



300 W. Main Street – Council Chambers

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: January 17, 2024

BRIEFING:

5:40 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"/> Kimberly Akinrodoye |
| <input checked="" type="checkbox"/> Eric Hedin | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input checked="" type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Stacy White |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Jose Linarez |
| <input type="checkbox"/> Eric Smith | <input checked="" type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Tommy Land | <input checked="" type="checkbox"/> David Baker |

2. ZBA-23-12-0074 (Council District 5) Special Exception for a garage conversion, located at 526 SE 11th St, legally described as Lot 14, Block C, Robin Hood Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family- Four Residential District

Salvador Gonzalez Jr. briefed the Board on the case.

Timothy Ibidapo asked if the construction had started. Salvador answered that he did not believe it had.

3. ZBA-23-12-0075 (Council District 1)- Variance to increase the maximum height for a fence permitted under the Unified Development Code, located at 112 Lida Ct., legally described as Lot 26, Block 1, Enchanted Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Five Residential District

Salvador Gonzalez Jr. from Planning briefed the Board on the case.

Barry Sandacz asked if this variance is only for the height. Mr. Gonzalez stated the applicant can have the fence but the height is not permitted.

Eric Hedin asked if the fence was built into the retaining wall and if the applicant had spoken to any of their neighbors. Mr. Gonzalez stated that yes, the fence is but is not sure if the applicant has spoken to their neighbors.

Briefing was adjourned at 5:48 pm

CALL TO ORDER

6:01 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"/> Kimberly Akinrodoye |
| <input checked="" type="checkbox"/> Eric Hedin | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input checked="" type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Stacy White |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Jose Linarez |
| <input type="checkbox"/> Eric Smith | <input checked="" type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Tommy Land | <input checked="" type="checkbox"/> 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 Timothy Ibidapo

Motion Carried 9-0

PUBLIC HEARING:

2. ZBA-23-12-0074 (Council District 5) Special Exception for a garage conversion, located at 526 SE 11th St, legally described as Lot 14, Block C, Robin Hood Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family- Four Residential District

Salvador Gonzalez Jr. presented the case to the Board.

- 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.

Applicant / Spokesperson: Not Present

Address:

Applicant was not present.

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

The motion was seconded by **Stacy White**

Motion passed: 9 yays to 0 Nays.

Members that opposed:

3. ZBA-23-12-0075 (Council District 1)- Variance to increase the maximum height for a fence permitted under the Unified Development Code, located at 112 Lida Ct., legally described as Lot 26, Block 1, Enchanted Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Five Residential District

Salvador Gonzalez Jr. from Planning presented the case to the Board and explained that this case was regarding the fence height only.

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.
- 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.

Applicant / Spokesperson: Elmer Molina

Address: 112 Lida Ct. Grand Prairie, TX 75050

Applicant was present.

Mr. Molina spoke and responded to the Board via a translator.

Mr. Molina stated that he and his contractor did obtain a permit but realized after constructing the fence that it was too tall.

Mr. Molina also commented in response to the HOA opposition letter. He stated that he is not too sure why the HOA has an issue. He does not bother anyone, and the work is inside his property.

Mr. Molina also stated that there are other issues such as cars parking in the street that the HOA does not take care of.

Melinda Rodgers asked if the individual in opposition was nearby. Staff answered that the individual is 3 houses down.

Eric Hedin commented that the fence appears to be professionally done.

Stacy White asked what is the height of the fence panels? The applicant stated that the fence panels are 4ft but were built on top of concrete.

Kimberly asked if the fencing was level? The applicant stated that yes, it is and all one height.

David Baker stated that he believes that the applicant did a great job, but the height could be an issue. Mr. Baker asked if the applicant would be happy with a total height of 4ft? The applicant stated that no not really. This is because he does not have the money to cut the height down nor buy new fence materials

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

A motion to close the public hearing and approve the request was made by Eric Hedin

The motion was seconded by Debbie Hubacek

Motion passed: 8 yays to 1 Nays

Members that opposed: Timothy Ibidapo

CITIZENS COMMENTS:

ADJOURNMENT : The meeting was adjourned at 6:31 pm

Signed on this the _____ day of February, 2024

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

by: 

Printed Name: BARRY SANDOZ

Title: Chair person