



## **CITY OF UNIVERSITY PARK**

### **BOARD OF ADJUSTMENT APPLICATION REQUIREMENTS**

Prior to the submission of an application to the Board of Adjustment, a building permit application and plans (two complete sets) should have first been reviewed and denied by the Building Official. In some situations however, staff may accept a request for a variance or special exception without the review and denial of a permit. Please check with staff if you have questions.

A completed application should be returned to the Community Development Department, Planning Division with the following:

1. A payment for the filing fee of \$150.00.
2. Two complete 24" x 36" or 8 ½" x 11", fully dimensioned set of plans drawn to scale. Contact staff for specific size requirements.
3. Electronic copy of the complete submittal provided to the Community Development Department.
4. Any supporting documentation or photos.

If you are requesting an appeal, variance or a special exception, please state or describe the proposed project or modification to your property referencing specific items and applicable Sections of the Zoning Ordinance. The application form must be completed accurately with all necessary attachments as these serve as the basis for the public notice, public hearing and for the Board to make a determination on the case. It is the responsibility of the applicant to present the request and explain the associated supporting documentation to the Board at the scheduled public hearing.

#### Reason for your request:

1. Appeals of a decision or order of the staff of the Community Development Department shall be taken to the Board of Adjustment within fifteen (15) days of receipt of that decision, where it is alleged there is error in an order, requirement,

decision, or determination made by the staff in enforcement of the Zoning Ordinance, in accordance with the procedures found in Sec. 18.

2. If you are requesting a special exception to the terms of the Zoning Ordinance, please provide details to show how the proposed improvements or modifications to your property will comply with the requirements for the special exception as stated in the zoning ordinance.
3. A request for a variance from the term(s) of the Zoning Ordinance, must describe how the literal enforcement of the Zoning Ordinance will result in unnecessary hardship(s) because of the special conditions of your property and that granting of the variance will not be contrary to the public interest and the spirit of the ordinance will be observed and substantial justice done. The hardship described in the request must be a property hardship, rather than an economic or self-inflicted hardship.
4. If you are applying for recognition of a nonconforming use or structure, include the date when the nonconforming use or structure commenced, that it has not been terminated or abandoned, and that you are requesting a certificate of occupancy for such nonconforming use or structure.

All of the property owners within 200 feet of the subject property will be notified by mail of the request. The meeting notice will also be published in a newspaper of local circulation. The Board of Adjustment will hear all cases in a public hearing forum.

If you have any questions please contact Cecilia Mena, Planning Technician, Community Development Department, 214-987-5419 or [cmena@uptexas.org](mailto:cmena@uptexas.org)



CITY OF UNIVERSITY PARK  
BOARD OF ADJUSTMENT APPLICATION

SITE INFORMATION:

DATE: 01/23/18

ADDRESS: 7401 Turtle Creek Boulevard, University Park, TX

SUBDIVISION University Heights LOT # 8 BLOCK # R

LOT DIMENSION 50' X 134.12' ZONING DISTRICT SF-2

PROPERTY OWNER: John Westbrook

ADDRESS: 3619 Greenbrier Drive

CITY: Dallas STATE: Texas ZIP: 75225

PHONE: (214)476-2910 E-MAIL: johnwstbrk@gmail.com

APPLICANT (IF DIFFERENT THAN PROPERTY OWNER): Mark Domiteaux

ADDRESS: 3303 Lee Parkway, Suite 100

CITY: Dallas STATE: Texas ZIP: 75219

PHONE: (214)691-8388 E-MAIL: mark@doaba-arch.com

REQUEST IS FOR:

☒ A VARIANCE TO THE 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:

N/A. No application has been made for a permit as the issue being contested will determine the design direction of the project.



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:

A Variance to Zoning Ordinance Section 21-100(4)(a)(ii) Special Yard Requirements for the Front Yard Setback. As interpreted from the code by the University Park Building Department, our lot at 7401 Turtle Creek Boulevard has been given a front yard setback of 38'-7" as determined by the average setback along Purdue Street, being more restrictive than the 26' average setback along Turtle Creek Boulevard. Given the unique frontage of our site, we propose the front setback be determined by connecting the average setbacks along Purdue Street and Turtle Creek Boulevard across our property so as maintain visual continuity along both right of ways.

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)

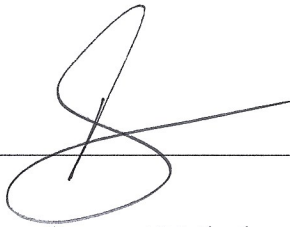
Signature

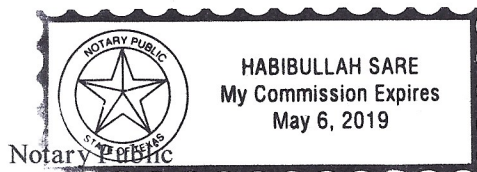
Print or Type Name: John Westbrook

(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 24 day of January 2018





Office Use Only:

Total Paid: \_\_\_\_\_ Payment Method: \_\_\_\_\_ Accepted By: \_\_\_\_\_