



## Duncanville Zoning Board of Adjustment

City Hall Council Chambers  
203 E. Wheatland Rd.  
Duncanville, TX 75116

**Thursday, March 5, 2026  
7:00 P.M. Meeting**

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*City of Duncanville Planning and Zoning Commission meetings are available to all persons regardless of disability. The Duncanville City Hall is accessible to people with disabilities. If you need assistance in participating in this meeting due to a disability as defined under the ADA, please call 972-780-5017 or email [city.secretary@duncanvilletx.gov](mailto:city.secretary@duncanvilletx.gov) at least three (3) business days prior to the scheduled meeting to request an accommodation.*

**As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.**

**The City of Duncanville and Planning and Zoning Commission reserves the right to reconvene, recess or align the Regular Session or called Executive Session or order of business at any time prior to adjournment.**

**Persons may participate by live broadcast via Swagit. To view the live meeting or previous meetings click on the following link:**  
<https://duncanvilletx.new.swagit.com/views/454/>

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### **(7:00 P.M.) ZONING BOARD OF ADJUSTMENT MEETING**

#### **1. Call to order and confirm a quorum**

#### **2. Public Comment**

Receive public comments on items not listed on the agenda, limit 2-minutes per individual speaker. To submit a comment via email and for your comments to be read, the following information is required:

- A. Submit a comment by 4:00 p.m. on Thursday, March 5, 2026.
- B. Email [planningandzoning@duncanvilletx.gov](mailto:planningandzoning@duncanvilletx.gov)
- C. Email Title: Public Comment – March 5, 2026.
- D. First and Last Name and address.

The Board Secretary will still set a two-minute time limit on the comments as they are read.

#### **3. Agenda Item**

- A. Consider approval of the minutes from the Zoning Board of Adjustment Meeting held on November 6, 2025.

#### **4. Zoning Board of Adjustment Action Items/Public Hearings**

- A. **ZBA-2025-00004:** Discuss and consider adoption of an order to grant or deny a fence variance on real property at **700 and 704 Cavan Road**, Block 5, Lot 5A, Woodhaven Addition on 8.8825 acres, City of Duncanville, Dallas County, Texas.
- B. **ZBA-2026-00002:** Request from Natalie Ortiz, applicant and owner, for an use variance to operate a group home with a total of ten (10) children in a residential home on real property at the **1507 Sharon Drive**, Lot 15, Block C, Dannybrook Estates No. 1, City of Duncanville, Dallas County, Texas.

## 5. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Duncanville City Hall, a place convenient and readily accessible to the general public, as well as to the City's website [www.duncanvilletx.gov](http://www.duncanvilletx.gov) and said Notice was posted on the following date and time: **Tuesday, February 24, 2026 by 6:00 pm** and remained posted for at least two hours after said meeting was convened.

*Desiree' Powell*

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Desiree' Powell, City Planner

**ZONING BOARD OF ADJUSTMENT MEETING  
DUNCANVILLE COUNCIL CHAMBERS  
203 EAST WHEATLAND ROAD  
THURSDAY, NOVEMBER 6, 2025, 7:00 P.M.**

The meeting for the Zoning Board of Adjustment was held on Thursday, November 6, 2025, at 7:00 p.m. with the following members of the board present:

Lawrence Smith	Zoning Board of Adjustment Chair
Terry Popham	Zoning Board of Adjustment Member
LaVaughn Washington	Zoning Board of Adjustment Member
Stanley Smith	Alternate Zoning Board of Adjustment Member

**Staff:**

LaSheyla Jones, Assistant Director of Planning & Zoning  
Desiree Powell, City Planner

**Item No. 1 – Call to order and confirm quorum**

Staff conducted a roll call. Lawrence Smith started meeting at 7:06 pm. The audio was not on at this time and wasn't properly recorded.

**Item No. 2 – Public Comment**

7:07 pm- No public comments

**Item No. 3 – Zoning Board of Adjustment Action Items/Public Hearings**

**3.A. ZBA-2025-00004: Request from Jeffrey Kassa, applicant and owner, for variance to increase the height for a fence in the front yard, of the Woodhaven Addition, Block 5, Lot 5A, 8.8825 acres, more commonly known as 708 Cavan Road, City of Duncanville, Dallas County, Texas.**

Planner Desiree Powell presented the request for a variance to increase the maximum fence height from 4 feet to 8 feet at 700/704 Cavan Road, located in an SF-10 residential zoning district. The property was replatted in 2024, combining three lots into one.

Staff mailed 58 notices, receiving one response in opposition and one in favor.

Desiree noted that the applicant cited illegal dumping, stray dogs, and safety concerns as the primary hardships for the variance request. However, staff did not find substantial evidence supporting a unique hardship related to the property itself.

Staff research, conducted between January 2024 and September 2025, indicated multiple police calls related to stray dogs and complaints about illegal dumping near the property. The applicant had previously been cited for tree removal without a permit.

The applicant's new fence, constructed of 8-foot wrought iron, exceeds the height permitted by ordinance. Desireé explained that the variance would not negatively affect the comprehensive plan or public welfare, but that the requested hardship did not meet zoning criteria, as the lot's conditions were self-imposed.

Staff Recommendation: Denial of the variance request to increase the fence height from 4 feet to 8 feet.

Board members discussed the proposed fence and potential impacts on the neighborhood. Stanley Smith noted that rod iron and brick fences are see-through and would not impede neighbors' views. LaVaughn Washington asked if staff's property evaluation identified any aesthetics contrary to the neighborhood. Desireé Powell stated the fence has not yet been built, that the height was flagged on the permit, and that the proposed fence is consistent with neighborhood character. LaVaughn clarified that fences in the area do not exceed 8 feet.

Lawrence Smith inquired about crime concerns mentioned in the letter of hardship and whether there were documented calls regarding crime. Desireé explained that the applicant cited safety concerns, crime, and homeless encampments, and she would allow the applicant to address those concerns. Lawrence noted that there is one letter in opposition and one in favor; Desireé confirmed that a resident reached out in favor that day.

Terry Popham asked about the nature of the objection in the opposition letter. Desireé stated that the 8-foot fence could appear out of place and that staff did not find substantiated claims regarding crime or illegal dumping. Lawrence expressed concern about setting a precedent if the variance is granted. Desireé acknowledged the concern but noted the applicant would speak on the matter. She also noted an anomaly where a neighboring property registered as a church has a 7-foot fence.

Lawrence then asked if the applicant wished to address the Board. Jeffrey Kassa approached to speak.

The applicant was present and spoke in favor of the request.

Jeffrey Kassa, owner of 700 and 704 Cavan Road, addressed the Board and thanked them for the meeting. He noted several inaccuracies in the staff report, including a prior claim of illegal tree removal, which he explained was a misunderstanding during brush clearing. He clarified that he is not requesting a new fence but approval for the existing fence to maintain cohesion with the neighborhood.

Kassa stated that his property is consistent with neighboring homes and noted that multiple properties, including a nearby church, have fences of similar height. He described safety and security concerns as the primary hardships, including trespassing, vandalism, theft, and destructive activity near his home. He referenced incidents involving police response, documented trespassing, and concerns for his 70-year-old mother residing on the property.

Kassa noted that the proposed 8-foot fence would match neighboring fences in material and design, would not block views, and would enhance safety and property values. He emphasized that the fence is necessary to deter unwanted traffic, protect residents, and prevent illegal activity along the street.

Kassa also explained that the property was replatted to maintain neighborhood cohesion, foregoing larger development opportunities originally planned for the parcel, and that he is working with city officials to implement additional safety measures, such as street lighting and speed control. He requested approval of the 8-foot fence to secure the property, protect his family, and maintain neighborhood safety.

Board members asked questions and discussed the proposed fence with the applicant prior to opening the public hearing. Stanley Smith commented that the fence is visually appealing. Jeffrey Kassa stated he intends to continue the same fence, matching the height of neighboring fences, and clarified that it may be slightly under 8 feet but would align with what is approved. Lawrence Smith inquired whether the fence was measured and asked about the neighboring property's use; Kassa confirmed it is a church that functions as a residential property.

Terry Popham noted concerns regarding self-imposed conditions, trash, and prior statements in the staff report, while acknowledging the fence's appearance. Kassa emphasized his desire to establish roots in the neighborhood and address local concerns. Stanley Smith confirmed that vagrants frequent nearby areas and parks.

Planner Desireé Powell clarified that the variance request pertains only to the front fence and that the claims regarding additional homes on the property are not allowed under SF-10 zoning. She noted that the building inspector measured the fence at 7.5 feet and that staff could not verify claims regarding other alleged issues.

Lawrence Smith then moved to open the public hearing, noting no prior sign-ups for comments. Board members asked if there were any public comments at that time; none were present.

Terry Popham opened the public hearing at 7:47 p.m., seconded by LaVaughn Washington.

Elizabeth Gable, resident of 602 Cavan Road, spoke in favor of the variance. She stated that active neighbors regularly clean up trash along the street, which may explain why staff did not observe litter. Gable noted that approving Jeffrey Kassa's fence would improve safety for all residents. She described recent incidents involving vagrants near her property, including a recent situation

where a young woman sought refuge on her porch due to danger, which was documented by her security system and responded to by police.

The public hearing was closed at 7:51 p.m. by Terry Popham, seconded by LaVaughn Washington.

After the public hearing was closed, Lawrence Smith asked if the Board had any additional questions for the applicant or staff; all questions were answered and no further questions were raised.

Board members discussed the variance request. Terry Popham and Stanley Smith expressed support, noting precedent and neighborhood safety concerns. Desireé Powell clarified that the church is located on residential property, consistent with zoning, and that the variance pertains solely to the front fence. Board members confirmed awareness of local activity and trash concerns near the adjacent park.

Terry Popham made a motion to approve the variance for the front fence to match the height of the neighboring fence. Stanley Smith seconded the motion. Clarification was requested regarding the fence height and materials. Desireé Powell confirmed that the proposed fence would be rod iron with brick columns, consistent with the neighboring fence.

The motion was amended to specify that the fence shall match the height, materials, and construction style of the neighboring fence. The Board confirmed that the variance applies only to the fence submitted for approval. The amended motion was seconded by Stanley Smith. A roll call vote was taken, and the Board unanimously approved the variance, 4-0.

Lawrence Smith made a motion to approve the variance, seconded by Stanley Smith at 7:53 p.m. The Board voted 4-0 in favor of approving the variance request, with the condition that the fence matches the height and materials of the neighboring fence. The motion passed.

**Item No. 4 - 3.B. ZBA-2025-0001: Request from Leonard Vose, applicant and owner, for a variance to construct an accessory structure related to the current auto repair, of the Merrill Abstract 884, Page 75, Tract 51, 0.261 acres, more commonly known as 209 S. Hastings Street, City of Duncanville, Dallas County, Texas.**

Desireé Powell presented the case for Leonard Vose, owner of the property at 209 S. Hastings Street, requesting a reservation to construct a 750 sq. ft. in addition to his existing auto repair business. The addition would be enclosed to allow work in varying weather conditions. The property is in the Downtown District – Urban Living (DD-UL).

