

**BOARD OF ADJUSTMENT
CITY OF DALLAS, TEXAS**

THURSDAY, JANUARY 22, 2026

FILE NUMBER: BOA-25-000082(BT)

BUILDING OFFICIAL'S REPORT: Application of Chad Mills for **(1)** a variance to the maximum front yard setback regulations at **117 N VAN BUREN AVENUE**. This property is more fully described as Block 154/3213, Lot 11A, and is zoned PD-830 (Subdistrict 3), which requires a minimum front yard setback of 0 feet and a maximum front yard setback of 10 feet. The applicant proposes to construct and/or maintain a residential structure and provide a 22-front-yard setback, which will require **(1)** a 12-foot variance to the maximum front yard setback regulations.

LOCATION: 117 N Van Buren Avenue

APPLICANT: Chad Mills

REQUEST:

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

STANDARDS OF REVIEW FOR VARIANCE:

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

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

SECTION 51A-3.102(d)(10)(B):

Dallas Development Code § 51A-3.102(d)(10)(B), allows for the board to use their discretion and consider the following as grounds to determine whether the portion of the variance standard of compliance with the ordinance as applied to a structure would result in unnecessary hardship:

- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.

- (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
- (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Variance to the front-yard setback regulations:

Denial

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

- A. Not contrary to the public interest.
- B. Lot is not restrictive in area, shape, or slope as in typical PD-830 (Subdistrict 3) no minimum lot size, no minimum lot width, and maximum lot coverage is 100 percent. Subject site appears to be developable with PD-830 (Subdistrict 3) standards and not encroach into the 20' x 20' visibility triangle; therefore, it can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site: PD-830 (Subdistrict 3)
North: PD-830 (Subdistrict 3) & PD-830 (Subdistrict 8)
East: PD-830 (Subdistrict 8)
South: PD-830 (Subdistrict 3)
West: PD-830 (Subdistrict 3)

Land Use:

The subject site and all surrounding properties are developed with a mixture of vacant lots, duplex, townhouse, and single-family uses.

BDA History:

No BDA history has been found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Chad Mills for the property located at 117 N Van Buren Avenue focuses on one request relating to a variance to the front-yard setback regulations.

- The applicant is proposing to construct and/or maintain a residential structure and provide a 22-foot front yard setback along, which requires a 12-foot variance to increase the maximum front-yard setback regulations and to allow the required street-facing facade placement to be adjusted accordingly.
- Per staff's review of the subject site, it has been confirmed that the residential structure is proposed on a vacant lot.
- Staff considered the following factors in reference to the buildable area:
 - Applicant lot size is 6,011 square feet.
 - PD-830 (Subdistrict 3) East Garden District. Use regulations and development standards.
 - Front yard. Except as provided in this paragraph, minimum front yard is 0 feet and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.
 - Side yard. No minimum side yard.
 - Rear yard. Except as provided in this paragraph, no minimum rear yard. Minimum rear yard is 10 feet if the rear yard abuts or is across an alley from a rear yard in Subdistrict 8.
 - The maximum lot coverage is 100 percent.
 - 20' x 20' visibility triangle at the alley and N Van Buren.
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the front yard setback will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
 - 2) The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
 - 3) The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

4) SECTION 51A-3.102(d)(10)(B):

Dallas Development Code § 51A-3.102(d)(10)(B), allows for the board to use their discretion and consider the following as grounds to determine whether the portion of the

variance standard of compliance with the ordinance as applied to a structure would result in unnecessary hardship:

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

- Granting the variance to the front yard setback regulations, with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BOA-25-000082 at 117 N Van Buren Ave](#)

Timeline:

December 4, 2025: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

December 4, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **C**.

December 16, 2025: The Planning and Development Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the **December 26, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **January 9, 2025**, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

December 31, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **January** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation

District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

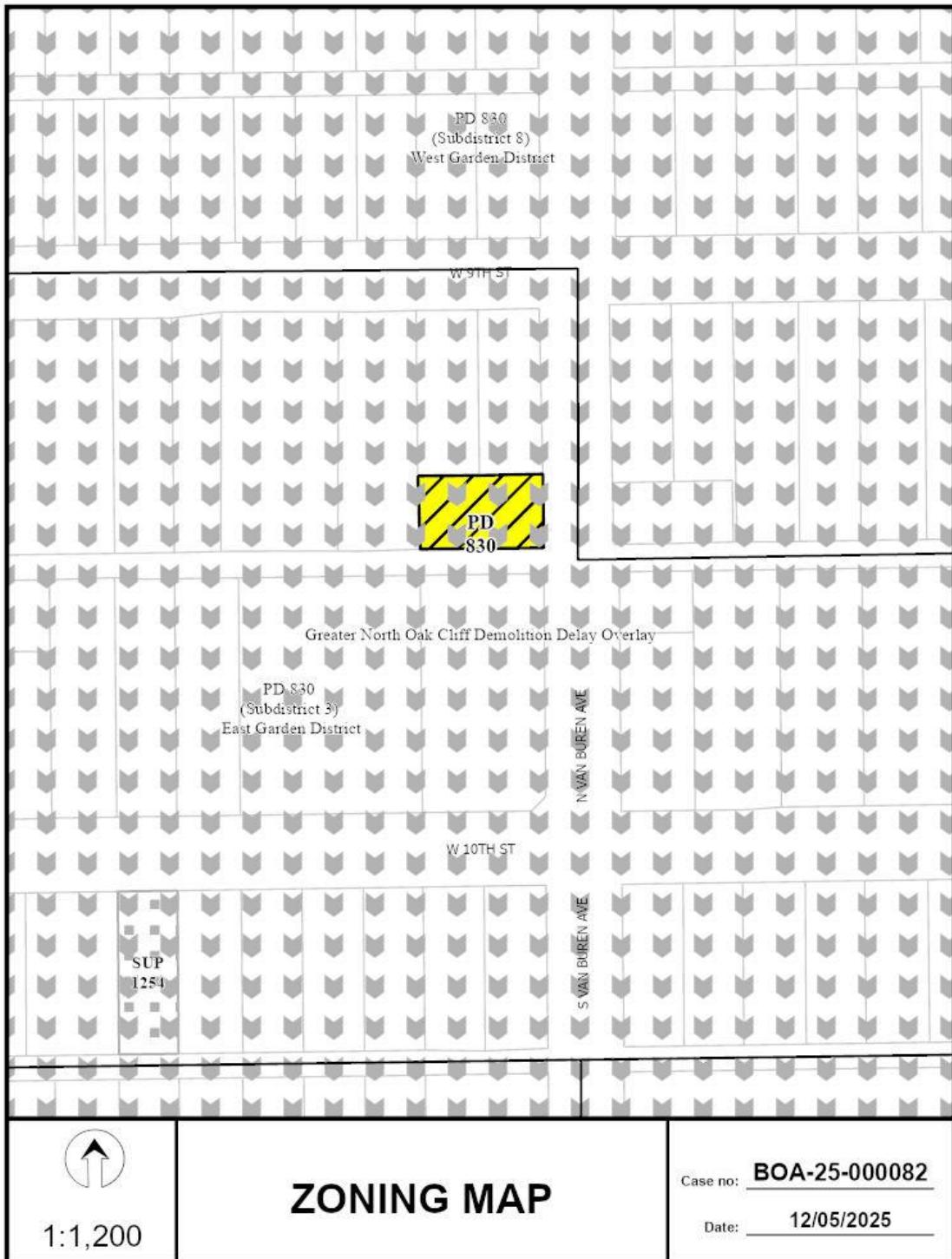


1:1,200

AERIAL MAP

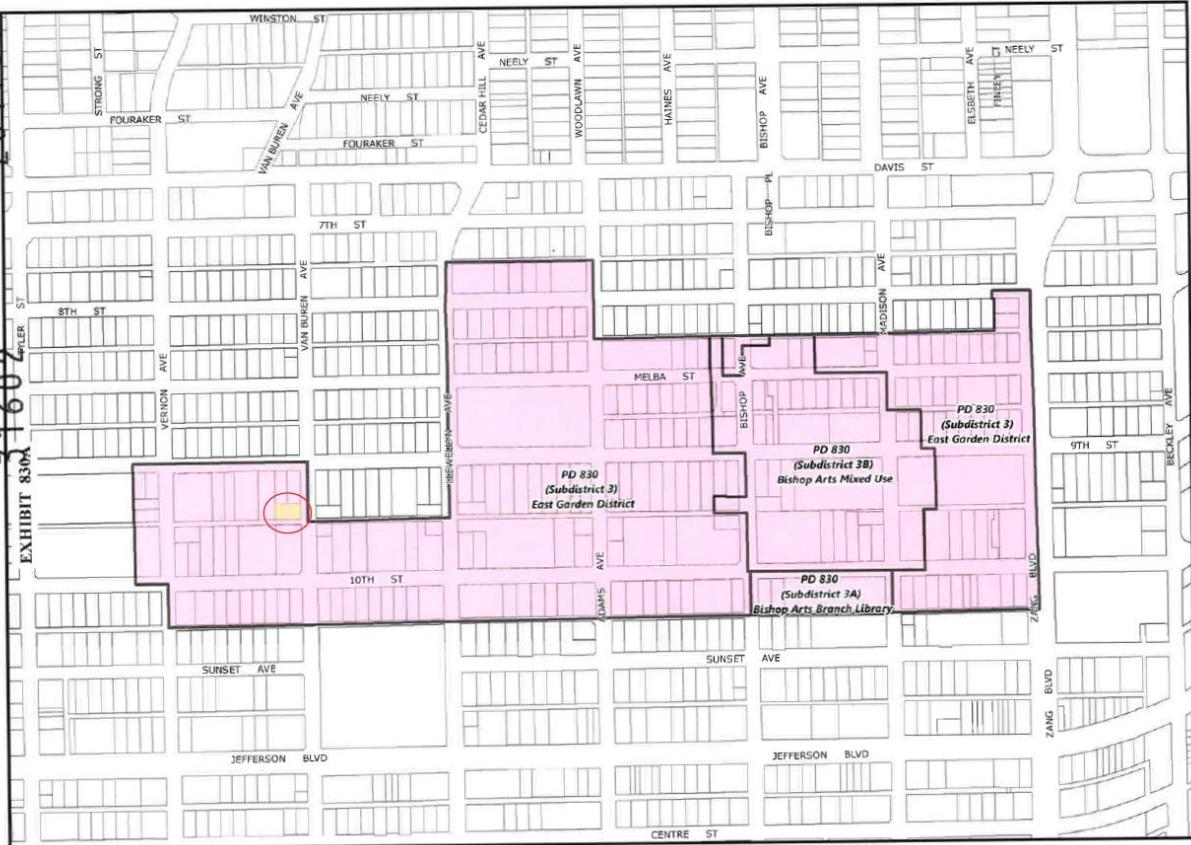
Case no: BOA-25-000082

Date: 12/05/2025



201188

EXHIBIT 830
31602



1:5,400

Printed Date: 8/5/2020

PD 830 TRACT MAP

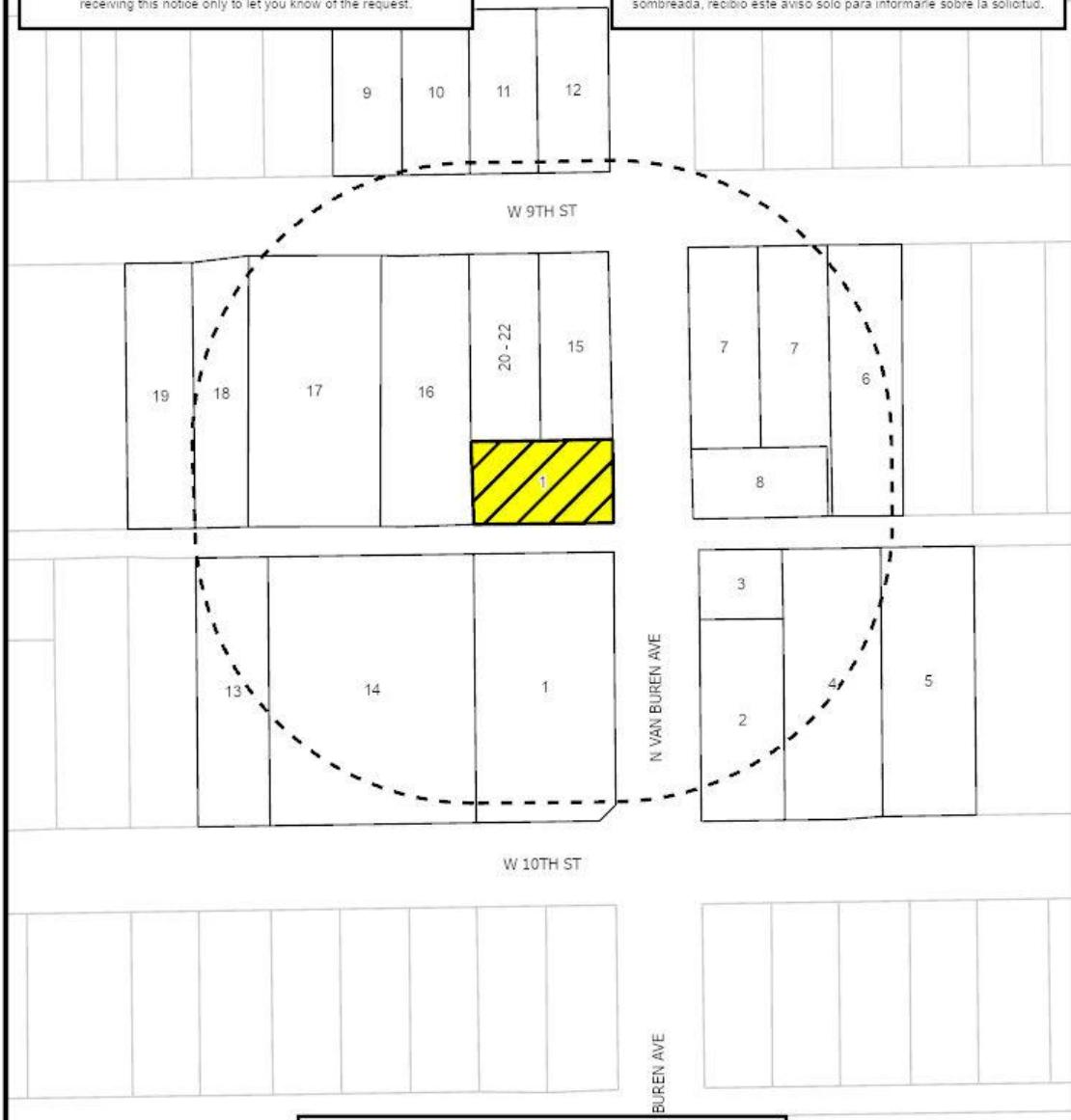
Subdistrict 3, 3A and 3B

East Garden District, Bishop Arts Branch Library and Bishop Arts Mixed Use District

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The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.

El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será rezonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.



The number '0' indicates City of Dallas Ownership



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

22

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BOA-25-000082

Date: 12/5/2025

Notification List of Property Owners

BOA-25-000082

22 Property Owners Notified

Label #	Address	Owner
1	703	W 10TH ST
2	631	W 10TH ST
3	112	N VAN BUREN AVE
4	627	W 10TH ST
5	625	W 10TH ST
6	628	W 9TH ST
7	634	W 9TH ST
8	118	N VAN BUREN AVE
9	713	W 9TH ST
10	711	W 9TH ST
11	705	W 9TH ST
12	701	W 9TH ST
13	723	W 10TH ST
14	715	W 10TH ST
15	700	W 9TH ST
16	710	W 9TH ST
17	716	W 9TH ST
18	720	W 9TH ST
19	726	W 9TH ST
20	708	W 9TH ST
21	708	W 9TH ST
22	708	W 9TH ST

	NOTIFICATION		Case no: <u>BOA-25-000082</u>
1:1,200	200'	AREA OF NOTIFICATION	Date: <u>12/5/2025</u>
	22	NUMBER OF PROPERTY OWNERS NOTIFIED	

Route Directions:

Start on W 10th St.

Right on N Vernon Ave.

Right on W 9th St.

