



City Hall: 317 College St, Grand Prairie, Texas

MEETING AGENDA
Zoning Board of Adjustments and Appeals
September 16, 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.

INVOCATION:

APPROVAL OF MINUTES:

PUBLIC HEARING:

1. CASE NUMBER BA190903 (Council District 6).

1. Requesting a special exception for a 20x20 (400 sqft) rear yard carport.
2. Requesting a 12 ½ foot rear yard setback variance from the required 20 feet, to allow for a carport 7 ½ feet from the rear property line.
3. Requesting a 4 foot side yard setback variance from the required 5 feet, to allow for a carport 1 foot from the side property line.

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

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

3. **CASE NUMBER BA190906 (Council District 3).** –Requesting a special exception for a 26x31 (806 sqft) carport, located at 1534 Avenue E, legally described as Lot 18R, Block 3, Lake Crest 2 Addition, City of Grand Prairie, Tarrant County, Texas, zoned “SF-4” Single-Family- Four Residential District.
4. **CASE NUMBER BA190907 (Council District 6).** –Requesting a special exception for a 4:12 roof pitch from the required 6:12 roof pitch, located at 1235 Preserve Boulevard, legally described as Lot 2541, Block P, Lake Ridge, Section 20 Addition, City of Grand Prairie, Tarrant County, Texas, zoned “PD-258” Planned Development 258 District.
5. **WITHDRAWN –Case Number BA190908 (Council District 5).** –Requesting a special exception for a 16x24 carport, and a 1 foot side yard setback variance from the required 5 feet. Located at 410 NE 36th St, legally described as, legally described as Lot 8, Block 1, Parkway 1 Addition, City of Grand Prairie, Tarrant County, Texas, zoned “SF-4” Single-Family- Four Residential District.
6. **CASE NUMBER BA190910 (Council District 3).**
 1. Requesting a 1 foot building setback from the required 6 feet to allow for a detached garage 5 feet from an accessory structure
 2. A special exception from the 100% masonry material requirement, to allow for hardy board material.Located at 706 E Springdale, legally described as Lot 5, Block 4, Lake Park Village 1 Addition, City of Grand Prairie, Dallas County, Texas, zoned “SF-3” Single-Family- Three Residential District.
7. **CASE NUMBER BA190911 (Council District 6).** – Requesting a 35 foot height variance from the 25 foot height limitation, to allow for a 60 foot multi-tenant pylon sign. Located at 4126 S Carrier Parkway, legally described as Lot 2, Block 5. Westchester Commercial Addition City of Grand Prairie, Dallas County, Texas, zoned “PD-173” Planned Development 173 District.

CITIZENS COMMENT:**BOA RULES:****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 13th day of September 2019 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

Grand Prairie
— T E X A S —



BA190903

4418 Laredo Dr
Special Exception/Variance –
Rear Yard Carport/Setbacks

Zoning Board of Adjustments & Appeals:

September 16, 2019

Case Manager:

Nyliah Acosta

Owner/Applicant:

Sacramento Duran

SUMMARY

1. Requesting a special exception for a 20x20 (400 sqft) rear yard carport.
2. Requesting a 12 ½ foot rear yard setback variance from the required 20 feet, to allow for a carport 7 ½ feet from the rear property line.
3. Requesting a 4 foot side yard setback variance from the required 5 feet, to allow for a carport 1 foot from the side property line.

Located at 4418 Laredo Dr legally described as Lot 33, Block 34, Westchester 4 Addition, City of Grand Prairie, Dallas County, Texas, zoned "PD-172" Planned Development 172 District (**Council District 6**).

DISCUSSION

The applicant is requesting approval of a rear yard carport accessible from the alley. A single-family dwelling currently sits on the property and the owner is proposing to build a 20x20x10' tall (400 square foot) carport.

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 September 6th and September 15th.

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

68 notices were sent, 0 were returned in favor, 0 opposed, and there was no response from Westchester 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: *Approving such special exception and 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 special exception and 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 proposed special exception, if approved, will not authorize the operation of a use other than those already allowed in "PD-172" Planned Development- 172 District.*

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

Staff Evaluation: *The granting of this special exception will allow the homeowner to protect their vehicle from inclement weather. Staff suggests that the exception will not harm the spirit and purpose 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 observed one other rear yard carport less than 500 feet from the subject property at 709 Sierra Ct (built without permits). The homes are rear entry garages accessible from alley, and due to the 113 lot depth and 20 foot rear yard setback, it would be difficult for the majority of the properties to accommodate a carport without encroaching into the setback.*

- 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 special exception 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 finds that the property owner has a hardship that is a unique circumstance of the property due to the property being within a PD that specifies a 20 foot rear yard setback. All other single-family zoning districts only require a 5 foot rear yard setback for carports.

