



ZONING BOARD OF ADJUSTMENTS AND APPEALS
VIDEO CONFERENCE
WEDNESDAY, FEBRUARY 17, 2021 AT 6:30 PM

AGENDA

Due to an imminent threat to public health and safety arising from the COVID-19 pandemic, this meeting of the Zoning Board of Adjustments and Appeals will be held via videoconference at the indicated date and time. No facility shall be available for the public to attend in person. For further information contact the City of Grand Prairie Planning Department (972) 237-8255.

Members of the public may participate in the meeting remotely via broadcast by webinar or telephone through the following URL location:

You are invited to a Zoom webinar.

When: Feb 17, 2021 06:30 PM Central Time (US and Canada)

Topic: City of Grand Prairie - Zoning Board of Adjustments & Appeals Meeting

Please click the link below to join the webinar:

<https://gptx.zoom.us/j/95117076667?pwd=eG5xL29ZaFlJeEhaU25HRk1hUnN6UT09>

Passcode: 203803

Or iPhone one-tap :

**US: +13462487799,,95117076667#,,,,*203803# or
+16699006833,,95117076667#,,,,*203803#**

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

**US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 408 638 0968 or +1
646 876 9923 or +1 301 715 8592 or +1 312 626 6799**

Webinar ID: 951 1707 6667

Passcode: 203803

International numbers available: <https://gptx.zoom.us/u/adH6FoSt8I>

All meeting participants attending remotely will be automatically muted until it is their turn to speak. To be recognized to speak, use the “raise hand” feature in the Zoom meeting platform. Those joining the meeting by phone may press *9 to raise your hand. After speaking, please remute your

phone by pressing *6. Any speaker wishing to visually display documents in connection with a presentation must submit them to jtooley@gptx.org in PDF format no later than 3 o'clock p.m. on February 17, 2021.

BRIEFING - 6:30 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.

CALL TO ORDER - 7:00 PM

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.

INVOCATION

APPROVAL OF MINUTES

1. Approval of the January 20, 2021 Meeting Minutes

PUBLIC HEARING

2. **BA210203 (Council District 5)** – Variance to the side yard setback at 602 NW 18th Street, legally described as Lot 17, Block 160, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.
 - Variance: Construction of a single-family dwelling in the side yard setback.
Required Setback: 6 feet.
Requested Setback: 5 feet.
3. **BA210204 (Council District 5)** – Construction of a carport at 1101 Ruea Street, legally described as Lot 1 and part of Lot 2, Block 1, Pecan Acres Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.
 - Special Exception: Construction of a carport.
 - Variance: Construction of a carport that exceeds maximum area.
Required Maximum Area: 500 square feet.
Requested Area: 625 square feet.

CITIZEN COMMENTS

Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda by following instructions in the Virtual Meeting Details.

ADJOURNMENT

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 12, 2021.

Posted By: Monica Espinoza

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.

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

It is the custom and tradition of the members of the Zoning Board of Adjustments and Appeals to have an invocation prior to the beginning of its meetings. The invocation is directed to and offered solely for the benefit of the members of the Board, though members of the audience are welcome to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and will have no bearing on any matter considered or decision made by the Board during the meeting.



Monica Espinoza, Planning Secretary



Zoom Virtual Meeting

MEETING AGENDA

Zoning Board of Adjustments and Appeals

Date: January 20, 2021

Due to an imminent threat to public health and safety arising from the COVID-19 pandemic, this meeting of the Zoning Board of Adjustments and Appeals shall be held via videoconference. The members of the Board will participate remotely via videoconference. No facility shall be available for the public to attend in person.

