



ZONING BOARD OF ADJUSTMENTS AND APPEALS
CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET
MONDAY, NOVEMBER 21, 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

1. Approval of the October 17, 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.

2. ZBA-22-11-0050 (Council District 5) – Special Exception for a garage conversion, located at 2109 Dalworth Street, legally described as Lot 3, Block 20, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned General Retail District
3. ZBA-22-10-0048 (Council District 1) – Special Exception to construct along the front property line, a commercial fence ~~exceeding the maximum height permitted by the Unified Development Code~~, located at 1906, 1910, 1914, 1916 & 1918 W E Robert Street, legally described as Lots 16-19, Block 137, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned General Retail District
4. ZBA-22-10-0047 (Council District 3) – Special Exception for a garage conversion, located at 1321 S. San Saba, legally described as Lot 25, Block 5, The Cluster I Addition 3rd Section, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-76 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 November 18, 2022.



Monica Espinoza, Planning Secretary



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 11/21/2022

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: June Sin, Planner

TITLE: Approval of the October 17, 2022 Meeting Minutes

RECOMMENDED ACTION: Approve



300 W. Main Street – Council Chambers

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: October 17th, 2022

BRIEFING:

5:46 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 type="checkbox"/> Eric Hedin | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input type="checkbox"/> Clayton Hutchins | <input type="checkbox"/> Heather Mazac |
| <input checked="" type="checkbox"/> Timothy Ibidapo | <input type="checkbox"/> Robert Mendoza |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input checked="" type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Eric Smith | <input checked="" type="checkbox"/> David Baker |
| <input type="checkbox"/> Tommy Land | |

2. ZBA-22-09-0039 (Council District 4)- Special exception for a garage conversion, located at 4332 Emerson Dr, 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

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

3. ZBA-22-09-0040 (Council District 5)- Special Exception for a garage conversion, located at 1010 SE 4th St, legally described as Lot 10, Block X, Grand Prairie Estates 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.

4. ZBA-22-09-0041 (Council District 5) – 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

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

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

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

6. ZBA-22-09-0043 (Council District 1)- Special Exception to construct a security fence along property lines, located at 2610 & 2626 W Pioneer Pkwy, legally described as Site 92 and 93, Great Southwest Industrial District (GISD) Great Southwest-South Addition, City of Grand Prairie, Tarrant County, zoned Light Industrial District

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

Briefing was adjourned at 6:00 pm

CALL TO ORDER

6:04 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 type="checkbox"/> Eric Hedin | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input checked="" type="checkbox"/> Clayton Hutchins | <input type="checkbox"/> Heather Mazac |
| <input checked="" type="checkbox"/> Timothy Ibidapo | <input type="checkbox"/> Robert Mendoza |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input checked="" type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Eric Smith | <input checked="" type="checkbox"/> David Baker |
| <input type="checkbox"/> Tommy Land | |

INVOCATION:

David Baker led the invocation

APPROVAL OF MINUTES:

The motion to Approve the minutes made by **David Baker**

The motion was seconded by **Clayton Hutchins**

Motion Carried 8-0

PUBLIC HEARING:

2. ZBA-22-09-0039 (Council District 4)- Special exception for a garage conversion, located at 4332 Emerson Dr, 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

Ms. Brittany Musser presented the case to the Board and mentioned that the applicant has 2 garages spaces and will maintain the other garage space. They also will have 2 off street parking spots

Applicant / Spokesperson: Alexis Renteria

Address: 4322 Emerson Dr Grand Prairie, TX 75052

Any comments from Spokesman: Ms. Renteria was under the impression that the conversion had been permitted before the work started. The work is almost completed

Any questions from Board:

Timothy Ibidapo asked if the applicant had applied for the permit

Ms. Renteria stated that she believed the contractor had obtained the permit

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.
- ☒ 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 was made by

David Baker

The motion was seconded by **Timothy Ibidapo**

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

Members that objected:

3. **ZBA-22-09-0040 (Council District 5)**- Special Exception for a garage conversion, located at 1010 SE 4th St, legally described as Lot 10, Block X, Grand Prairie Estates

Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District

Ms. June Sin presented the case to the Board and mentioned that the applicant has 2 off street parking spots

Applicant / Spokesperson: Gordon Deland
Address: 1010 SE 4th St Grand Prairie, TX 75051

Any comments from Spokesman: N/A

Any questions from Board: Timothy Ibidapo asked How many car spaces do you have in front?

