



**ZONING BOARD OF ADJUSTMENTS AND APPEALS**  
**CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET**  
**MONDAY, SEPTEMBER 18, 2023 AT 5:30 PM**

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**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**

**ELECTION OF OFFICERS**

**APPROVAL OF MINUTES**

1. Approval of the August 21, 2023 Meeting Minutes

**PUBLIC HEARING**

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

2. ZBA-23-06-0043 (Council District 3) – Variances to reduce the minimum side setback and increase the maximum area for an accessory structure permitted under the Unified Development Code, located at 2125 Windchime Drive, legally described as Lot 13, Block 5, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development District-75.
3. ZBA-23-08-0054 (Council District 3) – Variance to increase the width of a carport permitted under the Unified Development Code, located at 2221 Sheriff Drive, legally described as Lot 20, Block 6, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development -75
4. ZBA-23-08-0055 (Council District 1) – Special Exception for a conversion of a garage into living space, located at 418 Manana Drive, legally described as Lot 19, Block A, Greenwood Hills

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

- [5.](#) ZBA-23-08-0056 (Council District 1) – Special Exception for a front yard carport, located at 2302 March Lane, legally described as Lot 15, Block G, Sherwood Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District
- [6.](#) ZBA-23-08-0057 (Council District 1) – Special Exception to allow for stacked parking and to reduce the number of off-street parking spaces permitted under the Unified Development Code, located at 810, 812, 814, and 816 Premier Parkway, legally described as Lots 4-7, Carrier Parkway Townhomes Addition, City of Grand Prairie, Dallas County, Texas, zoned Multi Family-One

## **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 September 14, 2023.*



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*Monica Espinoza, Planning Secretary*



**300 W. Main Street – Council Chambers**

**MEETING AGENDA**

Zoning Board of Adjustments and Appeals

Date: August 21st, 2023

**BRIEFING:**

**5:43 P.M.**

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

**Board Members In Attendance:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Barry Sandacz        | <input type="checkbox"/> Kimberly Akinrodoye        |
| <input checked="" type="checkbox"/> Eric Hedin           | <input checked="" type="checkbox"/> Debbie Hubacek  |
| <input checked="" type="checkbox"/> Clayton Hutchins     | <input checked="" type="checkbox"/> David Baker     |
| <input checked="" type="checkbox"/> Timothy Ibidapo      | <input checked="" type="checkbox"/> Jose Linarez    |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input checked="" type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Tommy Land                      |   |

- 2. ZBA-23-06-0043 (Council District 3) -** Variances to reduce the minimum side setback and increase the maximum area for an accessory structure permitted under the Unified Development Code, located at 2125 Windchime Drive, legally described as Lot 13, Block 5, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development District-75

Brittany Musser from Planning briefed the Board on the case. Staff requested to table this item to the next ZBA meeting on September 18, 2023.

- 3. ZBA-23-07-0050 (Council District 2) -** Variances to reduce the minimum rear setback for an accessory structure permitted under the Unified Development Code, located at 2923 England Parkway, legally described as Lot 1, Block F, Bella Vista at Mira Lagos, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development District-271-A.

Brittany Musser from Planning briefed the Board on the case. The applicant has withdrawn

this application. No action is needed on this item.

- 4. ZBA-23-07-0052 (Council District 2)** Variance to allow for alternative fencing material and to increase the maximum height for a fence permitted under the Unified Development Code, located at 209 Cedar Drive, legally described as Lot 12, Block, 1, Dow Place Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District.

Brittany Musser from Planning briefed the Board on the case.

#### **OPEN MEETINGS ACT PRESENTATION:**

Chuong Phung, Assistant City Attorney, presented the Open Meetings Act and Code of Conduct to the Board.

#### **ELECTION OF OFFICERS:**

Brittany Musser from Planning announced that the election of officers would take place during the public hearing at the next ZBA meeting.

Briefing was adjourned at 6:01 pm

#### **CALL TO ORDER**

**6:02 P.M.**

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

#### **Board Members In Attendance:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Barry Sandacz        | <input type="checkbox"/> Kimberly Akinrodoye        |
| <input checked="" type="checkbox"/> Eric Hedin           | <input checked="" type="checkbox"/> Debbie Hubacek  |
| <input checked="" type="checkbox"/> Clayton Hutchins     | <input checked="" type="checkbox"/> David Baker     |
| <input checked="" type="checkbox"/> Timothy Ibidapo      | <input checked="" type="checkbox"/> Jose Linarez    |
| <input checked="" type="checkbox"/> Anthony Langston Sr. | <input checked="" type="checkbox"/> Melinda Rodgers |
| <input type="checkbox"/> Tommy Land                      |   |

#### **INVOCATION:**

**Clayton Hutchins** led the invocation

#### **APPROVAL OF MINUTES:**



The motion to Approve the minutes made by **David Baker**  
 The motion was seconded by **Clayton Hutchins**  
**Motion Carried 9-0**

## **PUBLIC HEARING:**

2. **ZBA-23-06-0043 (Council District 3)** - Variances to reduce the minimum side setback and increase the maximum area for an accessory structure permitted under the Unified Development Code, located at 2125 Windchime Drive, legally described as Lot 13, Block 5, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development District-75

Brittany Musser presented to the Board that the applicant requested this item to be tabled to the next ZBA meeting on September 18, 2023.

