



ZONING BOARD OF ADJUSTMENTS AND APPEALS
CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET
MONDAY, FEBRUARY 19, 2024 AT 5:30 PM

AGENDA

BRIEFING SESSION - 5:30 PM

The staff will brief the board and preview the cases on tonight's agenda. Board members will have the opportunity to ask questions that may facilitate the meeting and the presentation of the cases. No action will be taken during the briefing.

REGULAR MEETING - 6:00 PM

Call to Order

Invocation

APPROVAL OF MINUTES

1. Approval of the January 17, 2024 Meeting Minutes

PUBLIC HEARING

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

2. ZBA-24-01-0001 (Council District 1) – Variance to increase the maximum area for a rear yard carport permitted under the Unified Development Code, located at 1002 British Blvd., legally described as Lot 16, Block 3, Churchill Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District
3. ZBA-24-01-0002 (Council District 5) – Variance to reduce the minimum lot width, lot area, rear setback, side setback, and to increase the maximum lot coverage permitted under the Unified Development Code, located at 642 N M L King Jr. Blvd., legally described as a portion of Lot 27, Block 161, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four residential within the SH-161 Corridor Overlay 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 February 16, 2024.



Monica Espinoza, Planning Secretary



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 02/19/2024
REQUESTER: Monica Espinoza, Administrative Supervisor
PRESENTER: Salvador Gonzalez, Jr., Planner
TITLE: Approval of the January 17, 2024 Meeting Minutes

RECOMMENDED ACTION: Approve



300 W. Main Street – Council Chambers

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: January 17, 2024

BRIEFING:

5:40 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 checked="" type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Stacy White |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Jose Linarez |
| <input type="checkbox"/> Eric Smith | <input checked="" type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Tommy Land | <input checked="" type="checkbox"/> David Baker |

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

Salvador Gonzalez Jr. briefed the Board on the case.

Timothy Ibidapo asked if the construction had started. Salvador answered that he did not believe it had.

3. ZBA-23-12-0075 (Council District 1)- Variance to increase the maximum height for a fence permitted under the Unified Development Code, located at 112 Lida Ct., legally described as Lot 26, Block 1, Enchanted Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Five Residential District

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

Barry Sandacz asked if this variance is only for the height. Mr. Gonzalez stated the applicant can have the fence but the height is not permitted.

Eric Hedin asked if the fence was built into the retaining wall and if the applicant had spoken to any of their neighbors. Mr. Gonzalez stated that yes, the fence is but is not sure if the applicant has spoken to their neighbors.

Briefing was adjourned at 5:48 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 Akinrodoye |
| <input checked="" type="checkbox"/> Eric Hedin | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input checked="" type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Stacy White |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Jose Linarez |
| <input type="checkbox"/> Eric Smith | <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 **Timothy Ibidapo**

Motion Carried 9-0

PUBLIC HEARING:

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

Salvador Gonzalez Jr. presented the case to the Board.

- The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- The variance or exception will not adversely affect the health, safety, or general welfare of the public.
- The variance or exception will not be contrary to public interest.
- The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
- The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.
- The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.
- The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

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

Applicant / Spokesperson: Not Present

Address:

Applicant was not present.

A motion to close the public hearing and approve the request was made by **David Baker**

The motion was seconded by **Stacy White**

Motion passed: **9** yays to **0** Nays.

Members that opposed:

3. ZBA-23-12-0075 (Council District 1)- Variance to increase the maximum height for a fence permitted under the Unified Development Code, located at 112 Lida Ct., legally described as Lot 26, Block 1, Enchanted Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Five Residential District

Salvador Gonzalez Jr. from Planning presented the case to the Board and explained that this case was regarding the fence height only.

Salvador Gonzalez Jr. presented the following staff findings (indicated by a check or x in the blank next to the finding):

- The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.
- The variance or exception will not adversely affect the health, safety, or general welfare of the public.
- The variance or exception will not be contrary to public interest.
- The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
- The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.
- The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

- The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.
- The variance or exception is not a self-created hardship.

Applicant / Spokesperson: Elmer Molina

Address: 112 Lida Ct. Grand Prairie, TX 75050

Applicant was present.

Mr. Molina spoke and responded to the Board via a translator.

Mr. Molina stated that he and his contractor did obtain a permit but realized after constructing the fence that it was too tall.

