

MAYOR
William C. Beecherl

MAYOR PRO TEM
Craig Penfold

TOWN ADMINISTRATOR
Bill Lindley



TOWN COUNCIL
MEMBERS

Marc Myers

Lydia Novakov

Don Snell

Leland White

October 15, 2022

BOARD OF ADJUSTMENT MEMBERS

Chuck Reeder, Chairman
Stacey Furst
Joan Clark
Alison Hunsicker
Robert McCulloch
Nancy Rogers, Alternate Member
Jim Yoder, Alternate Member

Dear Board Members,

The Board of Adjustment will conduct a public hearing at 8:30 a.m. on Wednesday, November 9, 2022, to consider a variance from Section 13-103(d) of the Town's Zoning Ordinance to construct a portion of a swimming pool in the front half of the lot located at 3801 Maplewood Avenue. Section 13-103(d) of the Zoning Ordinance states a tennis court or multi-purpose court surface, swimming pool or other appurtenance located on a combined building site shall be located only in the rear yard or, in a side yard to the rear of a line joining the midpoint of one side lot line with the midpoint of the opposite side lot line, provided that such improvement(s) is (are) set back a minimum distance of ten (10) feet from the side lot line. The property owners request to construct a 23 feet portion of a swimming pool in the front half of the lot.

The agenda, application, and meeting details are available on the Town's website www.hptx.org by clicking on the "Board of Adjustment" webpage.

Enclosed is a copy of: (i.) the application to the Board, (ii.) letter from consultant, (iii.) the plans, (iv.) the public hearing notice map, (v.) a map of the block indicating the location of the property.

Feel free to contact me at your convenience if you have any questions.

Sincerely,

Hugh Pender
Director of Development Services
hpender@hptx.org

cc: Will Beecherl, Mayor, via e-mail
Bill Lindley, Town Administrator, via e-mail
Matthew C.G. Boyle, Town Attorney, via e-mail
Steve Alexander, Chief Financial Officer, via e-mail
Joanna Mekeal, Town Secretary, via e-mail

**APPEAL TO THE BOARD OF ADJUSTMENT
TOWN OF HIGHLAND PARK**

(Please Type or Print)

ADDRESS 3801 Maplewood Avenue Owner's Name KETTERER VORWALD FAMILY TRUST

LEGAL DESCRIPTION: Lot(s) 10R Block 38 Addition HP 3rd Installment

Mailing Address 3612 Crescent Avenue

City Highland Park State TEXAS Zip Code 75205

1. Request: We are requesting permission to install a 16'x67' lap pool on our combined building site with a forty-one-foot six-inch (41'-6") side yard setback, but with a small portion of the pool being in front of the rear half of our lot..

2. Jurisdiction: [Applicant has reviewed Section 17-200 a,b, and c of the Highland Park Zoning Ordinance (copy attached) and is of the opinion that the Board of Adjustment has jurisdiction for the following reason(s)]

Section 17-200(b) is applicable since there is a unique size to our property which is restricted in area for the pool due to two mature live oak trees which are being preserved on this lot.

Additional information submitted by applicant Letter from Kirk Smith, attached. Also, site plan, elevations and perspective illustration of the pool from the southeast corner of our property.

Fee Paid \$200.00 Date Sept. 27, 2022 Phone 310 309-7444

3. Signature of Owner 

(To be completed by Building Inspection Department)

Reason for denial: Section Section 13-103(d)
Explanation:

Section 13-103(d) of the Zoning Ordinance states a tennis court or multi-purpose court surface, swimming pool or other appurtenance located on a combined building site shall be located only in the rear yard or, in a side yard to the rear of a line joining the midpoint of one side lot line with the midpoint of the opposite side lot line, provided that such improvement(s) is (are) set back a minimum distance of ten (10) feet from the side lot line.

Hugh Pender October 10, 2022
Building Inspector Date

TOWN OF HIGHLAND PARK

B

Receipt No.

Bldg. Permit No.

DEPARTMENT OF BUILDING INSPECTION

Date

Application for Building Permit and Certificate of Occupancy

\$

Permit Fee

The undersigned hereby applies for a permit to build according to the submitted plans and specifications, a copy of which must be kept on the premises at all times during construction, and also agrees to complete this work in full conformity with the Ordinances of the Town of Highland Park and further applies for a Certificate of Occupancy and Compliance.

This permit becomes void unless the work is commenced within ninety (90) days from this date or if the work is abandoned or suspended, at any time after work is commenced, for a period of ninety (90) days.

OWNER: KETTERER VORWALD FAMILY TRUST Address: 3612 Crescent Avenue, Highland Park, TX 75205

LOT: 10R BLOCK: 38 ADDITION: HP Addn, 3rd Installment

JOB SITE: Number 3801 Street: Maplewood Zoning District: " D"

Description of Work:

Construct a 16-ft by 67-ft LAP swimming pool attached to the east side of the residence and located 41-1/2-ft from the east side property line. A portion of the pool's water surface will be located 23-ft north of the midpoint lot depth line of this combined building site.

To Be Completed by Building Department

Permit Template:

- Permit options: Accy-Non-C, Accy New, Add (addition), Backflow (test), Bpermit, Commercial, Conc-Alley, Conc-Prvt, Conc-Pub, Drainage, Fence, Fire (sprinkler), HVAC, Irrig, New, Pool-Rmdl, Pool-New, Raze-Accy, Raze-Dupl, Raze-Multi, Raze-Single, Rem (remodel), Repairs, Reroof, Sign, Sport Court, Tearout, Tent, (other).

NOTE:

- Notes: 1. No change in the plans & specifications... 2. I, or we, hereby covenant to restore any and all damages... 3. At the beginning of work... 4. No projection of any kind... 5. The Town of Highland Park zoning ordinance... 6. Construction fences are not allowed...

SQ. FOOTAGE OF NEW CONSTRUCTION: 1072 SF

Tatum-Brown Custom Homes c/o Kirk Smith

1528 Slocum Street

Contractor's Company Name

Address

Handwritten signature of Kirk Smith

Dallas, TX

75207

City/State

Zip

Kirk Smith

Digitally signed by Kirk Smith Date: 2022.09.23 08:56:00 -05'00'

972-951-9106 (Kirk Cell)

Signature of Applicant

Phone

Building Inspector

Kirk L. Smith
981 CR 4918
Trenton, TX 75490

September 27, 2022
3801 Maplewood Avenue
Highland Park, TX 75205

Honorable Chuck Reeder, Chairman & Board Members,

My clients, Alan Vorwald and Sarah Ketterer (“Clients”), have reapplied for you to consider their lap pool location variance from the combined building site regulation Section 13-103(d) within the Town’s Zoning Ordinance. You previously heard this case on September 14, 2022, along with three other difficult cases. Unfortunately, a motion was made for approval, but failed due to the lack of a second. It is my hope that you will review this letter and our presentation at the next hearing on November 9, and decide favorably for this simple and just variance request.

As stated before, the property at 3801 Maplewood is a corner lot and was created into a combined building site in 2013 by a previous owner combining it with the neighboring property of 3805 Maplewood. The Clients purchased the subject property in January 2022 with the intention to design and build their family home. They received the building permit for their new house in April 2022, and work has continued since. Their house is designed by David Stocker w-SHM Architecture around two mature live oak trees on the east side of the dwelling. A lap swimming pool with an attached spa all located on the east (street) side of the residence is designed by Bruce Berger w-Armstrong Berger Landscape Architecture. One of these trees is located along the east side property line and provides enormous shade and character to the property and block. The Client’s desire has always been to position the 67-foot long lap pool in close proximity to the residence, and utilize a larger yard along the east side of the pool and around the subject tree as a landscape area, play area for their five (5) children, and buffer to the adjacent street traffic and neighbor. This pool position is again what leads us to your review today.

The property is a “Combined Building Site” as defined in the Town’s Zoning Ordinance. As such, the Zoning Ordinance requires a swimming pool on a combined lot to be located to the rear of the midpoint of the lot depth and at least 10-feet from the neighboring side property line. The Client’s property, being a corner lot, makes it unique in shape and location, differing from other combined lots in the district. This provides you, the Board, the jurisdiction to hear this case as defined by Section 17-200 in the Town’s Zoning Ordinance.

At the last hearing, two members presented questions and comments in this case, which we had hoped were answered to your satisfaction. One question pertained to the fence type in order to curtail any noise or disturbance to the neighboring properties.

The proposed fence will be similar to what exists on the property from the previous improvements, an eight-foot-tall solid masonry wall. This wall will also be screened on the interior yard side with tall evergreen shrubs, both of which will absorb and deter any unwanted sound into the neighborhood. A comment was also made by a member which agreed that the preservation of the trees was a positive attribute to this case. The second question dealt with an option to reposition the pool to the rear of the lot midpoint. The shifting of the pool to the rear would not only harm the existing mature tree roots with the pool depth being placed closer to the tree, but it would also mis-align the focal point of the pool being seen through the entry vestibule and limit the access and usability of the outdoor patios. It is well known that Eton Avenue is one of the main arterial access roads for the HPDPS emergency response vehicles and many other personal vehicles. The patios are intentionally positioned close to the house which provide a 41-foot 6-inch east side yard to the pool, together with the masonry wall and tall evergreen shrubs as a buffer for the client from the Eton Avenue traffic and noise.

Using the regulations defined in the Zoning Ordinance, and NOT requiring a variance, will result in placing the pool closer to the east side property line and behind the lot midpoint. The effects of this design will be:

1. The ability to still have an 18-inch deep fountain/water feature forward of the lot midpoint adjacent to the entry vestibule,
2. the ability to create a much larger pool (80-feet long),
3. the pool will be moved closer to the neighbors on Eton,
4. it will kill the two live oak trees, and
5. it will reduce the amount of greenspace for enjoyment of the family with the children.

The variance request that we are presenting is a compromise. This design is one that the Client is most pleased with due to its symmetry and architecture of the space. The effects of this design are:

1. Still has a fountain feature,
2. will get a somewhat smaller, yet usable pool for lap swimming,
3. moves the pool away from the neighbors on Eton,
4. preserves the two live oaks, and
5. increases the amount of greenspace for use and enjoyment of the family with their children, while providing the greatest buffer between the pool and neighboring properties.

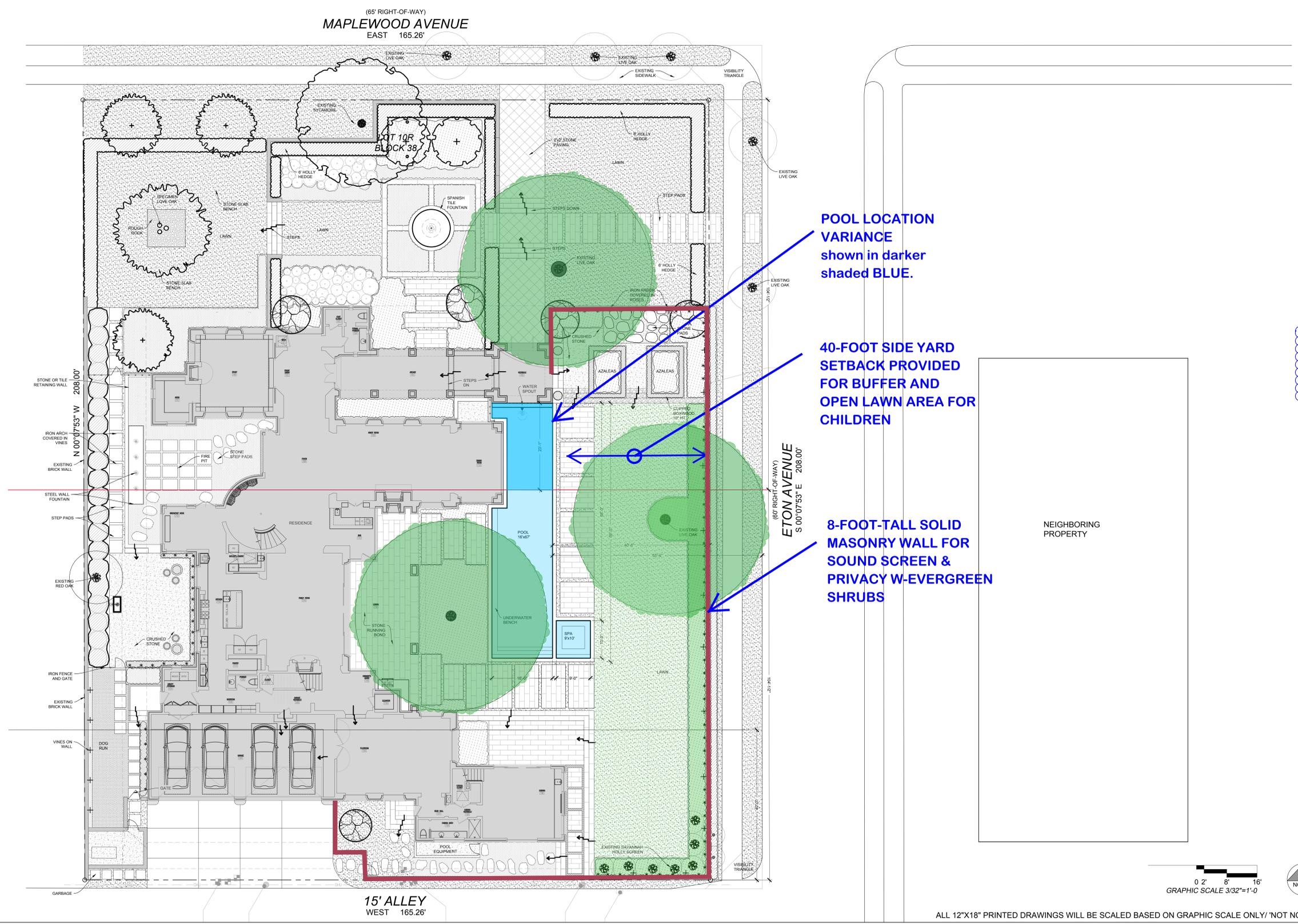
It is our hope that you will agree, as have the neighbors on this block according to the written testimony received at the last hearing, that the location of this lap pool is best achieved by the design presented in this case. The client's pursuit of this design compromise is best for everyone involved as it reduces the neighborhood noise, preserves the two live oak trees, creates more greenspace to benefit the children, and creates more of a buffer between neighbors.

In final thoughts, we would sincerely appreciate the Board's combined deliberation and consideration resulting in a favorable vote on our pool location variance from Section 13-103 subparagraph (d) to allow construction of their lap swimming pool with a masonry screening wall as designed and presented in this Board of Adjustment case. Because you have jurisdiction in this case, the regulations, as they are written, should not apply to this lot and therefore warrants your approval on this specific lot due to the unique nature of this property. I look forward to presenting this case to you in the coming weeks.

Very truly yours,

Kirk Smith
972-951-9106
klsmith5252@gmail.com

cc: Alan Vorwald and Sarah Ketterer, Property Owners



**POOL LOCATION
 VARIANCE
 shown in darker
 shaded BLUE.**

**40-FOOT SIDE YARD
 SETBACK PROVIDED
 FOR BUFFER AND
 OPEN LAWN AREA FOR
 CHILDREN**

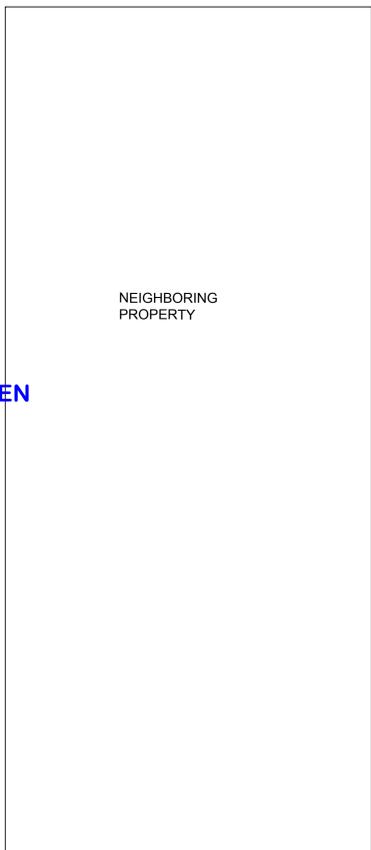
**8-FOOT-TALL SOLID
 MASONRY WALL FOR
 SOUND SCREEN &
 PRIVACY W-EVERGREEN
 SHRUBS**

**VARIANCE
 PLAN SET**

**DESIGN
 REVIEW SET**



BRUCE F. BERGER, ASLA
 REVISIONS



NEIGHBORING
 PROPERTY



VORWALD/ KETTERER
 RESIDENCE

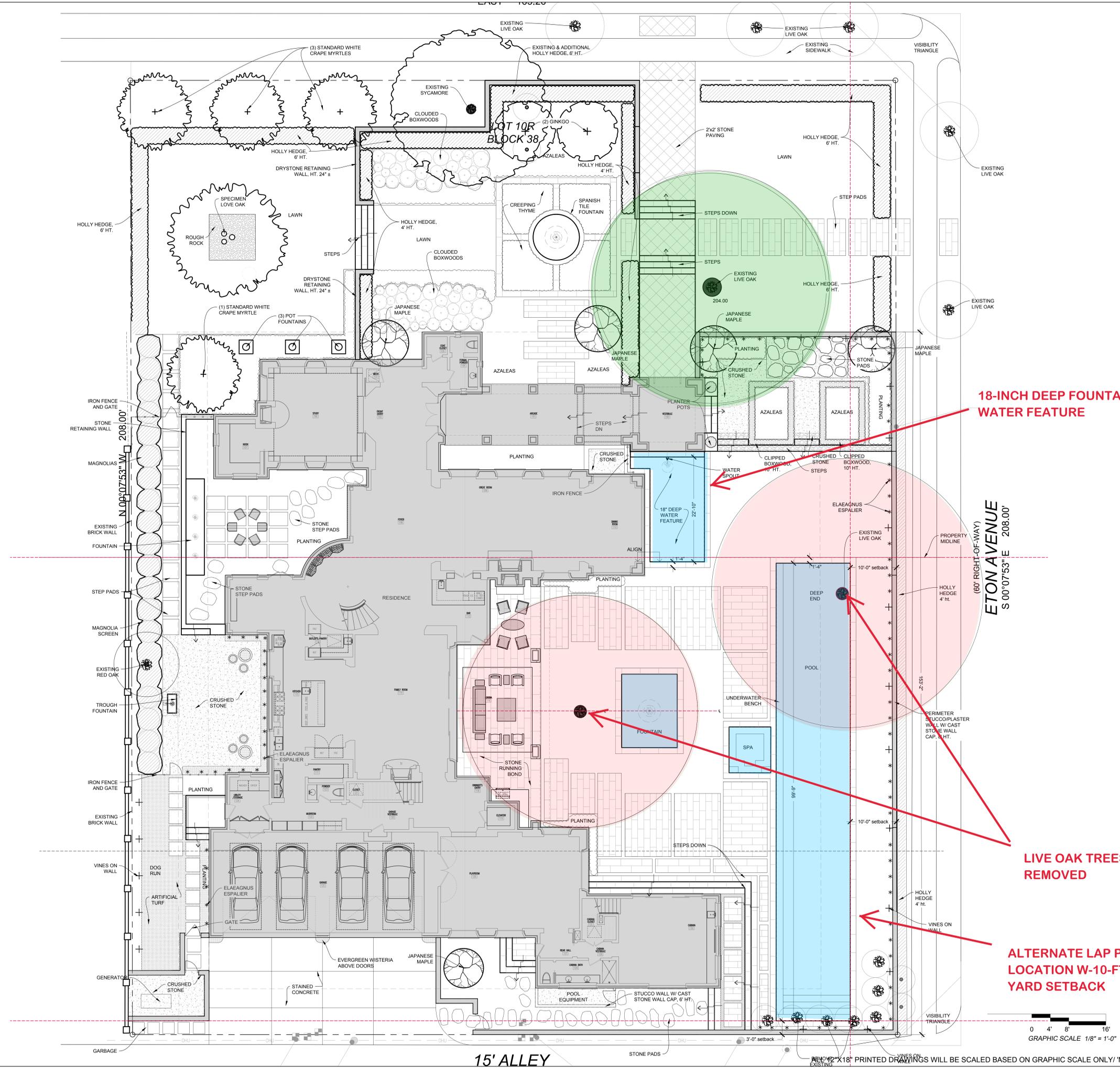
3801 MAPLEWOOD ave.
 Dallas, Tx, 75205

DRAWING TITLE
SITEPLAN

ISSUE DATE: 2/9/2022
 DRAWING SCALE: 3/32"=1'-0"
 PROJECT NUMBER: 21023
 DRAWN BY: RP
 REVIEWED BY: RP, BFB
 APPROVED BY: BFB
 DRAWING NUMBER