The motion to table the item by **David Baker**  
 The motion was seconded by **Timothy Ibidapo**

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

3. **ZBA-23-07-0050 (Council District 2)** - Variances to reduce the minimum rear setback for an accessory structure permitted under the Unified Development Code, located at 2923 England Parkway, legally described as Lot 1, Block F, Bella Vista at Mira Lagos, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development District-271-A.

Brittany Musser presented to the Board that the applicant withdrew his request.

No motion was taken on this item.

4. **ZBA-23-07-0052 (Council District 2)** Variance to allow for alternative fencing material and to increase the maximum height for a fence permitted under the Unified Development Code, located at 209 Cedar Drive, legally described as Lot 12, Block, 1, Dow Place Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District.

Brittany Musser presented the case to the Board. This is a variance request for the fence height and fence material. The applicant currently has a fence of 6ft along the property line. The applicant constructed the fence with wood and welded wire, which is not a residential grade material per UDC. 15 notices were sent out 0 were returned in support and 4 were returned in opposition. There was also a concern regarding a portion of fences located inside a visibility triangle.

**Applicant / Spokesperson:** Reju Rajan

**Address:** 209 Cedar Drive

**Any comments from Spokesman:** Mr. Rajan briefed the board on his ties to the city and the background of the fence violation. Mr. Rajan made his arguments for keeping his fence in its current standard, as he felt the current fence was adequate for the acreage on his property and that the fence provided adequate security. Mr. Rajan provided examples of a neighboring property with fencing that meets current city code and how that fencing failed to keep livestock safe.

**Any questions from Board:** David Baker if Mr. Rajan would consider changing out the wooden posts to metal posts. Mr. Rajan responded that the posts were metal posts, with wooden slats for decoration. Mr. Rajan stated that he would not be opposed to painting once he received approval for the variance from the Board.

Eric Heden asked Mr. Rajan if the welded wire covered the entire fence. Mr. Rajan clarified that the welded wire only went up four feet. Mr. Heden asked if the top portion of the fence was for decoration. Mr. Rajan clarified that the top of the fence was to prevent his dog from jumping over the fence.

Debbie Hubacek inquired about whether the images of fence presented to the Board were current at the time of the meeting. Mr. Rajan acknowledged that the images presented the fence as it was at the time of the meeting.

Eric Heden asked if the welded wiring on the bottom of the fence is heavy-duty. Mr. Rajan acknowledged that it is.

Jose Linarez asked Mr. Rajan if there were any supporting material running along the bottom of the fence. Mr. Rajan responded by explaining that is supporting material at the bottom of the fence for support. Mr. Rajan also explained that the metal posts have been driven into the ground.

Timothy Ibidapo asked Mr. Rajan whether the fence was five or six feet above ground. Mr. Rajan explained that the fence was five feet above ground.

**The following persons spoke in favor of the application:**

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

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

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**The following persons noted their opposition to the application**

Sue Smrcina 102 Cedar Drive

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

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

The applicant stated his understanding of the opposition for the fence and stated that he was willing to hear any input on the design of the fence, however, Mr. Rajan expressed his desire to keep the height of the fence at six feet and to keep the fencing the material.

David Baker asked Mr. Rajan if he would be open to replacing the framing of the fence with wrought iron material. Mr. Rajan agreed to be open to the idea.

Debbie Hubacek asked if the wood slat were to be removed from the fence, then would the fence look similar to neighboring fences. Mr. Rajan agreed.

David Baker asked Sue Smrcina if she would be okay with wrought iron poles as framing material for the fence. Sue Smrcina agreed if the fence were moved back from the property line.

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, with an amendment to require the fence to be moved outside of the visibility triangle and to replace the wood with wrought iron: **David Baker**

The motion was seconded by **Eric Hedin**

Debbie Hubacek commented that the board should consider what the applicant is requesting, which is to allow a fence which will add security and to consider the lack of uniformity of fencing in the neighborhood.

Clayton Hutchins commented that the city fencing regulations apply, regardless of whether a road is private or public, and that each case should be looked at individually and should not be compared.

Motion was approved/denied: **8** yays to **1** Nays

Members that objected:

Clayton Hutchins

**CITIZENS COMMENTS:**

There were no citizen comments.

**ADJOURNMENT: The meeting was adjourned at 6:53 pm**

Signed on this the \_\_\_\_\_ day of September 2023

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

**by:**\_\_\_\_\_

**Printed Name:**\_\_\_\_\_

**Title:**\_\_\_\_\_



## CITY OF GRAND PRAIRIE COMMUNICATION

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**MEETING DATE:** 09/18/2023

**REQUESTER:** Monica Espinoza, Administrative Supervisor

**PRESENTER:** Abdul R. Ghous, AICP, Senior Planner

**TITLE:** ZBA-23-06-0043 (Council District 3) – Variances to reduce the minimum side setback and increase the maximum area for an accessory structure permitted under the Unified Development Code, located at 2125 Windchime Drive, legally described as Lot 13, Block 5, Cinnamon Ridge Addition, City of Grand Prairie, Dallas County, Texas, zoned Planned Development District-75.

