

**FILE NUMBER:** BOA-25-000081(SD)

**BUILDING OFFICIAL'S REPORT:** Application of Robert Baldwin for a **(1)** variance to the floor area for structures accessory to single family use regulations at **4710 DORSET ROAD**. This property is more fully described as Block E/5532, Lot 3, and is zoned R-1ac(A), which states that an accessory structure may not exceed 25 percent of the floor area of the main structure. The applicant proposes to construct and/or maintain a single-family residential accessory structure with 2,139 square feet of floor area (50.1% of the 4,267 square foot floor area of the main structure), which will require a **(1)** 1,072 square foot variance to the floor area for structures accessory to single family use regulations.

**LOCATION:** 4710 Dorset Road

**APPLICANT:** Robert Baldwin

**REQUEST:**

- (1) A variance to the floor area for structures accessory to single family use regulations.

**STANDARDS OF REVIEW FOR A VARIANCE:**

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

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

**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 floor area for structures accessory to single family use regulations:**

**Denial**

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

- A. Not contrary to the public interest as letters of opposition were not received, vegetation/landscaping and fencing obstruct property view from adjacent neighbor(s). In addition, proposed structure will serve as subordinate to the main remaining consistent and in compliance with applicable code. Appears to not pose any safety, aesthetic, or monetary issues (S.A.M.).
- B. Lot is not considered to be restrictive as it is the largest lot within the 200 foot area of notification and can be developed in a manner commensurate with the development upon other parcels of land with the same zoning.
- C. Appears to be a self-created or personal hardship due to the utility of proposed accessory structure.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: R-1ac(A)  
North: R-1ac(A)  
South: R-1ac(A)  
West: R-1ac(A)

**Land Use:**

The subject site is developed with a single-family home with surrounding properties sharing the same type of development.

**BDA History:**

No BDA history has been found within the last 5 years

## **GENERAL FACTS/STAFF ANALYSIS:**

- The application of Robert Baldwin for the property located at 4710 Dorset Road focuses on one request relating to the floor area for structures accessory to single family use regulations.
- As illustrated on the site plan, floor plan, and elevations, the applicant proposes to construct and/or maintain a single-family residential accessory structure with 2,139 square feet of floor area (50.1% of the 4,267 square foot floor area of the main structure), which will require a 1,072 square foot variance to the floor area for structures accessory to single family use regulations.
- This case comes to the Board of Adjustment as an applicant self-referral.
- Lot is not considered to be restrictive as it is the largest lot within the 200 foot area of notification and can be developed in a manner commensurate with the development upon other parcels of land with the same zoning.
- The property contains an existing 4,267-square-foot casita that functions as the primary structure for zoning purposes but is unusually small relative to the size of the two-acre lot. This disproportion creates a unique condition: the percentage-based limitation on accessory-structure floor area yields an accessory-use allowance significantly smaller than what is typical or functional for a parcel of this acreage. Strict enforcement would prevent the reasonable use of the property for accessory purposes consistent with the district.
- The allowable floor area for an accessory structure is limited to approximately 1,066 square feet—insufficient to accommodate a typical multi-vehicle garage and storage area customary for a two-acre lot in the R-1ac(A) district.
- While the lot is not of restrictive area, shape, or slope, the lot's size imposes restrictions that surrounding properties would not have to adhere to.
- The applicant has the burden of proof in establishing the following:
  1. That granting the variance to the floor area for structures accessory to single family use regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
  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.

