

CITY OF GRAND PRAIRIE ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING MINUTES December 17, 2012 City Hall

City Hall 317 W. College Street

BOARD MEMBERS PRESENT: Wendell Davidson, Chairperson, Melinda Rodgers, Vice Chairperson, Larry Owings, Cheryl Hare, Barry Anderson, Jim Parker, Alternate, Peter Fitzwilliams, Alternate

MEMBERS ABSENT: Joe Picardo

CITY STAFF PRESENT: Steve Alcorn, Assistant City Attorney, Jim Hinderaker, Chief City Planner, Farjee Ahmed, Planner, Savannah Ware, Senior Office Assistant

AGENDA BRIEFING:

I. CALL TO ORDER

Mr. Davidson called the meeting to order at 7:00 P.M.

II. INVOCATION

Mr. Anderson gave the invocation.

III. APPROVAL OF MINUTES:

Mrs. Rodgers made a motion to approve the Zoning Board of Adjustments and Appeals meeting minutes for November 19, 2012.

The following action and vote took place:

Motion: Mrs. Rodgers Second: Mr. Anderson

Ayes: Davidson, Rodgers, Owings, Hare, Anderson, Parker, Fitzwilliams

Nays: None

Motion: Approved 7-0

IV. PUBLIC HEARING

1. <u>CASE NUMBER BA121201</u> - 1133 Hill Street, platted as Lot 9, Block 156 of Dalworth Park (Council District 5). Consideration of a request for the approval of a Special Exception as required by Article 6, "Density and

Dimensional Requirements," of the Unified Development Code for the purpose of constructing a carport. The subject property is zoned Two Family- Residential (2F) District and is generally located north of Church Street and east of 12th Street.

Ms. Ahmed presented the case.

The applicant is requesting a special exception for an attached 18 ft. by 19 ft. carport. The total square footage of the proposed addition is 342 square feet. The structural composition of the carport will be wood frame construction attached to the existing concrete driveway, it will be supported by three wooden posts set in four foot deep concrete footings. The three wood posts will be placed on the east side of the proposed carport with a maximum height of 8-feet. The roof of the proposed carport will be of wood frame and decking with shingles to match the house. According to the application, the carport will be used to protect the owner's vehicles from inclement weather.

The side of the carport will be in line with the house and will meet the setback from the side of the property line. The front of the carport will be approximately 45 feet from the property line.

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

The proposed carport meets all the technical requirements for the special exception. The total square footage will be 342 square feet, and the proposed carport will be a minimum of five feet from all property lines adjoining public right-of-way.

The applicant's request meets all 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. In addition, there are other residences with carports in the front yard for this subdivision. Since there are no appeals or variances, staff recommends support of this request. In the absence of neighborhood opposition, if the board chooses to grant the special exception, 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;
- 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.

Sergio Molina, 1133 Hill Street, represented the case.

Sergio Molina, 1133 Hill Street and Laura Molina, 1133 Hill Street, indicated their

support for the case.

Schipmann Hans, 14723 Tanglewood, attended the meeting in order to obtain more information about the request.

Mr. Owings made a motion to close public hearing and was seconded by Mr. Parker.

A motion was made to approve case BA121201 with the recommended conditions. The following action and vote took place:

Motion: Mrs. Rodgers Second: Mr. Owings

Ayes: Davidson, Rodgers, Owings, Hare, Anderson, Parker, Fitzwilliams

Nays: None

Motion: Approved 7-0

2. <u>CASE NUMBER BA121202</u> - 418 Yaupon Drive, platted as Lot 6, Block 3 of Glen Oaks (Council District 3). Consideration of a request for the approval of a Masonry Exception to stipulations in Article 6, "Density and Dimensional Requirements," of the Unified Development Code for the purpose of constructing a garage with a wooden frame building. The subject property is zoned Single Family 2 (SF-2) District and is generally located south of Corn Valley Road and west of Magnolia Drive.

Mr. Hinderaker presented the case.