BRIEFING:

6:39 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 type="checkbox"/> Martin Caballero |
| <input checked="" type="checkbox"/> Michelle Madden | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input checked="" type="checkbox"/> Clayton Hutchins | <input checked="" type="checkbox"/> Heather Mazac |
| <input type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Robert Mendoza |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Ralph Castro | <input type="checkbox"/> David Baker |
| <input checked="" type="checkbox"/> Tommy Land | |

1. BA210101 (Council District 3) – Variance to the side yard setback at 1611 Hardy Road, legally described as Lot 6-R2, Block 5, Lakecrest Addition No. 2, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

- a. Variance: Construction of a single-family dwelling in the side yard setback.
Required Setback: 6 feet.
Requested Setback: 5 feet

Mr. Tooley presented the case and stated that this case came in September of 2020 to have the lot split into 2 which was approved. The staff does not object to the case

Any questions from Board: Barry Sandacz asked what the applicant is asking for? Mr Tooley stated he was looking for a foot on each side. Mr. Tooley also stated that City Council had approved a 5ft setback for lots down the street

2. BA210102 (Council District 2) - Special exception to convert garage parking spaces into living space at 709 Pinoak Drive, legally described as Lot 13, Block D, Cross Timbers Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Two Residential District.

- a. Special Exception: Conversion of garage into living space.
Required: Two garage parking spaces.
Requested: No garage parking spaces.

Mr. Tooley presented the case. 44 notices were sent out and none were sent back for opposition nor support. The staff recommends approval

Any questions from Board: No questions from Board

3. BA210103 (Council District 1) – Variance to lot size requirements at 401 SW 14th Street, legally described as Lot 1, Part Lot 2 and Abandoned Right of Way, Block 108, Dalworth Park, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

- a. Variance: Creation of two lots that exceed the maximum density allowed. Maximum density allowed: 5.8 dwelling units per acre.
Requested density: 6.7 dwelling units per acre.
- b. Variance: Creation of two lots that do not meet the minimum area requirement.
Required area: 7,200 Square Feet.
Requested area: 6,562 Square Feet.

Mr. Tooley presented the case and explained how this was a city-initiated request due to City error. This case came to the Board in June of 2020

Any questions from Board: Barry Sandacz asked why this was staff initiated and if staff initiated then why bring it before the Board.

Mr. Tooley answered that this should have been included with the last case but was missed by staff. This case needs to be approved by the Board so that their final plat can be approved by Planning and Zoning Commission.

CALL TO ORDER

7:00 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 type="checkbox"/> Martin Caballero |
| <input checked="" type="checkbox"/> Michelle Madden | <input checked="" type="checkbox"/> Debbie Hubacek |
| <input checked="" type="checkbox"/> Clayton Hutchins | <input checked="" type="checkbox"/> Heather Mazac |
| <input type="checkbox"/> Timothy Ibidapo | <input checked="" type="checkbox"/> Robert Mendoza |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Ralph Castro | <input type="checkbox"/> David Baker |
| <input checked="" type="checkbox"/> Tommy Land | |

INVOCATION:

Clayton Hutchins led the invocation

APPROVAL OF MINUTES:

The motion to Approve the minutes made by **Michelle Madden**

The motion was seconded by **Clayton Hutchins**

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

Members that objected: None

PUBLIC HEARING:

1. BA210101 (Council District 3) – Variance to the side yard setback at 1611 Hardy Road, legally described as Lot 6-R2, Block 5, Lakecrest Addition No. 2, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

- a. Variance: Construction of a single-family dwelling in the side yard setback.
 Required Setback: 6 feet.
 Requested Setback: 5 feet.

Applicant / Spokesperson: Ernesto Rodriguez
Address: 1609 Hardy Rd Grand Prairie, TX 75050

Any comments from Spokesman:

The applicant had plans drafted for a house and would like to build a little larger house.

Any questions from Board: None

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 to the public hearing and Approve the Case made by **Michelle Madden**

The motion was seconded by **Clayton Hutchins**

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

Members that objected: None

Any conditions: None

The public hearing was closed.

2. BA210102 (Council District 2) - Special exception to convert garage parking spaces into living space at 709 Pinoak Drive, legally described as Lot 13, Block D, Cross Timbers Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Two Residential District.

a. Special Exception: Conversion of garage into living space.

Required: Two garage parking spaces.

Requested: No garage parking spaces.

Applicant / Spokesperson: Laurencia Alonzo

Address: 709 Pinoak Dr. Grand Prairie, TX 75052

Any comments from Spokesman:

The applicant intends to convert her garage into a room so she can take care of her father.

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 to the public hearing and Approve the Case made by

Michelle Madden

The motion was seconded by **Clayton Hutchins**

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

Members that objected: None

Any conditions: None

The public hearing was closed.

