



City Hall: 317 College St, Grand Prairie, Texas

MEETING AGENDA
Zoning Board of Adjustments and Appeals
March 16, 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. **CASE NUMBER BA200306 (Council District 6).** Requesting:
 1. A 2,471 square foot variance from the required 750 square foot detached garage limitation, to allow for a 3,221 square foot detached garage
 2. A 19-foot variance from the 14-foot height limitation, to allow for a 33-foot-tall detached garageLocated at 1112 Lake Vista Court, legally described as Lot 759R, Block 1, Lake Ridge Sec 1 Addition, City of Grand Prairie, Dallas County, Texas, zoned PD-220 (Council District 6).

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 March 2020 at 5:00 p.m.

Posted By: *Nyliah Acosta*

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 972-237-8257 at least 24 hours in advance. Reasonable accommodations will be made to assist your needs



BA200306

1112 Lake Vista Court Variance – Detached Garage

Zoning Board of Adjustments & Appeals:

March 16, 2020

Case Manager:

Nyliah Acosta

Owner/Applicant:

Juan Leal

SUMMARY

Requesting:

1. A 2,471 square foot variance from the required 750 square foot detached garage limitation, to allow for a 3,221 square foot detached garage.
2. A 19-foot variance from the 14-foot height limitation, to allow for a 33-foot-tall detached garage.

Located at 1112 Lake Vista Court, legally described as Lot 759R, Block 1, Lake Ridge Sec 1 Addition, City of Grand Prairie, Dallas County, Texas, zoned PD-220 (Council District 6).

DISCUSSION

The applicant is requesting approval of a 2,471 square foot size variance and a 19-foot height variance. A single-family dwelling currently sits on the property. The property owner is seeking a variance that would allow them to construct a 67x39 detached garage with an additional 19x32 loft space above for a total of 3,221 square feet, 33-foot-tall detached garage. The property was previously two lots, consisting of lots 759 and 760, and was replatted on September 27, 2019 to lot 759R. The Unified Development Code currently does not allow for habitable accessory dwelling units, or more than one residential dwelling within any single-family zoning designation.

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 March 6th and March 15th.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on March 6th, 2019.

36 notices were sent, 0 were returned in favor, 1 opposed, and no response from Property Owners Association of Lake Ridge.

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 may potentially 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 may adversely affect the health, safety or general welfare of the public. A detached garage of this size may provide the opportunity for additional uses that would not be allowed in a residentially zoned district. In addition, staff received a call on 3/11/2020, with concerns that a garage of such size would lead to car sales.*

- 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 PD-220, Planned Development-220.*

- 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 detached garage. Detached garages are allowed by right, however, staff believes granting the variance does not meet the spirit of the ordinance. A 3, 221 square foot accessory structure is not within character of the neighborhood, and has the potential to be used for habitable living space, or other auto uses that would not be allowed in a residential district.*

- 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 such variance may alter the essential character of the district as the structure will be adjacent to the primary structure.*

- 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 may weaken the general purpose of the underlying zoning districts regulations. The purpose of the height, size, setback and material requirements are to create uniformity, promote compatibility of uses, and overall safety and welfare of the public. The accessory structure is not uniform with the neighborhood, and could introduce incompatible uses in a residence.*

- 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.

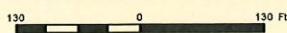
Staff Evaluation: Staff finds that the hardship is self-created.

RECOMMENDATION

Staff recommends Denial of the requested variance in BA200306 with an alternate recommendation for a 750 square foot detached garage, no taller than 14 feet in height, constructed of masonry material based on the following findings of fact:

1. Approving such variance may potentially injure the appropriate use of adjacent property in the same district and;
2. Such variance may weaken the general purpose of the underlying zoning districts regulations

Any construction or building allowed by this variance 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 a ninety (90) day period or as the Board may specifically grant, the variance shall be deemed waived; and all rights there under terminated.



