



MEETING AGENDA
Zoning Board of Adjustments and Appeals
August 17, 2020

Due to an imminent threat to public health and safety arising from the COVID-19 pandemic, this meeting of the Zoning Board of Adjustments and Appeals shall be held via videoconference. The members of the Board will participate remotely via videoconference. No facility shall be available for the public to attend in person.

Members of the public may participate in the meeting remotely via broadcast by webinar or telephone through the following URL location:

You are invited to a Zoom webinar.

When: Aug 17, 2020 06:30 PM Central Time (US and Canada)

Topic: City of Grand Prairie - Zoning Board of Adjustments & Appeals Meeting

Please click the link below to join the webinar:

<https://gptx.zoom.us/j/96842852971?pwd=em1RWIREd1pYOWIBRm8rUndQNkdxQT09>

Passcode: 255120

Or iPhone one-tap :

US: +13462487799,,96842852971#,,,,,0#,,255120# or
+16699006833,,96842852971#,,,,,0#,,255120#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 408 638 0968 or +1 646
876 9923 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 968 4285 2971

Passcode: 255120

International numbers available: <https://gptx.zoom.us/u/acglERANrX>

All meeting participants will be automatically muted until it is their turn to speak. To be recognized to speak, use the “raise hand” feature in the Zoom meeting platform. Those joining the meeting by phone may press *9 to raise your hand. After speaking, please remute your phone by pressing *6.

Any speaker wishing to visually display documents in connection with a presentation must submit them to sware@gptx.org in PDF format no later than 3:00 o'clock p.m. on Monday, August 17, 2020.

BRIEFING:**6:30 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 the presentation of the cases. No action will be taken during the briefing.

CALL TO ORDER:**7:00 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 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.

INVOCATION:**APPROVAL OF MINUTES:****PUBLIC HEARING:**

1. **BA200803 (Council District 6)** – Front yard setback variance at 4702 Opelousas Trail, legally described as Lot 1, Block H, Trailwood 4, City of Grand Prairie, Dallas County, Texas, zoned Planned Development - 81 District.
 - a. Variance: Construction of a covered porch in the front-yard setback. Required Setback: 25 feet. Requested Setback: 21 feet.
2. **BA200809 (Council District 1)** – Construction of a carport at 9 Heritage Court, legally described as Lot 9, Block 1, Heritage Estates No. 2, City of Grand Prairie, Tarrant County, Texas, zoned Single Family-One Residential District.
 - a. Special Exception: Construction of a carport
 - b. Variance: Construction of a carport that exceeds maximum area. Required: Maximum Area: 500 square feet. Requested Area: 576 square feet.
 - c. Variance: Construction of a carport in the side yard setback. Required Setback: 3 feet. Requested Setback: 6 inches.
 - d. Variance: Maximum allowed number of accessory structures. Maximum allowed: 3 Requested: Allowance to build 4th accessory structure on the property.
3. **BA200810 (Council District 1)** – Manufactured home replacement at 733 La Moda Street, legally described as Lot 182, San Grande Mobile Home Park, Elizabeth Gray Abstract 1680, Page 375, City of Grand Prairie, Dallas County, Texas, zoned Planned Development - 2 District.
 - a. Variance: Placement of a manufactured home in the Special Flood Hazard Area. Required: Prohibited. Requested: Placement of a manufactured home in the Special Flood Hazard Area.

4. **BA200811 (Council District 2)** – Construction of a carport at 506 San Carlos Drive, legally described as Lot 7, Garden Manor Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.
 - a. Special Exception: Construction of a carport.

5. **BA200813 (Council District 1)** – Construction of a single family residence at 2021 Eva Street, legally described as the north part of Lots 13, 14, and 15, Block 138, Dalworth Park, City of Grand Prairie, Dallas County, Texas, zoned Multi-Family One Residential District.
 - a. Variance: Creation of a lot that does not meet the minimum required depth.
Required Depth: 100 feet. Requested Depth: 55 feet.
 - b. Variance: Construction of a single-family residence in the front yard setback.
Required Setback: 25 feet. Requested Setback: 20 feet.

OFFICER ELECTION:**CITIZENS COMMENT:****ADJOURNMENT:**

In accordance with Chapter 551, Subchapter 6 of the Texas Government Code, V.T.C.A., the Zoning Board of Adjustment and Appeals agenda was prepared on the 12th day of August 2020 at 5:00 p.m.

Posted By: *Jonathan Tooley*

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



BA200803

4702 Opelousas Trail Variance – Front Yard Setback

Zoning Board of Adjustments & Appeals:	August 17, 2020
Case Manager:	Jonathan Tooley
Owner/Applicant:	Robert Martinez Jr.
City Council District:	6 (Jeff Woodridge)
Zoning:	PD-81

SUMMARY

Front yard setback variance at 4702 Opelousas Trail, legally described as Lot 1, Block H, Trailwood 4, City of Grand Prairie, Dallas County, Texas, zoned Planned Development - 81 District.

- a. Variance: Construction of a covered porch in the front-yard setback.
Required Setback: 25 feet. Requested Setback: 20.5 feet.

DISCUSSION

The applicant is seeking approval for the construction of a covered porch on the front of the single-family residence. Currently the house meets the front yard setback requirement of 25 feet, but to construct the covered porch the applicant will need a 4.5-foot front yard setback to allow for the porch addition to be 20.5 from the front yard property line.

Originally when the applicant applied with Building Inspections, the permit was approved with the measurements given to the Plans Examiner. Upon further review by the Chief Plans Examiner, it was determined that the applicant would need to provide more measurements as the first set of measurements were determined to be incorrect. After the Chief Structural Inspector visited the site and completed his set of measurements, it was determined by City staff that if the applicant was to begin construction of the covered porch that it would encroach the build line by approximately 4 – 4.5 feet. It was made clear by City staff to the applicant that although the permit was approved, that they would still need to have a variance granted before beginning construction, and that if they should proceed with construction without the variance that they would be proceeding at their own risk. City has documented that such notice was given.

The applicant has procured signatures for support for the project. As of the writing of this staff report, there are 8 people in support of this project, many being Mr. Martinez neighbors.

PUBLIC NOTIFICATION

Legal notice of this item was published in the Fort Worth Star Telegram August 7th and August 16th 2020.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on August 5th, 2020.

33 notices were sent, 8 were returned in favor, 0 opposed, and there is no 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: *Approving such variance will 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 the Single Family-Four Residential District.*

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

Staff Evaluation: *The granting of this variance does not detract from the spirit 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 will not alter the character of the neighborhood but will contribute enhanced value to the neighborhood. The covered porch that has been built is congruent with the style of house on the property.*

- 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 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 cannot find that the property owner has a hardship that is a unique circumstance of the property.*

- H. The variance or exception is not a self-created hardship.

Staff Evaluation: *Staff finds that the hardship is self-created.*

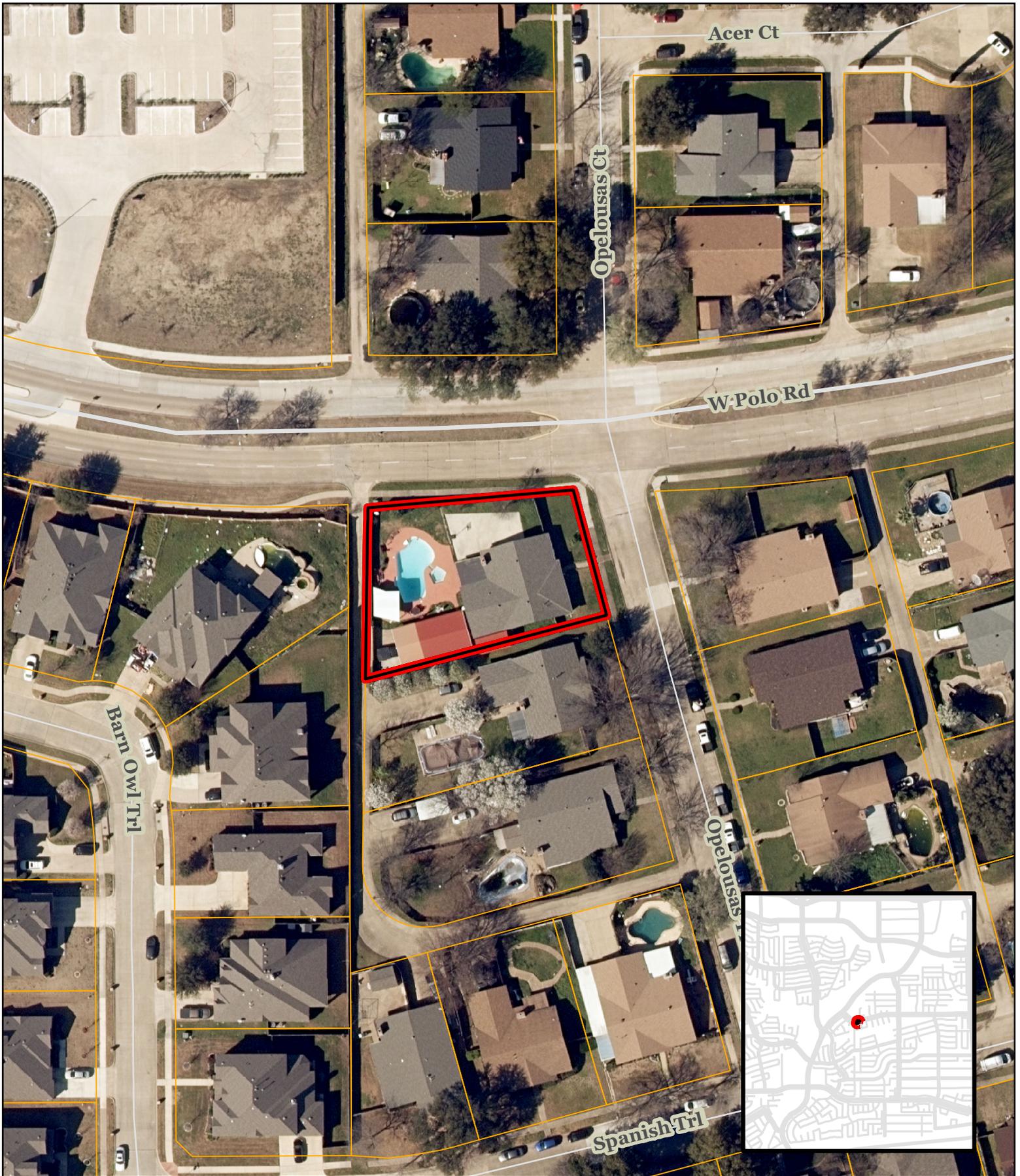
RECOMMENDATION

Staff recommends **Approval of BA200803 as requested** based on the following findings of fact:

1. The variance does not negatively impact the surrounding area.
2. The porch addition adds character to the subdivision, and fits the style of house that is currently on the property.