The applicant stated that they have room for 3 cars

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.
- ☒ 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 appeal the case was made by
David Baker

The motion was seconded by **Debbie Hubacek**

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

Members that objected:

4. **ZBA-22-09-0041 (Council District 5)** – 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

June Sin presented the case to the Board and mentioned that the applicant has 2 paved spaces for parking

Applicant / Spokesperson: Erick Vasquez

Address: 718 NE 22nd Grand Prairie, TX 75050

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 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.
- ☒ 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 **approved**/denied: 8 yays to 0 Nays

Members that objected:

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

Brittany Musser presented the case to the Board

Applicant / Spokesperson: Angela Wallace

Address: 1224 Lake Forrest Dr Grand Prairie, TX 75052

Any comments from Spokesman:

Ms. Wallace stated that there are no major power lines in the area

Any questions from Board:

Kimberly Akinrodoye asked if the applicant had spoke to their HOA.

Ms. Wallace stated that yes that she already had and received their approval. She is awaiting approval from the City

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.
- ☒ 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 **Debbie Hubacek**

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

Members that objected

6. **ZBA-22-09-0043 (Council District 1)-** Special Exception to construct a security fence along property lines, located at 2610 & 2626 W Pioneer Pkwy, legally described as Site 92 and 93, Great Southwest Industrial District (GISD) Great Southwest-South Addition, City of Grand Prairie, Tarrant County, zoned Light Industrial District

June Sin presented the case to the Board and mentioned that this is more a request for the type of fencing material

Applicant / Spokesperson: Not Present

Address:

Any comments from Spokesman:

Any questions from Board:

David Baker asked if wrought iron fence is a permitted type and asked about the wording of the variance request. Ms. Sin stated that the property is zoned as Light Industrial, but the type of requested fencing material would require a variance

Clayton Hutchins asked if the material the applicant wanted was in the UDC then we would not have the case in front of us? June Sin stated that is correct

Debbie Hubacek asked about the use of the property and reason for the fence. Ms Sin mentioned that the property is used for truck parking and that the fence is for security purposes to deter theft

Timothy Ibidapo asked if the special exception was the fence? Ms. Sin stated that the special exception was not for the fence but for the type of material

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.

☒ 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 provided that the metal fence follows the approved materials listed in the UDC Section 8.10 was made by: **David Baker**

The motion was seconded by **Debbie Hubacek**

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

Members that objected

CITIZENS COMMENTS:

ADJOURNMENT : The meeting was adjourned at 6:30 PM

Signed on this the _____ day of November 2022

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

by: _____

Printed Name: _____

Title: _____



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 11/21/2022

REQUESTER: Monica Espinoza

PRESENTER: June Sin, Planner

TITLE: ZBA-22-11-0050 (Council District 5) – Special Exception for a garage conversion, located at 2109 Dalworth Street, legally described as Lot 3, Block 20, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned General Retail District

APPLICANT: Fabiola Cortez

RECOMMENDED ACTION: Staff cannot support the request

SUMMARY:

Special Exception for a garage conversion, located 2109 Dalworth Street, legally described as Lot 3, Block 20, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned General Retail 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 does not meet 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 November 11 and November 20.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on November 11.

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

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

Staff Evaluation: *The exception may adversely affect the health, safety, or general welfare of the public. The width of the driveway, the slope of the property, and the configuration of Dalworth Street can make a garage conversion a safety issue.*

- C. Such variance or exception will not be contrary to the public interest, and such variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

Staff Evaluation: *Staff believes the exception will not authorize the operation of a use other than those already allowed in the subject zoning district. The property is located in the General Retail zoning and considered a legal non-conforming land use. Section 19.4.2 of UDC allows an alteration of non-conforming structures when such alteration does not increase the degree of existing non-compliance. The exception will not increase the degree of non-conforming use.*

- 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: *Staff believes that the exception will not alter the essential character of the district. The subject property is surrounded by other residences on properties zoned General Retail.*

- 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: 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 cannot support ZBA-22-11-0050 as requested.

