



**300 W. Main Street – Council Chambers**

**MEETING AGENDA**

Zoning Board of Adjustments and Appeals

Date: October 17th, 2022

**BRIEFING:**

**5:46 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:**

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| <input checked="" type="checkbox"/> Barry Sandacz        | <input checked="" type="checkbox"/> Kimberly Akinrodoye |
| <input type="checkbox"/> Eric Hedin                      | <input checked="" type="checkbox"/> Debbie Hubacek      |
| <input type="checkbox"/> Clayton Hutchins                | <input type="checkbox"/> Heather Mazac                  |
| <input checked="" type="checkbox"/> Timothy Ibidapo      | <input type="checkbox"/> Robert Mendoza                 |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input checked="" type="checkbox"/> Melinda Rodgers     |
| <input type="checkbox"/> Eric Smith                      | <input checked="" type="checkbox"/> David Baker         |
| <input type="checkbox"/> Tommy Land                      |   |

**2. ZBA-22-09-0039 (Council District 4)-** Special exception for a garage conversion, located at 4332 Emerson Dr, legally described as Lot 6, Block O, Oak Hollow Addition Phase 4B & C, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development- 50 District

June Sin from Planning briefed the Board on the reason for the case and provided information on the case

**3. ZBA-22-09-0040 (Council District 5)-** Special Exception for a garage conversion, located at 1010 SE 4<sup>th</sup> St, legally described as Lot 10, Block X, Grand Prairie Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District

June Sin from Planning briefed the Board on the reason for the case and provided information on the case.

**4. ZBA-22-09-0041 (Council District 5) –** Special Exception for a garage conversion, located at 718 NE 22<sup>nd</sup> Street, legally described as Lot 8, Block 19, Vought Manor Addition No 4, City of Grand Prairie, Dallas County, Texas zoned Single Family-Four Residential District

June Sin from Planning briefed the Board on the reason for the case and provided information on the case.

**5. ZBA-22-09-0042 (Council District 1) –** Variance to reduce the minimum rear setback requirement for a covered patio, located at 1224 Lake Forest Drive, legally described as Lot 9, Block L. Lakewood Addition Phase 2, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-268 Residential District

Brittany Musser from Planning briefed the Board on the reason for the case and provided information on the case

**6. ZBA-22-09-0043 (Council District 1)-** Special Exception to construct a security fence along property lines, located at 2610 & 2626 W Pioneer Pkwy, legally described as Site 92 and 93, Great Southwest Industrial District (GISD) Great Southwest-South Addition, City of Grand Prairie, Tarrant County, zoned Light Industrial District

June Sin from Planning briefed the Board on the reason for the case and provided information on the case

Briefing was adjourned at 6:00 pm

## **CALL TO ORDER**

**6:04 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:**

☒ Barry Sandacz

☐ Eric Hedin

☒ Clayton Hutchins

☒ Timothy Ibidapo

☒ Anthony Langston Sr.

☐ Eric Smith

☐ Tommy Land

☒ Kimberly Akinrodoye

☒ Debbie Hubacek

☐ Heather Mazac

☐ Robert Mendoza

☒ 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 **Clayton Hutchins**

**Motion Carried 8-0**

**PUBLIC HEARING:**

**2. ZBA-22-09-0039 (Council District 4)-** Special exception for a garage conversion, located at 4332 Emerson Dr, legally described as Lot 6, Block O, Oak Hollow Addition Phase 4B & C, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development- 50 District

Ms. Brittany Musser presented the case to the Board and mentioned that the applicant has 2 garages spaces and will maintain the other garage space. They also will have 2 off street parking spots

**Applicant / Spokesperson:** Alexis Renteria

**Address:** 4322 Emerson Dr Grand Prairie, TX 75052

**Any comments from Spokesman:** Ms. Renteria was under the impression that the conversion had been permitted before the work started. The work is almost completed

**Any questions from Board:**

Timothy Ibidapo asked if the applicant had applied for the permit  
Ms. Renteria stated that she believed the contractor had obtained the permit

**The following persons spoke in favor of the application:**

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**The following persons noted their support for the application:**

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

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**The following persons noted their opposition to the application**

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

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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 and approve the case was made by

**David Baker**

The motion was seconded by **Timothy Ibidapo**

Motion was **approved**/denied: 8 yays to 0 Nays

Members that objected:

3. **ZBA-22-09-0040 (Council District 5)-** Special Exception for a garage conversion, located at 1010 SE 4<sup>th</sup> St, legally described as Lot 10, Block X, Grand Prairie Estates

Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District

Ms. June Sin presented the case to the Board and mentioned that the applicant has 2 off street parking spots

