



ZONING BOARD OF ADJUSTMENTS AND APPEALS
CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET
WEDNESDAY, JANUARY 17, 2024 AT 5:30 PM

AGENDA

BRIEFING SESSION - 5:30 PM

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 the presentation of the cases. No action will be taken during the briefing.

REGULAR MEETING - 6:00 PM

Call to Order

Invocation

APPROVAL OF MINUTES

1. Approval of the December 18, 2023 Meeting Minutes

PUBLIC HEARING

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 Code 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.

2. ZBA-23-12-0074 (Council District 5) – Special Exception for a garage conversion, located at 526 SE 11th Street, legally described as Lot 14, Block C, Robin Hood Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District
3. ZBA-23-12-0075 (Council District 1) – Variances 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

CITIZEN COMMENTS

Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda by completing and submitting a speaker card.

ADJOURNMENT

The City Hall is wheelchair accessible. If you plan to attend this public meeting and you have a disability that requires special arrangements, please call 972-237-8255 at least 24 hours in advance. Reasonable accommodations will be made to assist your needs.

MESSAGE OF RELIGIOUS WELCOME

As many of you are aware, we customarily begin our meetings with an invocation. This prayer is intended for the benefit of the board members and is directed to them and not the audience. Those who deliver the invocation may reference their own religious faith as you might refer to yours when offering a prayer. We wish to emphasize, however, that members of all religious faiths are welcome, not only in these meetings, but in our community as well. The participation of all our citizens in the process of self-government will help our fine city best serve the good people who live here. Employees and audience members are welcome to pray or not pray, and this choice will have no bearing on any vote made by the board.

Certification

In accordance with Chapter 551, Subchapter C of the Government Code, V.T.C.A, the Zoning Board of Adjustments and Appeals agenda was prepared and posted January 12, 2024.



Monica Espinoza, Planning Secretary



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2024
REQUESTER: Monica Espinoza, Administrative Supervisor
PRESENTER: Salvador Gonzalez, Jr., Planner
TITLE: Approval of the December 18, 2023 Meeting Minutes

RECOMMENDED ACTION: Approve



300 W. Main Street – Council Chambers

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: December 18, 2023

BRIEFING:

5:45 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"/> Kimberly Akinrodoye |
| <input checked="" 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 checked="" type="checkbox"/> Jose Linarez |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Eric Smith | <input checked="" type="checkbox"/> David Baker |
| <input type="checkbox"/> Tommy Land | |

2. ZBA-23-06-0043 (Council District 3) Variance to reduce the minimum side setback for an accessory structure permitted under the Unified Development Code, located at 2125 Windchime Dr, legally described as Lot 13, Block 5, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development – 75.

Abdul Ghous briefed the Board on the case and explained that is case was tabled in July and is now only requesting a side yard setback

3. ZBA-23-11-0072 (Council District 1)- Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 609 SW 14th St, legally described as Lot 3 Block 132, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

Brittany Musser from Planning briefed the Board on the case and explained that this case was approved last month but needed to come back for a modification.

4. ZBA-23-11-0073 (Council District 5) Variance to reduce the minimum side yard setback for a primary structure permitted under the Unified Development Code, located at 225 NW 16th St, legally described as Lot 1, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas zoned Single Family-Six

Brittany Musser from Planning briefed the Board on the case and explained that this case was approved last month but needed to come back for a modification.

Briefing was adjourned at 5:54 pm

CALL TO ORDER

6:00 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"/> Kimberly Akinrodoye |
| <input checked="" 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 checked="" type="checkbox"/> Jose Linarez |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Eric Smith | <input checked="" type="checkbox"/> David Baker |
| <input type="checkbox"/> Tommy Land | |

INVOCATION:

David Baker led the invocation

APPROVAL OF MINUTES:

The motion to Approve the minutes made by David Baker
The motion was seconded by Anthony Langston Sr
Motion Carried 7-0

PUBLIC HEARING:

2. ZBA-23-06-0043 (Council District 3) Variance to reduce the minimum side setback for an accessory structure permitted under the Unified Development Code, located at 2125 Windchime Dr, legally described as Lot 13, Block 5, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development – 75.

