

FILE NUMBER: BOA-26-000055(CC)

BUILDING OFFICIAL'S REPORT: Application of Luis Matarrita for **(1)** a variance to the front yard setback regulations at **2146 CUSTER DRIVE**. This property is more fully described as Block 6/5020, part of Lot 11, and is zoned R-7.5(A), which requires a front yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 13-foot-5-inch front yard setback along Gladewater Road, which will require **(1)** an 11-foot-7-inch variance to the front yard setback regulations.

LOCATION: 2146 CUSTER DRIVE

APPLICANT: Luis Matarrita

REQUEST:

(1) a variance to the front yard setback regulations

STANDARD 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 front-yard setback regulations:

Approval

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

- Not contrary to the public interest as no opposition was received from the date this report was created.
- The subject site is restrictive in buildable area but not shape and slope. Taking into consideration, the subject site is a corner lot with front-yard setbacks facing both Custer Drive and Gladewater Road, reducing the buildable area due to the continuity of the established setback along both street frontage
- Not self-created or personal hardship.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	R-7.5(A)
<u>North:</u>	R-7.5(A)
<u>East:</u>	R-7.5(A)
<u>South:</u>	R-7.5(A)
<u>West:</u>	R-7.5(A)

Land Use:

The subject site is undeveloped; the surrounding properties contain single-family residential uses.

BDA History:

No BDA history found on this property within the past five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Luis Matarrita for the property located at 2146 Custer Drive focuses on one request relating to the front yard setback.

- The applicant proposes to construct and/or maintain a single-family residential structure and provide a 13-foot-5-inch front yard setback along Gladewater Road, which will require an 11-foot-7-inch variance to the front yard setback regulations.
- The lots along Gladewater Road face Gladewater Road; however, the subject property faces Custer Drive, to ensure continuity both street frontages require a front yard setback.
- The subject lot information
 - Lot size: 7,500 square feet
 - Lot dimensions: 150 feet by 50 feet
 - Buildable area without the requested variance: approximately 2,400 square feet
 - Buildable area with the requested variance: approximately 3,790 square feet
 - Proposed front-yard setback along Gladewater Road: 13 feet 5 inches
 - Required front-yard setback along Gladewater Road: 25 feet
 - Requested variance: 11 feet 7 inches
 - Proposed dwelling size identified on the site plan: 1,999.83 square feet
 - Proposed lot coverage: 26.7 percent
 - Maximum lot coverage permitted: 45 percent
- The lots along Gladewater Road establish the front-yard setback along Gladewater Road. However, because the subject property is a corner lot fronting both Gladewater Road and Custer Drive, the continuity provisions of the Dallas Development Code require front-yard setbacks along both street frontages. Unlike the surrounding interior lots, these dual front-yard setbacks significantly reduce the buildable area of the property and limit the location and size of a single-family residence.
- The applicant has the burden of proof in establishing the following:
 1. That granting the variance to the front yard setback 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 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 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.
- Granting the variance to the front yard setback regulations, with the 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 foot radius link: [BOA-26-000055 at 2146 Custer](#)

Timeline:

- July 1, 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.
- June 30, 2026: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **C**.
- July 13, 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 **July 24, 2026**, deadline to submit additional evidence for staff to factor into their analysis; and **August 7, 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.
- July 28, 2026: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **August** 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.

