

FILE NUMBER: BOA-25-000080(SD)

BUILDING OFFICIAL'S REPORT: Application of Christian Clark for **(1)** a variance to the front yard setback regulations, for **(2)** a special exception to the visibility obstruction regulation, and for **(3)** a variance to the off-street parking regulations at **524 TAMA STREET**. This property is more fully described as Block 339, Part of Tract 17A, and is zoned R-5(A), which requires a front-yard setback of 20-foot, requires a 20-foot visibility obstruction triangle at the drive approach, and requires parking to be provided behind the required front yard setback. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 7-foot front yard setback along Tama Street, which will require **(1)** a 13-foot variance to the front yard setback regulations, and to construct and/or maintain a single-family residential structure in a required 20-foot visibility obstruction triangle along Tama Street, which will require **(2)** a special exception to the visibility obstruction regulations along the drive approach, and to construct and/or maintain a single-family residential structure and provide a parking space within the required 20-foot setback along Tama Street, which will require **(3)** a 13-foot variance to the off-street parking regulations.

LOCATION: 524 Tama Street

APPLICANT: Christian Clark

REQUEST:

- (1) A variance to the front yard setback regulations.
- (2) A special exception to the visibility obstruction regulation.
- (3) A variance to the off-street parking 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) 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.

STANDARDS OF REVIEW FOR A SPECIAL EXCEPTION TO THE VISIBILITY OBSTRUCTION REGULATION:

Section 51A-4.602(d)(3) of the Dallas Development Code specifies that the board shall grant a special exception to the requirements of this section when, in the opinion of the board, the item will not constitute a traffic hazard.

STAFF RECOMMENDATION:

Variance to the front-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 as letters of opposition were not received. A variance for a slightly smaller lot is typically found not to harm the public because the goal of zoning laws is to promote the general welfare, not to confiscate the reasonable use of private property. A minor deviation often does not: alter the essential character of the neighborhood; pose a threat to public health or safety; or impede light, air, or open space in a way that is significantly different from surrounding properties. Appears to not pose any safety, aesthetic, or monetary issues (S.A.M.).
- B. Lot is considered to be restrictive in area due to its position on a corner lot with two frontages that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning.
- C. Does not appear to be a self-created or personal hardship.

Special Exception to the visibility obstruction regulation:

No recommendation is made on this request

Rationale: The board shall grant a special exception to the requirements of this section when, in the opinion of the board, the item will not constitute a traffic hazard.

Variance to the off-street parking 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 as letters of opposition were not received. A variance for a slightly smaller lot is typically found not to harm the public because the goal of zoning laws is to promote the general welfare, not to confiscate the reasonable use of private property. A minor deviation often does not: alter the essential character of the neighborhood; pose a threat to public health or safety; or impede light, air, or open space in a way that is significantly different from surrounding properties. Appears to not pose any safety, aesthetic, or monetary issues (S.A.M.).
- B. Lot is considered to be restrictive in area due to its position on a corner lot with two frontages that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning. In addition, the lot's configuration inhibits compliance with parking regulations on both frontages with or without "garage" entry factoring in due to visibility requirements that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning.
- C. Does not appear to be a self-created or personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site: R-5(A)
North: R-5(A)
South: R-5(A)
West: R-5(A)

Land Use:

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

BDA History:

No BDA history has been found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Christian Clark for the property located at 524 Tama Street focuses on three requests relating to front yard setback regulations, visibility obstruction regulations, and the off-street parking regulations.
- As illustrated on the site plan and elevations, the applicant proposes to construct and/or maintain a single-family residential structure and provide a 7-foot front yard setback along Tama Street, which will require a 13 foot variance to the front yard setback regulations, and to construct and/or maintain a single-family residential structure in a required 20-foot visibility obstruction triangle along Tama Street, which will require a special exception to the visibility obstruction regulation, and to construct and/or maintain a single-family residential structure and provide a parking space within the 20-foot parking setback along Tama Street, which will require a 13-foot variance to the required 20-foot variance to the off-street parking regulations.
- This case comes to the Board of Adjustment as a referral from City of Dallas residential staff on August 27, 2025.
- Lot is considered to be restrictive in area due to its position on a corner lot with two frontages that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning. In addition, the lot's configuration inhibits compliance with parking regulations on both frontages with or without "garage" entry factoring in due to visibility requirements that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning.
- Planning and Development's Transportation Department review yields visibility obstruction does not constitute a traffic hazard.
- Staff research concludes that city Transportation staff could recommend smaller visibility triangles at the corner going from 45 feet to 30 feet .
- The applicant has the burden of proof in establishing the following:
 1. That granting the variances to the front yard setback regulations and off-street parking 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 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.
- The applicant has the burden of proof in establishing that the special exception to the visual obstruction regulations will not constitute a traffic hazard.
- Granting the variances to the front yard setback and off-street parking regulations and special exception to the visual obstruction 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-25-000080 at Tama Street](#)

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.