**APPLICANT:** Miguel Cardenas

**RECOMMENDED ACTION:** Table

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Staff is requesting to table this item to October 16<sup>th</sup> ZBA meeting.



## CITY OF GRAND PRAIRIE COMMUNICATION

**MEETING DATE:** 09/18/2023

**REQUESTER:** Monica Espinoza, Administrative Supervisor

**PRESENTER:** Christina Benante, AICP, LEED AP® ND, Planner

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

**APPLICANT:** Raul Garcia

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

### SUMMARY:

Variance to increase the width of a carport permitted under the Unified Development Code, located at 2221 Sheriff Drive, legally described as Lot 20, Block 6, Cinnamon Ridge, City of Grand Prairie, Dallas County, Texas, zoned Planned Development -75.

- A. Variance: Increase the maximum width of a Carport
  - Required width: 26 feet
  - Requested width: 27 feet

### PURPOSE OF REQUEST:

The applicant is requesting a variance to increase the width of a 486 square foot carport at 2221 Sheriff Drive. Article 6 of the Unified Development Code requires that carports be approved through the ZBA process and meet city requirements. The proposed carport is 27 feet x 18 feet with a height of 8 feet and is detached from 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 September 8 and September 17.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on September 8.

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

## **FINDINGS:**

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

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

***Staff Evaluation:** The exception is not expected to substantially or permanently injure the adjacent property owners.*

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

***Staff Evaluation:** The exception is not expected to adversely affect the health, safety, or general welfare of the public.*

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

***Staff Evaluation:** The exception is not expected to authorize the operation of a use other than those already allowed in the Planned Development - 75 District.*

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

***Staff Evaluation:** The exception is not expected to harm the spirit and purpose of this ordinance.*

- E. Such variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

***Staff Evaluation:** The exception is not expected to alter the essential character of the district.*

- F. Such variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located.

***Staff Evaluation:** The exception is not expected to substantially weaken the general purpose of the underlying zoning district.*

- G. The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including but not limited to the area, shape or slope, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

***Staff Evaluation:** A hardship that is a unique circumstance of the property has not been found.*



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

*Staff Evaluation: Staff finds that the hardship is self-created.*

**RECOMMENDATION:**

Staff **does not object to ZBA-23-08-0054 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.**

