



## ZONING BOARD OF ADJUSTMENTS AND APPEALS

CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET  
MONDAY, DECEMBER 18, 2023 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 November 20, 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) – Variance to reduce the minimum side setback 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-23-11-0072 (Council District 1) – Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 609 SW 14th Street, legally described as Lot 3, Block 132, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District
- [4.](#) ZBA-23-11-0073 (Council District 5) – Variance to reduce the minimum side yard setback for a primary structure permitted under the Unified Development Code, located at 225 NW 16th Street, legally described as Lot 1, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Six

#### 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 December 18, 2023.*



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*Monica Espinoza, Planning Secretary*





## CITY OF GRAND PRAIRIE COMMUNICATION

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**MEETING DATE:** 12/18/2023

**REQUESTER:** Monica Espinoza, Administrative Supervisor

**PRESENTER:** Brittany Musser, Planner

**TITLE:** Approval of the November 20, 2023 Meeting Minutes

**RECOMMENDED ACTION:** Approve

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

## **MEETING AGENDA**

Zoning Board of Adjustments and Appeals

Date: November 20th, 2023

### **BRIEFING:**

**5:33 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:**

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|--|---|
| <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"/> 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                      | <input checked="" type="checkbox"/> David Baker         |

**2. ZBA-23-09-0062 (Council District 6)** Special Exception to increase the maximum height for a fence permitted under the Unified Development Code, located at 1009 W. IH 20, legally described as Tract 35, Stephen B McCommas Survey, Abstract No. 888, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District.

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

**3. ZBA-23-10-0065 (Council District 3)** Special Exception for a garage conversion, located at 329 E. Springdale Lane, legally described as Lot 17, Block 40, Country Club Estates Addition No.4, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

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

**4. ZBA-23-10-0067 (Council District 5)** Special Exception to reduce the number of off-street parking spaces and variances to reduce minimum front yard setback and side yard setbacks for a primary structure permitted under the Unified Development Code, located at 225 NW 16<sup>th</sup> Street, legally described as lot 1, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Six.

Brittany Musser from Planning briefed the Board on the case.

**5. ZBA-23-10-0068 (Council District 2)** Variance to increase the maximum area and to reduce the minimum rear yard and side yard setbacks for a detached garage permitted under the Unified Development Code, located at 3646 Park Ridge, legally described as Lot 9, Block 1, Country Club Park Addition No.2, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District.

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

**6. ZBA-23-10-0069 (Council District 1)** Variances to reduce the minimum lot width, lot area, and side yard setback for a single-family residence permitted under the Unified Development Code, located at 609 SW 14th Street, legally described as Lot 3, Block 132, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

Brittany Musser from Planning briefed the Board on the case.

Barry Sandacz led a moment of silence in remembrance of former Board Member Clayton Hutchins.

Briefing was adjourned at 5:48 pm

## **CALL TO ORDER**

**6:00 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:**

☒ Barry Sandacz

☒ Kimberly Akinrodoye

☐ Eric Hedin  
☒ Timothy Ibidapo  
☒ Anthony Langston Sr.  
☐ Eric Smith  
☐ Tommy Land

☒ Debbie Hubacek  
☒ Jose Linarez  
☒ Melinda Rodgers  
☒ David Baker

## INVOCATION:

**David Baker** led the invocation

## APPROVAL OF MINUTES:

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

The motion was seconded by **Melinda Rogers**

**Motion Carried 8-0**

## PUBLIC HEARING:

**2. ZBA-23-09-0062 (Council District 6)** Special Exception to increase the maximum height for a fence permitted under the Unified Development Code, located at 1009 W. IH 20, legally described as Tract 35, Stephen B McCommas Survey, Abstract No. 888, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District.

**Applicant / Spokesperson:** Billy Branum

**Address:** 1009 W. IH 20 Grand Prairie, TX 75052

Salvador Gonzalez Jr. from Planning presented the case to the Board.

### **Any comments from Spokesman:**

Brent Branum explained the reasoning behind the fence variance request, citing the increase car and foot traffic in front of the property. He explained that the fence would help with security.

### **Any questions from Board:**

Timothy Ibidapo asked if the fence had been constructed. Staff informed the Board that the fence had not been constructed at the time of the meeting.

David Baker asked about fence materials. Salvador answered that the proposed fence consists of wrought iron material.

**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**

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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.

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 the public hearing and approve the case with staff recommendations by **David Baker**

The motion was seconded by **Debbie Hubacek**

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

Members that objected: n/a

**3. ZBA-23-10-0065 (Council District 3)** Special Exception for a garage conversion, located at 329 E. Springdale Lane, legally described as Lot 17, Block 40, Country Club Estates Addition No.4, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

Salvador Gonzalez Jr. from Planning present the case to the Board.

**Applicant / Spokesperson:** Angel Villegas

**Address:** 329 E. Springdale Ln. Grand Prairie, TX 75052

**Any comments from Spokesman:**

Angel Villegas explained the purpose of the request for the conversion. He explained the need for extra space for his growing family.

**Any questions from Board:**

Barry Sandacz asked if the conversion had already started at the time of the meeting. Angel Villegas responded that work had already started and that he was willing to comply with City requirements.

Melinda Rogers asked about any garage conversions in the area. Staff explained that there are none within 300 feet but there are a few legally permitted garage conversions in the general area.

**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**

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**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 public hearing by **David Baker**

The motion was seconded by **Timothy Ibidapo**

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

Members that objected: n/a

**4. ZBA-23-10-0067 (Council District 5)** Special Exception to reduce the number of off-street parking spaces and variances to reduce minimum front yard setback and side yard setbacks for a primary structure permitted under the Unified Development Code, located at 225 NW 16<sup>th</sup> Street, legally described as lot 1, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas

County, Texas, zoned Single Family-Six.

Brittany Musser from Planning presented the case to the Board.

**Applicant / Spokesperson:** Luke Keeton

**Address:** 225 NW 16<sup>th</sup> St. Grand Prairie, TX 75050

**Any comments from Spokesman:**

**Any questions from Board:**

Timothy Ibadapo asked if there were any foreseeable issues. Staff answered no and indicated this is an infill project like other previously approved projects.

Barry Sandacz asked about staff recommendations for the side yard setback. Staff explained that this recommendation is based on the zoning requirements.

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

\_\_\_\_\_ n/a \_\_\_\_\_

**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**

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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.**

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: n/a

**5. ZBA-23-10-0068 (Council District 2)** Variance to increase the maximum area and to reduce the minimum rear yard and side yard setbacks for a detached garage permitted under the Unified Development Code, located at 3646 Park Ridge, legally described as Lot 9, Block 1, Country Club Park Addition No.2, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District.

Salvador Gonzalez Jr. from Planning presented the case to the Board.

**Applicant / Spokesperson:** Matt Jackson

**Address:** 1102 Austin Street Grand Prairie, TX

**Any comments from Spokesman:**

Matt Jackson with Mattco Construction explained to the Board the dimensions of the existing shed at the time of the meeting and the proposed dimensions for the proposed dimensions.

