

AGENDA

BRIEFING SESSION - 5:30 PM

The staff will brief the board and preview the cases on tonight's agenda. Board members will have the opportunity to ask questions that may facilitate the meeting and the presentation of the cases. No action will be taken during the briefing.

REGULAR MEETING - 6:00 PM

Call to Order

Invocation

APPROVAL OF MINUTES

<u>1.</u> Approval of the May 20, 2024, Meeting Minutes

PUBLIC HEARING

The Zoning Board of Adjustments and Appeals is appointed by the City Council to consider variances, exceptions and appeals as prescribed by the City of Grand Prairie's Unified Development Code. In accordance with Section 211.009 of the Local Government Code of the State of Texas and Article 1 of the Unified Development Code of the City of Grand Prairie, the concurring vote of seven members of the Board is necessary to decide in favor of an applicant on any matter on which the Board has jurisdiction. Members of the public may address the Board on items listed on the agenda under Public Hearing Items.

- ZBA-24-02-0017 (Council District 3) Special exception for a garage conversion, located at 2138 Avenue C, legally described as Lot 4, Block 2, Allen Ranch Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District
- 3. ZBA-24-05-0022 (Council District 3) Special exception for a side yard carport and variance to reduce the side yard setback permitted under the Unified Development Code, located at 3106 Glendale Dr., legally described as Lot 22, Block 15, Park Valley No.2 Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District
- 4. ZBA-24-05-0024 (Council District 1) Variance to reduce the minimum rear yard setback for a single-family residence permitted under the Unified Development Code, located at 804 Premier Pkwy., legally described as Lot 1, Block 3, Carrier Parkway Townhomes Addition, City of Grand Prairie, Dallas County, Texas, zoned Multifamily-One District

CITIZEN COMMENTS

Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda by completing and submitting a speaker card.

ADJOURNMENT

The City Hall is wheelchair accessible. If you plan to attend this public meeting and you have a disability that requires special arrangements, please call 972-237-8255 at least 24 hours in advance. Reasonable accommodations will be made to assist your needs.

MESSAGE OF RELIGIOUS WELCOME

As many of you are aware, we customarily begin our meetings with an invocation. This prayer is intended for the benefit of the board members and is directed to them and not the audience. Those who deliver the invocation may reference their own religious faith as you might refer to yours when offering a prayer. We wish to emphasize, however, that members of all religious faiths are welcome, not only in these meetings, but in our community as well. The participation of all our citizens in the process of selfgovernment will help our fine city best serve the good people who live here. Employees and audience members are welcome to pray or not pray, and this choice will have no bearing on any vote made by the board.

Certification

In accordance with Chapter 551, Subchapter C of the Government Code, V.T.C.A, the Zoning Board of Adjustments and Appeals agenda was prepared and posted June 14, 2024.

Menica Epinga

Monica Espinoza, Planning Secretary



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	06/17/2024
REQUESTER:	Monica Espinoza, Administrative Supervisor
PRESENTER:	Salvador Gonzalez, Jr., Planner
TITLE:	Approval of the May 20, 2024, Meeting Minutes

RECOMMENDED ACTION: Approve

Item 1.



300 W. Main Street – Council Chambers

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: May 20th, 2024

BRIEFING:

5:37 P.M.

The staff will brief the board and preview the cases on tonight's agenda. Board members will have the opportunity to ask questions that may facilitate the meeting and presentation of the cases. No action will be taking place during the briefing.

Board Members In Attendance:

☑ Barry Sandacz
☑ Eric Hedin
☑ Timothy Ibidapo
☑ Anthony Langston Sr.
☑ Tommy Land
☑ Melinda Rodgers
☑ David Baker

2. ZBA-24-02-0017 (Council District 3) – Special exception for a garage conversion, located at 2138 Avenue C, legally described as Lot 4, Block 2, Allen Ranch Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

Salvador Gonzalez Jr informed the Board that this case would be tabled until the June 17, 2024 regular meeting

3. ZBA-24-04-0018 (Council District 3) – Special Exception for a garage conversion, located at 1610 Ave C., legally described as Lot 6R, Block 8, Lakecrest Addition No.1, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

Salvador Gonzalez Jr from Planning briefed the Board on the case. He explained that the applicant started the work before any permits were submitted and that the work cannot be seen from the street

Debbie Hubacek asked if there were any other locations converted? Salvador answered that it is hard to tell from the street

Timothy Ibidapo asked if there are fines for construction prior to start? Salvador answered that yes there are but it is not decided by the Board

4. ZBA-24-04-0019 (Council District 1) – Special Exception for a garage conversion, located at 1433 NW 7th St., legally described as Lot 12, Block 4, International Estates Addition No.2, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District

Salvador Gonzalez Jr from Planning briefed the Board on the case. He informed the Board that the applicant has began construction but that they have plenty of off street parking

