



Zoom Virtual Meeting

**MEETING AGENDA**

Zoning Board of Adjustments and Appeals

Date: February 17, 2021

**Due to an imminent threat to public health and safety arising from the COVID-19 pandemic, this meeting of the Zoning Board of Adjustments and Appeals shall be held via videoconference. The members of the Board will participate remotely via videoconference. No facility shall be available for the public to attend in person.**

**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 checked="" type="checkbox"/> Debbie Hubacek   |
| <input checked="" type="checkbox"/> Clayton Hutchins     | <input 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"/> Ralph Castro         | <input checked="" type="checkbox"/> David Baker      |
| <input type="checkbox"/> Tommy Land                      |  |

**1. BA210203 (Council District 5)** – Variance to the side yard setback at 602 NW 18th Street, legally described as Lot 17, Block 160, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

1. Variance: Construction of a single-family dwelling in the side yard setback.  
Required Setback: 6 feet.  
Requested Setback: 5 feet.

Mr. Tooley presented the case and all the findings. The staff recommends approval

**Any questions from Board:** No questions from Board

**2. BA210204 (Council District 5)** – Construction of a carport at 1101 Rueda Street, legally described as Lot 1 and part of Lot 2, Block 1, Pecan Acres Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

1. Special Exception: Construction of a carport.
2. Variance: Construction of a carport that exceeds maximum area.  
Required Maximum Area: 500 square feet.  
Requested Area: 625 square feet.

Mr. Tooley presented the case and findings. Staff verified that 2 carports were permitted within 150 feet of the location

**Any questions from Board:**

Michelle Madden confirmed if 44 notices were sent? Mr. Tooley confirmed this is true  
Timothy Ibidapo asked about the height. Mr. Tooley stated the height is 9.5 and slopes down to 8.5.

Clayton Hutchins also asked if the carports were the same in the area. Mr. Tooley stated yes.

Barry Sandacz asked if 25 X 25 is a standard size? Mr. Tooley stated that code allows for 26ft wide. The applicant will use this carport for a large pick up

**It is noted in the minutes that David Baker is present at the meeting but will be a non voting participant**

**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   |
| <input checked="" type="checkbox"/> Clayton Hutchins     | <input 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"/> Ralph Castro         | <input checked="" 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 Anthony Langston

Motion was **approved**/denied: **9** yays to **0** Nays

Members that objected: None

**PUBLIC HEARING:**

**1. BA210203 (Council District 5)** – Variance to the side yard setback at 602 NW 18th Street, legally described as Lot 17, Block 160, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

1. Variance: Construction of a single-family dwelling in the side yard setback.

Required Setback: 6 feet.

Requested Setback: 5 feet..

**Applicant / Spokesperson:** Jesus Amador

**Address:** 2340 Mockingbird Ln Midlothian, TX 76005

**Any comments from Spokesman:**

The applicant was represented by Edgar Graciano. The applicant would like to build a house on the lot

**Any questions from Board: Timothy Ibidapo asked if any other approvals had taken place on the lot. Mr. Tooley stated he has made sure the applicant understands that construction cannot take place until building permits are applied for and approved**

**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 to the public hearing and Approve the Case made by

**Ralph Castro**

The motion was seconded by **Martin Caballero**

Motion was **approved**/denied: **9** yays to **0** Nays

Members that objected: None

Any conditions: None

The public hearing was closed.

**2. BA210204 (Council District 5)** – Construction of a carport at 1101 Ruea Street, legally described as Lot 1 and part of Lot 2, Block 1, Pecan Acres Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

1. Special Exception: Construction of a carport.
2. Variance: Construction of a carport that exceeds maximum area.  
    Required Maximum Area: 500 square feet.  
    Requested Area: 625 square feet.

**Applicant / Spokesperson:** James McPherson  
**Address:** 1101 Ruea St Grand Prairie, TX 75050

**Any comments from Spokesman:**

The applicant is asking for the carport of this size because he has a large truck 23 feet wide. He also did option a list of all the neighbors signatures stating they did not see an issue with the carport.

**Any questions from Board:**

Michelle Madden asked if there were any other outstanding issues such as notices. Mr. Tooley stated that staff is not typically made aware of such unless they are delinquent taxes

Timothy Ibidapo asked if this construction would pose any issues to 1116 or 1120 Ruea Mr Tooley stated that he did not believe this would create any as there is a fence between the properties

Michelle Madden asked the applicant about the address of 1110 Ruea and if they received a signature from them. Mr. McPherson stated that the house is vacant and is used as a rental

**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 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 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 Approve the Case made by **Ralph Castro**

The motion was seconded by **Timothy Ibidapo**

Motion was **approved**/denied: **9** yays to **0** Nays

Members that objected: None

Any conditions: None

The public hearing was closed.

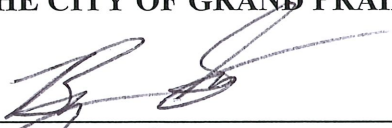
**NEW BUSINESS: None**

**CITIZENS COMMENTS: None**

**ADJOURNMENT : The meeting was adjourned at 7:24 PM**

Signed on this the 19 day of <sup>April</sup>~~February~~ 2021

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

by:   
Printed Name: BARRY SANDACE  
Title: CHAIRPERSON