



ZONING BOARD OF ADJUSTMENTS AND APPEALS
CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET
MONDAY, OCTOBER 16, 2023 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 September 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-23-09-0058 (Council District 3) – Special Exception for a side yard carport and variances to increase the maximum width and area of a carport permitted under the Unified Development Code, located at 342 Dorris Drive, legally described as Lot 1, Block 21, Inglewood Park Addition No.3, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District
3. ZBA-23-09-0059 (Council District 5) – Special Exceptions for a conversion of a garage into living space, located at 810 Sanders Street, legally described as Lot 10, Block U, Grand Prairie Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single-Family Three Residential District
4. ZBA-23-09-0060 (Council District 4) – Special Exceptions for a conversion of a garage into living space, located at 2530 Slaton Drive, legally described as Lot 20, Block B, Oak Hollow Addition, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development - 50

5. ZBA-23-09-0061 (Council District 5) – Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 805 NW 14th Street, legally described as Lot 15R, Block 7, Rogway Terrace Addition No. 3, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four 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 October 13, 2023.



Monica Espinoza, Planning Secretary



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 10/16/2023

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Brittany Musser, Planner

TITLE: Approval of the September 18, 2023 Meeting Minutes

RECOMMENDED ACTION: Approve



300 W. Main Street – Council Chambers

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: September 18, 2023

BRIEFING:

5:43 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 type="checkbox"/> Clayton Hutchins | <input checked="" type="checkbox"/> Jose Linarez |
| <input type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Melinda Rodgers |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input checked="" type="checkbox"/> David Baker |
| <input type="checkbox"/> Tommy Land | |

- 2. ZBA-23-06-0043 (Council District 3)-** Variances to reduce the minimum side setback and increase the maximum area of 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.

Brittany Musser briefed the Board on the case and informed them that the case has been tabled. The applicant is working with Building Inspections on permits.

- 3. ZBA-23-08-0054 (Council District 3)-** Variances to increase the width of a carport permitted under the Unified Development Code, located at 2221 Sheriff Dr, legally described as Lot 20 Block 6, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-75

Brittany Musser from Planning briefed the Board on the case and explained that this case was administratively approved last year. However, when it was built it was built a foot too wide.

- 4. ZBA-23-08-0055 (Council District 1)** Special Exception for a conversion of a garage into living spaces, located at 418 Manana Dr, legally described as Lot 19, Block A, Greenwood Hills South Addition, City of Grand Prairie, Dallas County, Texas zoned Single Family-Three Residential District

Brittany Musser from Planning briefed the Board on the case and reminded the Board that this case has come before them before (in February) but was not approved.

David Baker asked if there had been any other conversions in the area. Ms. Musser stated that there were no other permitted conversions.

- 5. ZBA-23-08-0056 (Council District 1)** Special Exception for a front yard carport, located at 2302 March Lane, legally described as Lot 15, Block G, Sherwood Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family- Three Residential District.

Brittany Musser from Planning briefed the Board on the case.

- 6. ZBA-23-08-0057 (Council District 1)** –Special Exception to allow for stacked parking and to reduce the number of off-street parking spaces permitted under the Unified Development Code, located at 810, 812, 814, and 816 Premier Parkway, legally described as Lots 4-7, Carrier Parkway Townhouses Addition, City of Grand Prairie, Dallas County, Texas zoned Multo Family-One.

Brittany Musser briefed the Board on the case.

Briefing was adjourned at 5:50 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 Akinrodaye |
| <input checked="" type="checkbox"/> Eric Hedin | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input type="checkbox"/> Clayton Hutchins | <input type="checkbox"/> Heather Mazac |
| <input type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Jose Linarez |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <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 **Kimberly Akinrodaye**

Motion Carried 8-0

PUBLIC HEARING:

2. ZBA-23-06-0043 (Council District 3)- Variances to reduce the minimum side setback and increase the maximum area of 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.

Applicant / Spokesperson:

Address:

Any comments from Spokesman:

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application

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

The applicant 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 the public hearing and table the case by **David Baker**

The motion was seconded by **Anthony Langston Sr**

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

Members that objected:

3. ZBA-23-08-0054 (Council District 3)- Variances to increase the width of a carport permitted under the Unified Development Code, located at 2221 Sheriff Dr, legally described as Lot 20 Block 6, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-

Brittany Musser presented the case to the Board and explained how the application was administratively approved last year. However, when it was built it was built a foot too wide.

Applicant / Spokesperson: Raul Garcia

Address: 2221 Sheriff Dr Grand Prairie, TX 75051

Any comments from Spokesman:

Any questions from Board

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application

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

The applicant 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 the public hearing and approve by **David Baker**

The motion was seconded by **Kimberly Akinrodoye**

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

Members that objected: n/a

4. ZBA-23-08-0055 (Council District 1) Special Exception for a conversion of a garage into living spaces, located at 418 Manana Dr, legally described as Lot 19, Block A, Greenwood Hills South Addition, City of Grand Prairie, Dallas County, Texas zoned Single Family- Three Residential District

Brittany Musser from Planning briefed the Board on the case and reminded the Board that this case has come before them before (in February) but was not approved. There were 32 notices sent out, 9 letter of opposition were received, and 0 returned in favor.

Applicant / Spokesperson: Judith and Joshua Flores

Address: 418 Manana Dr Grand Prairie, TX 75051

Any comments from Spokesman:

Ms. Judith Flores stated that the exterior has already been completed but have done any interior changes. They were not aware that permits were required for the conversion. Ms. Flores also brought in documents regarding other garage conversions in the area along with photos of the work they have done compared to the other surrounding houses.

