

**FILE NUMBER:** BOA-25-000066(BT)

**BUILDING OFFICIAL'S REPORT:** Application of Robert Baldwin for **(1)** a variance to the front yard setback regulations at **4701 BENGAL STREET**. This property is more fully described as Block 5743, Lot 29, and is zoned IR, which requires a front-yard setback of 15-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide a 0-foot front yard setback, which will require **(1)** a 15-foot variance to the front yard setback regulations.

**LOCATION:** 4701 Bengal Street

**APPLICANT:** Rob Baldwin

**REQUEST:**

- (1) A request for a variance to the front-yard setback regulations.

**STANDARDS OF REVIEW FOR 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 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.
- B. Lot is restrictive in buildable area as a result of the floodplain located to the rear of the property, irregular shape, and slope near the rear property line. Therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning. Subject site previously approved for similar requests with BDA101-040 and BDA167-069, however in both cases the owner failed to apply for a building permit within the allowed 180 days.
- C. Not self-created nor is it a personal hardship.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: IR  
North: PD-712 (Tract 2)  
East: PD-193 (PDS 104)  
South: IR  
West: PD-663 (Area 2)

**Land Use:**

The subject site is developed as a commercial use, to the north multifamily and vacant lots, to the east a new townhouse community, to the south warehouse use and to the east Ronald McDonald.

**BDA History:**

No BDA history has been found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Rob Baldwin for the property located at 4701 Bengal Street focuses on one request relating to a variance to the front-yard setback regulations.

- The applicant is proposing to construct and/or maintain a residential structure and provide a 0-foot front yard setback along, which requires a 15-foot variance to the front-yard setback regulations.
- Per staff's review of the subject site, it has been confirmed that the commercial structure is complete.
- Staff considered the following factors in reference to the buildable area:
  - Applicant lot size is 43,627.99 square feet.
  - Industrial/research (IR) district.
    - Front yard. Minimum front yard is 15 feet.
    - Lot coverage. Maximum lot coverage is 80 percent.
  - Previous approval BDA167-069.
- It is imperative to note that a previous BDA application with a similar proposed layout was granted on June 20, 2017 (BDA167-069); however, permit applications were not submitted within 180 days.
- It is imperative to note original BDA application with a similar proposed layout that was granted on May 17, 2011 (BDA101-040); however, permit applications were not submitted within 180 days.
- The applicant has the burden of proof in establishing the following:
  - 1) That granting the variance to the front 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.

