

**FILE NUMBER:** BOA-25-000108(BT)

**BUILDING OFFICIAL'S REPORT:** Application of Phillip Pelland for **(1)** a special exception to the visibility obstruction regulation at **10662 COUNTESS DRIVE**. This property is more fully described as Block A/6433, Lot 10, and is zoned R-10(A), which requires a 20-foot visibility triangle at an intersection of a street and an alley. The applicant proposes to construct and/or maintain a fence structure in a required 20-foot visibility obstruction triangle, which will require **(1)** a special exception to the 20-foot visibility obstruction regulation.

**LOCATION:** 10662 Countess Drive

**APPLICANT:** Phillip Pelland

**REQUEST:**

- (1) A request for a special exception to the 20-foot visibility obstruction regulations at the alley approach along Royal Lane.

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO VISUAL OBSTRUCTION REGULATIONS:**

Section 51A-4.602(d)(3) of the Dallas Development Code states that the board may grant a special exception to the visual obstruction regulations when in the opinion of the board, **the special exception will not constitute a traffic hazard.**

**STAFF RECOMMENDATION:**

Special Exceptions (1):

No staff recommendation is made on this request.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: R-10(A)

North: R-10(A)

East: R-10(A)

South: R-10(A)

West: R-10(A)

**Land Use:**

The subject site and all surrounding properties are developed with single-family uses.

**BDA History:**

No BDA history has been found within the last five years

## GENERAL FACTS/STAFF ANALYSIS:

- The application of Phillip Pelland for the property located at 10662 Countess Drive focuses on one request relating to visual obstruction regulations.
- The applicant is requesting a special exception to the 20-foot visibility obstruction triangle at the alley approach.
- It is imperative to note the subject site is located within the Airport Height Overlay: Love Field.
- It is imperative to note that the fencing is existing and backs up to the Northaven Trail.
- David Nevarez from Planning and Development Transportation provided the following comments on 01/30/2026:
  - “Staff recommends denial of request to formally approve an existing encroachment into the visibility triangle dimensions at the intersection of the public alley and public street. Approving the proposed encroachment at this location would result in legal liability for the City of Dallas.”
- Staff referral provided.
- The applicant has the burden of proof in establishing that the special exception to the visibility obstruction regulations will not constitute a traffic hazard.
- Granting the special exception to the visual obstruction 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-25-000108 at 10662 Countess Dr](#)

