



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-038 FOR OFFICE USE ONLY

Data Relative to Subject Property: Modella Park Addition Date: FOR OFFICE USE ONLY

Location address: 11601 Liberty Commons Court Zoning District: PD 978 (MF-1 base zoning)
Common

Lot No.: Area A Block No.: 7B/6595 Acreage: 0.075 Census Tract: _____

Street Frontage (in Feet): 1) 180' 2) 10' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): HIJO SPE, LLC

Applicant: Bill Davis Telephone: 254-327-7632

Mailing Address: 6310 Lemmon Avenue, Suite 209, Dallas, TX Zip Code: 75209

E-mail Address: bill@mktdevelopmentgroup.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance __ or Special Exception X of Sec. 51A-4.602 Fencing regulations
4' Height front yard, opacity
Proposed 6' fence LK

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:
Fencing of the common area for security and privacy due to thefts and unauthorized trespass.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Bill Davis

(Affiant/Applicant's name printed)

who on (his/her) oath certifies ~~that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property~~

Respectfully submitted: [Signature]
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 10 day of January, 2024

[Signature]
Notary Public in and for Dallas County, Texas





Appeal number: BDA 234 038

I, HIJO SPE LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 11601 Liberty Commons Court
(Address of property as stated on application)

Authorize: Bill Davis
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: Requesting an exception to Sec. 51A-4.602, Fence Regulations regarding the setback and height stipulations to allow an eight foot (8') height wood and stone fence to be constructed in the front setback, but not within any visibility triangles and easements, along Modella Avenue and East End Drive right of way lines being the property lines of Common Area A.

Bill Davis
Print name of property owner or registered agent

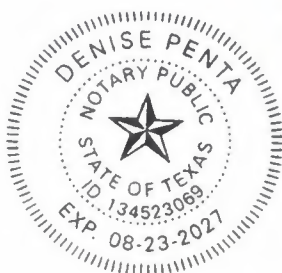
[Signature]
Signature of property owner or registered agent

Date January 10, 2024

Before me, the undersigned, on this day personally appeared Bill Davis

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 10 day of January, 2024



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 8/23/2027



AFFIDAVIT

Appeal number: BDA 234-038

I, HIJO SPE LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 11601 Liberty Commons Court
(Address of property as stated on application)

Authorize: Bill Davis
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

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- Other Appeal (specify below)

Specify: Requesting an exception to Sec. 51A-4.602, Fence Regulations regarding the setback and height stipulations to allow an eight foot (8') height wood and stone fence to be constructed in the front setback, but not within any visibility triangles and easements, along Modella Avenue and East End Drive right of way lines being the property lines of Common Area A.

Bill Davis
Print name of property owner or registered agent

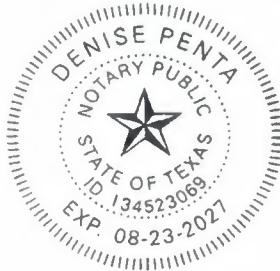
[Signature]
Signature of property owner or registered agent

Date January 10, 2024

Before me, the undersigned, on this day personally appeared Bill Davis

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 10 day of January, 2024



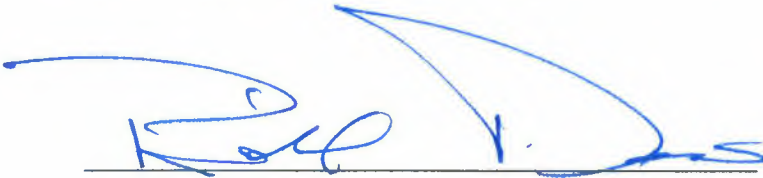
Commission expires on 8/23/2027

[Signature]

AFFIDAVIT

I Bill Davis, Hereby affirm and swear that I am authorized as a representative of Hijo SPE, LLC to act as a representative before the City of Dallas Board of Adjustment regarding a Special Exception of Sec 51A-4.602 Fencing regulations at Modella Park addition located at 11601 Liberty Commons Court, Dallas , Texas.