Any questions from Board:

Barry stated that if he remembers correctly that there was an issue with deed restrictions but the city does not enforce deed restrictions. Ms. Musser confirmed the statement.

Kimberly Akinrodoye asked if the letters that are received are verified? Ms. Musser stated that yes they are.

David Baker asked if a carport is going to be the next step due to our Texas weather and there no longer being a garage. Ms. Flores stated no that it would not be.

Kimberly Akinrodoye asked if there any legal garage conversions in the area? Staff answered no. Ms. Akinrodoye then responded so we have illegal conversions in the area, but this applicant is trying to do the correct thing.

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application

Dennis Kral of 218 Oakhaven Grand Prairie, TX 75051

Mr. Kral mentioned his opposition to the conversion. He believes that the conversion should be reverted, the application redone and then if the case approved then the applicant could complete the conversion if the garage doors were left in place.

Barry Sandacz asked Mr. Kral if he thought that all the other already converted homes should be changed back? Mr. Kral was not sure on how to answer the question. Mr. Kral stated that he is in opposition of the appearance. As there is not a garage door and not consistent with the other houses in the area.

Staff stated that they were not able to locate any permits for other garage conversions and did their due diligence with researching this.

Debbie Hubacek asked Mr. Kral if he lived in the area when the other previous conversions were done. If so, you could have seen it and raised a concern. Mr. Kral said that he has lived in the area for over 20 year and moved to there when he was young. He was not concerned with the issue at that time. However, he does believe that a precedent would be set by the decision.

Kimberly Akinrodoye asked in terms of the houses that have already been converted, what measures are being taken to rectify these issues? Has there been anything done? Mr. Kral answered that they do not know the proper protocol on these but have taken some legal action due to deed restrictions. Mrs. Akinrodoye stated that she believed that its reasonable for someone to think that they could have a garage converted since there are others completed.

David Baker asked if there is an HOA in the area? Mr. Kral stated that the idea has been talked about but currently there is not.

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

The applicant did speak in rebuttal.

Joshua Flores, the applicant, feels that they are being targeted as there are other addresses with conversions and have not been made to change back. He understands the correct process now and that a permit should have been applied for prior to starting any work. He also stated that they have stopped all work and are willing to pay whatever fines.

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: **David Baker**

The motion was seconded by **Kimberly Akinrodoye**

Motion was denied: 6yays to 2Nays

Members that objected: Melinda Rodgers and David Baker

- 5. ZBA-23-08-0056 (Council District 1)** Special Exception for a front yard carport, located at 2302 March Lane, legally described as Lot 15, Block G, Sherwood Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family- Three Residential District.

Brittany Musser from Planning presented the case to the Board. There are other carports in the area but outside of the buffer zone for administrative approval. Staff received one letter of opposition, but staff does not oppose.

Applicant / Spokesperson: Blanca Rodriquez
Address: 2302 March Ln Grand Prairie, Tx 75051

Any comments from Spokesman:

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application

Lincoln Dean of 1063 Kaylie St Grand Prairie, TX 75052 _____

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

The applicant did not speak in rebuttal.

The applicant agreed to work with Staff to clean up the plans explore other options

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 table the case was made by **David Baker**
 The motion was seconded by **Melinda Rodgers**

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

Members that objected:

- 6. ZBA-23-08-0057 (Council District 1)** –Special Exception to allow for stacked parking and to reduce the number of off-street parking spaces permitted under the Unified Development Code, located at 810, 812, 814, and 816 Premier Parkway, legally described as Lots 4-7, Carrier Parkway Townhouses Addition, City of Grand Prairie, Dallas County, Texas zoned Multo Family-One.

Brittany Musser presented the case to the Board. This type of development requires two non-stacked parking spaces (side by side). The applicant is requesting a reduction in the required number of parking spaces in order to do two stacked parking spaces rather than the required non-stacked. Staff cannot support the case as this is a self-created hardship and there is no on-street parking permitted in the development.

If the Board does decided to approve, then staff is requesting that it be approved with the condition that the applicant must provide minimum 400 square foot garages.

Applicant / Spokesperson: Anjan Thukuria

Address: 7038 Irongate Place Frisco, TX 75036

Any comments from Spokesman:

Any questions from Board:

David Baker asked if the applicant was aware that the civil engineer plans showed room for a two-car garage. Applicant stated that no.

Eric Hedin looked at the floor plan and could see that if the applicant were to construct a side by side garage it would take away from the front area of the house and change the façade. He also asked why this case wasn't taken before P&Z.

Ms. Musser stated that ZBA has the authority to reduce the required number of off street parking spaces.

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application

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

The applicant 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 the public hearing and approve with the City recommendation of a minimal 400 square foot garage with two off street paved parking sapces was made by **David Baker**

The motion was seconded by **Eric Hedin**

Motion was approved/**denied**: **6**yays to **2** Nays

Members that objected: Kimberly Akinrodoye and Melinda Rodgers

ELECTION OF OFFICERS

Eric Hedin nominated Barry Sandacz as Chairperson

Debbie Hubacek seconded

Vote was approved 8 to 0

Melinda Rodgers nominated David Baker

Anthony Langston Sr seconded the nomination

Vote was approved 7 to 1 (Kimberly Akinrodoye objected)

CITIZENS COMMENTS:

ADJOURNMENT : The meeting was adjourned at 7:05 pm

Signed on this the _____ day of October 2023

THE ZONING BOARD OF ADJUSTMENT

OF THE CITY OF GRAND PRAIRIE, TEXAS

by:_____

Printed Name:_____

Title:_____



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 10/16/2023

REQUESTER: Monica Espinoza

PRESENTER: Brittany Musser, Planner

TITLE: ZBA-23-09-0058 (Council District 3) – Special Exception for a side yard carport and variances to increase the maximum width and area of a carport permitted under the Unified Development Code, located at 342 Dorris Drive, legally described as Lot 1, Block 21, Inglewood Park Addition No.3, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District

APPLICANT: Victor Castillo

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

1. The variances are a self-created hardship.
2. The size of the carport requested is larger than any other legally permitted carport in the neighborhood. Every other carport in the neighborhood meets all density and dimensional requirements for carports. The width and area requested are both larger than what would be necessary for a carport to provide cover for any cars parked in the driveway.

