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City of Dallas

REVISED - BOARD OF ADJUSTMENT (PANEL A)

January 16th, 2024, Briefing at 10:30 A.M. and the Public Hearing at 1:00 P.M.
Dallas City Hall, L1FN AUDITORIUM and Videoconference

Video Conference Link: https://bit.ly/boa0116-A
Telephone: (408) 418-9388, **Access Code:** 325527

The City of Dallas will make Reasonable Accommodations/Modifications to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Board of Adjustment by calling (214) 670-4127 three (3) business days prior to the scheduled meeting. A video stream of the meeting will be available twenty-four (24) hours after adjournment by visiting https://dallastx.new.swagit.com/views/113.

Individuals and interested parties wishing to speak must register with the Board of Adjustment at https://bit.ly/BDA-A-Register **by the close of business Monday, January 15th, 2024. In Person speakers can register at the hearing.**

La Ciudad de Dallas llevará a cabo Adecuaciones/Modificaciones Razonables a los programas y/u otras actividades relacionadas para asegurar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para asegurar una reunión equitativa e inclusiva. Cualquier persona que requiera asistencia adicional, servicio y/o interpretación para poder participar de forma íntegra en la reunión debe notificar a Junta de Ajustes llamando al (214) 670-4127 tres (3) días hábiles antes de la reunión programada. Una transmisión en video de la reunión estará disponible dos días hábiles luego de la finalización de la reunión en https://dallastx.new.swagit.com/views/113.

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse en Junta de Ajustes en at https://bit.ly/BDA-A-Register **antes de cierre de oficina el Lunes, 15 de Enero, 2024. Las personas que deseen hablar en persona se pueden registrar en la Audiencia.**

AGENDA - REVISED

I. **Call to Order** — David A. Neumann, Chairman

II. **Staff Presentation/Briefing**

III. **Public Hearing** — Board of Adjustment

IV. **Public Testimony**

V. **Miscellaneous Items –**

- Approval of 2022-2023 BOA Annual Report
- Approval of Panel A Minutes, November 14th, 2023

VI. **Case Docket** — Board of Adjustment

- Uncontested Items
- Holdover Items
- Individual Items

VII. **Adjournment**

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propriedad."

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

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 City Council 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 §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

UNCONTESTED CASE(S)

BDA234-005(KMH)	4701 S. Denley Drive **REQUEST:** Application of Erick Bonilla for **(1)** a variance to the front-yard setback regulations.	1
BDA234-008(DB)	5433 E. Grand Avenue Suite B **REQUEST:** Application of Baldwin Associates for **(1)** a variance to the parking regulations.	2
BDA234-009(KMH)	909 S. Corinth Street Road **REQUEST:** Application of Dejuan Session for **(1)** a variance to the front yard setback regulations.	3
BDA234-012(KMH)	3010 Citation Drive **REQUEST:** Application of Ignacio Ochoa for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity standards regulations.	4

HOLDOVER

BDA212-078(KMH)	5526 E.R.L Thornton Frwy. **REQUEST:** Application of Audra Buckley for **(1)** a special exception to the parking regulations, for **(2)** a special exception to the Landscape and tree preservation regulations.	5
BDA223-097(KMH)	2764 Catherine Street **REQUEST:** Application of Robert Smith for (1) a special exception to the fence height regulations, and for (2) a special exception to the 20-foot visibility obstruction regulations, and for (3) a special exception to the 20-foot visibility obstruction regulations.	6

INDIVIDUAL CASES

BDA223-107_FR1	5524 Vickery Boulevard **REQUEST:** Application of Michael Vann to request reimbursement for an appeal of the decision of the administrative official.	7
BDA234-003(KMH)	715 W. Redbird Lane **REQUEST:** Application of Leticia Dorsey for **(1)** a variance to the side-yard setback regulations.	8

BDA234-006(DB)	2000 Euclid Street **REQUEST:** Application of Baldwin Associates for **(1)** a variance to the front- yard setback regulations, and for **(2)** a special exception to the fence height regulations, and for **(3)** a special exception to the fence opacity standards regulations, and for **(4)** a special exception to the visibility obstruction regulations.	9
BDA234-006_FR1	2000 Euclid Avenue **REQUEST:** Application of Baldwin Associates requesting a fee reimbursement for fees paid for the application of a variance to the front yard setback regulations, and for a special exception to the fence height regulations, and for a special exception to the fence standards regulations, and for a special exception to the visibility obstruction regulations at 2000 Euclid Ave.	10

City of Dallas
BOARD OF ADJUSTMENT

ANNUAL REPORT

October 1, 2022- September 30, 2023

Table of Contents

Mission, Purpose, Authority, Process..... 3

Member Roster 7

Member Attendance 9

Summary of Work & Accomplishments..11

2023-2024 Goals & Objectives 23

Recommendations to the City Council ...25

BOARD OF ADJUSTMENT

2022-2023

MISSION, PURPOSE, AUTHORITY,

PROCESS

Board of Adjustment Mission Statement

The Board of Adjustment (BOA) is a quasi-judicial body, appointed by the City Council, charged with certain decision-making functions, which aim to uphold the meaning and spirit of the zoning ordinance as enacted by city ordinance or state legislation. The purpose of the Board of Adjustment is to implement the zoning ordinance and to apply discretion in exceptional instances where building permits are desired but are not literally conforming to the regulations. Primary responsibility for administration of the zoning ordinance falls on the Building Official, subject to appeals to the Board of Adjustment and ultimately to the courts.

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of any order or ordinance pertaining to zoning.

(2) To hear and decide special exceptions to the terms of the zoning ordinance in the manner provided.

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship, and so that the spirit of the ordinance is observed, and substantial justice done.

(4) To regulate and discontinue nonconforming uses and structures.

Purpose

City of Dallas Board of Adjustment
Dallas Development Code, SEC 51A-4.501

The purpose of the Dallas zoning code is to promote the public health, safety and general welfare but in order for a comprehensive zoning map and ordinance to properly function in accordance with the purpose for which it is designed, it is necessary from time to time that some modification of these zoning regulations be made. The purpose of the Board of Adjustment was to implement the zoning ordinance and to apply discretion in exceptional instances where building permits are desired but are not literally conforming to the regulations. The Board of Adjustment is a governmental agency of the city and is an essential part of the administration of zoning, engaged in a delegated policy-making function (within the standards set up in the zoning ordinance), and not merely deciding private rights, as it represents the public interest.

Authority

City of Dallas Board of Adjustment
Dallas Development Code, SEC 51A-4.501

The Board of Adjustment receives its power from the enactment of State Legislation (Chapter 211 of the Texas Local Government Code): The Board of Adjustment is permitted by State Law to establish their rules and operational procedures provided that such rules are not inconsistent with the zoning ordinance or State Law. As noted in the Board's Rules of Procedures, no action of the Board of Adjustment shall set a precedent, with each case being considered and decided on its own merits and on the circumstance's attendant thereto. Also, it is the declared purpose of the zoning ordinance that nonconforming uses be eliminated and be required to conform to the regulations prescribed in the ordinance.

The Board of Adjustment receives its powers from the City of Dallas through Chapter 51, and Chapter 51A, Dallas Development Code, as amended: The powers vested in the Board of Adjustment are discretionary in the sense that it is an administrative body created for the administration of the Zoning Law, and, within the standards set by the law, its decision, if supported by substantial evidence, are not subject to being set aside, that is, they can only be set aside for a clear abuse of discretion. The Board's functions are administrative and quasi-judicial. The actions of the Board are presumed to be valid and final, and the only recourse is for the applicant to appeal the Board's decision to the District Court. An applicant appealing to the District Court by certiorari has the burden of showing that the action of the Board was arbitrary, capricious or illegal.

The Board of Adjustment is composed of 15 Members and 6 Alternates appointed by the Dallas City Council. The Board is divided into 3 Hearing Panels composed of 5 Members each. The Mayor appoints a Board Chairman and 2 Vice Chairs to act as Presiding Officers of the 3 panels. Pursuant to the Board's Rules of Procedure, ex parte communications with the members of the Board are prohibited. All communications to the Board, oral or written, should be directed to the Board Administrator. Failure to comply

with this rule may result in criminal prosecution for improper influence, which is a Class A misdemeanor under Texas Penal Code, Section 36.04.

It requires four (4) members of the Board of Adjustment Hearing Panel at the public hearing to constitute a quorum, and at the hearing the Board Administrator calls each appeal and gives the swearing in of the oath of truth to all persons that desire to testify in each case.

On the day of the hearing, the applicant presents his case, the opposition is then heard, and the applicant is given the opportunity for rebuttal. No rebuttal is allowed for the opposition.

An affirmative vote of at least 4 of 5 Members of a Hearing Panel is required to approve a Variance, Special Exception, regulate-discontinue a Non-Conforming use or Reverse the decision of an Administrative Official of the City. The Board of Adjustment normally makes their decision known on an appeal immediately after a case has been heard, and the Board may apply any restrictive conditions when they feel it is necessary. The Board's decisions are final, and the only recourse on a Board's decision is to appeal to the District Court.

The Process of Zoning Appeals
How an Appeal Is Made

After an appeal is received in the Development Services Department from the Zoning Division of the Building Inspection's Office, the appeal is assigned a case number. A route sheet is prepared so that each section within Development Services Department and other departments in the City can make comments and present facts that could be pertinent to the decision of the Board of Adjustment. Property description and public notices are prepared for all appeals that are to be acted on by the Board. The route sheet copy of the appeal, and a copy of the public notice is sent to the GIS Section of Development Services Department to have a location map, and other appropriate graphics for the Board's docket. This section also prepares labels for the property owners to be notified for each appeal being processed for the Board of Adjustment's public hearing. The notices are mailed no later than ten (10) days prior to the Board's public hearing date to comply with state statute requirements.

All public hearings are taped, and the secretary also takes notes of the hearing.
Each appeal is called and all people that testify are sworn in.

The Board of Adjustment normally makes their decisions known on an appeal immediately after a case has been heard. After the hearing, letters are written informing the applicant and other concerned parties of the Board's action. Appeals are filed with the Board Office after the hearing so that no misunderstanding will occur, and all site plans are stamped approved by the Board if the appeals are granted.

BOARD OF ADJUSTMENT

2022-2023

MEMBER ROSTER

BOARD OF ADJUSTMENT MEMBER ROSTER
2022-2023

Panel A
David A. Neumann, Chairman (appt'd 10/05/21)
Jay Narey, regular member (re-appt'd 9/01/21)
Lawrence Halcomb, regular member; (re-appt'd 09/22/21)
Kathleen F. Davis, regular member (appt'd 11/16/21)
Rachel Hayden, regular member (appt'd 08/24/22)

Panel B
Cheri Gambow, Vice Chair (re-appt'd 10/27/21)
Michael Karnowski, regular member (appt'd 09/01/21)
Joseph Cannon, regular member (appt'd 09/22/21)
Matt Shouse, regular member (re-appt'd 10/13/21)
Herlinda Resendiz, regular member (app't 11/03/21)
Sarah Lamb, regular member (re-appt'd 03/08/23)
Derrick Nutall, regular member (appt'd 06/14/23)

Panel C
Robert Agnich, Vice Chair (re-appt'd: 8/25/21)
Judy Pollock, regular member (re-appt'd: 11/16/21)
Roger Sashington, regular member (re-appt'd: 12/01/21)
Rodney Milliken, regular member (appt'd: 01/05/22)
Jared Slade, regular member (appt'd to Panel C from Alt 02/02/22)

ALTERNATE MEMBERS

Nicholas Brooks (re-appt'd: 09/09/21)
Dr. Emmanuel Glover (appt'd: 09/09/21)
TC Fleming (appt'd: 09/22/21)
Andrew Finney (appt'd: 04/13/22)
Todd Hill (appt'd 9/22/21)
Philip Sahuc (appt'd: 10/12/22)

Resignations, Forfeitures and Term Endings: 10/22- 09/23

Herlinda Resendiz – Forfeited 10/12/22
Todd Hill – Resigned 01/04/23
Matt Shouse - Resigned 03/01/23
Lawrence Halcomb – Term ended 9/30/2023

BOARD OF ADJUSTMENT

2022-2023

MEMBER ATTENDANCE

BOARD OF ADJUSTMENT ATTENDANCE 2022-2023													
		SPECIAL CALL											
PANEL C	2022	FULL BOARD MEETING	2022	2022	2023	2023	2023	2023	2023	2023	2023	2023	2023
MEETING DATES	17-Oct	1-Nov	14-Nov	12-Dec	January	23-Feb	20-Mar	17-Apr	15-May	22-Jun	17-Jul	14-Aug	18-Sep
Robert Agnich					RECESS		CANCELLED	CANCELLED				CANCELLED	CANCELLED
Judy Pollock		A			RECESS		CANCELLED	CANCELLED				CANCELLED	CANCELLED
Roger Sashington		A			RECESS		CANCELLED	CANCELLED		A		CANCELLED	CANCELLED
Rodney Milliken			A		RECESS		CANCELLED	CANCELLED				CANCELLED	CANCELLED
Jared Slade					RECESS		CANCELLED	CANCELLED				CANCELLED	CANCELLED
PANEL A													
MEETING DATES	18-Oct	1-Nov	15-Nov	December	17-Jan	21-Feb	21-Mar	18-Apr	16-May	20-Jun	18-Jul	15-Aug	19-Sep
Dave Neumann				RECESS									
Jay Narey	A			RECESS						A			
Lawrence Halcomb				RECESS									
Kathleen Frankford				RECESS				A					
Rachel Hayden				RECESS						A			
PANEL B													
MEETING DATES	19-Oct	1-Nov	16-Nov	December	18-Jan	22-Feb	22-Mar	19-Apr	17-May	21-Jun	July	16-Aug	20-Sep
Cheri Gambow			CANCELLED	RECESS		CANCELLED		CANCELLED		CANCELLED	RECESS		CANCELLED
Sarah Lamb (re'appt'd 3/08/23)						CANCELLED		CANCELLED		CANCELLED	RECESS		CANCELLED
Joseph Cannon			CANCELLED	RECESS		CANCELLED		CANCELLED		CANCELLED	RECESS		CANCELLED
Michael Karnowski			CANCELLED	RECESS		CANCELLED		CANCELLED	A	CANCELLED	RECESS		CANCELLED
Derrick Nutall (appt'd 6/14/23)										CANCELLED	RECESS		CANCELLED
Herlinda Resendiz (forfeit: 10/12/22)													
Matt Shouse (Resign 3/01/23)	A		CANCELLED	RECESS							RECESS		
ALTERNATES													
Nick Brooks													
Dr. Emmauel Glover													
Andrew Finney													
Phil Sahuc													
TC Fleming													
Todd Hill Rresigned 01/04/23)													
LEGEND													
A	ABSENT												
A	GP												

BOARD OF ADJUSTMENT

2022-2023

SUMMARY OF WORK &

ACCOMPLISHMENTS

City of Dallas
Board of Adjustment
October 31, 2023

Progress Report 2022-2023 Goals and Objectives

1. GOAL: Improve all (Staff, Board, Property Owner) aspects of the Board of Adjustment's Timeliness, Transparency, Accuracy, and Teamwork

RESULT:

- City Council has delivered the funds and the resources necessary for the Board of Adjustment to achieve this goal.
- Excellent Member attendance at calendarized Panel Hearings with 30 minutes added to the briefing time to allow for better preparation for Public Hearing.
- Staffing challenges, learning curves, and inconsistencies in presentations sometimes created less than the well-informed hearings (based on our own stated standards and procedure) than we have been accustomed to and desire.

2. GOAL: Successfully transition city staff support to Development Services Department with new Board Administrator and Senior Planners

RESULT:

- Three Board Administrators (interim and full time) since our last Annual Meeting resulting in multiple transitions and unfilled Senior Planner positions.
- Insufficient communication between the Staff to the Board undercuts our collective capacity to execute our responsibilities on the Board.
- Jason Pool's addition as Development Services Administrator with BOA staff oversight brings hope for better communication, coordination, and consistency.

3. GOAL: Significantly decrease days to hearing timeline for the taxpayer/property owner
RESULT:

- 82 or 78 or 73 ? days from accepted application to hearing. Lack of a verifiable consistent measurement. Critical missed opportunity to better serve the taxpayer/property owner.

4. GOAL: Meeting agenda/dockets publicly available seven (7) days in advance of hearings

RESULT:

- Success. Staff has posted agenda/docket materials for the benefit of the public on time over 85% of the time.

Board of Adjustment
Progress Report 2022-2023 Goals and Objectives

5. GOAL: Significant website enhancements to increase taxpayer/property owner access and awareness of pending zoning appeals.

RESULT:

- BOA website was often inaccurate or outdated.
- Conflicting and inaccurate source of information about BOA hosted within multiple locations on City website.

6. GOAL: Quarterly enhanced training of Members/Alternates on rules, conflicts of interest, criteria for decision making and onboarding of new appointees.

RESULT:

- Successfully held training on an ad hoc basis but not quarterly.
  - New statutes affecting the Board.
  - New ethics rules and structure
- Still awaiting a standard onboarding process for new members

7. GOAL: Improving surrounding property owner notification process (area of notification increased to 300 feet from 200 feet, clarifying the format of notification, mailing days before hearing)

RESULT:

- Successful in revising surrounding property owner notification for clarity.
- Chose to hold with increasing notification area after receiving City Council feedback.

8. GOAL: Obtain more comprehensive staff/technical report presentation for appeal hearings with enhanced photos and property comparisons.

RESULT:

- Staff provided 360 videos requested by the Board. Need greater street orientation and identification.
- Some progress. The Board has too often been forced to be fact finders to obtain complete evaluation of case specific circumstances for application to the Board's legal standards in order to ensure a fair hearing.

Board of Adjustment Summary of Work

BOA Work Summary	**2021-2022**	**2022-2023**	
	10/21-09/22	**10/22-09/23**	**Change %**
Total Number of Hearings	29	23	**-21%**
Total Applications	156	111	**-29%**
Total Requests	**200**	**199**	**-1%**
Special Exceptions	99	127	28%
Variances	55	52	**-5%**
Appeal of a Building Official's Decision	8	4	**-50%**
Fee Waivers	4	**0**	**-100%**
Hold Over	30	16	**-47%**
Compliance Case(s)	4	0	**-100%**
No. of Cases Approved	133	150	13%
No. of Cases Denied	37	29	**-22%**
Cases Held Under Advisement	28	20	**-29%**
Cases Withdrawn	2	**0**	**-100%**

BDA CASE LOG (10/2022 to 09/2023)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
October 17, 2022	BDA212-093	9330 Hollow Way Rd.	R-1ac(A)	13	sp ex fnc height reg; sp ex fnc standards	**App w/ cons x2**	8
October 17, 2022	BDA212-094	9915 Avalon Creek Ct.	R-10(A)	13	sp ex fnc height reg; sp ex vis obstr	**App w/ cons x2**	15
October 17, 2022	BDA212-100	1325 Grant St.	R-5(A)	4	sp ex sf reg; add'l dwelling	**App w/ cons**	37
October 17, 2022	BDA212-104	521 Faulk St.	R-5(A)	4	sp ex vis obstr x2; var fryd setbk; var max lot coverage	**App w/ cons x4**	31
October 18, 2022	BDA212-079(holdover)	424 W. Davis St.	CD-7	1	sp ex parking reg	**App w/ cons**	H
October 18, 2022	BDA212-088	9903 Witham St.	R-7.5(A)	6	var floor area ratio;sp ex sf reg	**App w/ cons x2**	27
October 18, 2022	BDA212-096	5212 Tremonst St.	PD-97	14	sp ex rear yd setbk- preserve tree	**App w/ cons**	19
October 18, 2022	BDA212-098	4308 Beechwood Ln.	R-10(A)	13	sp ex sf reg; add'l dwelling	**App w/ cons**	15
October 18, 2022	BDA212-103	4610 Bluffview Blvd.	PD-455	13	sp ex ft yd setbk; sp ex fnc height	**Denied w/o prej x2**	16
Withdrawn: BDA212-097 10648 Lakemere Dr.							
October 19, 2022	BDA212-084(holdover)	4706 Memphis St.	IR	6	sp ex vis obst x2	**App w/ cons x2**	H
October 19, 2022	BDA212-092	10203 Cayuga Rd.	CS	9	var parking reg	**App w/ cons**	18
October 19, 2022	BDA212-095	7770 Forest Ln.	MU-1	11	sp ex sign reg	**Denied w/o prej**	5
October 19, 2022	BDA212-099	2303 N. Carroll Ave.	MF-2(A)	2	var parking reg	**App w/ cons**	53
October 19, 2022	BDA212-101	11350 LBJ Fwy.	MC-1, NO (A)	9	sp ex sign reg	**App w/ cons**	13
October 19, 2022	BDA212-102	247 W. Davis St.	Subdistrict 6 PD 830	1	sp ex landscape reg	**App w/ cons**	22
November 14, 2022	BDA212-105	3923 Frontier Ln.	R-7.5(A)	9	holdover	**Holdover**	25
November 14, 2022	BDA212-108	5146 Yolanda Ln.	R-1ac(A)	13	sp ex fnc height	**Denied w/o prej**	11
November 14, 2022	BDA212-110	7021 Creek Bend Rd.	PD 106 (R-10(A))	12	var frt yd setbk	**App w/ cons**	18
November 15, 2022	BDA212-107	9501 El Centro Dr.	MF-2(A)	2	sp ex landscape reg	**App w/ cons**	24

BDA CASE LOG (10/2022 to 09/2023)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
November 15, 2022	BDA212-109	3318 Knight St.	PD-193	14	var floor area reg; var rear yd setbk; var sd yd setbk; sp ex sf use reg	**Denied w/o prej x4**	95
November 15, 2022	BDA212-111	6524 Alpha Rd.	PD-78,R-1/2ac(A),R-16(A)	11	holdover	**Holdover**	53
November 15, 2022	BDA212-112	6625 Alpha Rd.	PD-111,PD-558,R-1/2ac(A),R-16(A)	11	holdover	**Holdover**	46
December 12, 2022	BDA212-105(holdover)	3923 Frontier Ln.	R-7.5(A)	9	Holdover	**Holdover**	
December 12, 2022	BDA212-113	10203 Hollow Way Rd.	R-1ac(A)	13	sp ex fnc height	**App w/ cons**	14
December 12, 2022	BDA212-114	3516 Northaven Rd.	R-10(A)	13	sp ex sf use; add'l dwelling	**App w/ cons**	16
December 12, 2022	BDA212-115	238 HillvaleDr.	R-7.5(A),RR	4	sp ex landscape reg; req time ext	**App w/ cons**	88
December 12, 2022	BDA212-116	937 S. Belt Line Rd.	CR,CS,R-10(A)	8	sp ex landscape reg	**App w/ cons**	9
January 17, 2023	BDA212-111(holdover)	6524 Alpha Rd.	PD-78,R-1/2ac(A),R-16(A)	11	sp ex fnc height; sp ex fnc standards; sp ex vis obstr x2	**App w/ cons X3; Denied w/o prej (45 FT VIS OBSTR)**	
January 17, 2023	BDA212-112(holdover)	6625 Alpha Rd.	PD-111,PD-558,R-1/2ac(A),R-16(A)	11	sp ex fnc height; sp ex fnc standards; sp ex vis obstr	**App w/ cons X3**	
January 17, 2023	BDA223-001	7120 Cortland Ave.	R-7.5(A)	2	sp ex fnc height; sp ex vis obstr	**App w/ cons X2**	27
January 17, 2023	BDA223-002	1011 Nomas St.	R-5(A)	6	var frt yd setbk	**App w/ cons**	9
January 17, 2023	BDA223-003	1021 Nomas St.	R-5(A)	6	var frt yd setbk; var sd yd setbk	**App w/ cons x2**	14
January 17, 2023	BDA223-006	10240 Gaywood Rd.	R-1ac(A)	13	holdover	**Holdover**	10
January 17, 2023	BDA223-008	5203 Mercedes Ave.	CD-9	14	var parking reg	**App w/ cons**	27
January 18, 2023	BDA223-004	202 Beckleymeade Ave.	R-7.5(A)	8	holdover	**Holdover**	9
January 18, 2023	BDA223-005	4608 Harrys Ln.	R-1ac(A)	13	sp ex sf use; add'l dwelling	**App w/ cons**	9
January 18, 2023	BDA223-007	7629 W. Lovers Ln.	R-7.5(A)	13	sp ex sf use; add'l dwelling	**App w/ cons**	27
January 18, 2023	BDA223-009	10323 Lennox Ln.	R-1ac(A)	13	sp ex fnc height	**App w/ cons**	11
January 18, 2023	BDA223-010	10747 Lennox Ln.	R-1ac(A)	13	sp ex fnc height; sp ex fnc standards; sp ex vis obstr	**App w/ cons**	12
January 18, 2023	BDA223-011	10227 Gaywood Rd.	R-1ac(A)	13	holdover	**Holdover**	9
January 18, 2023	BDA223-012	4401 Lemmon Ave.	PD-193	14	var parking reg	**App w/ cons**	17

BDA CASE LOG (10/2022 to 09/2023)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
February 21, 2023	BDA223-006(holdover)	10240 Gaywood Rd.	R-1ac(A)	13	sp ex fnc height	**App w/ cons**	
February 21, 2023	BDA223-006(holdover)	10240 Gaywood Rd.	R-1ac(A)	13	sp ex fnc standards	**App w/ cons**	
February 21, 2023	BDA223-006(holdover)	10240 Gaywood Rd.	R-1ac(A)	13	sp ex vis obstr	**deny with prejudice**	
February 21, 2023	BDA223-013	5415 Yolanda Ln.	R-1ac(A)	13	sp ex sf use; add'l dwelling	**App w/ cons**	9
February 21, 2023	BDA223-014	3318 Knight St.	PD-193	14	var sd yd setbk	**App w/ cons**	95
February 21, 2023	BDA223-015	2027 Melbourne Ave	R-7.5(A)	1	sp ex sf use; add'l dwelling, var floor area ratio	**App w/ cons**	26
February 21, 2023	BDA223-018	1801 Mentor Ave	R-7.5(A)	4	var frt yd setbk	**deny without prejudice**	24
February 21, 2023	BDA223-019	5550 Walnut Hill Ln.	R-1ac(A)	13	sp ex fnc height; sp ex fnc standards	**App w/ cons**	14
February 22, 2023 Cancelled Per Chairman (Panel B)				***February 22, 2023 Cancelled Per Chairman (Panel B)***			
February 23, 2023	BDA212-105(holdover)	3923 Frontier Ln.	R-7.5(A)	9	var frt yd setbk	**App w/cons**	
February 23, 2023	BDA212-105(holdover)	3923 Frontier Ln.	R-7.5(A)	9	sp ex fnc height	**App w/cons**	
February 23, 2023	BDA212-105(holdover)	3923 Frontier Ln.	R-7.5(A)	9	sp ex fnc standards	**App w/cons**	
February 23, 2023	BDA212-105(holdover)	3923 Frontier Ln.	R-7.5(A)	9	sp ex vis obstr	**App w/cons**	
February 23, 2023	BDA223-017	4327 Cabell Ave	MF-2(A)	2	sp ex fnc height	**App w/cons**	26
February 23, 2023	BDA223-017	4327 Cabell Ave	MF-2(A)	2	sp ex fnc height; sp ex fnc standards; sp ex vis obstr x2	**App w/cons**	
February 23, 2023	BDA223-017	4327 Cabell Ave	MF-2(A)	2	sp ex fnc standards	**App w/cons**	
February 23, 2023	BDA223-020	4502 Leland Ave.	PD-595	7	var frt yd setbk	**App w/cons**	27
February 23, 2023	BDA223-021	4803 Victor St.	PD-98	2	var frt yd setbk	**App w/cons**	25
March 20, 2023 Cancelled Per Chairman (Panel C)				***March 20, 2023 Cancelled Per Chairman (Panel C)***			
March 21, 2023	BDA223-022	4011 Turtle Creek Blvd	PD 193	14	sp ex sf reg/add'l dwelling	**Approved**	21

BDA CASE LOG (10/2022 to 09/2023)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
March 21, 2023	BDA223-024	5506 Columbia Ave	D(A)	2	sp ex fnc height	**App w/cons**	21
March 21, 2023	BDA223-025	13418 Hughes Ln.	R-1/2ac(A), R-16(A)	11	sp ex fnc height/sp ex fnc standards	**App w/cons**	10
March 21, 2023	BDA223-027	5608 Live Oak	MF-2(A)	14	variance fnc height	**Denied without prejudice**	47
March 21, 2023	BDA223-028	1300 W. Mockingbird Ln.	MU-3	2	sp ex parking reg	**App w/cons**	8
March 22, 2023	BDA223-004(holdover)	202 Beckleymeade Ave.	R-7.5(A)	8	Holdover	**Holdover**	
March 22, 2023	BDA223-011(holdover)	10227 Gaywood Rd.	R-1ac(A)	13	sp ex fnc height	**Deny with prejudice**	
March 22, 2023	BDA223-016	9525 White Rock Trail	D(A), PD-1007, PD-1074	10	SE FH	**POSTPONED**	
March 22, 2023	BDA223-023	6010 Prestonshire Ln.	R-10(A)	13	holdover	**Holdover**	13
March 22, 2023	BDA223-026	5253 Bonita Ave.	R-7.5(A)	2	variance frt yrd setbck	**Approved w/ cons**	31
April 17, 2023 Cancelled Technical issues (Panel C)				***April 17, 2023 Cancelled technical issues (Panel C)***			
April 18, 2023	BDA223-029	8915 Douglas	R-1ac(A)	13	sp ex fnc height/sp ex fnc standards	**App w/cons**	12
April 18, 2023	BDA223-029	8915 Douglas	R-1ac(A)	13	Front yard panels	**App w/cons**	12
April 18, 2023	BDA223-032	510 Newell	CD-6	14		**POSTPONED**	
April 18, 2023	BDA223-035	1020 McBroom	R-5(A)	6	variance sd yrd setbck	**Denied without prejudice**	13
April 18, 2023	BDA223-037	4178 Saranac	R-10(A)	6	sp ex fnc height	**Denied without prejudice**	22
April 18, 2023	BDA223-037	4178 Saranac	R-10(A)	6	sp ex vsblty obstruction	**Denied with prejudice**	22
April 19, 2023 Cancelled Technical issues (Panel C)				***April 19, 2023 Cancelled technical issues (Panel C)***			
May 15, 2023	BDA223-031	1713 E Kiest Blvd	R-7.5(A)	4	sp ex fnc height	**Approved w/ cond**	45
May 15, 2023	BDA223-031	1713 E Kiest Blvd	R-7.5(A)	4	sp ex fnc standards	**Approved w/ cond**	
May 15, 2023	BDA223-033	3839 Seguin	R-7.5(A)	6	sp ex fnc height	**Deny without Prejudice**	26

BDA CASE LOG (10/2022 to 09/2023)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
May 15, 2023	BDA223-033	3839 Seguin	R-7.5(A)	6	sp ex fnc standards	**Deny without Prejudice**	
May 15, 2023	BDA223-036	1017 Nomas	R-5(A)	6	variance frt yrd stbck	**Approved w/ cond**	13
May 15, 2023	BDA223-041	5505 S. Polk	R-7.5(A)	3	sp ex fnt yrd stbck	**Approved w/ cond**	13
May 16, 2023	BDA223-042	2602 Kilburn Ave	R-7.5(A)	4	sp ex single family reg	**Approved**	45
May 16, 2023	BDA223-043	8020 Park Lane	R-7.5(A)	6	variance fnt yrd stbck	**Approved w/ cond**	26
May 16, 2023	BDA223-044	1718 S. Good Latimer	R-5(A)	6	sp ex landscape requirement	**Approved w/ cond**	13
May 16, 2023	BDA223-046	5519 Morningside Ave	R-7.5(A)	3	AO	**Approved**	13
May 16, 2023	BDA223-055	5519 Ridgedale Ave	CD-9	3	AO	**Approved**	
May 17, 2023	BDA223-030	5916 Swiss Ave	PD-63	14	variance far sf reg	**Denied**	16
May 17, 2023	BDA223-034	7202 La Vista	R-7.5(A)	14	fence height	**Approved w/ cond**	29
May 17, 2023	BDA223-038	5215 Morningside	CD-9	14	Holdover	**Holdover**	32
May 17, 2023	BDA223-039	9226 Club Glen	R-7.5(A)	10	fence height	**Approved w/ cond**	23
May 17, 2023	BDA223-040	6830 Desco	R-7.5(A)	13	side yard setback	**Approved w/ cond**	14
May 17, 2023	BDA223-004(holdover)	202 Beckleymeade Ave.	R-7.5(A)	8	variance sd yrd stbck	**Approved w/ cond**	
May 17, 2023	BDA223-004(holdover)	202 Beckleymeade Ave.	R-7.5(A)	8	sp ex landscape requirements	**Approved w/ cond**	
May 17, 2023	BDA223-023(holdover)	6010 Prestonshire Ln.	R-10(A)	13	sp ex single family reg / add'l dwelling	**Approved w/ cond**	
June 20, 2023	BDA223-048	6821 McCallum Blvd	Pd-106	12	sp ex fnc height	**Approved w/ cond**	14
June 20, 2023	BDA223-050	4523 Frankford Road	CR	12	sp ex landscaping reg	**Denied without prejudice**	10
June 20, 2023	BDA223-052	7915 Roundrock Rd,	R-7.5(A)	11	sp ex sf regulations/add'l dwelling	**Approved w/ cond**	19
June 20, 2023	BDA223-054	6446 R. Lovers Lane	R-7.5(A)	9	variance parking reg	**Approved w/ cond**	23
June 20, 2023	BDA223-056	4148 Gentry dr.	R-5(A)	6	sp ex visibility obst reg	**Denied without prejudice**	31
June 20, 2023	BDA223-061	1020 McBroom St.	R-5(A)	6	variance sd-yrd stbck	**Approved w/ cond**	13

BDA CASE LOG (10/2022 to 09/2023)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
6/21/2023 Cancelled per Chairman				***June 21, 2023 Cancelled Per Chairman (Panel B)***			
June 22, 2023	BDA223-047	304 S. Beacon Street	D(A)	14	variance fnt yrd stbck	**Approved w/ cond**	26
June 22, 2023	BDA223-049	2513 N. Fitzhugh Ave.	CR	2	variance fnt yrd stbck	**Approved w/ cond**	36
June 22, 2023	BDA223-051	4001 Turtle Creek Blvd	PD-193	14	sp ex fnc height	**Approved w/ cond**	25
June 22, 2023	BDA223-051	4001 Turtle Creek Blvd	PD-193	14	sp ex fnc reg	**Approved w/ cond**	
June 22, 2023	BDA223-051	4001 Turtle Creek Blvd	PD-193	14	variance fnt yrd stbck	**Approved w/ cond**	
June 22, 2023	BDA223-053	7217 Brookshire Circle.	R-16(A)	11	holdover	**Holdover**	16
July 17, 2023	BDA212-106	817 N. Clinton Dr.	CD-1	1	variance fnt yrd stbck	**Approved**	27
July 17, 2023	BDA223-053	7217 Brookshire Circle.	R-16(A)	11	sp ex fnc height	**Denied without prejudice**	
July 17, 2023	BDA223-059	4112 Delano Place	CR, MF-2(A)	2	variance parking reg	**Approved w/ conditions**	43
July 17, 2023	BDA223-064	4106 South Better	R-16(A)	13	variance fnt yrd stbck	**Approved w/ conditions**	20
July 17, 2023	BDA223-067	402 N. Good Latimer	PD-298	14	sp ex parking reg	**Approved w/ conditions**	9
July 17, 2023	BDA223-068	906 Kessler Parkway	R-7.5(A)	1	sp ex fnc height	**Approved w/ conditions**	16
July 17, 2023	BDA223-068	906 Kessler Parkway	R-7.5(A)	1	sp ex fnc stand	**Approved w/ conditions**	
July 17, 2023	BDA223-069	1414 Dragon Street	PD-621	6	sp ex parking reg	**Approved w/ conditions**	21
July 18, 2023	BDA212-078	5526 E R.L.Thornton	CR	2	parking reduction variance	**Postponed**	
July 18, 2023	BDA223-058	7128 Hazel Road	R-7.5(A)	5	holdover	**Holdover**	28
July 18, 2023	BDA223-060	2818 Toluca Ave	R-7.5(A)	4	sp ex fnc height	**Approved**	25
July 18, 2023	BDA223-060	2818 Toluca Ave	R-7.5(A)	4	sp ex visibility triangle	**Approved**	
July 18, 2023	BDA223-063	2801 Al Lipscomb Way	PD-363	7	variance fnt yrd stbck	**Approved w/Conditions**	5
July 18, 2023	BDA223-063	2801 Al Lipscomb Way	PD-363	7	sp ex parking reg	**Approved w/Conditions**	
July 18, 2023	BDA223-065	2603 Inwood Road	IR	2	sp ex parking reg	**Approved w/Conditions**	12

BDA CASE LOG (10/2022 to 09/2023)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
July 18, 2023	BDA223-066	5518 Winston Ct.	R-1ac(A)	13	holdover	**Holdover**	14
July 18, 2023	BDA223-077	3349 Coronet Blvd	R-5(A)	24	holdover	**Holdover**	24
July 19, 2023 Cancelled Per Chairman (Panel B)				***July 19, 2023 Cancelled Per Chairman (Panel B)***			
August 14, 2023 Cancelled Per Chairman (Panel C)				***August 14, 2023 Cancelled Per Chairman (Panel C)***			
August 15, 2023	BDA223-032	510 Newell	CD-6	14	variance sd yrd stbck	**Approved w/conditions**	26
August 15, 2023	BDA223-058(holdover)	7128 Hazel Road	R-7.5(A)	5	sp ex sf reg / add'l dwelling	**Approved w/conditions**	
August 15, 2023	BDA223-058(holdover)	7128 Hazel Road	R-7.5(A)	5	variance far reg	**Approved w/conditions**	
August 15, 2023	BDA223-058(holdover)	7128 Hazel Road	R-7.5(A)	5	variance height reg	**Approved w/conditions**	
August 15, 2023	BDA223-066(holdover)	5518 Winston Ct.	R-1ac(A)	13	sp ex fnc height	**Denied without prejudice**	14
August 15, 2023	BDA223-066(holdover)	5518 Winston Ct.	R-1ac(A)	13	sp ex fnc standards	**Denied without prejudice**	
August 15, 2023	BDA223-070	5027 Alcott	R-5(A)	14	variance sd yrd/ vaiance frt yard	**Approved w/conditions**	32
August 15, 2023	BDA223-072	6900 Wofford	R-7.5(A)	5	sp ex sd yrd	**Approved w/conditions**	22
August 15, 2023	BDA223-075	8334 Plainview	A(A), IR	8	variance sd yard and rear yrd stbck	**Approved w/conditions**	13
August 15, 2023	BDA223-077(holdover)	3349 Coronet Blvd	R-5(A)	24	variance height reg	**Approved w/conditions**	24
August 15, 2023	BDA223-078	5511 Merrimac	CD-9	14	AO Appeal - Paint	**Reversed decision granted**	33
August 16, 2023	BDA223-038(holdover)	5215 Morningside	CD-9	14	variance rear yrd reg	**Approved with conditions**	32
August 16, 2023	BDA223-062	2730 N. Henderson	PD-462	14	variance parking reg	**Approved with conditions**	26
August 16, 2023	BDA223-071	5100 Ross Ave	CR, LO-1	2	sp ex landscaping reg	**Approved with conditions**	9
August 16, 2023	BDA223-073	7704 Glen Albens	R-7.5(A)	13	sp ex lot coverage	**Approved with conditions**	20
August 16, 2023	BDA223-074	5505 Chatham Hill	R-1ac(A)	13	holdover	**Holdover**	15
August 16, 2023	BDA223-076	2021 Haymarket	A(A)	8	sp ex fnc height	**Approved with conditions**	8

BDA CASE LOG (10/2022 to 09/2023)	Case Nos.	Address	Zoning	Council District	Case Type	Board Action	Reg Notices Sent
September 18, 2023 Cancelled Per Chairman (Panel C)				***September 18, 2023 Cancelled Per Chairman (Panel C)***			
September 19, 2023	BDA 223-079	9211 Hathaway Street	R-1ac(A)	13	(1) a special exception to the fence height regulations; (2) a special exception to the fence opacity standard regulations; (3) a special exception to the visibility obstruction regulations; (4) a special exception to the visibility obstruction regulations; and for (5) two variances to the front yard setback regulations	**1- Approved w/cond, 2- Approved w/conds, 3 - Approved w/conds, 4 - denied without prejudice, 5 - approved w/ conds**	13
September 19, 2023	BDA223-080	10020 Meadowbrook Drive	R-1ac(A)	13	(1) a variance to the side-yard setback regulations; (2) a special exception to the fence height regulations; (3) a special exception to the visibility obstruction regulations; (4) a special exception to the fence opacity standard regulations; and (5) a special exception to the fence material standard regulations	**1- Approved w/cond, 2- Approved w/conds, 3 - Approved w/conds, 4 - approved w/conds, 5 - approved w/ conds**	9
September 19, 2023	BDA223-081	8627 Lakemont Drive	R-10(A)	13	(1) a special exception to the fence height regulations; and (2) a special exception to the fence material standard regulations	**Approved w/ conditions**	15
September 19, 2023	BDA223-082	10427 Lennox Lane	R-1ac(A)	13	(1) a special exception to the fence height regulations; (2) a special exception to the fence opacity standards; and (3) a special exception to the fence material standards	**1 - approved w/conds, 2 - denied without prejudice, 3 - denied without prejudice**	10
September 19, 2023	BDA223-083	9122 Inwood Road	R-1ac(A)	13	(1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity standard regulations	**Holdover**	11
September 19, 2023	BDA223-085	1416 S. Waverly Drive	R-7.5(A)	1	a variance to the side-yard setback regulations	**Approved w/ conditions**	25
September 20, 2023 Cancelled Per Chairman (Panel B)				***September 20, 2023 Cancelled Per Chairman (Panel B)***			

BOARD OF ADJUSTMENT

2023-2024

GOALS & OBJECTIVES

Proposed 2023 - 2024 Goals & Objectives

1. Ensure Fairness to every property owner appeal to the Board of Adjustment (BOA) through Timeliness and Accuracy for a hearing, and Transparency to the public. Strive to consistently provide a fair and complete evaluation of all relevant facts from applicant and staff on each appeal as they apply to a predefined standard.

2. Staff and Board to provide a public hearing for property owner appeals to BOA within 60 days on average from taxpayer application. Streamline staff processing and potentially modify BOA Panel hearing calendar to accomplish. Create a verifiable predefined consistent measurement of days from application to Hearing, (State law requires a hearing within 60 days for a Building Administrative Official appeal and 30 days for Plats)

3. Staff to prepare a more comprehensive and technical analysis for appeal hearings with enhanced photos and property comparisons to include the surrounding properties within 200 feet of the appeal location.

4. Significant website enhancements to include a single/linked online accurate source of information for BOA, updated regularly to increase taxpayer/property owner understanding and awareness of all pending zoning appeals to include pending case look up and application flowchart/process.

5. Quarterly enhanced training of members/alternates on rules, conflicts of interest, criteria for decision making and onboarding of new appointees.

BOARD OF ADJUSTMENT

RECOMMENDATIONS TO THE CITY COUNCIL

Board of Adjustment Recommendation to the City Council

1. Request City Council continued oversight to ensure Development Services Department's focus on Timeliness, Accuracy and Transparency for all phases of a Board of Adjustment appeal by a property owner.

2. Fund the hiring and training of Development Services professional and support staff to achieve reasonable/reduced days from application to public hearing, more comprehensive staff presentations, and enhanced website accessibility for BOA appeal hearings.

BOARD OF ADJUSTMENT

Panel A Minutes

November 14, 2023

DRAFT

6ES Council Briefing
24923176153@dallascityhall.webex.com
David A. Neumann, Chairman

PRESENT: [5]

David A. Neumann, Chairman	
Kathleen Davis	
Rachel Hayden	
Jay Narey	
Michael Hopkovitz	

ABSENT: [0]

Chair Neumann called the briefing to order at **10:30A.M.** with a quorum of the Board of Adjustment present.

Chair Neumann called the hearing to order at **1:00 P.M.** with a quorum of the Board of Adjustment present.

The Chairperson stated that no action of the Board of Adjustment shall set a precedent. Each case must be decided upon its own merits and circumstances, unless otherwise indicated, each use is presumed to be a legal use. Each appeal must necessarily stand upon the facts and testimony presented before the Board of Adjustment at this public hearing, as well as the Board's inspection of the property.

PUBLIC SPEAKERS

The Board of Adjustment provided "public speaker" opportunities for individuals to comment on matters that were scheduled on the agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda.

- We had no speakers for public testimony during this hearing.

MISCELLANEOUS ITEMS

Approval of the Board of Adjustment Special Call Meeting Minutes.

Motion was made to approve the Board of Adjustment Special Call Meeting Minutes.

Maker:	Rachel Hayden				
Second:	Kathleen Davis				
Results:	5-0 unanimously				Moved to approve
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

Approval of the Board of Adjustment Panel A, September 19th, 2023 meeting minutes.

Motion was made to approve Panel A, September 19th, 2023 public hearing minutes.

Maker:	Katheen Davis				
Second:	Rachel Hayden				
Results:	5-0 unanimously				Moved to approve
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

CONSENT ITEMS

1. 4707 Allencrest Lane
***This case was moved to Individual Cases.**
BDA223-095(KMH)

BUILDING OFFICIAL'S REPORT: Application of Madison Umberger for (1) a special exception to the side yard setback regulations at 4707 Allencrest Ln. This property is more fully described as Block C/6394, Lot 13 and is zoned R-16(A), which requires a side yard setback of 10-feet. The applicant proposes to construct a carport for a single-family residential dwelling in a required side yard and provide a 4-inch setback, which will require a (1) 9-foot 8-inch special exception to the side yard setback regulations.

LOCATION: 4707 Allencrest Ln.

APPLICANT: Madison Umberger

REQUEST:

1. A request for a special exception to the side yard setback regulations.

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

Section 51A-4.402(c) of the Dallas Development Code specifies the Board of Adjustment may grant a special exception to the minimum side yard requirements to allow a carport for a single-family or duplex use when, in the opinion of the Board, the carport will not have a detrimental impact on surrounding properties. In determining whether to grant a special exception, the Board shall consider the following:

(A) Whether the requested special exception is **compatible** with the character of the neighborhood.

(B) Whether the **value of surrounding properties** will be adversely affected.

(C) The **suitability of the size and location** of the carport.

(D) The **materials to be used in construction** of the carport.

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

STAFF RECOMMENDATION:

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

BACKGROUND INFORMATION:

Zoning:

Site: R-16(A) (Single family district)

North: R-16(A) (Single family district)

South: R-16(A) and R-1/2ac(A) (Single family districts)

East: R-16(A) (Single family district)

West: R-16(A) (Single family district)

Land Use:

The subject site and all surrounding properties are developed with single family uses.

BDA History:

No BDA history within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The purpose of this request is for a special exception to the side yard setback regulations. The applicant proposes to construct and maintain a carport in a required side yard providing

a 4-inch setback; therefore, requiring a 9-foot 8-inch special exception to the side yard setback regulations.

- The subject site is zoned R-16(A) which requires a side yard setback of 10-feet.
- The subject property and surrounding properties are all developed with single-family uses.
- The Dallas Development Code states that required side yards must be open and unobstructed except for fences. The applicant is proposing to construct and/or maintain a carport in a required side yard on a lot developed with a single-family home.
- The submitted site plan and elevations illustrate the location of the proposed carport.
- As gleaned from the submitted site plan, the applicant is proposing to construct and maintain a 296 square feet carport in a required setback along the west perimeter of the property, providing a 4-inch setback; whereas the Dallas Development Code requires a 10-foot side yard setback for single-family dwellings in the R-16(A) zoning district.
- The applicant has the burden of proof in establishing that the special exception to the side yard setback regulations will not have a detrimental impact on surrounding properties.
- Granting this special exception to the side yard setback regulations to allow a carport in the required side yard providing a 4-inch side yard setback on the site with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed and maintained as shown on the submitted documents.

Timeline:

September 11, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 2, 2023: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

October 4, 2023: The Senior Planner emailed the applicant's representative the following information:

- a copy of the application materials including the Building Official's report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the October 23, 2023 deadline to submit additional evidence for staff to factor into their analysis; and the November 3, 2023 deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

November 1, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans

Examiner the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

Speakers:

For: Madison Umberger, 4707 Allencrest Ln, Dallas TX 75244

Against: No Speakers

Motion
I move that the Board of Adjustment, in Appeal No. BDA 223-095, on application of Madison Umberger, **DENY** the special exception to the side-yard setback regulation for carports, requested by this applicant **without** prejudice, contained in the Dallas Development Code, as amended, because our evaluation of the property and testimony shows that granting the request will have a detrimental impact on surrounding properties.

Maker:	Kathleen Davis				
Second:	Rachel Hayden				
Results:	5-0				Moved to deny
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Jay Narey, Rachel Hayden and Michael Hopkovitz
		Against:	-	0	

2. 2764 Catherine Street
***This case was moved to Individual Cases**
BDA223-097(KMH)

BUILDING OFFICIAL'S REPORT Application of Robert Smith for (1) a special exception to the fence height regulations, and for (2) a special exception to the 20-foot visibility obstruction regulations, and for (3) a special exception to the 20-foot visibility obstruction regulations at 2764 Catherine St. This property is more fully described as Block 2/3879, Lot 1, and is zoned CD-8; subarea 1 (R-7.5(A)), which limits the height of a fence in the 50% of the side-yard and corner side-yard to 4-feet and requires a 20-foot visibility triangle at driveway approaches, and requires a 20-foot visibility triangle at the point of intersection of the edge of an alley and an adjacent street curb line. The applicant proposes to construct a 6-foot high fence in a required side-yard, which will require (1) a 2-foot special exception to the fence height regulations; and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (2) a special exception to the 20-foot visibility obstruction regulation at driveway approaches; and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (3) a special exception to the 20-foot visibility obstruction regulation intersection of the edge of an alley and an adjacent street curb line**.**

LOCATION: 2764 Catherine St.

APPLICANT: Robert Smith

REQUEST:

1. A request for a special exception to the fence height regulations,
2. A request for a special exception to the 20-foot visibility obstruction regulations, and;
3. A request for a special exception to the 20-foot visibility obstruction regulations.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations 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:

Section 51A-4.602(d)(3) of the Dallas Development Code states that 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:

No staff recommendation is made on this or any request for a special exception to the fence 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.

No staff recommendation is made on this or any request for a special exception to the visual obstruction regulations since the basis for this type of appeal is when in the opinion of the board, the item will not constitute a traffic hazard.

BACKGROUND INFORMATION:

Zoning:

Site: CD-8; Subarea R-7.5 (A) (Single Family District)
North: CD-8
East: CD-8
South: CD-8
West: CD-8

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

BDA History:

No BDA history in the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Robert Smith for the property located at 2764 Catherine Street focuses on 3 requests. The first request is for a special exception to the fence height regulations of 4-feet. The applicant is proposing to construct and maintain a 6-foot high fence in a required front yard, which will require a 2-foot special exception to the fence height regulations. The

applicant is proposing the fence along Pierce Street and along the alley. It is imperative to note the fence along Pierce Street will include a gate

- Secondly, the applicant proposes to maintain a single-family fence in a required visibility triangle at the driveway approach along Pierce Street, which will require a special exception to the visual obstruction regulations. The visual obstruction regulations require a 20-foot visibility triangle at all driveway approaches.
- Additionally, the applicant proposes to maintain a single-family fence structure in a required visibility triangle at the intersection of the edge of an alley and an adjacent street curb line, which requires a 20-foot special exception to the visual obstruction regulations.
- The subject site along with the surrounding properties are all developed with single family uses.
- It is imperative to note that the subject site is a corner lot.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to maintain a new 6-foot wooden fence. The proposed fence and gate are shown to encroach into the required visibility triangle at the driveway approach along Pierce Street. The proposed fence is also shown to encroach into the visibility triangle at the street intersection and the alley.
- The CD-8 zoning district limits the height of a fence in the 50% of the side-yard and corner side-yard to 4-feet.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations will not adversely affect the neighboring property.
- The applicant has the burden of proof in stablishing that the special exception to the visual obstruction regulations does not constitute a traffic hazard.
- If the Board were to grant this special exception request and impose a condition that the applicant complies with the submitted site plan/elevation, the proposal over 2-feet in height in the front yard setback would be limited to that what is shown on the submitted documents.
- Additionally, granting this request for a special exception to the visual obstruction regulations with a condition imposed that the applicant complies with the submitted site plan would limit the proposed fence in the 20-foot visibility triangles at the driveway into the site from Pierce Street and the alley to what is shown on the submitted documents.

Timeline:

September 13, 2023: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

October 2, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

October 4, 2023: The Sustainable Development and Construction Department Senior

Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 23, 2023, deadline to submit additional evidence for staff to factor into their analysis; and November 3, 2023, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 1, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner, the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

Speakers:

For: Robert Smith, 2764 Catherine Street, Dallas TX 75211

Against: No Speakers

City Staff: Diana Barkume, Project Coordinator
Trevor Brown, Conservation District Chief Planner

Motion # 1
I move that the Board of Adjustment, in Appeal No. BDA 223-097, on application of Robert Smith, **DENY** the special exception requested by this applicant to construct and/or maintain a 6-foot high fence **without** prejudice, because our evaluation of the property and the testimony shows that granting the application would adversely affect neighboring property.

Maker:	Rachel Hayden					
Second:	Kathleen Davis					

Motion # 2
Moved to withdraw the motion

Maker:	Rachel Hayden					
Second:	Kathleen Davis					

Motion # 3
I move that the Board of Adjustment in Appeal No. BDA 223-097 **HOLD** this matter under advisement until **January 16th, 2024**.

Maker:	Rachel Hayden					
Second:	Michael Hopkovitz					
Results:	4-1					Moved to hold until January 16th, 2024
		Ayes:	-		4	David A. Neumann, Rachel Hayden, Michael Hopkovitz and Jay Narey
		Against:	-		1	Kathleen Davis

Recess: 1:38 p.m.; Resume: 1:46 p.m.

HOLDOVER CASES

3. 9122 Inwood Road
BDA223-083(KMH)

BUILDING OFFICIAL'S REPORT Application of Trenton Robertson for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standard regulations at 9122 INWOOD RD. This property is more fully described as Block 6/5579, Part of lot 5 and 7, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct a 9-foot 3-inch high fence in a required front yard, which will require (1) a 5-foot 3-inch special exception to the fence height regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require (2) a special exception to the fence opacity regulations.

LOCATION: 9122 Inwood Rd.

APPLICANT: Trenton Robertson

REQUEST:

(1) A request for a special exception to the fence height regulations; and
(2) A special exception to the fence opacity regulations.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARD REGULATIONS:

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, the special exception will not adversely affect neighboring property.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE OPACITY STANDARD REGULATIONS:

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, the special exception will not adversely affect neighboring property.

STAFF RECOMMENDATION:

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

BACKGROUND INFORMATION:

Zoning:

Site: R-1ac(A) (Single Family District)
North: PD 815
East: R-1ac (A) (Single Family District)
South: R-1ac (A) (Single Family District)
West: R-1ac (A) (Single Family District)

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

BDA History:

No BDA history found within the last 5 years.

GENERAL FACTS/STAFF ANALYSIS:

- The purpose of this request is for a special exception to the fence regulations of 4-feet focuses on constructing and/or maintaining an 9-foot 3-inch high fence in a required front yard; additionally, this request is also for a special exception to the fence standards regulations for a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line.
- The subject site and surrounding properties are zoned R-1ac (A).
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.
- As gleaned from the submitted site plan and elevations, the applicant is proposing 9-foot 3-inch high masonry wall in the front yard along Inwood Road and along Northwest Highway.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations will not adversely affect the neighboring property.
- Granting these special exceptions to the fence standards relating to height up to 9-feet 3-inches and location of fence panels with surface areas that are less than 50 percent open on the site with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

July 11, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

July 24, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

August 2, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the August 21, 2023, deadline to submit additional evidence for staff to factor into their analysis; and September 8, 2023, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

August 29, 2023: The Development Services Engineer provided a response sheet with no objections.

August 30, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the September public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner, the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

September 19, 2023: The Board of Adjustment Panel A, at its public hearing held on Tuesday, September 19, 2023, voted to hold this matter under Advisement until November 14, 2023.

November 3, 2023: The applicant submitted revised drawings.

Speakers:

For: Karl Crawley, 2201 Main Street # 1280, Dallas TX 75201
Steve Long, 2201 Main Street # 1280, Dallas TX 75201

Against: No Speakers

Motion # 1
I move that the Board of Adjustment, in Appeal No. BDA 223-083, on application of Trenton Robertson, **GRANT** the request of this applicant to construct and/or maintain a 9-foot high fence as a special exception to the height requirement for fences contained in the Dallas Development Code,

as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with the most recent version of all submitted plans are required.

Maker:	Rachel Hayden					
Second:	Jay Narey					
Results:	5-0 unanimously					Moved to grant
		Ayes:	-		5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-		0	

Motion # 2
I move that the Board of Adjustment, in Appeal No. BDA 223-083, on application of Trenton Robertson, **GRANT** the request of this applicant to construct and/or maintain a fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with the most recent version of all submitted plans are required.

Maker:	Kathleen Davis					
Second:	Jay Narey					
Results:	5-0 unanimously					Moved to grant
		Ayes:	-		5	David A. Neumann, Kathleen Davis, Michael Hopkovitz, Jay Narey and Rachel Hayden
		Against:	-		0	

INDIVIDUAL CASES

4. 5526 E.R.L. Thornton Freeway
BDA212-078(KMH)
BUILDING OFFICIAL'S REPORT: Application of Audra Buckley for (1) a variance to the parking regulations, for (2) a special exception to the landscape and tree preservation regulations, and for (3) a variance to the side yard setback regulations at 5526 E R L Thornton FWY. This property is more fully described as lot 6A, block 7/1633 and is zoned CR, which requires parking to be provided, and landscape to be provided and a 20-foot side yard setback to be provided. The applicant proposes to construct and/or maintain nonresidential structures for retail, motor vehicle fueling

station, and personal service uses and provide 20 of the required 34 parking spaces, which will require (1) a 14-space variance (41% reduction) to the parking regulation. The applicant proposes to construct and/or maintain nonresidential structures which requires mandatory landscaping and provide an alternate landscape plan, which will require (2) a special exception to the landscape regulations. The applicant proposes to construct and/or maintain nonresidential structures and provide a 0-foot side yard setback which will require (3) a 20-foot variance to the side yard setback regulations.

LOCATION: 5526 E R L Thornton FWY

APPLICANT: Audra Buckley

REQUEST:

(1) A request for a variance to the off-street parking regulations;
(2) A request for a special exception to the landscape regulations; and
(3) A request for a variance to the side-yard setback regulations.

STANDARD FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the front yard, **side yard**, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, height, minimum sidewalks, **off-street parking** or off-street loading, or landscape regulations provided that the variance is:

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

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

(C) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

State Law/HB 1475 effective 9-1-21

- the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:
  - (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
  - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
  - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
  - **(d)** compliance would result in the unreasonable encroachment on an adjacent property or easement; or the municipality considers the structure to be a nonconforming structure.

STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPING AND TREE MITIGATION:

Section 51A-10.110 of the Dallas Development Code states the board may grant a special exception to the requirements of this article upon making a special finding from the evidence presented that strict compliance with the requirements of this article will unreasonably burden the use of the property; the special exception will not adversely affect neighboring property; and the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council. In determining whether to grant a special exception under Subsection (a), the board shall consider the following factors:

- The extent to which there is residential adjacency.
- The topography of the site.
- The extent to which landscaping exists for which no credit is given under this article.
- The extent to which other existing or proposed amenities will compensate for the reduction of landscaping. (Ord. Nos. 22053; 25155)

STAFF RECOMMENDATION:
Variance to parking regulations:
Denial

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

A. Not contrary to the public interest as no letters of opposition were received.
B. The site is not restrictive in that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning;
C. Self-created/personal hardship.

Variance to side yard setback regulations:
Denial

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

A. Not contrary to the public interest as no letters of opposition were received.
B. The site is not restrictive in that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning;
C. Self-created/personal hardship.

Special Exception:
No staff recommendation is made on this or any request for a special exception to the landscape 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.

BDA HISTORY:
No BDA History found within the last 5 years.

Zoning:

Site: CR (Community Retail)
North: RR (Regional Retail)
South: PD 136 and P(A)
East: CR and P(A) (Community Retail and Parking)
West: CR (Community Retail)

Land Use:
The subject site is developed with a convenience store. The surrounding properties are developed with some retail uses and single-family residential homes.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the off-street parking regulations of 14 spaces is made to construct and/or maintain a nonresidential structure for retail, motor vehicle fueling station, and personal service uses. The applicant proposes to provide only 20 of the 34 required parking spaces, resulting in the need for a 41% reduction in the parking space requirements.
- The applicant is also requesting a special exception to the landscape and tree mitigation regulations. Article X requires minimum standards for new construction and additions, including conditions for the street buffer zone and residential buffer zone.
- Additionally, the applicant is requesting a variance to the side yard setback regulations. The Dallas Development Code requires a 20-foot side yard setback for the CR zoning when abutting a residential zoning district. The applicant is proposing a zero-foot side yard setback along the south perimeter of the site, resulting in the need for a 20-foot variance.
- As gleaned from the submitted site and landscape plan, the applicant is proposing to construct and maintain an 1,800 square foot convenience store. There is currently an existing motor vehicle fueling station located on the lot as well.
- The submitted site and landscape plan also illustrates the landscape that will provided as well as the proposed 20 parking spaces.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the off-street parking regulations and the side yard variance 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 a specific parcel of land that differs 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 with the same zoning; and
- 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

The board may also consider **Dallas Development Code §51A-3.102(d)(10)(b) formerly known as HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.

(b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.

(c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.

(d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or

(e) the municipality considers the structure to be a nonconforming structure.

- Granting the proposed 14-space variance to the off-street parking regulations and the 20-foot side yard variance with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
- Additionally, granting the special exception to the landscape and tree mitigation regulations with a condition that the applicant complies with the submitted site and landscape plan, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

September 11, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 2, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

October 4, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 23, 2023, deadline to submit additional evidence for staff to factor into their analysis; and November 3, 2023, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 19, 2023: A site visit was conducted on October 19th by the Senior Planner;

During the site visit, the notification signs were not properly posted.

The Senior Planner sent email to applicant regarding this issue.

October 23, 2023: The applicant emailed the Senior Planner with pictures of the

Notification signs posted properly.

November 1, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans

Examiner the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

November 3, 2023: The Chief Arborist provided a memo stating, "The chief arborist has no objection to the proposed alternate landscape plan provided the variances that authorize the site conditions are approved by the board. The full application of Article X would unreasonably burden the use of the property. As a condition, I recommend the required planting conditions of Section 51A-10.125 be applied for all trees and shrubs identified on the alternate landscape plan. All trees on the landscape plan shall be 'large' or 'medium' trees and all shrubs shall be 'large evergreen shrubs'."

Speakers:

For: Audra Buckley, 1414 Belleview St Ste. 150, Dallas TX 75215

Against: No Speakers

Motion
I move that the Board of Adjustment in Appeal No. BDA 212-078, **HOLD** this matter under advisement until **January 16th, 2024,** requested by the applicant.

Maker:	Kathleen Davis				
Second:	Rachel Hayden				
Results:	5-0 Unanimously				Moved to hold until January 16th, 2024.
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

5. 4515 Harrys Lane
BDA223-096(KMH)

BUILDING OFFICIAL'S REPORT Application of Christopher Cole for (1) a special exception to the fence height regulations at 4515 Harrys Lane. This property is more fully described as Block D/5534, Lot 8 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct a 7-foot-high fence in a required front yard, which will require (1) a 3-foot special exception to the fence regulations.

LOCATION: 4515 Harrys Lane

APPLICANT: Christopher Cole

REQUEST:

(3) A request for a special exception to the fence height regulations.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, the special exception will not adversely affect neighboring property.

STAFF RECOMMENDATION:

Special Exception

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

BACKGROUND INFORMATION:

Zoning:

Site: R-1ac(A) (Single Family District)
North: R- 1ac(A) (Single Family District)
East: R- 1ac(A) (Single Family District)
South: R- 1ac(A) and R-16(A) (Single Family Districts)
West: R- 1ac(A) (Single Family District)

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application of Christopher Cole for the property located at 4515 Harrys Lane focuses on the fence height regulations. The applicant is proposing to construct and maintain a 7-foot-high fence in a required front yard, which will require a 3-foot special exception.
- The subject site along with properties to the north, east, south and west are all developed with single-family homes.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to construct and maintain a 7' open iron fence in the required front yard along Harrys Lane with an open iron entrance gate.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations will not adversely affect the neighboring properties.

- Granting the special exceptions to the fence standards relating to height with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

September 11, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 2, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

October 4, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 23, 2023, deadline to submit additional evidence for staff to factor into their analysis; and November 3, 2023, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 23, 2023: The applicant provided documentary evidence.

November 1, 2023: The Board of Adjustment staff review team meeting was held regard request and other requests scheduled for the November public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner, the Assistant City Attorney to the Board, the Senior Planner Code Compliance staff.

Speakers:

For: Christopher Cole, 4515 Harrys Lane, Dallas TX 75229
Shawe Lewis, 4515 Harrys Lane, Dallas TX 75229

Against: Sherri Courie, 4525 Harrys Lane, Dallas TX 75229
Jeff Eli Courie, 4525 Harrys Lane, Dallas TX 75229
Jerry Wheeler, 4545 Harrys Lane, Dallas TX 75229
Sonja Mathisen, 4544 Catina Lane, Dallas TX 75229
Brad Pazandak, 4505 Harrys Lane, Dallas TX 75229
Joyce Pazandak, 4505 Harrys Lane, Dallas TX 75229

Motion

I move that the Board of Adjustment, in Appeal No. BDA 223-096, on application of Christopher Cole, **DENY** the special exception requested by this applicant to construct and/or maintain a 7-foot high fence **without** prejudice, because our evaluation of the property and the testimony shows that granting the application would adversely affect neighboring property.

Maker:	Kathleen Davis						
Second:	Jay Narey						
Results:	5-0 Unanimously						Moved to deny
		Ayes:	-			5	David A. Neumann, Kathleen Davis, Michael Hopkovitz, Rachel Hayden, Jay Narey
		Against:	-			0	

6. 5434 Ross Avenue
BDA223-102(DB)

BUILDING OFFICIAL'S REPORT: Application of Rodolfo Rodriguez represented by Gilbert Cortez for (1) a variance to the front yard setback regulations, and for (2) a variance to the front yard setback regulations at 5434 Ross Ave. This property is more fully described as Block 1487, Tract 21, and is zoned PD-842, which requires a front yard setback of 15-feet. The applicant proposes to construct and/or maintain a non-residential structure and provide a 0-foot front yard setback on Ross Avenue, which will require (1) a 15-foot variance to the front yard setback regulations; and to construct and/or maintain a non-residential structure and provide a 0-foot front yard setback on Greenville Avenue, which will require (2) a 15-foot variance to the front yard setback regulations.

LOCATION: 5434 Ross Avenue

APPLICANT: Rodolfo Rodriguez

Represented by: Gilbert Cortez

REQUEST:

(4) A request for a variance to the front yard setback regulations at both Ross Avenue and Greenville Avenue

STANDARD FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the **front yard**, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

(D) **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.

(E) **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

(F) **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.

State Law/HB 1475 effective 9-1-21

- the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:
  - (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
  - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
  - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
  - **(d)** compliance would result in the unreasonable encroachment on an adjacent property or easement; or the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Variance:
- Denial

Based upon the evidence presented and provided to staff, staff concluded that the request is:
- not contrary to public interest as no opposition was received;
- restrictive in area and shape that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- it is a self-created or personal hardship.

BDA HISTORY:
No BDA history found within the last 5 years.

Zoning:

Site:	CR-Community Retail District
North:	CR-Community Retail District
South:	PD 842 Nonresidential zoning district
East:	CR-Community Retail District
West:	CR-Community Retail District

Land Use:
The subject site is developed with a Restaurant without drive-in service use. The areas to the north, south, east, and west are developed with commercial uses.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the front yard setback regulations of 15-feet is made to construct and/or maintain a Restaurant without drive-in service use.
- The subject site is surrounded by nonresidential structures with restaurant, personal service and general merchandise uses.

