



GARLAND

NOTICE OF MEETING CITY OF GARLAND, TEXAS

BOARD OF ADJUSTMENT
Council Chambers
William E. Dollar Municipal Building
200 N. Fifth Street
Garland, Texas
APRIL 16, 2025
7:00 p.m.

A meeting of the Board of Adjustment of the City of Garland, Texas will be held at the aforementioned location, date, and time to discuss and consider the following agenda items.

INVOCATION AND PLEDGE OF ALLEGIANCE: It is the custom and tradition of the members of the Board of Adjustment to have an invocation and recital of the Pledge of Allegiance prior to the beginning of the meeting. Members of the audience are invited to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and has no bearing on matters to be considered by the Board of Adjustment and will not affect the decisions to be made during the meeting.

The Council Chambers at Garland City Hall is wheelchair accessible, and ADA parking is available on State Street as well as in the public parking garage behind City Hall. Persons who may need assistive listening devices or interpretation/translation services are asked to contact the City Secretary's Office at 972-205-2404 as soon as possible prior to the meeting so that we may do all we can to provide appropriate arrangements.

Meetings are livestreamed and available on-demand at GarlandTX.tv. They are also broadcast on Spectrum Channel 16, Frontier Channel 44 and AT&T Uverse Channel 99. Closed captioning is available for each in English and Spanish.

NOTICE: The committee may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concern attorney/client matters and matters of privileged or unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. adjourn into executive session. Section 551.071, Texas Gov't Code.

AGENDA

2. MINUTES

- a. Consider approval of the Board of Adjustment Minutes for the February 19, 2025 meeting.

3. ITEM FOR INDIVIDUAL CONSIDERATION

- a. BOA 25-14 Jackson Lee. The applicant is requesting an appeal to Section 2.34 (G) (1-2) of the Garland Development Code which requires each single-family detached home to have 2 enclosed off-street parking spaces. The existing garage was converted into a living area and the applicant is requesting for the garage conversion to be left as is without being required to construct the required garage on the property addressed as 3401 Ridgedale Drive (District 5)

4. ADJOURN

NOTE: A quorum of the City Council may be in attendance and may or may not participate in the discussions of the Committee or board.

2023 Board of Adjustment
Meeting Date: 04/16/2025

2. a.

Subject

Consider approval of the Board of Adjustment Minutes for the February 19, 2025 meeting.

Attachments

February 19, 2025 BOA Minutes



GARLAND

MINUTES

The Board of Adjustment of the City of Garland convened in regular session at 7:00 p.m. on Wednesday, February 19, 2025, in the Council Chambers, 200 North Fifth Street, Garland, Texas, with the following members:

- Present:** John Kaiwi, Board Member
John McDonald, Chairman
James VanDyke, Board Member
Herman Puckett, Board Member
Bruce Bishop, Vice Chair
Margaret Bice, Board Member
Bruce Astin, 2nd Vice Chair
Wesley Johnson, Board Member
- Absent:** Susan Nye, Board Member
- Staff Present:** Nabila Nur, Planning Director
Trey Lansford, Deputy City Attorney
Emma Chetuya, Planning Administrator
Elisa Morales, Recording Secretary

1. AGENDA

2. MINUTES

- a. **APPROVED** Consider approval of the Board of Adjustment Minutes for the September 18, 2024 meeting.

Board Member Margaret Bice requested that the language on the September 18, 2024 Minutes be modified to reflect the denial of the motion of the application 24-MA-00008 - 505 Joyce Dr. - Erasmo Martinez.

Motion was made by Board Member Bruce Bishop to **approve** the Minutes as presented with the revision requested by Board Member Margaret Bice. Seconded by Board Member John Kaiwi. **Motion carried: 8 Ayes, 0 Nays.**

3. ITEM FOR INDIVIDUAL CONSIDERATION

- a. **DENIED** **BOA25-01 David B. Spires and Barbara Moreno.** The applicant is requesting to construct a metal porte cochere on the site addressed as 4417 Zion Road in front of the existing home. Section 2.59 (A) (1) of the Garland Development Code prohibits the construction of metal porte cocheres to be located in the front of a single-family residence. This is a variance request to allow a metal porte cochere to be constructed in front of a single-family residence. The site is addressed as 4417 Zion Road (District 3).