1112 Lake Vista

Date: 3/3/2020 Time: 1:51:50 PM

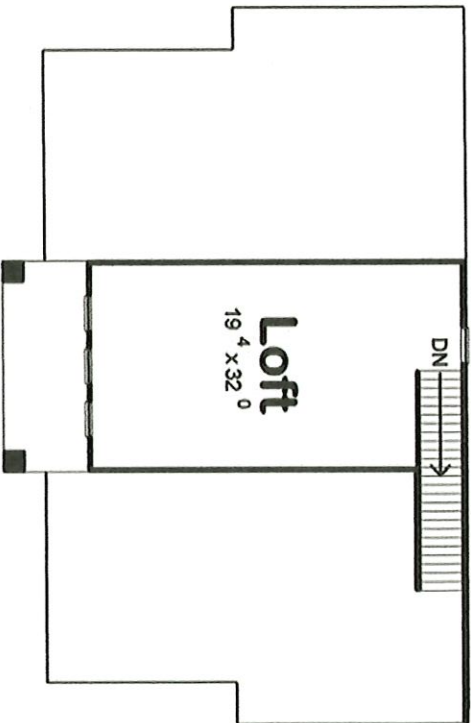
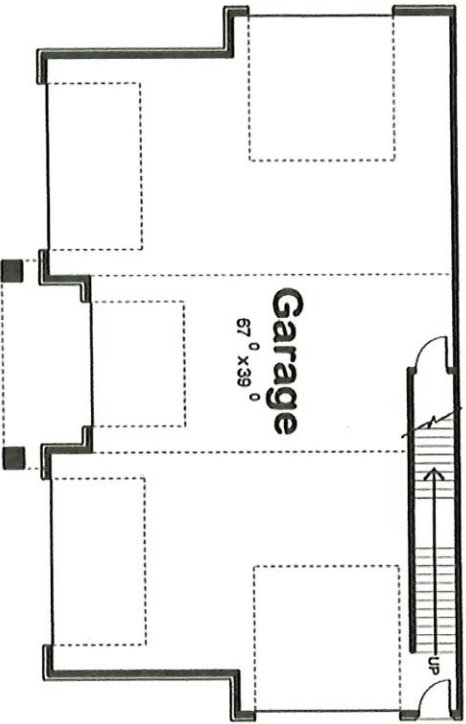
This data has been compiled by the City of Grand Prairie IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



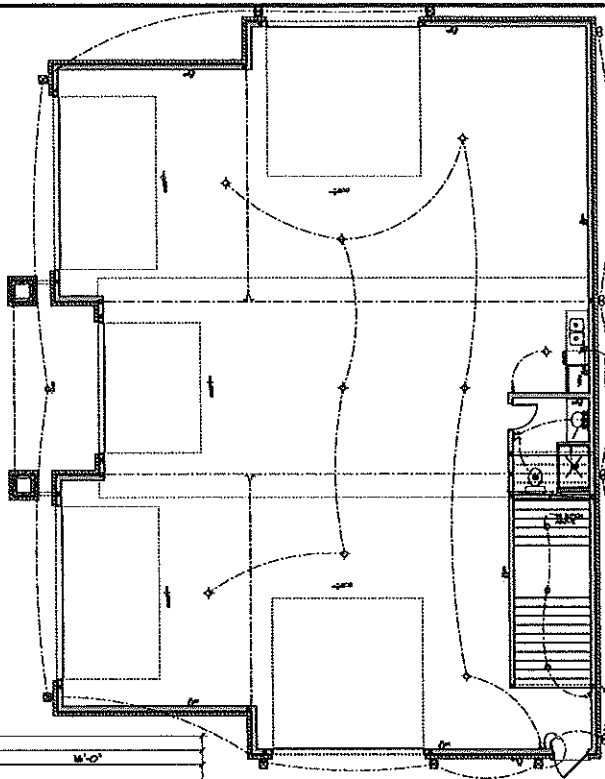
Grand
Prairie
TEXAS

Parcels

These drawings are for informational purposes only. They are not to be used for construction or other purposes without the express written consent of the architect. The architect assumes no responsibility for the accuracy or completeness of these drawings. The architect is not responsible for any errors or omissions in these drawings. The architect is not responsible for any consequences arising from the use of these drawings. The architect is not responsible for any damages, including but not limited to, direct, indirect, or consequential damages, arising from the use of these drawings. The architect is not responsible for any claims, damages, or losses, including but not limited to, direct, indirect, or consequential damages, arising from the use of these drawings. The architect is not responsible for any claims, damages, or losses, including but not limited to, direct, indirect, or consequential damages, arising from the use of these drawings.