- The Dallas Development Code requires a 15-foot front yard setback for the CR (A) zoning district.
- Per the submitted site plan, the applicant proposes to construct and/or maintain a restaurant without drive-in service use providing a 0-foot front yard setback at both Ross Avenue and Greenville Avenue.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the front yard setback 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 a specific parcel of land that differs 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 with the same zoning; and
- 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

Timeline:

September 15, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 2, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

October 4, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 23, 2023, deadline to submit additional evidence for staff to factor into their analysis; and November 3, 2023, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 1, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

Speakers:

For: Gilbert Cortez, 5434 Ross Ave., Dallas TX 75206

Against: No Speakers

Motion # 1
I move that the Board of Adjustment, in Appeal No. BDA 223-102, on application of Rodolfo Rodriguez, **DENY** the variance on Ross Avenue, to the front-yard setback regulations requested by this applicant **without** prejudice, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would NOT result in unnecessary hardship to this applicant.

Maker:	Jay Narey					
Second:	Rachel Hayden					
Results:	5-0 unanimously					Moved to deny
		Ayes:	-		5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-		0	

Motion # 2
I move that the Board of Adjustment, in Appeal No. BDA 223-102, on application of Rodolfo Rodriguez, **DENY** the variance on Greenville Avenue, to the front-yard setback regulations requested by this applicant **without** prejudice, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would NOT result in unnecessary hardship to this applicant.

Maker:	Jay Narey				
Second:	Rachel Hayden				
Results:	5-0 Unanimously				Moved to deny
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

****Recess: 4:15 p.m.; Resume: 4:22 p.m.****

7. 5524 Vickery Boulevard
BDA223-107(KMH)

BUILDING OFFICIAL'S REPORT: Application of Michael Vann to appeal the decision of the administrative official at 5524 Vickery Blvd. This property is more fully described as Block 10/1928, Lot 6 and is zoned CD-15, which requires compliance with conservation district architectural

standards. The applicant proposes to appeal the decision of an administrative official in the denial of a conservation district review.

LOCATION: 5524 Vickery Blvd.

APPLICANT: Michael Vann

REQUEST:

A request is made to appeal the decision of the administrative official for the denial CD23051003 application to exceed fence height limit in side-yard.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

Dallas Development Code Sections 51A-3.102(d)(1) and 51A-4.703(a)(2) state that any aggrieved person may appeal a decision of an administrative official when that decision concerns issues within the jurisdiction of the Board of Adjustment.

The Board of Adjustment may hear and decide an appeal that alleges error in a decision made by an administrative official. Tex. Local Gov't Code Section 211.009(a)(1).

Administrative official means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue. Dallas Development Code Section 51A-4.703(a)(2).

BACKGROUND INFORMATION:

Zoning:

Site: CD-15
North: CD-15
South: CD-15
East: CD-15
West: CD-15

Land Use:

The subject site is developed with a single-family home. The surrounding properties are also developed with single-family homes.

BDA History:

No BDA history within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The board shall have all the powers of the administrative official on the action appealed. The board may in whole or in part affirm, reverse, or amend the decision of the official.

Timeline:

October 4, 2023: The applicant was sent a denial letter for CD23051003 application to exceed fence height limit in side yard.

October 4, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 19, 2023: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel **A**.

October 23, 2023: The Senior Planner emailed the applicant's representative the following information:

- a copy of the application materials including the Building Official's report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the October 23rd deadline to submit additional evidence for staff to factor into their analysis; and the November 3rd deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

October 23, 2023: The Applicant provided documentary evidence.

November 1, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

Speakers:

For: Michael Vann, 5524 Vickery Blvd, Dallas TX 75206

Against: No Speakers

City Staff: Trevor Brown, Conservation District Chief Planner

Motion

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 223-107, on application of Michael Vann, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment affirm the decision of the administrative official and **DENY** the relief requested by the applicant.

Maker:	Rachel Hayden				
Second:	Jay Narey				
Results:	5-0 Unanimously				Moved to deny
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

Recess: 5:00 p.m.; Resume: 5:06 p.m.

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chair Neumann moved to adjourn the meeting at 6:44 p.m.

Maker:	Michael Hopkovitz				
Second:	Rachel Hayden				

Required Signature: _____ Date _____
Mary Williams, Board Secretary
Development Services Dept.

Required Signature: _____ Date _____
Jason Pool, DEV Administrator
Development Services Dept.

Required Signature: _____ Date _____
David A. Neumann, Chairman
Board of Adjustment

FILE NUMBER: BDA234-005 (KMH)

BUILDING OFFICIAL'S REPORT: Application of Erick Bonilla for (1) a variance to the front-yard setback regulations at 4701 S. DENLEY DR. This property is more fully described as block 4353, part of tract 1, and is zoned R-7.5(A), which requires a front-yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide an 8-foot front-yard setback, which will require (1) a 17-foot variance to the front-yard setback regulations.

LOCATION: 4701 S. Denley Dr.

APPLICANT: Erick Bonilla

REQUEST:

(1) A request for a variance to the front-yard setback regulations.

STANDARD FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the **front yard**, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

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

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

(C) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE

Dallas Development Code §51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:

(i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code;
(ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur;
(iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Approval

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

A. Not contrary to the public interest as no letters of opposition were received.
B. Restrictive in shape as it is an irregularly shaped lot; restrictive in area as it does not meet the minimum lot size of 7,500 square feet for the zoning district; and it is a corner lot, which means that it has two street frontages; therefore the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
C. Not a self-created or personal hardship.

BDA HISTORY:
No BDA history found within the last 5 years.

Square Footage:
This lot contains 6,997.23 of square feet.
This lot is zoned R-7.5(A) which requires a minimum lot size of 7,500 square feet.

Zoning:

Site:	R-7.5(A) Single Family District
North:	R-7.5(A) Single Family District and PD 855
South:	R-7.5(A) Single Family District
East:	PD-855 and Community Retail (CR)
West:	R-5(A)- Single Family District

Land Use:
The subject site is developed with a single family home. The areas to the immediate north, south, east, and west are developed with single family homes.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the front yard setback regulations of 17-feet is made to construct and/or maintain a residential structure.
- The site is currently developed with a single-family residential home. The applicant is proposing to remodel the home and provide an 8-foot front yard setback, which will require a 17-foot variance to the front yard setback regulations.
- The R-7.5(A) zoning district requires a minimum front yard setback of 25-feet.
- It is imperative to note that the subject site is a corner lot which has two street frontages along S. Denley Drive and Atlas Dr. On a typical lot, there would only be one street frontage and side yards; however, this site is bound by two front yards.
- The lot is also irregularly shaped, and it is restrictive in area as it does not meet the minimum lot size requirements of 7,500 square feet as defined by the R-7.5(A) yard, lot, and space regulations. The subject site is 6,997.23 square feet.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the front yard setback 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 a specific parcel of land that differs 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 with the same zoning; and
- 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
(b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
(c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.

(d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(e) the municipality considers the structure to be a nonconforming structure.

- Granting the proposed 17-foot variance to the front yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.

- BDA234-005 at 4701 S. Denley Dr. (200' radius video)

Timeline:

November 17, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

December 1, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 6, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the December 22, 2023, deadline to submit additional evidence for staff to factor into their analysis; and January 5, 2024, 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.

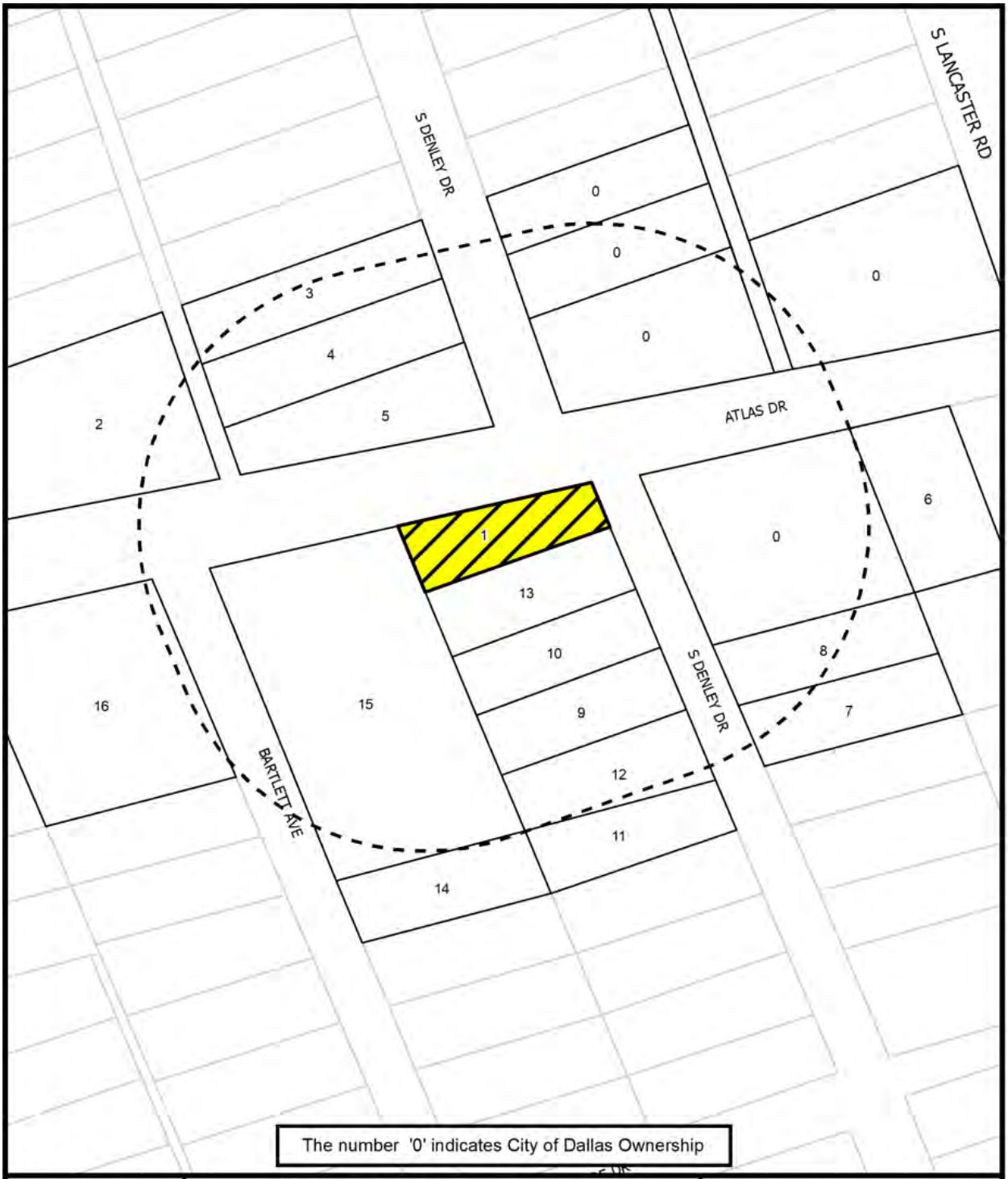
December 28, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January public hearings. Review team members in attendance included: The Board of Adjustment Interim Chief Planner/Board Administrator, the Development Services Senior Plans Examiner and the Senior Planner.

1:1,200

AERIAL MAP

Case no: BDA234-005

Date: 12/6/2023



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION

16 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-005

Date: 12/6/2023

1:1,200

ZONING MAP

Case no: BDA234-005

Date: 12/6/2023

Notification List of Property Owners

BDA234-005

16 Property Owners Notified

Label #	Address		Owner
1	4701	S DENLEY DR	BIGGER BILLY & CAROL ANN
2	1905	ATLAS DR	BELLEVUE FIRST BAPTIST CHURCH
3	4623	S DENLEY DR	ARTEAGA JOSE LUIS &
4	4627	S DENLEY DR	BENITEZ MARTIN & YARELI A
5	4631	S DENLEY DR	ZARION LLC
6	2014	ATLAS DR	DART
7	4718	S DENLEY DR	MARTINEZ EMILY & EDGAR
8	4714	S DENLEY DR	Taxpayer at
9	4715	S DENLEY DR	PRIDE EQUITY MTG CORP
10	4709	S DENLEY DR	ESPINOZA MAURICIO &
11	4723	S DENLEY DR	BIGGER BILLY ESTATE OF
12	4719	S DENLEY DR	WALKER DAMIEN L
13	4705	S DENLEY DR	STUBBLEFIELD MECHELLE
14	4722	BARTLETT AVE	HUCKABY MARVIN JR
15	1914	ATLAS DR	HANSEN ROOSEVELT EST OF
16	4707	BARTLETT AVE	HERNANDEZ JUAN RAMON & ESPERANZA RUIZ

200’ Radius video route

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-065 FOR OFFICE USE ONLY RECEIVED

Data Relative to Subject Property: refused by consultation team Date: FOR OFFICE USE ONLY

Location address: 4701 S Denley dr Zoning District: R-7.5

Lot No.: PTR 1 Block No.: 4353 Acreage: .16 Census Tract:

Street Frontage (in Feet): 1) 39' 2) 152' 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Erick Bonilla

Applicant: Erick Bonilla Telephone: 214 883-8008

Mailing Address: 4810 Spur 408 APT 431 Zip Code: 75236

E-mail Address: yovani7070@gmail.com.

Represented by: Erick Bonilla Telephone: 2148838008

Mailing Address: 4810 Spur 408 APT 431 Zip Code: 75236

E-mail Address: yovani7070@gmail.com.

Affirm that an appeal has been made for a Variance ✓, or Special Exception __, of Requesting 17 Ft Variance

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason: the lot does Not have Regular Measurements is not square

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 Erick Bonilla

(Affiant/Applicant's name printed)

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

Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 17 day of November, 2023

Notary Public in and for Dallas County, Texas

DESTINEE MCNEAL
Notary Public
STATE OF TEXAS
ID# 13423588-8
My Comm. Exp. 05-01-2027

MEMORANDUM O
ACTION TAKEN BY E
BOARD OF ADJUSTM NT

Date of Hearing _____

Appeal was--Granted OR D ied

Remarks _____

Chairman

Building Official's Report

I hereby certify that ERICK BONILLA

did submit a request for (1) a variance to the front yard setback regulations

at 4701 S. Denley

BDA234-005. Application of ERICK BONILLA for (1) a variance to the front yard setback regulations at 4701 S DENLEY DR. This property is more fully described as block 4353, part of tract 1, and is zoned R-7.5(A), which requires a front yard setback of 25-feet. The applicant proposes to construct and/or maintain a single family residential structure and provide an 8-foot front yard setback, which will require (1) a 17-foot variance to the front yard setback regulations.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-005

I, Erick Bonilla, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4701 Denley dr Dallas TX 75216
(Address of property as stated on application)

Authorize: Erick Bonilla
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

✓ Variance (specify below)

_____ Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: Requesting 17 Ft Variance

Erick Bonilla
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 11/17/2023

Before me, the undersigned, on this day personally appeared Erick Bonilla

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 17 day of November, 2023

Notary Public for Dallas County, Texas

Commission expires on 05/01/2027

DESTINEE MCNEAL
Notary Public
STATE OF TEXAS
ID# 13433588-8
My Comm. Exp. 05/01/2027

Internal Development Research Site 2.2 City of Dallas DEV GIS IDR 1.0 Links Help Report Issue

4701 denley

Search result

BDA234-005

SHIPPED DATE: 2-19-96 RECEIVED DATE: 1-15-96

CITY OF DALLAS PLAT BOOKS

ANNEXED SEPT. 27, 1929 ORD. NO.

SURVEY JAMES COLE ABST. 232

ADDITION

SCALE 100 FT. EQUALS 1 INCH

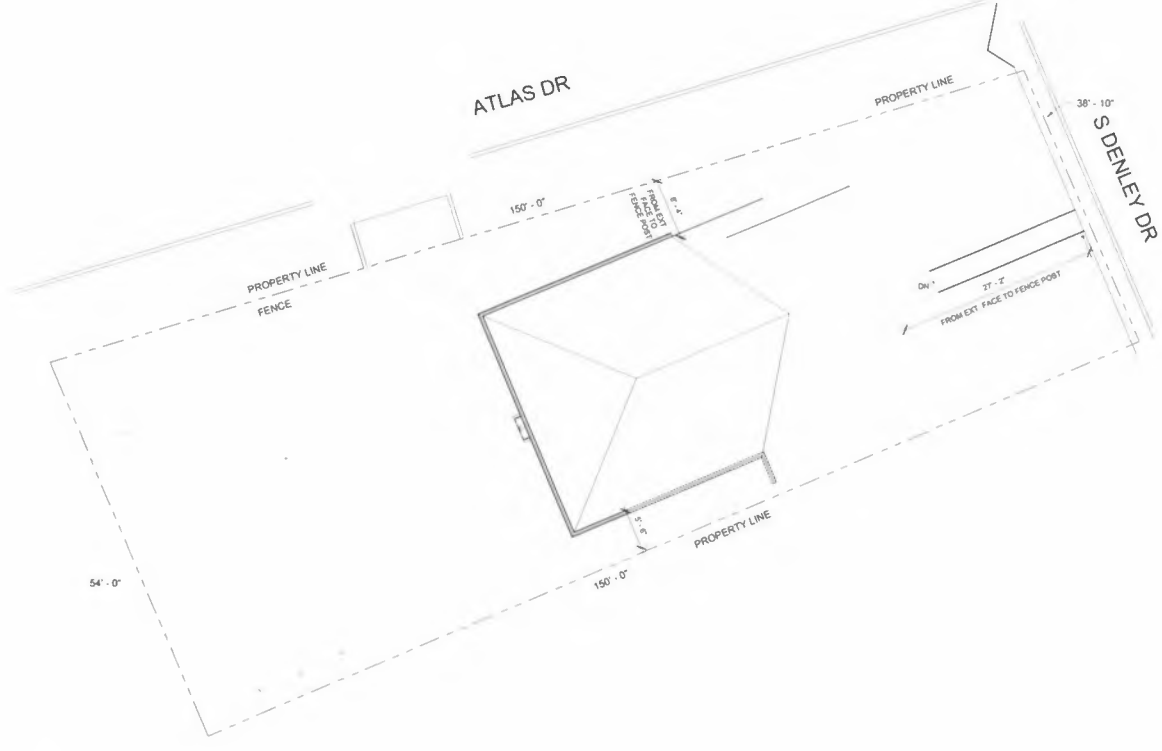
BLOCKS A 4352, B 4353, C 4354

SCHOOL DISTRICT DALLAS

JS

TRUE AND CORRECT COPY OF RECORD ON FILE IN CITY SURVEYOR'S OFFICE
BY:
DATE: 11-17-2023

BDA234-005



1 SITE PLAN
1/8" = 1'-0"

TRUE

GENERAL SITE NOTES

1. This site plan is for reference only
2. Development and use of this site must conform with all applicable codes and ordinances
3. All new or relocated Utilities will be placed underground UNO
4. All services areas shall be screened to conceal trash containers, gas meters, transformers backflow preventer's and other mechanical or electrical equipment from eye level adjacent to all public streets
8. A 42" railing shall be provided atop porches and retaining walls where the top of the wall is less than 42" above the adjacent ground

Czar Designs
817.323.3998
2029 Reever St
Arlington, TX 76010

GOMEZ RESIDENCE

4701 S DENLEY DR., DALLAS, TX 75216

11/02/2023

Revision Schedule

No	Description	Date

Project No 00017

Sheet Name

SITE PLAN

Sheet Number

A1.0

BDA234-005

FILE NUMBER: BDA234-008 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Baldwin Associates for (1) a variance to the parking regulations at 5433 EAST GRAND AVE Ste B. This property is more fully described as Block A/1610, Part of lot 2 and is zoned RR, which requires parking to be provided. The applicant proposes to construct and/or maintain a non-residential structure for a general merchandise or food store 3500 square feet or less use, and a personal service use, and provide 7 (per delta credits) of the required 12 parking spaces, which will require (1) a 5-space variance (42% reduction) to the parking regulation.

LOCATION: 5433 East Grand Ave.

APPLICANT: Baldwin Associates - Rob Baldwin

REQUEST:

(1) A request for a variance to the parking regulations.

STANDARD FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, height, minimum sidewalks, **off-street parking** or off-street loading, or landscape regulations provided that the variance is:

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

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

(C) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE
Dallas Development Code §51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:
(i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code;
(ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur;
(iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Approval
Based upon the evidence presented and provided to staff, staff concluded that the request is:

- not contrary to public interest as no opposition was received;
- The site is restrictive; in that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning;
- Is not a self-created/personal hardship.

BDA HISTORY:
No BDA history found within the last 5 years.

Square Footage:
This lot contains 3,340 of square feet.
This lot is zoned RR which has a minimum lot size of 7,500 square feet.

Zoning:

Site:	RR (Rural Residential District)
North:	RR (Rural Residential District)
South:	RR (Rural Residential District)
East:	RR (Rural Residential District) & LO-1 (Limited Office District)
West:	RRR (Rural Residential District)

Land Use:
The subject site is developed with a dental office. The areas to the north, south, east, and west are developed with retail/office uses.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the parking regulations of a 5-space variance (42% reduction) is made to construct and/or maintain a single-family nonresidential structure.
- The subject site is currently developed with a dental office.
- Zoning RR requires one parking space for each 200 square feet of floor area for general merchandise, food store or 3500 sq. ft. or less and one parking space for each 333 square feet of floor area for office service uses.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the parking regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- The variance is necessary to permit development of a specific parcel of land that differs 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 with the same zoning; and
- 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
(b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
(c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
(d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(e) the municipality considers the structure to be a nonconforming structure.

- Granting the proposed 5-space variance (42% reduction) to the parking regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.

- 200' Radius Video: BDA234-008: 5433 East Grand Ave.

Timeline:

November 21, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

December 1, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 6, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the December 22, 2023, deadline to submit additional evidence for staff to factor into their analysis; and January 5, 2024, 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.

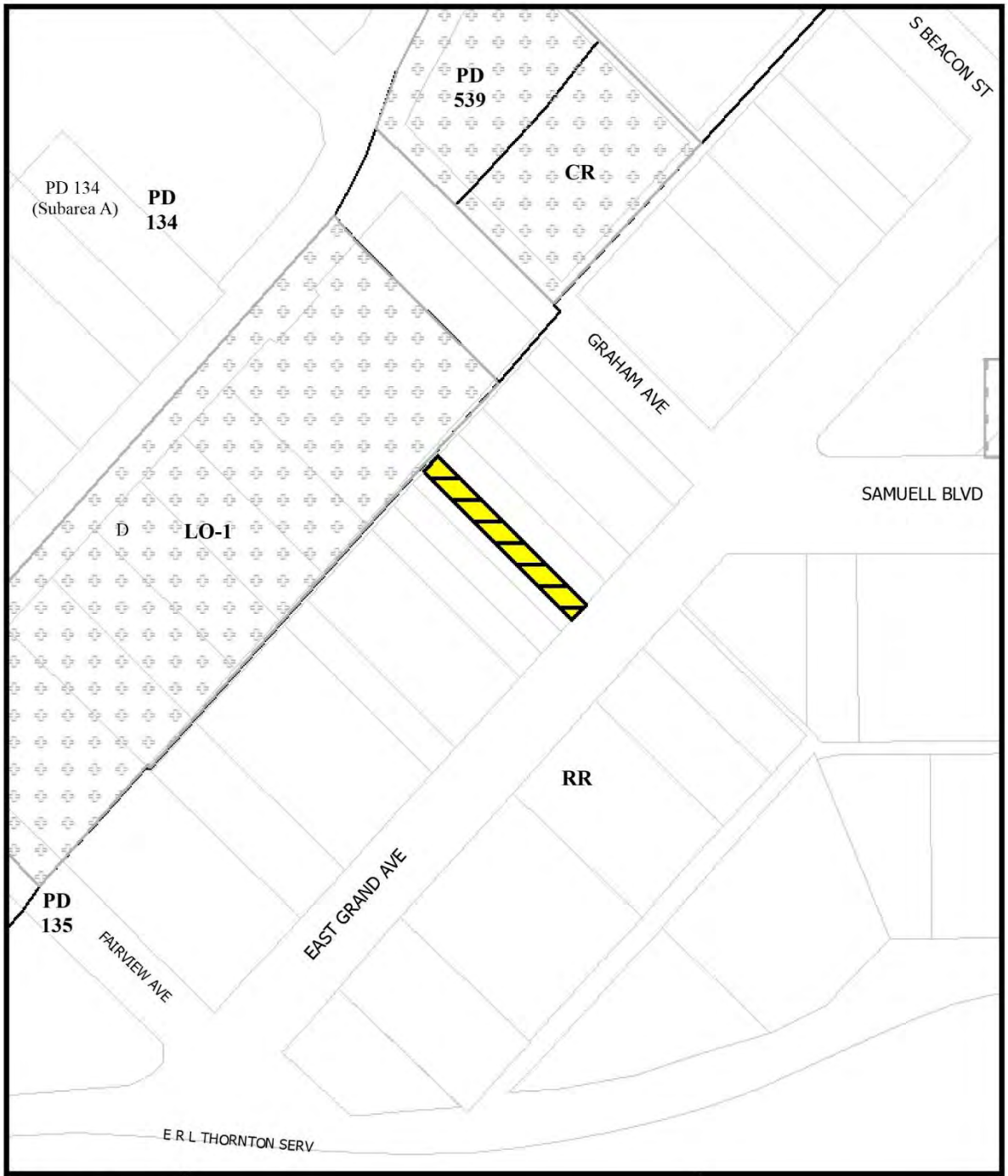
December 28, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the December public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner and the Senior Planner.

1:1,200

AERIAL MAP

Case no: BDA234-008

Date: 12/7/2023



1:1,200

ZONING MAP

Case no: BDA234-008

Date: 12/7/2023

1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION

21 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-008

Date: 12/7/2023

/
12/07/2023

Notification List of Property Owners

BDA234-008

21 Property Owners Notified

Label #	Address		Owner
1	5433	EAST GRAND AVE	BUENA NOCHE I LLC
2	5443	EAST GRAND AVE	Taxpayer at
3	5439	EAST GRAND AVE	Taxpayer at
4	5437	EAST GRAND AVE	SUSAN ROSHAN DDS PLLC
5	5433	EAST GRAND AVE	ALCANTARA MA FLORA
6	5435	EAST GRAND AVE	BENITEZ JOSE &
7	5431	EAST GRAND AVE	EASTGRANDE LLC
8	5429	EAST GRAND AVE	MORGAN PARK LTD &
9	5423	EAST GRAND AVE	Taxpayer at
10	5419	EAST GRAND AVE	4842 EAST GRAND LL
11	5426	PHILIP AVE	SANCHEZ ANDRES & JAIME
12	5420	PHILIP AVE	SANCHEZ JAIME &
13	5416	PHILIP AVE	BUENA NOCHE I LLC &
14	5501	EAST GRAND AVE	Taxpayer at
15	5432	EAST GRAND AVE	Taxpayer at
16	5438	EAST GRAND AVE	Taxpayer at
17	5440	EAST GRAND AVE	EAST DALLAS YANKEE LLC
18	5434	PHILIP AVE	SANCHEZ JAIME &
19	1108	GRAHAM AVE	NVN LLC
20	5421	E R L THORNTON FWY	FINANCIAL OPERATING INC
21	5416	EAST GRAND AVE	RSR HOLDINGS LLC &

200’

Radius video route

City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-006

RECEIVED NOV 21 REC'D BY:

Data Relative to Subject Property: Date: _____

Location address: 5433 East Grand Avenue Zoning District: RR

Lot No.: Pt of Lt 2 Block No.: A/1610 Acreage: 3,340 sf Census Tract: 48113002400

Street Frontage (in Feet): 1) 20 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Buena Noche I, LLC – and Morgan Park Ltd

Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance X , or Special Exception __ , of Five (5) off-street parking spaces to allow the property to be occupied by a retail or personal service use.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
The subject property was developed in 1930 and has no off-street parking. The last use was a check cashing facility. The owner would like to lease it as a retail or personal service use as this portion of East Grand Avenue was historically a retail corridor. The property is only 20 feet wide and almost entirely covered with a building..

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

Affidavit

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

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

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

Subscribed and sworn to before me this 18 day of August, 2023

Michele Stoy
Notary Public in and for Dallas County, Texas

MICHELE STOY
Notary Public, State of Texas
Comm. Expires 07-20-2024
Notary ID 130747076

(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 BALDWIN ASSOCIATES

did submit a request for (1) a variance to the parking regulations

at 5433 EAST GRAND

BDA234-008(DB) Application of Baldwin Associates for (1) a variance to the parking regulations at 5433 EAST GRAND AVE Ste B. This property is more fully described as Block A/1610, Part of lot 2 and is zoned RR, which requires parking to be provided. The applicant proposes to construct and/or maintain a non-residential structure for a general merchandise or food store 3500 square feet or less use, and a personal service use, and provide 7 (per delta credits) of the required 12 parking spaces, which will require (1) a 5-space variance (42% reduction) to the parking regulation.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-008

I, Buena Noche I, LLC - and Morgan Park, Ltd Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5433 East Grand Avenue
(Address of property as stated on application)

Authorize: Rob Baldwin, Baldwin Associates
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

X Variance (specify below)

_____ Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: A varaince to allow for the property to be used as retail - a total of five additional spaces.

Buena Noche I LLC
Stephen Schwartz
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 6-27-23

Before me, the undersigned, on this day personally appeared _____

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

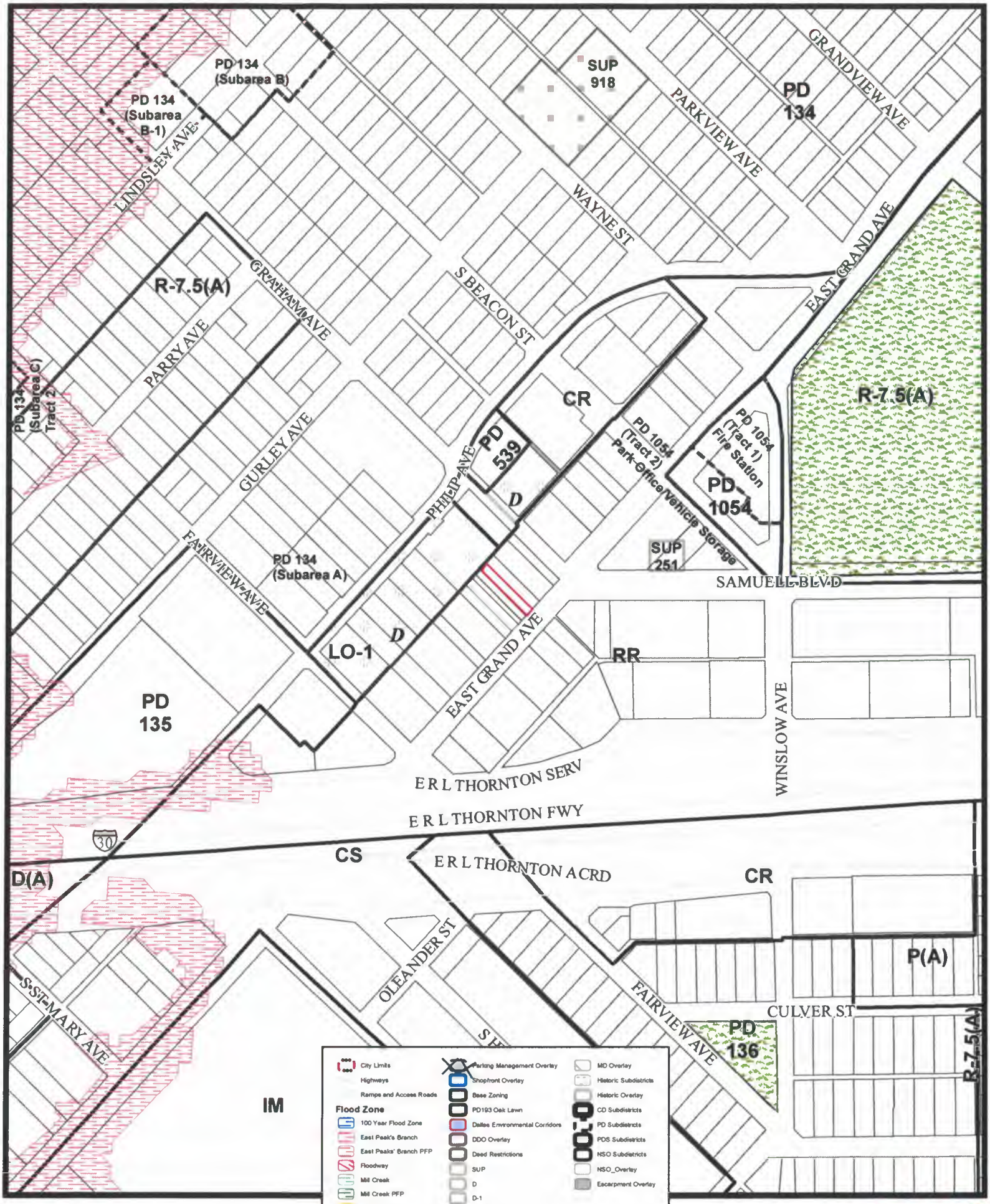
Subscribed and sworn to before me this 27th day of June, 2023

Monica Denise Martin
Notary Public for Dallas County, Texas

Commission expires on 1-9-2024

MONICA DENISE MARTIN
Notary Public, State of Texas
Comm. Expires 01-09-2024
Notary ID 132307190

11

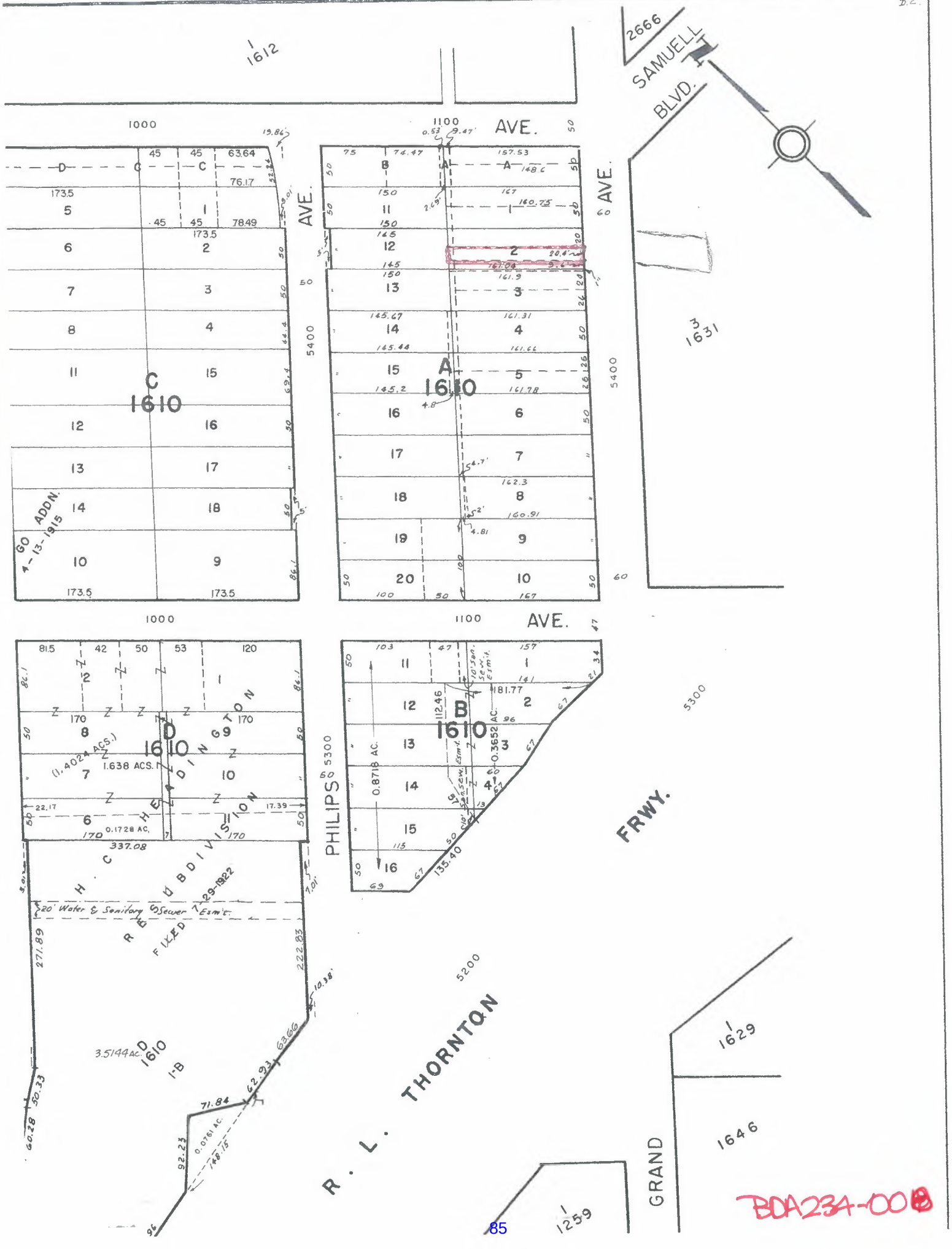


1:3,600

Case ID: BDA234-008

Printed: 11/8/2023

100 FT. EQUALS 1 INCH PHA 8-5-87 SCHOOL DISTRICT DALLAS



BDA234-008

5433 East Grand

CITY OF DALLAS, TEXAS

Baldwin Associates

BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

06/29/2023
PROJECT NUMBER

CASE NUMBER

FILE NUMBER: BDA234-009 (KMH)

BUILDING OFFICIAL'S REPORT: Application of Dejuan Session for (1) a variance to the front-yard setback regulations at 909 S. CORINTH ST. RD. This property is more fully described as Block 27/3588, Lot 4-6 and part of lot 3, and is zoned RR, which requires a front yard setback of 15-feet. The applicant proposes to construct and/or maintain a non-residential structure and provide a 4-foot front-yard setback, which will require (1) an 11-foot variance to the front-yard setback regulations.

LOCATION: 909 S. Corinth St. Rd.

APPLICANT: Dejuan Session

REQUEST:

(1) A request for a variance to the front yard setback regulations.

STANDARD FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the **front yard**, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

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

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

(C) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE

Dallas Development Code §51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:

(i) the **financial cost of compliance is greater than 50 percent of the appraised value of the structure** as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code;
(ii) **compliance would result in** a **loss** to the lot on which the structure is located **of** at **least 25 percent of the area** on which development is authorized to physically occur;
(iii) **compliance would result in the structure not being in compliance** with a requirement of a municipal ordinance, building code, or other requirement;
(iv) **compliance would result in the unreasonable encroachment** on an adjacent property or easement; or
(v) the municipality considers the structure to be a **non-conforming structure**.

STAFF RECOMMENDATION:

Approval

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

A. Not contrary to the public interest as no letters of opposition were received.
B. Restrictive in shape as it is an irregularly shaped lot. The lot is also bound by three street frontages, requiring a minimum front yard setback of 15-feet for each frontage; therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
C. Not a self-created or personal hardship.

BDA HISTORY:
No BDA history found within the last 5 years.

Square Footage:
This lot contains 11,873.55 of square feet.
This lot is zoned RR and does not require a minimum lot size.

Zoning:

Site:	RR- Regional Retail
North:	SUP 1924
South:	RR- Regional Retail and CR Community Retail
East:	RR- Regional Retail and CR Community Retail
West:	R-5(A)- Single Family District

Land Use:
The subject site is developed with a retail use. The areas to the north, south, east, and west are developed commercial/retail uses and single family uses.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the front yard setback regulations of 11-feet is made to construct and/or maintain a non-residential structure.
- The subject site is currently developed with a commercial/retail building. The site also contains a food trailer that is located only 4-feet away from the property line.
- The applicant is proposing to maintain the food trailer providing a 4-foot front yard setback, requiring an 11-foot variance to the front yard setback regulations.
- The subject site is unique in nature as the lot is irregularly shaped and has 3 street frontages, Morrell Ave., S. Corinth St. Rd., and E. Waco Ave.
- The Regional Retail (RR) zoning district requires a minimum front yard setback of 15-feet.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the front yard setback 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 a specific parcel of land that differs 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 with the same zoning; and
- 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
(b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
(c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
(d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or

(e) the municipality considers the structure to be a nonconforming structure.

- Granting the proposed 11-foot variance to the front yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.

- BDA234-009 at 909 S. Corinth St. Rd. (200' radius video)

Timeline:

November 27, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

December 1, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 6, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the December 22, 2023, deadline to submit additional evidence for staff to factor into their analysis; and January 5, 2024, 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.

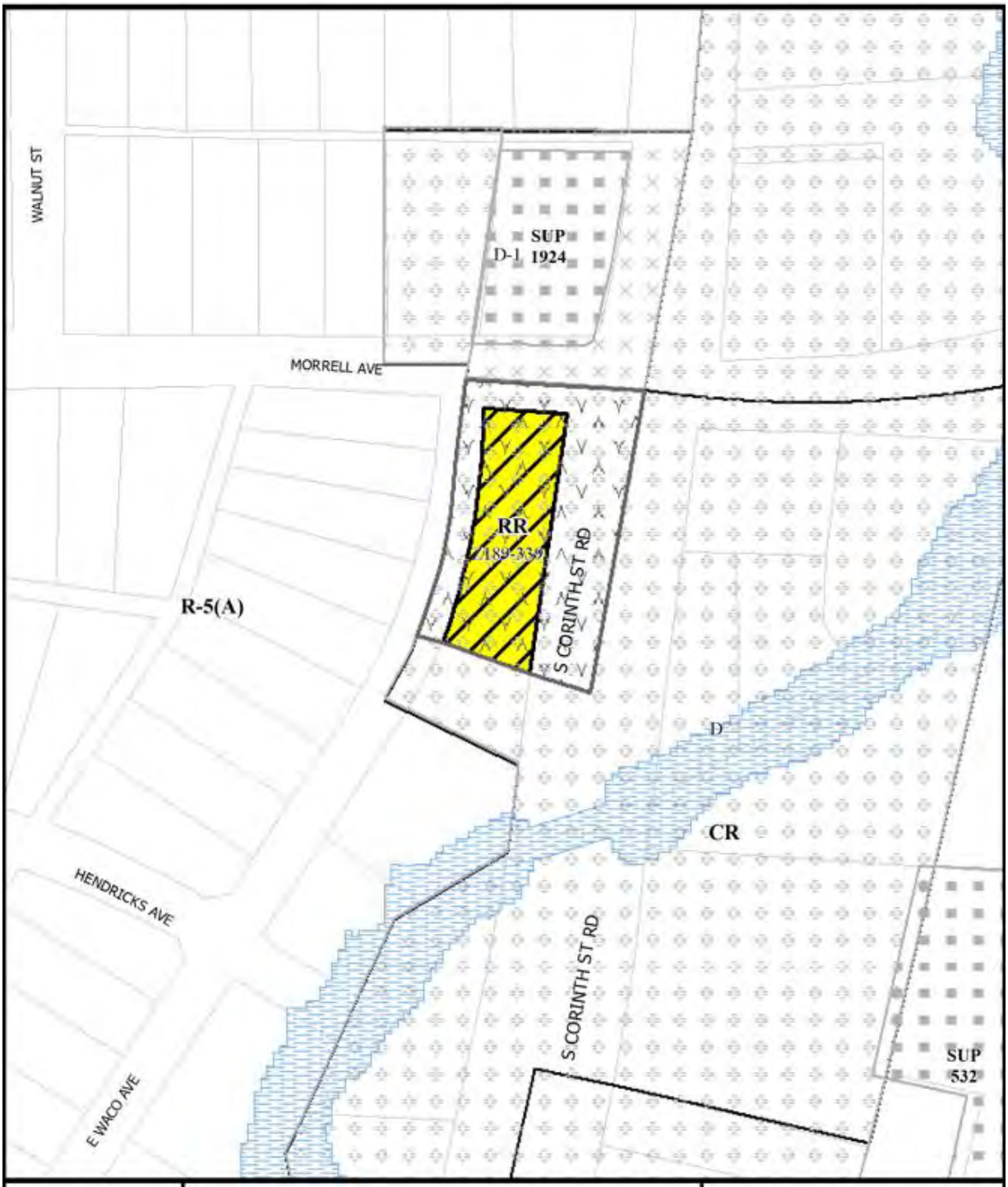
December 28, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January public hearings. Review team members in attendance included: The Board of Adjustment Interim Chief Planner/Board Administrator, the Development Services Senior Plans Examiner and the Senior Planner.

1:1,200

AERIAL MAP

Case no: BDA234-009

Date: 12/7/2023



1:1,200

ZONING MAP

Case no: BDA234-009

Date: 12/7/2023

1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION

23 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-009

Date: 12/7/2023

12/07/2023

Notification List of Property Owners

BDA234-009

23 Property Owners Notified

Label #	Address		Owner
1	909	S CORINTH ST RD	ESTABLISHED INVESTORS INC
2	1514	MORRELL AVE	SHARPE WILLIAM LEE JR &
3	1735	WACO AVE	MIAN RAZA
4	1731	WACO AVE	TRAWICK SHANE M
5	1727	WACO AVE	BIRDA ANTHONY &
6	1723	WACO AVE	SHOFNER JACQUELYN M
7	1719	WACO AVE	GOMEZVILLANUEVA ESTELA DEL CARMEN
8	1715	WACO AVE	ROMERONAVA ANY JANET
9	1711	WACO AVE	SANCHEZ JOSE LUIS RAMIREZ
10	1707	WACO AVE	Taxpayer at
11	1700	WACO AVE	YOUR WAY HOMES & LOTS LLC
12	1718	WACO AVE	ADEWALE HAKEEM
13	900	S CORINTH ST RD	LOPEZ ANDRES &
14	910	S CORINTH ST RD	JJ PROPERTIES INC
15	1511	MORRELL AVE	LEFFALL HALL ESTRELLITA
16	1515	MORRELL AVE	SMITH JOHN A
17	1519	MORRELL AVE	RIOS JEREMIAS &
18	1523	MORRELL AVE	Taxpayer at
19	829	S CORINTH ST RD	BHULLAR ENTERPRISES LLC
20	818	S CORINTH ST RD	CEDAR CLIFF APARTMENTS LLC
21	1710	MORRELL AVE	MORRELL LANDCO LLC
22	938	S CORINTH ST RD	WILLIAMS FRIED CHICKEN
23	945	S CORINTH ST RD	DUKES R C

200’ Radius video route

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-009

Data Relative to Subject Property: D DAWGZ & MARGZ TO GO Date: RECEIVED NOV 2 5 RECD BY

Location address: 909 S.CORINTH STREET RD Zoning District: EDGEMONT 3 RR

Lot No.: 3 & 6 Block No.: 27/3588 Acreage: 0.295 Census Tract: PT LT 3

Street Frontage (in Feet): 1) 202' 2) 65' 3) 184' 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): COREY TONEY

Applicant: DEJUAN SESSION Telephone: (214)972-8020

Mailing Address: 3824 CARVER PL, IRVING, TX Zip Code: 75061

E-mail Address: D.SESSION2015@YAHOO.COM

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance ✓ or Special Exception __, of 10.5 Feet Variance Front Setback. ~~Also 4 ft Side Setbacks~~

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:

Current use and designated location of structure based on advice and recommendations from city personnel from August 2023 when initial application was filed.

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 DeJuan Session
(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 9th day of November, 2023

Latoya Rashon Thomas
Notary Public in and for Dallas County, Texas

LATOYA RASHON THOMAS
Notary Public, State of Texas
Comm. Expires 04-27-2025
Notary ID 132005593

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 DEJUAN SESSION

did submit a request for a variance to the front yard setback regulations

at 909 S. Corinth

BDA234-009(KMH) Application of Dejuan Session for (1) a variance to the front yard setback regulations at 909 S. CORINTH ST. RD. This property is more fully described as Block 27/3588, Lot 4-6 and part of lot 3, and is zoned RR, which requires a front yard setback of 15-feet. The applicant proposes to construct and/or maintain a non-residential structure and provide a 4-foot front-yard setback, which will require (1) an 11-foot variance to the front-yard setback regulations.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-009

I, Corey C Toney, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 909 S. Corinth ST
(Address of property as stated on application)

Authorize: De Juan Session
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

X Variance (specify below)

_____ Special Exception (specify below) Requesting 18.5 Feet variance From Front Setback

_____ Other Appeal (specify below) ~~Requesting 4 Ft Variance For side Setback~~

Specify: I am requesting a variance from the board because I've completed all the requirements provided by the citys Senior Plans Examiner and Paid for my fixed location permit. Now I am requesting a variance because I have been instructed to do something different from what was initially requested.

Corey C Toney
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 11/9/2023

Before me, the undersigned, on this day personally appeared Corey Toney

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 9th day of November, 2023

LATOYA RASHON THOMAS
Notary Public, State of Texas
Comm. Expires 04-27-2025
Notary ID 133065993

LatoyaRashon Thomas
Notary Public for Dallas County, Texas

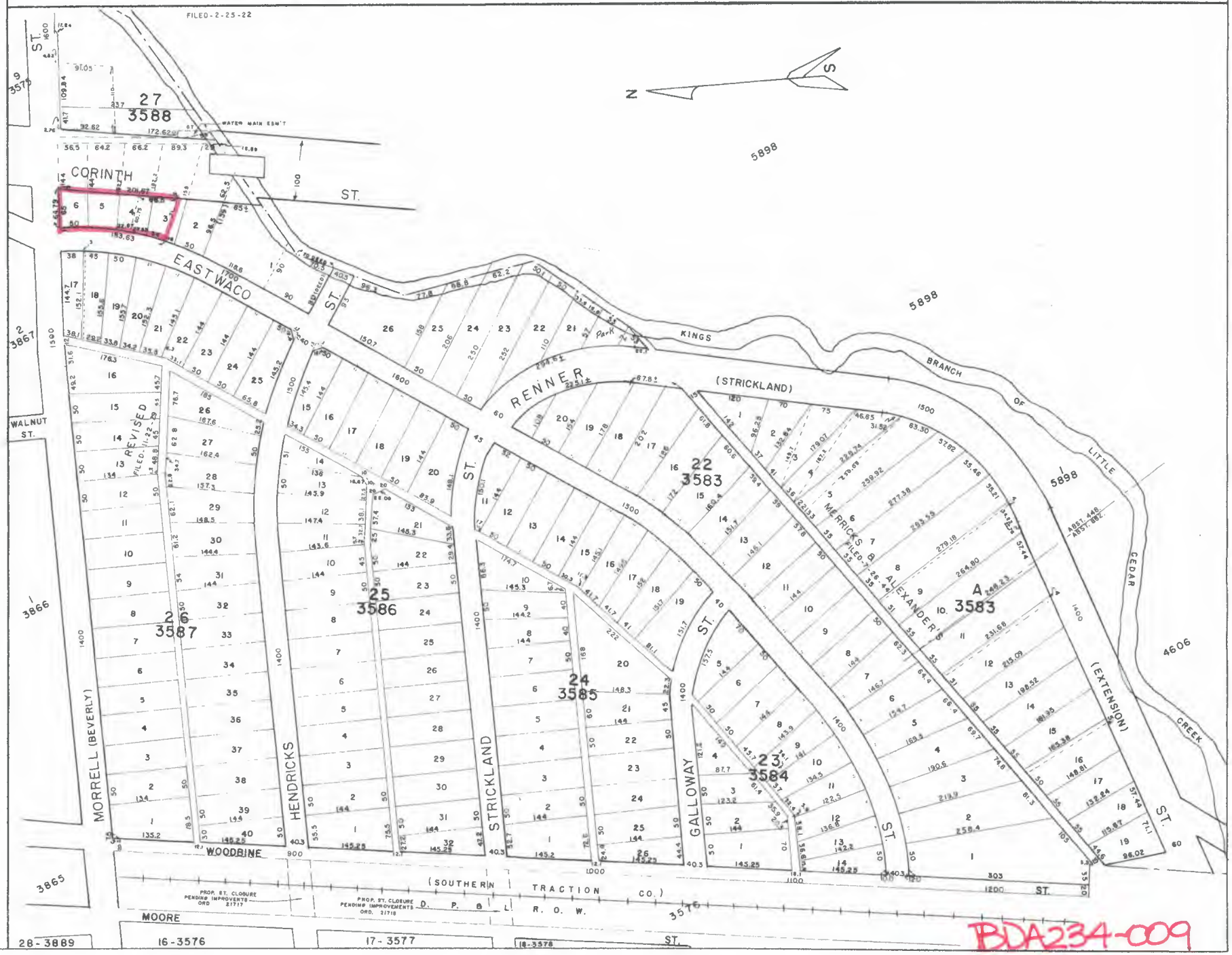
Commission expires on 4-27-2025

CITY OF DALLAS PLAT BOOKS

ANNEXED FEB. 26, 1923 ORD. NO.
SURVEY C. MILLER ABST. 882

ADDITION EDGEMONT ADD. NO. 3
SCALE 100 FT. EQUALS 1 INCH

BLOCKS 22 3583 TO 27 3588
SCHOOL DISTRICT DALLAS



BDA234-009

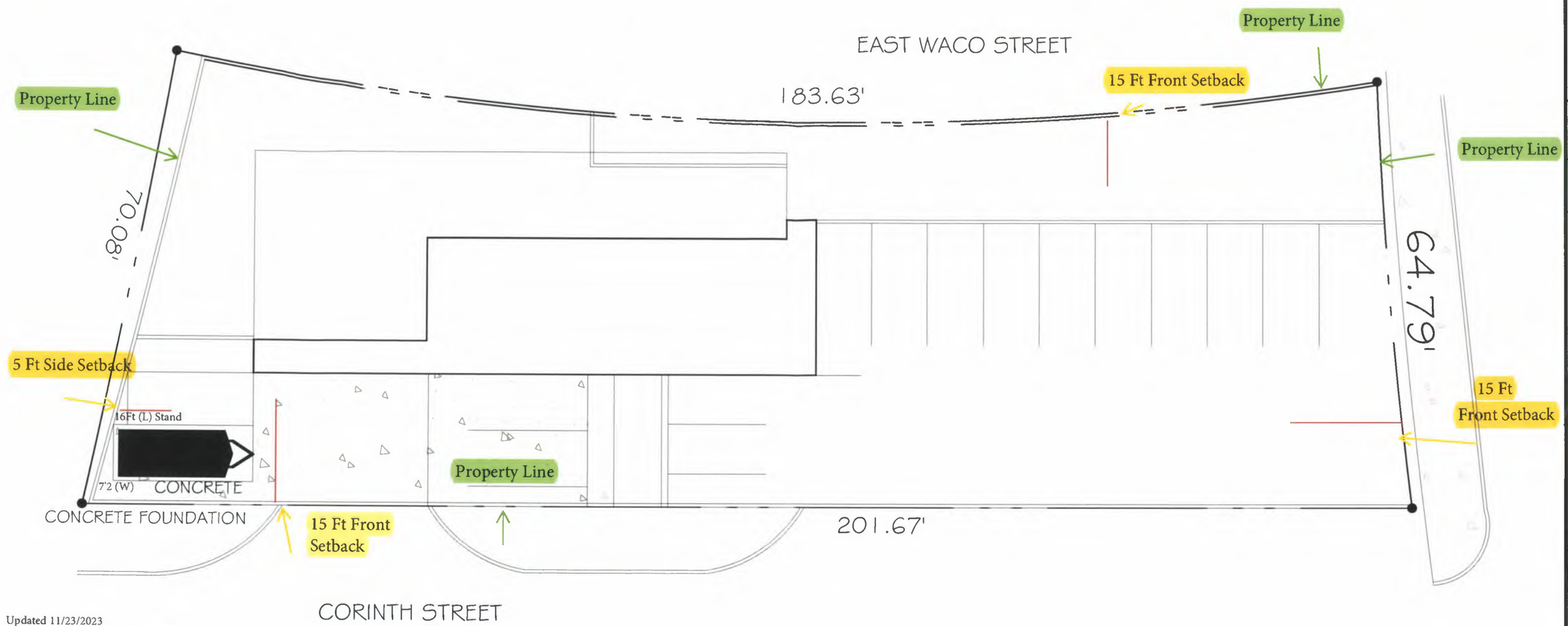
BDA234-009

Internal Development Research Site 2.2 City of Dallas DEV GIS

IDR 1.0 Links Help Report Issue

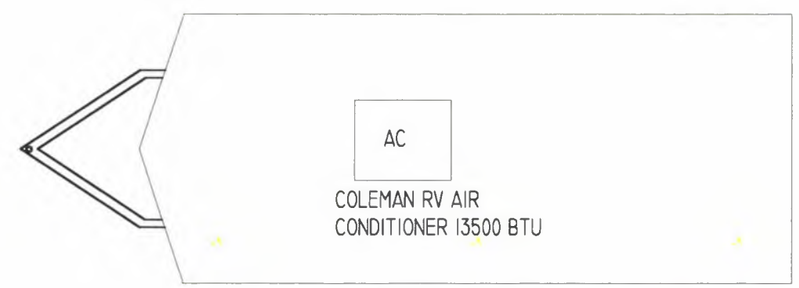
909 s corinth

Search result



Updated 11/23/2023
Red line marks variance for setbacks
Orange Line marks setback from property line.
Green Line marks Property line from setbacks.

① SITE PLAN & FOUNDATION PLAN
SCALE: 1/16"=1'-0"



② ROOF PLAN
SCALE: 1/4"=1'-0"

BDA234-009

ISSUE RECORD:

DATE:	ISSUED FOR:	COMMENTS:

DRAWN BY: Jason S. Pathva
CHK'D BY:
DWG FILE: D DAWGZ & MARGZ

DRAWN BY:
DFW CAD DRAFTING
15950 N. DALLAS PKWY
DALLAS TX. 75248
C: 214-235-3713
C: 817-710-5863

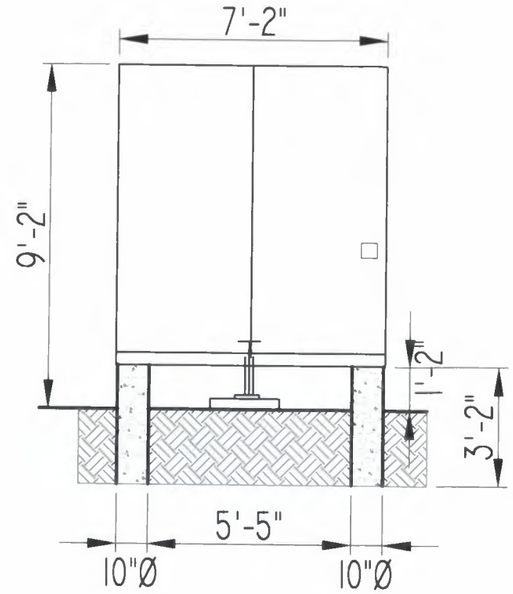
GENERAL CONTRACTOR:

D DAWGZ & MARGZ TO GO
909 S. Corinth St Rd
Dallas, TX 75203

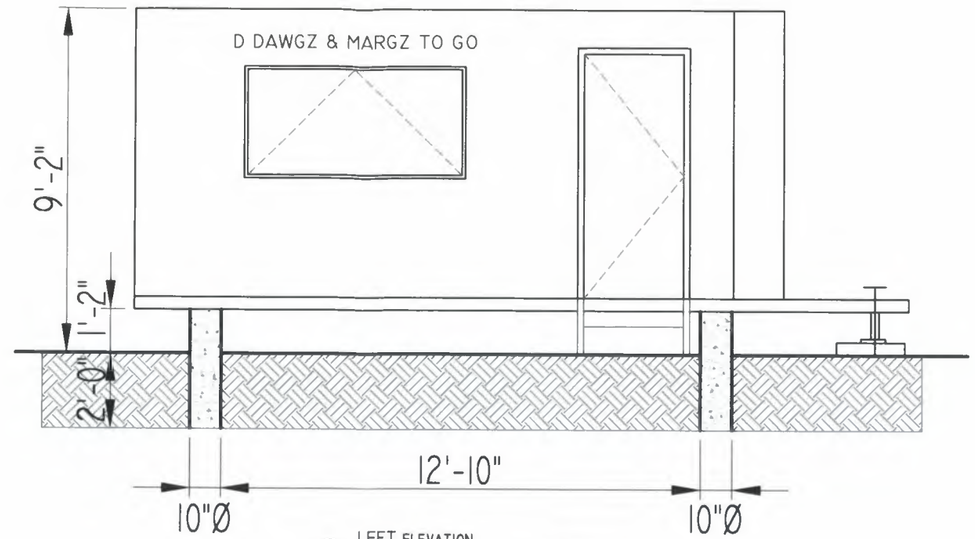
SHEET CONTENTS:
SITE PLAN AND ROOF PLAN,

DATE: 08/28/2023

1



① FRONT ELEVATION
SCALE: 1/4"=1'-0"



② LEFT ELEVATION
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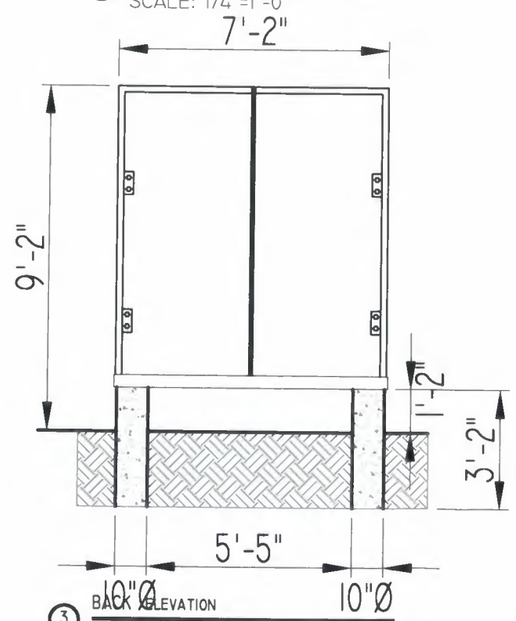
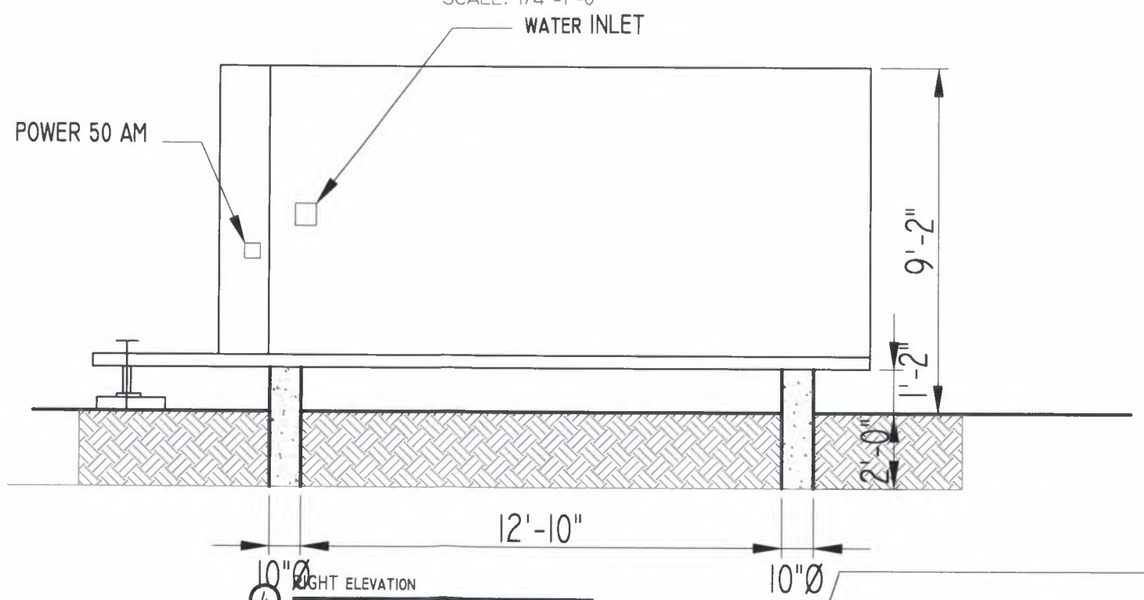
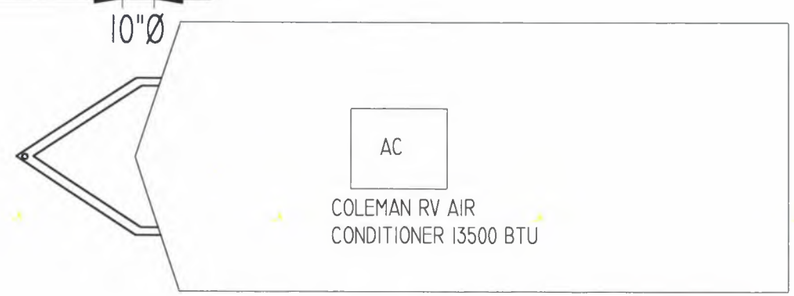


③ BACK ELEVATION
SCALE: 1/4"=1'-0"



④ RIGHT ELEVATION
SCALE: 1/4"=1'-0"



⑤ TOP VIEW
SCALE: 1/4"=1'-0"

BDA234-009

ISSUE RECORD:

DRAWN BY:	Jason S. Pishva	DATE:	ISSUED FOR:	COMMENTS:
CHK'D BY:				
DWG FILE:	D DAWGZ & MARGZ			

DRAWN BY:
DFW CAD DRAFTING
15950 N. DALLAS PKWY
DALLAS TX. 75248
C: 214-235-3713
C: 817-710-5863

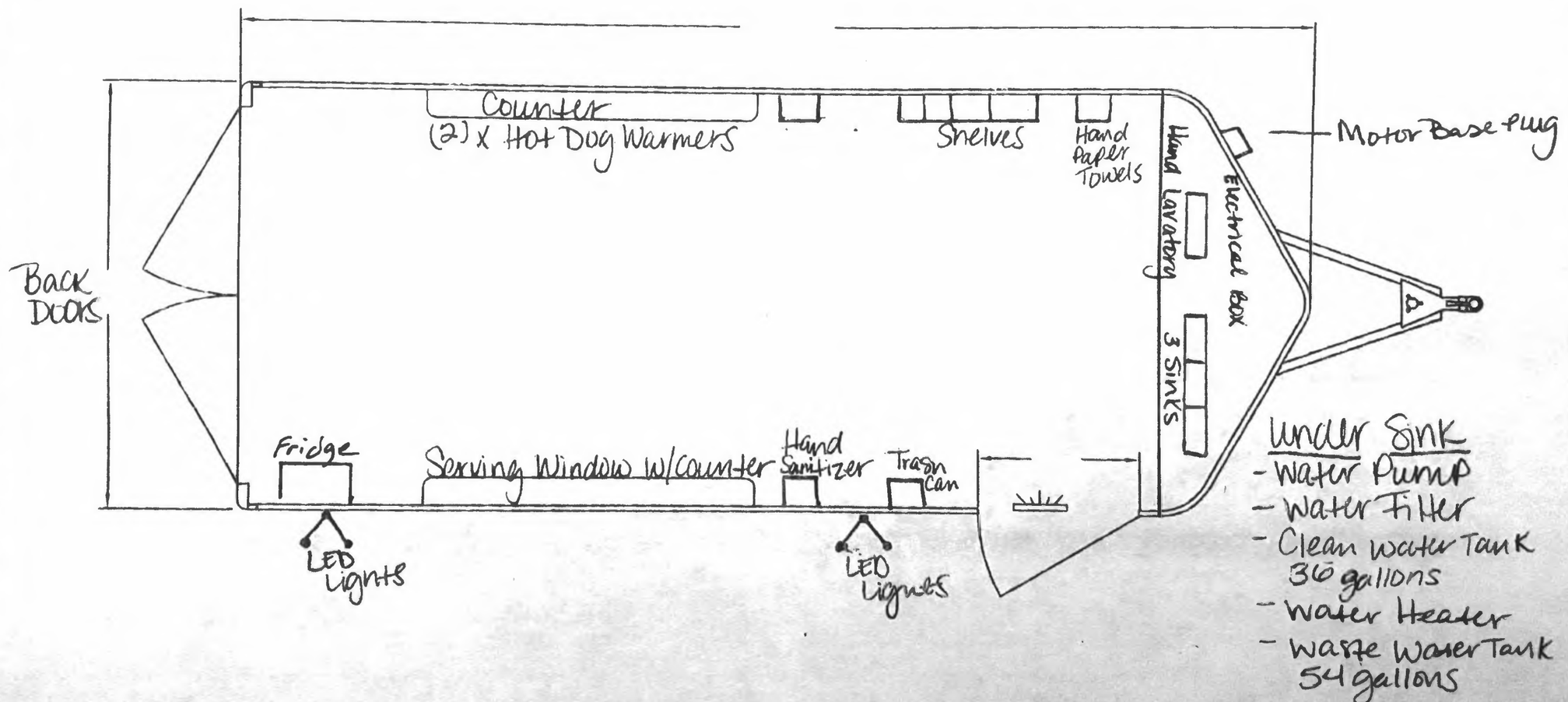
GENERAL CONTRACTOR:

D DAWGZ & MARGZ TO GO
909 S. Corinth St Rd
Dallas, TX 75203

SHEET CONTENTS:
ELEVATIONS,

DATE: 08/28/2023

2


Counter
(2) x Hot Dog Warmers
Shelves
Hand Paper Towels
Hand Lavatory
Electrical Box
Motor Base Plug
Back Doors
3 Sinks
Fridge
Serving Window w/Counter
Hand Sanitizer
Trash Can
LED Lights
LED Lights
Under Sink
- Water Pump
- Water Filter
- Clean Water Tank 36 gallons
- Water Heater
- Waste Water Tank 54 gallons

BDA234-009

HOT DAWGZ MENU

DRINKS-
BOTTLE
WATER$2
CAN SODA$2

IF YOU WANT BEEF, TURKEY ,OR ORGANIC, PLEASE SPECIFY!!