If the board chooses to grant the applicants request, he/she must abide to the following below:

Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2015 International Residential 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.



CASE LOCATION MAP

4702 Opelousas Trail

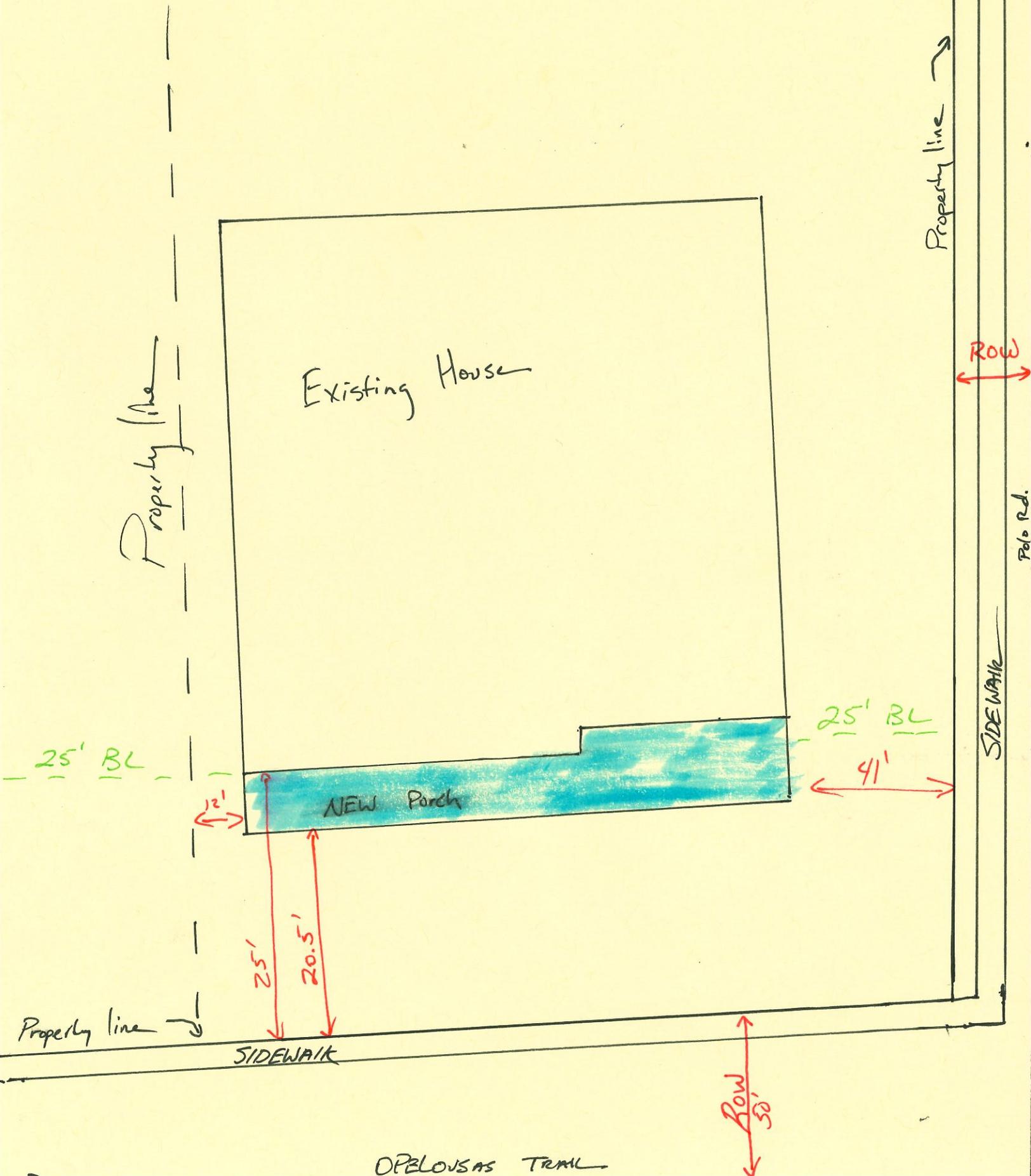


**City of Grand Prairie
Development Services**

 (972) 237-8255

 www.gptx.org

4702 Opelousas Trail.



4702 Opelousas Trl.

RE: Front Porch Addition

<u>Name</u>	<u>Address</u>	<u>AGREE/DISAGREE - COMMENTS</u>
* SEAN FULTON	4630 OPELOUSAS CT.	
* 7505 J,	STRONGLY	AGREE
* GEORGE PITOES	4626 OPELOUSAS CT.	AGREE
* Tonja Stone	4621 Opelousas ct	Agree.
* JERRY DUNN	4625 Opelousas ct	AGREE
* MIKE WALLEY	4701 OPELOUSAS TRL	AGREE
* James Spivey	2122 Spanish Trl GP	AGREE
* KAREN WOODS	4705 OPELOUSAS TRAIL	AGREE
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BA200809

9 Heritage Court Special Exemption - Carport

Zoning Board of Adjustments & Appeals:	August 17, 2020
Case Manager:	Jonathan Tooley
Owner/Applicant:	Max Coleman
City Council District:	1 (Jorja Clemson)
Zoning:	SF-1

SUMMARY

Construction of a carport at 9 Heritage Court, legally described as Lot 9, Block 1, Heritage Estates No. 2, City of Grand Prairie, Tarrant County, Texas, zoned Single Family-One Residential District.

- A. Special Exception: Construction of a carport
- B. Variance: Construction of a carport that exceeds maximum area. Required: Maximum Area: 500 square feet. Requested Area: 576 square feet.
- C. Variance: Construction of a carport in the side yard setback. Required Setback: 3 feet. Requested Setback: 6 inches.
- D. Variance: Maximum allowed number of accessory structures. Maximum allowed: 3 Requested: Allowance to build 4th accessory structure on the property.

DISCUSSION

The applicant is requesting approval to construct a carport to protect their personal truck. A single-family dwelling currently sits on the property and the owner is proposing to build a 24x24x12' tall (576 square foot) detached carport. On Heritage Court, there are several carports that have been constructed, but staff was unable to find any permits on record for them. The applicant plans on creating a structure that is harmonious with the primary structure and neighborhood.

The applicant is requesting a variance from the limitation of three accessory structures for allowance to build a 4th. Staff has visited the site and do not see any potential lot coverage issues with the project. Additionally, the applicant is wanting to exceed the square foot limitation by 76 sq. ft. Finally, the applicant is seeking relief from the side yard setback requirement stated in Article 6 of the UDC. Typically, it is required that carports should not be constructed any closer than three feet to the side yard property line. In this case, Mr. Coleman is wanting to build the carport 6 inches from the property line. He plans on using gutters to mitigate any run-off issues and has a letter of support from the neighbor at 11 Heritage Court.

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 addition complies with all regulations.

PUBLIC NOTIFICATION

Legal notice of this item was published in the Fort Worth Star Telegram August 7th and August 16th 2020.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on August 5, 2020.

21 notices were sent, 1 were returned in favor, 0 opposed, and there is no 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: *Such variance may potentially injure the appropriate use of adjacent property in the same district, but the applicant has received a letter from the owner at 11 Heritage Court stating that they are not opposed to the construction of the carport the applicant has proposed.*

- 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 the Single Family-Four Residential District.*

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

Staff Evaluation: *This variance is in harmony with the spirit and purpose of the 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: *The variance will not alter the character of 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 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 cannot find that the property owner has a hardship that is a unique circumstance of the property.*

- H. The variance or exception is not a self-created hardship.

Staff Evaluation: *Staff finds that the hardship is self-created.*

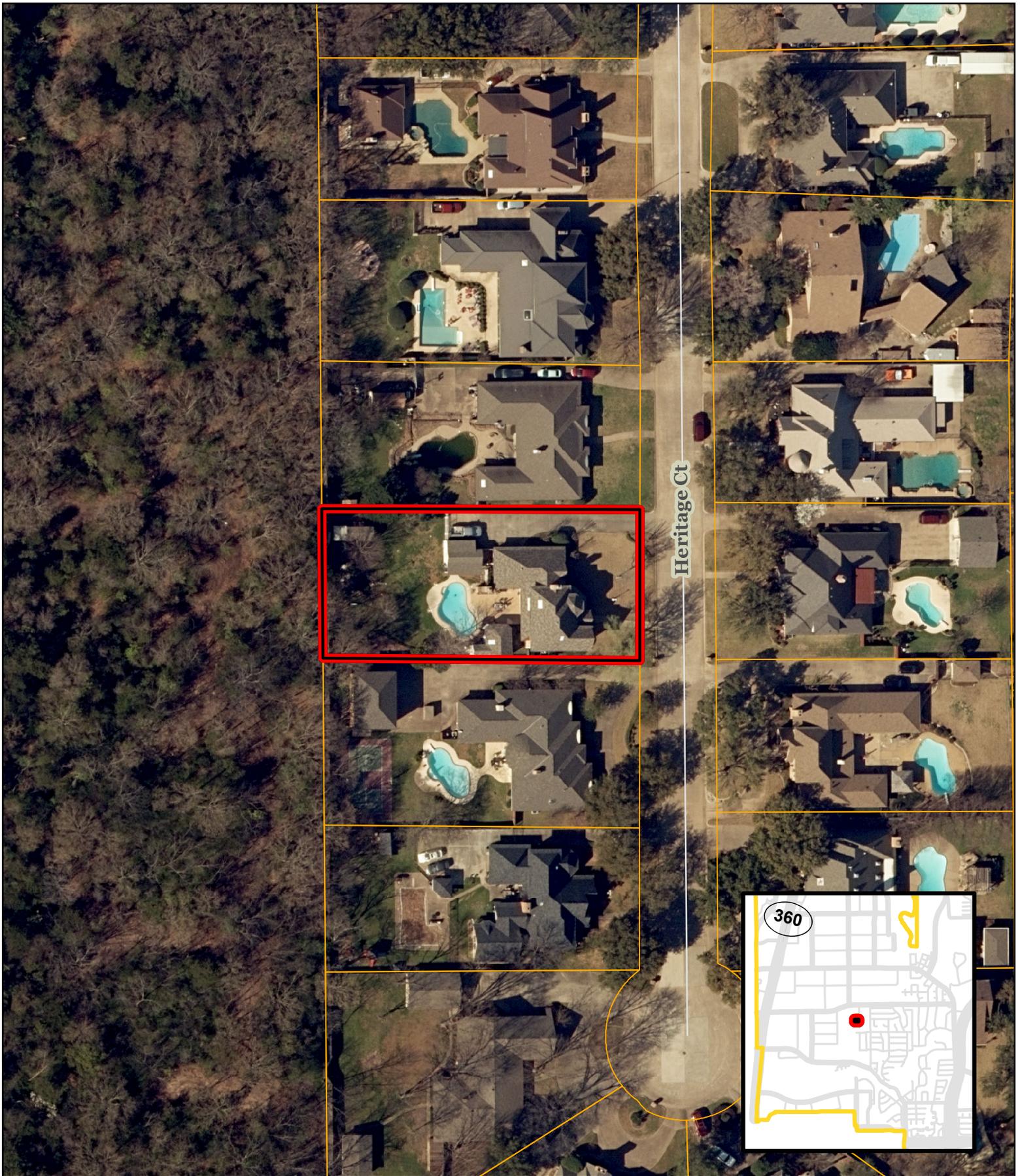
RECOMMENDATION

Staff **does not oppose BA200809 as requested** based on the following findings of fact:

1. The applicant has received a letter from the adjacent neighbor at 11 Heritage Court stating that the do not oppose the carport.
2. The carport will add character to the subject property and neighborhood.
3. There are multiple rear yard carports located within this subdivision.

