

### ZONING BOARD OF ADJUSTMENTS AND APPEALS CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET MONDAY, OCTOBER 17, 2022 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**

<u>1.</u> Approval of the September 19, 2022 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.

- ZBA-22-09-0039 (Council District 4) Special Exception for a garage conversion, located at 4322 Emerson Drive, legally described as Lot 6, Block O, Oak Hollow Addition Phase 4B & C, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development-50 District
- <u>3.</u> ZBA-22-09-0040 (Council District 5) Special Exception for a garage conversion, located at 1010 SE 4th Street, legally described as Lot 10, Block X, Grand Prairie Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District
- <u>4.</u> ZBA-22-09-0041 (Council District 5) Special Exception for a garage conversion, located 718 NE 22nd Street, legally described as Lot 8, Block 19, Vought Manor Addition No. 4, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District
- 5. ZBA-22-09-0042 (Council District 1) Variance to reduce the minimum rear setback requirement for a covered patio, located at 1224 Lake Forest Drive, legally described as Lot 9,

Block L, Lakewood Addition Phase 2, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-268 Residential District

<u>6.</u> ZBA-22-09-0043 (Council District 1) – Special Exception to construct a security fence along property lines, located at 2610 & 2626 W. Pioneer Parkway, legally described as Site 92 and 93, Great Southwest Industrial District (GSID) Great Southwest-South Addition, City of Grand Prairie, Tarrant County, Texas, zoned Light Industrial 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 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 October 14, 2022.

Menica Espinga

Monica Espinoza, Planning Secretary



# CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	10/17/2022
<b>REQUESTER:</b>	Monica Espinoza, Administrative Supervisor
PRESENTER:	June Sin, Planner
TITLE:	Approval of the September 19, 2022 Meeting Minutes
<b>RECOMMENDED ACTION:</b> Approve	

### 300 W. Main Street – Council Chambers

#### **MEETING AGENDA**

Zoning Board of Adjustments and Appeals

Date: September 19th, 2022

#### **BRIEFING:**

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 ⊠ Debbie Hubacek  $\boxtimes$  Timothy Ibidapo Kimberly Akinrodoye  $\boxtimes$  Anthony Langston Sr. ⊠ Melinda Rodgers (at 5:50 PM)
  - 1. ZBA-22-08-0028 (Council District 2) Special exception a side yard carport and a variance to reduce the minimum internal side setback requirement permitted under the Unified Development Code, located at 4213 Forestedge Drive, legally described as Lot 16, Block 8, Westchester Addition Section Two, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-210 District

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

 $\boxtimes$  Clayton Hutchins  $\boxtimes$  Eric Hedin  $\Box$  Eric Smith ⊠ David Baker

□ Tommy Land

5:35 P.M.



and

 ZBA-22-08-0030 (Council District 1)- Variances to increase the maximum area and to reduce the minimum rear setback requirement for a rear yard carport permitted under the Unified Development Code, located at 822 Sharpshire Drive, legally described as Lot 6, Block F, Dorchester Place Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District

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

3. ZBA-22-08-0035 (Council District 6) – Special Exception for a front yard carport and a variance to increase maximum area permitted under the Unified Development Code, located at 1402 Clark Trail, legally described as Lot 23, Block TT, Trailwood Addition 11th Increment, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-81 District

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

4. ZBA-22-08-0036 (Council District 6) – Variances to increase the maximum building height and the maximum wall height for an accessory structure permitted under the Unified Development Code, located at 1622 Ernie Lane, legally described as Tract 52, W. H. Beeman Survey, Abstract 126, Page 011, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District

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

5. ZBA-22-08-0037 (Council District 3) – Special Exception for a garage conversion, located at 510 E Cober Drive, legally described as Lot 9, Block 1108, South Manor Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District

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

6. ZBA-22-08-0038 (Council District 1) – Special Exception for a garage conversion, located at 506 Worthway Drive, legally described as Lot 15, Block A, Jefferson Height Addition, City of Grand Prairie, Tarrant County, Texas, zoned Single Family-Four Residential District

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

Briefing was adjourned at 5:58 pm

#### **CALL TO ORDER**

#### 6:02 P.M.

The Zoning Board of Adjustments and Appeals is appointed by the City Council to consider variances, exceptions and appeals as prescribed by the City of Grand Prairie's Unified Development Code. In accordance with Section 211.009 of the Local Government of the State of Texas and Article 1 of the Unified Development Code of the City of Grand Prairie, the concurring vote of seven members of the Board is necessary to decide in favor of an applicant on any matter on which the Board has jurisdiction. Members of the public may address the Board on items listed on the agenda under Public Hearing Items.