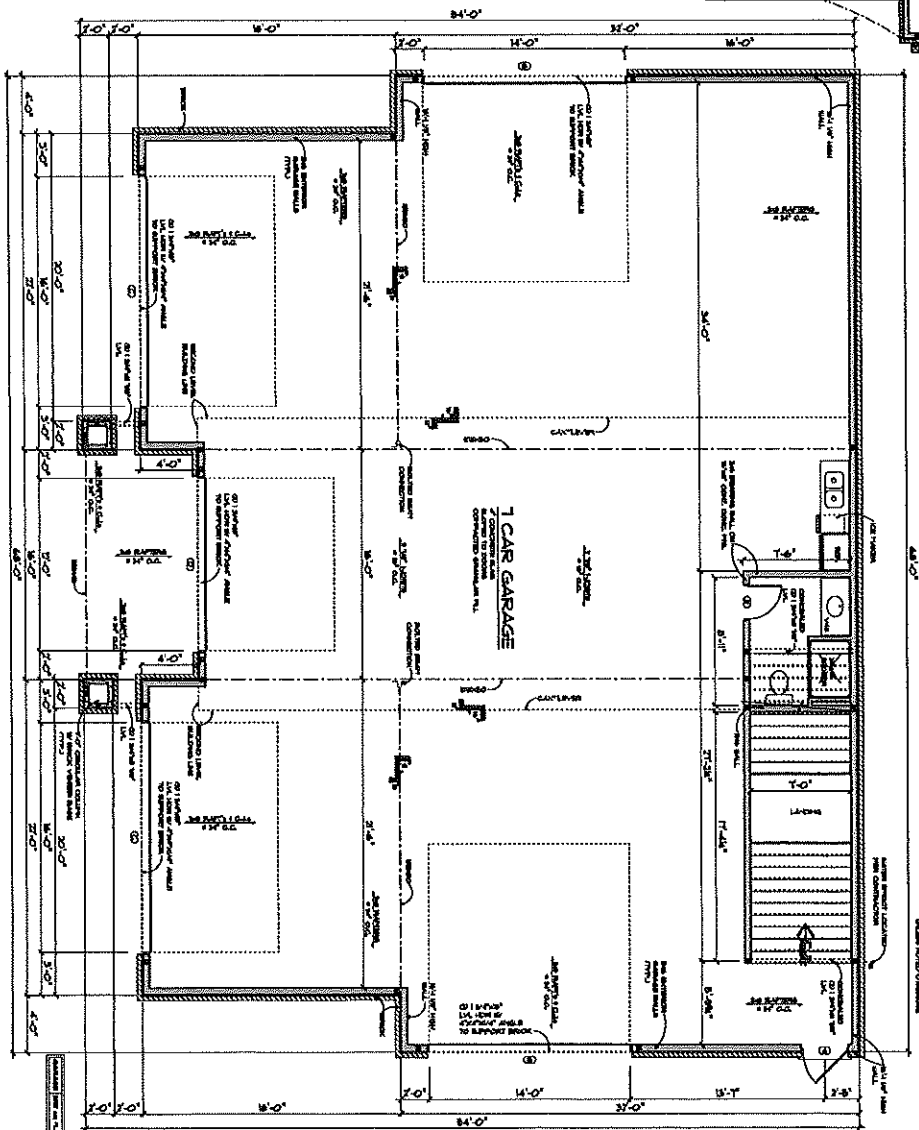
MAIN LEVEL ELECTRICAL PLAN



NO.	TYPE	LOCATION	NOTES
1	OUTLET	KITCHEN	120V 15A
2	OUTLET	LIVING	120V 15A
3	OUTLET	DINING	120V 15A
4	OUTLET	BEDROOM	120V 15A
5	OUTLET	BEDROOM	120V 15A
6	OUTLET	BEDROOM	120V 15A
7	OUTLET	BEDROOM	120V 15A
8	OUTLET	BEDROOM	120V 15A
9	OUTLET	BEDROOM	120V 15A
10	OUTLET	BEDROOM	120V 15A
11	OUTLET	BEDROOM	120V 15A
12	OUTLET	BEDROOM	120V 15A
13	OUTLET	BEDROOM	120V 15A
14	OUTLET	BEDROOM	120V 15A
15	OUTLET	BEDROOM	120V 15A
16	OUTLET	BEDROOM	120V 15A
17	OUTLET	BEDROOM	120V 15A
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20	OUTLET	BEDROOM	120V 15A