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 **the case be tabled so the applicant can submit a revised site plan for the special exception and variance in BA190903** based on the following findings of fact:

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

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



Date: 9/6/2019 Time: 11:04:49 AM

Parcels



BA190905

1501 Lakeview Drive Variance – Side Yard Setback

Zoning Board of Adjustments & Appeals:

September 16, 2019

Case Manager:

Nyliah Acosta

Owner:

Jose Ibarra

SUMMARY

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

DISCUSSION

The applicant is requesting approval to reduce the side yard setback. The lot is currently vacant and the property owner is seeking a variance to reduce the minimum side yard setback by 6 feet to construct a single-family dwelling on the lot. It should be noted that the lot is a nonconforming platted lot, and does not meet the minimum lot width and lot depth; because of the smaller lot size the applicant has less room to accommodate the side setback while meeting the minimum living area requirement.

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 September 6th and September 15th.

Notices to property owners were placed in the City of Grand Prairie outgoing mail on September 6th, 2019.

49 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 "SF-4" Single-Family Four Residential District. Such variances will allow the applicant to construct a single-family dwelling, which is consistent in the surrounding area.*

- 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 "SF-4" 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 single-family dwelling, which is consisted with the adjacent uses. Staff suggests that the variances are in harmony with the spirit and purpose 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 variances are sought.

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

- 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 minimum side yard setback 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 the immediate neighborhood.*

- 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 property was platted in 1957, and does not meet the minimum dimensional requirements*

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

Staff Evaluation: *Staff finds that the hardship is not self-created and there is a need to create infill housing.*

RECOMMENDATION

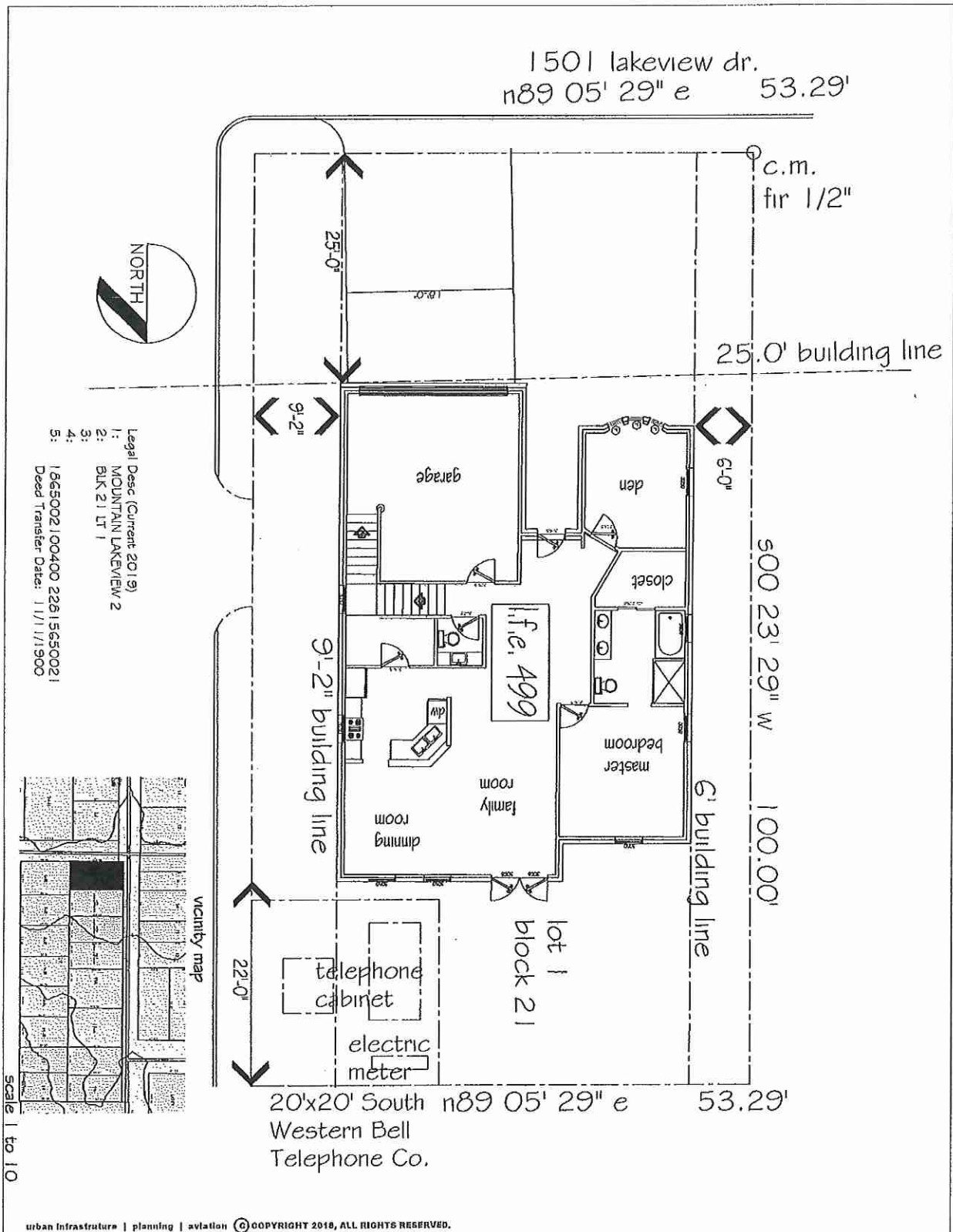
Staff recommends **APPROVAL of the requested variance in BA190905** based on the following findings of fact:

1. The request does not negatively impact surrounding property owners and;
2. The single-family structure must conform to the requirements set forth by the Unified Development Code.