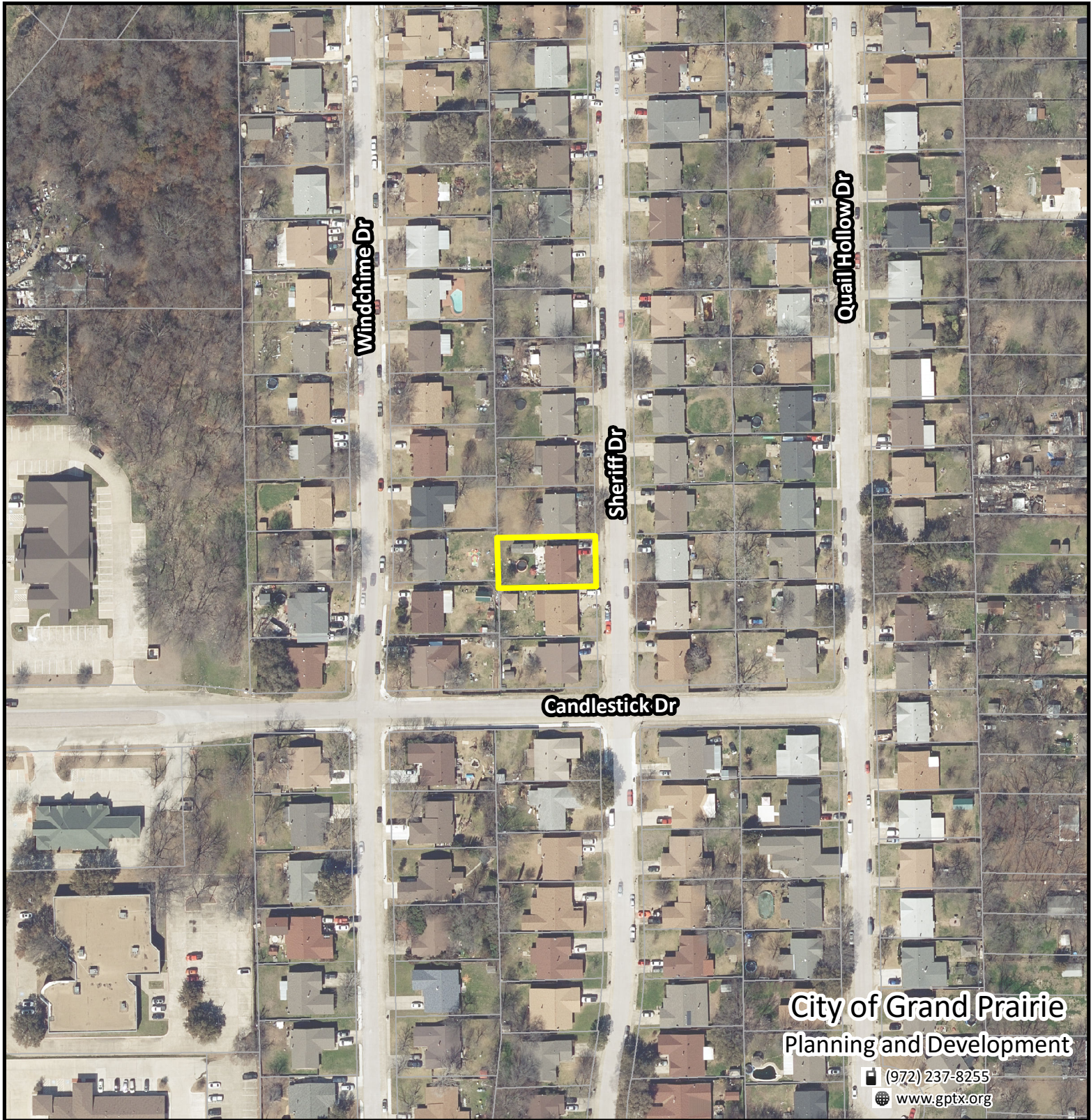





# Exhibit A- Location Map

## Page 1 of 1

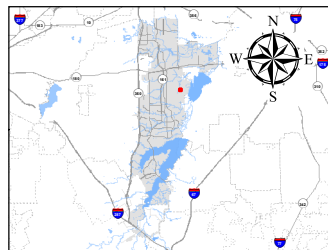
CASE LOCATION MAP  
ZBA-23-08-0054  
2221 SHERIFF DR

Item 3.



-  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 0.03 Miles  
**Grand Prairie**  
TEXAS  
**PLANNING**  
Date: 9/7/2023







**Photo**







## CITY OF GRAND PRAIRIE COMMUNICATION

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**MEETING DATE:** 9/18/2023

**REQUESTER:** Monica Espinoza

**PRESENTER:** Brittany Musser, Planner

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

**APPLICANT:** Joshua Flores

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

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### SUMMARY:

Special Exception for conversion of a garage into a living space, located at 418 Manana Drive, legally described as Lot 19, Block A, Greenwood Hills South Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

- a. Special Exception: Conversion of garage space 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. This case went before the Zoning Board of Adjustment and Appeals originally on January 18<sup>th</sup> and was tabled until the February 22<sup>nd</sup> meeting, where the request for a special exception for a garage conversion was denied. Article 1 of the UDC states that cases regarding the same manner may be reviewed again after a six (6) month period.

### HISTORY:

- February 22, 2023: Zoning Board of Adjustment and Appeals denied a request for a special exception for a garage conversion (Case Number ZBA-22-12-0073).

## PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram September 8 and September 17.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on September 8.

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

## FINDINGS:

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

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

*Staff Evaluation: The exception is not expected to 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 is not expected to adversely affect the health, safety, or general welfare of the public.*

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

*Staff Evaluation: The exception is not expected to authorize the operation of a use other than those already allowed in the Single Family-Three Residential District.*

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

*Staff Evaluation: The exception is not expected to harm the spirit and purpose of this ordinance. The granting of this exception will allow the homeowner to expand the amount of usable living space.*

- E. Such variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

*Staff Evaluation: The exception is not expected to alter the essential character of the district.*

- F. Such variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located.

**Staff Evaluation:** *The exception is not expected to substantially weaken the general purpose of the underlying zoning district.*

- G. The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including but not limited to the area, shape or slope, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

**Staff Evaluation:** *A hardship that is a unique circumstance of the property has not been found.*

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

**Staff Evaluation:** *Staff finds that the hardship is self-created.*

## **RECOMMENDATION:**

**Staff does not object to ZBA-23-08-0055 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

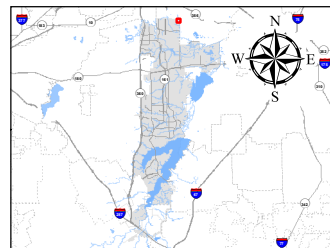
CASE LOCATION MAP  
ZBA-23-08-0055  
418 MANANA DRIVE

Item 4.



-  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 0.05 Miles

**Grand Prairie**  
TEXAS  
PLANNING  
Date: 9/7/2023





Exhibit C - Photos  
Page 1 of 1





## CITY OF GRAND PRAIRIE COMMUNICATION

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**MEETING DATE:** 09/18/2023

**REQUESTER:** Monica Espinoza, Administrative Supervisor

**PRESENTER:** Christina Benante, AICP, LEED AP® ND, Planner

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

**APPLICANT:** Blanca Rodriguez

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

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### SUMMARY:

Special Exception for a front yard carport, located at 2302 March Lane, legally described as Lot 15, Block G, Sherwood Estates Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

A. Special Exception: Construction of a carport

### PURPOSE OF REQUEST:

The applicant is requesting a special exception to build a 228 square foot front carport at 2302 March Lane. Article 6 of the Unified Development Code requires that carports be approved through the ZBA process and meet city requirements. The proposed carport is 19 feet x 12 feet with a height of 9 feet 6 inches and will be attached to the primary structure. Staff reviewed the surrounding area and found no permitted carports within 800 feet.

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 September 8 and September 17.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on September 8.