Abdul Ghous presented the case to the Board. He informed them that this case was tabled from the July meeting. The applicant has made some modifications to their request. The applicant was able to attach the patio to the house and now only needs to request a side yard setback of 4.4 feet.

Abdul Ghous 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: Miguel Cardenas

Address: 2125 Windchime Dr Grand Prairie, Tx 75051

Applicant was present.

David Baker informed the applicant that if they wanted to, they could table the application as there are only 7 members present and all members would need to vote in approval

Eric Hedin asked Mr. Cardenas if he had any information on the 3 letters that were received in opposition. Mr. Cardenas stated that he is not too sure why they are in opposition.

Debbie Hubacek asked if the structure could be seen from the street? The applicant stated no and that the neighbors closest to them have no issues with the structure. Ms. Hubacek also asked what the structure would be used for. The applicant stated that it would be used for storage.

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 **David Baker**

The motion was seconded by **Debbie Hubacek**

Motion failed : **6** yays to **1**Nays.

Members that opposed: Timothy Ibidapo

3. ZBA-23-11-0072 (Council District 1)- Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 609 SW 14th St, legally described as Lot 3 Block 132, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

Brittany Musser from Planning presented the case to the Board and explained that this case was approved last month but needed to come back for a modification. The applicant originally requested a 5ft set back but after looking at the plans realized they would need a 4ft set back.

Brittany Musser 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.

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: **7** yays to **0** Nays

4. ZBA-23-11-0073 (Council District 5) Variance to reduce the minimum side yard setback for a primary structure permitted under the Unified Development Code, located at 225 NW 16th St, legally described as Lot 1, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas zoned Single Family-Six

Brittany Musser from Planning presented the case to the Board and explained that this case was approved last month but needed to come back for a modification. The applicant originally requested a 5ft set back but after looking at the plans realized they would need a 4ft set back.

Brittany Musser 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.

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: **David Baker**

The motion was seconded by **Eric Hedin**

Motion passed: **7** yays to **0** Nays

CITIZENS COMMENTS:

ADJOURNMENT : The meeting was adjourned at 6:16 pm

Signed on this the _____ day of January, 2024

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

by: _____
Printed Name: _____
Title: _____



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 01/17/2024

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Salvador Gonzalez Jr., Planner

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

APPLICANT: Miguel Cristancho

RECOMMENDED ACTION: Staff does not object to the request

SUMMARY:

Special Exception for a garage conversion, located at 526 SE 11th, legally described as Lot 14, Block C, Robin Hood Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

- a. Special Exception: Conversion of garage into living space.
Required: Two garage parking spaces
Requested: No garage parking spaces

PURPOSE OF REQUEST:

The applicant requests a garage conversion to add extra living space to the existing single-family dwelling. This requires a Special Exception to the minimum garage parking spaces required per Section 10.7.2.A of the Unified Development Code (UDC). The UDC requires that applicants maintain a minimum of two off-street parking spaces if the garage is enclosed. The applicant meets this requirement. Staff reviewed the surrounding area and did not find any existing permitted garage conversions within 300 feet. Staff also notes that there is a legally permitted garage conversion southeast of the subject property addressed as 717 SE 14th St.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram January 5 and January 14.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on January 5.

46 notices were sent, 0 were returned in favor, 0 returned opposed and there is not a homeowner's association.

FINDINGS:

As authorized in Section 1.11.7.4 of the UDC, the ZBA may grant variances and exceptions provided the following findings are met:

- A. Such variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.

Staff Evaluation: *The exception is not expected to injure the appropriate use of adjacent property substantially or permanently in the same district.*

- B. Such variance or exception will not adversely affect the health, safety, or general welfare of the public.

Staff Evaluation: *The exception is not expected to adversely affect the health, safety, or general welfare of the public.*

- C. Such variance or exception will not be contrary to the public interest, and such 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.

