

FILE NUMBER: BOA-26-000024(BT)

BUILDING OFFICIAL'S REPORT: Application of Bart Plaskoff for (1) a variance to the maximum lot coverage regulations at **7807 MORTON STREET**. This property is more fully described as Block 2/4833, Lot 5, and is zoned PD-67 (Tract IV), which limits the lot coverage to 40 percent for residential structures. The applicant proposes to construct and/or maintain a single-family residential structure with 49 percent lot coverage (3,670 square feet of floor area), which will require (1) a 9 percent variance to the maximum allowed lot coverage (670 square feet).

LOCATION: 7807 Morton Street

APPLICANT: Bart Plaskoff

REQUEST:

- (1) A request for a variance to the lot coverage.

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 for structures accessory to single-family uses, 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 lot coverage 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. The subject site is not restrictive in area, shape, or slope. The subject site is generally flat and rectangular in shape; therefore, it can be developed in a manner commensurate with development upon other parcels of land in the same zoning district.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site: PD-67 (Tract IV)
North: CR and MC-1
East: PD-67 (Tract IV)
South: PD-67 (Tract IV)
West: PD-771 (Tract 3) and MC-1

Land Use:

The subject site and surrounding properties are developed with single-family uses, to the west and north commercial related uses.

BDA History:

No BDA history was found within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Bart Plaskoff for the property located at 7807 Morton Street focuses on one request relating to the lot coverage regulations.
- The request is for a variance to the lot coverage regulations. The applicant proposes to construct and/or maintain a residential structure with a maximum lot coverage of 49

percent (3,670 square feet of floor area), which will require a 9 percent variance to the maximum allowed lot coverage (670 square feet).

- It is imperative to note amendments to PD-67 (Tract IV) was approved on October 12, 2022 (Ordinance No. 32324) establishing the following development standards:
 - Section 51P-67.108.(b)(2) Maximum lot coverage. Maximum lot coverage is 40 percent for residential structures.
- Timeline:
 - Permit #2201211044 (New SFD construction) issued on May 12, 2022.
 - PD-67 (Tract IV) Zoning Change approved on October 12, 2022.
 - Permit #2212051155 (Patio Addition) issued on December 19, 2022.
 - Revocation Letter issued on October 4, 2024.
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variances to the lot coverage 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 variances are 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 variances 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 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 variances to the lot coverage 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-25-000024 at 7807 Morton St](#)

Timeline:

- April 8, 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.
- April 2, 2026: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- April 22, 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 **April 24, 2026**, deadline to submit additional evidence for staff to factor into their analysis; and **May 8, 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.
- April 28, 2026: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **May** 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.



CITY OF DALLAS

October 4, 2024

Mr. Kyle Wojtowicz
231 E Heron St.
Denison, TX 75021
ssoutdoorstx@gmail.com

Via Email

RE: Project / Permit # 2212051155 / 2212091003

This letter serves as an updated notification that project 2212051155 and master permit 2212091003, for the construction of a new patio cover roof extension at 7807 Morton St., Dallas, Texas 75209. Initially, the project was issued in error by the Planning and Development Department (PDV). Following a detailed review, it has been determined that the roof height, which triggers the roof type provision, is eligible for a variance.

Therefore, you are being granted an additional 15 days to submit corrective applications or pursue a variance regarding the following violations:

- Structure exceeds the maximum allowed lot coverage of 40 percent for the district per Dallas Development code [§ 51P-67.107\(c\)\(2\)](#).
- Non-compliant roof type per the design standards for Planned Development No. 67 per Dallas Development Code [§ 51P-67.107\(c\)\(3\)](#).

Next Steps:

Please reach out to Planning and Development to discuss any of the following options:

- **Option 1 – Submit an Addendum:** Revise and submit plans that comply with all [Planned Development No. 67](#) standards and conditions.
- **Option 2 – Submit Appeal/s Application to the Board of Adjustment:** The Board of Adjustment has the power and duty to hear and grant variances from 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 violations as listed and provided for in [51A-3.102\(d\)\(10\)](#).
 - **Height Variance for Roof Design:** The Board of Adjustment can grant variances for roof design violations related to height. If the roof design exceeds the allowed height under PD-67, you may apply for a variance.