**Any questions from Board:**

David Baker asked the height of the structure. Staff informed the board that the applicant was proposing a twenty-one-foot structure.

Debbie Hubacek asked what the required side setback was for the structure. Staff explained that the minimum side setback is eight feet, and that the applicant was requesting five feet.

Barry Sandacz asked if the setbacks varied by zoning district. Staff explained the different requirements for setbacks according to structure height.

Timothy Ibidapo asked if the existing storage shed would be replaced. Staff answered yes.

Debbie Hubacek asked if the neighbor was aware of the proposed shed. Matt from Mattco Construction informed the board that the neighbor was aware and in favor of the proposed structure.

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

**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**

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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.

After consideration of the evidence, the Board discussed the evidence and the documentation on the record. The Board discussed weighed the eight-foot side setback requirement and the proposed five-foot side setback.

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 approve as requested by the applicant was made by **David Baker**  
The motion was seconded by **Anthony Langston Sr.**

Motion was **approved**/denied: **8** Yays to **0** Nays  
Members that objected:

**6. ZBA-23-10-0069 (Council District 1)** Variances to reduce the minimum lot width, lot area, and side yard setback for a single-family residence permitted under the Unified Development Code, located at 609 SW 14th Street, legally described as Lot 3, Block 132, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential

District.

Brittany Musser from Planning presented the case to the Board.

**Applicant / Spokesperson:** Victor Reyes

**Address:** 2809 McPherson Ln Flower Mound, TX

**Any comments from Spokesman:**

**Any questions from Board:**

Timothy Ibidapo asked why staff only sent notices to 27 property owners. Staff informed the Board that staff sent out notices to property owners within a 200-foot buffer per state requirement.

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

Victor Reyes.

**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**

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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 agreed to work with Staff to clean up the plans explore other options

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 table the case was made by **David Baker**  
The motion was seconded by **Debby Hubacek**

Motion was **approved/denied**: **8** Yays to **0** Nays  
Members that objected:

**CITIZENS COMMENTS:**

**ADJOURNMENT: The meeting was adjourned at 6:24 pm**

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

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

by: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_



## CITY OF GRAND PRAIRIE COMMUNICATION

**MEETING DATE:** 12/18/2023

**REQUESTER:** Monica Espinoza, Administrative Supervisor

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

**TITLE:** ZBA-23-06-0043 (Council District 3) – Variance to reduce the minimum side setback 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:** Staff cannot support this request due to the following finding of fact:

1. The variance is a self-created hardship.

### SUMMARY:

Variances to reduce the minimum side setback 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.

Variance: Reduction of the internal side setback required by SF-5 zoning district:

Required setback: 5 feet

Requested setback: 4.4 feet

### PURPOSE OF REQUEST:

The applicant is requesting a variance to the internal side setback for an accessory structure located within SF-5 zoning district. The Unified Development Code (UDC) states that the minimum internal side setback requirement shall be 5 feet. The applicant is requesting a setback of 4.4 feet. The proposed shed would be 352 square feet.

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

### PUBLIC NOTIFICATION:

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

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

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

## **HISTORY:**

This request was tabled by the Zoning Board of Adjustment on July 17, 2023. The applicant received a permit to connect the covered porch to the roof of the house, making it a part of the primary structure.

## **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 a variance may not substantially or permanently injure the appropriate use of adjacent property in the same district.*

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

***Staff Evaluation:** Staff suggests that the 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 Planned Development District-75.*

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

***Staff Evaluation:** The proposed variance may not be in harmony with the spirit and purpose of this ordinance.*

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

***Staff Evaluation:** Staff believes that the variance does 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 variance 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 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 be self-created.*

## **RECOMMENDATION:**

**Staff cannot support ZBA-23-06-0043 as requested** based on the following findings of fact:

1. The variance is a self-created hardship.

If the Board chooses to grant the applicants 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, 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.