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

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.





S.1

PROJECT : 18031
DRAWN BY: tz
REVISION 1:
REVISION 2:
DATE: 11-20-2016
PHASE: CONSTRUCTION
DESCRIPTION:
NEW RESIDENCE

IBARRA NEW RESIDENCE
1505 Lakeview Dr.
Grand Prairie, Texas

CONSTRUCTION
DOCUMENTS
PHASE I:
PERMIT
PHASE II:
NEW
RESIDENCE



urban infrastructure | planning | aviation
4020 N. MacArthur Blvd. Ste 122-217
IRVING, TEXAS 75038
972.246.1510 www.urbaninfrastructure.com



BA190906

1534 Avenue E
Special Exception – Carport Size

Zoning Board of Adjustments & Appeals:

September 16, 2019

Case Manager:

Nyliah Acosta

Owner/Applicant:

Dagberto Graciano

SUMMARY

Requesting a special exception for a 26x31 (806 sqft) carport, located at 1534 Avenue E, legally described as Lot 18R, Block 3, Lake Crest 2 Addition, City of Grand Prairie, Tarrant County, Texas, zoned "SF-4" Single-Family- Four Residential District (Council District 3).

DISCUSSION

The applicant is requesting approval of an oversized carport. A single-family dwelling currently sits on the property and the owner is proposing to build a 26x31x9 foot (806 square foot) carport.

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 September 6th and September 15th.

Notices to property owners were placed in the City of Grand Prairie outgoing mail on September 6th, 2019.

46 notices were sent, 0 were returned in favor, 0 opposed and there is no neighborhood 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 exception 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 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 exception, if approved, will not authorize the operation of a use other than those already allowed in "SF-4" Single-Family Four Residential District.*

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

Staff Evaluation: *Staff suggests that the exception will not harm the spirit and purpose 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: *Approving the exception will not drastically alter the essential character of the district in which the subject property is located. In addition, staff noted that there is one other oversized carport built without permits, located at 1617 avenue E.*

- 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 exception 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 **Denial with an alternate recommendation to dress the carport with similar material to the house, or comply with the maximum 500 sqft size limitation of the requested special exception in BA190906** based on the following findings of fact:

1. An oversized metal carport is not consistent with the character of the surrounding area.

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

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

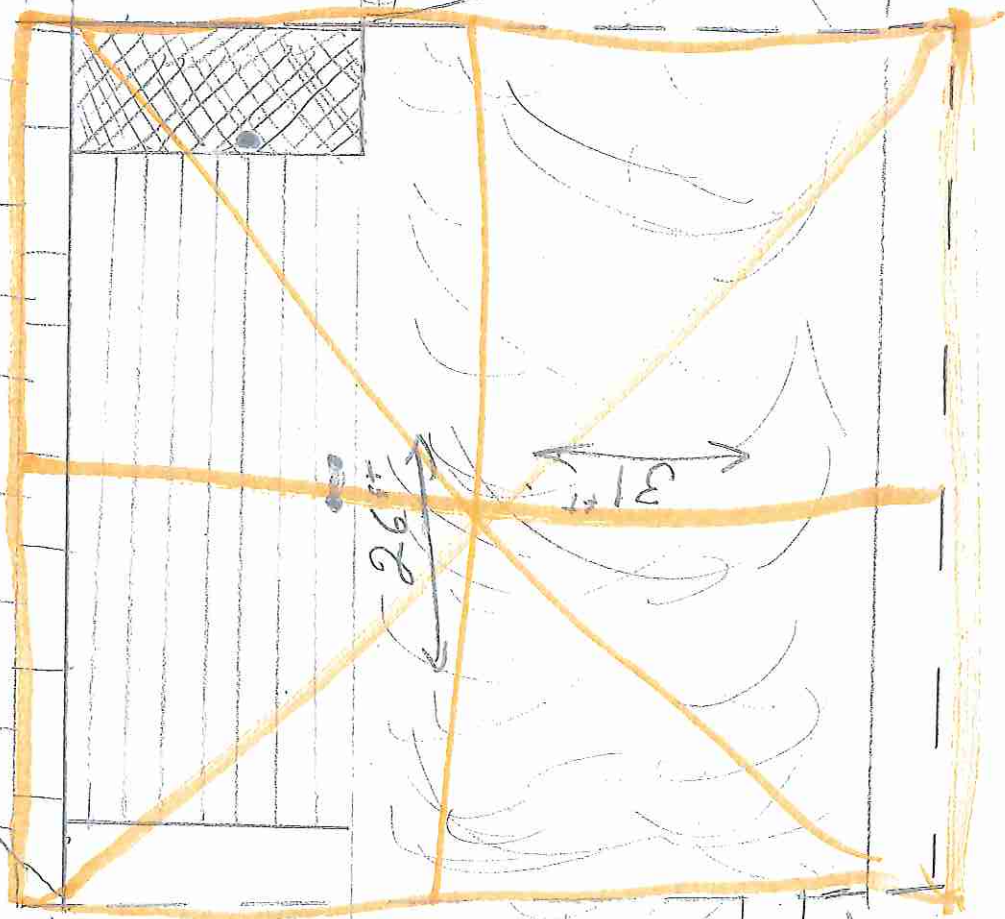


1534 Ave E. G.P. TX 75051

front house
street

gate

Garage
Entrance





BA190907

1235 Preserve Boulevard
Variance – Roof Pitch

Zoning Board of Adjustments & Appeals:

September 16, 2019

Case Manager:

Nyliah Acosta

Owner/Applicant:

Wissam Katbeh

SUMMARY

Requesting a special exception for a 4:12 roof pitch from the required 6:12 roof pitch, located at 1235 Preserve Boulevard, legally described as Lot 2541, Block P, Lak Ridge, Section 20 Addition, City of Grand Prairie, Tarrant County, Texas, zoned "PD-258" Planned Development 258 District (Council District 6).

DISCUSSION

The applicant is requesting approval of minimized roof pitch. The lot is currently vacant. Carports are very characteristic in this neighborhood and it is not uncommon for the carport to extend across the width of the house as a dual porch and carport cover.

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 September 6th and September 15th.

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

19 notices were sent, 0 were returned in favor, 0 opposed, and there is no neighborhood 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 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 exception, if approved, will not authorize the operation of a use other than those already allowed in "PD-258" Planned Development 258 District.*

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

Staff Evaluation: *Staff suggests that the exception will not harm the spirit and purpose 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: *Approving the variance will continue to promote the unique character of the neighborhood, which consists of a variation of different architectural styles.*

- 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 exception 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.*