Planning Administrator, Emma Chetuya, presented the request to the Board and remained available for questions.

The Board asked a question regarding whether a metal porte cochere wrapped in wood would be allowed.

Staff referred back to the Garland Development Code where it states that the porte cochere cannot be of a metal construction.

The applicant, David Spires, 4417 Zion Road, Garland, TX 75043, provided an overview of the request and remained available for questions.

Resident speaking in favor of the request:

Robert D. Anderson, 4409 Zion Road, Garland, TX 75043.

Resident speaking in favor of the request shared that he was previously approved for a similar request and he is in favor of the proposed request his neighbor is bringing forward.

Motion was made by Board Member John Kaiwi to **deny** the application as presented. Seconded by Board Member Wesley Johnson. **Motion carried: 7 Ayes, 1 Nay** with Board Member James VanDyke in opposition.

4.

ADJOURN

There being no further business to come before the Board of Adjustment, the meeting adjourned at 7:30 p.m.

Submitted By:

John McDonald, Chairman

Elisa Morales, Secretary

Meeting Date: 04/16/2025

Subject

BOA 25-14 Jackson Lee. The applicant is requesting an appeal to Section 2.34 (G) (1-2) of the Garland Development Code which requires each single-family detached home to have 2 enclosed off-street parking spaces. The existing garage was converted into a living area and the applicant is requesting for the garage conversion to be left as is without being required to construct the required garage on the property addressed as 3401 Ridgedale Drive (District 5)

Attachments

BOA 25-14 Staff Report & Attachments

Board of Adjustment Report

File No: BOA 25-14/District 5

Agenda Item: 2

Meeting: Board of Adjustment

Date: April 16, 2025



GARLAND

TEXAS MADE HERE

REQUEST

Owner Kuei Mei Lin and Applicant Jackson Lee. The applicant is requesting an appeal to Section 2.34 (G) (1-2) of the Garland Development Code which requires each single-family detached home to have 2 enclosed off-street parking spaces. The existing garage was converted into a living area and the applicant is requesting for the garage conversion to be left as is without being required to construct the required garage on the property addressed as 3401 Ridgedale Drive (District 5). This site is currently zoned Single-Family-10 (SF-10) District. This is an appeal to the GDC to not be required to construct a 2-car parking garage.

OWNER

Kuei Mei Lin

BACKGROUND

On January 16, 2025, the owner submitted a permit application to convert the garage into a livable space and was denied on February 27, 2025. There were two elements of that denial. The garage conversion was denied due to lack of a required garage per the code. The applicant then attempted to obtain a permit to construct a new garage, however, the proposed garage was encroaching onto required setback and was denied as well. The applicant then decided to pursue an appeal to BOA for the garage conversion to be left as is without requiring to construct a garage.

BOARD OF ADJUSTMENT GUIDELINES

Section 2.34 (G) (1-2) of the Garland Development Code requires that "residential automotive parking spaces must be located within an enclosed garage for all single-family detached, single-family attached, and two-family dwellings." Section 2.22(E)(6) of the GDC sets forth the authority of the Board of Adjustment to grant variances where "the literal enforcement of the provisions of this GDC would result in an unnecessary hardship, and were the variance necessary to permit the use of a specific parcel of land which differs from other parcels of land in the same district by being of such a restricted area, shape, or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of the standards established by this GDC may not be granted to relieve a self-created or personal hardship, or for mere financial hardship. Further, a variance may not be granted to permit a person a privilege in developing a parcel of land not permitted by this GDC, or not permitted on other parcels of land in the district. No variance may be granted if the granting of the variance will create an unnecessary hardship as herein defined on another parcel of property."