Staff noted that auto repair is a legal nonconforming use at this location. The business predates the 2021 zoning ordinance, originally allowed under the 1965 Central Business District zoning and later amended in 1975 to Local Retail-2, at which point auto repair was no longer permitted use. Mr. Vose purchased the property in the early 2000s when it was already a legal nonconforming use.

As a major addition would constitute an expansion of a nonconforming use in a district where auto repair is not allowed, staff recommended denial of the variance. Eleven mailers were sent, with one response in favor of the request. Desireé reviewed the variance procedure with the Board.

Staff confirmed one response in favor of the variance request. The applicant was present and spoke in support of the request.

Leonard Vose, 209 S. Hastings Street, stated that he has operated his auto repair business at this location since 2000 and purchased the property in 2001. He is requesting to extend the building at the rear, which will not be visible from the street. The addition would cover an existing slab to accommodate alignment work that needs to be performed outdoors.

Mr. Vose noted that ingress and egress would remain unchanged, and the addition would not be visible from the road or aerial views. The business employs five people, and he intends to continue operations at the current location. He also noted that last year renovations were completed on the office, and the front of the building was painted, along with the installation of an 8-foot fence, as part of efforts to maintain clean and orderly property.

Stanley Smith commented that the business property is well-maintained and appreciated Mr. Vose's efforts. Lawrence Smith clarified that prior improvements were to the interior of the building, which Mr. Vose confirmed, noting significant investment. Lawrence Smith asked if there were any further questions regarding the application.

Lawrence Smith then made a motion to open the public hearing for this item.

Terry Popham opened public hearing 2<sup>nd</sup> LaVaughn Washington at 8:08 pm.

Lawrence Smith called for any signed-up speakers.

Desireé reported that no one had signed up in advance.

Jeffrey Kassa, 700 & 704 Cavan Rd, spoke in support of Leonard Vose, noting that he is a good business owner and should not be forced out.

Elizabeth Gable, 602 Cavan Rd, spoke in support, praising Mr. Vose's character and noting that her family has been a patron of his business.

Terry Popham closed public hearing 2<sup>nd</sup> LaVaughn Washington at 8:10 pm.

Discussion between Terry Popham, Stanley Smith, Lawrence Smith, and LaVaughn Washington took place at 8:10 pm.

Terry Popham expressed support.

LaVaughn Washington and Lawrence Smith discussed the tension between the Comprehensive Plan and supporting an existing nonconforming business, emphasizing the need for careful precedent-setting.

Terry Popham and Stanley Smith highlighted that the requested expansion is minor, will protect equipment, and benefit the business and employees without adversely affecting the neighborhood or traffic.

LaVaughn Washington emphasized handling each nonconforming business on a case-by-case basis.

Lawrence Smith acknowledged Mr. Vose's good standing in the community while noting the importance of consistency for future requests.

Terry Popham made a motion to approve at 8:20 pm, Stanley Smith 2nd motion to approve variance. The vote was held: 4-0 in favor of approval for variance request to build an accessory structure related to the current auto repair.

The motion passed.

### **Adjournment**

Meeting adjourned at 8:26 PM, motion by Terry Popham, seconded by LaVaughn Washington.

**ZONING BOARD OF ADJUSTMENT  
STAFF REPORT**

<b>LOCATION:</b>	700 and 704 Cavan Road
<b>OWNER:</b>	Jeffrey Kassa
<b>APPLICANT:</b>	Jeffrey Kassa
<b>ZONING DISTRICT:</b>	Single-Family 10 Residential (SF-10)
<b>REASON FOR DESIRED ADJUSTMENT:</b>	To construct an 8' fence in residential zoning district

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**BACKGROUND**

The applicant is requesting a variance to build an 8 foot fence in the front yard in a residential zoning district. The current zoning district allows front yard fences at a maximum height of 4 feet. The subject property is over 8 acres. The property is currently zoned Single-Family 10 Residential District (SF-10) and must comply with the SF-10 zoning district regulations outlined in Section 2.03.C.2. The proposed fence must also comply with the fence regulations outlined in Chapter 12, Article X in the City of Duncanville Code of Ordinances.

Currently, there are two (2) dwelling units on the lot. The larger structure (3,380 square feet) is considered the primary residence and the second structure (2,400 square feet) to the east is considered an accessory dwelling unit (ADU). The applicant has expressed that the need for a taller fence is due to stray and loose animals, security and crime concerns, trespassing, illegal dumping, and homeless encampments, street racing on Cavan Road, littering, and theft. Therefore, the applicant is requesting a variance from the required front yard fence height of 4 feet to 8 feet.

The subject property is platted in the Woodhaven Addition, lot 4, block 5. The property was replatted from three (3) lots into one (1) lot in 2024 to build a single-family home and shop, however, the shop structure was later changed to an accessory dwelling unit (ADU). The ADU is located to the east of the primary structure.

**STANDARDS AND FINDINGS**

During staff research, we did contact the City of Duncanville Police department to better understand the safety concerns. Staff found that from January 1, 2024, until September 2025 the Police department had received multiple calls from the applicant related to stray animals in the area. The Police department records did not show calls regarding other safety concerns in the area nor along Cavan Road during the timeframe requested.

Staff research also included reaching out to the Code Compliance/Enforcement department for any calls during the timeframe of January 1, 2024, to September 2025. The assigned code officer for this area stated that they had not received any calls regarding illegal dumping, however, had issued a citation for illegally cutting/removing trees at the subject property.

Additionally, both structures being constructed on the subject property are setback more than 50

feet from the front property line. The required minimum front setback of the SF-10 zoning district is 25 feet.

***Staff mailed out 58 public notices. At this time, we have not received any letters in support or in opposition of this request.***

Per Chapter 12, Article X, Sec. 12-108 (b) (2), the required fence height in residential zoning districts is 48 inches or 4 feet in height.

Per Article VI, Section 6.09(a), of the Comprehensive Zoning Ordinance, the Zoning Board of Adjustment may authorize in specific cases a variance from the terms of the Zoning Ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the Ordinance is observed and substantial justice is done.

Per Article VI, Section 6.09(b), of the Comprehensive Zoning Ordinance, the conditions for granting a variance are as follows:

1. There are special circumstances existing on the property on which the application is made

related to the size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district.

2. A variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed under this Ordinance by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
3. The granting of a variance on the specific property will not adversely affect the land use pattern as outlined in the Land Use Plan and will not adversely affect any other feature of the Comprehensive Plan.
4. The granting of the variance will not be based upon the recognition of a self-imposed hardship or only the opportunity to make the property more profitable to the applicant and/or owner.
5. The variance, if granted, will not be material detriment to the public welfare or injury to the use, enjoyment, or value of property in the vicinity.

### **HARDSHIP**

A hardship is present when the use of a property cannot be fully enjoyed due to the current zoning and/or development standards. The hardship presented would not take away from the full enjoyment and/or use of the subject property in compliance with the current zoning and fence regulations.

### **ATTACHMENTS**

Attachment 1 – Notification map (200 ft.)

Attachment 2 – Fence plan

Attachment 3 – Recorded plat

Attachment 4 – Hardship letter

### **STAFF ANALYSIS**

1. The granting of a variance on the specific property will not adversely affect the land use, however, it will set a precedence of requesting changes to the adopted and required development standards and regulations.
2. There are other homes along Cavan Road that have fences meeting the required height of 4 feet, creating a sense of cohesion on the street. The proposed increase would be incompatible with the surrounding homes except for one lot.
3. The granting of the variance will not adversely affect any other feature of the Comprehensive Plan.
4. The variance is a self-imposed hardship and will not be a detriment to the public welfare or injure to the use, enjoyment, or value of property in the vicinity.

### **STAFF RECOMMENDATION**

Staff recommends **denial** of the requested variance to permit an 8' fence instead of a 4' in a residential zoning district.

**ZONING BOARD OF ADJUSTMENT  
STAFF REPORT**

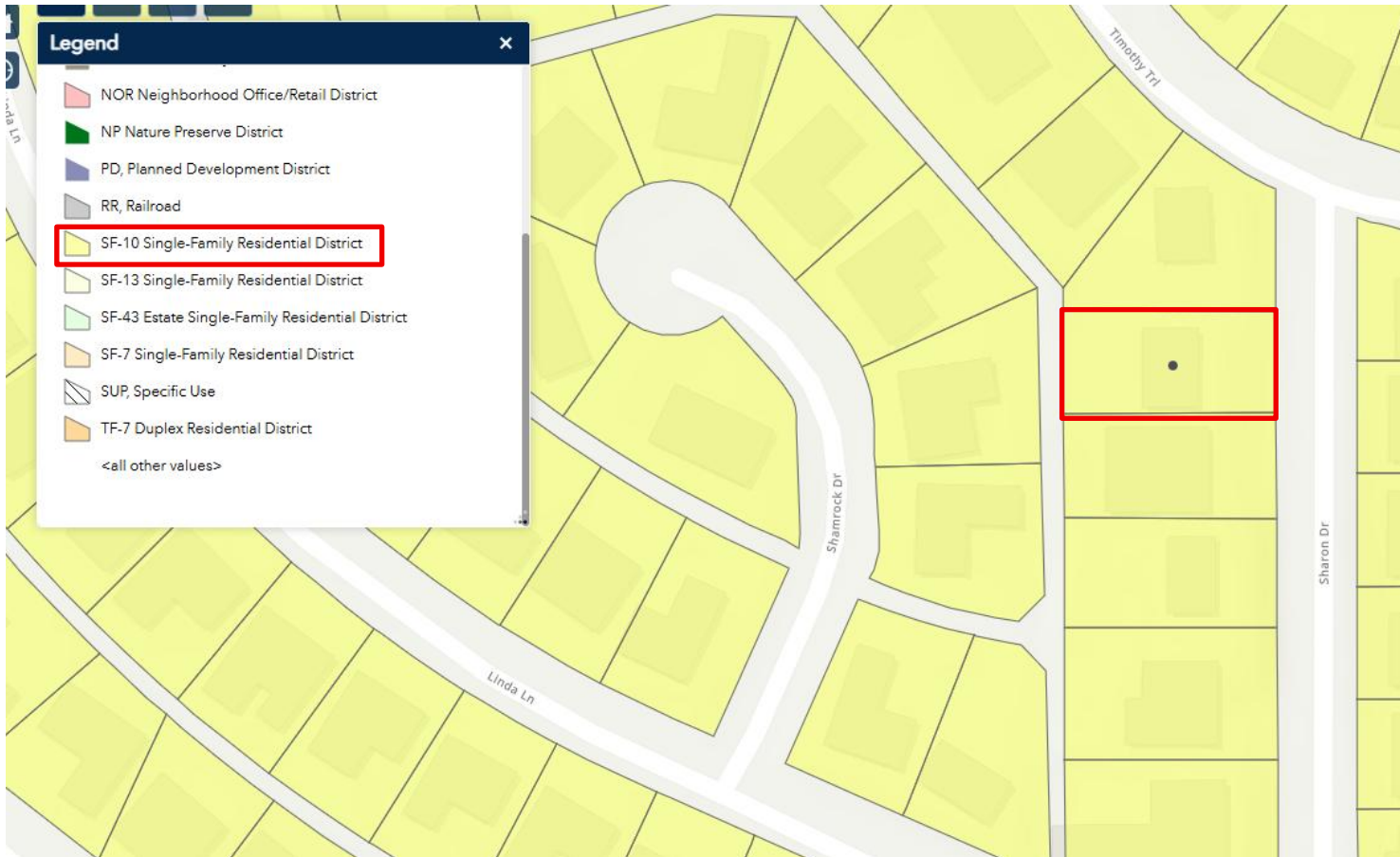
<b>LOCATION:</b>	1507 Sharon Drive
<b>OWNER:</b>	Natalie Ortiz   Helping Hands Group Home
<b>APPLICANT:</b>	Natalie Ortiz
<b>ZONING DISTRICT:</b>	Single Family Residential District 10 (SF-10)
<b>REASON FOR DESIRED ADJUSTMENT:</b>	To operate a group home with more than four (4) children