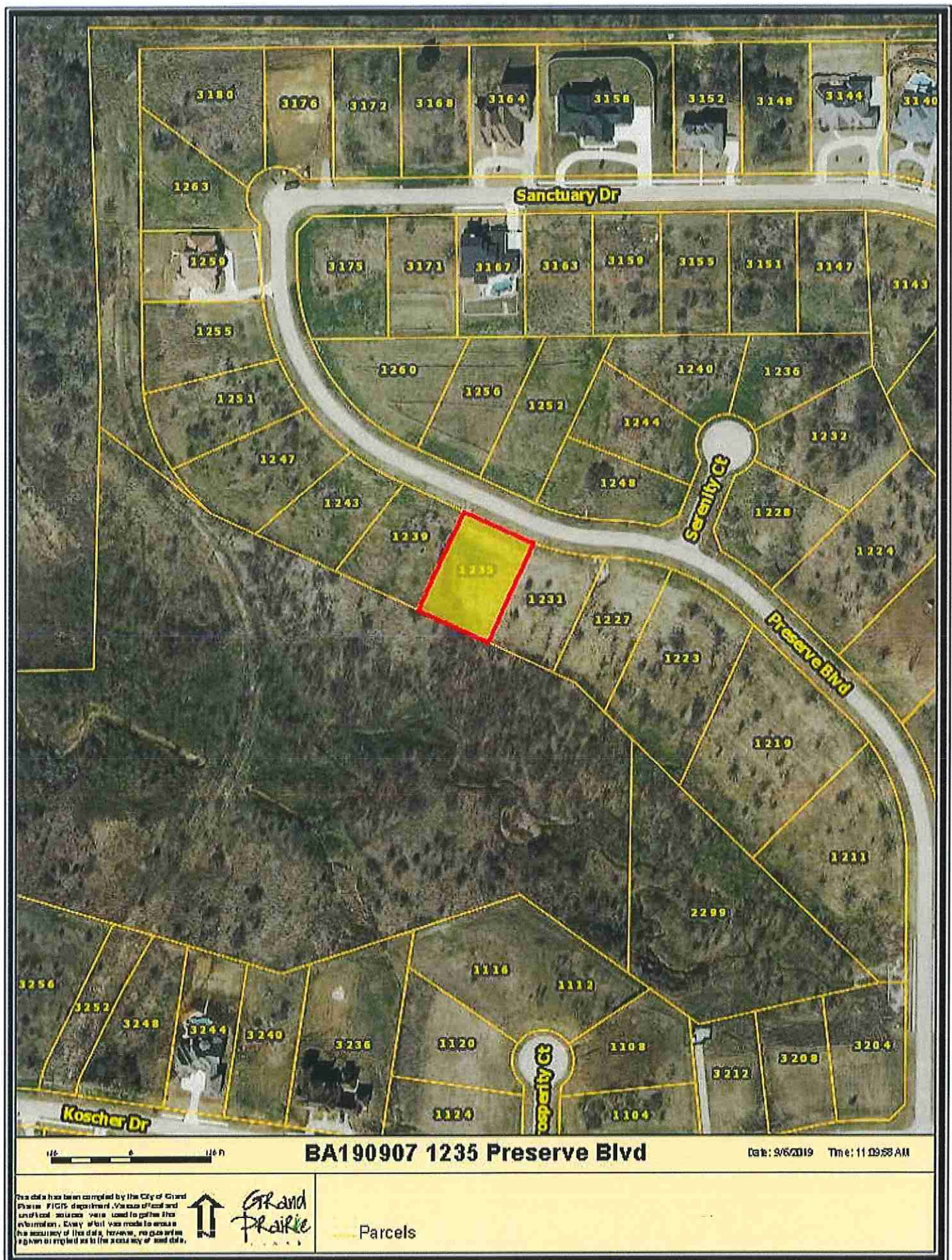
RECOMMENDATION

Staff recommends **Approval of the requested variance in BA190907** based on the following findings of fact:

1. The reduced roof pitch will decrease the height and visual impact of the home while maintaining aesthetics;and
2. The minimized roof pitch has no impact on the surrounding area.

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

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



BA190907 1235 Preserve Blvd

Date: 9/5/2019 Time: 11:09:58 AM

This data has been compiled by the City of Grand Prairie 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

Parcels



1 South Elevation
1/4" = 1'-0"



2 West Elevation
1/4" = 1'-0"

PROJECT NO.
1233
1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050

DATE
1/21/2019
1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050

FOR REVIEW ONLY
SUNNYSIDE CONSULTING GROUP
1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050

Sunnyside Consulting Group
2021 LICENSE NO. 1233
1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050

1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050

LOT 2541 LAKE RIDGE, SECTION 20
1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050

1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050

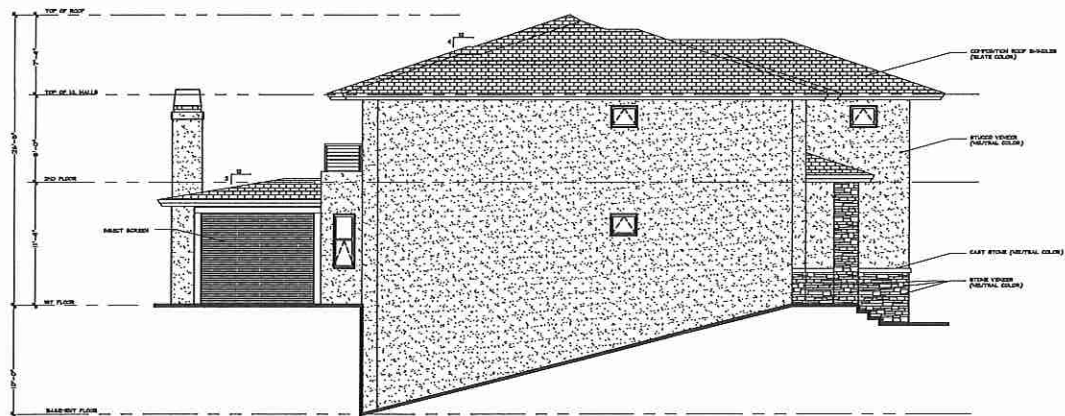
1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050

1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050

1233 PRESERVE BOULEVARD
GRAND PRairie, TX 75050



1 North Elevation
1/4" = 1'-0"



2 East Elevation
1/4" = 1'-0"

PROJECT: 1235
CLIENT: 1235
DATE: 12/15/18

REVISIONS:
1. 12/15/18: 1235
2. 12/15/18: 1235
3. 12/15/18: 1235

FOR REVIEW ONLY
1235
1235
1235

Sunnyside Consulting Group
2501 Commerce Parkway
Suite 100
Frisco, Texas 75033
Phone: 469-455-1000
Fax: 469-455-1001

1235
1235
1235

LOT 2541 LAKE RIDGE, SECTION 20
1235 Preserve Boulevard Grand Prairie, TX 75050

1235
1235
1235

EXTERIOR
ELEVATIONS

A1.1
January 24, 2019



BA190910

706 E Springdale
Variance –Detached Garage
Material & Setback

Zoning Board of Adjustments & Appeals:

September 16, 2019

Case Manager:

Nyiah Acosta

Owner/Applicant:

Arnulfo Moreno

SUMMARY

1. Requesting a 1 foot internal building setback from the required 6 feet to allow for a detached garage 5 feet from an accessory structure
2. A special exception from the 100% masonry material requirement, to allow for hardy board material. Located at 706 E Springdale, legally described as Lot 5, Block 4, Lake Park Village 1 Addition, City of Grand Prairie, Dallas County, Texas, zoned "SF-3" Single-Family Three Residential (**Council District 3**).

DISCUSSION

The applicant is requesting approval of material, and an internal setback between structures for a detached garage. A single-family dwelling currently sits on the property and the detached garage is existing.

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 September 6th and September 15th.