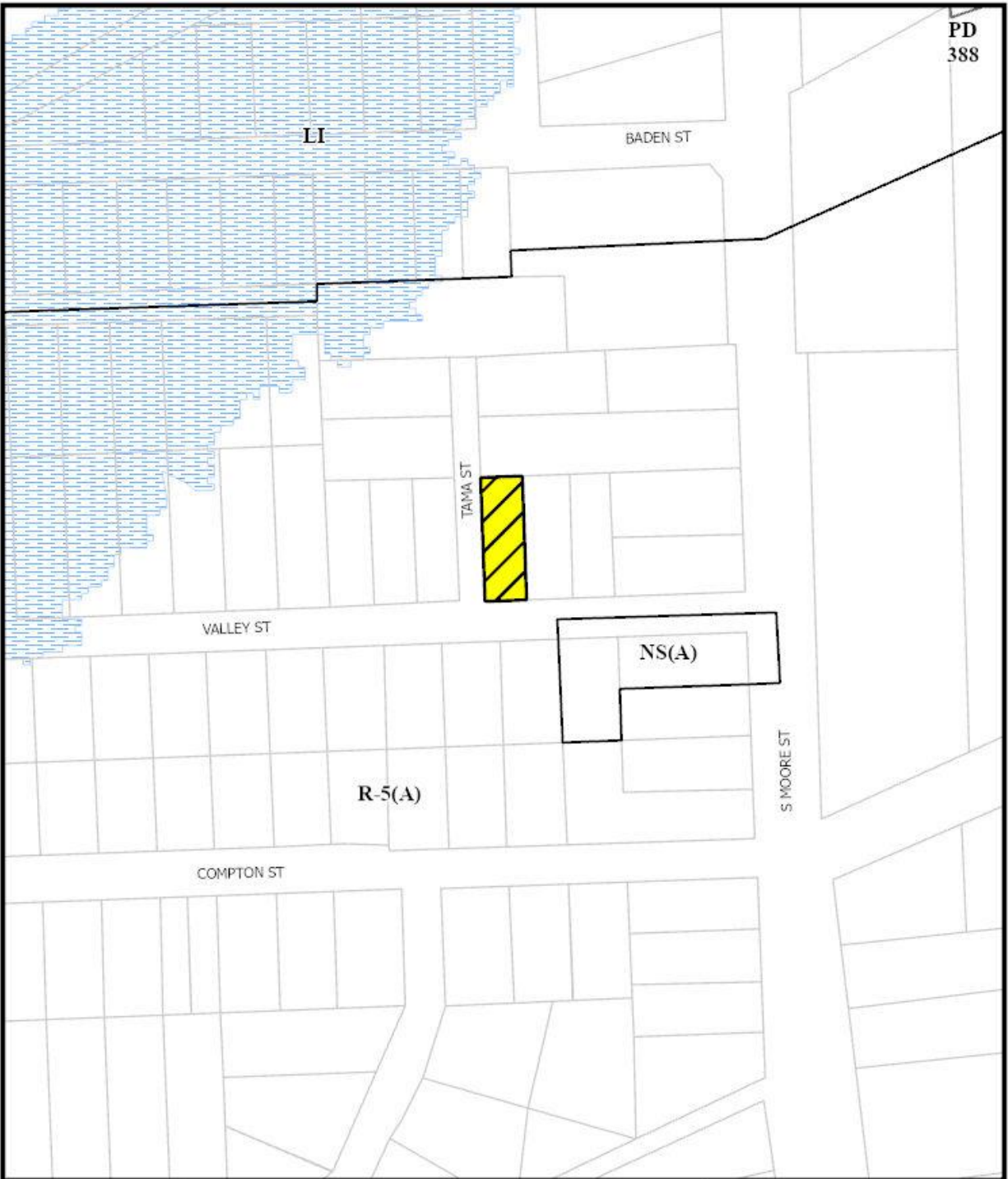


1:1,200

AERIAL MAP

Case no: BOA-25-000080

Date: 11/04/2025





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ZONING MAP

Case no: **BOA-25-000080**

Date: **11/04/2025**

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.



