

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

OFFICE USE ONLY

Case no. _____

Date _____

Data Relative to Subject Property: _____

Location address: 1828 Kessler Pkwy Zoning District: CD-13

Lot No.: 9 Block No.: 19/3980 Acreage: .71 Census Tract: 44.00

Street Frontage (in Ft.): 1) 153.91' 2) _____ 3) _____ 4) _____ (5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): EDWARD F HEYNE IV

Applicant: EDWARD F HEYNE IV Telephone: 214-403-9621

Mailing Address: 1834 KESSLER PKWY, DALLAS, TX Zip Code: 75208

E-mail Address: WARDHEYNE2YAHOO.COM

Represented by: COREY REINAKER Telephone: 6142640631

Mailing Address: 1814 N PL, PLANO, TX Zip Code: 75074

E-mail Address: COREY.REINAKER@GMAIL.COM

Affirm that an appeal has been made for a ☒ Variance or ☐ Special Exception, of:

REQUESTING FOR 51' ENCROACHMENT TO THE 72' REQUIRED SETBACK AND PROVIDING 21'

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:

THE VARIANCE IS NECESSARY BECUASE OF THE RESTRICTIVE SHAPE AND SLOPE OF THE PARCEL.

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 EDWARD F HEYNE IV

(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: _____

(Affiant/ Applicant's signature)

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public in and for Dallas County, Texas _____

05207401 TCI RFF

GENERAL WARRANTY DEED WITH VENDOR'S LIEN (WITH SUBORDINATE VENDOR'S LIEN)

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS

COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS:

THAT DALE R. MEMEIER

3342609

5208599
05/04/05

\$11.00 Deed

hereinafter called "GRANTOR" (whether one or more), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration to GRANTOR in hand paid by, EDWARD F. HEYNE, A SINGLE PERSON

whose mailing address is 1834 KESSLER PARKWAY

, DALLAS, TX 75208

hereinafter called "GRANTEE" (whether one or more), the receipt and sufficiency of which are hereby acknowledged, and for the further consideration of the sum paid to GRANTOR by SHELTER MORTGAGE COMPANY, L.L.C.

hereinafter called FIRST-LIEN BENEFICIARY, at the special instance and request of GRANTEE, the receipt and sufficiency of which sum, being in the amount of \$100,000.00, is hereby acknowledged and confessed; and as evidence of such advancement, GRANTEE has executed GRANTEE'S note of even date herewith for such amount payable to the order of FIRST-LIEN BENEFICIARY, said note payable as provided therein; and the payment of said note is secured by a vendor's lien reserved herein and is additionally secured by a deed of trust of even date with said note, executed by GRANTEE to Thomas E. Black, Jr.

, TRUSTEE, reference to which deed of trust is hereby made for all purposes; and in consideration of the payment by FIRST-LIEN BENEFICIARY of the sum specified in said deed of trust, GRANTOR hereby transfers, sets over, assigns, and conveys unto FIRST-LIEN BENEFICIARY and its assigns a vendor's lien and superior title retained and reserved herein against the property and premises conveyed herein in the same manner and to the same extent as if said note had been executed in GRANTOR'S favor and assigned by GRANTOR to FIRST-LIEN BENEFICIARY without recourse; and GRANTOR has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto said GRANTEE, the following described property, to-wit:

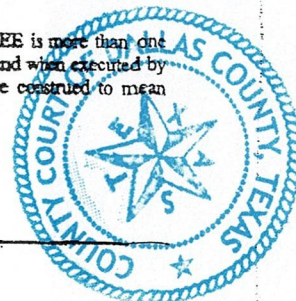
BEING LOT 9, IN BLOCK 19/3900, OF KESSLER PECAN GROVE ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 25, PAGE 11, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

TO HAVE AND TO HOLD the above-described premises, together with, all and singular, the rights and appurtenances thereunto in anywise belonging unto said GRANTEE and GRANTEE'S heirs and assigns forever. GRANTOR does hereby bind GRANTOR and GRANTOR'S heirs, executors, and administrators to warrant and forever defend, all and singular, the said premises unto the said GRANTEE and GRANTEE'S heirs and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Taxes of every nature for the current year have been prorated and are assumed by GRANTEE. This conveyance is made subject to, all and singular, the restrictions, mineral reservations, royalties, easements, and covenants, if any, applicable to and enforceable against the above-described property as reflected by the records of the County Clerk of the aforesaid County.