**SECTION 51A-3.102(d)(10)(B):**

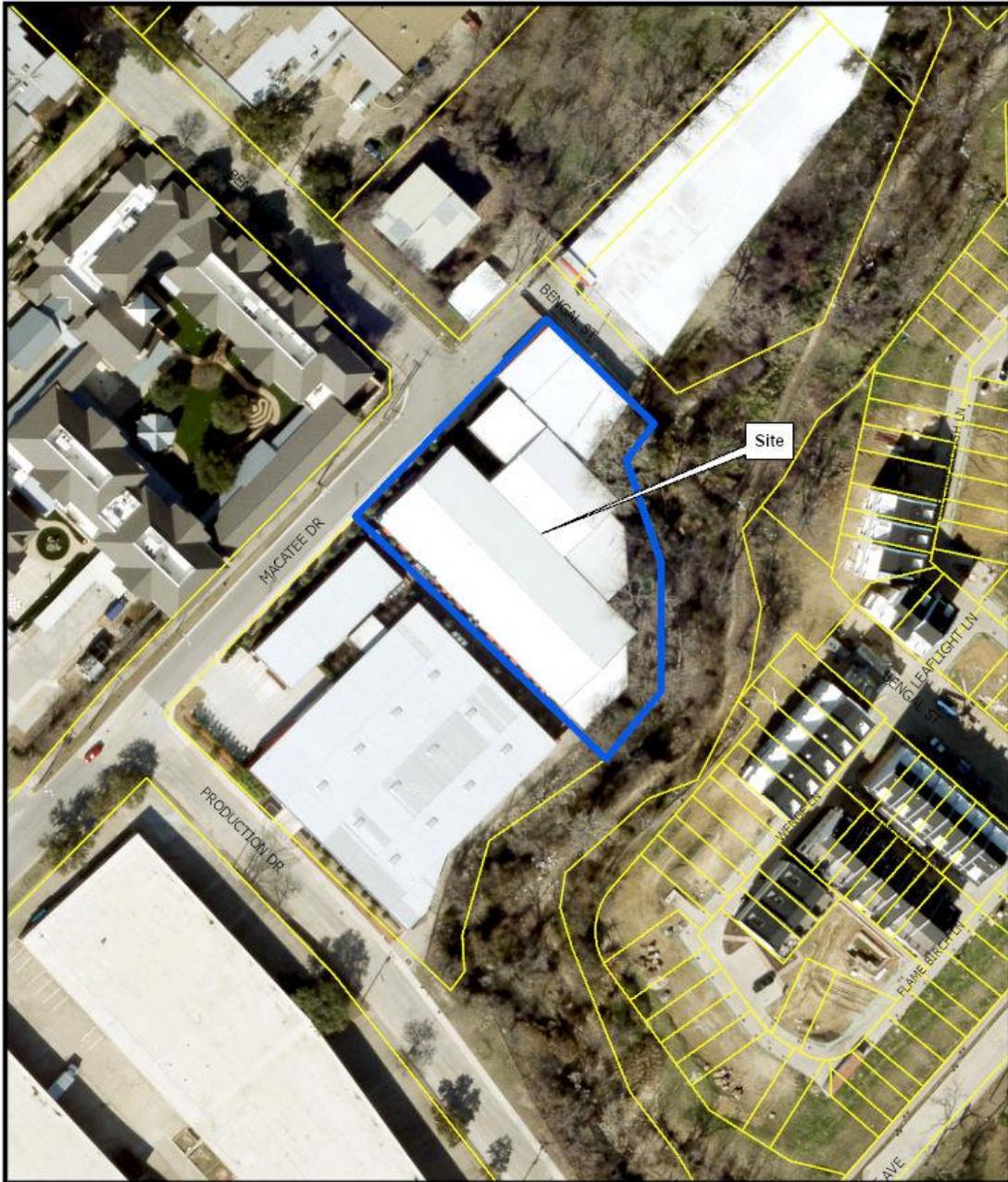
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  - (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
  - (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
  - (v) the municipality considers the structure to be a nonconforming structure.
- Granting the variance to the front 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.
  - 200' Radius Video: [BOA-25-000066 at 4701 Bengal St](#)

**Timeline:**

- December 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.
- December 4, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.
- December 16, 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 26, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **January 9, 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 31, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **January** 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.
- January 20, 2026 The Board of Adjustment Panel **A**, at its public hearing held on Tuesday, January 20, 2026, moved to **HELD** this request under advisement until **February 17, 2026**.

