

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 February 19, 2024 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-24-02-0004 (Council District 5) Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 901 Hill Street, legally described as a portion of Lot 1, Block 213, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Six Residential District
- <u>3.</u> ZBA-24-02-0005 (Council District 6) Special exception for a garage conversion, located at 1417 Alspaugh Ln., legally described as a portion of Lot 16, Florence Hill No.1 Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-84

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 selfgovernment 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 March 15, 2024.

Menica Epinga

Monica Espinoza, Planning Secretary



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	03/18/2024
REQUESTER:	Monica Espinoza, Administrative Supervisor
PRESENTER:	Salvador Gonzalez, Jr., Planner
TITLE:	Approval of the February 19, 2024 Meeting Minutes

RECOMMENDED ACTION: Approve



300 W. Main Street – Council Chambers

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: February 19, 2024

BRIEFING:

5:37 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:

🛛 Barry Sandacz	🛛 Kimberly Akinrodoye
🗆 Eric Hedin	🗆 Debbie Hubacek
🛛 Timothy Ibidapo	⊠ Stacy White
🛛 Anthony Langston Sr.	□ Jose Linarez
Eric Smith	🛛 Melinda Rodgers
□ Tommy Land	🛛 David Baker

2. ZBA-24-01-0001 (Council District 1) Variance to increase the maximum area for a carport permitted under the Unified Development Code, located at 1002 British Blvd., legally described as Lot 16, Block 3, Churchill Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District

Salvador Gonzalez Jr. briefed the Board on the case.

Barry Sandacz asked if staff ever supported a 600 plus square foot carport. Salvador answered that staff typically does not object to less than 30% of an increase for carports.

Timothy Ibidapo asked how many vehicles the carport could cover. Salvador answered that at minimum three vehicles.

3. ZBA-24-01-0002 (**Council District 5**) Variance to reduce the minimum lot width, lot area, rear yard setback, side yard setback, and to increase the maximum lot coverage permitted under the Unified Development Code, located at 642 N M L King Jr. Blvd., legally described as a portion of Lot 27, Block 161, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

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

Briefing was adjourned at 5:44 pm

CALL TO ORDER

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
- \Box Eric Hedin
- \boxtimes Timothy Ibidapo
- \boxtimes Anthony Langston Sr.
- \Box Eric Smith
- \Box Tommy Land

Kimberly Akinrodoye
Debbie Hubacek
Stacy White
Jose Linarez
Melinda Rodgers
David Baker

INVOCATION:

David Baker led the invocation.

6:00 P.M.

APPROVAL OF MINUTES:

The motion to Approve the minutes made by **David Baker** The motion was seconded by **<u>Timothy Ibidapo</u> <u>Motion Carried 9-0</u>**

PUBLIC HEARING:

2. ZBA-24-01-0001 (**Council District 1**) Variance to increase the maximum area for a carport permitted under the Unified Development Code, located at 1002 British Blvd., legally described as Lot 16, Block 3, Churchill Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District

Salvador Gonzalez Jr. presented the case to the Board.

David Baker asked if in the past the board had approved carports greater than 600 square feet, and if the only reason why the case was presented was because staff could not support the square footage amount. Salvador answered yes and clarified that staff have supported carports with an excess square footage of the maximum allowed in the UDC of up to 30% more.

Barry Sandacz asked if the carport was 650 square feet, then would staff have approved it. Salvador answered that the request would still have to go through the Zoning Board of Adjustments process, however, staff would support the request.

Timothy Ibidapo asked if the height of the proposed carport was an issue. Salvador answered that the height was not an issue, and that the request was regarding the square footage variance. He also responded that the height would be checked again through the permitting process.

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.
- \boxtimes 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.
- \boxtimes 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.
- \boxtimes 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.
- \boxtimes 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.
- \Box The variance or exception is not a self-created hardship.

Applicant / Spokesperson: Bill Bacsik

Address: 1002 British Blvd. Grand Prairie, TX

Applicant was present.

Barry Sandacz informed the applicant of the necessary votes needed to approve the request.

Timothy Ibidapo asked the applicant how far past the fence was the carport. The applicant responded the post was just outside the fence.