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

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

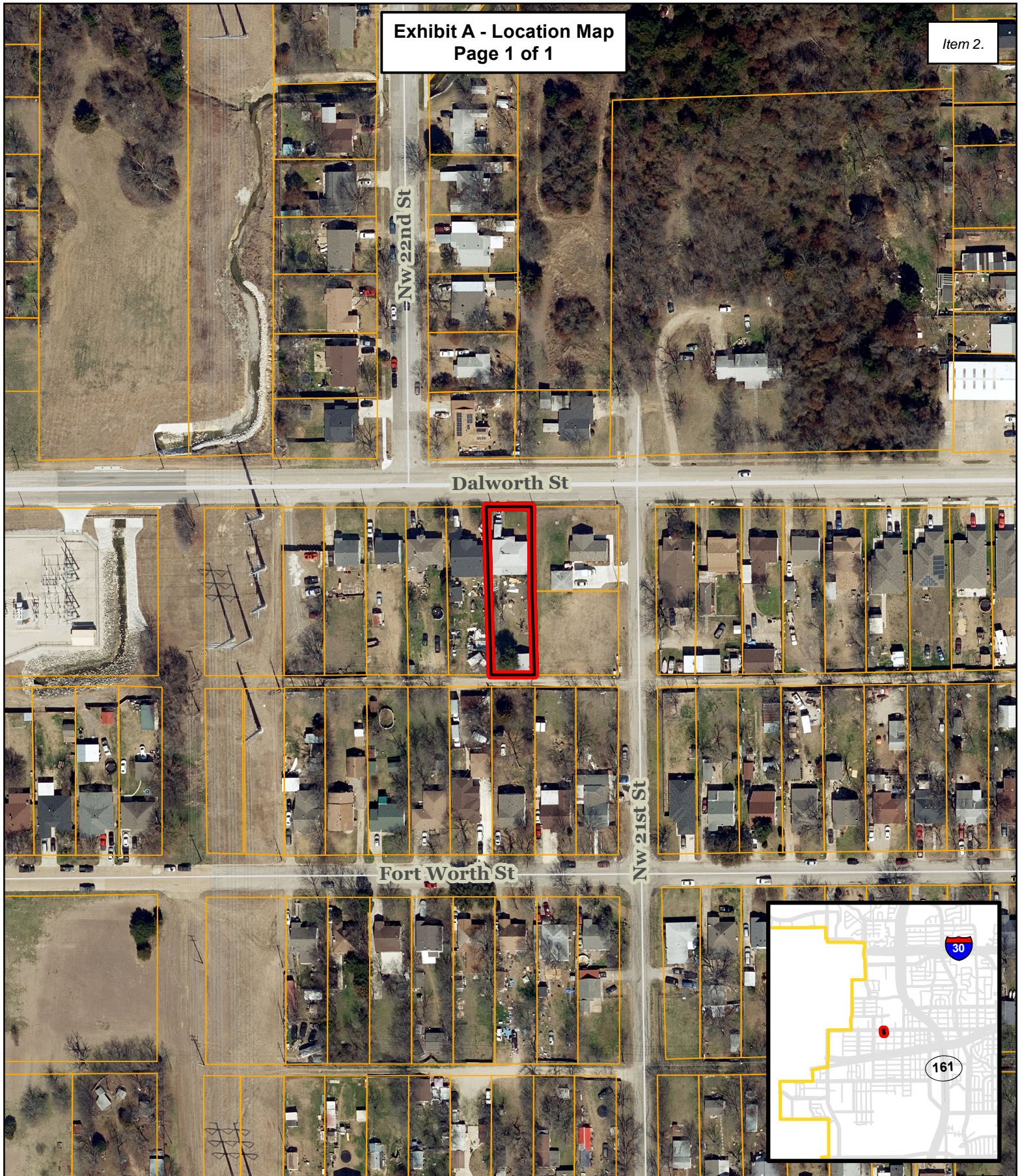
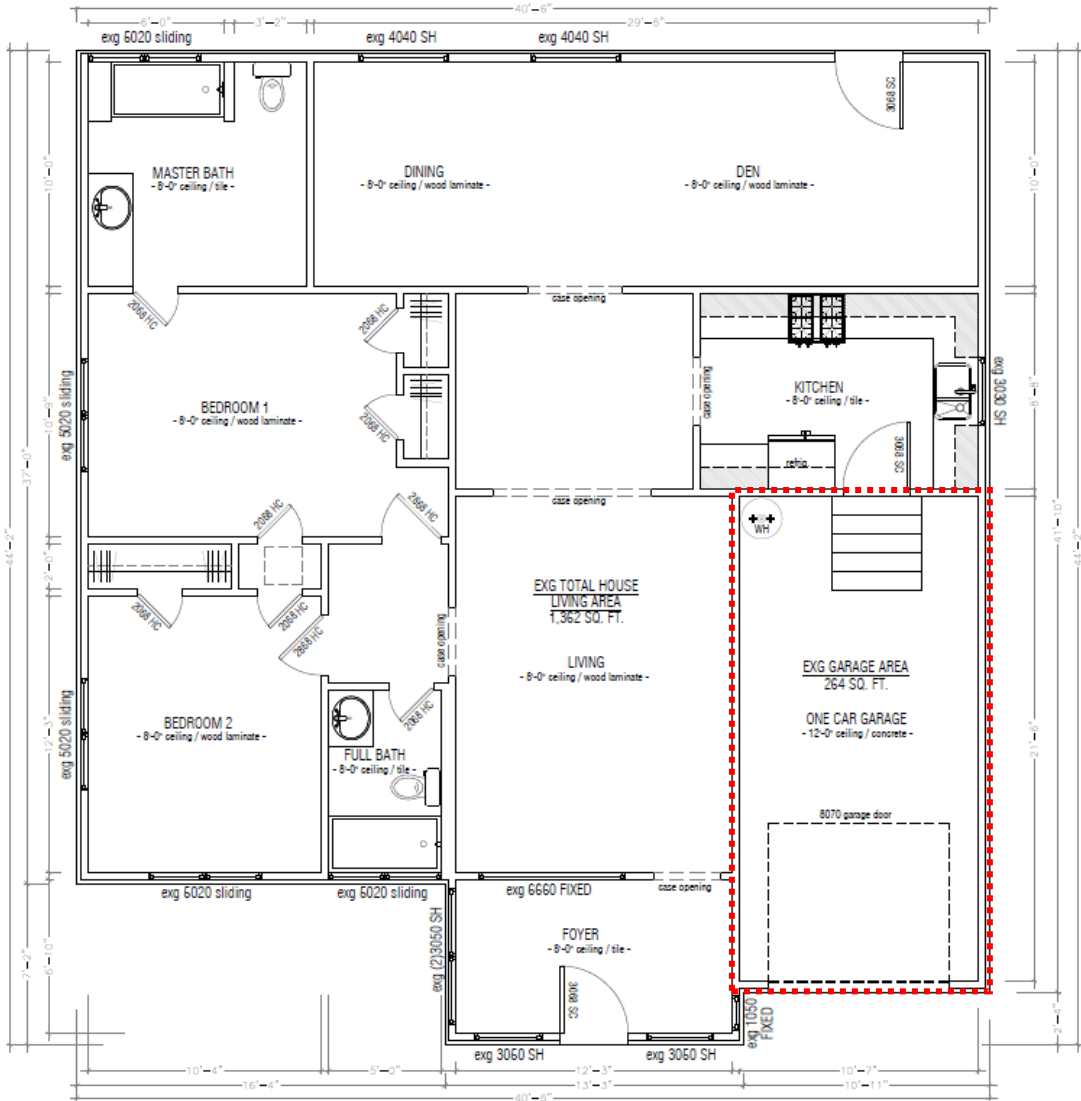


