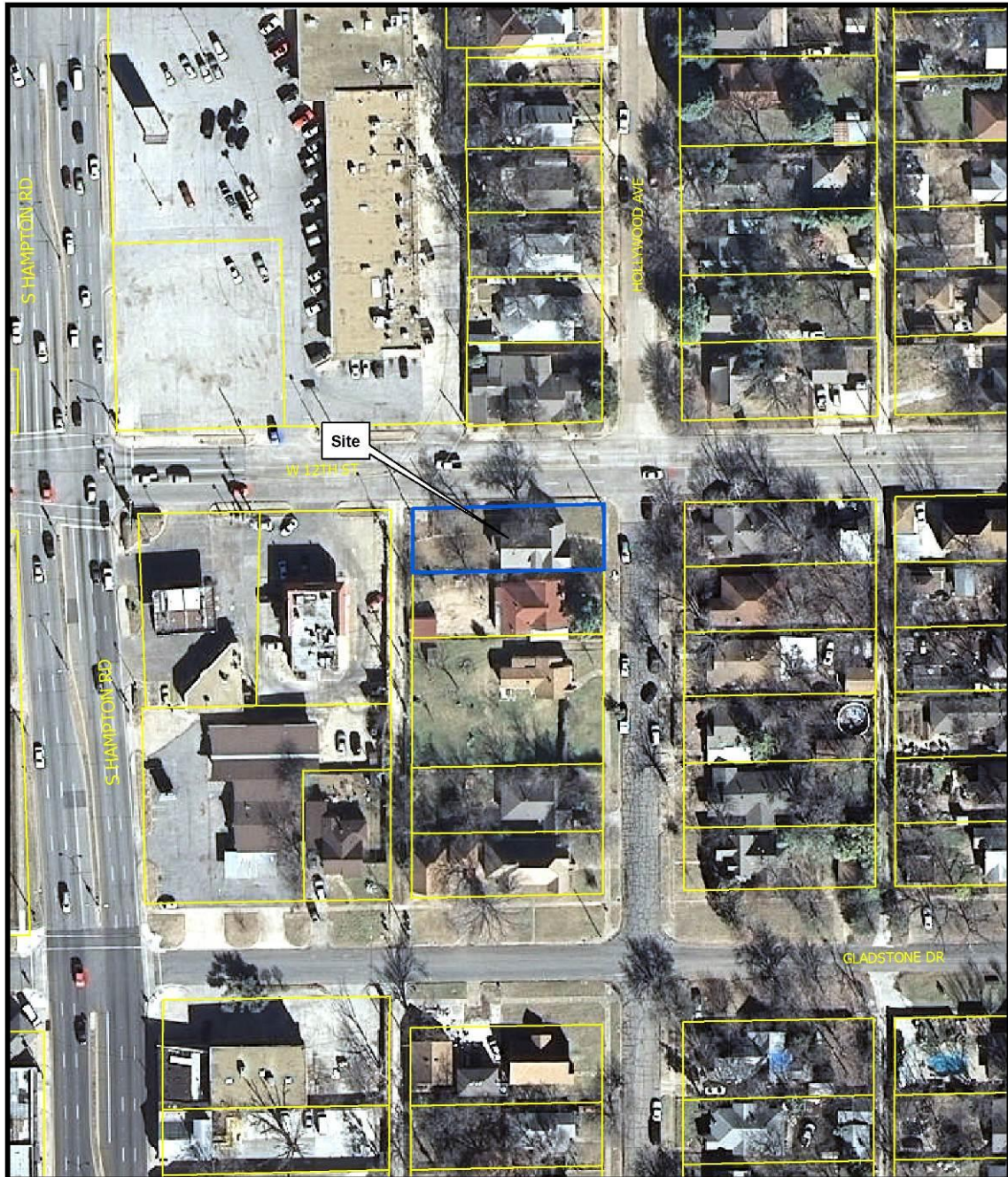


1:1,200

ZONING MAP

Case no: BDA134-028

Date: 3/12/2014



1:1,200

AERIAL MAP

Case no: BDA134-028

Date: 3/12/2014



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-028

Data Relative to Subject Property:

Date: 2-13-14

Location address: 501 Hollywood Ave Dallas Tx 75208 Zoning District: R-7.5(A)

Lot No.: 7 Block No.: 413451 Acreage: _____ Census Tract: 52.00

Street Frontage (in Feet): 1) 49.32 2) 147.30 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment: Miguel Gonzalez 52016

Owner of Property (per Warranty Deed): Miguel Gonzalez

Applicant: Miguel Gonzalez Telephone: 214 770 1917

Mailing Address: PO Box 5153 Dallas Tx Zip Code: 75208

E-mail Address: _____

Represented by: Mark Llanes Telephone: 464-660-0742

Mailing Address: 501 Hollywood Ave Dallas Tx Zip Code: 75208

E-mail Address: Mark.Llanes.82@att.net

Affirm that an appeal has been made for a Variance, or Special Exemption Y of 4 feet for a fence in a front yard and visible triangular obstruction at a drive way

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:

I would like to put an 8ft fence due to security purposes and family protection. I've had property stolen within the little time of living at property. Fence will not be a bother to neighbors or any drivers thru street.

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

Affidavit

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

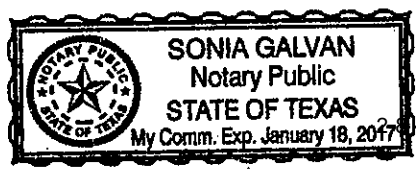
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: Mark Llanes (Affiant/Applicant's signature)

Subscribed and sworn to before me this 12 day of February, 2014

Sonia Galvan Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that MARK LLANES

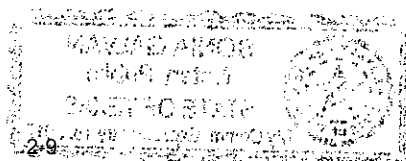
did submit a request for a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulations

at 501 Hollywood avenue

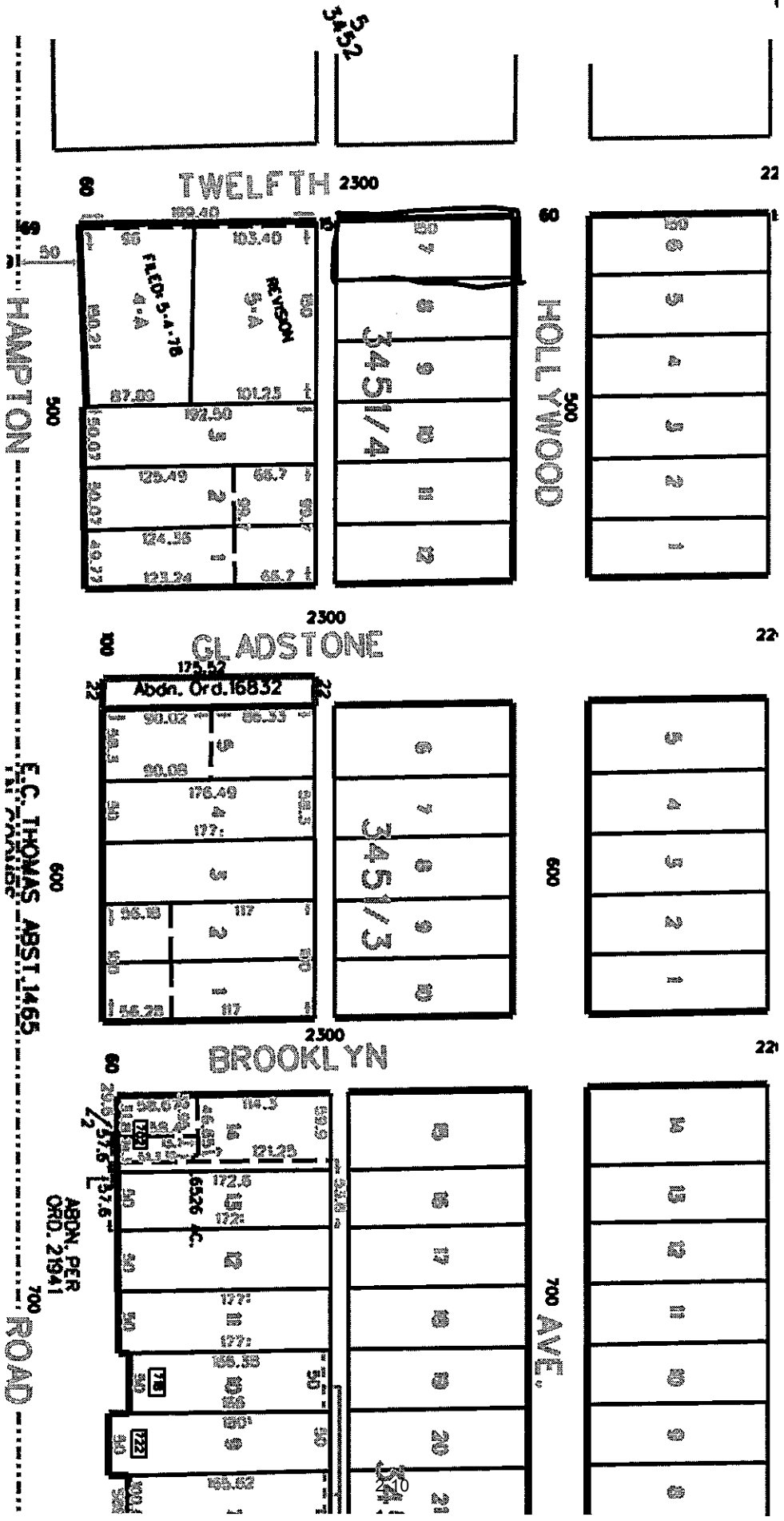
BDA134-028. Application of Mark Llanes for a special exception to the fence height regulations and a special exception to the visibility obstruction regulations at 501 Hollywood Avenue. This property is more fully described as Lot 7, Block 4/3451, and is zoned R-7.5(A) which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulation and to construct and maintain a residential fence structure in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,


Larry Holmes, Building Official



MZ



MY



GENERAL NOTES

WORK NAME AND ADDR

FENCE

501 Hollywood /
Dallas tx. 75208

LOT 7

CITY OF DALLA
BLOCK # 345

Owner

Mr.
MIGUEL
GONZALE

Drawn

DRAW

M. GARCIA
(972) 729 047.

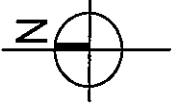
PLAN NAME

SITE PLAN

PL
NO.

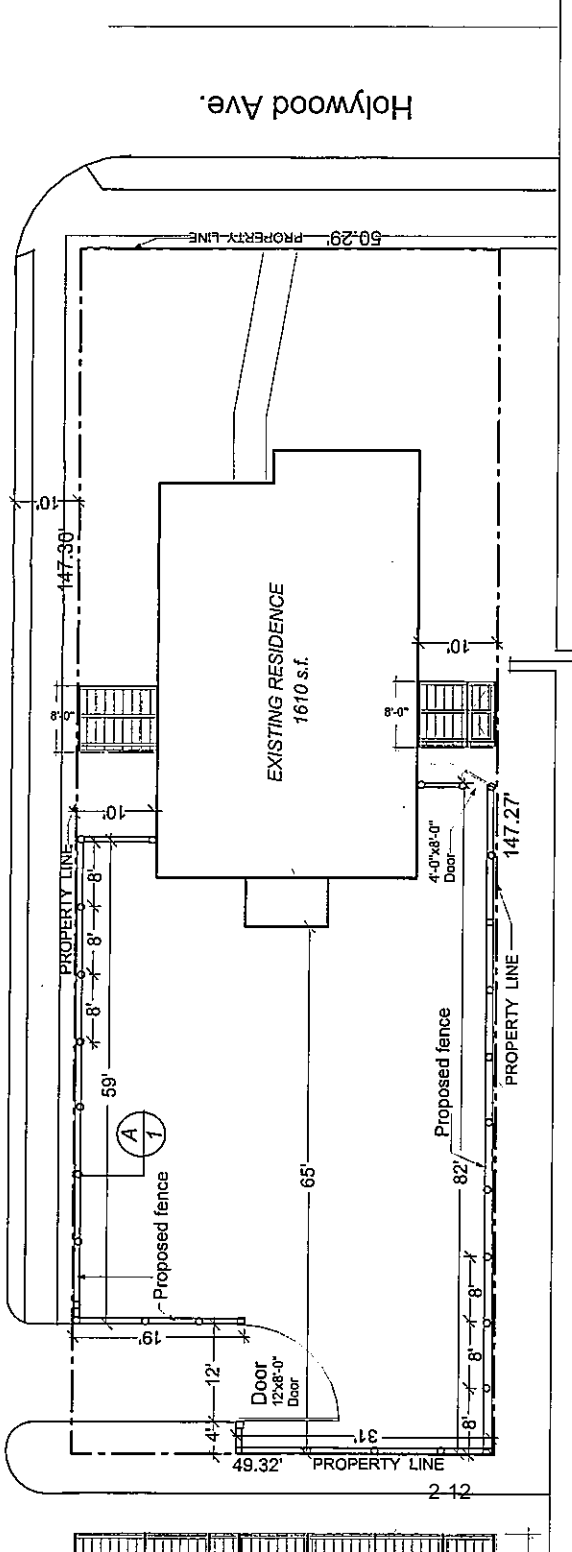
DATE
2/1/014

SCALE 1"=1/16"



BDA 1344028

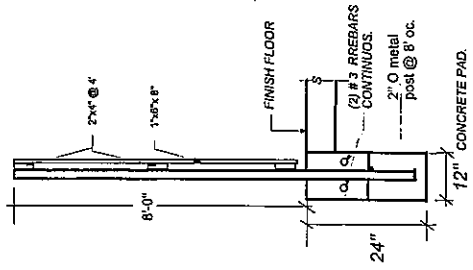
12 TH AVE.



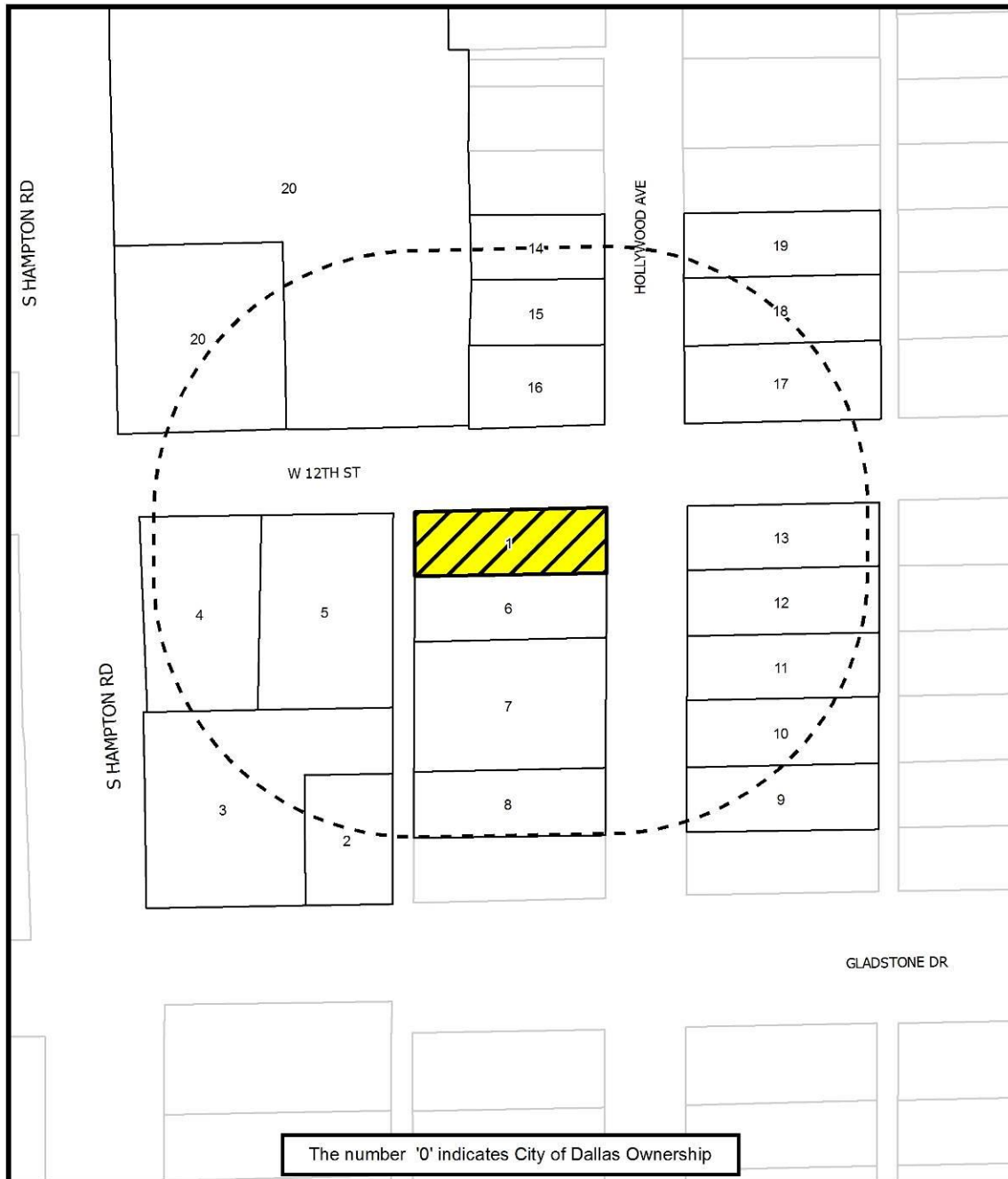
SITE PLAN

SCALE 1" = 1/16"

Wood Fence:
8' Height, with 2" Ø metal
post @ 8' oc.



DETAIL
1
Not a scale
A



 1:1,200	NOTIFICATION		Case no: BDA134-028
	<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;">20</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 3/12/2014	

Notification List of Property Owners

BDA134-028

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	501 HOLLYWOOD AVE	GONZALEZ MIGUEL & MARIA C
2	2315 GLADSTONE DR	RAMIREZ SHANNON M
3	516 HAMPTON RD	FRANCOIS SERGE P
4	500 HAMPTON RD	BIG DIAMOND INC ATTN: REAL ESTATE DEPT
5	2320 12TH ST	LOPEZ HECTOR & SONIA
6	507 HOLLYWOOD AVE	URBINA ISMAEL
7	511 HOLLYWOOD AVE	SMITH CLARA
8	519 HOLLYWOOD AVE	JC LEASING LLP
9	518 HOLLYWOOD AVE	PAPPAS AMELIA
10	514 HOLLYWOOD AVE	TORRES JOSE L & LYDIA P
11	510 HOLLYWOOD AVE	URBINA JOSE GUADALUPE & MARIA A
12	506 HOLLYWOOD AVE	CHILDERS ROY & LINDA
13	500 HOLLYWOOD AVE	OROZCO REYES
14	415 HOLLYWOOD AVE	GARCIA ISMAEL S & MARY M
15	419 HOLLYWOOD AVE	PEREZ CELESTINA
16	421 HOLLYWOOD AVE	MORA SEBASTIAN
17	422 HOLLYWOOD AVE	SANCHEZ JUANITA
18	418 HOLLYWOOD AVE	ORTIZ MARIA
19	412 HOLLYWOOD AVE	ZACHARIAS UBERTO & MARIA
20	444 HAMPTON RD	HAMPTON & 12TH LP

FILE NUMBER: BDA 134-037

BUILDING OFFICIAL'S REPORT: Application of Ken Reese, represented by Robert Reeves of Robert Reeves and Associates, Inc., for a variance to the side yard setback regulations and a special exception to the landscape regulations at 3000 Turtle Creek Plaza. This property is more fully described as Lot 1R, Block A/993, and is zoned PD-193, PDS 61, which requires a 43 foot 1/2 inch side yard setback and requires mandatory landscaping. The applicant proposes to construct and maintain a structure and provide a 10 foot side yard setback, which will require a 33 foot 1/2 inch variance to the side yard setback regulations, and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 3000 Turtle Creek Plaza

APPLICANT: Ken Reese
Represented by Robert Reeves of Robert Reeves and Associates, Inc.

REQUESTS:

The following appeals have been made on a site that is currently under development:

1. A variance to the side yard setback regulations of 33' 1/2" is requested to construct/maintain a three-story, approximately 66' high, approximately 169,000 square foot office structure, part of which would be located in the site's required 43' 1/2" side yard setback on the east side of the property; and
2. A special exception to the landscape regulations is requested to construct/maintain the aforementioned structure, and not fully provide required landscaping on the site.

STANDARD FOR A VARIANCE:

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

- (A) 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;
- (B) the variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(C) the variance is 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 LANDSCAPE REQUIREMENTS IN OAK LAWN:

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

STAFF RECOMMENDATION (variance):

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- The applicant has substantiated how the subject site is unique and different from most lots zoned PD 193 in that subject site is: 1) somewhat irregular in shape; 2) of restrictive area caused by 33 percent of it as floodway easement (non-buildable area); and 3) sloped with a 24 foot change in grade from near the center of the site westward to Cedar Springs Road.
- In addition, granting the variance is not contrary to the public interest in that the proposed structure at 66' in height is significantly less than the 240' allowed in the zoning district, and because the proposed structure is located approximately 25' below the adjacent use to the east – the Katy Trail.

STAFF RECOMMENDATION (landscape):

Approval, subject to the following condition:

- A landscape plan that complies with 51P-193.126 for O-2 office districts must be submitted for permit with the exception to be provided for: 1) front yard designated landscape areas, 2) sidewalks, and 3) tree planting zones. Trees and landscape areas must be installed according to diagrams in the Landscape Code Enlargement exhibit and the tree specifications required in 51P-193.126(b)(5)(C).

Rationale:

- The applicant has substantiated how granting this request would not compromise the spirit and intent of the landscaping requirements of PD 193.
- The City of Dallas Chief Arborist supports the request with the staff suggested condition imposed because the tree-lined Turtle Creek corridor and the isolated condition of the property along with additional required landscaping supports the premise that the final completed landscape plan will meet the spirit and intent of the PD 193 landscape regulations.

BACKGROUND INFORMATION:

Zoning:

Site: PD 193 (PDS 61) (Planned Development, Planned Development)
North: PD 193 (O-2) (Planned Development, Office)
South: PD 184 (Planned Development)
East: PD 193 (O-2 & PDS 94) (Planned Development, Office and Planned Development)
West: PD 193 (O-2) (Planned Development, Office)

Land Use:

The subject site is under development. The area to the north is Turtle Creek; the area immediately east is the Katy Trail, the area to the south is developed with office uses, and the area to the west is office use and undeveloped land.

Zoning/BDA History:

1. BDA 967-251, Property at 2920 Turtle Creek Plaza (the subject site)
On May 19, 1997, the Board of Adjustment Panel C granted a request for a variance to the height regulations of 60 feet. The case report states that the request was made to construct and maintain an approximately 300,000 square foot, 300 foot high condominium tower use.
2. BDA 112-085, Property at 3000 Turtle Creek Plaza (the subject site)
On September 17, 2012, the Board of Adjustment Panel C granted a request for a variance to the off-street parking regulations of 110 spaces (or a 25 percent reduction of the 441 off-street parking spaces that are required) is requested in conjunction with constructing and maintaining an approximately 161,500 square foot office use/structure on a site that is currently undeveloped. The applicant proposes to provide 331 (or 75 percent) of the required 441 off-street parking spaces in conjunction with constructing and maintaining this use with this square footage.

Timeline:

- February 24, 2014: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- March 12, 2014: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- March 12, 2014: The Board Administrator emailed the applicant’s representative the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the March 26th deadline to submit additional evidence for staff to factor into their analysis; and the April 11th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the requests; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- March 25, 2014: The applicant’s representative submitted additional information to staff beyond what was submitted with the original application (see Attachment A).
- April 8, 2014 : The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for April public hearings. Review team members in attendance included: the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.
- April 10, 2014: The City of Dallas Chief Arborist submitted a memo regarding the landscape special exception request within this application (see Attachment B).

GENERAL FACTS/ STAFF ANALYSIS (variance):

- This request focuses on constructing and maintaining a three-story, approximately 66’ high, approximately 169,000 square foot office structure, part of which would be located in the site’s required 43’ ½” side yard setback on the east side of the property on a site that is currently under development.