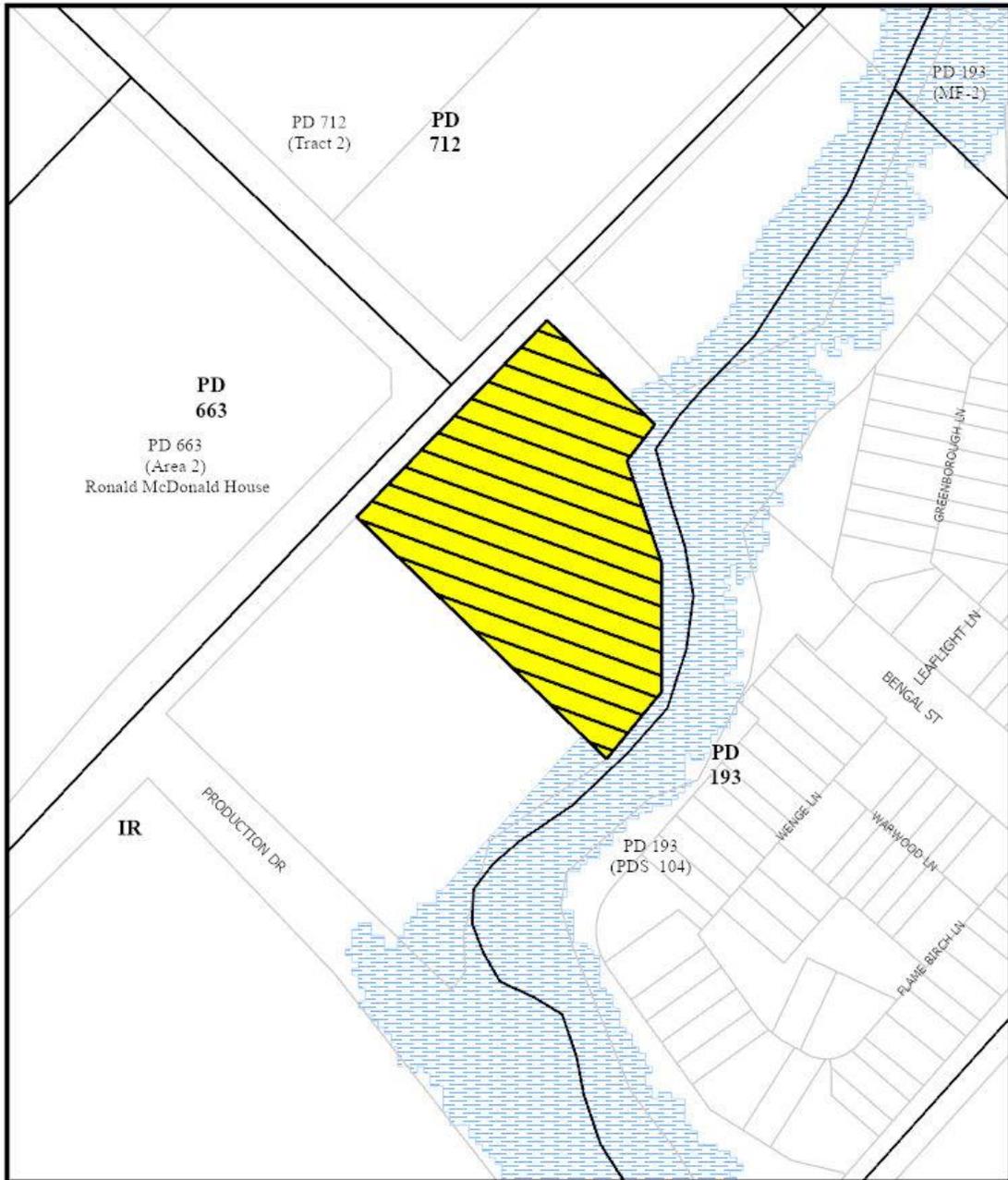


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## AERIAL MAP

Case no: BOA-25-000066

Date: 12/03/2025



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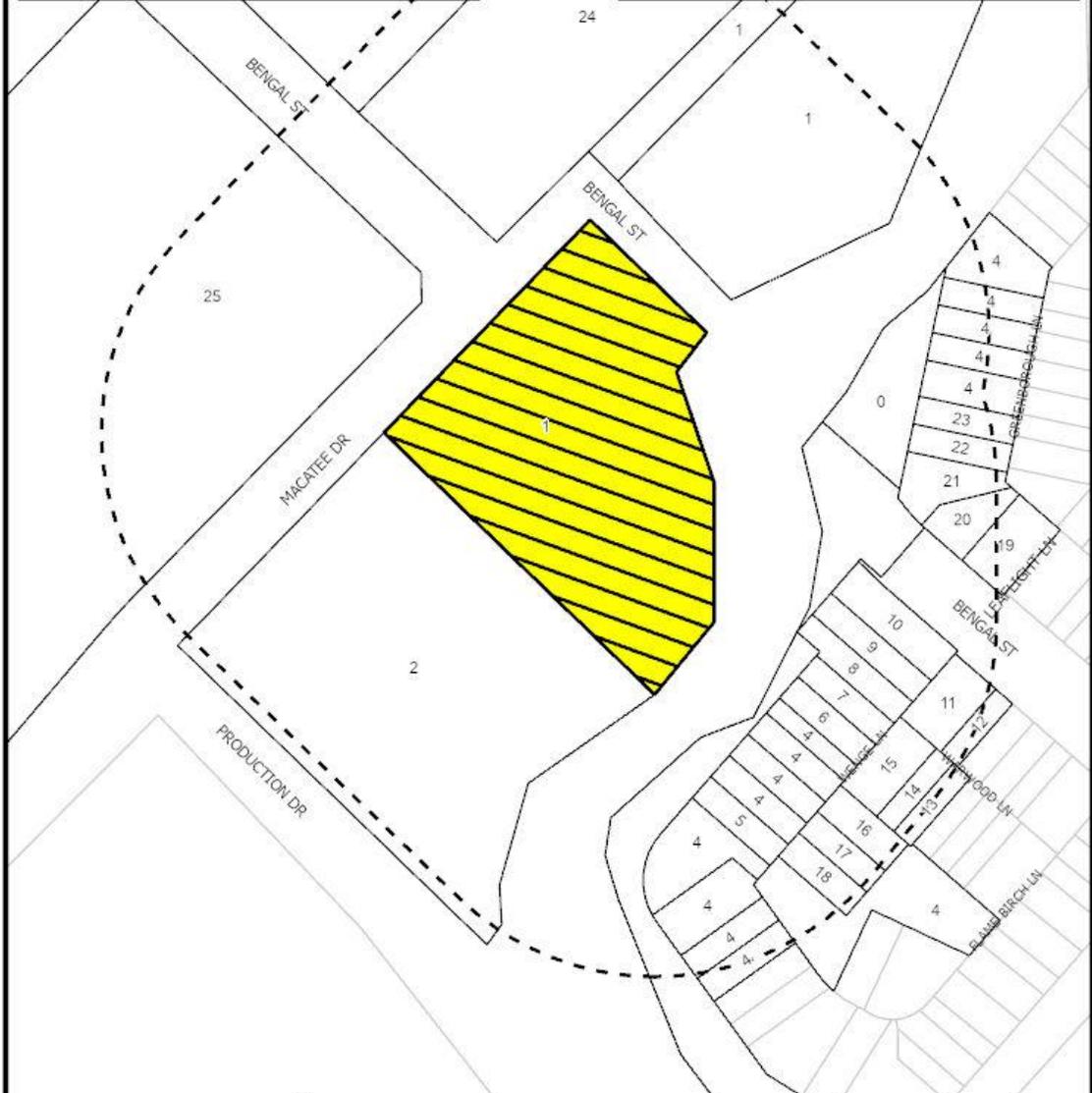
# ZONING MAP