THA HOT DAWGZ (PLAIN JANE) $5

Choose your own toppings

TOP DAWGZ (LOADED) $8

Chili , Cheese, Peppers, Onions

CHILI DAWGZ $8

Cheese

EASTSIDE DAWGZ $10

Relish, Sauerkraut, Brown Mustard

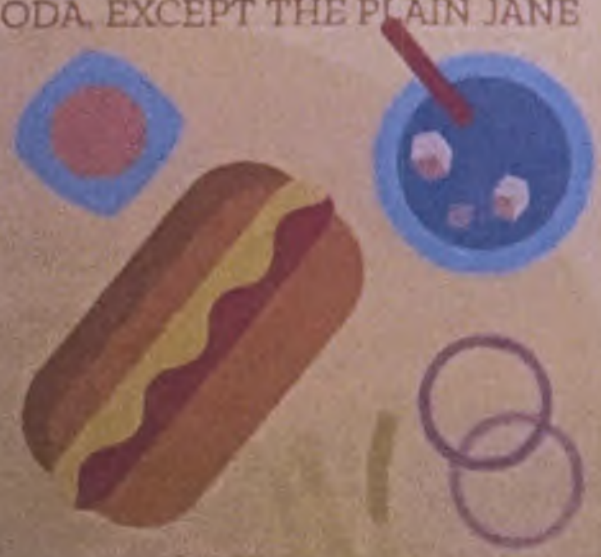
THE CHI DAWGZ $10

Pickles, Tomatoes, Relish, Yellow Mustard, Onion, Poppy Seed Bun

Addt'l Toppings .50 cents

ALL DAWGS COME WITH CHIPS YOUR CHOICE BOTTLE WATER OR SODA, EXCEPT THE PLAIN JANE

$2
Popcorn



Open Mon-Sat
11 AM - 9 PM

909 S. CORINTH ST RD
Dallas, TX 75216

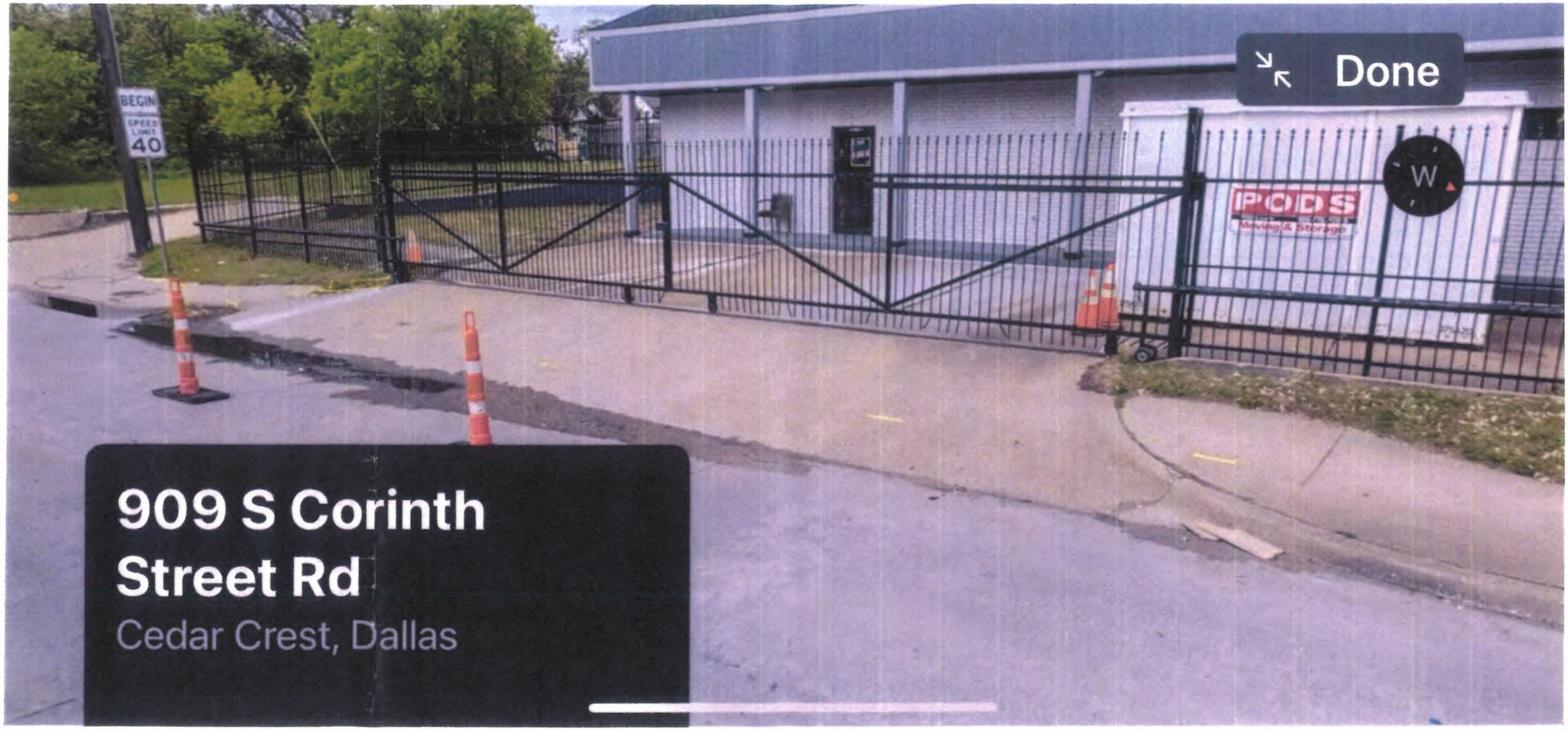
(214-972-8020)

BDA 234-009

2022 Quality Cargo 7X16 TA Concession Trailer Featuring:
Upgraded PolyCor .080 HD Exterior 5,200 Lb Dexter Axles, 10K GVWR
Complete Sink & Water Set Up Package
13,500 BTU A/C & Heat Strip
Complete 50 Amp Electrical Pkg W/ Outlets & Interior Lights
Concession Door w/ Sliding Windows & Screens
Concession interior Shelf
12" Extra Height, 7' 3" Interior Ht
Finished White Metal Walls & Ceiling
Checker Premium Floor
Extended Triple Tube Tongue
Rear Stabilizer Jacks
Rear Barn Doors
Diamond Plate Fenders
Strong & Solid Structure:
16" On Center Floor & Walls
Grade A Wood 3/4" Floor & 3/8" Walls
Electric Brakes
LED Exterior Light Pkg

VIN:	50ZBE1622NN038214
Year:	2022
Manufacturer:	Quality Cargo
Model:	7X16 Concession Trailer
Floor Length:	16' or 192.00"
Width:	7' or 84.00"
Height:	7' 3" or 87.00"
Weight:	2360 lbs
GVWR:	9990 lbs
Payload Capacity:	7630 lbs
Color:	White

BDA234-009


Done
BEGIN
SPEED LIMIT
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PODS
Moving & Storage
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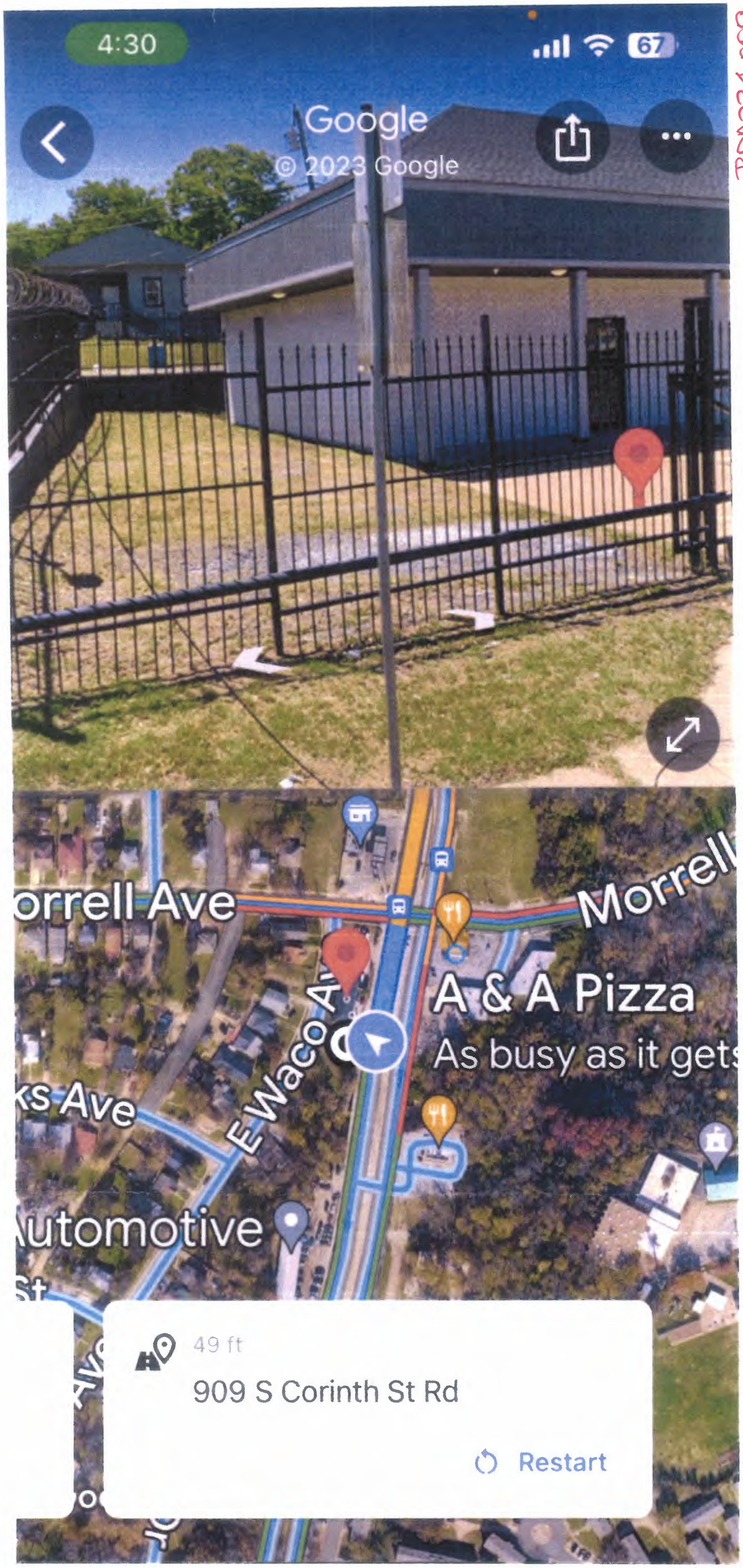
909 S Corinth
Street Rd
Cedar Crest, Dallas

BDA234-009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67
Google
© 2023 Google
orrell Ave
Morrell
A & A Pizza
As busy as it gets
E Waco Av
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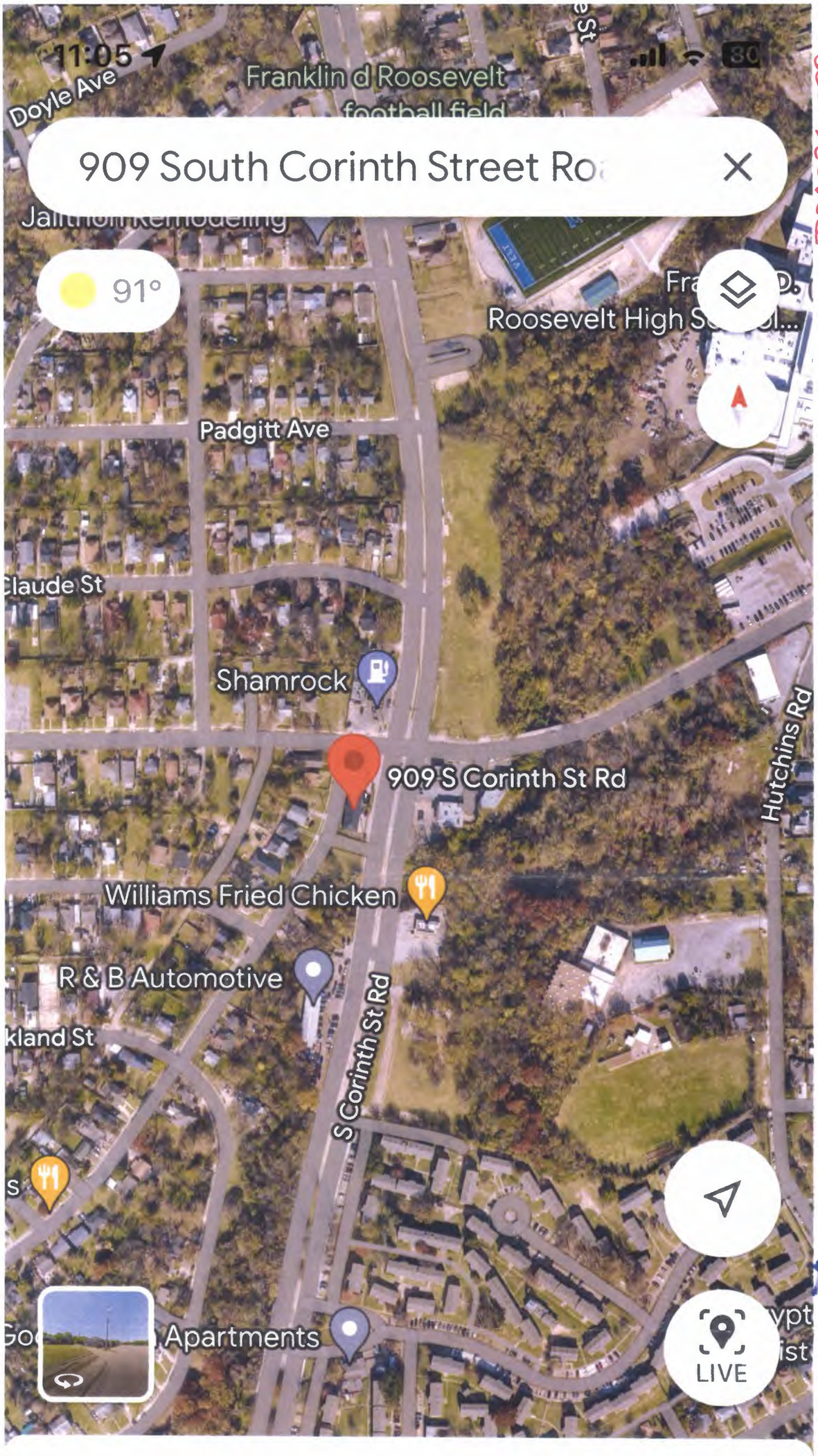
utomotive
49 ft
909 S Corinth St Rd
Restart

BDA234-009



909 S Corinth St Rd

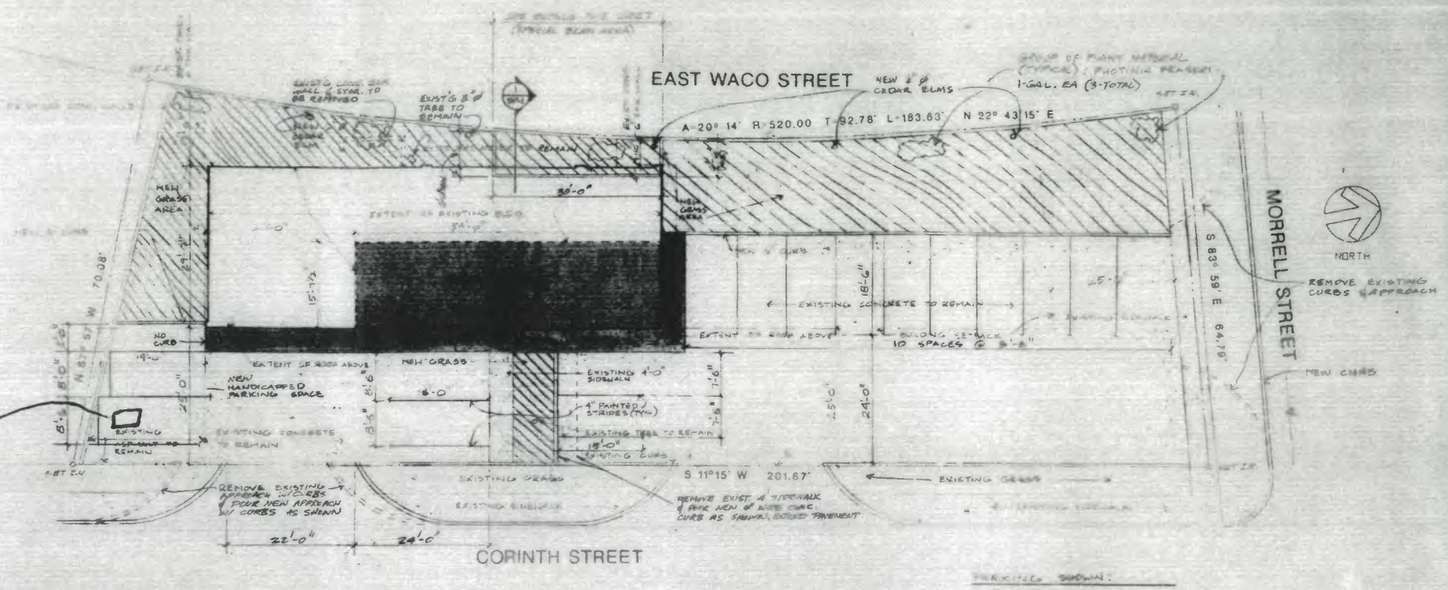
Directions Start Directory

2 days ago

Great job!

BOARD-000

Residents 2 pop 1st Hinson St



Location

SITE PLAN
SCALE : 1"=10'-0"

LANDSCAPE TABULATION OF POINTS

1. Landscaping Parking Lots 25 s.f. for each parking space	10
2. Landscaping, Buffer Strips along streets every 50 feet	15
3. Special Amenities	8
	33 points

APPROVED
DALLAS FIRE DEPT.
SUBJECT TO CORRECTIONS REQUIRED
DATE 4/22/87 RH

Fire Extinguishers to comply with Article 13 - Dallas Fire Code.

Dallas Fire Code Section 13.101.6 requires installation of a fire alarm system where the computed occupant load exceeds 10.

DECORATIVE DRAPES, WALLCOVERING AND ACOUSTICAL MATERIALS ARE REQUIRED TO BE NONCOMBUSTIBLE OR RENDERED FLAMEPROOF

THESE PLANS HAVE BEEN REVIEWED BY THE BUILDING INSPECTION DIVISION AND ARE APPROVED FOR THE START OF CONSTRUCTION. ANY DEVIATION FROM THESE PLANS SHALL BE APPROVED BY THE BUILDING OFFICIAL
4-22-87 B
DATE
THIS APPROVAL DOES NOT PERMIT THE VIOLATION OF ANY CITY ORDINANCE OR STATE LAW

PARKING SHOWN:
9'-0" x 18'-0" = 13 SPACES
8'-0" x 18'-0" w/ 5'-0" HC SIDEWALK = 1 SPACE
7'-6" x 15'-0" = 2 SPACES
TOTAL = 16 SPACES ACTUAL (16 REQ'D)

LANDSCAPE BERM DETAIL 1/SP-1
SCALE : 3/8"=1'-0"

ADDENDUM

M

DORSETT DESIGNS

ADDITION & REMODEL FOR CORINTH FAMILY CLINIC
909 S. CORINTH ST., DALLAS, TEXAS

DATE 4-1-87 DRAWN CRD JOB 88050 CHK CRD

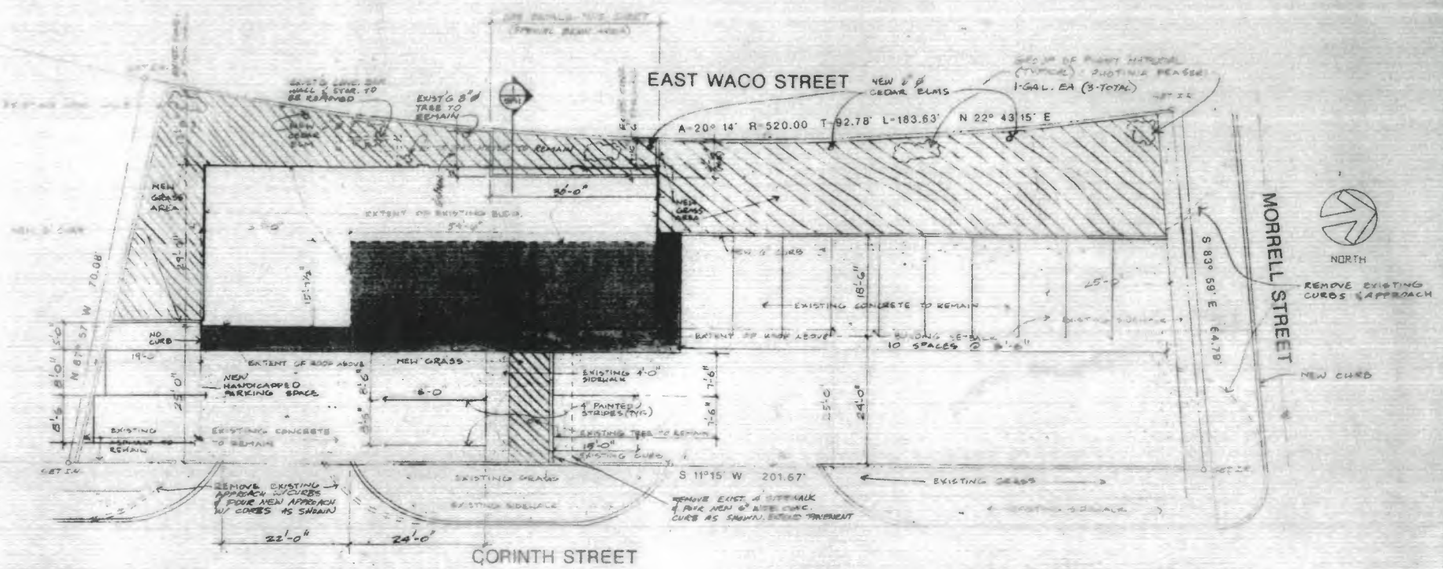
SP-1

3

909 S. CORINTH ST
5-1-87 7

BDA234-009

M



SITE PLAN
SCALE : 1" = 10'-0"

LANDSCAPE TABULATION OF POINTS

1. Landscaping Parking Lots 25 sq. ft. per stall parking space	10
2. Landscaping Center Strips one 5' islands every 50 feet	15
3. Special Amenities	8
	33 points

APPROVED
DALLAS FIRE DEPT.
SUBJECT TO
DATE 4/30/87 RH

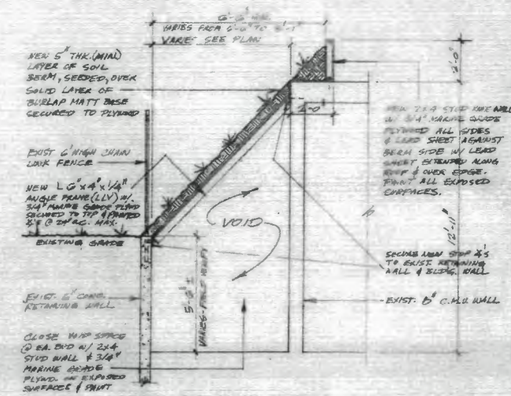
Fire Extinguishers to comply with Article 3-Dallas Fire Code.

Dallas Fire Code [illegible] 10.14 requires installation of a fire [illegible] where the computed occupant load exceeds 10.

DECORATIONS, DRAPES, WAINSCOTTING AND ACOUSTICAL MATERIALS ARE REQUIRED TO BE NONCOMBUSTIBLE OR RENDERED FLAMEPROOF.

THESE PLANS HAVE BEEN REVIEWED BY THE BUILDING INSPECTION DIVISION AND ARE APPROVED FOR THE START OF CONSTRUCTION. ANY DEVIATION FROM THESE PLANS SHALL BE APPROVED BY THE BUILDING OFFICIAL
DATE 4-22-87
THIS APPROVAL DOES NOT PERMIT THE VIOLATION OF ANY CITY ORDINANCE OR STATE LAW

PARKING SHOWN:
5'-6" x 18'-0" = 13 SPACES
8'-0" x 18'-0" W/ 5'-0" WD SIDEWALK = 1 SPACE
7'-6" x 15'-0" = 2 SPACES
TOTAL = 16 SPACES ACTUAL (16 REQ'D)



LANDSCAPE BERM DETAIL 1/SP-1
SCALE : 3/8" = 1'-0"

ADDENDUM

M

DORSETT DESIGNS
P.O. BOX 840 - DENTON, TEXAS 76201 - (817) 382-5365

DATE	4-1-87
DRAWN	CRD
JOB	86050
CHKD	CRD

ADDITION & REMODEL FOR
CORINTH FAMILY CLINIC
909 S. CORINTH ST., DALLAS, TEXAS

SP-1

3

909 S. CORINTH ST
5-1-87 7

BDA234-009

FILE NUMBER: BDA234-012(CJ)

BUILDING OFFICIAL'S REPORT Application of Ignacio Ochoa for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity standards regulations at 3010 CITATION DR. This property is more fully described as Block C/6431, Lot 27, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet; and requires a fence panel with a surface area that is less than 50 percent open not be located 5-feet from the front-lot line. The applicant proposes to construct and/or maintain a 9-foot high fence in a required front- yard, which will require (1) a 5-foot special exception to the fence regulations, and to construct a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front-lot line, which will require (2) a special exception to the fence opacity regulations.

LOCATION: 3010 Citation Dr.

APPLICANT: Ignacio Ochoa

REQUEST:

(1) A request for a special exception to the fence height regulations; and
(2) A request for a special exception to the fence opacity standard regulations.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, the special exception will not adversely affect neighboring property.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE OPACITY STANDARD REGULATIONS:

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, the special exception will not adversely affect neighboring property.

STAFF RECOMMENDATION:

Special Exceptions (2):

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

BACKGROUND INFORMATION:

Zoning:

Site: R-10 (A) (Single Family District)
North: R-10 (A) (Single Family District)
East: R-10 (A) (Single Family District)
South: R-10(A) (Single Family District)
West: R- 10(A) (Single Family District)

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application Ignacio Ochoa, for the property located at 3010 Citation Drive focuses on 2 requests relating to the fence height and fence opacity regulations.
- The applicant proposes to construct and maintain and 9-foot-high fence in a required front yard, which will require a 5-foot special exception to the fence height regulations.
- Secondly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The subject site along with properties to the north, east, south and west are all developed with single-family homes.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to construct and maintain a 9-foot-high board on board metal frame fence around the circumference of the property at 3010 Citation Drive.

- It is imperative to note that the subject site is a corner lots and it has two street frontages, Citation Drive and Venetian Way. It is important to also note that where the applicant is proposing to construct the fence would typically be a side yard, if the site was not a corner lot.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.

- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

November 22, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

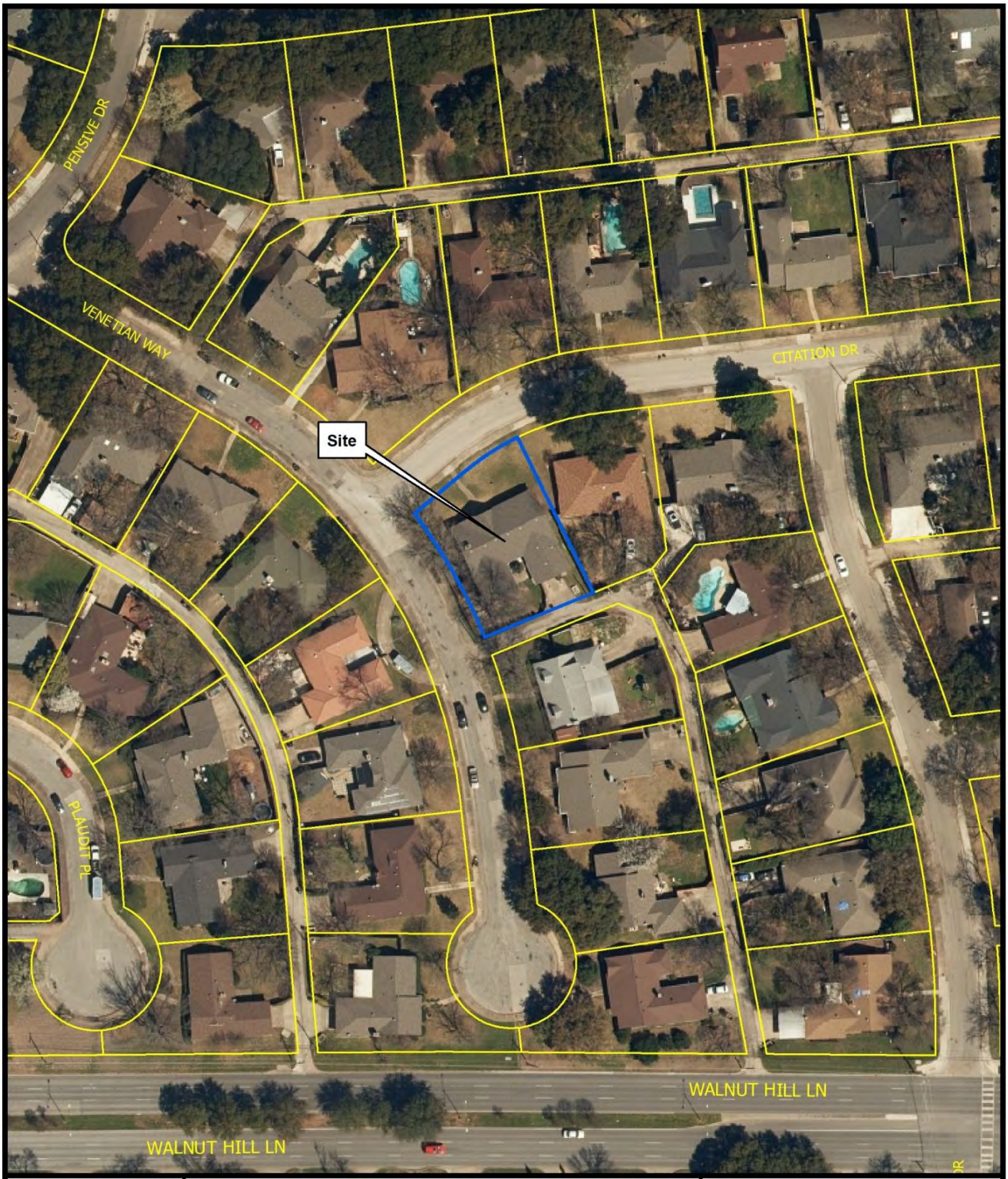
December 1, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 6, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the December 22, 2023, deadline to submit additional evidence for staff to factor into their analysis; and January 5, 2024, 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.

December 28, 2023: The Board of Adjustment staff review team meeting was held regard

request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner, the Assistant City Attorney to the

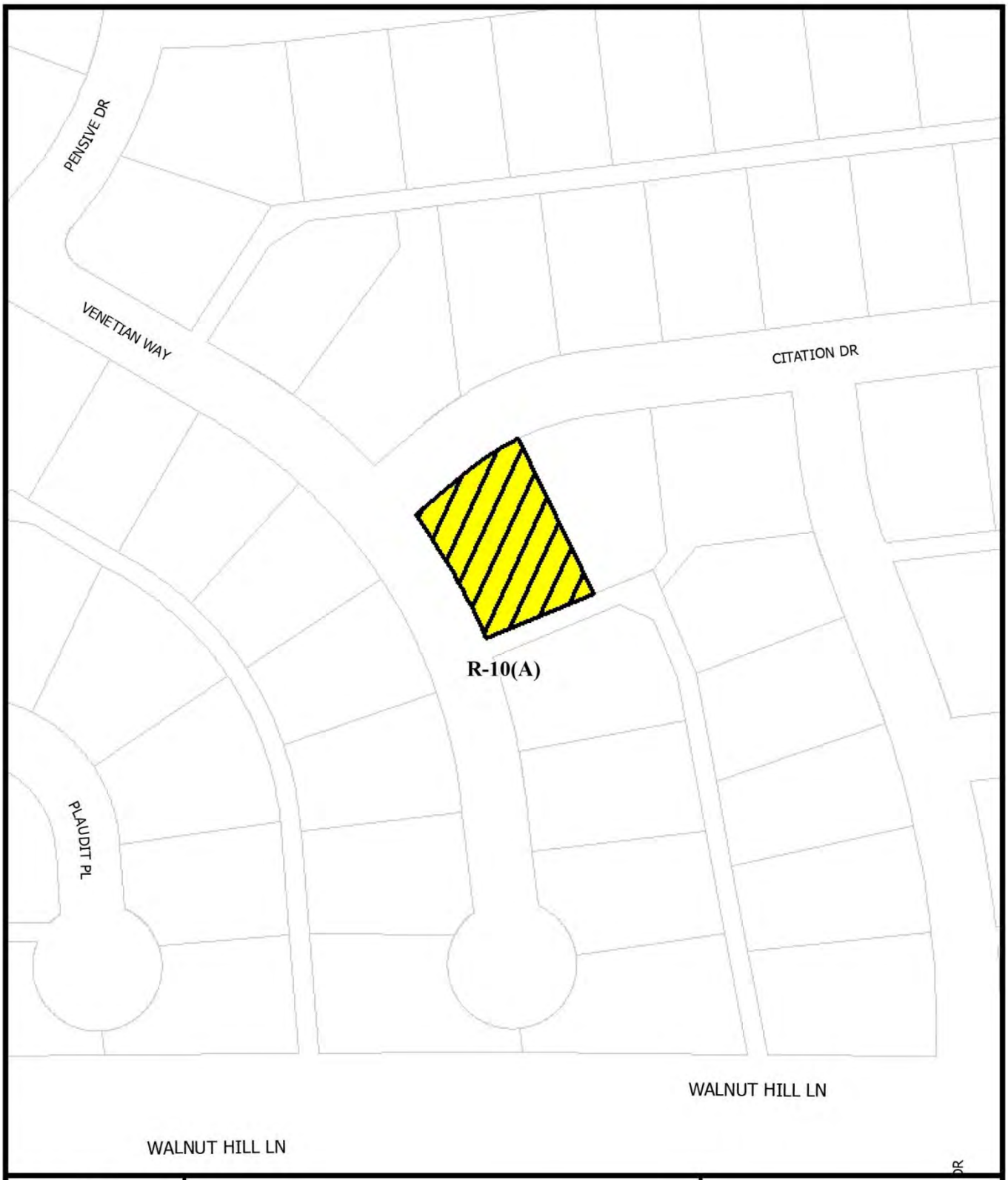


1:1,200

AERIAL MAP

Case no: BDA234-012

Date: 12/8/2023

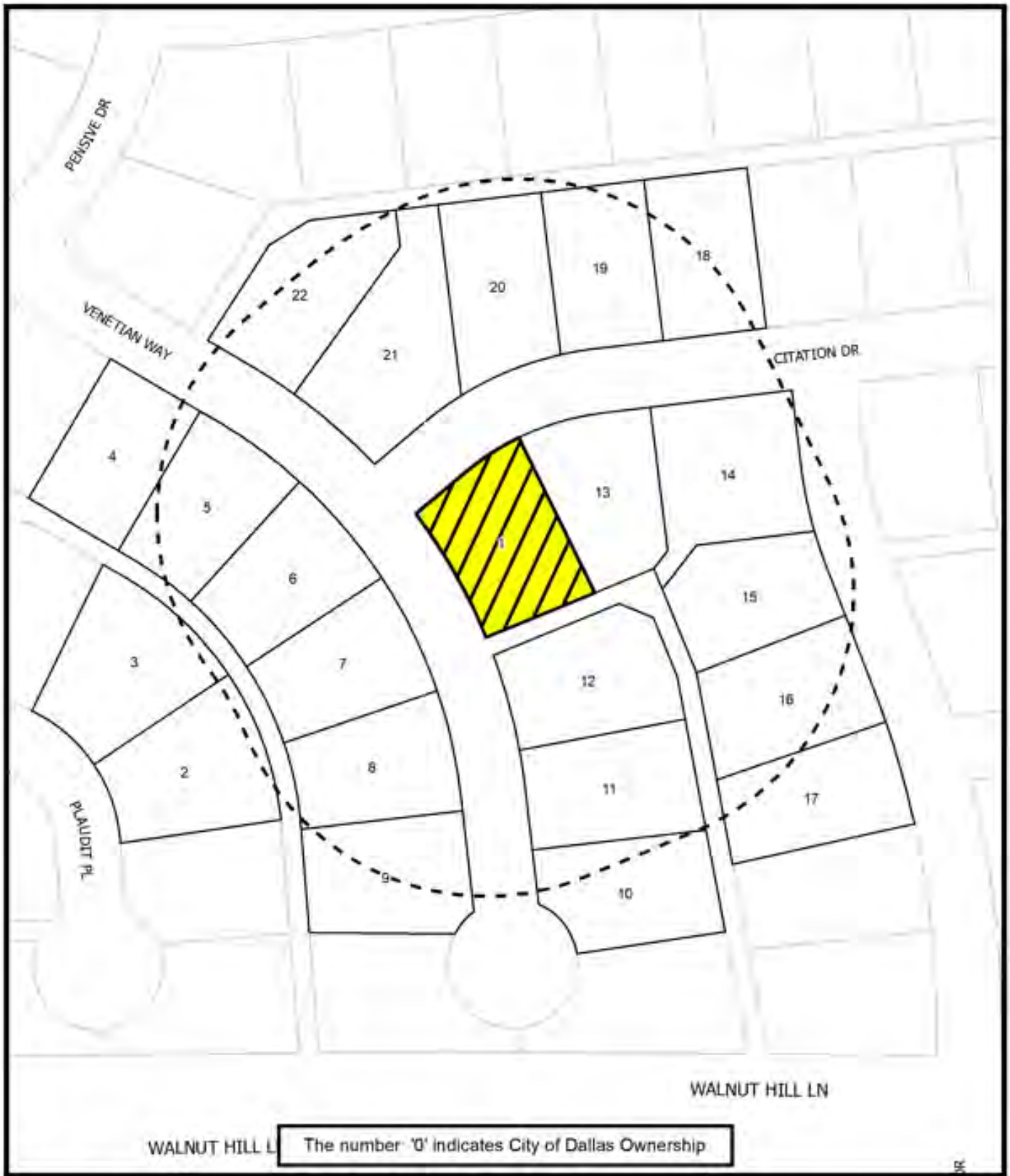


1:1,200

ZONING MAP

Case no: BDA234-012

Date: 12/8/2023



The number '0' indicates City of Dallas Ownership

1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION

22 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-012

Date: 12/8/2023

/
12/08/2023

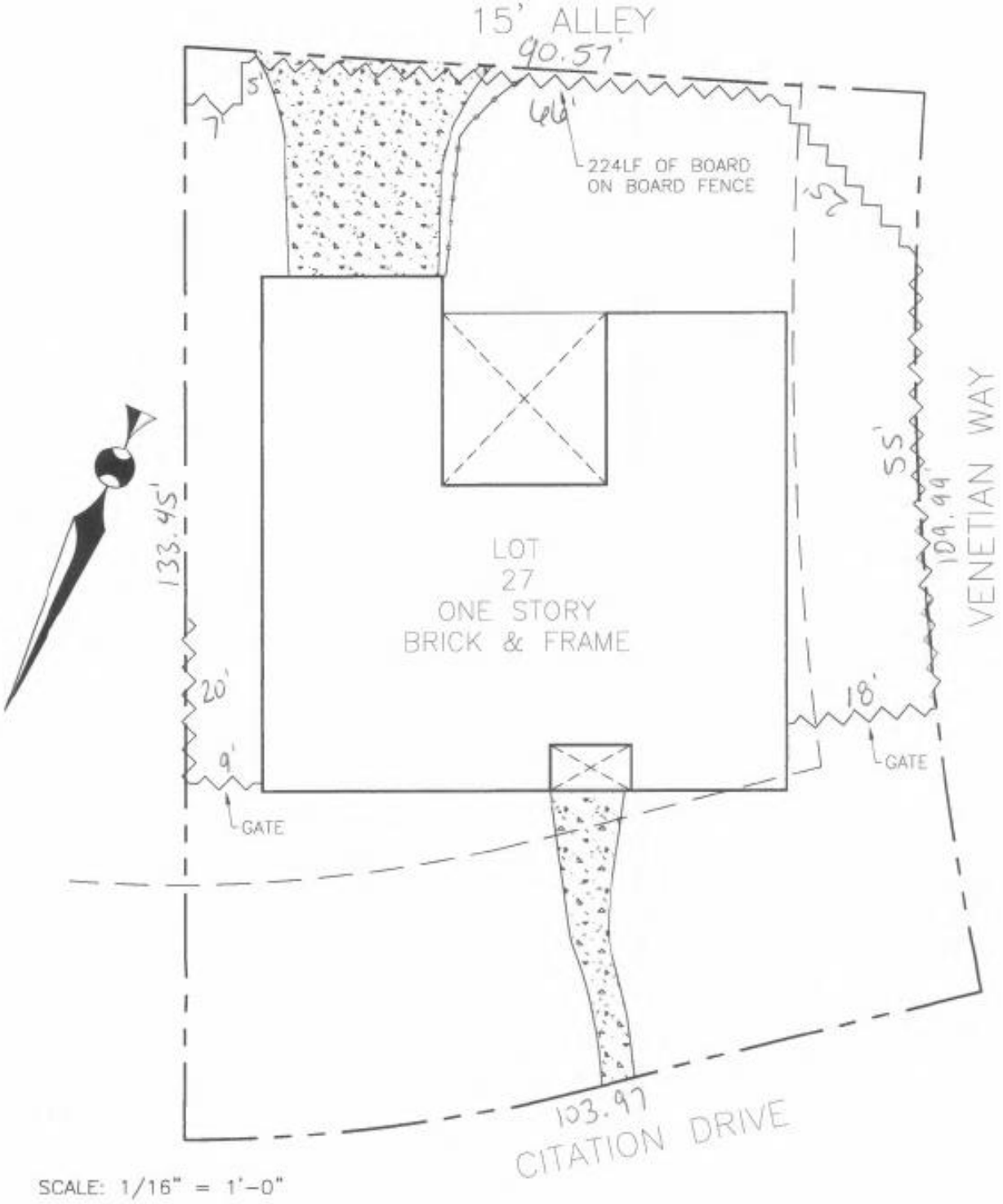
Notification List of Property Owners

BDA234-012

22 Property Owners Notified

Label #	Address		Owner
1	3010	CITATION DR	KLEIN LOGAN H &
2	3023	PLAUDIT PL	MCADOO GERALD B II &
3	3019	PLAUDIT PL	LEE LAURENCE W
4	10053	VENETIAN WAY	WALTON FRANKIE & LEE M
5	10047	VENETIAN WAY	COLLINS MICHELLE &
6	10039	VENETIAN WAY	LEERMAKERS ELIZABETH A
7	10031	VENETIAN WAY	HANLEY TANNER &
8	10023	VENETIAN WAY	MOSHOLDER SHERRI L
9	10015	VENETIAN WAY	KIM AHNS & KIS
10	10014	VENETIAN WAY	VIAL FELIPE &
11	10020	VENETIAN WAY	PLANK WALTER M JR &
12	10026	VENETIAN WAY	LAM WINSTON PAUL &
13	3020	CITATION DR	MARTIN STEVE W
14	3030	CITATION DR	KNIGHT TIFFANY DONAHUE
15	10035	DALE CREST DR	KORTH LISA P &
16	10027	DALE CREST DR	HATCHER MARTHA S &
17	10021	DALE CREST DR	ROSASACOSTA RICARDO E
18	3029	CITATION DR	STIMPSON MICHAEL A &
19	3021	CITATION DR	NOLLNER CHELSEA
20	3011	CITATION DR	Taxpayer at
21	10042	VENETIAN WAY	MITCHELL CLARK
22	10048	VENETIAN WAY	BALL JAMES A

https://youtu.be/YZw8QOYTUKY


15' ALLEY
90.57'
5'
7'
66'
224LF OF BOARD
ON BOARD FENCE
5'
55'
109.99'
VENETIAN WAY
133.45'
LOT
27
ONE STORY
BRICK & FRAME
20'
9'
GATE
18'
GATE
103.97
CITATION DRIVE

SCALE: 1/16" = 1'-0"

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-012 FOR OFFICE USE ONLY

RECEIVED NOV 22 REC'D BY:

Data Relative to Subject Property: Date: FOR OFFICE USE ONLY

Location address: 3010 Citation Dr Zoning District: R-10

Lot No.: 27 Block No.: C/6431 Acreage: .26 Census Tract:

Street Frontage (in Feet): 1) ~~189~~ 110 2) 104 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Logan Klein

Applicant: Ignacio Ochoa Telephone: 469-264-7742

Mailing Address: 4623 W I-30 Cuddo Mills, Tx Zip Code: 75135

E-mail Address: permits@betterbuiltdfw.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 Building 9' Tall Fence on side of property that is being considered front lot. and opposite. (IO)

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:

Side yard is being considered front along venetian. Neighbors have 8' Tall fence in what would fall under same rule.

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 Ignacio Ochoa
(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: Ignacio Ochoa
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 17 day of October, 2023

Notary Public in and for Dallas County, Texas

CARYN OCHOA
Notary ID #126668720
My Commission Expires
October 30, 2024

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 IGNACIO OCHOA

did submit a request for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations

at 3010 Citation

BDA234-012(KMH) Application of Ignacio Ochoa for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity standards regulations at 3010 CITATION DR. This property is more fully described as Block C/6431, Lot 27, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet; and requires a fence panel with a surface area that is less than 50 percent open not be located 5 feet from the front-lot line. The applicant proposes to construct and/or maintain a 9-foot high fence in a required front- yard, which will require (1) a 5-foot special exception to the fence regulations, and to construct a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front-lot line, which will require (2) a special exception to the fence opacity regulations.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-012

I, Logan Klein, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 3010 Citation Drive
(Address of property as stated on application)

Authorize: Ignacio Ochoa
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

_____ Variance (specify below)

✓ Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: Building a fence on side lot considered a front lot 9' Tall and opacity - (10)

Logan Klein
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 10/17/2023

Before me, the undersigned, on this day personally appeared Logan Klein

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 17th day of October, 2023

Notary Public for Dallas County, Texas

CARYN OCHOA
Notary ID #126668720
My Commission Expires
October 30, 2024

Commission expires on October 30, 2024

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-012

I, Whitney McAteer, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 3010 Citation Drive
(Address of property as stated on application)

Authorize: Ignacio Ochoa
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

_____Variance (specify below)

✓ Special Exception (specify below)

_____Other Appeal (specify below)

Specify: Building a Fence on Side lot considered front lot 9' Tall and opacity. (IO)

Whitney McAteer
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 10/17/2023

Before me, the undersigned, on this day personally appeared Whitney McAteer

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

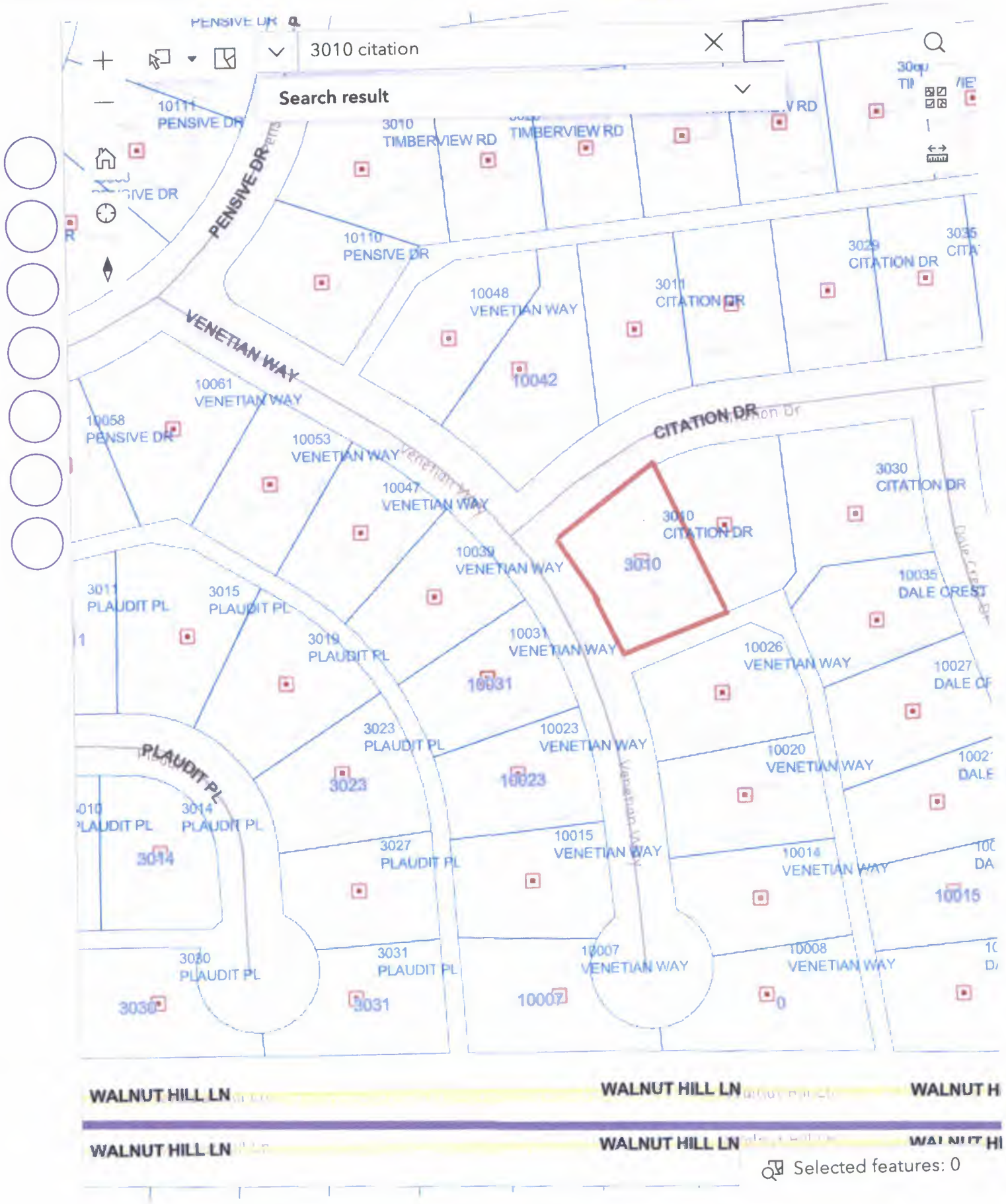
Subscribed and sworn to before me this 17 day of October, 2023

CARYN OCHOA
Notary ID #126668720
My Commission Expires
October 30, 2024

Notary Public for Dallas County, Texas

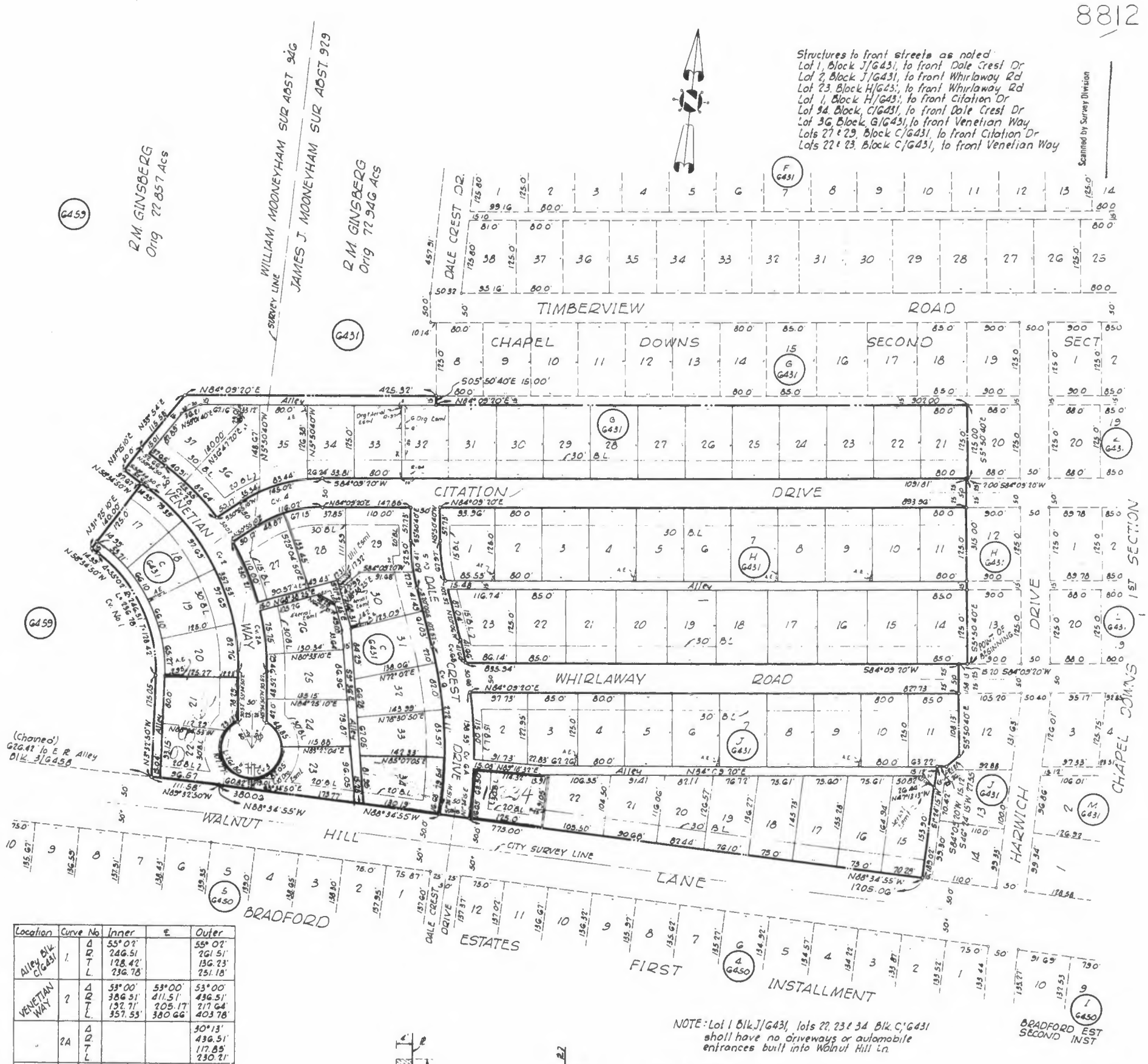
Commission expires on 10/30/2024

Internal Development Research Site 2.2 City of Dallas DEV GIS IDR 1.0 Links Help Report Issue

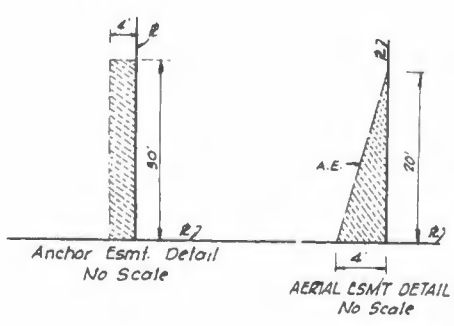


BDA234-012

8812



Location	Curve No.		Inner	℄	Outer
Alley Blk C/G431	1	Δ	55° 02'		55° 02'
		R.	246.51'		261.51'
		T.	128.42'		136.23'
		L.	236.78'		251.18'
VENETIAN WAY	2	Δ	53° 00'	53° 00'	53° 00'
		R.	386.51'	411.51'	436.51'
		T.	192.71'	205.17'	217.64'
		L.	357.53'	380.66'	403.78'
"	2A	Δ			30° 13'
		R.			436.51'
		T.			117.85'
		L.			230.21'
"	2B	Δ			16° 13'
		R.			436.51'
		T.			62.19'
		L.			123.55'
VENETIAN WAY	3	Δ			300° 00'
		R.			50.00'
		T.			
		L.			261.80'
CITATION DRIVE	4	Δ	33° 14' 10"	33° 14' 10"	33° 14' 10"
		R.	200.00'	225.00'	250.00'
		T.	59.95'	67.15'	74.61'
		L.	116.02'	130.52'	145.02'
DALE CREST DRIVE	5	Δ	14° 15' 20"	14° 15' 20"	14° 15' 20"
		R.	273.17'	298.17'	323.17'
		T.	34.16'	37.29'	40.41'
		L.	67.97'	74.19'	80.41
"	6	Δ	21° 30' 15"	21° 30' 15"	21° 30' 15"
		R.	725.00'	750.00'	775.00'
		T.	137.67'	142.42'	147.17'
		L.	272.11'	281.49'	290.87'
"	6A	Δ			14° 40' 40"
		R.			775.00'
		T.			99.81'
		L.			198.53'
DALE CREST DRIVE	6B	Δ			3° 04' 47"
		R.			775.00'
		T.			20.83'
		L.			41.66'



NOTE: Lot 1 Blk J/G431, lots 22, 23 & 34 Blk. C/G431 shall have no driveways or automobile entrances built into Walnut Hill Ln.

L. G. COPPEDGE
MAPS
RECORDS' BLDG.

FILED 2 26 62
VOL 48 - 139

CHAPEL DOWNS THIRD SECTION

PART OF THE JAMES J. MOONEYHAM SUR. ABST. 929
PART OF THE WILLIAM MOONEYHAM SUR. ABST. 946
PART OF CITY OF DALLAS BLOCK NO'S. G431 & G459
R.M. GINSBERG ~ OWNER OF RECORD
3306 CAMELOT DR. DALLAS, TEXAS
GADDY & LOVEN ~ ENGINEERS
720 No. BUCKNER ~ DALLAS TEXAS
DECEMBER, 1961
CITY PLAN FILE NO. ~ 60-471-C
Scale 1"=100'

BDA234-012

VOLUME 48, PAGE 139
R. M. GINSBERG, TRUSTEE
TO: PLAT & DEDICATION
CHAPEL DOWNS, THIRD SECTION

* STATE OF TEXAS
*
*
* COUNTY OF DALLAS: Whereas, R M Ginsberg, Trustee, is the recorded owner of a tract of land situated in the James J Mooneyham Survey, Abst No. 929, Dallas County, Texas, and the William Mooneyham Survey, Abst No. 946, Dallas County, Texas, and being part of City of Dallas Blocks No. 6431 and 6459 and being more particularly described as follows:

BEGINNING at a point in the north line of Whirlaway Road, said point being the southwest corner of Lot 13 in Block H/6431 of Chapel Downs, First Section, an addition to the City of Dallas Texas.

THENCE S 84° 09' 20" W along said north line of Whirlaway Road, 15.20 feet;
THENCE S 05° 50' 40" E partly along the west line of Lot 12 in Block J/6431, 158.13 feet;
THENCE S 46° 24' 15" W 27.55 feet; THENCE S 84° 09' 20" W 15.12 feet; THENCE S 01° 24' 15" W along the west line of a 15 foot width alley 189.02 feet, to a point in the north line of Walnut Hill Lane;
THENCE N 88° 34' 55" W along said north line, 1205.06 feet;THENCE N 89° 32' 50" W continuing along said north line 111.58 feet; THENCE N 03° 32' 50" W 175.05 feet; THENCE in a northwesterly direction with a curve to the left, said curve having a central angle of 55° 02' and a radius of 246.51 feet, a distance of 236.78 feet;
THENCE N 58° 34' 50" W 14.99 feet; THENCE N 31° 25' 10" E, 140.00 feet; THENCE N 58° 34' 50" W 37.67 feet; THENCE N 31° 25' 10" E 50.00 feet;THENCE N 33° 54' E 115.58 feet; THENCE N 84° 09' 20" E 425.32 feet; THENCE S 05° 50' 40" E 15.00 feet; THENCE N 84° 09' 20" E along the south line of a 15 foot width alley, 902.00 feet to the northwest corner of Lot 20, in Block G/6431;
THENCE S 05° 50'40" E along the west line of said Lot 20, 125.00 feet to a point in the north line of Citation Drive;
THENCE S 84° 09' 20" W along said north line 2.00 feet;
THENCE S 05° 50' 40" E partly along the west lines of Lots 12 and 13 in Block H/6431, 315.00 feet to the place of beginning and containing 23.064 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That R M Ginsberg, Trustee, does hereby adopt this plat designating the hereinabove described property as Chapel Downs, third section, an addition to the City of Dallas, Texas, and does hereby dedicate to the public use forever the streets and alleys shown hereon. The easements shown hereon are hereby reserved for the purpose as indicated. No buildints, fences, trees, sbrubs or other improvements or growths shall be constructed or placed upon, over or across the Utility Easements as shown. Said utility easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees shrubs or other improvements or growths which in anyway may endanger or interfere with the construction, maintenance or efficiency of its respective system on the utility easement and all public utilities shall at all timeshave the full right of ingress and egress to or from and upon the said utility easement for removing all or parts of its respective systems, without the necessity at any time of procuring the permission of anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Dallas, Texas. Sidewalks shall be constructed by the homebuilder as required by the City Council Resolution #58-5422, and in accordance with the requirements of the Director of Public Works.

Witness my hand at Dallas, Texas, Feb 13, 1962.

R. M. GINSBERG, TRUSTEE

Acknowledgment taken for R M Ginsberg, Feb 13, 1962 by _____Sharpe, NPDCT

LS

ENGINEER'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS: That I, A E Gaddy, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown were properly placed under my supervision in accordance with the platting rules and regulations of the City Plan Commission of the City of Dallas, Texas.

A. E. GADDY, Licensed Engr

Acknowledgment taken for A E Gaddy, Feb 14, 1962 by C I Loven, NPDCT

LS

TO THE COUNTY CLERK OF DALLAS COUNTY: Under Ordinance 3558 of the City of Dallas, the approval of this plat by the City Plan Commission is automatically terminated after the 26 day of March 1962, and unless this plat is presented for filing on or before said date it should not be accepted for filing.

Dept of City Planning by H Alden Deyo, Director of Planning

CERTIFICATE OF APPROVAL: I, LaVere Brooks V Chairman of the City Of Dallas, State of Texas, hereby certify that the attached plat was duly filed for approval with the City Plan Commission of the City of Dallas on the 22 day of Nov 1960, and same was duly approved on the 8 day of Dec 1960, by said Commission.

LaVere Brooks, City Plan Commission

File # 60-471-C

City of Dallas filing fee paid -2-26-62
City of Dallas 1962 and prior taxes paid $621.72 1-26-62
Filed for record: Feb 26, 1962

5-10-62
LOT

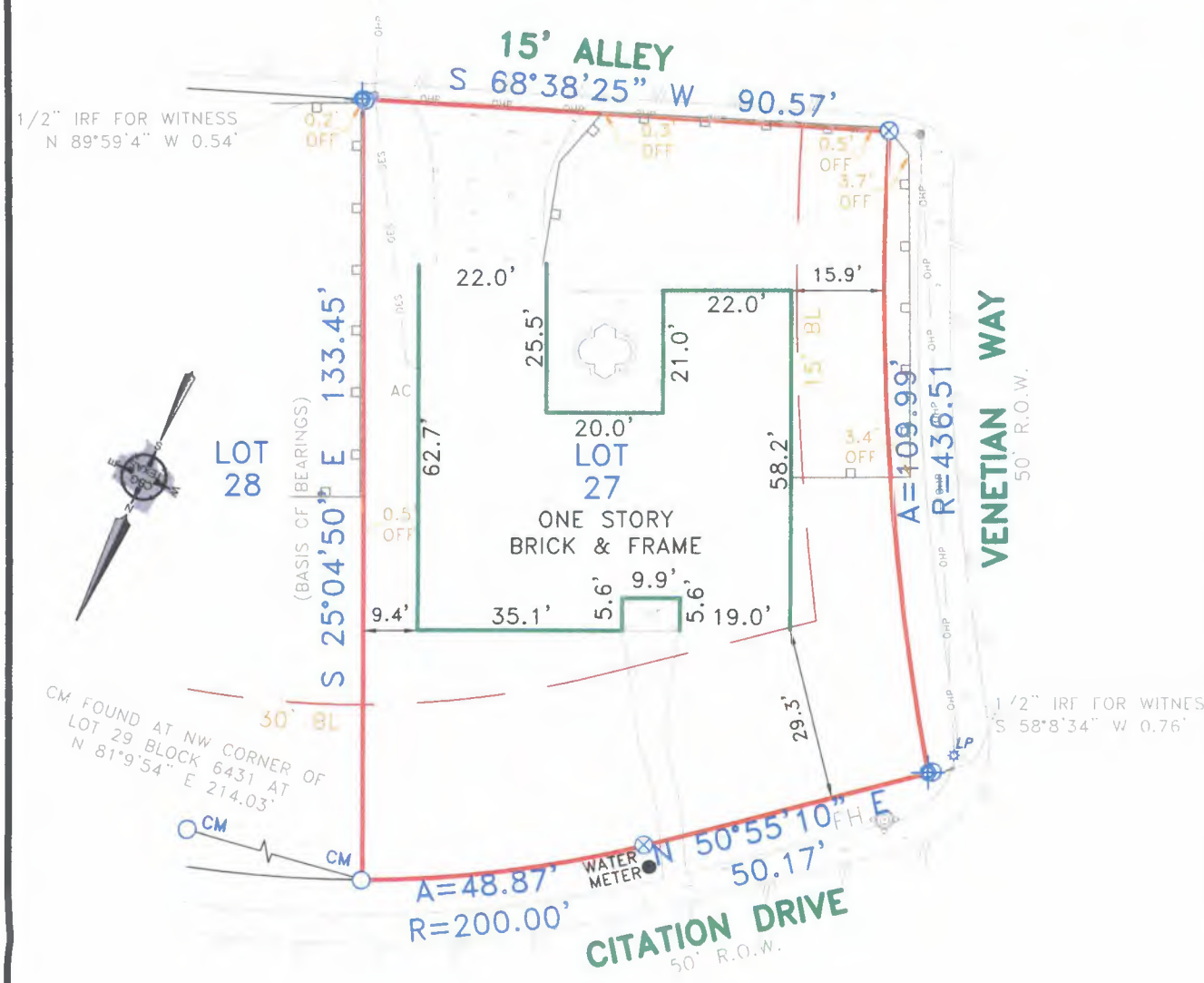
BDA234-012

3010 Citation Drive

Being Lot 27 in Block C/6431 of CHAPEL DOWNS, THIRD SECTION, an addition to the City of Dallas County, Texas, according to the Map thereof, Recorded in Volume 48, Page 139, Map Records, Dallas County, Texas.

LEGEND

- 1/2" ROD FOUND
- 1/2" ROD SET
- 1" PIPE FOUND
- "X" FOUND/SET
- 5/8" ROD FOUND
- POINT FOR CORNER
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- AC AIR CONDITIONER
- PE POOL EQUIPMENT
- TE TRANSFORMER PAD
- COLUMN
- POWER POLE
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- —OHP— OVERHEAD ELECTRIC POWER
- —OES— OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- IRON FENCE
- BARBED WIRE
- DOUBLE SIDED WOOD FENCE
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- CONCRETE
- COVERED AREA



EXCEPTIONS:

NOTE: This survey is made in conjunction with the information provided by the client. CBG Surveying Texas, LLC has not researched the land title records for the existence of easements, restrictive covenants or other encumbrances.