SUMMARY:

Special Exception for a side yard carport and variances to increase the maximum width and area of a carport permitted under the Unified Development Code, located at 342 Dorris Drive, legally described as Lot 1, Block 21, Inglewood Park Addition No.3, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

- A. Special Exception: Construction of a side yard carport
- B. Variance: Increase the maximum permitted area of a carport
Maximum Area: 500 square feet
Requested Area: 517 square feet
- C. Variance: Increase the maximum permitted width of a carport
Maximum Width: 26 feet
Requested Width: 41 feet

PURPOSE OF REQUEST:

The applicant is requesting a special exception for a 517 square foot carport at 342 Dorris Drive. Article 6 of the Unified Development Code requires that carports, and any associated variances, be approved through the ZBA process. The proposed carport has a width of 41 feet. The depth varies between 15 feet and 8 feet. The height of the carport is 13 feet. The carport is attached to the primary structure. Staff reviewed the surrounding area and found multiple permitted carports within 800 feet. However, all of the carports found met all of the density and dimensional standards listed in Article 6.

Subject to the approval of this application, an approved building permit will be required prior to the final inspection of the structure. As part of the building permit review process, Building Inspections will ensure that the structure complies with all regulations.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram October 6 and October 15.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on October 6.

54 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:** Staff believes that the special exception and variances will not substantially or permanently injure the adjacent property owners.*

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

***Staff Evaluation:** Staff believes that the special exception and 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 that the special exception and variances will not authorize the operation of a use other than those already allowed in the Single Family-Three Residential District.*

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

***Staff Evaluation:** Staff suggests that the special exception and variances may harm the spirit and purpose of this ordinance. The width and area of the carport exceed what is necessary for a carport to cover any cars located in the driveway. A 14 foot portion of the proposed carport has a depth of*

only 8 feet as it extends in front of the existing covered porch. This portion of the carport is more narrow than a traditional carport, and seems to be more of an extension of the existing covered porch. A covered porch is required to follow the setbacks of the primary structure, unlike a carport.

- 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 suggests that the granting of this special exception may not alter the “essential character” of the neighborhood. Side yard and front yard carports are already present in the neighborhood. However, the variances requested would result in a carport larger than any other 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: Staff does not believe that the special exception will 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 this request due to the following finding of fact:

1. The variances are a self-created hardship.
2. The size of the carport requested is than any other legally permitted carport in the neighborhood. Every other carport in the neighbord meets all density and dimensional requirements for carports. The width and area requested are both larger than what would be necessary for a carport to provide cover for any cars parked in the driveway.

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

1. **The applicant shall provide a concrete driveway prior to the release of any budiling permits.**
2. **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-23-09-0058
342 DORRIS DR




Item 2.



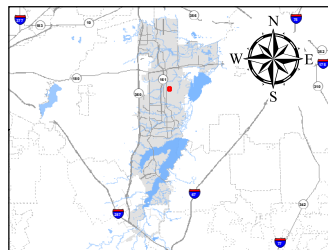
City of Grand Prairie
Planning and Development

(972) 237-8255

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-  Location
-  Parcels
-  City Limits

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Grand Prairie
TEXAS
PLANNING
Date: 10/3/2023







CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 10/16/2023

REQUESTER: Monica Espinoza

PRESENTER: Salvador Gonzalez Jr., Planner

TITLE: ZBA-23-09-0059 (Council District 5) – Special Exceptions for a conversion of a garage into living space, located at 810 Sanders Street, legally described as Lot 10, Block U, Grand Praire Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single-Family Three Residential District

APPLICANT: Gonzalo, Duran

RECOMMENDED ACTION: Staff does not object to the request

SUMMARY:

Special Exceptions for a conversion of a garage into living space, located at 810 Sanders Street, legally described as Lot 10, Block U, Grand Praire Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single-Family Three 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 current 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 provided two off-street parking spaces on-site to satisfy 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 October 6 and October 15.

Notices to property owners were placed in the City of Grand Prairie outgoing mail on October 6.

30 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 substantially or permanently injure the adjacent property owners.*

- 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 Three 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. There are existing legally permitted garage conversions 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 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-23-09-0059 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 there under terminated.**




Exhibit A- Location Map

Page 1 of 1

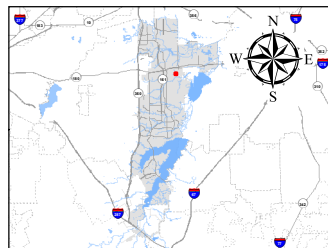
CASE LOCATION MAP
ZBA-23-09-0059
810 SANDERS ST

Item 3.