Staff Evaluation: *The exception is not expected to authorize the operation of a use other than those already allowed in the Single Family-Four Residential District.*

- D. Such variance or exception will be in harmony with the spirit and purpose of this ordinance.

Staff Evaluation: *The exception is not expected to harm the spirit and purpose of this ordinance. The granting of this exception will allow the homeowner to expand the amount of usable living space.*

- E. Such variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

Staff Evaluation: *The exception is not expected to alter the essential character of the district.*

- F. Such variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located.

Staff Evaluation: *The exception is not expected to substantially weaken the general purpose of the underlying zoning district.*

- G. 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 the 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.

Staff Evaluation: A hardship that is a unique circumstance of the property has not been found.

H. The variance or exception is a self-created hardship.

Staff Evaluation: Staff finds that the hardship is self-created.

RECOMMENDATION:

Staff does not object to ZBA-23-12-0074 as requested.

If the Board chooses to grant the request, the applicant must abide by the following:

- 1. Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, the city adopted fire codes, and with other applicable regulatory requirements administered and/or enforced by the state and federal government. If a building permit has not been applied for or issued within a ninety (90) day period or as the Board may specifically grant, the variance shall be deemed waived; and all rights thereunder terminated.**

Exhibit A- Location Map

Page 1 of 1




CASE LOCATION MAP
ZBA-23-12-0074
526 SE 11TH ST

Item 2.

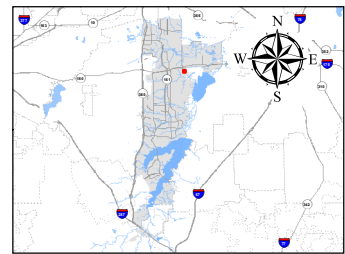


City of Grand Prairie
Planning and Development


(972) 237-8255
www.gptx.org

-  Location
-  City Limits
-  Parcels

The City of Grand Prairie has prepared maps for departmental use. These are not official maps of the City of Grand Prairie and should not be used for legal, engineering, or surveying purposes but rather for reference. These maps are the property of the City of Grand Prairie and have been made available to public based on the Public Information Act. The City of Grand Prairie make every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. Utilization of this map indicates understanding and acceptance of this statement.



0 0.03 Miles



PLANNING

Date: 1/3/2024

14

Exhibit B - Site Plan
Page 1 of 1

Item 2.



DISCLAIMER:

GENERAL CONTRACTOR OR MANUFACTURE SHALL FIELD VERIFY ALL EXISTING CONDITIONS BEFORE COMMENCEMENT OF THE PROJECT

DIMENSIONS MUST NOT BE SCALED FROM THIS DRAWING

ALL STAGES OF THE PROJECT SHALL COMPLY WITH ALL SAFETY REGULATIONS AND CITY REQUIREMENTS.

Project:
Miguel Residence Remodel and Renovation
526 Southeast 11th Street
Grand Prairie, Texas