APPARENT ENCROACHMENT OF BUILDING INTO/OVER BUILDING LINE

NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

FLOOD NOTE: According to the F.I.R.M. No. 48113C0190K, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by The Client. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions are as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Accepted by: _____ Purchaser

Date: _____

_____ Purchaser

Drawn By: JPA/EGR

Scale: 1" = 30'

Date: 04-29-19

GF No.: 1989469-ALME

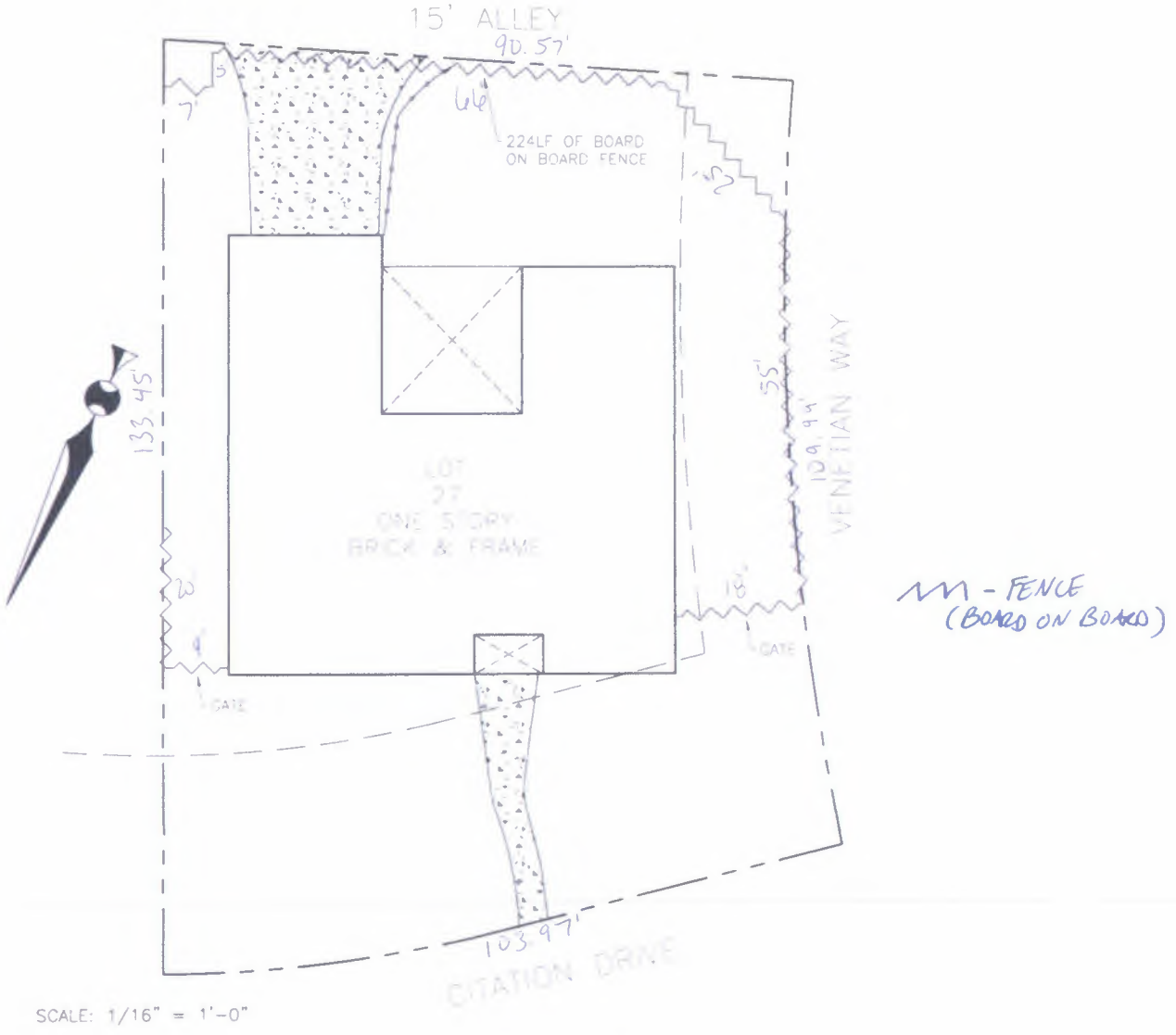
Job No. 1907995

CBG SURVEYING TEXAS LLC
DFW · Houston · East Texas · Austin · San Antonio
12025 Shiloh Road, Ste. 240
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgtxllc.com

STATE OF TEXAS REGISTERED J.T. THOMPSON 4604 PROFESSIONAL LAND SURVEYOR

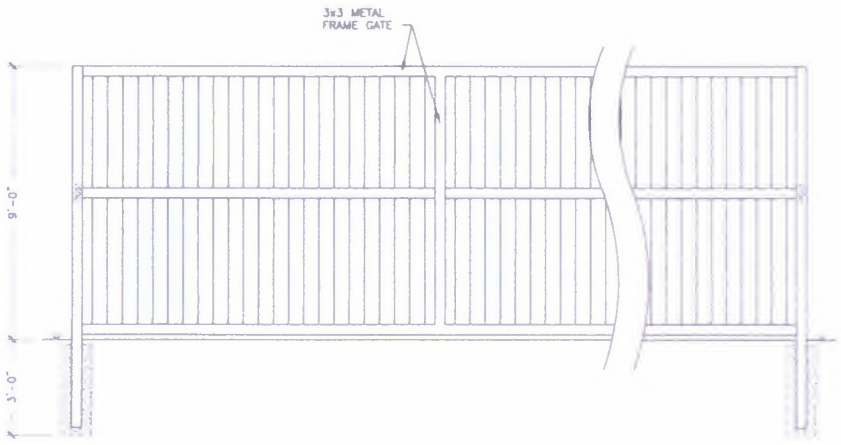
J.T. THOMPSON
R.P.L.S. NO. 4604

BDA234-012



SCALE: 1/16" = 1'-0"

BOA23A-012

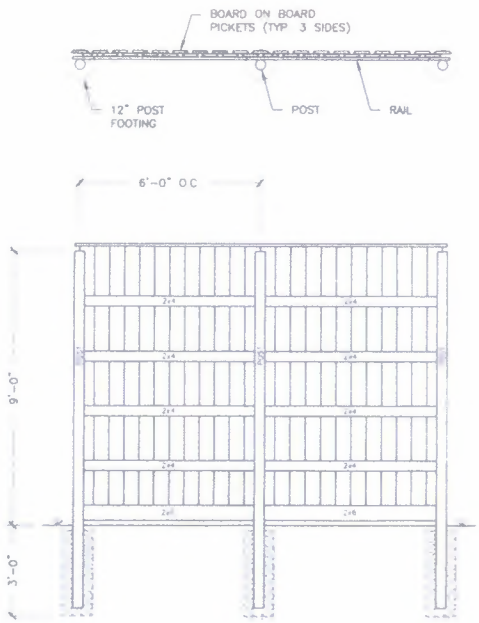


Board on Board

GATE ELEVATION VIEW

SCALE: 1/4" = 1'-0"

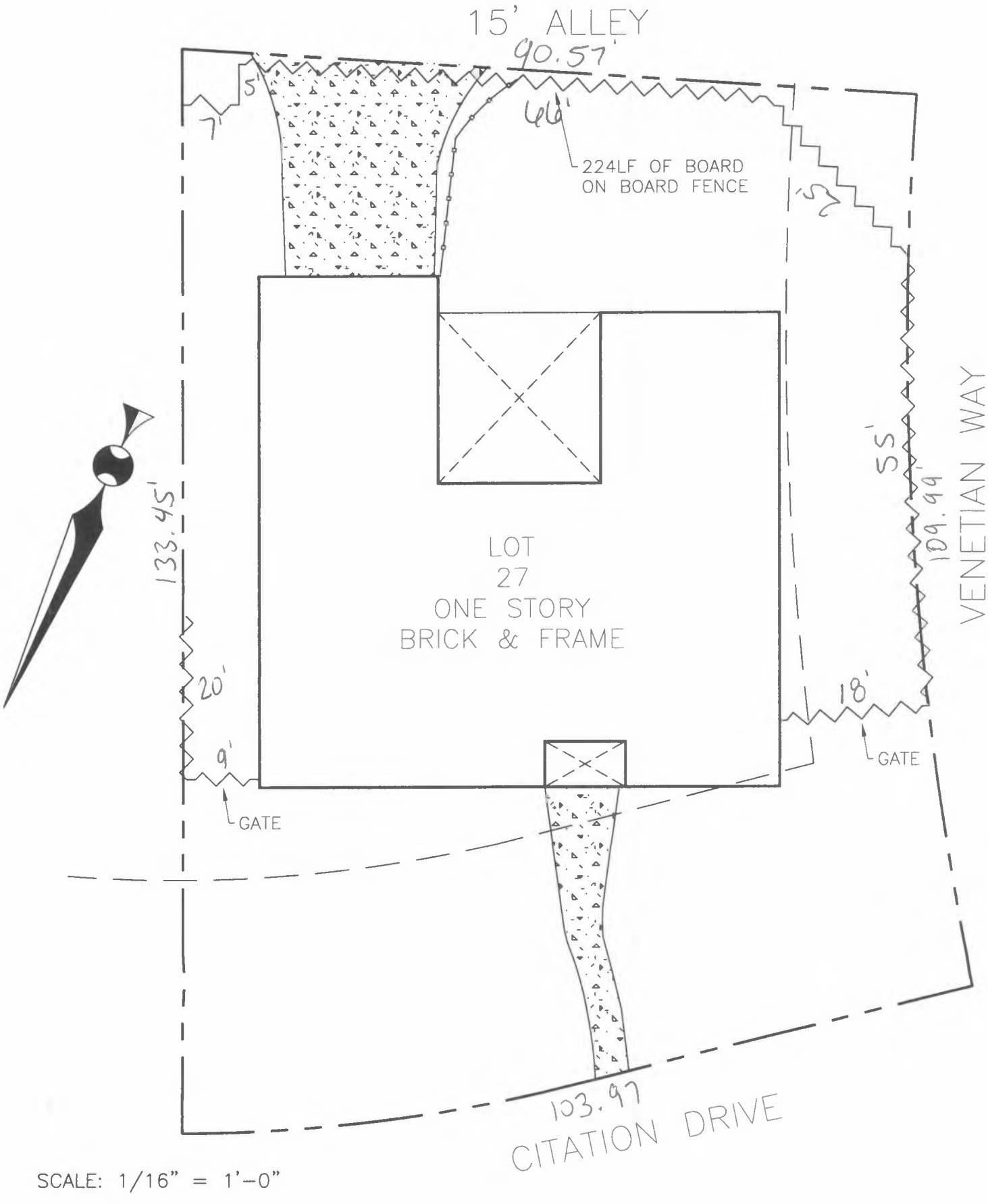
BDA23A-012



ELEVATION VIEW

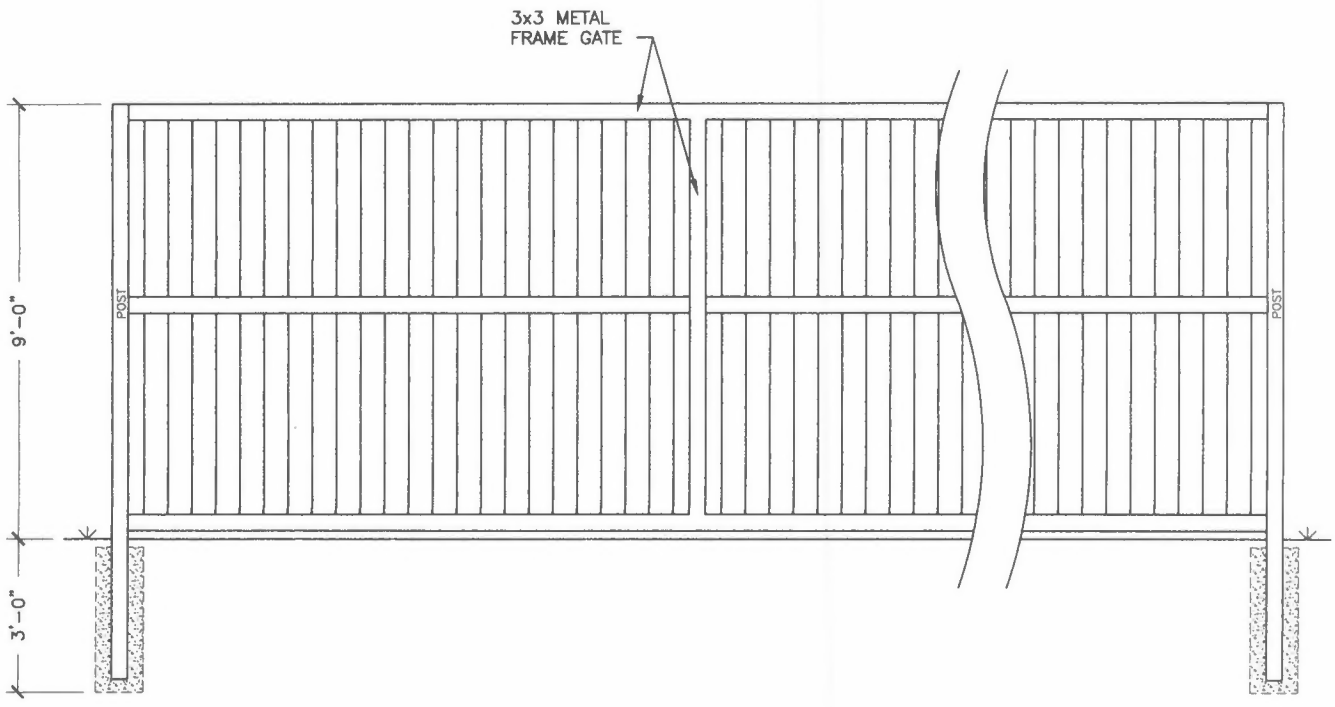
SCALE: 1/4" = 1'-0"

BOA234-012



SCALE: 1/16" = 1'-0"

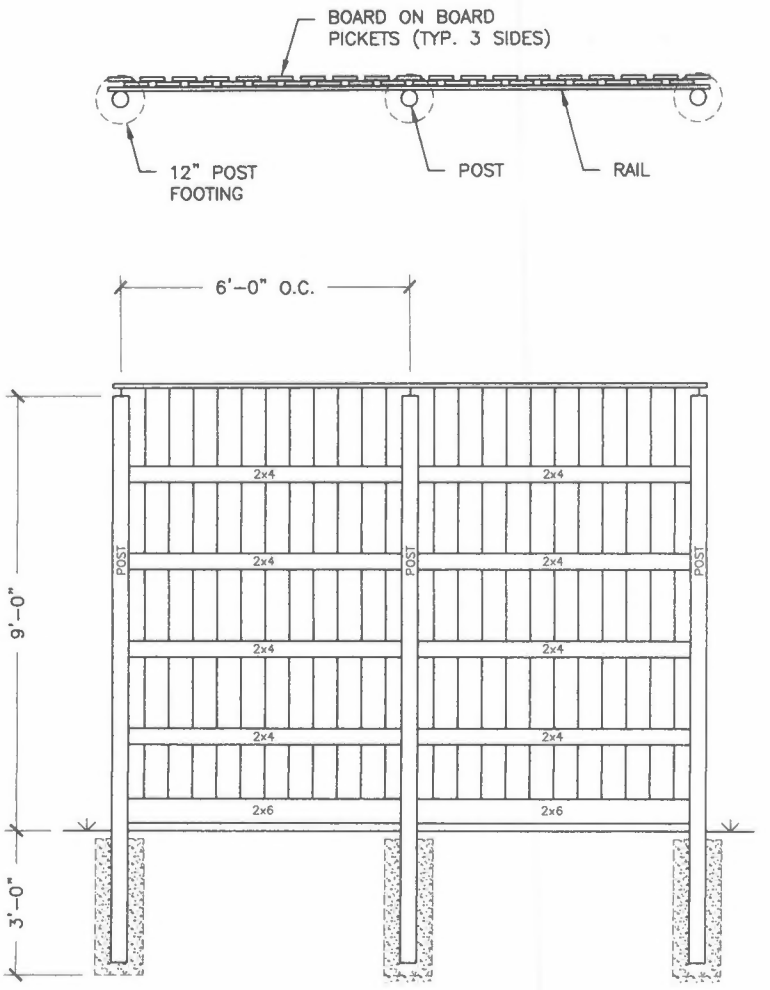
BDA234-012



GATE ELEVATION VIEW

SCALE: 1/4" = 1'-0"

BOA234-012



ELEVATION VIEW

SCALE: 1/4" = 1'-0"

BDA234-012

FILE NUMBER: BDA212-078 (KMH)

BUILDING OFFICIAL'S REPORT: Application of Audra Buckley for (1) a special exception to the parking regulations, and for (2) a special exception to the landscape and tree preservation regulations at 5526 E R L Thornton Fwy. This property is more fully described as lot 6A, block 7/1633 and is zoned CR, which requires parking to be provided, and landscape to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for motor vehicle fueling station, restaurant without drive-in or drive-through service use, and a general merchandise or food store 3500 square feet or less use, and provide 22 of the required 26 parking spaces, which will require a (1) 4-space special exception (.15% reduction) to the parking regulations. The applicant proposes to construct and/or maintain a nonresidential structure which requires mandatory landscaping and provide a revised alternate landscape plan, which will require (2) a special exception to the landscape regulations.

LOCATION: 5526 E R L Thornton FWY

APPLICANT: Audra Buckley

REQUEST:

(1) A request for a special exception to the off-street parking regulations; and
(2) A request for a special exception to the landscape regulations.

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

Section 51A-4.311 of the Dallas Development Code states the following:

1) The Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article *if the board finds*, after a public hearing, that *the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.* The maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(A). For the commercial amusement (inside) use and the industrial (inside) use, the maximum reduction authorized by this section is 75 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). For office use, the maximum reduction authorized by this section is 35 percent or one space, whichever is greater, minus the number of parking

spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). Applicants may seek a special exception to the parking requirements under this section and an administrative parking reduction under Section 51A-4.313. The greater reduction will apply, but the reduction may not be combined.

2) In determining whether to grant a special exception, the board shall consider the following factors:

   (A) The extent to which the parking spaces provided will be remote, shared, or packed parking.

   (B) The parking demand and trip generation characteristics of all uses for which the special exception is requested.

   (C) Whether or not the subject property or any property in the general area is part of a modified delta overlay district.

   (D) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.

   (E) The availability of public transit and the likelihood of its use.

   (F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.

3) In granting a special exception, the board shall specify the uses to which the special exception applies. A special exception granted by the board for a particular use automatically and immediately terminates if and when that use is changed or discontinued.

4) In granting a special exception, the board may:

   (A) Establish a termination date for the special exception or; otherwise provide for the reassessment of conditions after a specified period of time;

   (B) Impose restrictions on access to or from the subject property; or

   (C) Impose any other reasonable conditions that would have the effect of improving traffic safety or lessening congestion on the streets.

5) The board shall not grant a special exception to reduce the number of off-street parking spaces required in an ordinance granting or amending a specific use permit.

6) The board shall not grant a special exception to reduce the number of off-street parking spaces expressly required in the text or development plan of an ordinance establishing or amending regulations governing a specific planned development district. This prohibition does not apply when:

(A) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes references to the existing off-street parking regulations in Chapter 51; or

(B) the regulations governing that specific district expressly authorize the board to grant the special exception.

STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPING AND TREE MITIGATION:

Section 51A-10.110 of the Dallas Development Code states the board may grant a special exception to the requirements of this article upon making a special finding from the evidence presented that strict compliance with the requirements of this article will unreasonably burden the use of the property; the special exception will not adversely affect neighboring property; and the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council. In determining whether to grant a special exception under Subsection (a), the board shall consider the following factors:

- The extent to which there is residential adjacency.
- The topography of the site.
- The extent to which landscaping exists for which no credit is given under this article.
- The extent to which other existing or proposed amenities will compensate for the reduction of landscaping. (Ord. Nos. 22053; 25155)

STAFF RECOMMENDATION:

Special Exception:
No staff recommendation is made on this or any request for a special exception to the off-street parking regulations since the basis for this type of appeal is when in the opinion of the board, the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.

No staff recommendation is made on this or any request for a special exception to the landscape 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.

BDA HISTORY:
No BDA History found within the last 5 years.

Zoning:

Site: CR (Community Retail)
North: RR (Regional Retail)
South: PD 136 and P(A)
East: CR and P(A) (Community Retail and Parking)
West: CR (Community Retail)

Land Use:
The subject site is developed with a convenience store. The surrounding properties are developed with some retail uses and single-family residential homes.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a special exception to the off-street parking regulations of 4 spaces is made to construct and/or maintain a nonresidential structure for retail, motor vehicle fueling station, and personal service uses. The applicant proposes to provide only 22 of the 26 required parking spaces, resulting in the need for a .15% reduction in the parking space requirements.
- The applicant is also requesting a special exception to the landscaping requirements of Article X with the approval of a revised alternate landscape plan (SP-03) dated 12/21/23. The property owner proposes to add to the existing conditions which will impose landscaping regulations to the active site. The site will be amended with added landscaping areas and plants but will not fully conform with landscape regulations, per Chief Arborist Phil Erwin.
- As gleaned from the submitted site and landscape plan, the applicant is proposing to expand the existing convenience store. The existing 3200 sq. ft convenience store will now include an 800 sq. ft addition to be used as a quick service restaurant.
- The proposed site plan illustrates the addition to the existing store and the proposed 22 parking spaces.
- The proposed landscape plan includes landscape areas along the street frontage with trees and shrubs indicated on the plan but not identified by species or size. The southern perimeter with residential adjacency includes new small tree and shrub plantings that are proposed within a new partial buffer zone. Additionally, Shumard red oaks (large trees) are proposed along the highway frontage along with small trees and shrubs in the partial buffer zone.
- Granting the proposed 4-space special exception to the off-street parking regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
- Additionally, granting the special exception to the landscape and tree mitigation regulations with a condition that the applicant complies with the submitted site and landscape plan, would require the proposal to be constructed as shown on the submitted documents.
- The Chief arborist has no objection to the proposed revised alternate landscape plan.
- https://youtu.be/2byQX0fTnLI (200' Radius Video)

Timeline:

September 11, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 2, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

October 4, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 23, 2023, deadline to submit additional evidence for staff to factor into their analysis; and November 3, 2023, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 19, 2023: A site visit was conducted on October 19th by the Senior Planner;

During the site visit, the notification signs were not properly posted.

The Senior Planner sent email to applicant regarding this issue.

October 23, 2023: The applicant emailed the Senior Planner with pictures of the

Notification signs posted properly.

November 1, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

November 3, 2023: The Chief Arborist provided a memo stating, "The chief arborist has no objection to the proposed alternate landscape plan provided the variances that authorize the site conditions are approved by the board. The full application of Article X would unreasonably burden the use of the property. As a condition, I recommend the required planting conditions of Section 51A-10.125 be applied for all trees

and shrubs identified on the alternate landscape plan. All trees on the landscape plan shall be ‘large’ or ‘medium’ trees and all shrubs shall be ‘large evergreen shrubs’.”

November 14, 2023: The applicant requested to postpone their application until the January 16th hearing for Panel A.

December 22, 2023: The applicant submitted revised drawings.

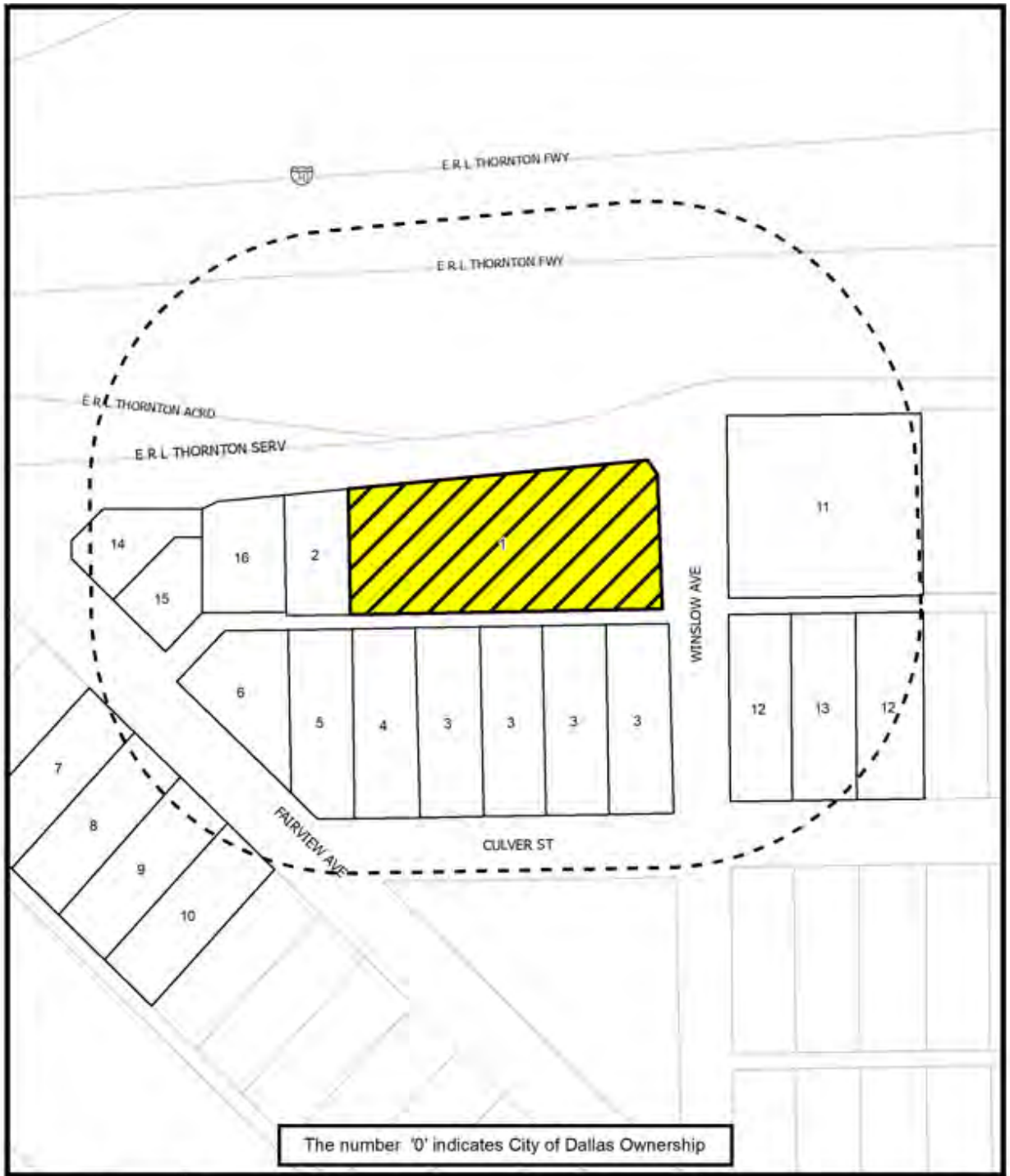
December 28, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Interim Chief Planner/Board Administrator, the Development Services Senior Plans Examiner the Assistant City Attorney to the Board, the Senior Planner, Chief Arborist, Transportation Engineer and Zoning staff.

1:1,200

AERIAL MAP

Case no: BDA212-078

Date: 10/5/2023



1:1,200

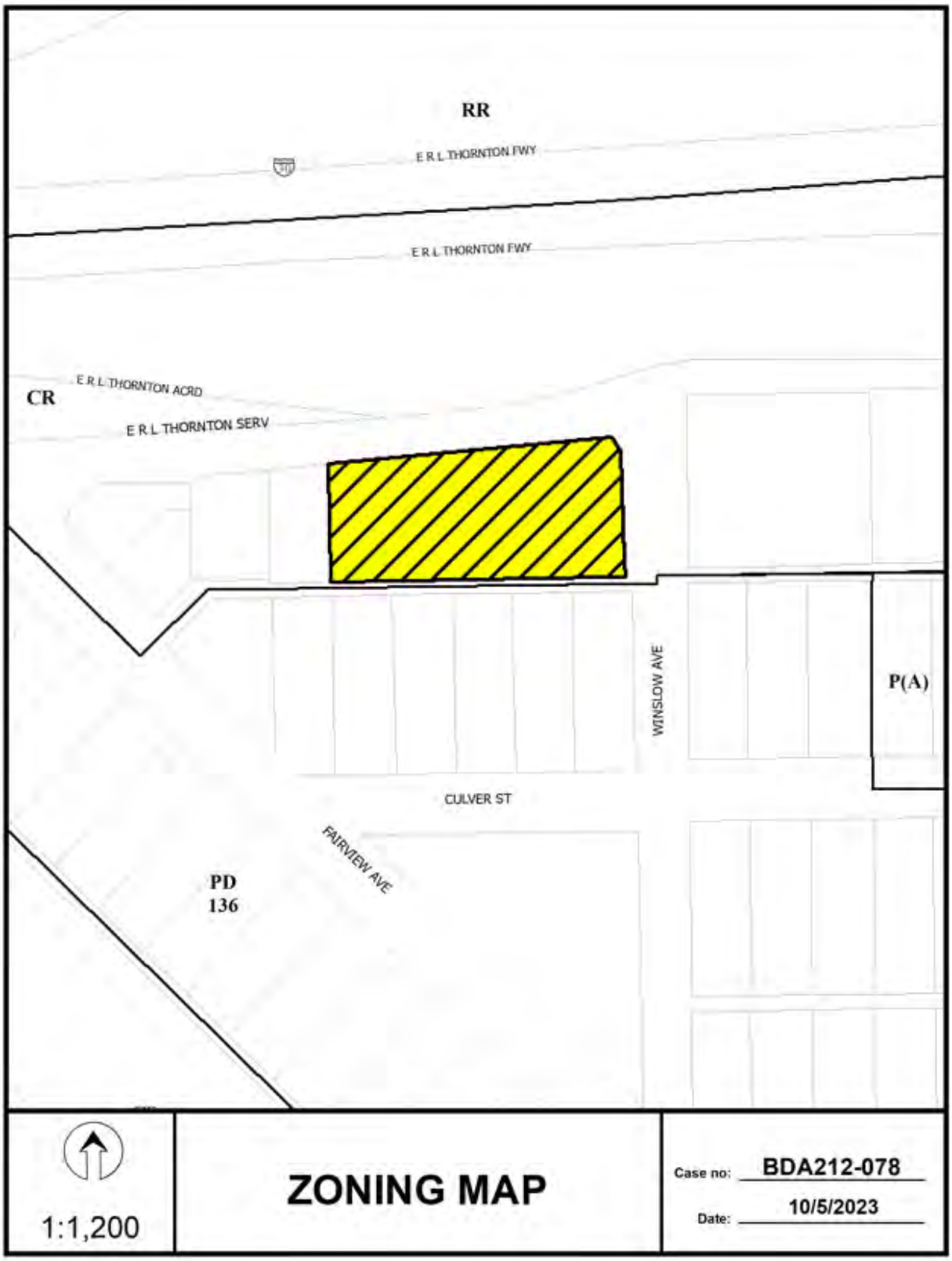
NOTIFICATION

200' AREA OF NOTIFICATION

16 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA212-078

Date: 10/5/2023


RR
E R L THORNTON FWY
E R L THORNTON FWY
CR
E R L THORNTON ACRD
E R L THORNTON SERV
WINSLOW AVE
P(A)
CULVER ST
FAIRVIEW AVE
PD
136
1:1,200
ZONING MAP
Case no: BDA212-078
Date: 10/5/2023

10/05/2023

Notification List of Property Owners

BDA212-078

16 Property Owners Notified

Label #	*Address*		*Owner*
1	5526	E R L THORNTON FWY	MODERN PYRAMIDS INC
2	5506	E R L THORNTON FWY	RIDGLEA COMPLEX MGMT INC
3	5523	CULVER ST	GALLEGOS RAFAEL
4	5507	CULVER ST	CARRILLO RUPERTO & DORA
5	1334	FAIRVIEW AVE	NGUYEN THANH
6	1330	FAIRVIEW AVE	JOHNSON ZEON SMITH
7	1327	FAIRVIEW AVE	WINSTED HOMES LLC
8	1329	FAIRVIEW AVE	GARCIA GUADALUPE
9	1335	FAIRVIEW AVE	LAI CHI WAI
10	1339	FAIRVIEW AVE	TEMASEK DEVELOPMENT GROUP LLC
11	5606	E R L THORNTON FWY	M&V PROPERTIES LLC
12	5611	CULVER ST	ALVAREZ MAURO & SOLEDAD
13	5607	CULVER ST	ALVAREZ MAURO &
14	1320	FAIRVIEW AVE	Taxpayer at
15	1324	FAIRVIEW AVE	Taxpayer at
16	5502	E R L THORNTON FWY	RIDGLEA COMPLEX MGMT INC

200’ Radius Map

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-078 (revised)

Data Relative to Subject Property: Date: 9/11/23

RECEIVED SEP 11 2023 BY:

Location address: 5526 E. R. L. Thornton FWY Zoning District: CR

Lot No.: 6A Block No.: 7/1633 Acreage: 0.6054 Census Tract: 48113002500

Street Frontage (in Feet): 1) 248.95 2) 116 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Modern Pyramids, Inc. - Mark Barakat

Applicant: Audra Buckley Telephone: 214.686.3635

Mailing Address: 1414 Belleview Street, Ste 150 Zip Code: 75215

E-mail Address: permitted.development.dfw@gmail.com

Represented by: Permitted Development, LLC Telephone: 214.686.3635

Mailing Address: 1414 Belleview Street, Ste 150 Zip Code: 75215

E-mail Address: permitted.development.dfw@gmail.com

Affirm that an appeal has been made for a ~~Variance~~ ☒ or Special Exception ☑ of

Special Exception ABB

~~Variance to the~~ off-street parking requirements for a reduction of ~~37.5%~~ 23.1% or ~~12~~ 14 of the required ~~32~~ 26 spaces, ~~variance of 20' to the side yard setback required adjacent to the alley~~, and a landscape special exception. ABB

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:

These request will not adversely impact surrounding properties. With regards to the parking reduction, please see submitted traffic analysis. Due to existing conditions of the block plus existing, solid, residential fences south of the alley, the reduction of the side yard setback to 0' will not adversely impact neighbors to the south. Additionally, solid screening is proposed along the alley as part of the alternate landscape plan provided in lieu of Article X.

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 Audra Buckley

(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: Audra Buckley

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 11 day of September, 2023

Destinee McNeal

Notary Public in and for Dallas County, Texas

DESTINEE MCNEAL
Notary Public
STATE OF TEXAS
ID# 13433588-8
My Comm. Exp. 05/01/2027

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	Audra Buckley
represented by	Permitted Development
did submit a request	for (1) a special exception to the parking regulations, and for (2) a special exception to the landscaping regulations
at	5526 E R.L. Thornton Hwy

BDA212-078(KMH) Application of Audra Buckley for (1) a special exception to the parking regulations, for (2) a special exception to the Landscape and tree preservation regulations at 5526 East R. L. Thornton Frwy. This property is more fully described as lot 6A, block 7/1633 and is zoned CR, which requires parking to be provided, and Landscape to be provided. The applicant proposes to construct and/or maintain a non-residential structure for a motor vehicle fueling station, restaurant without drive-in or drive-through service use, and a general merchandise or food store 3500 square feet or less use, and provide 22 of the required 26 parking spaces, which will require a (1) 4-space special exception (15% reduction) to the parking regulation. The applicant proposes to construct and/or maintain non-residential structure which requires mandatory landscaping and provide a revised alternate landscape plan, which will require (2) a special exception to the landscape regulations.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-078

I, Modern Pyramids, Inc. - Mark Barakat, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5526 E. R. L. Thornton FWY
(Address of property as stated on application)

Authorize: Permitted Development, LLC - Audra Buckley
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

X Variance (specify below)

X Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: Variance to the off-street parking requirements for a reduction of ~~37.5%~~ 41.1 or ~~12~~ .14 of the required 32 34 spaces, variance of 20' to the side yard setback required adjacent to the alley, and a landscape special exception.

MARK BARAKAT
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 9/11/23

Before me, the undersigned, on this day personally appeared Mark Barakat

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

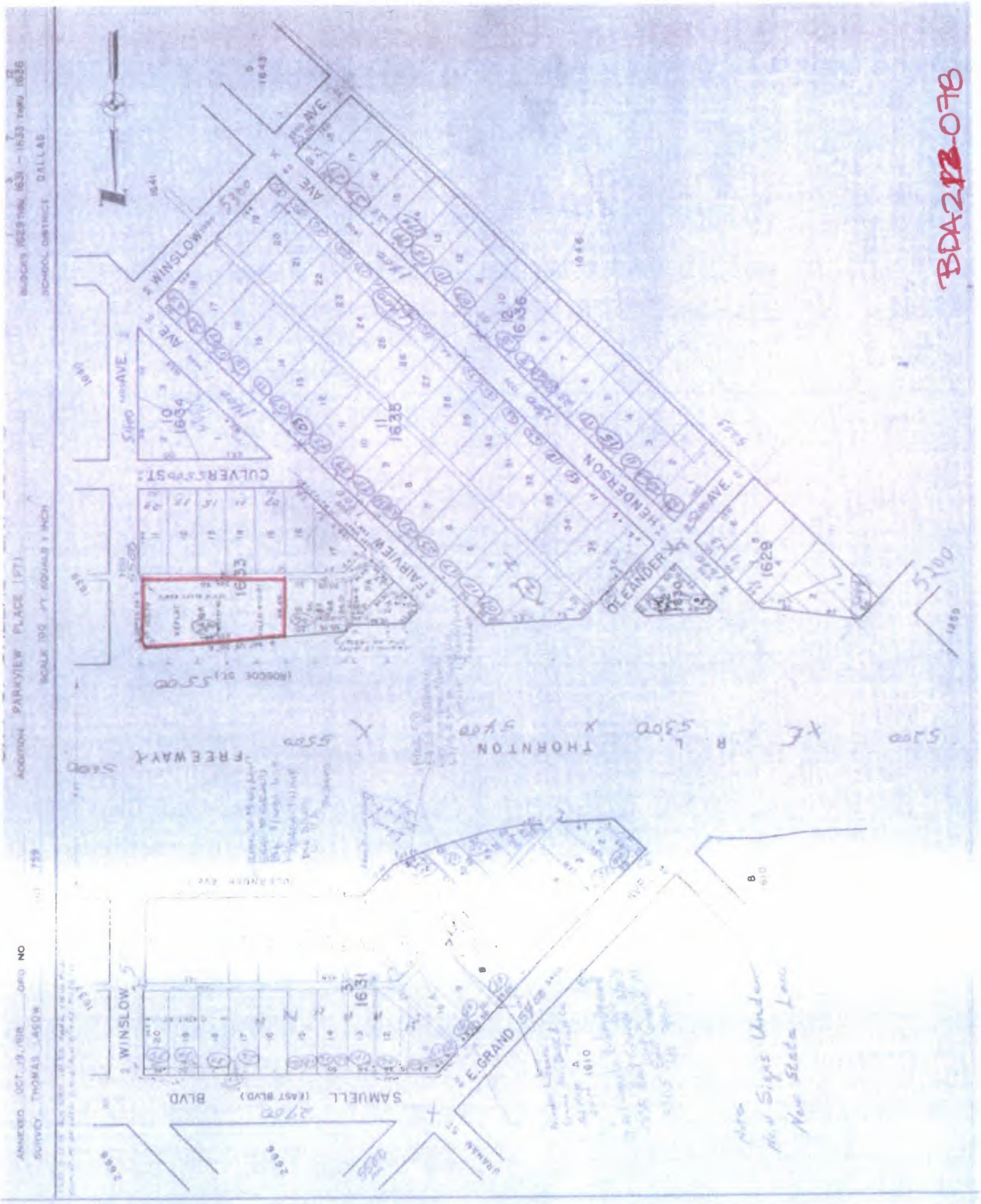
Subscribed and sworn to before me this 11 day of September 2023

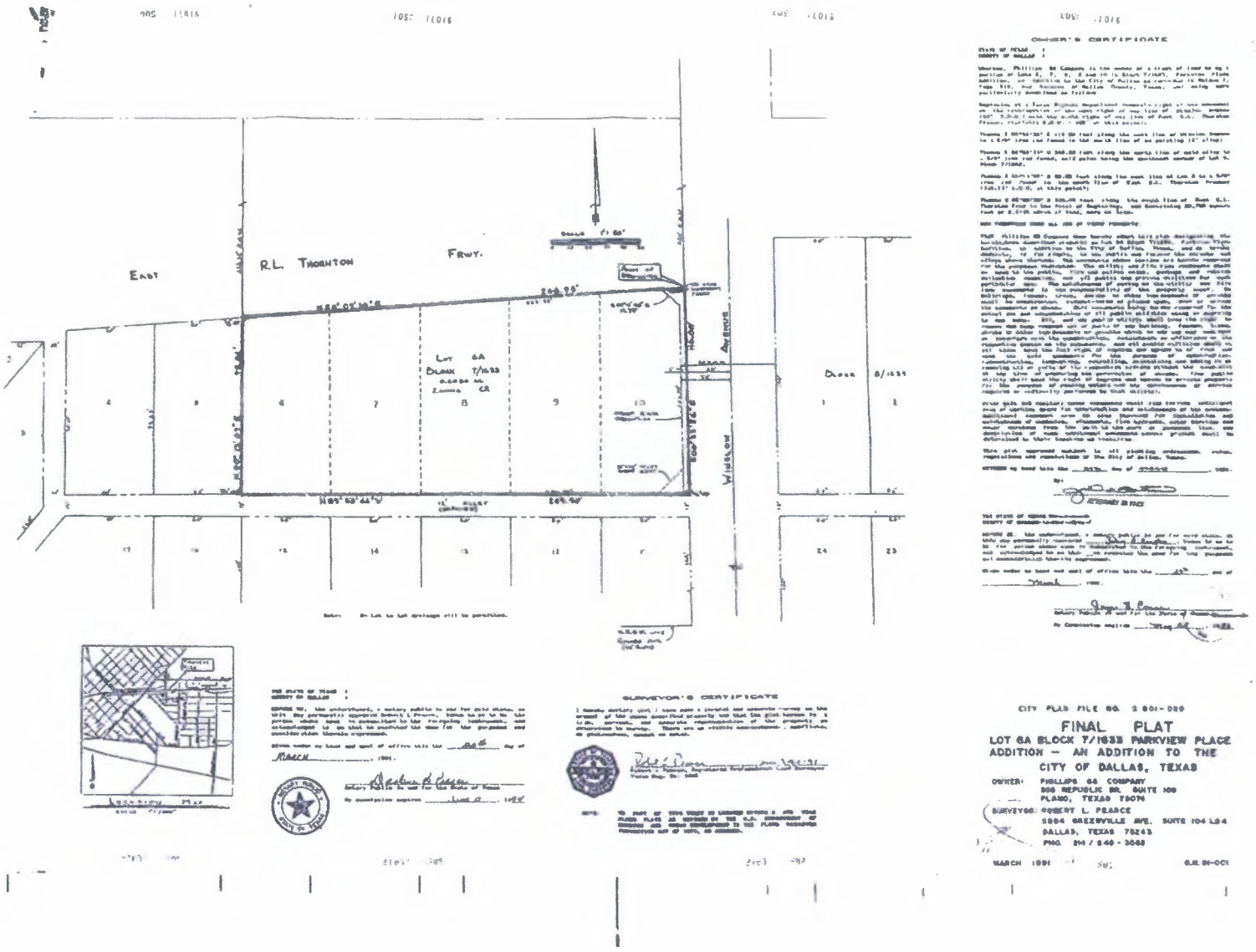
Destinee McNeal
Notary Public for Dallas County, Texas

DESTINEE MCNEAL
Notary Public
STATE OF TEXAS
ID# 13433588-8
My Comm. Exp. 05/01/2027

Commission expires on 05/01/2027

12


BDA218-078
ADDITION PARKVIEW PLACE (PT)
SCALE 100 FT. EQUALS 1 INCH
SCHOOL DISTRICT DALLAS
ANNEXED OCT. 19, 1918 ORD NO
SURVEY THOMAS LASOW
WINSLOW
AVE
CULVER ST.
FAIRVIEW
HENDERSON
OLEANDER
THORNTON
FREEWAY
SAMUELL
BLVD
E. GRAND
1631
1633
1634
1635
1636
1628
5300
5200
2700


OWNER'S CERTIFICATE
SURVEYOR'S CERTIFICATE
CITY PLAN FILE NO. S 901-020
FINAL PLAT
LOT 6A BLOCK 7/1633 PARKVIEW PLACE ADDITION — AN ADDITION TO THE CITY OF DALLAS, TEXAS
OWNER: PHILLIPS 66 COMPANY
500 REPUBLIC DR. SUITE 100
PLANO, TEXAS 75074
SURVEYOR: ROBERT L. PEARCE
3004 GREENVILLE AVE. SUITE 104 LB4
DALLAS, TEXAS 75243
PHO. 214 / 340 - 3068
MARCH 1991
EAST
R.L. THORNTON
FRWY.
LOT 6A
BLOCK 7/1633
WHITEHOUSE
AVENUE
BLOCK 8/1633

BDA213-078

Documentary Evidence for Setback Variance Request:

(i) 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;

The property is zoned CR with property to the south of the alley being zoned PDD 136 - residential zoning. The Dallas development code requires a 20' setback wherever CR properties are located adjacent to or across an alley from a residential zoning district. The purpose is to provide a buffer between two different use types, which is sometimes done with landscaping/living screen. However, as shown in these two photos, existing conditions show both sides of the alley are lined with solid screening/fencing. Any improvements made to the subject site would not be visible.

Additionally, none of the residents across the alley from the subject use the alley for access. Parking occurs on-street or in their respective driveways as shown:

BDA203-078

Therefore, we do not believe a reduction in the setback along the alley will be contrary to the public interest but would result in an unnecessary hardship in the development of the subject site due to its depth of approximately 97' at the narrowest point. Compliance would result in a loss of 20' of depth which would further hinder development commensurate with other CR zoned parcels along RL Thornton. As described in the next section, most all the structures along RL Thornton are shown immediately adjacent to their respective alleys.

(ii) 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

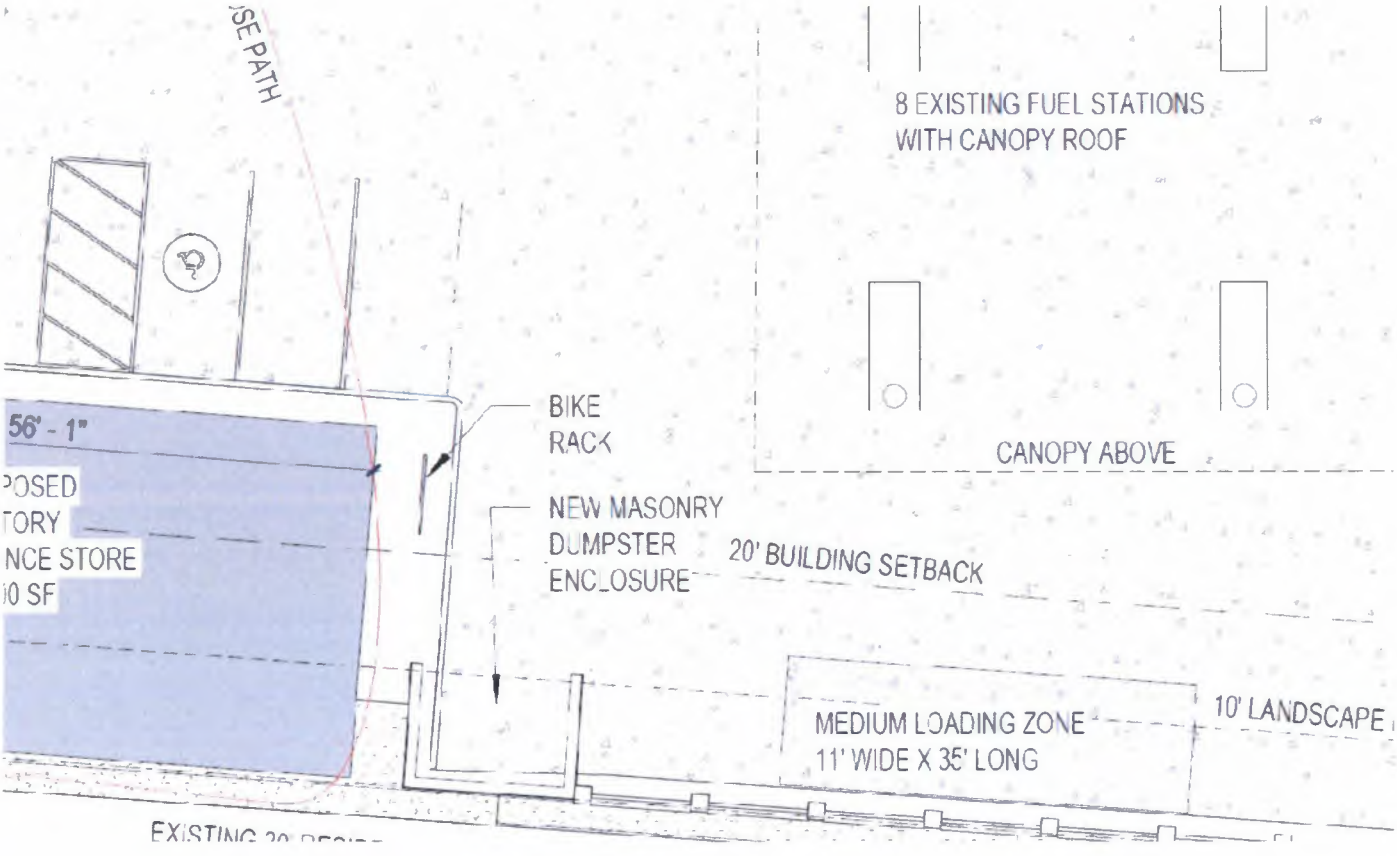
The undeveloped portion of the subject site is approximately 97' deep at the narrowest point. This is not a common condition for RL Thornton as shown in the following image. The purpose of a setback is to establish a consistent appearance within a particular zoning designation. There is no continuity in this segment of the freeway as most of the buildings are older and setback to the property line.

Properties to the east of Winslow have depths of approximately 140' – 145'representing an additional 50' in depth than most of the subject site. Without this variance to the setback, the property cannot be developed in a manner commensurate with other properties along RL Thornton. The Shell station to the east of Winslow has the same zoning and code requirements as the subject site but due to their additional depth, they were able to comply.

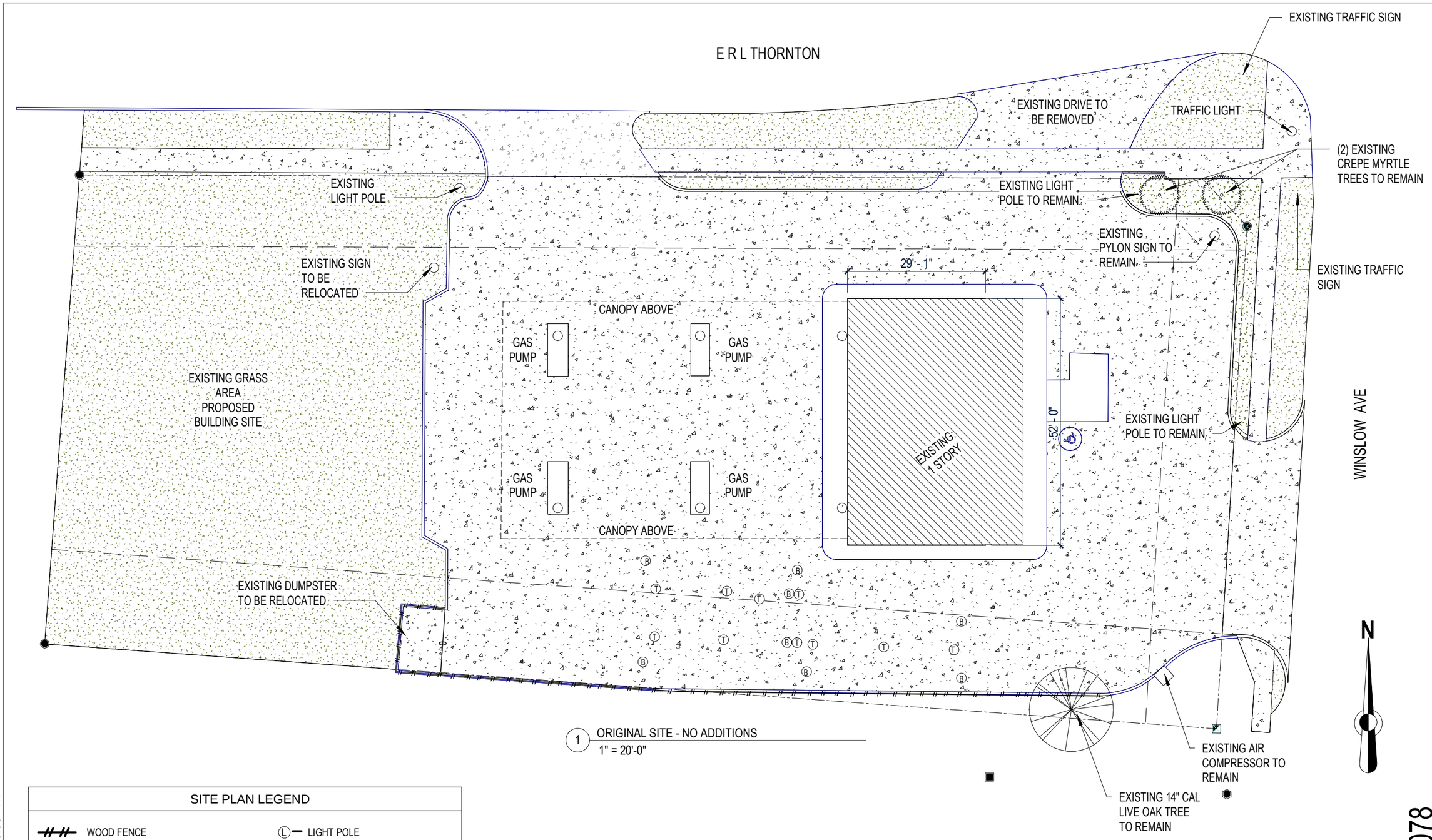
BDA212-078

(iii) the variance is not granted to relieve a self-created or personal hardship, nor for financial reasons only, except as provided in Subparagraph (B)(i), 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 property has been in this configuration for decades. The variance request would align with existing conditions along RL Thornton Fwy to the east and the adjacent building to the west of the subject site. Application of the 20' setback with a 10' landscape buffer would render the existing use completely non-compliant as the area between the fuel canopy and the property line is needed for traffic circulation of passenger and commercial vehicles. Furthermore, compliance with these requirements would also severely restrict, if not prohibit, development of the vacant, westernmost portion of the property due to the reduction of lot depth by 20' adjacent to the alley and a reduction of 10' along the freeway for street improvements. A landscape special exception regarding the street improvements and other Article X requirements is also requested and will be addressed separately.



BOA2023-078



1 ORIGINAL SITE - NO ADDITIONS
1" = 20'-0"

SITE PLAN LEGEND

- WOOD FENCE
- CHAIN LINK
- MRD — MONUMENTS OF RECORD DIGNITY
- (B) — OBSERVATION WELL
- (G) — GAS METER
- (W) — WATER METER
- (L) — LIGHT POLE
- (MH) — MAN HOLE
- (E) — ELECTRIC
- (T) — UNDERGROUND TANK
- (V) — WATER VALVE

CASE # 212-078

BSDG
401 Pinson Road
Forney, TX 75126
214.295.5280
www.broadstoneedg.com

No.	Date
1	12/18/2023
2	12/21/2023

CIRCLE K 101 (DALLAS)
NEW QUICK SERVICE RESTAURANT
5526 EAST R L THORNTON FREEWAY
DALLAS, TEXAS 75223

EXISTING SITE PLAN

SP-01

Project number	DIF20-0092
Date	09/15/2023
Drawn by	BSDG
Checked by	BSDG
Scale	As indicated

\\eldafs\G\Shares\Arch\Jobs\Mark Barakat\2020\DIF20-0092_Circle K (Dallas)\9-VARIANCE\options_2023-12-4\BSDG_CD_5526 ERL THORNTON
ADDITION_2023-12-12-C3.rvt
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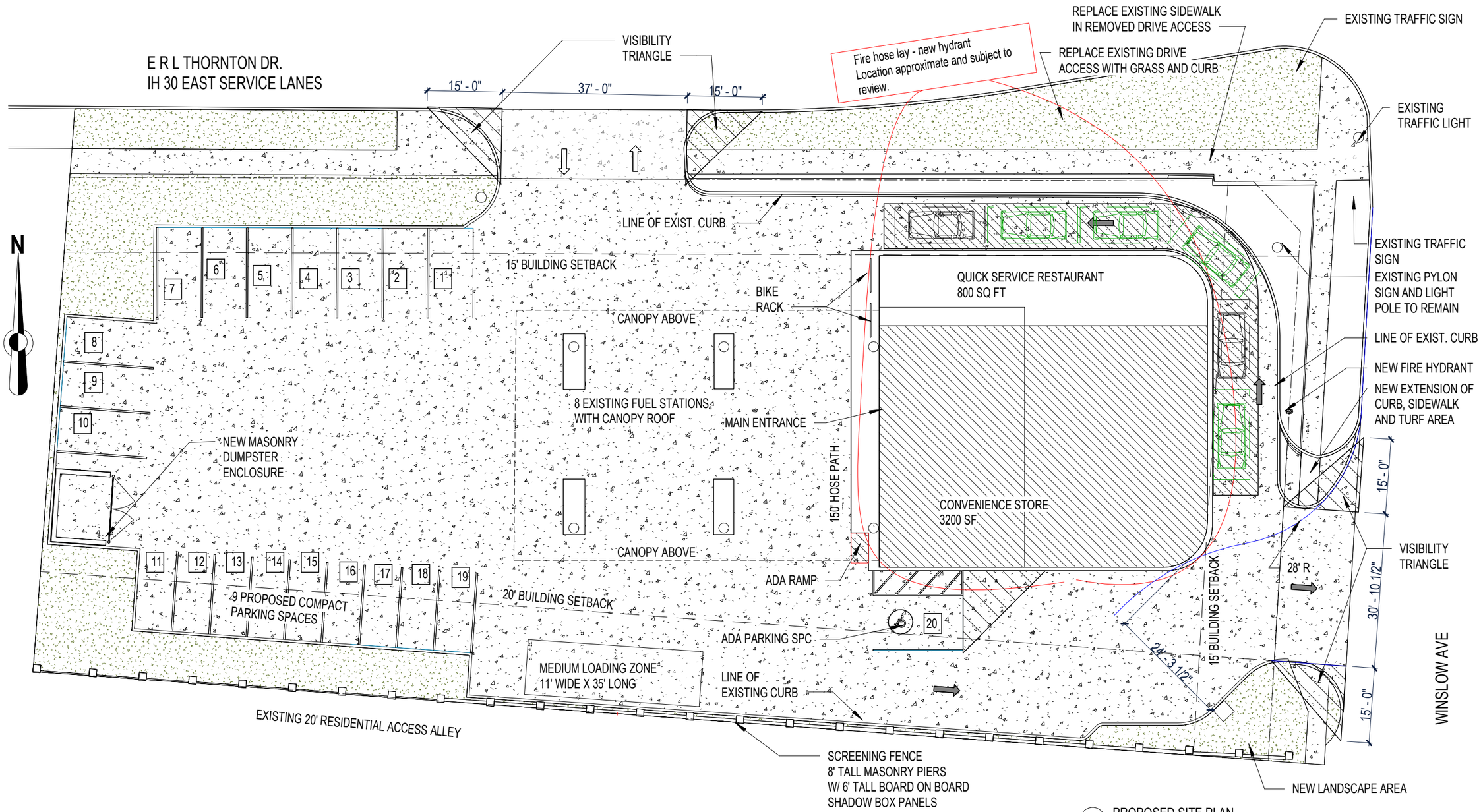

1 PROPOSED SITE PLAN
1" = 20'-0"

SITE PLAN LEGEND

- WOOD FENCE
- CHAIN LINK
- MRD — MONUMENTS OF RECORD DIGNITY
- (B) — OBSERVATION WELL
- (G) — GAS METER
- (W) — WATER METER
- (L) — LIGHT POLE
- (MH) — MAN HOLE
- (E) — ELECTRIC
- (T) — UNDERGROUND TANK
- (V) — WATER VALVE

5526 ERL THORNTON HWY
CIRCLE K AND TACO CASA PARKING CONCEPT

TOTAL SITE AREA	26,302 SQ FT	
EXISTING BUILDING		1,588 SQ FT
BUILDING ADDITION		2,412 SQ FT
TOTAL BUILDING		4,000 SQ FT - 15.2%
TOTAL GREEN SPACE (INCLUDES BUFFER)		6,216 SQ FT - 23.6%
GREEN SPACE WITHIN PROPERTY		4,088 SQ FT - 15.5%
SIDEWALKS		2,205.4 SQ FT - 8%
PAVED AREA (DRIVES & PARKING)		18,598 SQ FT- 71%

ZONING = COMMUNITY RETAIL

PARKING ANALYSIS
CONVENIENCE STORE = 1/200
3,200 SQUARE FEET/ 200 = **16** REQUIRED PARKING
MOTOR VEHICLE FUELING STATION PUMPS = **2** REQUIRED PARKING
QUICK SERVICE RESTAURANT = 1/100 SF
800 SQUARE FEET/ 100 = **8** REQUIRED PARKING

REQUIRED PARKING: 26 SPACES
PROVIDED STANDARD PARKING: 11 SPACES
PROVIDED COMPACT PARKING: 9 SPACES
PROVIDED BICYCLE PARKING: 2 SPACES
TOTAL PROVIDED PARKING: 22 SPACES

CASE # 212-078

BSDG
401 Pinson Road
Forney, TX 75126
214.295.5280
www.broadstoneDG.com

No.	Date
1	12/18/2023
2	12/21/2023

CIRCLE K 101 (DALLAS)
NEW QUICK SERVICE RESTAURANT
5526 EAST R L THORNTON FREEWAY
DALLAS, TEXAS 75223

PROPOSED SITE PLAN

SP-02

Project number DIF20-0092
Date 09/15/2023
Drawn by Author
Checked by Checker
Scale As indicated

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ADDITION_2023-12-12-C3.rvt
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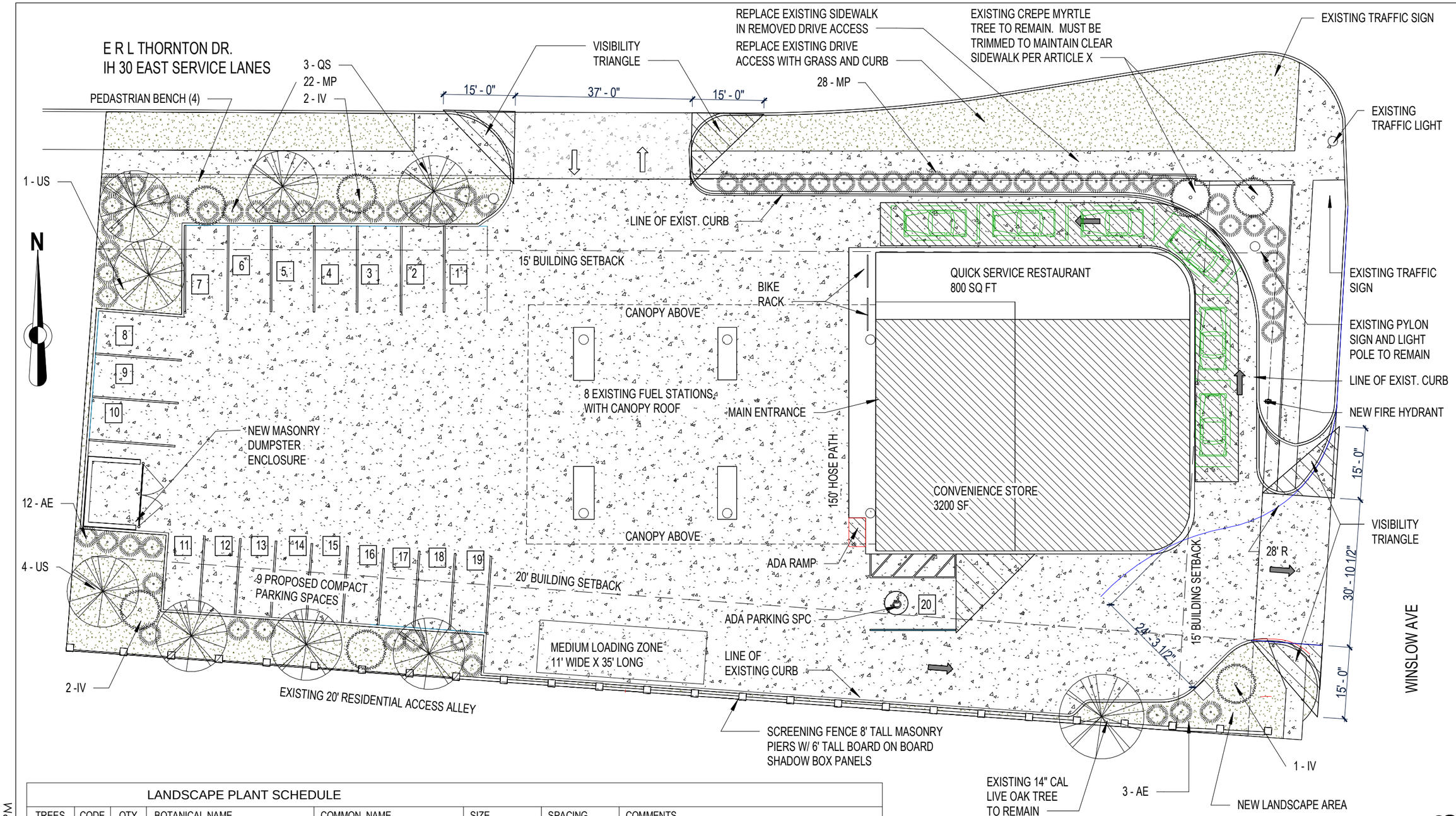

1 PROPOSED LANDSCAPE PLAN
1" = 20'-0"

ZONING = COMMUNITY RETAIL

LANDSCAPE PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
LG	QS	3	QUERCUS SHUMARDII	SHUMARD OAK	3" CAL	AS DRAWN	WATER WISE
MD	US	5	UNGANDIA SPECIOSA	MEXICAN BUCKEYE	2" CAL	AS DRAWN	WATER WISE
SM	IV	3	ILEX VOMITORIA	YAUPON HOLLY	2" CAL	AS DRAWN	WATER WISE
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
	MP	50	MYRICA CERIFERA 'PUMILA'	DWARF WAX MYRTLE	3' HT	3' OC	MAINTAIN HGT PER ARTICLE X SCREENING. WATER WISE
	AE	15	ABELIA x GRANDIFLORA 'EDWARD GOUCHER'	GLOSSY ABELIA	3' HT	3' OC	MAINTAIN HGT PER ARTICLE X SCREENING. WATER WISE

ALL PLANTING SELECTIONS ARE FROM WATER WISE PLANT LIST. (NATURAL BEAUTIES-naturalbeauties_eng)
MULCH AND IRRIGATION SYSTEMS TO ALSO FOLLOW CITY OF DALLAS WATER WISE PROGRAM REQUIREMENTS

BSDG
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Forney, TX 75126
214.295.5280
www.broadstoneeng.com

No.	Date
1	12/18/2023
2	12/21/2023

CIRCLE K 101 (DALLAS)
NEW QUICK SERVICE RESTAURANT
5526 EAST R L THORNTON FREEWAY
DALLAS, TEXAS 75223

CASE # 212-078

PROPOSED LANDSCAPE PLAN

SP-03

Project number DIF20-0092
Date 09/15/2023
Drawn by Author
Checked by Checker
Scale As indicated

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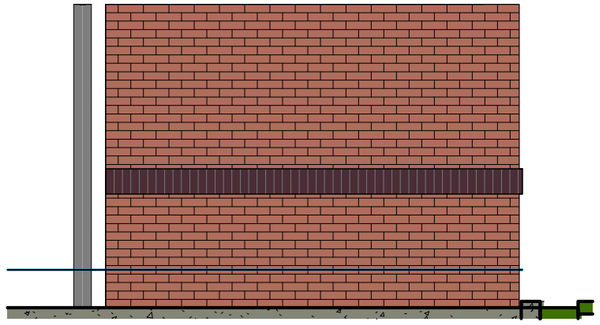
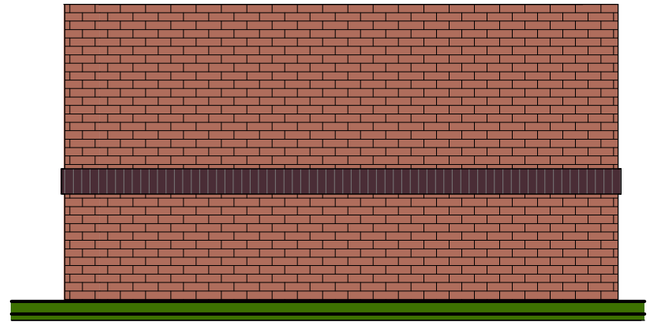
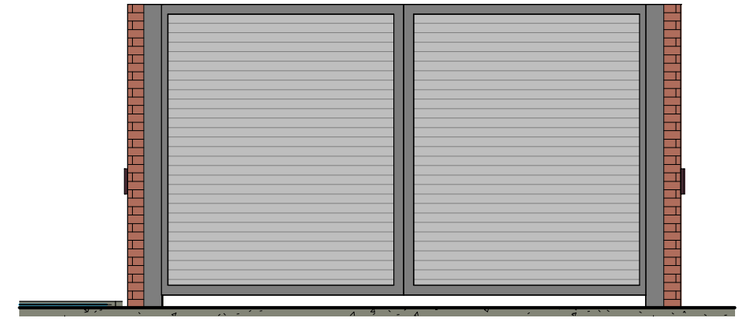
ADDITION_2023-12-12-C3.rvt
Print Date: 12/21/2023 2:46:03 PM



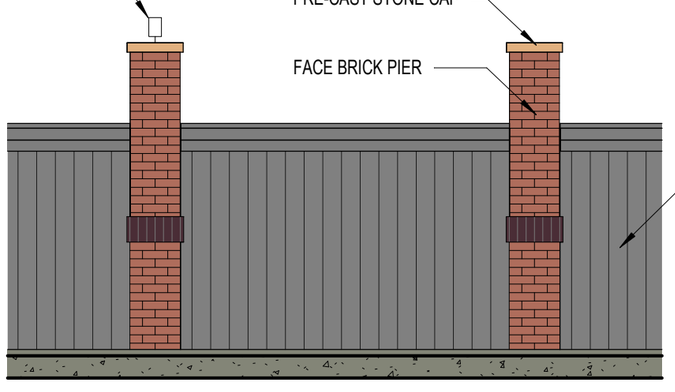
2 DUMPSTER ELEVATION SIDE (NORTH/SOUTH)
1/4" = 1'-0"



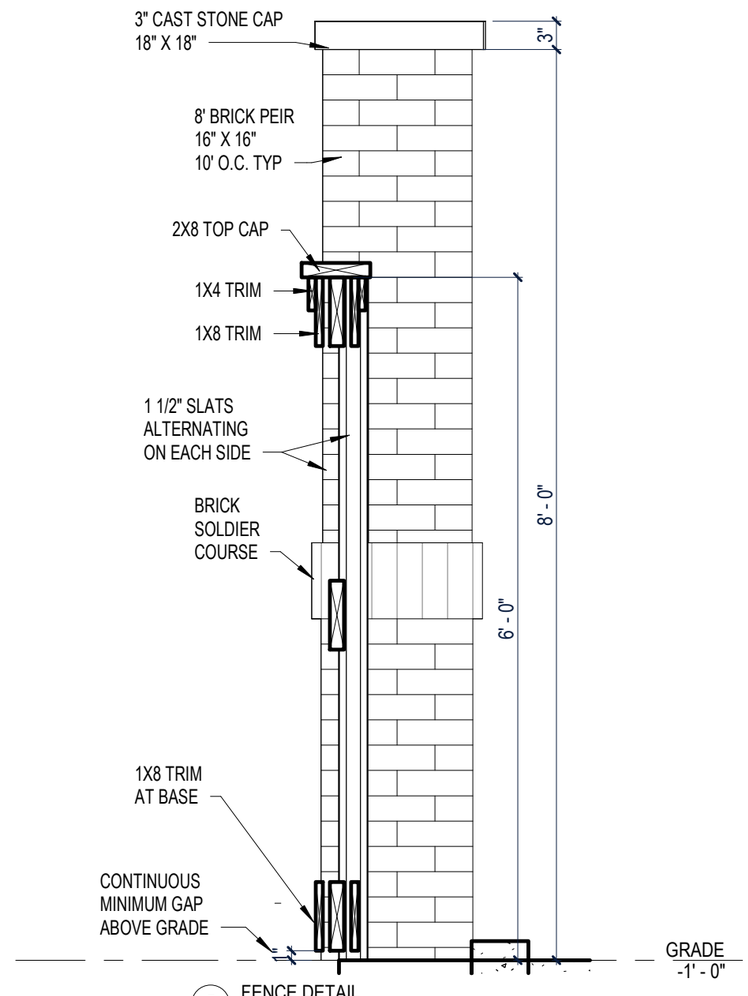
3 DUMPSTER ELEVATION REAR (WEST)
1/4" = 1'-0"



4 DUMPSTER ELEVATION FRONT (EAST)
1/4" = 1'-0"



1 FENCE AND PIER ELEVATION
1/4" = 1'-0"



5 FENCE DETAIL
3/4" = 1'-0"

BSDG
401 Pinson Road
Forney, TX 75126
214.295.5280
www.broadstoneda.com

No.	Date
1	12/18/2023
2	12/21/2023

CIRCLE K 101 (DALLAS)
NEW QUICK SERVICE RESTAURANT
5526 EAST R L THORNTON FREEWAY
DALLAS, TEXAS 75223

CASE # 212-078

PROPOSED SCREENING FENCE AND DUMPSTER DETAILS

SP-04

Project number	DIF20-0092
Date	09/15/2023
Drawn by	Author
Checked by	Checker
Scale	As indicated

Parking Demand Assessment

Circle K and Taco Casa
5526 East R. L. Thornton Fwy
Dallas, Texas

BDA212-078

STATE OF TEXAS
ADRIAN O. MURPHY
85530
REGISTERED
PROFESSIONAL ENGINEER
12-22-2023

Prepared for:
DFW Oil & Energy, LLC

December 2023

LEADERSHIP TRAFFIC SERVICES
Texas Board of Professional Engineers, F-12534

I, Adrian O. Murphy, hereby certify that the information provided in this report is complete and accurate to the best of my knowledge.