3. BA210103 (Council District 1) – Variance to lot size requirements at 401 SW 14th Street, legally described as Lot 1, Part Lot 2 and Abandoned Right of Way, Block 108, Dalworth Park, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

- c. Variance: Creation of two lots that exceed the maximum density allowed. Maximum density allowed: 5.8 dwelling units per acre.
Requested density: 6.7 dwelling units per acre.
- d. Variance: Creation of two lots that do not meet the minimum area requirement.
Required area: 7,200 Square Feet.
Requested area: 6,562 Square Feet.

Applicant / Spokesperson: Juan Granados

Address: 401 SW 14TH ST Grand Prairie, TX 75051

Any comments from Spokesman:

Any questions from Board:

Clayton Hutchins asked if the Replat has been filed. Mr. Tooley answered that the Replat is pending this meeting

Mr. Hutchins asked if the applicant understands that they cannot building until they have approval from PNZ

Mr. Tooley answered that yes, they do

Barry Sandacz asked what was the staffing position. Mr. Tooley stated that staff recommends approval

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 to the public hearing and Approve the Case made by

Michelle Madden

The motion was seconded by **Heather Mazac**

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

Members that objected: None

Any conditions: None

The public hearing was closed.

NEW BUSINESS: None

CITIZENS COMMENTS: None

ADJOURNMENT : The meeting was adjourned at 7:24 PM

Signed on this the _____ day of February 2021

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

by: _____
Printed Name: _____
Title: _____



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 02/17/2021

REQUESTER: Monica Espinoza

PRESENTER: Jonathan Tooley, Planner

TITLE: BA210203 (Council District 5) – Variance to the side yard setback at 602 NW 18th Street, legally described as Lot 17, Block 160, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

1. Variance: Construction of a single-family dwelling in the side yard setback.
Required Setback: 6 feet.
Requested Setback: 5 feet.

RECOMMENDED ACTION: Approve

SUMMARY:

Owner/Applicant: Jesus Amador

Agent: Edgar Graciano

BA210203 (Council District 5) – Variance to the side yard setback at 602 NW 18th Street, legally described as Lot 17, Block 160, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

1. Variance: Construction of a single-family dwelling in the side yard setback.
Required Setback: 6 feet.
Requested Setback: 5 feet.

PURPOSE OF REQUEST:

The applicant is requesting a variance to the side yard setback required by the base zoning, SF-4. Mr. Amador is planning to build a single-family dwelling on the property. The Unified Development Code requires that all primary structures located within SF-4 zoning must maintain a six-foot setback from the side property line. The home that Mr. Amador is planning to construct does not meet this requirement, thus the applicant is requesting a one-foot setback variance.

Dalworth Park is one of the oldest neighborhoods within the City of Grand Prairie. The original plat dates back to the 1940s. The neighborhood was platted to the zoning requirements in place at the time but does not meet today's SF-4 zoning requirements. Therefore, the lot is considered legal

nonconforming, which the UDC addresses and exempts lots like these from the width, depth, and size requirements.

The applicant's request is in line with the existing established neighborhood. The platted lot has approximately 1,000 square feet less area than required by the zoning, making it difficult to meet the minimum living area and setbacks. The applicant has addressed this by proposing a two-story home to increase the square footage and relocating the garage to the rear of the house, but still requires a variance to the internal side setback.

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram February 5th and February 14th.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on February 4th.

28 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 such 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: The variance will not authorize the operation of a use other than those already allowed in Single Family-Four Residential Zoning 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 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 such a variance will not alter the essential character of the district. As we have seen with other cases in the Dalworth Park subdivision, the lots were platted before the current zoning was put in place. Because of the restrictiveness of the zoning and the surrounding properties, staff believes the variance request is in line with the established 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 believes that such variance for a setback reduction 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 finds that the property owner does 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 not self-created.