Mr. Molina also commented in response to the HOA opposition letter. He stated that he is not too sure why the HOA has an issue. He does not bother anyone, and the work is inside his property.

Mr. Molina also stated that there are other issues such as cars parking in the street that the HOA does not take care of.

Melinda Rodgers asked if the individual in opposition was nearby. Staff answered that the individual is 3 houses down.

Eric Hedin commented that the fence appears to be professionally done.

Stacy White asked what is the height of the fence panels? The applicant stated that the fence panels are 4ft but were built on top of concrete.

Kimberly asked if the fencing was level? The applicant stated that yes, it is and all one height.

David Baker stated that he believes that the applicant did a great job, but the height could be an issue. Mr. Baker asked if the applicant would be happy with a total height of 4ft? The applicant stated that no not really. This is because he does not have the money to cut the height down nor buy new fence materials

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

A motion to close the public hearing and approve the request was made by **Eric Hedin**

The motion was seconded by **Debbie Hubacek**

Motion passed: **8** yays to **1** Nays

Members that opposed: Timothy Ibidapo

CITIZENS COMMENTS:

ADJOURNMENT : The meeting was adjourned at 6:31 pm

Signed on this the _____ day of February, 2024

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

by: _____
Printed Name: _____
Title: _____



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 02/19/2024

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Salvador Gonzalez Jr., Planner

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

APPLICANT: Patti Bacsik

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

1. The size of the carport requested is significantly larger than any other legally permitted carport in the neighborhood. However, staff does note that the requested carport will be in the rear yard.

SUMMARY:

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

- A. Variance: Increase the maximum permitted area of a carport
 Allowed: 500 square feet
 Requested: 780 square feet

PURPOSE OF REQUEST:

The applicant is requesting a special exception for a 780 square foot carport at 1002 British Boulevard. Article 6 of the Unified Development Code requires that any associated variances, be approved through the ZBA process. The proposed carport has a width of 26 feet and a length of 30 feet. The carport is attached to the primary structure.

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 February 9 and February 18.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on February 9.

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

FINDINGS:

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

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

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

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

Staff Evaluation: Staff suggests that the variance may harm the spirit and purpose of this ordinance. The proposed area of the carport exceeds what is necessary to cover any vehicles located in the driveway.

- 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 variance may not alter the "essential character" of the neighborhood. Although the requested variance would result in a carport significantly larger than any other in the neighborhood, the carport is located in the rear yard and not visible from British Blvd.

- 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 cannot support this request due to the following finding of fact:

1. The size of the carport requested is significantly larger than any other legally permitted carport in the neighborhood. However, staff does note that the requested carport will be in the rear yard.

