



City Hall : 317 College St Grand Prairie, TX

MEETING AGENDA

Zoning Board of Adjustments and Appeals

DATE

September 16, 2019

BRIEFING:

6:30PM

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

CALL TO ORDER

7:00 PM

The Zoning Board of Adjustments and Appeals is appointed by the City Council to consider variances, exceptions and appeals as prescribed by the City of Grand Prairie's Unified Development Code. In accordance with Section 211.009 of the Local Government 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 X , Tracy Owens X , Heather Mazac X ,

Clayton Hutchins X , Debbie Hubacek X , Stacy White X ,

Anthony Langston, Sr. X , Timothy Ibidapo X ,

Martin Caballero X , David Baker * _____, Tommy Land* _____

INVOCATION:

 Clayton Hutchins led the invocation

APPROVAL OF MINUTES:

 Tracy Owens motioned to approve last month's minutes

 Timothy Ibidapo seconded motion

 9 yays 0 nay

PUBLIC HEARING:

1. CASE NUMBER BA190903 (Council District 6)

1. Requesting a special exception for a 20 x 20 (440 sq ft) rear yard carport.
2. Requesting a 10 ½ foot rear yard setback variance from the required 18 feet to allow for a carport 7 ½ feet from the property line
3. Requesting a 4 foot side yard setback variance from the required 5 feet, to allow for a carport 1 foot from the side property line

Located at 4418 Laredo Dr legally described as Lot 33, Block 34, Westchester 4 Addition, City of Grand Prairie, Dallas County, Texas, zoned "PD-172" Planned Development 172 District

Applicant / Spokesperson: Sacramento Duran

Address: 4418 Laredo Dr
 Grand Prairie, TX 75052

Any comments from Spokesman:

The applicant stated that the carport would attached to the house and wanted to construct it correctly with Building Permits

Any questions from Board:

The Board did not have any questions for the applicant but did have questions for those that had opposition.

Debbie Hubacek asked Ms. Scott if when the other 2 carports in the area were built, did you not object to those? Ms. Scott stated that she doesn't believe those are on Laredo but on Chaparral and did not see them.

Tracy Owens asked Mr. Alonzo if the carport would be seen from the front of the property? Mr. Alonzo stated that not it would not but believes it still would create the vehicle issue.

Clayton Hutchins asked Mr. Alonzo if it was his fear that if this is built then more would be built in the future? Mr. Alonzo stated yes

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application:

Rosario Banderas of 703 Chippewa noted her opposition of the structure.

Linda Scott of 715 Chippewa also voiced her opposition due to the strict deed restrictions the PD has and does not believe it will be architecturally sound.

Steven Alonzo of 703 Chippewa voiced his opposition as he believes this would lead to more issues with vehicles on the streets. There have already been over 100 violations noted in the area due to a great amount of vehicles in the surrounding neighborhood.

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:

Motion to close to the public hearing by Tracy Owens
2nd the Motion by Stacy White

Motion to Approve Case Tracy Owens
2nd the Motion Heather Mazac

Motion was approved/denied 1 yays to 8 Nays

Members that objected Barry Sandacz, Heather Mazac, Clayton Hutchins, Debbie Hubacek, Stacy White, Anthony Langston, Sr, Timothy Ibidapo, Martin Caballero

Any conditions:

- 2. CASE NUMBER BA190905 (Council District 3)**– Requesting a 6 foot side yard setback variance from the required 15 feet, to allow for a residential dwelling 9 feet from the side property line, located at 1501 Lakeview De, legally described at Lot 1, Mountain Lakeview 3, City of Grand Prairie, Dallas County, Texas zoned “SF-4” Single Family Four Residential District.

Applicant / Spokesperson: Thomas Ibarra (contractor)
Address: 1319 Meyers Rd
Irving, TX

Any comments from Spokesman:

Applicant is building other houses on the street and would like to build this for his customer

Any questions from Board:

Clayton Hutchins asked if the house was already built. The contractor stated that no it was not.

Tracy Owens asked if there were other vacant lots? The contractor stated that there were more across the street.

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application:

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

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

Motion to close to the public hearing by __Tracy Owens_____
2nd the Motion by _Stacy White_____

Motion to Approve Case by __Tracy Owens_____
2nd the Motion __ Clayton Hutchins_____

Motion was **approved**/denied __9____ yays to __0____ Nays
Members that objected _____

Any conditions:

The public hearing was closed.

3. CASE NUMBER BA190906 (Council District 3) – Requesting a special exception for a 26 x 31 (806 sq ft) carport, located at 1534 Avenue E, legally described as Lot 18R, Block 3, Lake Crest 2 Addition, City of Grand Prairie, Tarrant County, Texas, zoned SF-4” Single Family – Four Residential District.

Applicant / Spokesperson: _Dagoberto Graciano_____

Address: ___1534 Avenue E_____
___Grand Prairie, TX 75051_____

Any comments from Spokesman:

The applicant would like the structure to protect his vehicles

Any questions from Board:

Clayton Hutchins asked the Staff about their denial. The staff stated that if the applicant would like the structure to be 806 sq ft then it would need to be the same material as the house and if it is not the same material then it would need to be 500 sq ft

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application:

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

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

Motion to close to the public hearing by __ Tracy Owens _____

2nd the Motion by __ Timothy Ibidapo _____

Motion to Approve Case as is by __ Tracy Owens _____

2nd the Motion __ Stacy White _____

Motion was approved/denied ____ 3 ____ yays to ____ 6 ____ Nays

Members that objected __ Tracy Owens, Heather Mazac, Clayton Hutchins, Stacy White, Anthony Langston, Sr.