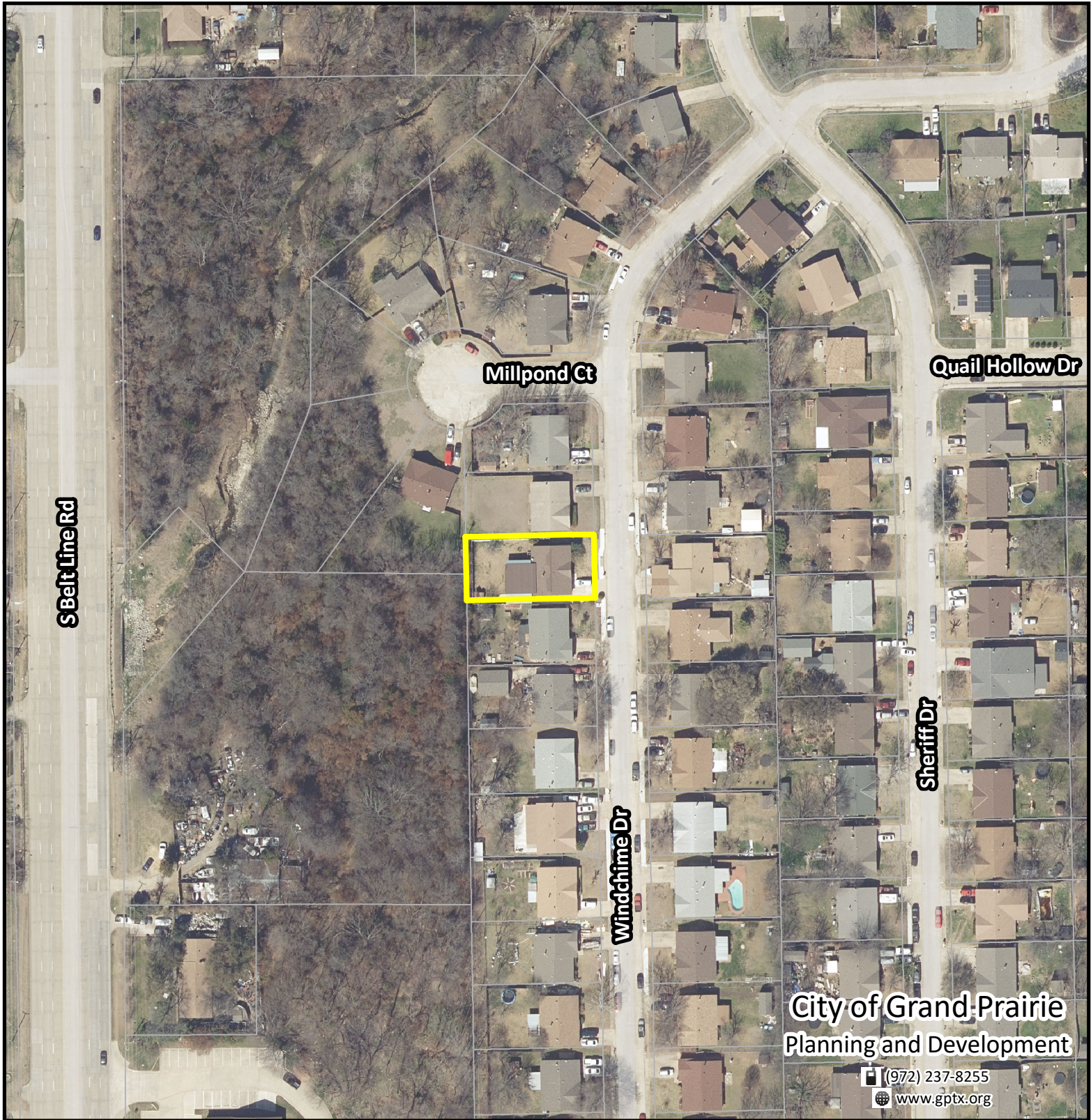





# Exhibit A- Location Map

## Page 1 of 1

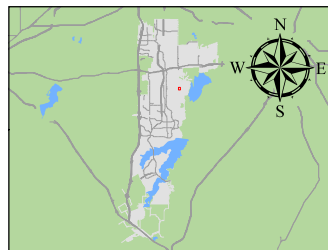
CASE LOCATION MAP  
ZBA-23-06-0043  
2125 WINDCHIME DR

Item 2.



-  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: 6/26/2023

23



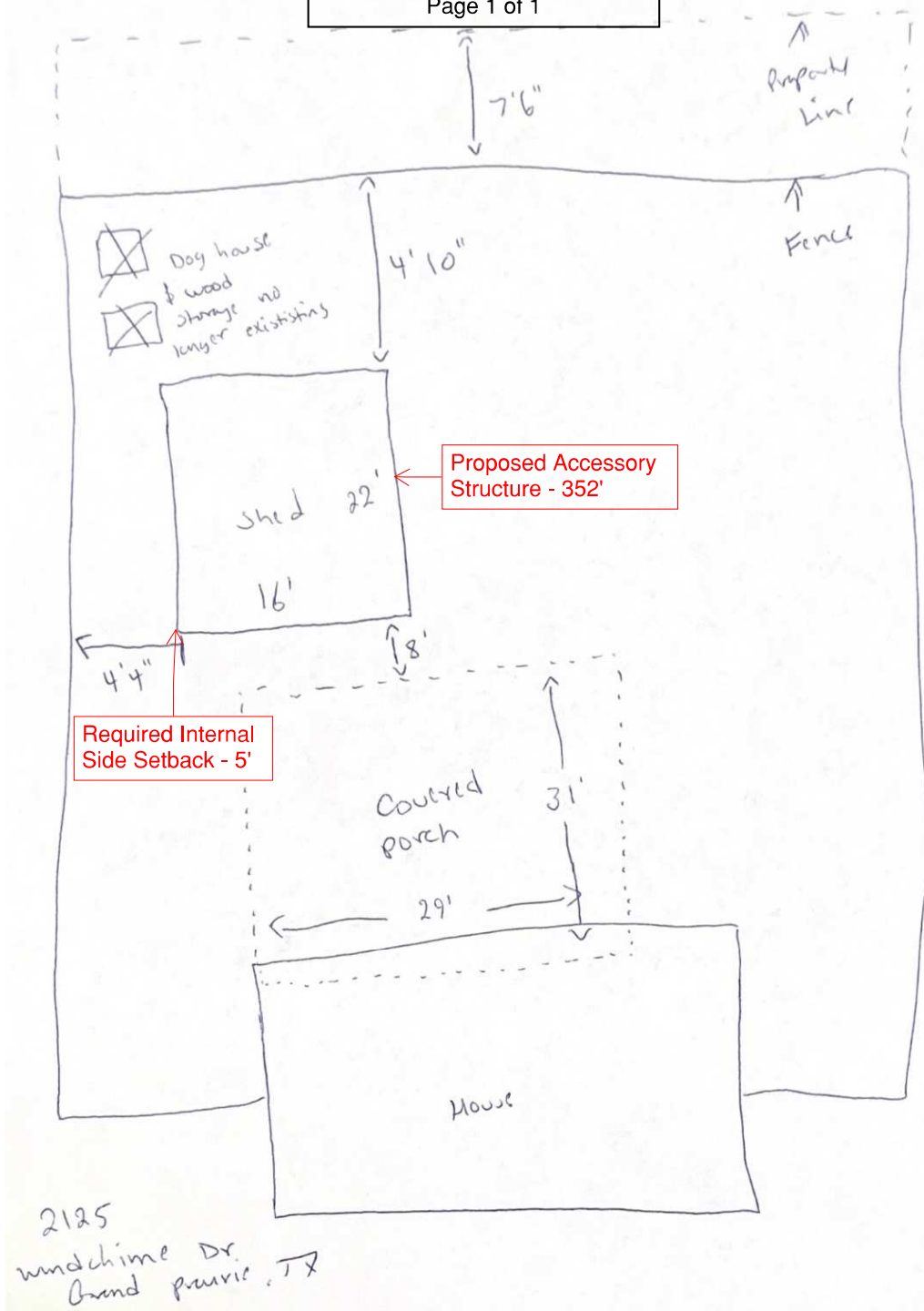
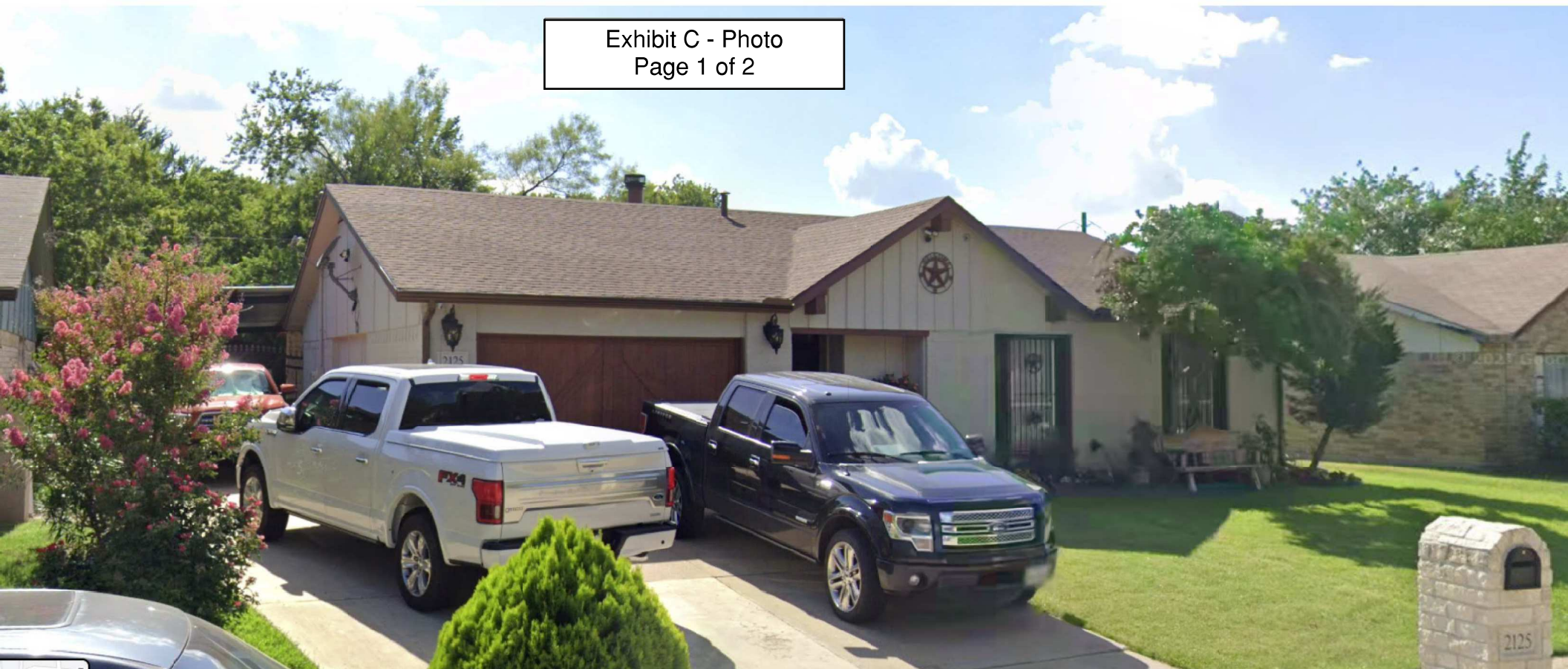