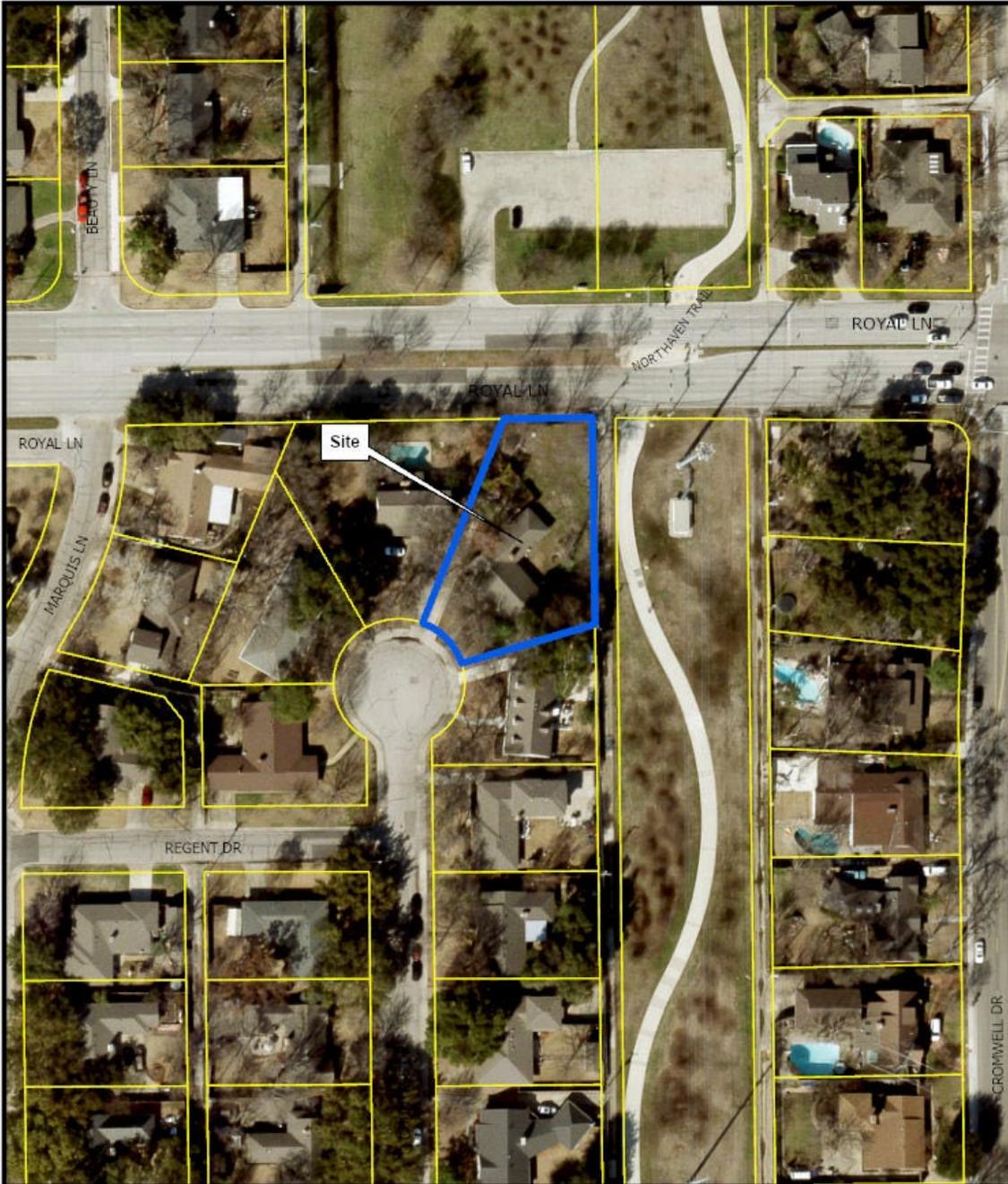
## Timeline:

- January 2, 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.
- January 8, 2026: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.
- January 23, 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 **January 23, 2026**, deadline to submit additional evidence for staff to factor into their analysis; and **February 6, 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.

February 4, 2026:

The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **February** 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-25-000108