-  Location
-  Parcels
-  City Limits

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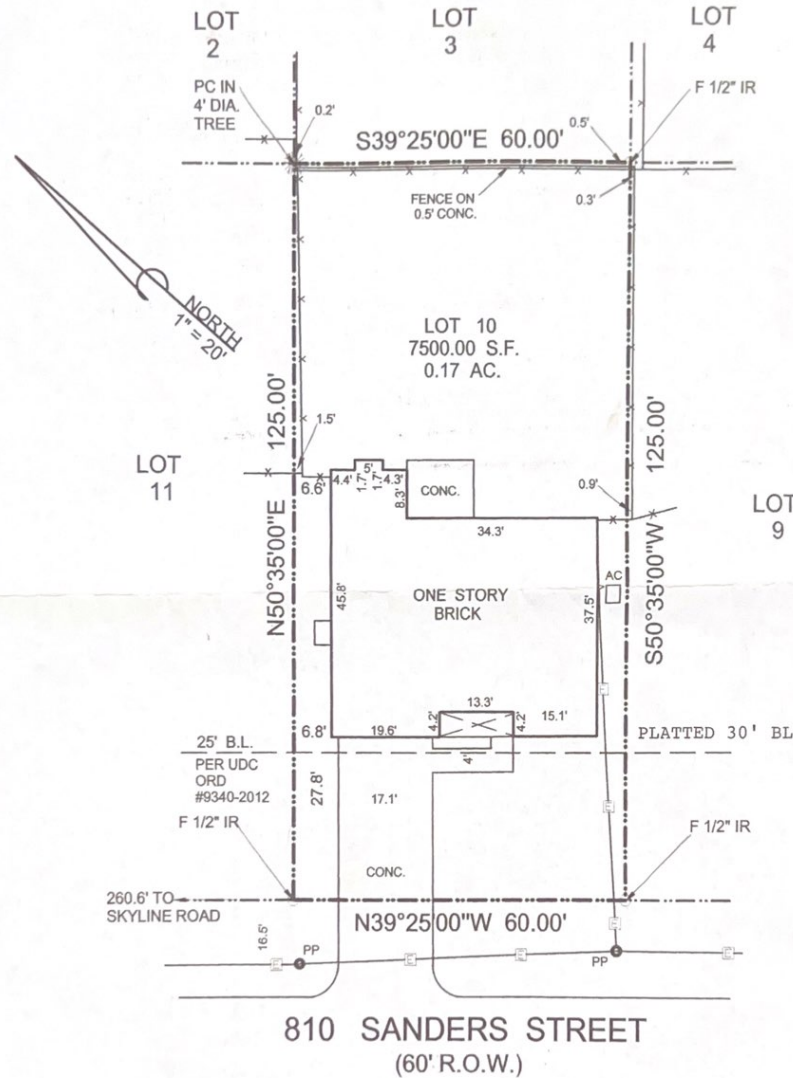
0 0.03 Miles
Grand Prairie
TEXAS
PLANNING
Date: 10/3/2023

Exhibit B - Site Plan
Page 1 of 1

Item 3.

PROPERTY ADDRESS: 810 SANDERS STREET
LOT 10, BLOCK U, GRAND PRAIRIE ESTATES, AN ADDITION TO THE CITY OF GRAND
PRAIRIE, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN
VOLUME 13, PAGE 395 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

RESTRICTIONS IN VOLUME 3316, PAGE 236 DO NOT AFFECT THIS PROPERTY
AFFECTS LOT 8, BLOCK H ONLY



BEARINGS ARE BASED ON THE RECORDED PLAT UNLESS OTHERWISE NOTED.

ALL RIGHTS OF WAY, BUILDING LINES AND EASEMENTS ARE PER PLAT VOLUME 13
PAGE 395 * UNLESS OTHERWISE NOTED.

CHECK WITH UTILITY CO.
FOR BURIED LINES.

ACCEPTED BY: _____ TITLE COMPANY _____ FEDERAL TITLE _____
DATE _____

I CERTIFY THAT THIS PROPERTY LIES IN ZONE X WHICH IS AREAS OUTSIDE THE 500
YEAR FLOOD PLAIN PER F.E.M.A. COMMUNITY PANEL #485472 0455 K

ANY REFERENCE TO "FLOOD PLAIN" ON THIS SURVEY IS AN ESTIMATE, BASED ON DATA AVAILABLE AND IS NOT TO BE CONSIDERED AS A DETERMINATION OF THE FLOODING POTENTIAL OF THIS PROPERTY.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT (A) THAT THE FOREGOING SURVEY WAS MADE AND STAKED ON THE GROUND AND CORNERS ARE MARKED WITH PERMANENT MONUMENTS; (B) THE SURVEY SHOWS THE LOCATION OF ALL IMPROVEMENTS, HIGHWAYS, STREETS, ROADS, RAILROADS, RIVERS, CREEKS, OR OTHER WATERWAYS, FENCES, EASEMENTS, AND RIGHTS OF WAY ON OR CONTIGUOUS TO THE PROPERTY WITH ALL EASEMENTS AND RIGHTS OF WAY REFERENCED TO THEIR RECORDING INFORMATION; (C) THERE ARE NO DISCREPANCIES OR CONFLICTS IN BOUNDARIES, OR VISIBLE ENCROACHMENTS, EXCEPT AS SHOWN ON THE SURVEY; (D) THE SURVEY SET FORTH THE DIMENSIONS AND TOTAL AREA OF THE PROPERTY.