### **SECTION 51 A-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:

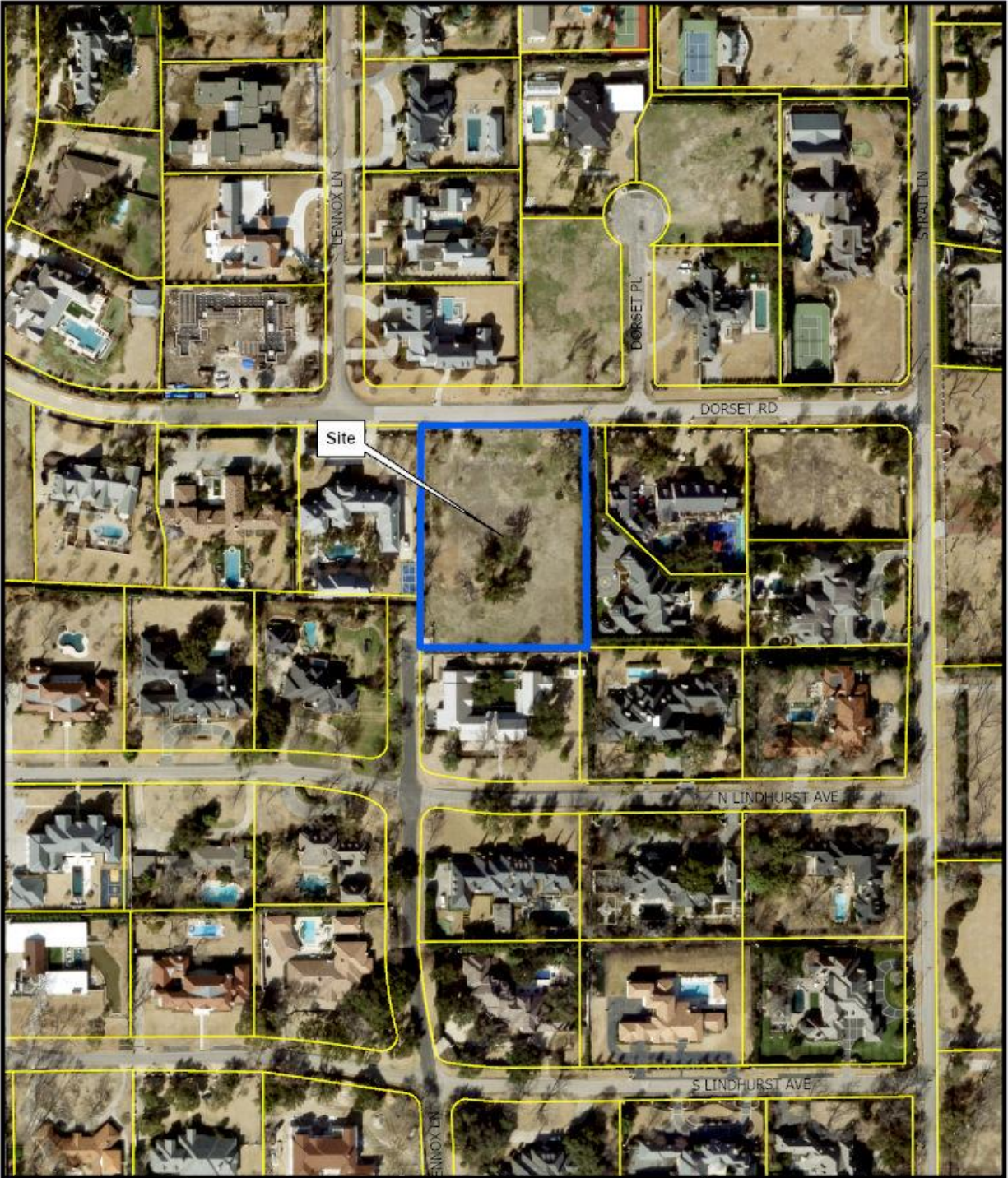
- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.

- (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 floor area for structures accessory to single family use 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-25-000081 at Dorset Road](#)

**Timeline:**

- November 3, 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.
- November 5, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.
- November 14, 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 1, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **December 5, 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 1, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **December** public hearings. Review team members in attendance included: Planning Manager, The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planners, Project Coordinator, Conservation District Chief Planner, Chief Arborists, and Transportation Engineer.





