



City Hall: 317 College St, Grand Prairie, Texas

MEETING AGENDA
Zoning Board of Adjustments and Appeals

August 19th, 2019

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.

Board Members In Attendance:

Barry Sandacz, Chairperson X , Clayton Hutchins X ,

Heather Mazac , Stacy White X ,

Debbie Hubacek X , Tracy Owens X , Timothy Ibidapo X ,

Melinda Rodgers X .

INVOCATION: Clayton Hutchins led Invocation

APPROVAL OF MINUTES:

Tracy Owens motioned to approve last month's minutes

Heather Mazac seconded the motion

8 yays 0 nays

PUBLIC HEARING:

- 1. **CASE NUMBER BA190813 (Council District 1).**—Requesting a 300 square foot variance from the 50 sq ft maximum to allow for 350 square feet LED video screen p a building with non- static images, located at 2625 W Pioneer Pkwy , legally described Lot 2, Sam’s Properties Addition, City of Grand Prairie, Tarrant County, Texas zoned “LI” Light Industrial District

Applicant / Spokesperson: Matthew Loh
Address: 2625 W Pioneer Pkwy
Grand Prairie, TX 75052

Applicant / Spokesperson: Cole Barnes – Prism LED Company
Address: 120 Turtle Creek
Dallas, TX 75207

Any comments from Spokesman:

The applicant wants to create a unique location with outdoor and cultural events. The contractor added that there will be an automatic dimming sensor

Any questions from Board:

Timothy Ibadapo asked if there is any risk of radiation to people close by. The contractor stated no that it has been certified

The following persons spoke in favor of the application:

The following persons noted their support for the application:

N/A

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

N/A

The following persons noted their opposition to the application:

N/A

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

N/A

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

The public hearing was closed.

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.

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

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

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

The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.

The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;

The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

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

Any additional findings:

Motion to close to the public hearing by Tracy Owens
2nd the Motion by Timothy Ibidapo

Motion was Approved and Public Hearing was closed

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

Motion was Approved/Denied 8 yays to 0 Nays
Members that objected N/A

Any conditions:

N/A

2. **CASE NUMBER BA190803 (Council District 1).** –Requesting a 150 square foot variance from the 450 square foot area limitation, to allow for a 600 square foot accessory structure, located at 209 Wright Blvd, legally described as Lot 34, Whittle Addition, City of Grand Prairie, Dallas County, Texas zoned “SF-3” Single-Family Three Residential District.

Applicant / Spokesperson: Isaias Contreras
Address: 209 Wright Blvd
Grand Prairie, TX 75050

Any comments from Spokesman:

Through a translator, Mr. Contreras stated he wanted the patio cover to have shade between the house and swimming pool for his family. He is asking for the large size because if he makes it smaller the patio cover will block the windows.

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

N/A

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

N/A

The following persons noted their opposition to the application:

N/A

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

N/A

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

The public hearing was closed.

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.

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 Stacy White

Motion was Approved and Public Hearing was closed

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

Motion was Approved/Denied 8 yays to 0 Nays
Members that objected N/A

3. CASE NUMBER BA190804 (Council District 6).—Requesting a 46 square foot variance from the 450 square foot limitation to allow for a 496 square foot accessory structure and a special exception for siding

material. Located at 1417 Nadine Ln, legally described as Lot 100, Florence Hill 2, City of Grand Prairie, Dallas County, Texas zoned as "PD-84" Planned Development 84 District

Applicant / Spokesperson: Johnny Romero
Address: 1417 Nadine Ln
Grand Prairie, TX 75052

Any comments from Spokesman:

Mr. Romero would like the new storage because the old one is falling apart. The old one will be taken down to make room for the new. The entrance for the new shed will be on the side

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

N/A

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

N/A

The following persons noted their opposition to the application:

N/A

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

N/A

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

The public hearing was closed.

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 Heather Mazac

Motion was Approved and Public Hearing was closed

Motion to Approve Case by Tracy Owens
2nd the Motion Melinda Rodgers

Motion was Approved/Denied 8 yays to 0 Nays

4. **CASE NUMBER BA190805 (Council District 4).** –Requesting a special exception for a rear yard carport, located at 5220 Brewster Ct, legally described as Lot 52, Block 6, Lake Parks West Addition, City of Grand Prairie, Tarrant County, Texas zoned as “PD-267” Planned Development 267 District

Applicant / Spokesperson: Hassan Alajbir
Address: 5220 Brewster Ct
Grand Prairie, TX 75052

Any comments from Spokesman:

Mr. Alajbir would like to the carport to shade and protect his vehicles. He did already apply for a permit that was issued in error.

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

N/A

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

N/A

The following persons noted their opposition to the application:

N/A

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

N/A

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

The public hearing was closed.