If the board chooses to grant the applicants request, he/she must abide to the following below:

Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2015 International Residential 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.



CASE LOCATION MAP

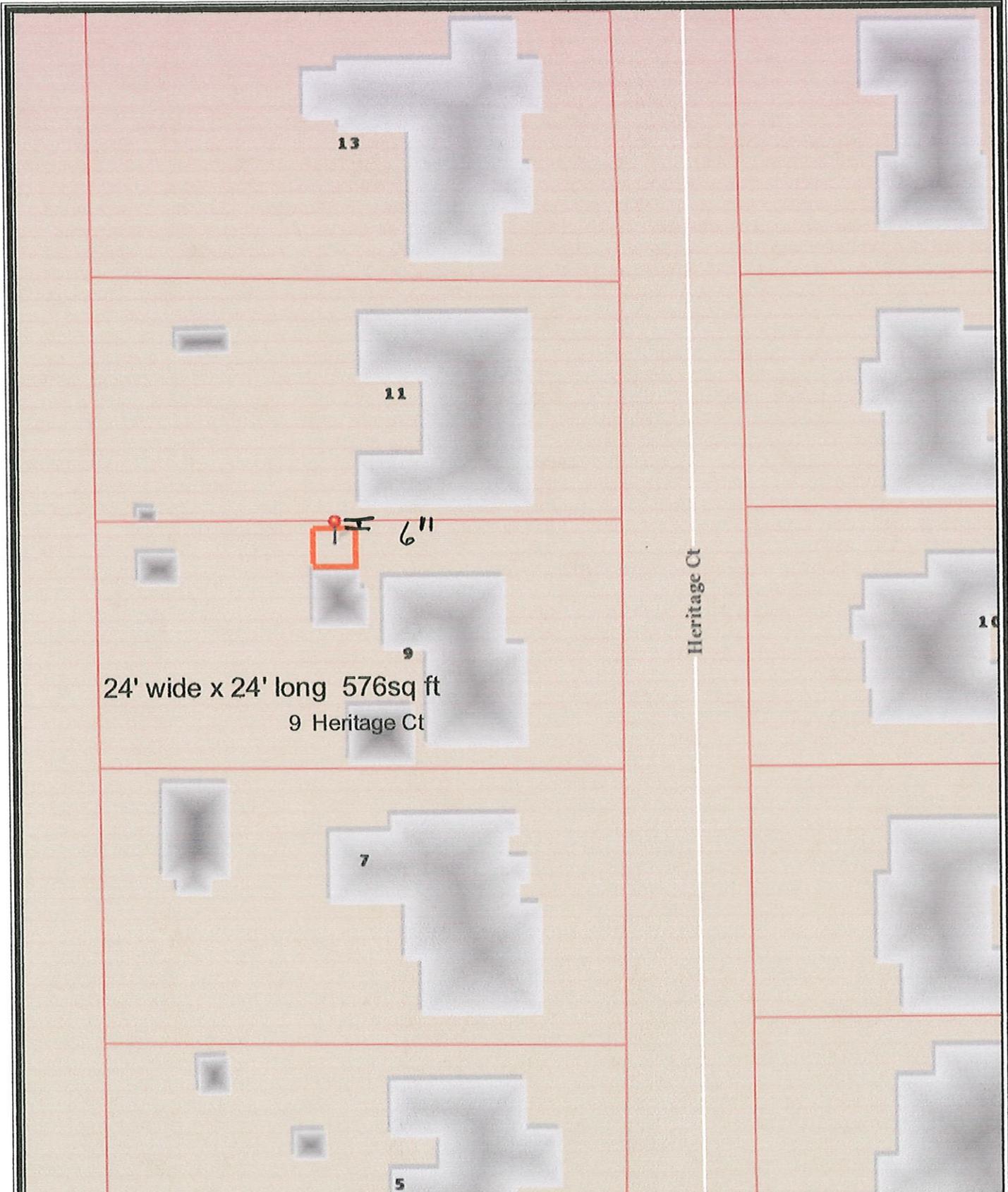
9 Heritage Court



**City of Grand Prairie
Development Services**

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Grand Prairie Maps

Date: 7/16/2020 Time: 6:43:05 PM

This data has been compiled by the City of Grand Prairie IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



 Zoning Planned Development

9 Heritage Ct.

Storage Building

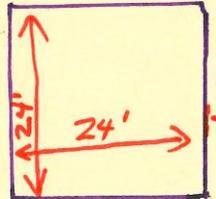
Size: 24' x 24'
Sq. Ft: 576

Proposed Carport

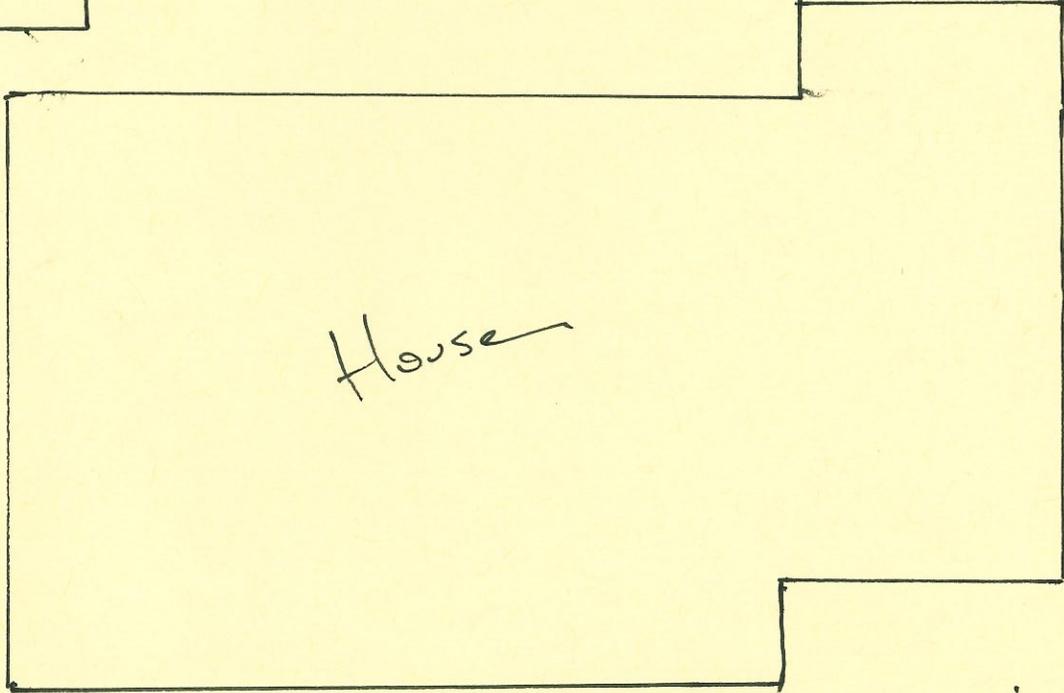


CABANA

Accessory Structure



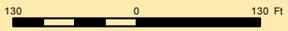
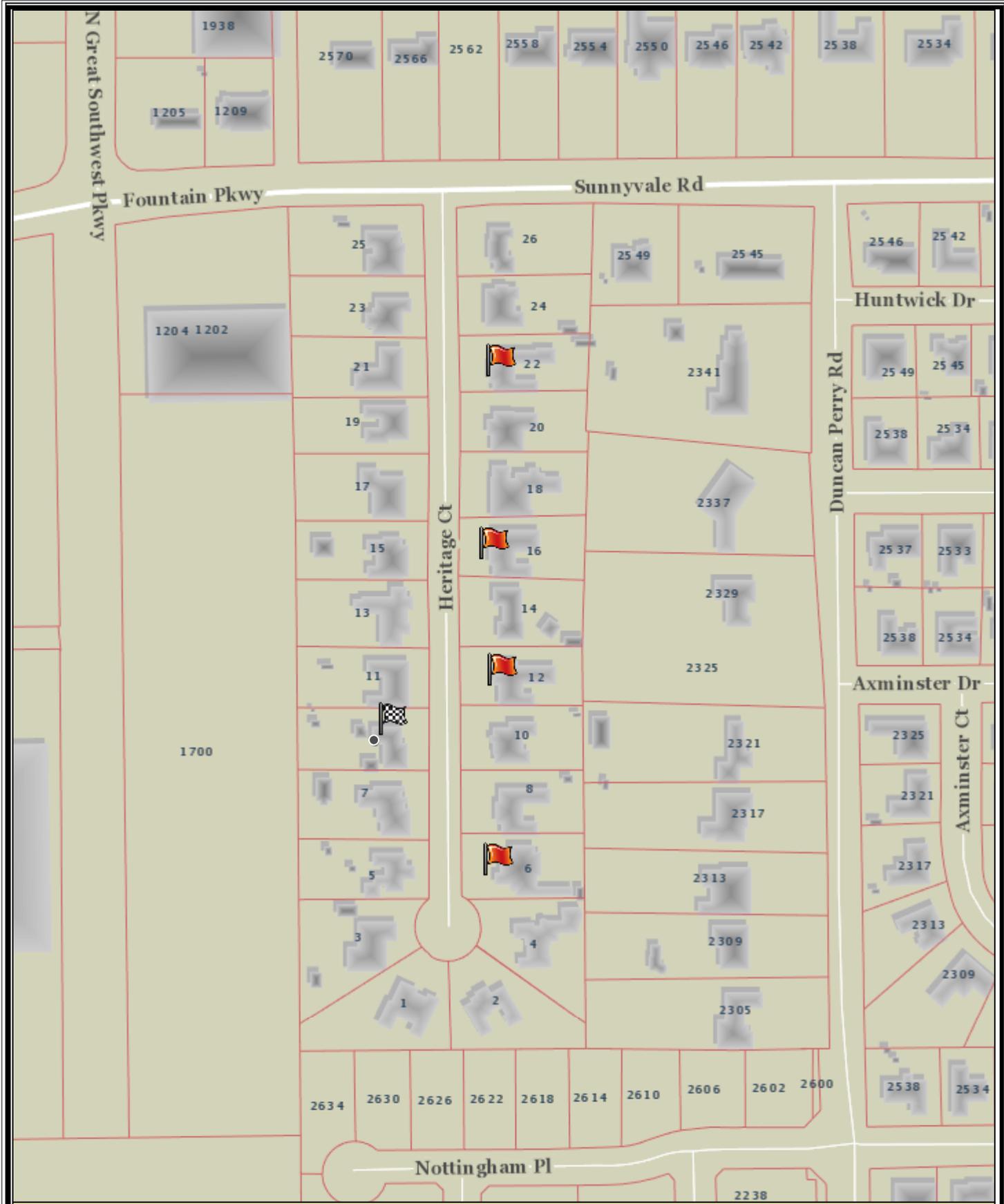
6"



House

Property line

Heritage Ct.