Signed this 29th day of January 2024



Bill Davis

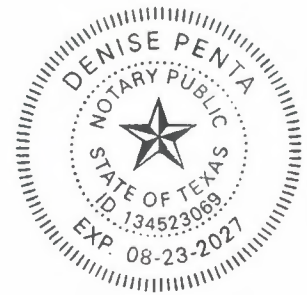
State of: Texas

County of: Dallas

This instrument was acknowledged before me this 29 day of January, 2024



Notary Public, State of Texas



BDA234-038



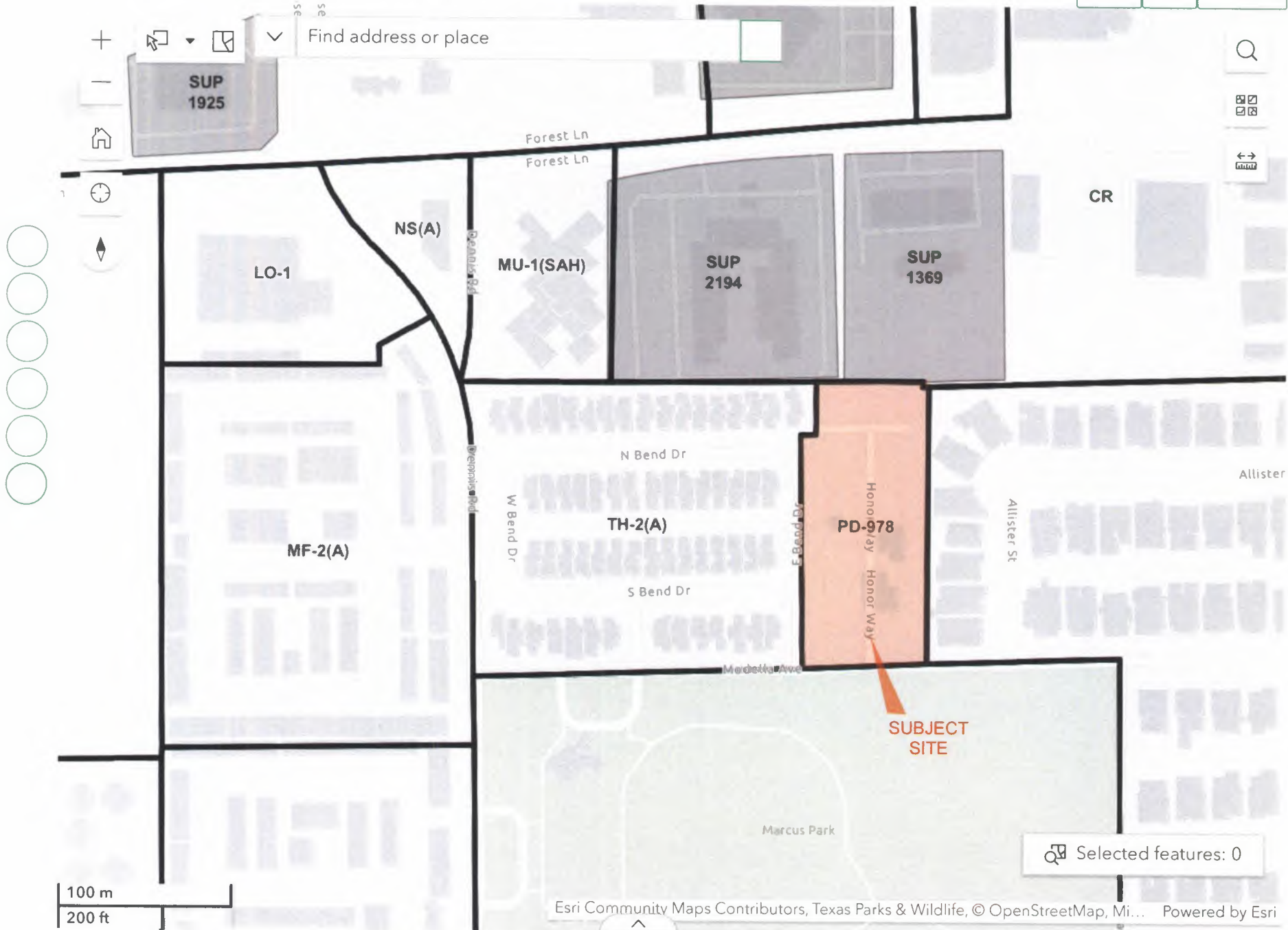
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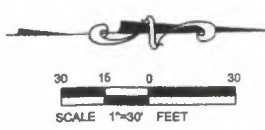
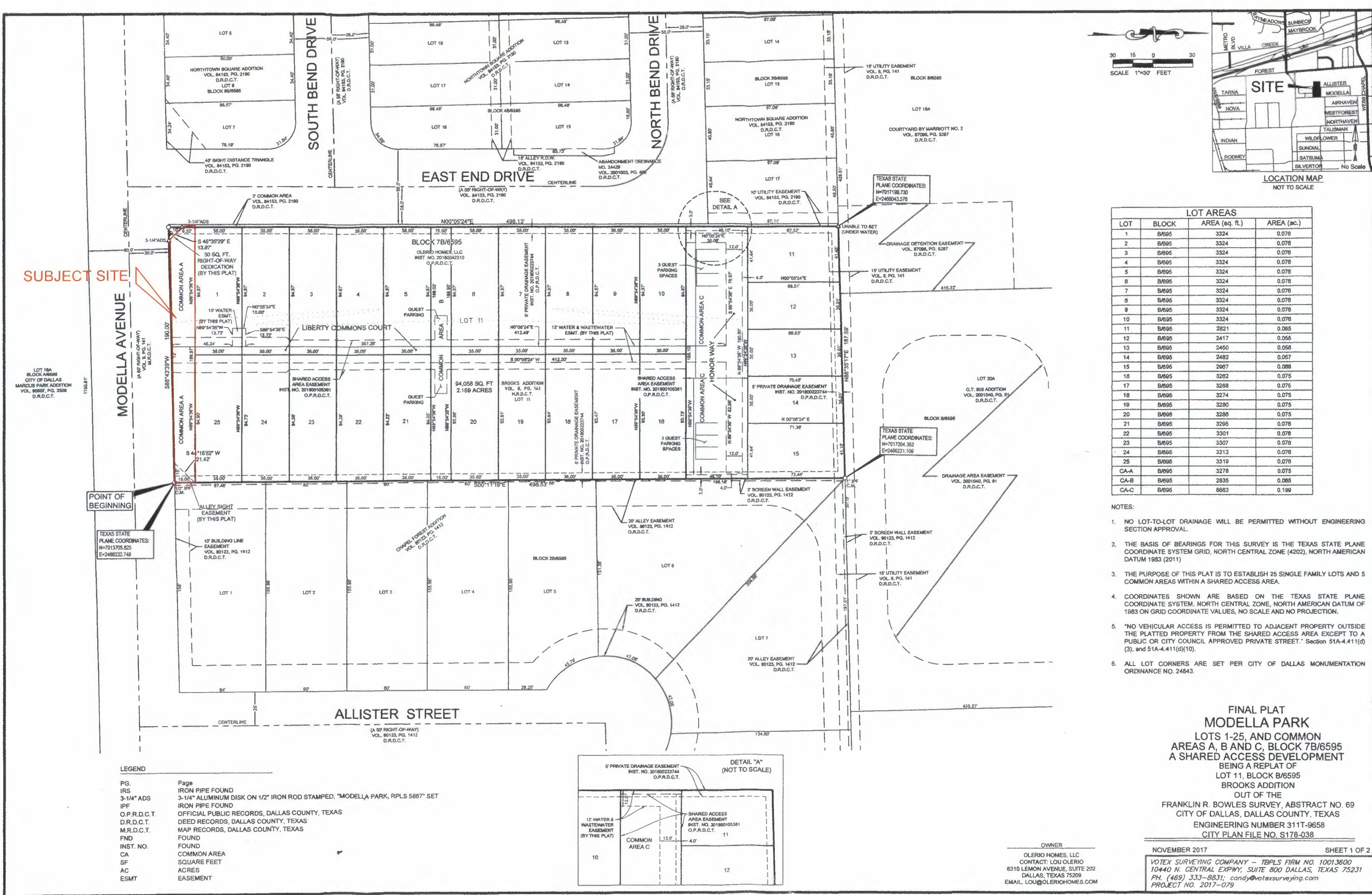
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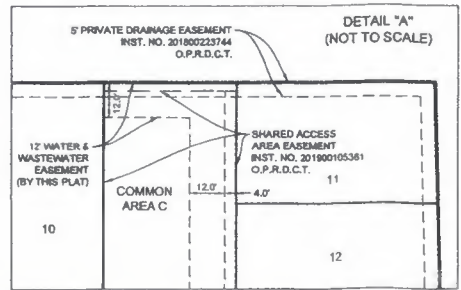
LOT AREAS			
LOT	BLOCK	AREA (sq. ft.)	AREA (ac.)
1	B/695	3324	0.078
2	B/695	3324	0.078
3	B/695	3324	0.078
4	B/695	3324	0.078
5	B/695	3324	0.078
6	B/695	3324	0.078
7	B/695	3324	0.078
8	B/695	3324	0.078
9	B/695	3324	0.078
10	B/695	3324	0.078
11	B/695	2821	0.065
12	B/695	2417	0.055
13	B/695	2450	0.056
14	B/695	2482	0.057
15	B/695	2967	0.068
16	B/695	3262	0.075
17	B/695	3288	0.075
18	B/695	3274	0.075
19	B/695	3280	0.075
20	B/695	3286	0.075
21	B/695	3295	0.076
22	B/695	3301	0.076
23	B/695	3307	0.076
24	B/695	3313	0.076
25	B/695	3319	0.076
CA-A	B/695	3278	0.075
CA-B	B/695	2835	0.065
CA-C	B/695	8683	0.199