Briefing was adjourned at 5:54 pm

CALL TO ORDER

The Zoning Board of Adjustments and Appeals is appointed by the City Council to consider variances, exceptions and appeals as prescribed by the City of Grand Prairie's Unified Development Code. In accordance with Section 211.009 of the Local Government of the State of Texas and Article 1 of the Unified Development Code of the City of Grand Prairie, the concurring vote of seven members of the Board is necessary to decide in favor of an applicant on any matter on which the Board has jurisdiction. Members of the public may address the Board on items listed on the agenda under Public Hearing Items

Board Members In Attendance:

- ⊠ Barry Sandacz
- \Box Eric Hedin
- \boxtimes Timothy Ibidapo
- \boxtimes Anthony Langston Sr.

☑ Kimberly Akinrodoye
☑ Debbie Hubacek
☑ Stacy White
□ Jose Linarez

6:00 P.M.

 \boxtimes Tommy Land

☑ Melinda Rodgers☑ David Baker

INVOCATION:

David Baker led the invocation.

APPROVAL OF MINUTES:

The motion to Approve the minutes made by **David Baker** The motion was seconded by **Melinda Rodgers Motion Carried 9-0**

PUBLIC HEARING:

2. ZBA-24-02-0017 (Council District 3) – Special exception for a garage conversion, located at 2138 Avenue C, legally described as Lot 4, Block 2, Allen Ranch Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

Salvador Gonzalez Jr informed the Board that the applicant has requested the case to be tabled

A motion to table the case until next meeting in June by **David Baker**

The motion was seconded by Stacy White

Motion passed: <u>9 yays to 0 Nays</u>.

Members that opposed:

3. ZBA-24-04-0018 (Council District 3) – Special Exception for a garage conversion, located at 1610 Ave C., legally described as Lot 6R, Block 8, Lakecrest Addition No.1, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

Salvador Gonzalez Jr presented the case. The case had 46 notices sent, 0 were returned in favor, 0 returned opposed and there is not a homeowner's association.

Salvador Gonzalez Jr. presented the following staff findings (indicated by a check or x in the blank next to the finding):

- \boxtimes The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- \boxtimes The variance or exception will not adversely affect the health, safety, or general welfare of the public.
- \boxtimes The variance or exception will not be contrary to public interest.
- \boxtimes The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
- The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.
- The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.
- \boxtimes The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.
- \Box The variance or exception is not a self-created hardship.

Applicant / Spokesperson: Rafael Martinez

Address: 1610 Avenue C Grand Prairie, TX 75051

Applicant was present.

David Baker asked who is the contractor? The applicant stated that it was himself and uncle.

After consideration of the evidence, including evidence of proper notice, the Board discussed the evidence and the documentation on the record.

The motion to close the public hearing and approve the request was made by **David Baker**

The motion was seconded by **Debbie Hubacek**

Motion passed: $\underline{9}$ yays to $\underline{0}$ Nays

Members that opposed:

4. ZBA-24-04-0019 (Council District 1) – Special Exception for a garage conversion, located at 1433 NW 7th St., legally described as Lot 12, Block 4, International Estates Addition No.2, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District

Salvador Gonzalez Jr presented the case. There were 31 notices sent, 0 were returned in favor, 0 returned opposed and there is not a homeowner's association.

Salvador Gonzalez Jr. presented the following staff findings (indicated by a check or x in the blank next to the finding):

- The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- \boxtimes The variance or exception will not adversely affect the health, safety, or general welfare of the public.
- The variance or exception will not be contrary to public interest.
- \boxtimes The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
- The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.
- \boxtimes The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.
- \boxtimes The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- □ The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.
- \Box The variance or exception is not a self-created hardship.

Applicant / Spokesperson: Stephanie Garcia

Address: 1413 NW 7th Grand Prairie, TX 75051

Applicant was present.

The Board asked if the applicant had a contractor. The applicant stated that they hired an out of town relative (uncle)

After consideration of the evidence, including evidence of proper notice, the Board discussed the evidence and the documentation on the record.

The motion to close the public hearing and approve the request was made by **David Baker**

The motion was seconded by **Stacy White**

Motion passed: $\underline{9}$ yays to $\underline{0}$ Nays

Members that opposed:

CITIZENS COMMENTS:

ADJOURNMENT : The meeting was adjourned at 6:14pm

Signed on this the _____ day of June, 2024

THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF GRAND PRAIRIE, TEXAS

by:

Printed Name:	
Title:	



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	06/17/2024
REQUESTER:	Monica Espinoza, Administrative Supervisor
PRESENTER:	Salvador Gonzalez Jr., Planner
TITLE:	ZBA-24-02-0017 (Council District 3) – Special exception for a garage conversion, located at 2138 Avenue C, legally described as Lot 4, Block 2, Allen Ranch Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District
APPLICANT:	Geronimo Pardo
RECOMMENDED ACTION: No Action	

The applicant has withdrawn their application.