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**BACKGROUND**

The applicant is requesting a variance to operate a group home in a residential zoning district with more than four (4) children. The group home is proposing to house and care for ten (10) children (boys) from ages 7-17. The city of Duncanville's Code of Ordinance currently allows for group homes to operate in residential zoning districts, however, the maximum number of children that can be housed is four (4). The applicant applied for a reasonable accommodation request to operate with 10 children in December 2025 to the Planning and Zoning department. The request was denied which led to the applicant requesting a variance to the land use interpretation of a 'group home'.

The subject property is part of the Dannybrook Estates No. 1, lot 15, block C.



**Figure 1 – Zoning Map**  
**Subject Property**

**STANDARDS AND FINDINGS**

The subject property is currently zoned Single Family Residential District (SF-10). Based on staff’s findings, the ‘group home’ use is currently permitted as stated in the city of Duncanville’s Code of Ordinances in Chapter 12C, Boarding and Group Homes. Based on this, the applicant initially attempted to apply for a Specific Use Permit (SUP) to operate a group home facility and get a Certificate of Occupancy (CO). The initial proposal stated that their operations would house 14 children ranging from ages 6-17 with mental and physical disabilities.

According to Chapter 12C, Section 12C-2, a group home facility is defined as “housing occupied by groups of unrelated individuals with disabilities, which may or may not be provided by organizations that also offer various services for individuals with disabilities living in the homes and are licensed by the state, in which a reasonable accommodation and certificate of occupancy has been issued prior to operating if such home has four or more persons occupying the dwelling unit.” Based on this definition along with the proposed number of children, staff informed the applicant that housing more than four (4) children would require a reasonable accommodation request to allow additional children. Following this information, the applicant submitted a reasonable accommodation request to house ten (10) children which was still more than the permitted maximum of four (4) children. Staff denied the request based on the requirements stated in Chapter 12C, Section 12C-7, reiterating that the number of children was not allowed.

According to Article VI, Section 6.03 (A) (a), a nonconformity is described as a use, structure, or lot that does not conform to the current standards of the Zoning Ordinance, but that was in conformance with the standards in place at the time of its inception, and have been rendered nonconforming due to a change in the applicable standards and regulations. Staff does acknowledge that the auto repair use was permitted within the property's original zoning of Central Business (CB), however, in today's Zoning Ordinance would be considered a nonconforming use.

***Staff mailed out 25 public notices. Two (2) letters have been received in opposition.***

Per Article VI, Section 6.09 (a), of the Comprehensive Zoning Ordinance, the Zoning Board of Adjustment may authorize in specific cases a variance from the terms of the Zoning Ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the Ordinance is observed and substantial justice is done.

Per Article VI, Section 6.09 (b), of the Comprehensive Zoning Ordinance, the conditions for granting a variance are as follows:

1. There are special circumstances existing on the property on which the application is made

related to the size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district.

2. A variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed under this Ordinance by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
3. The granting of a variance on the specific property will not adversely affect the land use pattern as outlined in the Land Use Plan and will not adversely affect any other feature of the Comprehensive Plan.
4. The granting of the variance will not be based upon the recognition of a self-imposed hardship or only the opportunity to make the property more profitable to the applicant and/or owner.
5. The variance, if granted, will not be material detriment to the public welfare or injury to the use, enjoyment, or value of property in the vicinity.

### **HARDSHIP**

A hardship is present when the use of a property cannot be fully enjoyed due to the current zoning and/or development standards. The hardship presented would be allowing the expanded operational group home use to house more children than is allowed as stated in the Code of Ordinances.

### **STAFF ANALYSIS**

1. The granting of a variance on the specific property may adversely affect land use as it will allow the operation of use beyond the maximum allowed by the Code of Ordinances.
2. The granting of the variance may adversely affect other features of the Comprehensive Plan as it envisions this property as part of the Single-Family neighborhood district.
3. The variance is a self-imposed hardship and may be a detriment to the public welfare or injure to the use, enjoyment, or value of property in the vicinity.

### **ATTACHMENTS**

Attachment 1 – Notification map (200 ft.)  
Attachment 2 – Reasonable Accommodation Request  
Attachment 3 – Reasonable Accommodation Request Denial  
Attachment 4 – Justification and Operation Letter  
Attachment 5 – State Operational License

### **STAFF RECOMMENDATION**

Staff recommends **denial** of the requested variance to allow a group home to operate and house ten (10) children.



**ZONING BOARD OF ADJUSTMENT  
STAFF REPORT**

<b>LOCATION:</b>	700 and 704 Cavan Road
<b>OWNER:</b>	Jeffrey Kassa
<b>APPLICANT:</b>	Jeffrey Kassa
<b>ZONING DISTRICT:</b>	Single-Family 10 Residential (SF-10)
<b>REASON FOR DESIRED ADJUSTMENT:</b>	To construct an 8' fence in residential zoning district

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**BACKGROUND**

The applicant is requesting a variance to build an 8 foot fence in the front yard in a residential zoning district. The current zoning district allows front yard fences at a maximum height of 4 feet. The subject property is over 8 acres. The property is currently zoned Single-Family 10 Residential District (SF-10) and must comply with the SF-10 zoning district regulations outlined in Section 2.03.C.2. The proposed fence must also comply with the fence regulations outlined in Chapter 12, Article X in the City of Duncanville Code of Ordinances.

Currently, there are two (2) dwelling units on the lot. The larger structure (3,380 square feet) is considered the primary residence and the second structure (2,400 square feet) to the east is considered an accessory dwelling unit (ADU). The applicant has expressed that the need for a taller fence is due to stray and loose animals, security and crime concerns, trespassing, illegal dumping, and homeless encampments, street racing on Cavan Road, littering, and theft. Therefore, the applicant is requesting a variance from the required front yard fence height of 4 feet to 8 feet.

The subject property is platted in the Woodhaven Addition, lot 4, block 5. The property was replatted from three (3) lots into one (1) lot in 2024 to build a single-family home and shop, however, the shop structure was later changed to an accessory dwelling unit (ADU). The ADU is located to the east of the primary structure.

**STANDARDS AND FINDINGS**

During staff research, we did contact the City of Duncanville Police department to better understand the safety concerns. Staff found that from January 1, 2024, until September 2025 the Police department had received multiple calls from the applicant related to stray animals in the area. The Police department records did not show calls regarding other safety concerns in the area nor along Cavan Road during the timeframe requested.

Staff research also included reaching out to the Code Compliance/Enforcement department for any calls during the timeframe of January 1, 2024, to September 2025. The assigned code officer for this area stated that they had not received any calls regarding illegal dumping, however, had issued a citation for illegally cutting/removing trees at the subject property.

Additionally, both structures being constructed on the subject property are setback more than 50

feet from the front property line. The required minimum front setback of the SF-10 zoning district is 25 feet.

***Staff mailed out 58 public notices. At this time, we have not received any letters in support or in opposition of this request.***

Per Chapter 12, Article X, Sec. 12-108 (b) (2), the required fence height in residential zoning districts is 48 inches or 4 feet in height.

Per Article VI, Section 6.09(a), of the Comprehensive Zoning Ordinance, the Zoning Board of Adjustment may authorize in specific cases a variance from the terms of the Zoning Ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the Ordinance is observed and substantial justice is done.

Per Article VI, Section 6.09(b), of the Comprehensive Zoning Ordinance, the conditions for granting a variance are as follows:

1. There are special circumstances existing on the property on which the application is made

related to the size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district.

2. A variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed under this Ordinance by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
3. The granting of a variance on the specific property will not adversely affect the land use pattern as outlined in the Land Use Plan and will not adversely affect any other feature of the Comprehensive Plan.
4. The granting of the variance will not be based upon the recognition of a self-imposed hardship or only the opportunity to make the property more profitable to the applicant and/or owner.
5. The variance, if granted, will not be material detriment to the public welfare or injury to the use, enjoyment, or value of property in the vicinity.

### **HARDSHIP**

A hardship is present when the use of a property cannot be fully enjoyed due to the current zoning and/or development standards. The hardship presented would not take away from the full enjoyment and/or use of the subject property in compliance with the current zoning and fence regulations.

### **ATTACHMENTS**

Attachment 1 – Notification map (200 ft.)

Attachment 2 – Fence plan

Attachment 3 – Recorded plat

Attachment 4 – Hardship letter

### **STAFF ANALYSIS**

1. The granting of a variance on the specific property will not adversely affect the land use, however, it will set a precedence of requesting changes to the adopted and required development standards and regulations.
2. There are other homes along Cavan Road that have fences meeting the required height of 4 feet, creating a sense of cohesion on the street. The proposed increase would be incompatible with the surrounding homes except for one lot.
3. The granting of the variance will not adversely affect any other feature of the Comprehensive Plan.
4. The variance is a self-imposed hardship and will not be a detriment to the public welfare or injure to the use, enjoyment, or value of property in the vicinity.

### **STAFF RECOMMENDATION**

Staff recommends **denial** of the requested variance to permit an 8' fence instead of a 4' in a residential zoning district.