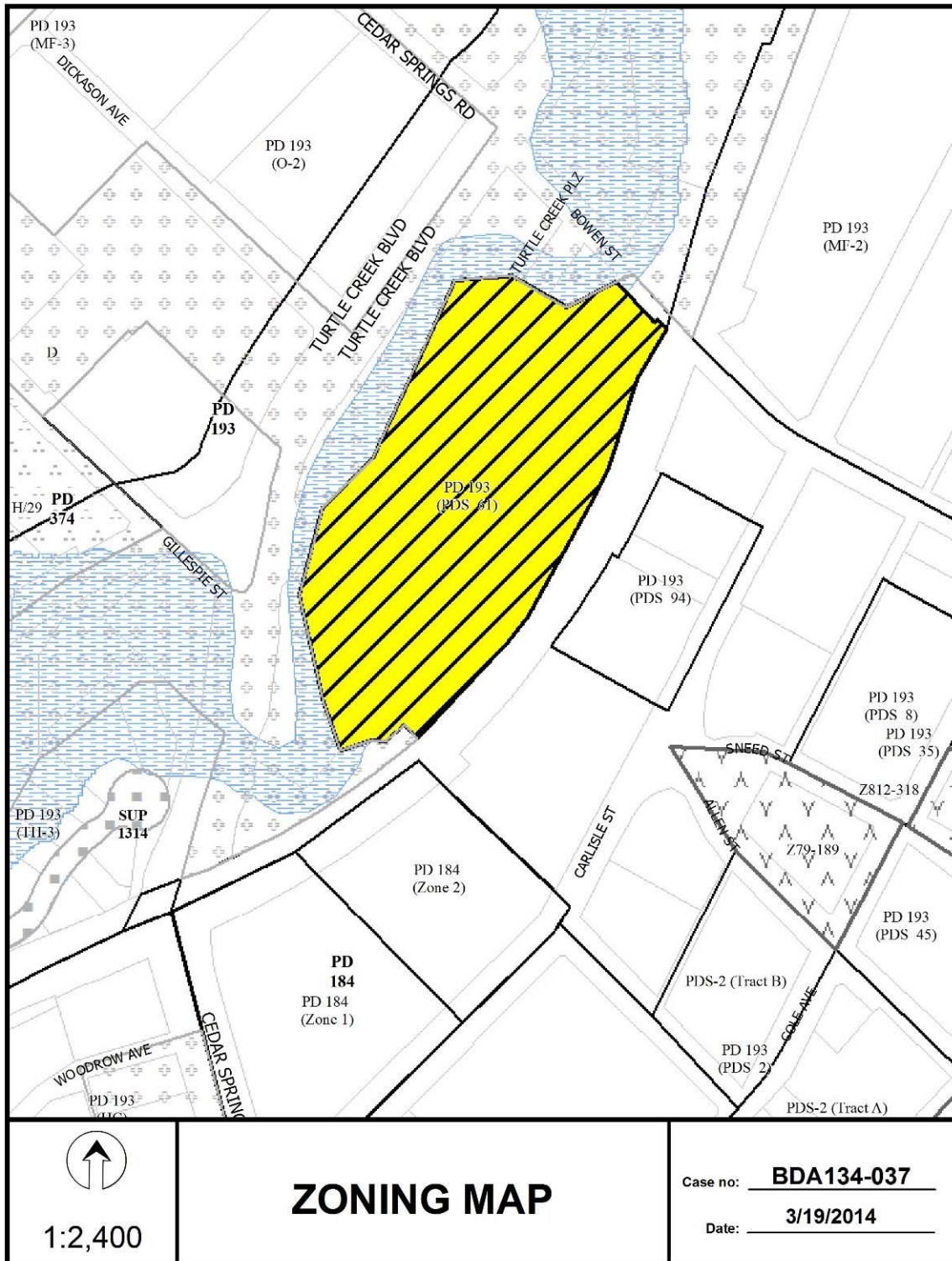
- The subject site is zoned PD 193 (PDS 61). While PDS 61 makes setback/yard requirements for “retirement housing community” use, the PDS states that in general, the yard, lot, and space regulations for the O-2 Office Subdistrict apply in this subdistrict
- The side yard provisions for properties in the O-2 Sudistrict are as follows: If a nonresidential building is erected or altered to exceed 36 feet in height, and additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height.
- The applicant has submitted a site plan denoting the total height of the structure at 66’ 1” and the location of the proposed building with a shaded area of 8,863 square feet (or 5.24% of the total floor area) located in the additional setback required for the portion over 36’ in height- a structure at this height located as close as 10’ from the eastern side property line or 33’ ½” into the required 43’ ½” side yard setback.
- The applicant has submitted an section/elevation document that denotes the setback encroachment of the proposed structure as it relates to the side yard setback.
- The subject site is somewhat irregular in shape and, according to the application, 5.853 acres in area. The applicant has submitted documents that indicate that the 33 percent of the site is floodway easement (non-buildable area) and has a 24 foot change in grade from near the center of the site westward to Cedar Springs Road.
- DCAD records indicate “no improvements” for property at 3000 Turtle Creek Plaza.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site (that differs from other parcels of land by being of such a restrictive area, shape, or slope) that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD 193 (PDS 61) 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 PD 193 (PDS 61) zoning classification.
- If the Board were to grant the variance request, and impose the submitted site plan, the structure in the side yard setback would be limited to what is shown on this document– which in this case is for the portion of the 66’ 1” high structure over 36’ in height located as close as 10’ from the site’s eastern side property line (or as much as 33’ ½” into this 43’ ½” side yard setback).

GENERAL FACTS/ STAFF ANALYSIS (landscape):

- This request focuses on constructing and maintaining an office structure on the site, and not fully providing required landscaping, and not fully providing required landscaping.

- PD 193 states that the landscape, streetscape, screening, and fencing standards shall become applicable to uses (other than to single family and duplex uses in detached structures) on an individual lot when work is performed on the lot that increases the existing building height, floor area ratio, or nonpermeable coverage of the lot unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.
- The City of Dallas Chief Arborist states in a memo (see Attachment B) that the request is triggered by new constructions.
- The Chief Arborist notes that the proposed limited landscape plan identifies proposed alternative landscape conditions for: 1) the designated landscape areas for the required front yard; 2) sidewalk; and 3) the tree planting zone. The limited plan does not reveal the locations of required landscape areas on the property and does not identify any compliance with PD 193, Part 1, regulations for O-2 Office Subdistrict landscaping.
- The Chief Arborist listed several factors for consideration on this request):
 1. The property is regulated under PDS 61. The standards for designated landscape areas are based on O-2 Office Subdistrict requirements as determined under S-61.105(2), Main Uses Permitted. The required front yard designated areas are identified on the Landscape Code Enlargements exhibit.
 2. The property is surrounded on the west and north sides by Turtle Creek and on the east by the Katy Trail. The property is also under the regulations of the Turtle Creek Environmental Corridor Overlay District which exists “to protect and preserve the environmentally sensitive Turtle Creek area.”
 3. The site plan, provided with the letter for a separate variance by the applicant, is not designated as the landscape plan. PD 193 requires, “when feasible, the board shall require the applicant submit and that the property comply with a landscape plan as a condition to granting a special exception.”
 4. The applicant has stated the site can comply with all of the conditions of PD 193 Part 1 regulations with the exceptions identified in this application.
- The Chief Arborist has no objection to the request for the special exception, if it is the determination of the Board that a full landscape plan cannot be feasibly produced at this time, and that a partial landscape plan with conditions is acceptable for its review. The Chief Arborist believes that the extent of the protection of the tree-lined Turtle Creek corridor and the isolated condition of the property, along with additional required landscaping, supports the premise that the final completed landscape plan will be the spirit and intent of the PD 193 landscape regulations.
- The Chief Arborist recommends that the following provision be applied: A landscape plan that complies with 51P-193.126 for O-2 office districts must be submitted for permit with the exception to be provided for: 1) front yard designated landscape areas, 2) sidewalks, and 3) tree planting zones. Trees and landscape areas must be installed according to diagrams in the Landscape Code Enlargement exhibit and the tree specifications required in 51P-193.126(b)(5)(C).

- The applicant has the burden of proof in establishing the following:
 - The special exception will not compromise the spirit and intent of Section 51P-193-126: Landscape, streetscape, screening, and fencing standards.
- If the Board were to grant this request, and imposed the staff suggested condition, the site would be granted exception from full compliance to the designated landscape area requirements for the required front yard, sidewalk, and tree planting zoned requirements of the Oak Lawn PD 193 landscape ordinance.





1:2,400

AERIAL MAP

Case no: BDA134-037

Date: 3/19/2014



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-037

Data Relative to Subject Property:

Date: 2/24/14

Location address: 3000 Turtle Creek Plaza Zoning District: PD No.193, Special District No. 61

Lot No.: 1R Block No.: A/993 Acreage: 5.853 acres Census Tract: 5.00

Street Frontage (in Feet): 1) 92.34 (Bowen) 2) 30' 3) _____ 4) _____

SW22

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): 3000 Turtle Creek Plaza, LLC

Applicant: Ken Reese Telephone: (214) 303-5523

Mailing Address: 3090 Olive Street, Suite 300, Dallas, Texas Zip Code: 75219

E-mail Address: ken.reese@hillwood.com

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

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

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

Affirm that a request has been made for a Variance X, or Special Exception , of 33'-1/2" side yard
Affirm that a request has been made for a Variance of 33'-1/2" side
yard variance, which affects 8,863 sq. ft. of floor area or 5.24% of the
total floor area. See attached letter for more details. and a
Special exception for an alternate landscape plan.

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

The site is very irregular with a 24 foot grade change along the length
of the site parallel to Turtle Creek. The building area is restricted
because 33% of the site is in the flood plain.

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 Ken Reese

(Affiant/Applicant's signature)

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

Respectfully submitted: [Signature]

(Affiant/Applicant's signature)

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



Paige K. Myrlin
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 _____

BDA 134-037
Attach A
Pg 2

Chairman

Building Official's Report

I hereby certify that Ken Reese
represented by ROBERT REEVES
did submit a request for a variance to the side yard setback regulations, and for a special
exception to the landscaping regulations
at 3000 Turtle Creek Plaza

BDA134-037. Application of Ken Reese represented by Robert Reeves for a variance to the side yard setback regulations and a special exception to the landscaping regulations at 3000 Turtle Creek Plaza. This property is more fully described as Lot 1R, Block A/993, and is zoned PD-193, PDS 61, which requires a 43 foot 1/2 inch side yard setback and require mandatory landscaping. The applicant proposes to construct a nonresidential structure and provide a 10 foot side yard setback, which will require a 33 foot 1/2 inch variance to the side yard setback regulation and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

Sincerely,


Larry Holmes, Building Official

ROBERT REEVES
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

March 25, 2014

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

RE: BDA 134-037

Dear Mr. Long

Enclosed are two information packets. The first packet provides additional information for the side yard variance to be provided to the board. The second packet is a set of information provided to Todd Duerksen relating to our amendment to the application adding a request for a special exception to approve an alternate landscape plan.

Sincerely:


Robert Reeves

ROBERT REEVES
& Associates, Inc.

March 25, 2014

PLANNING AND ZONING CONSULTANTS

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

RE: Side Yard Variance
3000 Turtle Creek Plaza, LLC
BDA 134-037

Dear Board Members:

This letter is intended to provide additional information to the board concerning the above referenced case. As stated in my February 27 letter, this is a request by 3000 Turtle Creek Plaza, LLC for a 33 foot-1/2 inch side yard variance along the south property line. The applicant intends to build a three-story 169,022 square foot boutique office building on a 5.853-acre site. The site is very irregular in shape and is further constrained by a 24-foot grade change along the length of the site parallel to Turtle Creek. In addition, 33% of the site lies within a Floodway Easement, which prohibits development. The site is zoned PD 193, Subdistrict 61, which defaults to straight Office-2 District regulations for an office use.

Standards for Granting a Variance:

A) 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.

Although a high-rise structure is allowed, the applicant intends to construct a low profile three-story office, which doesn't loom over Katy Trail. Although the zoning allows a 240-foot 1,019,837 square foot structure set back 50 feet from Katy Trail, the applicant is developing a three-story, 66-foot high structure, which includes the mechanical penthouse. The adjacent zoning across Katy Trail is PDS 94, which allows a 100-foot high structure 51 feet from the edge of the pedestrian path of Katy Trail. With the variance, our main structure, which is 53.5 feet high will be set back 54.4 feet from the edge of the pedestrian path of Katy Trail.

The edge of the pedestrian path of Katy Trail is 25.8 feet above the finish floor of our office building. This means that a pedestrian using the trail will only be looking at 27.7 feet high of the main office building.

The proposed lot coverage is 26.38%, which is far less than 75% coverage allowed under O-2 District zoning. The proposed office building is 169,022 square foot or 0.67:1 floor area ratio instead of a 1,019,827 square foot office building with a 4:1 floor area ratio allowed under the current zoning.

B) The Variance is 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.

The development standards for this site default to Office-2 District guidelines, which are the identical development guidelines for all other parcels of land with the same O-2 District zoning. However, this parcel differs from other parcels with the same zoning because of its physical constraints:

- 1) Very irregular is shape;
- 2) 33% of the site falls within a floodway easement and can not be built upon; and
- 3) There is a 24-foot change in grade along half of the parameter of the site.

C) The variance is 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.

The natural features of the site restrict development and there are no self-created hardships. Granting this variance does not permit the applicant any privilege in developing this parcel not permitted by this chapter to other parcels of land with the same zoning.

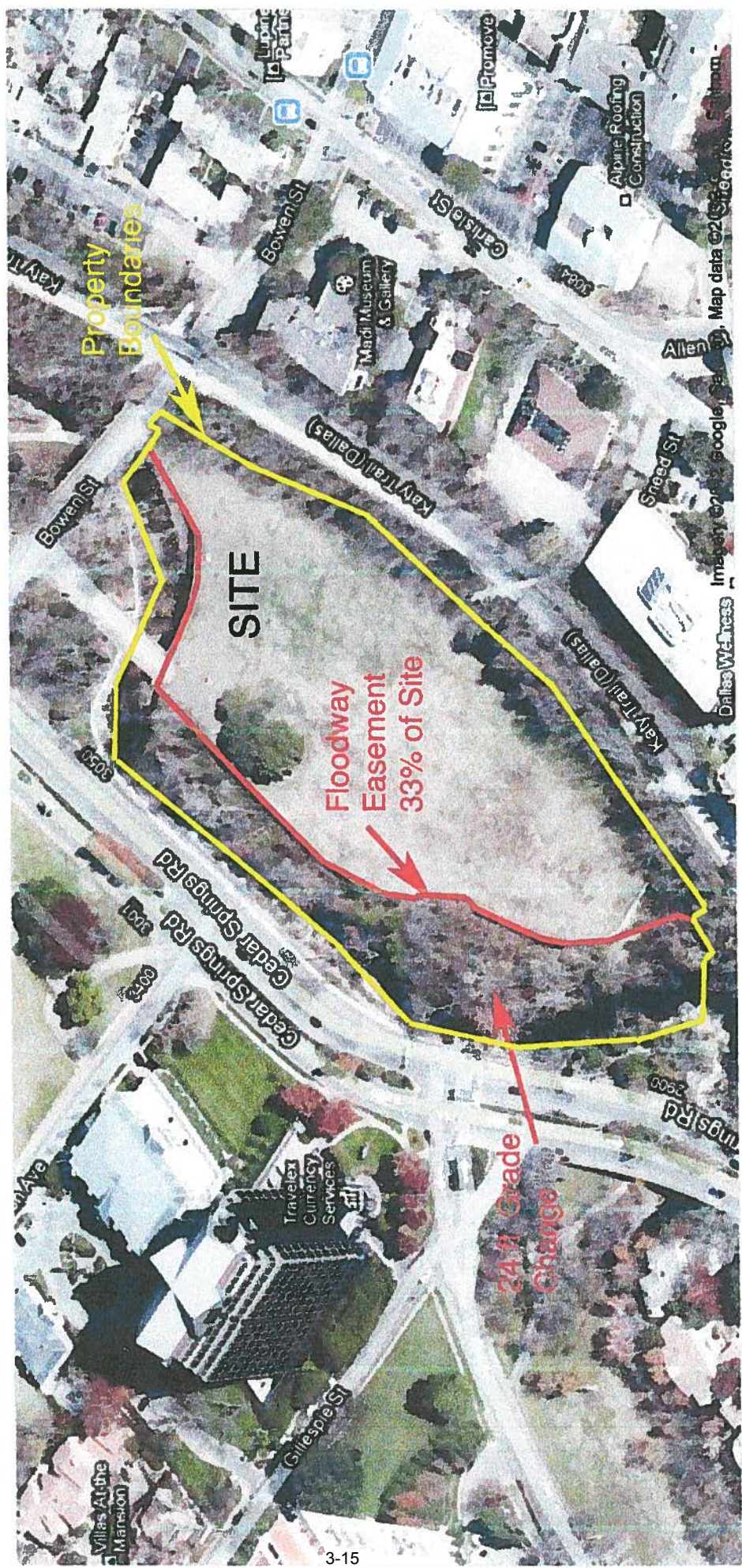
For these reasons, we believe our request meets all the standards for granting a variance and request that the board approves our request.

Sincerely:



Robert Reeves

To see all the details that are visible on the screen, use the "Print" link next to the map.



BDA 134-037

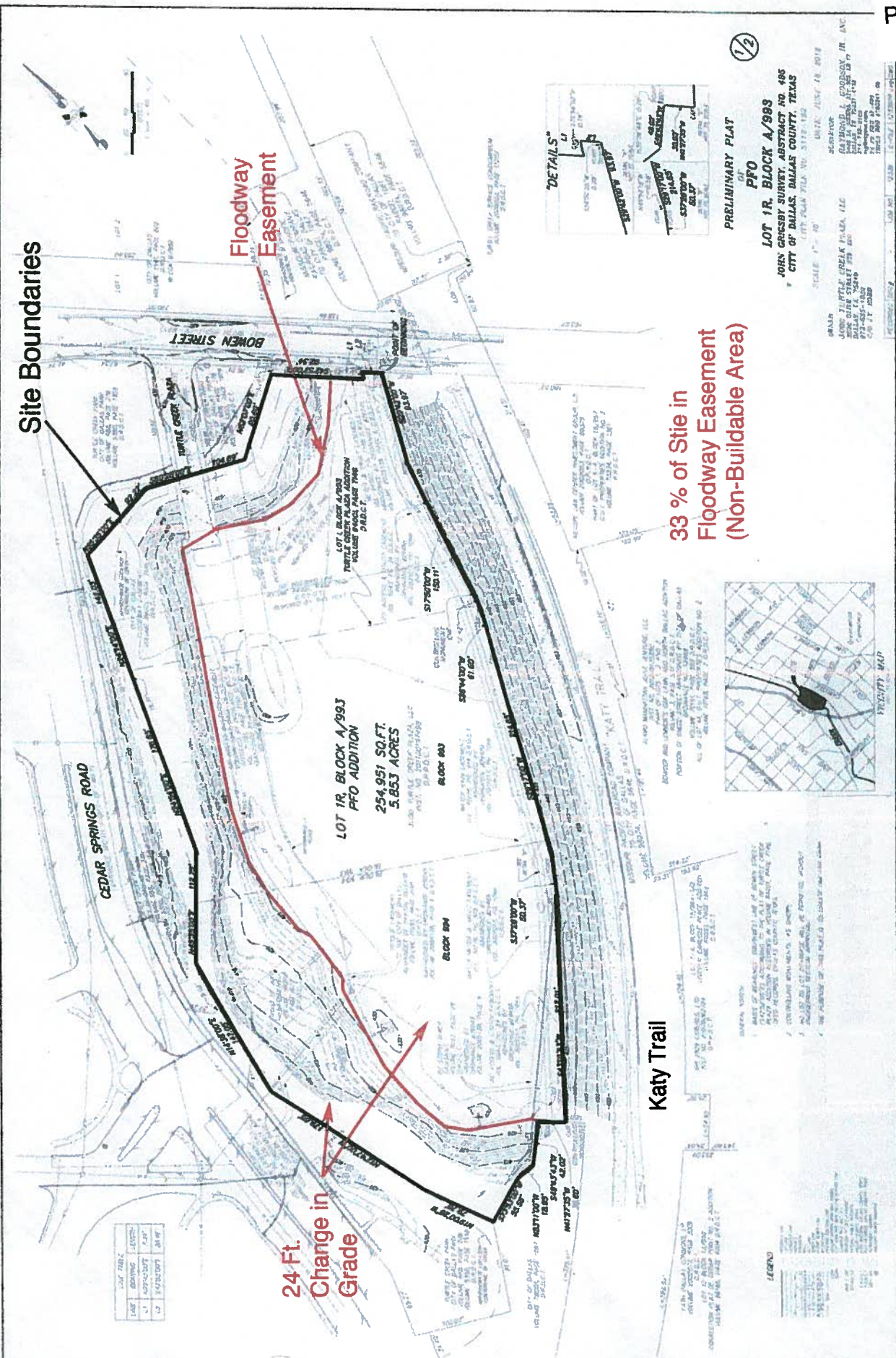
Site Boundaries

Floodway Easement

33 % of Site in Floodway Easement (Non-Buildable Area)

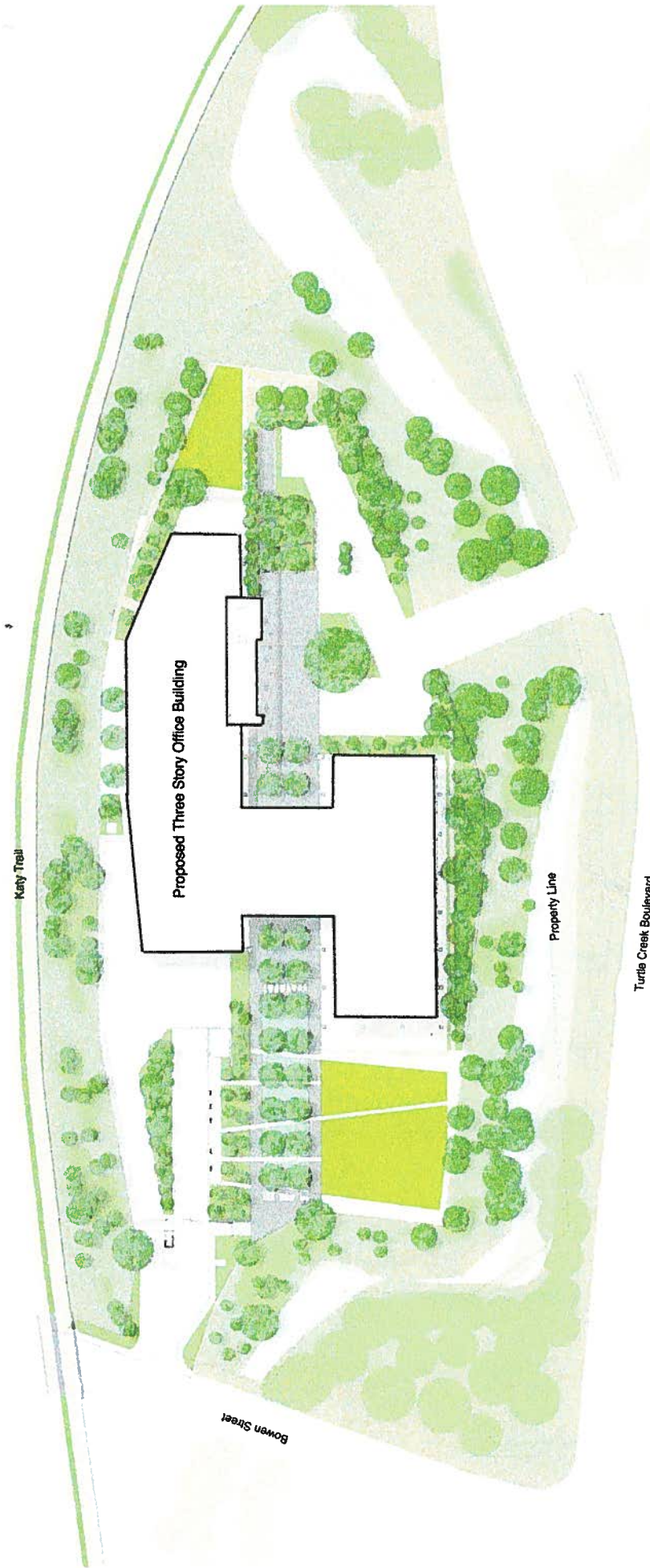
24 Ft. Change in Grade

LOT 1R, BLOCK A/993
 PFO ADDITION
 254,951 SQ.FT.
 5.853 ACRES



Current Site Plan

BDA 134-037



3-17



BDA 134-037

TURTLE CREEK OFFICES | DESIGN DEVELOPMENT

February 28, 2014

**BDA 134-037
Attach A
Pg 8**

**BO
KID
POWER**
MITHUN

EDGE OF PEDESTRIAN PATHWAY OF KATY TRAIL

PROPERTY LINE

ADDITIONAL SETBACK > 36'