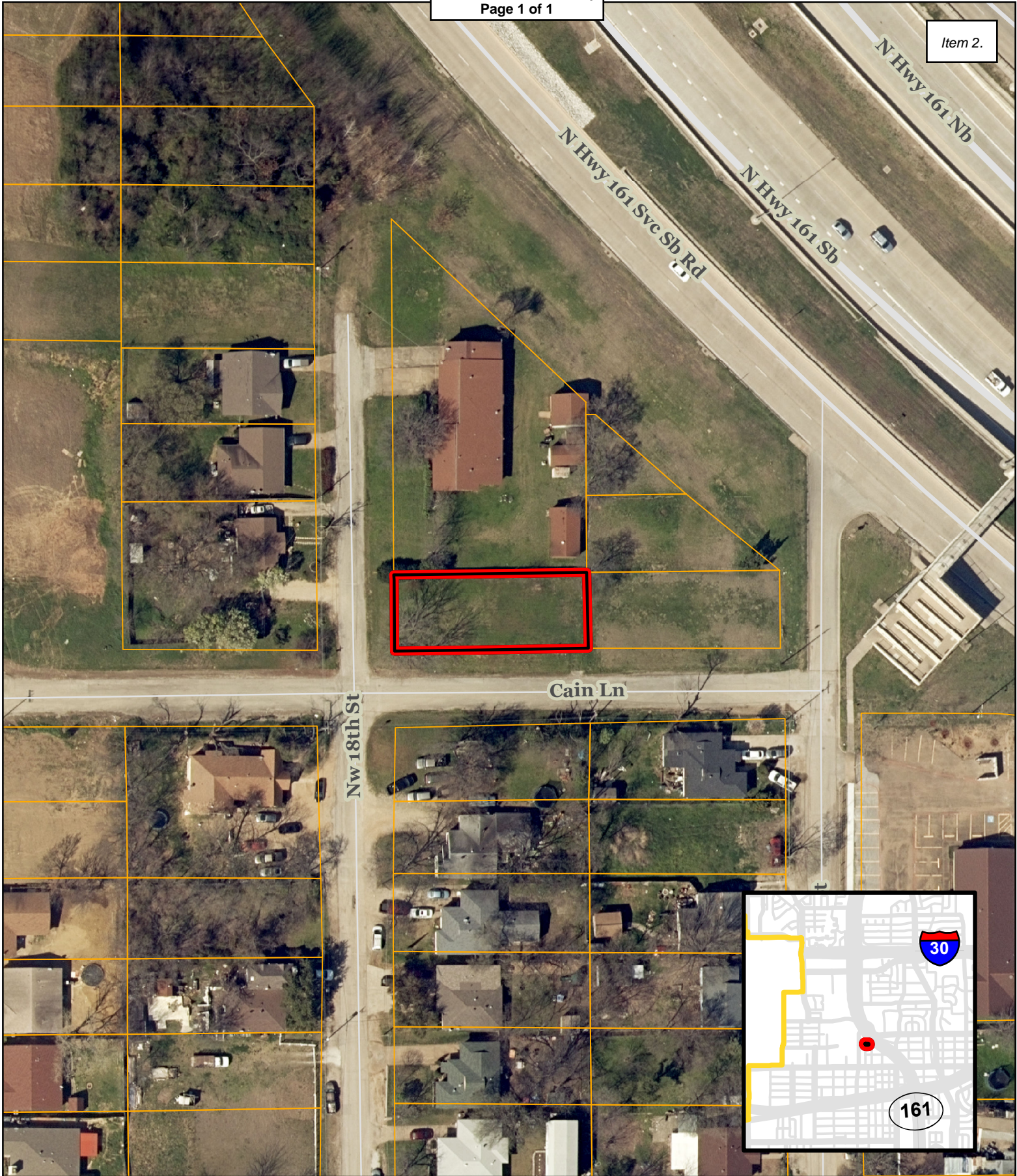
RECOMMENDATION:

Staff recommends approval of BA210203 as requested.

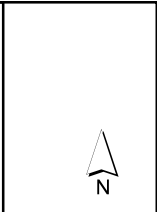
If the board chooses to grant the applicants request, he/she must abide to the following below:

1. **Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2015 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.**

Item 2.

