

FILE NUMBER: BOA-26-000037

BUILDING OFFICIAL'S REPORT: Application of Miguel Abrego for **(1)** a variance to the side yard setback regulations at **8122 ARLENE LANE**. This property is more fully described as Block 7/7858, Part of Lot 7 and Tract 6, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 1-foot 8-inch side yard setback, which will require **(1)** a 3-foot 4-inch variance to the side yard setback regulations.

LOCATION: 8122 Arlene Lane

APPLICANT: Miguel Abrego

REQUEST:

(1) A variance to the side-yard setback 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 side-yard setback regulations:

Approval

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

- A. Not contrary to the public interest.
- B. The subject site is restrictive in area, as the square footage is 7,413 square feet and the minimum lot size for R-7.5(A) is 7,500 square feet; therefore, it cannot be developed in a manner commensurate with other properties with the same zoning
- C. Not self-created or personal hardship.

BACKGROUND INFORMATION:

Zoning:

- Site: R-7.5(A)
- North: R-7.5(A)
- East: R-7.5(A) and MU-1
- South: A(A)
- West: R-7.5A)

Land Use:

The subject site along with properties to immediate north, south, east and west are all developed with single family homes.

BDA History:

No BDA history has been found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Miguel Abrego for the property located at 8122 Arlene Lane focuses on one request relating to the side-yard setback regulations.
- As illustrated on the site, the applicant is proposing to maintain an existing detached accessory structure (garage), providing a 1-foot 8-inch side yard setback, which will require a 3-foot 4-inch variance to the side yard setback regulations.
- The minimum side yard requirement for this lot is 5-feet.

- It is important to note that there was an application on file and permitted for a detached accessory structure, however, the structure was not built per the approved plans. Therefore, a new permit application for a permit has been applied for.
- Per the applicant, the structure was constructed prior to the current permit application and has been verified through a sealed survey and city inspection as an existing condition. Due to its location, relocation or demolition of the structure would create an unreasonable economic and structural hardship.
- Additionally, the applicant states that the requested variance will not negatively impact public safety or surrounding properties.
- It is important to note that there was an application on file and permitted for a detached accessory structure, however, the structure was not built per the approved plans.
- 200' radius video: [BOA-26-000037 at 8122 Arlene Ln.](#)

The applicant has the burden of proof in establishing the following:

1. That granting the variance to the side-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.

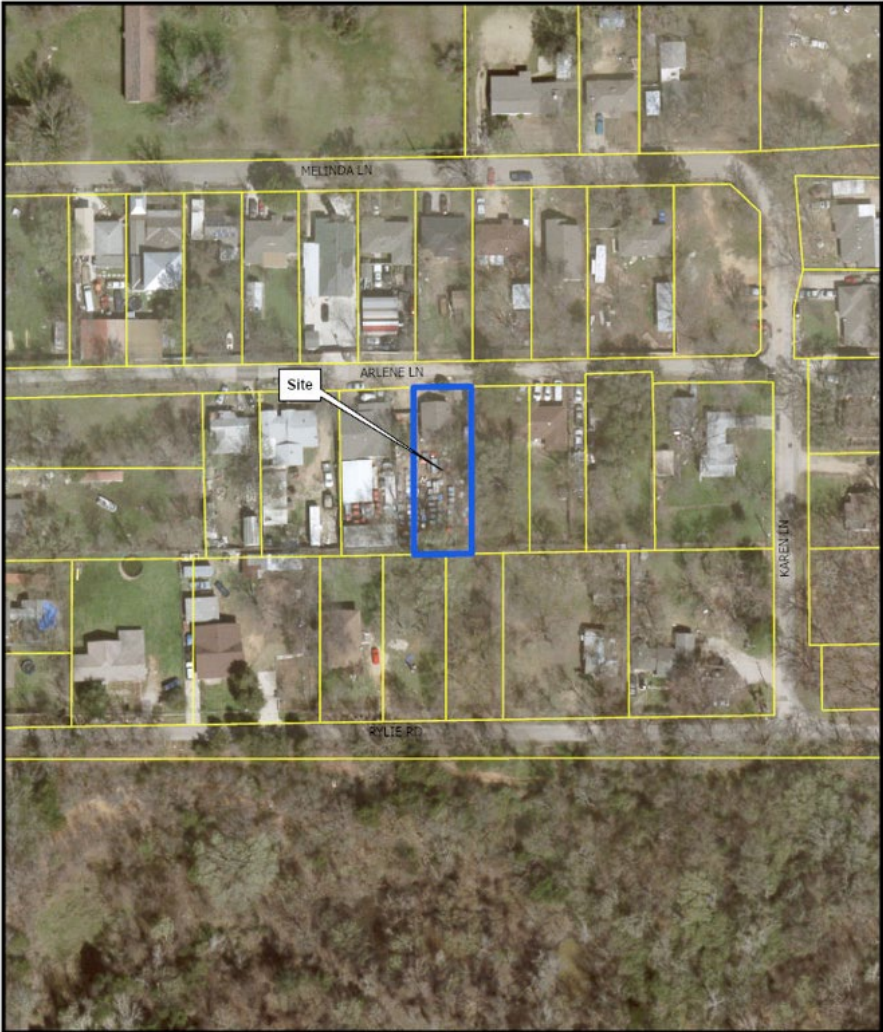
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 - (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (v) the municipality considers the structure to be a nonconforming structure.
- Granting the variance to the side-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.