Grand Prairie Maps

Date: 8/6/2020 Time: 4:10:30 PM

This data has been compiled by the City of Grand Prairie IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



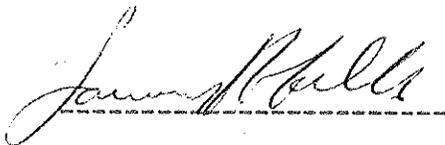
To: Grand Prairie Chief City Planner

City of Grand Prairie, TX

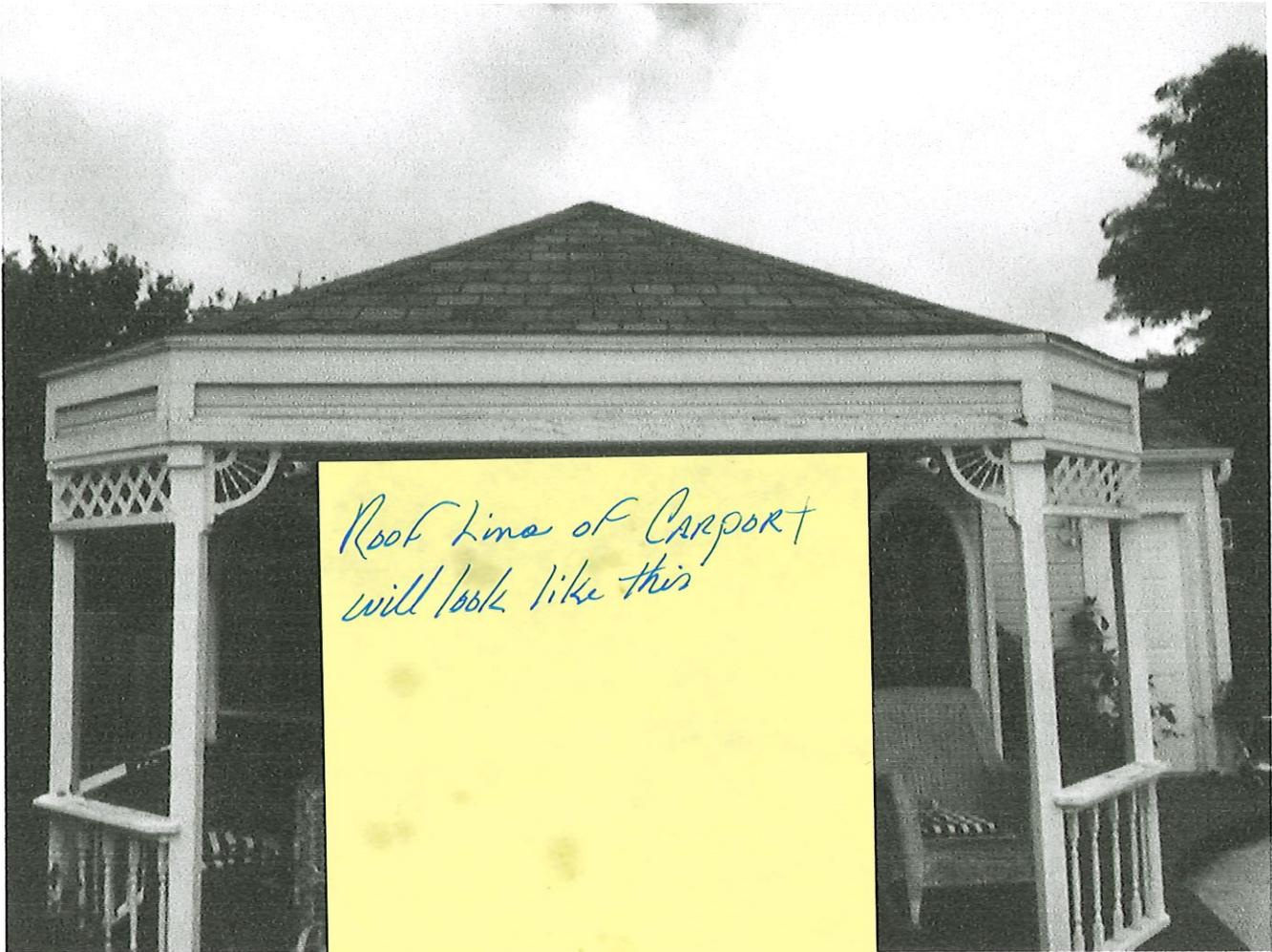
From: Larry and Mary Falk's

11 Heritage Ct Grand Prairie, TX

The Coleman's are our next door neighbors to the south of our home at 11 Heritage Ct. We have reviewed their plans for a car port for their cars and have our permission to build next to our adjoining property line along their current cement drive way . We can be reached at 972-522-0496







Roof line of Carport
will look like this



DO NOT FEED THE DOGS
FOR MAKE IT TO THE FENCE IN 33 SECONDS
CAN YOU?



BA200810

733 La Moda Street Variance – Manufactured Home Replacement

Zoning Board of Adjustments & Appeals:	August 17, 2020
Case Manager:	Jonathan Tooley
Owner/Applicant:	Lola Farmer
City Council District:	1 (Jim Swafford)
Zoning:	SF-3

SUMMARY

Manufactured home replacement at 733 La Moda Street, legally described as Lot 182, San Grande Mobile Home Park, Elizabeth Gray Abstract 1680, Page 375, City of Grand Prairie, Dallas County, Texas, zoned Planned Development - 2 District.

- a. Variance: Placement of a manufactured home in the Special Flood Hazard Area. Required: Prohibited. Requested: Placement of a manufactured home in the Special Flood Hazard Area.

DISCUSSION

The applicant is requesting approval for a variance to place a manufactured home in the Special Flood Hazard Area. The subject property is located in the San Grande Mobile Home Park off of Belt Line and Shady Grove Road. The applicant bought a property share of San Grande sometime in 2005 which entitled them to the space at 733 La Moda. The applicant proceeded to place a manufactured home and received a permit from the City to do so. At some point in the last few years, the applicant sold the manufactured home but continued to rent the space to the buyer. In July of 2020 the buyer decided to move the manufactured home off the property, thus leaving the space vacant. Ms. Farmer applied for a manufactured home replacement permit with the Building Inspections Division and was denied based on the fact that the property is located in the Special Flood Hazard Area, specifically the floodway. Article 15.18.1.D states that "No new or replacement manufactured homes, parks, or subdivisions shall be placed within a Special Flood Hazard Area." Our research shows that the lot was originally in the floodplain but not in the floodway.

The Special Hazard Flood Area is not a rigid map that never changes. In fact, as the City grows, so does the Special Flood Hazard Area. Areas that were once considered safe are being added to this Area. FEMA controls this map and periodically updates the Area and the Base Flood Elevation level. 733 La Moda has

traditionally always been in this area, but is now located in the **floodway (Article 15 defines this as “the channel of a river or other watercourse”)**. Placing any structure in the Special Flood Hazard Area is a risk, but placement in the floodway can be dangerous. Article 15.7.1 states that “The floodway can be an extremely dangerous area due to the velocity of flood waters that can carry potential debris, projectiles, and erosion concerns.” Mobile homes originally placed in the floodplain were grandfathered in, but any new or sustainably improved homes are prohibited. In 2018 the language in Article 15 was updated to “no new or replacement manufactured homes.”

The granting of this variance has the potential to set a dangerous precedent. The City would be essentially stating that it is fine to place manufactured homes in the Special Flood Hazard Area. This would contradict City policy, potentially place lives in danger, and hurt the City’s Community Rating System (CRS) with FEMA. This CRS scoring system is used by FEMA to judge many aspects of how the City is handling floodplain management, but one of the key areas it focuses on is how well a City follows its own floodplain ordinance. If the City is granting variances to their floodplain ordinance or standards, then the City can potentially lose points in the CRS score. The CRS score is used to determine what discounts the citizens of Grand Prairie will receive to their floodplain insurance. If the City loses points, then residents of the City who have floodplain insurance are at risk to have their rates increased.

Should this variance be granted, Ms. Farmer will need to abide by the following which is stated in Article 12.18.1.D:

- Stands or lots shall be elevated on compacted fill or on piers so that the lowest floor elevation (or finished floor) of the manufactured home shall be a minimum of three (3) feet above the FEMA FIRM 100-year (1% annual chance) BFE that utilizes existing land use conditions. The manufactured home must be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement with certification by a registered professional engineer that the improvements will not increase flood flows, heights, or damages. Specific requirements for anchoring shall be per Administrative Rules for the Texas Department of Housing and Community Affairs 10 Texas Administrative Code Chapter 80.
- Adequate surface drainage and access for a hauler shall be provided.
- For elevations on piers, footings shall be placed in firm, undisturbed soil or compacted fill. Footings and piers shall be designed according to the Texas Department of Housing and Community Affairs 10 Texas Administrative Code Chapter 80.

Additionally, Ms. Farmer would need to have an Elevation Certificate that has been completed by a registered surveyor showing that the top of the bottom floor is three feet above the base flood elevation. Ms. Farmer provided the City with an Elevation Certificate from before 2005 showing that the manufactured home at that time was three feet above the Base Flood Elevation. This certificate has expired, and the floodplain area has since changed. The Base Flood Elevation has since risen 4 feet from the BFE level in 2005, this property now is in the floodway, and the City prohibits all manufactured homes in the Special Flood Hazard Area. Finally, if there are any FEMA requirements for structures in the floodway, they will have to be met.

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 manufactured home complies with all regulations.

PUBLIC NOTIFICATION

Legal notice of this item was published in the Fort Worth Star Telegram August 7th and August 16th 2020.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on August 5th, 2020.