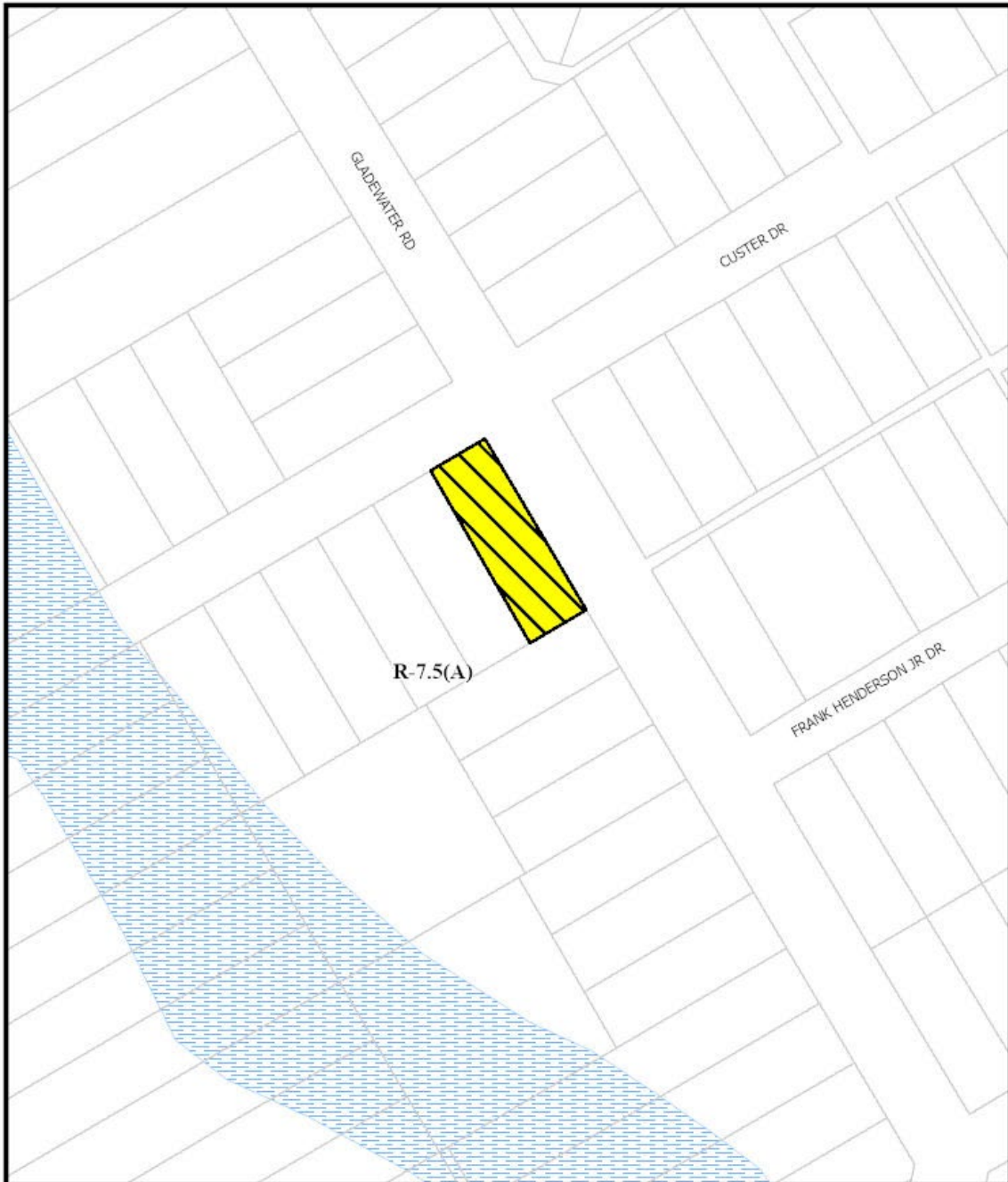


1:1,200

AERIAL MAP

Case no: **BOA-26-000055**

Date: **07/07/2026**



1:1,200

ZONING MAP

Case no: **BOA-26-000055**

Date: **07/07/2026**

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

0

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-26-000055**

Date: **7/7/2026**

07/07/2026

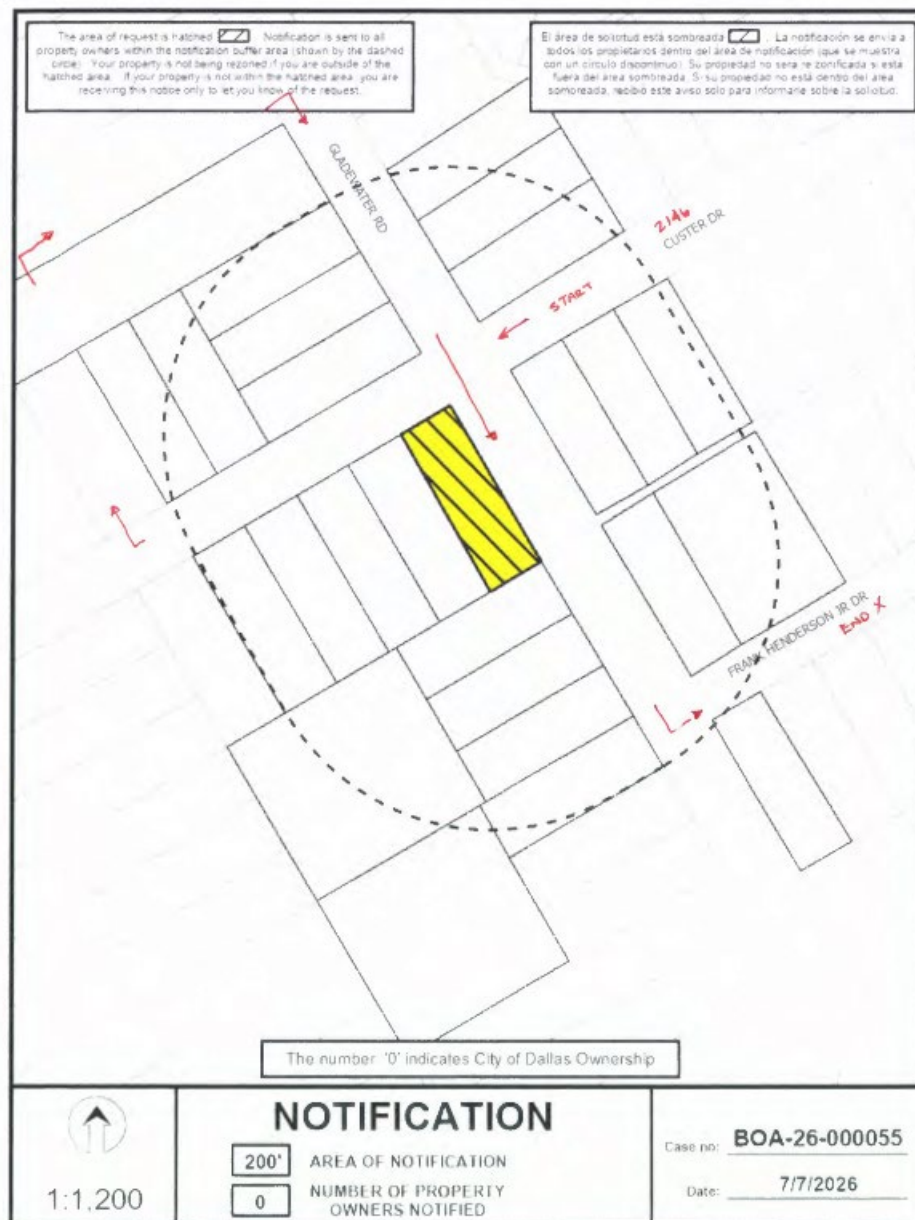
Notification List of Property Owners

BOA-26-000055

26 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2144 CUSTER DR	AMHERST GROUP PROPERTIES LLC
2	4159 GLADEWATER RD	JOHNSON LATONYA R &
3	4163 GLADEWATER RD	BALDERAS LUZ S
4	2135 CUSTER DR	FLORES NANCY
5	4171 GLADEWATER RD	A BETTER PLACE LLC &
6	4167 GLADEWATER RD	ABBA INVESTMENT GROUP LLC
7	2131 CUSTER DR	BENEITEZ JOSE NOE MARTINEZ &