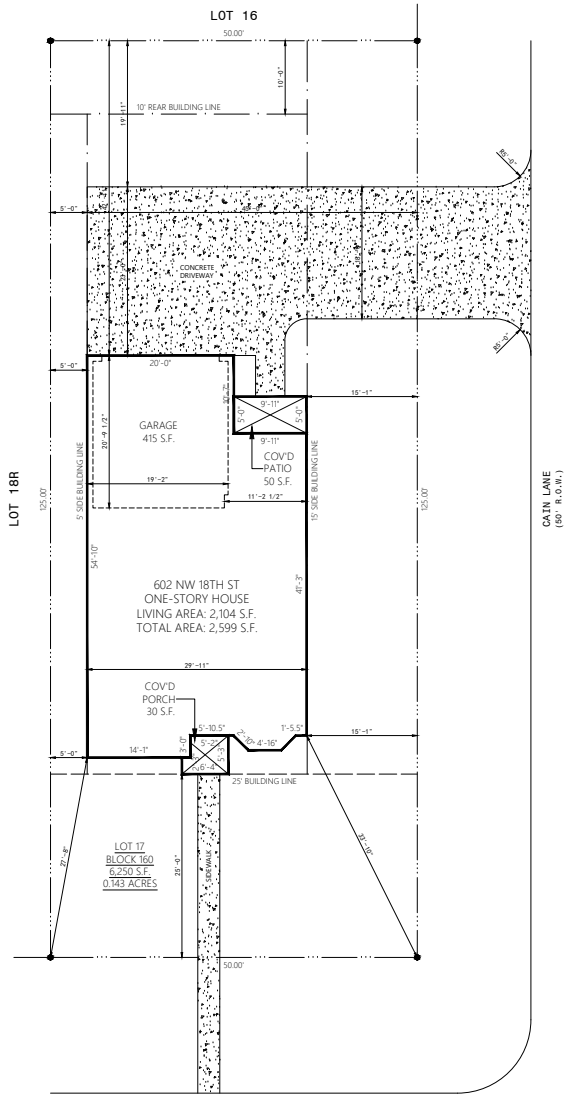


CASE LOCATION MAP
BA210203
602 NW 18th Street



City of Grand Prairie
Development Services
 ☎ (972) 237-8255
 🌐 www.gptx.org

Exhibit B - Site Plan
Page 1 of 1



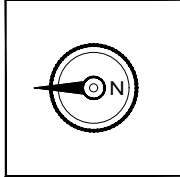
NW 18TH ST
 (60' R.O.W.)

SITE PLAN
 Scale: 1/8"=1'-0"

PROJECT DATA	
PROJECT NAME:	NEW HOUSE
ADDRESS:	602 NW 18TH ST GRAND PRAIRIE TX 75051
OWNER/CUSTOMER:	JESUS AMADOR
LEGAL DESCRIPTION:	DALWORTH PARK BLOCK 160, LOT 17

AREAS CALCULATIONS TABLE	
1ST. FLOOR:	1,085.0 S.F.
2ND. FLOOR:	1,019.0 S.F.
TOTAL LIVING AREA:	2,104.0 S.F.
2-CAR GARAGE:	415.0 S.F.
COVERED PORCH:	30.0 S.F.
COVERED PATIO:	50.0 S.F.
TOTAL COVERED AREA:	2,599.0 S.F.
TOTAL COVERED SLAB:	1,580.0 S.F.
LOT LOT AREA:	6,250.0 SQ. FT.
LOT COVERAGE PERCENTAGE:	25.28 %
TOTAL ACRES AREA:	0.143 ACRES

- GENERAL NOTES:**
1. THE GENERAL CONTRACTOR/BUILDER SHALL EXAMINE AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THESE PLANDOCUMENTS AND SHALL NOTIFY OWNER OF ANY DISCREPANCIES AND/OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION.
 2. THESE PLANS ARE INTENDED FOR THE GENERAL RESIDENTIAL CONSTRUCTION PURPOSES ONLY AND ARE NOT EXHAUSTIVELY DETAILED OR FULLY SPECIFIED.
 3. THE GENERAL CONTRACTOR SHALL SUPERVISE CONSTRUCTION AND IT SHALL BE RESPONSIBILITY TO SELECT, VERIFY, RESOLVE AND INSTALL ALL EQUIPMENT AND MATERIALS AND TO CONTROL THE QUALITY THEREOF.
 4. ALL WORK PERFORMED ON THIS PROJECT SHALL MEET OR EXCEED THE CURRENT EDITION OF THE UNIFORM BUILDING CODE AND ALL APPLICABLE STATE AND LOCAL ORDINANCES, CODES AND REGULATIONS.
 5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ANY ENGINEERING NECESSARY TO THE STABILITY OF THE STRUCTURES OF THE PROJECT. FURTHERMORE IT RECOMMENDS THAT THESE PLANS SHALL BE REVIEWED BY A QUALIFIED PROFESSIONAL ENGINEER.