David Baker asked if it was possible to reduce the size of the carport, for the length to be 30 feet long. The applicant responded that the requested length was so that the applicant did not have to stack their cars and the cars to be exposed.

David Baker asked if the applicant wished to table the item for the following month's meeting, when there would be more members present.

The applicant discussed it privately with his wife.

The applicant proposed 650 square feet for the carport.

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 with the exception that the carport be limited to 650 square feet was made by **David Baker**

The motion was seconded by Stacy White

Motion passed: <u>7</u> yays to <u>0</u> Nays.

Members that opposed:

3. ZBA-24-01-0002 (**Council District 5**) Variance to reduce the minimum lot width, lot area, rear yard setback, side yard setback, and to increase the maximum lot coverage permitted under the Unified Development Code, located at 642 N M L King Jr. Blvd., legally described as a portion of Lot 27, Block 161, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

Salvador Gonzalez Jr. from Planning presented the case to the Board.

David Baker asked if the variance would apply to one or two sides. Salvador responded that the variance would only apply to one side.

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.
- \boxtimes The variance or exception will not be contrary to public interest.
- \boxtimes 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.
- \boxtimes 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.

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

Applicant / Spokesperson: Jonathon Saldana

Address: Cielo Vista St. Grand Prairie, TX

Applicant was present.

Jonathon Saldana spoke regarding the history of the lot, resulting in the unique shape.

David Baker asked if the applicant owned any of the lots adjacent to the lot in question. The applicant responded no.

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 Kimberly Akinrodoye

Motion passed: $\underline{7}$ yays to $\underline{0}$ Nays

Members that opposed:

CITIZENS COMMENTS:

ADJOURNMENT : The meeting was adjourned at 6:25 pm

Signed on this the __18___ day of March, 2024

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

by:	
Printed Name:_	
Title:	



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	03/18/2024
REQUESTER:	Monica Espinoza, Administrative Supervisor
PRESENTER:	Salvador Gonzalez Jr., Planner
TITLE:	ZBA-24-02-0004 (Council District 5) – Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 901 Hill Street, legally described as a portion of Lot 1, Block 213, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Six Residential District
APPLICANT:	Juan Garcia

RECOMMENDED ACTION: Staff does not object to this request

SUMMARY:

Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 901 Hill Street, legally described as a portion of Lot 1, Block 213, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Six Residential District.

 <u>Variance:</u> Reduce the minimum side setback Required Setback: 15 feet Requested Setback: 7 feet

PURPOSE OF REQUEST:

The applicant is requesting a setback variance in order to construct a single-family home on the existing lot. The applicant has not applied for a building permit. The minimum side yard setback is 15 feet for a side yard adjacent to a street. Due to the size of the lot, the applicant is unable to construct a single-family home with the 15 foot side yard setback.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram March 8 and March 17.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on March 8.

31 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 proposed variance is not expected to injure the appropriate use of the adjacent property in the same district. It is an existing shed and the dimensions of the shed will remain the same.

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

Staff Evaluation: The proposed variance 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 proposed variance, if approved, may not be contrary to the public interest.

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

Staff Evaluation: The proposed variance is not expected to harm the spirit and purpose of this ordinance.

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 proposed variance is not expected to alter the essential character of the district. The requested side setback is similar to those of existing houses in the neighborhood.

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 proposed variance is not expected to weaken the general purpose of the zoning regulations established for the district in which the property is located.

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.