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

79 notices were sent, 0 were returned in favor, 0 opposed 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: *Approving such variance will not 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 will not adversely affect the health, safety or general welfare of the public. It should be noted that this case was brought forth by Code Enforcement, due to complaints of a neighbor stating the garage was being used for auto repair. This case was heard at the August 19th meeting, and denied. The applicant will be reconfiguring the structure to meet the setbacks and maximum 750 sf size limitation.*

- 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 "SF-3" Single-Family Three 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 applicant to make changes to the existing corrugated metal detached garage and be in compliance with the setbacks and size. The applicant is proposing to remove the corrugated metal and put up hardy board walls. The Unified development code requires 100% masonry material, however the improvement would upgrade the aesthetic of the structure and the existing size would be reduced.*

- 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: *Approving the variance will not drastically alter the essential character of the district in which the subject property is located. The structure is located in the rear yard behind a fence, and will meet height and size requirements.*

- 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 weaken the general purpose of the underlying zoning districts regulations. The purpose of the size, setback and material requirements are to create uniformity, promote compatibility of uses, and overall safety and welfare of the public. The applicant is working towards compliance, and staff feels that the variance for materials is a reasonable request.*

- 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 BA190910** is based on the following findings of fact:

1. This case was previously heard at the Zoning Board of Adjustments August 19th meeting, where staff recommended the applicant meet the dimensional requirements and use materials similar to the house. The applicants request meets staff's previous recommendation.

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 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 special exceptions shall be deemed waived; and all rights there under terminated.



BA190910 706 E Springdale Dr

Date: 8/7/2019 Time: 4:21:00 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.



Site Plans

LOT DESCRIPTION

1. Fence

2. Dimensions

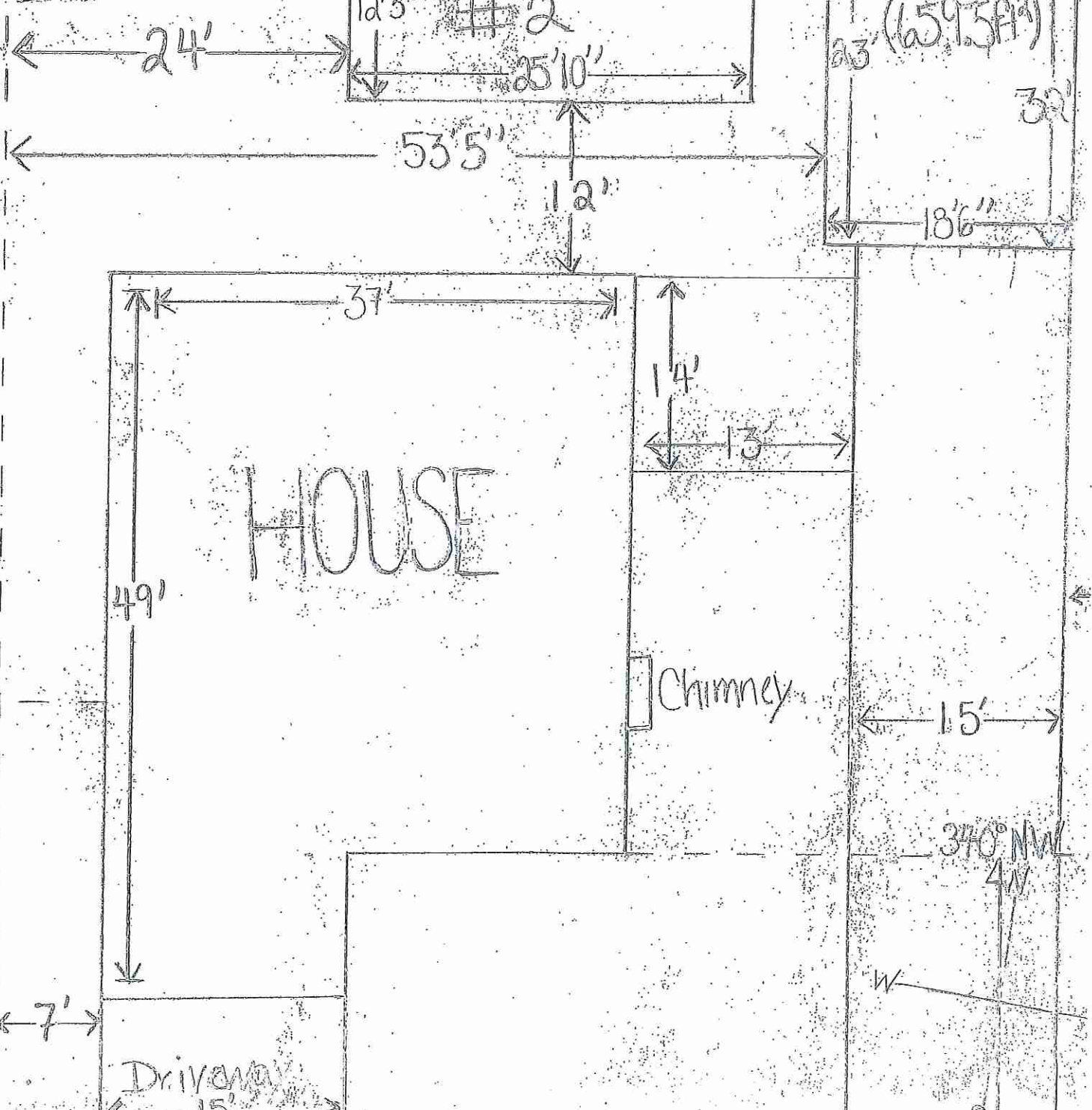
3. Lot Size 60'w (1200)