4-037

ROOF PENTHOUSE WALL BEYOND ROOF PARAPET

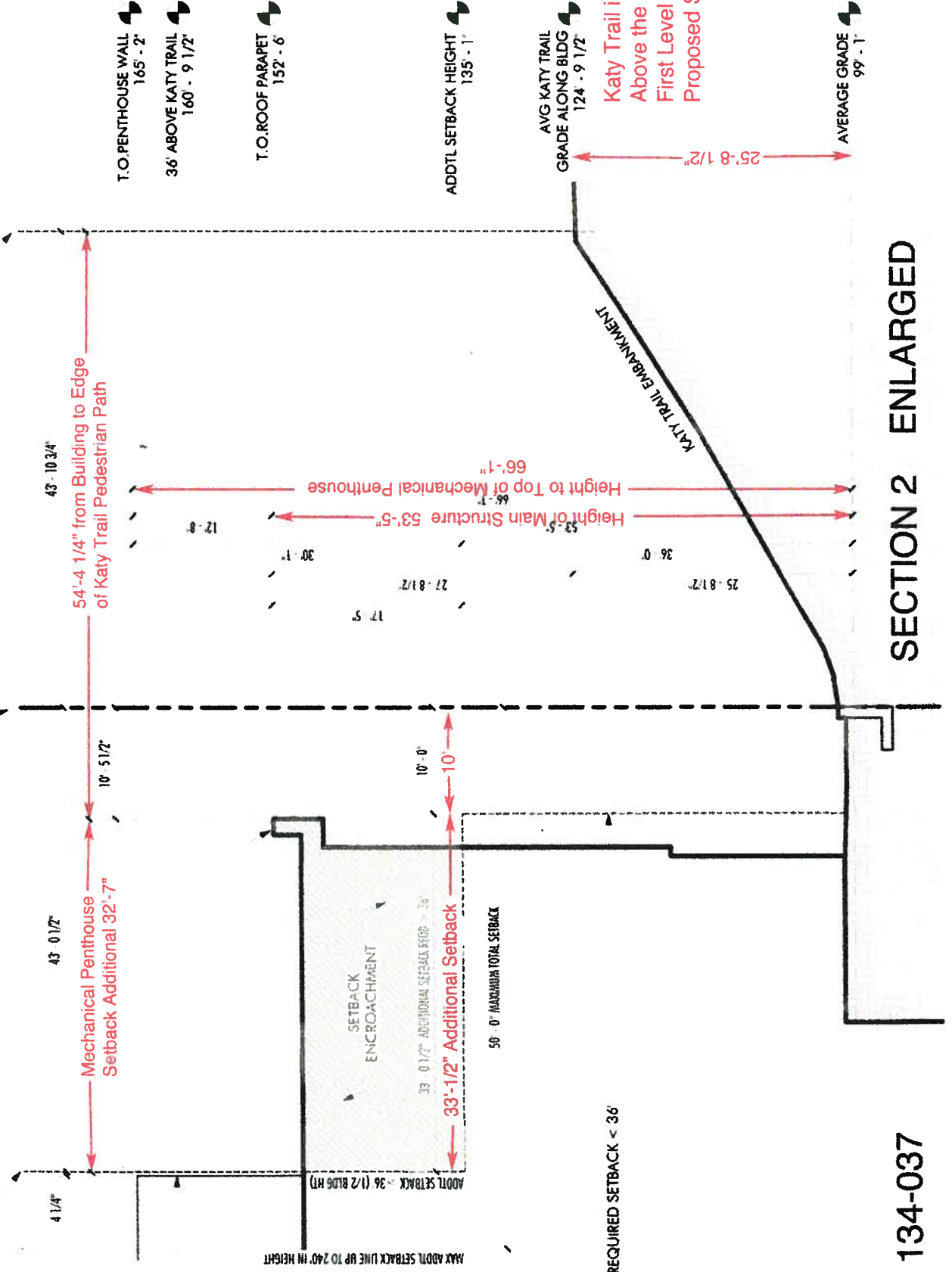
MAX ADDTL SETBACK LINE UP TO 740' IN HEIGHT

ADDTL SETBACK > 36 (1/2 BLDG HT)

SETBACK ENCROACHMENT
 33'-0 1/2" ADDITIONAL SETBACK REQ. > 36'

50'-0" MAXIMUM TOTAL SETBACK

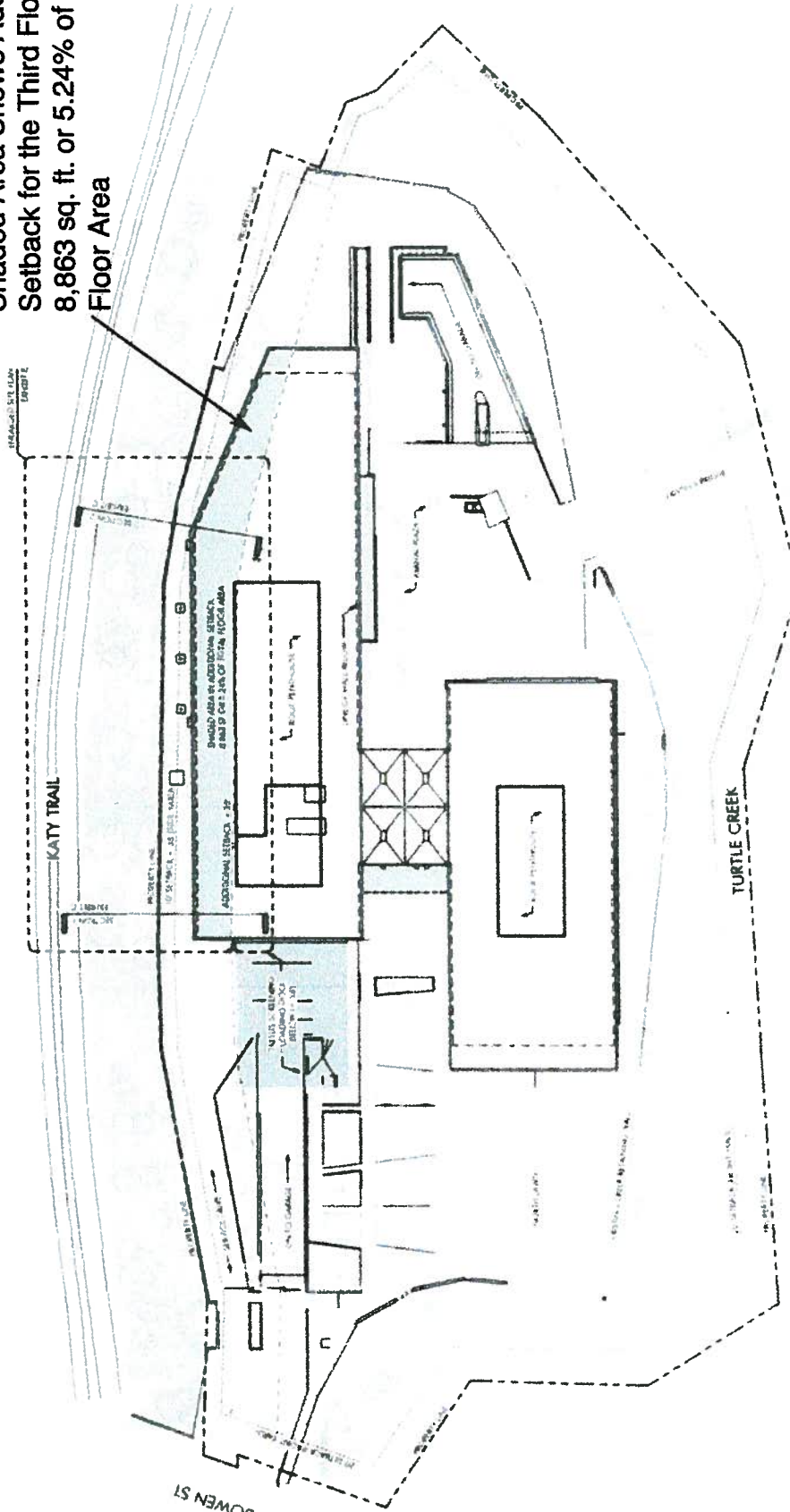
10' REQUIRED SETBACK < 36'



SECTION 2 ENLARGED

BDA 134-037

Shaded Area Shows Additional
Setback for the Third Floor
8,863 sq. ft. or 5.24% of Total
Floor Area



PROPOSED DEVELOPMENT

PROJECT NO.	134-037
DATE	02/26/2014
PROJECT NAME	TURTLE CREEK OFFICES
OWNER	BOYD GROUP
DESIGNER	BOYD GROUP
SCALE	AS SHOWN
DATE	02/26/2014
PROJECT NO.	134-037
DATE	02/26/2014
PROJECT NAME	TURTLE CREEK OFFICES
OWNER	BOYD GROUP
DESIGNER	BOYD GROUP
SCALE	AS SHOWN
DATE	02/26/2014

SITE PLAN

BDA 134-037

TURTLE CREEK OFFICES

EXHIBIT A
02/26/2014
Project No.
12008-100
Reg. or other action

BDA 134-037
Attach A
Pg 10



MITHUN



Edge of Katy Trail
Pedestrian Path

Nearest Point of the Building is
54 ft. - 4 1/4 in. from the Edge of
Katy Trail Pedestrian Path

33' - 1/4" Additional
Setback
Requirement for
Third Floor

Impacted Area of
Mechanical Penthouse

Impacted Area
of Third Floor

ENLARGED SITE PLAN



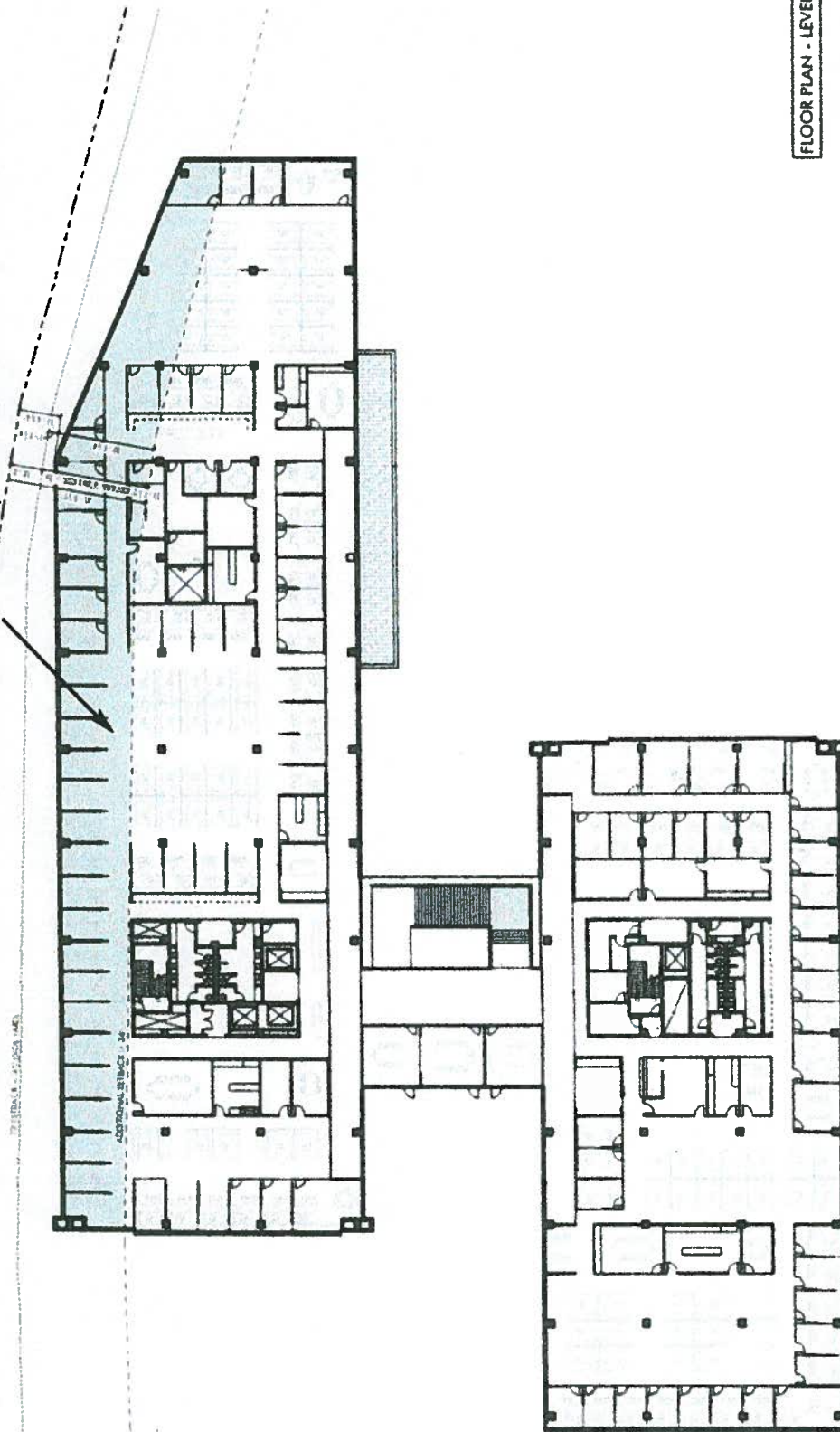
MITHUN



Shaded Area Shows Additional Setback for
the Third Floor.

8,863 sq. ft. or 5.24% of Total Floor Area

ADDITIONAL SETBACK - 3'



FLOOR PLAN - LEVEL 3

BDA 134-037

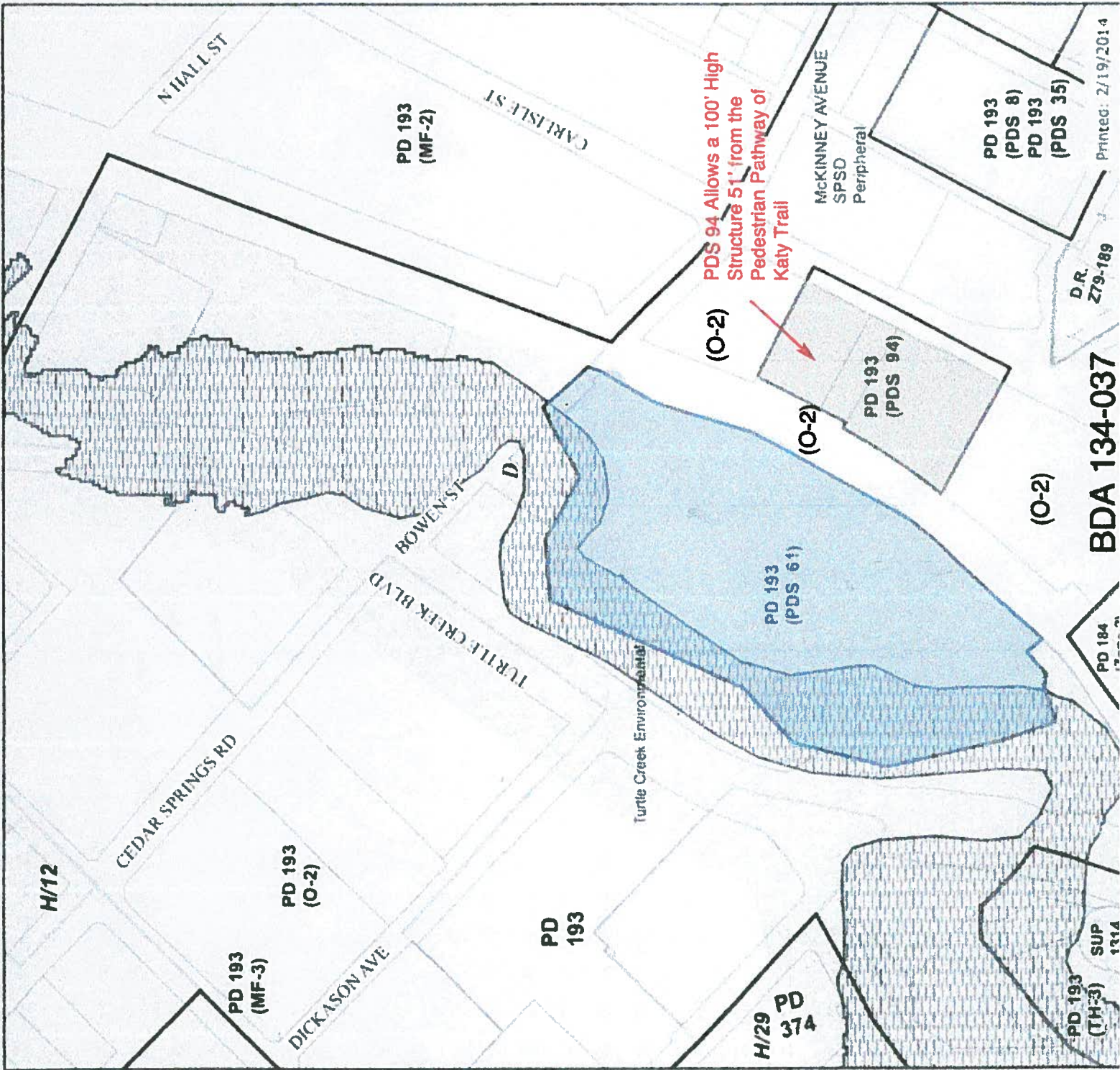
TURTLE CREEK OFFICES

Donald J. Powers, Jr.
Registered Professional Engineer
No. 10,841
Exp. No. 10/31
John E. O'Connell
Registered Professional Engineer
No. 10,879
Exp. No. 10/31
G. D. & B. P. A., P.A.
12020.103

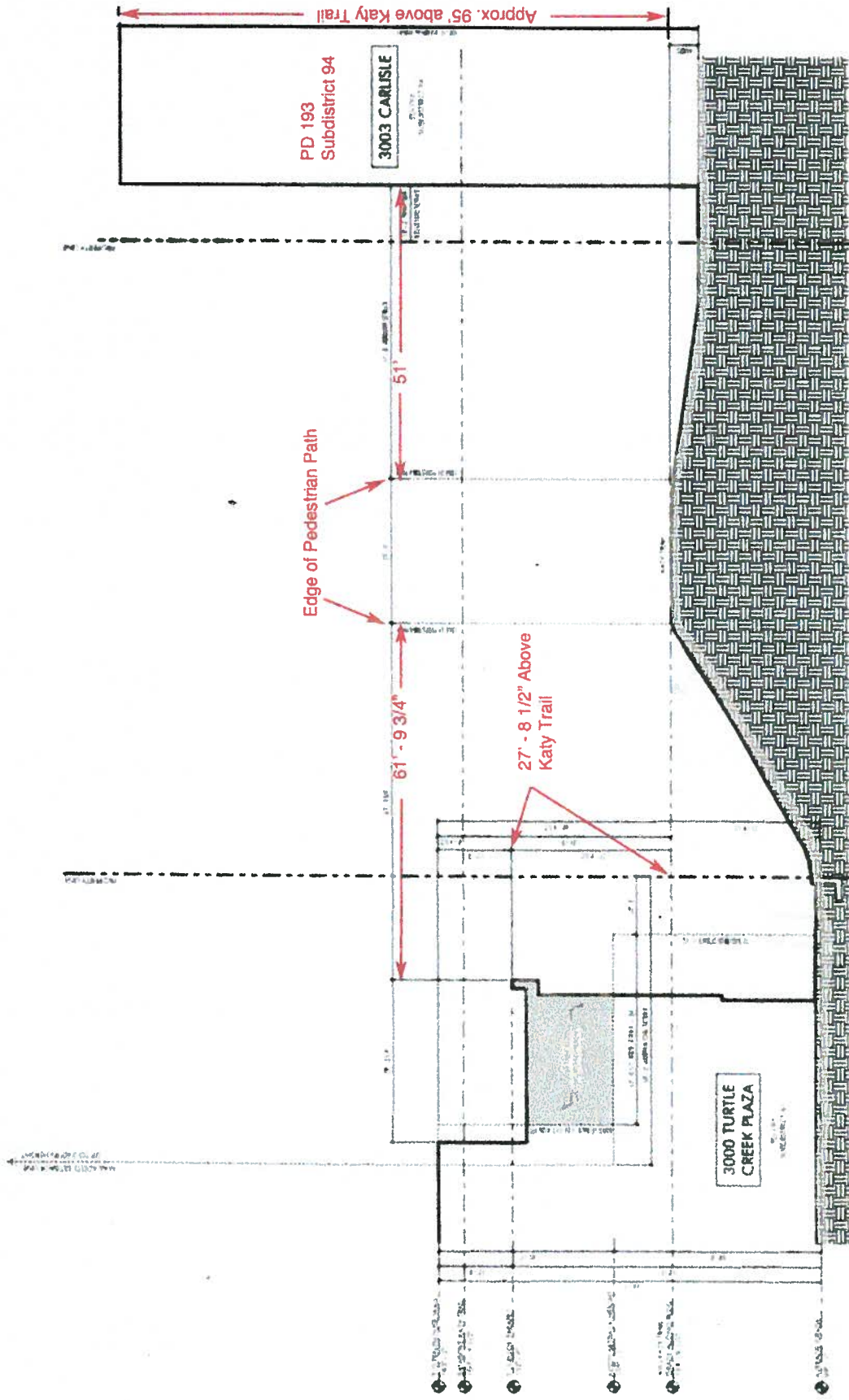


MITHÜN

EXHIBIT F
02.29.2014
BDA 134-037
Attach A
Pg 12



BDA 134-037



BDA 134-037

TURTLE CREEK OFFICES

Created & Revised by: [illegible]
 Reg. No. 1378
 City of Berkeley
 Date of Issue: 12/28/2014
 Project No. 12028 103
 Approval: [illegible]
 Reg. No. 1378
 © 2014 BDA



MITHUN

EXHIBIT B
 02-28-2014
 BDA 134-037
 Attach A
 Pg 14

ROBERT REEVES
& Associates, Inc.

March 25, 2014

PLANNING AND ZONING CONSULTANTS

Todd Duerksen
Building Inspection
320 E. Jefferson Blvd., Room 105
Dallas, Texas 75203

RE: Amendment to Case BDA 134-037
Special Exception for Alternate Landscape Plan

Dear Duerksen:

On behalf of my client, 3000 Turtle Creek Plaza, LLC, we are amending Case BDA 134-037 to include a special exception request for an alternate landscape plan in order to meet the landscape requirements of PD 193, Subdistrict 61. Because of the physical characteristics of the site relating to street frontage and front yards, it is impossible to comply with the street tree and designated landscape area requirements of PD 193.

The only frontage along Turtle Creek Blvd. is a new bridge constructed by the applicant. The property line dissects the bridge with the portion of the bridge adjacent to Turtle Creek Blvd. within city ROW. There is a 24-foot grade change and creek located in the required front yard under the bridge. It is impossible to comply with the landscape requirements along Turtle Creek Blvd.