GRANTOR and GRANTEE also acknowledge the retention of a second, subordinate and separate vendor's lien, and GRANTOR hereby transfers the same to SHELTER MORTGAGE, LLC hereafter called "SECOND-LIEN BENEFICIARY", which lien secures GRANTEE'S certain other note of even date to SECOND-LIEN BENEFICIARY in the amount of \$47,000.00, being further consideration paid to GRANTOR, as more particularly described in deed of trust of even date herewith to THOMAS E. BLACK, JR., TRUSTEE. But it is expressly agreed and stipulated that the vendor's lien and superior title are retained in favor of the FIRST-LIEN BENEFICIARY and SECOND-LIEN BENEFICIARY, respectively, against the above described property, premises and improvements, until each of the above respective notes is fully paid according to its terms, when this deed shall become absolute.

When this deed is executed by more than one person, or when the GRANTOR or GRANTEE is more than one person, the instrument shall read as though pertinent verbs and pronouns were changed to correspond; and when executed by or to a corporation, the words "heirs, executors, and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns."

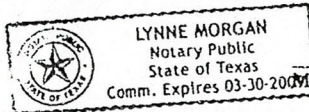


DATED this 29th day of April, 2005

DALE R. NIEMEIER

THE STATE OF TEXAS)
COUNTY OF Dallas)

(Acknowledgment)

This instrument was acknowledged before me on the 29th day of April, 2005,
by Dale R. Niemeier.

My commission expires

Notary Public, State of
Printed Name:THE STATE OF TEXAS)
COUNTY OF)

(Acknowledgment)

This instrument was acknowledged before me on the _____ day of _____,
by _____

My commission expires

Notary Public, State of
Printed Name:THE STATE OF TEXAS)
COUNTY OF)

(Acknowledgment)

This instrument was acknowledged before me on the _____ day of _____,
by _____

My commission expires

Notary Public, State of
Printed Name:THE STATE OF TEXAS)
COUNTY OF)

(Acknowledgment)

This instrument was acknowledged before me on the _____ day of _____,
by _____

My commission expires

Notary Public, State of
Printed Name:THE STATE OF TEXAS)
COUNTY OF)

(Corporate/Entity Acknowledgment)

This instrument was acknowledged before me on the _____ day of _____,
by _____
of _____
a _____, on behalf of said _____

My commission expires

Notary Public, State of
Printed Name:

AFTER RECORDING RETURN TO:

EDWARD F. KEYNE
1834 KESSLER PARKWAY
DALLAS, TX 75208

Re: 1828 KESSLER PARKWAY, DALLAS, TX 75208



2005087 00750



THE STATE OF TEXAS
COUNTY OF DALLAS

I hereby certify that the above and foregoing is a full, true, and correct photographic copy of the original record now in my lawful custody and possession, filed on the date stamped thereon and as the same is recorded in the Recorder's Records in my office under the volume and page or instrument # stamped thereon.
I hereby certify on

JUL 16 2025



COUNTY CLERK, Dallas County, Texas

By AB Small Deputy

1:1822

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0 0.03 0.06 0.12 km



Planning & Development Department

320 E Jefferson Blvd, Dallas TX 75203

(214) 948-4480

BOARD OF ADJUSTMENT REFERRAL FORM

Referred by: _____ Date: _____

Department: _____

Phone/Email: _____

Manager signature: _____

Consulted with: _____

☐ Applicant

☐ Representative

☐ Owner

Name: _____

Phone/Email: _____

Property Information

Address: _____

Lot: _____

City Block: _____

Zoning Classification: _____

Issues that require Board action

List the City of Dallas Development Code(s) this project is non-compliant with: _____

Check all that apply: ☐ Variance ☐ Special Exception

☐ Yard setback

☐ Lot Width

☐ Lot Depth

☐ Lot coverage

☐ Floor area for accessory structures for single-family uses

☐ Height

☐ Minimum width of sidewalk

☐ Off-street parking

☐ Off-street loading

☐ Landscape regulations

☐ fence height and/or standards

☐ Visibility triangle obstructions

☐ Parking demand

☐ Additional dwelling unit (not for rent) ☐ Accessory dwelling unit (for rent)

☐ Carport

☐ Non-conforming use or structure

☐ Administrative Official Appeal

☐ Other: _____

Description: _____

Alternative resolutions discussed/offered: _____