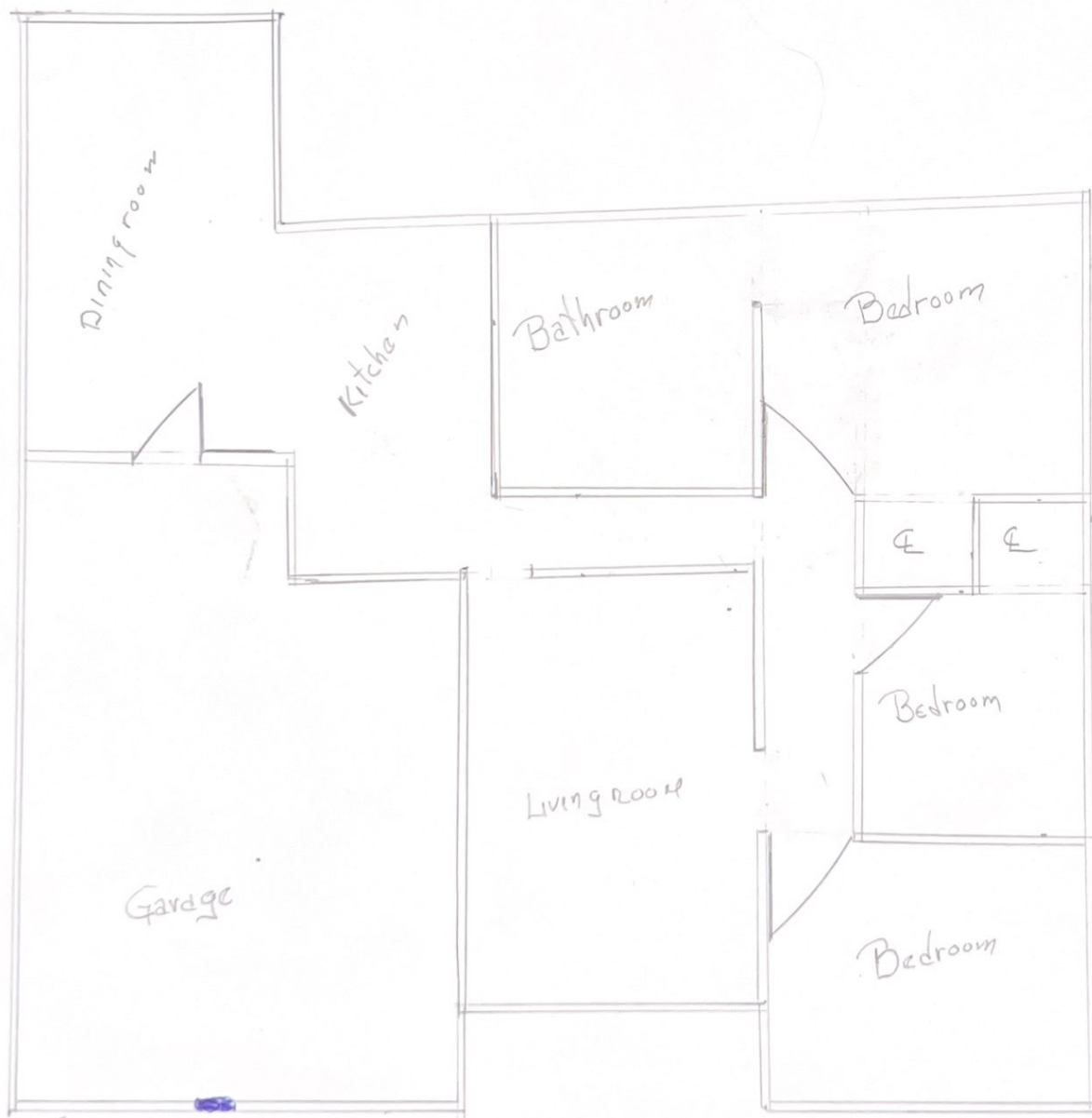
THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE FOR A ONETIME CLOSING WITH GF NUMBER AND TITLE COMPANY AS SHOWN HEREON. AND THE UNDERSIGNED SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY FOR ANY PURPOSE OTHER THAN THAT FOR WHICH SAID SURVEY WAS ORIGINALLY PREPARED. SURVEY VALID ONLY WITH ORIGINAL SIGNATURE SIGNED IN RED INK.

GF# GP13-387853	SCALE 1"=20'	DATE 9-17-2013	FILE NO. 13-0386
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MOBLY LAND SURVEYING, INC 133 W. MAIN STREET STE. 600 GRAND PRAIRIE, TX 75050
jrmobly@att.net RPLS# 4128 (972)-262-1300



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810 Sanders St.





CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 10/16/2023

REQUESTER: Monica Espinoza

PRESENTER: Salvador Gonzalez Jr., Planner

TITLE: ZBA-23-09-0060 (Council District 4) – Special Exceptions for a conversion of a garage into living space, located at 2530 Slaton Drive, legally described as Lot 20, Block B, Oak Hollow Addition, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development - 50

APPLICANT: Vo, Hang

RECOMMENDED ACTION: Staff does not object to the request

SUMMARY:

Special Exceptions for a conversion of a garage into living space, located at 2530 Slaton Drive, legally described as Lot 20, Block B, Oak Hollow Addition, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development - 50.

- 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 current 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 provided two off-street parking spaces on-site to satisfy 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 October 6 and October 15.

Notices to property owners were placed in the City of Grand Prairie outgoing mail on October 6.

32 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 substantially or permanently injure the adjacent property owners.*

- 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 50.*

- 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. There are existing legally permitted garage conversions 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 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-23-09-0060 as requested.**