Exhibit C - Photo  
Page 1 of 2











## CITY OF GRAND PRAIRIE COMMUNICATION

**MEETING DATE:** 12/18/2023

**REQUESTER:** Monica Espinoza

**PRESENTER:** Brittany Musser, Planner

**TITLE:** ZBA-23-11-0072 (Council District 1) – Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 609 SW 14th Street, legally described as Lot 3, Block 132, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District

**APPLICANT:** Luke Keeton

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

### SUMMARY:

Variance to reduce the minimum side yard setback for a single-family residence permitted under the Unified Development Code, located at 609 SW 14th Street, legally described as Lot 3, Block 132, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

- A. Variance: Reduce the minimum side yard setback
  - UDC setback: 6 feet
  - Currently authorized setback: 5 feet
  - Requested setback: 4 feet

### PURPOSE OF REQUEST:

The applicant is requesting a variance to reduce the minimum side yard setbacks for the Single Family-Four (SF-4) zoning district for a single-family detached home. The applicant is requesting this variance with the intention of platting the property and acquiring building permits for a single-family detached home. The residence to the north was built in 1948 and is encroaching upon the subject property. In order to build, the applicant is required to replat the property to rectify the non-conformity the encroachment has created. However, the remaining portion of the lot does not meet current SF-4 standards. The variance requested is necessary to make this a developable lot.

On November 20, 2023, the applicant received variances for the lot minimum lot width, minimum lot area, and the minimum side yard setback. The applicant is requesting that the side yard setback variance granted in November be updated from 5 feet to 4 feet to accommodate the building plans for the proposed single-family residence.

### **PUBLIC NOTIFICATION:**

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

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

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

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

***Staff Evaluation:** Staff suggests that the variance will not harm the spirit and purpose of this ordinance. If the property owner is to develop their lot, the requested variance is necessary for them to do so.*

- 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 variance will not alter the essential character of the district. The variance is necessary for them to be able to develop a single-family detached home,*

matching what is existing 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:** *Staff believes that such variance for a single-family house 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 believes that the property owner has a hardship that is a unique circumstance of the property. The lot was platted prior to the existing density and dimensional standards for the SF-4 zoning district.*

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

**Staff Evaluation:** *Staff believes that the hardship is not self-created. The variance is required in order to build on a lot that was platted prior to current standards.*

#### **RECOMMENDATION:**

**Staff does not object to ZBA-23-11-0072 as requested.**

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

1. **Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, 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.**

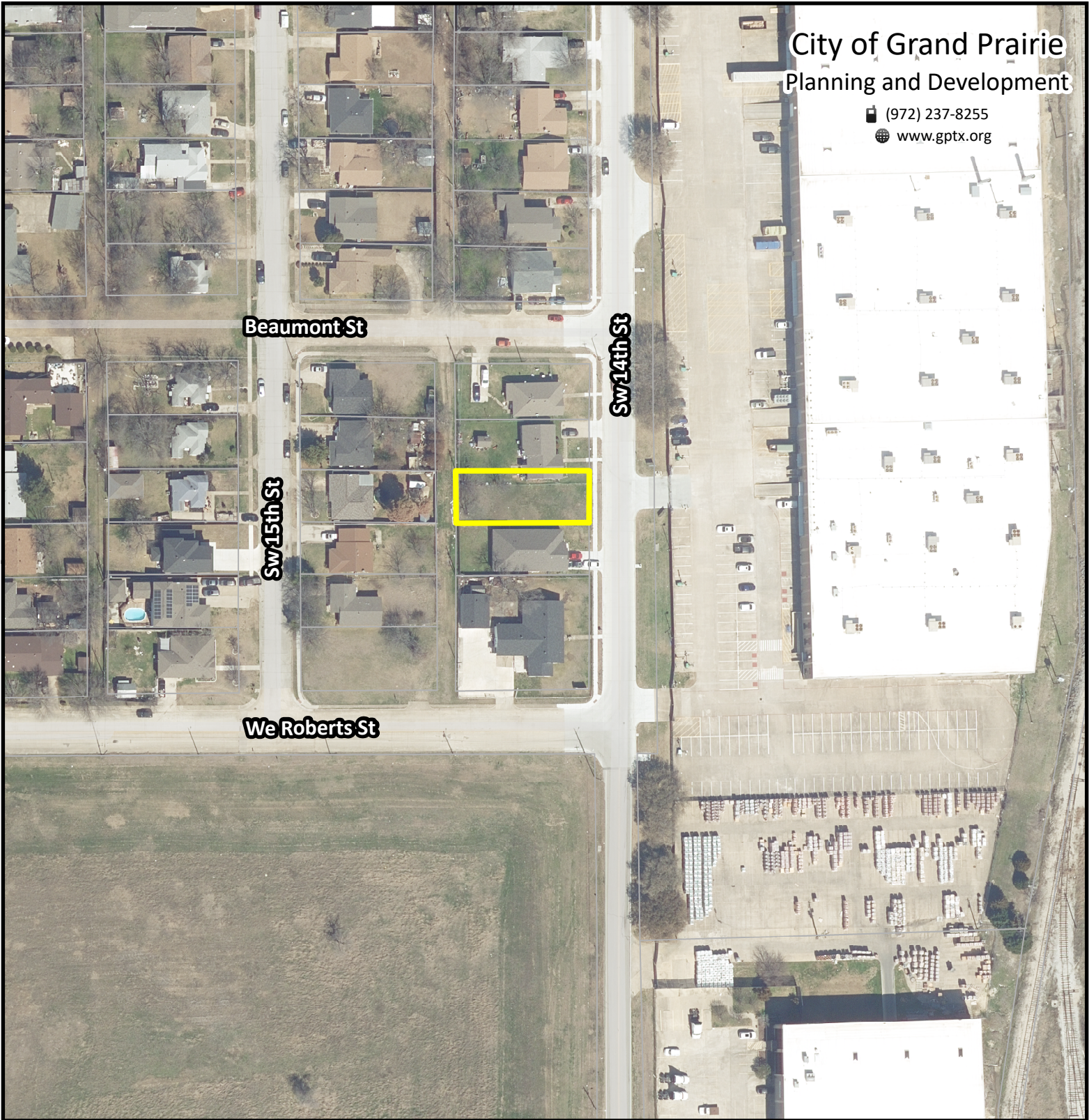


# Exhibit A- Location Map

## Page 1 of 1

CASE LOCATION MAP  
ZBA-23-11-0072  
609 SW 14TH ST



Item 3.