49 notices were sent, 0 were returned in favor, 0 opposed, and there is no 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:** Such variance may potentially injure the appropriate use of adjacent property in the same district. The applicant is proposing to put the manufactured home in the floodway. Any structure allowed in the floodway is going to have an increased chance of possible flooding, could harm the structures around, and have the potential to increase flood flows, heights, or damages.*

- 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 may have the potential to adversely affect the health, safety or general welfare of the public. As stated above, any structure located in the floodplain, especially the floodway is going to have the potential to affect others around.*

- 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 that the granting of this variance is contrary to public interest. Article 15.13.10 explicitly states that "Granting of a variance by Zoning Board of Adjustment or City Council can negatively affect the City's Community Rating System (CRS) score." This score is used by FEMA to help determined the discount the residents of the City of Grand Prairie receive on their floodplain insurance. If this variance is granted, it could potentially affect the City's CRS score and bring about an increase in the insurance rates for Grand Prairie citizens located in the Special Flood Hazard Area. The variance will not authorize the operation of a use other than those already allowed in the Planned Development – 2 District.*

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

***Staff Evaluation:** The granting of this variance will allow the homeowner place a manufactured home in the Special Flood Hazard Area. Staff believes the granting of the variance is not in the harmony or spirit of the ordinance. This ordinance is in place to help protect the citizens of Grand Prairie and*

minimize the potential for destruction that might occur if flooding should occur.

- 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 granting of this variance will not change the “essential character” of the neighborhood. This is located in the San Grande Mobile Home Park.*

- 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 does not believe that such variance will 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 cannot find that the property owner has a hardship that is a unique circumstance of the property.*

- H. The variance or exception is not a self-created hardship.

Staff Evaluation: *Staff finds that the hardship is self-created.*

RECOMMENDATION

Staff recommends Denial of BA200810 as requested based on the following findings of fact:

1. The variance may adversely affect the health, safety, and general welfare of the public.
2. The variance can potentially affect the City’s Community Rating System score with FEMA and possibly increase the insurance rates if the citizens of Grand Prairie who purchase flood insurance.
3. The granting of this variance potentially sets a precedent to allow for the reintroduction of manufactured homes in the floodplain. This would go against City policy and potentially hurt the City’s CRS rating.
4. The variance would allow for a structure to be placed in the floodway which can potentially be dangerous.

If the board chooses to grant the applicants request, he/she must abide to the following below:

- a. The applicant would be required to meet the standards for manufactured home placement as stated in Article 15.18.1.D
- b. The applicant would be required to have a new Elevation Certificate completed by a registered surveyor.
- c. The applicant would be required to meet any FEMA requirements for new structures in the floodway.

Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2015 International Residential 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.



La Sonbra St

La Moda

E Shady Grove Rd



CASE LOCATION MAP

733 La Moda

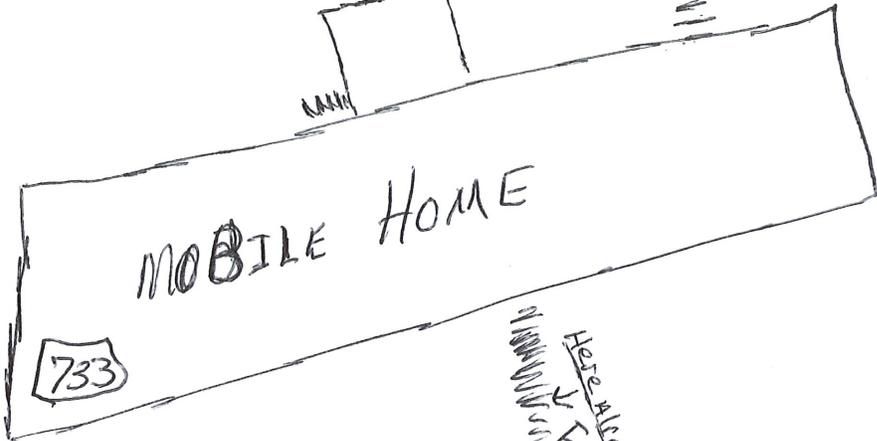


City of Grand Prairie
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La Moda st



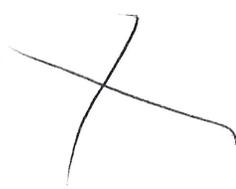
733

Here already
Porch

Here already
Fence

Here already

Here already
Fence



731



729



30 0 30 Ft

Grand Prairie Maps

Date: 8/13/2020 Time: 12:33:31 PM

This data has been compiled by the City of Grand Prairie IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.





BA200811

506 San Carlos Drive
Special Exception - Carport

Zoning Board of Adjustments & Appeals:	August 17, 2020
Case Manager:	Jonathan Tooley
Owner/Applicant:	Salvador Olvera
City Council District:	2 (Jim Swafford)
Zoning:	SF-3

SUMMARY

Construction of a carport at 506 San Carlos Drive, legally described as Lot 7, Garden Manor Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

- a. Special Exception: Construction of a carport.

DISCUSSION

The applicant is requesting approval for a special exception to construct a front yard carport. The applicant is proposing to build a carport that is 21' x 22' x 10' tall (462 square feet). The proposed carport meets all the setback, size, and height requirements stated in Article 6 of the UDC. The property is located within the Garden Manor subdivision. After reviewing the subject location in relation to the subdivision, it was determined that there are approximately 3 carports in the area and that only one carport was permitted.

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 carport complies with all regulations.

PUBLIC NOTIFICATION

Legal notice of this item was published in the Fort Worth Star Telegram August 7th and August 16th 2020.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on August 5th, 2020.

49 notices were sent, 0 were returned in favor, 0 opposed, and there is no 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 does not believe that the carport will cause substantial or permanent injury to the surrounding properties. The owner is meeting all the setbacks, size, and height requirements of Article 6 from the UDC. The property next door, 510 San Carlos, has a carport constructed.*

- 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 the Single Family-Four Residential District.*

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

Staff Evaluation: *The granting of this variance will allow the homeowner to construct a carport. The subdivision that the subject property is located in does not have many carports constructed. Staff was only able to find three carports with one located adjacent to the subject property.*

- 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 granting of this special exception will not alter the essential character of the subdivision. Although there is only three carports in the area, one has been permitted.*

- 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 does not believe that such variance will substantially weaken the general purpose of the underlying zoning district. The applicant is meeting the size, setback, and height requirements specified for carports in the UDC.*

- 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 cannot find that the property owner has a hardship that is a unique circumstance of the property.*

H. The variance or exception is not a self-created hardship.

Staff Evaluation: *Staff finds that the hardship is self-created.*

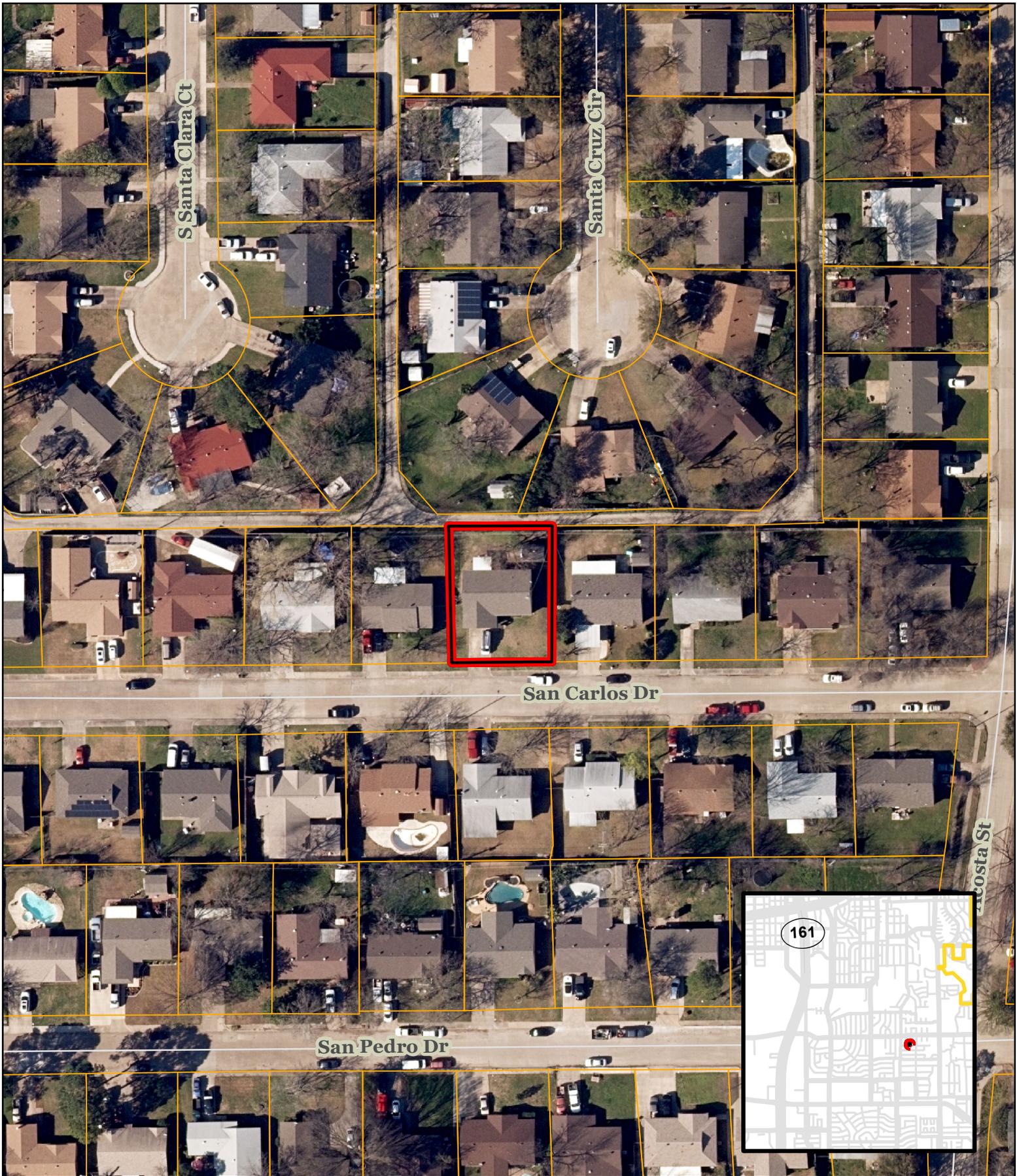
RECOMMENDATION

Staff recommends **Approval of BA200811 as requested** based on the following findings of fact:

1. The special exception will not adversely affect the health, safety or general welfare of the public.
2. The applicant is meeting the setback, size, and height requirements of the UDC.

If the board chooses to grant the applicants request, he/she must abide to the following below:

Any construction or building allowed by this variance must conform to the requirements set forth by the Unified Development Code, the 2015 International Residential 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.