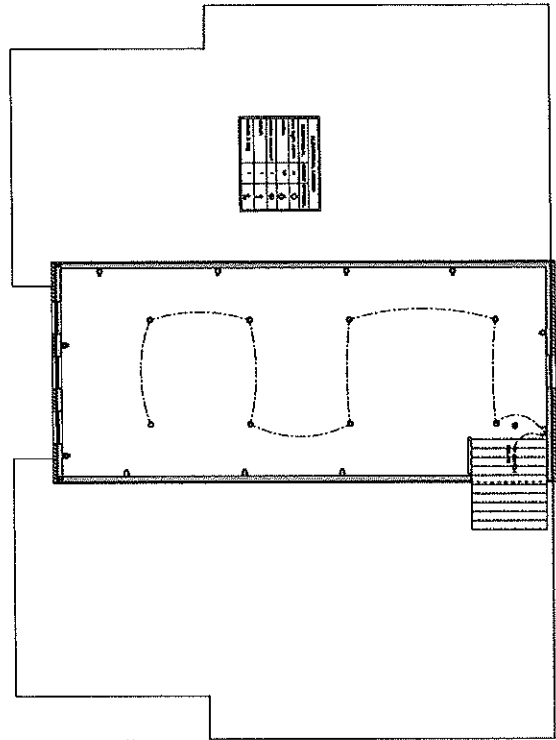
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15	OUTLET	BEDROOM	120V 15A
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17	OUTLET	BEDROOM	120V 15A
18	OUTLET	BEDROOM	120V 15A
19	OUTLET	BEDROOM	120V 15A
20	OUTLET	BEDROOM	120V 15A

MAIN LEVEL FLOOR PLAN

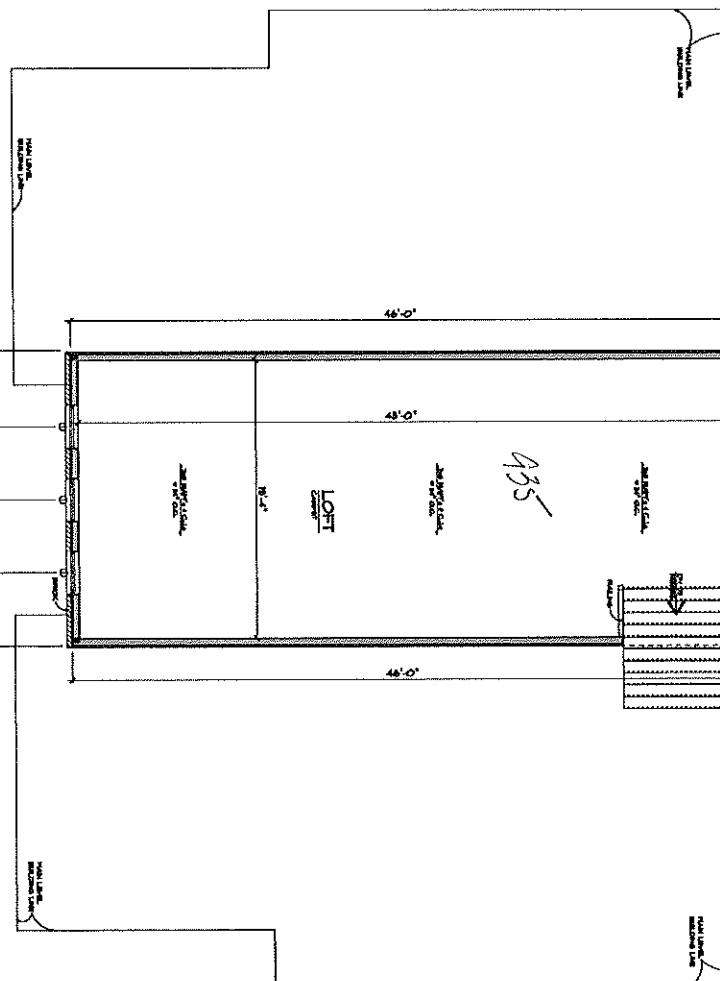


NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL WALLS ARE 1/2" THICK UNLESS NOTED OTHERWISE.
3. ALL FLOORS ARE 4" THICK CONCRETE UNLESS NOTED OTHERWISE.
4. ALL CEILING ARE 8" THICK CONCRETE UNLESS NOTED OTHERWISE.
5. ALL ROOFS ARE 12" THICK CONCRETE UNLESS NOTED OTHERWISE.
6. ALL FOUNDATIONS ARE 12" THICK CONCRETE UNLESS NOTED OTHERWISE.
7. ALL EXTERIOR WALLS ARE 12" THICK CONCRETE UNLESS NOTED OTHERWISE.
8. ALL EXTERIOR FLOORS ARE 4" THICK CONCRETE UNLESS NOTED OTHERWISE.
9. ALL EXTERIOR ROOFS ARE 12" THICK CONCRETE UNLESS NOTED OTHERWISE.
10. ALL EXTERIOR FOUNDATIONS ARE 12" THICK CONCRETE UNLESS NOTED OTHERWISE.