8	4227 GLADEWATER RD	DALLAS HOUSING ACQUISITION &
9	9 GLADEWATER RD	DENLEY GROUP THE
10	4219 GLADEWATER RD	JAMAICA ANGELA MARIA
11	4215 GLADEWATER RD	JAMAICA HENRIETTA & RAFEAL
12	1 GLADEWATER RD	BERMUDEZ SHALBE ANN
13	4223 GLADEWATER RD	JAMAICA RAFAEL &
14	2138 CUSTER DR	GLASCO MIASIMONE
15	2130 CUSTER DR	FORD JERRY WAYNE &
16	2142 CUSTER DR	DEWS PAUL DEAN JR
17	2134 CUSTER DR	CARCIA JOSE A SANCHEZ
18	4162 GLADEWATER RD	RUBIO MIGUEL R &
19	4166 GLADEWATER RD	JMR HOMES LLC
20	4170 GLADEWATER RD	RIOJAS ARTURO RAFAEL
21	2210 CUSTER DR	EVERUP CONSTRUCTION LLC
22	2202 CUSTER DR	CHOKHANI HARSHIT A &
23	2206 CUSTER DR	RODRIGUEZ DAVID &
24	2201 FRANK HENDERSON JR DR	DALLAS HOUSING ACQUISITION & DEV
CORP		
25	2211 FRANK HENDERSON JR DR	GILGAL BAPTIST CHURCH
26	2200 FRANK HENDERSON JR DR	GONZALEZ JUANA