CASE LOCATION MAP

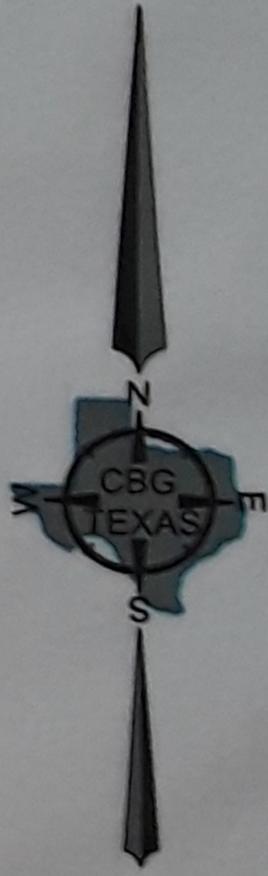
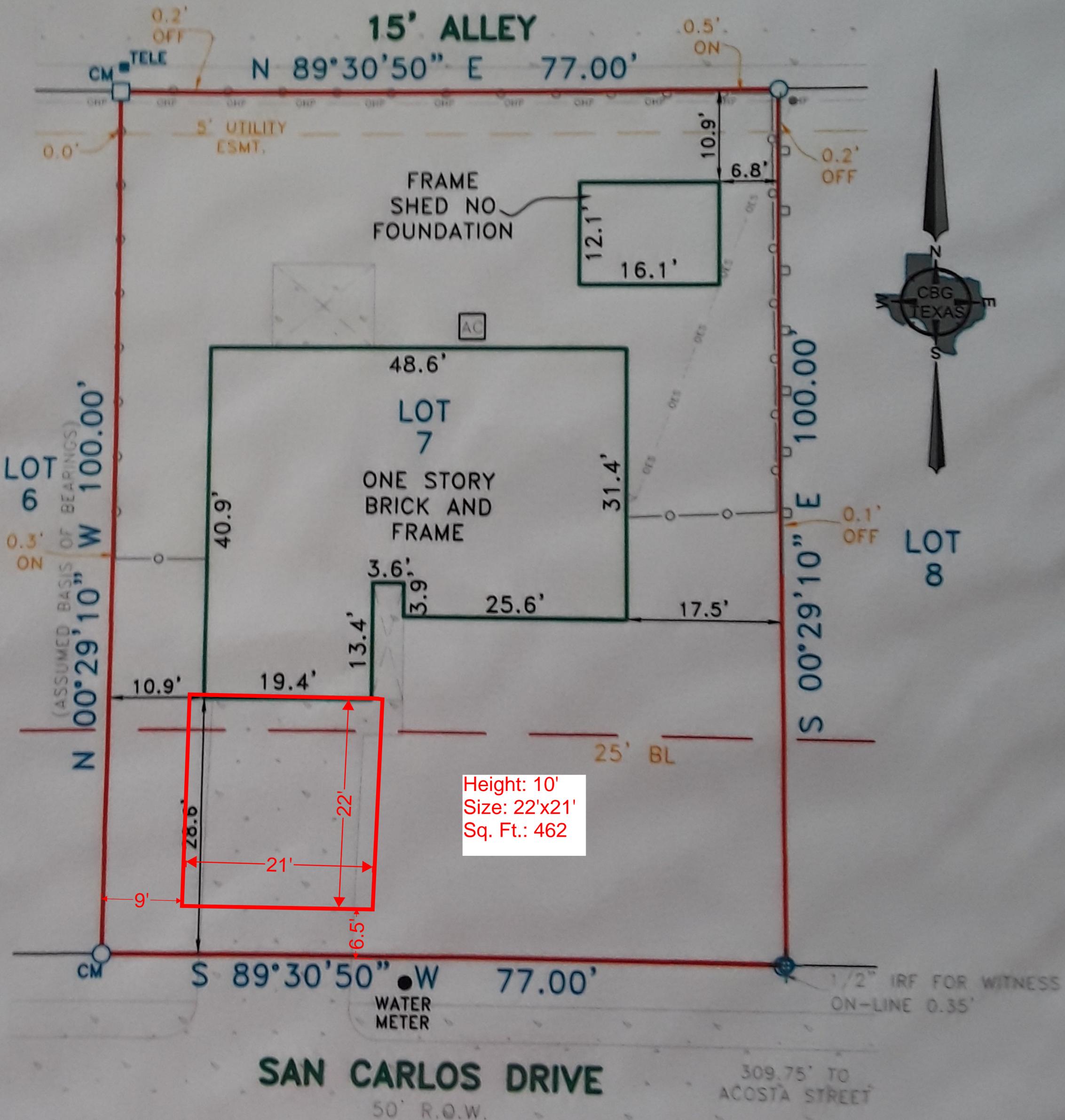
506 San Carlos Drive



**City of Grand Prairie
Development Services**

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Height: 10'
 Size: 22'x21'
 Sq. Ft.: 462



MONTEREY GARDENS

GARDEN MANOR ADDITION

SOUTH MANOR

KREGEL ADDITION

FAMILY DOLL

HILLIPS PARK ADDITION

3 Mike Del Bosque

2 Jim Swafford

LEWIS WOOD TERRACE ADDITION

30 001 205 6 047 230 177 Feet

STEEL

Tompkins Dr

Santa Ct

S Santa Clara Ct

S Santa Rosa Ct

S Santa Maria Ct

E Marshall Dr

San Carlos Dr

San Carlos Dr

San Pedro Dr

San Pedro Dr

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BA200813

2021 Eva Street
Variance –Lot Depth & Front
Setback

Zoning Board of Adjustments & Appeals:	August 17, 2020
Case Manager:	Jonathan Tooley
Owner/Applicant:	Jose Sarinana
City Council District:	1 (Jorja Clemson)
Zoning:	MF-1

SUMMARY

Construction of a single family residence at 2021 Eva Street, legally described as the north part of Lots 13, 14, and 15, Block 138, Dalworth Park, City of Grand Prairie, Dallas County, Texas, zoned Multi-Family One Residential District.

- a. Variance: Creation of a lot that does not meet the minimum required depth.
Required Depth: 100 feet. Requested Depth: 55 feet.
- b. Variance: Construction of a single-family residence in the front yard setback. Required Setback: 25 feet. Requested Setback: 20 feet.

DISCUSSION

The applicant is requesting approval to a single-family home on the north part of Lots 13, 14, and 15. These lots were illegally subdivided which created non-conforming lots. The remaining northern portions remain vacant. The applicant is requesting reduce the lot depth requirement by 45 feet, and reduce the front yard setback by 5 feet.

The development of Eva Street is unlike the rest of Dalworth Park Addition. Eva St was originally platted as an alley/easement but was converted into a street. The result of this is lots that have less depth than those elsewhere in the neighborhood. Along the way, multiple lots were illegally subdivided, thus creating uniquely shaped lots.

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

PUBLIC NOTIFICATION

Legal notice of this item was published in the Fort Worth Star Telegram August 7th and August 16th 2020.

Notices to property owners were placed in the City of Grand Prairie outgoing mail on August 5th, 2020.

56 notices were sent to property owner, 0 were returned in favor, and 0 in opposition, and there is no homeowners 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: *The proposed variances, if approved, will not authorize the operation of a use other than those already allowed in the MF-1, Multi-Family One Residential District. Such variances will allow the applicant to construct a single-family dwelling, which is consistent in the surrounding area. Eva Street has unique shaped lots, and approving the listed variances will allow for development of the lots with structures with similar footprints.*

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

Staff Evaluation: *Staff suggests that the exception 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 proposed variance, if approved, will not authorize the operation of a use other than those already allowed in the MF-1, Multi-Family One Residential District.*

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

Staff Evaluation: *The granting of this variance will allow the homeowner to provide needed infill housing in the Dalworth Park neighborhood, and promotes a mix of housing options by allowing a mix of densities to create housing variety that strengthens the housing market to help ensure there is housing for different income levels, ages and lifestyles.*

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

Staff Evaluation: *The proposed use will not alter the character of the surrounding area. Eva Street is*

a unique situation, and the proposed variances are in line with what is currently there.

- 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: *The surrounding single-family dwellings will not be injured by granting the variance, because reducing the lot size and setbacks will not create incompatible development, nor will it detract from the character of the community. The character of the surrounding neighborhood will not be altered and the proposed development will be cohesive with the existing pattern of what exists.*

- 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 has a hardship that is a unique circumstance of the property, because the lots are not developable unless a variance is granted, and the lots were not legally subdivided.*

- H. The variance or exception is not a self-created hardship.

Staff Evaluation: *Staff finds that the hardship is not self-created.*

RECOMMENDATION

Staff recommends **Approval of BA200813 as requested** based on the following findings of fact:

1. The request does not negatively impact surrounding property owners
2. The request is consistent with other lot and structure sizes within the neighborhood.

If the board chooses to grant the applicants request, he/she must abide to the conditions listed below:

1. **The lots must be replatted prior to the release of permits.**

Any construction or building allowed by this variance or special exception must conform to the requirements set forth by the Unified Development Code, the 2015 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 ninety (90) day period, or as the Board may specifically grant, the special exception shall be deemed waived; and all rights there under terminated.



CASE LOCATION MAP

2021 Eva Street



**City of Grand Prairie
Development Services**

📞 (972) 237-8255

🌐 www.gptx.org

GENERAL NOTES:

1. THE GENERAL CONTRACTOR/BUILDER SHALL EXAMINE AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THESE PLANS DOCUMENTS AND SHALL NOTIFY OWNER OF ANY DISCREPANCIES AND/OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION.
2. THESE PLANS ARE INTENDED FOR THE GENERAL RESIDENTIAL CONSTRUCTION PURPOSES ONLY AND ARE NOT EXHAUSTIVELY DETAILED OR FULLY SPECIFIED.
3. THE GENERAL CONTRACTOR SHALL SUPERVISE CONSTRUCTION AND IT SHALL BE RESPONSIBILITY TO SELECT, VERIFY, RESOLVE, AND INSTALL ALL EQUIPMENT AND MATERIALS AND TO CONTROL THE QUALITY THEREOF.
4. ALL WORK PERFORMED ON THIS PROJECT SHALL MEET OR EXCEED THE CURRENT EDITION OF THE UNIFORM BUILDING CODE AND ALL APPLICABLE STATE AND LOCAL ORDINANCES, CODE, AND REGULATIONS.
5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ANY ENGINEERING NECESSARY TO THE STABILITY OF THE STRUCTURE(S) OF THE PROJECT. FURTHERMORE, IT RECOMMENDS THAT THESE PLANS SHALL BE REVIEWED BY A QUALIFIED PROFESSIONAL ENGINEER.