Timeline:

- May 7, 2026: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- May 7, 2026: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.
- May 18, 2026: 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 **May 22, 2026**, deadline to submit additional evidence for staff to factor into their analysis; and **June 5, 2026**, 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.
- May 28, 2026: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **June** 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.




1:1,200


AERIAL MAP

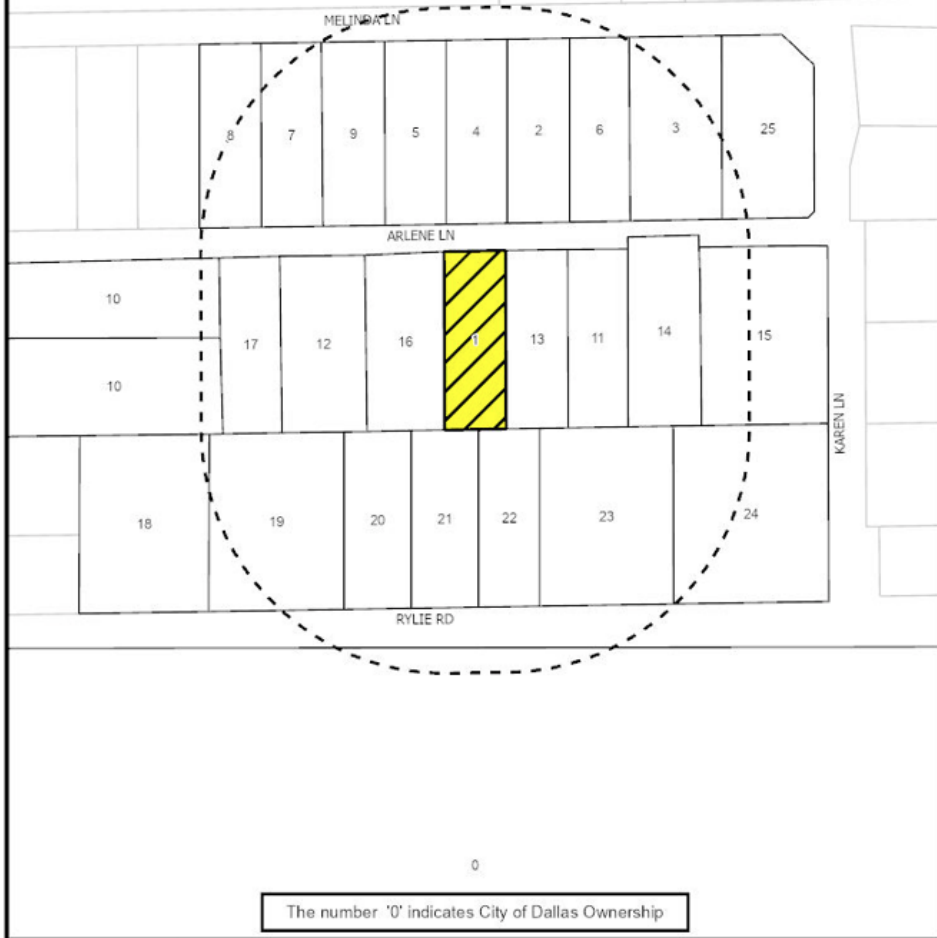
Case no: **BOA-26-000037**

Date: **05/08/2026**



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.