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

37

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-25-000080**

Date: **11/4/2025**

11/04/2025

Notification List of Property Owners

BOA-25-000080

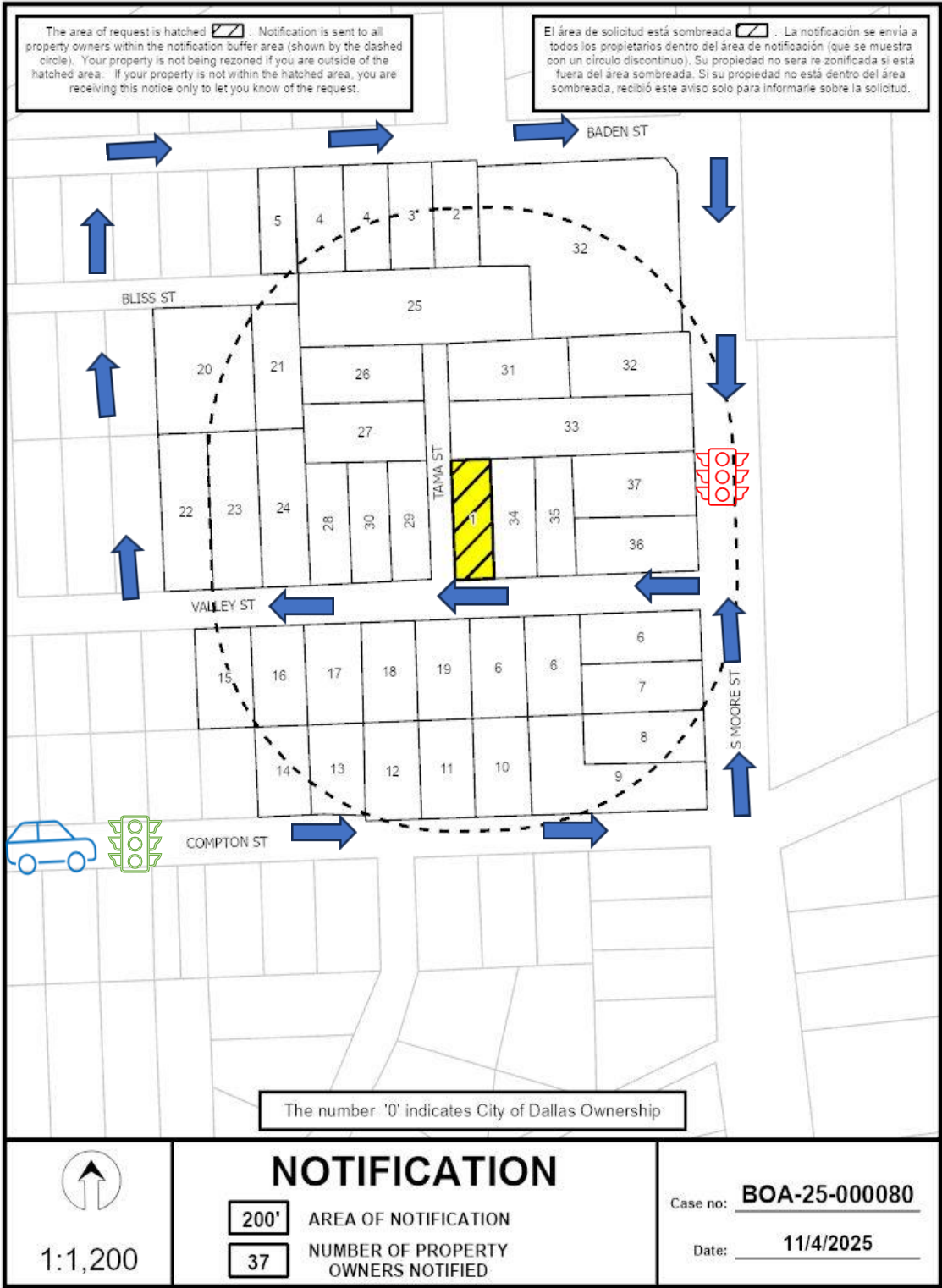
37 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	524 TAMA ST	SMITKA JIRI &
2	1336 BADEN ST	LOZANO FRANCIS
3	1332 BADEN ST	CHAPEL HILL FREEWILL BAPT
4	1326 BADEN ST	FLORES ERIKC
5	1322 BADEN ST	SAMPLES HOMER EST
6	531 S MOORE ST	LOPEZ AURELIANO
7	533 S MOORE ST	JACKSON BILLY MORRIS
8	537 S MOORE ST	CORTEZ AURELIA H
9	541 S MOORE ST	Taxpayer at
10	1341 COMPTON ST	GAMBER MONTY
11	1337 COMPTON ST	CANAS GLORIA
12	1333 COMPTON ST	FREENEY THOMAS LEONARD
13	1329 COMPTON ST	PALACIOS MARIA RICARDA
14	1325 COMPTON ST	BEARDSLEY SAM &
15	1320 VALLEY ST	ROMERO GERARDO
16	1324 VALLEY ST	BELTRAN MANUEL
17	1328 VALLEY ST	HILL ADRIAN
18	1330 VALLEY ST	SOSA MARITZA
19	1334 VALLEY ST	CANAS JUAN
20	1314 BLISS ST	ETCETERA REAL ESTATE
21	1318 BLISS ST	ABSOLUTE REAL ESTATE
22	1313 VALLEY ST	DIEGO CARLOS
23	1315 VALLEY ST	NEW DIMENSION HOMES LLC
24	1319 VALLEY ST	DOMINGUEZ HUGO & MARTINA
25	503 TAMA ST	MAXSHIELD SERVICES LLC
26	515 TAMA ST	FELLOWSHIP MISS BAPT CH