Motion to Approve Case with condition that the structure of 807 sq ft be of same material as house __ Tracy Owens _____

2nd the Motion Heather Mazac

Motion was **approved**/denied 7 yays to 2 Nays

Members that objected Clayton Hutchins, Timothy Ibidapo

Any conditions:

The public hearing was closed.

4. **CASE NUMBER BA190907 (Council District 6)** – Requesting a special exception for a 4:1 roof pitch from the required 6:12 roof pitch, located at 1235 Preserve Blvd, legally described as Lot 2541, Block P, Lake Ridge, Section 20 Addition, City of Grand Prairie, Tarrant County, Texas, zoned “PD-258” Planned Development-258 District.

Applicant / Spokesperson: Bryan BJork - Masterson’s H2O Builders

Address: 1235 Preserve Blvd
Grand Prairie, TX 75050

Any comments from Spokesman:

Mr. Bjork stated that the pitch more aesthetically pleasing and a high pitch would impede the view of the surrounding neighbors

Any questions from Board:

Timothy Ibidapo asked if solar panels would be considered in the future. The contractor stated that it could be done but not sure as of yet

The following persons spoke in favor of the application:

Sam Katheh of 2919 Bandera supports the case and would like for the applicants house to have a more modern look. The changes would also not impede the view of those around them

The following persons noted their support for the application:

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

The following persons noted their opposition to the application:

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

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

Motion to close to the public hearing by _Tracy Owens_____
2nd the Motion by __Stacy White_____

Motion to Approve Case by __Timothy Ibidapo_____
2nd the Motion __ Clayton Hutchins_____

Motion was **approved**/denied __9__ yays to __0__ Nays
Members that objected _____

Any conditions:

The public hearing was closed.

5. CASE NUMBER BA190908 (Council District 5)– WITHDRAWN

- 6. CASE NUMBER BA190910 (Council District 3) –** Requesting a 1 ft building setback from the required 6ft to allow for a detached garage 5 feet from an accessory structure located at 706 E Springdale, legally described as Lot 5, Block 4, Lake Park Village 1 Addition, City of Grand Prairie, Dallas County, Texas, zoned “SF-3” Single Family – Three Residential District.

Applicant / Spokesperson: _Juan Moreno_____

Address: _____706 E Springdale_____
_____Grand Prairie, TX 75051_____

Any comments from Spokesman:

Any questions from Board

Staff stated that this case was seen at the previous meeting and has decided to revise the material from Metal to Hardy Board. They will also remove the other storage once the larger structure is built

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application:

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

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

Motion to close to the public hearing by __Tracy Owens_____
2nd the Motion by __Timothy Ibidapo_____

Motion to Approve Case by __Tracy Owens_____
2nd the Motion __Timothy Ibidapo_____

Motion was **approved**/denied __9____ yays to __0____Nays
Members that objected _____

Any conditions:

The public hearing was closed.

7. **CASE NUMBER BA190911 (Council District 6)**– Requesting a 35 ft height variance from the 25 ft height limitation, to allow for a 60 ft multi-tenant pylon sign. Located at 4126 S Carrier Pkwy, legally described as Lot 2, Block 5, Westchester Commercial Addition City of Grand Prairie, Dallas County, Texas, zoned “PD-173” Planned Development-173 District

Applicant / Spokesperson: Rick Robertson

Address: 116 Meadow Dr
 Burleson, TX 76028

Any comments from Spokesman:

The applicant stated this pylon sign would be more cost effective and are in need of the height variance due to the large tall trees in the area. His company has constructed a sign similar to this off of Pioneer and Carrier.

Any questions from Board:

Stacy White voiced his concern about the placement of the sign at a major intersection and questioned if this would be a traffic hazard. The applicant stated that this would be located 20 ft off of Carrier and it would be up on the hill. This sign would not be in the visibility triangle.

Heather Mazac questioned the square footage of the sign. The staff reminded the Board that this request is only concerning the height

David Jones, staff, stated that the location of the proposed sign is the only place it can be built to provide sufficient parking for a gym. He also stated that sign code was amended about 24 months ago to reduce large signs

The following persons spoke in favor of the application:

The following persons noted their support for the application:

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

The following persons noted their opposition to the application:

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

_____.

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

Motion to close to the public hearing by Tracy Owens
2nd the Motion by Heather Mazac

Motion to Approve Case by Tracy Owens
2nd the Motion Timothy Ibidapo

Motion was approved/**denied** 5 yays to 4 Nays

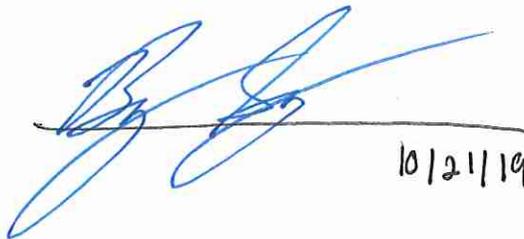
Members that objected Heather Mazac, Clayton Hutchins, Tracy Owens, Anthony Langston, Sr.

Any conditions:

The public hearing was closed.

CITIZENS COMMENTS:

ADJOURNMENT : 8:21 PM


10/21/19