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

## FINDINGS:

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

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

**Staff Evaluation:** *The exception is not expected to substantially or permanently injure the adjacent property owners. There are existing carports in the neighborhood.*

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

**Staff Evaluation:** *The exception is not expected to adversely affect the health, safety, or general welfare of the public.*

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

**Staff Evaluation:** *The exception is not expected to authorize the operation of a use other than those already allowed in the Single Family-Three Residential District.*

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

**Staff Evaluation:** *The exception is not expected to harm the spirit and purpose of this ordinance.*

- E. Such variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

**Staff Evaluation:** *The exception is not expected to alter the essential character of the district. There are no existing legally permitted carports in the neighborhood. There are existing carports in the neighborhood.*

- F. Such variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located.

**Staff Evaluation:** *The exception is not expected to substantially weaken the general purpose of the underlying zoning district. There are existing carports in the neighborhood.*

- G. The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including but not limited to the area, shape or slope, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

**Staff Evaluation:** *A hardship that is a unique circumstance of the property has not been found.*



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

*Staff Evaluation: Staff finds that the hardship is self-created.*

**RECOMMENDATION:**

Staff **does not object to ZBA-23-08-0056 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.**

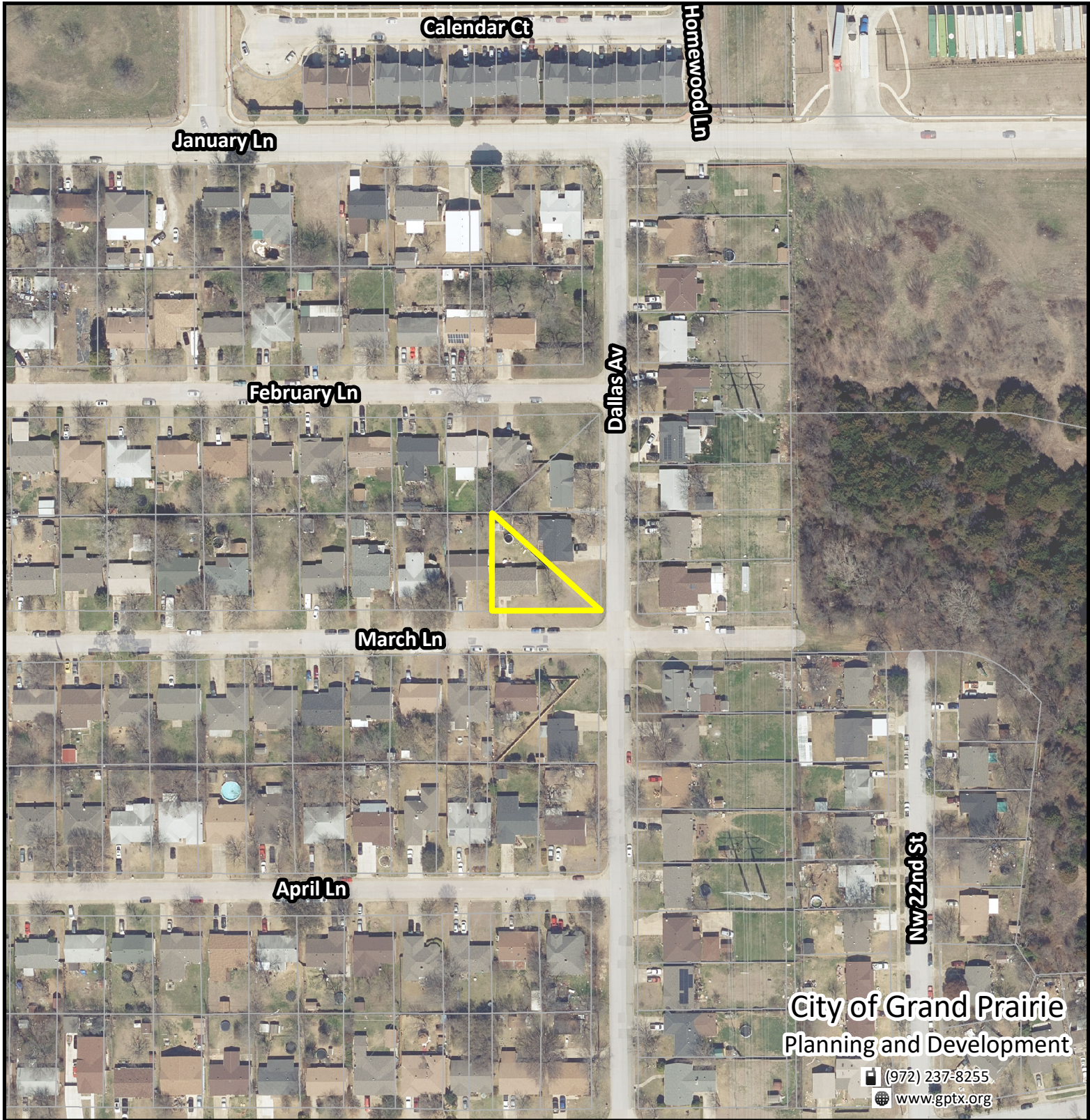


# Exhibit A- Location Map

## Page 1 of 1

CASE LOCATION MAP  
ZBA-23-08-0056  
2302 MARCH LANE




Item 5.