= 9600 ft²

4. Living area 1600 ft²

5. Scale

1 inch = 10 ft





BA190911

**4126 S Carrier Parkway
Variance – Pylon Sign**

Zoning Board of Adjustments & Appeals:

September 16, 2019

Case Manager:

Nyliah Acosta

Owner/Applicant:

Shops at Westchester, LLC

SUMMARY

Requesting a 35 foot height variance from the 25 foot height limitation, to allow for a 60 foot multi-tenant pylon sign. Located at 4126 S Carrier Parkway, legally described as Lot 2, Block 5. Westchester Commercial Addition City of Grand Prairie, Dallas County, Texas, zoned "PD-173" Planned Development 173 District (District 6).

DISCUSSION

The applicant is requesting approval for a variance to allow for a 60 foot tall pylon sign. Per Article 9 Sign Standards of the Unified Development Code (UDC), pylon signs are prohibited, and the height limitation is 25 feet. The proposed new pole will be a 22'x60' with two tenant 12'x16' signs. In addition, the applicant is seeking a 35 foot height variance. The surrounding area impacted by the sign is largely retail, commercial, and restaurant uses. Directly across Carrier from the proposed location of the requested sign at 4125 S Carrier Parkway is a 60 foot three sided pylon sign that was approved in 2017. The sign was also granted a variance to exceed the allowable square footage for a multi-tenant sign. Adding another prohibited pylon sign that exceeds the height limitation is an oversaturation due to the close proximity of the existing 60 foot three sided multi-tenant pylon sign approximately 150 feet away. The request is not within the spirit or intent of the sign code to provide uniformity along the edges of arterials without oversaturating and cluttering the right of way with signs.

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 September 6th and September 15th.

Notices to property owners were placed in the City of Grand Prairie out-going-mail on September 5, 2019.

15 notices were sent, 0 were returned in favor, 0 opposed and there is no homeowners association.

RECOMMENDATION

Staff recommends **Denial of the requested variance in BA190911** based on the following findings of fact:

1. The grade difference between the site and I-20 may warrant a taller sign, but 550 sqft is 50% larger than the allowed size, and pylon/pole signs do not fit the character of the area at that height and size; and
2. Other signs are along I-20 frontage road, south of Westchase Dr signs are around 20 –25 feet in height.

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

1. **Any construction or building allowed by this special exception and 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 special exception and variance shall be deemed waived; and all rights there under terminated.**



130 0 130 Ft

BA190911 4126 S Carrier Pkwy

Date: 9/6/2019 Time: 11:17:42 AM

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.