CITY OF DALLAS

- o **Design Standard Limitation:** The Board of Adjustment does not have the authority to grant variances for design standards, such as roof type. Roof-type violations cannot be appealed by variance through the Board. These can only be addressed by appealing the revocation of the permit through an Administrative Official appeal as provided in Section [51A-4.703\(a\)\(2\)](#).

You now have an additional 15 days to take action. These options are provided as pathways to compliance and are not intended to serve as legal advice. For assistance or further information, please contact, Jason Pool, Assistant Director (I) / Zoning Administrator.

Failure to act within this extended period will result in permit/project revocation, after which the case will be referred to the City's Department of Code Compliance for enforcement.

Permit/Project revocation is final unless appealed to the Board of Adjustment in accordance with Section [51A-4.703\(a\)\(2\)](#) of the Dallas City Code within 20 days after written notice of the above action.

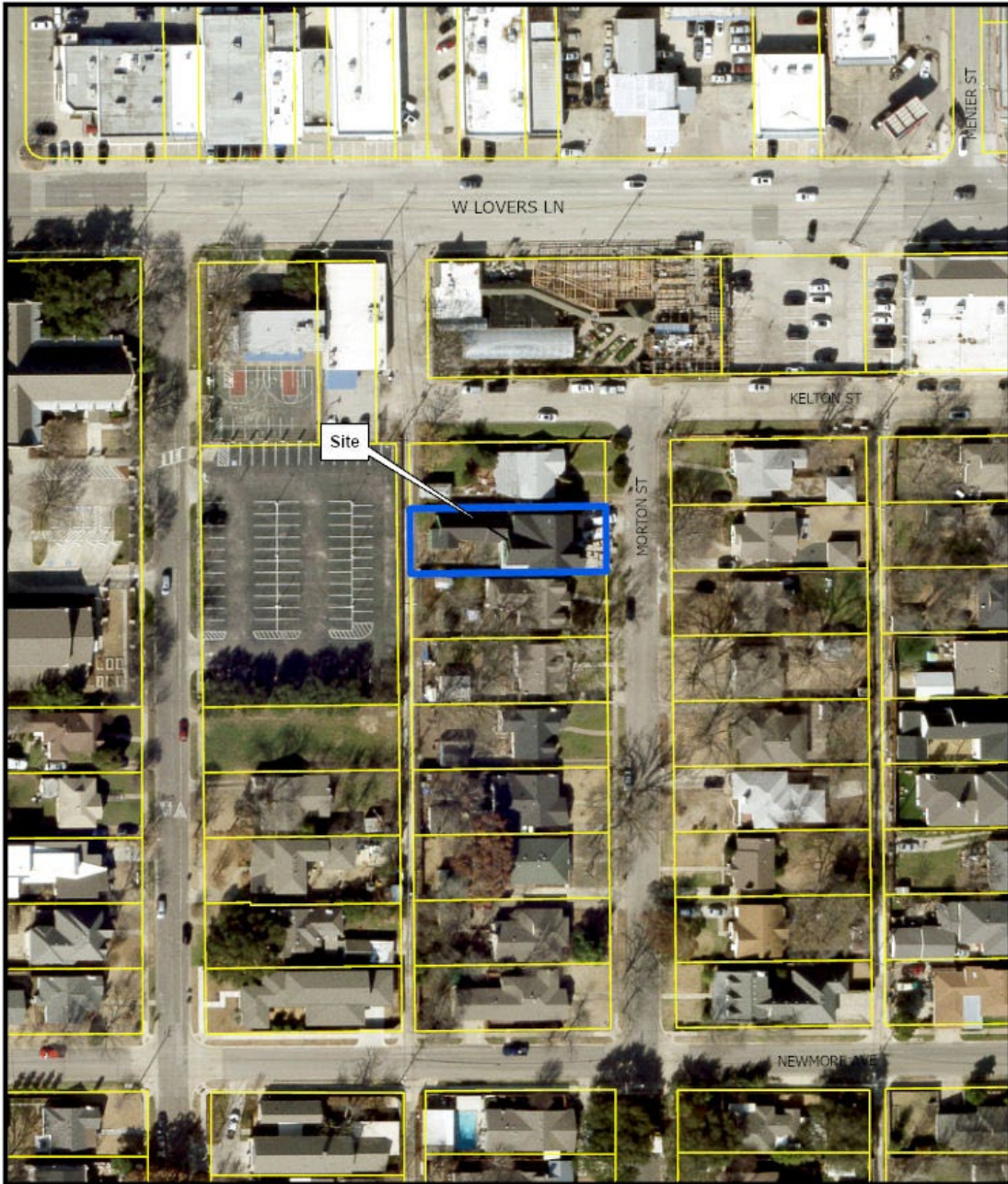
Thank you for your prompt attention to this matter.