- NOTES:
- NO LOT-TO-LOT DRAINAGE WILL BE PERMITTED WITHOUT ENGINEERING SECTION APPROVAL.
 - THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE COORDINATE SYSTEM GRID, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM 1983 (2011)
 - THE PURPOSE OF THIS PLAT IS TO ESTABLISH 25 SINGLE FAMILY LOTS AND 5 COMMON AREAS WITHIN A SHARED ACCESS AREA.
 - COORDINATES SHOWN ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
 - *NO VEHICULAR ACCESS IS PERMITTED TO ADJACENT PROPERTY OUTSIDE THE PLATTED PROPERTY FROM THE SHARED ACCESS AREA EXCEPT TO A PUBLIC OR CITY COUNCIL APPROVED PRIVATE STREET.* Section 51A-4.411(d) (3), and 51A-4.411(d)(10).
 - ALL LOT CORNERS ARE SET PER CITY OF DALLAS MONUMENTATION ORDINANCE NO. 24843.

FINAL PLAT
MODELLA PARK
 LOTS 1-25, AND COMMON
 AREAS A, B AND C, BLOCK 7B/6595
 A SHARED ACCESS DEVELOPMENT
 BEING A REPLAT OF
 LOT 11, BLOCK B/6595
 BROOKS ADDITION
 OUT OF THE
 FRANKLIN R. BOWLES SURVEY, ABSTRACT NO. 69
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 ENGINEERING NUMBER 311T-9658
 CITY PLAN FILE NO. S178-038