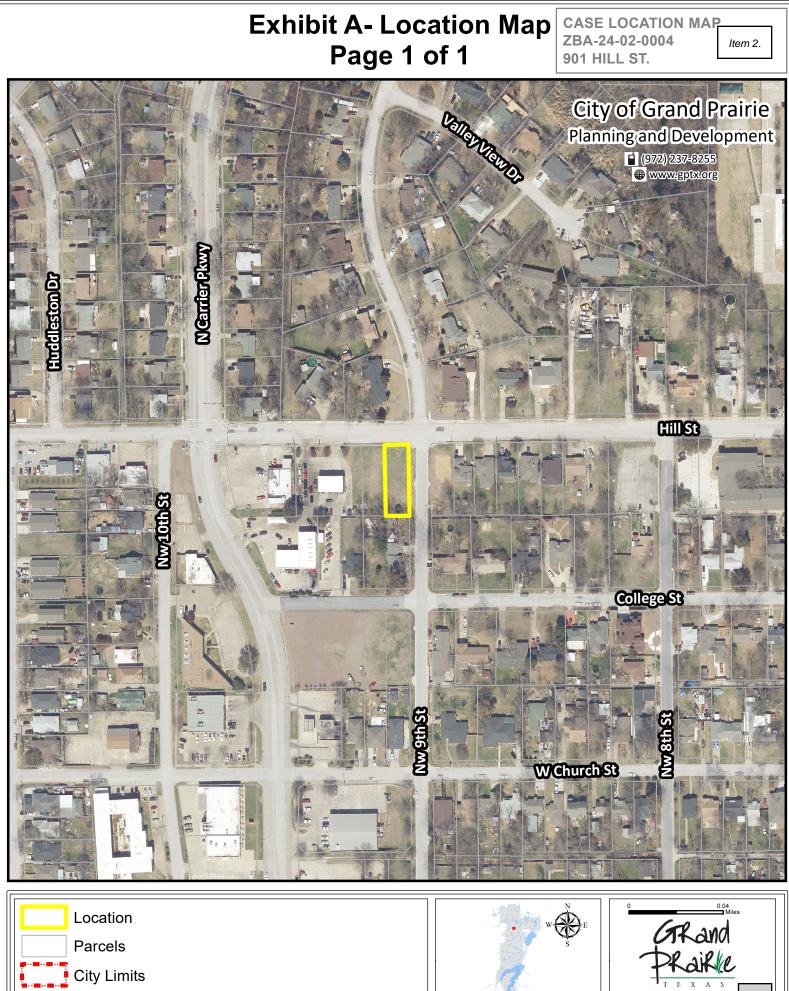
Staff Evaluation: Staff finds that the hardship is self-created.

RECOMMENDATION:

Staff does not object to ZBA-24-02-0004 as requested.

If the Board chooses to grant the applicant's 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.