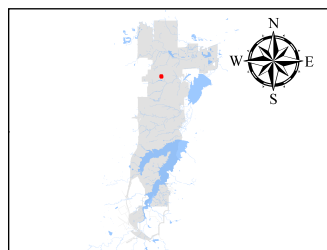
City of Grand Prairie  
Planning and Development

(972) 237-8255

www.gptx.org

-  Location
-  Parcels
-  City Limits

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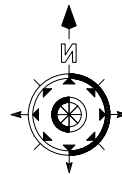
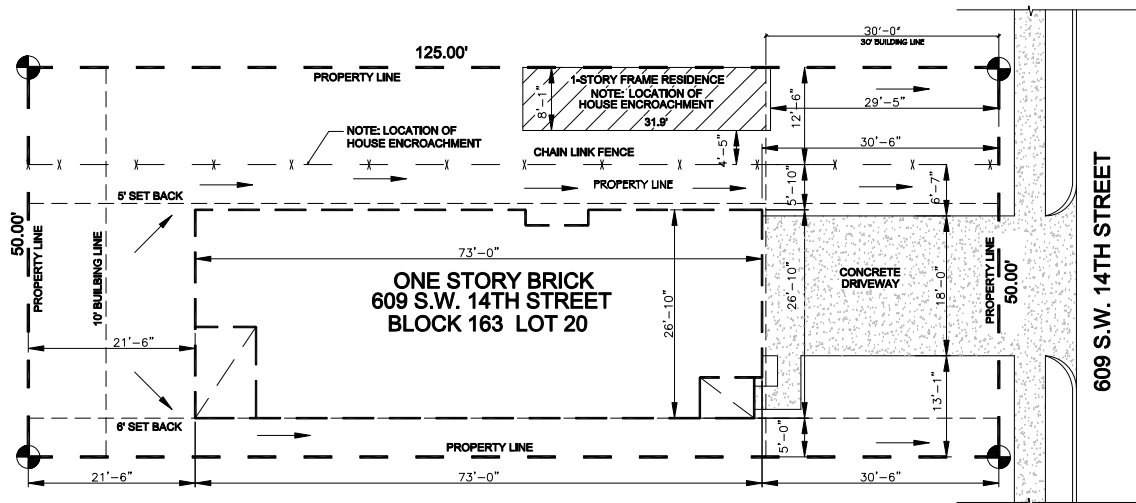


0 0.02 Miles

Grand  
Prairie  
TEXAS

PLANNING  
Date: 12/5/2023

30



**NOTE:**  
DO NOT START ANY CONSTRUCTION WITHOUT PLAN  
REVIEW AND APPROVAL FROM CITY AND  
DEVELOPER/HOMEOWNER ASSOC. SURVEY FORM  
BOARDS AND VERIFY CLEARANCE TO SETBACKS BEFORE  
TRENCHING

### Site/Drainage Plan

SCALE:  
1/8" = 1'-0" (22"x34" SHEET)  
1/8" = 2'-0" (11"x17" SHEET)

**LEGAL DESCRIPTION**  
DALWORTH PARK  
BLOCK 132 LOT 3

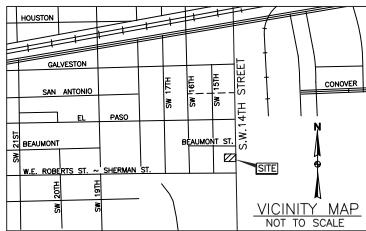
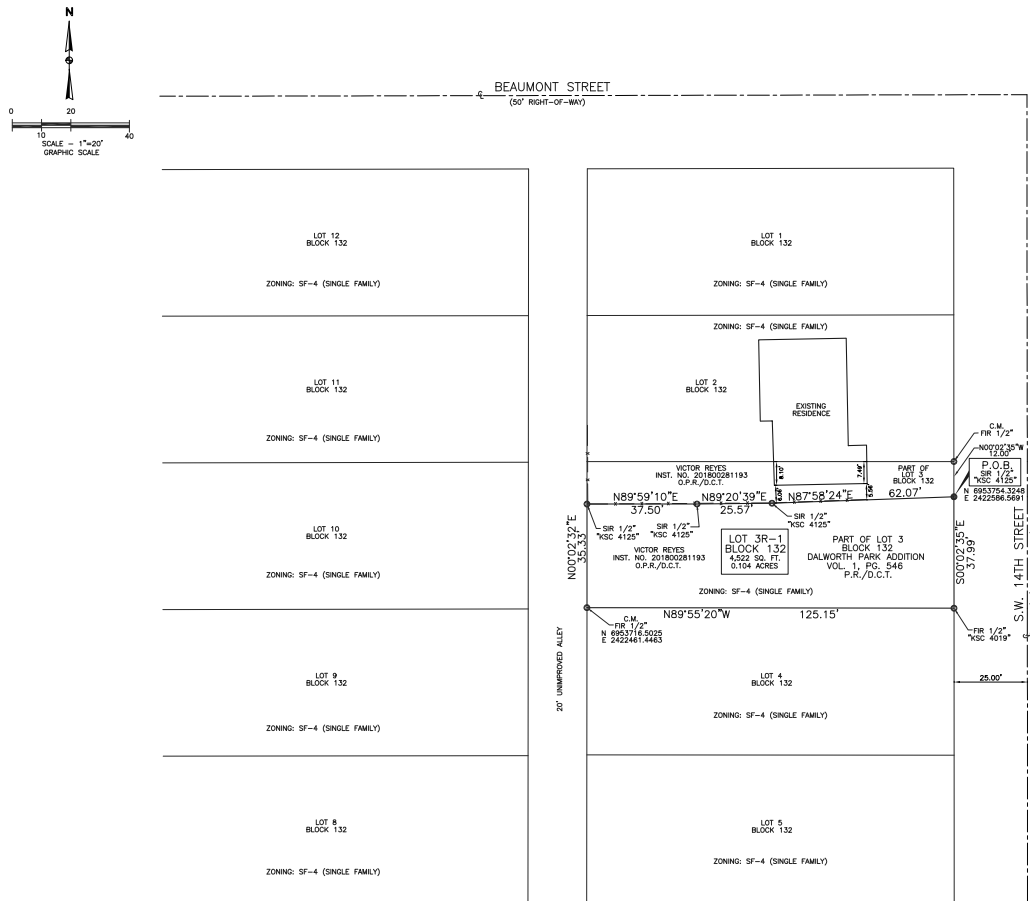
**609 S.W. 14TH STREET**  
GRAND PRAIRIE  
TEXAS

**DESIGN AND  
CONSTRUCTION PLANNING**  
214-597-1150  
WWW.sandjdesigns.com



# Exhibit C - Plat Page 1 of 1

Item 3.