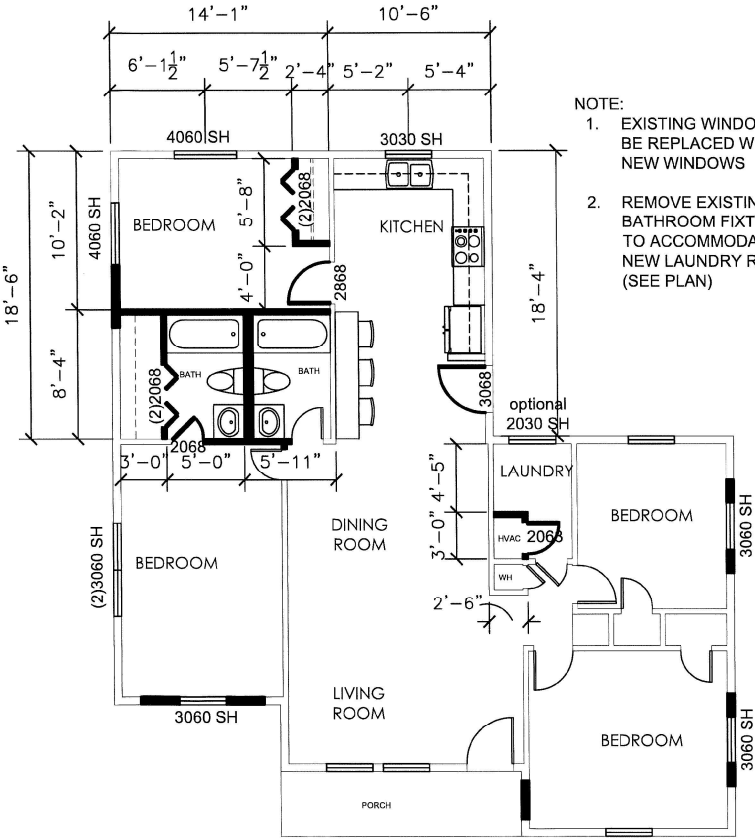
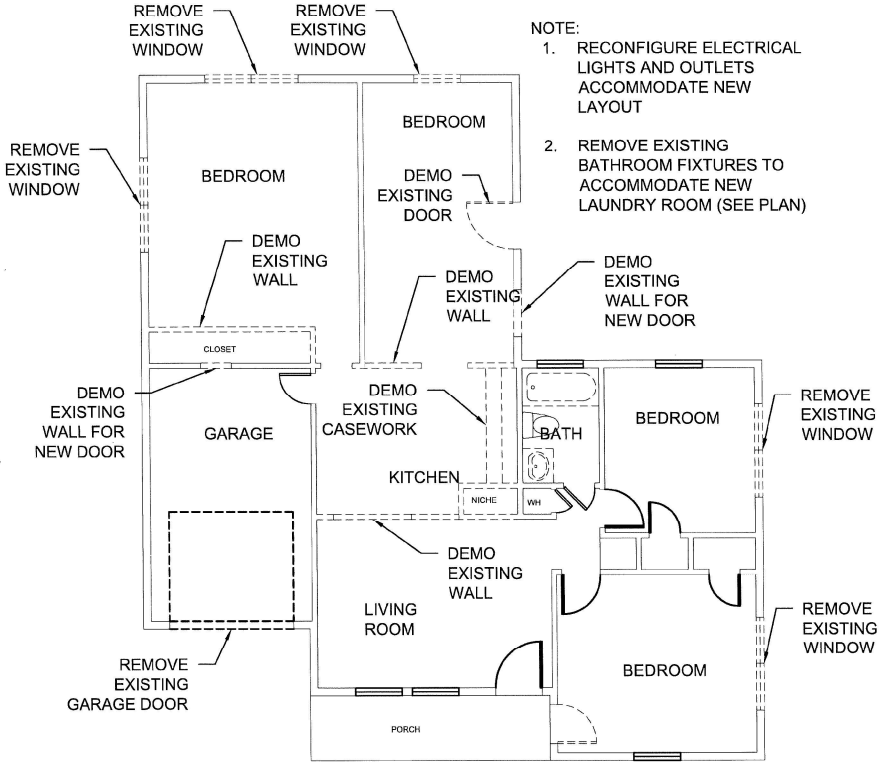
Date: November 15, 2023

Drawing No.

A1.0

NOTE:
1. RECONFIGURE ELECTRICAL LIGHTS AND OUTLETS ACCOMMODATE NEW LAYOUT
2. REMOVE EXISTING BATHROOM FIXTURES TO ACCOMMODATE NEW LAUNDRY ROOM (SEE PLAN)

NOTE:
1. EXISTING WINDOWS TO BE REPLACED WITH NEW WINDOWS
2. REMOVE EXISTING BATHROOM FIXTURES TO ACCOMMODATE NEW LAUNDRY ROOM (SEE PLAN)



1 DEMOLITION FLOOR PLAN
SCALE: 1/8" = 1'-0"

2 FLOOR PLAN
SCALE: 1/8" = 1'-0"

AREAS:	S.F.:
LIVING AREA:	1327 S.F.
FRONT PORCH:	65 S.F.
TOTAL:	1392 S.F.





CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 01/17/2024
REQUESTER: Monica Espinoza, Administrative Supervisor
PRESENTER: Salvador Gonzalez Jr., Planner
TITLE: ZBA-23-12-0075 (Council District 1) – Variances 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
APPLICANT: Elmer Molina

RECOMMENDED ACTION: Staff cannot support this request due to the following finding of fact:

- 1. The variance is a self-created hardship.

SUMMARY:

Variances 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.

- A. Variance: Increase the maximum height of a fence
Allowed: 4 feet
Requested: 5.6 feet

PURPOSE OF REQUEST:

The applicant is requesting variances to the residential fencing standards required by the Unified Development Code. The applicant has constructed a 4.8 feet wrought iron fence along the western perimeter of the subject property. The applicant has also constructed a 10-inch-tall retaining wall underneath the fence. The UDC states residential fences shall be composed of materials recognized as standard, residential grade fencing material and shall not exceed 4 feet in height when located along street frontage.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram January 5 and January 14.

40 notices to property owners were placed in the City of Grand Prairie out-going-mail on January 5.

15 notices were sent, 0 were returned in favor, 0 returned opposed and there is a homeowner's association.

FINDINGS:

As authorized in Section 1.11.7.4 of the UDC, the ZBA may grant variances and exceptions provided the following findings are met:

- A. Such variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.

Staff Evaluation: Staff believes that the variances may not substantially or permanently injure the appropriate use of adjacent property in the same district.

- B. Such variance or exception will not adversely affect the health, safety, or general welfare of the public.

Staff Evaluation: Staff suggests that the variances will not adversely affect the health, safety, or general welfare of the public.

- C. Such variance or exception will not be contrary to the public interest, and such 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.

Staff Evaluation: Staff believes the exception will not authorize the operation of a use other than those already allowed in the Single Family-Five Residential District.

- D. Such variance or exception will be in harmony with the spirit and purpose of this ordinance.

Staff Evaluation: The exception is not expected to harm the spirit and purpose of this ordinance. The granting of this exception does not apply to the material of the screening device.

- E. Such variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

Staff Evaluation: Staff believes that the variances may alter the essential character of the district. All other fences within the district have been constructed without a retaining wall and at maximum allowable height.

- F. Such variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located.

Staff Evaluation: Staff believes the variances will not substantially weaken the general purpose of the underlying zoning district.

- G. 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 the 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.

Staff Evaluation: Staff cannot find that the property owner has a hardship that is a unique circumstance of the property.

H. The variance or exception is a self-created hardship.

Staff Evaluation: Staff finds that the hardship is self-created.

RECOMMENDATION:

Staff cannot support ZBA-23-12-0075 as requested due to the following finding of fact:

1. The variance is a self-created hardship.

If the Board chooses to grant the request, the applicant must abide by the following:

- 1. Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, the city adopted fire codes, and with other applicable regulatory requirements administered and/or enforced by the state and federal government. If a building permit has not been applied for or issued within a ninety (90) day period or as the Board may specifically grant, the variance shall be deemed waived; and all rights there under terminated.**

Exhibit A- Location Map

Page 1 of 1




CASE LOCATION MAP
ZBA-23-12-0075
112 LIDA CT

Item 3.

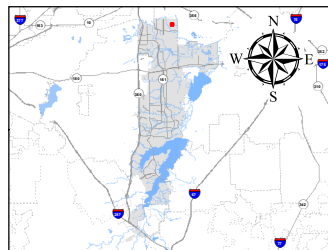


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0 0.03 Miles

Grand
Prairie
TEXAS

PLANNING
Date: 1/3/2024

20

Exhibit B - Survey
Page 1 of 1

Item 3.