L1.01



**18-INCH DEEP FOUNTAIN
 WATER FEATURE**

**COMPLIANT
 PLAN SET**

ETON AVENUE
 (60' RIGHT-OF-WAY)
 S 00°07'53"E 208.00'

**DESIGN
 REVIEW SET**



BRUCE F. BERGER, ASLA
 REVISIONS



VORWALD/ KETTERER
 RESIDENCE

3801 MAPLEWOOD ave.
 Dallas, Tx, 75205

SITEPLAN

ISSUE DATE: 9/16/2022
 DRAWING SCALE: 1/8"=1'-0"
 PROJECT NUMBER 21023
 DRAWN BY: RP
 REVIEWED BY: RP, BFB
 APPROVED BY: BFB
 DRAWING NUMBER

**LIVE OAK TREES
 REMOVED**

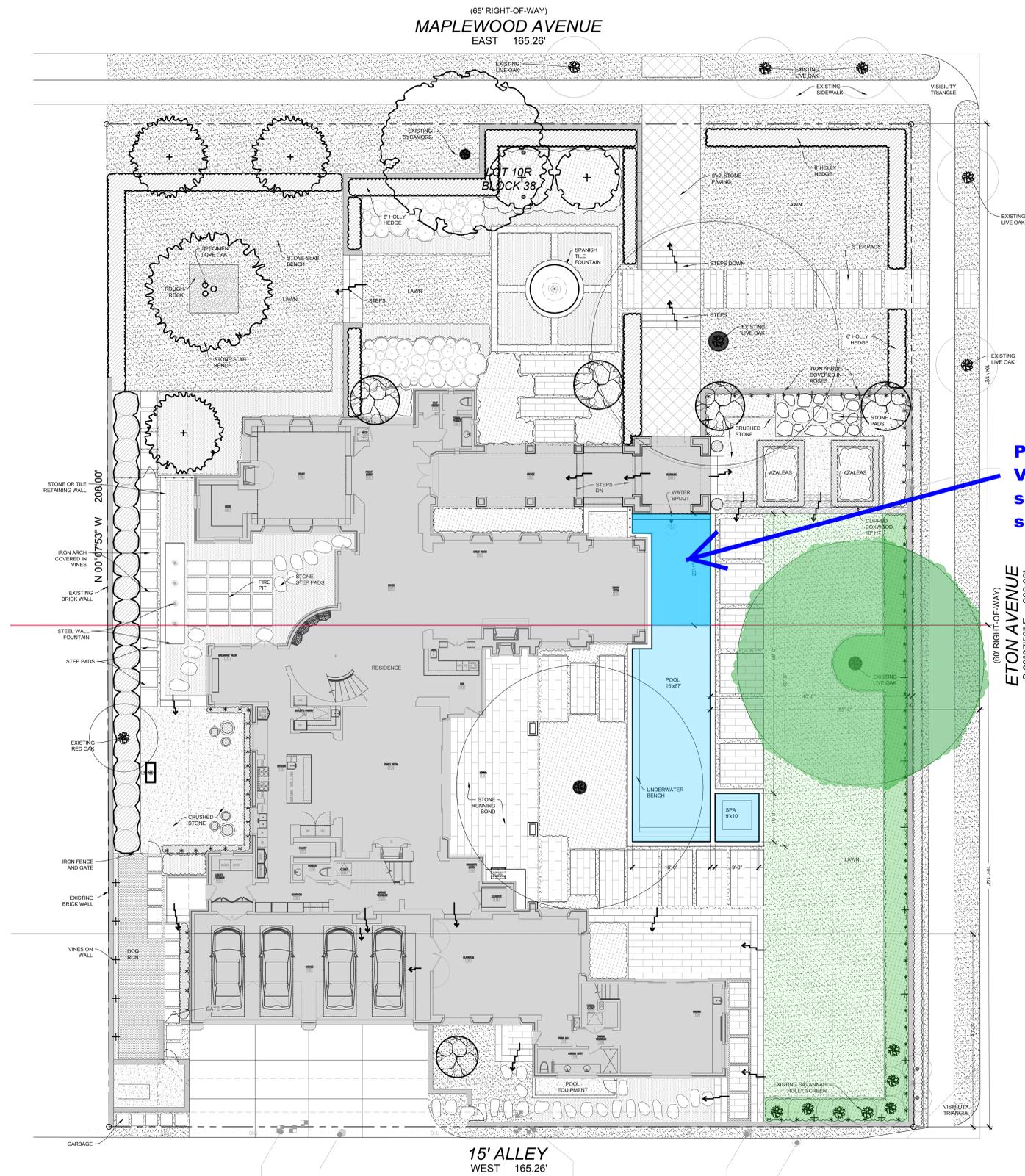
**ALTERNATE LAP POOL
 LOCATION W-10-FT SIDE
 YARD SETBACK**



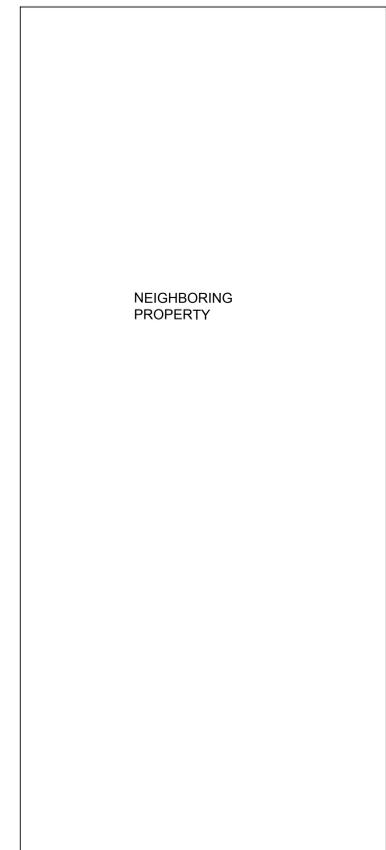
15' ALLEY

PRINTED DRAWINGS WILL BE SCALED BASED ON GRAPHIC SCALE ONLY/ NOT NOTED SCALE

L1.01



**POOL LOCATION
 VARIANCE
 shown in darker
 shaded BLUE.**

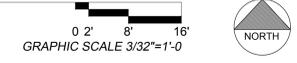


**DESIGN
 REVIEW SET**
 SEAL
 NOT FOR REGULATORY
 APPROVAL, PERMITTING
 OR CONSTRUCTION
 BRUCE F. BERGER, ASLA
 REVISIONS



VORWALD/ KETTERER
 RESIDENCE
 3801 MAPLEWOOD ave.
 Dallas, Tx, 75205
 DRAWING TITLE
SITEPLAN

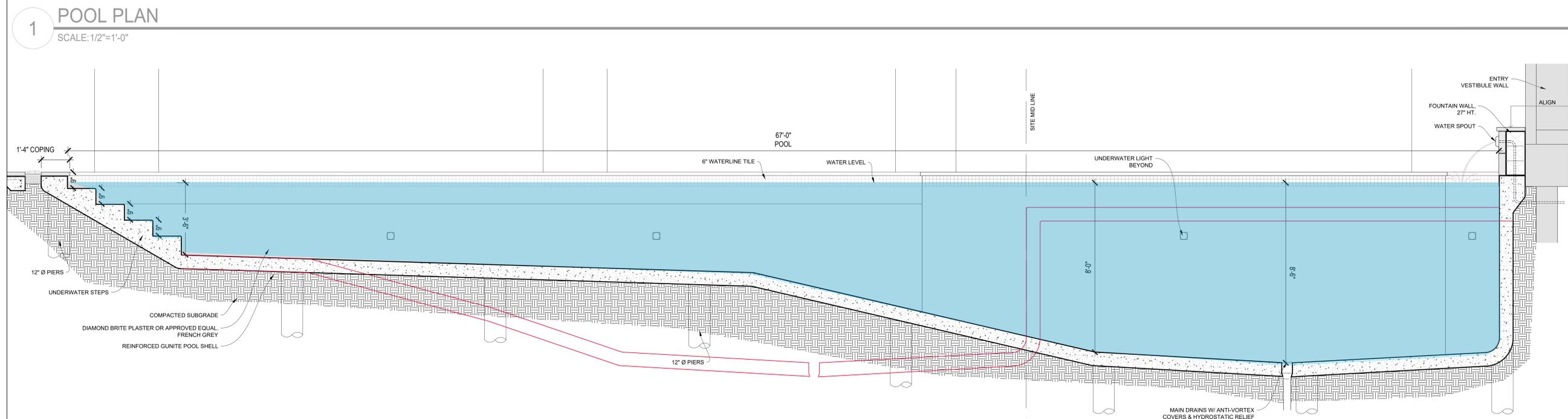
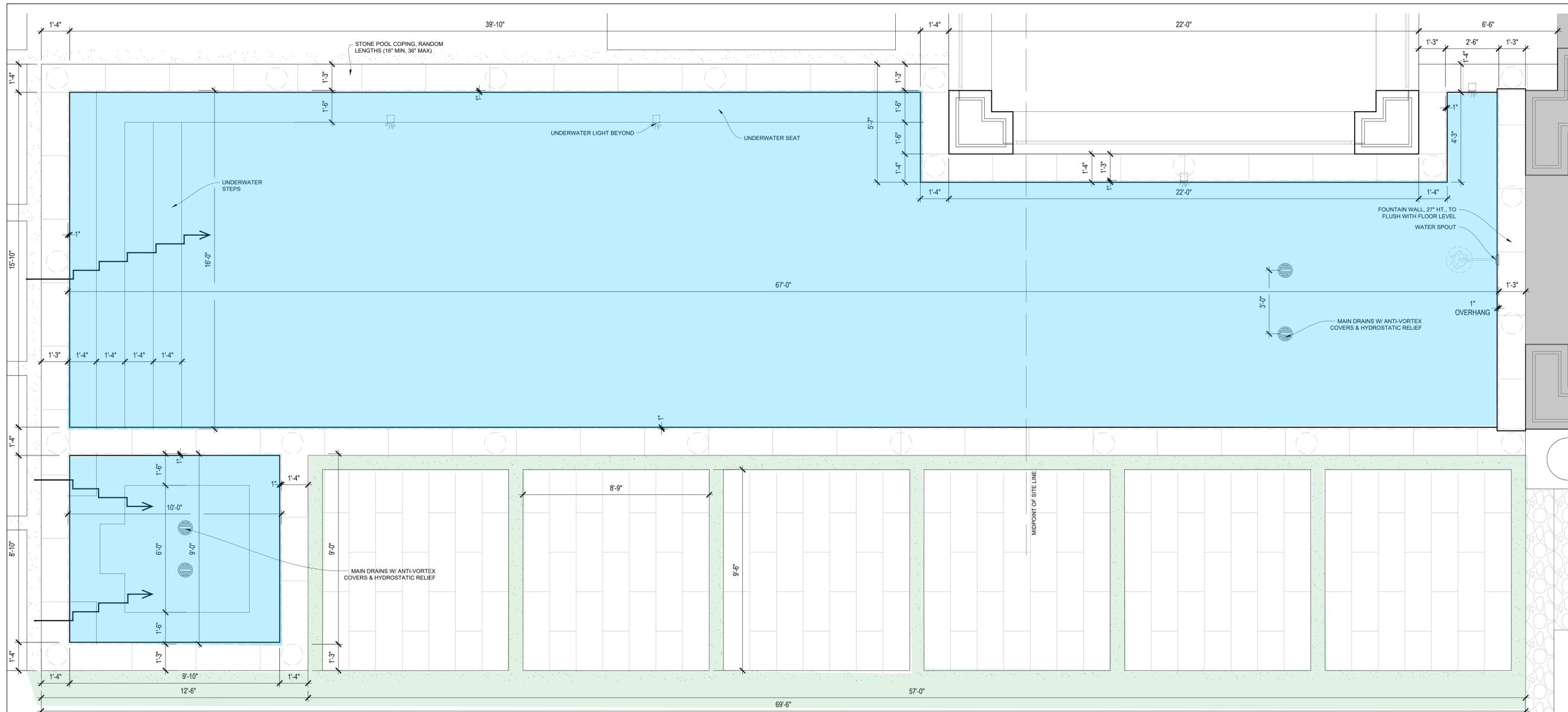
ISSUE DATE: 2/9/2022
 DRAWING SCALE: 3/32"=1'-0"
 PROJECT NUMBER: 21023
 DRAWN BY: RP
 REVIEWED BY: RP, BFB
 APPROVED BY: BFB
 DRAWING NUMBER





VORWALD-KETTERER RESIDENCE
POOL VARIANCE RENDERINGS (WITH DEPTH VARIANCE)
SHM #21-026 08 JULY 2022

shm
ARCHITECTS



ARMSTRONG • BERGER
LANDSCAPE ARCHITECTS • PLANNERS
CONSTRUCTION MANAGEMENT

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DESIGN REVIEW SET



BRUCE F. BERGER, ASLA

REVISIONS



VORWALD/ KETTERER RESIDENCE

3801 MAPLEWOOD ave. Dallas, Tx, 75205

DRAWING TITLE
POOL DETAILS

ISSUE DATE: 6/27/2022
DRAWING SCALE: 1/2"=1'-0"
PROJECT NUMBER: 21023
DRAWN BY: RP, BFB
REVIEWED BY: RP, BFB
APPROVED BY: BFB
DRAWING NUMBER

L1.01



MAYOR
William C. Beecherl

MAYOR PRO TEM
Craig Penfold

TOWN ADMINISTRATOR
Bill Lindley



TOWN COUNCIL
MEMBERS

Marc Myers

Lydia Novakov

Don Snell

Leland White

October 15, 2022

BOARD OF ADJUSTMENT MEMBERS

Chuck Reeder, Chairman
Stacey Furst
Joan Clark
Alison Hunsicker
Robert McCulloch
Nancy Rogers, Alternate Member
Jim Yoder, Alternate Member

Dear Board Members,

The Board of Adjustment will conduct a public hearing at 8:30 a.m. on Wednesday, November 9, 2022, to consider a variance from Section 10-102(4) of the Town's Zoning Ordinance to construct chimneys with a height greater than the 55 feet maximum on a new home located at 4500 Preston Road. Section 10-101(1) of the Zoning Ordinance establishes a mean roof height of 45 feet in the A zoning district. Section 10-102(4) states in all zoning districts, chimneys, vent stacks and antennas may not extend more than ten (10) feet above the maximum permitted building height. The property owners are designing a new home with chimneys proposed at 61 feet 2 ½ inches above the average natural grade of the lot.

The agenda, application, and meeting details are available on the Town's website www.hptx.org by clicking on the "Board of Adjustment" webpage.

Enclosed is a copy of: (i.) the application to the Board, (ii.) letter from consultant, (iii.) the plans, (iv.) ordinance no. 1008, (v.) the public hearing notice map, (vi.) a map of the block indicating the location of the property.

Feel free to contact me at your convenience if you have any questions.

Sincerely,

Hugh Pender
Director of Development Services
hpender@hptx.org

cc: Will Beecherl, Mayor, via e-mail
Bill Lindley, Town Administrator, via e-mail
Matthew C.G. Boyle, Town Attorney, via e-mail
Steve Alexander, Chief Financial Officer, via e-mail
Joanna Mekeal, Town Secretary, via e-mail

APPEAL TO THE BOARD OF ADJUSTMENT
TOWN OF HIGHLAND PARK

(Please Type or Print)

ADDRESS 4500 Preston Rd. Owner's Name Leslie Ware

LEGAL DESCRIPTION: Lot(s) 1 Block 181 Addition HP 2nd Installment

Mailing Address 4143 Maple Avenue, Suite 120

City Dallas State TEXAS Zip Code 75219

1. Request: We are requesting permission to construct six chimneys on a new house being designed at 4500 Preston Road. The height of the chimneys will exceed the maximum measured roof height in this Zoning District "A" by 6-feet, 2-1/2-inches.

2. Jurisdiction: [Applicant has reviewed Section 17-200 a,b, and c of the Highland Park Zoning Ordinance (copy attached) and is of the opinion that the Board of Adjustment has jurisdiction for the following reason(s)]

We feel the Board has jurisdiction to hear this case pertaining to the chimney heights as per Section 17-200(b) which is applicable due to the unusual slope, greater than normal setbacks, and large area of the property. Please review attached letter for further explanation concerning this application.

Additional information submitted by applicant Letter from Kirk Smith, attached. Also, site plan, elevations, and building section, and previous ordinances amending the Zoning Ordinance.

Fee Paid \$200.00 Date 9/26/2022 Phone 214-744-5001

3. Signature of Owner 

(To be completed by Building Inspection Department)

Reason for denial: Explanation: Section 10-102 (4)

In all districts, chimneys, vent stacks, and antennas may extend not more than ten (10) feet above the maximum permitted building height. (A zoning district - 45 feet mean roof peak height)

Hugh Pender October 10, 2022
Building Inspector Date

Kirk L. Smith
981 CR 4918
Trenton, TX 75490

September 26, 2022
4500 Preston Road
Highland Park, TX 75205

Board of Adjustment

Town of Highland Park
4700 Drexel Drive
Highland Park, TX 75205

Honorable Chuck Reeder, Chairman & Board Members,

My clients, Les and Amy Ware, are requesting a height variance for fireplace chimneys on a new residence at 4500 Preston Road. The Wares are long time residents of the Town. Mr. Ware purchased the property at 4500 Preston in March 2021 from a previous owner who had demolished the original house and some of the trees that were in close proximity to the original house footprint. This property is located within an "A" Zoning District along with only five other properties within the Town. With plans to construct a very respectable dwelling on the lot which will compliment the unique stature of this property, the Wares engaged the design services of Mr. Craig Hamilton of Craig Hamilton Architects, Ltd. from Brecknockshire, England and local architect Mr. Ed McGonigle with Beck Architecture here in Dallas.

The house is designed to replicate a favorite in England of the Wares. In doing so, many adjustments have been made to bring the size and scale of the residence into compliance with the Town's Zoning Ordinance. One element of the structure, the chimney height, is extremely important to the architectural significance of this design. This element is the reason we need your review and approval in this case.

Section 10-101 of the Town's Zoning Ordinance establishes the maximum height for dwellings in Zoning District "A" as 45-feet. The definition of height in Section 22-100 is very specific with the overall roof height in Zoning District "A" being a "mean (or average) height" for pitched roofs and a "maximum measured height" for roofs with a flat surface. All roof heights are measured from the average front yard grade at the front building setback or the street grade, whichever is higher. This property has a large frontage exposure to Preston Road which ranges in varying grade elevations, all of which are higher than the building footprint along the front building setback line of 107-feet off the Preston Road property line. The average base elevation at the building

line has been established at 514-feet above mean sea level using a topographical land survey of the property.

Section 10-102, Special Height Regulations, provides for an additional ten (10) feet of height for Zoning District A in the following sub-paragraph (4) of this section:

(4) In all districts, chimneys, vent stacks, and antennas may extend not more than **ten (10) feet above the maximum permitted building height.**

The house has a top roof peak height of 51-feet, 2½-inches and an eave height of 36-feet, 2-½-inches which results in the mean roof height of 45-feet, in compliance with the Zoning Ordinance. The proposed chimneys extend to a maximum height of 61-feet, 2½-inches, or 6-feet, 2½-inches above the allowed 55-foot-measured roof peak. These chimneys are contained within the center portion of the house.