FINDINGS

2.34 (G) (1-2) of the Garland Development Code requires that "residential automotive parking spaces must be located within an enclosed garage for all single-family detached, single-family attached, and two-family dwellings. The 572 square foot garage was converted into a living area without obtaining a building permit from the City of Garland Building Inspections Department. Off-street parking is required to reduce street congestion, improve traffic flow, enhance safety, and facilitate the appropriate use of land, especially in areas with high traffic volume.

The applicant has conveyed that a garage is not necessary as this home is being used for a Short-Term Rental. Staff was unable to observe a hardship concerning the area, shape, or slope of the property. It is up to the Board of Adjustment to determine if a hardship is observed.

CONSIDERATIONS

1. MOTION TO GRANT VARIANCE: Motion that the Board of Adjustment grant an appeal to Section 2.34 (G) (1-2) to not require an enclosed garage because the facts and evidence presented at the public hearing indicated that a literal enforcement of the Ordinance will result in an unnecessary hardship for the applicant; and that the granting of the variance will not create an unnecessary hardship on any other parcel of property.
2. MOTION TO DENY VARIANCE: Motion that the Board of Adjustment deny the appeal because based on the facts and evidence presented at the public hearing there is no evidence that a hardship exists that warrant the requested variance: and that literal enforcement of the Ordinance will result in an unnecessary hardship for the applicant.

ADDITIONAL INFORMATION

- i. Denied Permit Application Submittal
- ii. Site Photos
- iii. Written Request
- iv. Notification Map

PREPARED BY:

Melvin Gatson
Planner II
972-205-2833
mgatson@garlandtx.gov

REVIEWED BY:

Emma Chetuya Ph.D., AICP
Planning Administrator
Planning and Development
972-205-2453
echetuya@garlandtx.gov

DENIED



GARLAND
PERMIT APPLICATION
FOR RESIDENTIAL CONSTRUCTION
<https://www.garlandtx.gov>

CITY OF GARLAND
800 MAIN ST, GARLAND, TX 75040
P.O. BOX 469002, GARLAND, TX 75046-9002

OFFICE (972) 205-2300
INSPECTION REQUEST: (972) 205-2300
OFFICE Permitsgroup@garlandtx.gov

Approval of this permit does not negate the homeowner's responsibility to obtain approval from the Homeowners Association prior to construction (if applicable).

CONSTRUCTION ADDRESS

3401 Ridgedale drive Garland TX 75041

APPLICANT NAME Jackson Lee	APPLICANT IS HOMEOWNER	CONTRACTOR <u>OTHER</u>
EMAIL Ridgedalestr@gmail.com	PHONE 945-546-8689	
GENERAL CONTRACTOR N/A	PHONE 945-546-8689	
ANY SUBCONTRACTOR WORK DO TO BE INVOLVED? ELECTRICAL MECHANICAL PLUMBING No PLEASE ATTACH SUBCONTRACTOR VALIDATION FORM		

DESCRIBE WORK BEING DONE GARAGE CONVERSION Garage add on			VALUE \$ 30,000	
SQUARE FEET OF PROJECT 601 sqft	NEW HOUSE ONLY - SQFT UNDER ROOF _____ GARAGE 601sqft	FENCE HEIGHT n/a	MANUAL OR ELECTRIC GATE SLIDING OR SWING GATE Manual	EXSITING POOL? YES OR NO Yes
HOW TALL ARE THE WALLS OR SUPPORT POSTS? 9'	TYPE OF FOUNDATION (SLAB, PIER AND BEAM, ETC) Slab		NEW HOUSE ONLY - WATER METER SIZE 5/8 OR 3/4	
WHAT MATERIALS WILL BE USED FOR SUPPORT POSTS FOR PATIO COVERS OR CARPORTS (METAL, WOOD POSTS, BRICK): Wood Post			WHAT MATERIAL IS USED FOR WALL OF STRUCTURES OR MATERIAL USED FOR FENCE Wood Interior, stucco exterior	
WHAT ROOFING MATERIALS WILL BE USED (COMPOSITION, ROLL, METAL): Shingles			HOW TALL TO THE HIGHEST POINT OF THE ROOF? 14'-09" [REDACTED]	