AMAYA'S DESIGN
Tel: 972.358.1645
ps_ag@hotmail.com



Customer(s)/Owner(s):

Jose Sarinana

Legal Description:

*Dalworth Park Addition
Block 138
Lots __ & __*

Project Address:

*2021 Eva Street
Grand Prairie TX 75051*

Project Name:

New House

Plan Name:

SITE PLAN

Project #: SA#20-2050	Drawn By: PSA
Date: 07-30-2020	Scale: 1/8"=1'-0"

Page:

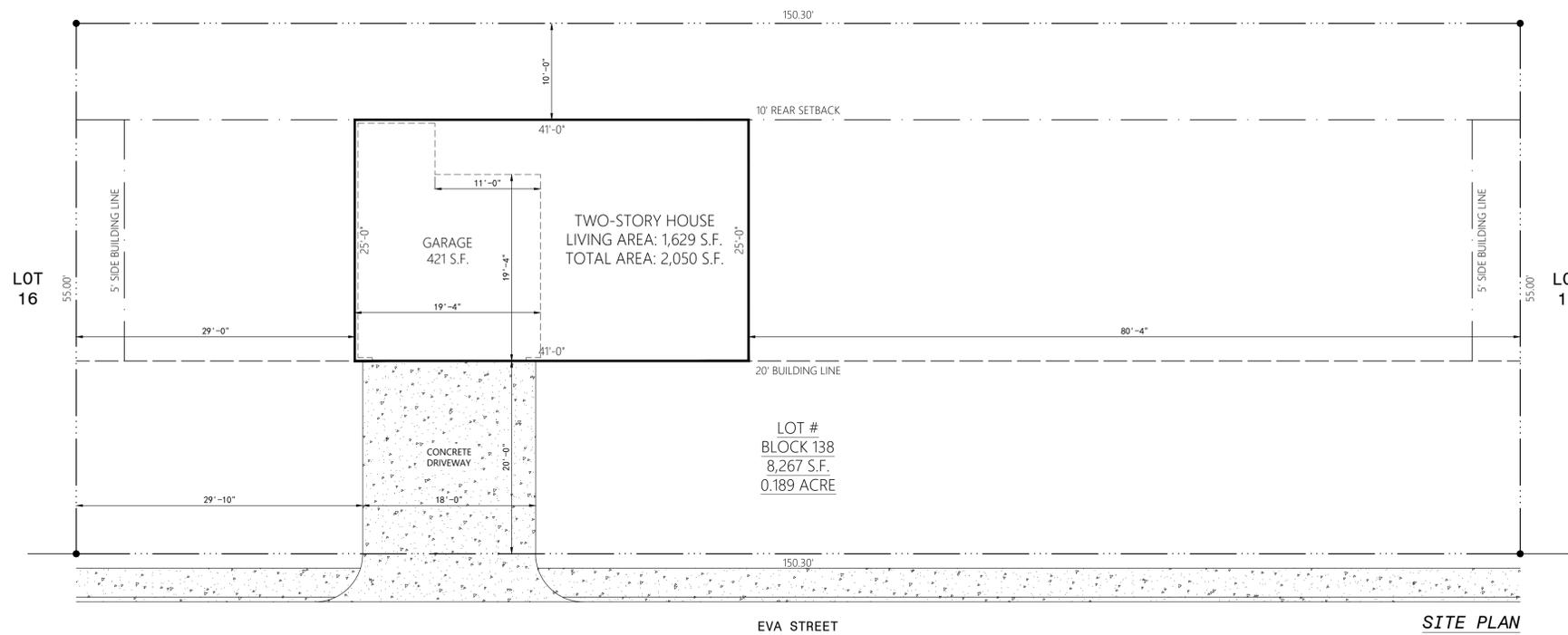
1

PROJECT DATA

PROJECT NAME:	NEW HOUSE
ADDRESS:	2021 EVA STREET GRAND PRAIRIE 75051
OWNER/CUSTOMER:	JOSE SARINANA
LEGAL DESCRIPTION:	DALWORTH PARK ADDITION BLOCK 138, LOTS 13, 14 & 15

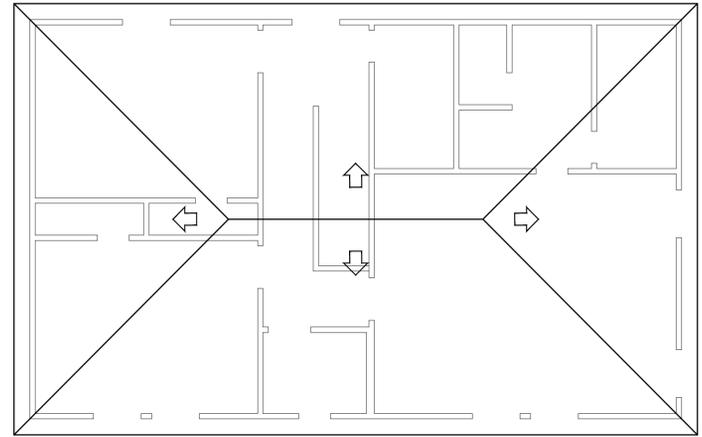
AREAS CALCULATIONS TABLE

1ST. FLOOR:	604.0 SQ. FT.
2ND. FLOOR:	1,025.0 SQ. FT.
TOTAL LIVING AREA:	1,629.0 SQ. FT.
2-CAR GARAGE:	421.0 SQ. FT.
TOTAL UNDER ROOF:	2,050.0 SQ. FT.
TOTAL CONCRETE SLAB:	1,025.0 SQ. FT.
TOTAL LOT AREA:	4,134.0 SQ. FT.
LOT COVERAGE PERCENTAGE:	24.79 %
TOTAL ACRES AREA:	0.094 ACRE



SITE PLAN
Scale: 1/8"=1'-0"

EVA STREET

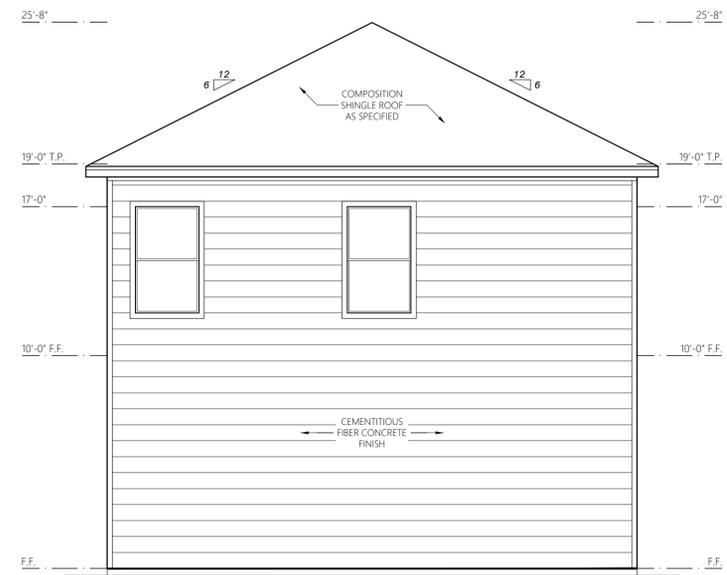


ROOF PLAN
Scale: 3/16"=1'-0"

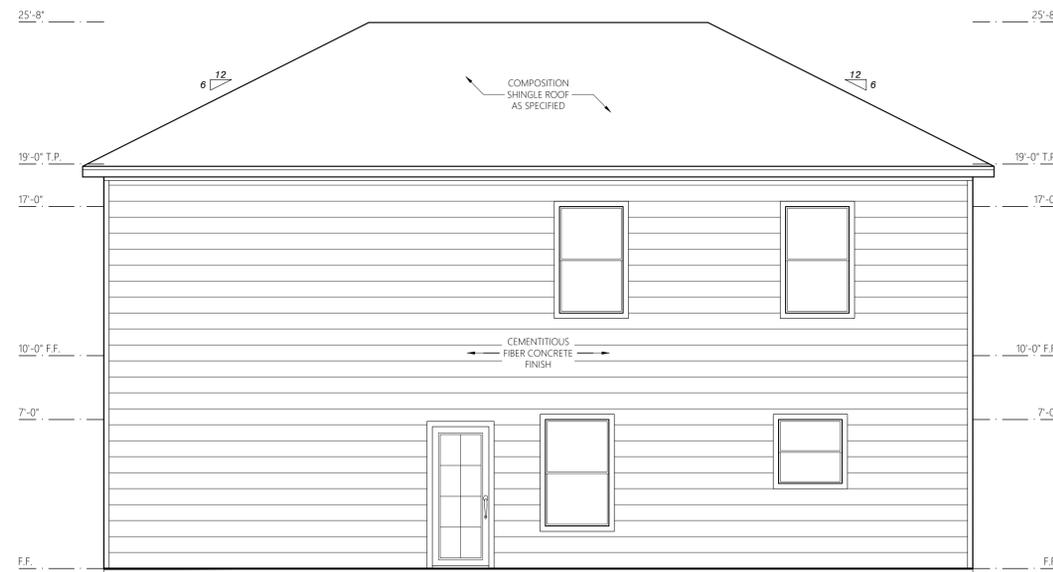
NOTE:
6/12 ALL ROOF PITCHES



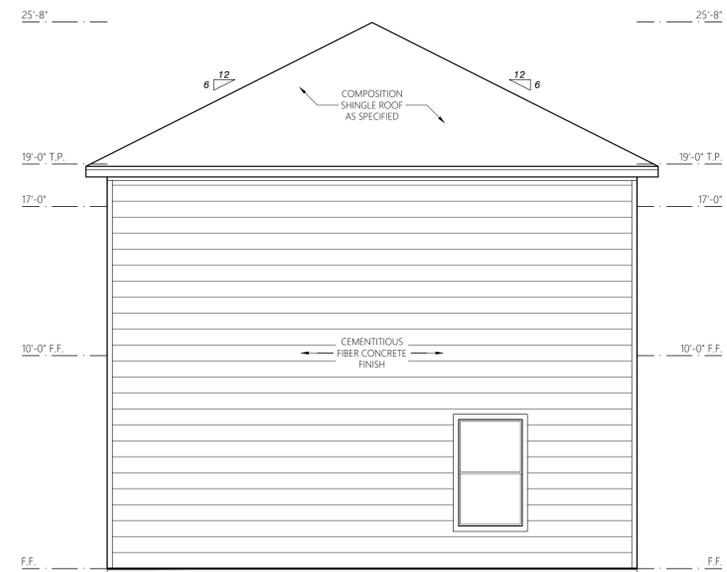
FRONT ELEVATION
Scale: 1/4"=1'-0"



RIGHT ELEVATION
Scale: 1/4"=1'-0"



REAR ELEVATION
Scale: 1/4"=1'-0"



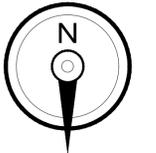
LEFT ELEVATION
Scale: 1/4"=1'-0"

GENERAL NOTES:

1. THE GENERAL CONTRACTOR/BUILDER SHALL EXAMINE AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THESE PLANS DOCUMENTS AND SHALL NOTIFY OWNER OF ANY DISCREPANCIES AND/OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION.
2. THESE PLANS ARE INTENDED FOR THE GENERAL RESIDENTIAL CONSTRUCTION PURPOSES ONLY AND ARE NOT EXHAUSTIVELY DETAILED OR FULLY SPECIFIED.
3. THE GENERAL CONTRACTOR SHALL SUPERVISE CONSTRUCTION AND IT SHALL BE RESPONSIBILITY TO SELECT, VERIFY, RESOLVE, AND INSTALL ALL EQUIPMENT AND MATERIALS AND TO CONTROL THE QUALITY THEREOF.
4. ALL WORK PERFORMED ON THIS PROJECT SHALL MEET OR EXCEED THE CURRENT EDITION OF THE UNIFORM BUILDING CODE AND ALL APPLICABLE STATE AND LOCAL ORDINANCES, CODE, AND REGULATIONS.
5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ANY ENGINEERING NECESSARY TO THE STABILITY OF THE STRUCTURE(S) OF THE PROJECT. FURTHERMORE, IT RECOMMENDS THAT THESE PLANS SHALL BE REVIEWED BY A QUALIFIED PROFESSIONAL ENGINEER.