Historically, the Zoning Ordinance has been refined or further amended only three times with respect to building heights since it was completely overhauled in 1965. It was revised in 1983 to remove two-story zones C, D, & E from the 35-foot-mean height and require them to use a maximum roof peak of 35-feet and a flat roof of 26-feet. It was also revised in 2005 to define maximum and minimum roof slopes in all districts. And it was finally revised in 2009 to create a plate height and reduce massing in the rear yards of two-story districts. All-in-all, the A (3-story, this property) Zoning District and B (2-½-story) Zoning Districts have not been reviewed or revised since the 1965 rewrite of the Zoning Ordinance. It is important to note that 3-story dwellings are only allowed within the A Zoning District and those properties exist on large estate-type land areas with the greatest side and front yard setbacks within the Town.

Giving a bit more history on the development of the Town's Zoning Ordinance with regards to height, Ordinance No. 1008, approved on September 6, 1983, stated the following:

Section 22-100 Definitions (30) - Height - For all districts except C, D and E, single family, height is the vertical distance of a building as measured from the average established grade at the street line or from the average natural front yard ground level, whichever is higher, to (1) the highest point of the roof's surface if a flat surface, (2) to the deck Line of mansard roofs, or (3) to the mean height level between eaves and ridge for hip and gable roofs **and, in any event, excluding chimneys, cooling towers, elevator bulkheads penthouses, tanks, water towers, radio towers, ornamental cupolas, domes or spires and parapet walls not exceeding ten (10) feet in height.** For all zoning districts, if the street grade has not been officially established, the average front yard grade shall be used for a base level.

In 1983, when the height regulations were modified, the definition of height was explicit concerning the allowance of an additional 10-feet of height for certain elements, of which are identified in **boldface** type in the previous paragraph. Therefore, this meant that these listed features were allowed to exceed the defined roof height by not more than 10-feet. The same intent is contained within the current ordinance, only it has been relocated into Section 10-102 Special Height Regulations, verses remaining in Section 22-100 Definitions of the Zoning Ordinance.

It is our case that if the roof can be built to a “permitted” height of 55-feet peak, in order to obtain a 45-foot-mean-height, then why wouldn't the additional roof elements of chimneys and cupolas be allowed to exceed that dimension by not more that 10-feet as outlined in the zoning ordinance? We are asking for an additional 6-feet, 2½-inches for the top of the chimneys, and therefore have a maximum height that exists at 61-feet, 2½-inches above grade at the building front yard line.

During our presentation of this case you will see graphical illustrations of the new residence superimposed on the property within the existing trees, as prepared by the two architects. The six chimneys that are being requested are without a doubt unnoticeable due to the siting of the house on the lot within the large required setbacks and additional 40-plus-foot building offset beyond the front yard line.

In final thoughts, we would sincerely appreciate the Board's consideration of this request for the Chimneys, and your affirmation of their location above the maximum permitted height of the 55-foot allowed roof peak.

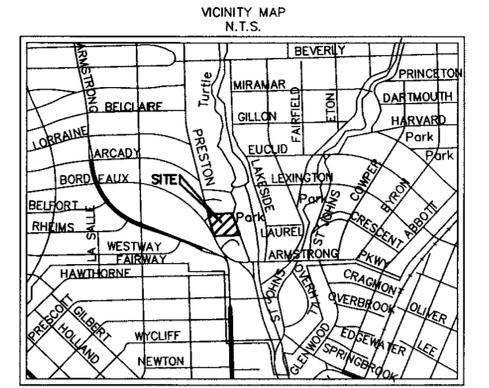
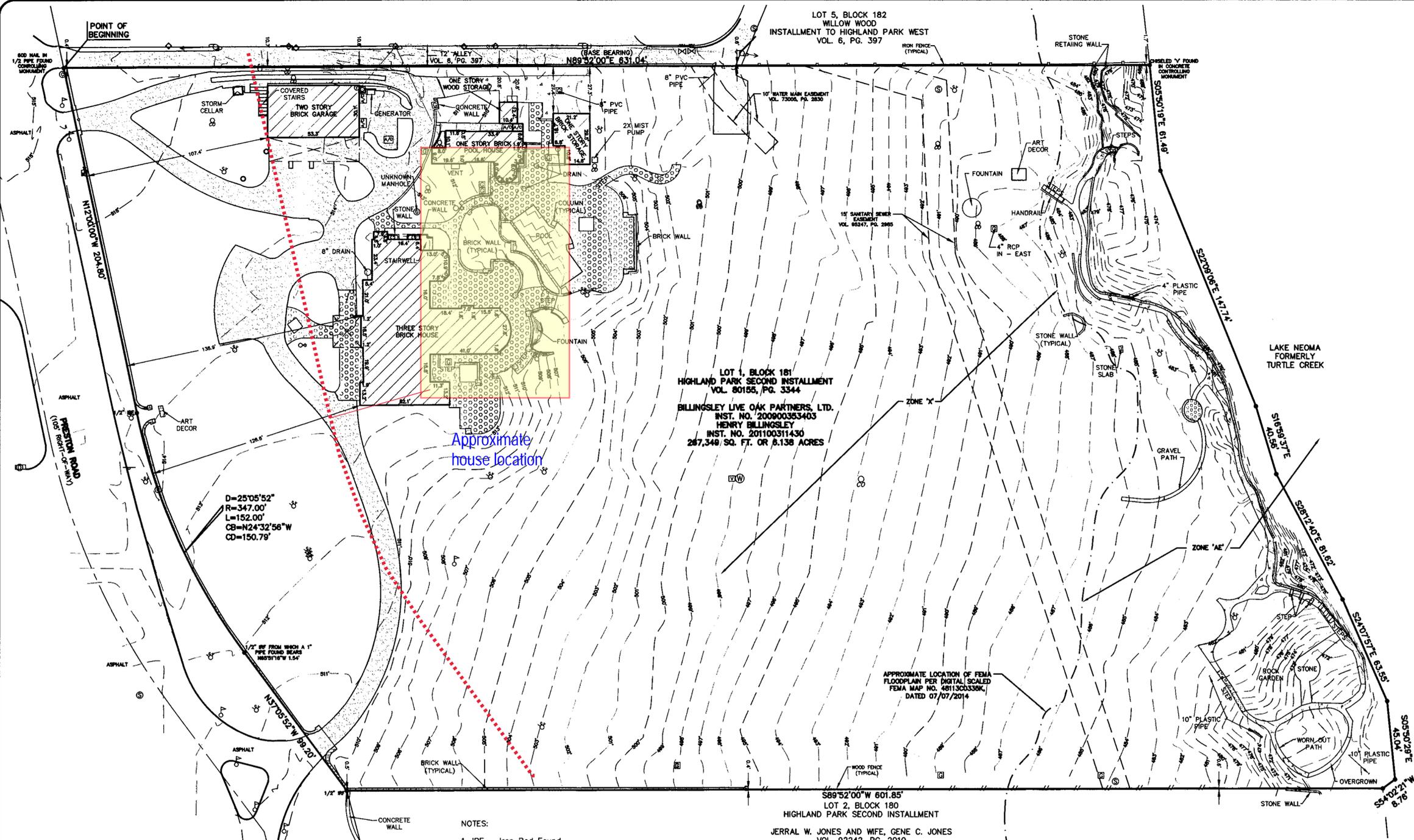
I look forward to presenting this case to you in the coming weeks and providing additional supporting information that will be assembled by that time. Feel free to contact me should you have any additional questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. Smith', with a stylized flourish at the end.

Kirk Smith
972-951-9106

cc: Les and Amy Ware, 3905 Beverly



This is to certify that I have, this date, made an on the ground survey of the property located on 4500 Preston Road in the City of Dallas, Texas, described as follows:

Being a 6.138 acre tract of land in the William Grigsby Survey, Abst. No. 501 and the John Cole Survey Abst. No. 268, Dallas County, Texas, being Lot 1, Block 181, Highland Park Second Installment, an addition to the City of Highland Park, Dallas County, Texas, according to the plat thereof recorded in Volume 80155, Page 3344, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 600 nail in 1/2 inch pipe found for the Northwest corner of said Lot 1, same being the Southwest corner of a 12 foot alley dedicated per plat recorded in Volume 6, Page 397, said Deed Records, same being in the East right-of-way line of Preston Road (105 foot right-of-way);

THENCE North 89 deg. 52 min. 00 sec. East, along the common line of said Lot 1 and said 12 foot alley, passing the Southeast corner of said 12 foot alley, same being the Southwest corner of Lot 5, Block 182, Willow Wood Installment to Highland Park West, according to the plat thereof recorded in Volume 6, Page 397, said Deed Records, and continuing along the common line of said Lots 1 and 5, a total distance of 631.04 feet to a chiseled 'V' found in concrete for the Northeast corner of said Lot 1, same being the Southeast corner of said Lot 5, same being a point in the West bank of Lake Neoma (formerly Turtle Creek);

THENCE along the common line of said Lot 1 and said Lake Neoma as follows:

South 05 deg. 50 min. 19 sec. East, a distance of 61.49 feet to a point for angle point;
 South 22 deg. 09 min. 06 sec. East, a distance of 147.74 feet to a point for angle point;
 South 16 deg. 59 min. 37 sec. East, a distance of 40.56 feet to a point for angle point;
 South 28 deg. 12 min. 40 sec. East, a distance of 81.62 feet to a point for angle point;
 South 24 deg. 07 min. 57 sec. East, a distance of 63.55 feet to a point for angle point;
 South 05 deg. 50 min. 29 sec. East, a distance of 45.04 feet to a point for the most easterly Southeast corner of said Lot 1;
 South 54 deg. 02 min. 21 sec. West, a distance of 8.76 feet to a point for the most southerly Southeast corner of said Lot 1, same being the Northeast corner of Lot 2, Block 180, Highland Park Second Installment (recording information unknown), same being the Northeast corner of that certain tract of land conveyed to Jerral W. Jones and Wife, Gene C. Jones, by deed recorded in Volume 92242, Page 2010, said Deed Records;

THENCE South 89 deg. 52 min. 00 sec. West, along the common line of said Lots 1 and 2, a distance of 601.85 feet to a 1/2 inch iron rod found for the Southwest corner of said Lot 1, same being the Northwest corner of said Lot 2, same being in the East right-of-way line of aforesaid Preston Road;

THENCE along the common line of said Lot 1 and said Preston Road as follows:

North 37 deg. 05 min. 52 sec. West, a distance of 99.20 feet to a 1/2 inch iron rod found from which a 1 inch pipe found bears North 65 deg. 51 min. 16 sec. West, 1.54 feet for angle point, same being the beginning of a curve to the right, having a radius of 347.00 feet and a central angle of 25 deg. 05 min. 52 sec.;
 Along said curve to the right, an arc distance of 152.00 feet and a chord bearing and distance of North 24 deg. 32 min. 56 sec. West, 150.79 feet to a 1/2 inch iron rod found for angle point;
 North 12 deg. 00 min. 00 sec. West, a distance of 204.80 feet to the POINT OF BEGINNING 267,349 square feet or 6.138 acres of computed land, more or less.

D=25'05"52"
 R=347.00'
 L=152.00'
 CB=N24°32'56"W
 CD=150.79'

Approximate house location

LOT 1, BLOCK 181
 HIGHLAND PARK SECOND INSTALLMENT
 VOL. 80155, PG. 3344
 BILLINGSLEY LIVE OAK PARTNERS, LTD.
 INST. NO. 200900383403
 HENRY BILLINGSLEY
 INST. NO. 201100311430
 267,349 SQ. FT. OR 6.138 ACRES

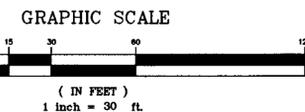
S89°52'00"W 601.85'
 LOT 2, BLOCK 180
 HIGHLAND PARK SECOND INSTALLMENT
 JERRAL W. JONES AND WIFE, GENE C. JONES
 VOL. 92242, PG. 2010

NOTES:
 1. IRF - Iron Rod Found
 2. Basis of Bearing - Based on the north line (North 89 deg. 52 min. 00 sec. East) of Lot 1, Block 181, Highland Park Second Installment, an addition to the City of Highland Park, Dallas County, Texas, according to the plat thereof recorded in Volume 80155, Page 3344, Deed Records of Dallas County, Texas.
 3. This property has not been abstracted per the client's request, and this survey was performed without the benefit of a title commitment, all easements may not be shown.
 4. Elevations are based off of Dallas Water Utilities Benchmarks
 35-P-1: Set on top of a concrete curb at the point of curve on the northwest side of island at the intersection of Preston Road and Armstrong Parkway. Elevation - 503.3'
 5. This is an above-ground survey. The underground utilities, if shown, are based on information provided by the various utility companies and these locations should be considered approximate. There may be additional underground utilities not shown on this drawing.

This survey was performed in connection with the transaction described in GF No. 1011-120254-RTT of First American Title Company, effective date of January 31, 2016 and issued on February 11, 2016, and all subsequent commitments for information regarding encumbrances on subject property and surveyor did not abstract property for easements and/or other restrictions. The legal description used for this survey describes the same land as the legal description in the title report.

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

The term "certify" or "certificate" as shown and used hereon indicates an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, either expressed or implied; and is exclusively to the parties involved in, and limited to the transaction (GF No. 1011-120254-RTT) closing at the title company indicated hereon.



| LINETYPE TABLE | |
|----------------|---------------------------|
| — | BOUNDARY LINE |
| - - - | ADJOINER LINE |
| — | 500 CONTOUR LINE |
| — | WATER LINE |
| — | OHU OVERHEAD SERVICE LINE |
| — | SEWER LINE |
| — | STORM DRAIN LINE |
| — | GAS LINE |
| — | UNDERGROUND ELEC. LINE |
| — | EASEMENT LINE |
| — | BUILDING LINE |
| — | STREET CENTERLINE |

| LEGEND | | | | | |
|--------|--------------------|---|---------------------|---|----------------|
| ⊗ | GAS METER | ⊗ | FIRE HYDRANT | ⊗ | WATER MANHOLE |
| ⊗ | IRR. CONTROL VALVE | ⊗ | WATER METER | ⊗ | STONE |
| ⊗ | TELEPHONE PEDESTAL | ⊗ | FUEL PORT | ⊗ | CABLE PEDESTAL |
| ⊗ | POWER POLE | ⊗ | WATER VALVE | ⊗ | SWB MANHOLE |
| ⊗ | DOWN GUY | ⊗ | TRANSFORMER PAD | ⊗ | GRATE INLET |
| ⊗ | S.S. MANHOLE | ⊗ | ELECTRIC METER | ⊗ | VAULT |
| ⊗ | CLEAN OUT | ⊗ | STORM DRAIN MANHOLE | ⊗ | LIGHT POLE |

Errors: The Client or Client's Representatives will have 45 days from the date the survey was issued to change any mispellings or any errors on the survey report, after this time has expired all parties involved must accept the survey as issued.

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| TOPOGRAPHIC SURVEY | |
|---------------------|--|
| 4500 PRESTON ROAD | |
| DALLAS, TEXAS 75205 | |

| NO. | DATE | REVISION |
|-----|----------|--|
| 1. | 02/11/16 | UPDATE TITLE COMMITMENT REFERENCE ONLY |
| 2. | | |
| 3. | | |

| | |
|-------------|------------|
| JOB NO.: | 14-0818 |
| DATE: | 01/22/2016 |
| FIELD DATE: | 12/04/2015 |
| SCALE: | 1" = 30' |
| FIELD: | J.D.H. |
| DRAWN: | M.C.M. |
| CHECKED: | T.R.M. |

PEISER & MANKIN SURVEYING, LLC
 www.peisersurveying.com

623 E. DALLAS ROAD
 GRAPEVINE, TEXAS 76051
 817-481-1806 (O)
 817-481-1809 (F)

COMMERCIAL
 RESIDENTIAL
 BOUNDARIES
 TOPOGRAPHY
 MORTGAGE

Timothy R. Mankin
 Registered Professional Land Surveyor No. 6122

1 OF 1 SHEET



25° 21'5"

100

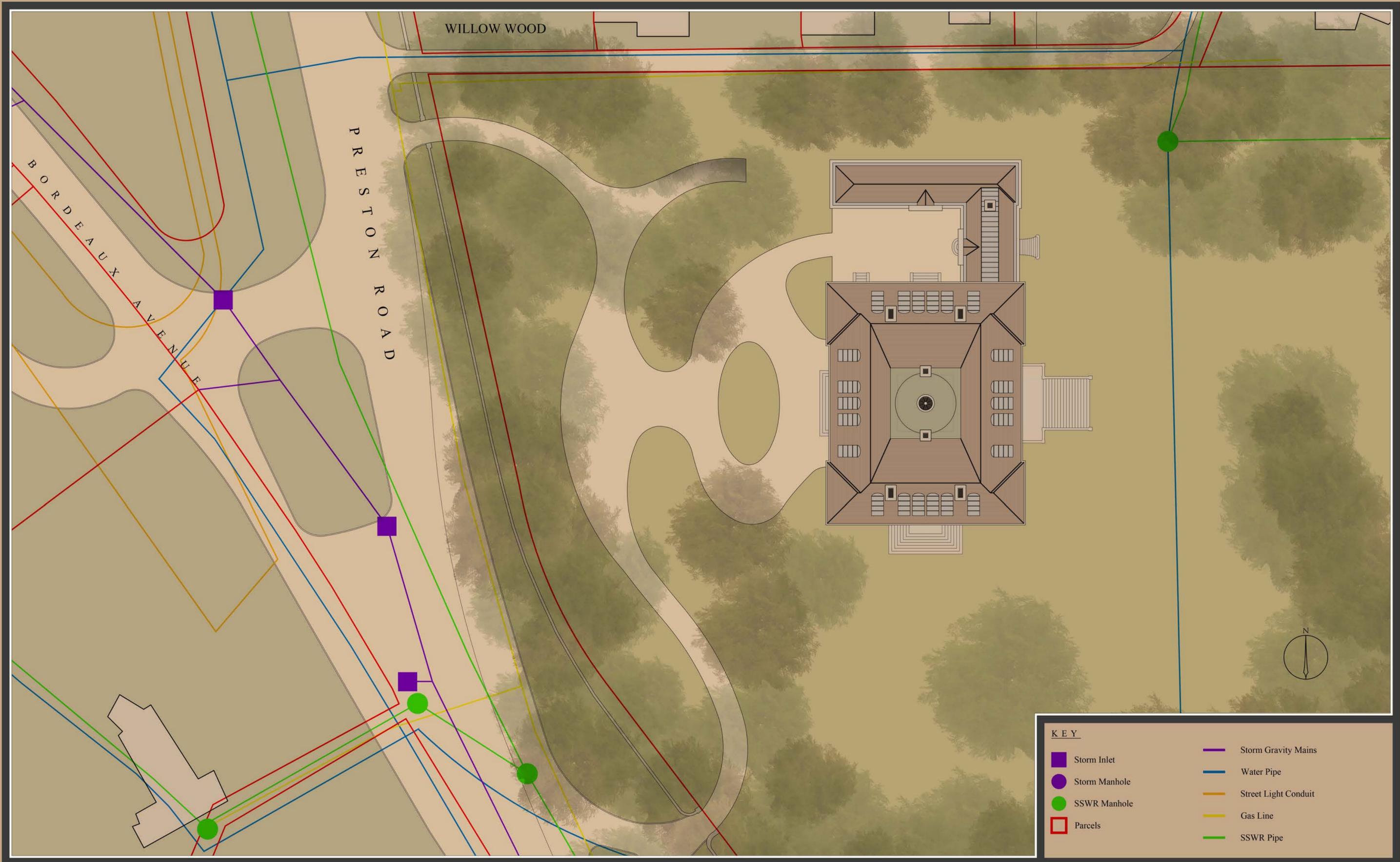
102.5

107

WILLOW WOOD

FLIPPEN

PRESTON ROAD



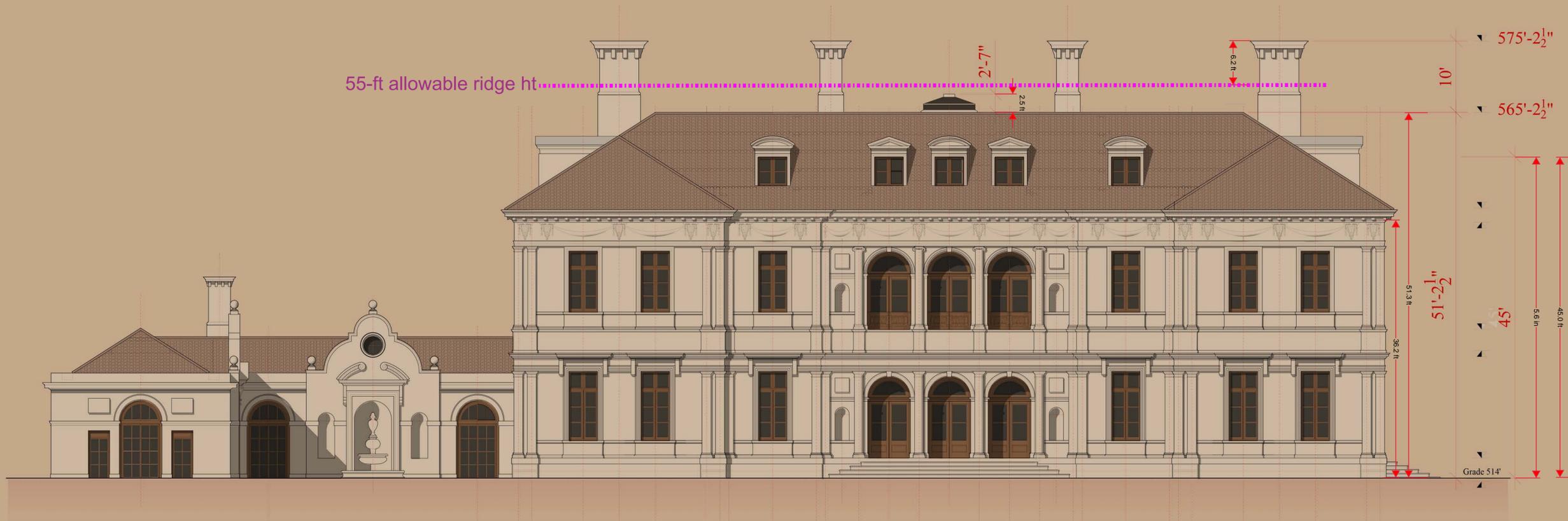
KEY

| | |
|---------------|----------------------|
| Storm Inlet | Storm Gravity Mains |
| Storm Manhole | Water Pipe |
| SSWR Manhole | Street Light Conduit |
| Parcels | Gas Line |
| | SSWR Pipe |