A handwritten signature in blue ink, appearing to read 'Jason Pool'.

Jason Pool
Assistant Director (I) / Zoning Administrator
214-948-4392
Jason.Pool@Dallas.gov

c: Emily Lui, Director
M. Samuel Eskander, Deputy Director/Building Official (I)
Vernon Young, Deputy Director
Michael Herron, Zoning Inspections Supervisor
Jill Haning, Assistant City Attorney

Christopher Christian, Director
Jeremy Reed, Assistant Director
Alfred Beecham, Manager
Stormy Gonzalez, Manager
Charlotta Riley, Assistant City Attorney



1:1,200

AERIAL MAP

Case no: BOA-26-000024


Date: 04/30/2026




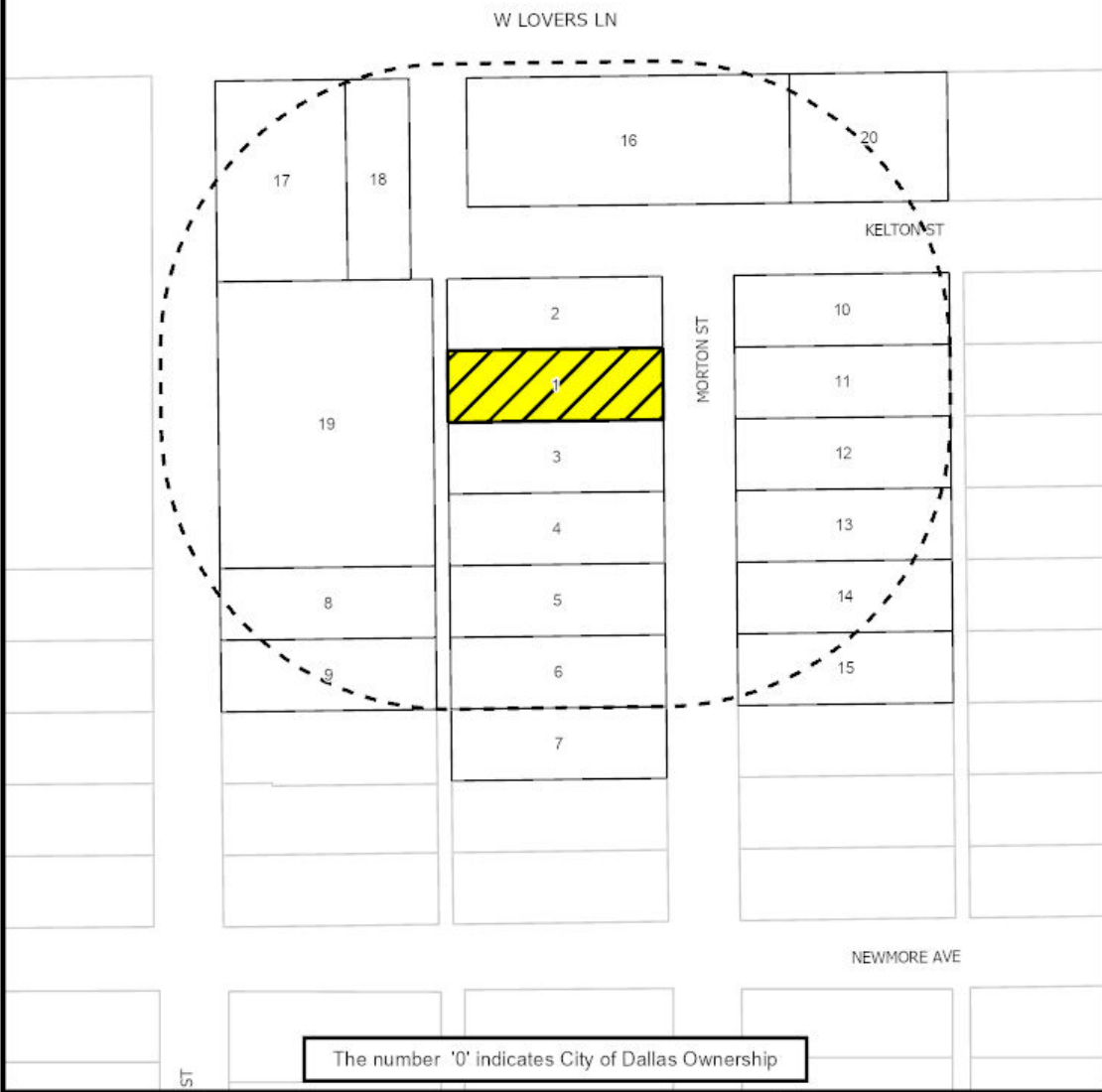

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ZONING MAP

Case no: BOA-26-000024
 Date: 04/30/2026

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.



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
20 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-26-000024**
 Date: **4/30/2026**

Notification List of Property Owners

BOA-26-000024

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7807 MORTON ST	PLASKOFF BART DAVID
2	7811 MORTON ST	PEREZ GUSTAVO A &