1:2,400

# AERIAL MAP

Case no: **BOA-25-000081**

Date: **11/05/2025**





1:2,400

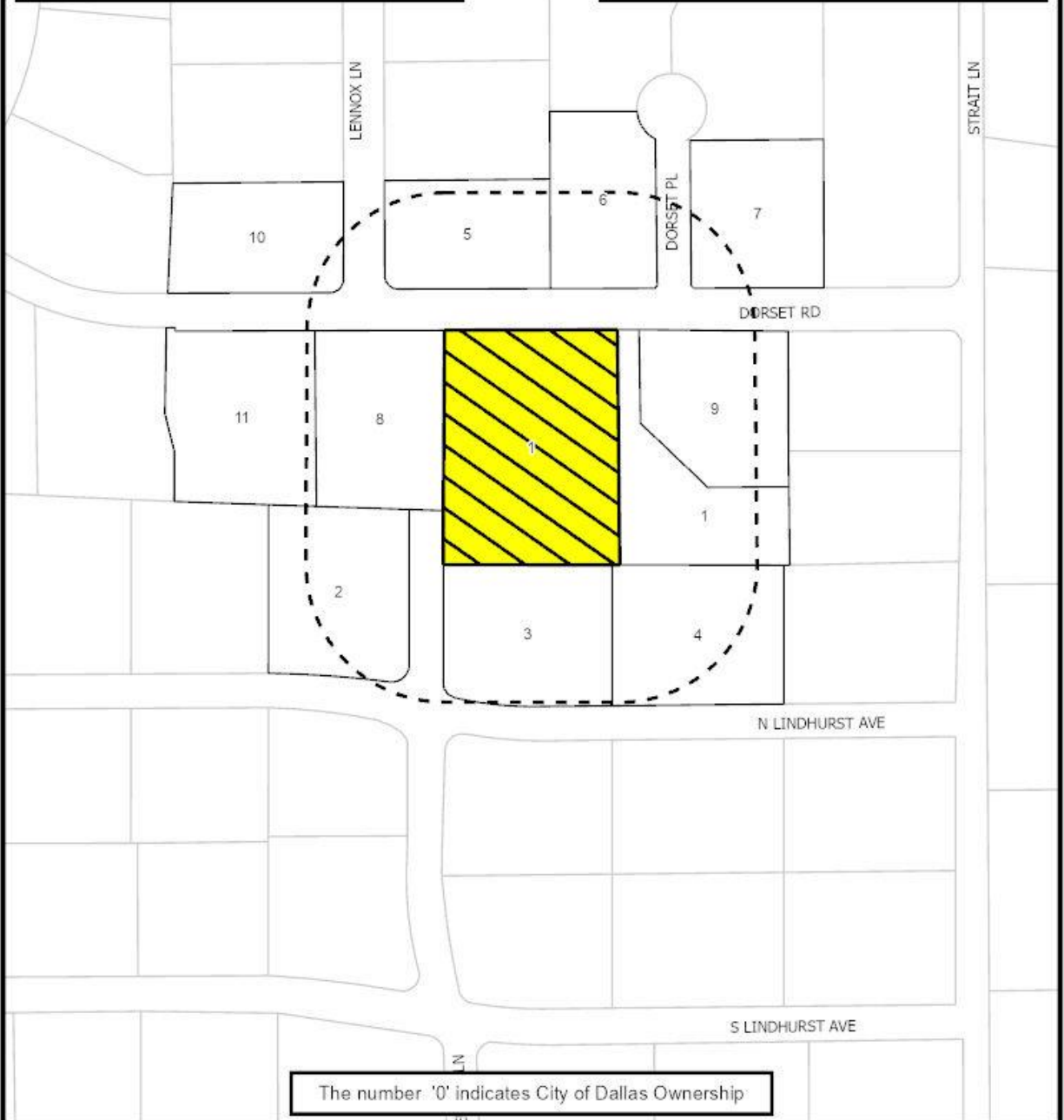
# ZONING MAP

Case no: **BOA-25-000081**

Date: **11/05/2025**

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 re zonificada 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

  
1:2,400

## NOTIFICATION

**200'** AREA OF NOTIFICATION  
**11** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-25-000081**  
 Date: **11/5/2025**