**Applicant / Spokesperson:** Gordon Deland  
**Address:** 1010 SE 4<sup>th</sup> St Grand Prairie, TX 75051

**Any comments from Spokesman:** N/A

**Any questions from Board:** Timothy Ibidapo asked How many car spaces do you have in front?

The applicant stated that they have room for 3 cars

**The following persons spoke in favor of the application:**

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**The following persons noted their support for the application:**

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

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**The following persons noted their opposition to the application**

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

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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.
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- ☒ 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 and approve the appeal the case was made by  
**David Baker**

The motion was seconded by **Debbie Hubacek**

Motion was **approved**/denied: 8 yays to 0 Nays

Members that objected:

4. **ZBA-22-09-0041 (Council District 5)** – Special Exception for a garage conversion, located at 718 NE 22<sup>nd</sup> Street, legally described as Lot 8, Block 19, Vought Manor Addition No 4, City of Grand Prairie, Dallas County, Texas zoned Single Family-Four Residential District

June Sin presented the case to the Board and mentioned that the applicant has 2 paved spaces for parking

**Applicant / Spokesperson:** Erick Vasquez

**Address:** 718 NE 22nd Grand Prairie, TX 75050

**Any comments from Spokesman:**

**Any questions from Board:**

**The following persons spoke in favor of the application:**

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**The following persons noted their support for the application:**

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

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**The following persons noted their opposition to the application**

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

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**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.
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- ☒ The variance or exception is not a self-created hardship.

Any additional findings: None

The motion to close and approve the case: **David Baker**

The motion was seconded by **Kimberly Akinrodoye**

Motion was **approved**/denied: 8 yays to 0 Nays

Members that objected:

5. **ZBA-22-09-0042 (Council District 1)** – Variance to reduce the minimum rear setback requirement for a covered patio, located at 1224 Lake Forest Drive, legally described as Lot 9, Block L, Lakewood Addition Phase 2, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-268 Residential District

Brittany Musser presented the case to the Board

**Applicant / Spokesperson:** Angela Wallace

**Address:** 1224 Lake Forrest Dr Grand Prairie, TX 75052

**Any comments from Spokesman:**

Ms. Wallace stated that there are no major power lines in the area

**Any questions from Board:**

Kimberly Akinrodoye asked if the applicant had spoke to their HOA.

Ms. Wallace stated that yes that she already had and received their approval. She is awaiting approval from the City

**The following persons spoke in favor of the application:**

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**The following persons noted their support for the application:**

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

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**The following persons noted their opposition to the application**

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

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**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.
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- ☒ 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.
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- ☒ 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;
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- ☒ The variance or exception is not a self-created hardship.

Any additional findings: None

The motion to close and approve the case: **David Baker**

The motion was seconded by **Debbie Hubacek**

Motion was **approved**/denied: 8 yays to 0 Nays

Members that objected

6. **ZBA-22-09-0043 (Council District 1)-** Special Exception to construct a security fence along property lines, located at 2610 & 2626 W Pioneer Pkwy, legally described as Site 92 and 93, Great Southwest Industrial District (GISD) Great Southwest-South Addition, City of Grand Prairie, Tarrant County, zoned Light Industrial District

June Sin presented the case to the Board and mentioned that this is more a request for the type of fencing material

**Applicant / Spokesperson:** Not Present

**Address:**

**Any comments from Spokesman:**

**Any questions from Board:**

David Baker asked if wrought iron fence is a permitted type and asked about the wording of the variance request. Ms. Sin stated that the property is zoned as Light Industrial, but the type of requested fencing material would require a variance

Clayton Hutchins asked if the material the applicant wanted was in the UDC then we would not have the case in front of us? June Sin stated that is correct

Debbie Hubacek asked about the use of the property and reason for the fence. Ms Sin mentioned that the property is used for truck parking and that the fence is for security purposes to deter theft

Timothy Ibidapo asked if the special exception was the fence? Ms. Sin stated that the special exception was not for the fence but for the type of material

**The following persons spoke in favor of the application:**

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**The following persons noted their support for the application:**

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

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**The following persons noted their opposition to the application**

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

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**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:

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☒ The variance or exception is not a self-created hardship.

Any additional findings: None

The motion to close and approve the case provided that the metal fence follows the approved materials listed in the UDC Section 8.10 was made by: **David Baker**

The motion was seconded by **Debbie Hubacek**

Motion was **approved**/denied: 8 yays to 0 Nays

Members that objected




**CITIZENS COMMENTS:**

**ADJOURNMENT : The meeting was adjourned at 6:30 PM**

Signed on this the 21 day of November 2022

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

by:   
Printed Name: Barry Sanders.  
Title: Chairman.