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

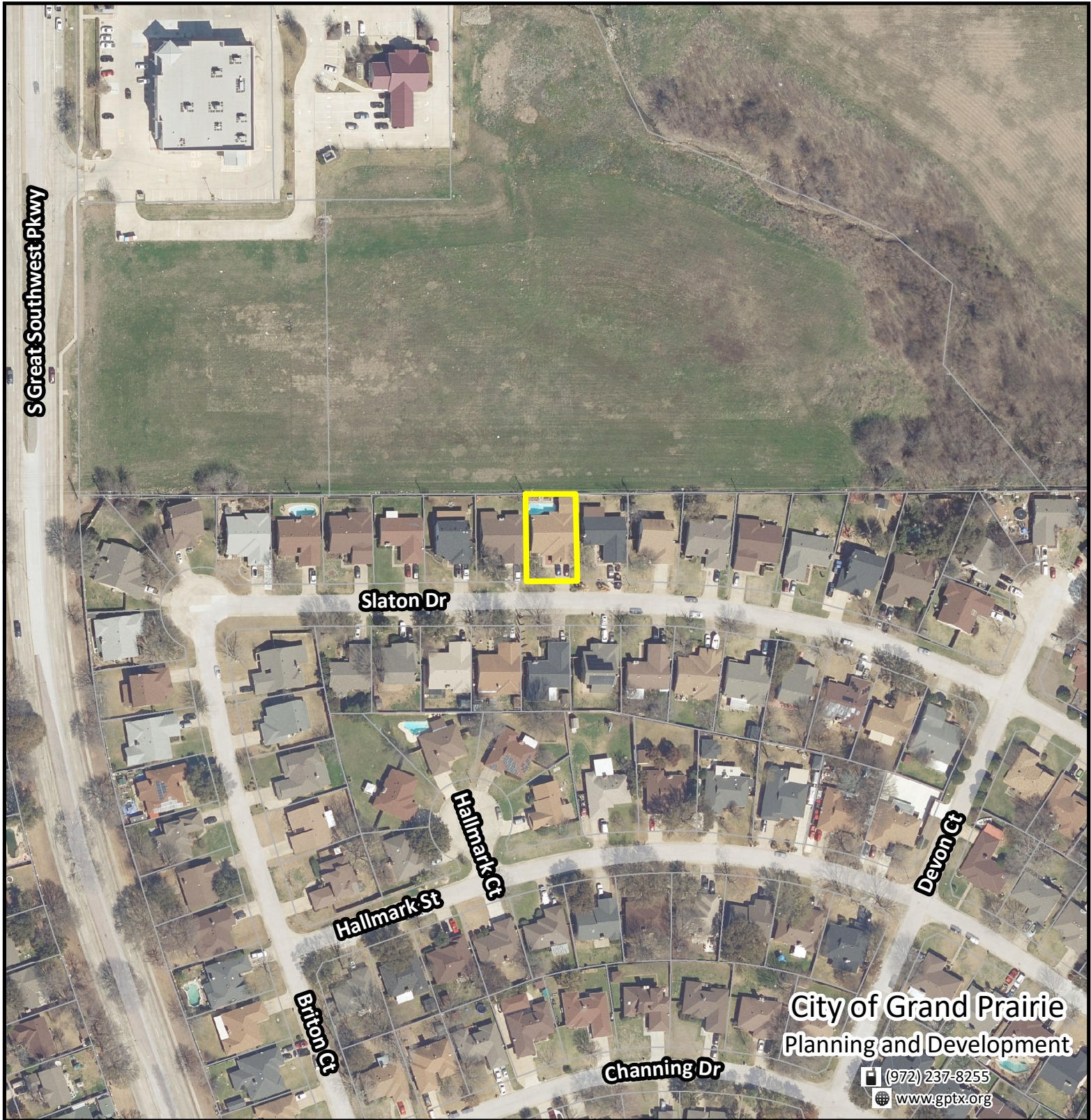
1. **Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, the city adopted fire codes, and with other applicable regulatory requirements administered 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 there under terminated.**

Exhibit A- Location Map

Page 1 of 1




CASE LOCATION MAP
ZBA-23-09-0060
2530 SLATON DRIVE

Item 4.