Exhibit B - Building Plans
Page 1 of 2



exg 5020 sliding new 2660 SH 12" shelf new 3050 SH

Master Bath 9'8" X 10'0" 8'-0" ceiling tile

WIC 6'0" X 10'0" 8'-0" ceiling wood

Powder 3'8" X 7'0"

Bedroom 4 12'4" X 10'0" 8'-2" ceiling wood

CHAIRED NEW WALLS #2 S.Y.P. 2"x4" @ 16" O.C. EXTERIOR PAINTED TO MATCH EYE INTERIOR

Bedroom 3 12'4" X 9'8" 8'-0" ceiling wood

RELOCATE W/H 50 GAL. MIN. TO ATTIC

Master Bedroom 16'0" X 10'9" 8'-0" ceiling to 9'-0" ceiling wood

DEMO WALLS / DOORS / CLOSETS

Pantry

Living 12'3" X 15'0" 8'-0" to 12'-0" milled ceiling wood

Bedroom 2 10'4" X 12'3" 8'-0" ceiling wood

Bath 5'0" X 8'1" 8'-0" ceiling tile

Foyer 12'3" X 6'10" 8'-0" ceiling

Dining 10'7" X 9'0" 8'-0" ceiling tile

Kitchen 10'7" X 12'6" 8'-0" ceiling tile

DEMO GARAGE DOOR

new (2) 3060 SH / milled

AREA TABULATIONS
EXISTING FRAME LIVING AREA 1,362 SQ.FT.
EXISTING NON-AC AREA 264 SQ.FT.
NEW FRAME LIVING A/C AREA 1,626 SQ.FT.









CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 11/21/2022

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: June Sin, Planner

TITLE: ZBA-22-10-0048 (Council District 1) – Special Exception to construct along the front property line, a commercial fence ~~exceeding the maximum height permitted by the Unified Development Code~~, located at 1906, 1910, 1914, 1916 & 1918 W E Robert Street, legally described as Lots 16-19, Block 137, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned General Retail District

APPLICANT: Hulet Hope, Dalworth Park Church of Christ

RECOMMENDED ACTION: Staff does not object to the request but recommends the following condition

1. When the parking area is expanded, any new screening fences shall comply with the UDC requirements.

SUMMARY:

Special Exception to construct along the front property line, a commercial fence ~~exceeding the maximum height permitted by the Unified Development Code~~, located at 1906, 1910, 1914, 1916 & 1918 W E Robert Street, legally described as Lots 16-19, Block 137, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned General Retail District.

PURPOSE OF REQUEST:

The applicant requests an exception to the non-residential fencing standards required by the Unified Development Code (UDC). Section 8.10.8 of the UDC states that non-required, non-residential fences shall be transparent at the minimum required building setback lines adjacent to streets, which includes chain link fences. The fences in the required building setback are required to be wrought iron type fences.

The property owner plans to keep the property vacant for now, with plans to build an additional parking lot for the church in the future. The property owner states that the fence is to prevent illegal dumping onto his property. His request is to allow the construction of a 6 feet tall chain link fence with sliding gates.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram November 11 and November 20.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on November 11.

58 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 suggests 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 granting of this variance will not be contrary to the public interest. The property owner has worked with Code Enforcement to address illegal dumping on the vacant lot. The proposed fence will allow the property owner to prevent illegal dumping. Two sliding gates are proposed to allow access to maintain the lot as needed to cut the grass and clean out any other debris from the site.

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

Staff Evaluation: Staff believes the granting of the variance will be in harmony with the spirit of the 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 change 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 such 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-22-10-0048 as requested.**

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

1. When the parking area is expended, any new screening fences shall comply with the UDC requirement.
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 thereunder terminated.**

Exhibit A - Location Map
Page 1 of 1

Item 3.