# ATTACHMENT 1 NOTIFICATION MAP 200 FT.

SUMMIT  
RIDGE DR

TRAIL  
RIDGE DR

WINDING TRL

CAVAN RD

N COCKRELL HILL RD

S COCKRELL HILL RD

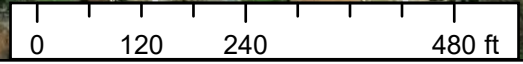
HOLLIDAY LN

CARAVAN TRL

ASPEN DR

SUN VALLEY DR

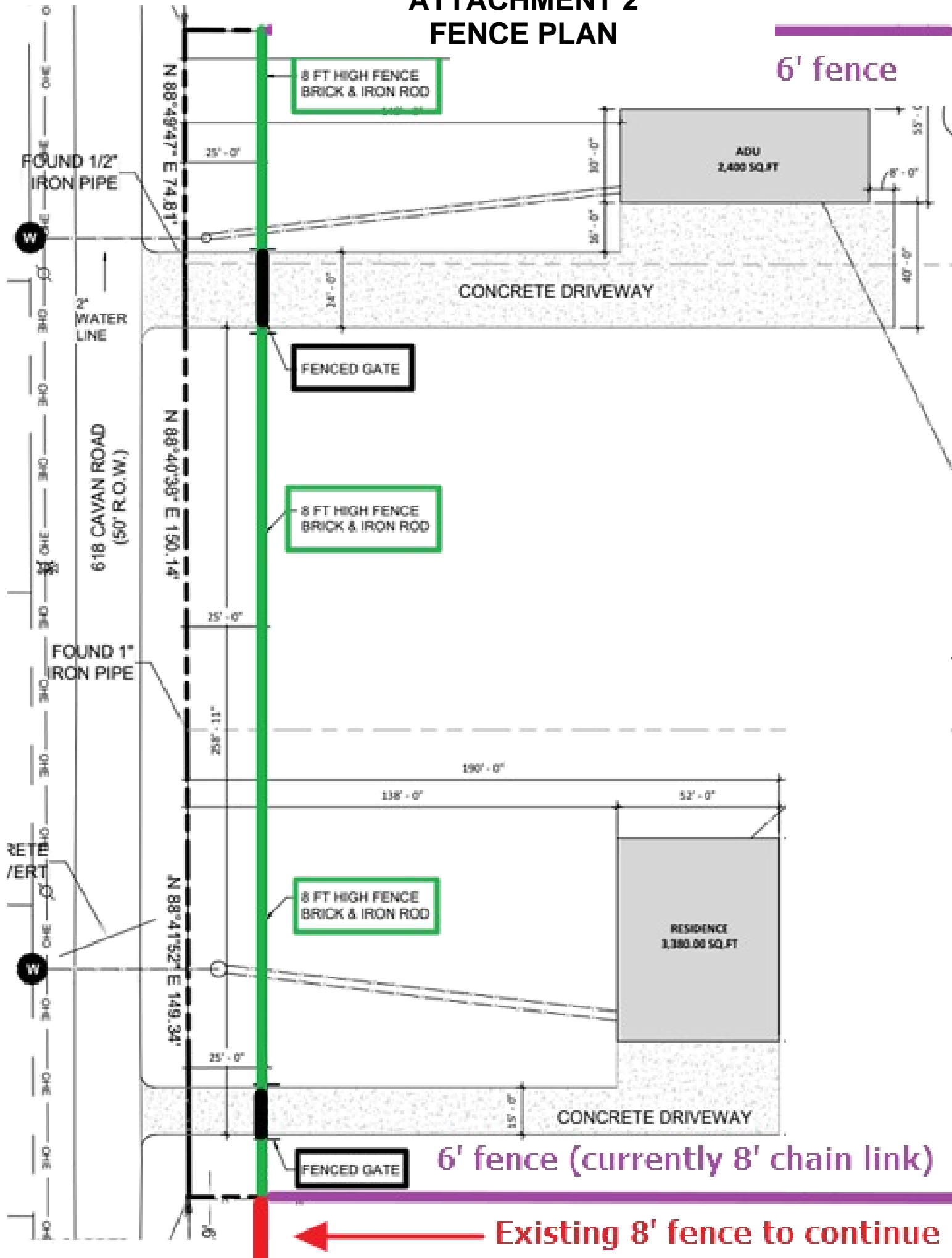
VALE DR

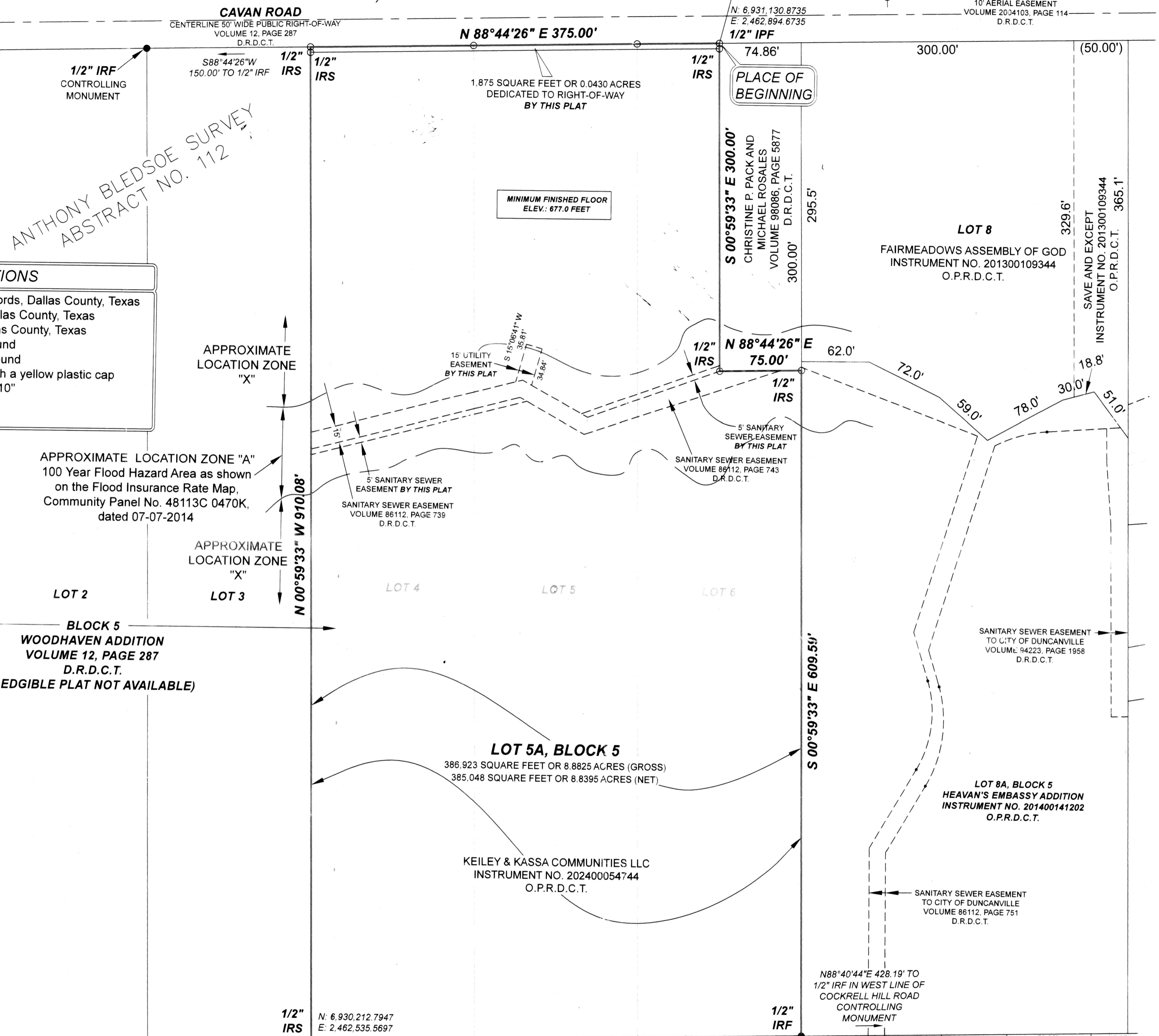
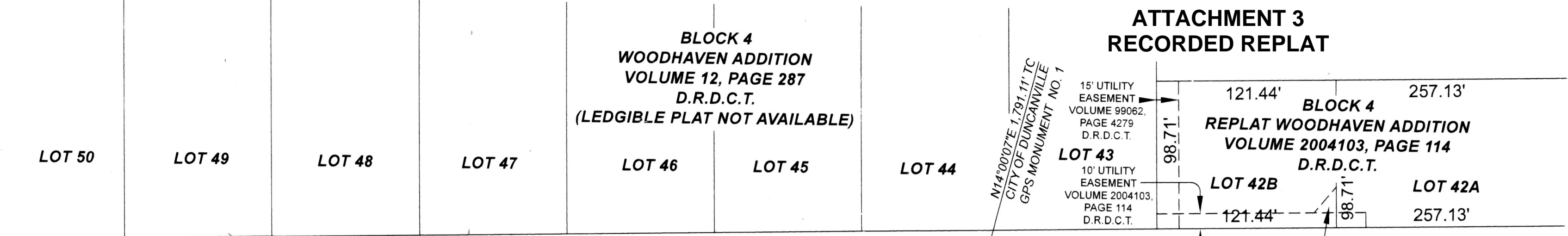
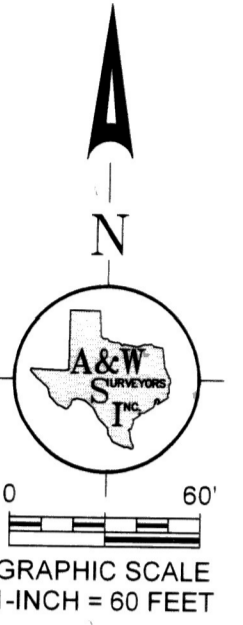
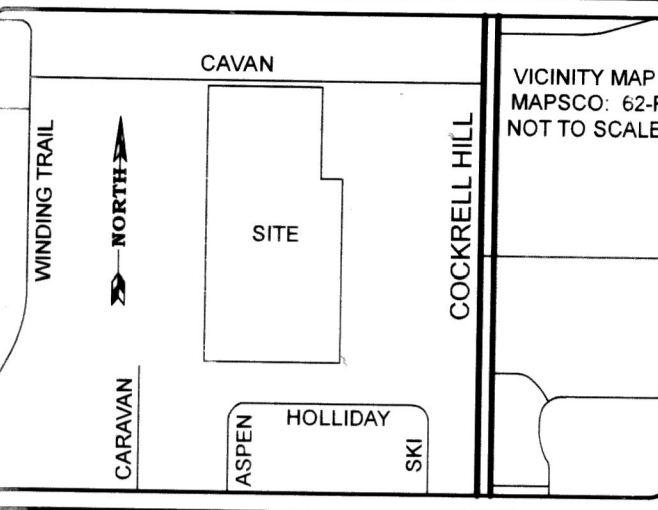