#### **Board Members in Attendance:**

- ⊠ Barry Sandacz
- $\boxtimes$  Debbie Hubacek
- $\boxtimes$  Timothy Ibidapo
- Kimberly Akinrodoye
- $\boxtimes$  Anthony Langston Sr.
- ⊠ Melinda Rodgers

Clayton Hutchins
Eric Hedin
Eric Smith
David Baker
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 **Clayton Hutchins Motion Carried 9-0** 

#### **PUBLIC HEARING:**

**2. ZBA-22-08-0028** (**Council District 2**) – Special exception a side yard carport and a variance to reduce the minimum internal side setback requirement permitted under the Unified Development Code, located at 4213 Forestedge Drive, legally described as Lot 16, Block 8, Westchester Addition Section Two, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-210 District

Ms. June Sin presented the requested special exception and variance to the board.

**Applicant / Spokesperson:** Koruthu P Baby. **Address:** 3718 Iris Dr **Any comments from Spokesman:** They did not know they needed permission for the carport.

Any questions from Board:

Board Member Sandacz mentioned that the HOA does not allow carports.

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:** Rosemary Reed (277 Donnie Ln) and Carla Carleson (4556 Knights Crossing).

The following evidence was presented to the Board by those in opposition to the case: The HOA does not allow carports.

Board Member Hedin asked if the HOA board approved the carport in the rear. Rosemary Reed stated that she did not know.

Board Member Ibidapo asked Carla Carleson her opinion of the carport at the other location. Carla Carleson stated that she was not familiar with it.

The applicant did *or* did not speak in rebuttal.

After consideration of the evidence, the Board discussed the evidence and the documentation on the record.

The Board makes the following findings, indicated by a check or x in the blank next to the finding:

 $\boxtimes$  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.

- $\boxtimes$  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.
- $\boxtimes$  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.
- 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.

Any additional findings: None

The motion to close and approve the case was made by **David Baker** The motion was seconded by **<u>Timothy Ibidapo</u>** 

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

**3. ZBA-22-08-0030 (Council District 1)-** Variances to increase the maximum area and to reduce the minimum rear setback requirement for a rear yard carport permitted under the Unified Development Code, located at 822 Sharpshire Drive, legally described as Lot 6, Block F, Dorchester Place Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District

The request was withdrawn by the applicant. No action was taken by the board.

**4. ZBA-22-08-0035 (Council District 6)** – Special Exception for a front yard carport and a variance to increase maximum area permitted under the Unified Development Code, located at 1402 Clark Trail, legally described as Lot 23, Block TT, Trailwood Addition 11th Increment, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-81 District

Ms. June Sin presented the special exception and variance to the board.

Applicant / Spokesperson: Sigfredo Maldonado Address: 1402 Clark Trail

**Any comments from Spokesman:** He would like to construct the carport to protect his cars.

#### Any questions from Board:

Barry Sandacz asked if he understood staff's recommendation and if he would rather get the carport approved with 650 sq. ft. or denied.

Timothy Ibidapo asked how many carports like this are around him.

#### 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 or did not speak in rebuttal.

After consideration of the evidence, the Board discussed the evidence and the documentation on the record.

The Board makes the following findings, indicated by a check or x in the blank next to the finding:

- Proper notification was done in accordance with the statutes and ordinances.
- □ The decision of the City building or administrative official to deny the permit or construction was in error, and the permit should be granted.
- A variance, if granted, is not contrary to the public interest, and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and the granting of the variance would be in the spirit of the ordinances and substantial justice would be done.
- The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- The variance or exception will not adversely affect the health, safety, or general welfare of the public.
- The variance or exception will not be contrary to public interest.
- $\boxtimes$  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;
- $\boxtimes$  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.