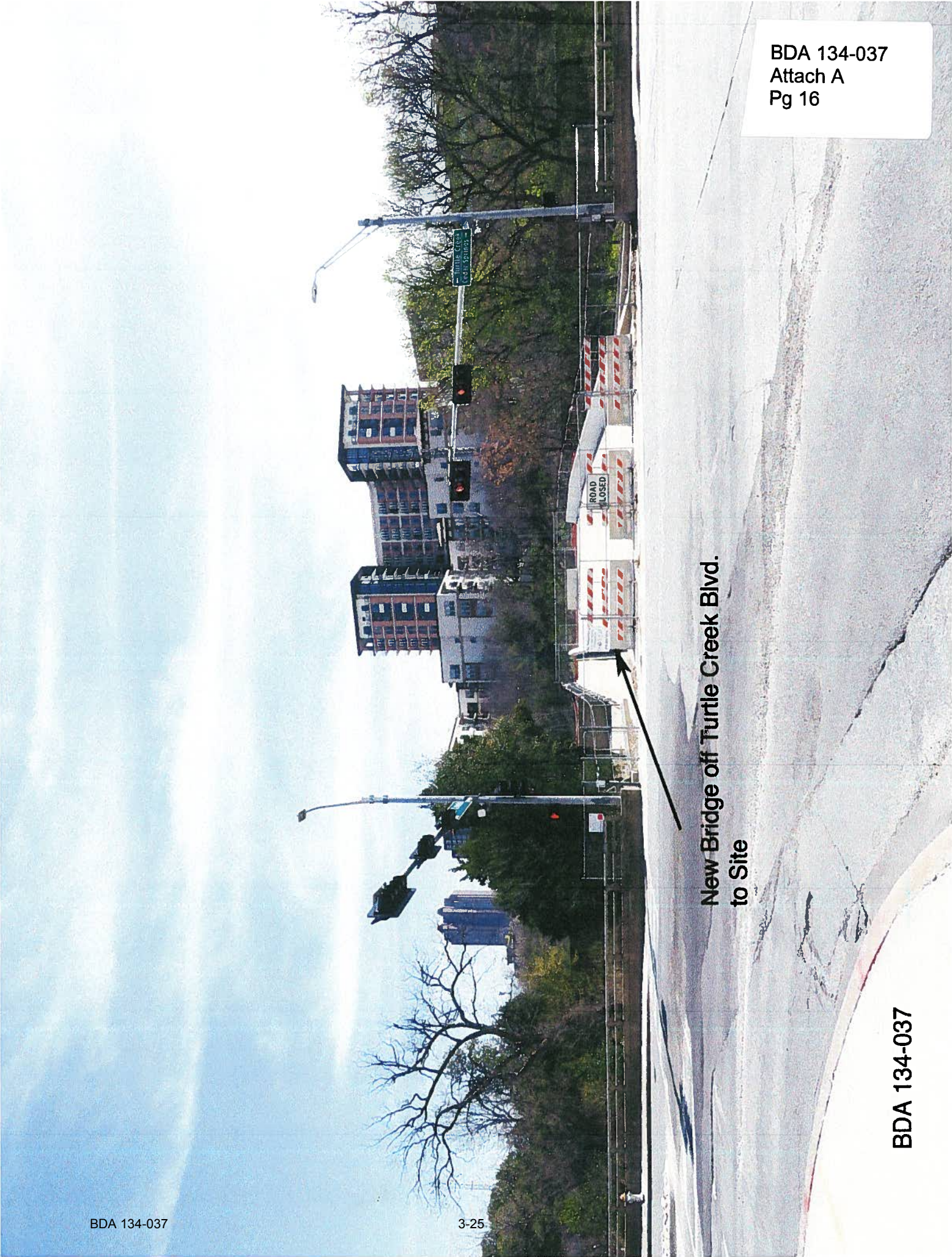
The property frontage along Bowen Street has similar constraints within the front yard and street frontage. There is barely enough room for a driveway at Bowen before the property drops-off with a 24-foot grade change to Turtle Creek. There are three features located in the front yard, which make it impossible to comply with PD 193 landscape requirements; paved driveway, 24-foot grade change, and Turtle Creek.

We are requesting the Board of Adjustment to approve an alternate landscape plan.

Sincerely:



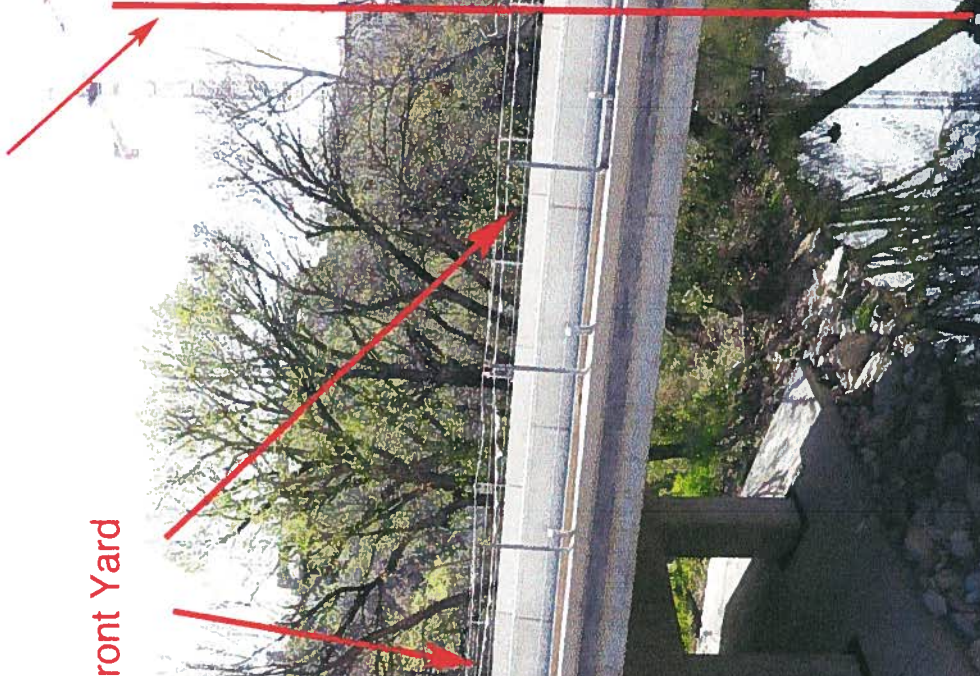
Robert Reeves, President
Robert Reeves & Associates, Inc.

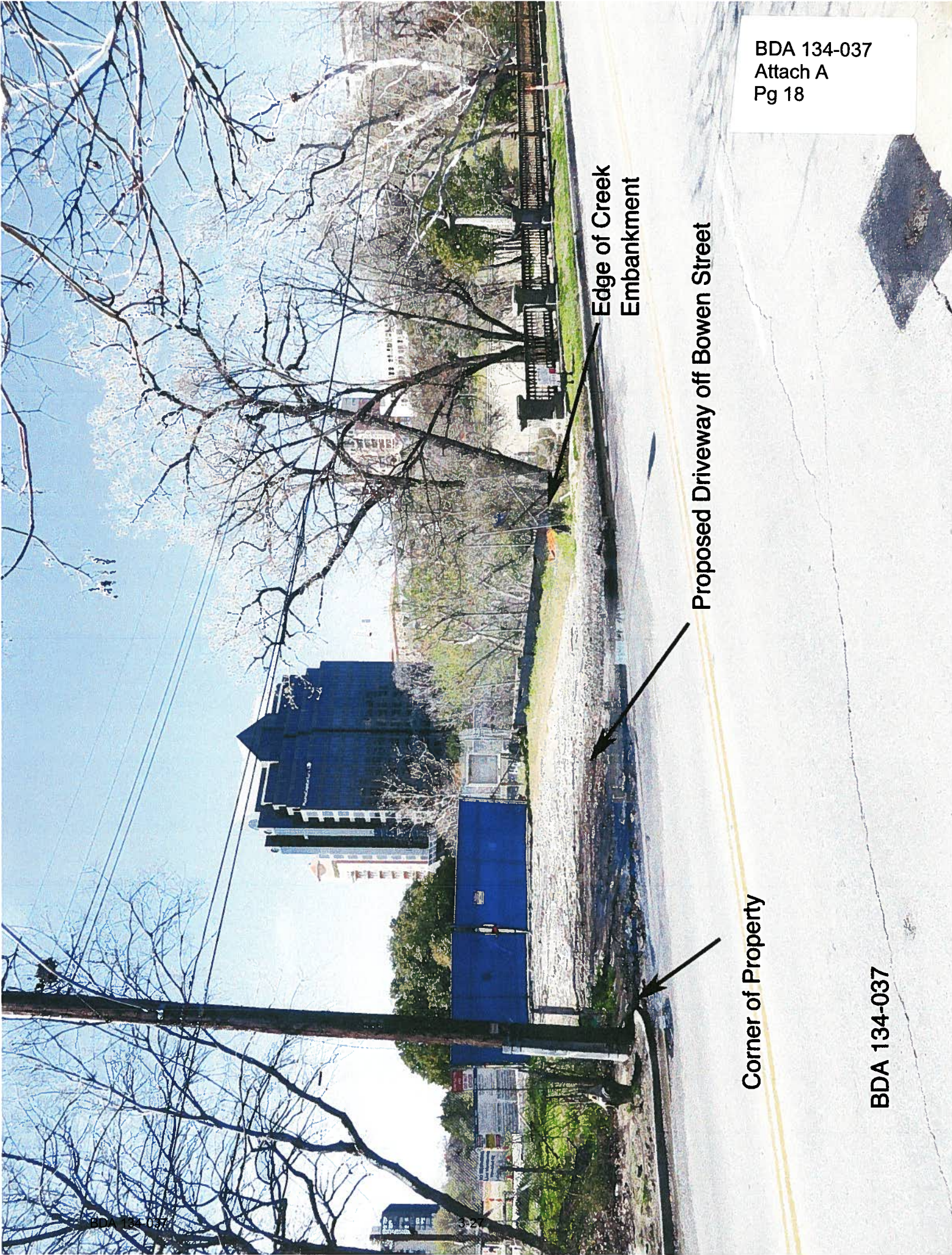


New Bridge off Turtle Creek Blvd.
to Site

Property Line

Required Front Yard





Edge of Creek
Embankment

Proposed Driveway off Bowen Street

Corner of Property

Katy Trail

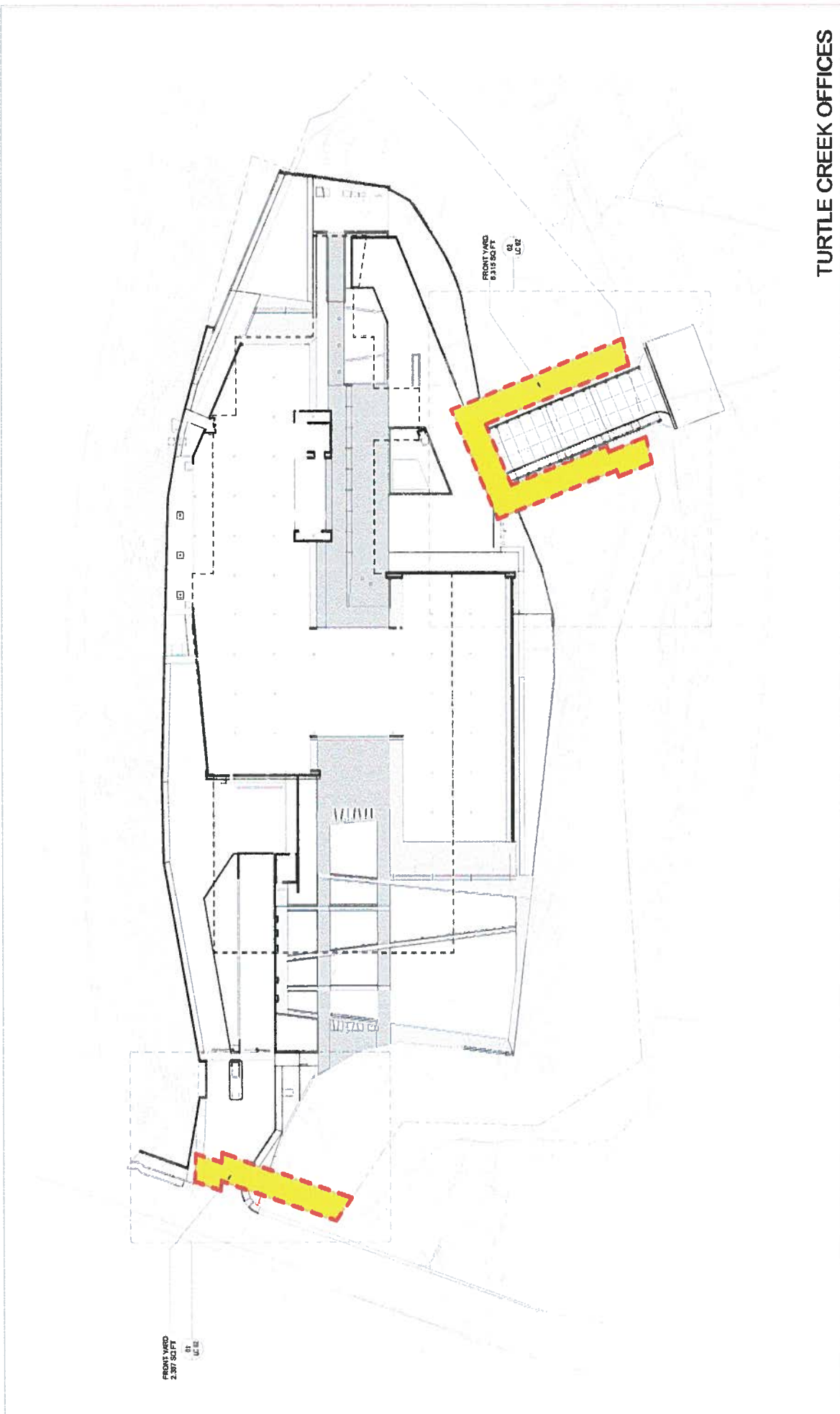
Driveway off Bowen St

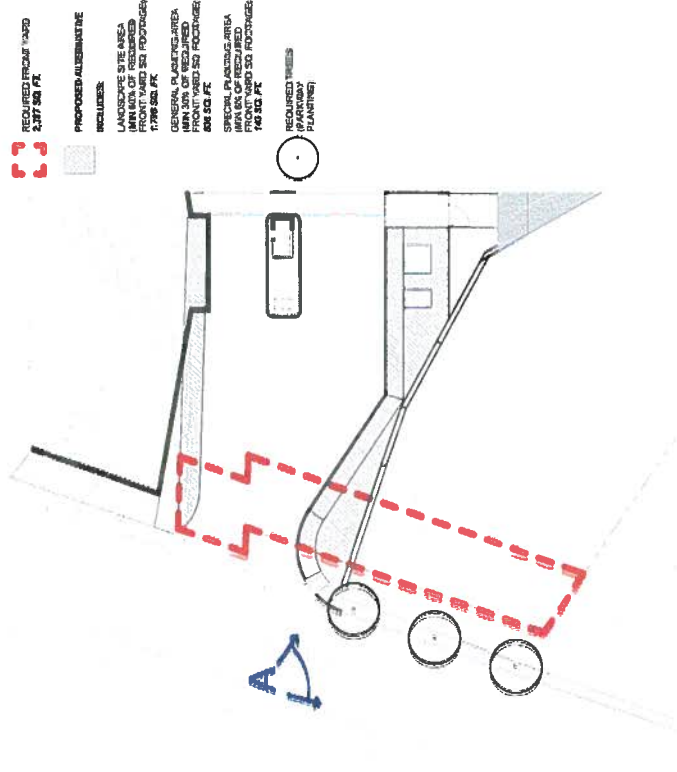
Front Yard Off
Bowen St

Property Line

BDA 134-037







REQUIRED FRONT YARD SETBACK
4,377 SQ. FT.

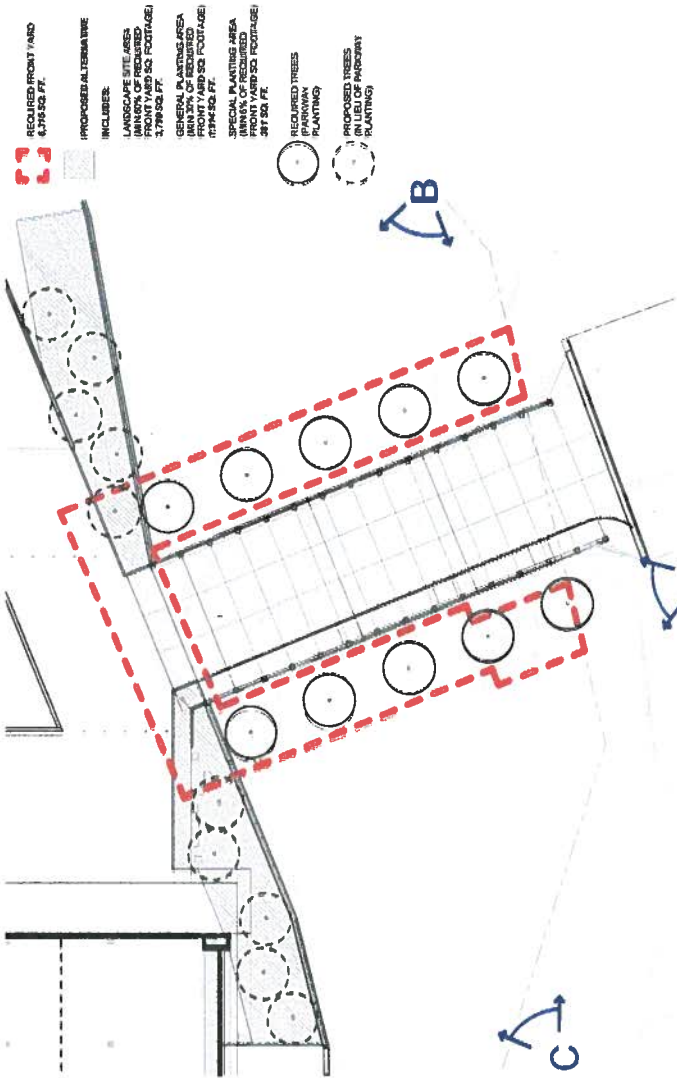
PROPOSED ALTERNATIVE INCLUDES:

LANDSCAPE SITE AREA (MINIMUM OF REQUIRED FRONT YARD SETBACK FOOTAGE) 14,798 SQ. FT.

GENERAL PLANTING AREA (MIN. 3% OF REQUIRED FRONT YARD SETBACK FOOTAGE) 808 SQ. FT.

SPECIAL PLANTING AREA (MIN. 5% OF REQUIRED FRONT YARD SETBACK FOOTAGE) 215 SQ. FT.

REQUIRED TREES (BARROW) PLANTING:



REQUIRED FRONT YARD SETBACK
4,375 SQ. FT.

PROPOSED ALTERNATIVE INCLUDES:

LANDSCAPE SITE AREA (MINIMUM OF REQUIRED FRONT YARD SETBACK FOOTAGE) 14,798 SQ. FT.

GENERAL PLANTING AREA (MIN. 3% OF REQUIRED FRONT YARD SETBACK FOOTAGE) 808 SQ. FT.

SPECIAL PLANTING AREA (MIN. 5% OF REQUIRED FRONT YARD SETBACK FOOTAGE) 215 SQ. FT.

REQUIRED TREES (BARROW) PLANTING:

PROPOSED TREES (MIN. 5% OF REQUIRED FRONT YARD SETBACK FOOTAGE)

BOWEN ST. PROPOSED DECK
EQUVALENCY
1/16" = 1'-0"

TURTLE CREEK BLVD BRIDGE-PROPOSED DECK
EQUVALENCY
1/16" = 1'-0"



A **Embankment**
View of Turtle Creek looking north at site of vegetation along creek embankment.



B **View of Turtle Creek** (prior to new Turtle Creek Bridge construction)
View of Turtle Creek looking north at site of vegetation along creek embankment.



C **Turtle Creek Bridge** (east view)
View of Turtle Creek looking east toward Turtle Creek Bridge construction.



D **Turtle Creek Bridge**
View of Turtle Creek Bridge showing construction progress.



0 5 10 20



MITHUN

TURTLE CREEK OFFICES

Conrad R. Powell, Jr.
Reg. No. 7200
Chris M. Powell
Reg. No. 11147
John E. Orfield
Reg. No. 11184
Kurtis J. Powell
Reg. No. 13129
2014 BC
pending construction

Landscaping Code Enforcements

BDA 134-037
Attach A
Pg 21

Memorandum



DATE April 10, 2014
TO Steve Long, Board of Adjustment Administrator
SUBJECT # BDA 134 · 037 3000 Turtle Creek Boulevard

The applicant is requesting a special exception to the landscape requirements of PD 193, Part 1 (O-2).

Trigger

New construction.

Deficiencies

The proposed limited landscape plan identifies proposed alternate landscape conditions for 1) the designated landscape areas for the required front yard, 2) sidewalk, and 3) the tree planting zone. The limited plan does not reveal the locations of required landscape areas on the property and does not identify any compliance with PD 193, Part 1, regulations for O-2 Office Subdistrict landscaping.

Factors

The property is regulated under PDS 61. The standards for designated landscape areas are based on O-2 Office Subdistrict requirements, as determined under S-61.105(2), Main Uses Permitted. The required front yard designated areas are identified on the Landscape Code Enlargements exhibit.

The property is surrounded on the west and north sides by Turtle Creek and on the east by the Katy Trail. The property is also under the regulations of the Turtle Creek Environmental Corridor Overlay District which exists 'to protect and preserve the environmentally sensitive Turtle Creek area.'

The site plan, provided with the letter for a separate variance by the applicant, is not designated as the landscape plan. PD 193 requires, "when feasible, the board shall require that the applicant submit and that the property comply with a landscape plan as a condition to granting a special exception."

The applicant has stated the site can comply with all of the conditions of PD 193 Part 1 regulations with the exceptions identified in this application.

Recommendation

The Chief Arborist has no objection to the request for the special exception, if it is the determination of the Board that a full landscape plan cannot feasibly be produced at this time, and that a partial landscape plan with conditions is acceptable for its review. I believe the extent of the protection of the tree-lined Turtle Creek corridor and the isolated condition of the property, along with additional required landscaping, supports the premise that the final completed landscape plan will meet the spirit and intent of the PD 193 landscape regulations.

As a condition for approval, I recommend the following provisions be applied:

A landscape plan that complies with 51P-193.126 for O-2 office districts must be submitted for permit, with the exception to be provided for the 1) front yard designated landscape areas, 2) sidewalks, and 3) tree planting zone. Trees and landscape areas must be installed according to the diagrams in the Landscape Code Enlargements exhibit and with the tree specifications required in 51P-193.126(b)(5)(C).

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



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-037

Data Relative to Subject Property:

Date: 2/24/14

Location address: 3000 Turtle Creek Plaza Zoning District: PD No.193, Special District No. 61

Lot No.: 1R Block No.: A/993 Acreage: 5.853 acres Census Tract: 5.00

Street Frontage (in Feet): 1) 92.34 (Bowen) 2) 30' 3) _____ 4) _____

SW22

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): 3000 Turtle Creek Plaza, LLC

Applicant: Ken Reese Telephone: (214) 303-5523

Mailing Address: 3090 Olive Street, Suite 300, Dallas, Texas Zip Code: 75219

E-mail Address: ken.reese@hillwood.com

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

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

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

Affirm that a request has been made for a Variance X, or Special Exception , of 33'-1/2" side yard
Affirm that a request has been made for a Variance of 33'-1/2" side
yard variance, which affects 8,863 sq. ft. of floor area or 5.24% of the
total floor area. See attached letter for more details.

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
The site is very irregular with a 24 foot grade change along the length
of the site parallel to Turtle Creek. The building area is restricted
because 33% of the site is in the flood plain.