SECOND LEVEL ELECTRICAL PLAN



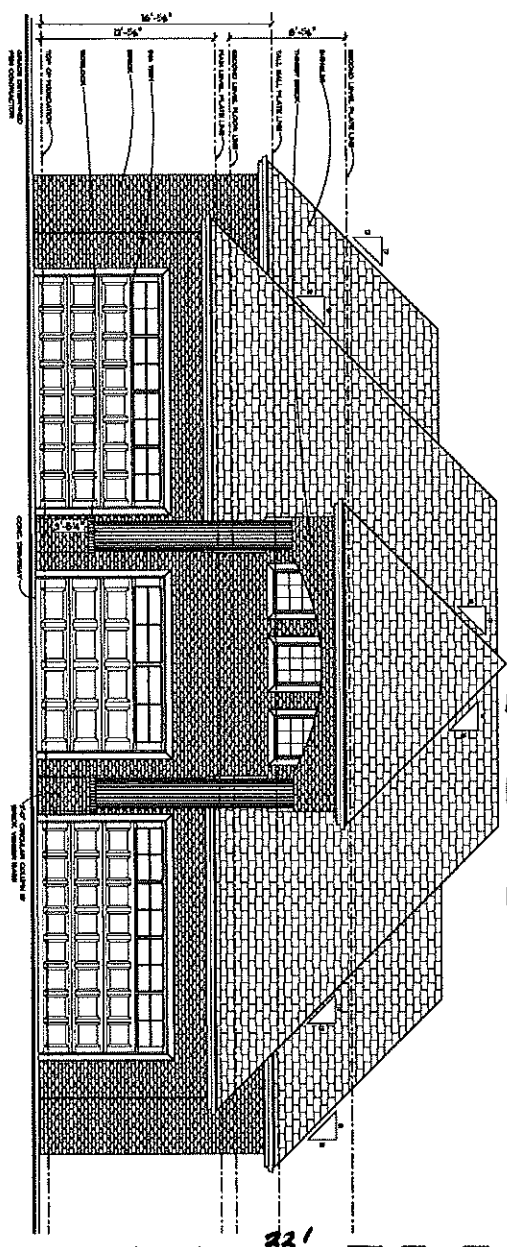
ROOM	TYPE	REMARKS	DATE	BY
1	REVISION	1	10/1/00	JL



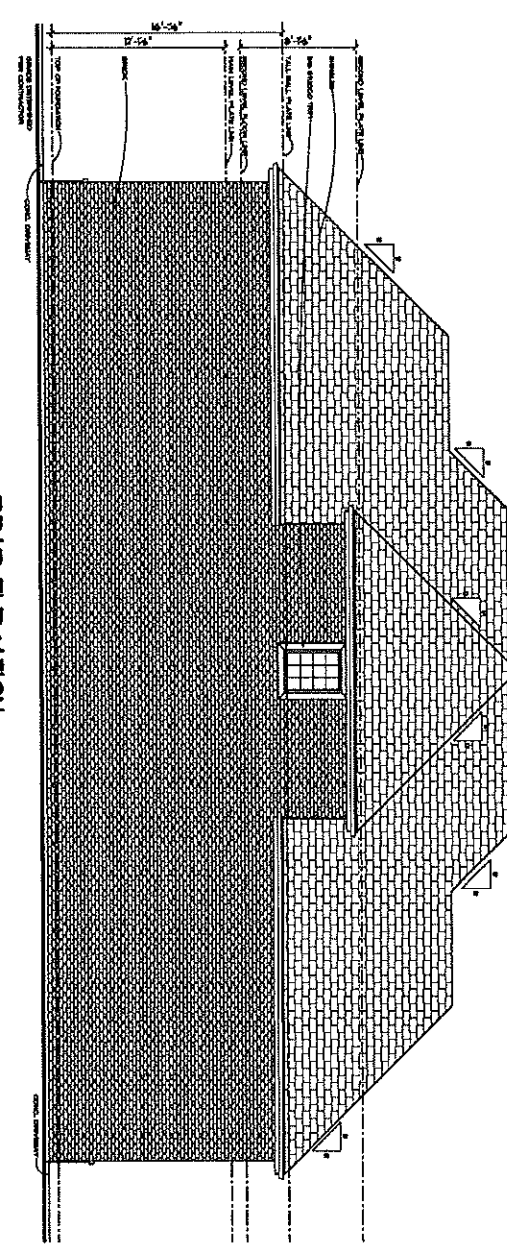
ROOM	TYPE	REMARKS	DATE	BY
1	REVISION	1	10/1/00	JL