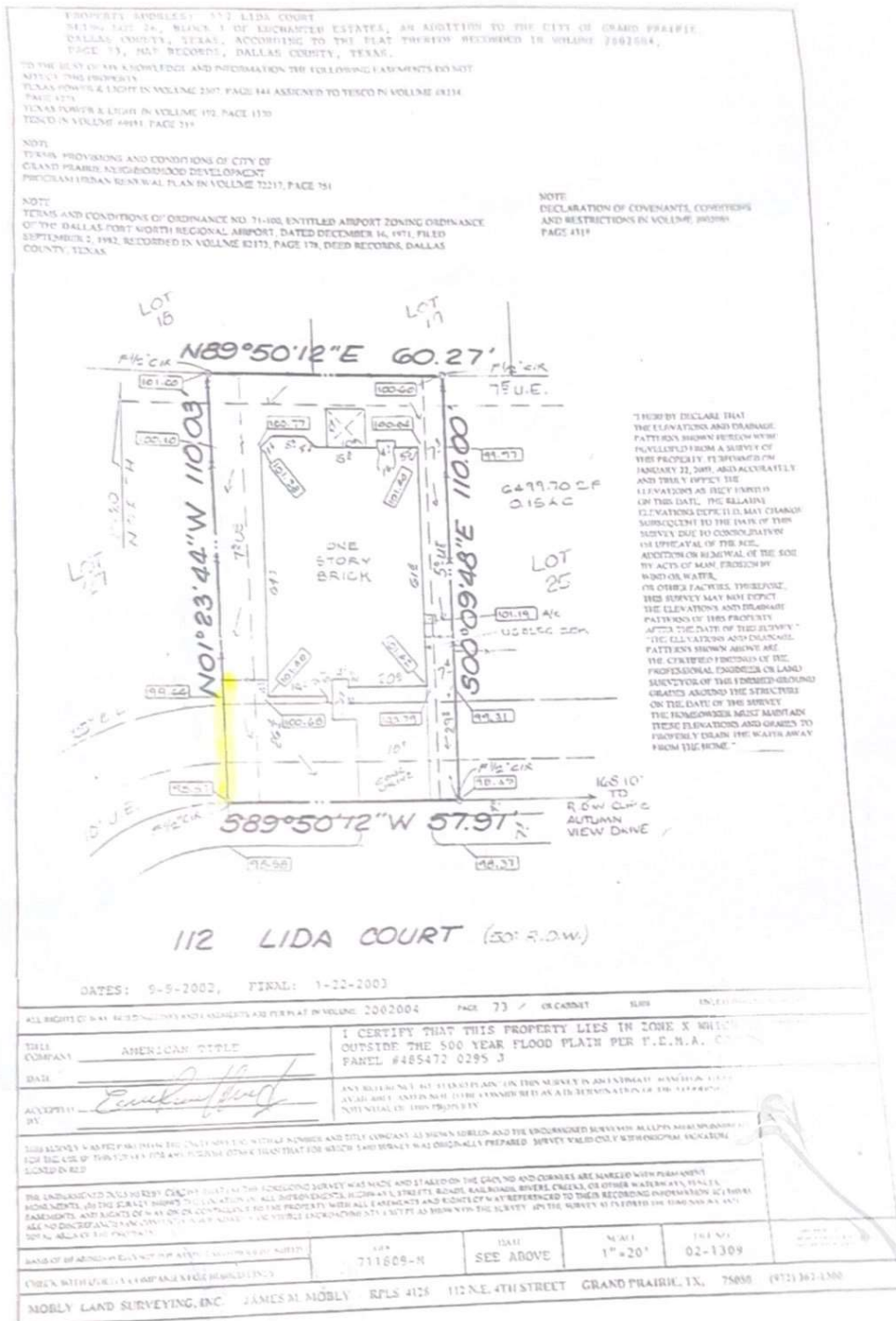


Exhibit C - Photo
Page 1 of 1

Item 3.