### Legend

- Roads
- 708 Cavan Rd.
- 300ft. Buffer
- Parcels within 300ft. buffer

# ATTACHMENT 2 FENCE PLAN





**ABBREVIATIONS**

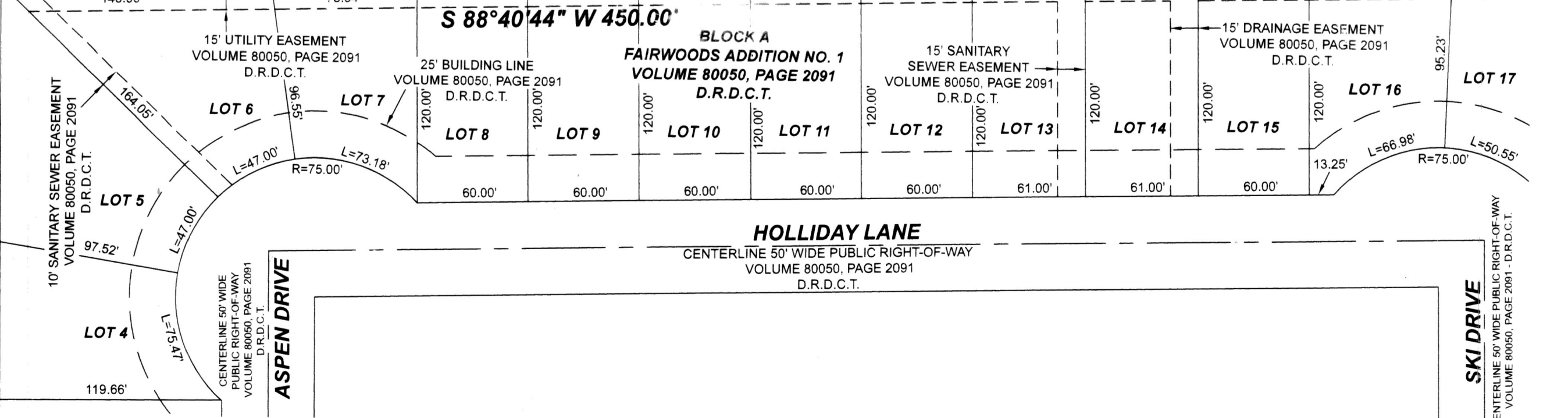
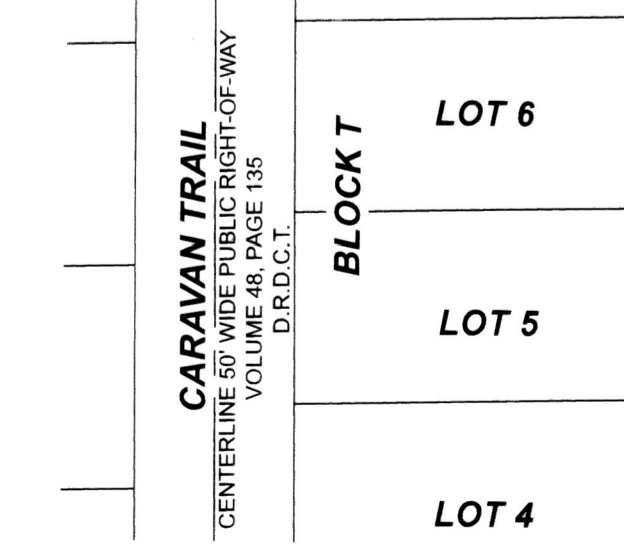
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Plat Records, Dallas County, Texas
1/2" IRF	1/2-inch iron rod found
1/2" IPF	1/2-inch iron pipe found
1/2" IRS	1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310"

ANTHONY BLEDSOE SURVEY  
ABSTRACT NO. 112

APPROXIMATE LOCATION ZONE "A"  
100 Year Flood Hazard Area as shown on the Flood Insurance Rate Map, Community Panel No. 48113C 0470K, dated 07-07-2014

APPROXIMATE LOCATION ZONE "X"

FAIRMEADOWS NO. 6  
VOLUME 48, PAGE 135  
D.R.D.C.T.



**ATTACHMENT 3  
RECORDED REPLAT**

**OWNER'S CERTIFICATE**

STATE OF TEXAS  
COUNTY OF DALLAS

WHEREAS Kelley & Kassa Communities LLC is the sole owner of a tract of land located in the ANTHONY BLEDSOE SURVEY, Abstract No. 112, Duncanville, Dallas County, Texas, and being Lots 4, 5 and a part of Lot 6, Block 5, of Woodhaven Addition, an Addition to the City of Duncanville, Dallas County, Texas, according to the plat thereof recorded in Volume 12, Page 287, Deed Records, Dallas County, Texas, and being the same tract of land described in General Warranty Deed to Kelley & Kassa Communities LLC, recorded in Instrument No. 20240054744, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron pipe found in the South line of Cavan Road, a 50' wide public right-of-way, at the Northwest corner of a part of said Lot 6 described in deed to Christine P. Pack and Michael Rosales, recorded in Volume 98086, Page 5877, Deed Records, Dallas County, Texas;

THENCE South 00°59'33" East, passing through said Lot 6, a distance of 300.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Southwest corner of said Pack / Morales tract;

THENCE North 88°44'26" East, passing through said Lot 6, a distance of 75.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the West line of Lot 8A, Block 5 of Heaven's Embassy Addition, an addition to the City of Duncanville, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 201400141202, Official Public Records, Dallas County, Texas;

THENCE South 00°59'33" East, along said West line of Lot 5A, Block 5, a distance of 609.69' to a 1/2" iron rod found in the North line of Block A of Fairwoods Addition No. 1, an addition to the City of Duncanville, according to the plat thereof recorded in Volume 80050, Page 2091, Deed Records, Dallas County, Texas, same being the Southwest corner of said Lot 5A, Block 5 of Heaven's Embassy Addition;

THENCE South 88°40'44" West, along said North line of Block A of Fairwoods Addition No. 1, a distance of 450.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the South common corner of said Lots 4 and Lot 3 of said Block 5 of Woodhaven Addition;

THENCE North 00°59'33" West, a distance of 910.08' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in said South line of Cavan Road, at the North common corner of said Lots 3 and 4;

THENCE North 88°40'44" East, along said South line of Cavan Road, a distance of 275.00' to the PLACE OF BEGINNING and containing 386,923 square feet or 8.8825 acres of land.

**SURVEYOR'S CERTIFICATE**

THAT I, John S. Turner, do hereby certify that I prepared this amending plat from an actual survey on the land and that the corner monuments shown thereon were found and/or properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the Planning and Zoning Commission of the City of Duncanville, Texas.

Witness my hand at Mesquite, Texas  
This 19th day of August, 2024

*John S. Turner*  
John S. Turner  
Registered Professional Land Surveyor #5310

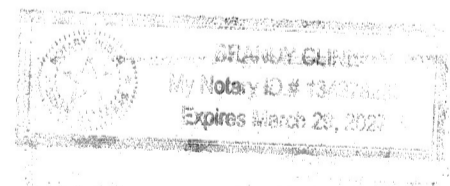


STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office  
This 19th day of August, 2024

*Boon*  
Notary Public in and for the State of Texas



**OWNER'S DEDICATION**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Kelley & Kassa Communities LLC, acting by and through its duly authorized agent, does hereby dedicate this plat as **LOT 5A, BLOCK 5, WOODHAVEN ADDITION**, and does hereby dedicate to the public use forever the streets, alleys and easements shown thereon and does hereby dedicate the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. The City shall have no obligation or duty to maintain or otherwise improve such easements, such duty and / or obligation shall be the sole responsibility of the owner(s) or their assigns or successors in interest. Any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, shrubs or other improvements or growths which in any way endanger or interfere with the construction or maintenance or efficiency of its respective system on any of these easement strips, and any public utility shall at all times have the right of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all parts of its respective system without the necessity at any time of procuring the permission of anyone.

Executed at Duncanville, Texas, this 19th day of August, 2024

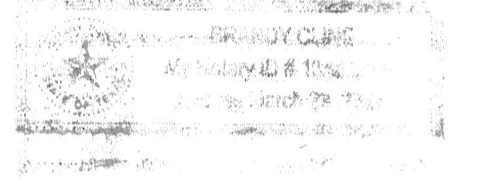
Kelley & Kassa Communities LLC  
BY: *Jeff Kassa*  
Jeff Kassa Owner

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Jeff Kassa, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,  
this 19th day of August, 2024

*Boon*  
Notary Public in and for the State of Texas



APPROVED BY THE DUNCANVILLE CITY PLANNING AND ZONING COMMISSION  
On this 19th day of September, 2024  
By: *James J. Jones*  
Chairman, Planning and Zoning Commission

Filed for Record  
in the Official Records of:  
Dallas County  
On: 9/25/2024 9:49:04 AM  
In the PLAT Records  
Doc Number: 2024-202400193628  
Number of Pages: 1  
Amount: 63.00  
Order#: 20240925000162  
By: CR

**GENERAL NOTES**

- Any structure new or existing may not extend across new property lines.
- The purpose of this plat is to create one platted lot from Lot 4, 5 and a part of Lot 6.
- Basis of bearing determined by Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 (2011).
- Coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values. No Scale. No Projection.
- This is to certify that a portion of the subject property shown hereon lies within the 100 Year Flood Hazard Area as shown on the Flood Insurance Rate Map, Community Panel No. 48113C 0470K, dated 07-07-2014. That portion is located in Zone "A" and the remainder is located in Zone "X".

**A&W SURVEYORS, INC.**  
Professional Land Surveyors  
TEXAS REGISTRATION NO. 100174-00  
P.O. BOX 870029, MESQUITE, TX, 75167  
PHONE: (972) 861-4975 FAX: (972) 861-4954  
WWW.AWSURVEY.COM

PROPERTY ADDRESS: 618, 702 & 708 CAVAN ROAD -  
Owner: Kelley & Kassa Communities LLC  
- 1432 N. Joe Wilson Road, Cedar Hill, TX 75104 -  
- 469-315-3003 -  
Revised: \_\_\_\_\_  
Job No. 24-0567 | Drawn by: 543 | Date: 08-19-24 |

"A professional company operating in your best interest"

**FINAL PLAT  
WOODHAVEN ADDITION  
LOT 5A, BLOCK 5**  
BEING  
A REPLAT OF LOT 4, 5 AND A PART OF LOT 6, BLOCK 5  
WOODHAVEN ADDITION  
AN ADDITION TO THE CITY OF DUNCANVILLE,  
DALLAS COUNTY, TEXAS  
ANTHONY BLEDSOE SURVEY, ABSTRACT NO. 112

# ATTACHMENT 4 HARDSHIP LETTER

Jeffrey Kassa  
700 & 704 Cavan Rd  
Duncanville, TX 75104  
(469) 315-3003  
JeffreyKassa@gmail.com  
September 9, 2025

City of Duncanville Board of Adjustments  
203 E. Wheatland Rd.  
Duncanville, TX 75116

**Subject: Letter of Hardship for Fence Height Variance Request at 700 & 704 Cavan Rd, Duncanville, TX 75104**

Dear Honorable Members of the Board of Adjustments,

My name is Jeffrey Kassa, and I am the owner of the property located at 700 and 704 Cavan Rd. I am writing to you today to respectfully request a variance to the city ordinance that limits fence height to four feet in the front and side yards. The unique and challenging circumstances of my property create a significant hardship, making a taller fence not a matter of preference, but a critical necessity for the safety of my family, my pets, and my property.