# *Notification List of Property Owners*

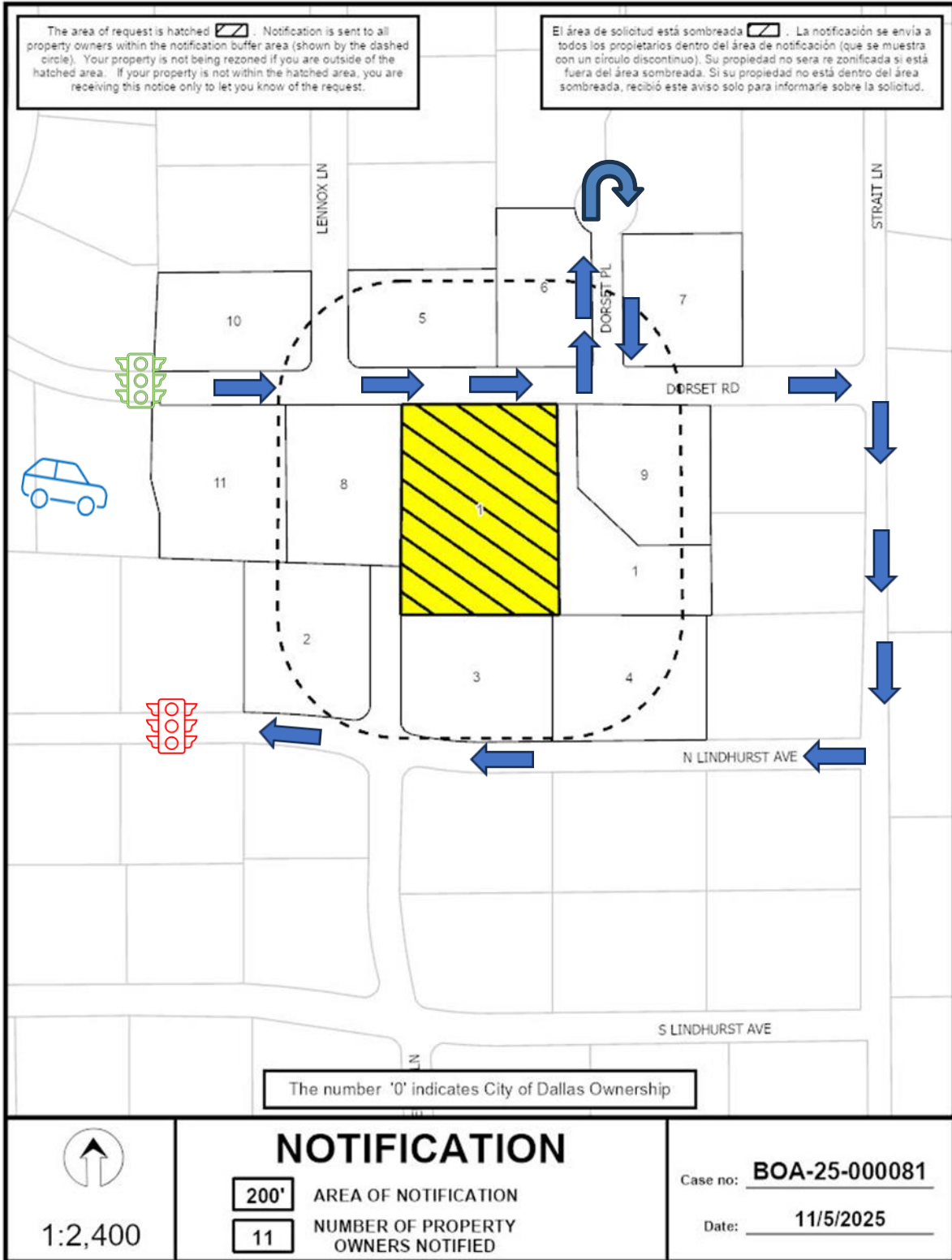
***BOA-25-000081***

## ***11 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4710 DORSET RD	BMAS TRUST THE
2	4731 N LINDHURST AVE	MANGELSDORF DAVID &
3	4801 N LINDHURST AVE	TINKER DANIEL & AUDREY
4	4835 N LINDHURST AVE	FORAN JOSEPH WM & NANCY N
5	4707 DORSET RD	KORINEK JOHN T &
6	3 DORSET PL	NAIFEH JEROME G & DONNA
7	2 DORSET PL	KENNEALEY DOUGLAS L &
8	4700 DORSET RD	10573 INWOOD ROAD LLC
9	4804 DORSET RD	WATTERS JOHN P &
10	10311 LENNOX LN	GOODING HOLDINGS LIMITED
11	4626 DORSET RD	BERLIN RONALD P & GAIL M



# 200' Radius Route Map



 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table><tr><td style="border: 1px solid black; padding: 2px;">200'</td><td>AREA OF NOTIFICATION</td></tr><tr><td style="border: 1px solid black; padding: 2px;">11</td><td>NUMBER OF PROPERTY OWNERS NOTIFIED</td></tr></table>	200'	AREA OF NOTIFICATION	11	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BOA-25-000081</u> Date: <u>11/5/2025</u>
200'	AREA OF NOTIFICATION					
11	NUMBER OF PROPERTY OWNERS NOTIFIED					

**Route Directions:**

**Start on Dorset Road.**

**Make a left on Dorset Place.**

**U-Turn in Dorset Place cul-de-sac.**

**Left on Dorset Road.**

**Right on Strait Lane.**

**Right on Lindhurst Avenue.**

**\*\*\*END\*\*\***

**\*Subject Site at 0:44 from Dorset Road.**



November 25, 2025

The Dallas Board of Adjustment – Panel C  
c/o Nikki Dunn  
Senior Planner – Board of Adjustment  
Department of Development Services  
City of Dallas  
1500 Marilla Street, Room 5BN  
Dallas, Texas 75201

***Re: BOA-25-000081***

Dear Commissioners,

This firm represents the owner of the property located at 4710 Dorset Road in connection with their request for a variance to the maximum size of an accessory structure permitted in the R-1ac(A) zoning district. Approval of this request is essential to allow the subject property to be developed in a manner commensurate with other residences in the district and consistent with the development pattern of the surrounding neighborhood.