3	7803 MORTON ST	SMITH BETTY J
4	7723 MORTON ST	JC LEASING LLP
5	7719 MORTON ST	FROLOV NIKOLAY
6	7715 MORTON ST	ANDERSON ALLEN A
7	7711 MORTON ST	THOMAS MARY ANGELA
8	7718 CAILLET ST	7718 CAILLET STREET LLC
9	7714 CAILLET ST	HEDGESTONE DEVELOPMENT LLC
10	7810 MORTON ST	BENNETT LORENE
11	7806 MORTON ST	WEST MATTHEW GARTH
12	7802 MORTON ST	Taxpayer at
13	7722 MORTON ST	COLEMAN IVA ARLEEN LIFE ESTATE
14	7718 MORTON ST	BIRD STREET FOUR LLC
15	7714 MORTON ST	BIRD STREET FIVE LLC
16	5060 W LOVERS LN	BRACKEN LINDA B FAMILY TRUST
17	5040 W LOVERS LN	PROVIDENCE CHRISTIAN
18	5050 W LOVERS LN	5050 LOVERS LANE LLC
19	7806 CAILLET ST	PROVIDENCE CHRISTIAN
20	5110 W LOVERS LN	MAZE FAMILY LIMITED

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"><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;">20</td><td>NUMBER OF PROPERTY OWNERS NOTIFIED</td></tr></table>	200'	AREA OF NOTIFICATION	20	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BOA-26-000024</u> Date: <u>4/30/2026</u>
200'	AREA OF NOTIFICATION					
20	NUMBER OF PROPERTY OWNERS NOTIFIED					

Route Directions:

Start on Lovers Ln.