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

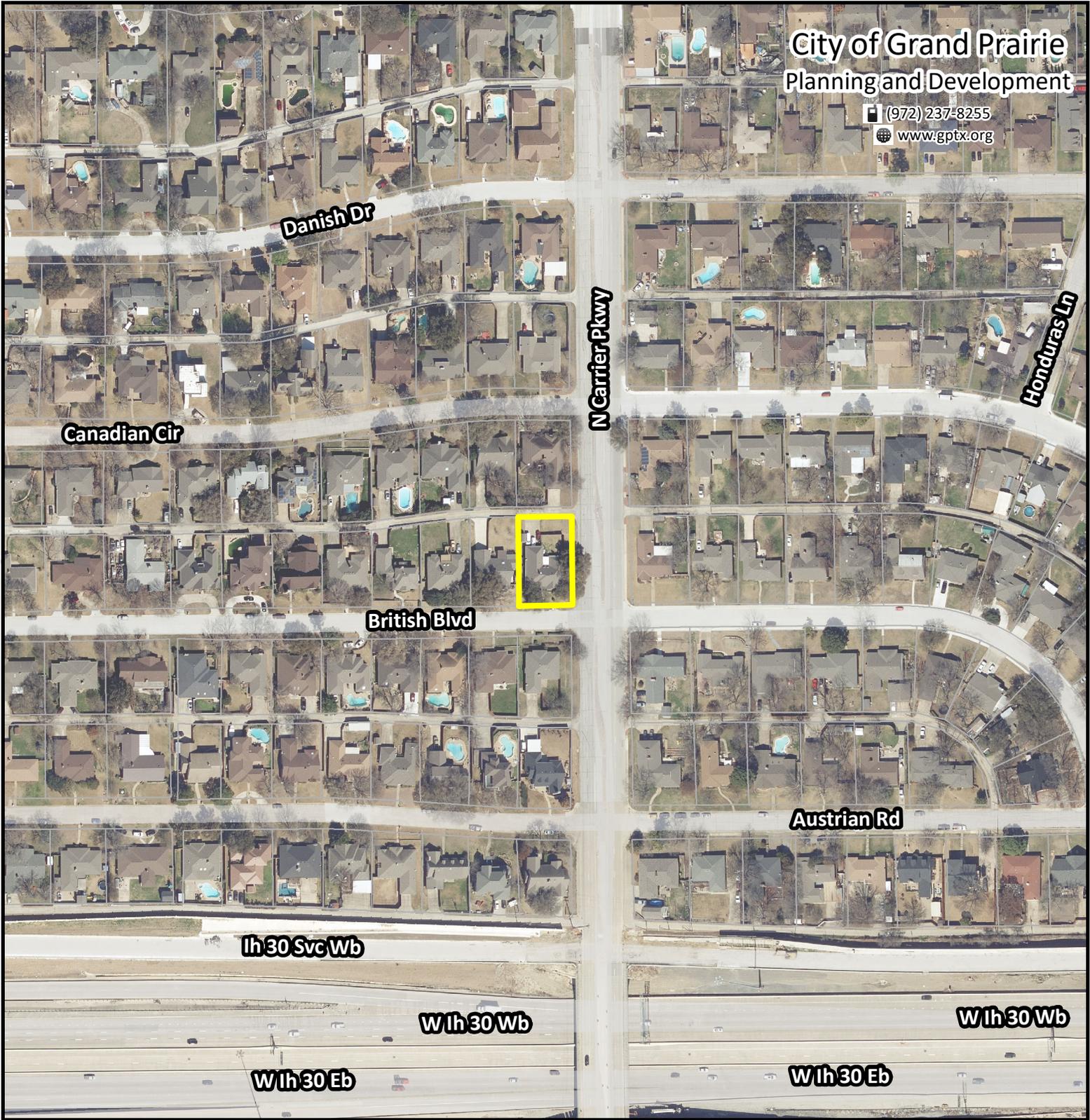
1. **Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, the city adopted fire codes, and with other applicable regulatory requirements administered 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-24-01-0001
 1002 BRITISH BLVD

Item 2.