LEGEND

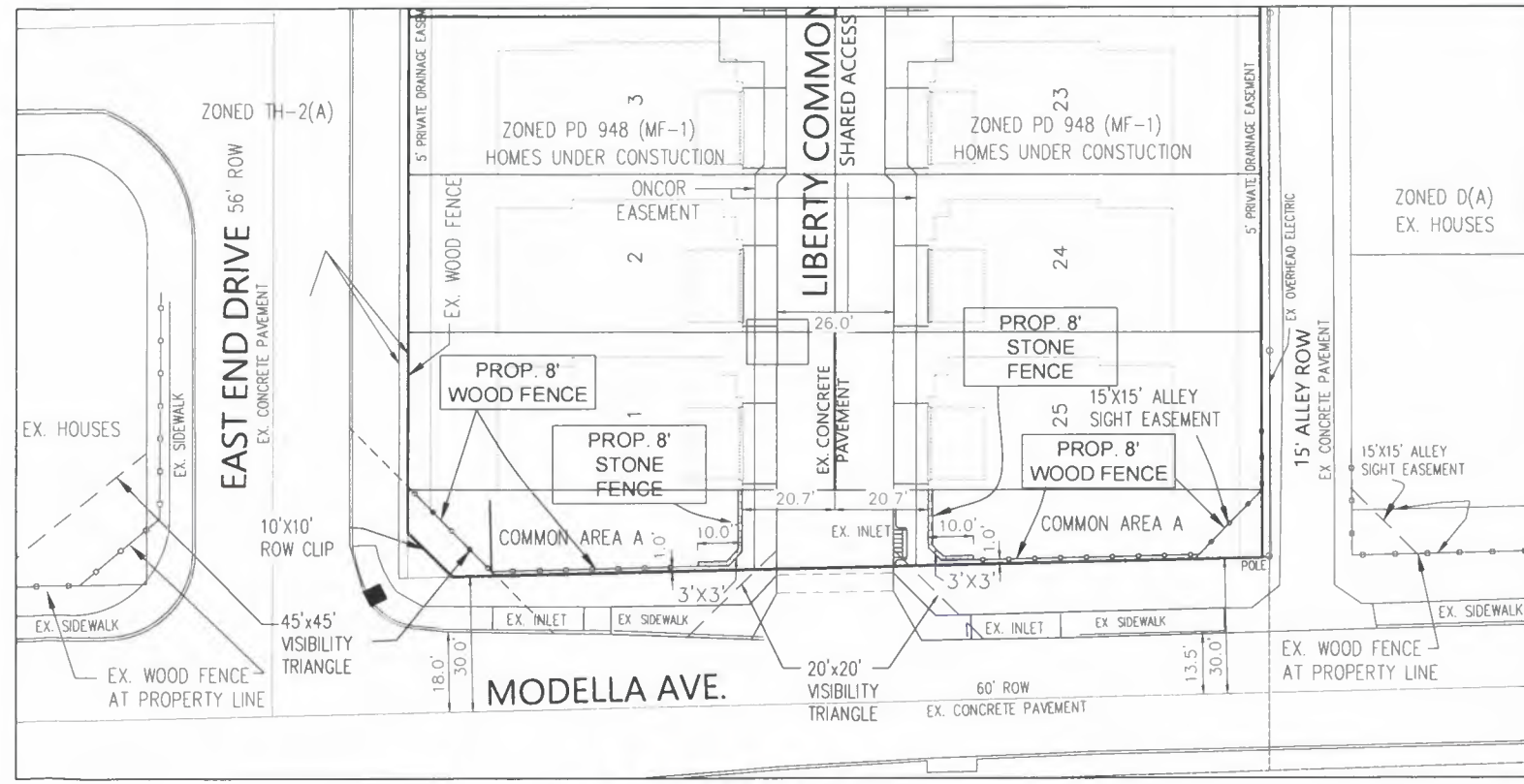
PG.	Page
IRS	IRON PIPE FOUND
3-1/4" ADS	3-1/4" ALUMINUM DISK ON 1/2" IRON ROD STAMPED, "MODELLA PARK, RPLS 5867" SET
IPF	IRON PIPE FOUND
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
FND	FOUND
INST. NO.	FOUND
CA	COMMON AREA
SF	SQUARE FEET
AC	ACRES
ESMT	EASEMENT



OWNER
 OLERIO HOMES, LLC
 CONTACT: LOU OLERIO
 6310 LEMON AVENUE, SUITE 202
 DALLAS, TEXAS 75209
 EMAIL LOU@OLERIOHOMES.COM

NOVEMBER 2017 SHEET 1 OF 2
 VOTEX SURVEYING COMPANY - TBPLS FIRM NO. 10013600
 10440 N. CENTRAL EXPWY, SUITE 800 DALLAS, TEXAS 75231
 PH. (469) 333-8831; condy@votexsurveying.com
 PROJECT NO. 2017-079