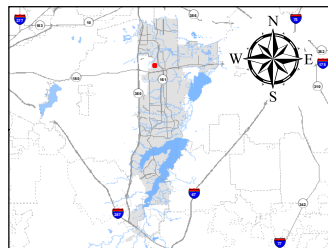
City of Grand Prairie  
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-  Location
-  Parcels
-  City Limits

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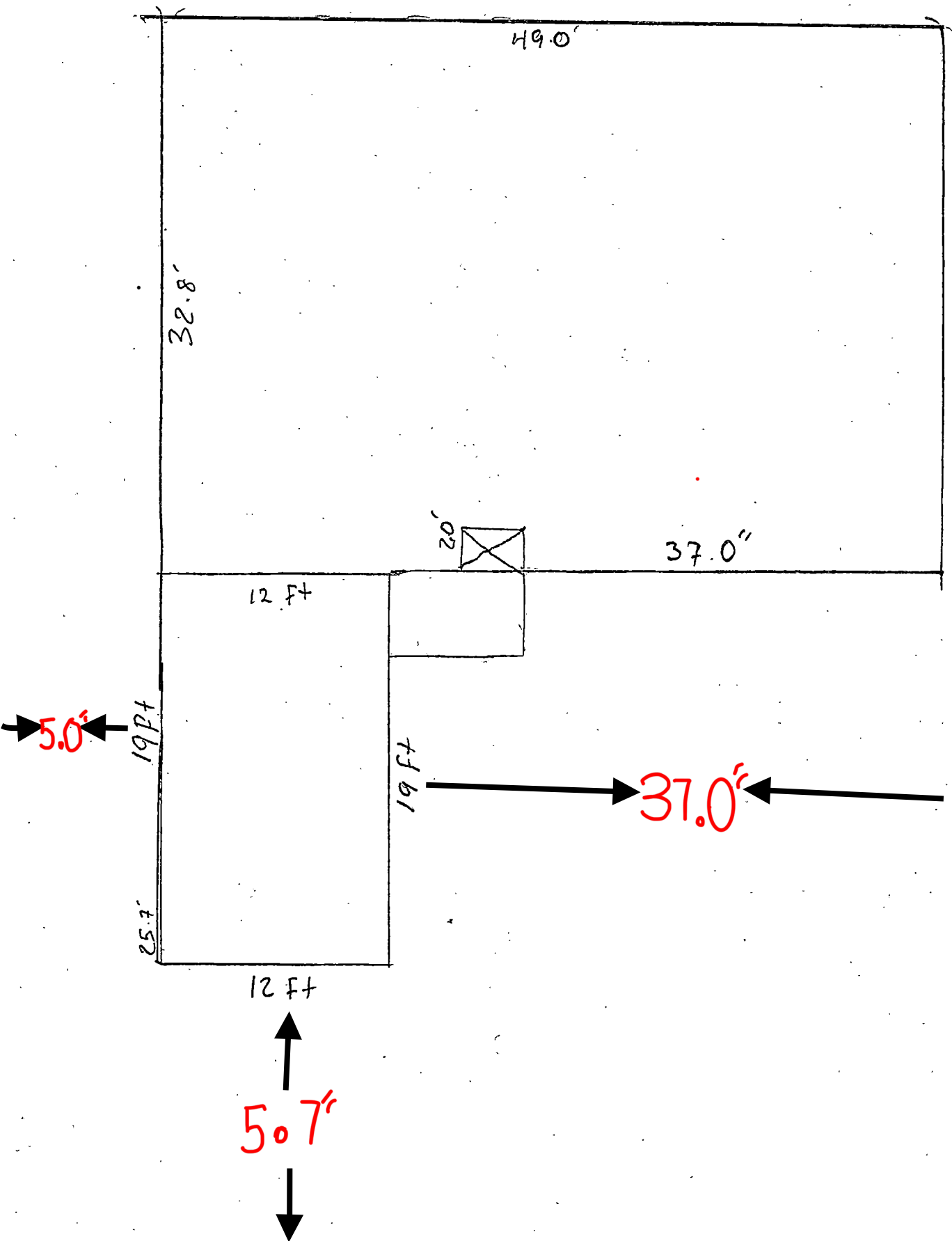
**Grand  
Prairie**  
TEXAS