CRAIG HAMILTON ARCHITECTS LTD
 COED MAWR FARM, HUNDRED HOUSE, RADNORSHIRE LD1 5RP · T:01982 553312

PROJECT: Dallas Preston Road
 DRAWING TITLE: Site Plan with Utilities Overlay
 DRAWING NO: SK67 REVISION: -
 DATE: 06-09-2022 SCALE: 1/32"=1'-0" @ A2

CHECK ALL DIMENSIONS CAREFULLY ON SITE AND REPORT ANY DISCREPANCIES
 DO NOT SCALE FROM THIS DRAWING (EXCEPT PLANNING DRAWINGS)



| REV. | DATE | NOTES |
|------|------------|--------------------|
| C | 05 09 2022 | Chimneys lowered |
| B | 27 07 2022 | General amendments |
| A | 07 07 2022 | General amendments |

CHECK ALL DIMENSIONS CAREFULLY ON SITE AND REPORT ANY DISCREPANCIES DO NOT SCALE FROM THIS DRAWING (EXCEPT PLANNING DRAWINGS)



CRAIG HAMILTON ARCHITECTS LTD

COED MAWR FARM, HUNDRED HOUSE, RADNORSHIRE LD1 5RP · T:01982 553312

| | |
|----------------|---------------------|
| PROJECT: | Dallas Preston Road |
| DRAWING TITLE: | West Elevation |
| DRAWING NO.: | SK40 |
| DATE: | 30-06-2022 |
| REVISION: | C |
| SCALE: | 1/8"=1'-0" @ A1 |



Grade 514'

| REV. | DATE | NOTES |
|------|------------|--------------------|
| B | 05 09 2022 | Chimney's amended |
| A | 25 07 2022 | General amendments |

CHECK ALL DIMENSIONS CAREFULLY ON SITE AND REPORT ANY DISCREPANCIES
DO NOT SCALE FROM THIS DRAWING (EXCEPT PLANNING DRAWINGS)

Scale of 0 10 20 30 40 50 feet

CRAIG HAMILTON ARCHITECTS LTD
COED MAWR FARM, HUNDRED HOUSE, RADNORSHIRE LD1 5RP · T:01982 553312

PROJECT: Dallas Preston Road
DRAWING TITLE: Section BB
DRAWING NO: SK56
DATE: 20-07-2022
REVISION: B
SCALE: 1/8"=1'-0" @ A1

ORDINANCE NO. 1008

AN ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS AMENDING ORDINANCE NO. 676 SECTIONS 10-101 AND 10-102 REGULATING HEIGHT OF STRUCTURES, SECTIONS 8-601 AND 12-101 REGULATING REAR YARD LOT COVERAGE, SECTION 7-201 REGULATING LOT WIDTH FOR MULTI-FAMILY DWELLINGS, SECTIONS 8-400 AND 8-402 REGULATING FRONT YARD SETBACKS, SECTION 8-502 REGULATING SIDE YARDS FOR MULTI-FAMILY DWELLINGS, SECTIONS 9-101 AND 9-102 REGULATING PARKING REQUIREMENTS, SECTION 12-101 REGULATING LOCATION OF ACCESSORY BUILDINGS, ORDINANCE NO. 847 SECTION 14-101 REGULATING RENTAL OR LEASE SIGNS, ORDINANCE NO. 676 SECTION 22-101 DEFINING LOT COVERAGE, ORDINANCE NO. 740 SECTION 15 REGULATING FENCES AND WALLS BY ADDING A PROVISION FOR RETAINING WALLS, ORDINANCE NO. 847 SECTION 5 REGULATING HEIGHT OF FENCES OR WALLS, ORDINANCE NO. 676 AND ALL AMENDMENTS THERETO SHALL REMAIN IN FULL FORCE AND EFFECT EXCEPT AS AMENDED HEREIN; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On November 3, 1965, the Town Council of the Town of Highland Park enacted Ordinance No. 676 known as the zoning ordinance which has been amended from time to time; and

WHEREAS, The Town Council on December 7, 1981 requested the zoning commission to review height and coverage requirements in the zoning ordinance and to recommend any changes they deem necessary to the council; and

WHEREAS, The zoning commission conducted a public hearing on June 14, 1983 and considered height and coverage requirements, fence height requirements and clarification of other sections of the zoning ordinance; and

WHEREAS, The Town Council on September 6, 1983 conducted a public hearing and adopted the Zoning Commission's recommended zoning changes.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, DALLAS COUNTY, TEXAS:

Section 1. That Ordinance No. 676 known as the Zoning Ordinance of the Town of Highland Park, Texas, is hereby amended to read hereinafter as follows:

1. Section 7-201(13) Swimming Pool (Private) - a pool and related equipment located on a building site and which is an accessory use

designed and used only in relation to the occupancy of the premises. The edge of the pool's water surface shall be located a minimum of three (3) feet from the side or rear property line or easement line if no alley exists. Pool equipment may be located to the rear property line or easement line if no alley exist. All swimming pools and equipment shall be located behind the front building line.

2. Section 8-201 - A minimum lot width of sixty (60) feet will be required for multi-family dwellings one (1) to three (3) stories in District G.

3. Section 8-401 - In all zoning districts except Planned Development districts the minimum required front yard shall be the average front setback for the entire block as determined by measuring the setbacks of the main buildings on one side of the street.

4. SECTION 8-402(3) - The front yard shall be measured from the front property line to (1) the front face of the building, (2) covered porch or covered terrace where the cover is supported by columns or (3) attached accessory building. Covered porches not supported by columns shall not extend more than four (4) feet into the required front yard. Every part of a minimum required front yard shall be open and unobstructed to the sky except that eaves and roof extensions may project into the minimum required front yard for a distance not to exceed four (4) feet and window sills, bay windows, and chimneys may project a maximum of twelve (12) inches into the required front yard.

5. Section 8-502(3) - A multi-family dwelling not exceeding three (3) stories in height located on a corner lot shall provide a side yard adjacent to the side street of not less than ten (10) per cent of the width of the lot but not less than ten (10) feet or more than fifteen (15) feet.

6. Section 8-601(1) - In all districts permitting residential structures, no main residential building may be constructed nearer than ten (10) feet to the rear property line and the main residential building shall not cover more than fifty (50) per cent of that portion of the lot lying to the rear of a line erected joining the midpoint of the opposite side lot line. For accessory buildings, see Section 12. (See Appendix Illustration 3.)

7. Section 9-101 - In the following zoning districts the minimum Off-street parking spaces for residential uses shall be:

- | | |
|----------------------------------|-------------------------|
| 1. A, B, C, D, and E, | Two (2) spaces for each |
| one (1) family residence | dwelling unit |
| districts, F, two (2) family | |
| residence districts G and H, | |
| Multi-family residence districts | |

- | | |
|--|---|
| <p>2. CS, Community Service District GR, General Retail District</p> | <p>Two (2) spaces for each dwelling unit. Other requirements in accordance with 9-102, Parking Space schedule following</p> |
| <p>3. PD, Planned Development District</p> | <p>Residential Uses - Two (2) spaces for each dwelling unit.</p> |

8. Section 9-102 - Parking space schedule, nonresidential uses in all districts where the specified nonresidential use is permitted.

- (1) Automobile Service Facilities - One (1) space for each one thousand (1,000) square feet of building area.
- (2) Clinics or Doctor's Offices - One (1) space for each two hundred fifty (250) square feet of floor area.
- (3) Offices, general - One (1) space for each three hundred (300) square feet of floor area.
- (4) Recreational use, private or commercial - One (1) space for every two (2) persons to be normally accommodated in the establishment.
- (5) Restaurant or Cafeteria - One (1) space for every four (4) seats under maximum seating arrangement.
- (6) Retail or Personal Service - One (1) space for each two hundred (200) square feet of floor space.
- (7) Theaters, Meeting Rooms and Places of Public Assembly - One (1) space for every three (3) seats.
- (8) Banks, Savings and Loans, and Other Financial Institutions - One (1) space for each two hundred (200) square feet of floor area.

9. Section 10-101 - In the following zoning districts the maximum height of buildings and structures shall be:

- | | |
|--|---|
| <p>A, One-family residence districts</p> | <p>Three (3) stories not to exceed forty-five (45) feet except as noted in 10-102 Special Height regulations following.</p> |
| <p>B, One-family Residence districts</p> | <p>Two and one half (2 1/2) stories not to exceed thirty-five (35) feet except as noted in 10-102</p> |

following.

C, D, and E, One-family residence districts

Two stories not exceed twenty-six (26) feet for mansard roofs or roofs with a flat surface and a maximum of thirty-five feet to the roof ridge or projected roof ridge, whichever is higher, for hip and gable roofs.

F, Two-Family residence district

Two (2) stories not to exceed thirty-five (35) feet except as noted in 10-102 following.

G, Multi-family residence district

Three (3) stories not to exceed forty-five (45) feet except as noted in 10-102 following.

H, Multi-family residence

Three (3) stories or to twenty (20) stories when additional setback requirements are observed.

CS, Community Service district

Two (2) stories not to exceed thirty (30) feet.

GR, General Retail District

Three (3) stories not to exceed forty feet.

PD, Planned Development District

To any height approved by the Town Council, provided the floor Area ratio does not exceed 1:1 and special setbacks as specified by the Town Council are observed.

10. Section 10-102 - Special height regulations - In the districts where the height of buildings is restricted to two (2), two and one half (2 1/2) or three (3) stories, cooling towers, roof gables, chimneys and vent stacks may extend for an additional height not to exceed ten (10) feet above the maximum permitted building height.

Subject to all the Town's applicable building regulations living area in attic space of two (2) story dwellings will be permitted provided the roof line is not altered or designed for other than a two (2) story building. Openings for windows or dormers cannot exceed four

(4) feet in width.

11. Section 12-101 - Area Regulations for Accessory Buildings in Residential and multi-family Districts.

- (1) Front Yard. Attached accessory buildings shall have a front yard not less than that required for the main building. Detached accessory buildings shall be located in the area defined as the rear yard.
- (2) Side Yard. There shall be a side yard for any detached accessory building of not less than three (3) feet from any side lot line, alley line, or easement line, except that adjacent to a side street the side yard requirement shall be the same as that required for the main building. An attached or detached accessory building on a corner lot which opens directly to and is entered from the side street shall provide a side yard of not less than twenty (20) feet. Maximum overhang of roof of an accessory building into the required side yard is eighteen (18) inches.
- (3) Rear Yard. There shall be a rear yard for any accessory building of not less than three (3) feet from the rear property lot line, alley line or easement line, except that if no alley exists the rear yard shall not be less than eight (8) feet as measured from the rear property lot line. In residential districts the main dwelling and all accessory buildings shall not cover more than sixty (60) per cent of that portion of the lot lying to the rear of a line erected joining the midpoint of one side lot line with the midpoint of the opposite side lot line. Carports, garages or other detached accessory buildings located within the rear portion of the lot as heretofore described shall not be located closer than ten (10) feet to the main building nor nearer than three (3) feet to any side lot line except that a breezeway not exceeding fifteen (15) feet in height shall be permitted connecting the dwelling structure to an accessory building provided it is open on all sides from the eaves of the roof to the ground. Carports and garages which open directly to and are entered from an alley shall not be located nearer than ten (10) feet to the rear lot line. Maximum overhang for roofs of accessory buildings into the required rear yard is eighteen (18) inches.
- (4) Nonconforming Accessory Buildings. Where existing accessory buildings are constructed so as not to provide the minimum yard dimensions specified, no addition or change to such buildings may be made which will increase the degree of nonconformity.

"Nonconforming Accessory Buildings may be replaced provided,

- A. The new accessory building is occupied by the same or similar use;
- B. The new accessory building has a maximum height not to exceed that of the accessory building replaced;
- C. The nonconforming side and rear yard dimensions are not reduced;
- D. No portion of an accessory building including any overhang can extend across a property or easement line."

On building sites where the main building is being replaced, the nonconforming provisions of this section will not apply to any new accessory buildings.

12. Section 22-100(26a) - Fence - A structure of wood, stone, iron, brick, tile or cement, connected together and designed for use in the position fixed, erected upon the ground for decorative or functional purposes.

13. Section 22-100(30) - Height - For all districts except C, D and E single family height is the vertical distance of a building as measured from the average established grade at the street line or from the average natural front yard ground level, whichever is higher, to (1) the highest point of the roof's surface if a flat surface, (2) to the deck line of mansard roofs, or (3) to the mean height level between eaves and ridge for hip and gable roofs and, in any event, excluding chimneys, cooling towers, elevator bulkheads, penthouses, tanks, water towers, radio towers, ornamental cupolas, domes or spires and parapet walls not exceeding ten (10) feet in height. For all zoning districts, if the street grade has not been officially established, the average front yard grade shall be used for a base level.

14. Section 22-100(32) - Lot coverage - the percentage of the total area of a lot which is covered by a roof or other structure and is not open to the sky. Lot coverage includes but is not limited to the main building, accessory buildings, covered porches, covered terraces and carports.

15. Section 22-100(44a) - Retaining walls - A wall constructed with the wall of no greater height than the ground level immediately adjacent to the enclosed side of such retaining wall.

Section 2. That Ordinance No. 847 Section 5 which amends Ordinance No. 676 is hereby amended to read hereinafter as follows:

1. Section 14-101(3) - Any sign identifying or advertising the rental of lease of buildings in G, H, CS, GR and FD districts shall be placed to the rear of the required front yard line of flat against the building and no such sign shall exceed twelve (12) square feet in surface area and not more than one such sign shall be permitted for each apartment project, building site, or each

street exposure.

2. Section 15-103 and appendix illustrations 8A, 8B and 8C - are deleted.

3. Amend appendix illustration no. 3 - Yards to reflect change in lot coverage from 35 per cent to 40 per cent, rear lot coverage from 40 per cent to 50 per cent, lot coverage for main building and accessory buildings on rear half of lot from 50 per cent to 60 per cent, and accessory building rear setback if no alley exists from ten (10) feet to eight (8) feet.

Section 3. That Ordinance no. 740 Section 10 which amends Ordinance No. 676 Section 15 is hereby amended to read hereinafter as follows:

1. Section 15-101 - In residentially zoned districts, A through H, fences or walls may be erected to a maximum height of eight (8) feet above the grade as measured from the nonowners side when located in the required rear and side yards and along either the required side or rear lot line. No fence or wall may be erected or placed in front of the required front yard line.

A fence or wall may be erected, not to exceed eight (8) feet in height, along or within the front building line provided that said fence shall not extend into, on or around the required front yard.

A masonry or concrete retaining wall may be constructed in the required front yard provided the retaining wall is no higher than the ground level immediately adjacent to the enclosed side of the retaining wall.

Every fence erected along and adjacent to any alley shall have an opening not less than three (3) feet in width and seven (7) feet in height, and closed with a gate to provide access to the rear yard in case of fire and to permit the removal of garbage or trash.

Swimming pools shall be completely surrounded by a fence or wall not less than four (4) feet in height, which shall be so constructed as not to have openings, holes, or gaps larger than four (4) inches in any dimension except for doors and gates. A dwelling house or accessory building may be used as part of such enclosure. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gates or doors securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.

Section 4. If any section, paragraph, subdivision, clause phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid or unconstitutional.

Section 5. Any person or corporation who shall violate any of the provisions of this ordinance or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building or use in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be liable to a fine of not more than one thousand dollars (\$1,000.00) and each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof, where anything in violation of this ordinance shall be placed or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation shall be guilty of a separate offense and upon conviction shall be fined as herein provided. The Town likewise shall have the power to enforce the provisions of this ordinance through Civil court action as provided by state law.

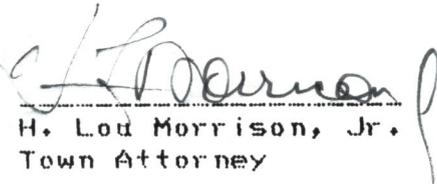
Section 6. That ordinance Nos. 676, 740 and 847 together with any amendments thereto shall remain in full force and effect except as amended by the provisions of this ordinance.

Section 7. This ordinance shall become effective immediately upon its passage and publication as required by law.

This ordinance was adopted by the Town Council on the 6th day of September, 1983.