200' Radius Route Map



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, AUGUST 17, 2026

BRIEFING: 10:30 a.m. via Videoconference and in 6ES COUNCIL BRIEFING at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa081726>

HEARING: 1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa081726>

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

BOA-26-000055(KMH) Application of Luis Matarrita for (1) a variance to the front yard setback regulations at 2146 CUSTER DRIVE. This property is more fully described as Block 6/5020, part of Lot 11, and is zoned R-7.5(A), which requires a front yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 13-foot-5-inch front yard setback along Gladewater Road, which will require (1) an 11-foot-7-inch variance to the front 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, August 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 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>

AVISO DE AUDIENCIA PÚBLICA

JUNTA DE AJUSTE DE LA CIUDAD DE DALLAS (PANEL C)

SE NOTIFICA POR LA PRESENTE que la JUNTA DE AJUSTE DE LA CIUDAD DE DALLAS (PANEL C) celebrará una audiencia de la siguiente manera:

FECHA: LUNES, 17 DE AGOSTO DE 2026

INFORME: 10:30 A.M. vía Videoconferencia y en 6ES REUNIÓN DEL CONSEJO en el Ayuntamiento de Dallas, 1500 Marilla Street

AUDIENCIA: 1:00 P.M. Videoconferencia y en la REUNIÓN INFORMATIVA DEL CONSEJO 6E en el Ayuntamiento de Dallas, 1500 Marilla Street

El propósito de la audiencia es considerar la(s) siguiente(s) apelación(es) actualmente pendiente(s) ante la Junta de Ajustes:

BOA-26-000055(KMH) Solicitud de Luis Matarrita por (1) una derogación a las regulaciones de retroceso del jardín delantero en **2146 CUSTER DRIVE**. Esta propiedad se describe más detalladamente como el Bloque 6/5020, parte del Lote 11, y está zonificada como R-7.5(A), lo que requiere un retraso en el jardín delantero de 25 pies. El solicitante propone construir y/o mantener una estructura residencial unifamiliar y proporcionar un retraso de 13 pies y 5 pulgadas en el jardín delantero a lo largo de Gladewater Road, lo que requerirá (1) una excepción de 11 pies 7 pulgadas a las regulaciones de retroceso del jardín delantero.

Ha recibido este aviso porque posee una propiedad a menos de 200 pies de la propiedad mencionada. Puede que te interese asistir a la audiencia de la Junta de Ajuste para expresar tu apoyo u oposición a la solicitud. También puede contactar con la Junta de Ajuste por correo electrónico a BDAreply@dallas.gov. Las cartas serán aceptadas hasta las 9:00 de la mañana del día de la audiencia, si no puedes asistir a la vista. Si decides responder, es importante que expliques a la Junta tus motivos para apoyar o oponerte a la solicitud. Los miembros de la Junta están muy interesados en tu opinión.

Nota: Cualquier material (como planos, elevaciones, etc.) incluido en este aviso puede estar sujeto a cambios.

La audiencia de la Junta de Ajuste se celebrará por videoconferencia y en la **sesión informativa del Consejo 6ES**. Las personas que deseen hablar conforme al Reglamento de Procedimiento de la Junta de Ajuste, **asistiendo a la reunión de forma virtual**, deben registrarse en línea a <https://bit.ly/BDA-C-Register> antes de las 17:00 horas. **el domingo 16 de agosto de 2026. Todos los oradores virtuales deberán mostrar su video para dirigirse a la junta. Los ponentes presenciales pueden registrarse en la audiencia.** Asuntos Públicos y Divulgación también transmitirán la audiencia pública en Spectrum Cable Canal 96 o 99; y bit.ly/cityofdallastv o [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall).

Los oradores en la reunión disponen de un máximo de tres minutos para dirigirse a la Junta.

Se puede obtener información adicional sobre la solicitud llamando a la Dra. Kameka Miller-Hoskins, Jefa de Planificación, al (214) 948-4478, o a Mary Williams, Secretaria de la Junta, al (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Junta de Ajuste
Departamento de Planificación y Desarrollo
1500 Marilla Street 5CN, Dallas TX 75201

POR FAVOR, ENVÍA RESPUESTAS A:

BDAreply@dallas.gov

Las cartas se recibirán hasta las 9:00 a.m.
del día de la audiencia.

POR FAVOR, REGÍSTRATE EN:

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