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	06/17/2024
REQUESTER:	Monica Espinoza
PRESENTER:	Salvador Gonzalez Jr., Planner
TITLE:	ZBA-24-05-0022 (Council District 3) – Special exception for a side yard carport and variance to reduce the side yard setback permitted under the Unified Development Code, located at 3106 Glendale Dr., legally described as Lot 22, Block 15, Park Valley No.2 Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District
APPLICANT:	Ruben Morales

RECOMMENDED ACTION: Staff does not object to this request

SUMMARY:

Special exception for a side yard carport and variance to reduce the side yard setback permitted under the Unified Development Code, located at 3106 Glendale Dr., legally described as Lot 22, Block 15, Park Valley No.2 Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

- A. Special Exception: Construction of a front yard carport
- B. <u>Variance</u>: Decrease the minimum required side yard setback Required: 3 square feet Requested: 2.5 square feet

PURPOSE OF REQUEST:

The applicant is requesting a special exception for a 495 square foot carport at 3106 Glendale Dr. Article 6 of the Unified Development Code requires that carports, and any associated variances, be approved through the ZBA process. The proposed carport has a width of 11 feet and a depth of 45 feet. The height of the proposed carport is 11 feet. The carport will be dettached from the primary structure. Staff reviewed the surrounding area and found multiple permitted carports within 800 feet.

Subject to the approval of this application, an approved building permit will be required prior to the final inspection of the structure. As part of the building permit review process, Building Inspections will ensure that the structure complies with all regulations.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram June 7 and June 16.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on June 7.

55 notices were sent, 1 were returned in favor, 1 returned opposed and there is not a homeowner's association.

FINDINGS:

As authorized in Section 1.11.7.4 of the UDC, the ZBA may grant variances and exceptions provided the following findings are met:

A. Such variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.

Staff Evaluation: Staff believes that the special exception and variance will not substantially or permanently injure the adjacent property owners.

B. Such variance or exception will not adversely affect the health, safety, or general welfare of the public.

Staff Evaluation: Staff believes that the special exception and variance will not adversely affect the health, safety, or general welfare of the public.

C. Such variance or exception will not be contrary to the public interest, and such variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

Staff Evaluation: Staff believes that the special exception and variance will not authorize the operation of a use other than those already allowed in the Single Family-Three Residential District.

D. Such variance or exception will be in harmony with the spirit and purpose of this ordinance.

Staff Evaluation: Staff suggests that the special exception and variance will not harm the spirit and purpose of this ordinance.

E. Such variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

Staff Evaluation: Staff suggests that the granting of this special exception and variance may not alter the "essential character" of the neighborhood. Side yard and front yard carports are already present in the neighborhood.

F. Such variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located.

Staff Evaluation: Staff does not believe that the special exception and variance will substantially

weaken the general purpose of the underlying zoning district.

G. The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including but not limited to the area, shape or slope, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

Staff Evaluation: Staff cannot find that the property owner has a hardship that is a unique circumstance of the property.

H. The variance or exception is a self-created hardship.

Staff Evaluation: Staff finds that the hardship is self-created.

RECOMMENDATION:

Staff does not object to ZBA-24-05-0022 as requested:

If the Board chooses to grant the request, the applicant must abide by the following:

1. Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, the city adopted fire codes, and with other applicable regulatory requirements administered and/or enforced by the state and federal government. If a building permit has not been applied for or issued within a ninety (90) day period or as the Board may specifically grant, the variance shall be deemed waived; and all rights there under terminated.







Exhibit C - Pictures Page 2 of 2



Item 3.

Register Position

Submitted on	11 June 2024, 11:38AM
Receipt number	931
Related form version	6
First Name	GABRIELA
Last Name	TORRES
Your Address Line 1	309 GLENDALE DR
Your Address Line 2	
City	GRAND PRAIRIE
State	Texas
Zip Code	75052
Case Number	ZBA-24-05-0022
I am registering my:	Support
Additional Comments	I see nothing wrong with it.