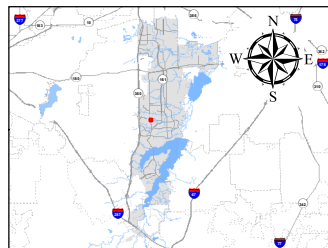


City of Grand Prairie
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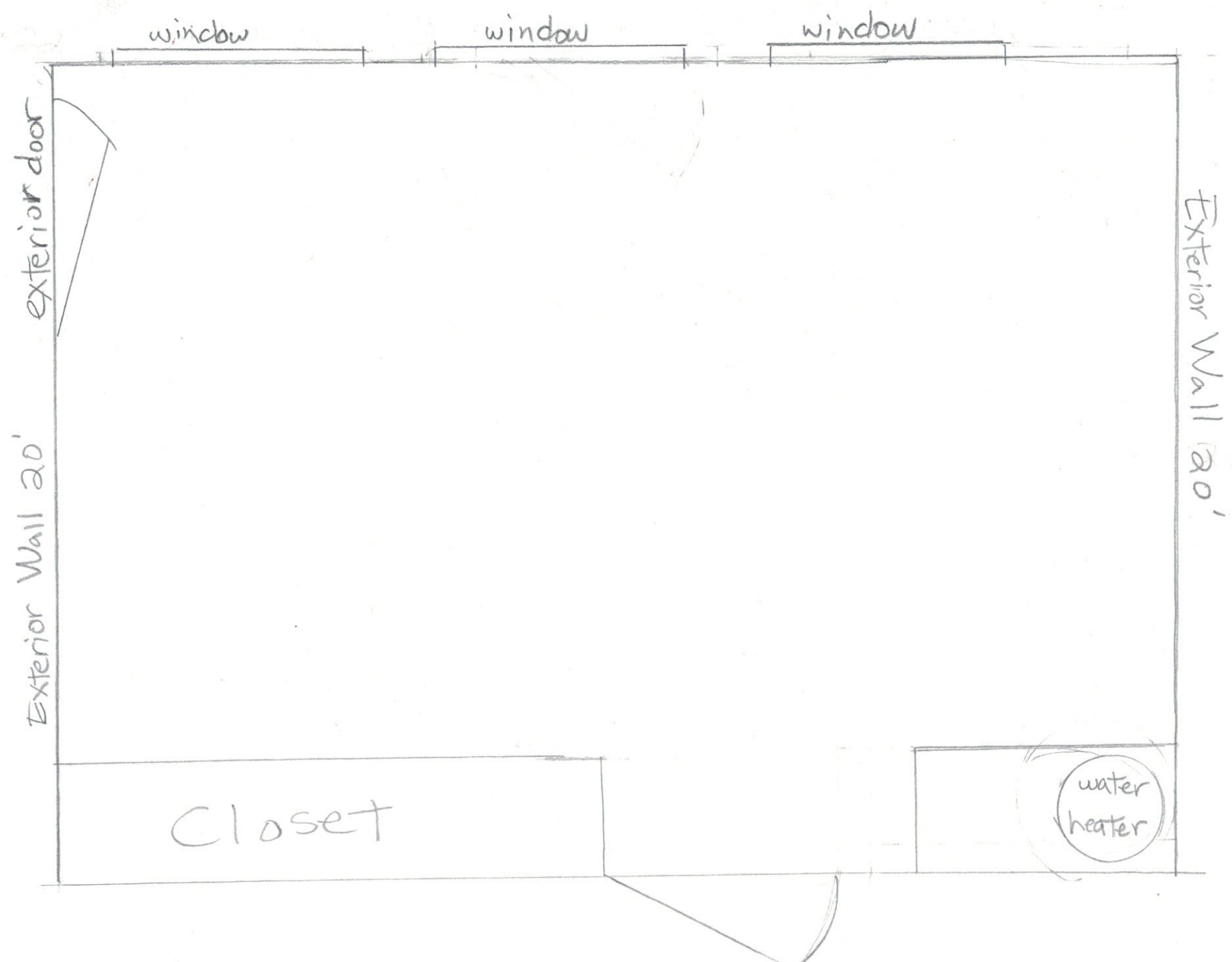
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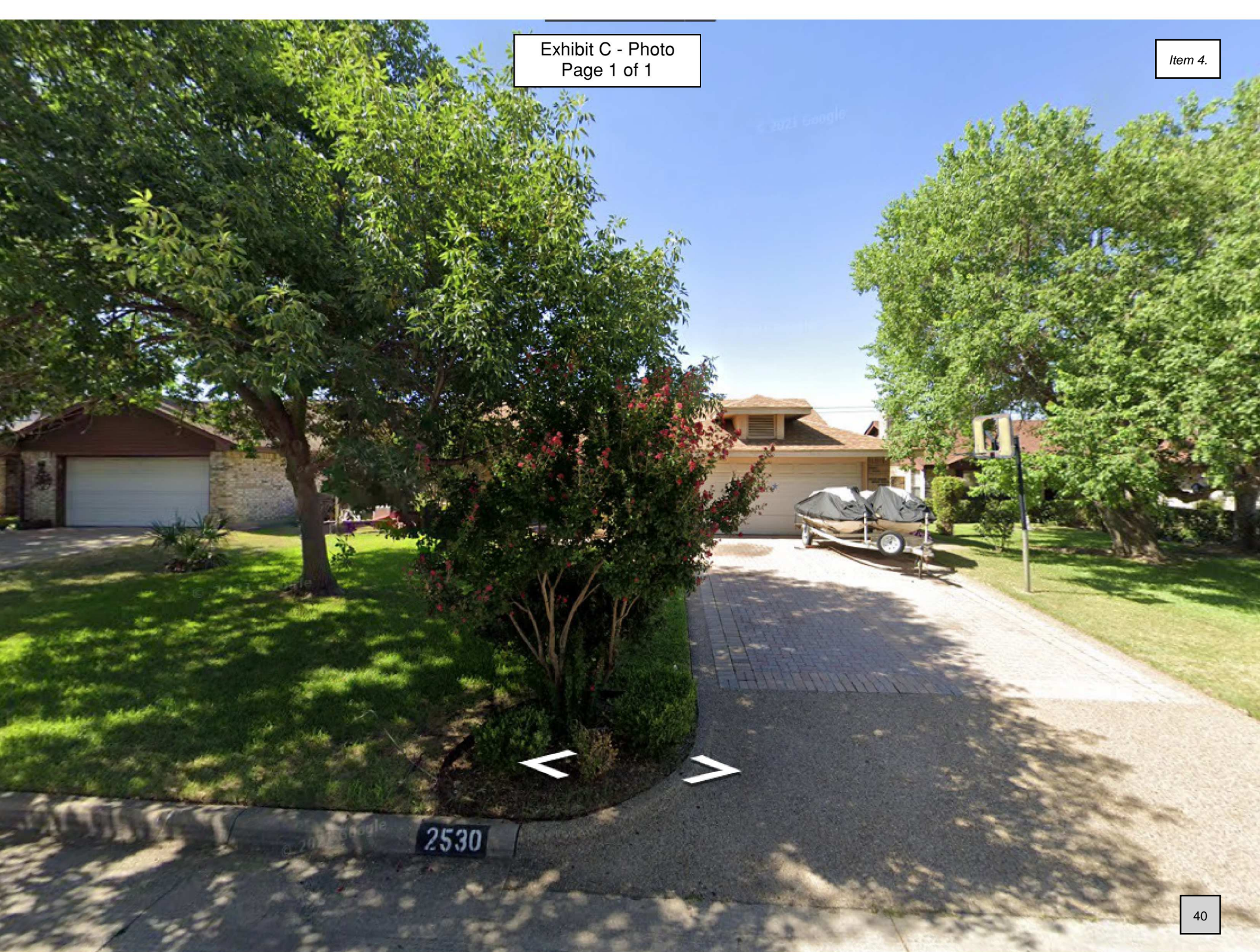
-  Location
-  Parcels
-  City Limits