Table of Contents

EXECUTIVE SUMMARY ii

INTRODUCTION 1

SITE AND STUDY AREA DESCRIPTION 2

EXISTING AND PROPOSED LAND USE 3

TRANSPORTATION SYSTEM 4

Thoroughfare System 4

SITE TRAFFIC CHARACTERISTICS 5

Proposed Site Trip Generation 5

Parking Generation 6

CONCLUSIONS AND RECOMMENDATIONS 9

List of Tables

Table 1. Proposed Land Use ***3***

Table 2. Trip Generation Rates ***5***

Table 3. Trip Generation Summary for 5626 East R. L. Thornton Freeway ***6***

Table 4. Parking Analysis (5526 East R. L. Thornton Freeway, Dallas) ***6***

Table 5. Peak Parking Analysis (12950 Coit Road, Dallas) ***7***

EXECUTIVE SUMMARY

The development representative retained Leadership Traffic Services to perform a parking demand assessment for the proposed Taco Casa Restaurant that will serve as an addition to an existing Circle K convenience store and gas station located at 5526 East R. L. Thornton Freeway (IH 30 eastbound service road) at Winslow Avenue in Dallas, Texas.

The purpose of the parking demand assessment is to provide technical justification to support a reduction in the number of required parking spaces as regulated by the City of Dallas. The parking demand assessment document will be provided to the City of Dallas staff for technical review to fulfill the associated requirements of the local approval process.

Based on the parking demand assessment performed for the proposed Circle K convenience store and Taco Casa development, the following conclusions and recommendations have been offered in support of allowing a greater reduction to the required parking:

- The proposed development will generate 144 vehicles trips (72 entering and 72 exiting) during the AM peak hour and 163 vehicle trips (83 entering and 80 exiting) during the PM peak hour.
- Driveway access will be served from one existing driveway along East R. L. Thornton Freeway (IH 30) eastbound service road and one existing driveway along Winslow Avenue. A second existing driveway along East R. L. Thornton Freeway (IH 30) eastbound service road will be closed.
- The proposed development requires 26 parking spaces as determined in the City of Dallas Development Code.
- The proposed development will provide 20 total parking spaces, six (6) parking spaces shy of the required amount, creating 23% reduction that would fall within the allowable tolerance of 25% reduction, to be granted a special exception to the parking requirement from the Board of Adjustment (BDA).
- Internal trip capture can create less demand for parking since a single trip can visit more than one land use due to the closeness and interconnectivity of shared driveways and parking.
- A prototypical model located at 12950 Coit Road in Dallas where there is higher concentration of adjacent street traffic does not consume its available on-site parking during peak demands periods of the day.
- A reduction in parking spaces at East R. L. Thornton Freeway (IH 30) and Winslow Avenue to serve the Circle K and Taco Casa development would not create a traffic hazard or cause traffic congestion to the adjacent roadway system.
- Fifteen (15) additional spaces may be realized when considering the drive-through window available queue space and parking at the pump for vehicle fueling operations.

INTRODUCTION

The development representative retained Leadership Traffic Services to perform a parking demand assessment for the proposed Taco Casa Restaurant that will serve as an addition to an existing Circle K convenience store and gas station located at 5526 East R. L. Thornton Freeway (IH 30 eastbound service road) at Winslow Avenue in Dallas, Texas.

The purpose of the parking demand assessment is to provide technical justification to support a reduction in the number of required parking spaces as regulated by the City of Dallas. The parking demand assessment document will be provided to the City of Dallas staff for technical review to fulfill the associated requirements of the local approval process.

SITE AND STUDY AREA DESCRIPTION

The proposed development will be located at 5526 East R. L. Thornton Freeway, southwest of IH 30 and Winslow Avenue in Dallas, Texas. The proposed development will serve as a redevelopment of the existing site that contains a Circle K convenience store and gas station. Access to the site will be served from one driveway along East R. L. Thornton service road and one driveway along Winslow Avenue. A second existing driveway that currently serves the Circle K convenience store and gas station will be closed with the development and addition of the Taco Caso restaurant. A vicinity map is presented in **Figure 1**. The site is bounded by East R. L. Thornton Freeway to the north, commercial and residential to the west, residential to the south, and commercial to the east.

FIGURE 1. VICINITY MAP

EXISTING AND PROPOSED LAND USE

The existing site for the proposed development is currently occupied by the Circle K convenience store and gas station. The existing Circle K convenience store will be renovated and expanded to include a new 3,200 square feet Circle K convenience store and 800 square feet Taco Casa restaurant. The fuel pumps will remain in their existing location and will continue operations as part of the new convenience store. Based on the official zoning map for the City of Dallas, the property is currently zoned as CR – Community Retail. The adjacent properties in the immediate vicinity of the proposed development are zoned as CR – Community Retail. The proposed development will be constructed as a single phase with a completion date for 2023. The proposed land use for the development is presented below in **Table 1**.

Table 1. Proposed Land Use

Land Use	Size	Unit
Fast-Food Restaurant with Drive-Through Window	0.8	1,000 SF
Convenience Store / Gas station	3.2	1,000 SF
	8	Vehicle fueling positions

TRANSPORTATION SYSTEM

Thoroughfare System

The following is a general description of the major thoroughfares within the study area as they exist today.

East R. L. Thornton (IH 30) Eastbound Service Road is directly north of the proposed development and is a three-lane, one-way roadway that runs in an east direction with a speed limit of 40 MPH . The roadway is considered a TxDOT roadway and is not characterized on the City of Dallas Thoroughfare Plan. Two (2) existing driveways serve the property of the proposed development. One driveway will be removed with the proposed development. Historical traffic data from NCTCOG indicates 8,000 vehicles per day travel along East R. L. Thornton (IH 30) eastbound service road.

Winslow Avenue is located east of the proposed development and is two-lane undivided roadway. A speed limit posting was not observed along Winslow Avenue. The roadway is characterized on the City of Dallas Thoroughfare Plan as a C – Community Collector roadway, minimum four-lane undivided (M-4-U). One existing driveway serves the property of the proposed development and will serve the proposed development. Historical traffic data from NCTCOG indicates 4,000 vehicles per day travel along Winslow Avenue near East R. L. Thornton (IH 30) freeway.

SITE TRAFFIC CHARACTERISTICS

Proposed Site Trip Generation

The number of trips generated by the Circle K convenience store and Taco Casa development is a function of the type and quantity of land use for the development. The number of vehicle trips generated by the proposed development was estimated based on ITETripGen, a web-based app that incorporates the latest trip generation rates and equations provided in the publication entitled *Trip Generation Manual, Eleventh Edition*, by the Institute of Transportation Engineers (ITE). Estimates of the number of trips generated by the site were made for the AM and PM peak hour, as well as daily. **Table 2** provides the estimated rates and equations along with the entering and exiting distribution splits. Due to the nature of the proposed development and the mix of land uses being considered, some trips generated by the development would be contained within the site as an internal trip capture. When combined within a single mixed-use development, these land uses tend to interact and thus attract a portion of each other's trip generation. The recommended methodology for internal trip capture reduction is based on using the NCHRP Report 684 and has been applied to the Circle K convenience store and Taco Casa development. A summary of the total number of trips that are projected to be generated by the proposed development during typical daily, AM and PM time periods is shown in **Table 3**. The number of trips generated represents the number of vehicles entering and exiting the proposed development to and from the adjacent roadway system. Supporting documentation from the ITE Trip Generation Manual has been included in the appendix. Based on the site traffic that would access the proposed development from the adjacent roadway system, traffic congestion is not likely to occur.

Table 2. Trip Generation Rates

Land Use Description	Unit	Daily		AM Peak Hour		PM Peak Hour	
		Rate / Eq.	Split	Rate	Split	Rate	Split
Fast-Food Restaurant with Drive-Through Window	1000 SF	467.48	50% In 50% Out	44.61	51% In 49% Out	33.03	52% In 48% Out
Convenience Store / Gas Station (2-8 VFP)	1000 SF	624.20	50% In 50% Out	40.59	50% In 505 Out	48.48	50% In 50% Out

Table 3. Trip Generation Summary for 5626 East R. L. Thornton Freeway

ITE Land Use	ITE Code	Unit	Quantity	Daily		AM Peak Hour		PM Peak Hour	
				Enter	Exit	Enter	Exit	Enter	Exit
Fast-Food Restaurant with Drive-Through Window	934	1000 SF	0.8	187	187	18	18	14	12
Convenience Store / Gas Station (2-8 VFP)	945	1000 SF	3.2	999	998	65	65	78	77
Internal Trip Capture Reduction				---	---	11	11	9	9
Totals				**2371**		**144**		**163**	

Parking Generation

The required parking for the proposed Circle K and Taco Casa development is based on land use per the City of Dallas parking and loading regulations with provisions for parking reductions and credits. **Table 4** below summarizes the parking analysis for the proposed development. As shown in **Table 4**, the proposed development will not provide enough parking spaces as required in the City of Dallas Development Code.

Table 4. Parking Analysis (5526 East R. L. Thornton Freeway, Dallas)

Land Use	Size	Parking Code Criteria	Parking Spaces Required	Parking Spaces Provided	
				Per Code	Additional
Taco Casa restaurant with drive-through window	0.8 SF	1 per 100 SF	8	4	---
	Vehicle Queue in Drive-through Window Lane	---	---	---	7
Circle K convenience store / gas station	3,200 SF	1 per 200 SF	16	16	---
	Canopy	---	2	---	---
	Vehicle Fueling Positions	---	---	---	8
Bicycle Rack	---	---	---	---	2
Total Parking Spaces			**26**	**20**	**17**

The Board of Adjustment (BDA) may grant special exceptions to allow for up to 25% reduction to required parking if the development's allowed parking reduction does not create a traffic hazard or increase traffic congestion on the adjacent and nearby roadways. The Circle K and Taco Casa development would be six (6) parking spaces shy of the required amount, creating 23% reduction that would fall within the allowable tolerance of 25% reduction, to be granted a special exception to the parking requirement.

Based on the nature of the development, that includes different integrated, complementary, and interacting land uses that allows for interconnectivity of driveways and shared parking where on-site parking can be accessed by users visiting more than one land use without creating an additional trip and the need for an available parking space, there would be a reduced parking demand created from the proximity of the complementary land uses.

To support the claim of reduced parking demand, the developer representative allowed parking demand data to be collected at a prototypical model site located at 12950 Coit Road in Dallas where there is a Circle K convenience store with Exxon gas station and Taco Casa restaurant. There are 14 vehicle fueling positions at the Coit Road location with comparable sizes for the Circle K convenience store and Taco Casa restaurant envisioned for the site near East R. L. Thornton Freeway (IH 30) and Winslow Avenue. The Coit Road location is near a greater concentration of traffic (40,000 vehicles per day along Coit Road and 20,000 vehicles per day along IH 635 eastbound service road yet based on the data summarized in **Table 5** below, the peak demand experienced at the Coit Road location allowed for ample parking without exceeding demand and the drive-through window for the Taco Casa restaurant did not exceed the available on-site queue.

Table 5. Peak Parking Analysis (12950 Coit Road, Dallas)

Land Use	Parking Spaces Provided Onsite[1]	Drive-Through Window Queuing Lanes	Max Occupied Parking Spaces / Drive-Through Queue Lanes[2]
Taco Casa restaurant with drive-through window	---	8	4 (3)
Circle K convenience store / Exxon gas station	44	---	20 (18)

[1]Vehicle fueling positions were included in the total count for parking spaces.
[2]AM (PM) peak values

In addition to the twenty (20) parking spaces that will be provided, the Taco Casa restaurant will be able to safely accommodate up to seven (7) vehicles for the drive-through window service. A request will be made to the Board of Adjustments to allow credit for vehicles that park at the pump during vehicle fueling operations or to patronize the convenience store or restaurant, accommodating an additional eight (8) parking spaces. Considering both the spaces at the pump and the drive-through vehicle queue, up to fifteen (15) additional parking spaces would be available, not including parking at bicycle racks.

CONCLUSIONS AND RECOMMENDATIONS

Based on the parking demand assessment performed for the proposed Circle K convenience store and Taco Casa development, the following conclusions and recommendations have been offered in support of allowing a greater reduction to the required parking:

- The proposed development will generate 144 vehicles trips (72 entering and 72 exiting) during the AM peak hour and 163 vehicle trips (83 entering and 80 exiting) during the PM peak hour.
- Driveway access will be served from one existing driveway along East R. L. Thornton Freeway (IH 30) eastbound service road and one existing driveway along Winslow Avenue. A second existing driveway along East R. L. Thornton Freeway (IH 30) eastbound service road will be closed.
- The proposed development requires 26 parking spaces as determined in the City of Dallas Development Code.
- The proposed development will provide 20 total parking spaces, six (6) parking spaces shy of the required amount, creating 23% reduction that would fall within the allowable tolerance of 25% reduction, to be granted a special exception to the parking requirement from the Board of Adjustment (BDA).
- Internal trip capture can create less demand for parking since a single trip can visit more than one land use due to the closeness and interconnectivity of shared driveways and parking.
- A prototypical model located at 12950 Coit Road in Dallas where there is higher concentration of adjacent street traffic does not consume its available on-site parking during peak demands periods of the day.
- A reduction in parking spaces at East R. L. Thornton Freeway (IH 30) and Winslow Avenue to serve the Circle K and Taco Casa development would not create a traffic hazard or cause traffic congestion to the adjacent roadway system.
- Fifteen (15) additional spaces may be realized when considering the drive-through window available queue space and parking at the pump for vehicle fueling operations.

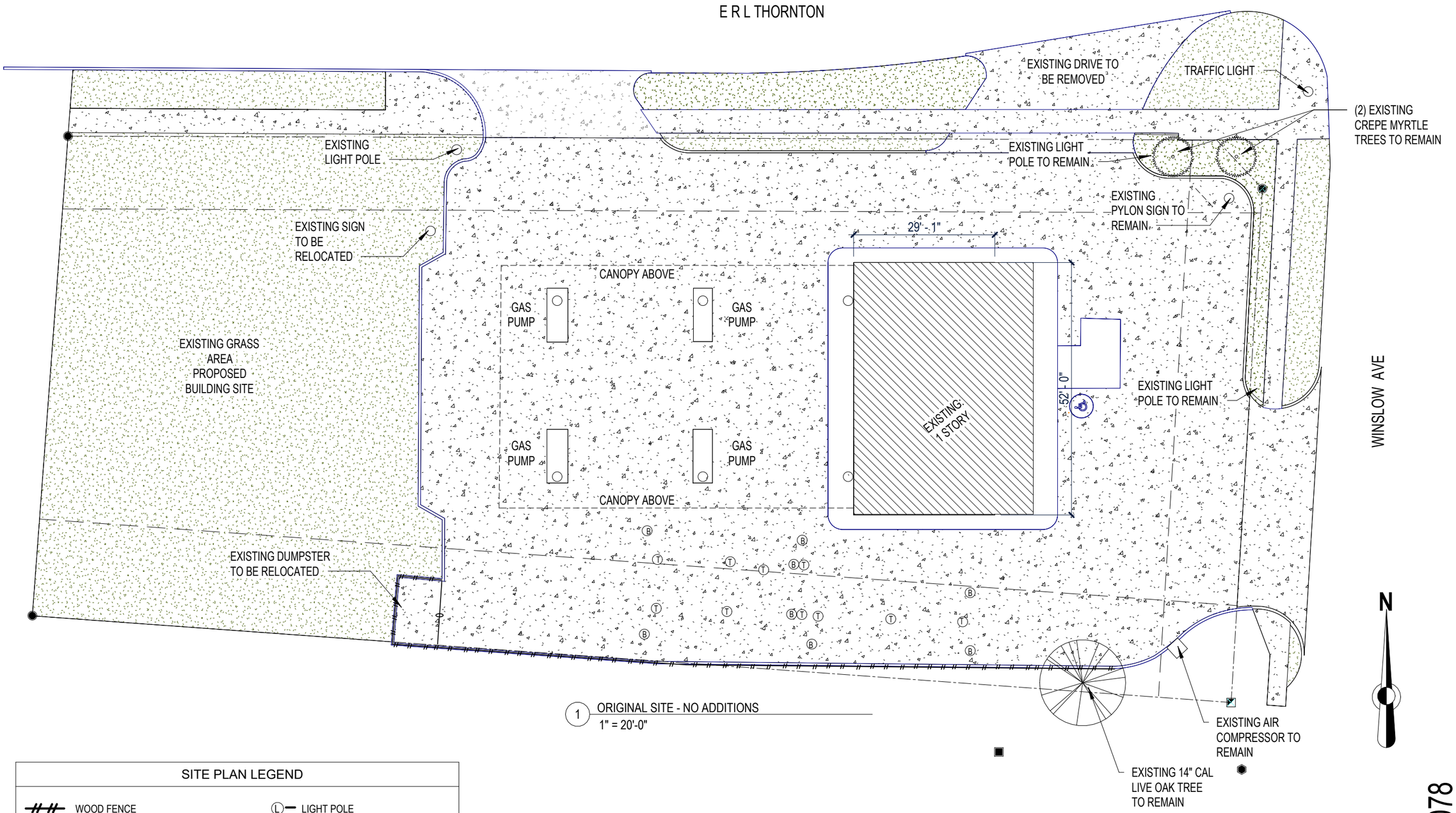
Appendix List of Sections

1. Site Plan

2. Trip Generation

3. Parking Demand Data

1. Site Plan



1 ORIGINAL SITE - NO ADDITIONS
1" = 20'-0"

SITE PLAN LEGEND

- WOOD FENCE
- CHAIN LINK
- MRD — MONUMENTS OF RECORD DIGNITY
- (B) — OBSERVATION WELL
- (G) — GAS METER
- (W) — WATER METER
- (L) — LIGHT POLE
- (MH) — MAN HOLE
- (E) — ELECTRIC
- (T) — UNDERGROUND TANK
- (V) — WATER VALVE

CASE # 212-078

BSDG
401 Pinson Road
Forney, TX 75126
214.295.5280
www.broadstonedg.com

No.	Date
1	12/18/2023

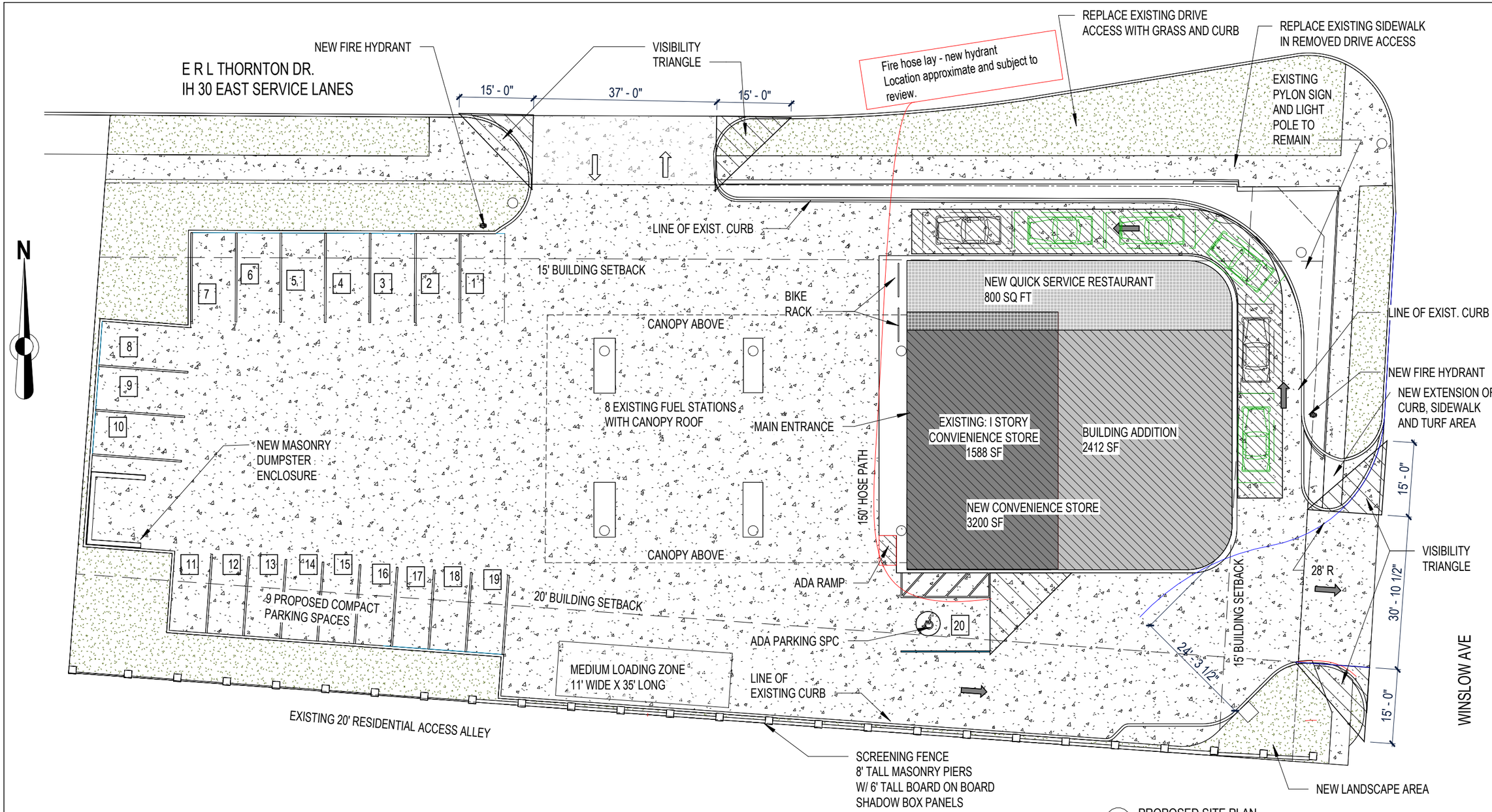
CIRCLE K 101 (DALLAS)
NEW QUICK SERVICE RESTAURANT
5526 EAST R L THORNTON FREEWAY
DALLAS, TEXAS 75223

EXISTING SITE PLAN

SP-01

Project number	DIF20-0092
Date	09/15/2023
Drawn by	BSDG
Checked by	BSDG

Scale As indicated



1 PROPOSED SITE PLAN
1" = 20'-0"

SITE PLAN LEGEND

- WOOD FENCE
- CHAIN LINK
- MRD — MONUMENTS OF RECORD DIGNITY
- (B) — OBSERVATION WELL
- (G) — GAS METER
- (W) — WATER METER
- (L) — LIGHT POLE
- (MH) — MAN HOLE
- (E) — ELECTRIC
- (T) — UNDERGROUND TANK
- (V) — WATER VALVE

5526 ERL THORNTON HWY
CIRCLE K AND TACO CASA PARKING CONCEPT

TOTAL SITE AREA	26,302 SQ FT
EXISTING BUILDING	1,588 SQ FT
NEW & ADDITION	2,412 SQ FT
TOTAL BUILDING	4,000 SQ FT - 15.2%
TOTAL GREEN SPACE (INCLUDES BUFFER)	6,216 SQ FT - 23.6%
GREEN SPACE WITHIN PROPERTY	4,088 SQ FT - 15.5%
SIDEWALKS	2,205.4 SQ FT - 8%
PAVED AREA (DRIVES & PARKING)	18,598 SQ FT- 71%

ZONING = COMMUNITY RETAIL

PARKING ANALYSIS
CONVENIENCE STORE = 1/200
3,200 SQUARE FEET/ 200 = **16** REQUIRED PARKING
MOTOR VEHICLE FUELING STATION PUMPS = **2** REQUIRED PARKING
QUICK SERVICE RESTAURANT = 1/100 SF
800 SQUARE FEET/ 100 = **8** REQUIRED PARKING

REQUIRED PARKING: 26 SPACES
PROVIDED STANDARD PARKING: 11 SPACES
PROVIDED COMPACT PARKING: 9 SPACES
PROVIDED BICYCLE PARKING: 2 SPACES
TOTAL PROVIDED PARKING: 22 SPACES

CASE # 212-078

BSDG
401 Pinson Road
Forney, TX 75126
214.295.5280
www.broadstonedg.com
BROADSTONE DESIGN GROUP

No.	Date
1	12/18/2023

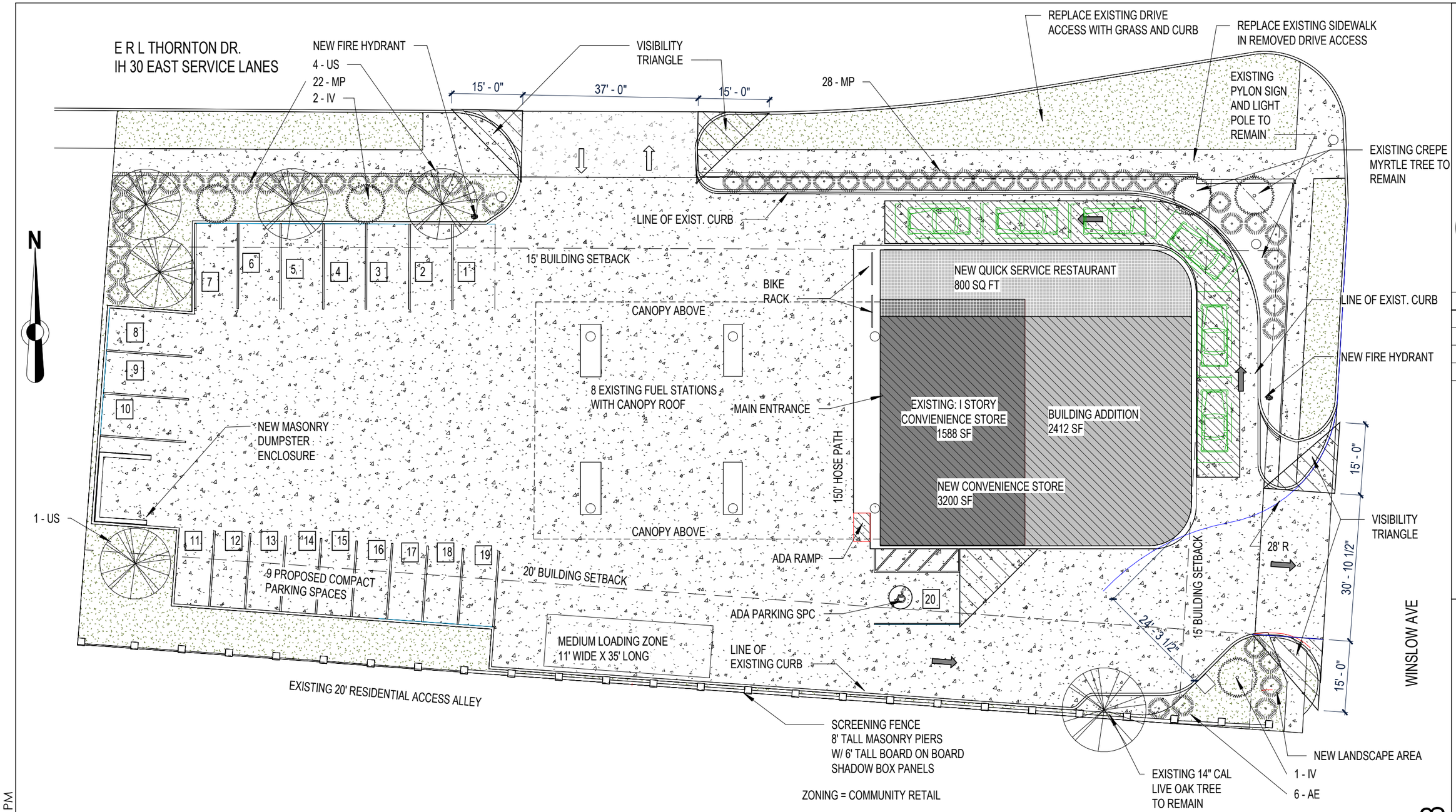
CIRCLE K 101 (DALLAS)
NEW QUICK SERVICE RESTAURANT
5526 EAST R L THORNTON FREEWAY
DALLAS, TEXAS 75223

PROPOSED SITE PLAN

SP-02

Scale As indicated

Project number	DIF20-0092
Date	09/15/2023
Drawn by	Author
Checked by	Checker



ZONING = COMMUNITY RETAIL

1 PROPOSED LANDSCAPE PLAN
1" = 20'-0"

LANDSCAPE PLANT SCHEDULE				
TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME
	US	5	UNGANDIA SPECIOSA	MEXICAN BUCKEYE
	IV	3	ILEX VOMITORIA	YAUPON HOLLY
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME
	MP	50	MYRICA CERIFERA 'PUMILA'	DWARF WAX MYRTLE
	AE	6	ABELIA x GRANDIFLORA 'EDWARD GOUCHER'	GLOSSY ABELIA

OF TREES REQUIRED:26,302/4,000=6.58
8 TREES = 10 POINTS
1 EXISTING = 2 POINTS
SHRUBS = 25 POINTS
TOTAL POINTS = 37 POINTS

CASE # 212-078

BSDG
401 Pinson Road
Forney, TX 75126
214.295.5280
www.broadstonedg.com

No.	Date
1	12/18/2023

CIRCLE K 101 (DALLAS)
NEW QUICK SERVICE RESTAURANT
5526 EAST R L THORNTON FREEWAY
DALLAS, TEXAS 75223

PROPOSED LANDSCAPE PLAN

SP-03

Project number DIF20-0092
Date 09/15/2023
Drawn by Author
Checked by Checker
Scale As indicated

2. Trip Generation

Land Use: 934
Fast-Food Restaurant with Drive-Through Window

Description

This land use includes any fast-food restaurant with a drive-through window. This type of restaurant is characterized by a large drive-through and large carry-out clientele, long hours of service (some are open for breakfast, all are open for lunch and dinner, some are open late at night or 24 hours a day) and high turnover rates for eat-in customers. The restaurant does not provide table service. A patron generally orders from a menu board and pays before receiving the meal. A typical duration of stay for an eat-in patron is less than 30 minutes. Fast casual restaurant (Land Use 930), high-turnover (sit-down) restaurant (Land Use 932), fast-food restaurant without drive-through window (Land Use 933), and fast-food restaurant with drive-through window and no indoor seating (Land Use 935) are related uses.

Additional Data

Users should exercise caution when applying statistics during the AM peak periods, as the sites contained in the database for this land use may or may not be open for breakfast. In cases where it was confirmed that the sites were not open for breakfast, data for the AM peak hour of the adjacent street traffic were removed from the database.

If the restaurant has outdoor seating, its area is not included in the overall gross floor area. For a restaurant that has significant outdoor seating, the number of seats may be more reliable than GFA as an independent variable on which to establish a trip generation rate.

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (https://www.ite.org/technical-resources/topics/trip-and-parking-generation/).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alaska, Alberta (CAN), California, Colorado, Florida, Indiana, Kentucky, Maryland, Massachusetts, Minnesota, Montana, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Dakota, Texas, Vermont, Virginia, Washington, and Wisconsin.

Source Numbers

163, 164, 168, 180, 181, 241, 245, 278, 294, 300, 301, 319, 338, 340, 342, 358, 389, 438, 502, 552, 577, 583, 584, 617, 640, 641, 704, 715, 728, 810, 866, 867, 869, 885, 886, 927, 935, 962, 977, 1050, 1053, 1054

Fast-Food Restaurant with Drive-Through Window (934)

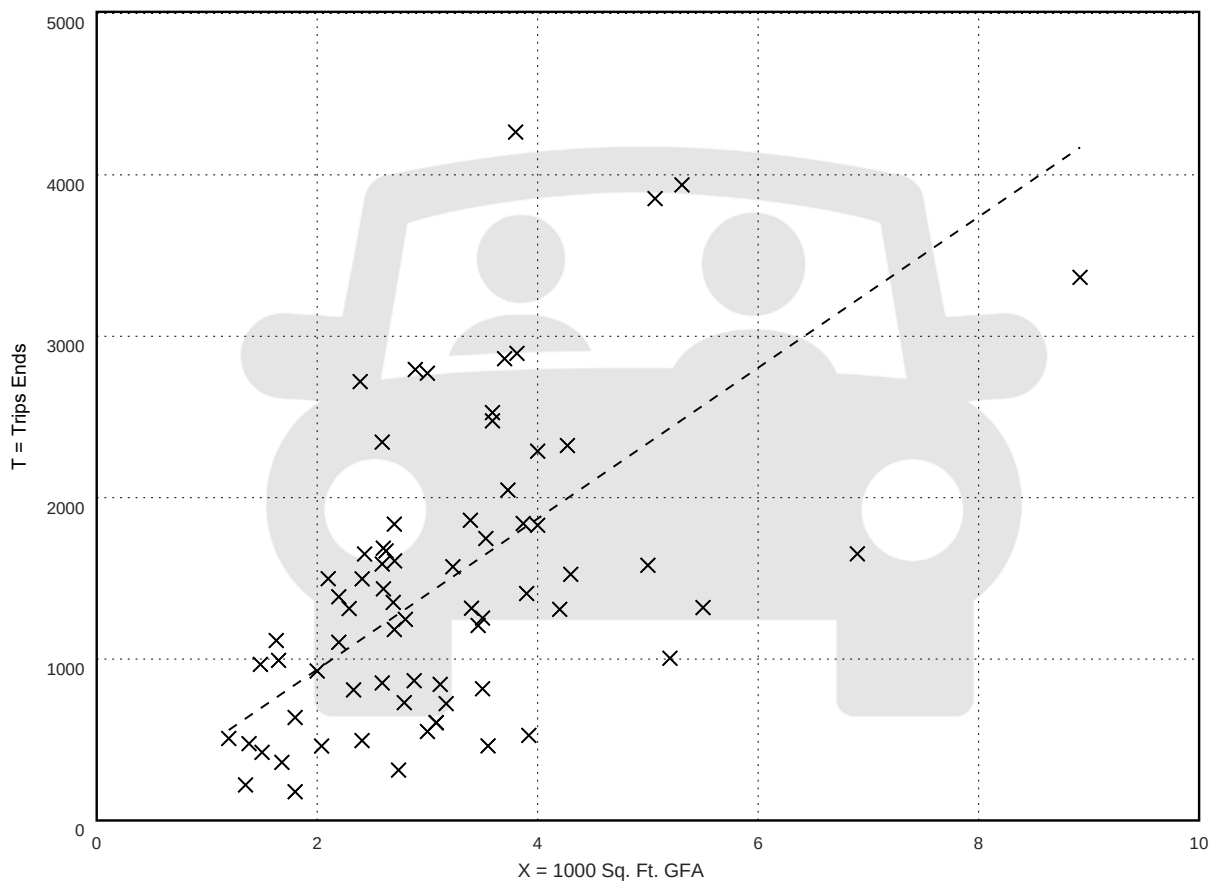
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 71
Avg. 1000 Sq. Ft. GFA: 3
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
467.48	98.89 - 1137.66	238.62

Data Plot and Equation



× **Study Site**

– – – – – **Average Rate**

Fitted Curve Equation: Not Given

R^2= ***

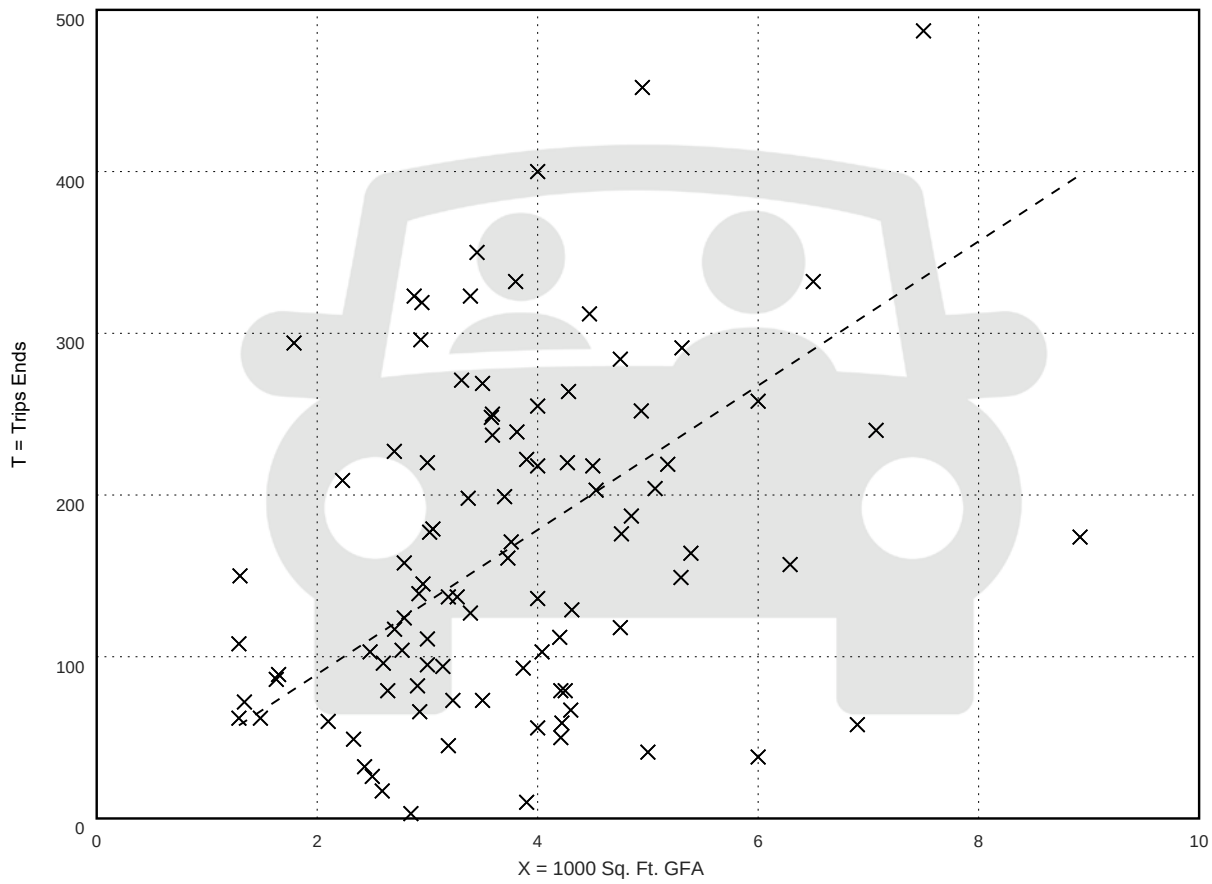
Fast-Food Restaurant with Drive-Through Window (934)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 96
Avg. 1000 Sq. Ft. GFA: 4
Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
44.61	1.05 - 164.25	27.14

Data Plot and Equation



× **Study Site**

– – – – – **Average Rate**

Fitted Curve Equation: Not Given

R^2= ***

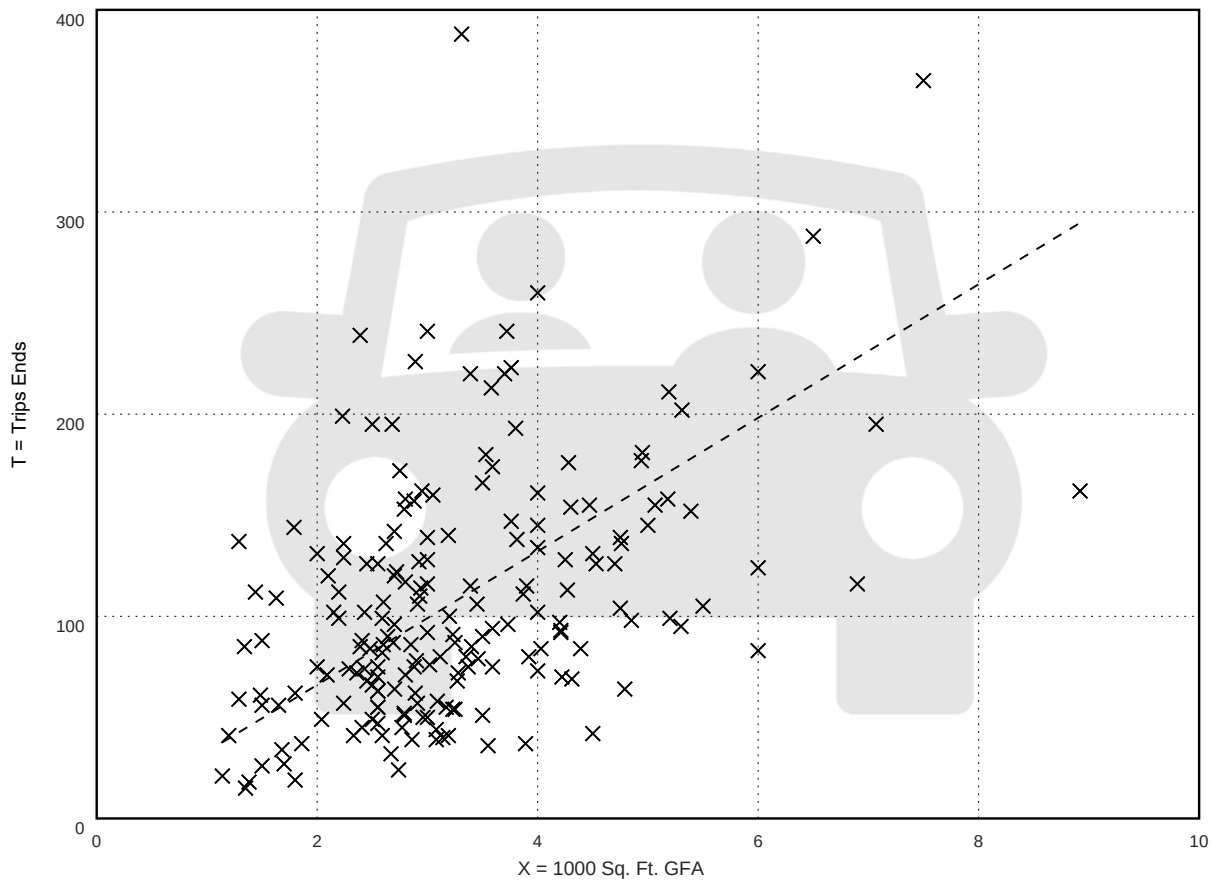
Fast-Food Restaurant with Drive-Through Window (934)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 190
Avg. 1000 Sq. Ft. GFA: 3
Directional Distribution: 52% entering, 48% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
33.03	8.77 - 117.22	17.59

Data Plot and Equation



× **Study Site**

– – – – – **Average Rate**

Fitted Curve Equation: Not Given

R^2= ***

Land Use: 945
Convenience Store/Gas Station

Description

A convenience store/gas station is a facility with a co-located convenience store and gas station. The convenience store sells grocery and other everyday items that a person may need or want as a matter of convenience. The gas station sells automotive fuels such as gasoline and diesel.

A convenience store/gas station is typically located along a major thoroughfare to optimize motorist convenience. Extended hours of operation (with many open 24 hours, 7 days a week) are common at these facilities.

The convenience store product mix typically includes pre-packaged grocery items, beverages, dairy products, snack foods, confectionary, tobacco products, over-the-counter drugs, and toiletries. A convenience store may sell alcohol, often limited to beer and wine. Coffee and pre-made sandwiches are also commonly sold at a convenience store. Made-to-order food orders are sometimes offered. Some stores offer limited seating.

The sites in this land use include both self-pump and attendant-pumped fueling positions and both pre-pay and post-pay operations.

Convenience store (Land Use 851), gasoline/service station (Land Use 944), and truck stop (Land Use 950) are related uses.

Land Use Subcategory

Multiple subcategories were added to this land use to allow for multi-variable evaluation of sites with single-variable data plots. All study sites are assigned to one of three subcategories, based on the number of vehicle fueling positions (VFP) at the site: between 2 and 8 VFP, between 9 and 15 VFP, and between 16 and 24 VFP. For each VFP range subcategory, data plots are presented with GFA as the independent variable for all time periods and trip types for which data are available. The use of both GFA and VFP (as the independent variable and land use subcategory, respectively) provides a significant improvement in the reliability of a trip generation estimate when compared to the single-variable data plots in prior editions of *Trip Generation Manual*.

Further, the study sites were also assigned to one of three other subcategories, based on the gross floor area (GFA) of the convenience store at the site: between 2,000 and 4,000 square feet, between 4,000 and 5,500 square feet, and between 5,500 and 10,000 square feet. For each GFA subcategory range, data plots are presented with VFP as the independent variable for all time periods and trip types for which data are available. The use of both VFP and GFA (as the independent variable and land use subcategory, respectively) provides a significant improvement in the reliability of a trip generation estimate when compared to the single-variable data plots in prior editions of *Trip Generation Manual*.

When analyzing the convenience store/gas station land use with each combination of GFA and VFP values as described above, the two sets of data plots will produce two estimates of site-generated trips. Both values can be considered when determining a site trip generation estimate.

Data plots are also provided for three additional independent variables: AM peak hour traffic on adjacent street, PM peak hour traffic on adjacent street, and employees. These independent variables are intended to be analyzed as single independent variables and do not have sub-categories associated with them. Within the data plots and within the ITETripGen web app, these plots are found under the land use subcategory "none."

Additional Data

ITE recognizes there are existing convenience store/gas station sites throughout North America that are larger than the sites presented in the data plots. However, the ITE database does not include any site with more than 24 VFP or any site with gross floor area greater than 10,000 square feet. Submission of trip generation data for larger sites is encouraged.

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (https://www.ite.org/technical-resources/topics/trip-and-parking-generation/).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), Arkansas, California, Connecticut, Delaware, Florida, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, Pennsylvania, Rhode Island, South Dakota, Texas, Utah, Vermont, Washington, and Wisconsin.

Source Numbers

221, 245, 274, 288, 300, 340, 350, 351, 352, 355, 359, 385, 440, 617, 718, 810, 813, 844, 850, 853, 864, 865, 867, 869, 882, 883, 888, 904, 926, 927, 936, 938, 954, 960, 962, 977, 1004, 1024, 1025, 1027, 1052

Convenience Store/Gas Station - GFA (2-4k) (945)

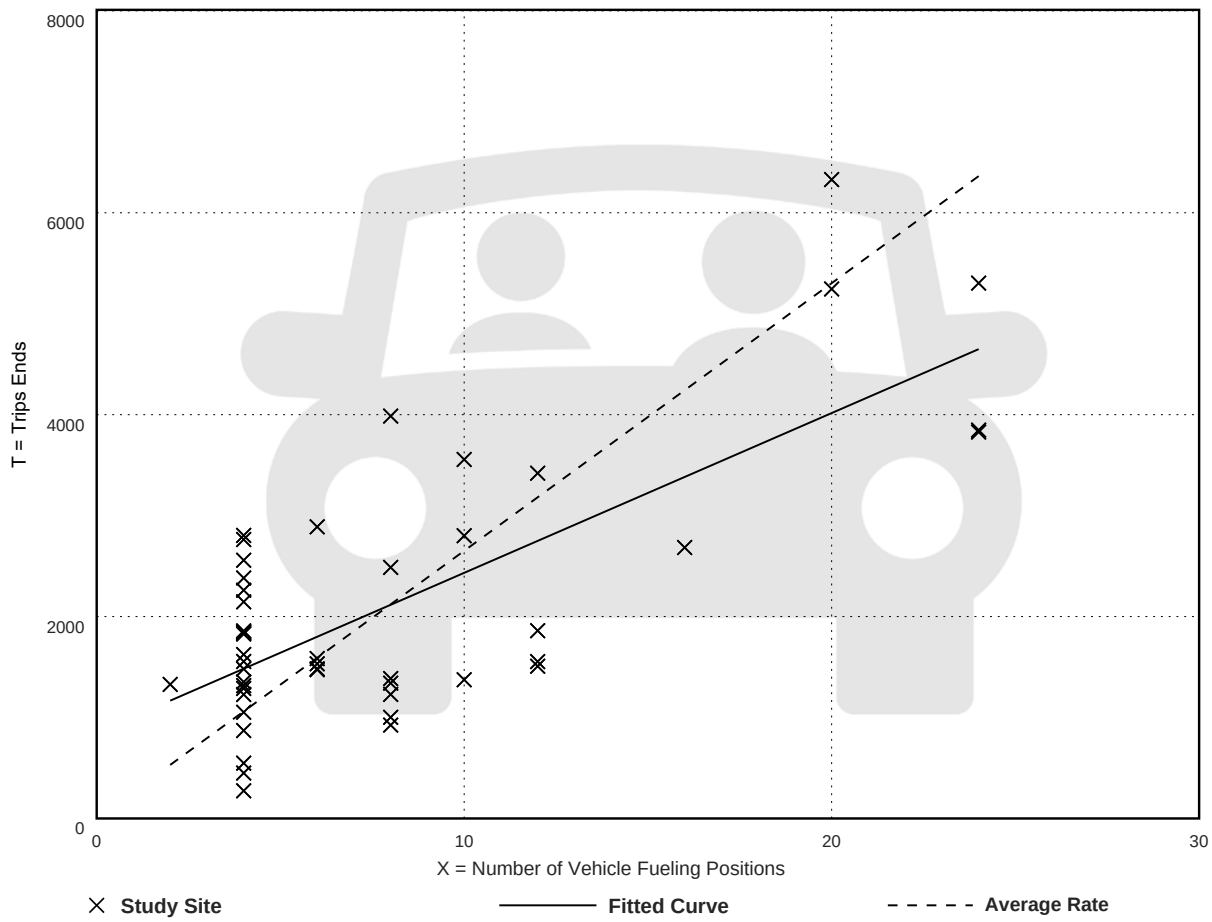
Vehicle Trip Ends vs: Vehicle Fueling Positions
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 48
Avg. Num. of Vehicle Fueling Positions: 8
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Vehicle Fueling Position

Average Rate	Range of Rates	Standard Deviation
265.12	68.50 - 701.00	142.37

Data Plot and Equation



Fitted Curve Equation: T = 158.28(X) + 850.23

R^2= 0.52

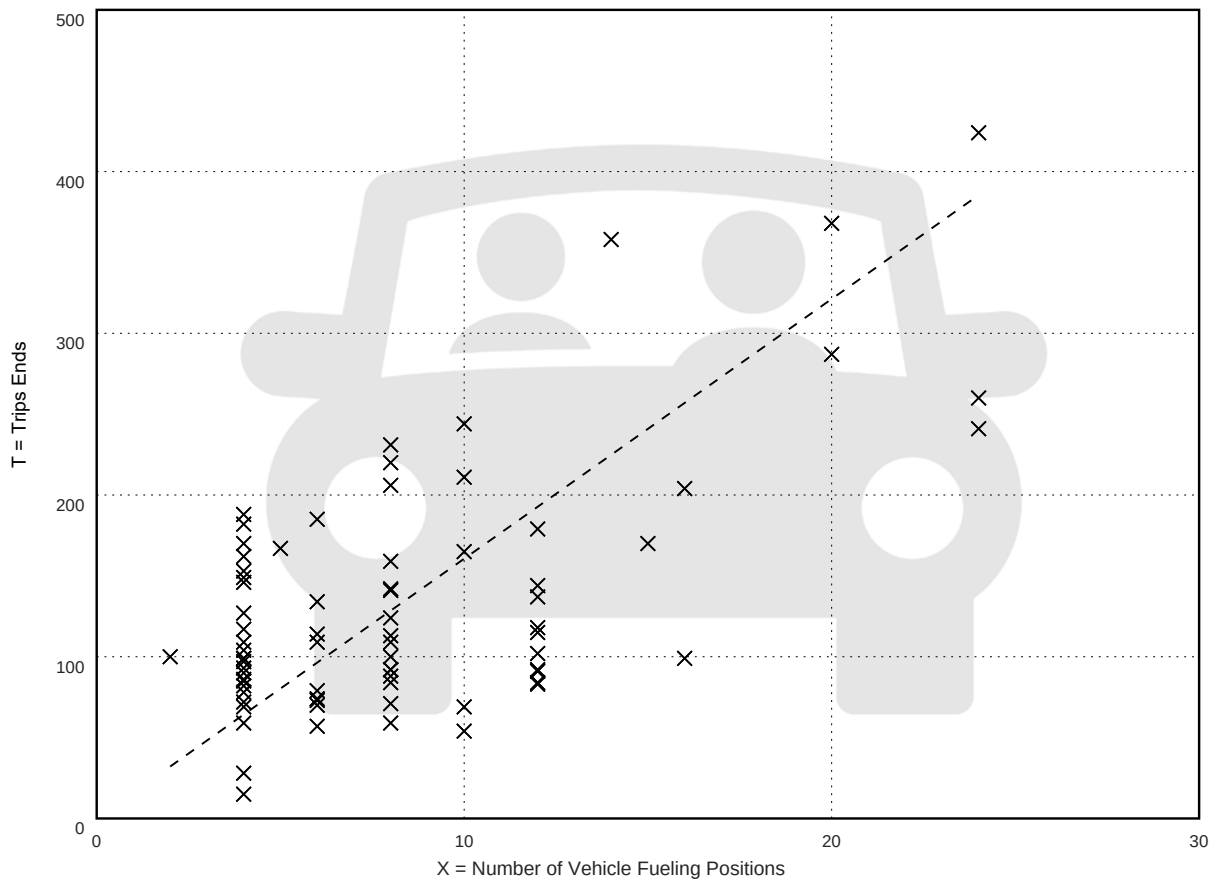
Convenience Store/Gas Station - GFA (2-4k) (945)

Vehicle Trip Ends vs: Vehicle Fueling Positions
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 76
Avg. Num. of Vehicle Fueling Positions: 8
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Vehicle Fueling Position

Average Rate	Range of Rates	Standard Deviation
16.06	3.75 - 50.00	8.79

Data Plot and Equation



× **Study Site**

– – – – – **Average Rate**

Fitted Curve Equation: Not Given

R^2= ***

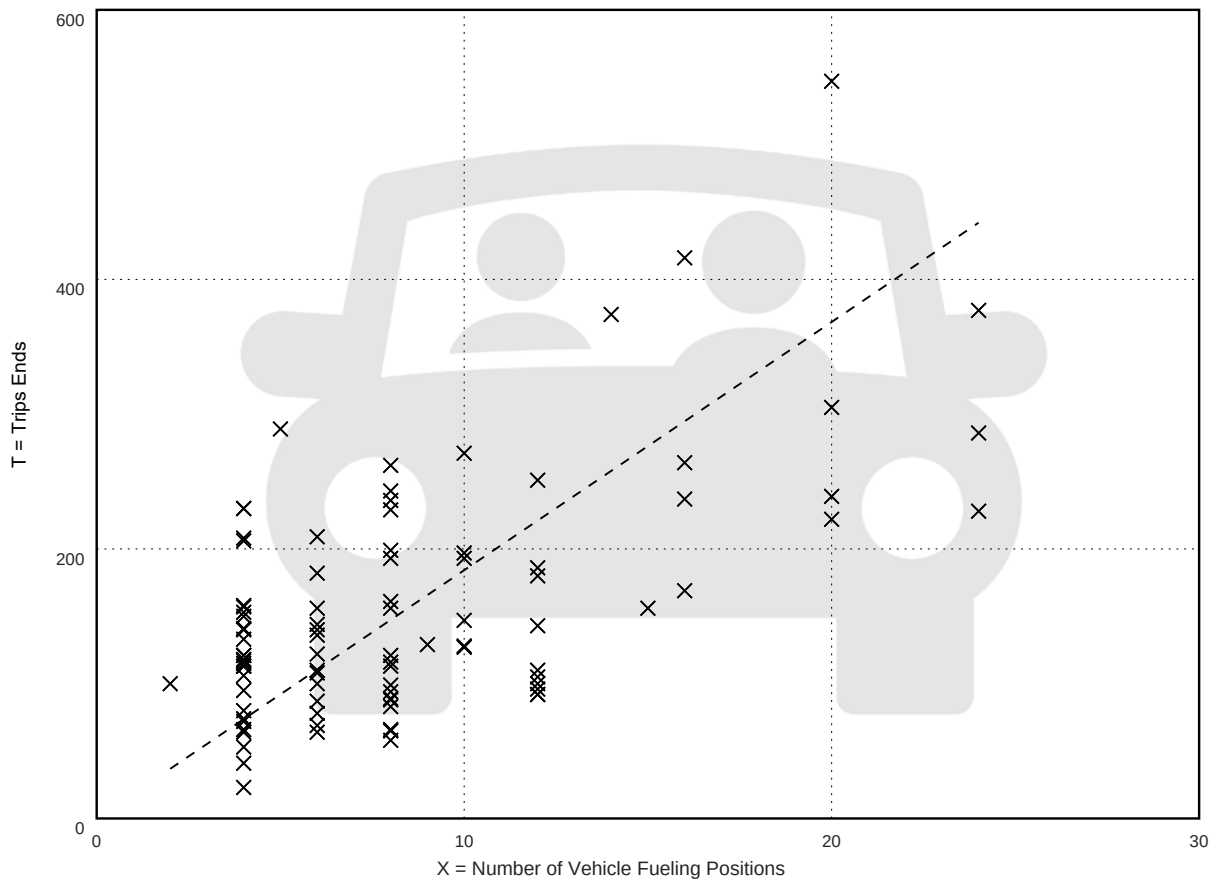
Convenience Store/Gas Station - GFA (2-4k) (945)

Vehicle Trip Ends vs: Vehicle Fueling Positions
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 93
Avg. Num. of Vehicle Fueling Positions: 8
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Vehicle Fueling Position

Average Rate	Range of Rates	Standard Deviation
18.42	5.75 - 57.80	10.16

Data Plot and Equation



× **Study Site**

– – – – – **Average Rate**

Fitted Curve Equation: Not Given

R^2= ***

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	Circle K and Taco Casa Development	**Organization:**	Leadership Traffic Services
Project Location:	Dallas, TX	**Performed By:**	Adrian Murphy
Scenario Description:	Build Out	**Date:**	4/6/2023
Analysis Year:	2024	**Checked By:**	
Analysis Period:	**AM Street Peak Hour**	**Date:**	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	945	2	1000 SF	73	37	36
Restaurant	934	2	1000 SF	104	53	51
Cinema/Entertainment				0		
Residential				0		
Hotel				0		
All Other Land Uses[2]				0		
Total				177	90	87

Table 2-A: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail	1.00		0%	1.00		0%
Restaurant	1.00		0%	1.00		0%
Cinema/Entertainment						
Residential	1.00		0%	1.00		0%
Hotel	1.00		0%	1.00		0%
All Other Land Uses[2]						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		5	0	0	0
Restaurant	0	3		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary

	Total	Entering	Exiting
All Person-Trips	177	90	87
Internal Capture Percentage	9%	9%	9%
External Vehicle-Trips[3]	161	82	79
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	8%	14%
Restaurant	9%	6%
Cinema/Entertainment	N/A	N/A
Residential	N/A	N/A
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.
[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator
[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A
[4]Person-Trips
*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

Project Name:	Circle K and Taco Casa Development
Analysis Period:	**AM Street Peak Hour**

Table 7-A: Conversion of Vehicle-Trip Ends to Person-Trip Ends

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	37	37	1.00	36	36
Restaurant	1.00	53	53	1.00	51	51
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	0	0	1.00	0	0
Hotel	1.00	0	0	1.00	0	0

Table 8-A (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	10		5	0	5	0
Restaurant	16	7		0	2	2
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	0	0	0	0	

Table 8-A (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		12	12	0	0	0
Retail	0		27	0	0	0
Restaurant	0	3		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	6	11	0		0
Hotel	0	1	3	0	0	

Table 9-A (D): Internal and External Trips Summary (Entering Trips)

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	3	34	37	34	0	0
Restaurant	5	48	53	48	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

Table 9-A (O): Internal and External Trips Summary (Exiting Trips)

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	5	31	36	31	0	0
Restaurant	3	48	51	48	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

[1]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

[2]Person-Trips

[3]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	Circle K and Taco Casa Development	**Organization:**	Leadership Traffic Services
Project Location:	Dallas, TX	**Performed By:**	Adrian Murphy
Scenario Description:	Buildout	**Date:**	4/6/2023
Analysis Year:	2024	**Checked By:**	
Analysis Period:	**PM Street Peak Hour**	**Date:**	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	945	2	1000 SF	87	44	43
Restaurant	934	2	1000 SF	77	40	37
Cinema/Entertainment				0		
Residential				0		
Hotel				0		
All Other Land Uses[2]				0		
Total				164	84	80

Table 2-P: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail	1.00		0%	1.00		0%
Restaurant	1.00		0%	1.00		0%
Cinema/Entertainment						
Residential	1.00		0%	1.00		0%
Hotel	1.00		0%	1.00		0%
All Other Land Uses[2]						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		12	0	0	0
Restaurant	0	15		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary

	Total	Entering	Exiting
All Person-Trips	164	84	80
Internal Capture Percentage	33%	32%	34%
External Vehicle-Trips[3]	110	57	53
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	34%	28%
Restaurant	30%	41%
Cinema/Entertainment	N/A	N/A
Residential	N/A	N/A
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.
[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator
[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P
[4]Person-Trips
*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

Project Name:	Circle K and Taco Casa Development
Analysis Period:	**PM Street Peak Hour**

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends

Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	44	44	1.00	43	43
Restaurant	1.00	40	40	1.00	37	37
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	0	0	1.00	0	0
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	1		12	2	11	2
Restaurant	1	15		3	7	3
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		4	1	0	0	0
Retail	0		12	0	0	0
Restaurant	0	22		0	0	0
Cinema/Entertainment	0	2	1		0	0
Residential	0	4	6	0		0
Hotel	0	1	2	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	15	29	44	29	0	0
Restaurant	12	28	40	28	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	12	31	43	31	0	0
Restaurant	15	22	37	22	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

[1]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

[2]Person-Trips

[3]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

3. Parking Demand Data

Location:	5526 E RL THORNTON FWY - CIRCLE K
Start Date:	3/30/2023
Start Time:	11:00AM
Name:	WENDELL GARRET
Notes:	The Striped Lanes Include Gas Station Pump Spots

	Total Capacity			
Start Time	Unstriped	Striped	ADA	TOTAL
	10	3	1	4

Start Time	Unstriped	Striped	ADA	TOTAL
11:00 AM	2	0	0	2
11:15 AM	1	0	0	1
11:30 AM	2	0	0	2
11:45 AM	2	0	0	2
12:00 PM	4	0	0	4
12:15 PM	2	0	0	2
12:30 PM	2	0	0	2
12:45 PM	2	0	0	2
1:00 PM	2	0	0	2

Start Time	Unstriped	Striped	ADA	TOTAL
5:00 PM	2	0	0	2
5:15 PM	2	0	0	2
5:30 PM	1	0	0	1
5:45 PM	1	0	0	1
6:00 PM	2	0	0	2
6:15 PM	3	0	0	3
6:30 PM	2	0	0	2
6:45 PM	1	0	0	1
7:00 PM	2	0	0	2

Location:	12950 COIT RD - EXXON W TACO CASA
Start Date:	3/30/2023
Start Time:	11:00AM
Name:	CHASE BATTLE
Notes:	The Striped Lanes Include Gas Station Pump Spots

	Total Capacity			
Start Time	Unstriped	Striped	ADA	TOTAL
	4	39	1	44

TACO CASA QUEUE
8

Start Time	Unstriped	Striped	ADA	TOTAL	QUEUE
11:00 AM	0	16	0	16	0
11:15 AM	0	15	0	15	3
11:30 AM	1	14	0	15	1
11:45 AM	0	18	0	18	0
12:00 PM	0	15	0	15	2
12:15 PM	1	18	0	19	2
12:30 PM	0	16	0	16	4
12:45 PM	0	20	0	20	3
1:00 PM	1	13	0	14	4

Start Time	Unstriped	Striped	ADA	TOTAL	QUEUE
5:00 PM	0	8	0	8	0
5:15 PM	0	9	0	9	2
5:30 PM	0	6	0	6	1
5:45 PM	3	14	1	18	0
6:00 PM	0	11	0	11	0
6:15 PM	1	15	1	17	3
6:30 PM	1	11	0	12	0
6:45 PM	0	9	0	9	2
7:00 PM	0	6	0	6	0

FILE NUMBER: BDA223-097(KMH)

BUILDING OFFICIAL'S REPORT Application of Robert Smith for (1) a special exception to the fence height regulations, and for (2) a special exception to the 20-foot visibility obstruction regulations, and for (3) a special exception to the 20-foot visibility obstruction regulations at 2764 Catherine St. This property is more fully described as Block 2/3879, Lot 1, and is zoned CD-8; subarea 1 (R-7.5(A)), which limits the height of a fence in the 50% of the side-yard and corner side-yard to 4-feet and requires a 20-foot visibility triangle at driveway approaches, and requires a 20-foot visibility triangle at the point of intersection of the edge of an alley and an adjacent street curb line. The applicant proposes to construct a 6-foot high fence in a required side-yard, which will require (1) a 2-foot special exception to the fence height regulations; and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (2) a special exception to the 20-foot visibility obstruction regulation at driveway approaches; and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (3) a special exception to the 20-foot visibility obstruction regulation intersection of the edge of an alley and an adjacent street curb line**.**

LOCATION: 2764 Catherine St.