Date: 01/06/2026



1:1,200

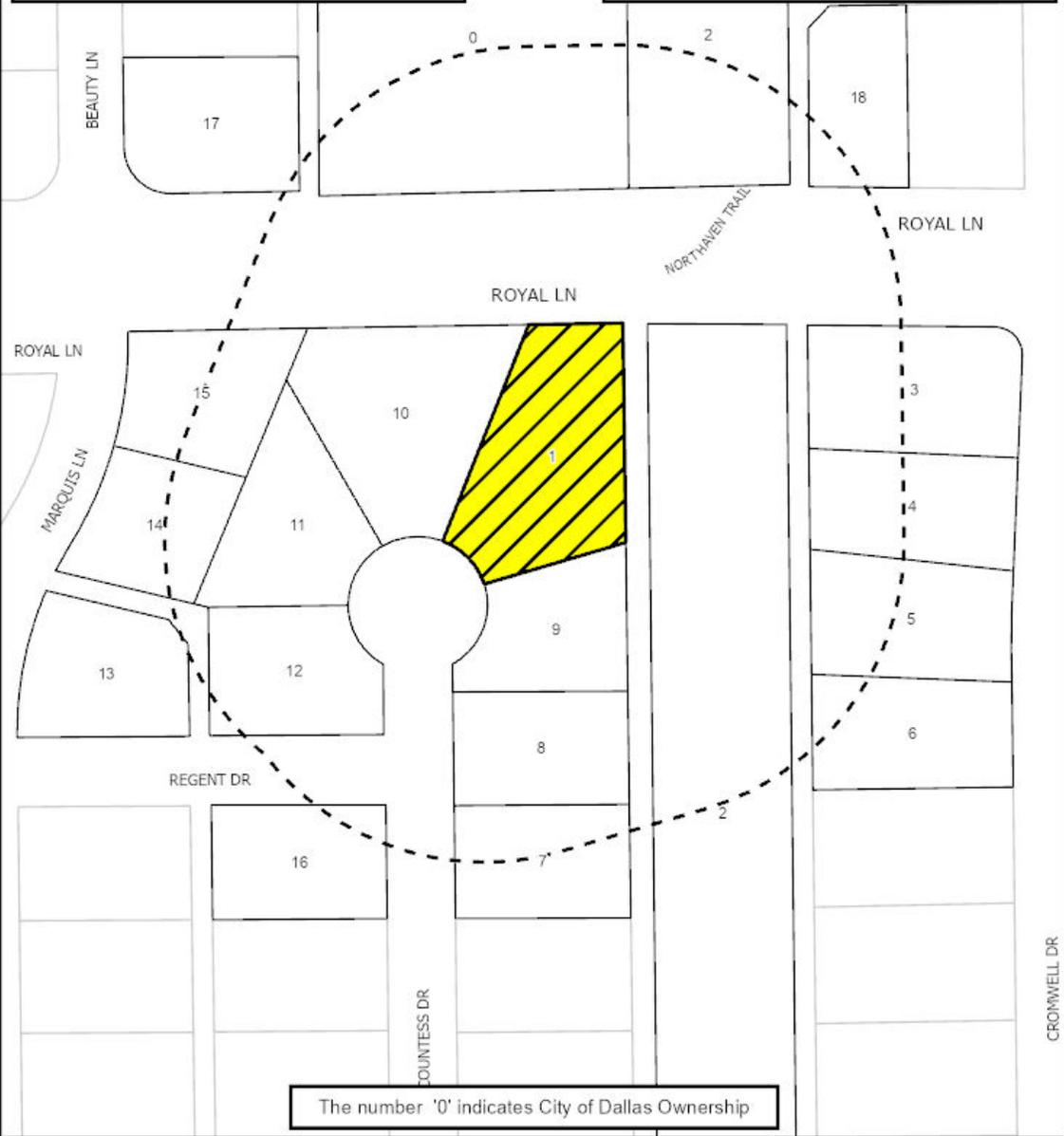
# ZONING MAP

Case no: BOA-25-000108

Date: 01/06/2026

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 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	<h2>NOTIFICATION</h2> <p><b>200'</b> AREA OF NOTIFICATION</p> <p><b>18</b> NUMBER OF PROPERTY OWNERS NOTIFIED</p>	Case no: <b>BOA-25-000108</b> Date: <b>1/6/2026</b>
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# Notification List of Property Owners

**BOA-25-000108**

**18 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	10662 COUNTESS DR	PELLAND JACQUELINE TRUST THE
2	10500 CROMWELL DR	ONCOR ELECTRIC DELIVERY COMPANY
3	10743 CROMWELL DR	Taxpayer at
4	10737 CROMWELL DR	WHALEN TIMOTHY F
5	10733 CROMWELL DR	JONES DAVID S
6	10727 CROMWELL DR	MORA EBERADO
7	10644 COUNTESS DR	DEHAVEN JON K & DARCI E L
8	10650 COUNTESS DR	LANG NICHOLAS S & JOHNSON ABIGAIL L
9	10656 COUNTESS DR	BILLUPS BRIANNA MARIE &
10	10661 COUNTESS DR	<u>HILLYER MATTHEW D</u> & TERESA R
11	10657 COUNTESS DR	Taxpayer at
12	10653 COUNTESS DR	VISNICK MITCHELL WARREN SR
13	10708 MARQUIS LN	MILLER IAN & LAURA
14	10714 MARQUIS LN	Taxpayer at
15	10720 MARQUIS LN	JHES INVESTMENTS LLC
16	10643 COUNTESS DR	SOLORZANO PATRICIA &
17	10804 BEAUTY LN	Taxpayer at
18	3469 ROYAL LN	CHU BENNY & KIEN LE