Customer(s)/Owner(s):
Jesus Amador

Legal Description:
**Dalworth Park
 Block 160
 Lot 17**

Project Address:
**602 NW 18th Street
 Grand Prairie TX 75051**

Project Name:
New House

Plan Name:
SITE PLAN

Project #:	Drawn By:
SAR21-2616-L17	PSA
Date:	Scale:
01-14-2021	
Page:	19





CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 02/17/2021

REQUESTER: Monica Espinoza

PRESENTER: Jonathan Tooley, Planner

TITLE: BA210204 (Council District 5) – Construction of a carport at 1101 Ruea Street, legally described as Lot 1 and part of Lot 2, Block 1, Pecan Acres Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

1. Special Exception: Construction of a carport.
2. Variance: Construction of a carport that exceeds maximum area.
Required Maximum Area: 500 square feet.
Requested Area: 625 square feet.

RECOMMENDED ACTION: Staff does not object to the request.

SUMMARY:

Owner/Applicant: James and Gale McPherson

BA210204 (Council District 5) – Construction of a carport at 1101 Ruea Street, legally described as Lot 1 and part of Lot 2, Block 1, Pecan Acres Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

1. Special Exception: Construction of a carport.
2. Variance: Construction of a carport that exceeds maximum area.
Required Maximum Area: 500 square feet.
Requested Area: 625 square feet.

PURPOSE OF REQUEST:

The applicant intends to construct a 625 square foot attached carport with a maximum height of 9.5 feet. Article 6 of the Unified Development Code requires a special exception for front and side yard carports. The applicant's request is for a side yard carport that will face NE 11th Street. Additionally, the applicant is requesting a variance from the size requirement stated in Article 6. The UDC requires that carports are allowed a maximum size area of 500 square feet. The applicant is requesting a variance to allow for a 625 square foot carport.

Because the carport is attached to the primary structure, the structure is no longer considered an accessory structure but a part of the primary structure. This means the proposed carport does not count

towards the limit of allowable accessory structures and maximum square footage of accessory structures on one property. The applicant currently has other accessory structures that staff was unable to discover permits for, including a metal carport in the backyard. From the staff’s investigation, the structures have been on the property for at least ten years.

Table 1. Summary of Carport Requirements – Article 6

Standard	Required	Provided	Meets?
Max Width (ft.)	26	25	Yes
Max Depth (ft.)	N/A	25	Yes
Max Size (sq. ft.)	500	625	No
Max Height (ft.)	Same as primary structure	9.5	Yes
Front Setback (ft.)	5	11	Yes

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

PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram February 5th and February 14th.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on February 4th.

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 such variance will not substantially or permanently injure the adjacent property owners. The applicant has provided staff with a list of signatures from the adjacent owners consenting to the proposed carport. The proposed carport is on the right-of-way side of the property.

- 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: *The variance will not authorize the operation of a use other than those already allowed in Single Family-Four Residential Zoning 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 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 such a variance will not alter the essential character of the district. This neighborhood contains many permitted carports. Staff confirmed that there is at least one permitted carport within 300 feet of this property.*

- 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 such variance for a carport will not substantially weaken the general purpose of the underlying zoning district. It is staff's preference that the applicant meet the requirements of the Unified Development Code.*

- 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 finds that the property owner does not 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 BA210204 as requested.

If the board chooses to grant the applicants request, he/she must abide to the following below:

1. **Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2015 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.

Item 3.



