



City Hall: 317 College St Grand Prairie, TX

MEETING AGENDA

Zoning Board of Adjustments and Appeals

DATE February 17th, 2020

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 ,

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

Anthony Langston, Sr. X , Timothy Ibidapo X ,

Martin Caballero , David Baker * X , Tommy Land*

INVOCATION:

David Baker led the invocation

APPROVAL OF MINUTES:

Tracy Owens motioned to approve last month's minutes

David Baker seconded motion

8 yays 0 nay

PUBLIC HEARING:

1. **CASE NUMBER BA200202 (Council District 6).** Requesting a 200 sq ft variance from the required 450 square foot accessory structure limitation, to allow for a 650 square foot accessory structure, located at 1011 Royal Lytham Ct, legally described as Lot 2361, Block H, Lake Ridge Sec 18-A PH 3 Addition, City of Grand Prairie, Dallas County, Texas, zoned PD – 258, Planned Development District

Applicant / Spokesperson: John Hozdulick
Address: 1011 Royal Lytham Ct
Grand Prairie, TX 75052

Any comments from Spokesman:

The applicant is replacing existing outdoor structure from drainage issues. The neighbors cannot see it due to the property's elevation

Any questions from Board:

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.

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.

X 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 David Baker

Motion to Approve Case Tracy Owens
2nd the Motion David Baker

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

Any conditions:

The public hearing was closed.

2. CASE NUMBER BA200203 (Council District 2) – Requesting

1. A 206 square foot variance from the limitation of accessory structures not to exceed 50% of the primary structure, to allow for accessory structures equal in size to 60% of the primary structure
2. A 21-foot rear yard setback variance from the required 30-foot rear yard setback, to allow for a metal accessory structure 9 feet from the rear property line.

Located at 3702 Magnolia Dr, legally described as Lot 4, Block F, Glen Oaks Addition, City of Grand Prairie, Dallas County, Texas, zoned SF-2” Single Family – Two Residential District.

Applicant / Spokesperson: Cindie and Nelson Moss

Address: 3702 Magnolia Dr

Grand Prairie, TX 75052

Any comments from Spokesman:

The applicant would like the structure for space for storage **Any questions from Board:**

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.

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.

X The variance or exception will not be contrary to public interest.

X 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.

X 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.

X 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.

X 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 David Baker

Motion to Approve Case Tracy Owens
2nd the Motion David Baker

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

Any conditions:

CITIZENS COMMENTS:

BYLAWS: The final draft was given to the Board and needs to have a vote for approval

David Baker asked if the point in the Bylaws regarding the rotations of alternates was

new

The staff stated that this was already in place and the process will not change.

The rule at the moment is that Board members will attend meetings when possible and alternates would be rotated and called when needed.

David Baker motioned to approve the ByLaws as is

Timothy Ibidapo seconded the motion

The motion was approved 8 to 0

ADJOURNMENT : Tracy Owens at 7:15pm

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

by: 
Printed Name: Barry Sandoz
Title: Chairman