Approved as to Form:

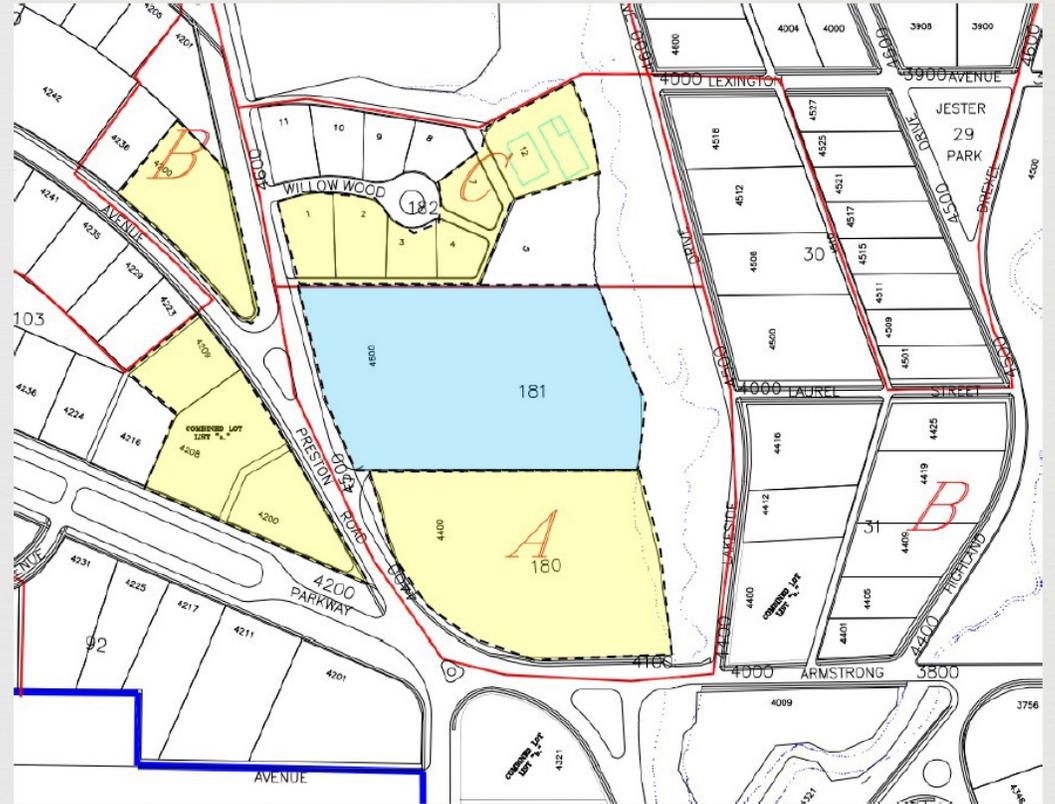
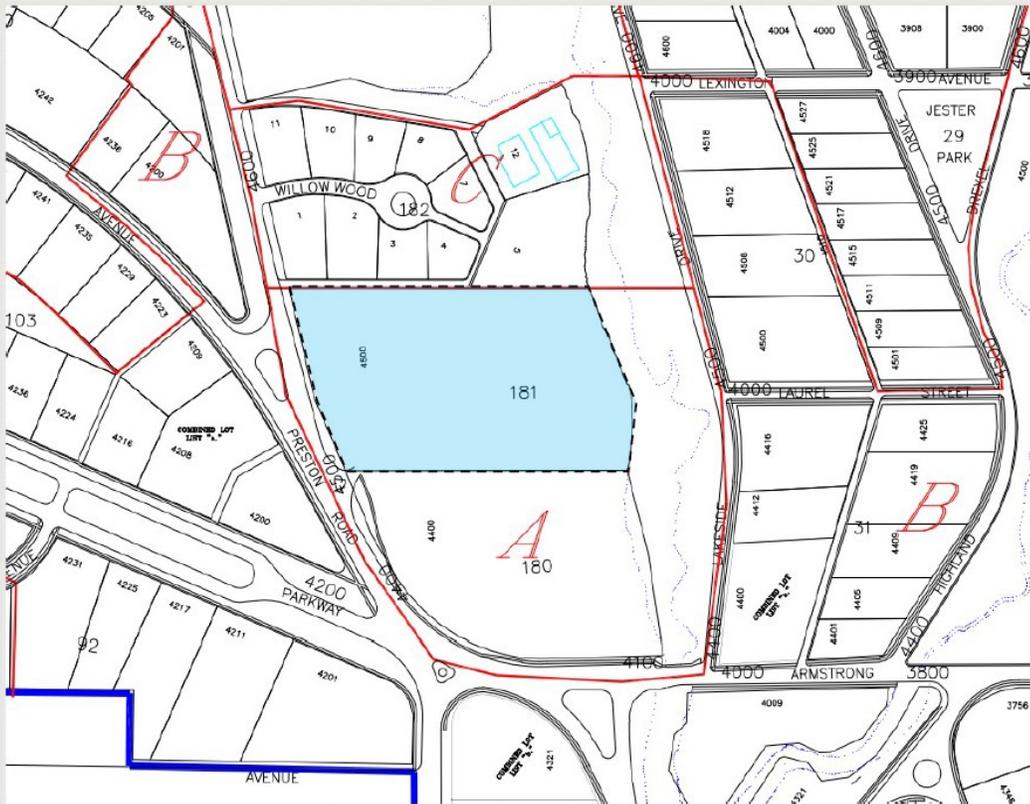
Approved:


H. Lou Morrison, Jr.
Town Attorney


John A. Hammack
Mayor

Attest:


James Fisher
Town Secretary



MAYOR
William C. Beecherl

MAYOR PRO TEM
Craig Penfold

TOWN ADMINISTRATOR
Bill Lindley



TOWN COUNCIL
MEMBERS

Marc Myers

Lydia Novakov

Don Snell

Leland White

October 15, 2022

BOARD OF ADJUSTMENT MEMBERS

Chuck Reeder, Chairman
Stacey Furst
Joan Clark
Alison Hunsicker
Nancy Rogers, Alternate Member
Jim Yoder, Alternate Member

Dear Board Members,

The Board of Adjustment will conduct a public hearing at 8:30 a.m. on Wednesday, November 9, 2022, to consider a variance request from Section 8-501 of the Town's Zoning Ordinance to construct portion of a residence into the required side yard setback at 4669 Edmondson Avenue. The property owner wishes to continue constructing an addition to the existing residence which encroaches 3 feet into the required 8-foot side yard setback. Section 8-501 of the Zoning Ordinance shows that the required side yard setback for properties located in zoning district "E" is 10% of lot width but not more than 8-feet.

The agenda, application, and meeting details are available on the Town's website www.hptx.org by clicking on the "Board of Adjustment" webpage.

Enclosed is a copy of: (i.) the application to the Board, (ii.) property survey, (iii.) the plans, (iv.) the public hearing notice map, (v.) a map of the block indicating the location of the property.

Feel free to contact me at your convenience if you have any questions.

Sincerely,

Hugh Pender
Director of Development Services
hpender@hptx.org

cc: Will Beecherl, Mayor, via e-mail
Bill Lindley, Town Administrator, via e-mail
Matthew C.G. Boyle, Town Attorney, via e-mail
Steve Alexander, Chief Financial Officer, via e-mail
Joanna Mekeal, Town Secretary, via e-mail

APPEAL TO THE BOARD OF ADJUSTMENT
TOWN OF HIGHLAND PARK

(Please Type or Print)

ADDRESS 4669 Edmondson Ave Owner's Name James and Natalie Bloomingdale Family Trust
LEGAL DESCRIPTION: Lot(s) 4, & E 10' of Lot 3 and W 40' of Lot 5 Block 155 Addition Highland Park
Mailing Address 4669 Edmondson Ave
City Highland Park State TX Zip Code 75209-6009

1. **Request:** Provide for a side yard setback of five (5) feet along the western property line.

2. **Jurisdiction:** [Applicant has reviewed Section 17-200 a,b, and c of the Highland Park Zoning Ordinance (copy attached) and is of the opinion that the Board of Adjustment has jurisdiction for the following reason(s)]

See attached narrative.

Additional information submitted by applicant _____

Fee Paid _____ Date _____ Phone _____

3. **Signature of Owner** _____

Reason for denial: _____
Explanation: _____
(To be completed by Building Inspection Department)
Section Section 8-501

Section 8-501 of the Zoning Ordinance shows that the required side yard setback for properties located in zoning district "E" is 10% of lot width but not more than 8-feet.

Hugh Pender
Building Inspector

October 10, 2022
Date

Town of Highland Park Board of Adjustment Jurisdiction

Overview of Request and Hardship

James and Natalie Bloomingdale, the property owners, request a side yard setback of 5 feet along the western property line to finish construction of the proposed one-story garage, which received an approved permit on January 11, 2022. After 6 months of construction in good faith, the permit was revoked due to a Town error. However, there had already been substantial progress on the addition (see picture below).

On two occasions, October 13, 2021, and September 14, 2022, the Bloomingdales appealed to the Board of Adjustment for a variance to the side yard setback regulations but were denied. The first time, the Town indicated it was for naught as they said it had been “unnecessary” and issued permits afterward. The second time was an attempt at conditional variance for the first level only.

They have now updated the plans to bring in the mudroom and powder room, thereby requesting accommodation for the garage section only, and still offer to condition approval to permit encroachment of the garage only and limit the number of stories to one.



Timeline

On October 13, 2021, the property owners appealed to the Board of Adjustment for a side yard setback variance along the western property line for the proposed garage but were denied.

Afterwards, Town staff determined the Zoning Ordinance had not been interpreted correctly, and a minimum 5-foot side yard setback was truly required. Therefore, plans were submitted for a garage that complied with the 5-foot setback, and **a permit was issued on January 11, 2022.**

Upon further review, it was determined that a minimum of 10% of the lot width, and not a minimum of 5 feet, was required, and so, on June 22, 2022, Town staff placed the permit on hold, well after construction had been started and steel beams were in place.

On September 14, 2022, the Bloomingdales appealed again to the Board to allow the one-story garage to be completed, but their request was denied.

Pertinent Zoning Ordinance Regulations

Schedule -Minimum and Maximum Required Side Yards, within Section 8-501 of the Zoning Ordinance, shows that the required side yard setback for properties located in zoning district “E” is as follows:

“10 Percent of Lot Width But Not Less Than Width Shown Below” (see chart below).

SCHEDULE–MINIMUM AND MAXIMUM REQUIRED SIDE YARDS

| TYPE USE | DISTRICTS | | | | | | | | | | |
|--|---|-----------|-----------|-----------|----------|----------|---------------------------|---------------------------|-----------------|-----------------|-----------------|
| | A | B | C | D | E | F | G | H | CS | GR | PD |
| (a) Minimum Side Yard Required 10% of Lot Width | 10 Percent of Lot Width But Not Less Than Width Shown Below | | | | | | | | | | |
| | 20' | 12' | 7' | 5' | 5' | 5' | See 8-502 | See 8-502 | See 8-502(8) | See 8-502(8) | See 8-502(7) |
| (b) Maximum Side Yard Required* | 25' | ** 15' | ** 10' | ** 10' | ** 8' | ** 8' | See (2)(3)(6) 8-502 | See (4)(6)(2) 8-502 | See 8-502(8) | See 8-502(8) | See 8-502(7) |

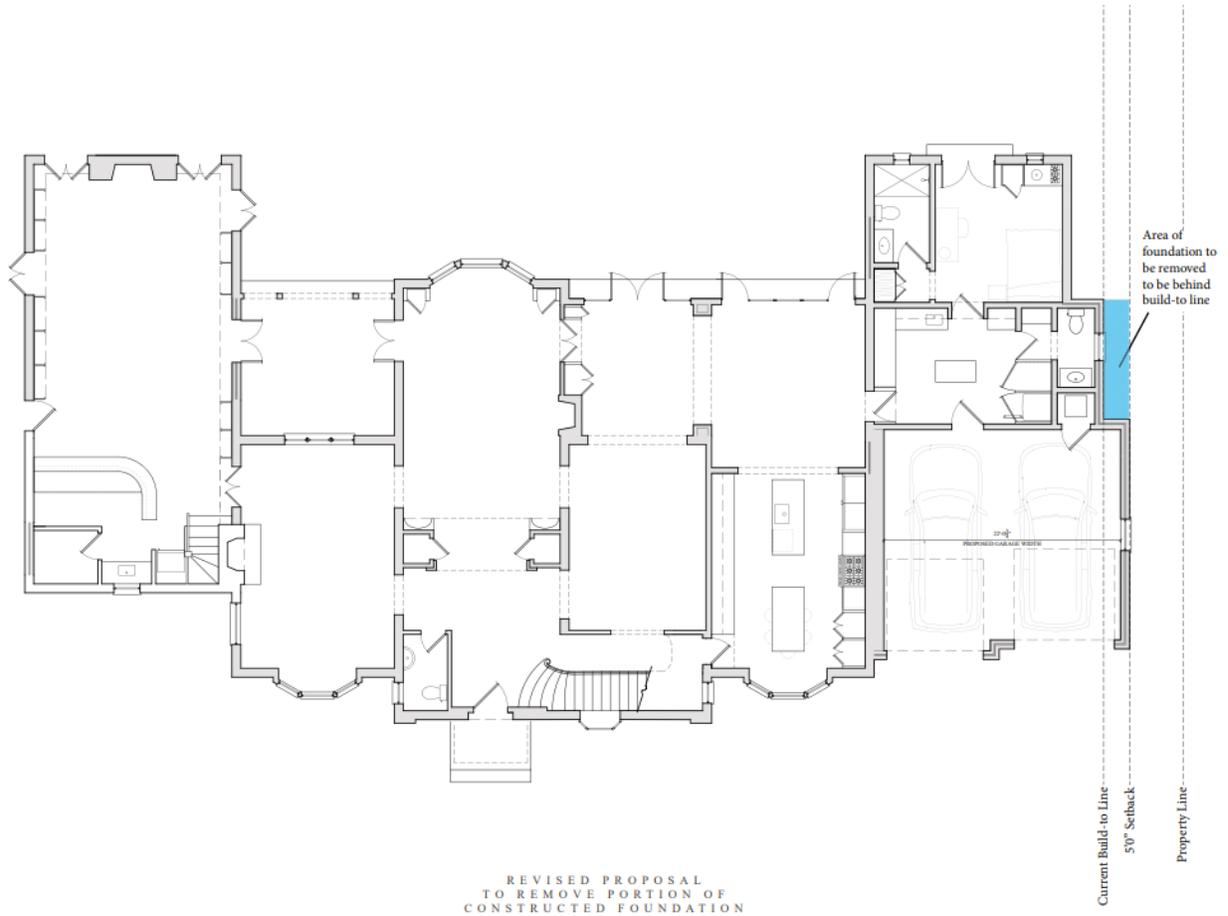
Summary

The owners request that the setback be reduced to 5 feet to allow for the one-story garage to finish construction, requiring an encroachment of 3 feet. The cost of the Town’s mistake to the homeowners would be approximately \$150K to demolish and re-build.

Previous plans showed a powder room that also encroached, but that room now complies with the minimum side yard required. The garage will complement the existing structure, and two decorative garage doors in lieu of the industry standard one overall garage door will enhance the façade of the exterior, thereby adding to the charm of the street.

The owners propose to condition approval of the request on the elevations and site plan so that **only** the **one-story garage** is permitted to encroach into the required side yard setback (see pictures below).

In short, the Bloomingdales intended to preserve the existing Wilson McClure home, built in 1941, not tear it down, thereby maintaining the character of the neighborhood. We respectfully ask that the request be approved.