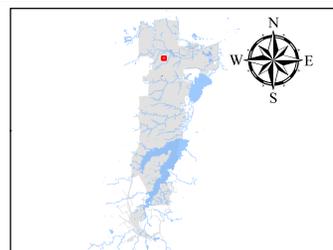


City of Grand Prairie
 Planning and Development

(972) 237-8255
 www.gptx.org

-  Location
-  Parcels
-  City Limits

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



0 0.04 Miles



PLANNING
 Date: 2/9/2024

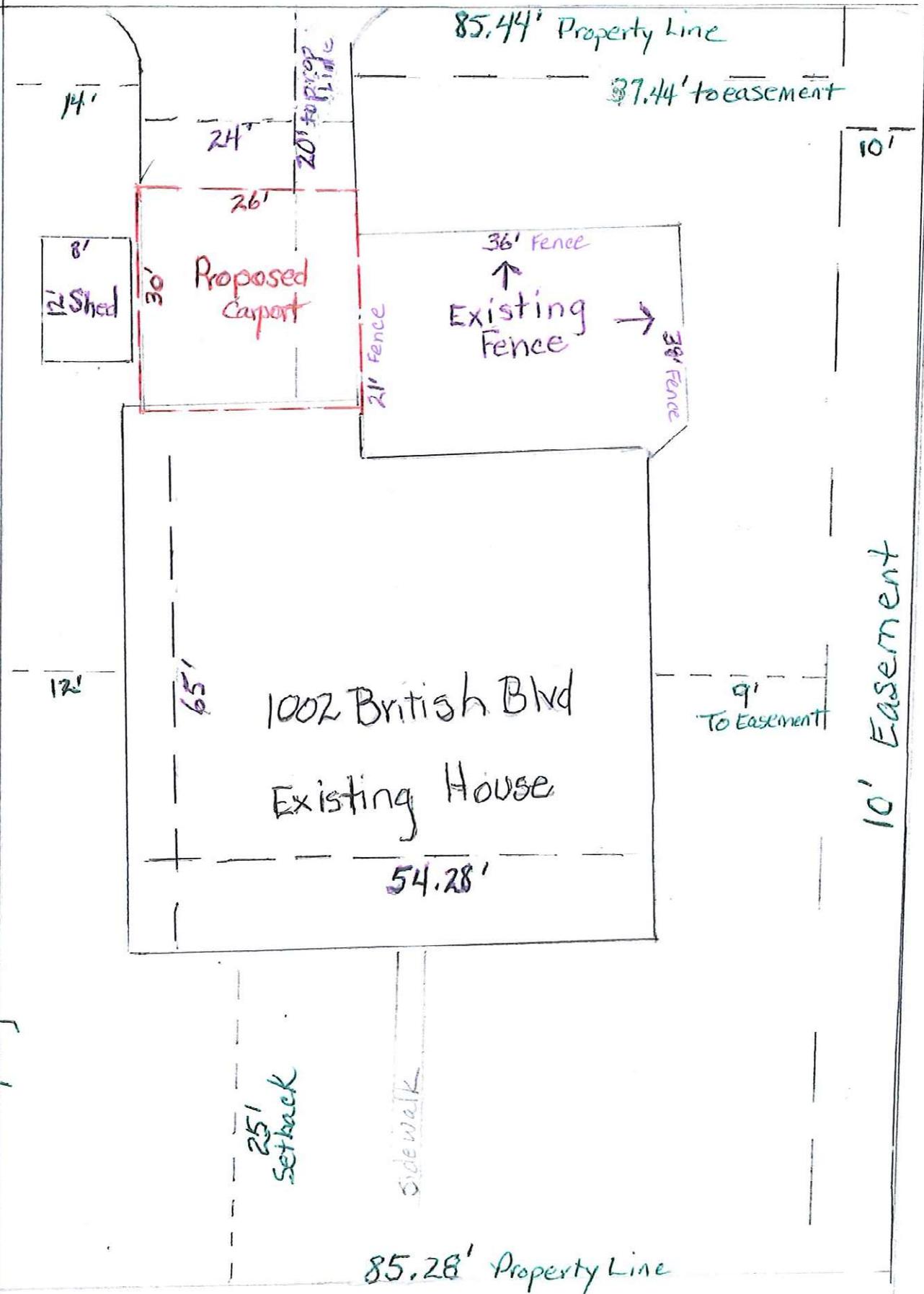
ALLEY

1006 British Blvd.

N. Carrier Pkwy

140' Property Line

10' Easement







CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 02/19/2024

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Salvador Gonzalez Jr., Planner

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

APPLICANT: Jonathan Saldana

RECOMMENDED ACTION: Staff does not object to this request

SUMMARY:

Variance to reduce the minimum lot width, lot area, rear setback, side setback, and to increase the maximum lot coverage permitted under the Unified Development Code, located at 642 N M L King Jr. Blvd., legally described as a portion of Lot 27, Block 161, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four residential within the SH-161 Corridor Overlay District.

1. Variance: Reduce the minimum lot width
Minimum width: 60 feet
Requested width: 31.57 feet
2. Variance: Reduce the minimum lot area
Minimum area: 7,200 square feet
Requested area: 5,189 square feet
3. Variance: Reduce the rear yard setback
Minimum setback: 20 feet
Requested setback: 16 feet 5 inches
4. Variance: Reduce the side yard setback
Minimum setback: 15 feet

Requested setback: 6 feet

PURPOSE OF REQUEST:

The applicant has purchased building plans for a single family detached home. Due to the unique size and shape of the lot, the applicant is seeking four variances as the lot does not meet a number of our density and dimensional requirements. Staff notes that the current lot was subdivided without the proper platting process and/or may have had a portion dedicated to the Texas Department of Transportation, resulting in a non-conforming lot.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram February 9 and February 18.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on February 9.

42 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 variances are not expected to injure the appropriate use of the 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: The proposed variances are 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 variances, 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 variances are 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 variances are 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. The lot was platted prior to current Single Family-Four standards were in place, making the lot more narrow than what would be required for an SF-4 lot today. If the lot width met today's requirements, the proposed house would meet the current side setback requirement.*

- 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 been found.*

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

Staff Evaluation: *Staff finds that the hardship is not self-created.*

RECOMMENDATION:

Staff does not object to ZBA-24-01-0002 as requested.