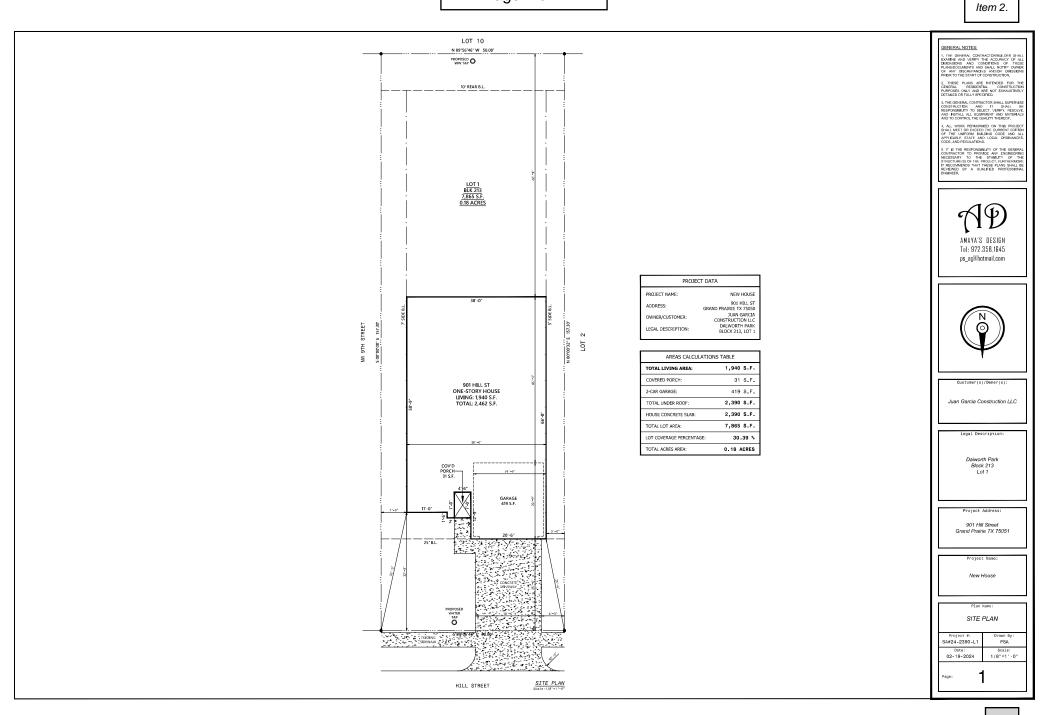


The City of Grand Prairie has prepared maps for departmental use. These are not official maps of the City of Grand Prairie ad should not be used for legal, engineering, or surveying purposes but rather for reference. The maps are the property of the City of Grand Prairie malevevery efforts to produce and public hateman. The City of Grand Prairie malevevery first to produce and public hatemans accurate information set. The City of Grand Prairie malevevery efforts to produce and public hatemans accurate information possible. No warmatics, expressed or implicit, approxible for the variance understanding and becaptance that settement.

PLANNING Date: 3/5/2024

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Exhibit B - Site Plan Page 1 of 1





CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	03/18/2024
REQUESTER:	Monica Espinoza
PRESENTER:	Salvador Gonzalez Jr., Planner
TITLE:	ZBA-24-02-0005 (Council District 6) Special exception for a garage conversion, located at 1417 Alspaugh Ln., legally described as a portion of Lot 16, Florence Hill No.1 Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-84
APPLICANT:	Leonardo Lucas, Pereira

RECOMMENDED ACTION: Staff does not object to the request

SUMMARY:

Special Exception for a garage conversion, located at 1417 Alspaugh Lane, legally described as a portion of Lot 16, Florence Hill No.1 Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-84.

 a. <u>Special Exception</u>: 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.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram March 8 and March 17.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on March 8.

38 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 Planned Development-84.

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.

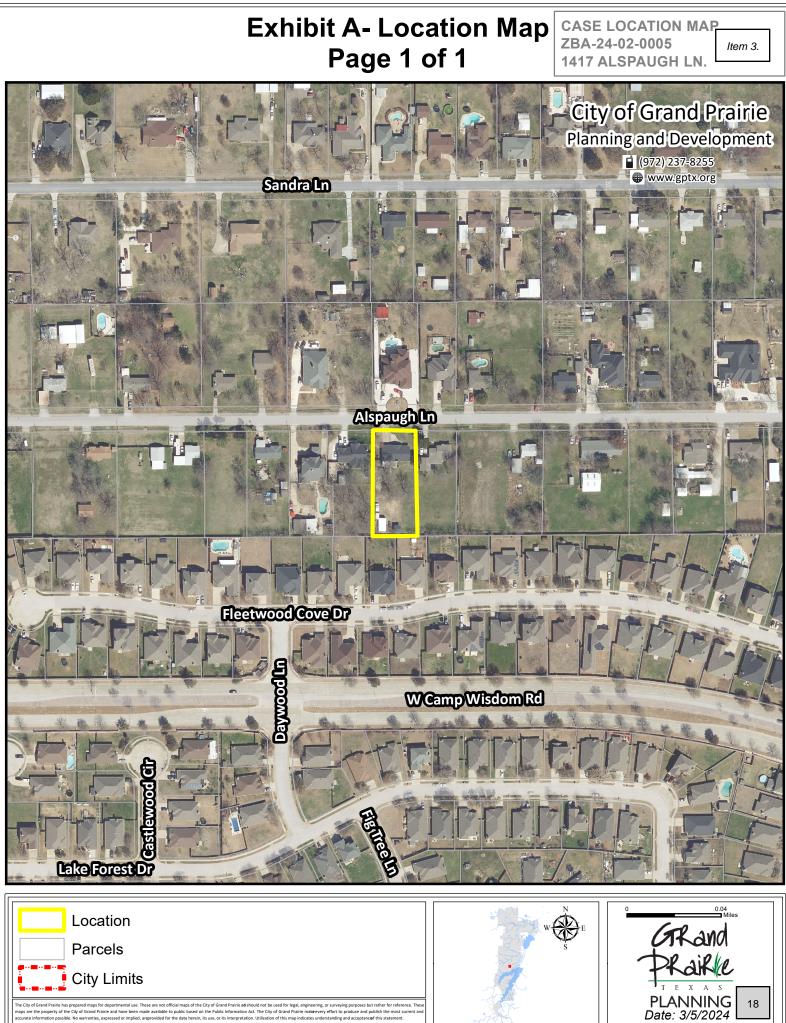
Staff Evaluation: Staff finds that the hardship is self-created.