The primary hardships we face are as follows:

1. **Safety from Stray and Loose Animals:** Our property experiences a constant flow of stray dogs, many of which can easily clear a four-foot fence. My 70-year-old mother, who will be residing in the accessory dwelling unit (ADU) on the property for much of the year, has a severe phobia of stray dogs resulting from a past attack by a stray German Shepherd. A standard-height fence would not provide her with the necessary security to feel safe on her own property. Furthermore, I have six dogs of my own who are skilled escape artists. A four-foot fence is an insufficient barrier to contain them, and the danger this poses is tragically real. In the time we have been building, one of my own dogs was struck and killed by a speeding car on Cavan Rd, and I recently assisted Animal Control after a neighbor's dog was also fatally struck. A secure, taller fence is the only effective solution to prevent further tragedy and keep both stray animals out and my own pets safely contained.
2. **Security and Crime Deterrence:** Our property sits directly on the border between Duncanville and Dallas. Law enforcement officers from both cities have informed me that criminals often use this border to evade authorities. As someone who travels for work, leaving my family at home, this is a profound concern. A four-foot fence is a negligible obstacle for a person. A taller fence would provide a meaningful deterrent to trespassers

and those with criminal intent, thereby enhancing the security of my home and the safety of my family.

3. **Prevention of Trespassing and Dumping:** This property has historically been a site for illegal dumping, camping, and trespassing for decades. We have invested a tremendous amount of time and financial resources to clean and restore the land. A taller fence is essential to protect this investment and prevent the property from reverting to its former state. It will create a clear and formidable boundary to deter individuals from trespassing or using the back of our property for illicit activities.
4. **Mitigating Neighborhood-Wide Safety Issues:** Cavan Road is a straight, flat, and poorly lit street, making it a frequent location for dangerous street racing, particularly on weekends. This activity brings littering, noise, and unwanted pedestrian traffic. To combat the lack of lighting, we plan to install solar-powered lights on top of the fence posts, which will illuminate the area and help deter crime, benefiting not just our property but the immediate neighborhood. A substantial fence will also act as a physical barrier against the constant littering—we have already filled an entire dump trailer with thousands of beer bottles, cans and wine bottles collected from our yard.
5. **Theft Prevention:** During the construction of our home, we have been victims of theft, with various building materials being stolen. A neighbor on our street has actually experienced a home break-in in recent years. My neighbor has also had to unsafely confront aggressive and disrespectful trespassers scouting our property while we were away. A secure fence is a proactive measure to prevent theft and protect our neighbors from unnecessary and potentially dangerous confrontations.

Finally, granting this variance would be consistent with precedent and would improve the neighborhood aesthetically. Our next-door neighbor was approved for the exact type of fence we are requesting, and it has beautified their property. Our proposed fence would complement theirs, replacing dilapidated and unsightly chain-link fencing with a high-quality structure that will undoubtedly increase the value and appeal of the surrounding homes. The existing chain link fences on both sides have been battered by falling trees and limbs, then repaired. A damaged, weathered chain link steel galvanized fence is about the ugliest type of fence that could possibly border a home. We have discussed our plans with all immediate neighbors, and they are unanimously supportive of this fence and us finishing the construction of our home and becoming part of their community.

Thank you for your time and consideration of this critical safety issue. We are committed to being responsible homeowners and positive contributors to the Duncanville community. We believe the evidence shows a clear and compelling hardship and hope you will approve our request.

Respectfully,

Jeff Kassa

**ZONING BOARD OF ADJUSTMENT  
STAFF REPORT**

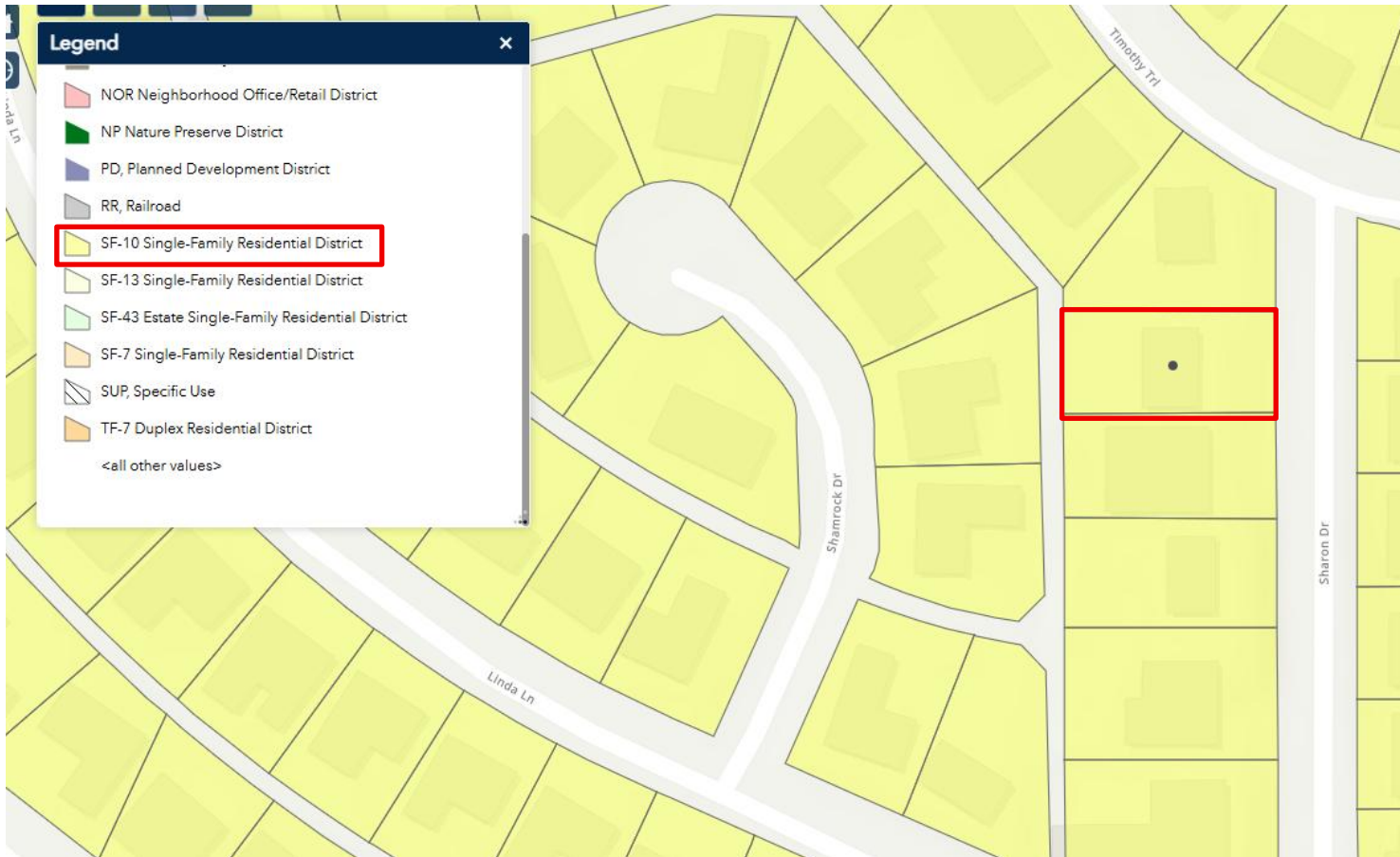
<b>LOCATION:</b>	1507 Sharon Drive
<b>OWNER:</b>	Natalie Ortiz   Helping Hands Group Home
<b>APPLICANT:</b>	Natalie Ortiz
<b>ZONING DISTRICT:</b>	Single Family Residential District 10 (SF-10)
<b>REASON FOR DESIRED ADJUSTMENT:</b>	To operate a group home with more than four (4) children

---

**BACKGROUND**

The applicant is requesting a variance to operate a group home in a residential zoning district with more than four (4) children. The group home is proposing to house and care for ten (10) children (boys) from ages 7-17. The city of Duncanville's Code of Ordinance currently allows for group homes to operate in residential zoning districts, however, the maximum number of children that can be housed is four (4). The applicant applied for a reasonable accommodation request to operate with 10 children in December 2025 to the Planning and Zoning department. The request was denied which led to the applicant requesting a variance to the land use interpretation of a 'group home'.

The subject property is part of the Dannybrook Estates No. 1, lot 15, block C.



**Figure 1 – Zoning Map**  
**Subject Property**

**STANDARDS AND FINDINGS**

The subject property is currently zoned Single Family Residential District (SF-10). Based on staff’s findings, the ‘group home’ use is currently permitted as stated in the city of Duncanville’s Code of Ordinances in Chapter 12C, Boarding and Group Homes. Based on this, the applicant initially attempted to apply for a Specific Use Permit (SUP) to operate a group home facility and get a Certificate of Occupancy (CO). The initial proposal stated that their operations would house 14 children ranging from ages 6-17 with mental and physical disabilities.

According to Chapter 12C, Section 12C-2, a group home facility is defined as “housing occupied by groups of unrelated individuals with disabilities, which may or may not be provided by organizations that also offer various services for individuals with disabilities living in the homes and are licensed by the state, in which a reasonable accommodation and certificate of occupancy has been issued prior to operating if such home has four or more persons occupying the dwelling unit.” Based on this definition along with the proposed number of children, staff informed the applicant that housing more than four (4) children would require a reasonable accommodation request to allow additional children. Following this information, the applicant submitted a reasonable accommodation request to house ten (10) children which was still more than the permitted maximum of four (4) children. Staff denied the request based on the requirements stated in Chapter 12C, Section 12C-7, reiterating that the number of children was not allowed.

According to Article VI, Section 6.03 (A) (a), a nonconformity is described as a use, structure, or lot that does not conform to the current standards of the Zoning Ordinance, but that was in conformance with the standards in place at the time of its inception, and have been rendered nonconforming due to a change in the applicable standards and regulations. Staff does acknowledge that the auto repair use was permitted within the property's original zoning of Central Business (CB), however, in today's Zoning Ordinance would be considered a nonconforming use.

***Staff mailed out 25 public notices. Two (2) letters have been received in opposition.***

Per Article VI, Section 6.09 (a), of the Comprehensive Zoning Ordinance, the Zoning Board of Adjustment may authorize in specific cases a variance from the terms of the Zoning Ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the Ordinance is observed and substantial justice is done.

Per Article VI, Section 6.09 (b), of the Comprehensive Zoning Ordinance, the conditions for granting a variance are as follows:

1. There are special circumstances existing on the property on which the application is made

related to the size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district.