 1:1,200	<b>NOTIFICATION</b>	Case no: <b>BOA-25-000108</b>
	<b>200'</b> AREA OF NOTIFICATION <b>18</b> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <b>1/6/2026</b>

REVIEW COMMENT SHEET  
 BOARD OF ADJUSTMENT  
 HEARING Tuesday, February 17, 2026 (A)

- |  |   |
|--|---|
| <input type="checkbox"/> Has no objections   | <input type="checkbox"/> BOA-25-000088            |
| <input type="checkbox"/> Has no objections if certain conditions are met<br>(see comments below or attached) | <input type="checkbox"/> BOA-25-000099            |
| <input checked="" type="checkbox"/> Recommends denial<br>(see comments below or attached)                    | <input type="checkbox"/> BOA-25-000103            |
| <input type="checkbox"/> No Comments   | <input type="checkbox"/> BOA-25-000105            |
| <input type="checkbox"/> Pending   | <input checked="" type="checkbox"/> BOA-25-000108 |
|  | <input type="checkbox"/>                          |

COMMENTS:

*Staff recommends denial of request to formally approve an existing encroachment into the visibility triangle dimensions at the interseciton of the public alley and public street. Approving the proposed encroachment at this location would result in legal liability for the City of Dallas.*

David Nevarez, P.E., PTOE, CFM, Engineering  
 Name/Title/Department

January 30, 2026  
 Date

Pease respond to each case and provide comments that justify or elaborate on your response. Dockets distributed to the Board will indicate those who have attended the review team meeting and who have responded in writing with comments.





# Planning & Development Department

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

## BOARD OF ADJUSTMENT REFERRAL FORM

Referred by: <u>Jessica Hernandez</u>	Date: <u>12/9/25</u>
Department: <u>Planning &amp; Development-Permit center</u>	
Phone/Email: <u>Jessica.hernandez4@dallas.gov</u>	
Manager signature:	
Consulted with:	
<input checked="" type="checkbox"/> Applicant	
<input type="checkbox"/> Representative	
<input type="checkbox"/> Owner	
Name: <u>Phillip Pelland</u>	
Phone/Email: <u>phillip@texasbleachers.com</u>	
Property Information	
Address: <u>10662 Countess Dr.</u>	
Lot: <u>10</u>	
City Block: <u>A/6433</u>	
Zoning Classification: <u>R-10A</u>	
Issues that require Board action	
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 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 checked="" 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:	
<u>Proposed 8ft fence in front yard setback</u>	
Alternative resolutions discussed/offered:	
<u>variance or meet fence regulations to not exceed 4ft in height</u>	