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 Timothy Ibidapo

Motion was Approved and Public Hearing was closed

Motion to Approve Case by Tracy Owens
2nd the Motion Melinda Rodgers

Motion was Approved/Denied 8 yays to 0 Nays

5. CASE NUMBER BA190807 (Council District 2). –

1. Requesting a 13 foot rear yard setback variance from the required 20 feet to allow for an accessory structure 7 feet from the rear property line
2. A 72 square foot variance from the 120 square foot size limitation outlined by “PD 201” to allow for a 192 square foot accessory structure

3. A 3 foot height variance form the 10 foot height limitation outline by "PD 201" to allow for a 13 foot tall accessory structure

Located at 310 Nunez Dr, legally described as W 1/2 Lot 2, Block L, Sheffield Village Phase 4 Addition, City of Grand Prairie, Tarrant County, Texas "PD-201" Planned Development 201 District

Applicant / Spokesperson: Pedro Guzman Rios

Address: 310 Nunez
Grand Prairie, TX 75051

Any comments from Spokesman:

Applicant would like the new larger shed to place of their personal belongings in and tear down the old shed

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

N/A

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

N/A

The following persons noted their opposition to the application:

N/A

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

N/A

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

The public hearing was closed.

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.

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

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

The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.

The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;

_____ The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

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

Any additional findings:

Motion to close to the public hearing by Tracy Owens
2nd the Motion by Melinda Rodgers

Motion was Approved and Public Hearing was closed

Motion to Approve Case by Tracy Owens
2nd the Motion Melinda Rodgers

Motion was Approved/Denied 8 yays to 0 Nays
Members that objected _____

6. CASE NUMBER BA190809 (Council District 3).—Requesting a 136 foot square foot variance from the 120 square foot maximum outlined by “PD-120” to allow for a 256 square foot accessory structure, located at

501 Stonehenge Drive, legally described as Lot 44, Block A, Park Square 2 Rep Addition, City of Grand Prairie, Dallas County, Texas zoned as "PD-120" Planned Development 120 District

Applicant / Spokesperson: Alba Escobar

Address: 501 Stonehenge
Grand Prairie, TX 75052

Any comments from Spokesman:

The applicant would like the accessory structure to create more space in the garage

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

N/A

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

N/A

The following persons noted their opposition to the application:

N/A

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

N/A

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

The public hearing was closed.

After consideration of the evidence, the Board discussed the evidence and the documentation on the record.

The Board makes the following findings, indicated by a check or x in the blank next to the finding:

Proper notification was done in accordance with the statutes and ordinances.

 The decision of the City building or administrative official to deny the permit or construction was in error, and the permit should be granted.

 A variance, if granted, is not contrary to the public interest, and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and the granting of the variance would be in the spirit of the ordinances and substantial justice would be done.

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

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

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

X The variance or exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

X The variance or exception will be in harmony with the spirit and purpose of the Unified Development Code and all other ordinances of the City.

X The variance or exception will not alter the essential character of the district in which is located the property for which the variance is sought.

X The variance or exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;

_____ The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, area, shape or slope, and the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

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

Any additional findings:

Motion to close to the public hearing by Tracy Owens
2nd the Motion by Melinda Rodgers

Motion was Approved and Public Hearing was closed

Motion to Approve Case followed by Tracy Owens
2nd the Motion Melinda Rodgers

Motion was Approved/Denied 8 yays to 0____Nays

7. **CASE NUMBER BA190810 (Council District 4).**—Requesting a 10 foot rear yard setback variance from the 30foot build line to allow for the porch 20 feet from the rear property line, located 2839 Ivy Glen Dr, legally described as Lot 49, Block 1, Ivy Glen Addition, City of Grand Prairie, Tarrant County, Texas zoned as “PD-278”- Planned Development 278 District

Applicant / Spokesperson: Collin Jerrell (contractor)
Address: 2839 Ivy Glen
Grand Prairie, TX 75052

Any comments from Spokesman:

The homeowners would like to have a large space to enjoy the front of the house. This will be their forever home and would like to make it everything they want

Any questions from Board:

The following persons spoke in favor of the application:

The following persons noted their support for the application:

N/A

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

N/A

The following persons noted their opposition to the application:

N/A

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

N/A

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

The public hearing was closed.

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 adversely affect the health, safety, or general welfare of the public.

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

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 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 by Tracy Owens
2nd the Motion by Stacy White

Motion was Approved and Public Hearing was closed

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

Motion was Approved/Denied 8 yays to 0 Nays
Members that objected
Any conditions:

8. CASE NUMBER BA190812 (Council District 3).—Requesting a special exception for two corrugated metal carports, located 510 S Holiday Dr, legally described as Lot 21, Block 16, Park Valley 2, City of Grand Prairie, Tarrant County, Texas zoned as “SF-3”- Single Family 3

Applicant / Spokesperson: Hillario Gallegos
Address: 510 S Holiday
 Grand Prairie, TX 75050

Any comments from Spokesman:

The homeowners would like to have 2 carports to protect the families vehicles

Any questions from Board:

Stacy White asked if carports are prevalent in the area. The answer is no

Timothy Ibidapo asked if there is a set number of saturation of carports. The staff answered that no there is not. Each

request is on a case by case scenario but there was one other permitted carport in the area
Tracy Owens voiced concern about the request for 2 carports since this is not characteristic of the neighborhood
Clayton Hutchins asked what the material would be? Staff answered it would be corrugated metal and there was one permitted with that type of material
Stacy White asked if staff was confident that the applicant would have a better chance applying as 2 separate cases?
Staff is unsure because they have never received a case for 2 carports and this is not characteristic of the neighborhood

The following persons spoke in favor of the application:

Abelina Martinez of 514 S Holiday spoke in favor. She is not concerned about the metal taking away from the appearance of the neighborhood. She just wants to make sure the drainage would flow away from her property
Kim Solis of 518 S Holiday Dr spoke in favor. The carports would be far enough from the street where the trees would hide visibility and understands the need for protection of your vehicles

The following persons noted their support for the application:

N/A

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

N/A

The following persons noted their opposition to the application:

N/A

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

N/A

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

The public hearing was closed.

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 be contrary to public interest.

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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 by Tracy Owens
2nd the Motion by Melinda Rodger

Motion was Approved and Public Hearing was closed

Motion to Approve Case by Tracy Owens
2nd the Motion Debbie Hubacek

Motion was Approved/Denied 5 yays to 3 Nays
Members that objected Clayton Hutchins, Timothy Ibidapo, Melinda Rodgers

Motion to approve Carport on side by Timothy Ibidapo
2nd the Motion Stacy White

Motion was Approved/Denied 8 yays to 0 Nays
Members that objected _____

9. CASE NUMBER BA190811 (Council District 3).—

1. Requesting a 62 square foot variance from the 750 square foot

2. A 4 foot rear yard setback variance from the required 10 feet, to allow for a detached garage and accessory structure 6 feet from the rear property line
3. A special exception for the use of corrugated metal as a building material

Located 706 E Springdale, legally described as Lot 5, Block 4, Lake Park Village 1 Addition, City of Grand Prairie, Dallas County, Texas zoned as "SF-3"- Single Family Three District

Applicant / Spokesperson: Juan Moreno (spokeperson- applicant's son)
Address: 706 E Springdale
Grand Prairie, TX 75052

Any comments from Spokesman:

The structure was built unknown to his dad without a permit. The contractor said he did but now knows that he did not. The applicant would like to keep the structure to work on his personal cars and is willing to fix the issues by maybe taking down the walls and turning it into a carport

Any questions from Board:

Tracy Owens asked if the structure was existing. Staff answered that yes it is
 Debbie Hubacek asked how long the structure has been there? The structure has been there for about a year. The reason it came into question was a complaint to Code Enforcement that garage was being used as a business
 An alternative was posed to the applicant of having the garage no larger than 750 square feet and masonry or same as the house

The following persons spoke in favor of the application:

The following persons noted their support for the application:

N/A

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

N/A

The following persons noted their opposition to the application:

Jena Perkins of 809 NW 9th St owns the property behind the applicant (601 Trinidad)and is opposed to it because it is not in compliance and fear of the affects to her property

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

N/A

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

The public hearing was closed.

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.

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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.

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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 by Tracy Owens
2nd the Motion by Stacy White

Motion was Approved and Public Hearing was closed

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

Motion was Approved/Denied 1 yays to 7 Nays

Members that objected _Barry Sandacz, Debbie Hubacek, Clayton Hutchins, Melinda Rodgers, Tracy Owens, Heather Mazac, Stacy White_____

Motion to reopen the hearing for questions: Tracy Owens

2nd the Motion by Stacy White

The board asked if all the cars were being worked on were personal cars? Did the applicant have the title? The applicant answered yes that he did

Tracy Owens asked if they would be willing to remove 40% for the structure and remain with a roof over the vehicles
The applicant agreed

Motion to close to the public hearing by Heather Mazac

2nd the Motion by Stacy White

Motion to Approve 4 ft rear yard setback but require the garage to be a maximum of 750 sq ft with approved masonry
by Heather Mazac

2nd the Motion by Tracy Owens

Motion was Approved/Denied 5 yays to 3 Nays

Members that objected Clayton Hutchins, Melinda Rodgers, Timothy Ibidapo

Motion to Deny Case by Melinda Rodgers

2nd the Motion by Timothy Ibidapo

Motion was Approved/Denied 7 yays to 1 Nays

Members that objected Heather Mazac

CITIZENS COMMENT:

Matt Jupy of 5224 Brewster was told to come to the meeting to dispute a fee from his HOA. Barry Sandacz recommended talking to his HOA board for that information

NEW BUSINESS:

City Attorney Mark Dempsey stated that Texas House requires that Council approve of any new or changes to ZBA rules. Please look through the rules to verify if any need to be updated. The last update was done in 2005.

ADJOURNMENT: 8:22 pm