CASE LOCATION MAP

ZBA-22-11-0048

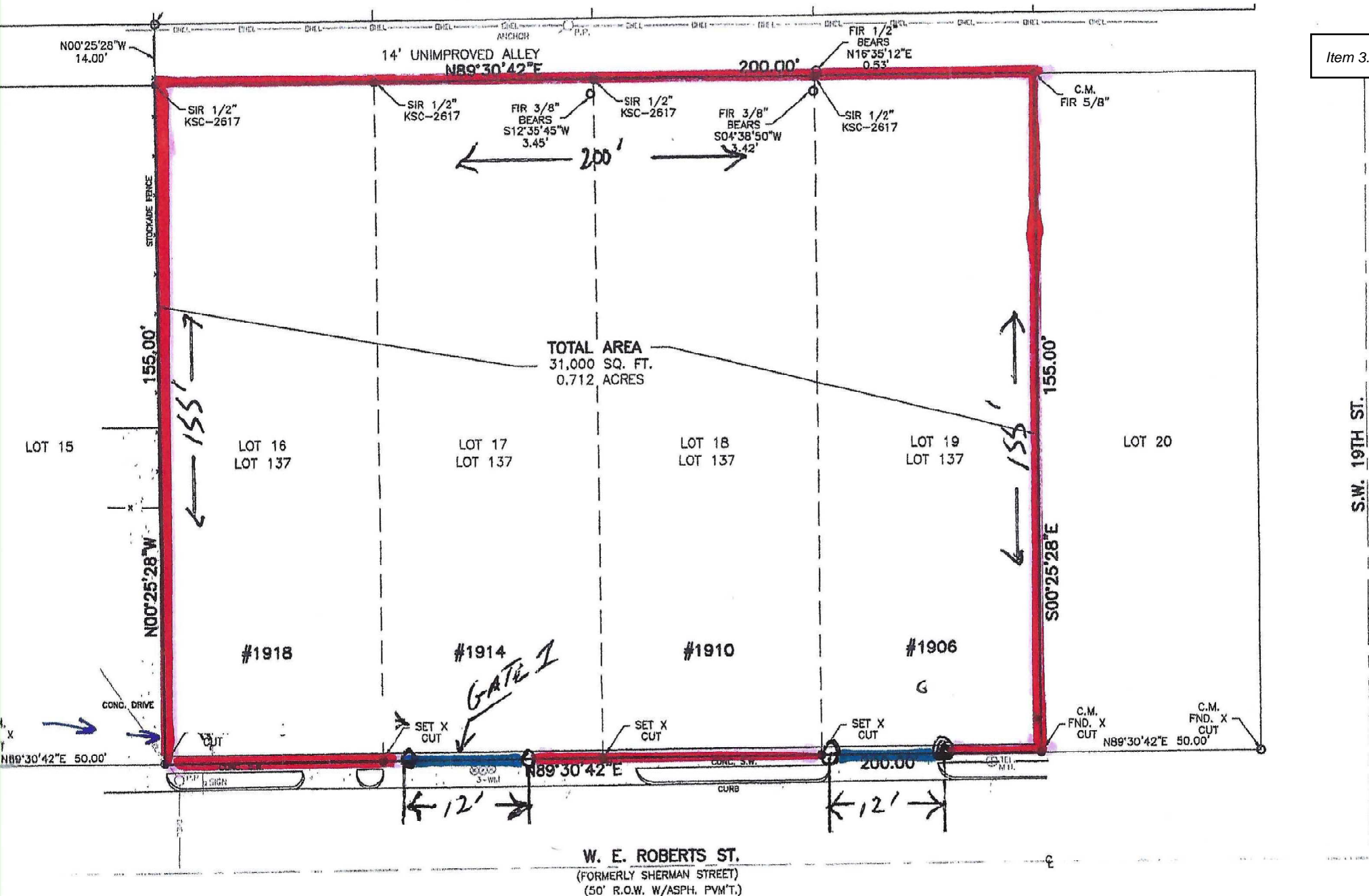
1906 WE ROBERTS



City of Grand Prairie
Development Services

(972) 237-8255
www.gptx.org

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Legal Description of Land:
Being Lots 15, 17, 18, and 19 Block 137, of DALWORTH PARK ADDITION, an Addition to the City of Grand Prairie, Texas, Dallas County, Texas, according to the map thereof recorded in Volume 1, Page 546, Map Records of Dallas County, Texas.











CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 11/21/2022

REQUESTER: Monica Espinoza

PRESENTER: June Sin, Planner

TITLE: ZBA-22-10-0047 (Council District 3) – Special Exception for a garage conversion, located at 1321 S. San Saba, legally described as Lot 25, Block 5, The Cluster I Addition 3rd Section, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-76 District

APPLICANT: Gilberto Carrion

RECOMMENDED ACTION: Staff does not object to the request

SUMMARY:

Special Exception for a garage conversion, located at 1321 S. San Saba, legally described as Lot 25, Block 5, The Cluster I Addition 3rd Section, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-76 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 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 November 11 and November 20.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on November 11.