- NOTES:
1. C.M. ~ Denotes Controlling Monuments.
  2. The basis of Bearing for this survey is the Texas State Plane Coordinate System, NAD83, Texas North Central Zone, 4202, based upon GPS measurements, according to the Leica GPS Reference Network.
  3. I have examined the Flood Insurance Rate Map for the City of Grand Prairie, Dallas County, Texas, Community Panel No. 4813C0435M, Map Effective Date: 3-21-19, Zone "X", and it appears that no part of the subject property lies in any special flood hazard area.
  4. The Surveyor prepared this survey without the benefit of a title commitment and assumes no liability for any easements, right-of-way dedications or other title matters affecting the subject property.
  5. Existing or future minimum set-backs established by the city ordinance shall take precedence over building lines indicated on this plat.
  6. Zoning classification indicated on this plat reflects zoning in place at the time this plat was approved and does not represent a vested right to the zoning indicated.
  7. The purpose of this plat is to create one lot out of a part of a lot.
  8. Coordinates shown are grid.

OWNERS:  
VICTOR REYES  
2809 MCPHERSON  
FLOWER MOUND, TEXAS 75022  
PH# 469-231-8625

PREPARED BY:  
KEETON SURVEYING COMPANY  
H.B. KEETON M.S. KEETON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
2037 DALWORTH STREET P.O. BOX 530204  
GRAND PRAIRIE, TEXAS 75051-0204  
EMAIL: ksc4019@abcglobal.net  
PHONE: (972) 641-0843 TBFELS FIRM NO. 10090500

## DEDICATION:

STATE OF TEXAS:  
COUNTY OF DALLAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT VICTOR REYES, does hereby adopt this plat designating the hereon above described property as LOT 3-R1, BLOCK 132, DALWORTH PARK ADDITION, an addition to the City of Grand Prairie, Texas and does hereby dedicate to the City of Grand Prairie in fee simple forever, the streets, alleys and storm water conveyance areas shown thereon. The easements shown thereon are hereby dedicated and reserved for the purposes as indicated. The utility, access, GPS monuments and fire lane easements shall be open to the public and private utilities for each particular use. The maintenance of paving on the utility, access and fire lane easements is the responsibility of the property owner. No buildings or other improvements, including fences, shall be permitted in an erosion hazard easement. No buildings or other improvements or growths, except fences, vegetation, driveways, and sidewalks less than 6 feet in width shall be constructed or placed upon, over or across the easements as shown except as permitted by City Ordinances. No improvements that may obstruct the flow of water may be constructed or placed in drainage easements or stormwater management area. Any public utility shall have the right to remove and keep removed all or parts of the encroachments allowed above which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity of any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance and service required or ordinarily performed by that utility.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Grand Prairie, Texas.

Witness my hand at \_\_\_\_\_ County Texas this \_\_\_\_ day of \_\_\_\_\_, 2023.

VICTOR REYES  
(Owner)

## ACKNOWLEDGMENTS:

STATE OF TEXAS:  
COUNTY OF DALLAS:

Before me the undersigned authority, a Notary Public, on this day personally appeared VICTOR REYES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office on the \_\_\_\_ day of \_\_\_\_\_, 2023.

NOTARY PUBLIC  
My Commission Expires \_\_\_\_\_

## ACKNOWLEDGMENTS:

STATE OF TEXAS:  
COUNTY OF DALLAS:

Before me the undersigned authority, a Notary Public, on this day personally appeared Kurtis R. Webb, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office on the \_\_\_\_ day of \_\_\_\_\_, 2023.

NOTARY PUBLIC  
My Commission Expires \_\_\_\_\_

## OWNERS CERTIFICATE:

STATE OF TEXAS:  
COUNTY OF DALLAS:

WHEREAS, VICTOR REYES, is the sole owner of a 0.104 acre tract of land in the T. Holland Survey, Abstract No. 644, according to the deeds thereof recorded in Inst. No. 201800281193, of the Official Public Records of Dallas County, Texas, said 0.104 acre tract of land, being known as part of Lot 3, Block 132, of Dalworth Park Addition, an addition to the City of Grand Prairie, according to the plat thereof recorded in Volume 1, Page 546, of the Plat Records of Dallas County, Texas, said tract being more particularly described as follows;

BEGINNING at a 1/2 inch iron rod with cap marked "KSC 4125" set for the northeast corner of said 0.104 acre tract and being in the east line of said Lot 3 and in the west line of S.W. 14th Street (50' right-of-way), from which a 1/2 inch iron rod found bears N. 00°02'35" W., 12.00 feet for the northeast corner of said Lot 3;

THENCE S. 00°02'35" E., with the east line of said Lot 3, Block 132, a distance of 37.99 feet to a 1/2 inch iron rod found with cap marked "KSC 4019" for the southeast corner of said Lot 3;

THENCE N. 89°55'20" W., with the common line of said Lot 3 and Lot 4 of said Block 132, a distance of 125.15 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 3;

THENCE N. 00°02'32" E., with the west line of said Lot 3 and the east line of a 20 foot public alley of said Dalworth Park Addition, a distance of 35.53 feet to a 1/2 inch iron rod with cap marked "KSC 4125" set for the northeast corner of said 0.104 acre tract;

THENCE over and across said Lot 3 the following three calls: N. 89°59'10" E., a distance of 37.50 feet, 1/2 inch iron rod with cap marked "KSC 4125" set for angle point; N. 89°20'39" E., a distance of 25.57 feet to a 1/2 inch iron rod with cap marked "KSC 4125" set for angle point; N. 87°58'24" E., a distance of 62.07 feet to the POINT OF BEGINNING and CONTAINING 4,522 square feet, or 0.104 acres of land, more or less.

## SURVEYORS CERTIFICATE:

Know All Men By These Presents:

I, Kurtis R. Webb, a Registered Professional Land Surveyor in the State of Texas, does hereby certify that I have prepared this plat from an actual on the ground survey of the land, and the monuments shown hereon were found and/or placed under my personal supervision in accordance with the rules and regulations of the City Plan Commission of the City of Grand Prairie, Texas.

