



300 W. Main Street – Council Chambers

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: October 18th, 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 type="checkbox"/> Ralph Castro |
| <input checked="" type="checkbox"/> Michelle Madden | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input checked="" type="checkbox"/> Clayton Hutchins | <input checked="" type="checkbox"/> Heather Mazac |
| <input checked="" type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Robert Mendoza |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Melinda Rodgers |
| <input checked="" type="checkbox"/> Eric Smith | <input type="checkbox"/> David Baker |
| <input type="checkbox"/> Tommy Land | |

2. **ZBA-21-09-0006 (Council District 1)** – Variance to reduce the required minimum side yard setback requirement permitted under the Unified Development Code at 421 SW 17th Street, legally described as Lot 6, Block 111, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.
 - a. Variance: Reduction of the minimal side on street setback required by SF-4 zoning district
 - a. Required : 15ft
 - b. Requested : 10 ft

Mr. Jonathon Tooley briefed the Board on the reason for the case and provided information on the lot. This lot is a vacant and is located at the corner of El Paso and SW 17th St. The original plat of the area was done in the 1940s and the lot is legal non-conforming.

The applicant would like to center the house on the lot and is thus requesting the setback of 10ft. The house will be masonry, 2 story and about 2000 sq ft living area.

The staff does not oppose the request

Clayton Hutchins gave Jonathon kudos on being able to find the appropriate findings

Michelle Madden asked if the drive originally facing 17th will be removed or changed

Jonathon Tooley stated that it may be just a notch from the street but believes that the house will have a rear entry off El Paso St

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

INVOCATION:

Clayton Hutchins led the invocation

APPROVAL OF MINUTES:

The motion to Approve the minutes made by Michelle Madden

The motion was seconded by Clayton Hutchins

PUBLIC HEARING:

2. ZBA-21-09-0006 (Council District 1) – Variance to reduce the required minimum side yard setback requirement permitted under the Unified Development Code at 421 SW 17th Street, legally described as Lot 6, Block 111, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

a. Variance: Reduction of the minimal side on street setback required by SF-4 zoning district

c. Required: 15ft

d. Requested: 10 ft

Applicant / Spokesperson: Walter Torres

Address: 305 SW 15th Grand Prairie, TX 75051

Any comments from Spokesman:

Mr. Torres stated that he would like to build the house similar to others they have built. This house would be the 4th house that they have constructed.

Any questions from Board:

Debbie Hubacek asked if this was the only house they have built in the area

Mr Torres stated No the first house they built was in Dalworth Park and have seen the value of that lot increase from about 140k to 280k.

Ms. Hubacek congratulated Mr. Torres on working to improve the area

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 the public hearing and Approve the Case

Clayton Hutchins

The motion was seconded by Michelle Madden

Motion was approved/denied: 9 yays to 0 Nays

Members that objected:

CITIZENS COMMENTS: None

ADJOURNMENT : The meeting was adjourned at 7:09 PM

Signed on this the 15 day of November 2021

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

by: _____

Printed Name: Barry Sandacz

Title: CHAIR PERSON