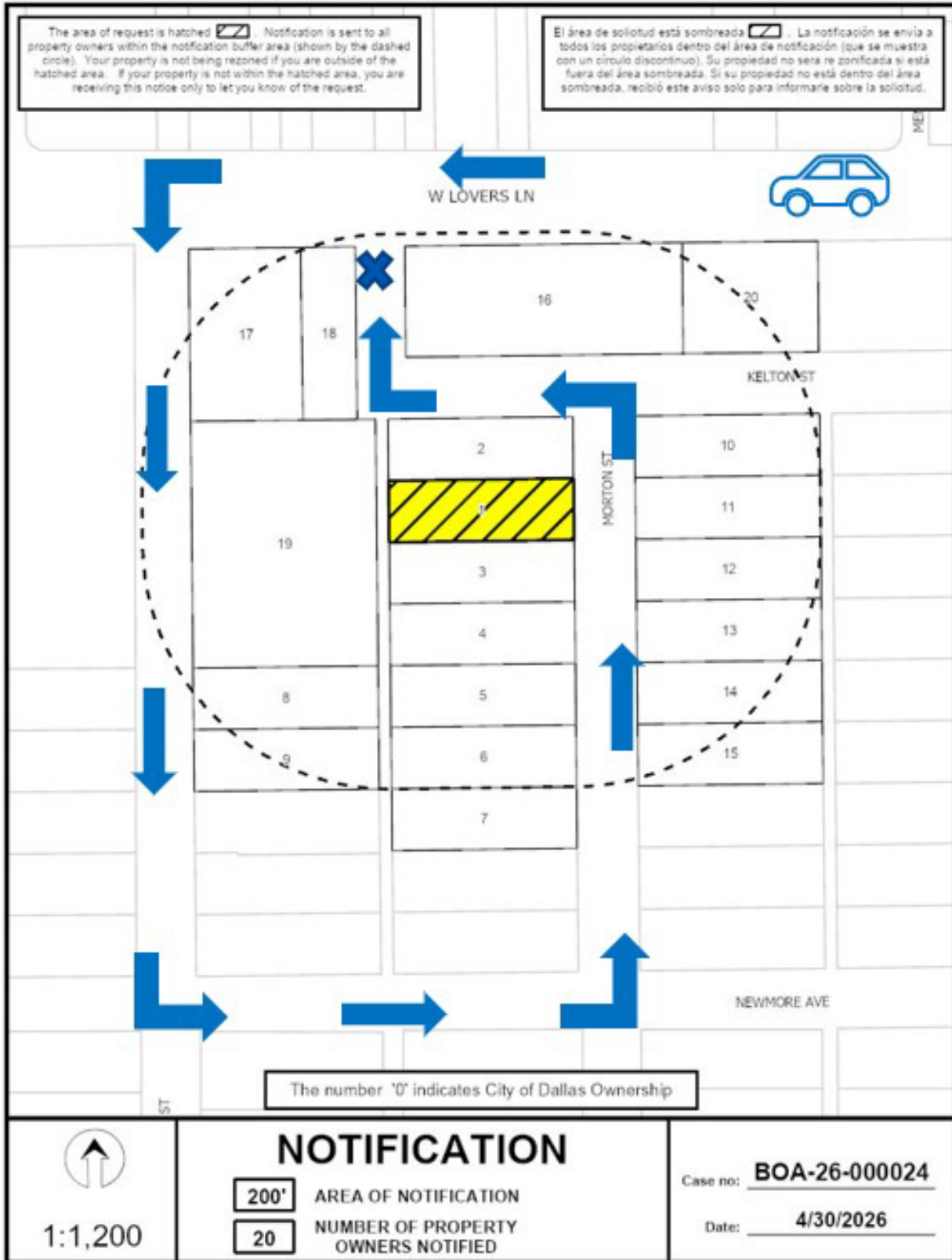
Left on Caillet St.

Left on Newmore Ave.

Left on Morton St.

***Subject Site at 2:10**

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, MAY 19, 2026

BRIEFING: 10:30 a.m. via Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa051926>

HEARING: 1:00 p.m. Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa051926>

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

BOA-26-000024(BT) Application of Bart Plaskoff for (1) a variance to the maximum lot coverage regulations at 7807 MORTON STREET. This property is more fully described as Block 2/4833, Lot 5, and is zoned PD-67 (Tract IV), which limits the lot coverage to 40 percent for residential structures. The applicant proposes to construct and/or maintain a single-family residential structure with 3,670 square feet of floor area, which will require (1) a 670 square foot variance to the maximum lot coverage 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 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 6EN Council Chambers. 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, May 18, 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](https://www.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

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

PLEASE REGISTER AT:

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