



300 W Main Street

Zoning Board of Adjustments and Appeals - Minutes

Date: June 21st, 2021

BRIEFING:

6:30 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:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Barry Sandacz | <input checked="" type="checkbox"/> Martin Caballero |
| <input checked="" type="checkbox"/> Michelle Madden | <input type="checkbox"/> Debbie Hubacek |
| <input checked="" type="checkbox"/> Clayton Hutchins | <input checked="" type="checkbox"/> Heather Mazac |
| <input checked="" type="checkbox"/> Timothy Ibidapo | <input type="checkbox"/> Robert Mendoza |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Ralph Castro | <input checked="" type="checkbox"/> David Baker |
| <input checked="" type="checkbox"/> Tommy Land | |

1. BA210605 (Council District 3) – Special Exception for a carport at 1402 Lakecrest Drive, legally described at Lot 24, Block B, Lake Crest Addition No. 1, City of Grand Prairie, Dallas County, Texas, zoned Two-Family Residential District.
 - a. Special Exception: Construction of a carport

2. BA210608 (Council District 4) – Variance to the rear yard setback at 2607 Waterfront Drive, legally described as Lot 18, Block B, The Bluffs at Grand Peninsula Addition, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development – 249 District.
 - a. Variance: Construction of a patio cover in the rear yard setback.
 - i. Required Setback: 20 feet
 - ii. Requested Setback: 12.5 feet

CALL TO ORDER

7:00 P.M.

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:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Barry Sandacz | <input checked="" type="checkbox"/> Martin Caballero |
| <input checked="" type="checkbox"/> Michelle Madden | <input checked="" type="checkbox"/> Debbie Hubacek |
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| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Ralph Castro | <input type="checkbox"/> David Baker |
| <input type="checkbox"/> Tommy Land | |

INVOCATION:

Martin Caballero led the invocation.

APPROVAL OF MINUTES:

The motion to Approve the minutes made by Michelle Madden

The motion was seconded by Heather Mazac

Motion was **approved**/denied: 7 yays to 0 Nays

Members that objected: None

PUBLIC HEARING:

Due to error in legal notification in the Star Telegram. All cases tonight will be tabled.

The cases will be heard on July 19th, 2021

1. BA210605 (Council District 3) – Special Exception for a carport at 1402 Lakecrest Drive, legally described at Lot 24, Block B, Lake Crest Addition No. 1, City of Grand Prairie, Dallas County, Texas, zoned Two-Family Residential District.

a. Special Exception: Construction of a carport

Applicant / Spokesperson: n/a

Address:

Any comments from Spokesman:

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

The following evidence was presented to the Board by those in favor of the case:

The following persons noted their opposition to the application

The following evidence was presented to the Board by those in opposition to the case:

The applicant did *or* did not speak in rebuttal.

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

The Board makes the following findings, indicated by a check or x in the blank next to the finding:

- Proper notification was done in accordance with the statutes and ordinances.
- The decision of the City building or administrative official to deny the permit or construction was in error, and the permit should be granted.
- A variance, if granted, is not contrary to the public interest, and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and the granting of the variance would be in the spirit of the ordinances and substantial justice would be done.

- The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- 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.
- 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.
- 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.
- The variance or exception is not a self-created hardship.

Any additional findings: None

The motion to table the public hearing and table the Case to July 19th, 2021 made by

Michelle Madden

The motion was seconded by **Clayton Hutchins**

Motion was **approved**/denied: 7 yays to 0 Nays

Members that objected: None

Any conditions: None

The public hearing was closed.

2. BA210608 (Council District 4) – Variance to the rear yard setback at 2607 Waterfront Drive, legally described as Lot 18, Block B, The Bluffs at Grand Peninsula Addition, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development – 249 District.

- b. Variance: Construction of a patio cover in the rear yard setback.
 - i. Required Setback: 20 feet
 - ii. Requested Setback: 12.5 feet

Applicant / Spokesperson:

Address:

Any comments from Spokesman:

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

The following evidence was presented to the Board by those in favor of the case:

The following persons noted their opposition to the application

The following evidence was presented to the Board by those in opposition to the case:

The applicant did *or* did not speak in rebuttal.

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

The Board makes the following findings, indicated by a check or x in the blank next to the finding:

- Proper notification was done in accordance with the statutes and ordinances.

- The decision of the City building or administrative official to deny the permit or construction was in error, and the permit should be granted.
- A variance, if granted, is not contrary to the public interest, and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and the granting of the variance would be in the spirit of the ordinances and substantial justice would be done.
- The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- 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.
- 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.
- 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.
- The variance or exception is not a self-created hardship.

Any additional findings: None

The motion to close to the public hearing and table the Case to July 19th, 2021 made by

Michelle Madden

The motion was seconded by **Clayton Hutchins**

Motion was **approved**/denied: 7 yays to 0 Nays
Members that objected: None

Any conditions: None

The public hearing was closed.

NEW BUSINESS: None

CITIZENS COMMENTS: None

ADJOURNMENT : The meeting was adjourned at 7:05PM

Signed on this the 7th day of July 2021

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

by: 

Printed Name: Barry Seales

Title: Chairman