**Route Directions:**

**Start on Countess Dr.**

**Right on Regent Dr.**

**Right on Marquis Ln.**

**Right on Royal Ln.**

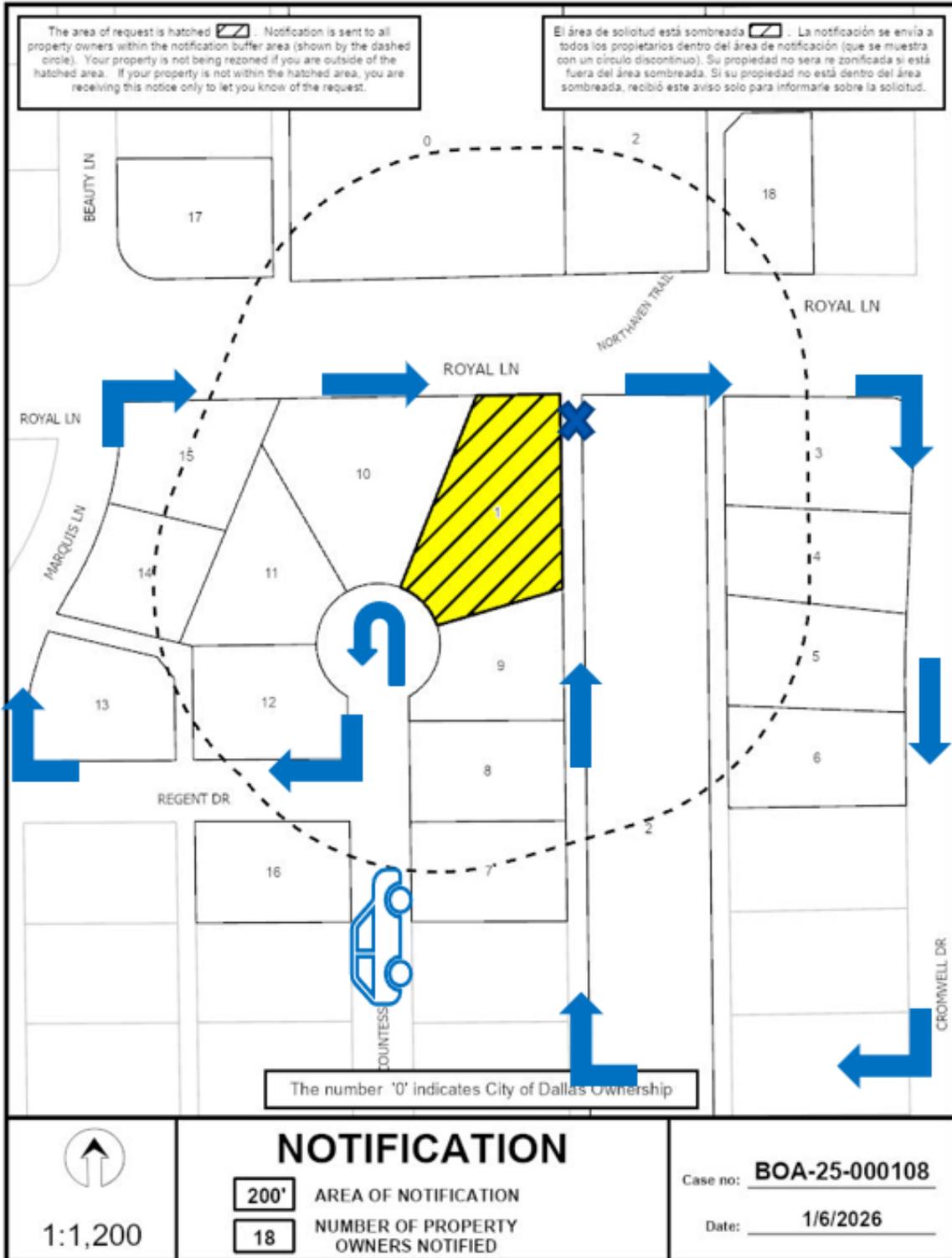
**Right on Cromwell Dr.**

**Right on Princess Ln.**

**Right into Alley**

**\*Area of request at 1:37, and 3:18.**

## 200' Radius Route Map



## NOTICE OF PUBLIC HEARING

### BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

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

**DATE:** **TUESDAY, FEBRUARY 17, 2026**

**BRIEFING:** **10:30 a.m. via Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0217>

**HEARING:** **1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0217>

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

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**BOA-25-000108(BT)** Application of Phillip Pelland for **(1)** a special exception to the visibility obstruction regulation at **10662 COUNTESS DRIVE**. This property is more fully described as Block A/6433, Lot 10, and is zoned R-10(A), which requires a 20-foot visibility triangle at an intersection of a street and an alley. The applicant proposes to construct and/or maintain a fence structure in a required 20-foot visibility obstruction triangle, which will require **(1)** a special exception to the 20-foot visibility obstruction regulation.

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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-A-Register> **by the 5 p.m. on Monday, February 16, 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](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 Bryant Thompson, Senior Planner (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 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-A-Register>