BDA-23A-038

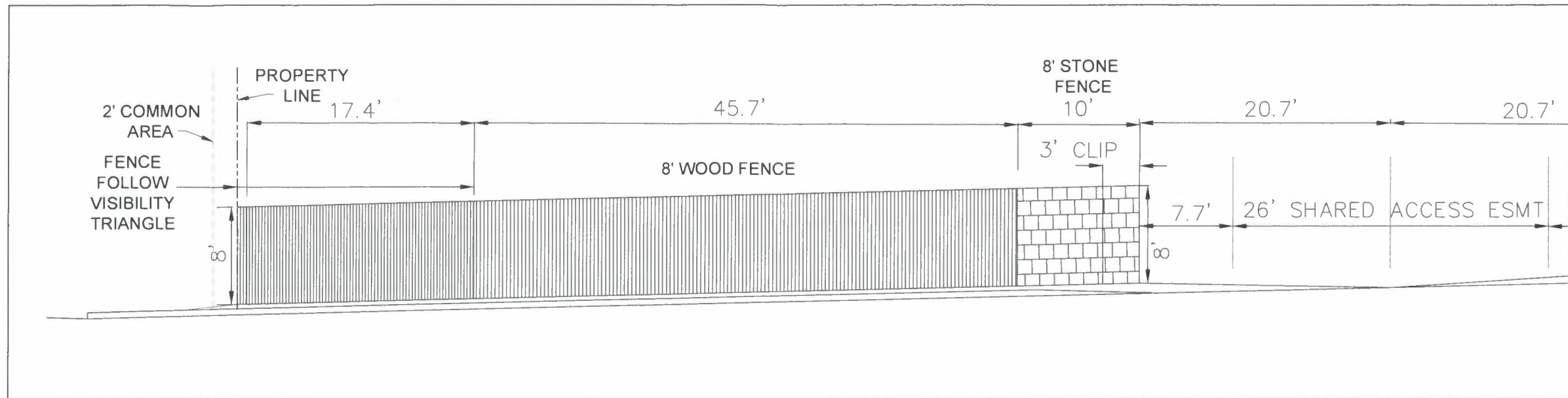


VICINITY MAP
MAPSCO: 23B
NOT TO SCALE

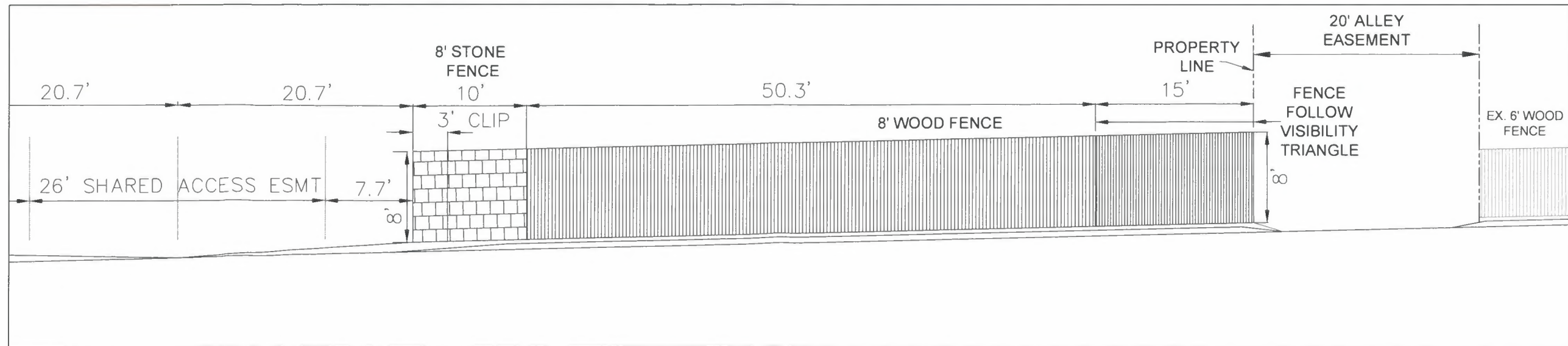
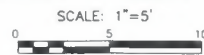
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SITE PLAN FOR FENCING

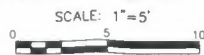
COMMON AREA A, BLOCK 7B/6595



FENCE ELEVATION - WEST OF ENTRANCE



FENCE ELEVATION - EAST OF ENTRANCE



BDA23A-038

FENCE ELEVATION

COMMON AREA A, BLOCK 7B/6595