**1. The variance is not contrary to the public interest.**

The proposed accessory structure complies with all setback, height, and lot-coverage requirements and is located on a two-acre tract that provides substantial separation from adjacent properties. The structure is subordinate in appearance and massing and will not create adverse visual, traffic, drainage, or operational impacts. The variance will not impair neighboring properties or disrupt established neighborhood character.

**2. The spirit and intent of the Dallas Development Code is observed and substantial justice is done.**

The intent of the 25-percent accessory-structure limitation is to ensure that accessory uses remain secondary and do not dominate the primary use of the property. In this case, the lot is unusually large, and the proposed garage and storage structure remains subordinate to the use and overall scale of the two-acre parcel. Approval will allow reasonable and customary development without undermining the ordinance's purpose. Granting the variance maintains proportionality and consistency with development patterns in the R-1ac(A) district, ensuring substantial justice.

3904 Elm Street Suite B · Dallas, TX 75226 · 214-824-7949

**3. The special conditions of the property create an unnecessary hardship and are not self-created.**

The property contains an existing 4,267-square-foot casita that functions as the primary structure for zoning purposes but is unusually small relative to the size of the two-acre lot. This disproportion creates a unique condition: the percentage-based limitation on accessory-structure floor area yields an accessory-use allowance significantly smaller than what is typical or functional for a parcel of this acreage. Strict enforcement would prevent the reasonable use of the property for accessory purposes consistent with the district.

**4. The variance is necessary to permit development of the property that cannot otherwise be feasibly achieved.**

Without the variance, the allowable floor area for an accessory structure would be limited to approximately 1,066 square feet—insufficient to accommodate a typical multi-vehicle garage and storage area customary for a two-acre lot in the R-1ac(A) district. The proposed 2,139-square-foot garage with upper-level storage is the minimum size needed to serve the property’s established recreational and supportive functions, particularly given the adjacency to the owner’s primary residence. No feasible alternative configuration exists that would provide functional utility while complying with the percentage restriction.

**5. The special conditions of the property are unique and do not generally apply to other properties in the same zoning district.**

An analysis of 13 nearby properties demonstrates an average primary-structure size of approximately 10,972 square feet on lots averaging 1.17 acres. When scaled, a typical two-acre lot within the area would be expected to contain roughly 19,828 square feet of primary structure, permitting an accessory structure of up to 2,743 square feet under the 25-percent rule. The subject property’s development—featuring a disproportionately small casita on a very large lot—is atypical and creates a unique hardship not shared by adjacent parcels or others generally in the district.

**6. The requested variance is the minimum necessary to afford relief.**

The applicant proposes an accessory structure that remains smaller than what would be allowed on a typical two-acre lot developed in accordance with neighborhood standards—approximately 22 percent smaller than a proportionally permitted structure. The variance is limited strictly to accessory-structure floor area and does not request relief from any other code provision. The request is narrowly tailored and represents the least modification required to enable reasonable use of the property.

November 26, 2025  
Page 3

Thank you for your time and attention to this matter.

With kind regards,

A handwritten signature in blue ink, consisting of a stylized initial 'A' followed by a long, sweeping horizontal line that tapers to the right.

## 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 C) will hold a hearing as follows:

**DATE:** MONDAY, DECEMBER 15, 2025

**BRIEFING:** 10:30 a.m. via Videoconference and in 6ES COUNCIL BRIEFING at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1215>

**HEARING:** 1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1215>

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

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**BOA-25-000081(ND)** Application of Robert Baldwin for (1) a variance to the floor area for structures accessory to single family use regulations at **4710 DORSET ROAD**. This property is more fully described as Block E/5532, Lot 3, and is zoned R-1ac(A), which states that an accessory structure may not exceed 25 percent of the floor area of the main structure. The applicant proposes to construct and/or maintain a single-family residential accessory structure with 2,139 square feet of floor area (50.1% of the 4,267 square foot floor area of the main structure), which will require (1) a 1,072 square foot variance to the floor area for structures accessory to single family use regulations.

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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 [BDAREPLY@dallas.gov](mailto:BDAREPLY@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 **Sunday, December 14, 2025. 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/cityofdallastv](http://bit.ly/cityofdallastv) or [YouTube.com/CityofDallasCityHall](http://YouTube.com/CityofDallasCityHall).

**Speakers at the meeting are allowed a maximum of five (5) minutes to address the Board.**

Additional information regarding the application may be obtained by calling Sheniqua Dunn, Senior Planner at (214) 948-4501, 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 and Development Department  
1500 Marilla Street 5CN, Dallas TX 75201

**PLEASE SEND REPLIES TO:**

[BDAREPLY@dallas.gov](mailto:BDAREPLY@dallas.gov)

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

**PLEASE REGISTER AT:**

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