11/04/2025

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	10 TAMA ST	THOMPSON JAMES ABRAHAM
28	1323 VALLEY ST	RODRIGUEZ JOSE MANUEL &
29	1327 VALLEY ST	THA STAR PLACE LLC
30	1325 VALLEY ST	PRECIADO JULIAN
31	509 TAMA ST	REHOBOTH FIRST MISSIONARY
32	513 S MOORE ST	CHAPEL HILL BAPTIST
33	519 S MOORE ST	CHAPEL HILL BAPTIST
34	1335 VALLEY ST	LAGOW DEV PROJECT LLC
35	1339 VALLEY ST	LAGOW DEV PROJECT LLC
36	527 S MOORE ST	ATTAWAY LEONARD & ALICE M
37	523 S MOORE ST	PRICE YON C

200' Radius Route Map



NOTIFICATION

200'
37

AREA OF NOTIFICATION
NUMBER OF PROPERTY
OWNERS NOTIFIED

Case no: **BOA-25-000080**
Date: **11/4/2025**

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"><tr><td style="border: 1px solid black; padding: 2px; text-align: center;">200'</td><td>AREA OF NOTIFICATION</td></tr><tr><td style="border: 1px solid black; padding: 2px; text-align: center;">37</td><td>NUMBER OF PROPERTY OWNERS NOTIFIED</td></tr></table>	200'	AREA OF NOTIFICATION	37	NUMBER OF PROPERTY OWNERS NOTIFIED	<table border="0"><tr><td>Case no:</td><td><u>BOA-25-000080</u></td></tr><tr><td>Date:</td><td><u>11/4/2025</u></td></tr></table>	Case no:	<u>BOA-25-000080</u>	Date:	<u>11/4/2025</u>
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Date:	<u>11/4/2025</u>									

Route Directions:

Start on Compton Street.

Left on South Moore Street.

Left on Valley Street.

Right on Rupert Street.

Right on Baden Street.

**Right on South Moore
Street (End).**

***Subject Site at 01:27 from Valley Street.**

REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING Monday, December 15, 2025 (C)

<input checked="" type="checkbox"/> Has no objections	<input type="checkbox"/> BOA-25-000069
<input type="checkbox"/> Has no objections if certain conditions are met (see comments below or attached)	<input type="checkbox"/> BOA-25-000071
<input type="checkbox"/> Recommends denial (see comments below or attached)	<input type="checkbox"/> BOA-25-000075
<input type="checkbox"/> No Comments	<input checked="" type="checkbox"/> BOA-25-000080
<input type="checkbox"/> Pending	<input type="checkbox"/> BOA-25-000081
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COMMENTS:	<input type="checkbox"/>
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<u>David Nevarez, P.E., PTOE, CFM, Engineering</u>	<u>December 4, 2025</u>
Name/Title/Department	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.

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:

BOA-25-000080(ND) Application of Christian Clark for **(1)** a variance to the front yard setback regulations, for **(2)** a special exception to the visibility obstruction regulation, and for **(3)** a variance to the off-street parking regulations at **524 TAMA STREET**. This property is more fully described as Block 339, Part of Tract of 17A, and is zoned R-5(A), which requires a front-yard setback of 20-foot, requires a 20-foot visibility obstruction triangle at the drive approach, and requires parking to be provided behind the required front yard setback. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 7-foot front yard setback along Tama Street, which will require **(1)** a 13 foot variance to the front yard setback regulations, and to construct and/or maintain a single-family residential structure in a required 20-foot visibility obstruction triangle along Tama Street, which will require **(2)** a special exception to the visibility obstruction regulation along the drive approach, and to construct and/or maintain a single-family residential structure and provide a parking space within the required 20-foot setback along Tama Street, which will require **(3)** a 13-foot variance to the off-street parking 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 **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 or 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

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

PLEASE REGISTER AT:

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