Any additional findings: None

The motion to close and approve the case with 650 sq. ft.: **David Baker** The motion was seconded by **Anthony Langston** 

Motion was approved/denied: 7 yays to 2 Nays Members that objected: Eric Hedin, Timothy Ibidapo

**5. ZBA-22-08-0036** (**Council District 6**) – Variances to increase the maximum building height and the maximum wall height for an accessory structure permitted under the Unified Development Code, located at 1622 Ernie Lane, legally described as Tract 52, W. H. Beeman Survey, Abstract 126, Page 011, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District

Ms. Brittany Musser presented the requested variances to the board.

**Applicant / Spokesperson:** Tommy Miller **Address:** 108 River Rose Ct, Millsap, TX

Any comments from Spokesman: They need the variance to park an RV.

#### Any questions from Board:

Board member Sandacz asked about an approval of a similar variance to the north of the subject property.

The following persons spoke in favor of the application: Tommy Miller

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

Jasper Walker & Janine Walker (1633 Ernie), Garry Chandler (1626 Ernie), and Debora Johnston (1651 Ernie) are in support but did not wish to speak.

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 *or* did not speak in rebuttal.

After consideration of the evidence, the Board discussed the evidence and the documentation on the record.

The Board makes the following findings, indicated by a check or x in the blank next to the finding:

- Proper notification was done in accordance with the statutes and ordinances.
- □ The decision of the City building or administrative official to deny the permit or construction was in error, and the permit should be granted.
- $\boxtimes$  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.
- $\boxtimes$  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.
- $\boxtimes$  The variance or exception is not a self-created hardship.

Any additional findings: None

The motion to close and approve the case was made by **David Baker** The motion was seconded by **Debbie Hubacek** 

Motion was approved/denied: 9 yays to 0 Nays Members that objected:

**6. ZBA-22-08-0037 (Council District 3)** – Special Exception for a garage conversion, located at 510 E Cober Drive, legally described as Lot 9, Block 1108, South Manor Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District

June Sin presented the case to the Board.

Applicant / Spokesperson: Jonathan Saldona Address: 1214 Cielo Vista

Any comments from Spokesman: There are other neighbors that have garage conversions. They are willing to add a second off-street parking space.

**Any questions from Board:** Barry Sandacz asked if the applicant was okay with staff's recommended condition. The spokesperson said that they were.

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 *or* did not speak in rebuttal.

After consideration of the evidence, the Board discussed the evidence and the documentation on the record.

The Board makes the following findings, indicated by a check or x in the blank next to the finding:

- Proper notification was done in accordance with the statutes and ordinances.
- □ The decision of the City building or administrative official to deny the permit or construction was in error, and the permit should be granted.
- $\boxtimes$  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.
- $\boxtimes$  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.
- 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.

Any additional findings: None

The motion to close and approve the request with staff's condition was made by **David Baker** 

The motion was seconded by **Debbie Hubacek** 

Motion was approved/denied: 9 yays to 0 Nays Members that objected:

**7. ZBA-22-08-0038 (Council District 1)** – Special Exception for a garage conversion, located at 506 Worthway Drive, legally described as Lot 15, Block A, Jefferson Height Addition, City of Grand Prairie, Tarrant County, Texas, zoned Single Family-Four Residential District

June presented the requested special exception to the board.

Applicant / Spokesperson: Ted Ross Address: 506 Worthway

**Any comments from Spokesman:** They would like to convert the garage to make it better for the neighborhood.

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 or did not speak in rebuttal.

After consideration of the evidence, the Board discussed the evidence and the documentation on the record.

The Board makes the following findings, indicated by a check or x in the blank next to the finding:

- Proper notification was done in accordance with the statutes and ordinances.
- □ The decision of the City building or administrative official to deny the permit or construction was in error, and the permit should be granted.
- A variance, if granted, is not contrary to the public interest, and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and the granting of the variance would be in the spirit of the ordinances and substantial justice would be done.
- The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- The variance or exception will not adversely affect the health, safety, or general welfare of the public.
- The variance or exception will not be contrary to public interest.
- $\boxtimes$  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;
- $\boxtimes$  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.