2. A variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed under this Ordinance by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
3. The granting of a variance on the specific property will not adversely affect the land use pattern as outlined in the Land Use Plan and will not adversely affect any other feature of the Comprehensive Plan.
4. The granting of the variance will not be based upon the recognition of a self-imposed hardship or only the opportunity to make the property more profitable to the applicant and/or owner.
5. The variance, if granted, will not be material detriment to the public welfare or injury to the use, enjoyment, or value of property in the vicinity.

### **HARDSHIP**

A hardship is present when the use of a property cannot be fully enjoyed due to the current zoning and/or development standards. The hardship presented would be allowing the expanded operational group home use to house more children than is allowed as stated in the Code of Ordinances.

### **STAFF ANALYSIS**

1. The granting of a variance on the specific property may adversely affect land use as it will allow the operation of use beyond the maximum allowed by the Code of Ordinances.
2. The granting of the variance may adversely affect other features of the Comprehensive Plan as it envisions this property as part of the Single-Family neighborhood district.
3. The variance is a self-imposed hardship and may be a detriment to the public welfare or injure to the use, enjoyment, or value of property in the vicinity.

### **ATTACHMENTS**

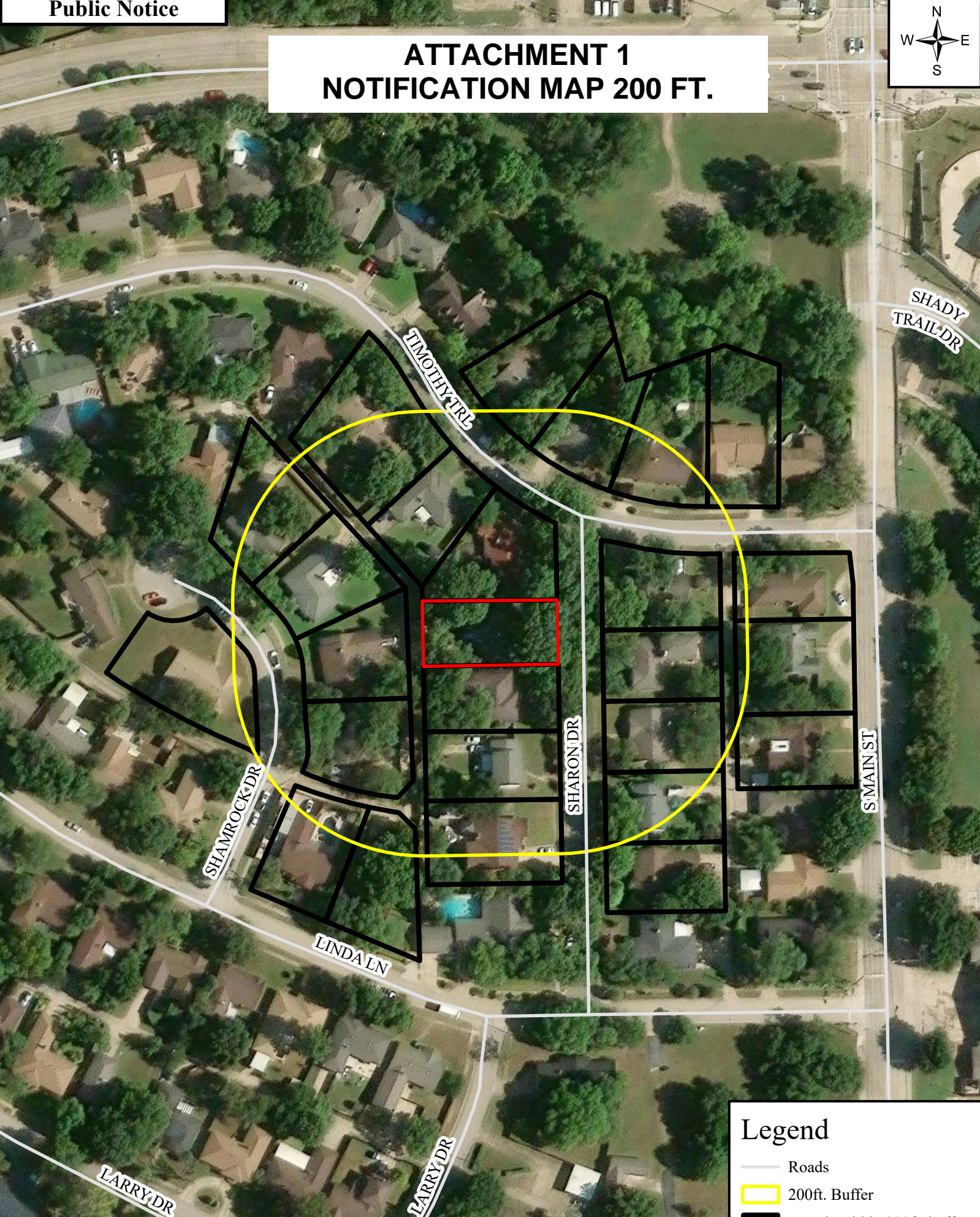
Attachment 1 – Notification map (200 ft.)  
Attachment 2 – Reasonable Accommodation Request  
Attachment 3 – Reasonable Accommodation Request Denial  
Attachment 4 – Justification and Operation Letter  
Attachment 5 – State Operational License

### **STAFF RECOMMENDATION**

Staff recommends **denial** of the requested variance to allow a group home to operate and house ten (10) children.

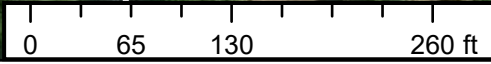


# ATTACHMENT 1 NOTIFICATION MAP 200 FT.



### Legend

- Roads
- 200ft. Buffer
- Parcels within 200ft. buffer
- 1507 Sharon Dr.



# ATTACHMENT 2

## REASONABLE ACCOMODATION REQUEST

### Helping Hands for Children

1910 Pacific Ave, Suite 12,000, Dallas, TX 75201  
Phone: (214) 663-8328 | Email: Onatalie94@yahoo.com



December 7, 2025

City of Duncanville

Planning Department

Ms. Desiree' D. Powell

203 E. Wheatland Road

Duncanville, TX 75116

RE: 1507 Sharon Drive

Ms. Powell:

Helping Hands for Children seeks to operate a group home at the address listed above in the City of Duncanville. It is located on lot 15 of block C of the Dannybrook Estates 1 subdivision with approximately sixty-eight feet (67.55) of street frontage. The property is owned by Ms. Natalie Ortiz. This group home is 2,140 square feet and will operate seven days a week, twenty-four hours a day. This home has four bedrooms (894.45 square feet), three living areas (756.6 square feet), and two bathrooms. The kitchen is one hundred square feet. A separate dining area of forty-six square feet is provided; however, residents may dine in the three living areas. Please see Exhibit A for floor area calculations.

This facility will provide structured therapeutic, rehabilitative, and supportive services for adolescent males with physical and mental disabilities. This group home shall be limited to serve ten (10) adolescent males.

**These residents range in age from seven to seventeen.**

The City of Duncanville recognizes an occupancy greater than one person per sleeping area. The allowance of more than one person per sleeping area requires a floor area of at least sixty square feet per room. The proposed sleeping areas of this home are a minimum of three times larger than the required area standard listed in the City of Duncanville Development Code. The City of Duncanville conducted an onsite inspection to calculate the overall occupancy for residents of this facility. Based on this field inspection, we respectfully request an occupancy of ten (10) adolescent males that is reasonable for the size of this home. This occupancy complies with the area standards listed in Chapter 12C of the City Code of Ordinances.

The people served at this group home require a highly supervised, clinically guided residential environment to address behavioral, emotional, and developmental needs.

It will be managed by trained staff and personnel at all times. Our staff members are trained in crisis intervention, de-escalation, emergency response, and specialized treatment needs for the population we serve.

We also have a licensed clinical provider on the property to oversee treatment and manage regulatory compliance. A total of two staff members and two

**Helping Hands for Children**  
**1910 Pacific Ave, Suite 12,000, Dallas, TX 75201 Phone:**

**214-663-8328 | Email: Onatalie94@yahoo.com**

Vehicles will always be on site. Staff work in shifts that range from eight to twelve hours per day. This staff level is based upon a total of 10 residents served at this time. If the number of residents does increase for this home, we will adjust staff levels accordingly. Off-site emergency contacts are listed on Exhibit A.

Helping Hands for Children operates a group home in Willis, Texas.

The State of Texas requires us to submit separate licenses for each of our facilities. We need to demonstrate compliance with local ordinances for a group home before we can submit our application to the State.

Please let me know if you may need any additional information regarding this request.

Sincerely,

Natalie Ortiz

Helping Hands for Children

Exhibit A

Sleeping Areas:

Bedroom 1: 196 square feet

Bedroom 2: 260 square feet

Bedroom 3: 227.5 square feet

Bedroom 4: 214.5 square feet

## **Helping Hands for Children**

1910 Pacific Ave, Suite 12000, Dallas, TX 75201

Phone: (214) 663-8328 | Email: Onatalie94@yahoo.com

Dining Area: 46 square feet (residents may also dine in living areas)

Kitchen Area: 100.55 square feet

Off-site Emergency Contact Information:

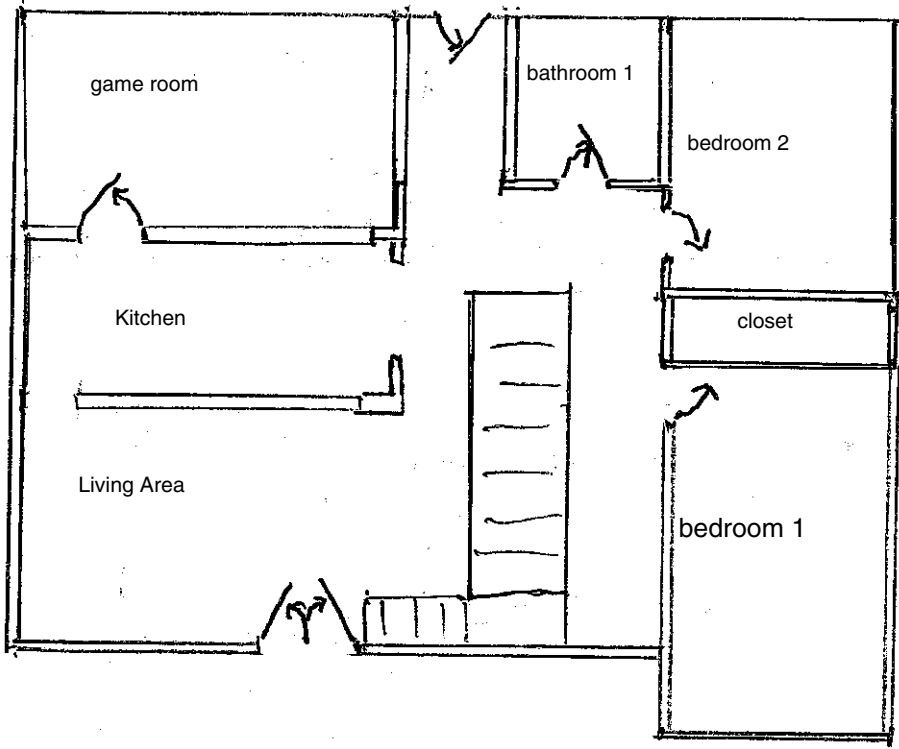
Natalie Ortiz - (214) 663-8328 | Onatalie94@yahoo.com