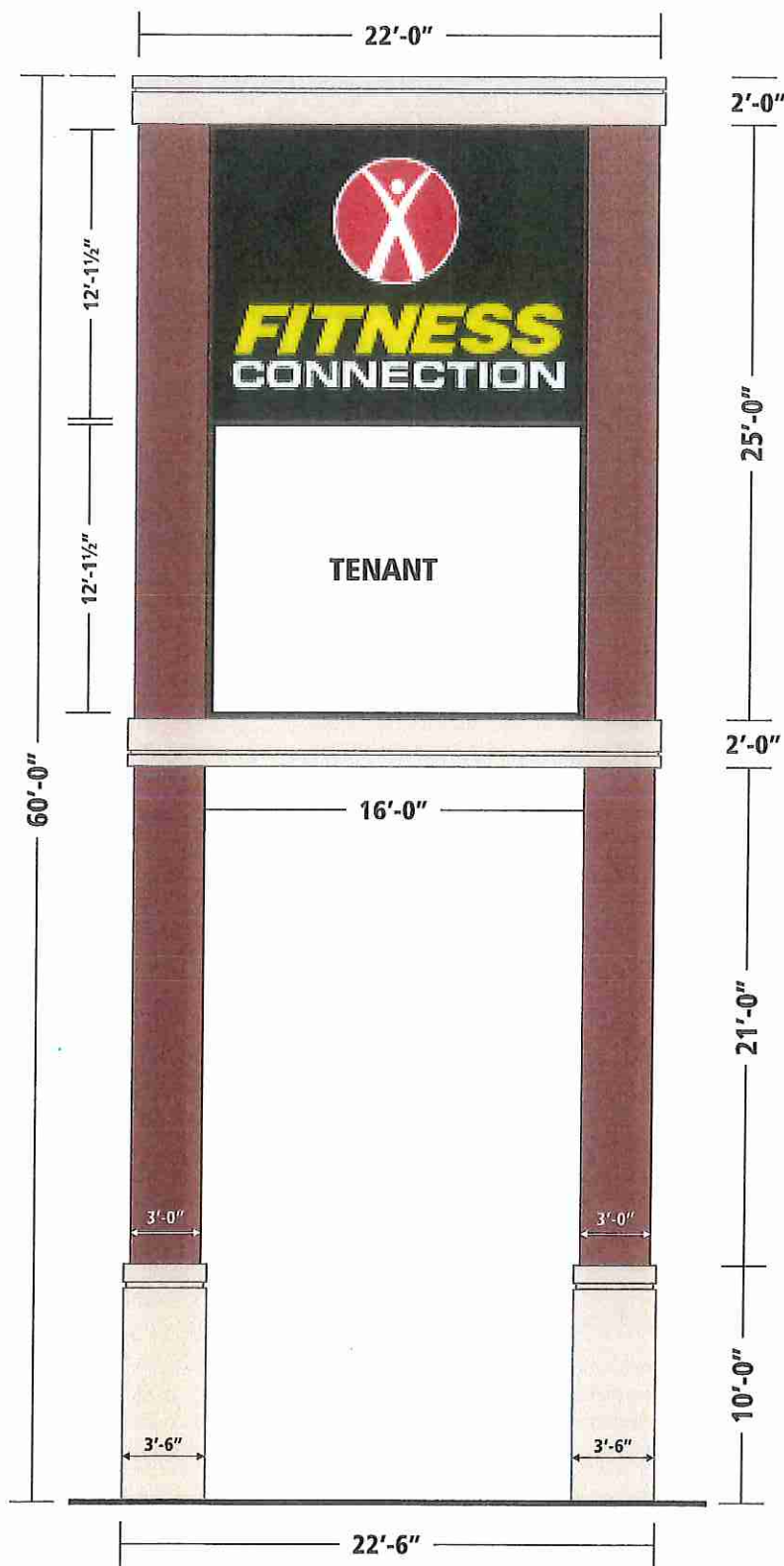


Grand
Prairie
TEXAS

Parcels

D/F TENANT SIGN:
400 SQ.FT.

SCALE: 1/8"=1'-0"


MANUFACTURE & INSTALL (1) NEW D/F SHOPS AT WESTCHESTER TENANT SIGN AS SHOWN.

- TENANT CABINET, TRIM & DIVIDERS CONSTRUCTED OF ALUMINUM AND PAINTED DARK BRONZE. INTERNALLY ILLUMINATED w/ WHITE LED LIGHTING.
- TENANT FACES TO BE WHITE ACRYLIC w/ VARIOUS TENANT GRAPHICS APPLIED TO SURFACE.
- POLE COVERS TO BE CONSTRUCTED OF ALUMINUM w/ TEX-COTE FINISH AND PAINTED RUST BROWN TO MATCH SHOPPING CENTER.
- CAP, REVEAL AND BASE OF POLE COVERS TO BE CONSTRUCTED OF ALUMINUM w/ TEX-COTE FINISH AND PAINTED LIGHT BEIGE TO MATCH SHOPPING CENTER.

**LISTED**

- ELECTRICAL REQUIREMENTS -

(1) 120 VOLT /20 AMP CIRCUIT
 SIGN LOAD: 10 AMPS

THIS DRAWING IS CONCEPTUAL ONLY AND FOR THE CONVENIENCE OF REFERENCE. IT SHOULD NOT BE RELIED UPON AS AN EXACT REPRESENTATION OF SIZES, MATERIALS OR COLORS USED FOR SIGNAGE.

GLOBAL SIGNS
INCORPORATED

5105 E. CALIFORNIA PKWY. FT. WORTH TX. 76119 (817) 834-1123 FAX: (817) 595-3885

LET US HELP BUILD YOUR IMAGE

Design #: 8903-19

Date: 7-26-19

Company: SHOPS AT WESTCHESTER

Rev: 1

Art: TIM DAVIS Sales: RICK ROBERTSON

Address: 4126 S. CARRIER PARKWAY

File Name: SHOPS AT WESTCHESTER

City: GRAND PRAIRIE

State: TEXAS

Zip: 75052

Customer
Signature:

THIS DRAWING IS THE PROPERTY OF GLOBAL SIGN COMPANY AND HAS BEEN FURNISHED IN CONFIDENCE FOR BID PURPOSES. NO PART HEREOF SHALL BE COPIED, DUPLICATED, DISTRIBUTED, MADE AVAILABLE TO OTHERS OR USED TO ANY EXTENT WITHOUT WRITTEN PERMISSION BY GLOBAL SIGNS INC. ANY PERSON, FIRM, OR CORPORATION RECEIVING THIS DOCUMENT, HOWEVER OBTAINED, WILL HAVE AGREED TO THESE RESTRICTIONS



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 Ibidapo 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.

 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 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 to 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 from 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.

 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 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:

 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 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:

 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 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.

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 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