Any additional findings: None

The motion to close and approve the case: **David Baker** The motion was seconded by **<u>Timothy Ibidapo</u>** 

Motion was approved/denied: 9 yays to 0 Nays Members that objected:

#### **CITIZENS COMMENTS:**

ADJOURNMENT: The meeting was adjourned at 6:40 PM

Signed on this the 19th day of September 2022

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

by:	
Printed Name:	
Title:	



### CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	10/17/2022
<b>REQUESTER:</b>	Monica Espinoza
PRESENTER:	Brittany Musser, Planner
TITLE:	ZBA-22-09-0039 (Council District 4) – Special Exception for a garage conversion, located at 4322 Emerson Drive, legally described as Lot 6, Block O, Oak Hollow Addition Phase 4B & C, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development-50 District
APPLICANT:	Alexis Renteria

**RECOMMENDED ACTION:** Staff does not object to the request

#### **SUMMARY:**

Special Exception for a garage conversion, located at 4322 Emerson Drive, legally described as Lot 6, Block O, Oak Hollow Addition Phase 4B & C, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development-50 District.

 a. <u>Special Exception</u>: Conversion of one garage space into living space. Required: Two garage parking spaces Requested: One garage parking space

#### **PURPOSE OF REQUEST:**

The applicant requests a garage conversion to add an additional bedroom. The applicant plans on converting half of a two-car garage into a bedroom, leaving one garage space intact. 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 October 7 and October 16.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on October 7.

60 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 exception will 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 believes that the exception will not adversely affect the health, safety, or general welfare of the public. The property owner currently has a paved driveway that can park a minimum of two vehicles.* 

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 Planned Development-50 District.* 

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

**Staff Evaluation:** Staff believes that the exception will not 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: Staff believes that the exception will not 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: Staff believes that the exception for a garage conversion 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 may have 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 does not object to ZBA-22-09-0039 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.





CASE LOCATION MAP

ZBA-22-09-0039

4322 EMERSON DRIVE



City of Grand Prairie Development Services

■ (972) 237-8255 ● www.gptx.org

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LEXIS\_MOMS

4/18

22



### CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	10/17/2022
<b>REQUESTER:</b>	Monica Espinoza
PRESENTER:	June Sin, Planner
TITLE:	ZBA-22-09-0040 (Council District 5) – Special Exception for a garage conversion, located at 1010 SE 4th Street, legally described as Lot 10, Block X, Grand Prairie Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District
APPLICANT:	Gordon DeLand

**RECOMMENDED ACTION:** Staff does not object to the request

#### **SUMMARY:**

Special Exception for a garage conversion, located at 1010 SE 4th Street, legally described as Lot 10, Block X, Grand Prairie Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

 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 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 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 October 7 and October 16.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on October 7.

41 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 exception will 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 believes that the exception will not adversely affect the health, safety, or general welfare of the public. The property owner currently has a paved driveway that can park a minimum of two vehicles.

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 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 believes that the exception will not 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: Staff believes that the exception will not 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: Staff believes that the exception for a garage conversion 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 may have 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 does not object to ZBA-22-09-0040 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.





CASE LOCATION MAP ZBA-22-09-0040

1010 SE 4TH STREET



City of Grand Prairie Development Services

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### Archetectural/structural plan

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### CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	10/17/2022
<b>REQUESTER:</b>	Monica Espinoza
PRESENTER:	June Sin, Planner
TITLE:	ZBA-22-09-0041 (Council District 5) – Special Exception for a garage conversion, located 718 NE 22nd Street, legally described as Lot 8, Block 19, Vought Manor Addition No. 4, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District
APPLICANT:	Erick Velasquez

**RECOMMENDED ACTION:** Staff does not object to the request

#### **SUMMARY:**

Special Exception for a garage conversion, located at 718 NE 22nd Street, legally described as Lot 8, Block 19, Vought Manor Addition No. 4, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

 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 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 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 October 7 and October 16.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on October 7.

44 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 exception will 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 believes that the exception will not adversely affect the health, safety, or general welfare of the public. The property owner currently has a paved driveway that can park a minimum of two vehicles.

