



**CITY OF GRAND PRAIRIE
ZONING BOARD OF ADJUSTMENTS AND APPEALS
MEETING MINUTES
March 19, 2012
Grand Conference Room
Development Center
206 W. Church Street**

BOARD MEMBERS PRESENT: Karl Larson, Chairman, Wendell Davidson, Vice Chairman, Larry Owings, Melinda Rodgers, Daniel Smith, Shawn Connor, John Lopez

MEMBERS ABSENT: Douglas Key, Joe Picardo

CITY STAFF PRESENT: Steve Alcorn, Assistant City Attorney, Mary Elliott, Senior Planner, Ryan Miller, Planner, Savannah Ware, Sr. Office Assistant

AGENDA BRIEFING:

I. CALL TO ORDER

Chairman Larson called the meeting to order at 7:00 P.M.

II. INVOCATION

Vice Chairman Davidson gave the invocation.

III. APPROVAL OF MINUTES:

Chairman Larson noted that there were several typing errors in the February 20, 2012 Minutes. Motion was made to approve the minutes of the Zoning Board of Adjustment and Appeals meeting of February 20, 2012 provided the errors are corrected. The action and vote recorded as follows:

Motion: Mrs. Rodgers

Second: Mr. Owings

Ayes: Larson, Davidson, Owings, Rodgers, Smith, Connor, Lopez

Nays: None

Motion: Approved 7-0

IV. PUBLIC HEARING

1. **CASE NUMBER BA120301** - 3910 Cordwood Court, platted as Lot 33, Block D of the Woodcrest Addition (Council District 4). Consideration of a variance to the rear yard building setback as specified in Article 6, "Density and Dimensional Requirements," of the Unified Development Code for the purpose of constructing an addition to the primary structure. The subject property is zoned Planned Development District 27 (PD-27) and is generally located south of W. Crossland Boulevard and east of Robinson Road.

Mr. Miller presented the case.

The applicant is requesting a variance to the minimum rear yard building setback for the purpose of constructing an addition to the primary structure. The proposed addition will be situated at the rear of the subject property and will have a building footprint of 15' by 36', or 540 square feet. The proposed addition will be architecturally integrated into the roof line of the primary structure, and the exterior of the structure will be covered in a siding material that will be painted a complimentary color to the existing home. After the addition is finished the primary structure will be situated 7.5 feet from the rear yard property line, adjacent to an existing utility easement. According to Article 6, "Density and Dimensional Requirements," of the Unified Development Code, the minimum rear yard building setback for a vested Single Family-One (SF-1) property is ten feet (10'). The applicant is requesting to encroach into this required building setback by 2½ feet. It is staff's opinion that the proposed encroachment will not create a negative impact on adjacent properties, and with the exception of the proposed variance, the property is in conformance with the vested Single Family-One (SF-1) District standards.

With the exclusion of the proposed variance, the subject property is and will remain in conformance with the density and dimensional requirements for a property located within a vested Single Family-One (SF-1) zoning district.

Staff cannot fully support the requested variance since the applicant has not demonstrated a unique hardship. However, it is the opinion of staff that if approved the proposed variance will not substantially weaken the general purpose of the zoning regulations established for this district and that the approval of the encroachment will not alter the essential character of the zoning district. Furthermore, staff does acknowledge that the proposed addition will not be visible from public right-of-way and will be situated in the rear yard of the subject property behind the existing primary structure. Therefore, in the absence of neighborhood opposition, staff is not opposed to the applicant's request.

If the Zoning Board of Adjustment and Appeals chooses to grant the variance, staff recommends the following conditions:

1. The variance is to be no more than what is approved by the Zoning Board of Adjustments and Appeals,

2. The applicant will need to apply for a building permit from the Building Inspections Division prior to the construction of the proposed addition,
3. No element of the proposed addition can overhang the 7.5-foot utility easement located in the rear yard of the subject property, and
4. Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2009 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.

Chairman Larson asked if the Board had any questions for staff.

Chairman Larson noted there were no questions for staff and opened the public hearing.

Mr. Alcorn noted speaker cards submitted in support of this case:

Jimmy Layton, Applicant
3910 Cordwood Ct
Grand Prairie, TX 75052

Ella Layton
3910 Cordwood Ct
Grand Prairie, TX 75052

Chairman Larson asked the applicant to come forward.

The applicant stated that he agreed with everything Mr. Miller presented.

Chairman Larson made note of the speaker cards and asked if there was anyone else in the audience who wished to speak.

There being no further discussion on the case, Chairman Larson stated he was willing to entertain any motions.

Mrs. Rodgers made the motion to close the public hearing.

Vice Chairman Davidson seconded the motion to close public hearing.

Mr. Owings requested clarification and asked if the applicant was unwilling to discuss the case.

Chairman Larson stated that it was his understanding that the applicant was not unwilling, rather the applicant felt that staff's presentation was sufficient and felt no need to make additional statements.