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
25 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-26-000037**

Date: **5/8/2026**

Notification List of Property Owners

BOA-26-000037

25 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8122 ARLENE LN	ABREGO MIGUEL ANGEL &
2	8218 MELINDA LN	RIVERA EFRAIN R
3	8222 MELINDA LN	SANCHEZ SAYUNARA LUCIO
4	8216 MELINDA LN	BUSH JAMES MICHAEL & BECKIE DELUNA SHUEMAKER
5	8214 MELINDA LN	I2024 ORTIZ PROPERTY TRUST
6	8220 MELINDA LN	CUELLAR ANTONIO PEREZ &
7	8210 MELINDA LN	ROSALES GASTON C
8	8122 MELINDA LN	J&D REI LLC
9	8212 MELINDA LN	CONTRERAS AMELIA
10	1728 MURDOCK RD	JUAREZ CARLOS
11	8220 ARLENE LN	Taxpayer at
12	8114 ARLENE LN	CASTRO CARLOS ALBERTO JUAREZ &
13	8218 ARLENE LN	D REALTY INVESTMENTS
14	8222 ARLENE LN	SANCHEZ ELIAZAR & ESMERALDA
15	1713 KAREN LN	HAWKINS R L
16	8118 ARLENE LN	ABREGO MIGUEL ANGEL
17	8112 ARLENE LN	SCHILLING ARTHUR W EST OF
18	8111 RYLIE RD	GURRUSQUIETA MARIA ANGELICA
19	8123 RYLIE RD	GOMEZ JOSE A
20	8131 RYLIE RD	MA ST PARTNERS 6
21	8137 RYLIE RD	Taxpayer at
22	8143 RYLIE RD	UTR HOMES LLC
23	8151 RYLIE RD	DIAZ JOSE A HERNANDEZ
24	8155 RYLIE RD	RIVERA JERONIMO & RAQUEL
25	8230 MELINDA LN	MENDOZA CLETO CHAMU &



Planning & Development Department

320 E Jefferson Blvd, Dallas TX 75203
(214) 948-4480

BOARD OF ADJUSTMENT REFERRAL FORM	
Referred by: JOHN FORBES	Date: 02-23-2026
Department:	
Phone/Email: 214-948-4461/JOHN.FORBES@DALLAS.GOV	
Manager signature: <i>Loree Lewis</i>	
Consulted with:	
<input checked="" type="checkbox"/> Applicant	
<input type="checkbox"/> Representative	
<input type="checkbox"/> Owner	
Name: Miguel Abrego	
Phone/Email: 972-999-6029/BASSAM2025@MYAHOO.COM	
Property Information	
Address: 8122 Arlene Ln	
Lot: 7	
City Block: 7/7858	
Zoning Classification: R-7.5(A)	
Issues that require Board action Existing structure inside of side setbacks.	
List the City of Dallas Development Code(s) this project is non-compliant with:	
Check all that apply: <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Special Exception	
<input checked="" type="checkbox"/> Yard setback	
<input type="checkbox"/> Lot Width	
<input type="checkbox"/> Lot Depth	
<input type="checkbox"/> Lot coverage	
<input type="checkbox"/> Floor area for accessory structures for single-family uses	
<input type="checkbox"/> Height	
<input type="checkbox"/> Minimum width of sidewalk	
<input type="checkbox"/> Off-street parking	
<input type="checkbox"/> Off-street loading	
<input type="checkbox"/> Landscape regulations	
<input type="checkbox"/> fence height and/or standards	
<input type="checkbox"/> Visibility triangle obstructions	
<input type="checkbox"/> Parking demand	
<input type="checkbox"/> Additional dwelling unit (not for rent) <input type="checkbox"/> Accessory dwelling unit (for rent)	
<input type="checkbox"/> Carport	
<input type="checkbox"/> Non-conforming use or structure	
<input type="checkbox"/> Administrative Official Appeal	
<input type="checkbox"/> Other:	
Description: Structure and add on is within the 5' side setback. Proposed add on is already existing.	
Alternative resolutions discussed/offered:	

Route Directions:

Start on Melinda Ln

Right on Karen Ln

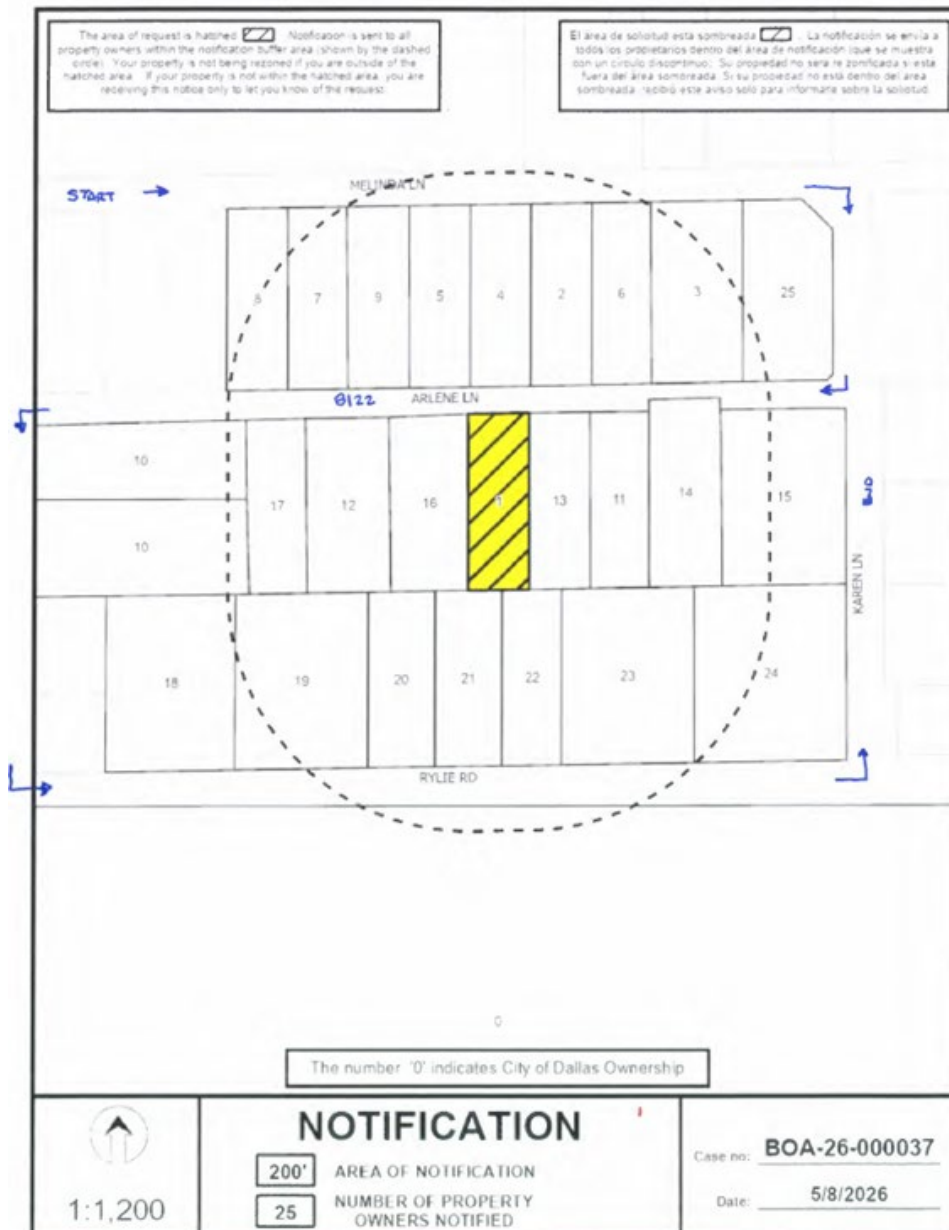
Right on Arlene Ln

Left on Murdock

Left on Rylie Rd

Left on Karen Ln

***Subject Site at 1:15 mark**



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, JUNE 15, 2026

BRIEFING: 10:30 a.m. via Videoconference and in 6ES COUNCIL BRIEFING at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa061526>

HEARING: 1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa061526>

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

BOA-26-000037(KMH) Application of Miguel Abrego for (1) a variance to the side yard setback regulations at 8122 ARLENE LANE. This property is more fully described as Block 7/7858, Part of Lot 7 and Tract 6, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 1-foot 8-inch side yard setback, which will require (1) a 3-foot 4-inch variance to the side 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 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 supporting or opposing 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, June 14, 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/cityofdallastv 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 Dr. Kameka Miller-Hoskins, Chief Planner at (214) 948-4478, 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
Letters will be received until 9:00 am
the day of the hearing.
PLEASE REGISTER AT:
<https://bit.ly/BDA-C-Register>