CASE LOCATION MAP

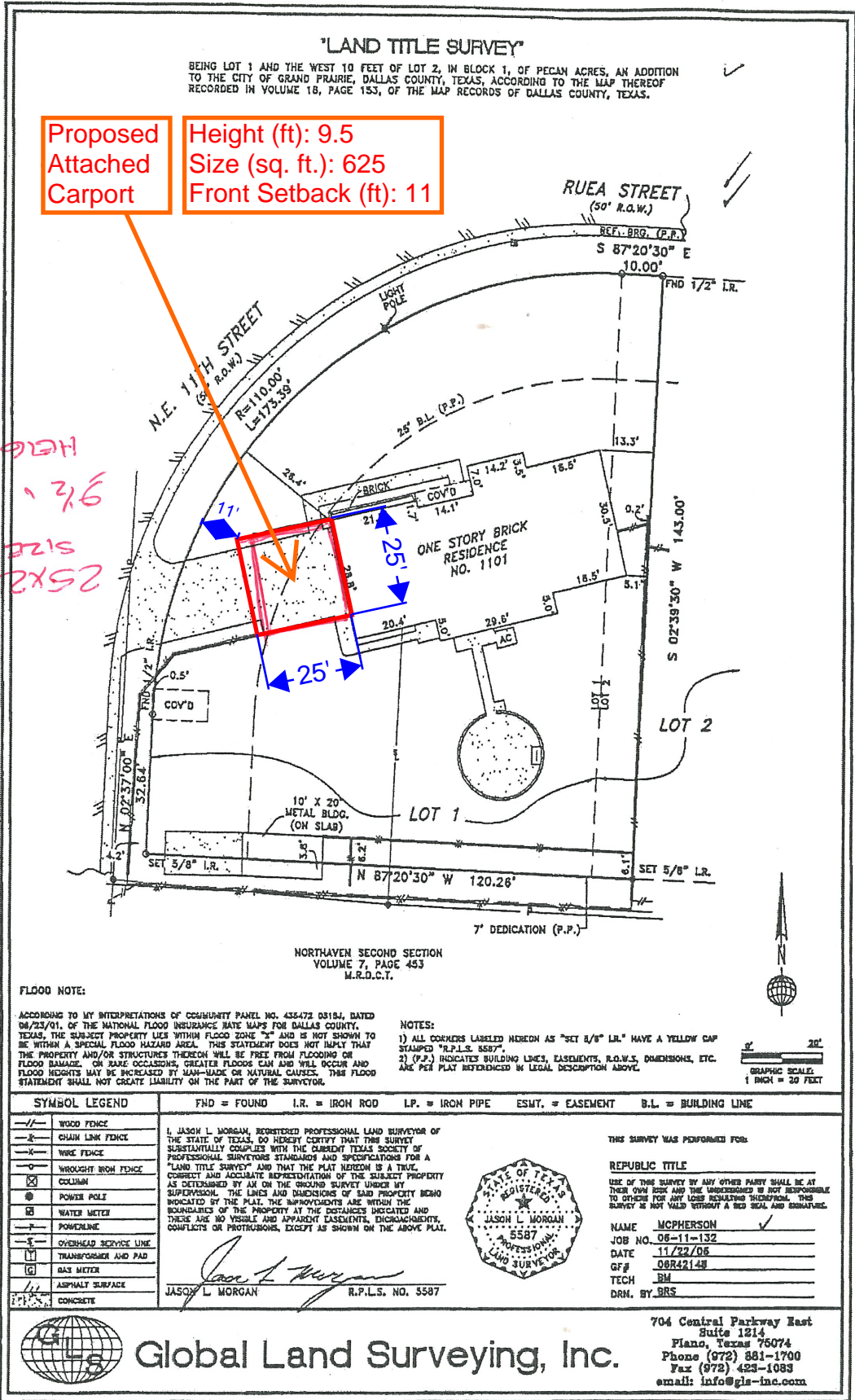
BA210204

1101 Ruea



**City of Grand Prairie
Development Services**

(972) 237-8255
www.gptx.org





James & Gale Pherson
1101 Rhea St

We would like to build a 25x25x9 1/2
carport

Name	Address
DAVID GRAY	901 NE 11TH G.P. 75050
NORM ROUSSINI	905 NE 11TH ST
JOE PEZULLO	909 NE 11TH ST
Dr Ann Owens	911 NE 11TH ST
Dawn Fuller	914 N.E. 11 th
Jerry Corley	910 NE 11th Street
Jessica Morales	1109 Rhea St
Martin Morales	1112 Willow St