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

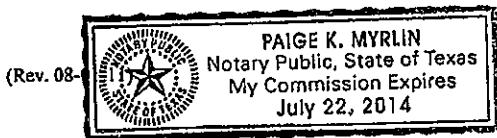
Before me the undersigned on this day personally appeared Ken Reese
(Affiant/Applicant's signature)

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

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

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

Paige K. Myrlin
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

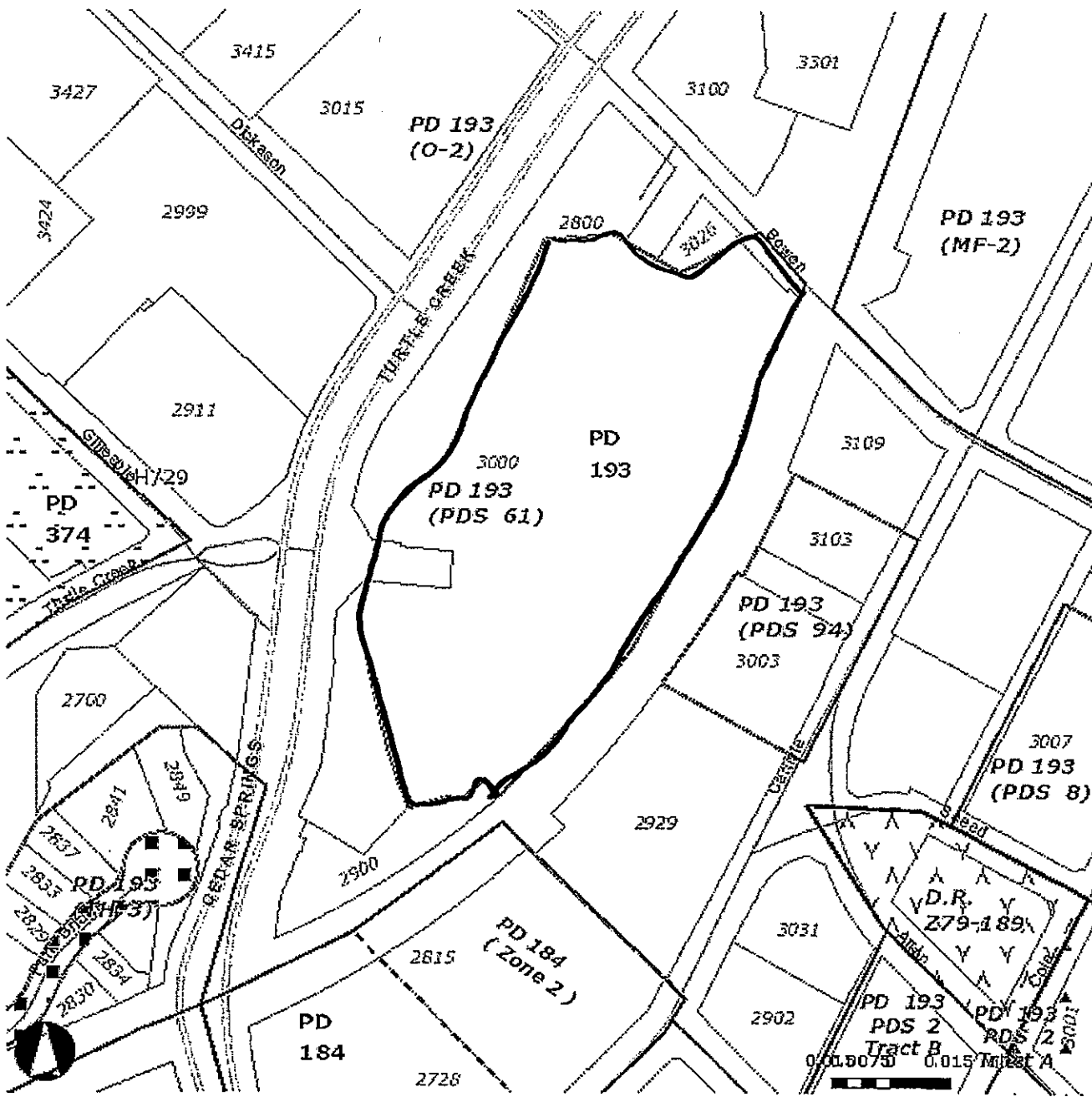
Building Official's Report

I hereby certify that Ken Reese
represented by ROBERT REEVES
did submit a request for a variance to the side yard setback regulations
at 3000 Turtle Creek Plaza

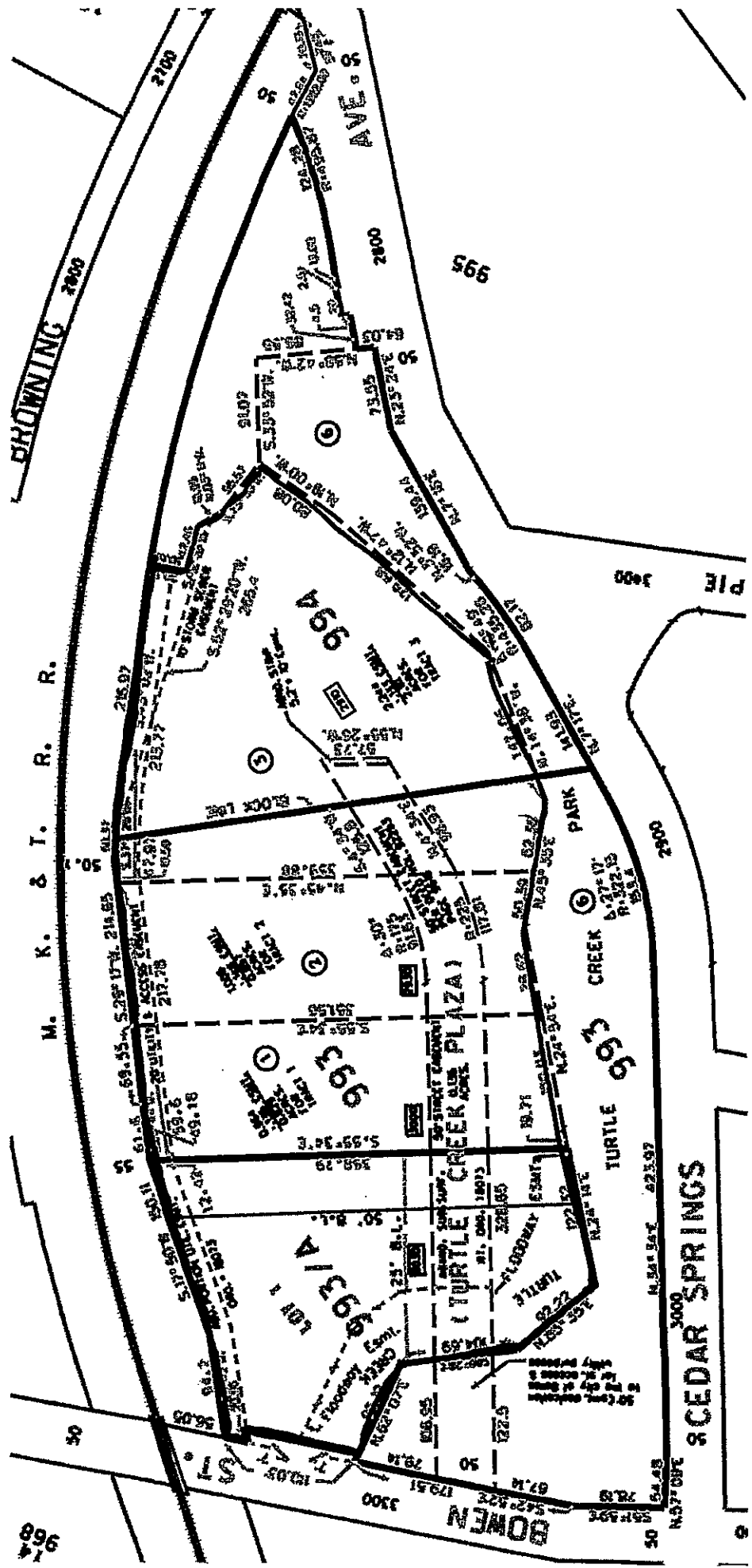
BDA134-037. Application of Ken Reese represented by Robert Reeves for a variance to the side yard setback regulations at 3000 Turtle Creek Plaza. This property is more fully described as Lot 1R, Block A/993, and is zoned PD-193, PDS 61, which requires a 43 foot 1/2 inch side yard setback. The applicant proposes to construct a nonresidential structure and provide a 10 foot side yard setback, which will require a 33 foot 1/2 inch variance to the side yard setback regulation.

Sincerely,


Larry Holmes, Building Official



RJR



R. D. K.

ROBERT REEVES
& Associates, Inc.

February 27, 2014

PLANNING AND ZONING CONSULTANTS

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

RE: Side Yard Variance, 3000 Turtle Creek Plaza, LLC

Dear Board Members:

This is a request by 3000 Turtle Creek Plaza, LLC for a 33 foot-1/2 inch side yard variance along the south property line off Bowen Street. The applicant intends to construct a 169,022 square foot boutique office building located in PD No. 193, Subdistrict No. 61. The applicant must comply with O-2 District standards, which requires an additional setback for a building over 36 feet in height that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet.

The site is very irregular in shape and has a 24-foot change in grade along the length of the site parallel to Turtle Creek. In addition, 33.3% of the site is in the flood plain, which limits the buildable area. Although the current zoning allows a 240-foot, 20-story structure with a floor area ratio of 4:1 or 1,019,827 square feet, the applicant has chosen to construct a low profile three-story structure having approximately 169,000 square feet and a floor area ratio of .67:1. In addition, the applicant will place the required parking underground. The main office building is 53 feet-5 inches high and the enclosed mechanical penthouse is an additional 12 feet-8 inches in height for a total height of 66 feet-1inch. The variance request impacts only a portion of the third floor and the corner of the mechanical penthouse, 8,863 square feet or 5.24% of the total floor area of approximately 169,000 square feet.

We do not believe that this request will impact adjacent properties. In fact, Katy Trail, which is adjacent to our proposed variance, is 24 feet above the finished floor elevation of the ground floor. Pedestrians using Katy Trail will effectively be looking at a two-story building instead a 20-story building, which is allowed by zoning.

Based on these reasons, we feel our side yard variance request is warranted and ask for the board's approval.

Sincerely:



Robert Reeves

Friday, February 28, 2014

**3000 Turtle Creek Plaza
Turtle Creek Offices**

Submitted Plans, Exhibits, (7):

Exhibit A – Site Plan

Exhibit B – Enlarged Site Plan: Side Yard Setback

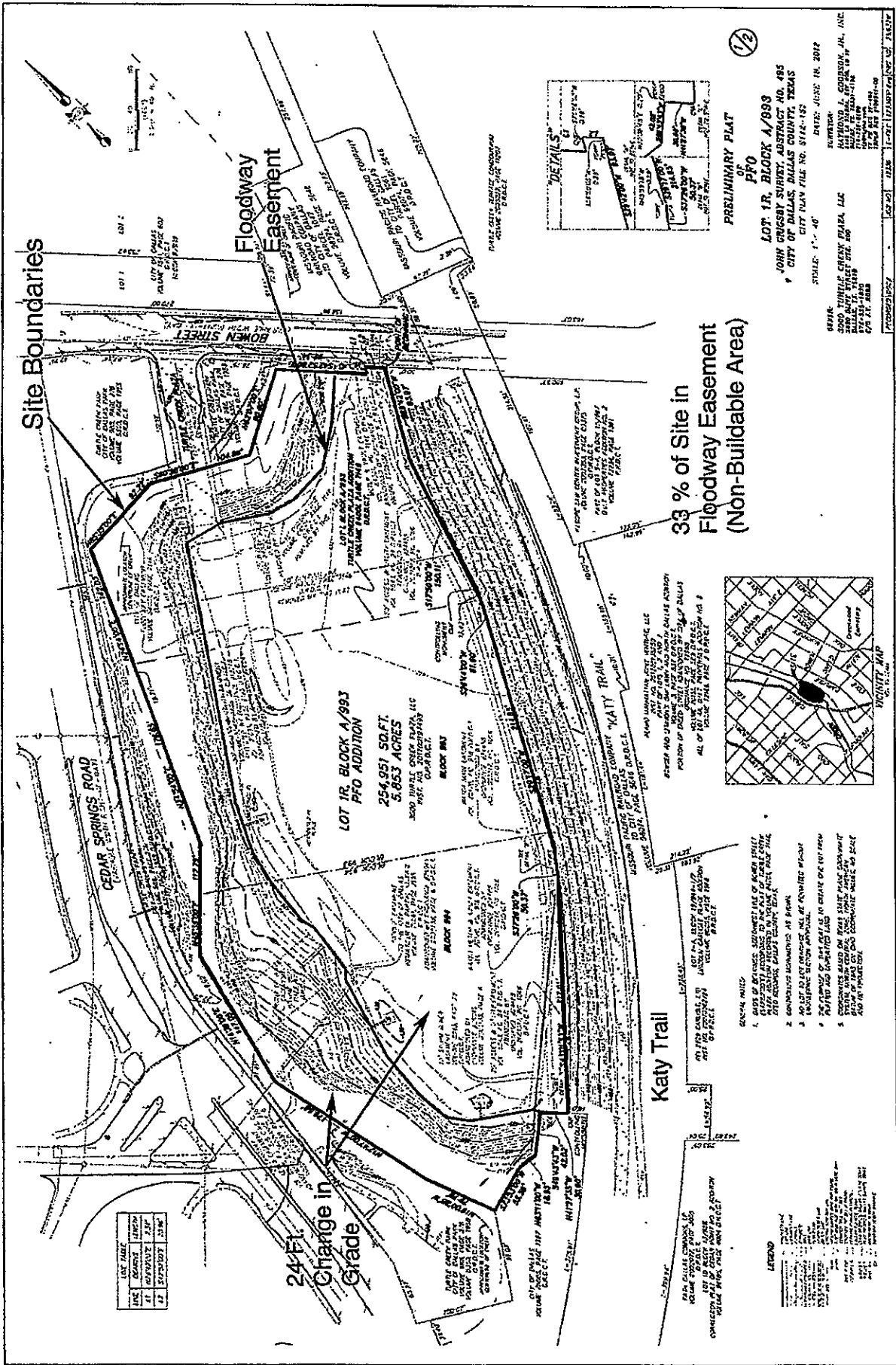
Exhibit C – Side Yard Setback Scenarios

Exhibit D – Floor Plan: Level 1

Exhibit E – Floor Plan: Level 2

Exhibit F – Floor Plan Level 3

Exhibit G – Floor Plan Roof Level



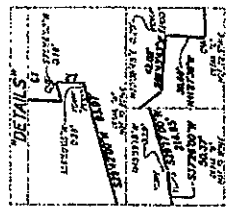
Site Boundaries

Floodway Easement

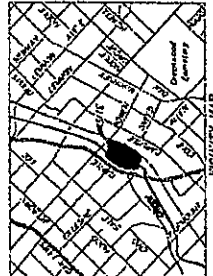
33 % of Site in Floodway Easement (Non-Buildable Area)

LOT 1R, BLOCK A, PFO ADDITION
284,951 SQ. FT.
6.55 ACRES

LINE	THICKNESS	LENGTH	AREA
1	1/8"	100'	100'
2	1/8"	100'	100'
3	1/8"	100'	100'

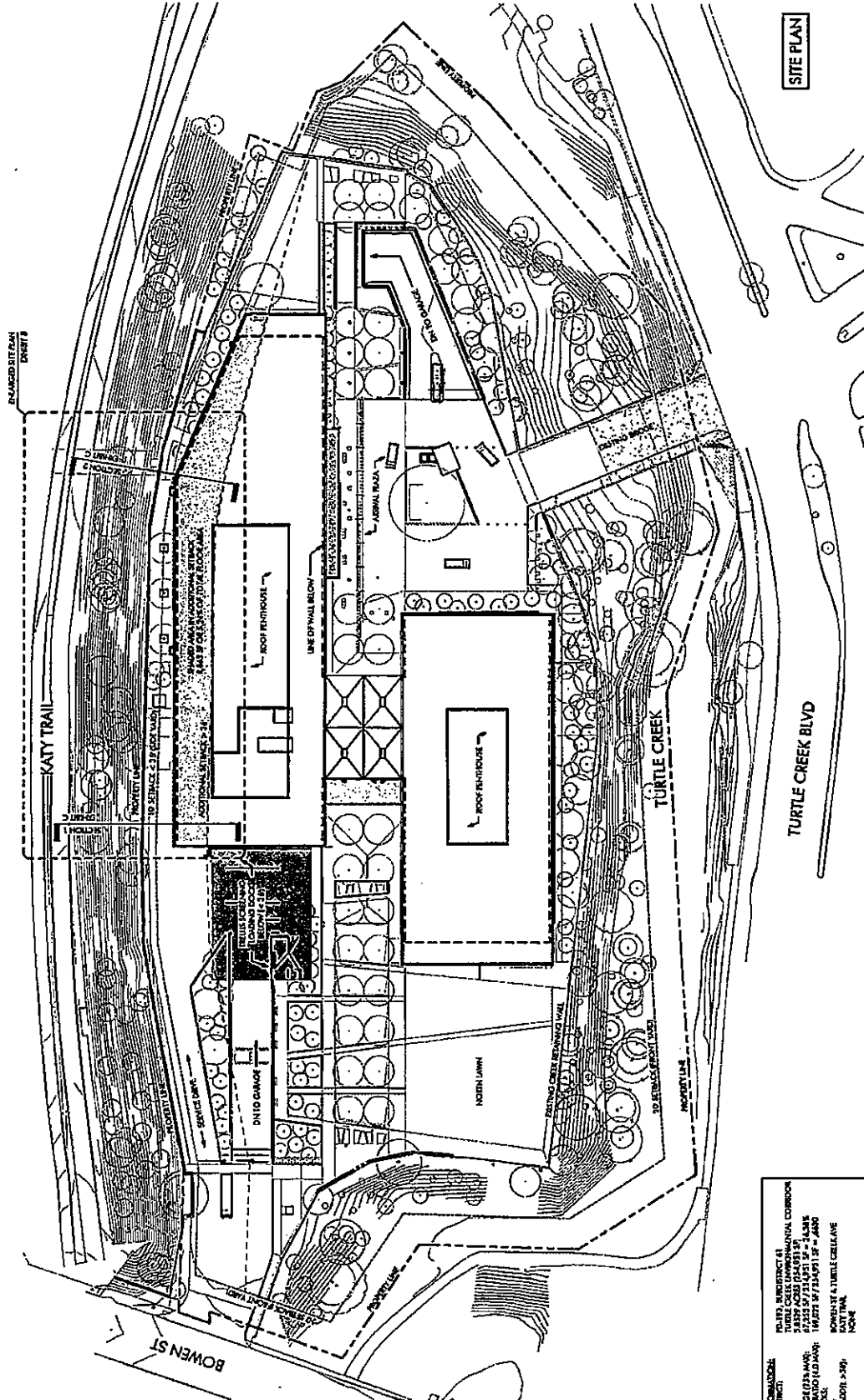


PRELIMINARY PLAT
OF
LOT 1R, BLOCK A, PFO
JOHN CRISBY SURVEY ABSTRACT NO. 485
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. 8142-153
DATE: JUNE 11, 2012
DRAWN BY: J. GORROCK, JR., INC.
CHECKED BY: J. GORROCK, JR., INC.
SCALE: 1" = 40'



GENERAL NOTES
1. THIS PLAT IS A PRELIMINARY PLAT AND IS SUBJECT TO THE CITY OF DALLAS AND THE STATE OF TEXAS.
2. THE CITY OF DALLAS HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE CITY OF DALLAS ORDINANCES AND THE STATE OF TEXAS.
3. THE CITY OF DALLAS HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE CITY OF DALLAS ORDINANCES AND THE STATE OF TEXAS.
4. THE CITY OF DALLAS HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE CITY OF DALLAS ORDINANCES AND THE STATE OF TEXAS.
5. THE CITY OF DALLAS HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE CITY OF DALLAS ORDINANCES AND THE STATE OF TEXAS.

LEGEND
--- FLOODWAY EASEMENT
--- UTILITY EASEMENT
--- PROPERTY BOUNDARY
--- LOT BOUNDARY
--- STREET CENTERLINE
--- LOT CORNER MARKERS
--- LOT AREA
--- LOT PERIMETER
--- LOT AREA
--- LOT PERIMETER
--- LOT AREA
--- LOT PERIMETER



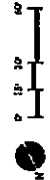
PROJECT INFORMATION: PLATS, WARDEN DISTRICT 41
 ZONING DISTRICT: TURTLE CREEK OFFICES
 OWNER: TURTLE CREEK OFFICES, LLC
 LOT COVERAGE (31A MAX): 57,235.57 (31A) SF = 3.1 ACRE
 RECORD PLAN AND (E.D. MAX): 186,273 SF (31A) SF = 4.00 ACRE
 PROJECT (E.D. MAX): 186,273 SF (31A) SF = 4.00 ACRE
 SITE (E.D. MAX): 186,273 SF (31A) SF = 4.00 ACRE
 RECORD PLAN AND (E.D. MAX): 186,273 SF (31A) SF = 4.00 ACRE
 PROJECT (E.D. MAX): 186,273 SF (31A) SF = 4.00 ACRE

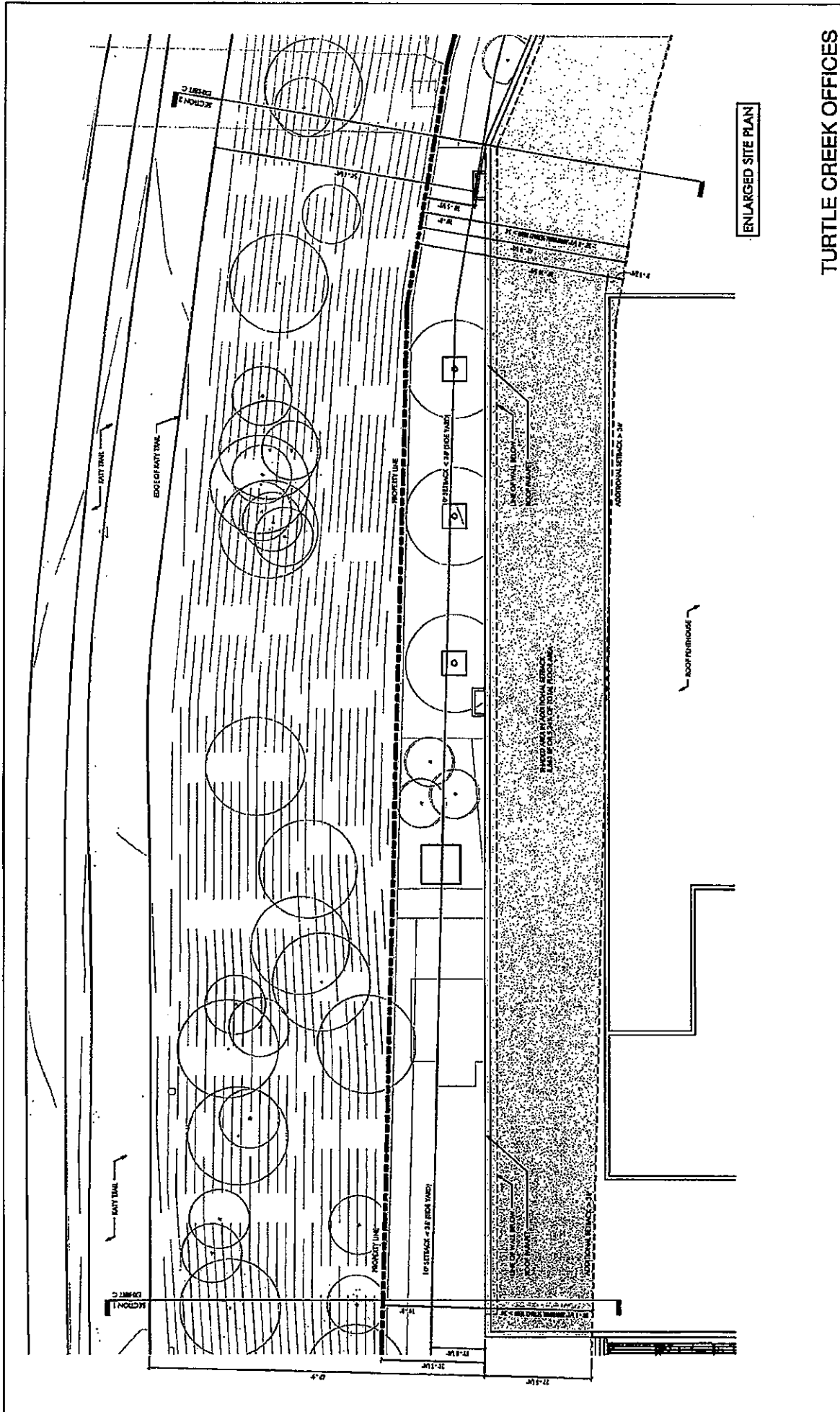


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TURTLE CREEK OFFICES

EXHIBIT A
 02.28.2014
 Project No.: 12028.103
 12028.103
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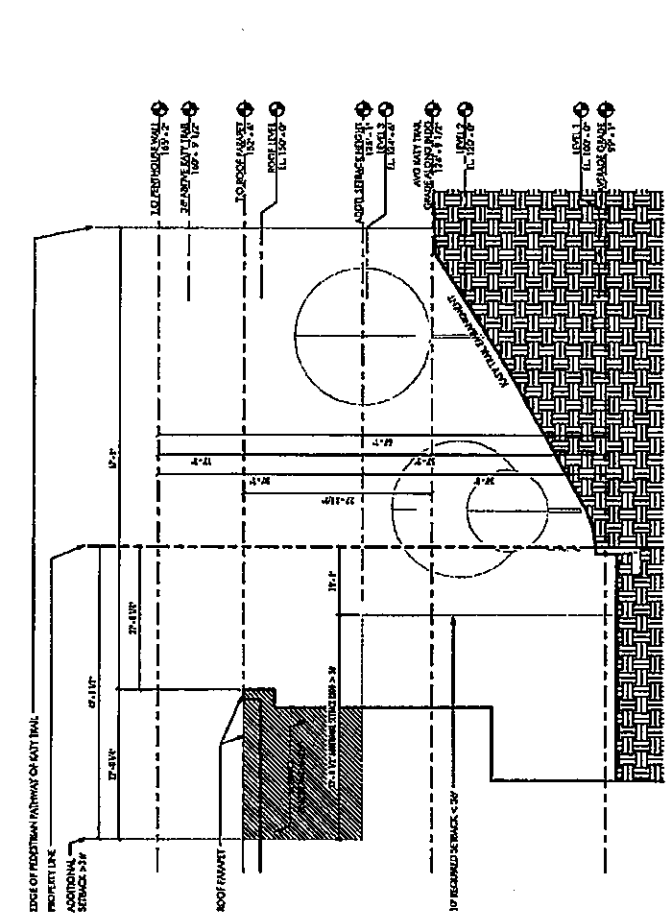
TURTLE CREEK OFFICES