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 Single Family-Four Residential District.* 

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

**Staff Evaluation:** Staff believes that the exception will not 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: Staff believes that the exception will not 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: Staff believes that the exception for a garage conversion 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 may have 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 does not object to ZBA-22-09-0041 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.





CASE LOCATION MAP ZBA-22-09-0041

718 NE 22ND STREET



City of Grand Prairie Development Services

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### CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	10/17/2022
<b>REQUESTER:</b>	Monica Espinoza, Administrative Supervisor
PRESENTER:	Brittany Musser, Planner
TITLE:	ZBA-22-09-0042 (Council District 1) – Variance to reduce the minimum rear setback requirement for a covered patio, located at 1224 Lake Forest Drive, legally described as Lot 9, Block L, Lakewood Addition Phase 2, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-268 Residential District
APPLICANT:	Angela Wallace

**RECOMMENDED ACTION:** Staff does not object to this request

#### **SUMMARY:**

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

A. <u>Variance:</u> Reduction of the minimum rear setback for a covered patio Required setback: 20 feet Requested setback: 10 feet 3 inches

#### **PURPOSE OF REQUEST:**

The applicant is requesting a variance to reduce the rear yard setback requirement for a covered patio. The owner plans to add a 240 square foot covered patio at the rear of the existing house. The proposed patio will consist of wood columns and shingled roof to match the existing house.

The house sits approximately 22 feet away from the property line adjacent to W Camp Wisdom Road. Under the current requirement, a rear covered porch would not be feasible. The proposed porch would have a depth of 12 resulting in an encroachment of 9 feet 9 inches into the required 20-foot rear setback.

Subject to 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 7 and October 16.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on October 7.

43 notices were sent, 0 were returned in favor, 0 returned opposed and the subject property is located within the Grand Prairie Lakewood 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 variance 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 suggests that the variance will not adversely affect the health, safety, or general welfare of the public. Staff believes that the covered patio will not be visible from W Camp Wisdom Road due to the masonry screening wall in place, and that as a result the covered patio would not create any visual obstructions on W Camp Wisdom Road.

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 variance will not authorize the operation of a use other than those already allowed in Planned Development-268.* 

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

Staff Evaluation: Staff suggests that the variance will not 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: Staff believes that the granting of this variance may not alter the "essential character" of 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 variance 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 does not object to ZBA-22-09-0042 as requested.

If the Board chooses to grant the applicants request, he/she 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, 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.





CASE LOCATION MAP ZBA-22-09-0042

1224 LAKE FOREST DRIVE



City of Grand Prairie Development Services

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This tract is not shown to be in a flood—prone area as scaled on the Federal Emergency Management Agency Map. <u>TARRANT, DALLAS, & ELLIS COUNTY PANEL NO. 85472</u> 0035 F, REV. 5-3-93, ZONE X

The plot hereon is a true, correct, and accurate representation of the property, as determined by on on the ground survey, the lines and dimensions of said property being as indicated by the plot, the size, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on sold plot.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale	1 = 20	This survey was perfor	rmed in connection with the transaction
Dote	09-30-05	described in Company G.F. No.	NORTH AMERICAN TITLE TX057062878
IOB No	21 W9-1		FOR ANY OTHER DURDAGE OF BY ANY







# CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	10/17/2022			
<b>REQUESTER:</b>	Monica Espinoza			
PRESENTER:	June Sin, Planner			
TITLE:	ZBA-22-09-0043 (Council District 1) – Special Exception to construct a security fence along property lines, located at 2610 & 2626 W. Pioneer Parkway, legally described as Site 92 and 93, Great Southwest Industrial District (GSID) Great Southwest-South Addition, City of Grand Prairie, Tarrant County, Texas, zoned Light Industrial District			
APPLICANT:	Elliot Stovall			
<b>RECOMMENDED ACTION:</b> Staff objects to this request, but recommends the following condition:				

1. The applicant provides a metal fence in compliance with materials allowed in the UDC.

## SUMMARY:

Special Exception to construct a security fence along property lines, located at 2610 & 2626 W. Pioneer Parkway, legally described as Site 92 and 93, Great Southwest Industrial District (GSID) Great Southwest-South Addition, City of Grand Prairie, Tarrant County, Texas, zoned Light Industrial District.