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

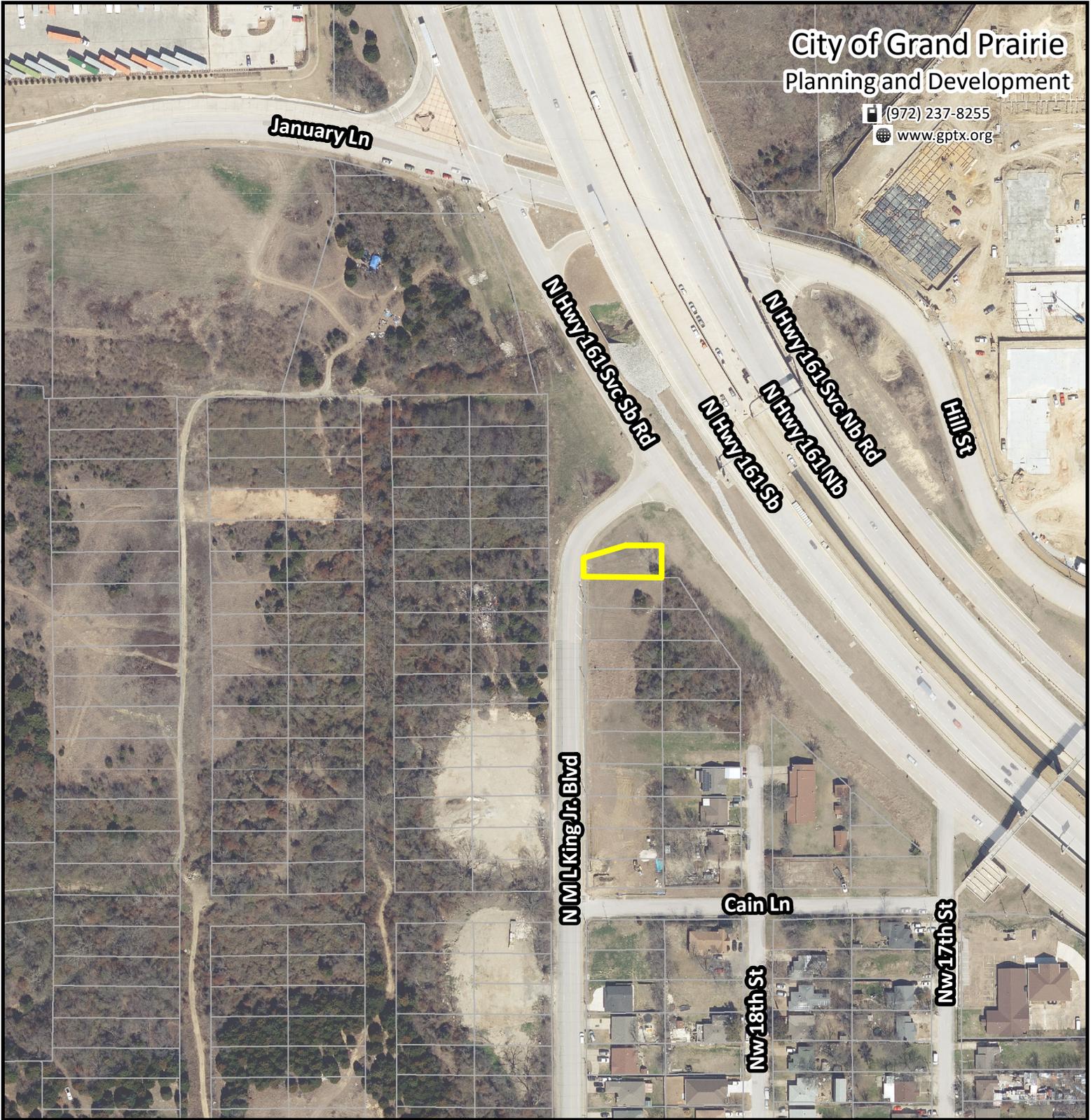
- 1. Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, the city adopted fire codes, and with other applicable regulatory requirements administered 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-24-01-0002
 642 N. M L KING JR. BLVD

Item 3.



City of Grand Prairie
 Planning and Development

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-  Location
-  Parcels
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0 0.04 Miles

Grand Prairie
 TEXAS

PLANNING
 Date: 2/9/2024