EXHIBIT B
 02.28.2014
 Project No:
 12028.103
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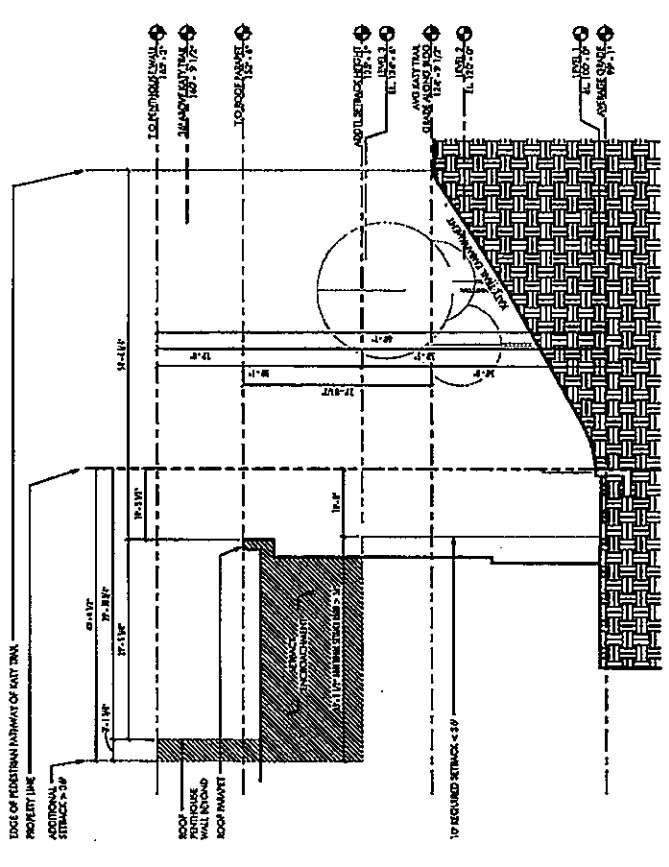


MITHUN

Donald R. Pines, P.E.
 Civil Engineer
 Reg. No.: 10127
 R. K. O'Hara
 Professional Engineer
 Reg. No.: 10129



SECTION 1



SECTION 2

SECTION 1

SECTION 2

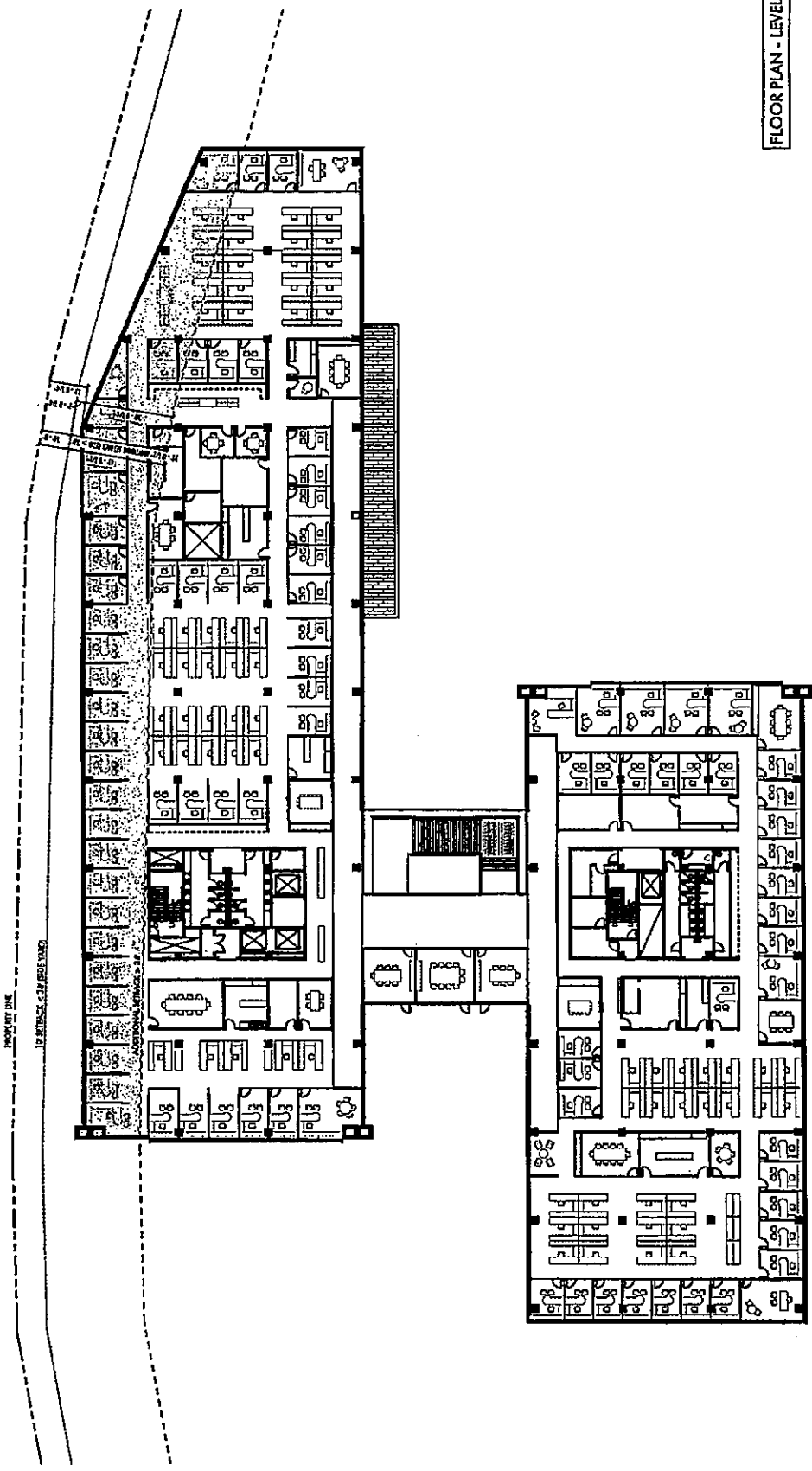
SECTION 2

TURTLE CREEK OFFICES

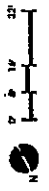
EXHIBIT C
 02/22/2014
 Project No: 12028-103
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FLOOR PLAN - LEVEL 3



MITHUN

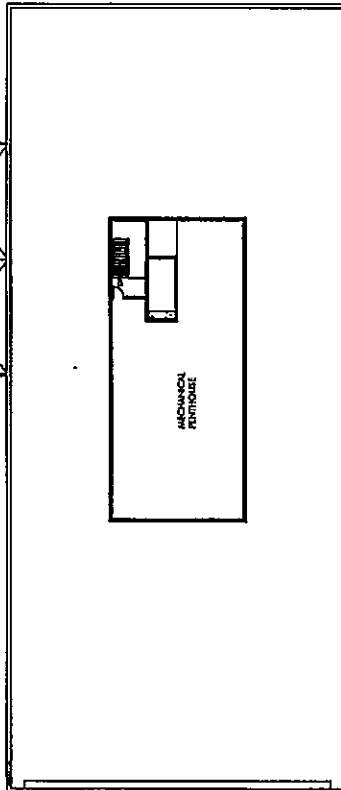
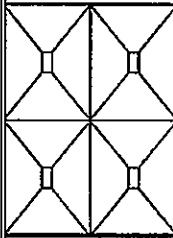
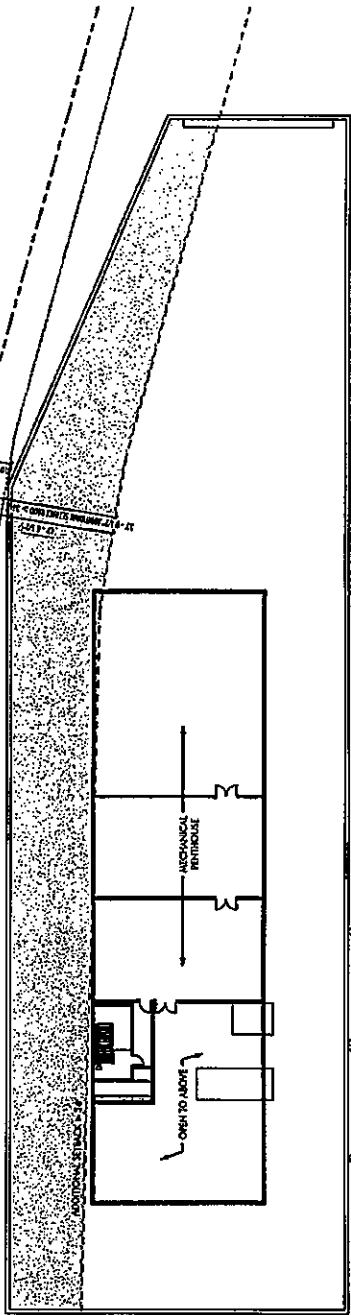
TURTLE CREEK OFFICES

Exhibit F
 02.23.2014
 Project No.:
 12028.103
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NO EXHIBIT D & E

PROPERTY LINE

IF SETBACK = 20 FOOT PARK



FLOOR PLAN - ROOF LEVEL

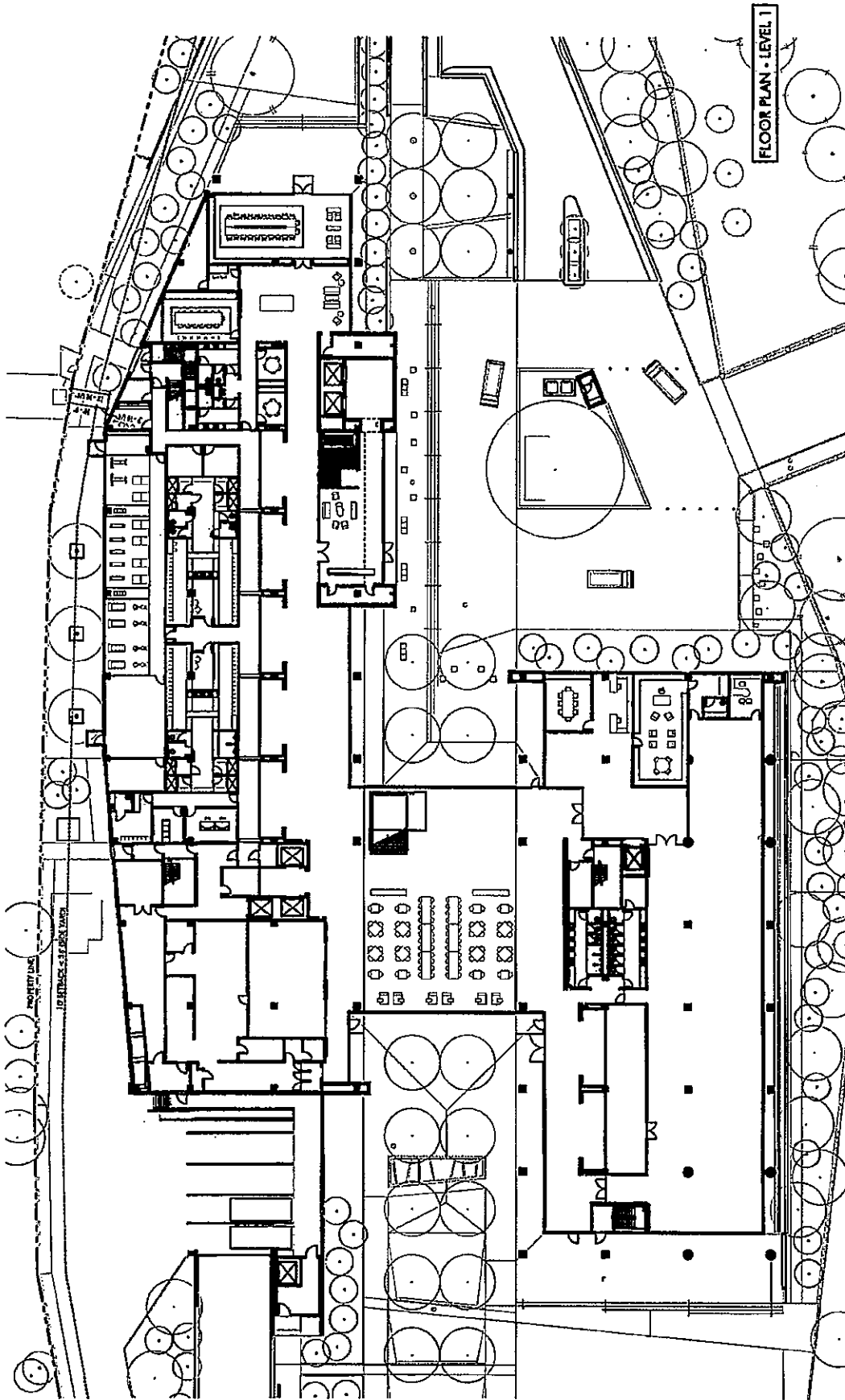
TURTLE CREEK OFFICES

Donald A. P...
 Chris W. Burke
 Reg. No. 10177
 Project No.
 12026.103
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FLOOR PLAN - LEVEL 1

TURTLE CREEK OFFICES

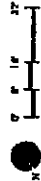
EXHIBIT D
02.28.2014
Project No.:
12/28.103

Donald A. Powell, Jr.
Reg. No. 7268
Chris M. Smith
Reg. No. 11877
John E. Orland
Reg. No. 11106
Anthony J. Brien
Reg. No. 11175

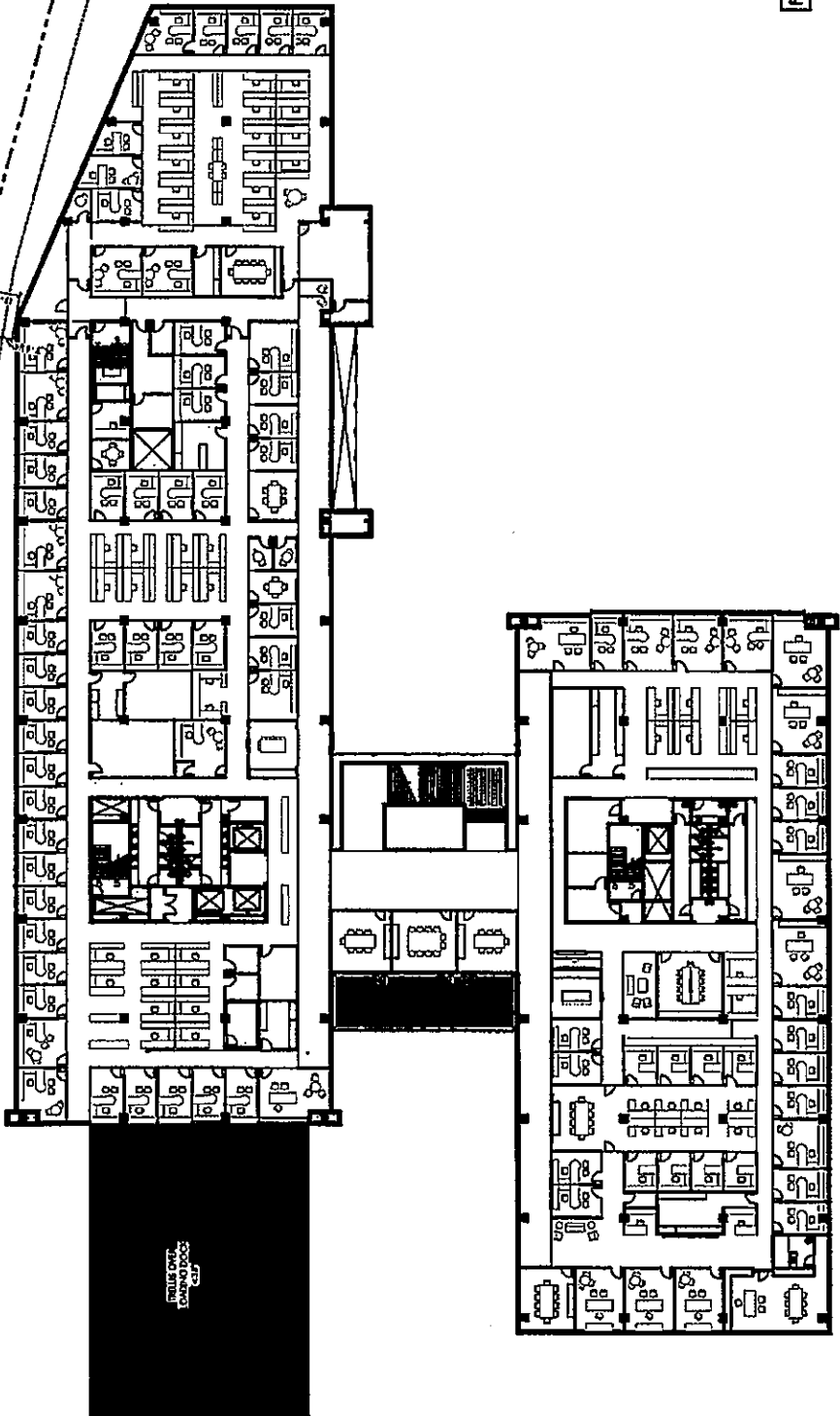
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MITHUN



PROPERTY LINE
TO STRACK & BOKVANSKY



FLOOR PLAN - LEVEL 2



MITHUN

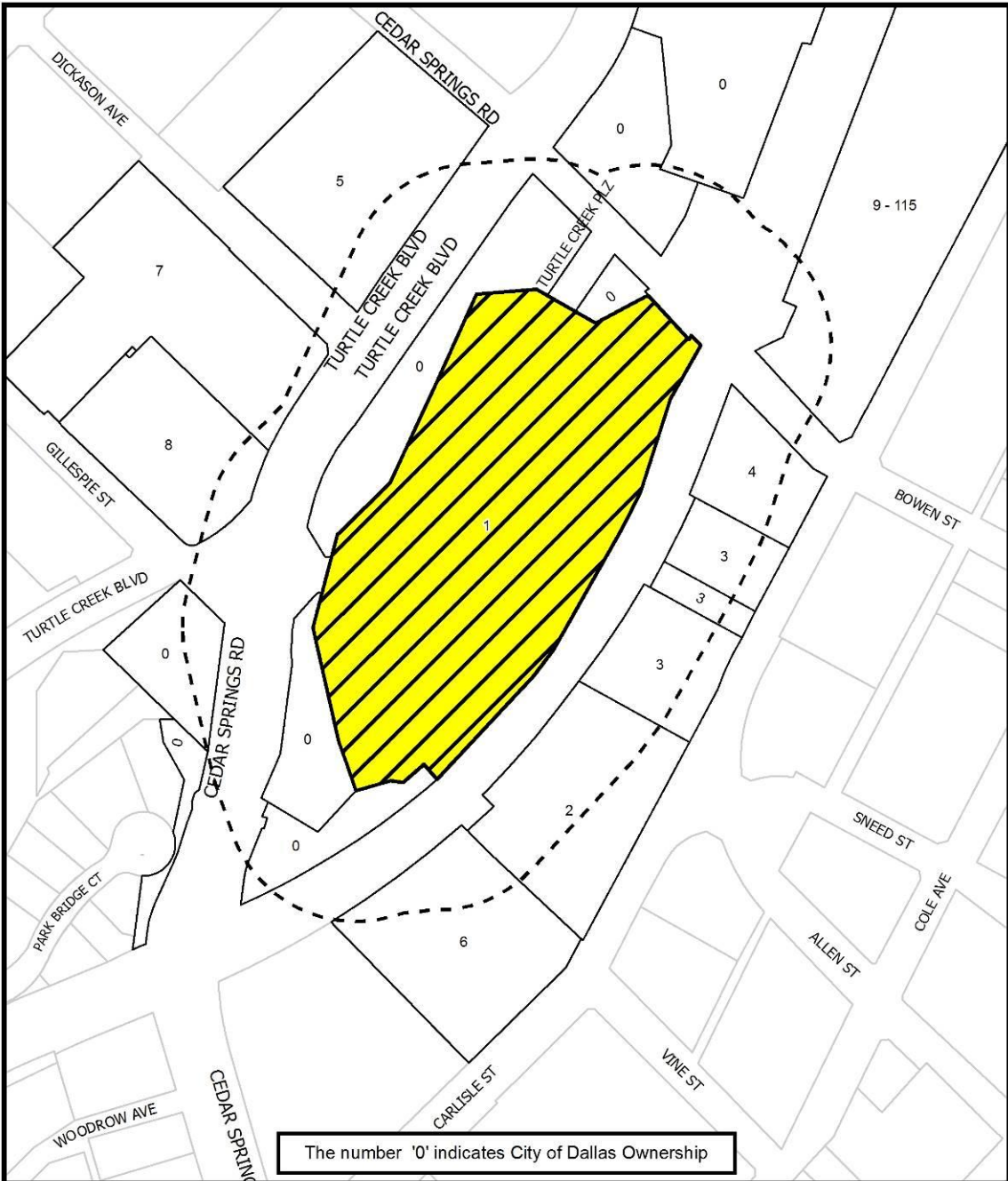


TURTLE CREEK OFFICES

EXHIBIT E
02.28.2014
12028.103

Donald R. Powell, Jr.
Reg. No. 7296
Chris M. Powell
Reg. No. 7017
John E. O'Neil
Reg. No. 1184
Reg. No. 1878

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 1:2,400	<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;">115</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	115	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA134-037 Date: 3/19/2014
200'	AREA OF NOTIFICATION					
115	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA134-037