"PRELIMINARY, FOR REVIEW ONLY NOT TO BE RECORDED FOR ANY PURPOSES"

Kurtis R. Webb  
Registered Professional Land Surveyor  
Texas Registration No. 4125

REPLAT  
LOT 3-R1, BLOCK 132  
DALWORTH PARK ADDITION  
CONTAINING 6,267 SQ. FT. OR 0.144 ACRES  
AN ADDITION TO  
THE CITY OF GRAND PRAIRIE,  
DALLAS COUNTY, TEXAS  
BEING A REPLAT OF  
OF PART OF LOT 3  
BLOCK 132  
DALWORTH PARK ADDITION  
CITY OF GRAND PRAIRIE  
DALLAS COUNTY, TEXAS  
DATE: OCTOBER 30, 2023

CASE NO. \_\_\_\_\_

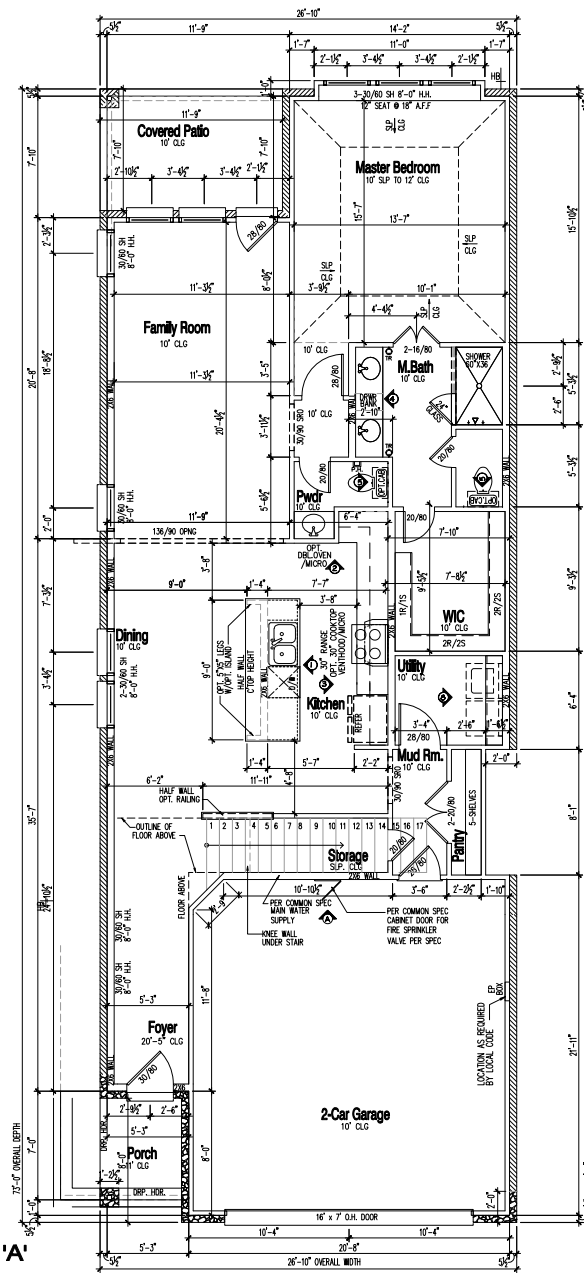
# Exhibit D - Floor Plan Page 1 of 1

Item 3.

- 1 22"x30" ATTIC ACCESS
- 2 WATER HEATER PLATFORM TO BE 3/4" OSB ON 2X6 LEDGER 18" A.F.F. WITH AUX. CATCH PAN DRAINED TO OUTSIDE IF APPLICABLE, OPT. #126 DOOR TO BE 20/50 @ 6'-10" HH.
- 3 ELECTRICAL SUB. PANEL & METER (LOCATION MAY VARY PER CITY CODE)
- 4 36"x36" OR 36"x72" A/C PAD
- 5 MECHANICAL PLATFORM TO BE 3/4" T.G. OSB ON 2X6 LEDGER 26" A.F.F. DOOR TO BE @ 7'-4" HH
- 6 5/8" TYPE X GYPSUM BOARD STAGGER & TAPE JOINTS
- 7 4" DIA. DRYER VENT TO OUTSIDE AIR
- 8 SOLID CORE DOOR TO BE SELF-CLOSING & WEATHERSTRIPPED
- 9 2X6 WALL
- 10 FURR CEILING TO +/- 8'-0"
- 11 H.V.A.C. DUCT CHASE
- 12 MIN. 2'-0" BETWEEN DOOR & WINDOW TO AVOID TEMPERED GLASS.
- 13 CONTINUOUS WOOD HANDRAIL @ 36" ABOVE TREAD NOSING
- 14 FIRST SHELF 36" HGT. W/ADD'L SHELVES SPACED @ 12" O.C. ABOVE
- 15 CENTERLINES OF 2x4 BLOCKING @ 36", 54", & 84" HGT. @ KITCHEN CABS. AND @ 30" HGT. FOR BATHROOM VANITY CABS
- 16 CENTERLINE OF 2x4 BLOCKING @ 24" HGT. FOR PAPER HOLDERS
- 17 CENTERLINE OF 2x4 BLOCKING @ 52" HGT. FOR TOWEL BARS.
- 18 1R & 1S = 1 ROD W/ SHELF @ 69" A.F.F. 2R & 1S = 1 ROD W/ SHELF @ 80" A.F.F. & 2ND ROD @ 40" A.F.F.
- 19 ALL SKEWED WALLS TO BE CONSTRUCTED @ 45 DEGREE ANGLES U.N.O.
- 20 THIS WINDOW MEETS E.G.R.E.S.S. REQUIREMENTS PER I.R.C. 2021 CODE.
- 21 DOUBLE 2x4 WALL

NOTE:  
(SS) STRUCTURAL SHEATHING TO BE RED T-PLY OR 7/16" O.S.B. PER CITY.  
(CWB) CUT-IN WINDBRACE TO BE 1x4 OR METAL™ PER CITY CODE.

WINDOW SCHEDULE			
QTY	TYPE	COMMENTS	EGRESS
10	30/60	SINGLE HUNG	180.00
TOTAL EGRESS			180.00



**FIRST FLOOR ELEV 'A'**  
SCALE 1/8" = 1'-0" (NOTE: SCALE 1/4" = 1'-0" ON 22x34 PAPER)

## SQUARE FOOTAGE AREAS (BRICK) ELEV "A"

A/C LIVING AREAS	SQ. FT.
1st FLOOR - Masonry A	1343 SF
2nd FLOOR - Masonry A	583 SF
	1926 SF

## FOUNDATION SQUARE FOOTAGE

SLAB AREAS	SQ. FT.
COV. PATIO	92 SF
ELEV A PORCH	58 SF
GARAGE A	466 SF
	616 SF

## First Floor

SCALE:  
1/4" = 1'-0" (22"x34" SHEET)  
1/8" = 1'-0" (11"x17" SHEET)