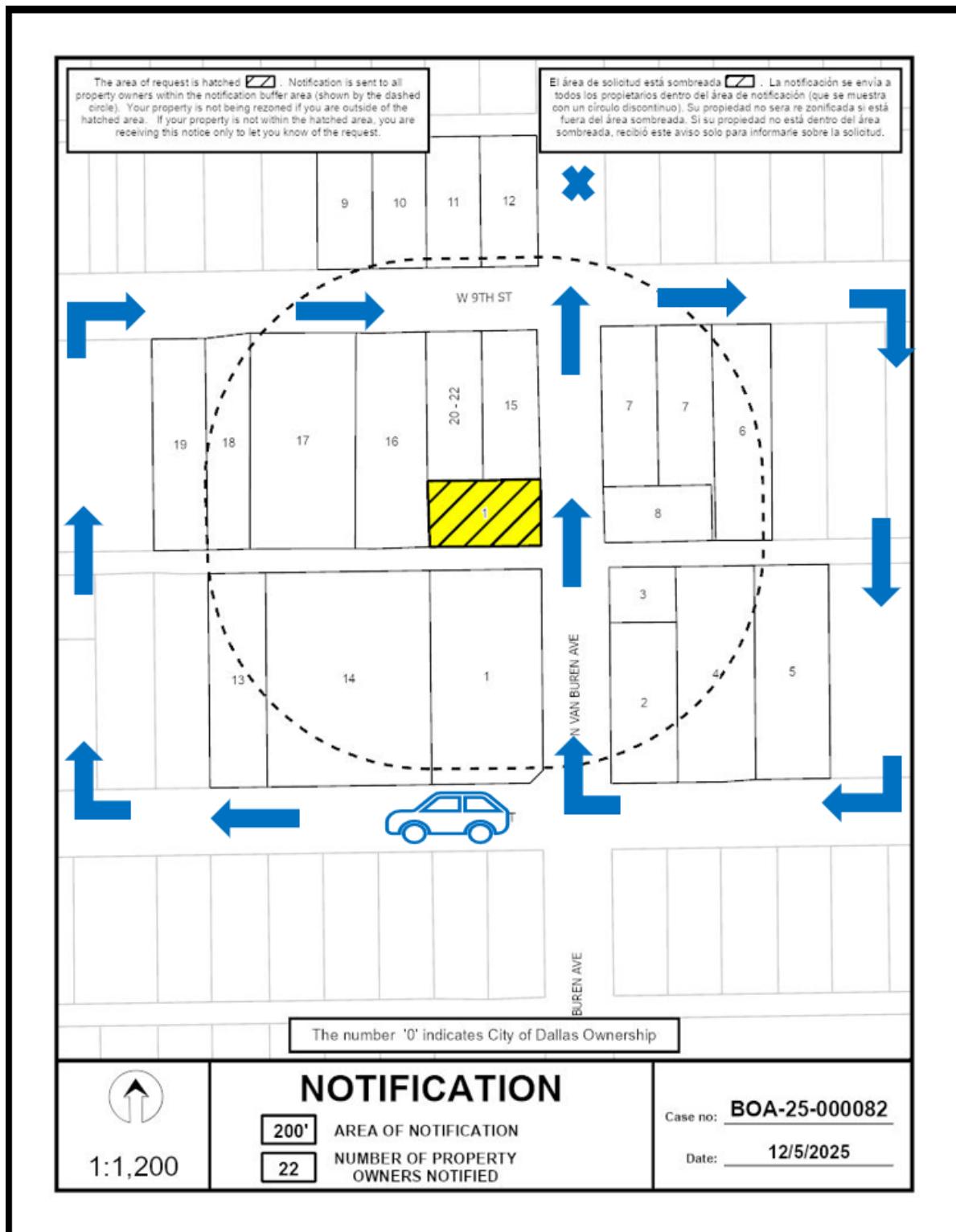
Right on N Llewellyn Ave.

Right on W 10th St.

Right on N Van Buren Ave.

***Subject Site at 3:07**

200' Radius Route Map



NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL C)

NOTICE IS HEREBY GIVEN that the BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B) will hold a hearing as follows:

DATE: THURSDAY, JANUARY 22, 2026

BRIEFING: 10:30 a.m. via Videoconference and in 6ES COUNCIL BRIEFING, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa012226>

HEARING: 1:00 p.m. via Videoconference and in 6ES COUNCIL BRIEFING, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa012226>

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment.

BOA-25-000082(BT) Application of Chad Mills for (1) a variance to the maximum front yard setback regulations at 117 N VAN BUREN AVENUE. This property is more fully described as Block 154/3213, Lot 11A, and is zoned PD-830 (Subdistrict 3), which requires a minimum front yard setback of 0 feet and a maximum front yard setback of 10 feet. The applicant proposes to construct and/or maintain a residential structure and provide a 22-foot front-yard setback, which will require (1) a 12-foot variance to the maximum front-yard setback regulations.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to BDReply@dallas.gov. Letters will be accepted until 9:00 am the day of the hearing. if you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and at 6ES Council Briefing. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually must register online at <https://bit.ly/BDA-C-Register> by the 5 p.m. on Wednesday, January 21, 2026. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallasty or YouTube.com/CityofDallasCityHall.

Speakers at the meeting are allowed a maximum of three minutes to address the Board.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner at (214) 948-4502, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment
Planning & Development Department
1500 Marilla Street 5CN Dallas TX 75201

PLEASE SEND REPLIES TO:

BDReply@dallas.gov

Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:

<https://bit.ly/BDA-C-Register>