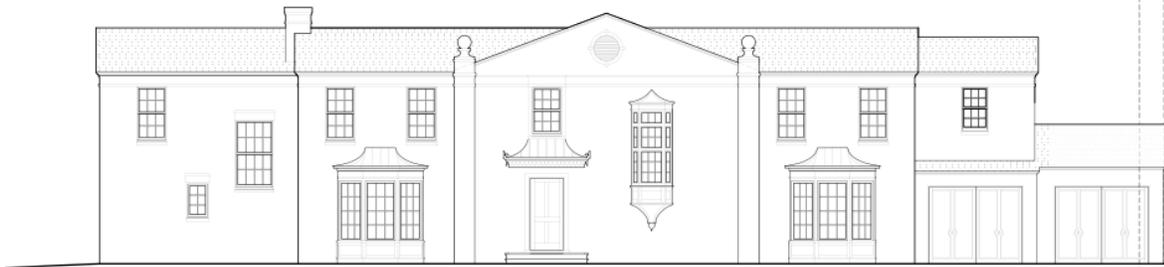




PROPOSED GARAGE ELEVATION

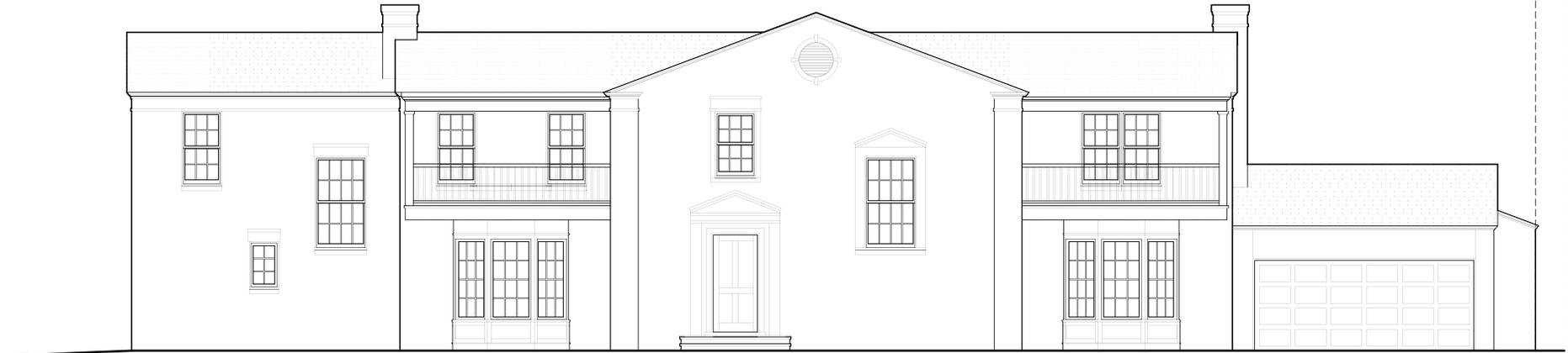


EXISTING ELEVATION

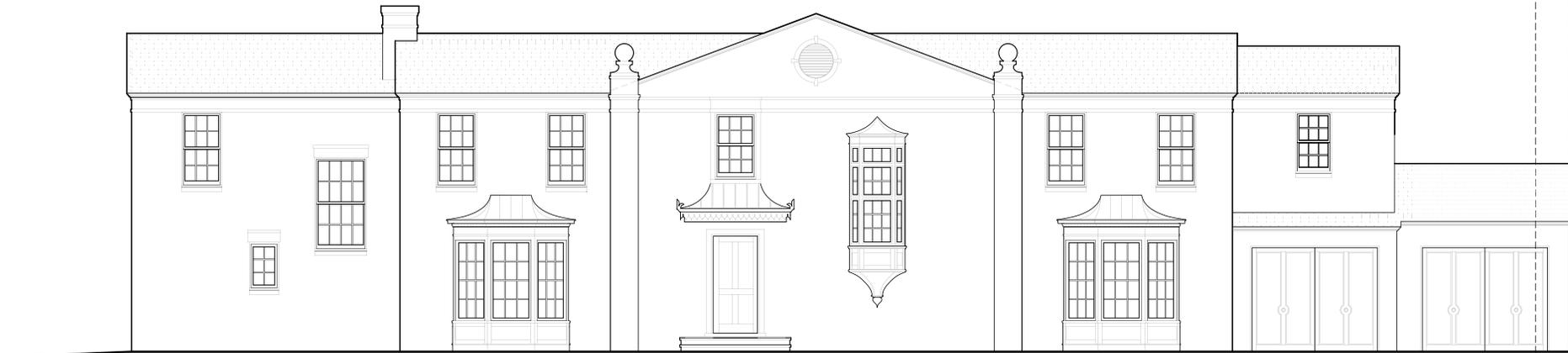


PROPOSED ELEVATION

Current Build-to Line
5'0" Setback
Property Line



EXISTING ELEVATION

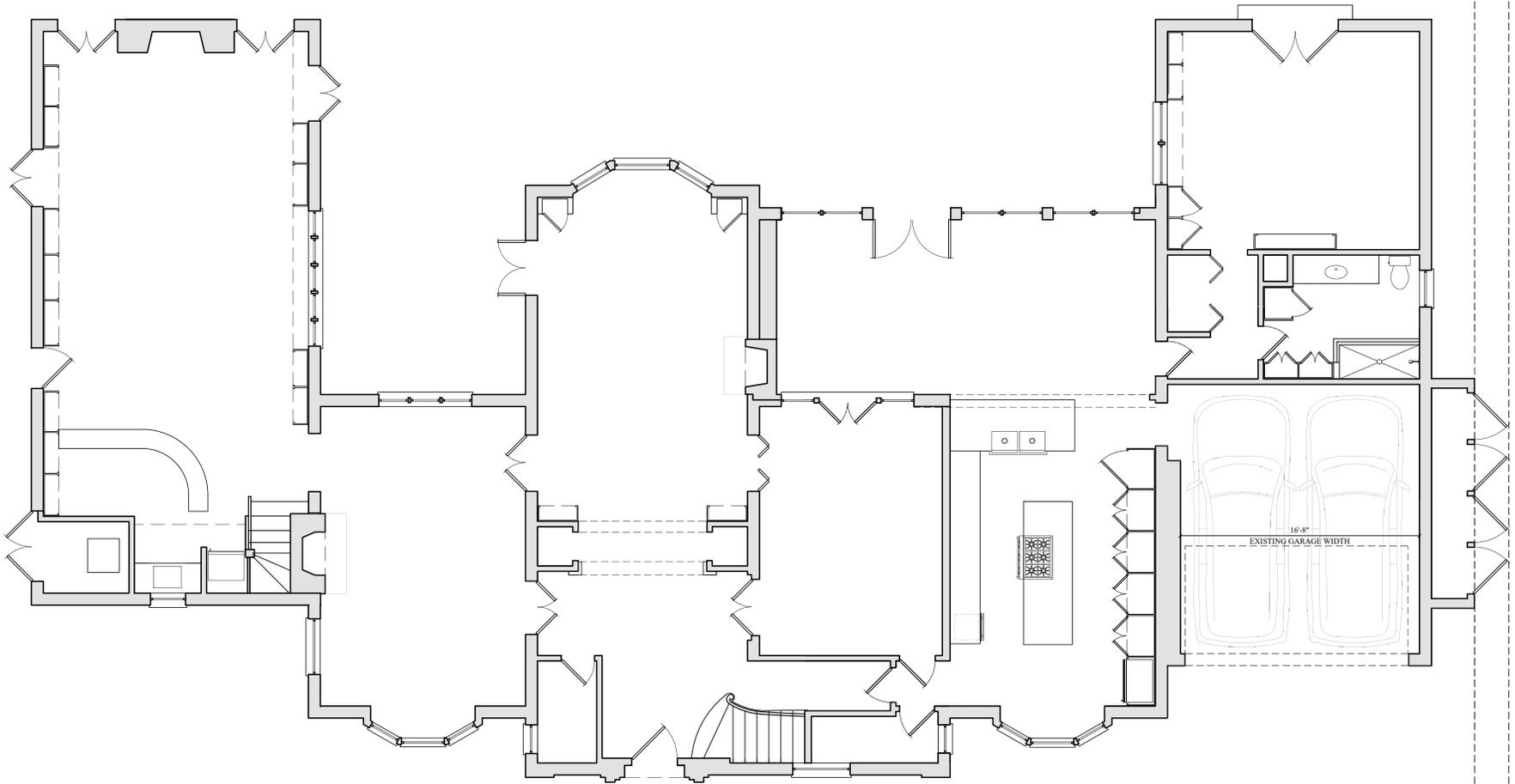


PROPOSED ELEVATION

Current Build to Line

5'0" Setback

Property Line

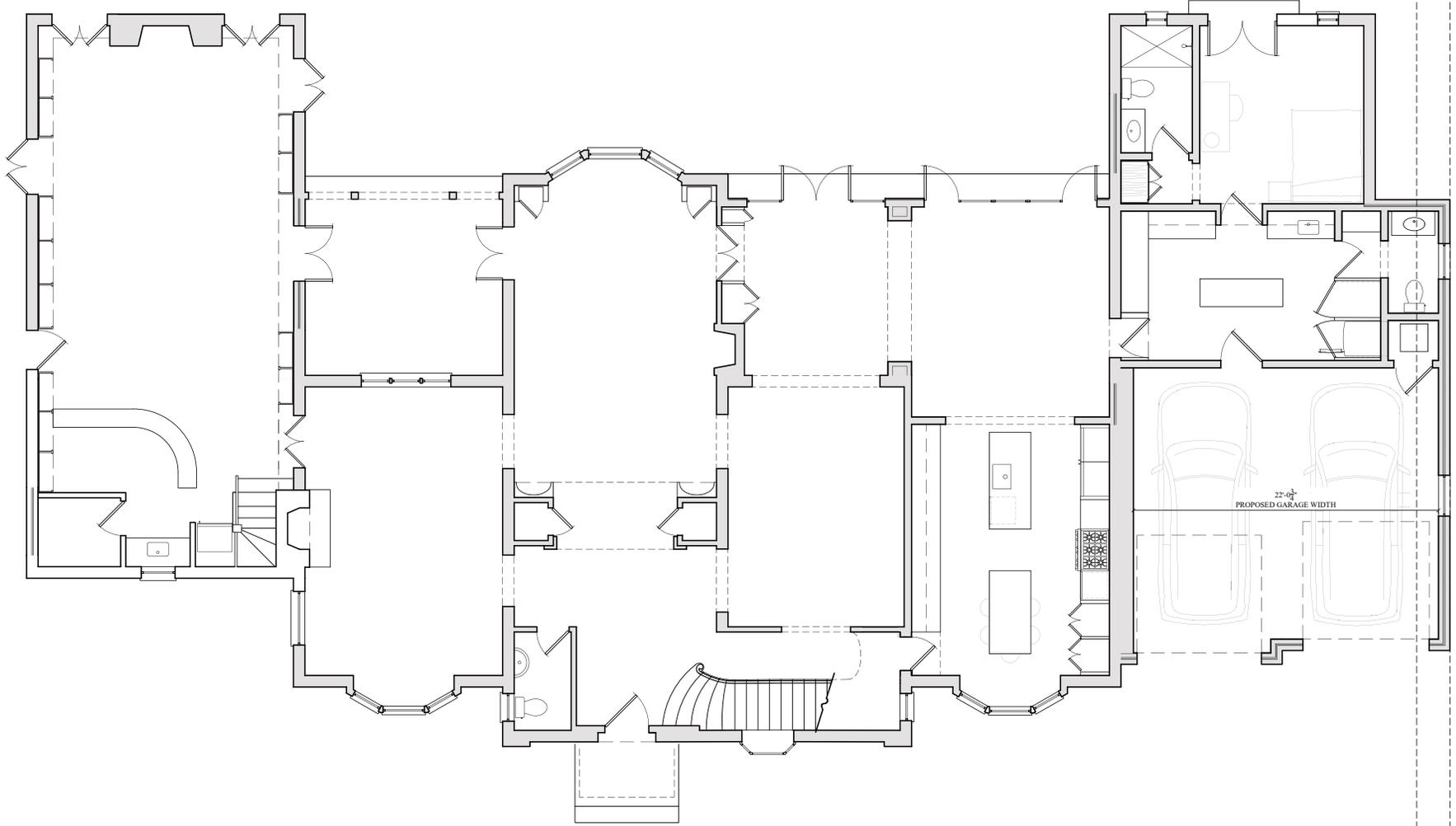


ORIGINAL PLAN
 SHOWING PREVIOUSLY
 EXISTING GARAGE WITH
 VEHICLES TO SCALE

Current Build-to Line

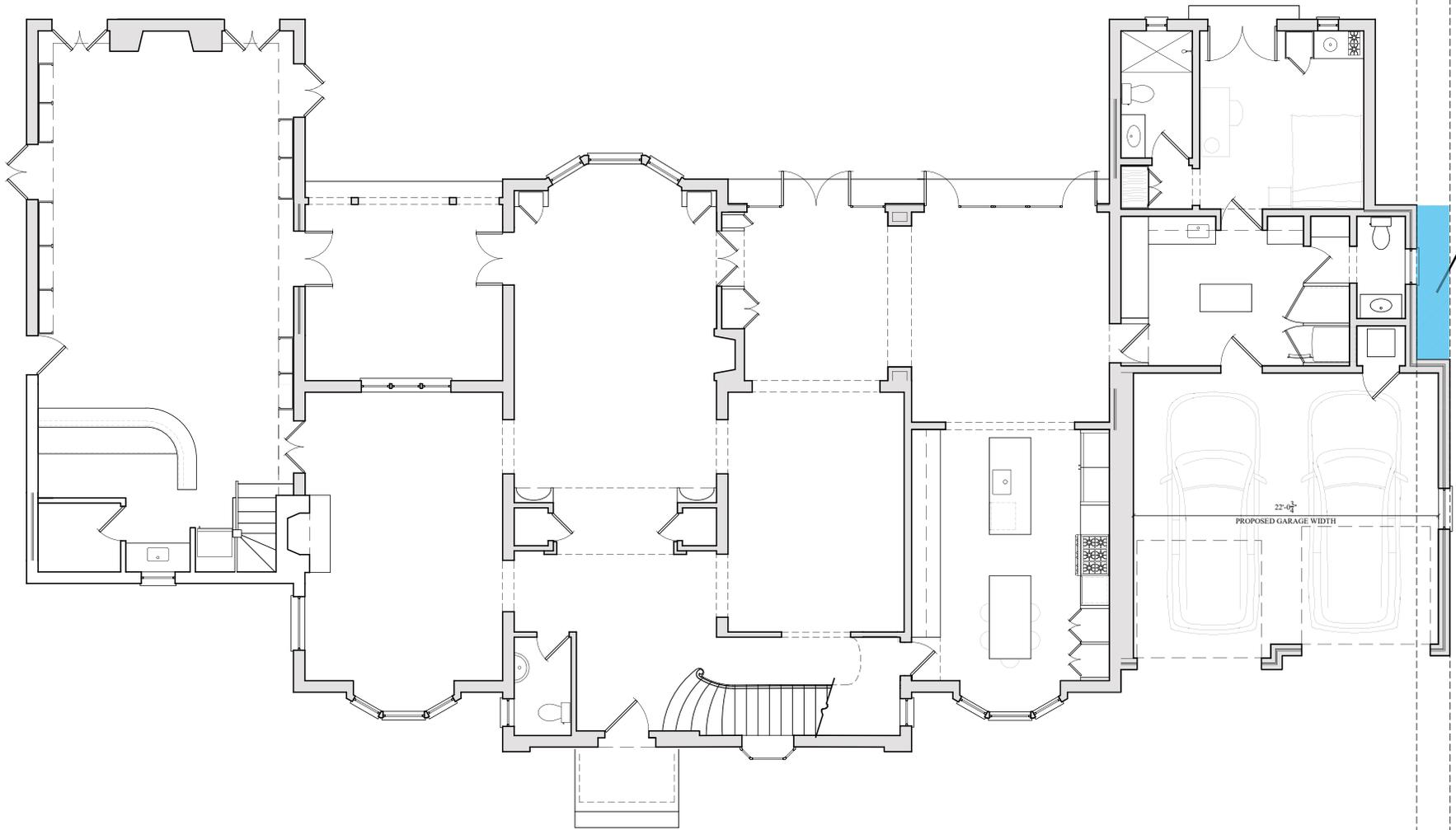
50" Setback

Property Line



PREVIOUSLY PERMITTED PLAN
 SHOWING DESIGN FOR
 CONSTRUCTED FOUNDATION

Current Build-to Line
 50" Setback
 Property Line

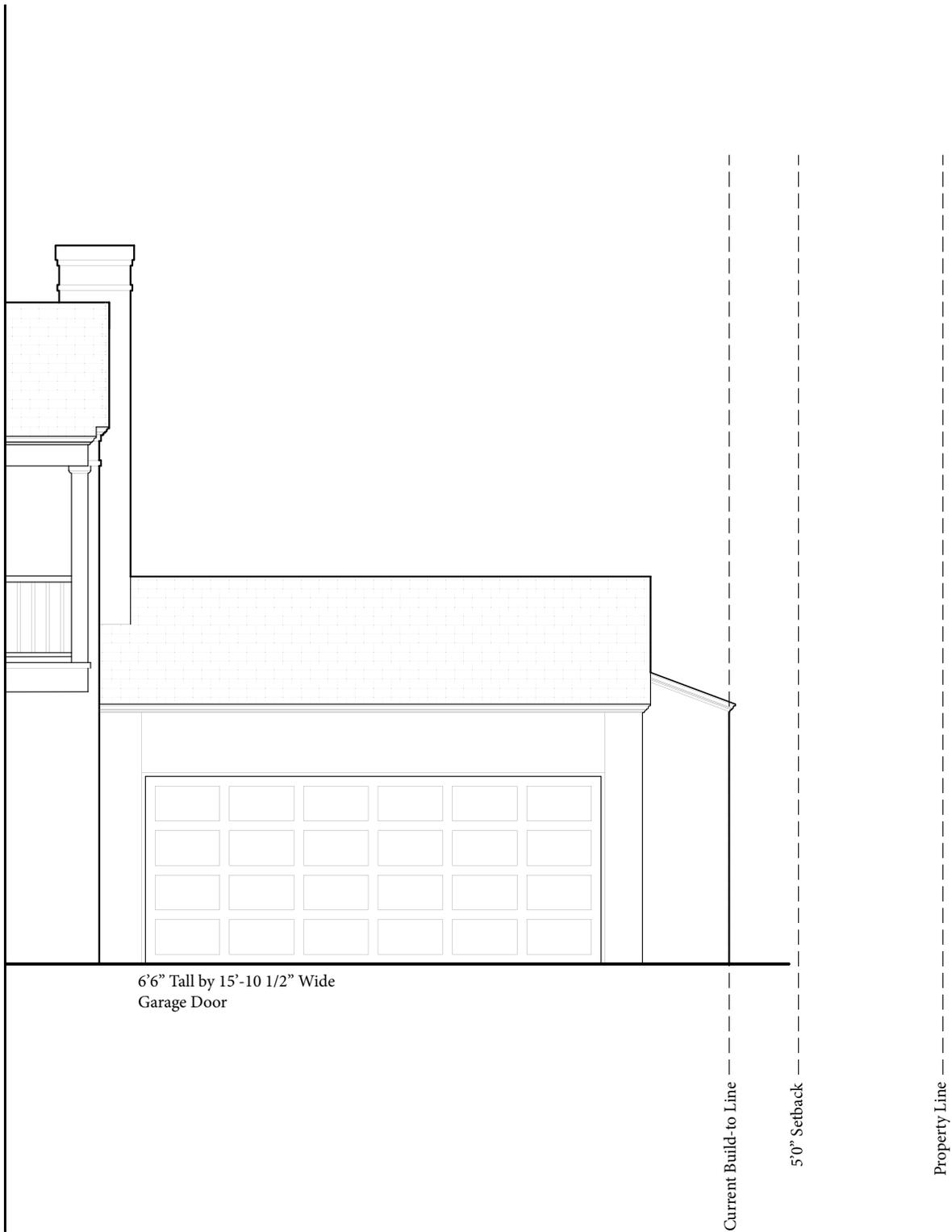


Area of
foundation to
be removed
to be behind
build-to line

Current Build-to Line
50" Setback
Property Line

22'-0"
PROPOSED GARAGE WIDTH

REVISED PROPOSAL
TO REMOVE PORTION OF
CONSTRUCTED FOUNDATION



6'6" Tall by 15'-10 1/2" Wide
Garage Door

Current Build-to Line

5'0" Setback

Property Line

PREVIOUSLY EXISTING
GARAGE ELEVATION



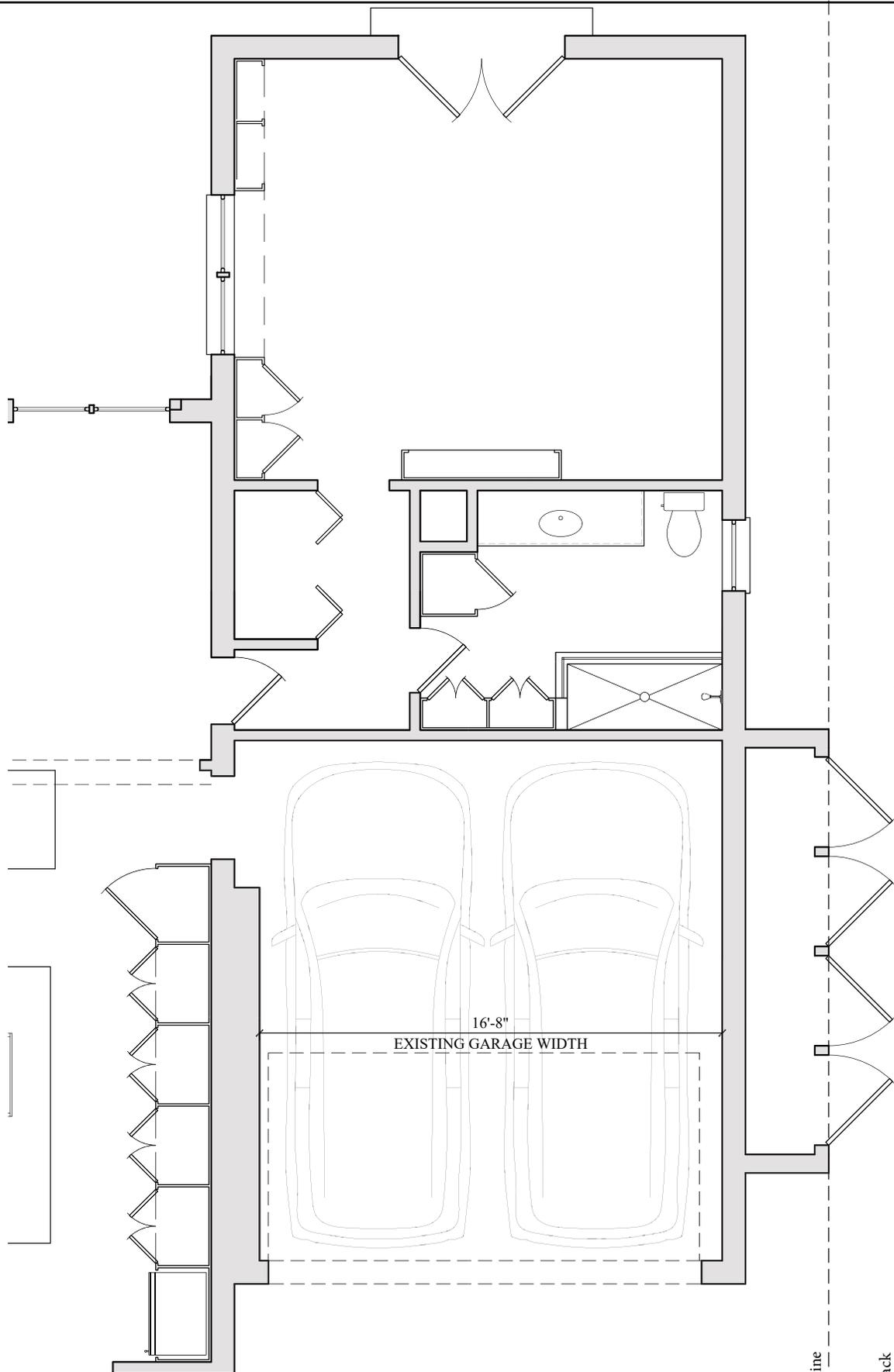
7'6" Tall by 9'-0" Wide Garage
Doors

Current Build-to Line

5'0" Setback

Property Line

PROPOSED GARAGE ELEVATION

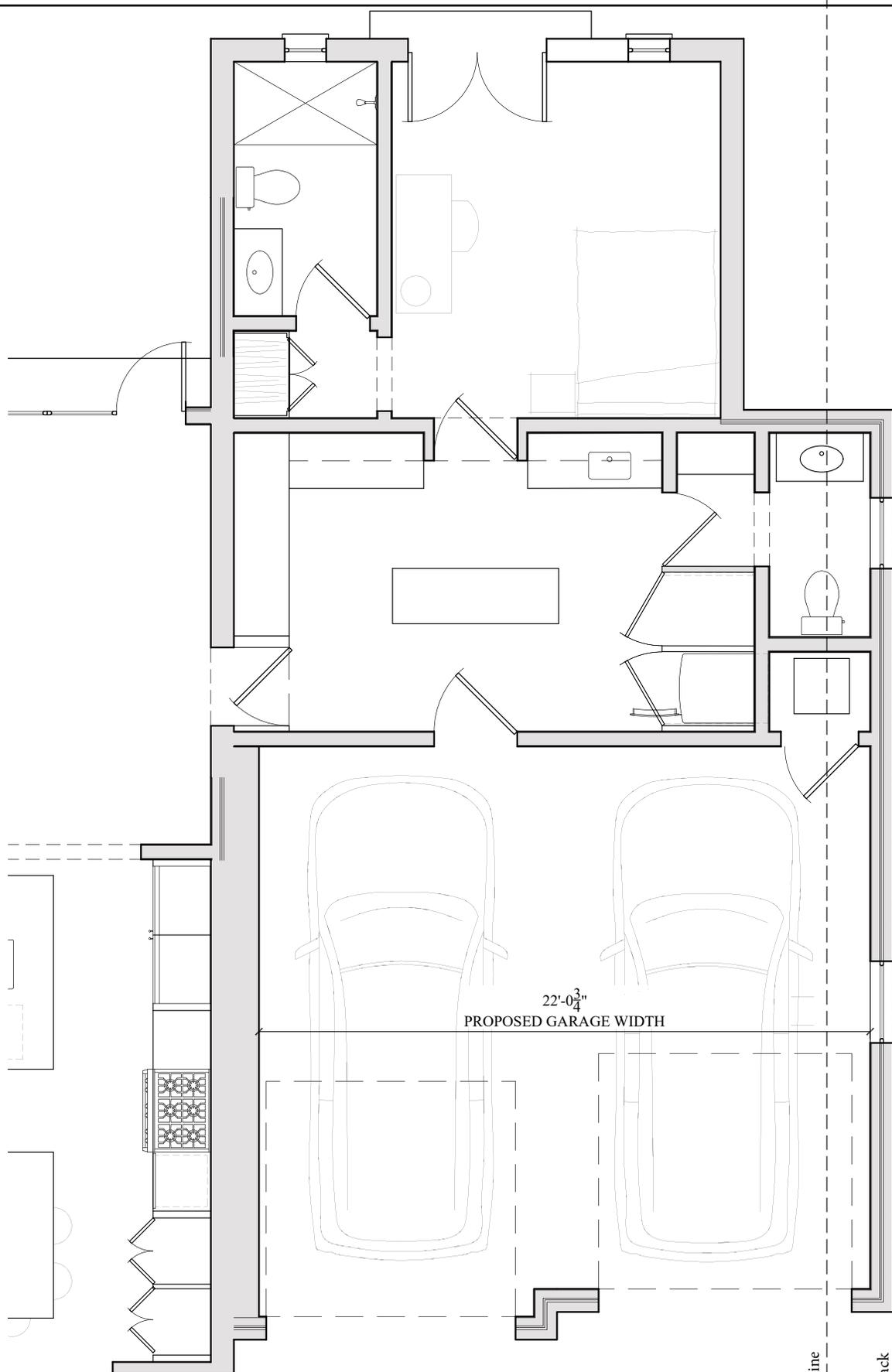


ORIGINAL PLAN
 SHOWING PREVIOUSLY
 EXISTING GARAGE WITH
 VEHICLES TO SCALE

Current Build-to Line

5'0" Setback

Property Line

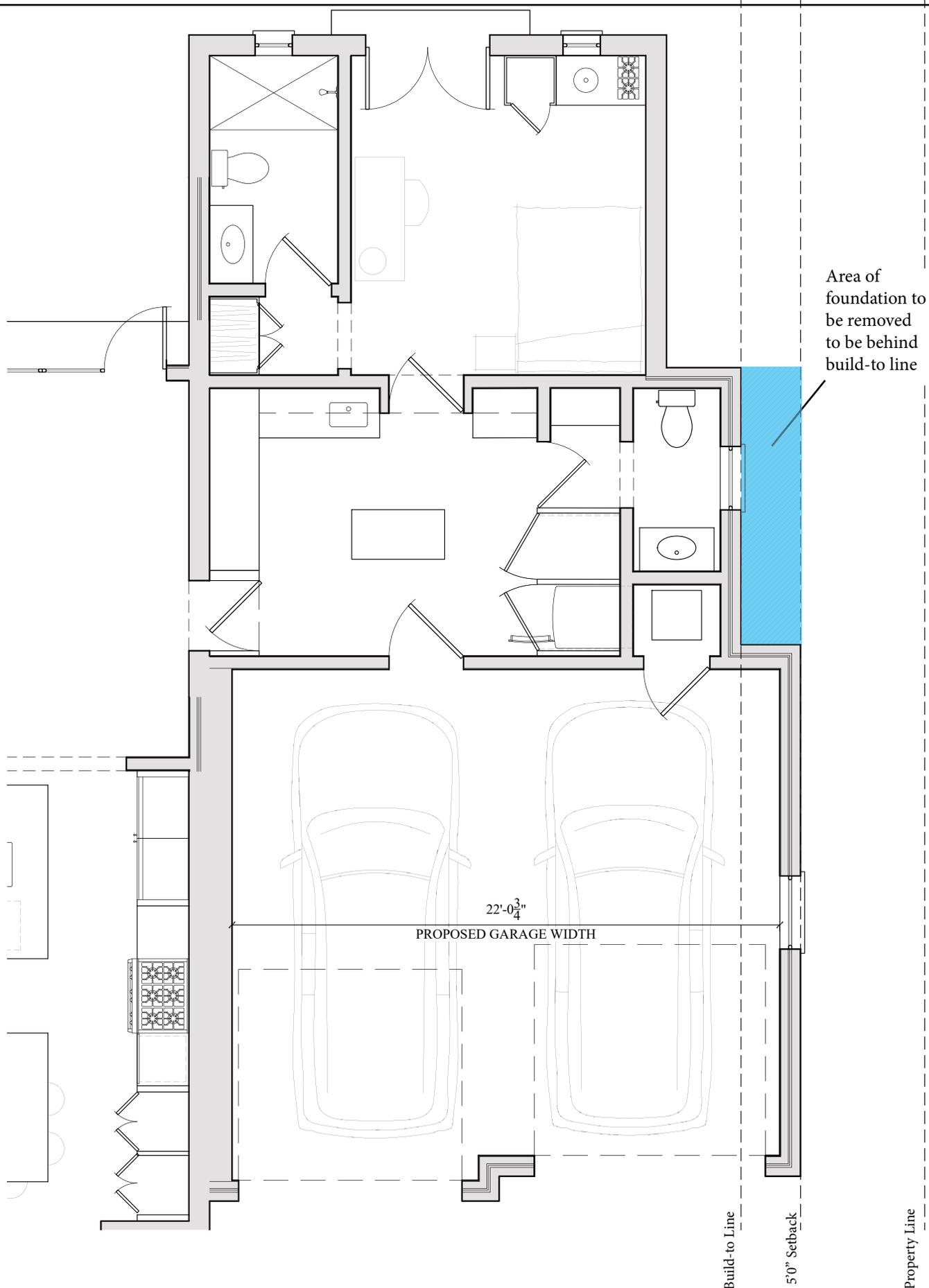


PREVIOUSLY PERMITTED PLAN
 SHOWING DESIGN FOR
 CONSTRUCTED FOUNDATION

Current Build-to Line

5'0" Setback

Property Line



Area of foundation to be removed to be behind build-to line

22'-0³/₄"

PROPOSED GARAGE WIDTH

Current Build-to Line

5'0" Setback

Property Line

REVISED PROPOSAL
TO REMOVE PORTION OF
CONSTRUCTED FOUNDATION

NEW DESIGN REMOVES EXISTING GREENHOUSE THAT IS AT VARIANCE TO SETBACKS

NEW DESIGN REMOVES EXISTING BUILDING THAT IS AT VARIANCE TO SETBACKS

R=3574.31'
 $\Delta = 01^{\circ}55'24"$
 CB=N 89.38'25" E
 CH=119.98'
 L=119.99' (DEED=119.95')

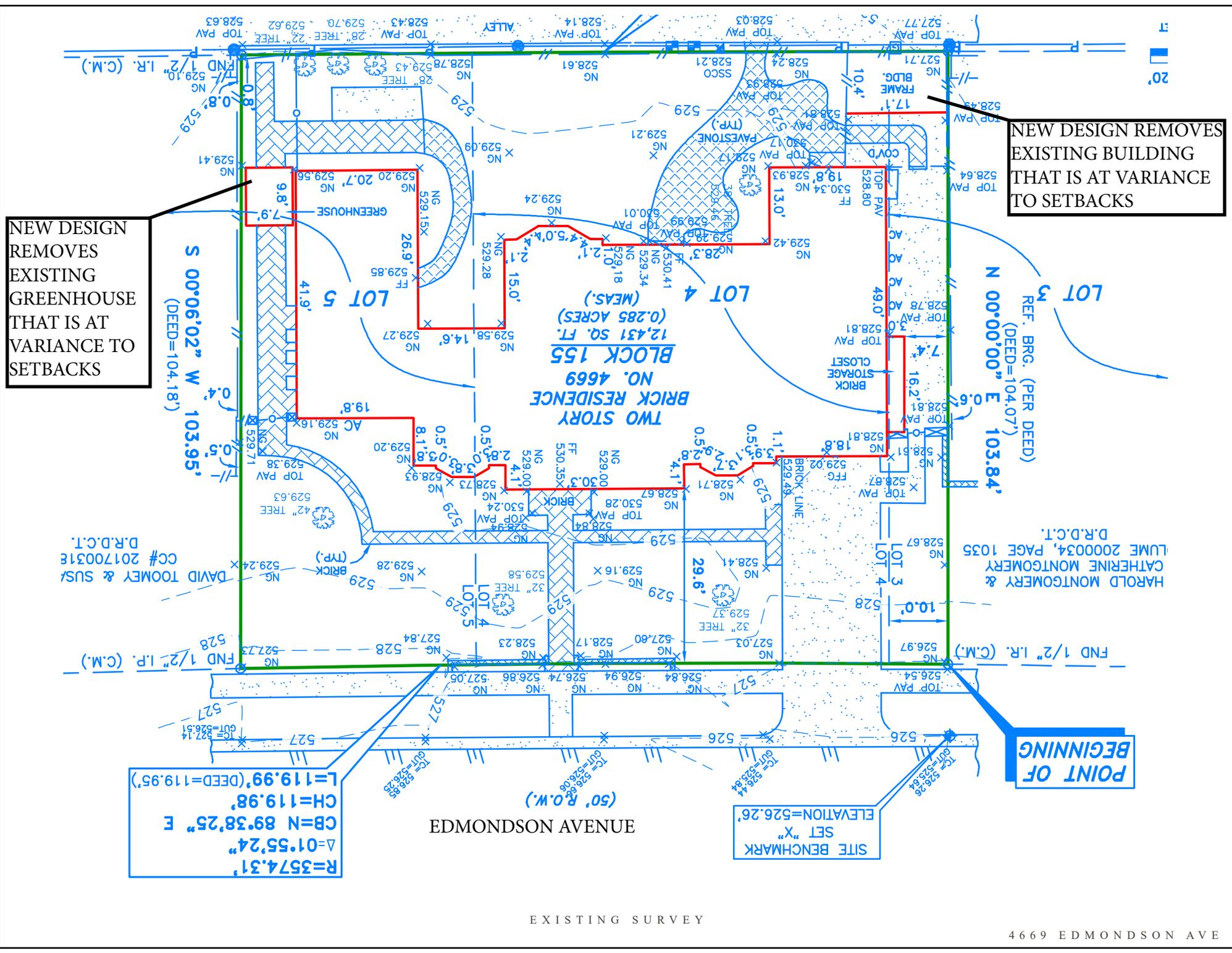
SITE BENCHMARK
 SET "X"
 ELEVATION=526.26'

POINT OF BEGINNING

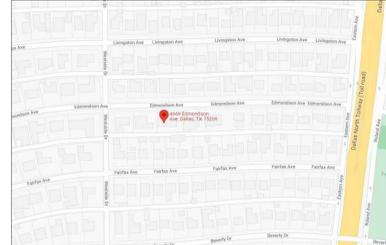
EDMONDSON AVENUE

EXISTING SURVEY

4669 EDMONDSON AVE



FEMA FLOOD MAP



VICINITY MAP

PROPERTY ZONING: **E (ONE-FAMILY RESIDENCE)**

ZONED: **30**

FRONT S/B: **10'**

REAR S/B: **10'**

SIDE S/B: **8'**

ACTIVITY SCHEDULE

| ACTIVITY SCHEDULE | DATE |
|--|------------------|
| Start House Construction | November 2022 |
| Initial erosion control BMP's installation | November 2022 |
| Intermediate erosion control BMP's | November 2022 |
| Final phase E&S BMP's | November 2022 |
| Maintenance of E&S practices | November 2022 |
| Demolition | November 2022 |
| Clearing & grubbing | November 2022 |
| Grading | November 2022 |
| Building construction | November 2022-23 |
| Temporary grassing @ 14 day intervals | November 2022 |
| Permanent grassing @ 30 day intervals | November 2022 |
| Final Clean up | November 2022-23 |

PROJECT INFORMATION

OWNER:
THE BLOOMINGDALE RESIDENCE
4669 EDMONSON AVENUE
HIGHLAND PARK, TEXAS 75205

LANDSCAPE ARCHITECT
HOWARD DESIGN STUDIO, LLC
1201 PEACHTREE STREET, NE
400 COLONY SQUARE, SUITE 1925
ATLANTA, GEORGIA 30361
(404) 876-7051

BUILDER
RANDY CLOWDIS CONSTRUCTION
2721 ANSON ROAD,
DALLAS, TEXAS 75235
(214)-366-2233

SURVEYOR:
GLOBAL LAND SURVEYING, INC.
1705 TAWANOKI LANE
PLANO, TEXAS 75075
(972)-881-1700

ARCHITECT
D. STANLEY DIXON, ARCHITECT
2300 PEACHTREE ROAD
SUITE C-101
ATLANTA, GEORGIA 30309
(404) 574-1430

EXISTING LOT CALCULATIONS:

| | |
|------------------------|------------|
| HOUSE: | 4,094 sf. |
| CONC. DRIVE: | 590 sf. |
| BRICK WALKS: | 960 sf. |
| PAVESTONE TERRACE: | 499 sf. |
| ADDITIONAL HARDSCAPE: | 629 sf. |
| ACCESSORY BUILDING: | 79 sf. |
| TOTAL IMPERVIOUS AREA: | 6,850 sf. |
| TOTAL PROPERTY AREA: | 12,431 sf. |
| TOTAL COVERAGE: | 55.1 % |

PROPOSED LOT CALCULATIONS:

| | |
|------------------------|------------|
| HOUSE: | 4,120 sf. |
| CONC. DRIVE: | 774 sf. |
| BRICK WALKS: | 1,678 sf. |
| BRICK WALL: | 68 sf. |
| UTILITY PAD: | 173 sf. |
| FOUNTAIN: | 113 sf. |
| TOTAL IMPERVIOUS AREA: | 6,934 sf. |
| TOTAL PROPERTY AREA: | 12,431 sf. |
| TOTAL COVERAGE: | 55.7 % |

Area of Site = 12,431 SQ.FT.
50% of Total Area = 6,215.5 SQ.FT.
Existing Impervious = 6,807 SQ.FT. = 54.8%
Proposed Impervious = 6,934 SQ.FT. = 55.7%

EROSION AND SEDIMENT CONTROL NOTES:

"THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND-DISTURBING ACTIVITIES."

"EROSION AND SEDIMENT CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE."

"DISTURBED AREAS LEFT IDLE SHALL BE STABILIZED WITH TEMPORARY VEGETATION AFTER 14 DAYS; AFTER 30 DAYS, PERMANENT VEGETATION SHALL BE ESTABLISHED."

"SILT FENCE SHALL MEET THE REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY'S DESCRIPTION OF BMPs, DATED AUGUST 21, 2003, AND BE WIRE REINFORCED."

"EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES."

"EROSION CONTROL MEASURES WILL BE INSPECTED AT LEAST DAILY, AND AFTER EACH RAIN, AND REPAIRED BY THE CONTRACTOR."

(ADDITIONAL) GRADING AND DRAINAGE NOTES:

"ALL MATERIAL AND METHODS OF CONSTRUCTION MUST CONFORM TO CITY OF ATLANTA STANDARDS AND SPECIFICATIONS."

"PRIOR TO LAND DISTURBING ACTIVITIES, THE CONTRACTOR SHALL SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE AREA EROSION CONTROL INSPECTOR. CALL (404) 546-1300 TO CONTACT THE INSPECTOR."

"NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE PLANS AND FIELD CONDITIONS."

"ALL EXISTING TREES ARE TO REMAIN AND SHALL BE PROTECTED UNLESS OTHERWISE NOTED. TREES TO BE REMOVED WILL BE FLAGGED OR MARKED WITH RED PAINT BY THE LANDSCAPE ARCHITECT PRIOR TO ANY CLEARING ACTIVITIES."

"THE CONTRACTOR SHALL RESTORE ALL DISTURBED AREAS AND IMPROVEMENTS TO MATCH EXISTING ELEVATIONS OF EXISTING PAVEMENT, SIDEWALKS, AND FLOORS."

"SEE ARCHITECTURAL DRAWINGS FOR EXACT DIMENSIONS AND DETAILS OF THOSE RESPECTIVE AREAS."

"THE LOCATIONS OF EXISTING UTILITIES, SUCH AS WATER MAINS, SANITARY SEWERS, GAS LINES, ELECTRIC LINES, ETC. AS SHOWN ON THESE PLANS HAVE BEEN DETERMINED FROM THE BEST INFORMATION AVAILABLE AND ARE GIVEN FOR THE CONVENIENCE OF THE CONTRACTOR. HOWEVER, THE SURVEYOR, ENGINEER AND OWNER DO NOT ASSUME RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION SHOWN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL UTILITY COMPANIES SEVENTY-TWO HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION AND HAVE ALL UTILITIES LOCATED IN THE FIELD PRIOR TO ANY WORK. QUESTIONS CALL THE UTILITY PROTECTION SERVICE: (404)-491-0044."

"ALL UNSUITABLE SOILS AND TOP SOILS WILL BE STOCKPILED ON-SITE AND SPREAD ON ALL PROPOSED SLOPES TO FACILITATE THE ESTABLISHMENT OF ALL GROUND COVER."