**DESIGN AND  
CONSTRUCTION PLANNING**  
214-597-1150  
www.sanddesigns.com

**609 S.W. 14TH STREET  
GRAND PRAIRIE  
TEXAS**

**LEGAL DESCRIPTION  
DALWORTH PARK  
BLOCK 132 LOT 3**

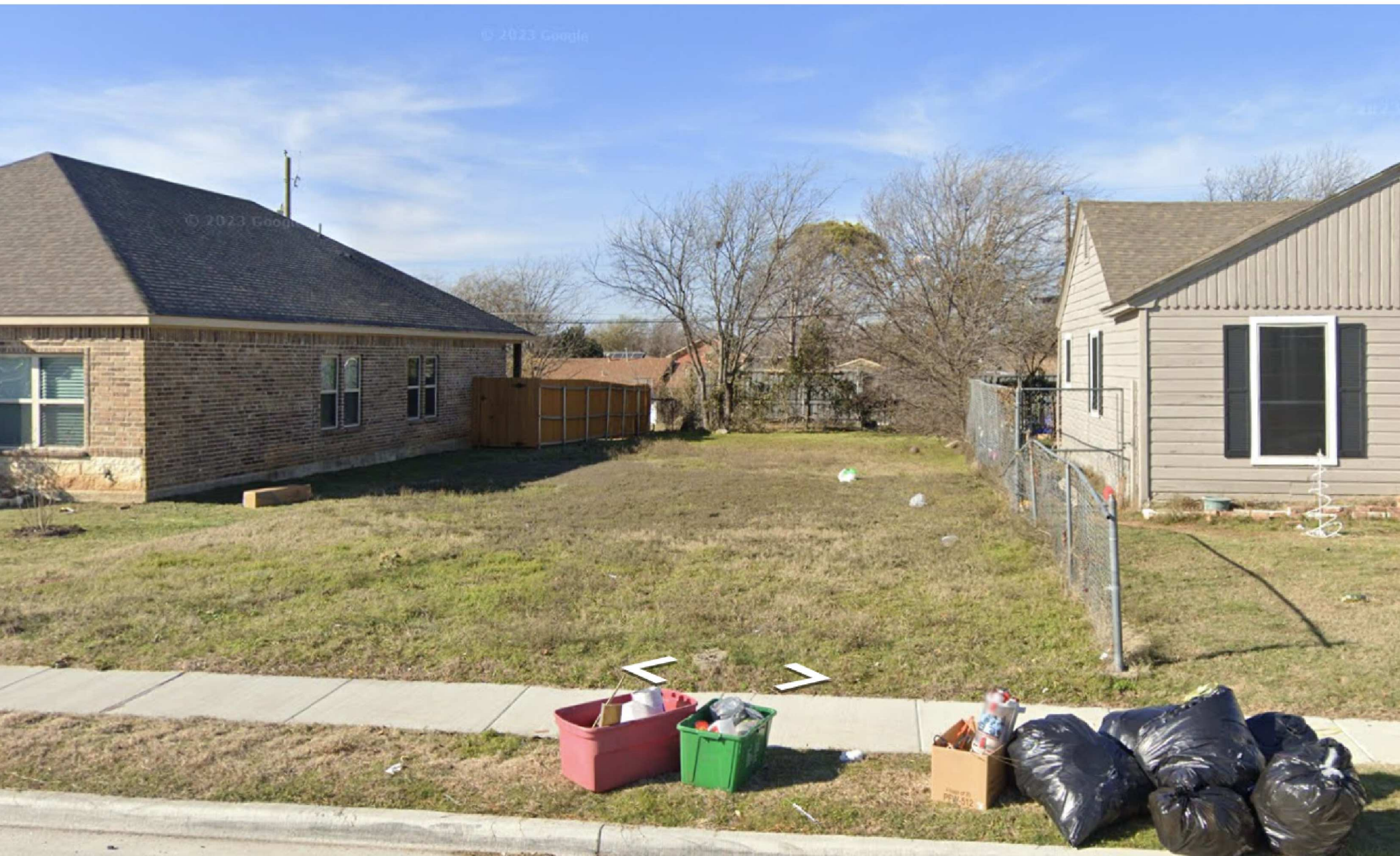
revision:  
number & date:  
designed by: SAL  
drawn by: SAL GONZALEZ  
checked by: S.G.  
date: 7-27-20

sheet title:  
FLOOR PLAN

sheet:  
**A.1**









## CITY OF GRAND PRAIRIE COMMUNICATION

**MEETING DATE:** 12/18/2023

**REQUESTER:** Monica Espinoza

**PRESENTER:** Brittany Musser, Planner

**TITLE:** ZBA-23-11-0073 (Council District 5) – Variance to reduce the minimum side yard setback for a primary structure permitted under the Unified Development Code, located at 225 NW 16th Street, legally described as Lot 1, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Six

**APPLICANT:** Luke Keeton

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

### SUMMARY:

Variance to reduce the minimum side yard setback for a primary structure permitted under the Unified Development Code, located at 225 NW 16th Street, legally described as Lot 1, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Six.

- A. Variance: Reduce the minimum side yard setback for side on street  
UDC setback: 15 feet  
Currently authorized setback: 5 feet  
Requested setback: 3 feet

### PURPOSE OF REQUEST:

The applicant is requesting a variance to reduce the minimum side yard setback for the Single Family-Six (SF-6) zoning district for a single family detached home. As the property is platted, the applicant is able to build a single family home on this lot despite it not meeting the lot area, width, or depth requirements for lots zoned SF-6. However, the applicant is still required to obtain a variance to reduce the minimum side yard setback prior to obtaining a building permit.

On November 20, 2023, the applicant received a special exception to reduce the number of off-street parking spaces and variances for the lot minimum front yard setback and the minimum side yard setback. The applicant is requesting that the side yard setback variance granted in November be updated from 5 feet to 3 feet to accommodate the building plans for the proposed single-family residence.

## PUBLIC NOTIFICATION:

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

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

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

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

**Staff Evaluation:** *Staff suggests that the variance will not harm the spirit and purpose of this ordinance. If the property owner is to develop their lot, the requested variance is necessary for them to do so.*

- 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 variance will not alter the essential character of the district. The variance is necessary for them to be able to develop a single family detached home, matching what is existing 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:** *Staff believes that such variance for a single family house 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 believes that the property owner has a hardship that is a unique circumstance of the property. The lot was platted prior to the existing density and dimensional standards for the SF-6 zoning district.*

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

**Staff Evaluation:** *Staff believes that the hardship is not self-created. The special exception and variances are required in order to build on a lot that was platted prior to current standards.*

#### **RECOMMENDATION:**

**Staff does not object to ZBA-23-11-0073 as requested.**

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

1. **Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2021 International Building Code, the Grand Prairie Municipal Code of Ordinances, 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

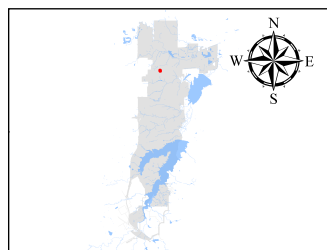
CASE LOCATION MAP  
ZBA-23-11-0073  
225 NW 16TH ST

Item 4.



-  Parcels
-  City Limits

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0 0.02 Miles

**Grand Prairie**  
TEXAS

PLANNING  
Date: 12/5/2023

39