PLANNING  
Date: 9/7/2023

27



Exhibit B - Site Plan  
Page 1 of 2





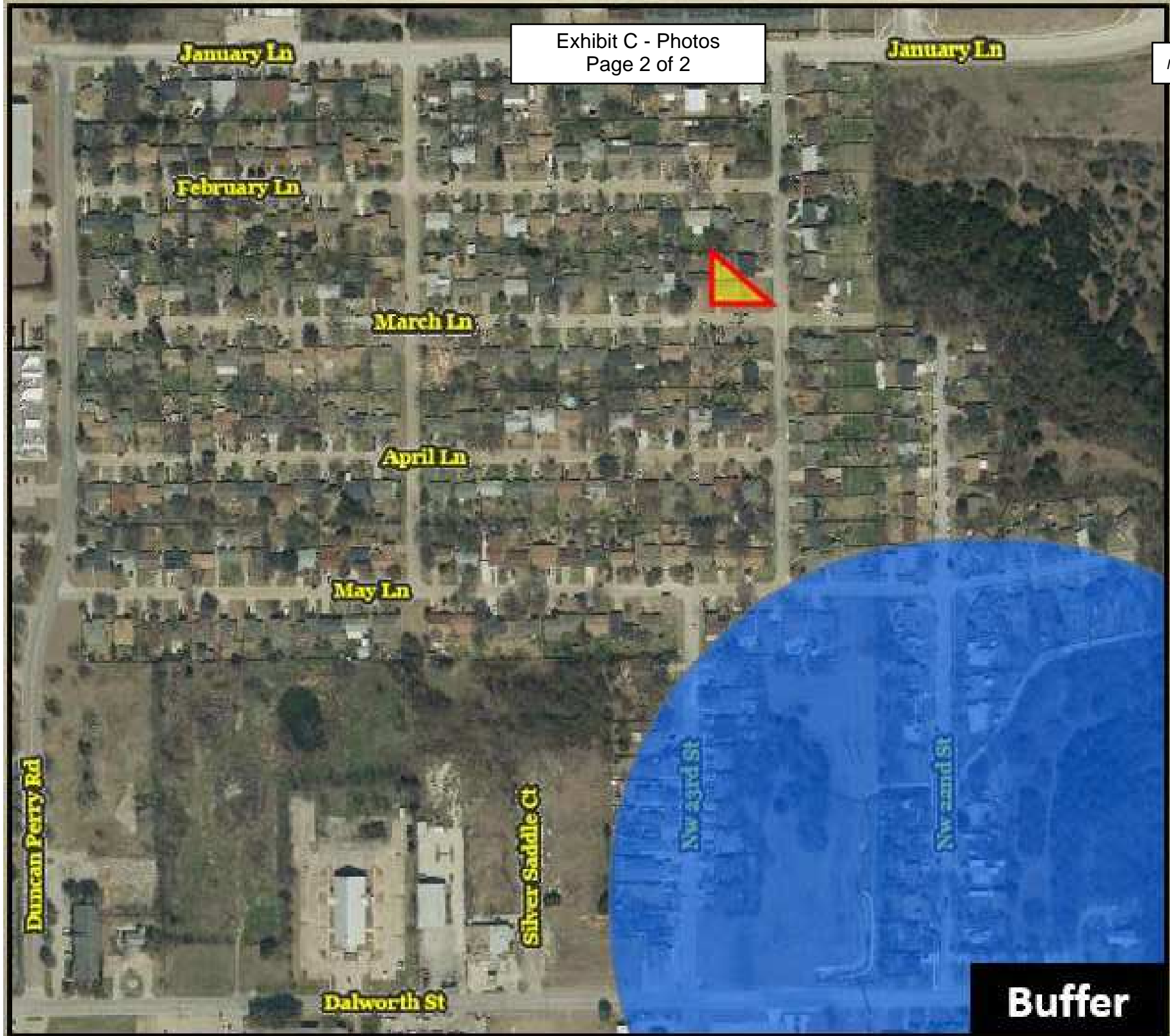
## Page 2 of 2

LOT 11	LOT 12	LOT 13
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**Photo**





## CITY OF GRAND PRAIRIE COMMUNICATION

**MEETING DATE:** 09/18/2023

**REQUESTER:** Monica Espinoza

**PRESENTER:** Brittany Musser, Planner

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

**APPLICANT:** Anjan Thakuria

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

1. The variance is a self-created hardship.
2. The development provided a 30-foot fire lane at the time of platting. This does not allow for any on-street parking.

If the Board chooses to grant this request, staff recommends the following conditions:

1. The applicant shall provide a minimum 400 square foot garage.
2. The applicant shall provide two non-stacked off-street paved parking surfaces.

### SUMMARY:

Special Exception allow for stacked parking and to reduce the number of off-street parking spaces permitted under the Unified Development Code, located at 810, 812, 814, and 816 Premier Parkway, legally described as Lots 4-7, Carrier Parkway Townhomes Addition, City of Grand Prairie, Dallas County, Texas, zoned Multi Family-One.

- A. Special Exception: Reduce the number of off-street parking spaces  
 Required spaces: Two non-stacked garage parking spaces  
 Requested spaces: One garage parking space and one stacked garage parking space



## PURPOSE OF REQUEST:

The applicant is requesting a special exception to reduce the number of off-street parking spaces for four townhomes. The building plans shows the garages to have two stacked parking spaces. This does not meet the UDC requirements listed in Section 10.3.1 which states that all required parking must be non-stacked. As a result, the applicant is only providing one garage space per unit that meets UDC requirements. This requires a Special Exception to the minimum garage parking spaces required per Section 10.7.2.A of the Unified Development Code (UDC).

## PUBLIC NOTIFICATION:

Legal notice of this item was published in the Fort Worth Star Telegram September 8 and September 17.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on September 8.

39 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 special exception 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 special exception may adversely affect the health, safety, or general welfare of the public. The use of stacked parking along with only one paved off-street parking spot presents a potential public safety hazard. The continuous maneuvering of cars in and out of the stacked garage could potentially hamper the efforts of emergency responders.*

- 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 special exception will not authorize the operation of a use other than those already allowed in the Multi Family-One Residential District.*

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

**Staff Evaluation:** *Staff suggests that the special exception may harm the spirit and purpose of this ordinance. The UDC states that all required parking must be non-stacked.*

- 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 special 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 such special exception for a townhome 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 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 ZBA-23-08-0057 as requested** due to the following finding of fact:

1. The special exception is a self-created hardship.
2. The development provided a 30-foot fire lane at the time of platting. This does not allow for any on-street parking.