APPLICANT: Robert Smith

REQUEST:

1. A request for a special exception to the fence height regulations,
2. A request for a special exception to the 20-foot visibility obstruction regulations, and;
3. A request for a special exception to the 20-foot visibility obstruction regulations.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations 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:

Section 51A-4.602(d)(3) of the Dallas Development Code states that 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:

No staff recommendation is made on this or any request for a special exception to the fence 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.

No staff recommendation is made on this or any request for a special exception to the visual obstruction regulations since the basis for this type of appeal is when in the opinion of the board, the item will not constitute a traffic hazard.

BACKGROUND INFORMATION:

Zoning:

Site: CD-8; Subarea R-7.5 (A) (Single Family District)
North: CD-8
East: CD-8
South: CD-8
West: CD-8

Land Use:

The subject site and all surrounding properties are developed with single-family uses.

BDA History:

No BDA history in the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Robert Smith for the property located at 2764 Catherine Street focuses on 3 requests. The first request is for a special exception to the fence height regulations of 4-feet. The applicant is proposing to construct and maintain a 6-foot high fence in a required front yard, which will require a 2-foot special exception to the fence height regulations. The applicant is proposing the fence along Pierce Street and along the alley. It is imperative to note the fence along Pierce Street will include a gate
- Secondly, the applicant proposes to maintain a single-family fence in a required visibility triangle at the driveway approach along Pierce Street, which will require a

special exception to the visual obstruction regulations. The visual obstruction regulations require a 20-foot visibility triangle at all driveway approaches.

- Additionally, the applicant proposes to maintain a single-family fence structure in a required visibility triangle at the intersection of the edge of an alley and an adjacent street curb line, which requires a 20-foot special exception to the visual obstruction regulations.
- The subject site along with the surrounding properties are all developed with single family uses.
- It is imperative to note that the subject site is a corner lot.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to maintain a new 6-foot wooden fence. The proposed fence and gate are shown to encroach into the required visibility triangle at the driveway approach along Pierce Street. The proposed fence is also shown to encroach into the visibility triangle at the street intersection and the alley.
- The CD-8 zoning district limits the height of a fence in the 50% of the side-yard and corner side-yard to 4-feet.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations will not adversely affect the neighboring property.
- The applicant has the burden of proof in stablishing that the special exception to the visual obstruction regulations does not constitute a traffic hazard.
- If the Board were to grant this special exception request and impose a condition that the applicant complies with the submitted site plan/elevation, the proposal over 2-feet in height in the front yard setback would be limited to that what is shown on the submitted documents.
- Additionally, granting this request for a special exception to the visual obstruction regulations with a condition imposed that the applicant complies with the submitted site plan would limit the proposed fence in the 20-foot visibility triangles at the driveway into the site from Pierce Street and the alley to what is shown on the submitted documents.
- BDA223-097_ 2764 Catherine

Timeline:

September 13, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

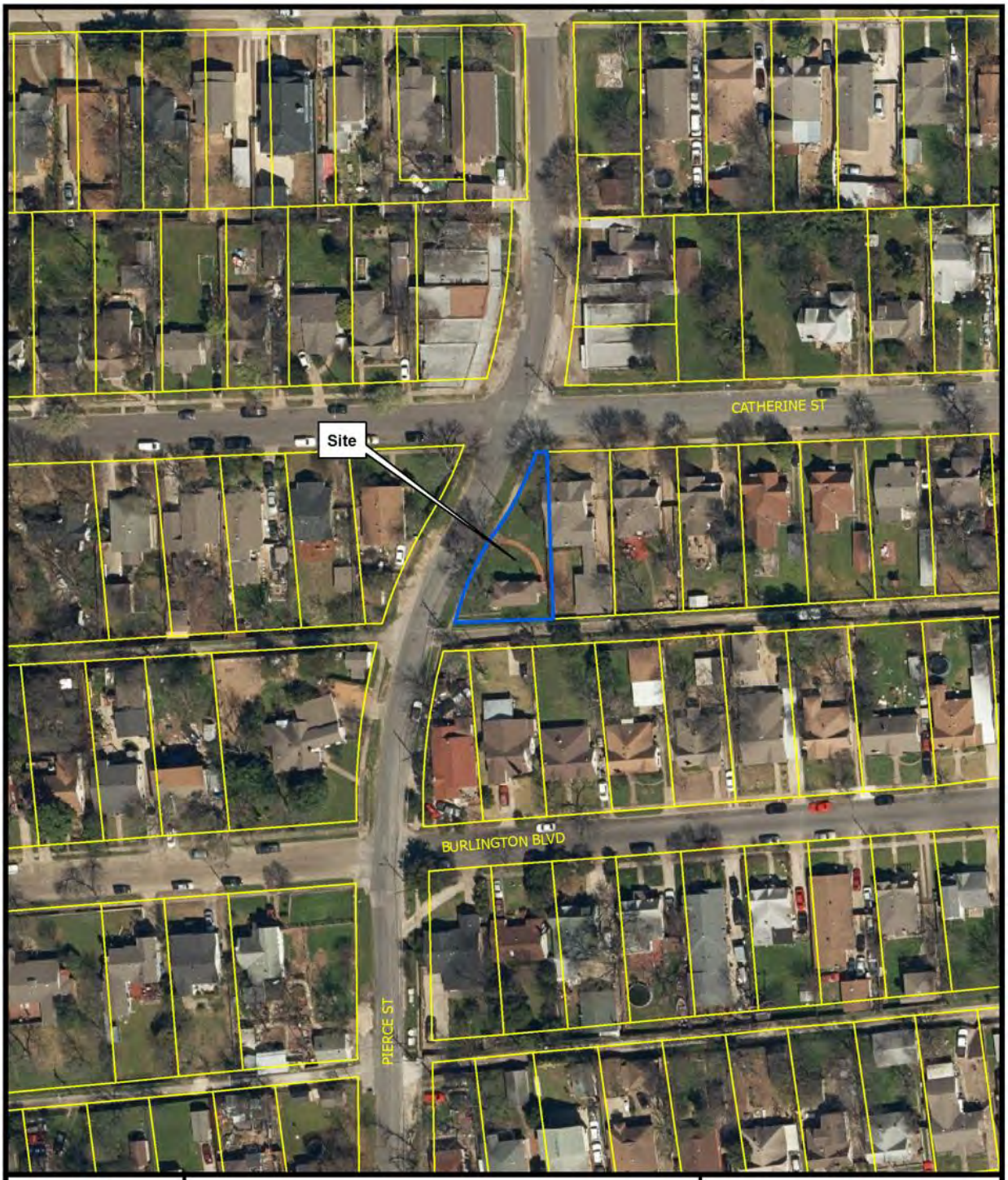
October 2, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

October 4, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 23, 2023, deadline to submit additional evidence for staff to factor into their analysis; and November 3, 2023, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 1, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner, the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

December 19, 2023: The applicant requested that this case be postponed until February due to unexpected family emergencies that has caused a delay with making revisions to his plans and trying to come into compliance.



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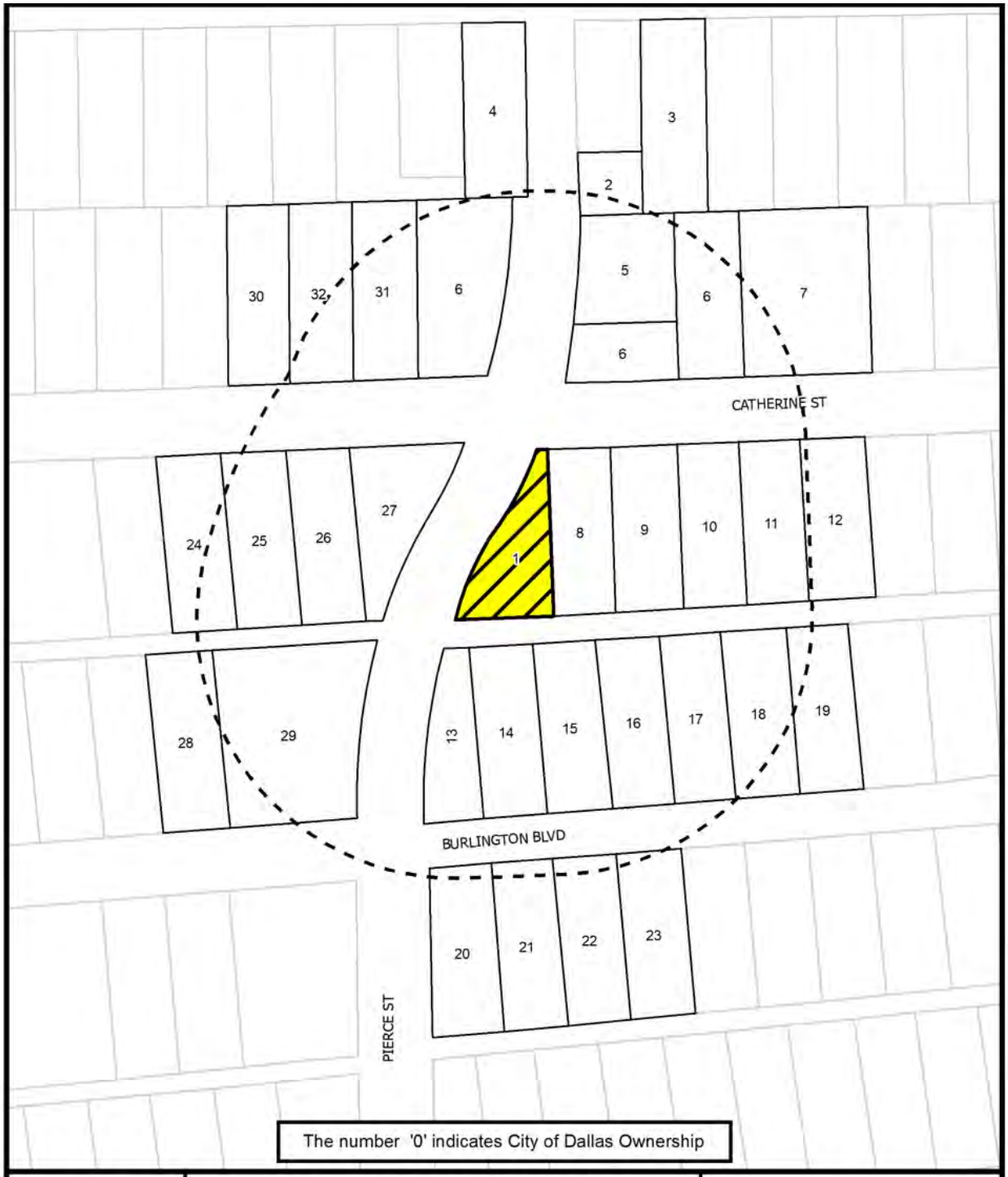
AERIAL MAP

Case no: BDA223-097

Date: 10/19/2023



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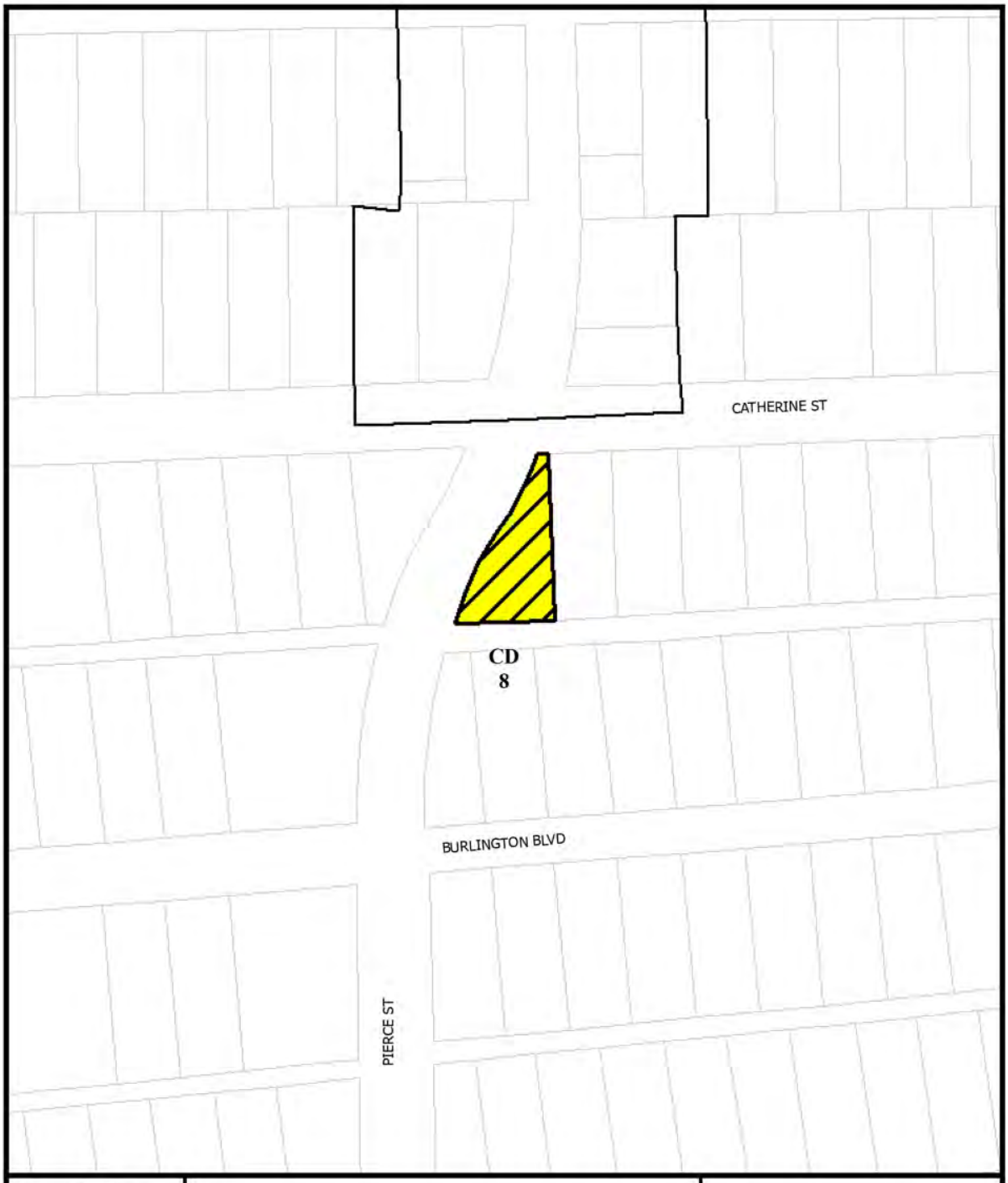
NOTIFICATION

200' AREA OF NOTIFICATION

32 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA223-097

Date: 10/19/2023



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ZONING MAP

Case no: BDA223-097

Date: 10/19/2023

/
10/19/2023

Notification List of Property Owners

BDA223-097

32 Property Owners Notified

Label #	Address		Owner
1	2764	CATHERINE ST	SMITH ROBERT
2	710	PIERCE ST	MENDEZ ELSA
3	2754	W BROOKLYN AVE	HERNANDEZ ALFONSO & LUCINDA
4	2802	W BROOKLYN AVE	PHAIKOH SOMCHAI ET AL
5	714	PIERCE ST	GILBERT SHARON
6	718	PIERCE ST	PIERCE CATHERINE INC
7	2745	CATHERINE ST	MIKULEC DAVID &
8	2760	CATHERINE ST	SMITH JANET
9	2756	CATHERINE ST	ALSPAW JULIE A
10	2752	CATHERINE ST	KELBLY ASHLYN M
11	2748	CATHERINE ST	ZENDEJAS CAROLINA
12	2744	CATHERINE ST	HICKS TANA J & JARRETT
13	2769	BURLINGTON BLVD	ESCALANTE CRISANTO
14	2765	BURLINGTON BLVD	MARQUEZ RAMON & AMPARO
15	2761	BURLINGTON BLVD	BRYANT ALBERT JR & CLAUDETTE W
16	2757	BURLINGTON BLVD	FULLER D RAY JR EST OF
17	2753	BURLINGTON BLVD	LSH TRUST
18	2749	BURLINGTON BLVD	ARVIZU ZACARIAS & ANA
19	2745	BURLINGTON BLVD	GARCIA ANGELA SOFIA
20	2768	BURLINGTON BLVD	CABRERA MARIA
21	2764	BURLINGTON BLVD	KILLE JAMES & LINDA
22	2760	BURLINGTON BLVD	GUEL ANDRES & CELIA
23	2756	BURLINGTON BLVD	JIMENEZ JUAN MANUEL
24	2818	CATHERINE ST	ESCALANTEBROWN THAD CHARLES &
25	2814	CATHERINE ST	GARCIA REYES P
26	2810	CATHERINE ST	VERMA MAYANK

10/19/2023

Label #	Address		Owner
27	2802	CATHERINE ST	GUTIERREZ HERIBERTO A &
28	2811	BURLINGTON BLVD	ANHELO INC
29	2803	BURLINGTON BLVD	JOHNSON CHERYL E
30	2815	CATHERINE ST	MARTINEZ PEDRO
31	2807	CATHERINE ST	MARIEL XIMENA
32	2811	CATHERINE ST	YDY LLC


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BURLING
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PIERCE ST
The number '0' indicates City of Dallas Ownership

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-097 (STAFF USE ONLY)

Data Relative to Subject Property: Code Violation-Review in process Date: 9/13/2023 (STAFF USE ONLY)

Location address: 2764 Catherine Dls, TX 75201 Zoning District: CD-8 (R-7.5(A))

Lot No.: 1 Block No.: 2/3879 Acreage: .130 Census Tract: _____

Street Frontage (in Feet): 1) 6 2) 148' 3) _____ 4) _____ 5) _____

RECEIVED SEP 1 2023 BY: [signature]

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Robert Smith

Applicant: Robert Smith Telephone: (214) 236.5700

Mailing Address: 935 Pollard St. Dallas, TX Zip Code: 75208

E-mail Address: resmith7@airmail.net

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance __, or Special Exception ✓, of Fence kept as is 6ft requesting a 2ft special Exception, visibility triangles at drive approach, visibility triangle at street and alley intersection

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:

Does not affect neighbors or properties, will not cause a traffic hazard

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

Affidavit

Before me the undersigned on this day personally appeared Robert Smith
(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: R E Smith
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 8 day of September, 2023

Glenda A Saucedo
Notary Public in and for Dallas County, Texas

GLENDA A SAUCEDO
Notary ID #11994220
My Commission Expires
June 8, 2025

MEMORANDUM OF ACTION TAKEN BY THE BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that ROBERT SMITH

did submit a request for (1) a special exception to the fence height regulations, and for (2) a special exception to the 20-foot visibility obstruction regulations, and for (3) a special exception to the visibility obstruction regulations

at 2764 Catherine

BDA223-097(KMH) Application of Robert Smith for (1) a special exception to the fence height regulations, and for (2) a special exception to the 20-foot visibility obstruction regulations, and for (3) a special exception to the 20-foot visibility obstruction regulations a 2764 Catherine St. This property is more fully described as Block 2/3879, Lot 1, and is zoned CD-8; subarea 1 (R-7.5(A)), which limits the height of a fence in the 50% of the side-yard and corner side-yard to 4-feet and requires a 20-foot visibility triangle at driveway approaches, and requires a 20-foot visibility triangle at the point of intersection o the edge of an alley and an adjacent street curb line. The applicant proposes to construct a 6-foot high fence in a required side-yard, which will require (1) a 2-foot special exceptior to the fence regulations; and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (2) a special exception to the 20-foot visibility obstruction regulation at driveway approaches; and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (3) a special exception to the 20-foot visibility obstruction regulation intersection of the edge of an alley and an adjacent street curb line.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 223-097

I, Robert Smith, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 2764 Catherine St Dallas, TX 75211
(Address of property as stated on application)

Authorize: Robert Smith
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

_____ Variance (specify below)

✓ Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: Fence

Robert Smith
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 9/8/2023

Before me, the undersigned, on this day personally appeared Robert Smith

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 8 day of September, 2023

GLENDA A SAUCEDO
Notary ID #11994220
My Commission Expires
June 8, 2025

Commission expires on June 8, 2025

SURVEY T.N. COOMBS ABST. 288

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DISTRICT DALLAS

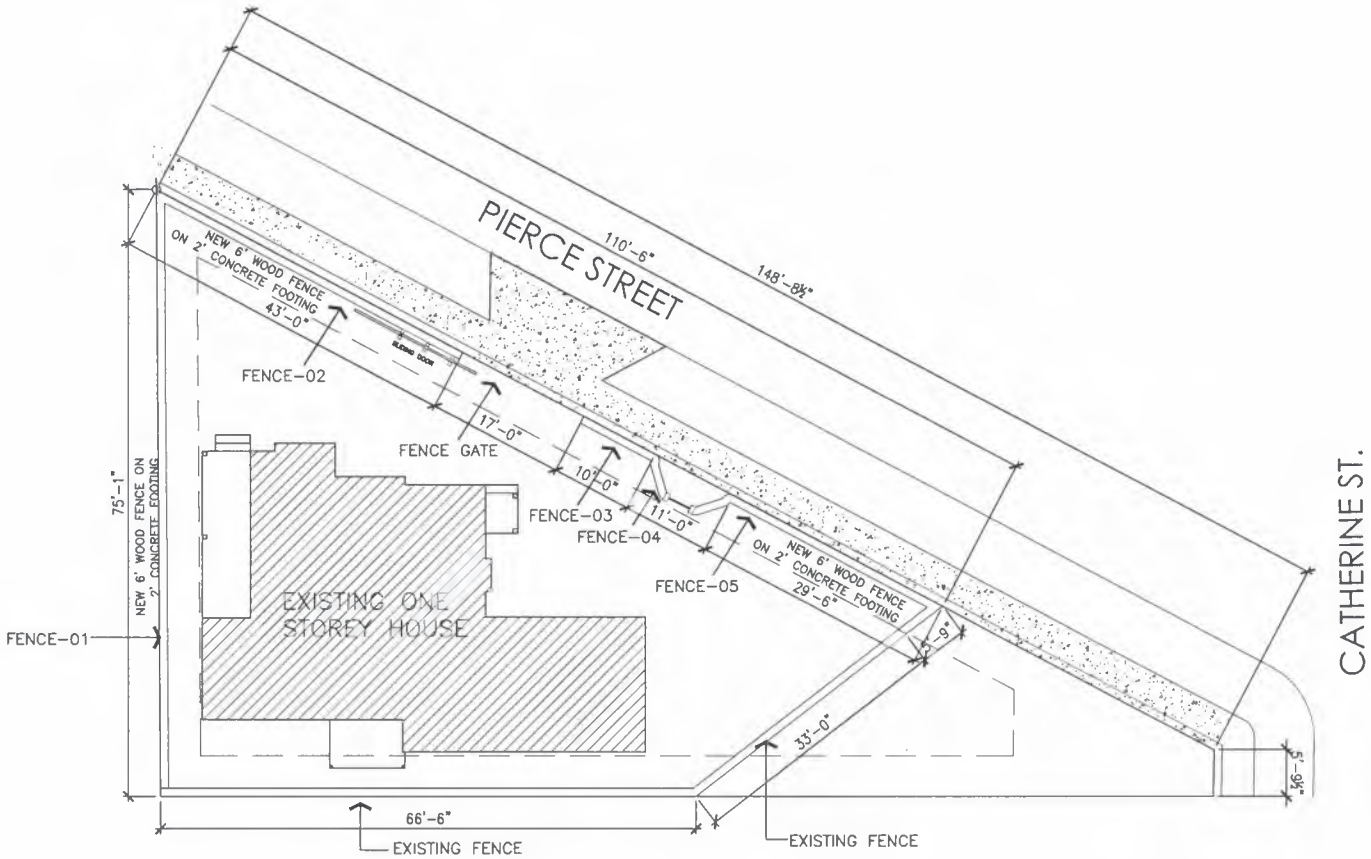
FILED - FEB - 20 - 1925
REVISED - AUG. - 13 - 1925

N.A.

2764 CATHERINE ST, DALLAS, TX

arch result

BDA 223-097



1 C1 FENCE PLAN/LAY-OUT
SCALE 1"-15'

SEAL

Project Consulting & Construction
DESIGN + BUILD + CONSULTANCY
Ennis, TX 75119
TEL (214) 399-3662

REVISIONS

NO.	DESCRIPTION	DATE
△		

ADDRESS
2764 CATHERINE, DALLAS, TX. 75211

DATE
08/23/2023

DRAWN BY
MJKB

CHECKED BY

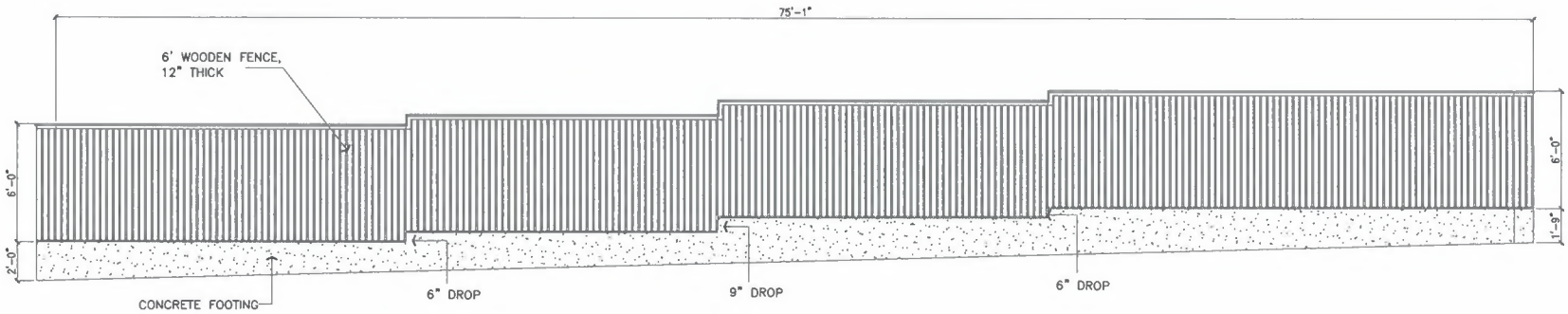
DESCRIPTION

SCALE
1"-15'

SHEET TITLE
FENCE PLAN/LAYOUT

SHEET #
C1.01

BDA223-097



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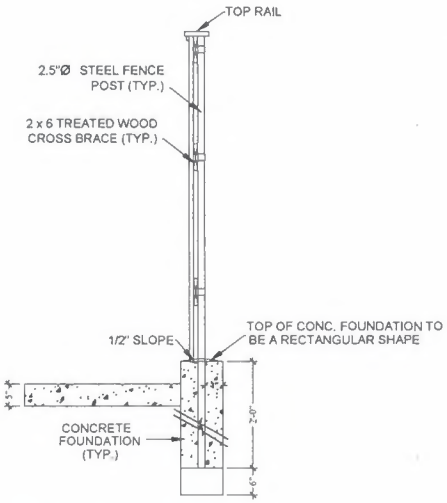
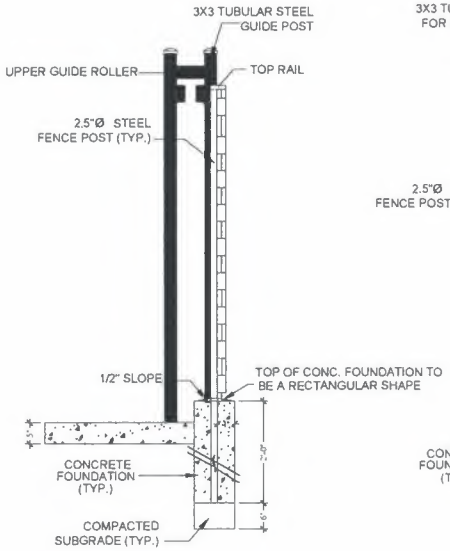
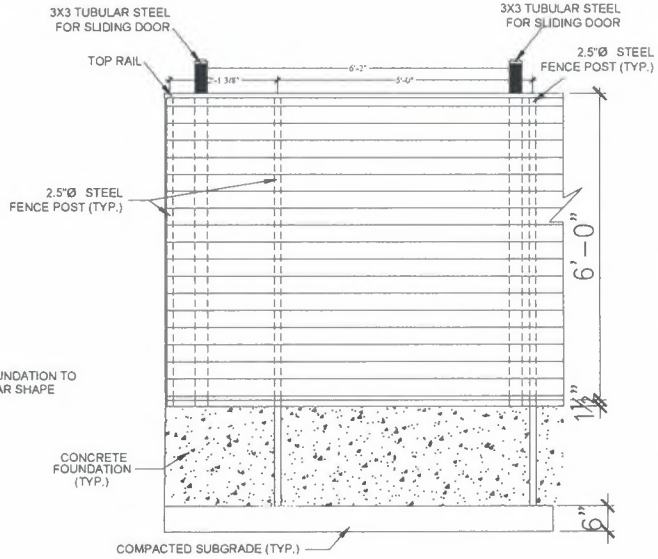


WOOD FENCE SECTION
@ FENCE-01



WOOD FENCE SECTION
@ FENCE GATE



ELEVATION

1	FENCE DRAWINGS AND DETAIL
C2	SCALE: NTS

SEAL

Project Consulting & Construction
DESIGN + BUILD + CONSULTANCY
Ennis, TX. 75119
TEL. (214) 399-3662

REVISIONS

NO.	DESCRIPTION	DATE
1		

ADDRESS
2764 CATHERINE, DALLAS, TX. 75211

DATE
08/23/2023

DRAWN BY
MJKB

CHECKED BY

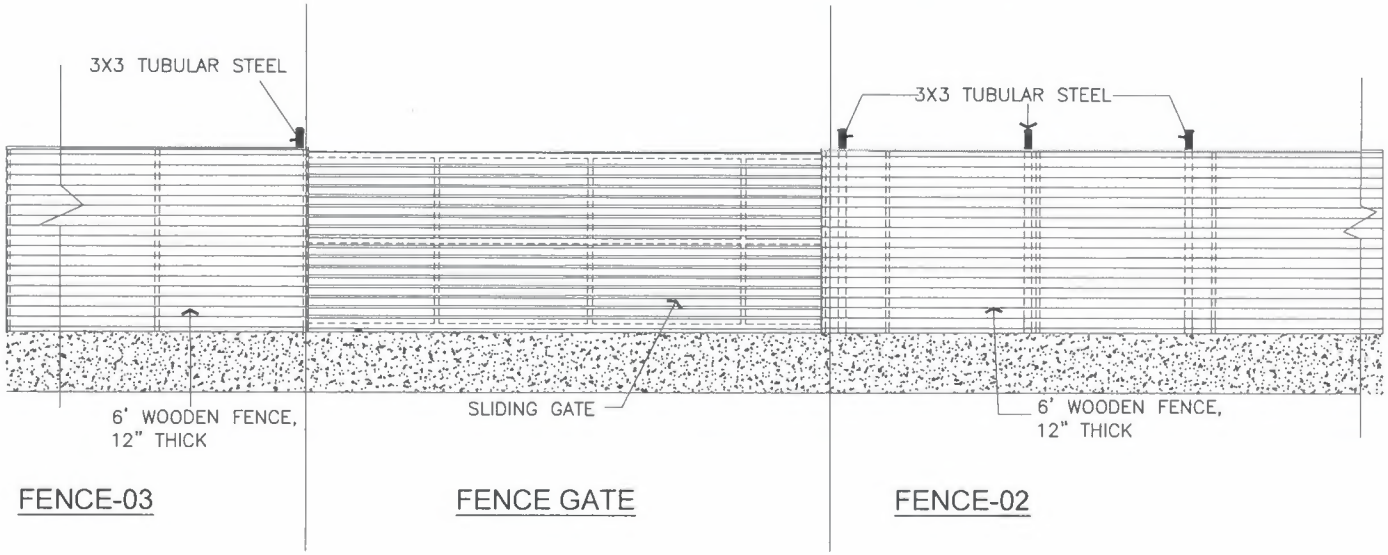
DESCRIPTION

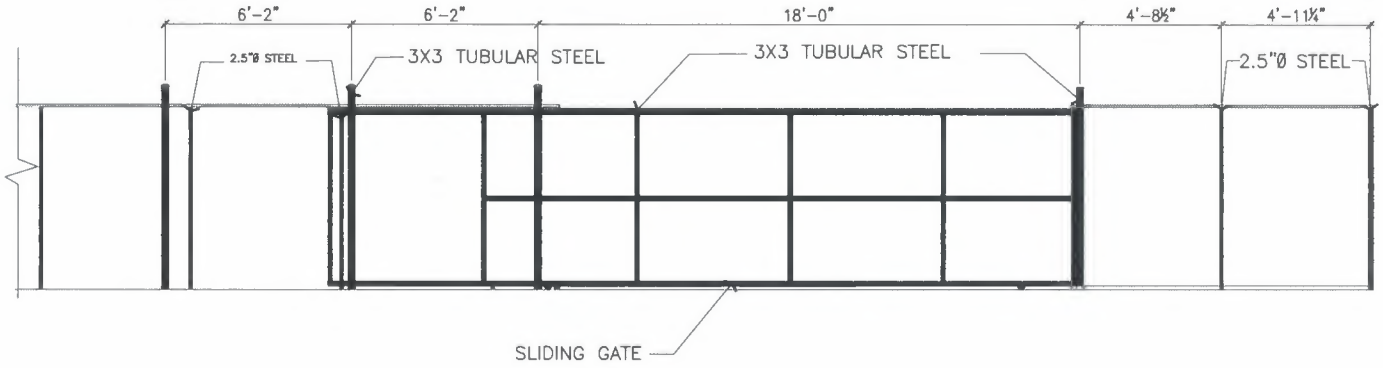
SCALE
NTS

SHEET TITLE
FENCE DETAILS

SHEET #
C1.02

BDA223-099





STRUCTURAL GATE DETAIL

1	FENCE DRAWINGS AND DETAIL
C3	SCALE: NTS

SEAL

Project Consulting & Construction
DESIGN + BUILD + CONSULTANCY

Ennis, TX 75119
TEL. (214) 399-3662

REVISIONS

NO.	DESCRIPTION	DATE
△		

ADDRESS
2764 CATHERINE, DALLAS, TX. 75211

DATE
08/23/2023

DRAWN BY
MJKB

CHECKED BY

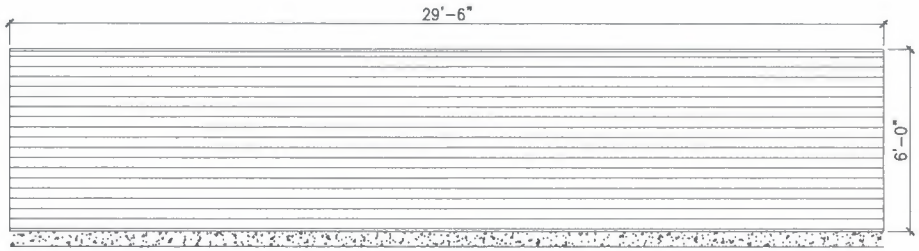
DESCRIPTION

SCALE
NTS

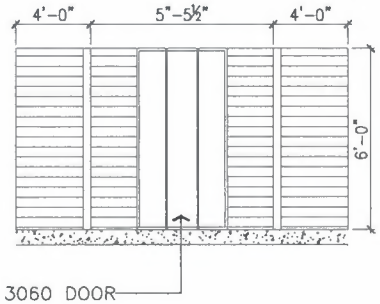
SHEET TITLE
FENCE DETAILS

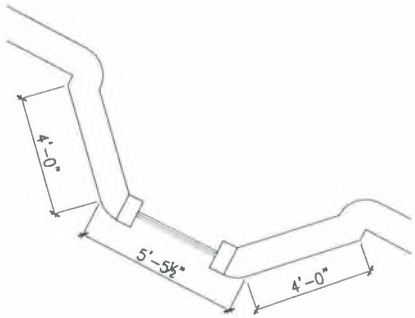
SHEET #
C1.03

BDA223-097



FENCE-05





FENCE-04

1	FENCE DRAWINGS AND DETAIL
C4	SCALE: NTS

SEAL

Project Consulting & Construction
DESIGN + BUILD + CONSULTANCY

Ennis, TX. 75119
TEL. (214) 399-3662

REVISIONS

NO.	DESCRIPTION	DATE
△		

ADDRESS
2764 CATHERINE,DALLAS, TX. 75211

DATE
08/23/2023

DRAWN BY
MJKB

CHECKED BY

DESCRIPTION

SCALE
NTS

SHEET TITLE
FENCE DETAILS

SHEET #
C1.04

BOA223-097

BDA223-097

BDA223-097

BDA 223-097


BDA223-097


BDA223-097


BDA 223-097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BDA 223-097

BDA223-097


BDA223-097


BDA 223-097


BDA223-097


BDA228-097
PRIVATE
PROPERTY

BDA223-097

FILE NUMBER: BDA223-107(FR1)

BUILDING OFFICIAL'S REPORT: Application of Michael Vann to appeal the decision of the administrative official at 5524 Vickery Blvd

LOCATION: 5524 Vickery Blvd.

APPLICANT: Michael Vann

REQUESTS:

The applicant is requesting a fee reimbursement for an appeal the decision of the administrative official.

STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:

Section 51A-1.105(b)(6) of the Dallas Development Code specifies the board of adjustment may waive the filing fee if the board finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

The staff does not make a recommendation on fee waiver requests since the standard is whether the board finds that payment of the fee would result in substantial financial hardship to the applicant.

FILE NUMBER: BDA234-003 (KMH)

BUILDING OFFICIAL'S REPORT: Application of Leticia Dorsey for (1) a variance to the side-yard setback regulations at 715 W. RED BIRD LN. This property is more fully described as Block 13/6909, Lot 15, and is zoned R-7.5(A), which requires side-yard setback of 5-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 2-foot side-yard setback, which will require (1) a 3-foot variance to the side-yard setback regulations.

LOCATION: 715 W. Red Bird Lane

APPLICANT: Leticia Dorsey

REQUEST:

(1) A request for a variance to the side-yard setback regulations.

STANDARD FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the front yard, **side yard**, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

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

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

(C) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE

Dallas Development Code §51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:
(i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code;
(ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur;
(iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Denial

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

A. Not contrary to public interest as no letters of opposition were received.
B. Not restrictive in area, shape or slope; in which the property cannot be developed in a manner commensurate with development upon other parcels of land with the same zoning.
C. Self-created hardship/personal hardship.

BDA HISTORY:
No BDA history found within the last five years.

Square Footage:
The lot contains 11,389.75 of square feet.
The lot is zoned R-7.5(A) with a minimum lot size of 7,500 square feet.

Zoning:

Site:	R-7.5(A) Single Family District
North:	R-7.5(A) Single Family District
South:	R-7.5(A) Single Family District
East:	R-7.5(A) Single Family District
West:	R-7.5(A) Single Family District

Land Use:
The subject site is developed with a single family home. The areas to the north, east, and west are developed with single-family uses, to the south of the property is a church.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the side yard setback of 3-feet is made to maintain a single-family residential structure.
- The applicant is proposing to only provide a 2-foot side yard setback, whereas a minimum 5-foot side yard setback is required as defined in the yard, lot, and space regulations for the R-7.5(A) zoning district.
- The subject site is currently developed with a single-family dwelling unit and is surrounded by single family homes, with the exception of a church/congregational facility to the immediate south.
- As gleaned from the submitted site plan, the applicant is proposing to maintain an addition to the home along the eastern border of the property.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the side yard setback 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 a specific parcel of land that differs 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 with the same zoning; and
- 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
(b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
(c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
(d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(e) the municipality considers the structure to be a nonconforming structure.

- Granting the proposed 3-foot variance to the side yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.

- BDA234-003 at 715 W. Red Bird Lane (200' Radius Video)

Timeline:

November 9, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

December 1, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 6, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the December 22, 2023, deadline to submit additional evidence for staff to factor into their analysis; and January 5, 2024, 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.

December 28, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the December public hearings. Review team members in attendance included: The Board of Adjustment Interim Chief Planner/Board Administrator, the Development Services Senior Plans Examiner and the Senior Planner.

1:1,200

AERIAL MAP

Case no: BDA234-003

Date: 12/4/2023

1:1,200

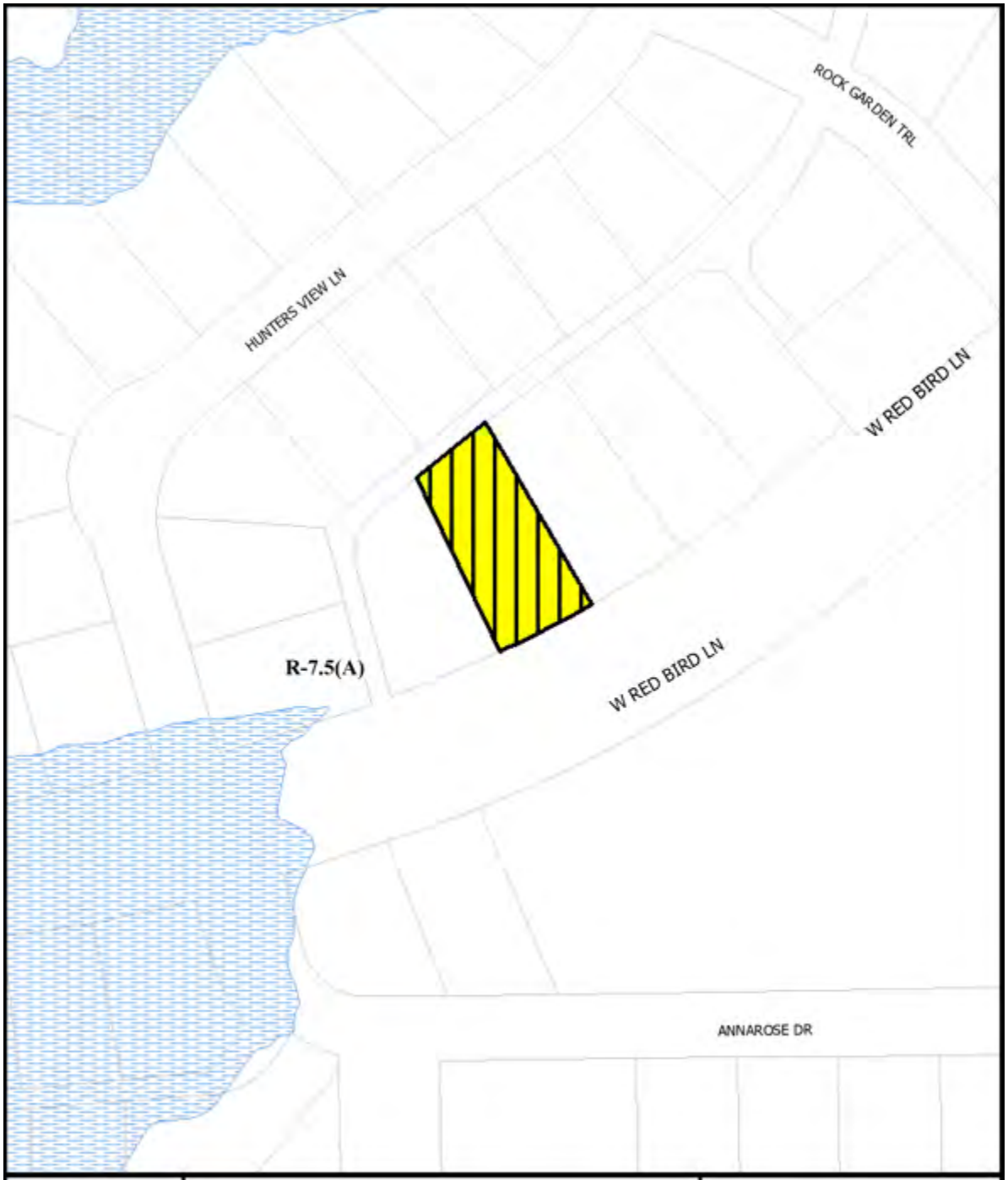
NOTIFICATION

200' AREA OF NOTIFICATION

19 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-003

Date: 12/4/2023



1:1,200

ZONING MAP

Case no: BDA234-003

Date: 12/4/2023

/
12/04/2023

Notification List of Property Owners

BDA234-003

19 Property Owners Notified

Label #	Address		Owner
1	715	W RED BIRD LN	DORSEY GREGORY GORDON &
2	6031	HUNTERS VIEW LN	HEARD CARLA & ROBERT
3	6025	HUNTERS VIEW LN	IZAGUIRRE RIGOBERTO
4	6021	HUNTERS VIEW LN	WEST CHAUNCY
5	6126	HUNTERS VIEW LN	RAMIREZ DENISE MARIA
6	6120	HUNTERS VIEW LN	TURNER BARBARA A
7	6106	HUNTERS VIEW LN	SLN3 GROUP LLC
8	6030	HUNTERS VIEW LN	Taxpayer at
9	6026	HUNTERS VIEW LN	BROOKS BOBBIE GENELL
10	6020	HUNTERS VIEW LN	MITCHELL STELVIN JR
11	6016	HUNTERS VIEW LN	SCALES THELMA
12	6010	HUNTERS VIEW LN	VASHER ERNESTINE H
13	722	W RED BIRD LN	PRUITT KENNETH LEE &
14	718	W RED BIRD LN	YERGER WINFRED C &
15	703	W RED BIRD LN	EDWARDS KASSANDRA
16	707	W RED BIRD LN	OWUSU VICTORIA
17	711	W RED BIRD LN	ORTIZ VICTOR
18	719	W RED BIRD LN	WILLIAMS JAMES E
19	620	W RED BIRD LN	VICTORY TEMPLE CHURCH OF GOD IN CHRIST TR

200’ Radius Video Route

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Residential Renovation Case No.: BDA 234-023

RECEIVED NOV 0 9 REC'D BY: T. S.

Data Relative to Subject Property: ~~Oct. 23, 2023~~ Date: 11/6

Location address: 715 W. Red BIRD LN Zoning District: R-7.5

Lot No.: 15 Block No.: 13/6909 Acreage: 0.26 Census Tract:

Street Frontage (in Feet): 1) 80' 2) 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Gregory G. Dorsey and Leticia E. Dorsey

Applicant: Leticia E. Dorsey Telephone: 469-733-4319

Mailing Address: 715 W. Red BIRD LN Zip Code: 75232

E-mail Address: ledorsey23@gmail.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance ✓, or Special Exception _, of requesting ~~2~~ 3 ft. of variance to side yard set back

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 had two contractors working on my home project. The first took $30,000 did not complete the 2ND contractor did not want to help me with ~~the~~ the final appeal of home project.

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 Leticia E. Dorsey
(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: Leticia E. Dorsey
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 6th day of November, 2023

Emmanuel Castelano
Notary Public in and for Dallas County, Texas

EMMANUEL CASTELANO
Notary Public
STATE OF TEXAS
ID# 13417860-0
My Comm. Exp. 01/30/2027

REV 01.16.2023

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 ERICK BONILLA

did submit a request for (1) a variance to the front yard setback regulations

at 4701 S. Denley

BDA234-003(KMH) Application of Leticia Dorsey for (1) a variance to the side-yard setbac regulations at 715 W. RED BIRD LN. This property is more fully described as Block 13/6909, Lot 15, and is zoned R-7.5(A), which requires side-yard setback of 5-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 2-foot side-yard setback, which will require (1) a 3-foot variance to the side-yard setback regulations.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-003

I, Gregory G. Dorsey, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 715 W. Red Bird LN.
(Address of property as stated on application)

Authorize: Letricia E. Dorsey
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

✓ Variance (specify below)

_____ Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: requesting 2.2 ft. of variance to side yard set back

Gregory Dorsey
Print name of property owner or registered agent

Gregory Dorsey
Signature of property owner or registered agent

Date 11/8/2023

Before me, the undersigned, on this day personally appeared Gregory Dorsey

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 8th day of Nov, 2023

Notary Public for Dallas County, Texas

LAURA LIZZETT PENA
Notary ID # 132299662
My Commission Expires
January 3, 2024

Commission expires on 01-03-2024

12

ArcGIS Web Map

11/7/2023, 11:53:05 AM

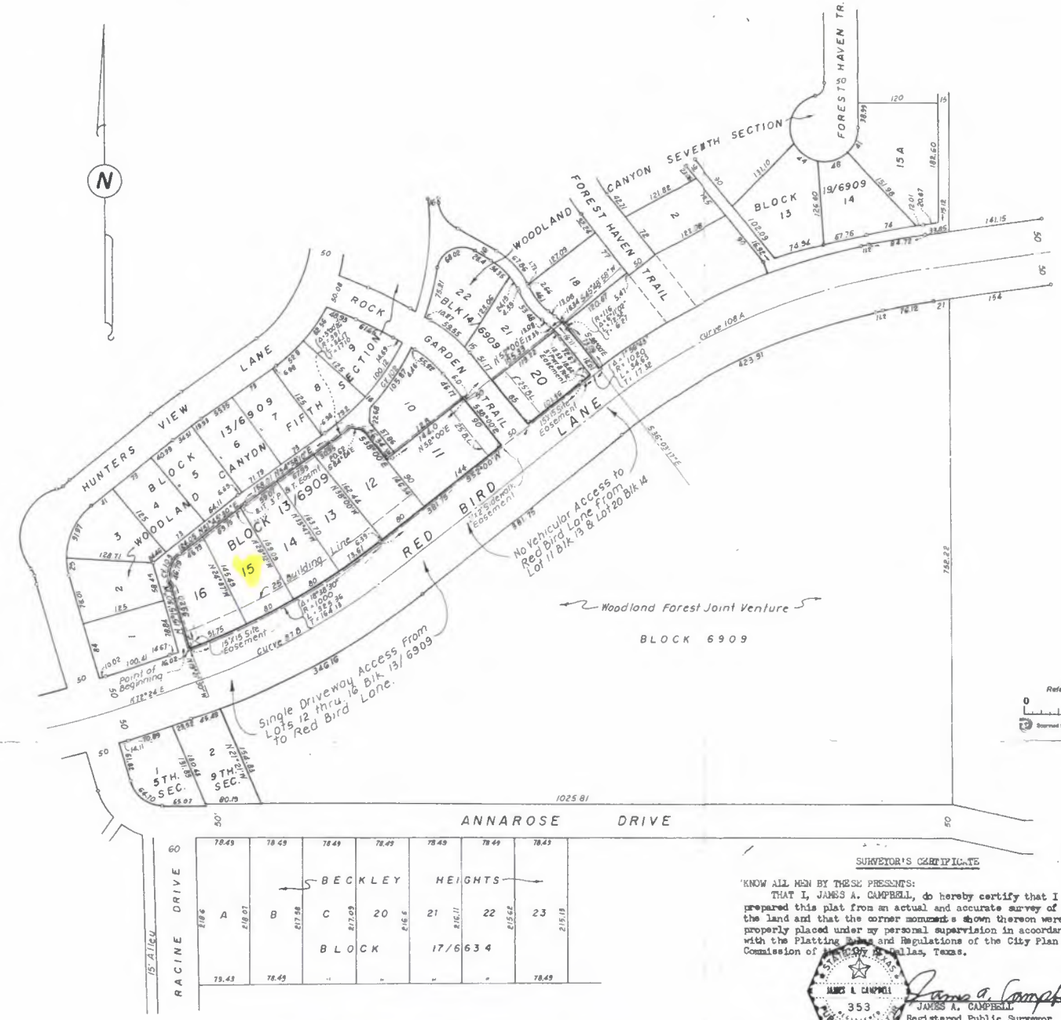
1:1,822

0 0.02 0.04 0.07 mi

0 0.03 0.06 0.12 km

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community

BDA234-003



Reference size of original: 0 1 2

Scanned by Sign Water Management

TRUE AND CORRECT COPY OF RECORD ON FILE IN CITY SURVEYOR'S OFFICE
CITY OF DALLAS TEXAS
BY: [illegible]
DATE: 11/07/2023

CURVE NO.	DESCRIPTION	CENTRAL ANGLE	OUTER CURVE R	OUTER CURVE L	OUTER CURVE T	INNER CURVE R	INNER CURVE L	INNER CURVE T
87.B	Red Bird Lane	20°24'	1100	331.65	197.92	1000	356.05	179.93
102	Alley Block 13/6909	60°38'20	391	416.09	230.19	375	399.06	220.77
103	" " "	67°01'				40	46.79	26.48
108A	Red Bird Lane	26°24'	1020	469.98	239.24	920	423.91	215.78
126	Alley Block 14/6909	14°15'20"	116	28.86	14.50	100	24.88	12.50

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, JAMES A. CAMPBELL, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City Plan Commission of the City of Dallas, Texas.

JAMES A. CAMPBELL 353 REGISTERED PUBLIC SURVEYOR

James A. Campbell
JAMES A. CAMPBELL
Registered Public Surveyor

STATE OF TEXAS:
COUNTY OF DALLAS:

BEFORE me, the undersigned authority, a Notary Public in and for Dallas County, Texas, on this day personally appeared JAMES A. CAMPBELL, Registered Public Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day of March A.D. 1983.

NOTARY PUBLIC in and for DALLAS COUNTY, TEXAS.

TENTH SECTION

WOODLAND CANYON

DAVID M. RICKETTS SURVEY ABSTRACT NO. 1222

CITY BLOCK 6909 DALLAS, TEXAS

Woodland Forest Joint Venture (431 S. ALEXANDER AVE. DUNCANVILLE, TX 75116) OWNER

CAMPBELL ENGINEERING, INC.
112 S. MADISON AVE. DALLAS, TEXAS 75208

SCALE: 1" = 100' JULY 19, 1982

CITY PLAN NO. S87-105

OWNER'S CERTIFICATE

STATE OF TEXAS:
COUNTY OF DALLAS:

WHEREAS, WOODLAND FOREST JOINT VENTURE, is the owner of two tracts of land situated in the David M. Ricketts Survey Abstract No. 1222, and located in City Block 6909, City of Dallas, Dallas County, Texas, and being more particularly described as follows:

Being situated in the David M. Ricketts Survey Abstract No. 1222, and located in City Block 6909, City of Dallas, Dallas County, Texas, and being more particularly described as follows:

Beginning at the intersection of the northwest line of Red Bird Lane and the northeast line of a 16 ft. alley in Block 13/6909, Woodland Canyon Fifth Section, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Vol. 736, at page 0416, of the Deed Records of Dallas County, Texas, said point being 143.10 ft. northeast of the northeast line of Hunters View Lane;
Thence N 15°-15'-30" W along the northeast line of the 16 ft. alley 99.20 ft. to beginning point of curve;
Thence along a curve to the right having a radius of 40 ft., a central angle of 67°-01' a distance of 46.79 ft. to end of curve;
Thence N 81°-45'-30" E 124.05 ft. to angle point;
Thence N 54°-58'-10" E 158.01 ft. to beginning point of curve;
Thence along a curve to the left having a radius of 391 ft. through a central angle of 5°-00'-26" a distance of 34.17 ft. to corner;
Thence S 84°-24' E 20.62 ft. to corner;
Thence S 38°-00' E 56.34 ft. to corner;
Thence N 52°-00' E along the southeast line of Lot 10, Block 13/6909, 144.0 ft. to corner;
Thence S 38°-00' E along the southwest line of Rock Garden Trail 5.0 ft. to corner;
Thence N 52°-00' E along the southeast line of Lot 21, Block 14/6909, 185.33 ft. to corner;
Thence in a southeasterly direction along a curve to the right whose radius bears S 43°-48'-58" W, said curve having a radius of 116 ft. through a central angle of 6°-11'-02" a distance of 12.52 ft. to end of curve;
Thence S 38°-00' E 73.09 ft. to corner;
Thence in a southwesterly direction along the northwest line of Red Bird Lane along a curve to the left whose radius bears S 36°-03'-17" E said curve having a radius of 1020 ft. through a central angle of 1°-56'-43" a distance of 34.63 ft. to end of curve;
Thence S 52°-00' W 381.75 ft. to beginning point of curve;
Thence along a curve to the right having a radius of 1000 ft. through a central angle of 18°-38'-30" a distance of 325.36 ft. to place of beginning.
This tract of land contains 2.0130 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WOODLAND FOREST JOINT VENTURES does hereby adopt this plat designating the hereinabove described property as WOODLAND CANYON TENTH SECTION, an addition to the City of Dallas, Texas; The easements shown thereon are hereby reserved for the purposes as indicated.

No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the "Utility Easement" as shown. Said "Utility Easement" is hereby reserved for the mutual use and accommodation of all public utilities desiring to use or using same. All and any public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the "Utility Easement" and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said "Utility Easement" for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

This plat is approved subject to all platting ordinances, rules, regulations and resolutions of the City of Dallas, Texas. Sidewalks shall be constructed by the homebuilder as required by the City Council Resolution #68-1038 and in accordance with the requirements of the Director of Public Works of the City of Dallas.

EXECUTED at Dallas, Texas, this 19th day of July A.D. 1982.

WOODLAND FOREST JOINT VENTURE
M. L. Merrick
M. L. MERRICK, Attorney-in-fact

THE STATE OF TEXAS:
COUNTY OF DALLAS:

BEFORE me, the undersigned authority, a Notary Public in and for Dallas County, Texas, personally appeared M. L. MERRICK, Attorney-in-Fact for WOODLAND FOREST JOINT VENTURE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 19th day of July A.D. 1982.

NOTARY PUBLIC in and for DALLAS COUNTY, TEXAS.

Scanned by Survey Division

074D-9016

BDA234-003

1529 E I-30, STE. 103
GARLAND, TEXAS 75043

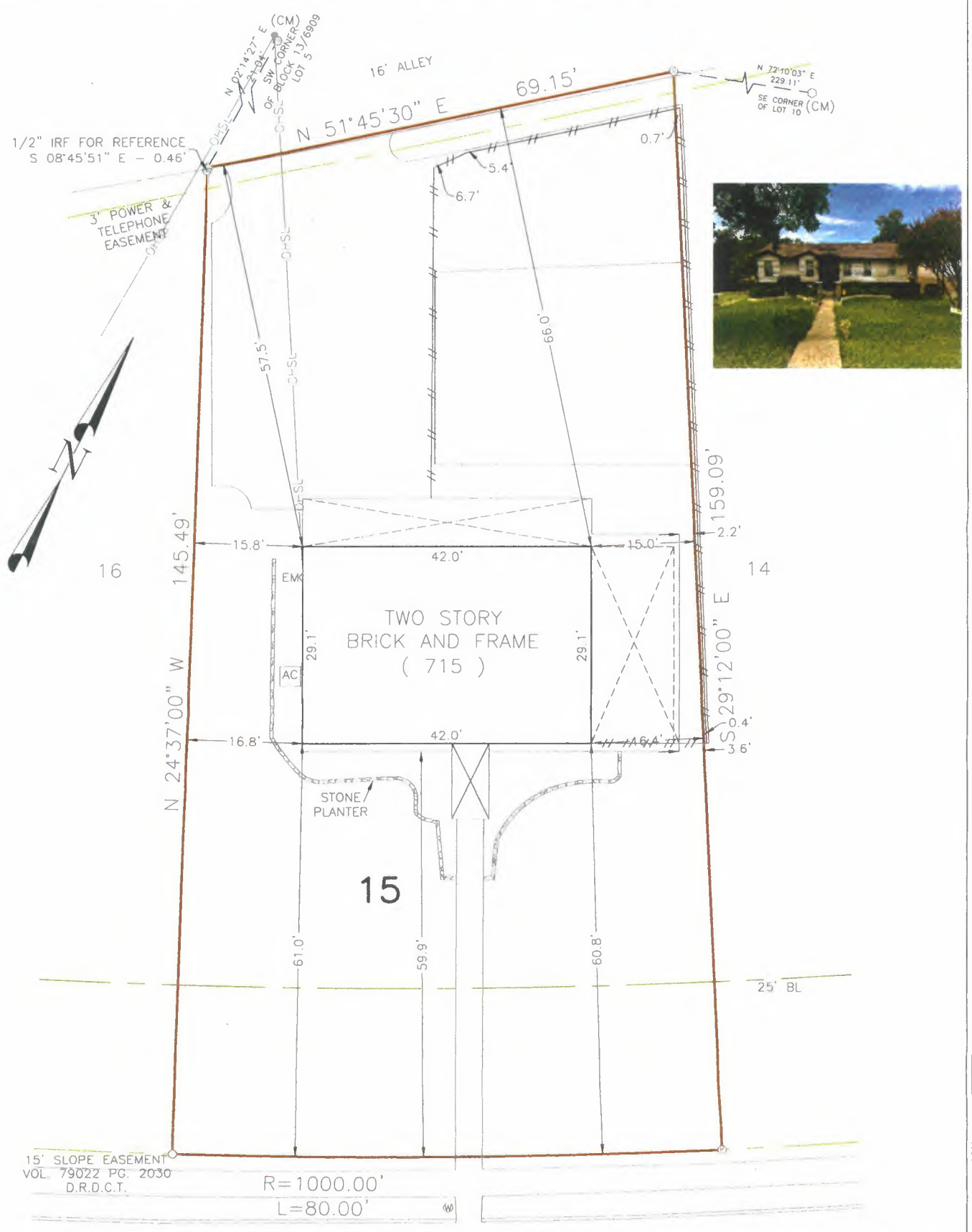
FIRM REGISTRATION NO. 10194366

FINAL SURVEY

BURNS SURVEYING

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 715 WEST RED BIRD LANE, in the City of DALLAS Texas.
BEING LOT 15, BLOCK 13 WOODLAND CANYON ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 83071, PAGE 1923 OF THE PUBLIC RECORDS OF DALLAS COUNTY, TEXAS.



THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

CM'S SHOWN HEREON ARE BASIS FOR DIRECTIONAL CONTROL

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements.

TITLE AND ABSTRACTING WORK FURNISHED BY N/A

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 20'
Date: 10/05/23
G. F. No.: -
Job no.: 202308320
Drawn by: AC

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.
THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR LETICIA DORSEY

LEGEND
WOOD FENCE — IRON FENCE
CHAIN LINK — WIRE FENCE
BOUNDARY LINE
EASEMENT SETBACK
CM - CONTROLLING MONUMENT
MRD - MONUMENTS OF RECORD DIGNITY
1/2" IRON ROD FOUND
1/2" YELLOW-CAPPED IRON ROD SET
SET 'X' FOUND 'X'
3/8" IRON ROD FOUND
5/8" IRON ROD FOUND
PK NAIL FOUND EM - ELECTRIC METER
- CABLE - ELECTRIC
- CLEAN OUT PE - POOL EQUIP
- GAS METER - POWER POLE
- FIRE HYDRANT - TELEPHONE
- LIGHT POLE - WATER METER
- MANHOLE - WATER VALVE
(UNLESS OTHERWISE NOTED)

STATE OF TEXAS
REGISTERED
BARRY S. RHODES
3691
PROFESSIONAL
LAND SURVEYOR

BDA234-003

Nov. 2023

To whom it may concern:

Please accept this as my explanation for the layout of my home. I have provided you with a survey from a surveyor, that shows that my home is not 5 feet from the fence. In the building of this addition, I have gone through 2 contractors and have even taken it upon myself to get permits and schedule inspections to get this project completed. I was not informed when submitting the drawing and layout of the additions the structure of the home had to be 5 feet from the property line.

To find out that this is not within zoning guidelines is disheartening. I had one contractor take of with $30,000 in cash, to never return and another who was trying to drag his feet to do the job, and never returned, to where I was working with them and the city to build this and before moving forward, I received the okay from the city inspector, to only find out, it really is an issue and something to be of concern.

As a homeowner, this is not something I completely understand, so I have taken the liberty of hiring 2 different contractors, who have both abandoned my project and have had to proceed by completing all the inspections and permits and overseeing everything and then having trades complete the necessary work. It is my hope that my nightmare can come to an end and that City of Dallas can approve the changes made to my home, as it's been a bit of a struggle, but it's finally done and I just need this final phase of it being approved.

