



CITY OF DALLAS

APPLICATION FOR A VARIANCE FROM THE MINIMUM DISTANCE REGULATIONS RELATED TO THE SALE OF ALCOHOLIC BEVERAGES Chapter 6—Alcoholic Beverages, City of Dallas Code of Ordinances

Applicant Herby's Burgers INC

(Must match the business name on TABC application)

Contact person, title Rob Baldwin, Baldwin Associates

(Land owner, business owner, representative)

Property owner's name Joseph and Roberta Christopher

Contact person's phone 2148247949

Address of request site 2109 S. Edgefield Ave

Contact person's address rob@baldwinplanning.com

Protected use's address 2200 S. Edgefield Ave

Type of protected use:

- Church
Public school / open-enrollment charter school
Private school
Public hospital
Daycare/child-care facility

Type of business seeking to sell alcohol:

- Alcoholic beverage manufacturing
General merchandise or food store with 10,000 square feet or more floor area
Microbrewery, microdistillery, or winery
Restaurant without drive-in or drive-through service

Type of TABC permit(s) to be sought:

- Brewer's permit, "B" / Manufacturer's license, "BA"
Distiller's and rectifier's permit, "D"
Food and beverage certificate, "FB"
Mixed beverage permit, "MB"
Wine and beer retailer's off-premise permit, "BQ"
Wine and beer retailer's permit, "BG"
Winery, "G"

The nonrefundable variance application fee is \$1,200.00 and the sign fee, which is between \$10 and \$50 depending on street frontages. A statement explaining how the request meets the standard below is required as part of this application. The burden of proving that the request meets the standard is solely the responsibility of the applicant. Additional evidence supporting the request may be submitted along with this application.

Enforcement of the spacing requirements in this particular instance (1) is not in the best interest of the public; (2) constitutes waste or inefficient use of land or other resources; (3) creates an undue hardship on an applicant for an alcohol permit; (4) does not serve its intended purpose; is not effective or necessary; or (5) for any other reason that the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

REQUIRED ATTACHMENTS:

- Statement of request
List of officers for alcohol business and property owner
Sealed alcohol survey showing 300 foot radius and door to door measurements (protected use must be indicated on this survey)

AUTHORIZATION BY PROPERTY OWNER(S)

Joseph Christopher and Roberta Christopher

I, the owner of the property to be considered, hereby authorize the above business and representative to file this application for a variance from the requirements of Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances.

Joseph Christopher
Roberta Christopher

Owner's Printed Name

Joseph and Roberta Christopher

Owner's Signature

APPLICANT ACKNOWLEDGEMENT AND AFFIDAVIT

I have read, examined, and completed this application; and know the information provided to be true and correct. I hereby apply for a variance from the distance requirements in Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances. I understand that this application, including all submitted documentation, are public information and can be made available through an Open Records Request per the Texas Public Information Act (Texas Government Code, Chapter 552).

Rob Baldwin

Applicant's Printed Name

Applicant Signature

Sworn to and subscribed before me by on this day 8 of Sept in the year 2025, to certify which witness my hand and seal of office.



Michele Stoy

Notary Public in and for the State of Texas

Date received:

Receipt No.:

Case number:

# Baldwin

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## Associates

December 8, 2025

Dr. Andreea Udrea  
Deputy Director  
Planning and Development  
City of Dallas  
1500 Marilla, 5BN  
Dallas, TX 75201

RE: Variance for restaurant without drive-in or drive-through service to sell alcoholic beverages for on-premise consumption at 2109 S. Edgefield Avenue

Dear Dr. Udrea,

Herby's Burgers, Inc. seeks to operate a restaurant without drive-in or drive-through service that is located at 2109 S. Edgefield Avenue.

This property is located within 300 feet of the Margaret B. Henderson Elementary School, a D.I. S.D. public school. The walking distance from the restaurant and the nearest front door of the campus is approximately 222.4 feet.

A variance to the spacing requirement for this use does not create an adverse effect on the surrounding community. A restaurant use must still comply with TABC requirements for licensing.

We have attached the application form, required alcohol survey, and list of officers. Please feel free to contact me if you have any questions or concerns in this matter.

With kind regards,



Rob Baldwin