115 Property Owners Notified

Label #	Address	Owner
1	3000 TURTLE CREEK PLAZA	3000 TURTLE CREEK PLAZA LLC
2	2929 CARLISLE ST	KLP NEWVILLE LP
3	3003 CARLISLE ST	ALAMO MANHATTAN JOINT VENTURE LLC % PRIN
4	3109 CARLISLE ST	3109 CARLISLE LP
5	3015 CEDAR SPRINGS RD	LINPRO ESPLANADE LAND %GEN ELECTRIC PENS
6	2815 CARLISLE ST	FATH DALLAS COMMONS LP %FATH PROPERTIES
7	2999 TURTLE CREEK BLVD	2999 TURTLE CREEK INC
8	2911 TURTLE CREEK BLVD	TRT PARK PLACE LLC
9	3203 CARLISLE ST	MEDRANO FRANCISO J BLDG A UNIT 101
10	3203 CARLISLE ST	TOMASI SAL UNIT 102
11	3205 CARLISLE ST	JOHNSON RANDALL LORNE
12	3207 CARLISLE ST	CLAYTON RODRICK UNIT 104 BLDG A
13	3209 CARLISLE ST	STAFFORD RUSSELL BLDG A UNIT 105
14	3203 CARLISLE ST	LOPEZ LINDA
15	3203 CARLISLE ST	PARRISH DON R & BETTY LYNN
16	3203 CARLISLE ST	ROBERTS THOMAS J
17	3203 CARLISLE ST	NAKAZAWA GLEN REVOCABLE LIVING TR
18	3203 CARLISLE ST	PARLOW RICHARD & ANITA MUSAL
19	3203 CARLISLE ST	HUMPHRIES JOHN
20	3203 CARLISLE ST	WILLMETH GREGG STUART
21	3203 CARLISLE ST	ZAZO CHRIS UNIT 114
22	3203 CARLISLE ST	HAYNES KENNETH A
23	3203 CARLISLE ST	WEISFELD RONALD A
24	3203 CARLISLE ST	PARLOW RICHARD
25	3203 CARLISLE ST	MOORE HOWARD S
26	3203 CARLISLE ST	CARDONA MARIA & CARDONA ARMANDO

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3203 CARLISLE ST	MEDRANO FRANCISCO J
28	3203 CARLISLE ST	PENG NEWLIN BLDG B UNIT 215
29	3214 BOWEN ST	DRIVER MARK WILLIAM
30	3203 CARLISLE ST	MESSINA MARIO L
31	3203 CARLISLE ST	BEASLEY JON UNIT 118
32	3215 CARLISLE ST	STARKS GARY DEAN BLDG C UNIT 119
33	3203 CARLISLE ST	MARTIN PHIL
34	3215 CARLISLE ST	JOSLIN JEFFERY E
35	3215 CARLISLE ST	FLACH NATHAN W #218
36	3215 CARLISLE ST	WATSON NINA LORA BLDG C UNIT 219
37	3203 CARLISLE ST	WATSON NINA LORA
38	3215 CARLISLE ST	CROWDER BRENT E # 121
39	3203 CARLISLE ST	ARRIETA HUMBERTO UNIT 122
40	3203 CARLISLE ST	WHATLEY KAY BARNES %TURTLE CRK TERRACE C
41	3203 CARLISLE ST	JOLLY VINEET
42	3203 CARLISLE ST	FIGUEROA RAY E UNIT 139 BLDG D
43	3203 CARLISLE ST	BARRETT JACQUELYN L
44	3203 CARLISLE ST	FEIERABEND JERRY G & CARMEN
45	3221 CARLISLE ST	SOMERS DWAYNE
46	3223 CARLISLE ST	TENORIO GUILHERME A BLDG D UNIT 143
47	3203 CARLISLE ST	DALBKE STEVE A
48	3203 CARLISLE ST	DALBKE STEVE A
49	3203 CARLISLE ST	HILL R C
50	3203 CARLISLE ST	BARNETT DON & MARY ALICE
51	3215 CARLISLE ST	ARRIETA N HUMBERTO UNIT 222 BLDG D
52	3203 CARLISLE ST	HAIRSTON DAVID E UNIT 223
53	3203 CARLISLE ST	DARILEK QUENTIN UNIT 236
54	3235 CARLISLE ST	TUNISON KATIE BUILDING D UNIT 237
55	3235 CARLISLE ST	FLAUGH CHRISTOPHER C
56	3203 CARLISLE ST	EGINTON WILLIAM L
57	3215 CARLISLE ST	JONES GUY FRANKLIN UNIT 125

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3203 CARLISLE ST	CAMPBELL NELSON C
59	3203 CARLISLE ST	BEASLEY JON UNIT 118
60	3203 CARLISLE ST	NELSON RICHARD LEE & CHARLES P FRUTH
61	3203 CARLISLE ST	COLEMAN RONALD M
62	3203 CARLISLE ST	FERGUSON ELAINE N
63	3203 CARLISLE ST	CARR KATHERINE A
64	3203 CARLISLE ST	LOUP BENJAMIN BLDG F UNIT 229
65	3203 CARLISLE ST	BROWN THOMAS LEE
66	3203 CARLISLE ST	SMITH LINDA M APT 203
67	3203 CARLISLE ST	BROWN THOMAS LEE &
68	3239 CARLISLE ST	CLARK ANDALYN G
69	3239 CARLISLE ST	GING CHRISTINE C & CHRISTOPHER
70	3203 CARLISLE ST	CHUNG TERESA UNIT 135 BLDG G
71	3203 CARLISLE ST	ELATTRACHE DAVID &
72	3203 CARLISLE ST	VANIAN MARY TRUSTEE VANIAN MARITAL TRUST
73	3203 CARLISLE ST	HOOVER GREGORY
74	3239 CARLISLE ST	YAWITZ MICHAEL RAY #235
75	3203 CARLISLE ST	RUTHERFORD WILLIAM S & JUDIE
76	3203 CARLISLE ST	HARRIS BRENT UNIT 148
77	3203 CARLISLE ST	MITELHAUS CHUCK BLDG H UNIT 149
78	3203 CARLISLE ST	DRIVER MARY A
79	3203 CARLISLE ST	SHARP KRIS J & CAROL A
80	3203 CARLISLE ST	HARPER JOHN R JR
81	3203 CARLISLE ST	ROIDOPOULOS MARK E
82	3203 CARLISLE ST	LEE THOMAS J
83	3203 CARLISLE ST	CECIL PRESTON L &
84	3203 CARLISLE ST	BROWN THOMAS & JULIE
85	3203 CARLISLE ST	FORRESTER JAMES PERRY
86	3203 CARLISLE ST	RUCKER KATHRYN L #159
87	3203 CARLISLE ST	CLAYTON DANIEL J # 256
88	3203 CARLISLE ST	PAYNE DYLAN

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	3203 CARLISLE ST	HUMPHRIES DENNIS R TR
90	3263 CARLISLE ST	HOOKEY MARGARET H UNIT 259
91	3203 CARLISLE ST	EQUITY TRUST CO CUSTODIAN FBO MICHAEL BR
92	3203 CARLISLE ST	YECHEZKELL HEZI UNIT 161
93	3203 CARLISLE ST	RICE ANTHONY C
94	3203 CARLISLE ST	SANDERS JOHN DAVID BLDG J UNIT 163
95	3203 CARLISLE ST	MCCOLLUM JOHN B BLDG J UNIT 164
96	3203 CARLISLE ST	BRIDWELL CRAIG & SUSAN K
97	3203 CARLISLE ST	HALL ROBERT S
98	3203 CARLISLE ST	ELEUTERI FRANCO
99	3203 CARLISLE ST	CIHAL MARY BETH
100	3203 CARLISLE ST	LEWIS THOMAS ALLEN
101	3269 CARLISLE ST	TSANKOVA NADEJDA M
102	3203 CARLISLE ST	FLUMERFELT JOSEPH M IV
103	3269 CARLISLE ST	HOLSINGER JILL BLDG K UNIT 173
104	3203 CARLISLE ST	BINION DORIS
105	3203 CARLISLE ST	CRUZ ENRIQE III BLDG A UNIT 175
106	3273 CARLISLE ST	CHRONISTER RANDY UNIT 176
107	3203 CARLISLE ST	HOWARD MARK H UNIT 177
108	3203 CARLISLE ST	CARLETON BRIAN J BLDG K UNIT 178
109	3203 CARLISLE ST	FANKHAUSER MARK A NMF TRUST
110	3203 CARLISLE ST	CHENOWITH GARY
111	3203 CARLISLE ST	AKINS LINDSEY R UNIT 181
112	3203 CARLISLE ST	MILAZZO DAVID
113	3203 CARLISLE ST	ELKING LINDA ANN
114	3203 CARLISLE ST	MCKINNEY MICHAEL SCOTT
115	3203 CARLISLE ST	ARTHUR ROBERT TR & EUGENIE H ARTHUR TR

FILE NUMBER: BDA 134-038

BUILDING OFFICIAL'S REPORT: Application of Ed Simons for a variance to the height regulations at 3723 Greenville Avenue. This property is more fully described as Lot 10, Block C/2907, and is zoned CR, which limits the maximum building height to 30 feet due to a residential proximity slope. The applicant proposes to construct and maintain a structure with a building height of 36 feet, which will require a 6 foot variance to the maximum height regulations.

LOCATION: 3723 Greenville Avenue

APPLICANT: Ed Simons

REQUEST:

A request for a variance to the height regulations (specifically to the residential proximity slope) of 6' is requested to raise the height of an existing cell tower on a site that is currently developed with an office/retail use/nonconforming structure (Spryrocket Work Space and Business Lounge). The proposed raised/heightened cell tower structure that would reach 36' in height would be located above the RPS (residential proximity slope) line that begins at the D(A) duplex residentially-zoned property immediately west of the site developed as a surface parking lot.

STANDARD FOR A VARIANCE:

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

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

STAFF RECOMMENDATION:

Denial

Rationale:

- While granting the variance made to the raise the height of an existing 30' cell tower structure by 6' does not appear to be contrary to public interest given that the D(A) zoned area in which the RPS line originates from is a surface parking; staff is unable to conclude that there is an unnecessary hardship as the parcel/subject site does not differ from other parcels of land by being of such restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same CR zoning classification. The subject site is rectangular in shape and, according to the application, is 0.17 acres (or approximately 7,400 square feet) in area. The site zoned CR(D) MD-1 has two front yard setbacks as would any property with two street frontages not zoned agricultural, single family, or duplex.
- The features of this site do not preclude the applicant from use of the property as an office/retail use/nonconforming structure with a cell tower.

BACKGROUND INFORMATION:

Zoning:

Site: CR(D) MD-1 (Community Retail, Dry, Modified Delta)
North: CR(D) MD-1 (Community Retail, Dry, Modified Delta)
South: CR(D) MD-1 (Community Retail, Dry, Modified Delta)
East: CR(D) MD-1 (Community Retail, Dry, Modified Delta)
West: D(A) (Duplex)

Land Use:

The subject site is currently developed with an office/retail use/nonconforming structure (Spryrocket Work Space and Business Lounge). The area to the north is developed with multifamily use; the areas to the east and south are developed retail uses; and the area to the west zoned D(A) Duplex is a surface parking lot.

Zoning/BDA History:

1. BDA 123-128, Property at 3723 Greenville Avenue (the subject site)

On December 16, 2013, the Board of Adjustment Panel C granted a request for a variance to the side yard setback regulations of 20' and imposed the following conditions to this request: compliance with the submitted site plan is required; and the variance automatically and immediately terminates if and when the lot to the west of the subject site is developed with a residential use. The case report stated that the request was made to construct/maintain structures (power cabinets and inspection panels) related to cell phone service equipment to be located inside/behind an existing solid CMU/brick veneer walled/approximately 120 square foot subleased area, all of which would were to be located in the site's western 20' side yard setback on a site that was developed with an office use/nonconforming structure (Spryrocket Work Space and Business Lounge).

Timeline:

- February 27, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- March 12, 2014: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- March 12, 2014: The Board Administrator shared the following information with the applicant via email:
- an attachment that provided the public hearing date and panel that will consider the application; the March 26th deadline to submit additional evidence for staff to factor into their analysis; and the April 11th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

March 26, 2014: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A).

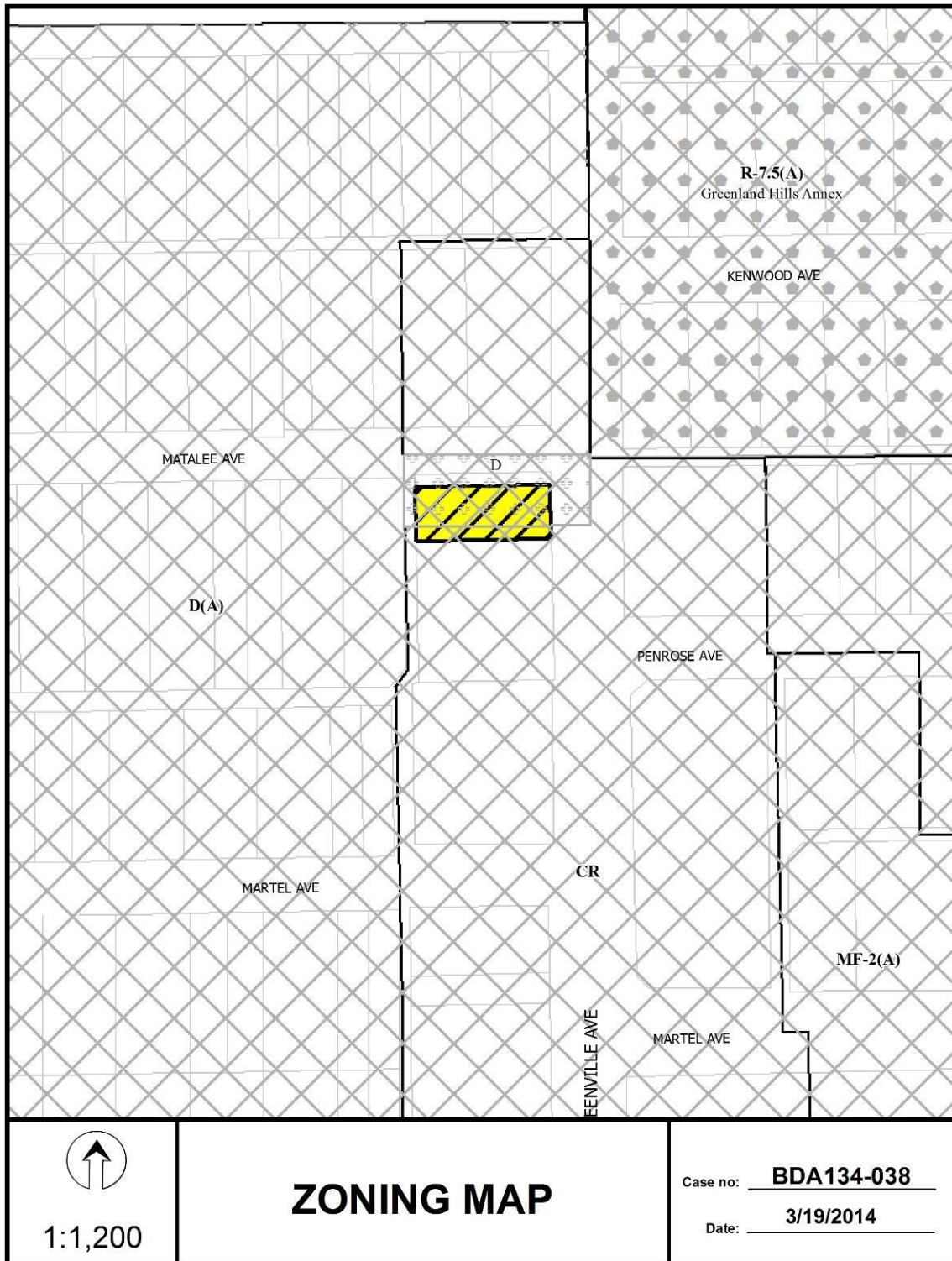
April 8, 2014 : The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for April public hearings. Review team members in attendance included: the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on raising the height of an existing cell tower on a site that is currently developed with an office use/nonconforming structure (Spryrocket Work Space and Business Lounge). The proposed raised/heightened cell tower structure that would reach 36' in height would be located above the RPS (residential proximity slope) line that begins at the D(A) duplex residentially-zoned property immediately west of the site developed as a surface parking lot.
- The maximum height for a structure in a CS zoning district is 54', however, any portion of a structure over 26' in height cannot be located above a residential proximity slope. In this case, given that the subject site is immediately adjacent to residentially-zoned property zoned D(A) duplex to the west (with a land use as a surface parking lot), the height of a structure must comply with a 1:3-slope (or 1 foot in height for every 3 foot away from property in a residential zoning district). The RPS slope on the subject site begins at the D(A) zoned property immediately west of the site.
- The application and Building Official's Report states that a variance to the height regulations of 6' is requested since there is a structure proposed to reach 36' in height or 6' higher/beyond than the 30' height allowed for the structure as it is located on this subject site.
- The subject site is located at the southwest corner of Greenville Avenue and Matalee Road). Regardless of how the structures are oriented, the subject site has two 15' front yard setbacks along both streets as would any property with two street frontages not zoned agricultural, single family, or duplex; one 0' side yard setback on the south (where the adjacent zoning is CR); and one 20' side yard setback on the west (where the adjacent zoning is D(A)).
- A site plan has been submitted that denotes that the location of the "proposed 6' extension on existing 30' slimline stealth light pole with canisters" located what appears to be approximately 96' west of the property zoned D(A).

- An elevation has been submitted that denotes a 36' total tower height with "Proposed 6' extension to match existing slimline stealth light pole with stealth canisters for cellular antennas."
- DCAD records indicate the improvements for property at 3723 Greenville Avenue is a "converted service station" with 1,711 square feet constructed in 1955.
- The subject site is rectangular in shape and according to the application, is 0.17 acres (or approximately 7,400 square feet) in area. The site is zoned CR(D) MD-1. The subject site has two front yard setbacks as would any property with two street frontages not zoned agricultural, single family, or duplex.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the height 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 CR 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 CR zoning classification.
- If the Board were to grant the request and impose the submitted site plan and elevation as a condition, the structure encroaching above and beyond the residential proximity slope would be limited to what is shown on the submitted plan and elevation, which in this case is a 36' high, cell tower structure located approximately 96' west of the property zoned D(A) and used as a surface parking lot.



1:1,200

ZONING MAP

Case no: **BDA134-038**

Date: **3/19/2014**



1:1,200

AERIAL MAP

Case no: **BDA134-038**

Date: **3/19/2014**

Long, Steve

From: Long, Steve
Sent: Wednesday, March 26, 2014 10:43 AM
To: 'Ed Simons'
Subject: RE: BDA 123-038, Property at 3723 Greenville Avenue

BDA 134-038
Attach A
Page 1

Thank you, Ed. I will print this out and add it to your file.

Steve

From: Ed Simons [mailto:esimons@masterplanconsultants.com]
Sent: Wednesday, March 26, 2014 10:40 AM
To: Long, Steve
Cc: Duerksen, Todd
Subject: RE: BDA 123-038, Property at 3723 Greenville Avenue

Steve, The way I see it this property is worthy of relief from the property hardship because the site or origination is not a residential lot. Although it is zoned "D" it is developed as a surface parking lot that provides required parking for Gloria's and Starbucks. That site of origination would require me to relocate the 36' tall pole into the required front yard along Greenville. Denying the request will require Verizon to find another structure to locate their cell tower. The volume of air obstructed by the additional height is no more than 24 cubic feet. Thanks. Ed

From: Long, Steve [mailto:steve.long@dallascityhall.com]
Sent: Tuesday, March 25, 2014 11:08 AM
To: Ed Simons
Cc: Duerksen, Todd
Subject: FW: BDA 123-038, Property at 3723 Greenville Avenue

Dear Ed,

Once again, I have **full scales** of C-1, C-2, and C-3. I have **reductions** of C-1, C-2, and C-4

Which elevation do you want to formally submit for the Board's consideration: C-3 or C-4?

If you choose C-3, please email me a reduction today.

If you choose C-4, please bring me a full scale today.

Thank you,

Steve

From: Long, Steve
Sent: Tuesday, March 25, 2014 9:52 AM
To: 'Ed Simons'
Subject: FW: BDA 123-038, Property at 3723 Greenville Avenue

Ed,

I need to speak with you on this today. Please call me at 214/670-4666.

BDA 134-038
Attach A
Pg 2

Thank you,

Steve

From: Long, Steve
Sent: Tuesday, March 25, 2014 7:28 AM
To: 'Ed Simons'
Subject: RE: BDA 123-038, Property at 3723 Greenville Avenue

Dear Ed,

I don't understand AND I cannot open what you attached. Would you please call me today at 214/670-4666?

Thank you,

Steve

From: Ed Simons [<mailto:esimons@masterplanconsultants.com>]
Sent: Monday, March 24, 2014 3:56 PM
To: Long, Steve
Subject: RE: BDA 123-038, Property at 3723 Greenville Avenue

I knew I'd do that. They're both elevations.

From: Long, Steve [<mailto:steve.long@dallascityhall.com>]
Sent: Monday, March 24, 2014 2:44 PM
To: Ed Simons
Cc: Duerksen, Todd
Subject: FW: BDA 123-038, Property at 3723 Greenville Avenue

Dear Ed,

I notice in the attached application materials that you have submitted reductions labeled C-1, C-2, and C-4. But I have full scales of C-1, C-2, and C-3. Which elevation is "the one?" C-4 or C-3? (The right one/elevation should match in full scale and reduction form).

Steve

From: Duerksen, Todd
Sent: Monday, March 24, 2014 2:36 PM
To: Long, Steve
Subject: RE: BDA 123-038, Property at 3723 Greenville Avenue

(I agree, that would have helped.)

From: Long, Steve
Sent: Monday, March 24, 2014 2:28 PM
To: Ed Simons
Cc: Duerksen, Todd
Subject: FW: BDA 123-038, Property at 3723 Greenville Avenue

Dear Ed,

Please confirm with me that you indeed need a 6' height variance for this 36' tall cell tower structure. I'm confused because the CR height restrictions (attached) say that the RPS is for any portion of a structure over 26' in height. If the maximum height is 36' is not simple math of $36 - 26 = 10$? Maybe drawing the RPS line on your submitted elevation (page 7 of 7 in the attached application materials) would help.

Steve

From: Long, Steve
Sent: Wednesday, March 12, 2014 1:14 PM
To: 'Ed Simons'
Cc: Duerksen, Todd
Subject: FW: BDA 123-038, Property at 3723 Greenville Avenue

Dear Ed,

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

1. The submitted application materials- all of which will be emailed to you, city staff, and the board of adjustment members in a docket report about a week ahead of the tentatively scheduled April 21st Board of Adjustment Panel C public hearing.
2. The provision from the Dallas Development Code allowing the board to grant a variance to the height (RPS) regulations (51A-3.102(d)(10)).
3. A document that provides your public hearing date and other deadlines for submittal of additional information to staff/the board beyond what is included in your application materials.
4. The board's rule pertaining to documentary evidence.

Please review the Building Official's Report of your application in the application materials attached (page 2 of 7) and contact Todd at 214/948-4475 no later than noon, Wednesday, March 26th with regard to any amendment that you feel is necessary to address the issue at hand, specifically if for any reason you feel that the statement in his report regarding the specific numbers related to required and provided heights are incorrect. (Note that the discovery of any additional appeal needed other than the requested height variance beyond March 26th will result in postponement of the appeal until the panel's next regularly scheduled public hearing).

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

Thanks,

Steve

PS: If there is anything that you want to submit to the board beyond what you have included in your attached application materials, please feel free to email it to steve.long@dallascityhall.com or mail it to me at the following address:

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

From: Long, Steve
Sent: Tuesday, March 11, 2014 10:36 AM

To: 'Ed Simons'
Subject: RE: BDA 123-038, Property at 3723 Greenville Avenue

BDA 134-038
Attach A
Pg 4

Thanks, Ed.

From: Ed Simons [<mailto:esimons@masterplanconsultants.com>]
Sent: Tuesday, March 11, 2014 9:46 AM
To: Long, Steve
Subject: RE: BDA 123-038, Property at 3723 Greenville Avenue

Thanks.

From: Long, Steve [<mailto:steve.long@dallascityhall.com>]
Sent: Tuesday, March 11, 2014 7:55 AM
To: Ed Simons
Subject: BDA 123-038, Property at 3723 Greenville Avenue

Dear Ed,

Would you please email me reduction copies today of the full scales you submitted to Todd in conjunction with the application referenced above? (I know you had sent these to me thinking you may make an application but I did not save them on thinking that if you would, you would give them to Todd with the other things).