59 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-76 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-22-10-0047 as requested.**

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

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



Exhibit A - Location Map
Page 1 of 1

Item 4.



CASE LOCATION MAP

ZBA-22-10-0047

1321 S SAN SABA



City of Grand Prairie
Development Services

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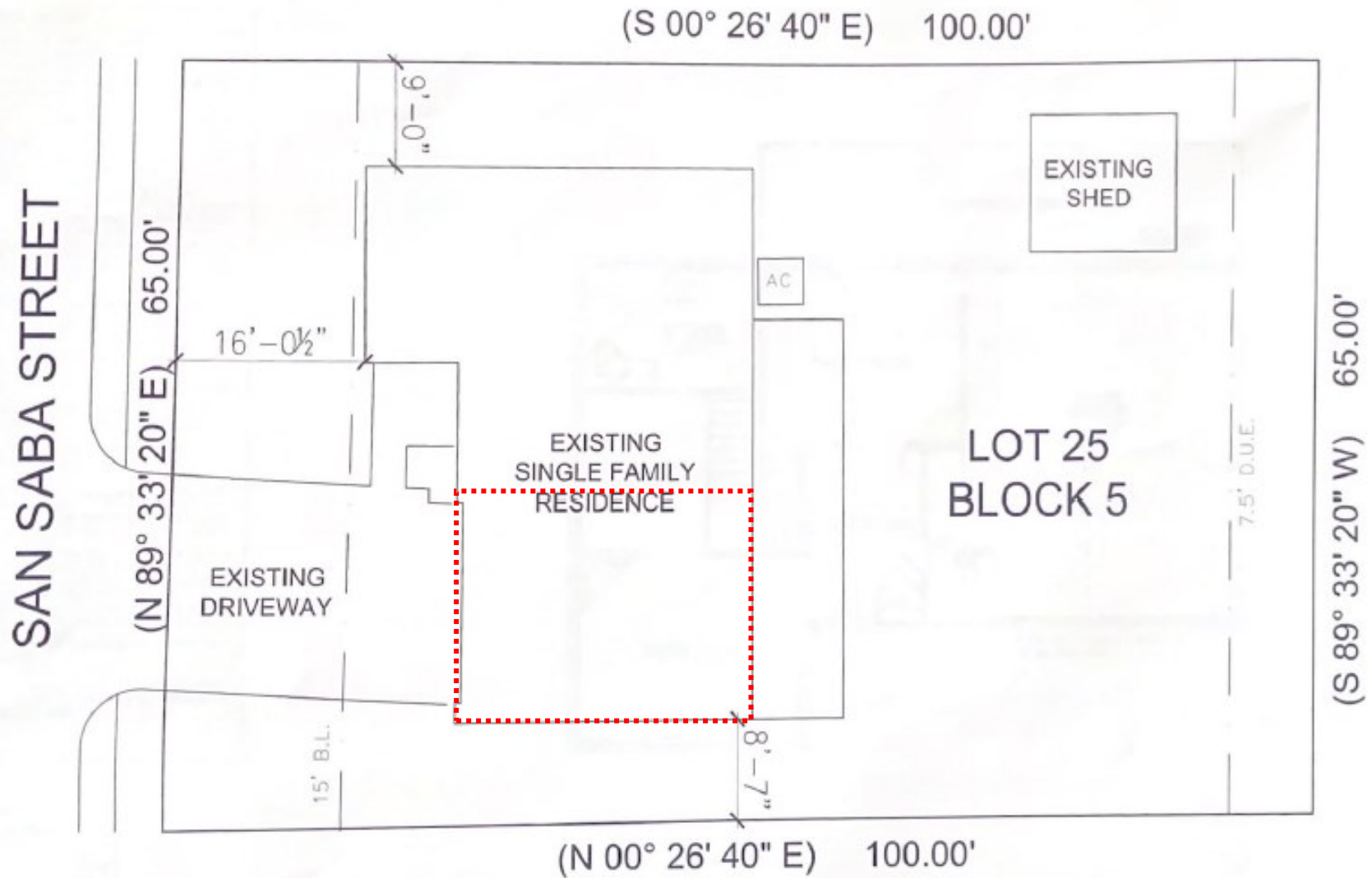


Exhibit B - Building Plans
Page 2 of 2

Item 4.