NOTICE TO APPLICANT This permit is issued based on information furnished in this application and on any submitted plans and is subject to the provisions and requirements of the City of Garland Code of Ordinances and any other applicable ordinances of the City, regardless of information and/or plans submitted. The permit holder is required to use only subcontractors licensed, registered, or bonded by the City of Garland where such a requirement is applicable.

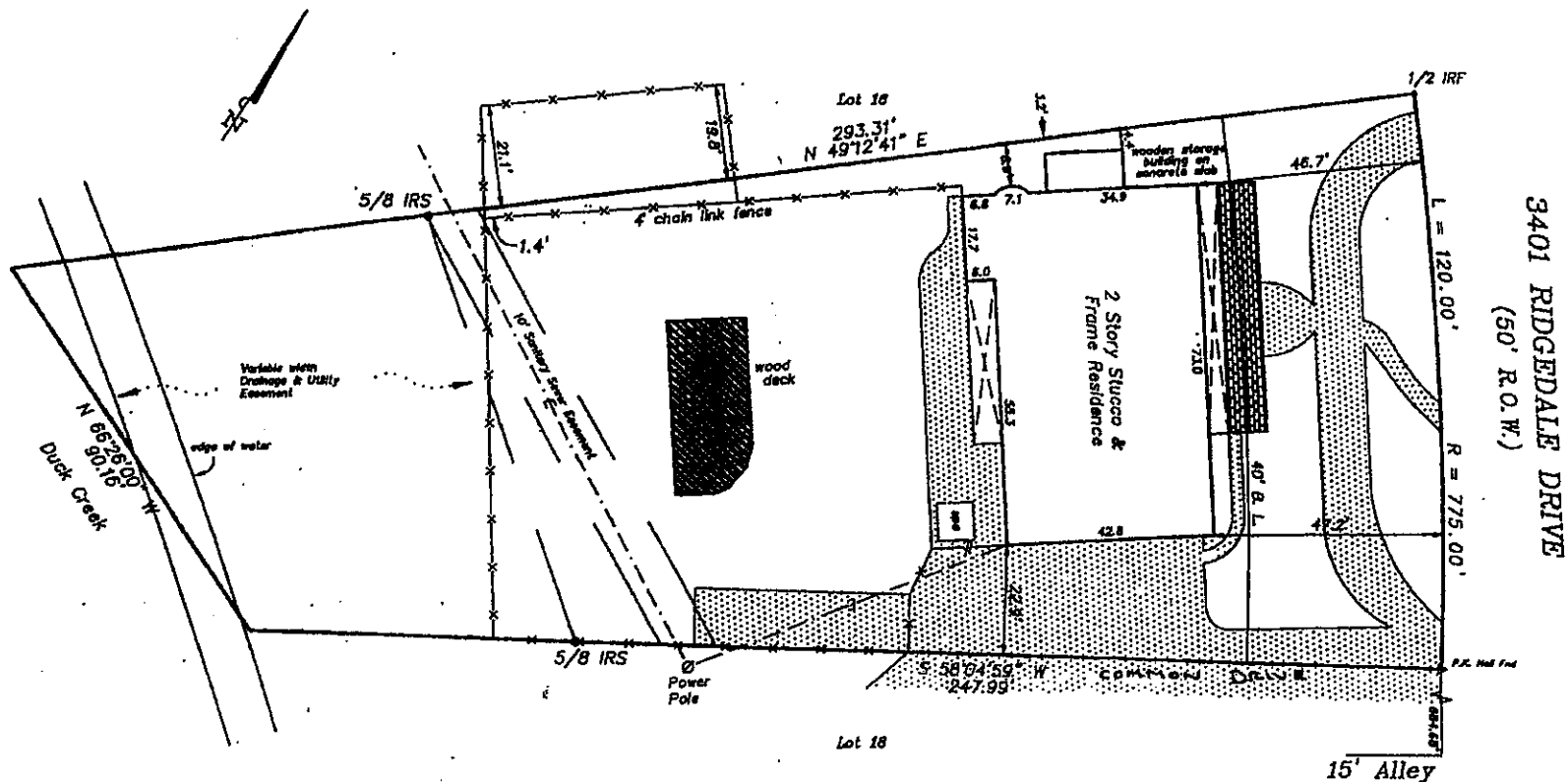
PRINT NAME Jackson Lee	1/16/2025
SIGNATURE Jackson Lee	DATE