Case no: BOA-25-000066

Date: 12/03/2025

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.



The number '0' indicates City of Dallas Ownership



1:1,200

# NOTIFICATION

**200'** AREA OF NOTIFICATION  
**25** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-25-000066**

Date: **12/3/2025**

# *Notification List of Property Owners*

***BOA-25-000066***

## ***25 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2201 KINGS RD	CRASH INC
2	4699 PRODUCTION DR	FORENSIC ACCIDENT RESEARCH STUDIES
3	4722 BENGAL ST	FOSTER M POOLE JR
4	2141 WENGE LN	TEXAS INTOWNHOMES LLC
5	2109 WENGE LN	TEXAS INTOWNHOMES LLC
6	2149 WENGE LN	HARTSOUGH ROBERT ANTHONY &
7	2157 WENGE LN	WOODS DREW NARD JAVAN
8	2165 WENGE LN	KWON JEANNIE & YONG &
9	2173 WENGE LN	KRAFT KATHRYN
10	2181 WENGE LN	GAO FAMILY LIVING TRUST THE
11	4644 WARWOOD LN	IDICULA CHRISTI
12	4636 WARWOOD LN	INTOWNHOMES LTD
13	4635 WARWOOD LN	CLARKE EMILY
14	4643 WARWOOD LN	RIDEAU ALPHONSE T
15	4651 WARWOOD LN	MCGRATH KELLEY ANNE
16	2130 WENGE LN	LIMON LUIS REY TAMEZ
17	2122 WENGE LN	NASINI KIM S &
18	2114 WENGE LN	SNODDON ELIZABETH
19	4625 GREENBOROUGH LN	MEHTA ANKETTA
20	4629 GREENBOROUGH LN	YAMADA MERICK
21	4633 GREENBOROUGH LN	DIGGS DIVINE NASSIR
22	4637 GREENBOROUGH LN	LI ALLEN &
23	4641 GREENBOROUGH LN	HAUGHN MARION WAYNE
24	4700 BENGAL ST	TCF INTERESTS PARTNERSHIP LTD
25	4707 BENGAL ST	RONALD MCDONALD HOUSE OF

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table><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;">25</td><td>NUMBER OF PROPERTY OWNERS NOTIFIED</td></tr></table>	200'	AREA OF NOTIFICATION	25	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BOA-25-000066</u> Date: <u>12/3/2025</u>
200'	AREA OF NOTIFICATION					
25	NUMBER OF PROPERTY OWNERS NOTIFIED					

**Route Directions:**

**Start on Bengal St.**

**Right through Townhouse area.**

**Right on Hawthorne Ave.**

**Right on Production Dr.**

**Right on Macafee Dr.**

**Right on Bengal St.**

**U-Turn**

**Right on Bengal St.**

**\*Subject Site at 3:02**

# 200' Radius Route Map