Staff understands that the applicant began work on the proposed garage without the necessary permits. Specifically, a concrete slab, which is intended to be the foundation for the garage, was poured within 3 feet of the rear property line without any inspections. To confirm the slab meets city standards, the applicant provided a signed and stamped letter dated November 6, 2012 from Edward D. Hill P.E. to Dennis Morrison, Plans Examiner for the Grand Prairie Building Inspection Department stating that the pad is suitable to support the proposed garage structure.

As proposed, the garage will be primarily a wood frame structure with the exception of the west and north walls that are to be partially constructed (the lower most 36-inches) of a poured concrete wall. The roof is proposed to have an approximate 2:12 pitch (or less) and is to be completed with asphalt shingles. With this roof pitch, the structure will be a maximum of 10-feet in total height with 8-foot sidewalls. A concrete driveway and access from the alley is also proposed.

During a site visit of the property, staff noted that approximately 3/4 of the rear yard and the entire street side yard beginning approximately mid-point along the existing house and terminating at the property line along the alley is entirely screened from view by an 8-foot wood fence. Staff also noted that a few of the surrounding properties have detached accessory structures located within their respective rear yards. The house located on the subject property, as well as the surrounding houses, contain a mixture of brick and wood

siding.

Staff suggests that the proposed masonry waiver and setback variance is unlikely to cause any negative impact on the immediate neighborhood primarily due to the fact that the structure will be almost entirely screened from view by the existing wood fence. Staff finds that all other applicable requirements of the city have been met.

To date, no comments have been received from property owners within the 200-foot notification area. In the absence of neighborhood opposition, staff does not object to the applicant's masonry exception and setback variance requests as provided by Sections 6.13.2 and 6.6.2.3.3 of Article 6 of the UDC.

The applicant has applied for a building permit [12-8908], pending the outcome of the Zoning Board of Adjustment and Appeals decision. If the board chooses to grant the variance, then staff recommends the following conditions of approval.

- 1. The masonry waiver and setback variance are to be no more than what is approved by the Zoning Board of Adjustments and Appeals;
- 2. The color of the garage will match the color of the primary residence; and,
- 3. The applicant will need to obtain a building permit; and,
- 4. 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.

Ronnie Linton, 418 Yaupon Drive, represented the case.

Mr. Owings asked if the applicant would be willing to use HardiPlank siding in the construction of the garage.

Mr. Linton stated that he was willing to use HardiPlank siding.

Monty Olson, 3717 Yaupon Drive, Cindy Olson, 3717 Yaupon Drive and Cindie Moss, 3702 Magnolia Drive, indicated their support for the case.

Jose Macias, 3713 Magnolia Drive, and Eloise Fallis, 3709 Magnolia, attended the meeting in order to obtain more information about the request.

Mr. Owings made a motion to close public hearing and was seconded by Mr. Parker.

Mr. Fitzwilliams made a motion to approve case BA121202 with the recommended conditions and use of HardiPlank in the construction of the garage.

The following action and vote took place:

Motion: Mr. Fitzwilliams Second: Mr. Anderson

Ayes: Davidson, Rodgers, Owings, Hare, Anderson, Parker, Fitzwilliams

Nays: None

Motion: Approved 7-0

3. CASE NUMBER BA121203 - 605 W. Springdale Lane, platted as Lot 8 and 10 feet Lot 7, Block 15 of Country Club Estates 4 (Council District 2). Consideration of a request for the approval of a Special Exception as required by Article 6, "Density and Dimensional Requirements," of the Unified Development Code for the purpose of constructing a carport. The subject property is zoned Single Family 3 (SF-3) District and is generally located south of W. Springdale Lane and east of Crestbrook Lane.

Case Tabled

4. <u>CASE NUMBER BA121204</u> - 726 Homestead Trail, platted as Lot 19 of Travels End Mobile Estates (Council District 3). Consideration of a request of the approval of a Variance to setback requirements stipulated in Article 6, "Density and Dimensional Requirements," of the Unified Development Code for the purpose of constructing an accessory structure. The subject property is zoned Agriculture (A) District and is generally located south of W. Polo Road and east of Robinson Road.