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0 0.03 Miles
Grand Prairie
TEXAS
PLANNING
Date: 10/3/2023







CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 10/16/2023

REQUESTER: Monica Espinoza

PRESENTER: Brittany Musser, Planner

TITLE: ZBA-23-09-0061 (Council District 5) – Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 805 NW 14th Street, legally described as Lot 15R, Block 7, Rogway Terrace Addition No. 3, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

APPLICANT: Terrance Phillips

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 805 NW 14th Street, legally described as Lot 15R, Block 7, Rogway Terrace Addition No. 3, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

1. Variance: Reduce the minimum side setback
 Required Setback: 6 feet
 Requested Setback: 4.6 feet

PURPOSE OF REQUEST:

The applicant is requesting a setback variance in order to attach an existing shed to the primary structure and convert it to additional living space. The applicant applied for a building permit, but was required to seek variances as the existing shed does not meet the side setback requirement for a primary structure in the Single Family-Four zoning district.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram October 6 and October 15.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on October 6.

27 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-23-09-0061 as requested.

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

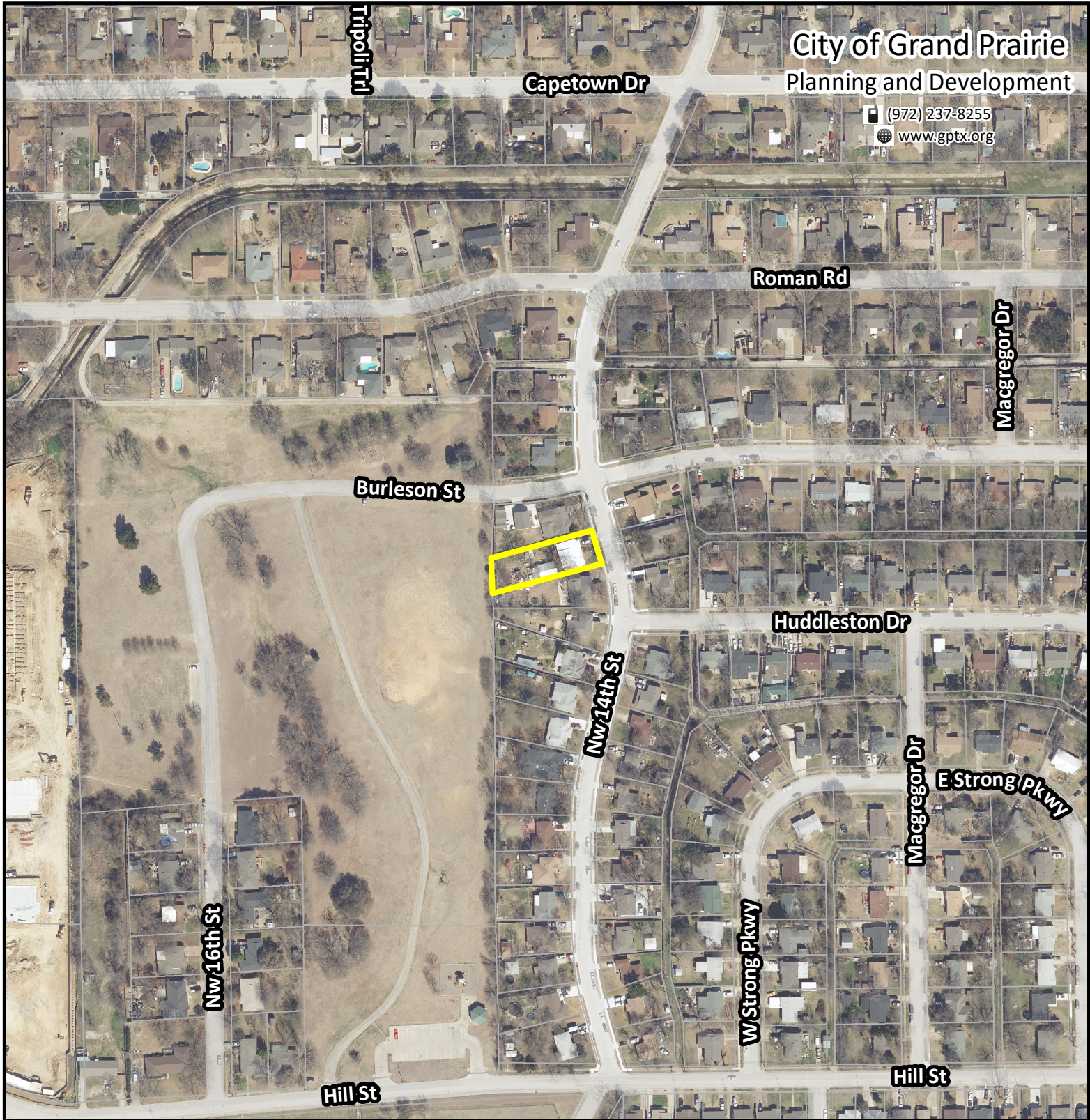
- 1. Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, the city adopted fire codes, and with other applicable regulatory requirements administered 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.**




Exhibit A- Location Map

Page 1 of 1

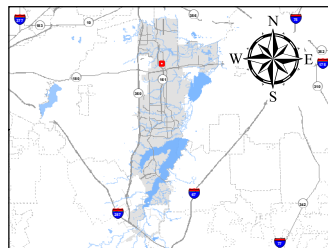
CASE LOCATION MAP
ZBA-23-09-0061
805 NW 14th

Item 5.



-  Location
-  Parcels
-  City Limits

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0 0.05 Miles

Grand Prairie
TEXAS
PLANNING
Date: 10/3/2023