Thank you,

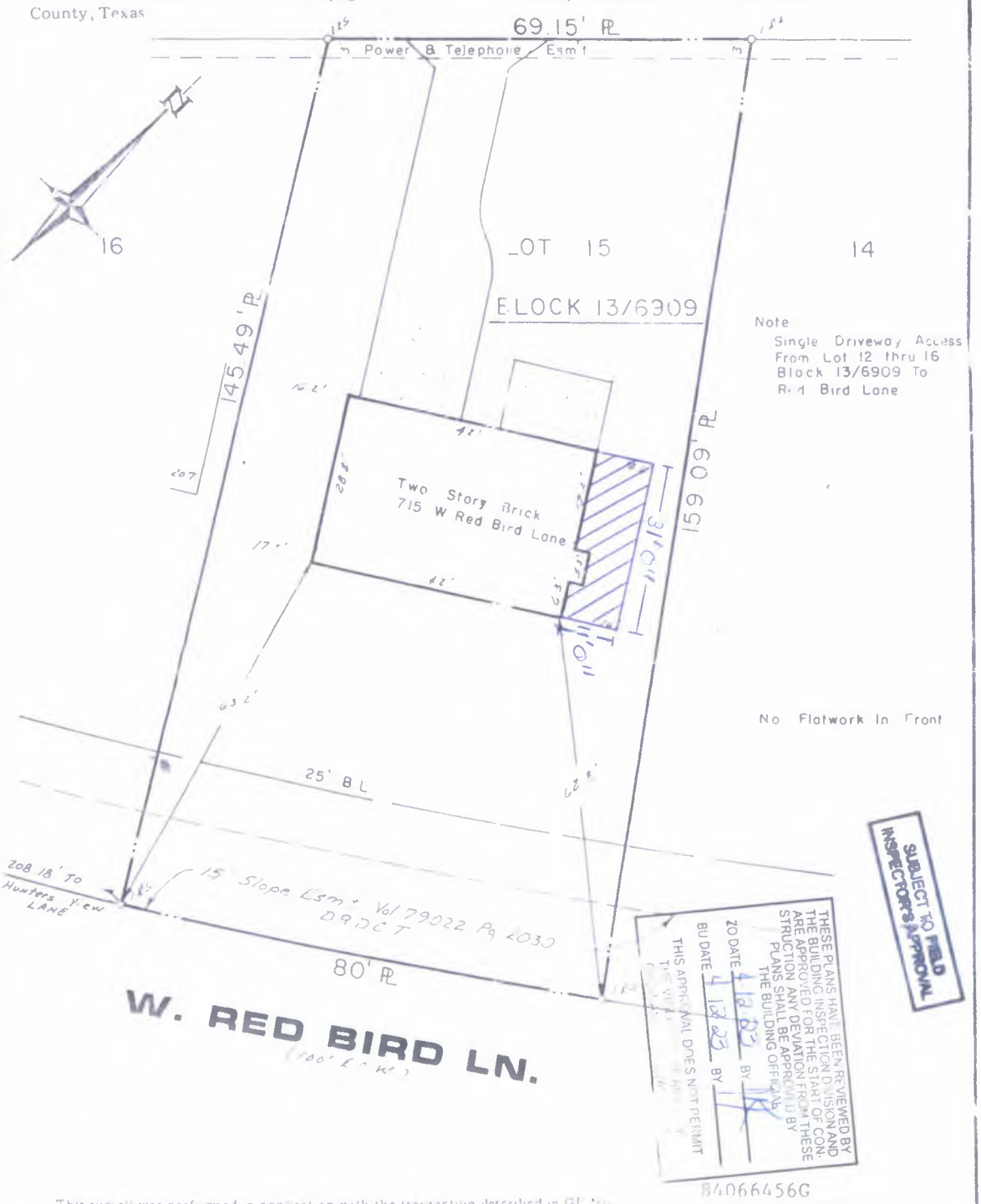
Leticia Dorsey

BDA234-003

SURVEY PLAT

REFERENCE

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No 715 West Red Bird Lane in the city of Dallas Texas Lot No. 15 Block No. 13 City Block No. 6909 of Woodland Canyon Tenth Section Addition, an addition to the City of Dallas Texas, according to the plat, recorded in Volume 83071 at page 1923 of the Map Records of Dallas County, Texas



84066456G

This survey was performed in connection with the transaction described in GF No. ____ of Hexter Fair Title Company. USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM. And the plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat, the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated and that the distance from the nearest intersecting street, or road is as shown on said plat.
EXCEPT AS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS OR EVIDENCE OF APPARENT USE ON THE GROUND

Scale 1" = 20'

Date 2-17-84

Job Z444

Drawn By ____

W. R. Lee

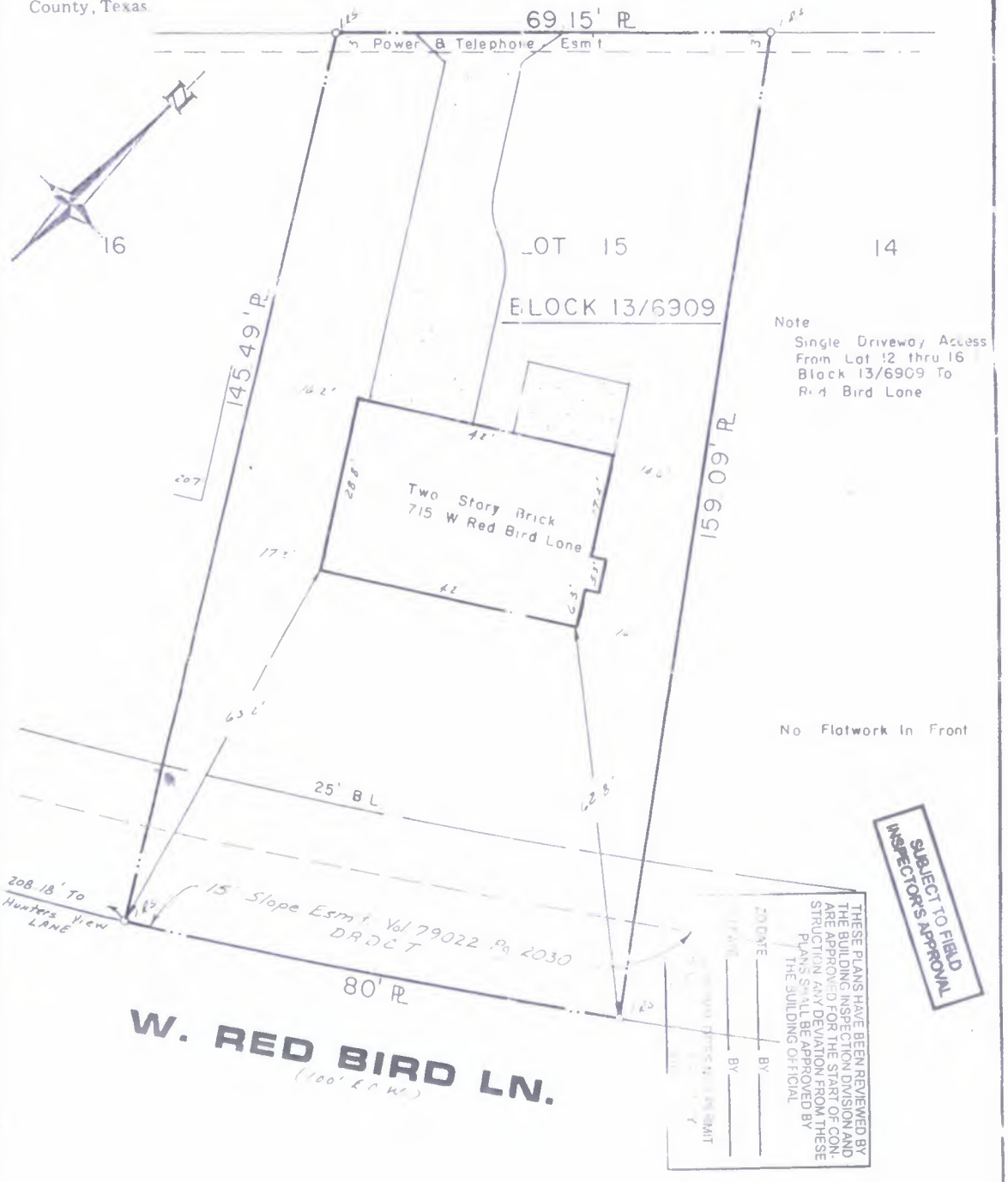
Registered Public Surveyor No. 2038
1421 Ferndale Ave. 942-8496

BDA234-003

SURVEY PLAT

REFERENCE

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 715 West Red Bird Lane in the city of Dallas Texas Lot No 15 Block No. 13 City Block No. 6909 of Woodland Canyon Tenth Section Addition, an addition to the City of Dallas Texas, according to the plat, recorded in Volume 83071 at page 1923 of the Map Records of Dallas County, Texas.



B4066456G

This survey was performed in connection with the transaction described in GF No. _____

of Hexter Fair Title Company. USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM. And the plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat, the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated and that the distance from the nearest intersecting street, or road, is as shown on said plat.

EXCEPT AS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS APPARENT ON THE GROUND.

Scale 1" = 20'

Date 9-17-84

Job 71444

Drawn By RPL

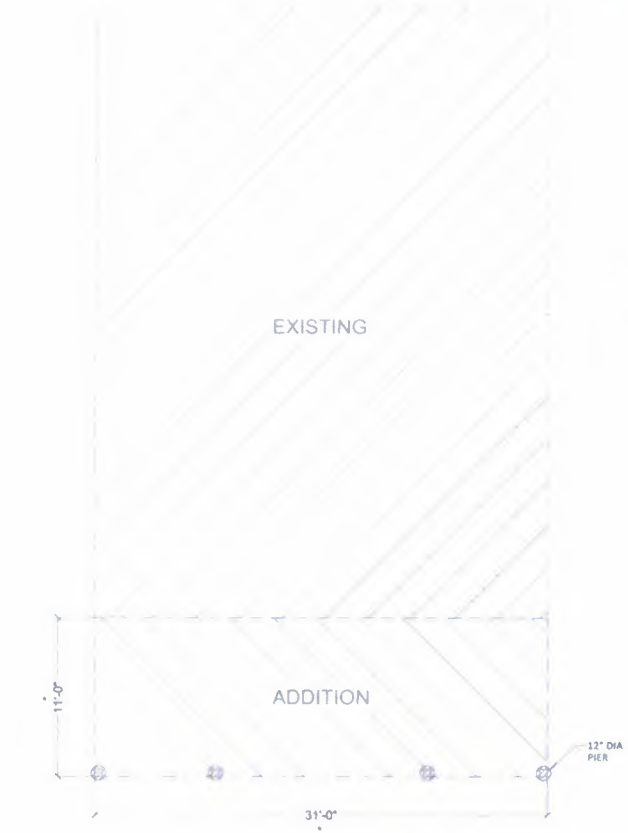
W. R. Lee

Registered Public Surveyor No. 2038
1421 Ferndale Ave. — 942-8496

BDA234-003

BDA234-003

REFERENCE



SITE PLAN

SC 1/4"=1'

• CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION

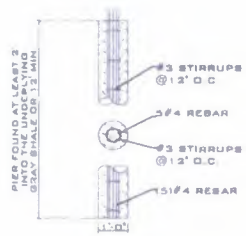
SUBJECT TO FIELD INSPECTOR'S APPROVAL

THESE PLANS HAVE BEEN REVIEWED BY THE BUILDING INSPECTION DIVISION AND ARE APPROVED FOR THE START OF CONSTRUCTION. ANY DEVIATION FROM THESE PLANS SHALL BE APPROVED BY THE BUILDING OFFICIAL.

4-12-23 BY

4-12-23 BY

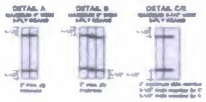
VAL DOT ... ATION



TYPICAL PIER DETAIL

R.T.S

CONNECTION ASSEMBLIES



FRAMING NOTES

Stud Walls:

1. All exterior and load bearing interior wall studs shall be at least 2"x4" at 16" on centers unless noted otherwise.
2. All interior non load bearing wall studs shall be 2"x4" at 16" on centers, with 5/8" gypsum board on both sides, unless noted otherwise.

Columns, Beams and Headers:

3. All columns (if any) are to be wood (8x8), unless noted otherwise. Simpson Strong Tie connection.
4. Beam to Column connections to use Simpson Strong-Tie LCE4 or equal.
5. All headers (H) are to be (2) 2x12 unless noted otherwise.
6. Continuously sheathed wood structural panel method used. Minimum sheathing thickness is 1/2"

Shear Walls, Deck, & Trusses:

7. Roof deck to be 3/4" exterior grade plywood sheathing.
8. All roof rafters shall be 2"x6", See plan for Hip, Valley and Ridge beams (Southern Pine #2)
9. Roof members to be spaced a maximum of 2'-0" on centers
10. All connector plates to be 16 ga. Simpson Strong-Tie or approved equal. See details for nailing patterns

General Notes:

11. Contractor shall verify all of the dimensions prior to construction.
12. It is the contractor's responsibility to provide any and all shop drawings and ask for Owner/Engineer approval prior to construction.
13. All work procedures should be supervised by a licensed structural engineer(s) to ensure safety and quality
14. Contractor to be covered with all required and industry recommended insurance coverages.
15. Contractor to follow all required ACI, ASCI, OSHA,ASTM, and IBC codes.
16. Hip and valley rafters shall be supported at the ridge by a brace to a bearing partition or be designed to carry and distribute the specific load at that point.
17. Purlins shall be continuous and shall be supported by braces installed to bearing walls at a slope not less than 45 degrees from the horizontal. The braces shall be spaced not more than 4 feet on center and the unbraced length of braces shall not exceed 8 feet.
18. Support all hip, valley and ridge beams by proper braces. Use LVL beam to support braces as required.
19. Rafters to be supported by purlins and bracing for horizontal spans of 12'-0" or greater.
20. Roof Loading: Live load = 20 psf, Dead load= 10 psf
    L/Δ = 240
21. Uninhabitable attics without storage Loading:
    live load = 10 psf, dead load= 5 psf, L/Δ = 240
22. Add 2 more studs at each side of wall supporting the beams and headers.
23. THE RECOMMENDATIONS PROVIDED HEREIN ARE FOR THE EXCLUSIVE USE OF THE ADDRESSED PROJECT. IT IS IMPERATIVE THAT MME BE CONTACTED BY ANY THIRD-PARTY INTERESTS TO EVALUATE THE APPLICABILITY OF THIS REPORT RELATIVE TO USE BY ANYONE OTHER THAN THE ADDRESSED PROJECT. NO OTHER WARRANTY IS EXPRESSED OR IMPLIED.
24. MME SHOULD BE CONTACTED IF CONDITIONS ENCOUNTERED ARE NOT CONSISTENT WITH THOSE DESCRIBED. WE CAN ALSO BE PROVIDED WITH A SET OF FINAL CONSTRUCTION PLANS AND SPECIFICATIONS, ONCE THEY ARE AVAILABLE, TO REVIEW WHETHER OUR RECOMMENDATIONS HAVE BEEN UNDERSTOOD AND APPLIED CORRECTLY, AND TO ASSESS THE NEED FOR ADDITIONAL EXPLORATION OR ANALYSIS. ANY CHANGES IN THE PLANNED PROJECT OR CHANGED SITE CONDITIONS MAY REQUIRE REVISED OR ADDITIONAL RECOMMENDATIONS ON OUR PART.
25. THIS PLAN HAS BEEN DESIGNED FOR THE SHOWN RENOVATION OR ADDITION AREA. MME HAS NOT EVALUATED EXISTING STRUCTURES. STRUCTURAL INTEGRITY OF THE EXISTING PARTS (FOUNDATION AND FRAMING) IS IN THE OWNER AND/OR CONTRACTOR RESPONSIBILITY

ISSUE RECORD:

DATE	ISSUED FOR

DRAWN BY: M.H.R.
CHK'D BY: M. Eskhan
DWG FILE:

THIS SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MOHAMMAD M. ESFAHANI, P.E. (38834) ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT

MME ENGINEERING LLC
C. 469-655-9020
Email: mme.eng@yahoo.com

TBPE F-23029

715 W Red Bird Ln,
Dallas, TX 75232

SHEET CONTENTS: SITE PLAN

DATE: 12-17-2022

S1

REFERENCE

WIND BRACING PLAN

THESE PLANS HAVE BEEN REVIEWED BY THE BUILDING INSPECTION DIVISION AND ARE APPROVED FOR THE START OF CONSTRUCTION. ANY DEVIATION FROM THESE PLANS MUST BE APPROVED BY

SUBJECT TO FIELD INSPECTOR'S APPROVAL

THIS DESIGN MEETS THE 2018 IRC REQUIREMENTS.

LEGEND
1 48" Braced Wall Panel
2 36" Braced Wall Panel
3 30" Braced Wall Panel
4 24" Braced Wall Panel

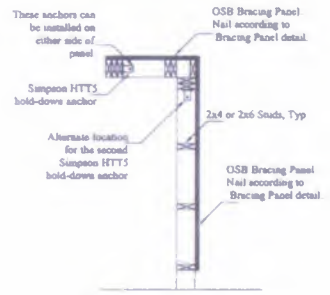
Design Specs:
1. For winds speeds ≤115 mph, one story, 10' wall height
2. CS-WSP (continuously sheathed wood structural panel) method to be used.
3. Minimum wood structural panel thickness to be 3/8"

* Hold Down Tie location

NOTE:
1. FOR THE TOP PLATE HEIGHTS EQUAL TO OR LESS THAN 12'-0" PROVIDE 2x4 CONTINUOUS STUDS @ 16" O.C. FOR TOP PLATE HEIGHTS ABOVE 12'-0" TO 17'-0", PROVIDE 2x6 CONTINUOUS STUDS @16" O.C.
2. PROVIDE 2x6 @ 16" O.C. WALL STUDS SUPPORTING TWO FLOOR AND ROOF WITH MAX. 10' PLATE HEIGHT IN ACCORDANCE WITH TABLE R602.3.5 OF 2018 I.R.C.

GENERAL NOTES	SYMBOL
-BRACED WALL LINE	
-BRACED WALL PANEL DASHED LINE INDICATES STRUCTURAL SHEATHING	
-BRACED WALL PANEL SEE DETAILS A & B	
-LET IN BRACING (L.I.B.)	

MAX. STUD SPACING	FASTENING TYPE	MAXIMUM FASTENER SPACING
16"	8d OR 16d COMMON NAILS	6" - PANEL EDGES 12"-INTERMEDIATES SUPPORTS



ALTERNATE CORNER BRACING
Scale: n.t.s.

BRACED WALL PANELS SHALL BE CONNECTED TO FLOOR FRAMING OR FOUNDATIONS AS FOLLOWS:

1- WHERE JOISTS ARE PERPENDICULAR TO A BRACED WALL PANEL ABOVE OR BELOW, A RIM JOIST, BAND JOIST OR BLOCKING SHALL BE PROVIDED ALONG THE ENTIRE LENGTH OF THE BRACED WALL PANEL IN ACCORDANCE WITH R602.10.8.(1). FASTENING OF TOP AND BOTTOM WALL PLATES TO FRAMING, RIM JOIST, BAND JOIST OR BLOCKING SHALL BE IN ACCORDANCE WITH TABLE R602.3(1) OF IRC.

2- WHERE JOISTS ARE PARALLEL TO A BRACED WALL PANEL ABOVE OR BELOW, A RIM JOIST, END JOIST OR OTHER PARALLEL FRAMING MEMBER SHALL BE PROVIDED DIRECTLY ABOVE AND BELOW THE BRACED WALL PANEL IN ACCORDANCE WITH R602.10.8(2). WHERE A PARALLEL FRAMING MEMBER CANNOT BE LOCATED DIRECTLY ABOVE AND BELOW THE PANEL, FULL-DEPTH BLOCKING AT 16-INCH SPACING SHALL BE PROVIDED BETWEEN THE PARALLEL FRAMING MEMBERS TO EACH SIDE OF THE BRACED WALL PANEL IN ACCORDANCE WITH R602.10.8(2). FASTENING OF BLOCKING AND WALL PLATES SHALL BE IN ACCORDANCE WITH TABLE R602.3(1) AND FIGURE R602.10.8(2) OF IRC.

3- CONNECTIONS OF BRACED WALL PANELS TO CONCRETE SHALL BE IN ACCORDANCE WITH SECTION R403.1.6 OF IRC.

ISSUE RECORD

DRAWN BY	M. M. E.
CHK'D BY	M. Fellows
Dwg FILE	

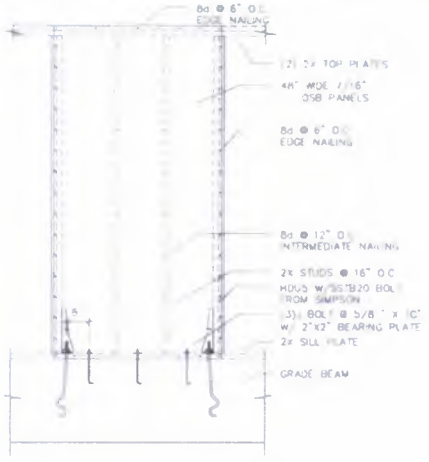
THIS SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MME ENGINEERING, PLLC. THIS DOCUMENT WAS ORIGINALLY ISSUED ON THE DATE INDICATED. THE DOCUMENT WITHOUT PROPER AUTHORIZATION, IS TO BE CONSIDERED INVALID.
C: 469-665-9020
Email: mme.eng@yahoo.com

715 W Red Bird Ln, Dallas, TX 75232

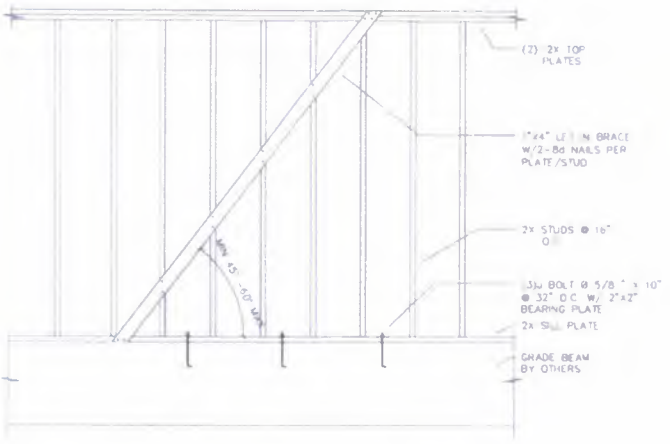
SHEET CONTENTS: WIND BRACING PLAN
DATE: 12.17.2022
S2

BDA234-003

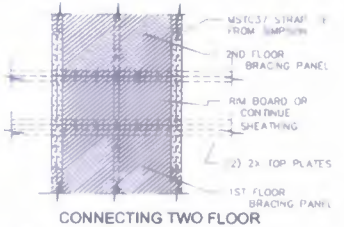
REFERENCE



1 OSB BRACING PANEL
SCALE NTS

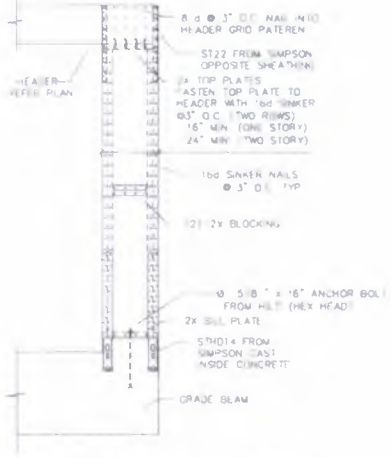


2 LET IN BRACING (LIB) PANEL
SCALE NTS

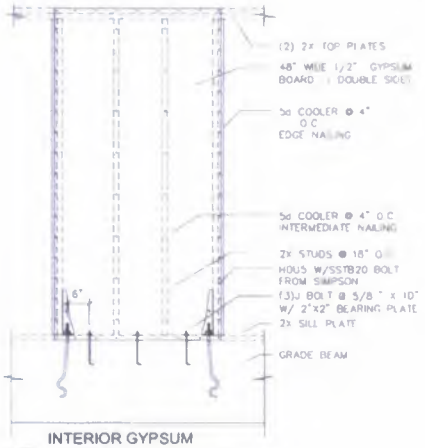


6 CONNECTING TWO FLOOR BRACING WALLS
SCALE NTS

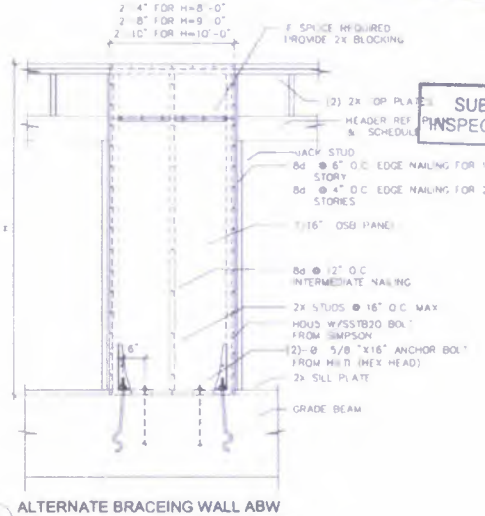
THESE PLANS HAVE BEEN REVIEWED FOR THE BUILDING INSPECTION DIVISION AND ARE APPROVED FOR THE STRUCTURAL CONSTRUCTION. ANY DEVIATION FROM THESE PLANS SHALL BE APPROVED BY THE BUILDING OFFICIAL
ZO DATE 4/12/23 BY
BU DATE 4/12/23 BY
THIS APPROVAL DOES NOT ALLOW THE VIOLATION OF ANY ORDINANCE OR STATE LAW



3 BRACING PANEL @ GARAGE (PFH)
SCALE NTS



4 INTERIOR GYPSUM BOARD BRACING PANEL
SCALE NTS



SUBJECT TO FIELD INSPECTOR'S APPROVAL

5 ALTERNATE BRACEING WALL ABW
SCALE NTS

ISSUE RECORD

DATE	ISSUED FOR

DRAWN BY M.M.E.
CHK'D BY M. Fakhouri
DWG FILE

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MOHAMMAD M. EBRAHIM, P.E. ON BEHALF OF MME ENGINEERING LLC. DOCUMENT WITHOUT PROPER NOTIFICATION OF THE SUPERVISING ENGINEER IS UNAUTHORIZED AND IN VIOLATION OF THE TEXAS ENGINEERING PRACTICE ACT

MME ENGINEERING LLC
C 469-655-9020
Email mme.eng@yahoo.com

715 W Red Bird Ln,
Dallas, TX 75232

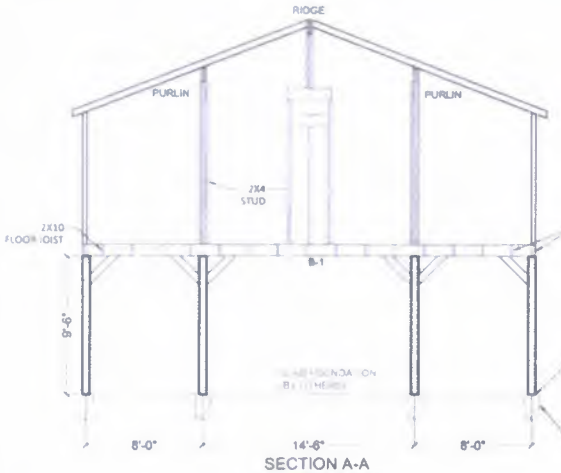
SHEET CONTENTS
WIND BRACING DETAILS

DATE 12-17-2022

S3

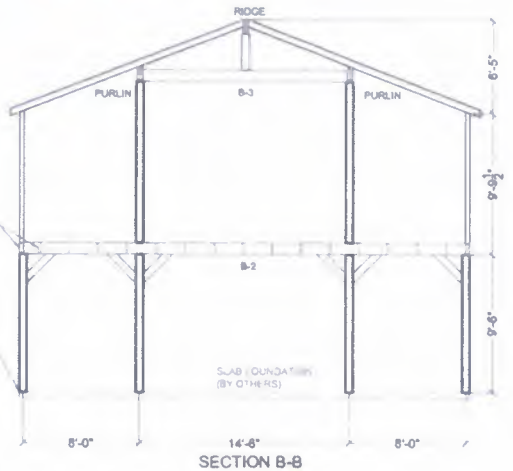
BDA234-003

REFERENCE



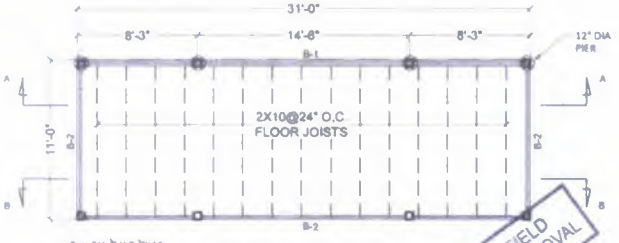
SECTION A-A

SC 1/4"=1'



SECTION B-B

SC 1/4"=1'

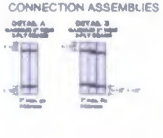


FLOOR PLAN

SC 1/4"=1'

SUBJECT TO FIELD INSPECTOR'S APPROVAL

CONNECTION ASSEMBLIES



RAFTER S.P #2 2X6@24" O.C
PURLIN S.P #2 3(2X12)
RIDGE S.P #2 3(2X10)

ROOF PLAN

SC 1/4"=1'

THESE PLANS HAVE BEEN REVIEWED BY THE BUILDING INSPECTION DIVISION AND ARE APPROVED FOR THE START OF CONSTRUCTION. ANY DEVIATION FROM THESE PLANS SHALL BE APPROVED BY THE BUILDING OFFICIAL

ZO DATE 4 12 23 BY

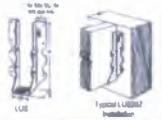
BU DATE 4 12 23 BY

THIS APPROVAL DOES NOT PERMIT THE VIOLATION OF ANY CITY ORDINANCE OR STATE LAW.

ABU SIMPSON STRONG TIE

POST TO FOUNDATION

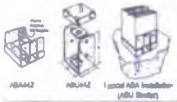
• CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.



LUS

Typical LUS26 Installation

Model No.	Dimensions (in.)				Fasteners	
	W	H	B		Header	Joist
LUS26	1 5/16	4 3/4	1 3/4	6-10d	4-10d	
LUS28	1 5/16	5 1/4	1 3/4	6-10d	4-10d	6-10d (Opt.)
LUS210	1 5/16	7 1/2	1 3/4	6-10d	6-10d	6-10d (Opt.)
LUS210-2	3 1/8	7 1/2	3	6-10d	6-10d	6-10d (Opt.)
LUS212	1 5/16	9	1 3/4	6-10d	6-10d	6-10d (Opt.)



ABA442 ABU442 Typical ABU Installation (ABU Shown)

Model No.	Post Size	Dimensions (in.)				Anchor Bolts	Post Fasteners			
		W	L	H	HB		Nails	HB Screws	Nailed Nails Qty.	Bolts Qty.
ABA442	4x4	3 5/16	3 1/8	3 1/16		1/2	6-10d	6-HB Screws		
ABU442	4x4	3 5/16	3	6 1/8	1 3/8	1/2	12-10d	12-HB Screws	2	1/2
ABA462	4x6	3 5/16	5 3/16	3 1/8		1/2	6-10d	6-HB Screws		
ABU462	4x6	3 5/16	5	7	2 5/8	1/2	12-10d		3	1/2
ABA642	6x4	5 1/8	3 3/8	3 1/8		1/2	6-10d	6-HB Screws		
ABU642	6x4	5 1/8	3	6 1/16	1 3/8	1/2	12-10d		2	1/2
ABU662	6x6	7 1/2	7	7		2 - 5/8	12-10d			

NOTES

FRAMING NOTES

Stud Walls:

1 All exterior and load bearing interior wall studs shall be at least 2"x4" at 16" on centers unless noted otherwise

2 All interior non load bearing wall studs shall be 2"x4" at 16" on centers, with 5/8" gypsum board on both sides, unless noted otherwise

Columns, Beams and Headers:

3 All columns (if any) are to be wood (8x8), unless noted otherwise. Simpson Strong Tie connection

4 Beam to Column connections to use Simpson Strong-Tie LCE4 or equal

5 All headers (H) are to be (2) 2x12 unless noted otherwise.

6 Continuously sheathed wood structural panel method used. Minimum sheathing thickness is 1/2"

Shear Walls, Deck, & Trusses:

7 Roof deck to be 3/4" exterior grade plywood sheathing

8 All roof rafters shall be 2"x6" See plan for Hip, Valley and Ridge beams (Southern Pine #2)

9 Roof members to be spaced a maximum of 2'-0" on centers

10 All connector plates to be 16 ga. Simpson Strong-Tie or approved equal See details for nailing patterns

General Notes:

11 Contractor shall verify all of the dimensions prior to construction

12 It is the contractor's responsibility to provide any and all shop drawings and ask for Owner/Engineer approval prior to construction.

13 All work procedures should be supervised by a licensed structural engineer(s) to ensure safety and quality

14 Contractor to be covered with all required and industry recommended insurance coverages

15 Contractor to follow all required ACI, ASCI, OSHA, ASTM, and IBC codes.

16 Hip and valley rafters shall be supported at the ridge by a brace to a bearing partition or be designed to carry and distribute the specific load at that point.

17 Purlins shall be continuous and shall be supported by braces installed to bearing walls at a slope not less than 45 degrees from the horizontal The braces shall be spaced not more than 4 feet on center and the unbraced length of braces shall not exceed 8 feet.

18 Support all hip, valley and ridge beams by proper braces. Use LVL beam to support braces as required.

19 Rafters to be supported by purlins and bracing for horizontal spans of 12'-0" or greater.

20 Roof Loading Live load = 20 psf, Dead load= 10 psf
L/Δ = 240

21 Uninhabitable attics without storage Loading
live load = 10 psf, dead load= 5 psf, L/Δ = 240

22 Add 2 more studs at each side of wall supporting the beams and headers

23 THE RECOMMENDATIONS PROVIDED HEREIN ARE FOR THE EXCLUSIVE USE OF THE ADDRESSED PROJECT IT IS IMPERATIVE THAT MME BE CONTACTED BY ANY THIRD-PARTY INTERESTS TO EVALUATE THE APPLICABILITY OF THIS REPORT RELATIVE TO USE BY ANYONE OTHER THAN THE ADDRESSED PROJECT NO OTHER WARRANTY IS EXPRESSED OR IMPLIED

24 MME SHOULD BE CONTACTED IF CONDITIONS ENCOUNTERED ARE NOT CONSISTENT WITH THOSE DESCRIBED WE CAN ALSO BE PROVIDED WITH A SET OF FINAL CONSTRUCTION PLANS AND SPECIFICATIONS, ONCE THEY ARE AVAILABLE, TO REVIEW WHETHER OUR RECOMMENDATIONS HAVE BEEN UNDERSTOOD AND APPLIED CORRECTLY, AND TO ASSESS THE NEED FOR ADDITIONAL EXPLORATION OR ANALYSIS ANY CHANGES IN THE PLANNED PROJECT OR CHANGED SITE CONDITIONS MAY REQUIRE REVISED OR ADDITIONAL RECOMMENDATIONS ON OUR PART

25 THIS PLAN HAS BEEN DESIGNED FOR THE SHOWN RENOVATION OR ADDITION AREA. MME HAS NOT EVALUATED EXISTING STRUCTURES STRUCTURAL INTEGRITY OF THE EXISTING PARTS (FOUNDATION AND FRAMING) IS IN THE OWNER AND/OR CONTRACTOR RESPONSIBILITY

ISSUE RECORD

DATE	ISSUED FOR

DRAWN BY M H F
CHECK BY M. Zakkam
DWG FILE

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MOHAMMAD A. SIFAMANI, P.E. ON BEHALF OF MME, INC. THE SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE ENGINEER IS A VIOLATION OF THE TEXAS OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT

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C. 469-655-9020
Email mme.eng@yahoo.com

715 W Red Bird Ln,
Dallas, TX 75232

SHEET CONTENTS
FRAMING PLAN & SECTIONS

DATE 12 17 2022

S3

BDA234-003

REFERENCE

STRUCTURAL NOTES

GENERAL NOTES.

1. NOTES SHOWN ON THIS SHEET SHALL GOVERN THE MINIMUM STANDARDS FOR MATERIALS WORKMANSHIP AND GENERAL CONSTRUCTION PRACTICES UNLESS NOTED OTHERWISE IN SPECIFICATIONS OR ON DRAWINGS
2. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO OBTAIN AND DISTRIBUTE ALL CURRENT CONTRACT DOCUMENTS AND ADDENDA TO SUPPLIERS AND SUB-CONTRACTORS FOR THE USE OF SHOP DRAWING PRODUCTION AND FABRICATION PRIOR TO CONSTRUCTION
3. IT IS THE RESPONSIBILITY OF THE SUB-CONTRACTOR TO VERIFY ALL DIMENSIONS TO ALL AREAS OF SIMILAR OR LIKE CONDITIONS THROUGHOUT THE DRAWINGS
4. STRUCTURAL DRAWINGS INDICATE TYPICAL AND INDIVIDUAL BUILDING CONDITIONS ONLY. IT IS THE RESPONSIBILITY OF THE SUB-CONTRACTOR TO PREPARE SHOP DRAWINGS DETAILING CONDITIONS IN ACCORDANCE WITH SPECIFIED STANDARDS AND SPECIFIC REQUIREMENTS OF THIS PROJECT AS INDICATED ON DRAWINGS
5. THE USE OF THESE STRUCTURAL DRAWINGS BY ANY SUB-CONTRACTOR, MATERIAL SUPPLIER, FABRICATOR, OR DIRECTOR WITHOUT THE PREPARATION OF SHOP DRAWINGS REPRESENTS HIS ACCEPTANCE OF THESE DRAWINGS AS COMPLETE AND CORRECT. AS A RESULT, ANY EXPENSE ACQUIRED AS A RESULT OF ERRORS OCCURRING ON DRAWINGS IS THE RESPONSIBILITY OF SUCH INDIVIDUAL PARTY
6. SHOP DRAWINGS MAY BE SUBMITTED TO ENGINEER FOR REVIEW FOR CORRECTNESS OF STRUCTURAL INTENT. SUB-CONTRACTOR, MATERIAL SUPPLIER, FABRICATOR, OR DIRECTOR SHOULD ANTICIPATE A MINIMUM TEN (10) DAY REVIEW PERIOD BY ENGINEER.
7. THE DESIGN AND PROVISION FOR ALL TEMPORARY SUPPORTS OR FRAMING, AND NON-STRUCTURAL FRAMING IS THE RESPONSIBILITY OF THE RESPECTIVE SUB-CONTRACTOR. TEMPORARY SUPPORTS SHALL NOT OVER STRESS OR CAUSE DAMAGE TO THE PERMANENT STRUCTURAL ELEMENTS. REFERENCE ARCHITECTURAL DRAWINGS AND SPECIFICATIONS FOR ALL NON-STRUCTURAL FRAMING REQUIRED
8. THE STRUCTURAL DRAWINGS AND ITEMS SHOWN HEREIN REPRESENT THE FINISHED STRUCTURE AND DO NOT NECESSARILY REPRESENT THE MEANS OR METHODS OF CONSTRUCTION. THE GENERAL CONTRACTOR AND THE RESPECTIVE SUB-CONTRACTOR SHALL BE JOINTLY RESPONSIBLE FOR SUPERVISING THE WORK, AND THE MEANS, METHODS, PROCEDURES, TECHNIQUES, AND SEQUENCES OF CONSTRUCTION
9. THE STRUCTURE SHOWN HEREIN IS STRUCTURALLY SOUND WHEN ALL HORIZONTAL AND LATERAL PERMANENT BRACING INDICATED ON DRAWINGS ARE INSTALLED IN THEIR ENTIRETY. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY SUPPORT OF ALL ELEMENTS TO RESIST GRAVITY, EARTH, WIND, SEISMIC, AND CONSTRUCTION LOADS DURING CONSTRUCTION
10. ALL WORK SHOULD BE SUPERVISED BY A CERTIFIED STRUCTURAL ENGINEER
11. THE DESIGN ENGINEER'S AND DESIGN COMPANY'S LIABILITY IS STRICTLY LIMITED TO THE ACTUAL AMOUNT RECEIVED FROM THE CLIENT'S AS COMPENSATION FOR THE DESIGN WORK. ANY LIABILITY OR RESPONSIBILITY BEYOND SUCH AMOUNT IS HEREWITH DECLINED AND ABSOLUTE CLIENT'S ACKNOWLEDGE AND ACCEPT SUCH LIABILITY DECLINATION THROUGH THEIR RECEIPT OF OR PAYMENT FOR DESIGN/INSPECTION WORK.

CODE AND DESIGN SPECIFICATIONS:

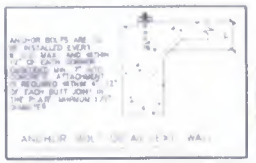
1. BUILDING CODE: 2018 EDITION INTERNATIONAL BUILDING CODE
2. SUPPLEMENTAL CODES AND REFERENCES TO BE USED FOR DESIGN, DETAILING, AND CONSTRUCTION ARE:
   - A. "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE" (ACI 318-05)
   - B. "SPECIFICATION FOR STRUCTURAL CONCRETE FOR BUILDINGS" (ACI 301-96)
   - C. "SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS" (AISC, NINTH EDITION)
   - D. "AWS - D1.1 44 AWS 12 SOLDERING MATERIALS", "ISO - TC 44 WELDING AND ALLIED PROCESSES" (ISO 3098), AND THE LATEST AWS STRUCTURAL WELDING CODE.
3. ANY OTHER CODES AS SPECIFIED BY THE DESIGN ENGINEER AND/OR THE DESIGN COMPANY

CONCRETE MIX DESIGNS:

1. PROVIDE CONCRETE HAVING THE FOLLOWING GENERAL CHARACTERISTICS

GRADE	28 DAY COMP. STRENGTH PSI	MAX. SLUMP (IN.)	AGG. TYPE	MAX. SIZE
SLABS-ON-GRADE	3000	5	HARDROCK	3/4"
GRADE BEAMS	4000	5	HARDROCK	3/4"
FOOTINGS	4000	5	HARDROCK	3/4"

2. WORKABILITY ADMIXTURES MAY BE UTILIZED PROVIDED THAT EACH PROPORTIONS ARE DETERMINED IN THE MANNER DESCRIBED IN THE SPECIFICATIONS
3. PROVIDE THREE PERCENT (3%) TO FIVE PERCENT (5%) AIR ENTRAINMENT IN CONCRETE PERMANENTLY EXPOSED TO THE WEATHER (AND ELSEWHERE AT THE CONTRACTOR'S OPTION). USE OF AIR ENTRAINMENT AND CORRESPONDING REDUCTION OF THE W/C RATIO MUST BE NOTED ON THE MIX DESIGNS
4. USE OF ACCELERATING OR SET-RETARDING ADMIXTURES REQUIRES PRIOR APPROVAL FROM THE ARCHITECT. IN GENERAL, USE OF CALCIUM CHLORIDE WILL NOT BE PERMITTED
5. ALL CONCRETE SHALL CONTAIN A MINIMUM OF FIVE (5) SACKS OF TYPE I PORTLAND CEMENT PER CUBIC YARD
6. WHERE GROUT IS CALLED FOR, USE A NON-SHRINK, NON-STAINING PREMIXED GROUT
7. ALL CONCRETE TO BE PUMPED FROM DELIVERY TRUCK. HAND MIXING IS UNACCEPTABLE



NOTE: CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO ANY CONSTRUCTION.

NOTE: ALL FILLS MUST BE COMPACTED AND TESTED

CAST-IN-PLACE CONCRETE:

1. ALL CONCRETE WORK SHOULD BE PERFORMED IN ACCORDANCE WITH THE A.C.I. "STANDARD BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE" (A.C.I. 318-02) AND THE LATEST EDITION OF THE ASTM CODE, WHICHEVER IS MORE RESTRICTIVE
2. SHEAR KEYS IN HORIZONTAL CONSTRUCTION JOINTS IN BEAMS AND WALLS SHALL BE DISCONTINUOUS, FORMED OF TWO INCH BY 4 INCH BY ONE FOOT (2" x 4" x 1'-0") KEYWAYS SPACED AT TWO FEET (2'-0) ON CENTER
3. SEE ARCHITECTURAL AND MECHANICAL PLANS FOR VERIFICATION AND LOCATION OF CAST-IN-PLACE BOLTS, INSERTS, ANCHORS, ETC., AND FOR SLAB LEAVE-OUTS, SLOPES, DEPRESSIONS, ETC

CONCRETE REINFORCEMENT:

1. REINFORCING STEEL SHALL BE NEW DOMESTIC DEFORMED BILLET STEEL CONFORMING TO A.S.T.M. A-615 GRADE 60
2. REINFORCING BARS SHALL BE DETAILED IN ACCORDANCE WITH THE A.C.I. DETAILING MANUAL. PROVIDE BAR SUPPORTS AND SPACERS AS REQUIRED
3. PROVIDE CORNER BARS AT ALL INTERSECTING REINFORCING MEMBERS IN WALLS AND BEAMS. CORNER BARS SHALL BE THE SAME SIZE AS THE LARGER INTERSECTING BAR AND SHALL PROVIDE A MINIMUM LAP OF THIRTY (30) BAR DIAMETERS
4. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCEMENT
   - A. SLAB-ON-GRADE ..... 2 1/2" CLEAR
   - B. GRADE BEAMS ..... 2 1/2" CLEAR
   - C. PIERS ..... 2 1/2" CLEAR
5. DETAILING OF REINFORCING BARS IN GRADE SLABS AND GRADE BEAMS SHALL BE AS FOLLOWS
   - A. TOP AND BOTTOM BARS TO BE CONTINUOUS BETWEEN SUPPORTS
   - B. TOP BARS AT THE ENDS OF BEAMS TO HAVE STANDARD NINETY DEGREE (90°) HOOKS
   - C. SPLICE TOP BARS AT THE MIDSPAN BETWEEN SUPPORTS (U.N.O.)
   - D. SPLICE BOTTOM BARS DIRECTLY OVER SUPPORTS (U.N.O.)
   - E. ALTERNATE SPLICES IN MIDDLE BARS BETWEEN SUPPORTS AND MIDSPANS WITH NO MORE THAN ONE HALF (1/2) OF THE BARS SPLICED AT ANY ONE LOCATION
   - F. ALL BAR SPLICES SHALL BE THIRTY (30) BAR DIAMETERS MINIMUM

WOOD FRAMING:

1. ALL FLOOR AND ROOF FRAMING MEMBERS SHALL BE #2 K.D. SOUTHERN PINE OR STANDARD GRADE DOUGLAS FIR HAVING AN ALLOWABLE EXTREME FIBER STRESS IN BENDING OF 975 TO 1500 PSI (2x13 thru 2x4) UNLESS NOTED OTHERWISE ON PLANS. 61 K.D. FRAMING MEMBERS SHALL HAVE ALLOWABLE BENDING STRESS OF 1250 TO 1850 PSI (2x12 thru 2x4).
2. PLACE A SINGLE PLATE AT THE BOTTOM AND A DOUBLE PLATE AT THE TOP OF ALL STUD WALLS. SILL PLATES SHALL BE BOLTED OR SHOT TO THE FOUNDATION BEAM AT A MAXIMUM OF 48" o.c. FOR BOLTS AND 16" o.c. FOR POWER DRIVEN NAILS
3. ALL STUDS SHALL BE #2 DOUGLAS FIR OR PINOSA JOINTED #2 SOUTHERN YELLOW PINE WITH AN ALLOWABLE FLEXURAL STRESS OF 725 PSI. FOR BEARING WALLS, INSTALL 2x4 STUDS AT A SPACING OF 16" o.c. AND STUDDING SHALL BE DOUBLED AT ALL ANGLES, CORNERS, AND AROUND OPENINGS
4. INSTALL TWO OR MORE JOISTS BELOW ALL WALLS RUNNING PARALLEL TO SPAN. FOUR OR MORE JOISTS SHALL BE INSTALLED AT ALL LOCATIONS SUPPORTING SIGNIFICANT UPPER FLOOR OR ROOF LOADS
5. WOOD LINTELS (HEADERS) LOADED OVER OPENINGS 7'-0" AND LESS SHALL BE DOUBLE 2x12 HEADERS, 3.5"x11.25" PARALAMS FOR OPENINGS UP TO 9'-0", AND HAVE NOT LESS THAN 3" BEARING AT EACH END OF LINTEL.
6. FLOOR AND ROOF JOIST CONNECTIONS TO SUPPORTING BEAMS (PLUSH TYPE CONNECTIONS) USE TYPE "LU" JOIST HANGERS AS MANUFACTURED BY THE SIMPSON CO. OR TYPE "TECO-U-GRIP" JOIST HANGERS AS MANUFACTURED BY THE TIMBER ENGINEERING CO. THE HANGER SIZE USED SHALL BE AS RECOMMENDED BY THE MANUFACTURER PER JOIST SIZE
7. PROVIDE 1x4 BRIDGING IN ALL SPANS OVER 8'-0". MAXIMUM DISTANCE BETWEEN BRIDGING AND BEARING WALL SHALL BE 8'-0"
8. ALL EXTERIOR WALLS AND INTERIOR BEARING WALLS SHALL BE BRACED AT EACH END AND AT 28'-0" o.c. WITH A DIAGONAL 1x4 LET INTO OUTSIDE EDGE.
9. ALL OUTSIDE AND INSIDE CORNERS OF EXTERIOR WALLS SHALL BE BRACED WITH A MINIMUM OF THREE 4'x8'x1/2" SHEETS OF EXTERIOR GRADE OSB CONTINUOUS FROM FOUNDATION TO ROOF. INSTALL ON EXTERIOR FACE OF EACH CORNER.
10. PLACE SIMPSON HOLDDOWN ANCHORS, TYPE "PA-31" OR EQUAL, AT ALL CORNERS OF ALL EXTERIOR WALLS AND AT THE ENDS OF ALL BRACED OR SHEAR WALLS. SECURELY NAIL ANCHORS TO 2x4 OR 2x6 END STUDS
11. WHERE MULTIPLE TRUSSES OR JOISTS OCCUR, A STUD SHALL SUPPORT EACH MEMBER OF THE BEAM CONTINUOUS TO FOUNDATION
12. ALL WALL SHEATHING SHALL BE 1/2" EXTERIOR PLYWOOD SHEATHING ATTACHED DIRECTLY TO THE EXTERIOR FACE OF THE STUD WALL WITH 8d GALVANIZED BOX NAILS @ 4" o.c. ALONG PANEL EDGES AND 12" o.c. @ INTERMEDIATE FRAMING MEMBERS
13. LVL'S, AMS, MICROLAMS, AND PARALAMS SHALL HAVE ALLOWABLE EXTREME FIBER STRESS IN BENDING OF 2400 PSI, 2800 PSI AND 3100 PSI, RESPECTIVELY
14. INSTALL SOLID BLOCKING BELOW LOAD BEARING JAMBS. INSTALL ½"x6"x6" STEEL SHIMS IN PLANE OF PLYWOOD AT HEAVILY LOADED JAMBS
15. ROOF DECK SHALL BE 1/2" EXTERIOR PLYWOOD SHEATHING WITH PANEL EDGE CLIP SUPPORTS BETWEEN RAFTER SUPPORTS NAIL WITH 8d NAILS @ 6" o.c. AT PANEL EDGES AND 12" o.c. AT INTERMEDIATE SUPPORTS
16. FLOOR DECK SHALL BE 1" PLYWOOD (STURD-I-FLOOR, A.P.A.) WITH TONGUE AND GROOVE EDGE SUPPORTS. NAIL WITH 8d DEFORMED SHANKED NAILS @ 6" o.c. AT DIAPHRAGM BOUNDARIES AND 12" o.c. AT ALL OTHER PANEL EDGES AND INTERIOR FRAMING MEMBERS. A BEAD OF GLUE SHALL BE PLACED ON THE FRAMING MEMBERS PRIOR TO APPLYING THE PLYWOOD DECK. ADHESIVE SHALL CONFORM WITH A.P.A. SPECIFICATION "AFG-01" (ALTERNATIVE ½" PLYWOOD SUBFLOOR WITH HARDWOOD FINISH FLOOR)
17. ALL PLYWOOD DECKING SHALL BE INSTALLED WITH FACE GRAIN ACROSS FRAMING MEMBERS AND CUT SUCH THAT ENDS OF SHEETS ARE CENTERED OVER FRAMING MEMBERS. OFFSET HORIZONTAL JOINTS BETWEEN ADJACENT SHEETS
18. SECOND FLOOR JOISTS SHALL BE 2x12's @ 16" o.c., UNLESS NOTED OTHERWISE.
19. ROOF RAFTERS SHALL BE 2x8's @ 24" o.c., CEILING JOISTS SHALL BE 2x8's @ 24" o.c. BRACE AND SUPPORT RAFTERS WITH 2x8 LEDGERS AND (2) 2x4 BRACES IN ACCORDANCE WITH RECOMMENDATIONS FOR MAX. SPANS OF RAFTERS. INSTALL 2x6 + 2x4 DIAGONAL T-POSTS TO SUPPORT HIPS, VALLEYS, AND RIDGES TO LIMIT SPANS TO 8'-0" WHERE POSSIBLE.
20. HIP, VALLEY, AND RIDGE RAFTERS SHALL BE 2x8's AND SHALL BE BRACED IN ACCORDANCE WITH CITY REQUIREMENTS

STRAIGHT SHAFT PIERS:

1. STRAIGHT SHAFT PIER DESIGN IS BASED ON AN ALLOWABLE VALUE OF THREE THOUSAND FIVE HUNDRED (3,500) P.S.F. END BEARING
2. STRAIGHT SHAFT PIERS SHALL BE FOUNDED IN THE HARD ROCK BEARING STRATA AS DIRECTED BY THE SOILS ENGINEER.
3. BOTTOM OF THE PIER HOLES SHALL BE SMOOTH, DRY AND FREE OF ALL LOOSE MATERIAL BEFORE PLACING CONCRETE
4. THE CONTRACTOR SHALL VERIFY THE DEPTH OF THE PIER PRIOR TO CUTTING PIER REINFORCING CAGES. PIER STEEL SHALL BE DELIVERED TO THE JOB SITE IN STANDARD LENGTHS AND CUT AS REQUIRED. THIRTY (30) BAR DIAMETER LAPS WILL BE ALLOWED IN THE PIER STEEL. IF NO MORE THAN FIFTY PERCENT (50%) OF THE BARS ARE LAPPED IN ANY EIGHT FOOT (8'-0") LENGTH OF THE PIER.
5. REINFORCING STEEL SHOP DRAWINGS SHALL INDICATE PLACING DRAWINGS FOR TEMPLATES TO SET DOWELS AND ANCHOR BOLTS. REINFORCING CAGES SHALL BE ADEQUATELY SUPPORTED TO PROVIDE CLEARANCES INDICATED ON THE DRAWINGS
6. PIER HOLES SHALL BE CONCRETE WITHIN EIGHT (8) HOURS OF DRILLING

WALL BRACING NOTES:

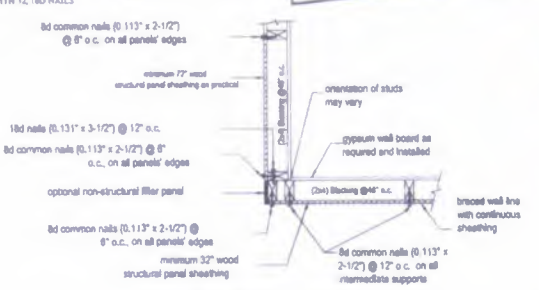
1. ALL WALL BRACING TO COMPLY WITH 2018 IRC OR NEWER BUILDING CODE CURRENTLY ADOPTED BY THE CITY. INSTALL BRACING PANELS AS NOTED ON ATTACHED SKETCH ACCORDING TO DETAILS SHOWN ON THIS PAGE
2. NAIL "RED" THERMOPLY WITH 1-1/4" GALVANIZED ROOFING NAILS OR 16 GUAGE 7/16" MIN. CROWN STAPLES SPACED 3" O.C. ON ALL PANEL EDGES AND 6" O.C. IN THE FIELD

ALTERNATE TIE DOWN ANCHORS:

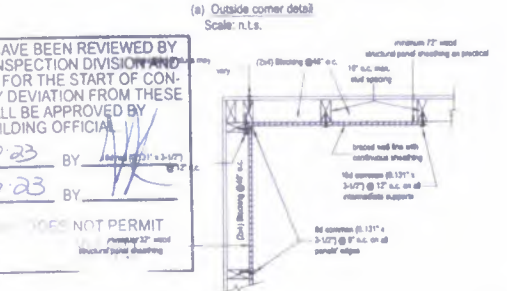
(USE THESE ANCHORS AFTER THE SLAB IS CURED)

1. LOCATE HTT2 SIMPSON TIES AT CORNERS OF THE "A" WALL BRACING PANELS AS NOTED ON WALL BRACING PLANS
2. DRILL INTO SLAB WITH 3/4" DIA. DRILL BIT. HOLES SHOULD BE DRILLED 4" DEEP MIN
3. HOLES SHOULD BE CLEANED WITH COMPRESSED AIR AND BRUSH IN EACH HOLE. ALL CONCRETE DUST MUST BE REMOVED FROM HOLES
4. IN EACH HOLE, INJECT SIMPSON ACRYLIC-TIE ADHESIVE PER MANUFACTURER'S NOTES
5. INSTALL 1/8" X 12" THREADED ROD INTO EACH HOLE (SIMPSON SET-XP) DO NOT DISTURB THREADED ROD FOR AT LEAST TWO HOURS TO ALLOW GLUE TO CURE
6. AFTER WAITING FOR GLUE TO CURE, INSTALL SIMPSON HTT2 TIES AND NAIL TO STUDS WITH 32, 16D NAILS

SUBJECT TO FIELD INSPECTOR'S APPROVAL



(a) Outside corner detail
Scale: n.t.s.



(b) Inside corner detail
Scale: n.t.s

THESE PLANS HAVE BEEN REVIEWED BY THE BUILDING INSPECTION DIVISION AND ARE APPROVED FOR THE START OF CONSTRUCTION. ANY DEVIATION FROM THESE PLANS SHALL BE APPROVED BY THE BUILDING OFFICIAL

ZO DATE 4.12.23 BY _____

DATE 4.12.23 BY _____

APPROVAL DOES NOT PERMIT

ISSUE RECORD:

DATE	ISSUED FOR

DRAWN BY: M.M.E.
CHK'D BY: M. Eddison
DWG FILE: [illegible]

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Email: mme.eng@yahoo.com

715 W Red Bird Ln,
Dallas, TX 75232

SHEET CONTENTS: NOTES

DATE 12.17.2022

S4

BDA234-003

Nov. 2023

To whom it may concern:

Please accept this as my explanation for the layout of my home. I have provided you with a survey from a surveyor, that shows that my home is not 5 feet from the fence. In the building of this addition, I have gone through 2 contractors and have even taken it upon myself to get permits and schedule inspections to get this project completed. I was not informed when submitting the drawing and layout of the additions the structure of the home had to be 5 feet from the property line.

To find out that this is not within zoning guidelines is disheartening. I had one contractor take of with $30,000 in cash, to never return and another who was trying to drag his feet to do the job, and never returned, to where I was working with them and the city to build this and before moving forward, I received the okay from the city inspector, to only find out, it really is an issue and something to be of concern.

As a homeowner, this is not something I completely understand, so I have taken the liberty of hiring 2 different contractors, who have both abandoned my project and have had to proceed by completing all the inspections and permits and overseeing everything and then having trades complete the necessary work. It is my hope that my nightmare can come to an end and that City of Dallas can approve the changes made to my home, as it's been a bit of a struggle, but it's finally done and I just need this final phase of it being approved.

Thank you,

Leticia Dorsey

Leticia Dorsey

Home Addition

Cost to Rebuilt project

Include addition demo

408 Fruitland Ave.
armers Branch TX
ervice@itcaconstruction.com
ffice: 972-853-3108 ext. 1007
ell: 469-409-2774

SHIP TO

Leticia E Dorsey
715 W. Redbird Ln
Dallas Texas 75232 Dallas
469-733-4319 469-733-4319

DESCRIPTION	QTY	UNIT	AMOUNT
	1	EA	$0.00
	1	EA	$0.00
Cut Existing Concrete 3'x3'	4	EA	$0.00
Excavation 3'x3'x2' footing with a #5 rebar and 4000 psi concrete	4	EA	$0.00
Bracing wall Panels	1	EA	$0.00
Temporary exterior wall to cover existing estructure	1	EA	$0.00
Cover Fire place exterior brick wall (brick can looks different do it to the manufacture)	1	EA	$0.00
Existing addition demolition	1	EA	$0.00
4x4 metal post to support new estructure installed over the footing	4	EA	$0.00
New addition Framing according with the engineer and city requerments. 300 SF total the addition will be located at the east side of the existing property and will be 9 feet above Grade.	1	EA	$0.00
Electricity 6 lights, 6 Outlets.	12	EA	$0.00
Sheetrock Hang and tape and bed (second floor addition	1	EA	$0.00
Texture Second floor addition	1	EA	$0.00
Paint, Second floor addition, (Customer must provide the paint)	1	EA	$0.00
Floating floor Installation (Customer must provide all the floor materials)	350.00	SF	$0.00
Floor preparation according with the manufacture requirements	1	EA	$0.00
Repair existing patio concret	1	EA	$0.00
T molding Installation for transition between existing floor and new floor (Customer provide materials)	32.00	LF	$0.00
Baseboards 31/2"	60.00	LF	$0.00

Dump Trash and waste materials	1 EA	$0.00
Clean work areas	1 EA	$0.00
Windows Installation ande materials	2 EA	$0.00
Insulation	1 EA	$0.00
Total Includes labor and materials (Does not includes Floor materials and paint)	1 EA	$87,471.69

Material	$87,471.69
Labor	$0
Tax 0.00%	$0.00
Total	$87,471.69

INSTRUCTION

•All the materials for the patio cover ceiling or stone, should be provided for the customer.

°All the fixtures provided by the contractor are basic product s, if customer require a different product a change order for the extra price will be created.

* Prices for flooring and paint are for labor only, customer must provide materials.

•This quote is based upon the remodeling contractor's observation of conditions, conditions like termite damage, water damage, hidden code violations, or other concealed conditions may require a extra labor or material, which are not part of this contract, if such hidden conditions are discovered, contractor will notify the property owner and will attempt to reach an agreement for a change order to this contract that address these problems.

*Payments should be as follow:

First payment -the day the contract was signed $5,000.00 for city permits

Second payment - $38,735.85 when Contractot provides city permits

Third payment- $32,367.92 at the 75% advance of the project

Last payment - $11,367.92 At the job completion

Please note:
All payments should be in cash or check
Credit or debit cards will have 2.75% convenience fee charge

Customer_____

CUSTOMER ACCEPTANCE AND APPROVAL

Print Name Leticia E Dorsey **Signature**

Date 12/1/2023 8:27 PM

☑ Track your expenses...

☐ Clothing ☐ Food ☐ Transportation
☐ Credit Card ☐ Utilities ☐ Mortgage
☐ Entertainment ☐ Insurance ☐ Other: _____

☐ TAX-DEDUCTIBLE ITEM

176

11-9-23

City of Dallas

Six hundred and ten dollars

BALANCE FORWARD	
THIS ITEM	$610.00
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

[redacted]

set back of home

For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

BDL

Gmail

Leticia Dorsey <ledorsey23@gmail.com>

Final paper work

2 messages

Leticia Dorsey <ledorsey23@gmail.com> Tue, Apr 11, 2023 at 10:56 PM
To: tonya.king@dallas.gov

Hello Ms. Tonya,
Just checking to see if it has been approved the documents that were dropped Friday April 8,
Sent from my iPhone

King, Tonya <tonya.king@dallas.gov> Wed, Apr 12, 2023 at 1:00 PM
To: Leticia Dorsey <ledorsey23@gmail.com>

Hi Ms. Dorsey,

Your permit is ready for pickup, the total amount of fees is 689.22. You may return to 320 E. Jefferson Blvd., Rm 118 to make the payment and receive your permits and set of plans.

Best Regards,

Tonya King
Senior Plans Examiner - Building Inspection
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Blvd., Room 118
Dallas, TX 75203
tonya.king@dallascityhall.com
O:(214)-948-4356
twitter icon facebook icon youtube icon

Pd. $689.22
charge on credit card

https://www.surveymonkey.com/r/FRWPLBQ

Please Take a Moment to Tell Us How We Are Doing

"Together we are building a safe and united Dallas!"

From: Leticia Dorsey <ledorsey23@gmail.com>
Sent: Tuesday, April 11, 2023 10:56 PM
To: King, Tonya <tonya.king@dallas.gov>
Subject: Final paper work

External Email!

INVOICE

Date: 10/11/2023
Burns Job # 202308320
GF#

Burns Surveying LLC
P.O. Box 997
Royse City, TX 75189
(214) 326 1090
Office@Burnssurvey.com

CLIENT LETICIA DORSEY
Leticia Dorsey
715 W. Redbird lane
DALLAS, TEXAS 75232
469-733-4319

JOB ADDRESS 715 WEST RED BIRD LANE
DALLAS, TEXAS 75232

DESCRIPTION	AMOUNT
Final	$ 450.00
DISCOUNT	
SUBTOTAL	$ 450.00
SALES TAX	$ 37.13
Due Upon Receipt BALANCE DUE	$0.00 **PAID**

Make all checks payable to Burns Surveying LLC
Please indicate Burns Job Number with payment.

Thank you for your business!

Home Addition

ITCA construct

313 GARD

Mr. Mauricio Jimenez
pd. $38,400 total

2ND Contractor

BILL TO

Leticia E Dorsey
715 W. Redbird Ln
Dallas Texas 75232 Dallas
469-733-4319 469-733-4319

SKU#/ITEM NO.	QTY	UNIT
City Permits, City Inspections, Engineer Insp	1	EA
Temporary secure existing structure Framing	1	EA
Cut Existing Concrete 12x12	4	EA
Excavation At least 2' for a pier found	4	EA
#5 Rebar with a #3 Stirrups for a piers	4	EA
Concrete for piers	1	EA
Bracing wall Panels	1	EA
Replace all the Materials that are not ACI, ASCI, OSHA, ASTM and IBC Codes; Includes labor and materias.	1	EA
Bring all the existing Addittion structure to a ACI, ASCI, OSHA, ASTM, and IBC Codes	1	EA
Install Fireplace Pipe	1	EA
Cover Fire place exterior brick wall (brick can looks different do it to the manufacture)	1	EA
Remove 4x4 post and install 8x8 post to foundation.	4	EA
Install 8x8 post	4	EA
Bring roof to code	1	EA
Electricity 6 lights, 12 Outlets	18	EA
Sheetrock Hang and tape and bed (second floor addition	1	EA
Texture Second floor addition	1	EA
Paint, Second floor addition, (Customer must provide the paint)	1	EA
Floating floor Installation (Customer must provide all the floor materials)	350.00	SF
Floor preparation according with the manufacture requirements	1	EA
Fix second floor movement	1	EA
T molding Installation for transition between existing floor and new floor (Customer provide materials)	32.00	LF
Baseboards	60.00	LF
8x8 wood post wrap with natural stone	4	EA
Fix Front house entry porch	1	EA
Front house entry porch wood post wrap with natural stone	2	EA
Dump Trash and waste materials	1	EA

Dump Trash and waste materials	1 EA
Clean work areas	1 EA
Windows Installation ande materials	2 EA
Insulation	1 EA
Total Includes labor and materials (Does not includes Floor materials and paint)	1 EA
Total	$44,092.00

INSTRUCTION

•This quote is based on existing new addition,and includes framing and electrical labor and Materials, the existing new addition will be deforced and some wood replaced upon city Inspector approval

• Prices for flooring and paint are for labor only, customer must provide materials.

•This quote is based upon the remodeling contractor's observation of conditions, conditions like termite damage, water damage, hidden code violations, or other concealed conditions may require a extra labor or material, which are not part of this contract, if such hidden conditions are discovered, contractor will notify the property owner and will attempt to reach an agreement for a change order to this contract that address these problems.

*If customer is agree with this quote payments should be as follow:

First payment -the day the contract was signed $1,500.00 for city permits

Second payment - $22,046.00 when Contractot provides city permits

Third payment- $11,023.00 at the 75% advance of the project

Last payment - $9,523.00 At the job completion

Please note:
All payments should be in cash or check
Credit or debit cards will have 2.75% convenience fee charge

12-27-22 - $1,500 ck #122
1-7-23 $1,500 ck #283
1-16-23 MJ 10,000 ck # 284
1-22-23 10,000 ck # 287
5-12-23 10,000 ck # 289
5-24-23 4,000 ck # 290
5-23-23 1,400 - Zelle money

Customer Letisia Dorsey 1-7-23

CUSTOMER ACCEPTANCE AND APPROVAL

Print Name Leticia E Dorsey **Signature**

Date 1/6/2023 11:52 AM

12-10-22 - MME Engineering LLC $250.00

Boo) 1-6-2023
ITCA CONSTRUCION. C
MAURICIO JIMENEZ
214-282-0802
MJIMENEZ@ITCACONSTRUCTION.COM.

Third and 4th final payment will be pay probably by the end of March 2023

1/7/2023
ITCA.

Window - $564.56

Cast column Cap - 714.45

Paint - $244.73

Install Baseboards | painting | material - July 17, $1,830

May 23, 20 23 $1,400 Painting - ~~[illegible]~~ hallway / entry way

~~July~~.

financial service The Ryan $411.90

2042822 1414

Claims #

☑ Track your expenses...

☐ Clothing ☐ Food ☐ Transportation
☐ Credit Card ☐ Utilities ☐ Mortgage
☐ Entertainment ☐ Insurance ☐ Other: _____

☐ TAX-DEDUCTIBLE ITEM

122

Dec 29, 2022

ITCA Construction
One thousand five hundred

BALANCE FORWARD	
THIS ITEM	1,500
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

Mr. Jimenez

For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

☑ **Track your expenses...**

☐ Clothing ☐ Food ☐ Transportation
☐ Credit Card ☐ Utilities ☐ Mortgage
☐ Entertainment ☐ Insurance ☐ Other: _____

☐ TAX-DEDUCTIBLE ITEM

283

1-7-23

ITC/A Construction —
One thousand five hundred dollars

BALANCE FORWARD	
THIS ITEM	1,500
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

☑ Track your expenses...

☐ Clothing ☐ Food ☐ Transportation
☐ Credit Card ☐ Utilities ☐ Mortgage
☐ Entertainment ☐ Insurance ☐ Other: _____

☐ TAX-DEDUCTIBLE ITEM

284

11-16-23

IT CA Construction

Ten thousand dollars 00/cents

Sergio Jimenez

BALANCE FORWARD	
THIS ITEM	10,000
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

287

☑ Track your expenses...
☐ Clothing ☐ Food ☐ Transportation
☐ Credit Card ☐ Utilities ☐ Mortgage
☐ Entertainment ☐ Insurance ☐ Other: _____

☐ TAX-DEDUCTIBLE ITEM

1-28-23

BALANCE FORWARD	
THIS ITEM	10,000
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

ITCA Construction

Ten thousand dollars no cents

Victor Jimenez

[redacted]

NOT NEGOTIABLE

For added security, your name and account number do not appear on this copy.

☑ Track your expenses...

☐ Clothing ☐ Food ☐ Transportation
☐ Credit Card ☐ Utilities ☐ Mortgage
☐ Entertainment ☐ Insurance ☐ Other: _____

☐ TAX-DEDUCTIBLE ITEM

289

5-12-23

ITCA Construction

ten thousand dollars

Jimenez-home project

BALANCE FORWARD	
THIS ITEM	10,000
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

290

☑ Track your expenses...