RECOMMENDATION:

Staff does not object to ZBA-24-02-0005 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.



. These are not official maps of the City of Grand Prairie ad should not be used for legal, engineering, or surveying purposes but rather for reference. The made available to public based on the Public Information Act. The City of Grand Prairie makeevery effort to produce and public the most current, dispersived for the data herein, its us, or is hirterpratation. Utilization of this may indicate understanding and acceptance if this statement.

Exhibit B - Site Plan Page 1 of 1 Item 3. N 89° 58' 52" W 94.73' CITY OF GRAND PRAIRIE, TX INTERIOR REMODELING SINGLE FAMILY RESIDENCE CLIENT: POLLARD JESSE JR & EMILY EXISTING METAL BUILDING TO REMAIN 1417 ALSPAUGH LN GRAND PRAIRIE, TEXAS 75052 EXISTING METAL BUILDING TO REMAIN POLLARD JESSE JR & EMILY 1417 ALSPAUGH LN GRAND PRAIRIE, TEXAS 75052 CONVERT GARAGE INTO MASTER BEDROOM, NEW CLOSET, NEW BATROOM 1: FLORENCE HILL 1 2: W 95 FT LOT 16 SQUARE FOOTAGE: Land: 21,910 SQ.FT. Living area 1st floor: 1,469 SQ FT New addition/Garage: 430 SQ.FT. New total : 1,899 SQ.FT. °00 S S GENERAL NOTES °00 LOT 16 THE GENERAL CONTRACTOR HALL EXAMINE AND VE COURACY OF ALL DIMENS 17 22' OWNER OF ANY DISCREPANCE OMISSIONS PRIOR TO THE C O N S T R U C T 17" 2021 International Building Code 50" 2. THESE PLANS ARE INTENDED F 2021 International Mechanical Code ≶ ш DNLY AND ARE NOT EXHAUSTIVE DETAILED OR FULLY SPECIFIE 2021 International Plumbing Code 230.04" THE GENERAL CONTR. UPERVISE CONSTRUCT HALL BE RESPONSIBILIT ERIFY, RESOLVE, AND OUIPMENT AND MATER CONTROL THE QUALI 230.07" 2021 International Energy Conservation Code 2021 International Fuel Gas Code WORK PERFORMED 2021 International Fire Code 2023 National Electric Code S. IT IS THE RESPONSIBILITY OF THI GENERAL CONTRACTOR TO PROVIDE AN ENGINEERING NECESSARY TO THI STABILITY OF THE STRUCTURE(S) OI THE PROJECT. FURTHERMORE IT RECOMMENDS THAT THESE PLANS SHALL BE REVIEWED BY A UDALIFIEL PROJESSION AL ENGINEER ÆXISTING COVERED PATIO 0 No. 163-2023 AC DRAWN: C.C. 25.3 🚯 JJ's Bar & Gril 29.1 ISSUED: No. DATE SUBMISSION EXISTING ONE STORY 1417 Ale In Gra rie TX 7505 RESIDENCE TO REMAIN 01-04-2024 ISSUE FOR PERMIT FRAME/SLAB AERIAL POWER Mobile R LINE 30" BUILDING LINE CONSTRUCTION 9720 COLT RD. SLITE 220-180 PLANO, TX 75025 M-214 394 5787 E:MNTRACC@GMAILCOM VICINITY MAP N.T.S. SITE PLAN SITE Scale: 3/32"=1'-0" NORTH PLAN SHEET: N 90° 00' 00" E 95.10' C100

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Exhibit C - Photo	
Page 1 of 1	