OFFICE USE ONLY		OFFICE USE ONLY	
PERMIT # S25-0331	APPLICATION DATE 02/26/2025		
FLOOD PLAIN? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
REVIEWED BY		DATE APPROVED	
DENIED GARAGE CONVERSION FOR NOT HAVING AN ADDITIONAL GARAGE. DENIED NEW ATTACHED GARAGE DUE TO NOT MEETING GARAGE WIDTH REQUIREMENTS AND/OR SETBACK.			

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have this date, made a careful and accurate survey on the ground of the property located at 3401 RIDGEDALE DRIVE, in the City of GARLAND, Being Lot 17, Block No. G, City Block of RIDGEWOOD PARK NO. 3, GARLAND, DALLAS COUNTY; Texas, according to the PLAT THEREOF recorded in Vol. 43 Page 143, of the MAP Records, DALLAS

SURVEY PLAT



FLOOD STAMP

It appears through visual interpolation that According to the Flood Insurance Rate Maps, Panel No. 485471 00200, effective date AUG. 15, 1990, this property is IN a flood prone area, Zone AE

I, Steve Donaldson, Registered Professional Land Surveyor No. 4004, do hereby certify that the plat shown hereon was prepared from an actual survey made on the ground under my supervision and conforms to the Texas Board of Professional Land Surveying minimum standards adopted September 1, 1992; the size, location and types of improvements are shown with setback dimensions where applicable. There are no apparent visible encroachments, conflicts or protrusions except as shown. All easements shown are per the reference plat unless noted otherwise. This plat was prepared specifically for the transaction referenced below. The undersigned assumes no responsibility for any other use.

G.F. No.: 000530211
COMMONWEALTH LAND TITLE COMPANY

By: Steve Donaldson, Registered Professional Land Surveyor No. 4004

06-07-00
DATE



BEARINGS BASED ON RECORDED PLAT UNLESS NOTED OTHERWISE

NOT FOR CONSTRUCTION

Scale: 1" = 30'