AMAYA'S DESIGN
Tel: 972.358.1645
ps_ag@hotmail.com



Customer(s)/Owner(s):

Jose Sarinana

Legal Description:

Dalworth Park Addition
Block 138
Lots __ & __

Project Address:

2021 Eva Street
Grand Prairie TX 75051

Project Name:

New House

Plan Name:

ELEVATIONS

Project #: SA#20-2050	Drawn By: PSA
Date: 07-30-2020	Scale: AS NOTED

Page:





City Hall : 317 College St Grand Prairie, TX

MEETING AGENDA

Zoning Board of Adjustments and Appeals

DATE July 20th, 2020

Due to an imminent threat to public health and safety arising from the COVID-19 pandemic, this meeting of the Zoning Board of Adjustments and Appeals shall be held via videoconference. The members of the Board will participate remotely via videoconference. No facility shall be available for the public to attend in person.

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 _____, Stacy White _____,
Anthony Langston, Sr. observer , Timothy Ibidapo X , Ralph Castro* X ,
Martin Caballero X , David Baker * X , Tommy Land* X

INVOCATION:

David Baker led the invocation

APPROVAL OF MINUTES:

Tracy Owens motioned to approve last month's minutes

David Baker seconded motion

9 yays 0 nay

PUBLIC HEARING:

1. **BA200701 (Council District 1)** – Construction of three single family residences at 2021 Eva Street, legally described as the north part of Lots 13, 14, and 15, Block 138, Dalworth Park, City of Grand Prairie, Dallas County, Texas, zoned Multi-Family One Residential District.
 - a. Variance: Construction of three single-family residences in the front-yard setback. Required Setback: 25 feet. Requested Setback: 20 feet.
 - b. Variance: Creation of three lots that do not meet the minimum required depth. Required Depth: 100 feet. Requested Depth: 55 feet.
 - c. Variance: Creation of three lots that do not meet the minimum required lot size. Required Area: 5,000 square feet. Requested Area: 2,756 square feet.

Case has been withdrawn

2. **BA200704 (Council District 5)** – Construction of an accessory structure at 1646 Walnut Street, legally described as Tract 18, Richard Wilson Survey, Abstract No. 1548, City of Grand Prairie, Dallas County, Texas, zoned Single Family-One Residential District.

- a. Variance: Construction of an accessory structure that exceeds maximum area. Required Maximum Area: 450 square feet. Requested Area: 4,000 square feet.
- b. Variance: Construction of an accessory structure that exceeds the maximum height. Required Maximum Height: 14 feet. Requested Height: 16 feet.
- c. Variance: Maximum allowed number of accessory structures. Maximum allowed: 3 Requested: Allowance to build 7th accessory structure on the property.

Applicant / Spokesperson: _____Charlie Newsome_____

Address:_____1646 Walnut_____

_____Grand Prairie, TX 75052_____

Any comments from Spokesman:

The applicant needs the accessory structure for recreational vehicles

Any questions from Board:

Clayton Hutchins asked if there would be plumbing in the structure? Applicant stated no

Timothy Ibidapo asked if the structure would be taller than the house? The structure should be the same

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.

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 and Approve the Case by **Ralph Castro**
2nd the Motion by **Tracy Owens**

Motion was **approved**/denied 7 yays to 2 Nays
Members that objected **David Baker , Clayton Hutchins**

Any conditions:

The public hearing was closed.

3. BA200706 (Council District 5) – Construction of a carport at 914 SW 4th Street, legally described as Lot 12, Block D, Turner Heights Addition, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

- a. Special Exception: Construction of a carport
- b. Variance: A 7% variance from the limitation of accessory structures not to exceed

Applicant / Spokesperson: Mariana Garcia

Address: 914 SW 4th
Grand Prairie, TX 75051

Any comments from Spokesman:

The applicant would like the structure for space for his materials and 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.

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 and Approve the Case by **Ralph Castro**
2nd the Motion by **Tracy Owens**

Motion was **approved**/denied ___9___ yays to ___0___ Nays
Members that objected _____

Any conditions:

The public hearing was closed.

4. BA200707 (Council District 3) –

Construction of a carport at 638 E Springdale Lane, legally described as Lot 8, Block 4, Lake Park Village No. 1, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

a. Special Exception: Construction of a carport

Applicant / Spokesperson: Nina Estrada

Address: 638 E Springdale
Grand Prairie, TX 75051

Any comments from Spokesman:

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.

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 and Approve the Case by **Ralph Castro**
2nd the Motion by **Tracy Owens**

Motion was **approved**/denied 9 yays to 0 Nays
Members that objected _____

Any conditions:

The public hearing was closed.

5. BA200708 (Council District 2) –

Rear yard setback at 3116 Smokewind Lane, legally described as Lot 13, Block 2, Kirby Creek Village Section 1, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development-127 District.

- a. Variance: Construction of an addition to a single-family house that encroaches the rear yard setback. Required Setback: 10 feet. Requested Setback: 7.5 feet.

Applicant / Spokesperson: Gerald Perrin

Address: 3116 Smokewind

 Grand Prairie, TX 75051

Any comments from Spokesman:

The applicant will be demolishing the old structure. Mr. Perrin stated that he may use it for small projects but would make sure the noise is minimized

Any questions from Board:

Tracy Owens asked if the HOA responded. The staff stated that there was no response. Timothy Ibidapo asked about the possible noise if used as a workshop

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:

 X 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.

 X The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.

X 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;

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_____ The variance or exception is not a self-created hardship.

Any additional findings:

Motion to close to the public hearing and Approve the Case by **Ralph Castro**
2nd the Motion by **Tracy Owens**

Motion was **approved**/denied ___9___ yays to ___0___ Nays
Members that objected _____

Any conditions:

The public hearing was closed.

6. BA200709 (Council District 5) –

Construction of a carport at 1106 Huddleston Drive, legally described as Lot 32, Block 10, Rogway Terrance, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Four Residential District.

- a. Special Exception: Construction of a carport.
- b. Variance: Construction of a carport in the side yard setback. Required Setback: 3 feet. Requested Setback: 2 feet.

Applicant / Spokesperson: _Fadel Al Abadi_(not present)_____

Address: ___1106 Huddleston_____

___Grand Prairie, TX 75052_____

Any comments from Spokesman:

Any questions from Board:

Ralph Castro asked if there would be a double fee imposed. The staff stated this would need to be verified with Building Inspections. Mr. Castro stated that in the past a double fee would be assessed for a structure already built without a permit

Timothy Ibidapo asked which measurements were correct on the plan. Staff stated that the correct measurements are marked in Red and the original are marked in Blue

David Baker also questioned the double fine on the structure and stated that this is something that is normally presented with the case and asked if something had changed Barry Sandacz wanted to confirm that it is not a fine that is assessed but a double permit fee. Mr Sandacz also wanted to reiterate that this approval will be for the sideyard setback and the carport

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.

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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 and Approve the Case by Ralph Castro
2nd the Motion by Clayton Hutchins

Motion was approved/denied ___9___yays to ___0___Nays
Members that objected _____

Any conditions:

The public hearing was closed.

7. BA200706 (Council District 5) – Conversion of the garage into a living space at 1630 Camara Court, legally described as Lot 28, Block 8, Phillips Park, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.

a. Special Exception: Conversion of garage into living space. Required: Two garage parking spaces. Requested: No garage parking spaces.

Applicant / Spokesperson: Jhonaton Martinez_____

Address: 1630 Camara Ct_____
Grand Prairie, TX 75051_____

Any comments from Spokesman:

The applicant would like the garage enclosure due to their growing family

Any questions from Board:

Timothy Ibiapo asked about the number of cars at the residence. The applicant stated 2 cars

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:

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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 and Approve the Case by **Ralph Castro**
2nd the Motion by **Tracy Owens**

Motion was **approved**/denied 9 yays to 0 Nays
Members that objected _____

Any conditions:

The public hearing was closed.

8. BA200711 (Council District 3) – Conversion of the garage into a living space at 334 E Grenoble Drive, legally described as Lot 28, Block 12, Lake Park Village No. 3, City of Grand Prairie, Dallas County, Texas, zoned Single Family-Three Residential District.
a. Special Exception: Conversion of garage into living space. Required: Two garage parking spaces. Requested: No garage parking spaces.

Applicant / Spokesperson: Emilyn Munoz (speaking for father)_____

Address: 334 Grenoble _____
Grand Prairie, TX 75051 _____

Any comments from Spokesman:

The applicant would like the garage conversion for a growing family

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.

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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.

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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 and Table the case by Ralph Castro
2nd the Motion by Tracy Owens

Motion was **approved**/denied 9 yays to 0 Nays
Members that objected _____

Any conditions:

The public hearing was closed.

9. **BA200715 (Council District 4)** – Construction of a carport at 4357 Ashley Lane, legally described as Lot 1, Block 11, Sheffield Village Ph. 1, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development – 140 District.
a. Special Exception: Construction of a carport.

Applicant / Spokesperson: Oswaldo Perez

Address: 4357 Ashley Ln

___Grand Prairie, TX 75052_____

Any comments from Spokesman:

The applicant would like the structure for protection of vehicles

Any questions from Board:

David Baker asked if the garage is enclosed. The applicant stated this was done about 20 years ago and is used to store items in it

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:
 X 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.

X The variance or exception will not substantially or permanently injure the appropriate use of adjacent property in the same district.

X 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 and Approve the Case by **Tracy Owens**
2nd the Motion by **Timothy Ibidapo**

Motion was approved/**denied** 1 yays to 8 Nays

Members that objected David Baker, Clayton Hutchins, Timothy Ibidapo, Ralph Castro, Martin Caballero, Heather Mazac, Barry Sandacz, Tommy Land

Any conditions:

The public hearing was closed.

NEW BUSINESS:

Tracy Owens last meeting. She thanked the board and said she really enjoyed her time on the Board

CITIZENS COMMENTS:

ADJOURNMENT : Timothy Ibidapo moved to adjourn the meeting. The meeting was adjourned at 8:27 pm