a. <u>Special Exception</u>: Construction of a metal security fence Allowed: Wrought Iron Fence Requested: Wood fence over a corrugated metal fence

## **PURPOSE OF REQUEST:**

The applicant requests exception to the non-residential fencing standards required by the Unified Development Code. The applicant plans to construct a security fence along the perimeter of the subject site consisting of wood panels secured to a corrugated metal substrate. The UDC requires non-residential fences shall be composed of materials recognized as standard, residential grade fencing material and shall not be constructed with corrugated metal, sheet metal, or fiberglass. R-Panel fences are permitted in the Light Industrial-Limited Standards (LI-LS) District only (standards for a metal fence can be found Appendix V, "Fence Detail" of the Unified Development Code).

## **PUBLIC NOTIFICATION:**

Legal notice of this item was published in the Fort Worth Star Telegram October 7 and October 16.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on October 7.

8 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 exception will 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 exception 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 Light Industrial District.

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

**Staff Evaluation:** Staff suggests that the exception may not be in harmony with the spirit and purpose of this ordinance. The UDC does not recognized corrugated metal panel as residential grade materials. Section 8.11.2 of the UDC grants ZBA authority to approve alternative fence materials that are not corrugated metal or fiberglass. If ZBA grants the exception, staff recommend a condition that the fence material complies with the allowed materials in the UDC.

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 exception will not 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: Staff believes the exception 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 may have 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 objects to ZBA-22-09-0043 but recommends the following condition:

1. The applicant provides a metal fence in compliance with materials allowed in Article 8 in the UDC.

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.





CASE LOCATION MAP ZBA-22-09-0043

2610 & 2626 W PIONEER PKWY



City of Grand Prairie Development Services

> ∎ (972) 237-8255 ⊕www.gptx.org

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ELLIOTT STOVALL, LL

Zoning Official City of Grand Prairie, Tx October 11, 2022

Re: Fence Material Variance 2618 W Pioneer Parkway Grand Prairie

Zoning Official:

Owner is hereby requesting a variance for use of a different fence material then required for the above site that has a zoning of LI. Owner would like to use Mueller Metal Fencing as the perimeter fencing for the above site. This fencing would be placed around the entire site with gates made up of the same material, 26-gauge steel with galvanized framing. Manufacture information attached.

According to the planning department for a light industrial zoning, Owner is required to use a wrought iron or chain link fence. The owner is requesting this for security reasons, to not openly advertise to the public that vehicles parked on this property is available for vandalism and that these areas are not visible to the public.

Sincerely,

Elliott Stovall, P.E. 817 879-1808 2

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Kits Privacy Fencing

#### **PRIVACY FENCING**

What do you want in a privacy fence? Great looks? Affordability? Lasting performance? Mueller metal fencing gives you all three.

This fence delivers far more strength and longevity than wood, because the panels are made of 26-gauge steel with galvanized framing. And unlike other fence types, you can choose from a variety of panel colors to fit your house and landscape. If you like, you can sheet both sides of the fence for a more attractive look. Each fence panel is 3' wide and 6' tall, and sections are available in three sizes: 6', 9' and 12'. We also offer gates in 3' and 6' sizes.

This bolt-together privacy fencing is simple to install and can accommodate sloping landscapes, too. Our easy-to-follow instructions take you step-by-step through the process.

Click here to view the installation guide.

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SITEMAP	PRIVACY POLICY	TERMS OF USE
CERTIFICATIONS		

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# INTRODUCTION >



Exhibit C - Fence

Exhibit 4 of 4

**Congratulations** on the purchase of your new Mueller Metal Fence.

This guide is designed to help you through the installation process.

Prior to start of installation, check all local regulations regarding fencing, location of all buried utility lines, and correct property lines. Call 811 or visit www.call811.com for more information on dig testing. Locate all overhead obstacles, including utility lines and tree branches, and mark as a caution area.

- Coated sheets are warranted on the painted side only. The back side (wash coat white) carries no warranty.
- When applying lawn chemicals (fertilizer, insecticides, weed killer, etc.), be careful to not get any on the fence.
- Chemical residue can cause damage to the fence and will void paint warranty.
- Mueller recommends washing the fence after chemicals are applied.