Thanks,

Steve

GRANADA

• SITE TX-2012-36 • 3723 GREENVILLE AVE DALLAS TX 75206



PROPOSED VIEW 1 LOOKING NORTH-WEST FROM APPROXIMATELY 1.25 FEET AWAY



EXISTING VIEW 1

LOCATION MAP



St Charles Tower has submitted plans to erect a 6ft extension on top of the existing 30ft high stealth light pole tower. An exterior matching 8' x 8' brick enclosure will house the equipment

CREATED BY:
ECC PHOTOGRAPHY & DESIGN
3420 WATSON RD ST LOUIS MO 63139
(PHONE) 314.496.6452

BDA 134-031
Attach A
Pg 5

ST CHARLES TOWER
#4 WEST DRIVE SUITE 110
CHESTERFIELD, MO 63017
(PHONE) 636.530.9824
(FAX) 636.530.9825



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-038

Data Relative to Subject Property:

Date: February 27, 2014

Location address: 3723 Greenville Ave. Zoning District: CR

Lot No.: 10 Block No.: C/2907 Acreage: .111 Census Tract: 3.00

Street Frontage (in Feet): 1 109.35' 2 43.69 3) _____ 4) _____ 5) _____

SE 2A

To the Honorable Board of Adjustment:

Owner of Property/or Principal White Star Lands, LLC.

Applicant: Ed Simons Telephone: 214-761-9197

Mailing Address 900 Jackson, Suite 640 Zip Code: 75202

Represented by: Same Telephone: Same

Mailing Address: Same Zip Code: _____

Affirm that a request has been made for a Variance X, or ~~Special Exception~~, of (the residential proximity slope.) 6' to the structure height.

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 applicant proposes to extend the existing cell tower 6 feet which will penetrate the proximity slope. The property used as a parking lot to the rear of this property is zoned D and creates a site of orientation that is really a commercial use.

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: Ed Simons Applicant's name printed *Ed Simons* Applicant's signature

Affidavit

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

Ed Simons
Affiant (Applicant's signature)

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

Carol Laquey
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 _____

Vertical lines for notes or signatures.

Chairman

Building Official's Report

I hereby certify that Ed Simons

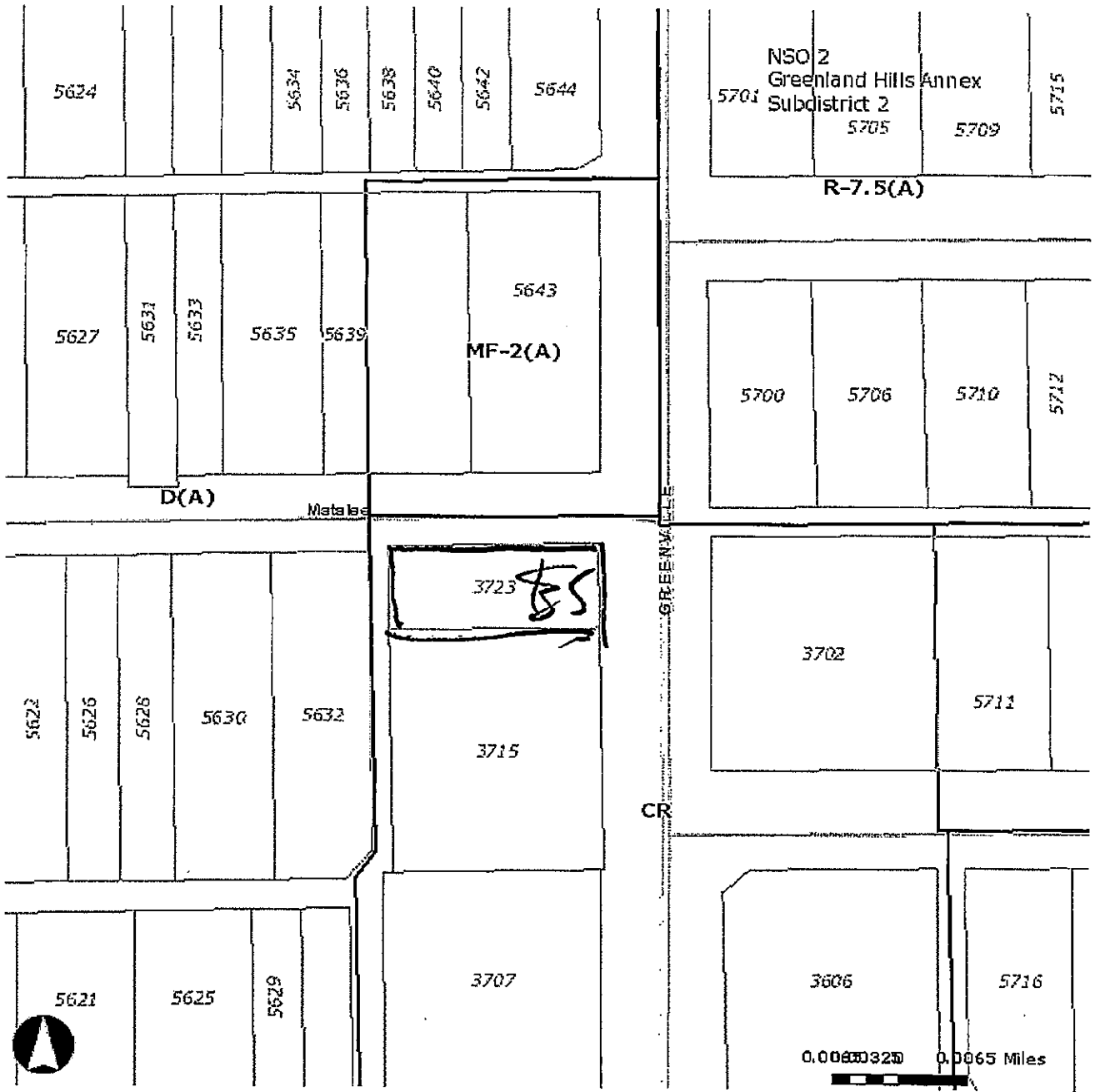
did submit a request for a variance to the building height regulation
at 3723 Greenville Avenue

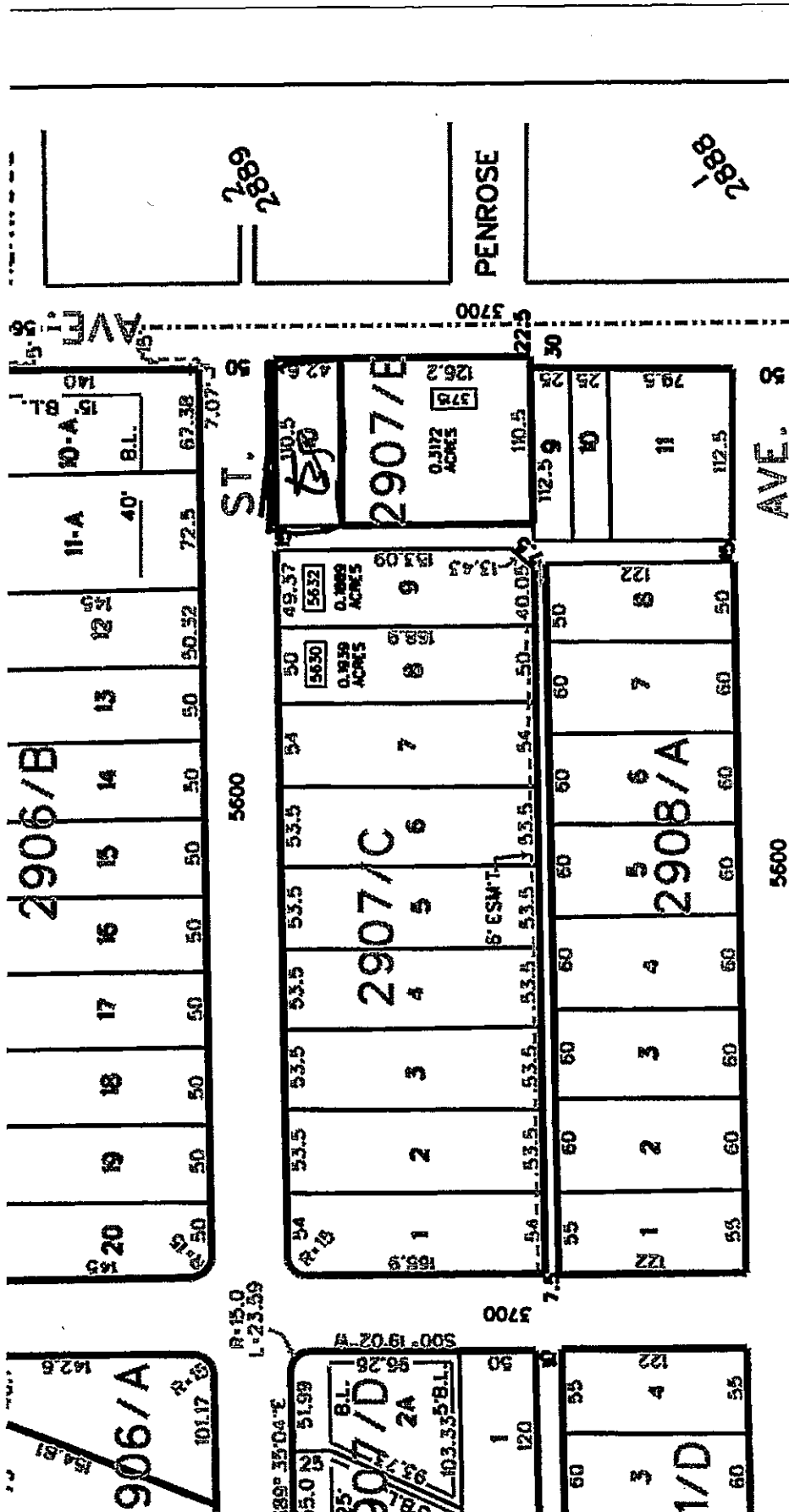
BDA134-038. Application of Ed Simons for a variance to the building height regulation at 3723 Greenville Avenue. This property is more fully described as Lot 10, Block C/2907, ar is zoned CR, which limits the maximum building height to 30 feet due to a residential proximity slope. The applicant proposes to construct a nonresidential structure with a building height of 36 feet, which will require a 6 foot variance to the maximum building height regulation.

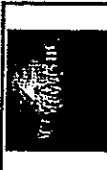
Sincerely,

Larry V. Holmes
Larry Holmes, Building Official









31 CHARLES TOWER
4 WEST DRIVING, A110
CHESTERFIELD, MO 63017
636-932-7222

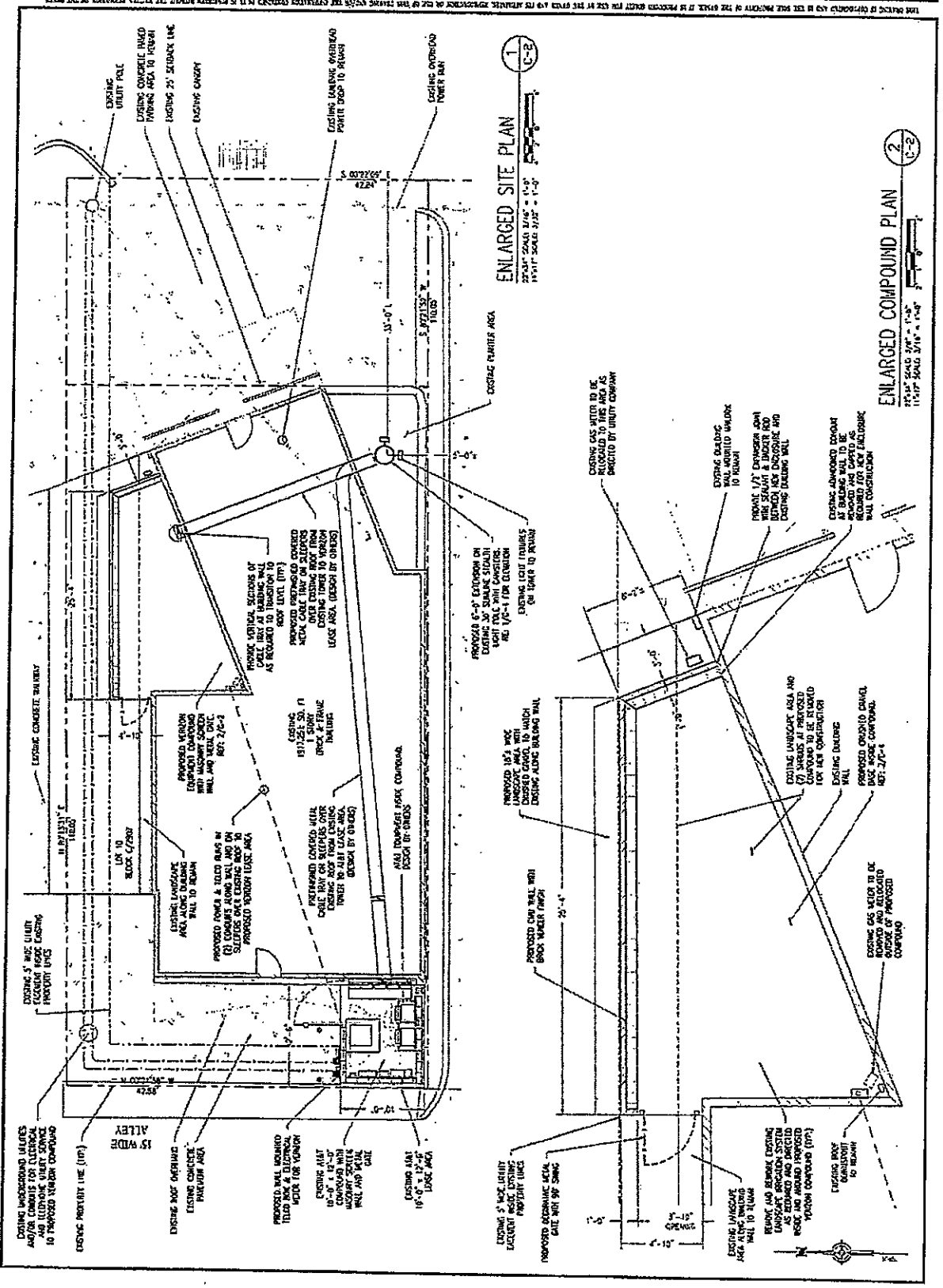


GIVE
Green Infrastructure Value Engineering

SPYRROCKET
7123 GREENVILLE AVE.
DALLAS, TX 75206
DALLAS COUNTY
PROPOSED CELLULAR
EQUIPMENT COMPOUND
FOR VERIZON

REV.	DATE	BY	CHK'D	DESCRIPTION
0	02/12/14	JR	JR	ISSUE FOR EXHIBIT

ISSUED FOR:	0
PROJECT NUMBER:	C-2
REVISION:	0



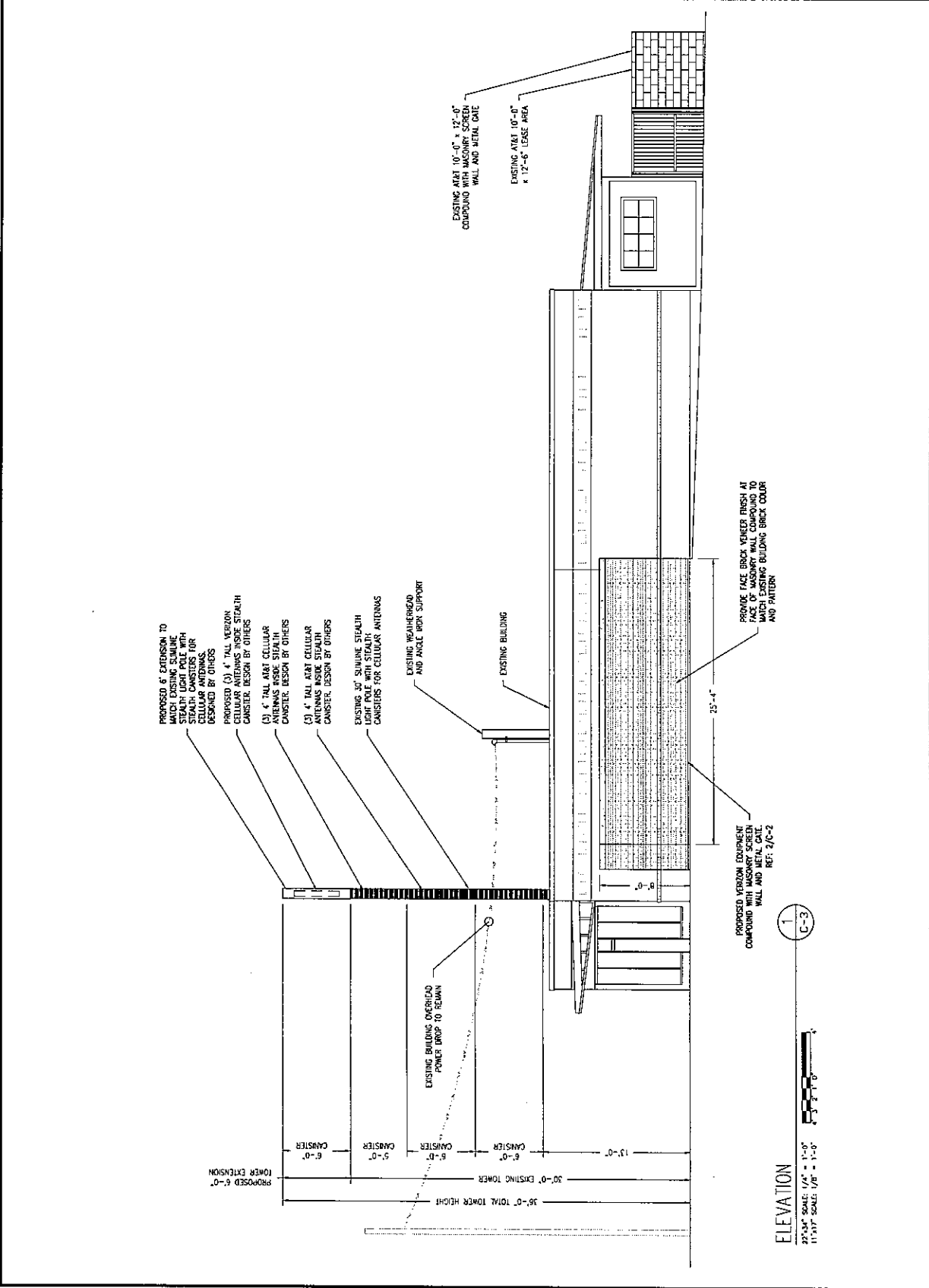


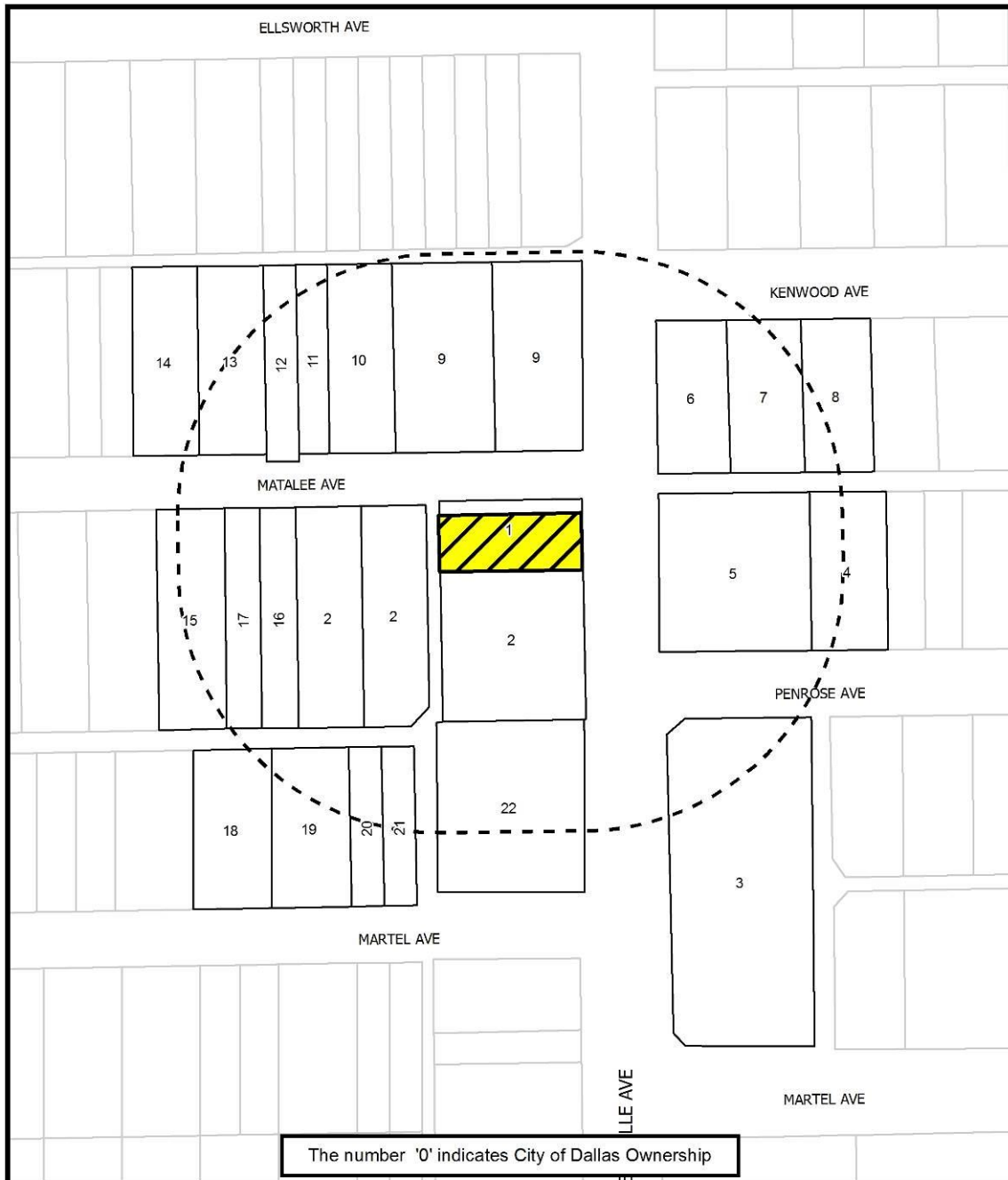
SPYROCKET
 3723 GREENVILLE AVE.
 DALLAS, TX 75206
 DALLAS COUNTY
 PROPOSED CELLULAR
 EQUIPMENT COMPOUND
 FOR VERIZON

REV.	DATE	BY	CHK'D	DESCRIPTION
0	02/12/14	JMR		LEASE EXHIBIT

ISSUED FOR:	
SHEET NUMBER:	C-3
REVISION:	0

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 1:1,200	NOTIFICATION		Case no: BDA134-038
	<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;">22</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 3/19/2014

Notification List of Property Owners

BDA134-038

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3723 GREENVILLE AVE	WHITE STAR LANDS LLC
2	5630 MATALEE AVE	FUENTES JOSE
3	3606 GREENVILLE AVE	GRANADA PLAZA LLC
4	5711 PENROSE AVE	BROWN DONALD S & RICHARD H DAVIS
5	3702 GREENVILLE AVE	GREENVILLE PENROSE LP %TAX DPT # 12137
6	5700 KENWOOD AVE	DUFFY JASON PATRICK &
7	5706 KENWOOD AVE	TOWSLEY BLAKE R & JULIANA
8	5710 KENWOOD AVE	CURTIS DAVID L & GLENDA G WEEDEN
9	5643 MATALEE AVE	EISENBERG WILLIAM JAY
10	5635 MATALEE AVE	ANDERSON MARTHA B
11	5633 MATALEE AVE	WILLIAMS MEREDITH
12	5631 MATALEE AVE	MARTINEZ DAVID R
13	5627 MATALEE AVE	FARMER DONALD
14	5623 MATALEE AVE	CRIDER KEITH A
15	5622 MATALEE AVE	STIVER SEAN P
16	5628 MATALEE AVE	TOWER GRAEME R
17	5626 MATALEE AVE	MILLER MATTHEW
18	5621 MARTEL AVE	SOTIROPOULOS ANASTASIOS
19	5625 MARTEL AVE	O B A INC
20	5629 MARTEL AVE	MCNAMARA DOUGLAS E & ANDE H
21	5631 MARTEL AVE	STOVALL SINDHU
22	3707 GREENVILLE AVE	GREENVILLE MARTEL LP