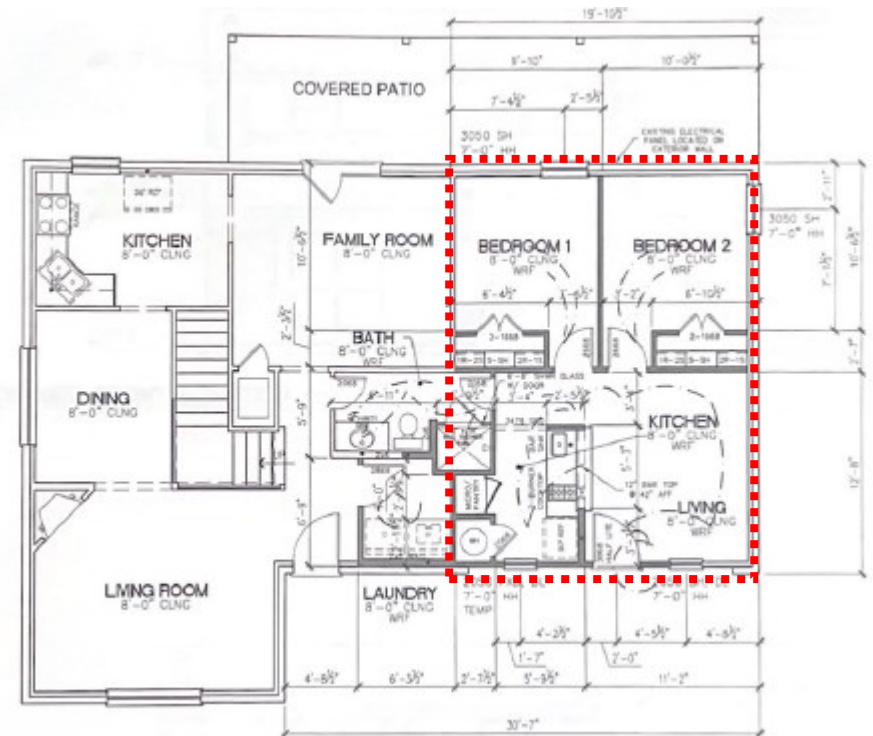
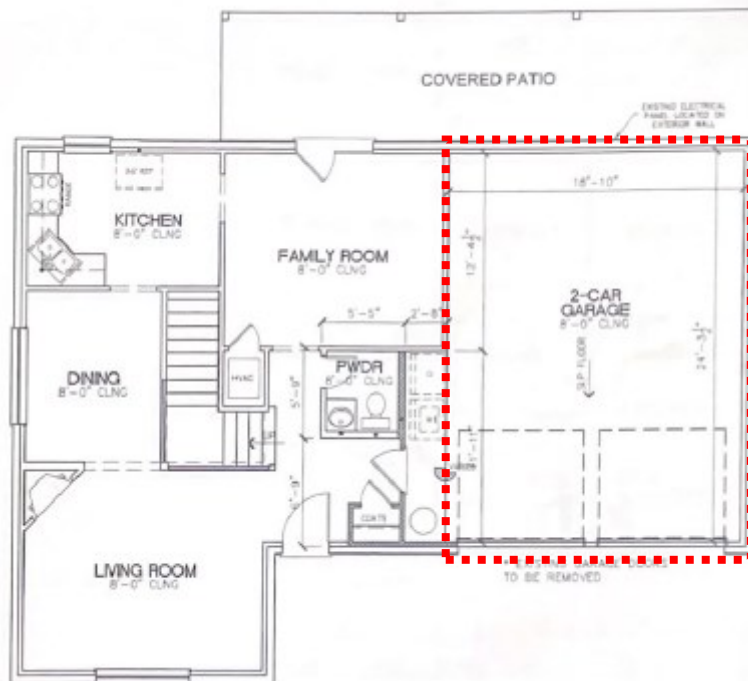


Exhibit C - Photos
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