SECOND LEVEL FLOOR PLAN

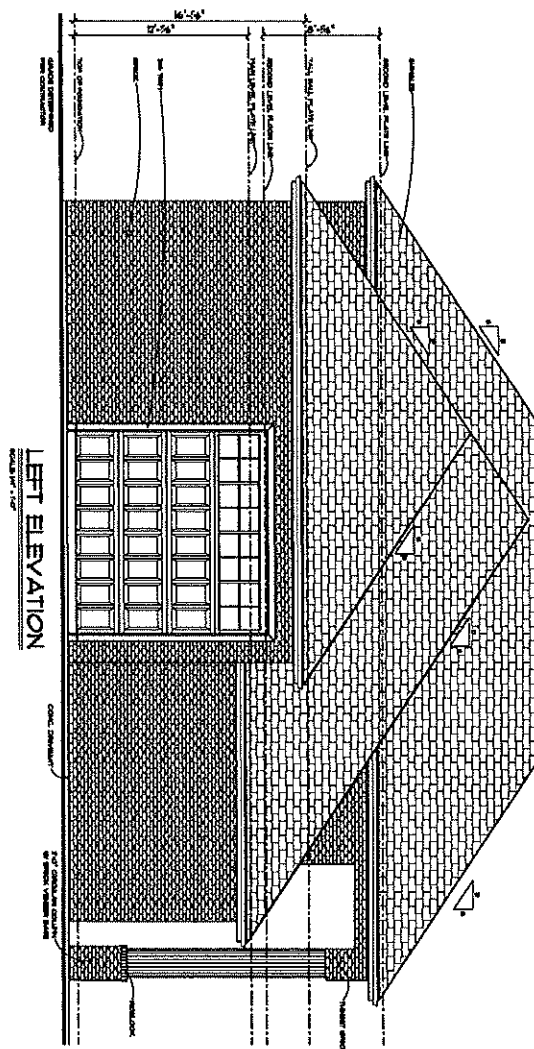
1. ALL DIMENSIONS SHALL BE IN FEET AND INCHES.
2. ALL DIMENSIONS SHALL BE TO THE CENTER OF THE WALL UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS SHALL BE TO THE CENTER OF THE WALL UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS SHALL BE TO THE CENTER OF THE WALL UNLESS OTHERWISE NOTED.



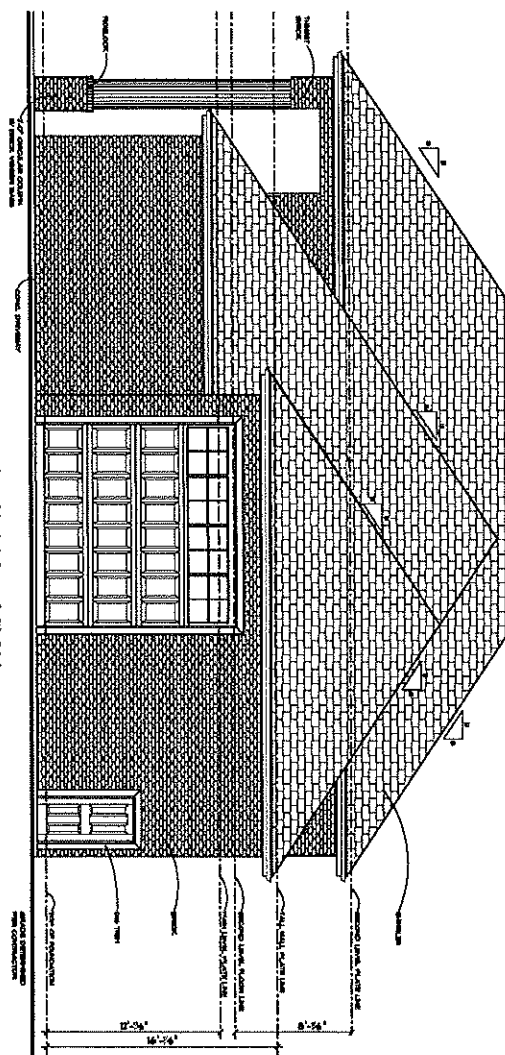
FRONT ELEVATION



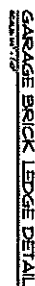
REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION





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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

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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:

 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 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:

 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 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