Register Position

Submitted on	11 June 2024, 9:23AM
Receipt number	930
Related form version	6
First Name	Cynthia
Last Name	Argumaniz
Your Address Line 1	3102 GLENDALE DR
Your Address Line 2	
City	GRAND PRAIRIE
State	Texas
Zip Code	75052
Case Number	Zba24050022
I am registering my:	Opposition
Additional Comments	This has been a very disagreeable neighbor that the neighbors have had issues with for years. He thinks the rules don't apply to him. He has already made the exterior ugly with an extra driveway and sidewalk. No no no no



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	06/17/2024
REQUESTER:	Monica Espinoza
PRESENTER:	Salvador Gonzalez Jr., Planner
TITLE:	ZBA-24-05-0024 (Council District 1) – Variance to reduce the minimum rear yard setback for a single-family residence permitted under the Unified Development Code, located at 804 Premier Pkwy., legally described as Lot 1, Block 3, Carrier Parkway Townhomes Addition, City of Grand Prairie, Dallas County, Texas, zoned Multifamily-One District
APPLICANT:	John Sargent

RECOMMENDED ACTION: Staff does not object to this request

SUMMARY:

Variance to reduce the minimum rear yard setback for a single-family residence permitted under the Unified Development Code, located at 804 Premier Pkwy., legally described as Lot 1, Block 3, Carrier Parkway Townhomes Addition, City of Grand Prairie, Dallas County, Texas, zoned Multifamily-One District.

 <u>Variance</u>: Reduction of the rear setback required by SF-T zoning district. Required Setback: 20 feet Requested Setback: 15 feet

PURPOSE OF REQUEST:

The applicant is requesting a variance to reduce the rear setback for the MF-1 zoning district for a town home. The applicant is requesting the variance after a mistake was made during the construction process, where the foundation was poured past the rear build line of 20 feet. Granting the variance would allow the contractor to continue with the construction of the town home.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram June 7 and June 16.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on June 7.

25 notices were sent, 0 were returned in favor, 0 returned opposed and there is not a homeowner's association.

FINDINGS:

As authorized in Section 1.11.7.4 of the UDC, the ZBA may grant variances and exceptions provided the following findings are met:

A. Such variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.

Staff Evaluation: Staff believes that such variance will not substantially or permanently injure the adjacent property owners.

B. Such variance or exception will not adversely affect the health, safety, or general welfare of the public.

Staff Evaluation: Staff suggests that the variance will not adversely affect the health, safety, or general welfare of the public.

C. Such variance or exception will not be contrary to the public interest, and such variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

Staff Evaluation: Staff believes the variance will not authorize the operation of a use other than those already allowed in MulitFamily-One Residential District.

D. Such variance or exception will be in harmony with the spirit and purpose of this ordinance.

Staff Evaluation: Staff suggests that the variance will not harm the spirit and purpose of this ordinance.

E. Such variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

Staff Evaluation: Staff believes that such variance will not alter the essential character of the district.

F. Such variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located.

Staff Evaluation: Staff believes that such variance will not substantially weaken the general purpose of the underlying zoning district.

G. The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including but not limited to the area, shape or slope, and the unique circumstances were not created by the owner of the property and are not merely

financial, and are not due to or the result of general conditions in the district in which the property is located.

Staff Evaluation: Staff does not believe that the property owner has a hardship that is a unique circumstance of the property.

H. The variance or exception is a self-created hardship.

Staff Evaluation: Staff believes that the hardship is self-created.

RECOMMENDATION:

Staff does not object to ZBA-24-05-0024 as requested.

If the Board chooses to grant the applicant's request, he/she must abide by the following:

1. Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, the city adopted fire codes, and with other applicable regulatory requirements administered and/or enforced by the state and federal government. If a building permit has not been applied for or issued within a ninety (90) day period or as the Board may specifically grant, the variance shall be deemed waived; and all rights there under terminated.

Exhibit A- Location Map Page 1 of 1

CASE LOCATION MAP ZBA-24-05-0024 804 PREMIER PKWY.



Parcels City Limits





The City of Grand Prairie has prepared maps for departmental use. These are not official maps of the City of Grand Prairie ad should not be used for legal, engineering, or surveying purposes but rather for reference. The property of the City of Grand Prairie and Nave been made available to pable based on the Public Information AL. The City of Grand Prairie markevery efforts to produce and public the most current at accurate information pushols. The city of Grand Prairie and Nave been made available to pable based on the Public Information AL. The City of Grand Prairie markevery efforts to produce and public the most current at accurate information public. November 2000, the superstanding markevery efforts to produce and public the most current at accurate information public. November 2000, the superstanding markevery efforts to produce and public the most current at accurate information public. November 2000, the superstanding markevery efforts to produce and public the most current at accurate information public. November 2000, the superstanding markevery efforts to produce and public the most current at accurate information public. November 2000, the superstanding markevery efforts to produce and public the most current at accurate information public. November 2000, the superstanding markevery efforts to produce and public the most current at accurate information public. November 2000, the superstanding markevery efforts to produce and public the most current at accurate information public. November 2000, the superstanding markevery efforts to produce and public the most current at accurate information public experiment. The superstanding markevery efforts to produce and public the most current at accurate information public experiment. The superstanding markevery efforts to public







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Item 4.

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ltem 4.