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

1. **The applicant shall provide a minimum 400 square foot garage.**
2. **The applicant shall provide two non-stacked off-street paved parking surfaces.**
3. **Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, the city adopted fire codes, and with other applicable regulatory requirements administered and/or enforced by the state and federal government. If a building permit has not been applied for or issued within a ninety (90) day period or as the Board may specifically grant, the variance shall be deemed waived; and all rights there under terminated.**



# Exhibit A- Location Map

## Page 1 of 1

CASE LOCATION MAP  
ZBA-23-08-0057  
810 PREMIER PKWY




Item 6.



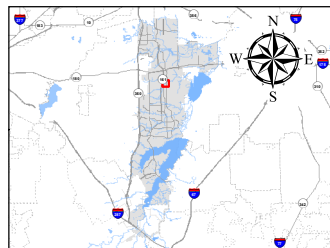
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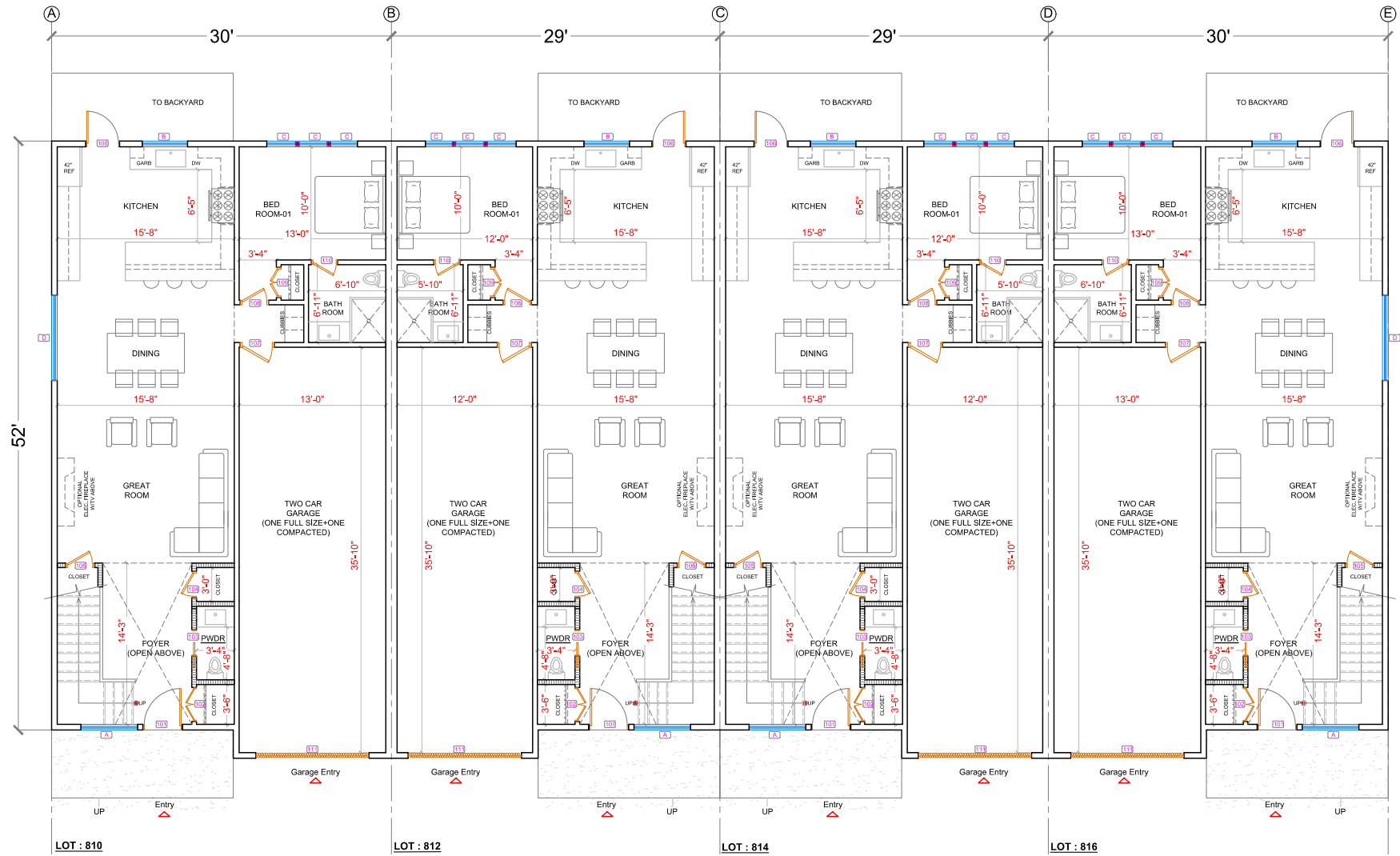
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Grand  
Prairie  
TEXAS

PLANNING  
Date: 9/7/2023

35





**CARRIER PARKWAY TOWNHOMES**  
GRAND PRAIRIE, TEXAS

**4 LOTS COMBINED LAYOUT**  
**(FIRST FLOOR)**