"ALL CUT AND FILL SLOPES MUST BE SURFACE ROUGHED AND VEGETATED WITHIN SEVEN (7) DAYS OF THEIR CONSTRUCTION"

"CONTRACTOR TO ANTICIPATE THAT ONE GRASSING ATTEMPT OF THE DISTURBED AREAS WILL NOT BE ADEQUATE TO PROVIDE A SUFFICIENT STAND OF GROUND COVER. MULTIPLE ATTEMPTS AT GRASSING OF DISTURBED AREA SHOULD BE ANTICIPATED FOR THIS PROJECT. GRASSING PROCEDURES WILL BE CARRIED OUT ON REGULAR AND TIMELY INTERVALS UNTIL A GOOD AND COMPLETE STAND OF GROUND COVER HAS BEEN ESTABLISHED"

SEEDING RATES FOR TEMPORARY SEEDING

| SPECIES | PLANTING DATES | RATE PER ACRE | SEEDING RATE | SEEDING RATE | SEEDING RATE |
|-----------------------|----------------|---------------|--------------|--------------|--------------|
| ALONE | 9/1-11 | 9/15-20 | 9/21-30 | 9/31-10/31 | 11/1-11/30 |
| WITH OTHER PERENNIALS | 9/1-11 | 9/15-20 | 9/21-30 | 9/31-10/31 | 11/1-11/30 |

FERTILIZER REQUIREMENTS FOR PERMANENT VEGETATION

| TYPES OF SPECIES | FERTILIZER | PLANTING DATES | PLANTING DATES | PLANTING DATES | PLANTING DATES |
|---------------------|------------|----------------|----------------|----------------|----------------|
| COOL SEASON GRASSES | PRESET | 9/1-11 | 9/15-20 | 9/21-30 | 9/31-10/31 |
| WARM SEASON GRASSES | PRESET | 9/1-11 | 9/15-20 | 9/21-30 | 9/31-10/31 |

SEEDING RATES FOR PERMANENT SEEDING

| SPECIES | PLANTING DATES | RATE PER ACRE | SEEDING RATE | SEEDING RATE | SEEDING RATE |
|-----------------------|----------------|---------------|--------------|--------------|--------------|
| ALONE | 9/1-11 | 9/15-20 | 9/21-30 | 9/31-10/31 | 11/1-11/30 |
| WITH OTHER PERENNIALS | 9/1-11 | 9/15-20 | 9/21-30 | 9/31-10/31 | 11/1-11/30 |

SOIL PREPARATION

ADD TO SOIL:
COMMERCIAL 16-20-10 FERTILIZER @ 550 LBS/AC OR AS SPECIFIED BY SOIL REPORTS
AFTER SOIL pH ANALYSIS, LIME AS SPECIFIED ON pH LEVEL CHART

TO RAISE THE pH LEVEL
THIS CHART INDICATES THE AMOUNT OF LIME TO ADD IN OUNCES PER SQUARE YARD AND IN POUNDS PER 1000 SF

| WATER | SANDY SOIL | SANDY LOAM | LOAM | HEAVY SOIL |
|-------|------------|------------|------|------------|
| 4.0 | 2.00 | 3.00 | 4.00 | 5.00 |
| 4.5 | 1.50 | 2.25 | 3.00 | 3.75 |
| 5.0 | 1.00 | 1.50 | 2.00 | 2.50 |
| 5.5 | 0.50 | 0.75 | 1.00 | 1.25 |
| 6.0 | 0.25 | 0.37 | 0.50 | 0.62 |
| 6.5 | 0.12 | 0.19 | 0.25 | 0.31 |
| 7.0 | 0.06 | 0.09 | 0.12 | 0.15 |

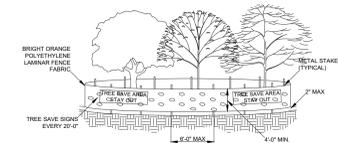
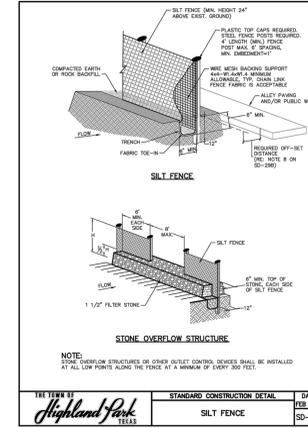
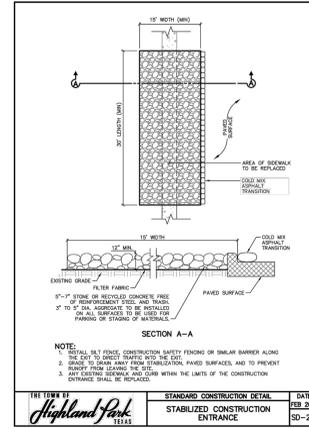
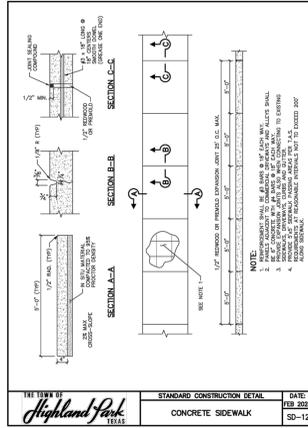
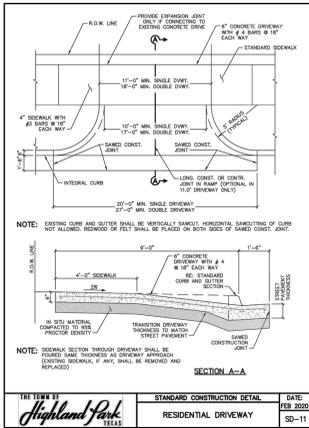
NOTE: NEUTRAL pH IS 7.0

SEEDING SCHEDULE

| SEASON | DATES | TYPE OF GRASS | RATE |
|--------|-----------------|-----------------------------|------------|
| SUMMER | MAY 15 - AUG 30 | BERNARDA | 100 LBS/AC |
| WINTER | SEPT 1 - NOV 15 | FESCUE | 300 LBS/AC |
| COOL | MAY 15 - MAY 15 | ANNUAL RYE GRASS/300 LBS/AC | |

MULCHING APPLICATION FOR TEMPORARY STABILIZATION

| MATERIAL | APPLICATION |
|----------------------------------|---|
| STRAW OR HAY | APPLY AT A DEPTH OF 2" TO 4" |
| WOOD WASTE, CHIPS, SAND/ST. BARK | APPLY AT A DEPTH OF 2" TO 3" |
| CUTBACK ASPHALT | APPLY AT A RATE OF 1200 GAL/ACRE OR 0.25 GAL/SY |
| POLYETHYLENE FILM | APPLY PER MANUFACTURER'S RECOMMENDATION |

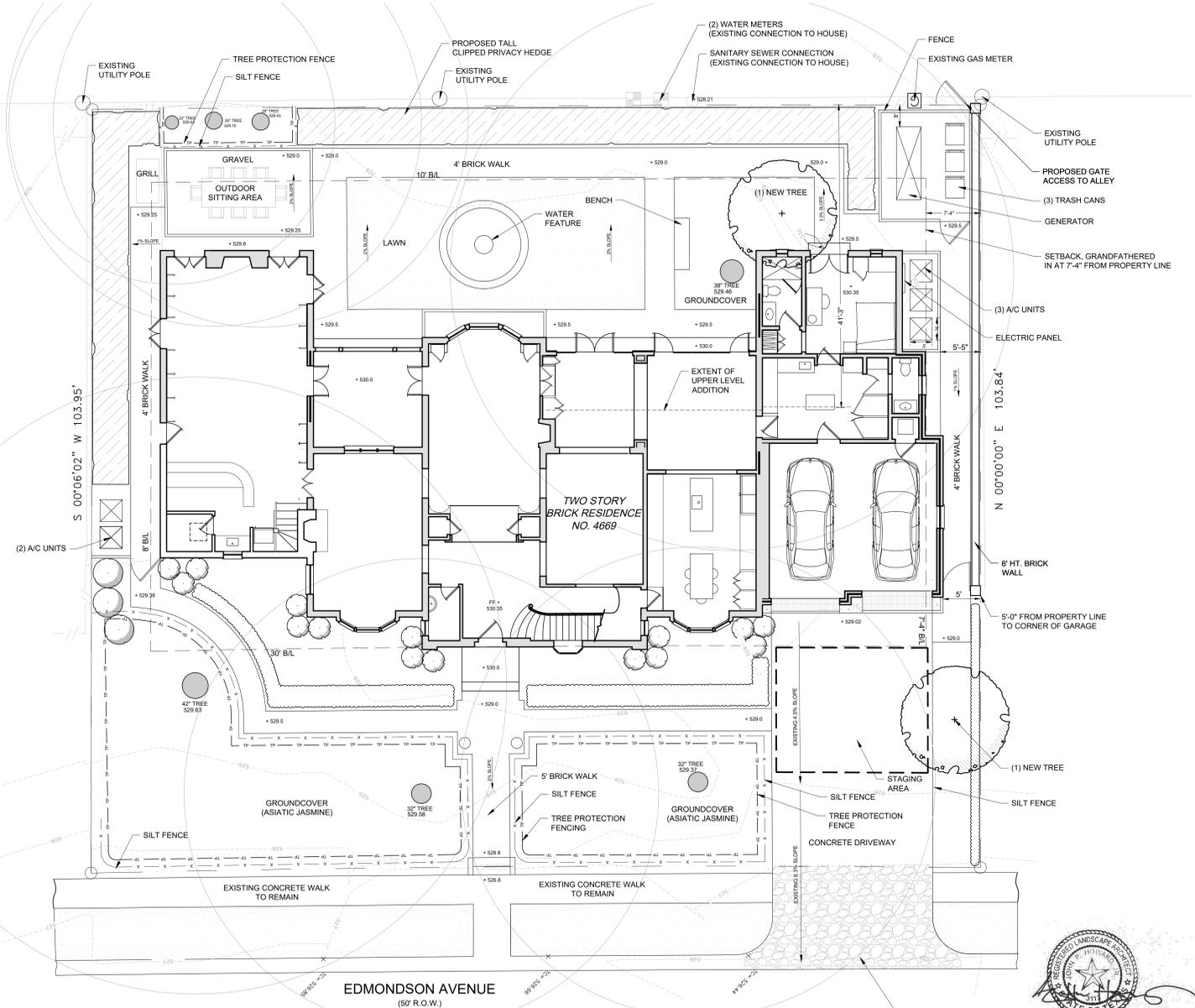


Tf PROTECTIVE TREE FENCING
NOT TO SCALE

SEE SURVEY FOR TOP ELEVATIONS OF SANITARY, STORM SEWERS AND STRUCTURES.
CONTRACTOR SHALL LOCATE ALL UTILITIES ON SITE PRIOR TO ANY CONSTRUCTION ACTIVITIES.
NO GRADED SLOPE TO EXCEED 2H:1V.
ALL TREES OVER 6" DBH SHALL BE PROTECTED DURING CONSTRUCTION

ES&PC AND TREE PROTECTION LEGEND

| Symbol | Description | Note |
|--------|---|--|
| Co | CONSTRUCTION ENTRANCE | ALL EROSION SEDIMENT AND POLLUTION CONTROL AND TREE PROTECTION DETAILS WILL BE INSTALLED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS IN THE "TEXAS COMMISSION ON ENVIRONMENTAL QUALITY." |
| Tr | TREE PROTECTION FENCE | |
| Sd1-C | SILT FENCE | |
| Sd1-H | STAKED HAY BALES | |
| Ds1 | ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER. | |
| Ds2 | ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS. | |
| Ds3 | ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOY OR LEGUMES ON DISTURBED AREAS. | |



0 4 8 16 24

BLOOMINGDALE RESIDENCE
4669 EDMONSON AVENUE
HIGHLAND PARK, TEXAS 75205
BLOCK 155,
LOT 4
E 10' LOT 3
W 40' LOT 4

VARIANCE PLAN

Date: 06/28/2021 Sheet Number: L1

Revisions:
10/28/2021
10/27/2022

Designed By: JH Drawn By: MT

HOWARD DESIGN STUDIO, LLC
Landscape Architecture

1201 Peachtree Street, NE
Suite 1925
Atlanta, Georgia 30361

www.howarddesignstudio.com

(P) 404.876.7051 (F) 404.876.9851

'SURVEY PLAT'

PROPERTY DESCRIPTION:

BEING A PART OF LOT 3, ALL OF LOT 4, AND A PART OF LOT 5, IN BLOCK 155, OF HIGHLAND PARK WEST, NINTH INSTALLMENT, AN ADDITION TO THE TOWN OF HIGHLAND PARK, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 5, PAGE 304, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, AND BEING A RESURVEY OF A TRACT OF LAND DESCRIBED IN A DEED TO STEPHEN H. CASEY AND SPOUSE, TERRY P. CASEY, OF RECORD IN VOLUME 94086, PAGE 1463, DEED RECORDS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

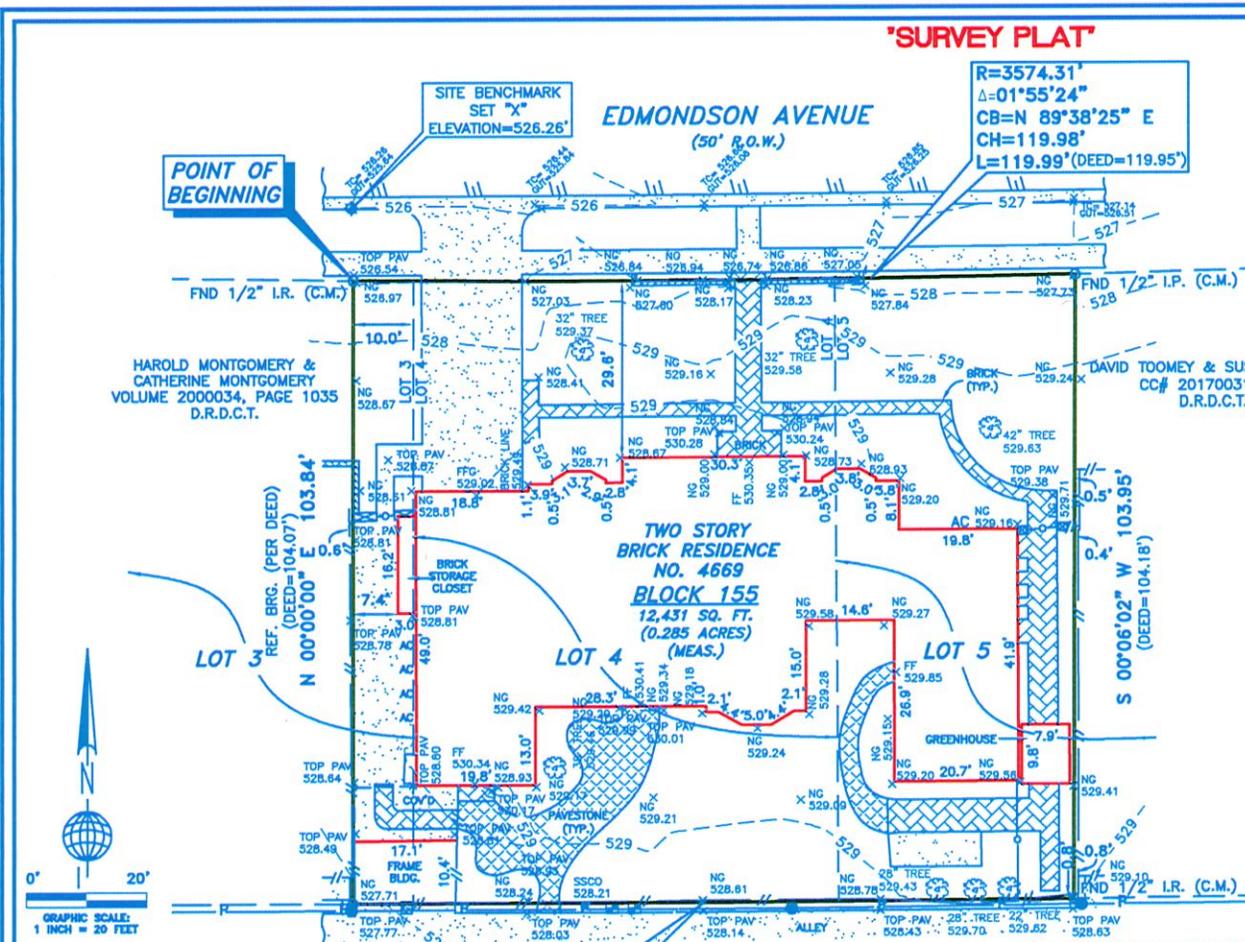
BEGINNING AT A 1/2" IRON ROD FOUND FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF EDMONDSON AVENUE (50' RIGHT-OF-WAY), AT THE NORTHWEST CORNER OF SAID CASEY TRACT, SAME BEING THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO HAROLD MONTGOMERY AND CATHERINE MONTGOMERY, OF RECORD IN VOLUME 2000034, PAGE 1035, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3574.31 FEET, A CENTRAL ANGLE OF 01°55'24" AND A CHORD WHICH BEARS NORTH 89°38'25" EAST, A DISTANCE OF 119.98 FEET;

THENCE IN AN EASTERLY DIRECTION ALONG THE CURVING SOUTH RIGHT-OF-WAY LINE OF SAID EDMONDSON AVENUE, AN ARC DISTANCE OF 119.99 FEET TO A 1/2" IRON PIPE FOUND FOR CORNER AT THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO DAVID TOOMEY AND SUSAN TOOMEY, OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 201700318383, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 00°06'02" WEST ALONG THE COMMON LINE OF SAID CASEY TRACT AND SAID TOOMEY TRACT, A DISTANCE OF 103.95 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AT THE COMMON SOUTH CORNER THEREOF, IN THE NORTH RIGHT-OF-WAY LINE OF AN ALLEY, SAID POINT BEING AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 9,578.24 FEET, A CENTRAL ANGLE OF 00°43'00" AND A CHORD WHICH BEARS SOUTH 89°41'35" WEST, A DISTANCE OF 119.80 FEET;

THENCE IN A WESTERLY DIRECTION ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ALLEY, AN ARC DISTANCE OF 119.80 FEET TO A POINT FOR CORNER AT THE COMMON SOUTH CORNER OF SAID CASEY TRACT AND SAID MONTGOMERY TRACT;

THENCE NORTH 00°00'00" EAST ALONG THE COMMON LINE OF SAID CASEY TRACT AND SAID MONTGOMERY TRACT, A DISTANCE OF 103.84 FEET TO THE PLACE OF BEGINNING AND CONTAINING 12,431 SQUARE FEET OR 0.285 ACRES OF LAND.



SITE BENCHMARK SET "X" ELEVATION=526.26'

R=3574.31'
Δ=01°55'24"
CB=N 89°38'25" E
CH=119.98'
L=119.99'(DEED=119.95')

POINT OF BEGINNING

EDMONDSON AVENUE (50' R.O.W.)

HAROLD MONTGOMERY & CATHERINE MONTGOMERY VOLUME 2000034, PAGE 1035 D.R.D.C.T.

DAVID TOOMEY & SUSAN TOOMEY CC# 201700318383 D.R.D.C.T.

TWO STORY BRICK RESIDENCE NO. 4669 BLOCK 155 12,431 SQ. FT. (0.285 ACRES) (MEAS.)

LOT 3

LOT 4

LOT 5



GRAPHIC SCALE 1 INCH = 20 FEET

BENCHMARK NOTE:

3-1/2" ALUMINUM DISC SET IN CONCRETE CURB ON NORTH SIDE OF VERSAILLES AVENUE AT THE EAST SIDE OF THE MOST WESTERN DRIVEWAY APPROACH TO RESIDENCE NO. 4400. (ELEVATION=513.13')

ADDRESS: 4669 EDMONDSON AVENUE

NOTE:

(P.P.) INDICATES BUILDING LINES, EASEMENTS, R.O.W.S, DIMENSIONS, ETC. ARE PER PLAT REFERENCED IN LEGAL DESCRIPTION ABOVE.

FLOOD STATEMENT:

ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 480171 0330J, DATED 08/23/2001, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR DALLAS COUNTY, TEXAS, THE SUBJECT PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

R=9578.24'
Δ=00°43'00"
CB=S 89°41'35" W
CH=119.80'
L=119.80'

DESCRIPTION LEGEND

- FF=FINISH FLOOR
- FFG=FINISH FLOOR GARAGE
- NG=NATURAL GROUND
- TOP PAV=TOP OF PAVEMENT
- SSCO=SANITARY SEWER CLEANOUT

CERTIFIED TO: D. STANLEY DIXON

DATE: 05/11/2021 JOB NO: 21-04-082

| SYMBOL | LEGEND | FIND= FOUND | LR.= IRON ROD | LP.= IRON PIPE | ESMT.= EASEMENT | B.L.= BUILDING LINE | (C.M.)= CONTROL MONUMENT |
|--------|---|-------------|---------------|----------------|-----------------|---------------------|--------------------------|
| — | WOOD FENCE | | | | | | |
| — | CHAIN LINK FENCE | | | | | | |
| — | WIRE FENCE | | | | | | |
| — | WROUGHT IRON FENCE | | | | | | |
| □ | COLUMN | | | | | | |
| ⊙ | POWER POLE | | | | | | |
| ⊙ | WATER METER | | | | | | |
| — | POWERS LINE | | | | | | |
| — | CONDENSING SERVICE LINE TRANSFORMER AND PAD | | | | | | |
| — | GAS METER | | | | | | |
| — | ASPHALT SURFACE | | | | | | |
| — | CONCRETE | | | | | | |

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACTOR. THEREFORE, NO SEARCH OF RECORD DOCUMENTS WAS PERFORMED ON THE SUBJECT PROPERTY. ONLY THE DOCUMENTS NOTED HEREON WERE SUPPLIED TO THE SURVEYOR. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, NOR RECORDS OF TITLE SEARCHES NOR REPLYMENTS TO THE SURVEYOR, THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.

Jason L. Morgan
JASON L. MORGAN TXRLS 5587

Global Land Surveying, Inc.
SERVING THE GREATER DALLAS-FORT WORTH METROPLEX SINCE 2002

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