Mr. Owings stated that he had a question for the applicant.

The applicant, Jimmy Layton, stated his address for the record.

Mr. Owings asked the applicant if he understood that the submitted plans could not be built as is.

Mr. Owings stated that if the board approved the case with the 7½-foot adjacent to the easement the applicant could not build the window to encroach it at all.

The applicant stated that he understood, and the window would be flat. There will not be any overhang.

Chairman Larson noted the discussion had been reopened and would entertain the same motion to close public hearing. All were in favor.

Motion was made to approve case BA120301 with the recommended conditions. The action and vote recorded as follows:

Motion: Mr. Smith

Second: Mrs. Rodgers

Ayes: Larson, Davidson, Owings, Rodgers, Smith, Connor, Lopez

Nays: None

Motion: Approved 7-0

2. **CASE NUMBER BA120302** - 2314 Avenue A, platted as Lot 3 and 4, Block 3 of the Waldrum City Addition (Council District 3). Consideration of a special exception as required by Article 6, "Density and Dimensional Requirements," of the Unified Development Code to construct a carport in a Single Family-Four (SF-4) zoning district. The subject property is generally located north of Lakeview Drive and east of S.E. 14th Street.

Mrs. Elliott presented the case.

The applicant is requesting a special exception for a detached 20 ft. by 30 ft. carport. The structural composition of the carport will be wood frame construction, attached to the existing concrete driveway. The roof of the proposed carport will be a shingle, sloped roof that will be the same materials as the roof for the primary structure. The height of the carport will be 12 feet to the top of roof. According to the application, the carport will be used to "cover vehicles."

The rear of the carport will be six (6) feet from the rear property line. The side of the carport will be approximately 64 feet from the closest side property line.

The applicant has applied for a special exception, and has submitted for a building permit for the proposed carport pending approval of this special exception.

The proposed carport meets most of the technical requirements for the special exception. The carport will be constructed to match the primary structure. The total square footage will be 600 square feet, and the proposed carport will be a minimum of six feet from all property lines.

There are other homes in the neighborhood that have metal carports. Three examples of carports in the front yard that are on the same block as the subject property are included in the power point presentation. In this subdivision, several houses also have carports in the rear yard.

The applicant's request meets most of the technical requirements for a special exception to construct a carport as established in Article 6, "Density and Dimensional Requirements," of the Unified Development Code. If the board chooses to grant the special exception, then staff recommends the following conditions of approval.

1. The variances are to be no more than what is approved by the Zoning Board of Adjustments and Appeals; and,
2. Any construction or building allowed by this variance or special exception must conform to the requirements set forth by the Unified Development Code, the 2009 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.

Chairman Larson asked if the Board had any questions for staff.

Mr. Conner asked staff if the structures shown in the photograph were on the applicant's property or if they were on a different property.

Mrs. Elliott answered that the structures were on the applicant's property and that they were used for storage.

Mr. Connor asked if the carport would be built in front of the structure on the left.

Mrs. Elliott answered that the carport would be built in front of the structure.

Chairman Larson noted there were no questions for staff, and asked if the applicant was present.

Mr. Alcorn asked if the applicant would state his name and address for the record.

The applicant stood and stated his name and address.

Ronnie Delgado
2314 Ave A
Grand Prairie, TX

Chairman Larson asked the applicant if he had anything he would like to say.

The applicant stated that he did not have anything he wanted to add and indicated he would answer any questions.

Chairman Larson asked the board if they had any questions to ask the applicant.

Chairman Larson noted that there were no questions.

Chairman Larson noted that there was an additional speaker card submitted in support of the case.

Chairman Larson stated the supporter's name and address for the record.

Ron Poland
1739 Valley View Dr
Cedar Hill, TX

Chairman Larson noted that no other speakers were present and stated that he was willing to entertain any motions.

Mrs. Rodgers made a motion to close the public hearing and was seconded by Mr. Smith.

Motion was made to approve case BA120302 with the recommended conditions. The action and vote recorded as follows:

Motion: Mr. Owings

Second: Mrs. Rodgers

Ayes: Larson, Davidson, Owings, Rodgers, Smith, Connor, Lopez

Nays: None

Motion: Approved 7-0

V. CITIZENS COMMENT

No Citizen Comments

VI. COMMENTS BY BOARD

VII. ADJOURNMENT

Mr. Connor made a motion to adjourn, seconded by multiple board members.

Motion: Mr. Connor

Second: Multiple board members

Ayes: Larson, Davidson, Owings, Rodgers, Smith, Connor, Lopez

Nays: None

Motion: Approved 7-0

Meeting Adjourned at 7:30 p.m.

A handwritten signature in black ink, appearing to be "Karl C.", written over a horizontal line.

Chairman, Zoning Board of Adjustments and Appeals