☐ Clothing ☐ Food ☐ Transportation
☐ Credit Card ☐ Utilities ☐ Mortgage
☐ Entertainment ☐ Insurance ☐ Other: _____

☐ TAX-DEDUCTIBLE ITEM

5-24-23

ITCA Construction
four thousand dollars

Maureen Jimenez ITCA

BALANCE FORWARD	
THIS ITEM	4,000
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

Juan Garcia III
945-263-

1st contractor
9-15-22
$30,000 cash
plus additional
$3,500 cash
Painted and fixed
outside siding
Jackie compack

Proposal

PROPOSAL NO. 47861
SHEET NO. 1 of 2
DATE 9/15/22

PROPOSAL SUBMITTED TO:
NAME
ADDRESS 715 W
Dallas
PHONE NO. 469-

WORK TO BE PERFORMED AT:
ADDRESS 715 W Red Bird Ln
Dallas TX 75232
DATE OF PLANS 9-14-22
ARCHITECT JR

We hereby propose to furnish ... of I will Paint all walls and ... trim in Rooms Bathroom ... texture in Kitchen walls 2nd Dinning room entry wall and walls In 2nd living room ~~Red~~ Also move exterior wall add on a 10X30 wall 10 X 10 side wall X2 and countrtops Bitsoo 3" laminted clipp on Floor Do texture and electrical on exisiting wall also add on window 3X 36 Facing street also move chimney out lit and add two exterior lights under 2nd Additional Floor and 2 celing fans Paint and add 2nd Floor porch 10 X 4 labor and materials 38,500 with 15000 down today 9/15/22 and on tuesday 9/20/22 13,500 another Payment and reminder 10,000 to be Paid In 6 monthlis Payments

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of 38,500 labor and materials Dollars ($ 38500) with payments to be made as follows.

+4500
43000

Any addons will be upcharge

today In cash 9/15/22

ADD Double Chimney 4500

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Labor and materials

Respectfully submitted

Per

Note — this proposal may be withdrawn by us if not accepted within 60 days.

TOTAL 43,000
30,000 cash
13,000 Payments

ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature

Date 9/15/22

Signature Letitia Dorsey

adams D8118

3-12

Juan Garcia Construction LLC
945-243-3685

Proposal

PROPOSAL NO. 47176
SHEET NO. 1 of 2
DATE 9/13/22

PROPOSAL SUBMITTED TO:	WORK TO BE PERFORMED AT:
NAME	ADDRESS 715 W Red Bird Lane Dallas TX 75232
ADDRESS 715 W. Red Bird Lane Dallas Tx. 75232	DATE OF PLANS
PHONE NO.	ARCHITECT JR

We hereby propose to furnish the materials and perform the labor necessary for the completion of I will build Porch 8x10 and Install Shigles 30 year and 2 coloums of Stone 6" Austin white and Install 2 lights on colouns make 3 coloums 18" By 8 ft tall of Stone 6" Austin white and also caulk all nails and Holes on front Side of 2nd Porch and Re Paint Face of Porch and Install 2 20 ft Beams to Hold support on Porch and replace all rotten Wood and repair all faces for labor and materials 7,500 cash with ~~5,000 down and 2500 when complete~~ Thank you

2 year warrenty on all our work
paid 6000 on 9/13/22
owes 1500 when complete Paid In Cash

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of Seven thousand five hundered dollars 00/100 Dollars ($ 7500) with payments to be made as follows.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

6000, Down 1500 when complete

Respectfully submitted

Per Quote Agreed on

Note — this proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Date 9/13/22

Signature

Signature Peter Dorsey

PROPOSAL NO.	
SHEET NO.	
DATE	

PROPOSAL SUBMITTED TO:	WORK TO BE PERFORMED AT:
NAME	ADDRESS
ADDRESS	
	DATE OF PLANS
PHONE NO.	ARCHITECT

We hereby propose to furnish the materials and perform the labor necessary for the completion of

Letica Dorsey - Paid

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

Dollars ($) with payments to be made as follows.

Paid 30,000 In Cash 9/23/22

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted

Per

Note — this proposal may be withdrawn by us if not accepted within days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature

Date

Signature

Lowe's

Quote # 7701

Quote Name:

Date Printed:

window

$548.97

Customer:	Letica Dorsey	**Store:**	(513)	1
Email:		**Associate:**	ESTEF (3638	$645.85
Address:	715 W RED BIRD LN	**Address:**	8520 S	$0.00
	DALLAS, TX 75232		DALLA	$0.00
Phone:	(469) 733-4319	**Phone:**	(972) 2	$548.97

Pella 250 Series | Direct Set | Fixed Frame |
47.5 X 12 | Almond
Room Location: None Assigned

Product Warranty

Line #	Item Summary	Production Time	Was Price	Now Price	Quantity	Total Savings	Pre-Tax Total
100-1	Pella 250 Series | Direct Set | Fixed Frame | 47.5 X 12 | Almond	35 days	$645.85	$548.97	1	($96.88)	$548.97

Valid thru: 03/08/2023

Begin Line 100 Description

---- Line 100-1 ----

1: Non-Standard Size Fixed Frame Direct Set. Frame Size: 47 1/2 X 12. Pella 250 Series Series. South Central

Standard
Vinyl
Nail Fin
Foam Insulated
3 1/4"
1 1/8"
2 1/8". Almond. Almond. Glass: Insulated Dual Tempered Low-E Advanced Low-E Insulating Glass Argon Non High Altitude.
Combination U-Factor 0.27
U-Factor 0.27
Combination SHGC 0.31
SHGC 0.31
VLT 0.58
CPD PEL-N-209-00056-00001
Satisfied Energy Star Zones Northern,North Central
Performance Class CW
PG 50
Calculated Positive DP Rating 50
Calculated Negative DP Rating 50
TDI WIN-1956
Year Rated 08-11. Yes,

Remake: No
In-Store Pick-up
EA
01/13/2023
False
True
877-473-5527
. 35 Days. 943055
WTS Pella 250 Window. 103848.
Grille: No Grille
Wrapping Information: Factory Applied
Pella Recommended Clearance
Perimeter Length = 119".

End Line 100 Description

Gmail

Leticia Dorsey <ledorsey23@gmail.com>

Lowes Pella window order

1 message

Acosta Hernandez, Estefani <estefani.acostahernandez@store.lowes.com> Fri, Mar 17, 2023 at 2:42 PM

To: "ledorsey23@gmail.com" <ledorsey23@gmail.com>

dorseypellawindow.pdf
109K

Account Balance Summary

Balance Type	Purchase Date/Amount	Previous Balance	Payments & Other Credits (-)	Purchases, Fees & Other Debits (+)	Interest Charged (+)	Expired Promotion Balances* (+/-)	New Statement Balance
Regular	-	$244.73	$244.73	$564.56	-	-	$564.56
Total		**$244.73**	**$244.73**	**$564.56**	-	-	**$564.56**

If you have promotional balances, additional promotional details can be found below in the Promotional Purchase Summary.
* Expired promotional balances will display in both the promotional and regular purchases balance row during the month of expiration.

Transaction Detail

Date	Reference Number/ Invoice Number	Description	Amount
Payments			**- $244.73**
03/22		PAYMENT - THANK YOU	-$244.73
Purchases and Other Debits			**$564.56**
03/07	78168	STORE 0513 DALLAS TX	$564.56
		SOS WINDOWS - PARADIGM	
Total Fees Charged This Period			**$0.00**
Total Interest Charged This Period			**$0.00**
04/03		INTEREST CHARGE ON PURCHASES	$0.00

window

2023 Year-to-Date Fees and Interest	
Total Fees Charged	$0.00
Total Interest Charged	$0.00
Total Interest Paid	$0.00

Interest Charge Calculation

Your **Annual Percentage Rate (APR)** is the annual interest rate on your account.

Type of Balance	Expiration Date	Annual Percentage Rate	Balance Subject to Interest Rate	Interest Charge	Balance Method
Regular Purchases	N/A	26.99%	$0.00	$0.00	2D

New Promotional Financing Plans

1-2

Payment Information

New Balance:	$564.56
Total Minimum Payment Due:	$30.00
Payment Due Date:	04/26/2023

Payments must be received by 5pm ET on 04/26/2023 if mailed, or by 11:59pm ET on 04/26/2023 for online and phone payments.

Late Payment Warning: If we do not receive your Total Minimum Payment Due by the Payment Due Date listed above, you may have to pay a late fee up to $41.00.

Minimum Payment Warning: If you make only the minimum payment each period, you will pay more in interest and it will take you longer to pay off your balance. For example:

If you make no additional charges using this card and each month you pay	You will pay off the balance shown on this statement in about ...	And you will end up paying an estimated total of ...
Only the minimum payment	**2 years**	**$742.00**

If you would like information about **credit counseling services**, call 1-877-302-8775.

Account Summary

Previous Balance as of 03/04/2023	**$244.73**
Payments	- 244.73
Purchases/Debits	+ 564.56
New Balance as of 04/03/2023	**$564.56**

31 Day Billing Cycle from 03/04/2023 to 04/03/2023

Credit Limit	$3,800
Available Credit	$3,235

LOWE'S

FINANCING BY synchrony

or Call: 1-800-444-1408

Interior Paint

LOWE'S

Get

Sign up

about

Sign up

Account Balance Summary

Balance Type	Purchase Date/Amount	P Balance	Other Credits (-)	Fees & Other Debits (+)	Charged (+)	pired motion Balances* (+/-)	New Statement Balance
Regular	-	-	-	$244.73	-	-	$244.73
Total		-	-	$244.73	-	-	$244.73

If you have promotional balances, additional promotional details can be found below in the Promotional Purchase Summary.
* Expired promotional balances will display in both the promotional and regular purchases balance row during the month of expiration.

Transaction Detail

Date	Reference Number/ Invoice Number	Description	Amount
Purchases and Other Debits			$244.73
02/21	94834	STORE 0513 DALLAS TX	$213.90
02/27	70436	SW SHOWCASE INT STORE 0513 DALLAS TX GRILL COVERS	$30.83
Total Fees Charged This Period			$0.00
Total Interest Charged This Period			$0.00
03/03		INTEREST CHARGE ON PURCHASES	$0.00

Pd. 3-20-23
$244.73

2023 Year-to-Date Fees and Interest	
Total Fees Charged	$0.00
Total Interest Charged	$0.00
Total Interest Paid	$0.00

Interest Charge Calculation

Your **Annual Percentage Rate (APR)** is the annual interest rate on your account.

Type of Balance	Expiration Date	Annual Percentage Rate	Balance Subject to Interest Rate	Interest Charge	Balance Method
Regular Purchases	N/A	26.99%	$0.00	$0.00	2D

New Promotional Financing Plans

0-1-2

CLAY STRUCTURES - DALLAS
12150 C F HAWN FWY
DALLAS TX 75253-2721
972 286-4051

SALE

MID: 0000 Store: 4039 Term: 0001
REF#: 00000015
Batch #: 003 RRN: 85976568
07/06/23 13:51:46
AVS: 0 CVC: P
APPR CODE: 014483
VISA Chip
**********6823 **/**

AMOUNT $1,071.68

APPROVED

VISA DEBIT
AID: A0000000031010
TVR: 80 80 00 80 00
TSI: 68 00

Thank You
Please Come Again

CUSTOMER COPY

ay

Clay Structures

:EIPT

PAID
JUL 0 9 2023

SALES # 31884
DATE 07/06/2023

PMT METHOD
VISA

	DESCRIPTION	QTY	RATE	AMOUNT
Cap 24x24	Cast Column Cap 24x24	9	110.00	990.00T

Estimating blueprints is a courtesy. Take-offs are not guaranteed. Double-check our take-off with your mason.

SPECIAL CONDITIONS: (1) All bills are payable in Mabank or Dallas, TX; (2) No material may be returned for credit without approval; (3) All special order items are non-refundable; (4) Material take-offs are not guaranteed; (5) Mexican and used brick color or color consistency, quality, or price is not guaranteed; (6) Clay Structures, Inc. will not be liable for any claim arising from late delivery of material; (7) On return items there will be a pickup and re-stocking charge in addition to the initial delivery charge; (8) All masonry goods are non-returnable; (9) USE OF BRICK & STONE DENOTES ACCEPTANCE; and (10) No refunds on broken bundles.

*We are not responsible for accidents and/or injuries on our premises.

SUBTOTAL	990.00
TAX (0.0825)	81.68
TOTAL	1,071.68
BALANCE DUE	**$0.00**

SALES RECEIPT WILL REFLECT A CHECK/CASH PRICE.
IF PAYING WITH A CREDIT CARD, A 3.5%
SURCHARGE WILL BE ADDED TO THE
CREDIT CARD CHARGE.

Clay Structures
12150 C. F. Hawn Freeway
Dallas, TX 75253 US
972-286-4051
joshua.claystructures@gmail.com
www.claystructures.com

Estimate

ADDRESS
cash

ESTIMATE # 2268
DATE 07/06/2023

SALES REP
JB

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Column Cap 24x24	Cast Column Cap 24x24	9	110.00	990.00T

SUBTOTAL	990.00
TAX (0.0825)	81.68
TOTAL	**$1,071.68**

Accepted By

Accepted Date

Ernesto Remodeling Damian

Ernesto Damian Vargas

INVOICE

Client: Letica Dorsey
Site: 715 W Red Bird Ln Dallas, TX 75232
Date: 07/17/20230
Contact: LEDORSEY23@GMAIL.COM

JOB DESCRIPTION	AREA	TOTAL
• Baseboards • Quarter Pound • Shoe Molding • Caulking • Pudding • Paint		
★ Labor ★ Materials		$1,050 $ 780
	225 SQ FT	**$1,830**

paid cash

LOWE'S

LOWE'S HOME CENTERS, LLC
8520 SOUTH HAMPTON RD.
DALLAS, TX 75232 (972) 228-2880

****

PICK UP INFORMATION

TO OBTAIN STOCK MERCHANDISE DESIGNATED AS
[PICK UP LATER] ON THIS RECEIPT, YOU MUST
COME TO THE CUSTOMER SERVICE DESK.

****

- SALE -

SALES#: S0513HMD 4813706 TRANS#: 200841600 02-21-23

935243 620-FL 6 SHOWCASE EGG UW 197.60
208.00 DISCOUNT EACH -10.40
[PICK UP LATER - LOWES # 0513 on 02/23/2023]
107204 LCC SYSTEM USE ONLY 0.00

ORDER#: 45821449

SUBTOTAL: 197.60
TAX: 16.30
TOTAL: 213.90
LAC: 213.90

INVOICE 94834

TOTAL DISCOUNT: 10.40

LAC: XXXXXXXXXXXXXX7187 AMOUNT: 213.90 AUTHCD: 000983
SWIPED REFID:363190 02/21/23 16:54:45

STORE: 0513 TERMINAL: 36 02/21/23 16:54:58

 # OF ITEMS PURCHASED:

EXCLUDES FEES, SERVICES AND SPECIAL ORDER ITEMS 1

THANK Y FOR SHOPPING LOWE'S.
FOR DETAILS ON OUR RETURN POLICY, VISIT
LOWES.COM/RETURNS
A WRITTEN COPY OF THE RETURN POLICY IS AVAILABLE
AT OUR CUSTOMER SERVICE DESK

Paint

LL Flooring

LL Flooring, Inc.
Plano TX 1077
1717 N Central Expy
PLANO TX 75075

Phone: (972) 422-0727
Email: Store077@llflooring.com

Feb 25, 2023
5:46:59 PM

Invoice

Sold-To Party

LETICIA DORSEY
715 W. RED BIRD LN
DALLAS TX 75232
Phone: (469) 733-4319
Mobile: (469) 733-4319
Email: ledosey@sbcglobal.net

Ship-To Party

LETICIA DORSEY
715 W. RED BIRD LN
DALLAS TX 75232
Phone: (469) 733-4319
Mobile: (469) 733-4319
Email: ledosey@sbcglobal.net

Information

Sales Order No.	137729646
PO reference	704010218
Document Date	02/25/2023
Customer No.	5301081

Gross weight: 838.083 LB

Comments

PRODUCT	QUANTITY	QTY OPEN	QTY SHIPPED	PRICE	AMOUNT
10047931/RNENQCDSRAL/1077/10/02-25-2023	389.12	389.12	0.00 FT2	3.49 USD	1,358.03 USD
RN ENG BAM DS Raleigh QC 3/8 x 5 1/8"	19.00	19.00	0.00 CAR		
			Discount Applied:		-135.80 USD
			Adjusted Price:		1,222.23 USD

35 Year Warranty

This product will exhibit natural color variations from plank to plank. It may have natural characteristics such as irregular grain patterns. Variations in color are a natural occurrence and color change due to UV exposure may occur. Expect variations from samples to installed flooring. Expect variations from board to board. Pull from multiple boxes when installing. Follow installation instructions for the use of moisture protection and proper installation. Refer to product limited warranty for details.

Wood floor $1,942.97

	24.00	24	0.00 FT	9.99 USD	239.76 USD
	4.00	4.00	0.00 PC		
			Discount Applied:		-23.97 USD
			Adjusted Price:		215.79 USD
	12.00	12	0.00 FT	9.99 USD	119.88 USD
	2.00	2.00	0.00 PC		
			Discount Applied:		-11.99 USD
			Adjusted Price:		107.89 USD
	4.00	4	0.00 EA	59.00 USD	236.00 USD
			Discount Applied:		-23.60 USD
			Adjusted Price:		212.40 USD
	1.00	1	0.00 EA	34.00 USD	34.00 USD

LL Flooring

LL Flooring, Inc.
Plano TX 1077
1717 N Central Expy
PLANO TX 75075

Phone: (972) 422-0727
Email: Store077@llflooring.com

Feb 25, 2023
5:46:59 PM

Invoice

Sales Order No: 137729646

PRODUCT	QUANTITY	QTY OPEN	QTY SHIPPED	PRICE	AMOUNT
White Silicone Vapor Shield 400 Sft Roll					
			Discount Applied:		-3.40 USD
			Adjusted Price:		30.60 USD

PAYMENTS		AMOUNT
Visa Card	XXXXXXXXXXXX6823	1,942.97 USD
Method:	CHIP READ	
Authorized:	02/25/2023 17:46:46	
Auth #:	010988	
Mode:	ISSUER	
AID/TVR:	A0000000031010 / 8080008000	
IAD/TSI/ARC:	06061203A0A000 / 6800 / 00	

Items Total:		1,788.91 USD
Subtotal:		1,788.91 USD
Tax (8.250%) on	1,465.23 USD	120.88 USD
Tax (10.750%) on	215.79 USD	23.20 USD
Tax (9.250%) on	107.89 USD	9.98 USD
Order Total:		1,942.97 USD
Payments:		1,942.97 USD
Balance Due:		0.00 USD

For your Terms of Sale, such as returns/exchanges and refunds policy, please inquire at our store or visit www.llflooring.com/support/terms-of-sale/. For a copy of your applicable limited warranty, please inquire at our store or visit www.llflooring.com. In addition, you can always visit your local store or call Customer Care at (844) 455-3566.

Final Paper

AC
airducts installation

☑ Track your expenses...
☐ Clothing ☐ Food ☐ Transportation
☐ Credit Card ☐ Utilities ☐ Mortgage
☐ Entertainment ☐ Insurance ☐ Other: _____

☐ TAX-DEDUCTIBLE ITEM

275

8-16-23

Armando Sarrato

One thousand eight hundred

BALANCE FORWARD	
THIS ITEM	1800
BALANCE	
DEPOSIT	
OTHER	
BALANCE FORWARD	

For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

paid cash →

Inne 9-23 $700.00 Alejandro - A C Unit
preparing ceiling Zelle money

July 4, 23 $450.00 Luis painter Den ceiling

July 24, Luis $200.00 doors painted

July 13, Luis $220.00 detail ~~ca~~ kitchens
painted crown molding

July 14, Jose carpenter window wood $300.00
broken window

July 5, outside patio stone replaced stone
on ground $300.00

From: [redacted]
To: [redacted]
Subject: [redacted]
Date: Friday, January 5, 2024 1:05:45 PM
Attachments: [redacted]
[redacted]
[redacted]

See below.

Kind Regards,
Kameka Miller-Hudson, Ph.D
Chief of Staff / Planner/Board
Administrator
Board of Adjustment
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Blvd., Room 232
Dallas, TX 75203
O: 214-948-4378
Kameka.Miller-Hudson@dallascityhall.com

"Together we are building a safe and united Dallas."

Please Take A Moment to Tell Us How We Are Doing

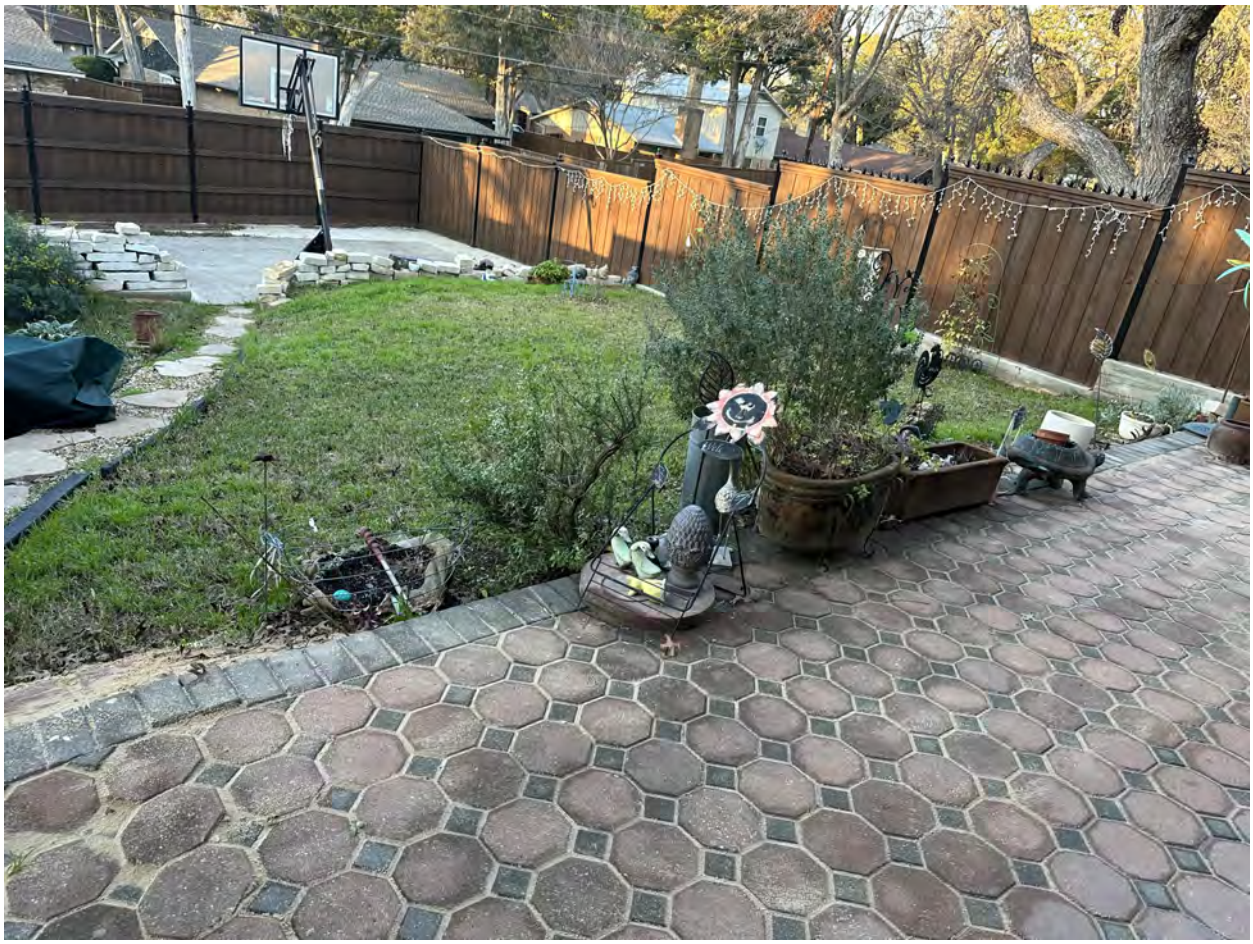
OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.

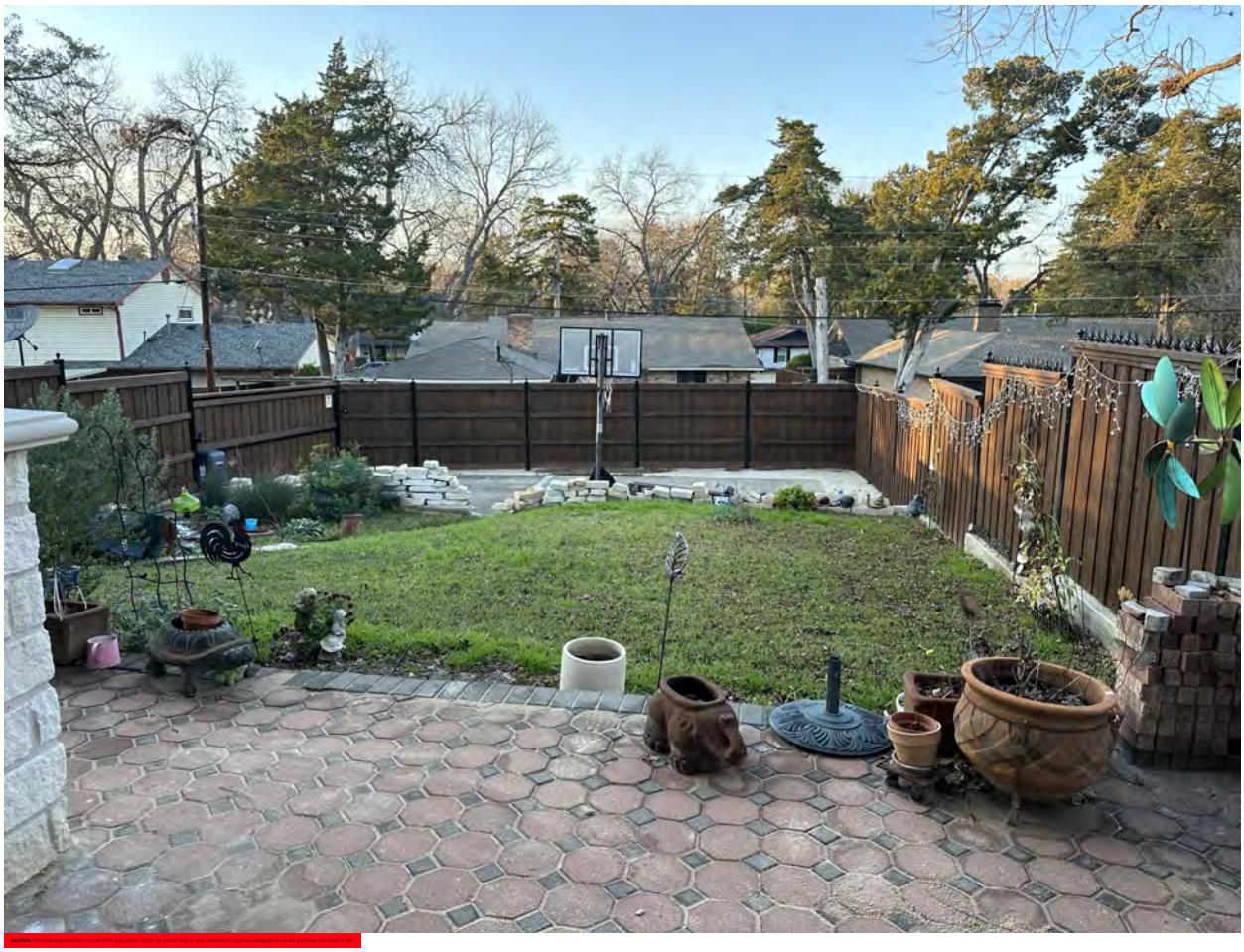
From: Barkume, Diana <diana.barkume@dallas.gov>
Sent: Friday, January 5, 2024 5:08 PM
To: Miller-Hudson, Kameka <kameka.miller-hudson@dallas.gov>
Subject: Fw: Backyard

FYI...

From: Lettice Dorsey <[redacted]>
Sent: Friday, January 5, 2024 4:43 PM
To: Barkume, Diana <[redacted]>
Subject: Backyard

External Email!





FILE NUMBER: BDA234-006(DB)

BUILDING OFFICIAL'S REPORT: BDA234-006(DB) Application of Baldwin Associates for (1) a variance to the front-yard setback regulations, and for (2) a special exception to the fence height regulations, and for (3) a special exception to the fence opacity standards regulations, and for (4) a special exception to the visibility obstruction regulations at 2000 EUCLID ST. This property is more fully described as block B/1981, lot 8 and is zoned R-7.5(A), which requires a front-yard setback of 25-feet, and limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open not be located 5 feet from the front-lot line and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 4-foot 8-inch front-yard setback, which will require (1) a 20-foot 4-inch variance to the front- yard setback regulations, and to construct and/or maintain a 9-foot high fence in a required front-yard, which will require (2) a 5-foot special exception to the fence regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front-lot line, which will require (3) a special exception to the fence opacity regulations, and to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require (4) a special exception to the visibility obstruction regulation.

LOCATION: 2000 EUCLID ST

APPLICANT: Baldwin Associates-Rob Baldwin

REQUEST:

(1) Variance to the front-yard setback regulations;
(2) Special exception to the fence height regulations;
(3) Special exception to the fence standards regulations;
(4) Special exception to the 20-foot visibility obstruction regulations.

STANDARD FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the **front yard**, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

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

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

(C) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE

Dallas Development Code §51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:

(i) the **financial cost of compliance is greater than 50 percent of the appraised value of the structure** as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code;
(ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur;
(iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(v) the municipality considers the structure to be a nonconforming structure.

STANDARD FOR A SPECIAL EXCEPTION:

Fence Standards
The board shall grant a special exception to the requirements of this section when, in the opinion of the board, the special exception will not adversely affect neighboring property.

Fence Standards
The board shall grant a special exception to the requirements of this section when, in the opinion of the board, the special exception will not adversely affect neighboring property.

Visual Obstruction regulations
The board shall grant a special exception to the requirements of this section when, in the opinion of the board, the item will not constitute a traffic hazard.

STAFF RECOMMENDATION:

Variance to the front yard setback:
Approval

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

A. Not contrary to the public interest as no letters of opposition were received.
B. Subject lot is restrictive in shape and area due to the configuration and the double frontage; therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
C. Not a self-created or personal hardship.

Special Exception(s):
No staff recommendation is made on this or any request for a special exception to the fence 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.

No staff recommendation is made on this or any request for a special exception to the fence 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.

No staff recommendation is made on this or any request for a special exception to the visibility obstruction regulation since the basis for this type of appeal is when in the opinion of the board, the item will not constitute a traffic hazard.

BDA HISTORY:
No BDA history within the last 5 years.

Square Footage:
This lot contains 8400 square feet.
This lot is zoned R-7.5(A) which requires a minimum lot size of 7,500 square feet.

Zoning:

Site:	R-7.5(A)-Residential Zoning District
North:	R-7.5(A)-Residential Zoning District
South:	MF-2(A)-Multifamily Zoning District
East:	R-7.5(A)-Residential Zoning District
West:	R-7.5(A)-Residential Zoning District

Land Use:
The subject site is developed with an existing single-family residential structure use. The areas to the north, east and west of the property are developed with single-family uses and the areas to the south contain single-family and multifamily uses.

GENERAL FACTS/STAFF ANALYSIS:

- This lot is zoned R-7.5(A)-Residential Zoning, which a requires a 25-foot front yard setback
- This lot has 2-street frontages, which cannot treat the longer street frontage (Sears) as a side due to continuity of the established block face
- A request for a variance to encroach into the required front-yard setback is being proposed to maintain the existing structure.
- A permit for the construction of the single-family dwelling was approved as an oversite as it was treated as a side yard in error.
- A request for a special exception to exceed the maximum allowed height of a fence located in the required front yard is being proposed.
- A permit for the construction of the fence was issued as an oversite as it was treated as a side yard in error.
- A request for a special exception to exceed the maximum allowed opacity to the fence regulations is being proposed.
- A permit for the construction of the board on board fence was approved as an oversite as it was treated as a side yard in error.
- A request for a special exception to encroach into the 20-foot visibility triangles at the drive approach is being proposed.
- Staff "redlined" the visibility triangles on the approved site plan stating 20' x 20' visibility triangles must remain clear and unobstructed.
- Fence is constructed on top of the retaining wall with a total height of 9-feet.

The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.

(b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.

(c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.

(d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or

(e) the municipality considers the structure to be a nonconforming structure.

Timeline:

November 20, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

December 4, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 6, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the December 22, 2023, deadline to submit additional evidence for staff to factor into their analysis; and January 5, 2024, 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.

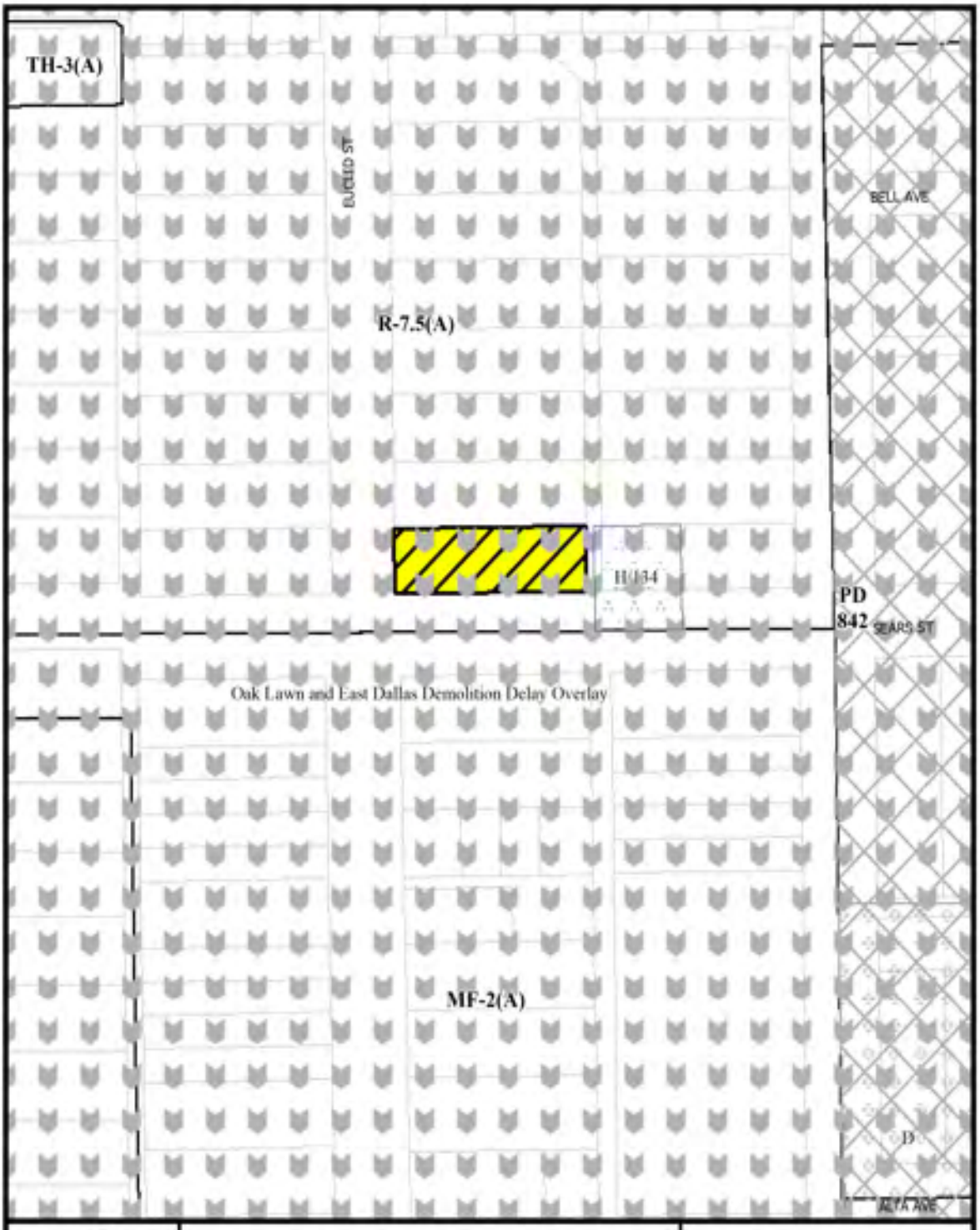
December 28, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

1:1,200

AERIAL MAP

Case no: BDA234-006

Date: 12/6/2023

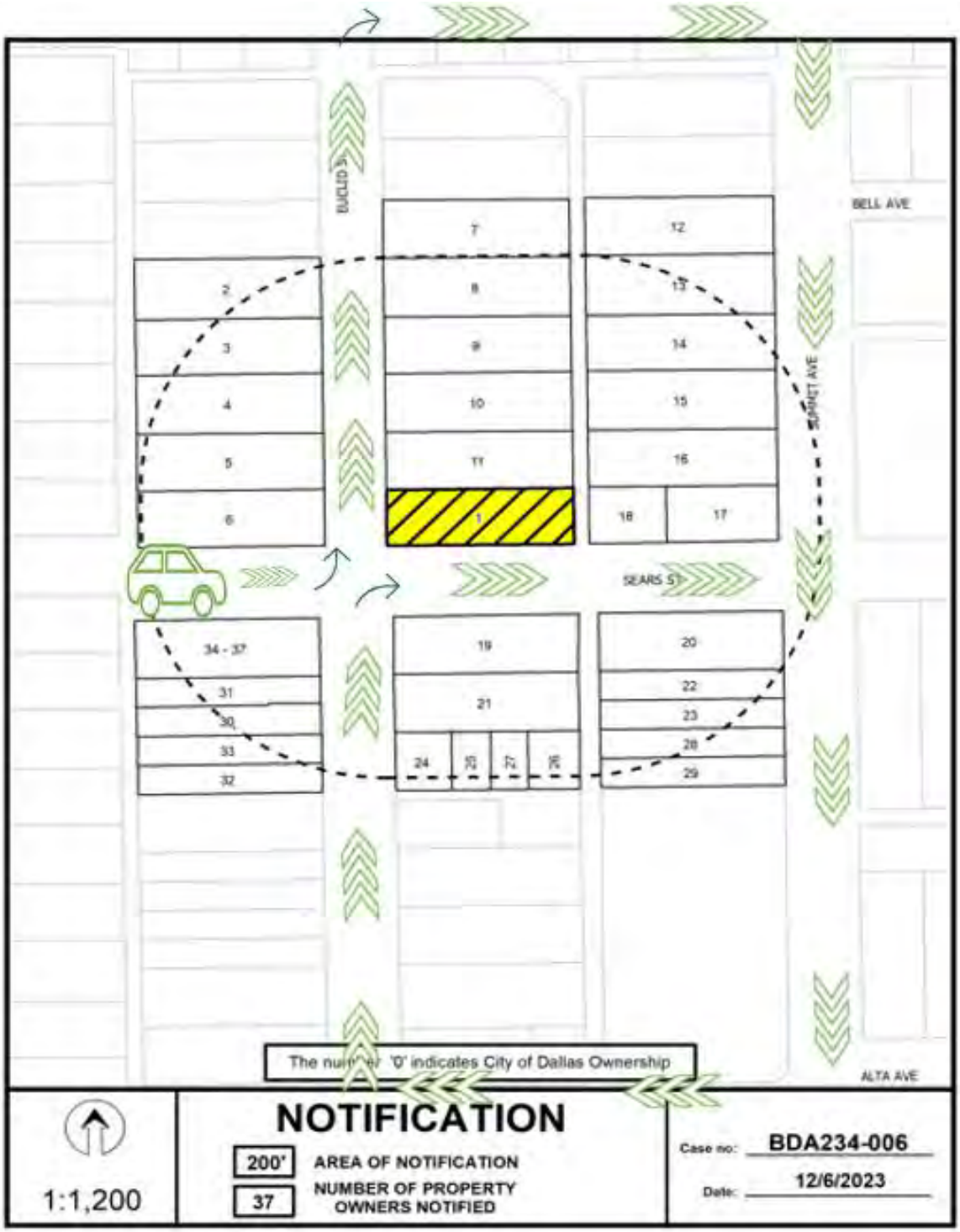


1:1,200

ZONING MAP

Case no: BDA234-006

Date: 12/6/2023



https://youtu.be/h0jNvCeqwbQ

12/06/2023

Notification List of Property Owners

BDA234-006

37 Property Owners Notified

Label #	Address		Owner
1	2000	EUCLID AVE	MORGAN JOHN & DONNA
2	2019	EUCLID AVE	MATA RENE JESSE &
3	2015	EUCLID AVE	HUGHES WALLACE L
4	2011	EUCLID AVE	MATA RENE &
5	2007	EUCLID AVE	HUGGINS BRENT & MEREDITH
6	2003	EUCLID ST	LD MANNER HOLDINGS LLC
7	2022	EUCLID AVE	RUIZ ARMANDO
8	2018	EUCLID AVE	EUCLID AVE LLC
9	2014	EUCLID AVE	ANDERSON FAMILY TRUST THE
10	2010	EUCLID AVE	QUIJANO ESPERANZA
11	2004	EUCLID AVE	OBRIEN GLORIA JEAN
12	2023	SUMMIT AVE	GONZALEZ PEDRO
13	2019	SUMMIT AVE	MCCALLON JUSTIN RAY
14	2015	SUMMIT AVE	SCHOLTEN MICHAEL &
15	2009	SUMMIT AVE	BROWNING JANICE
16	2007	SUMMIT AVE	KELLIS CHERYL L
17	2003	SUMMIT AVE	SINGER SUSAN ELIZABETH
18	5543	SEARS ST	GERALD GRAHAM BLOW &
19	1930	EUCLID AVE	JG RESIDENTIAL PROPERTIES LLC
20	1931	SUMMIT AVE	AJJ MANAGEMENT GROUP LLC
21	1926	EUCLID AVE	MAYHILL PARTNERS LP
22	1927	SUMMIT AVE	PATEL DIPESH & SHEETAL
23	1925	SUMMIT AVE	RAY SAMIR
24	1922	EUCLID AVE	SHARMA MANISH B & PRABHA
25	1922	EUCLID AVE	WALTON ANDREW J
26	1922	EUCLID AVE	HART JORDAN MICHAEL

12/06/2023

Label #	*Address*		*Owner*
27	1922	EUCLID AVE	GARVEY NATHAN S
28	1923	SUMMIT AVE	KRUPP ROBERT
29	1921	SUMMIT AVE	PUTNAM SHEA & KATIE
30	1925	EUCLID AVE	BARRINGTON KEVIN TYLER &
31	1927	EUCLID AVE	NEVILLE NICHOLAS L
32	1921	EUCLID AVE	SATYAM SARMA &
33	1923	EUCLID AVE	STOUTENBURG DOUGLAS & YOSHIKO REV TRUST
34	1931	EUCLID AVE	TERRIEN JOHN A
35	1931	EUCLID AVE	SHAMROCK SWISS LLC
36	1931	EUCLID AVE	JACOBS JOHN
37	1931	EUCLID AVE	ASH ANDREW STEPHEN

Baldwin
Associates

December 21, 2023

City of Dallas Board of Adjustment
City of Dallas
1500 Marilla St., 5BN
Dallas, TX 75201

Re: BDA234-006

Dear Board of Adjustment,

I am writing on behalf of John and Donna Morgan to request a variance for their property at 2000 Euclid Avenue. The Morgans seek relief from the required front yard setback, fence height regulations, fence standard regulations, and visibility obstructions. The need for these variances arose when they applied for permission to build a swimming pool in the side yard facing Sears Street.

The Morgan residence was constructed in accordance with approved plans and permits, with the permit filed on June 9, 2021, and issued on August 18, 2021 (Permit Number: 2106091042). It complies with all zoning regulations for the R-7.5(A) district. The issue surfaced during the pool construction request when a neighboring property's front yard projection onto the Morgan's land was identified. This issue was not apparent during the initial plan review, permits issuance, or home construction.

The neighboring property triggering the projected front yard setback was built in 1930 on a lot smaller than current zoning regulations allow. It seems the house may not comply with the required 25-foot front yard setback, potentially aligning closely with the Morgan residence. The Morgans aim to bring their property into compliance with city codes by requesting these variances.

The Morgan's lot, platted in 1911, faces a unique challenge due to the adjacent property's unusual layout, which would not be permitted under current zoning standards. The Morgans' home aligns with the original 1911 plat, and the adjacent property's nonconforming nature places an undue burden on the Morgans' property. Granting these variances is essential to rectify the situation.

3904 Elm Street Suite B · Dallas, TX 75226 · 214-824-7949

The Board has the authority to approve variances when specific conditions are met:

1. The request aligns with public interest, observing the spirit of the ordinance and ensuring substantial justice is done.

2. The variance is necessary for a unique parcel of land with restrictive characteristics, not self-created or for personal/financial reasons.

3. The variance does not confer a privilege inconsistent with zoning regulations.

The Morgans' situation is indeed unique. Their home, compliant with R-7.5(A) zoning, faces challenges due to the adjacent property. Denying relief would render the Morgans' home nonconforming, impacting financing and imposing two front yard setbacks on the only lot in the area with such restrictions.

Moreover, the projected front yard is also triggering the requests for the fence special exceptions. In this area of East Dallas, corner lots typically have solid wooden fences of eight to nine feet along the side yards. And if not for the projected front yard setback, the fence would also be in compliance with the city code. There is a slight encroachment of the fence into the sight visibility triangle, but it is very minor and should not hamper the ability to view pedestrian or vehicular traffic along Sear Street.

In conclusion, the Morgans' property was built compliantly, and the unique circumstance of the adjacent nonconforming property warrants special consideration. Granting these variances aligns with the principles set forth by the Board. Your support in this matter is crucial to ensuring the Morgans' property becomes conforming and alleviating an unintended hardship.

Please feel free to contact me with any questions or comments. Your assistance in this matter is greatly appreciated.

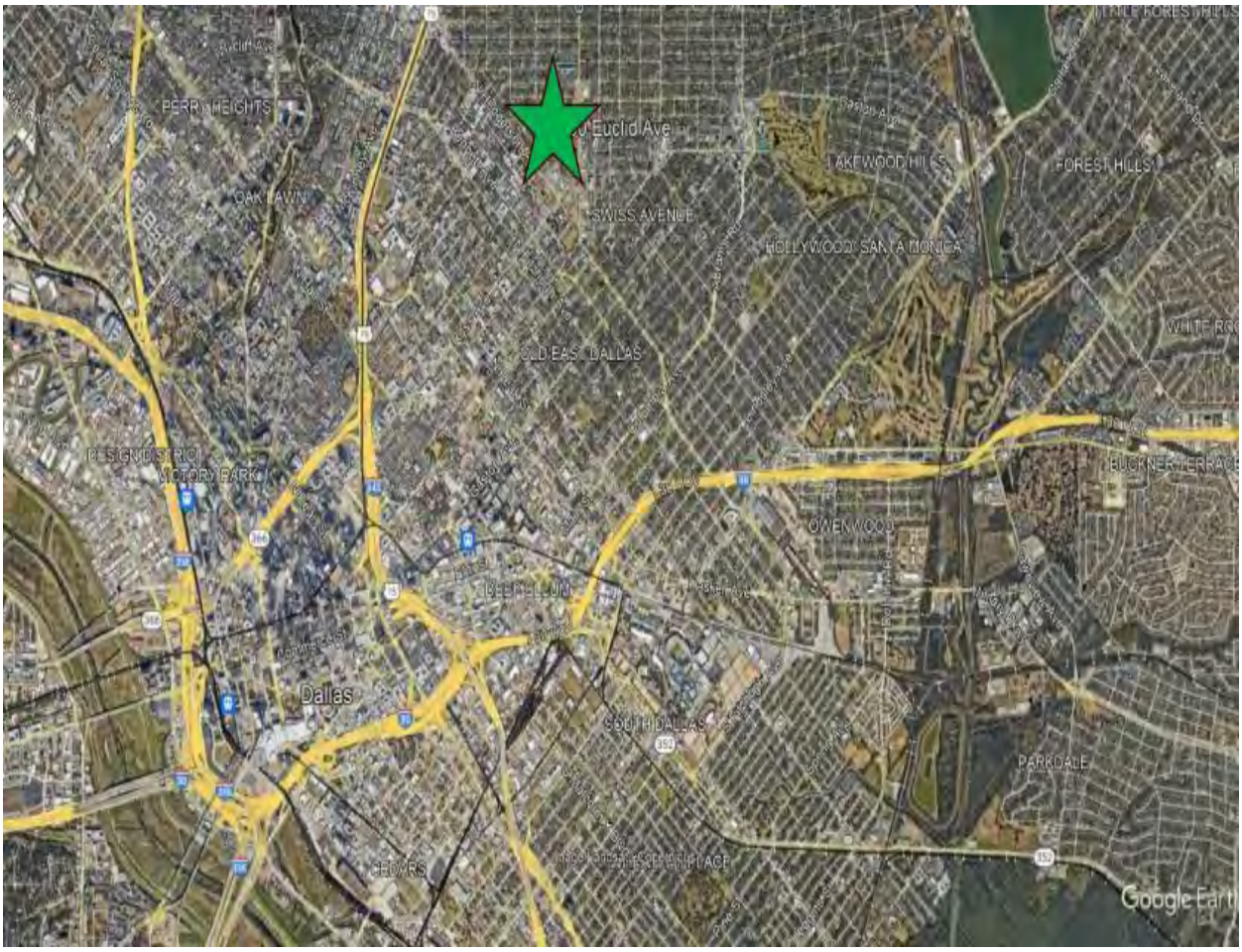
With kind regards,

Robert Baldwin

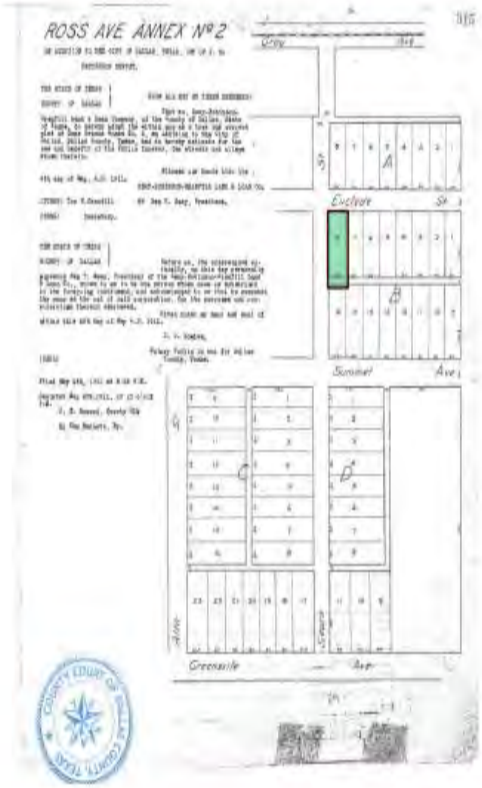
3904 Elm Street Suite B · Dallas, TX 75226 · 214-824-7949

BDA234-006

2000 EUCLID AVENUE

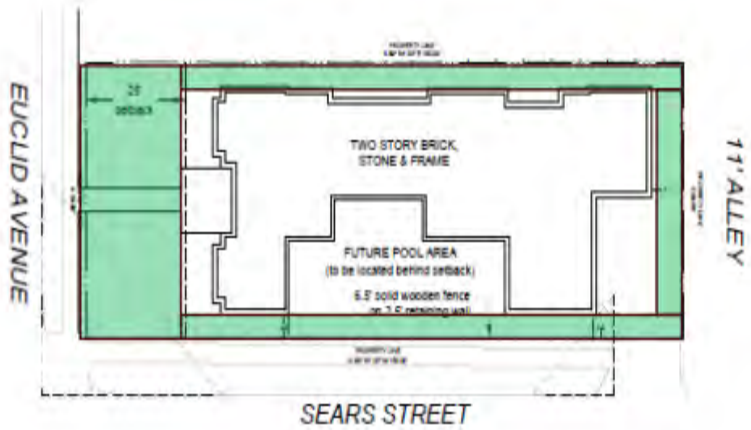

PERRY HEIGHTS
Euclid Ave
OAK LAWN
SWISS AVENUE
TAKEWOOD HILLS
FOREST HILLS
HOLLYWOOD SANTA MONICA
OLD EAST DALLAS
DESIGN DISTRICT
VICTORY PARK
BUCKNER TERRACE
OWENWOOD
BEECHWOOD
Dallas
SOUTH DALLAS
PARKDALE
JEFFERS
Google Earth


2199
5512
Sears St


ROSS AVE ANNEX Nº 2
Enclave
Summit
Ave.
Greenville
Ave.


Sears St
5500
Eucid Ave
2199
5512
1999
Summit Ave
2199
2023
1999
5600
Bell Ave
5615
5631
5699
Sears St
2099
1999
Greenville Ave
2123
2175
1939
5700
5709
5715

Typical R-7.5(A) Setbacks



1a Fence Elevation

VICINITY MAP

NTS

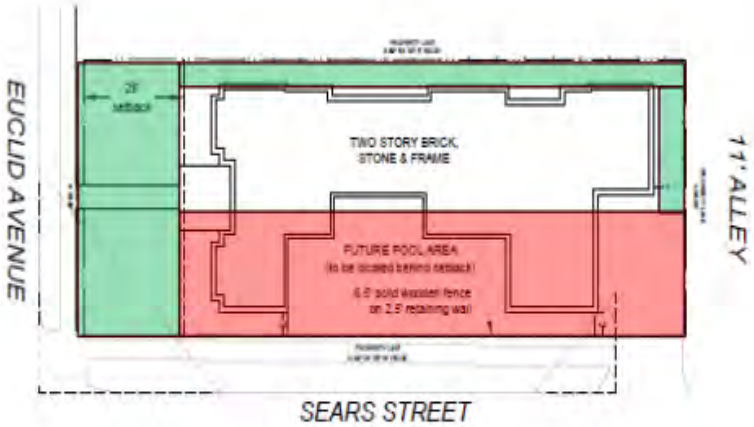
BALDWIN ASSOCIATES

Baldwin Associates

2000 EUCLID AVENUE

CITY OF DALLAS, TEXAS

Setbacks Applied to 2000 Euclid Avenue



1a Fence Elevation

SCALE: 1" =10'-0"

VICINITY MAP

NTS

BALDWIN ASSOCIATES

Baldwin Associates

2000 EUCLID AVENUE
CITY OF DALLAS, TEXAS


Encroachment into Sight Visibility Triangle
4.9

Dallas
Serving you!

Español

Permits Issued for 2000 Euclid Avenue

Dallas Home | Building Inspection Home | Offices | Records | Newsletter | Government

Address

Welcome, VICKI RADER - BALDWIN ASSOCIATES (BU)

Details | Holds | Applications

	Type	Project #	Status	Description	Issue Date	Trades
View	Building Project	2106091042	Approved	EL, EC, ME, CS, GR, PV, PL 1111-CONSTRUCT NEW SFD (A) New Construction	Aug 18, 2021	CS, EC, EL, GR, ME, PL, PV
View	Demolition Permit	2105131025	Complete	Demo Type: SFD/Duplex (1111) SINGLE FAMILY DWELLING	May 19, 2021	
View	Master Permit	2106111036	Complete	Building (BU) EC, ME, CS, GR, PV, PL, EL 1111-CONSTRUCT NEW SFD	Aug 24, 2021	CS, EC, EL, GR, ME, PL, PV
View	Master Permit	2209021101	Cancelled			
View	Master Permit	2209221128	Issued	Fence (FE) 110-INSTALL FENCE	Sep 22, 2022	
View	Master Permit	2209235001	Complete	Lawn Sprinkler (LS) BF 2009-INSTALL LAWN SPRINKLER	Sep 26, 2022	BF
View	Master Permit	2302282003	Issued	Plumbing (PL) NEW GAS LINE	Feb 28, 2023	
View	Master Permit	7600168723	Complete	Building (BU) ERECT CARPORT FOR DWELLING	Jul 19, 1976	
View	Master Permit	8000012670	Complete	Building (BU) REPAIR PORCH AT DWELLING	Aug 25, 1980	
View	Master Permit	8100092069	Complete	Building (BU) CONSTRUCT CARPORT AT	Jul 29, 1981	

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-000

RECEIVED NOV 2 1 RECD BY:

Data Relative to Subject Property: Zoning referral Date: FOR OFFICE USE ONLY

Location address: 2000 Euclid Avenue Zoning District: R-7.5(A) DDO-4

Lot No.: 8 Block No.: B/1981 Acreage: 0.2 acres Census Tract: 48113001002

Street Frontage (in Feet): 1) 147' 2) 48' 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): John and Donna Morgan

Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street, Suite B Dallas, Texas Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street, Suite B Dallas, Texas Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance X or Special Exception X, of a 10'4" variance to a projected front yard setback; ~~permission to build a pool in the projected front yard setback~~; a special exception of 2' 5' for a fence in a projected front yard; a special exception to allow a ~~6'~~ 9' tall solid wood fence in the projected front yard, special exception to allow slight encroachment into sight visibility triangle.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:
This house was permitted and built with approved plans and permits issued by the City. During the pool permit application process, it was discovered there was a projected front yard along Sears St. rendering the home nonconforming. We are seeking to bring the home into compliance.

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 Rob Baldwin
(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 12 day of Oct, 2023

Michele Stoy
Notary Public in and for Dallas County, Texas

MICHELE STOY
Notary Public, State of Texas
Comm. Expires 07-20-2024
Notary ID 130747076

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 BALDWIN ASSOCIATES

did submit a request for (1) a variance to the front yard setback regulations, and for (2) a special exception to the fence height regulations, and for (3) a special exception to the fence standards regulations, and for (4) a special exception to the visibility obstruction regulations

at 2000 Euclid Avenue

BDA234-006(DB) Application of Baldwin Associates for (1) a variance to the front- yard setback regulations, and for (2) a special exception to the fence height regulations, and fo (3) a special exception to the fence opacity standards regulations, and for (4) a special exception to the visibility obstruction regulations at 2000 EUCLID ST. This property is mor fully described as block B/1981, lot 8 and is zoned R-7.5(A), which requires a front-yard setback of 25-feet, and limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open not be located 5 feet from the front-lot line and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 4-foot 8-inch front-yard setback, which will require (1) a 20-foot 4-inch variance to the front- yard setback regulations, and to construct and/or maintain a 9-foot high fence in a required front-yard, which will require (2) a 5-foot special exception to the fence regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front-lot line, which will require (3) a special exception to the fence opacity regulations, and to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require (4) a special exception to the visibility obstruction regulation.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-006

I, Donna Morgan, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 2000 Euclid Avenue
(Address of property as stated on application)

Authorize: Rob Baldwin, Baldwin Associates
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

X Variance (specify below)

X Special Exception (specify below)

____ Other Appeal (specify below)

Specify: A variance to a projected front yard setback; special exception to fence height in a projected front yard and a special excpetion to allow a fence with less than 50% opacity in a front yard

DONNA MORGAN
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 10.2.23

Before me, the undersigned, on this day personally appeared Donna Morgan

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 2 day of October, 2023

Jennifer Salamino
Notary Public for Dallas County, Texas

Commission expires on 11.18.25

JENNIFER SALAMINO
Notary ID #2659796
My Commission Expires
November 18, 2025

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-006

I, John Morgan, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 2000 Euclid Avenue, Dallas, Texas
(Address of property as stated on application)

Authorize: Rob Baldwin, Baldwin Associates
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

X Variance (specify below)

X Special Exception (specify below)

____ Other Appeal (specify below)

Specify: A variance to a projected front yard setback; special exception to fence height in a projected front yard and a special excpetion to allow a fence with less than 50% opacity in a front yard

JOHN MORGAN
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 10.2.23

Before me, the undersigned, on this day personally appeared John Morgan

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 2 day of October, 2023

JENNIFER SALAMINO
Notary ID #2659796
My Commission Expires
November 18, 2025

Notary Public for Dallas County, Texas

Commission expires on 11.18.25

Internal Development Research Site 2.2 City of Dallas DEV GIS IDR 1.0 Links Help Report Issue

2000 euclid

Search result

BDA234-006

ROSS AVE ANNEX No 2

AN ADDITION TO THE CITY OF DALLAS, TEXAS, OUT OF J. M. PATTERSON SURVEY.

THE STATE OF TEXAS }
COUNTY OF DALLAS }

KNOW ALL MEN BY THESE PRESENTS:

That we, Seay-Robinson-Cranfill Land & Loan Company, of the County of Dallas, State of Texas, do hereby adopt the within map as a true and correct plat of Ross Avenue Annex No. 2, an Addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate for the use and benefit of the Public forever, the streets and alleys shown therein.

Witness our hands this the 4th day of May, A.D. 1911.

SEAY-ROBINSON-CRANFILL LAND & LOAN CO.

ATTEST: Tom E.Cranfill (SEAL) Secretary.

BY Ben T. Seay, President.

THE STATE OF TEXAS }
COUNTY OF DALLAS }

Before me, the undersigned authority, on this day personally appeared Ben T. Seay, President of the Seay-Robinson-Cranfill Land & Loan Co., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act of said corporation, for the purposes and consideration therein expressed.

Given under my hand and seal of office this 4th day of May A.D. 1911.

J. D. Bowles,
Notary Public in and for Dallas County, Texas.

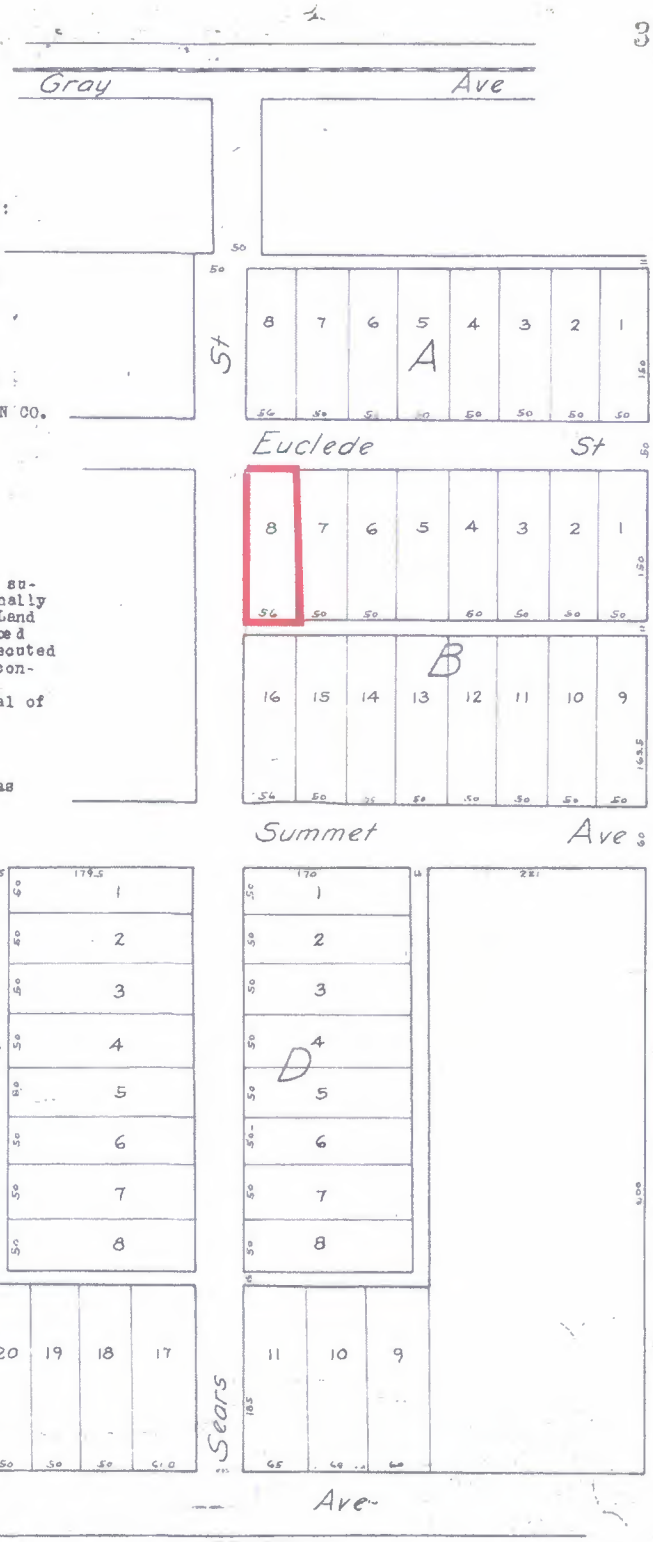
(SEAL)

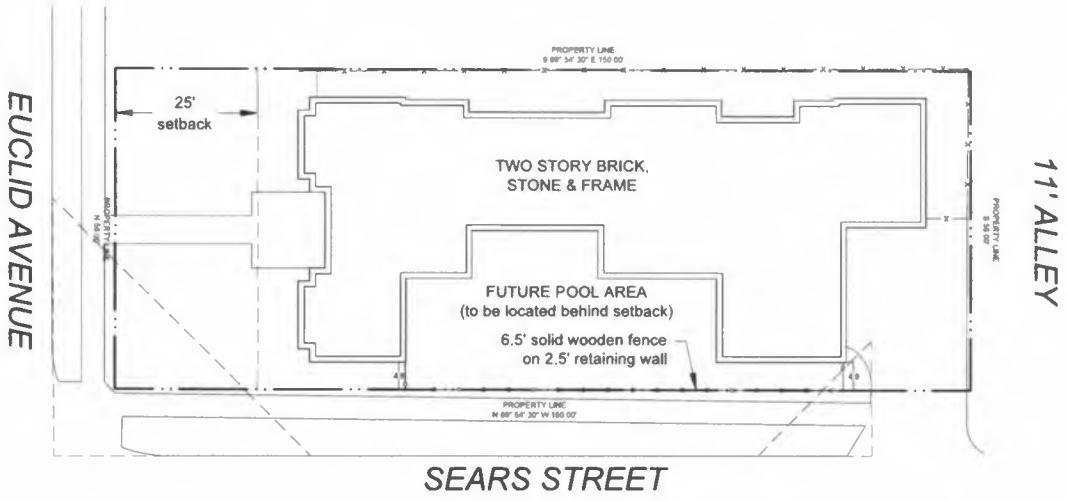
Filed May 4th, 1911 at 2:15 P.M.

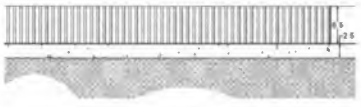
Recorded May 4th, 1911, at 10 o'clk P.M.

J. E. Record, County Clk

By Sam Barnett, Dy.







1a Fence Elevation
SCALE: 1" =10'-0"

1 BDA Site Plan
SCALE: 1" =10'-0"

VICINITY MAP
NTS

11/08/2023
PROJECT NUMBER
CASE NUMBER

BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

Baldwin Associates

2000 EUCLID AVENUE
CITY OF DALLAS, TEXAS

BDA234-006

FILE NUMBER: BDA234-006_FR1

BUILDING OFFICIAL'S REPORT: Application of Baldwin Associates for a variance to the front yard setback regulations, and for a special exception to the fence height regulations, and for a special exception to the fence standards regulations, and for a special exception to the visibility obstruction regulations at 2000 Euclid Ave.

LOCATION: 2000 Euclid Avenue

APPLICANT: BALDWIN ASSOCIATES

REQUESTS:

The applicant is requesting a fee reimbursement for fees paid for the application of a variance to the front yard setback regulations, and for a special exception to the fence height regulations, and for a special exception to the fence standards regulations, and for a special exception to the visibility obstruction regulations at 2000 Euclid Ave.

STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:

Section 51A-1.105(b)(6) of the Dallas Development Code specifies the board of adjustment may waive the filing fee if the board finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

The staff does not make a recommendation on fee waiver requests since the standard is whether the board finds that payment of the fee would result in substantial financial hardship to the applicant.

26th November 2023

Ms. Nikki Dunn. Interim Board Administrator, City of Dallas

320 E. Jefferson Boulevard

Dallas, Texas, 75201.

Dear Nikki

RE: Waiver of Application Fee Request – 2000 Euclid Avenue, Dallas, 75206.

As requested by Baldwin Associates, I am writing to you to respectfully request that the applications fees paid in respect of our Board of Adjustment hearing in January are waived.

We are having to appear before the Board due to the significant issues caused by the permitting process at our property 2000 Euclid Avenue, 75206. All the necessary permits were issued when the property was built by Strange & Sons. However, subsequently we have been advised, when we inquired into building a swimming pool, that the permits were issued by the city incorrectly. The house was fully completed in 2022 and we have been living in the property since March 2023. Due to a change at the company I work for we are moving back to the UK and this issue is causing problems with the sales processes as potential buyers wish to be reassured that a pool can be built in the future.

We estimate that any demolition and rebuilding work would cost in excess of $800 000.

If you require any further information, please do not hesitate to let me know.

Sincerely,

John Morgan

John Morgan

John Morgan, 2000 Euclid Avenues, Dallas, Texas, 75206.

E: john.morgan@hki.com T: 331 588 1651