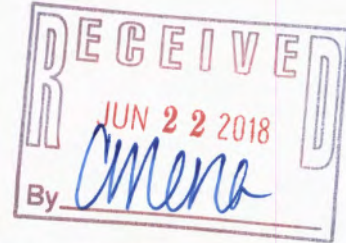


BDA-59-2018



**CITY OF UNIVERSITY PARK
BOARD OF ADJUSTMENT APPLICATION**

SITE INFORMATION:

DATE: 6.21.18

ADDRESS: 4234 McFarlin Blvd. Dallas, Texas 75205

SUBDIVISION Stratford Manor **LOT #** 9 **BLOCK #** 20
LOT DIMENSION N115.0' x S145.24' x 199.25' **ZONING DISTRICT** Single Family 3, SF-3

PROPERTY OWNER: John C. Hallam and Ann McConville

ADDRESS: 5606 Stanford Avenue

CITY: Dallas **STATE:** TX **ZIP:** 75209

PHONE: 214.908.0592 **E-MAIL:** johnc.hallam@benekeith.com

APPLICANT (IF DIFFERENT THAN PROPERTY OWNER): Jessica Stewart Lendvay, Architect

ADDRESS: 3835 San Jacinto Blvd. no.1

CITY: Dallas **STATE:** TX **ZIP:** 75204

PHONE: 214.893.5080 **E-MAIL:** jessicastewartlendvay@gmail.com

REQUEST IS FOR:

☒ A VARIANCE TO THE ZONING ORDINANCE DUE TO A PROPERTY HARDSHIP* ☐ A SPECIAL EXCEPTION TO THE ZONING ORDINANCE ☐ APPEAL UNDER SECTION 18-101 OF THE ZONING ORDINANCE

NOTE: A VARIANCE TO THE ZONING ORDINANCE CAN ONLY BE REQUESTED FOR A PROPERTY HARDSHIP, NOT A SELF-IMPOSED OR ECONOMIC HARDSHIP.

TO THE BOARD OF ADJUSTMENT:

THIS IS TO AFFIRM THAT AN APPLICATION HAS BEEN MADE FOR A PERMIT TO:

Ref: Attached Detail 1

THE PERMIT APPLIED FOR HAS BEEN REVIEWED AND/OR DENIED BY THE BUILDING INSPECTION DEPARTMENT, AS IT WAS DEEMED CONTRARY TO THE ZONING ORDINANCE OF THE CITY OF UNIVERSITY PARK. THEREFORE, AN APPEAL, SPECIAL EXCEPTION OR VARIANCE IS NOW MADE TO THE BOARD OF ADJUSTMENT FOR:

Ref: Attached Detail 2

AND THAT A PROPERTY HARDSHIP WILL RESULT FROM THE LITERAL INTERPRETATION AND APPLICATION OF THE ZONING ORDINANCE AS DESCRIBED ABOVE.

BY THE SIGNATURE BELOW, I AFFIRM THAT I HAVE READ THE ATTACHED INSTRUCTION SHEET, ACKNOWLEDGE THE REQUIREMENTS STIPULATED THEREIN, AND THAT THIS APPLICATION TO THE BOARD OF ADJUSTMENT IS NOT A RESULT OF SELF-IMPOSED OR ECONOMIC REASONS:

SIGNATURE OF PROPERTY OWNER (Sign and Print or Type Name)

Signature

John Hallam

Print or Type Name:

JOHN HALLAM

(Notarized letter of authorization required if signature is other than the property owner)

Known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed and in the capacity therein stated.

Given under my hand and seal at office on this 25th day of June 20 18

Cecilia Ann Mena

Notary Public

Office Use Only:

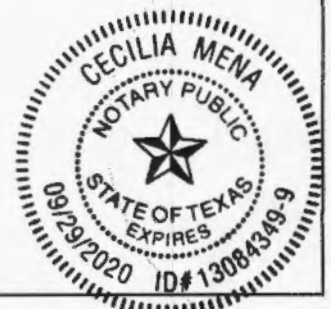
Total Paid: \$150.00

Payment Method:

CK#1378

Accepted By:

C. Mena



June 21, 2018

**Board of Adjustment Application, City of University Park
Request for a Variance to the Zoning Ordinance due to a Property Hardship**

Ref: Proposed New Front Yard Setback for a New Construction Project at
4234 McFarlin Boulevard, Dallas, Texas 75205

Detail A:

The Community Development Staff approved our **Request for a Variance to the Zoning Ordinance due to a Property Hardship** prior to the denial of a building permit application for the Proposed New Construction Project at 4234 McFarlin Boulevard.

Detail B:

The **Request for a Variance to the Zoning Ordinance due to a Property Hardship** is based on the location of the current interpretation of the Front Yard Setback at 4234 McFarlin Boulevard, a curved, corner lot. This Front Yard Setback location does not allow for the approval of a building permit application for the Proposed New Construction Project at 4234 McFarlin Boulevard. We propose that the Front Yard Setback location be set at the face of the Existing Residence at 4234 McFarlin Boulevard.

Location of the current interpretation of the Front Yard Setback: Please see the attached site plan, sheet 1.0, showing the location of the current interpretation of the Front Yard Setback at 4234 McFarlin Boulevard as explained by the Community Development Staff. This location is determined by a 46.1' setback taken from the back side of the existing curved sidewalk that follows along the curved property line along McFarlin Blvd. to Douglas Avenue.

As shown, this setback runs through the existing residence at 4234 McFarlin Boulevard and renders the existing house footprint non-conforming. Due to fire damage to the existing residence (see History of Project below), the Proposed New Construction Project requires the complete demolition of the existing residence, thus losing the ability to create a new residence compatible with the neighborhood setback and massing and appropriate to the investment made by the Owner.

Location of the Proposed Front Yard Setback: We request setting the Front Yard Setback for the Proposed New Construction Project at the Front Yard face of the existing residence, approximately 60'-8" from the south-east point of the property line, continuing due west across the property, rather than following the curve of the lot. Please see the attached site plan, sheet 1.0, showing the location of the proposed Front Yard Setback. This allows for the New Residence to be compatible with the neighboring residences in terms of massing and for the full and fair use of this property by the Owner. The New Residence does extend past the existing residence at the side yard, but the New Residence is in compliance with the Side Yard Setback.

History of the Project: John and Ann Hallam purchased the residence at 4234 McFarlin Boulevard in the fall of 2011 and immediately began a remodel of the Residence. They loved their updated home on this beautiful and gracious property. Sadly, on November 15th of 2017, a fire started in their home while they were out of the house. Their family dog was trapped in the house due to the location of the fire in the laundry room blocking the pet door to the outside and perished due to smoke inhalation. A neighbor called 911 and the Fire Department arrived quickly. Nonetheless, it was a complete loss. Fire, smoke and water damage destroyed almost all of their beloved possessions.

An initial effort was begun to design and construct a remodel and addition to their much loved home. It was then determined by the Owner and their consultants that a remodel and addition would not be the best investment due to the extensive damage from the fire. At that point, it was determined that a New Construction Residence and a new start would be the best course for this family.