Mr. Hinderaker presented the case.

The applicant wishes to build a 960 sq. ft. (20' x 48') metal accessory building on his 0.55 acre property. Section 6.6.5.2 of Article 6 of the UDC allows accessory buildings on lots greater than 0.5 acres to be constructed of metal with a baked enamel finish when the building is setback a minimum of 30 feet from all property lines. However, the applicant is seeking approval of this setback variance in order to locate the proposed building 25 feet from the north (rear) property line and 10 feet from the east (side) property line thus enabling the preservation of a number of mature Pecan trees located on the property.

In addition, accessory structures are limited in area to no more than 450 sq. ft.; however, Section 6.6.4.C of Article 6 of the UDC allows the total square footage of all accessory structures, on lots exceeding 0.5 acres, to not exceed 10% of the square footage of the lot or tract of land. Again, the applicant's property is approximately 0.55 acres or 23,991 sq. ft. in total area. Currently, there are two existing accessory buildings located on the property. The applicant proposes to retain one of the buildings and raze the other due to its dilapidated condition and in order to build the proposed building in its place. The retained building is approximately 192 sq. ft. in total area. This building together with the proposed structure brings the total square footage of accessory structures to 1152 sq. ft., well under the 2,399 sq. ft. allowed.

The structural composition of the proposed accessory building will be a metal frame construction with a sheet metal exterior, attached to a concrete footing and concrete pad. The roof of the proposed accessory building will also be a metal frame with a metal roofing material. The applicant has chosen a gray primary material color with a green trim accent, which appears to complement the primary structure. The building will be about 10 feet in total height with a 3:12 roof pitch. The front portion (the first 8 feet) of the building is proposed to be open on three sides thus giving a porch like appearance to the structure.

Staff suggests that the proposed setback variance is unlikely to cause any negative impact on the immediate neighborhood as the surrounding properties consist primarily of older mobile homes and out buildings with wood and metal siding. The setback variance will also enable the applicant to retain a number of mature Pecan trees, which is in keeping with the Comprehensive Plan. In addition, the applicant proposes to remove one of the existing accessory structures, which is in an advanced state of disrepair, and replace it with the proposed new accessory building. Staff finds that all other applicable requirements of the city have been met.

To date, no comments have been received from property owners within the 200-foot notification area. In the absence of neighborhood opposition, staff does not object to the applicant's setback variance request of Section 6.6.5.2 of Article 6 of the UDC.

The applicant has applied for a building permit [12-8545], pending the outcome of the Zoning Board of Adjustment and Appeals decision. If the board chooses to grant the variance, then staff recommends the following conditions of approval.

- 1. The setback variance is to be no more than what is approved by the Zoning Board of Adjustments and Appeals;
- 2. The accessory building color scheme shall complement the primary structure;
- 3. The applicant will need to obtain a building permit; and,
- 4. 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.

Cody Bridges, 726 Homestead Trail, represented the case.

Ferly Bridges, 726 Homestead Trail, indicated his support for the case.

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

Mrs. Rodgers made a motion to approve case BA121204 with the recommended

conditions.

The following action and vote took place:

Motion: Mrs. Rodgers Second: Mr. Parker

Ayes: Davidson, Rodgers, Owings, Hare, Anderson, Parker, Fitzwilliams

Nays: None

Motion: Approved 7-0

V. CITIZENS COMMENT

No Citizen Comments

VI. COMMENTS BY BOARD

None

VII. ADJOURNMENT

Mr. Owings made a motion to adjourn and was seconded by multiple members of the board.

Motion: Mr. Owings Second: Multiple

Ayes: Davidson, Rodgers, Owings, Hare, Anderson, Parker, Fitzwilliams

Nays: None

Motion: Approved 7-0

Meeting Adjourned at 8:30 p.m.

Vice Chairperson, Zoning Board of Adjustments and Appeals