Josmel Herrera - (469) 870-1246 | Josemelherrera@yahoo.com

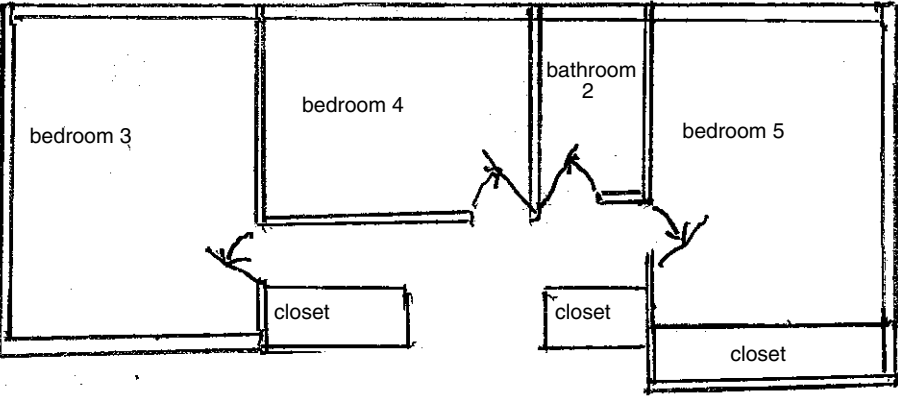
Cheryl Reed - (832) 872-1145 | creed@rejocorporation.com

Tami Spicer, PE - (214) 724-6384 | tami@strandae.com

**Helping Hands for Children**



First Floor



Second Floor

Scale: 3/32" = 1"

## Helping Hands for Children – Community Impact Statement for Rezoning Approval

Helping Hands for Children is a nonprofit organization committed to providing safe, structured, and nurturing housing for youth ages 7–17 who have experienced adversity. Our residential home in 1507 SHARON DR **Duncanville, TX 75116** currently supports 14 children, many of whom live with emotional or developmental disabilities. All residents are ambulatory and capable of responding appropriately in emergency situations.

We operate out of a thoughtfully designed 2,600 sq ft home that includes:

- **5 bedrooms, 2 restrooms, and 24/7 staff supervision** to ensure safety and stability
- A **game room** with 6+ TVs and PlayStations for recreational therapy
- A **full kitchen, dining area, and open-concept living space** for communal meals and connection
- A **safe meditation room** for emotional regulation and quiet reflection
- A **fully equipped backyard gym** and **outdoor sports TV** with headset access to promote physical wellness
- A **fenced perimeter, fire alarms, and fire extinguishers** throughout the home
- A **secure medication system** with double-lock storage and daily inventory checks for children receiving prescribed treatment

Beyond the physical environment, our program is built on mentorship, education, and emotional support. We offer **structured programs that promote healing and personal growth**, including volunteer-led classes on **boundaries, letting go, and life skills**. Our volunteers serve as positive adult role models—helping these children envision a future beyond the hardships they've faced.

The majority of furnishings, supplies, and resources have been generously donated by community members who believe in our mission. We are not a commercial enterprise—we are a nonprofit committed to restoring hope and providing a foundation for lifelong success.

We are proud of our **commitment to safety, cleanliness, and neighborhood harmony**, and we welcome collaboration with city officials and neighbors to ensure transparency and trust. With your support, we can continue to provide a safe, healing space for children who deserve stability, compassion, and the opportunity to thrive.

We respectfully request your approval to rezone this property to reflect its true purpose: a structured group home that uplifts vulnerable youth and strengthens our community.

# ATTACHMENT 3

## REASONABLE ACCOMMODATION REQUEST DENIAL

Dear Ms. Ortiz

Thank you for your continued communication with City staff regarding your request to operate a group home under the name *Helping Hands for Children* within an area currently zoned SF-10 (Single-Family Residential District).

The SF-10 zoning district is intended primarily for suburban-style single-family dwellings and related recreational and educational facilities normally required to provide an orderly and attractive residential environment. While civic institutions may be considered within this zoning district, such uses must be compatible in both size and operation with the surrounding residential area.

Based on the information you have provided, the proposed use of the property as a group home does not meet the definition or intent of permitted uses within the SF-10 zoning district. Specifically, the use as described does not fall within the scope of a single-family residence, a recreational facility, or an educational facility as contemplated by the zoning ordinance.

As discussed during multiple conversations with City staff and the City Attorney, you were informed early in the process that a group home housing **14 children** would not be permitted within this zoning district. Additionally, staff noted that if the number of children were reduced to **four (4)**, the use would not require a reasonable accommodation request. Throughout the review process, the operational description of the proposed group home continued to change in an apparent effort to identify a configuration that might be approved; however, staff consistently advised that though the use is permitted in this Single Family Zoning district, the proposed number of children would not be supported and the proposed operational structure does not align with what we would allow within a Single-Family (SF-10) district.

Further concerns arose based on statements you made regarding staffing and supervision. You indicated that no adult would reside at the property and that supervision would be provided by rotating staff during daytime and nighttime shifts. You also stated that the residents would require a highly supervised, clinically guided residential environment to address behavioral, emotional, and developmental needs, and that a licensed clinical provider would oversee treatment and regulatory compliance. At various points, you indicated that staffing would consist of as few as one individual on-site during 8- to 12-hour shifts, with a total of two staff members involved in operations.

Given your request for a reasonable accommodation to house up to **10 adolescent males** with potential emotional, behavioral, and developmental challenges, staff finds the proposed staffing model inadequate and concerning. The plan does not sufficiently address crisis mitigation, particularly in scenarios where multiple residents may experience a behavioral or emotional crisis simultaneously while only one staff member is present.

Moreover, the absence of an adult residing at the facility is inconsistent with the character and intent of a single-family residential district. Single-family zoning anticipates a household structure with adults living on-site who provide guidance and stability consistent with a family dynamic. The operational model you described does not reflect this expectation.

Based on the information provided, the proposed use more closely aligns with a highly supervised institutional or detention-style facility rather than a single-family residential use. Such a use would not be permitted within the SF-10 zoning district and would be more appropriately considered in areas zoned for commercial or institutional uses.

It is the responsibility of City staff to ensure that zoning ordinances are upheld and that existing neighborhoods are not adversely impacted by uses that are incompatible with the designated zoning district. For these reasons, and after careful review, the City does not support the proposed group home at this location.

Accordingly, your request for a reasonable accommodation within the SF-10 zoning district is **denied**, as the proposed use does not align with the current zoning regulations, the adopted zoning map, or the intended character of the Single-Family Residential District.

If you wish to pursue this type of use, staff recommends exploring properties within zoning districts that permit or are more appropriate for group residential or institutional facilities.

Sincerely,

LaSheyla Jones, PhD

Assistant Director of Planning

# ATTACHMENT 4 JUSTIFICATION AND OPERATION LETTER



January 23, 2026

Ms. Desiree D. Powell  
Development Services  
City of Duncanville  
203 E. Wheatland Rd.  
Duncanville, TX 75116

RE: 1507 Sharon Drive

Dear Ms. Powell,

The City of Duncanville allows group homes to operate within residential districts if they can comply with the standards identified in Chapter 12 of the City Code.

Helping Hands for Children seeks to operate a group home at the address listed above. This home is 2140 square feet and will operate seven days a week, twenty-four hours a day. There are four bedrooms (combined 894.45 square feet), three living areas (combined 756.6 square feet), and two bathrooms. The kitchen is one hundred square feet. A separate dining area of forty-six square feet is provided; however, residents may dine in the three living areas. *Please see Exhibit A for floor area calculations.*

This facility will provide structured therapeutic, rehabilitative, and supportive services for young males with physical and mental disabilities. These disabilities are defined by the American with Disabilities Act. This group home shall be limited to serve ten (10) residents that vary in age from seven to seventeen years old.

The City of Duncanville recognizes an occupancy greater than one person per sleeping area if there is at least sixty square feet per room per person. The proposed sleeping areas of this home are three times larger than the required area standard listed in the City of Duncanville Development Code. The City of Duncanville conducted an onsite inspection in December 2025 to calculate the overall occupancy for residents of this facility. It was determined it can accommodate 12 residents. Based on this field inspection, we respectfully request an occupancy of ten (10) residents that is reasonable for the size of this home.



The people served at this group home require a highly supervised, clinically guided residential environment to address behavioral, emotional, and developmental needs. It will be managed by trained staff and personnel at all times. Our staff members are trained in crisis intervention, de-escalation, emergency response and specialized treatment needs for the population we serve. We also have a licensed clinical provider on the property to oversee treatment and manage regulatory compliance. A total of two staff members and two vehicles will always be on site. Staff work in shifts that range from eight to twelve hours per day. This staff level is based upon a total of 10 residents served at this time. If the number of residents does increase for this home, we will adjust staff levels accordingly.

Helping Hands for Children can comply with the required standards to operate at this location.

We respectfully request an appeal to allow this use to operate within the standards listed in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Santos T. Martinez". The signature is fluid and cursive, with a prominent loop at the end.

Santos T. Martinez  
Authorized representative for  
Property owner

**ATTACHMENT 5**  
**STATE OPERATIONAL LICENSE**  
**TEXAS HEALTH AND HUMAN SERVICES COMMISSION**

**CHILD CARE LICENSING**

This is to certify:

**Rejo Helping Hands Inc.**

16673 INTERSTATE 45 N  
WILLIS, TX 77318 -6915

has been issued a license to operate as a  
General Residential Operation - Residential Treatment Center  
Under the provisions of Chapter 42, Human Resources Code.

Located at:

**Rejo Helping Hands Inc.**

16673 INTERSTATE 45 N  
WILLIS, TX 77318 -6915

**Services:**

Child Care

**Treatment Services:**

Emotional Disorders  
Pervasive Development Disorders

**Children Served:**

Boys, 7 to 17 years

**Capacity:** 48

**License Number:** 1744228

**Issuance Date:** August 23, 2023



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**Cecile Erwin Young, Executive Commissioner**

**Attention:**

- . This permit must be posted in a prominent place on premises where parents and others may see it during operating hours.
- . This permit is non-transferable and shall remain in effect until it expires, the Texas Health and Human Services Commission revokes or suspends it, or the Holder surrenders it.

**Parents:**

To verify the status of this permit or to check the compliance history, please call your local licensing office or visit [www.txchildcaresearch.org](http://www.txchildcaresearch.org).