Date Surveyed: 06-06-2000

Job No.: 140125

PURCHASER: PEREZ

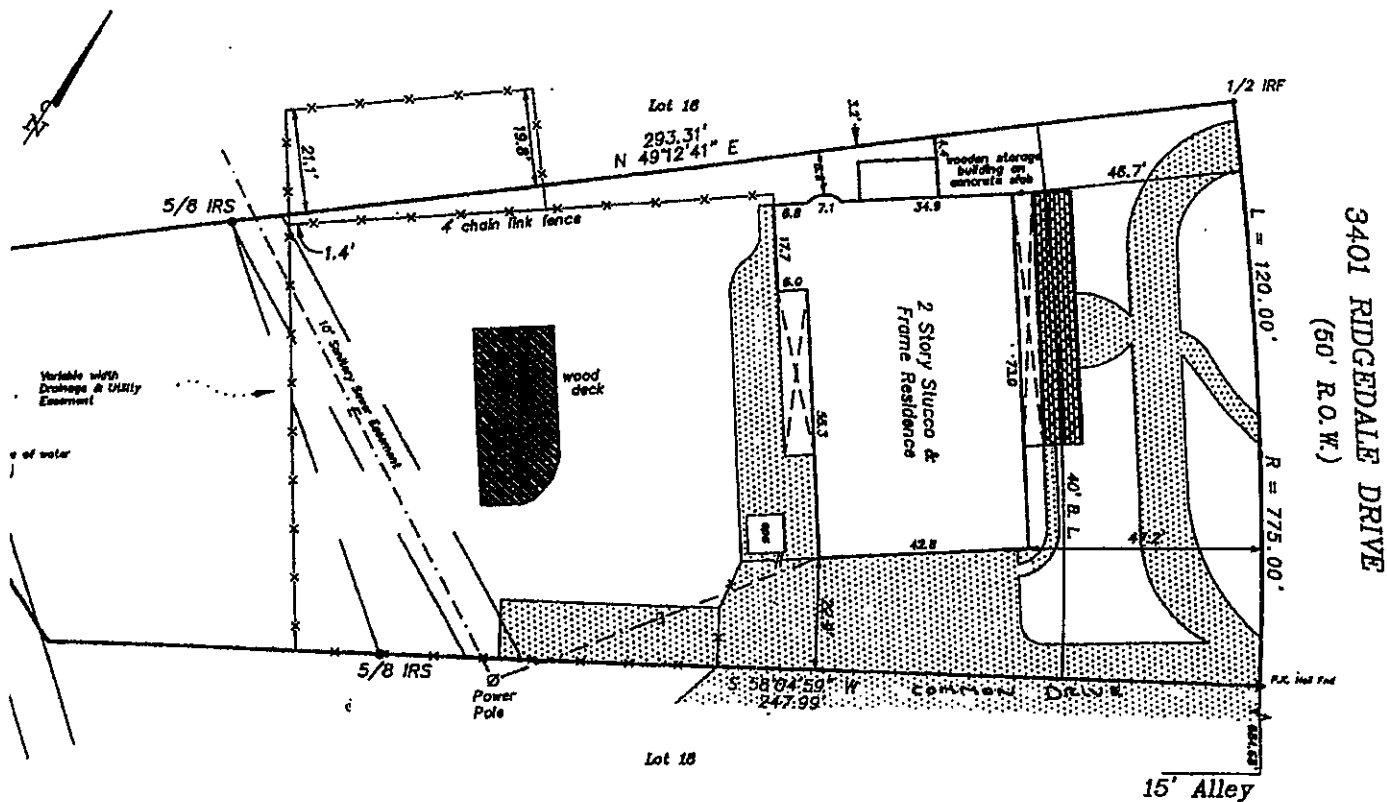


CARMAJ
12986
214-

ISES SURVEYED:

SURVEY PLAT

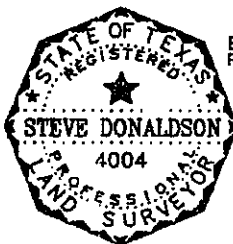
A careful and accurate survey on the ground of the property located at 3401 RIDGEDALE DRIVE, in the City of GARLAND, Texas,
Block No. G, City Block of RIDGEWOOD PARK NO. 3, an addition to the City of
 according to the PLAT THEREOF recorded in Vol. 43 Page 143, of the MAP Records, DALLAS County, Texas.



Surveyor No. 4004, do hereby certify that the plat shown hereon was made under my supervision and conforms to the Texas Board of Professional Land Surveyors, Chapter 1, 1992; the size, location and types of improvements are shown are no apparent visible encroachments, conflicts or protrusions except as shown on this plat unless noted otherwise. This plat was prepared specifically for the purpose of this survey and assumes no responsibility for any other use.

Steve Donaldson, Registered Professional Land Surveyor No. 4004

06-07-00
DATE



BEARINGS BASED ON RECORDED PLAT UNLESS NOTED OTHERWISE

NOT FOR CONSTRUCTION

Scale: 1" = 30'

Date Surveyed: 06-06-2000

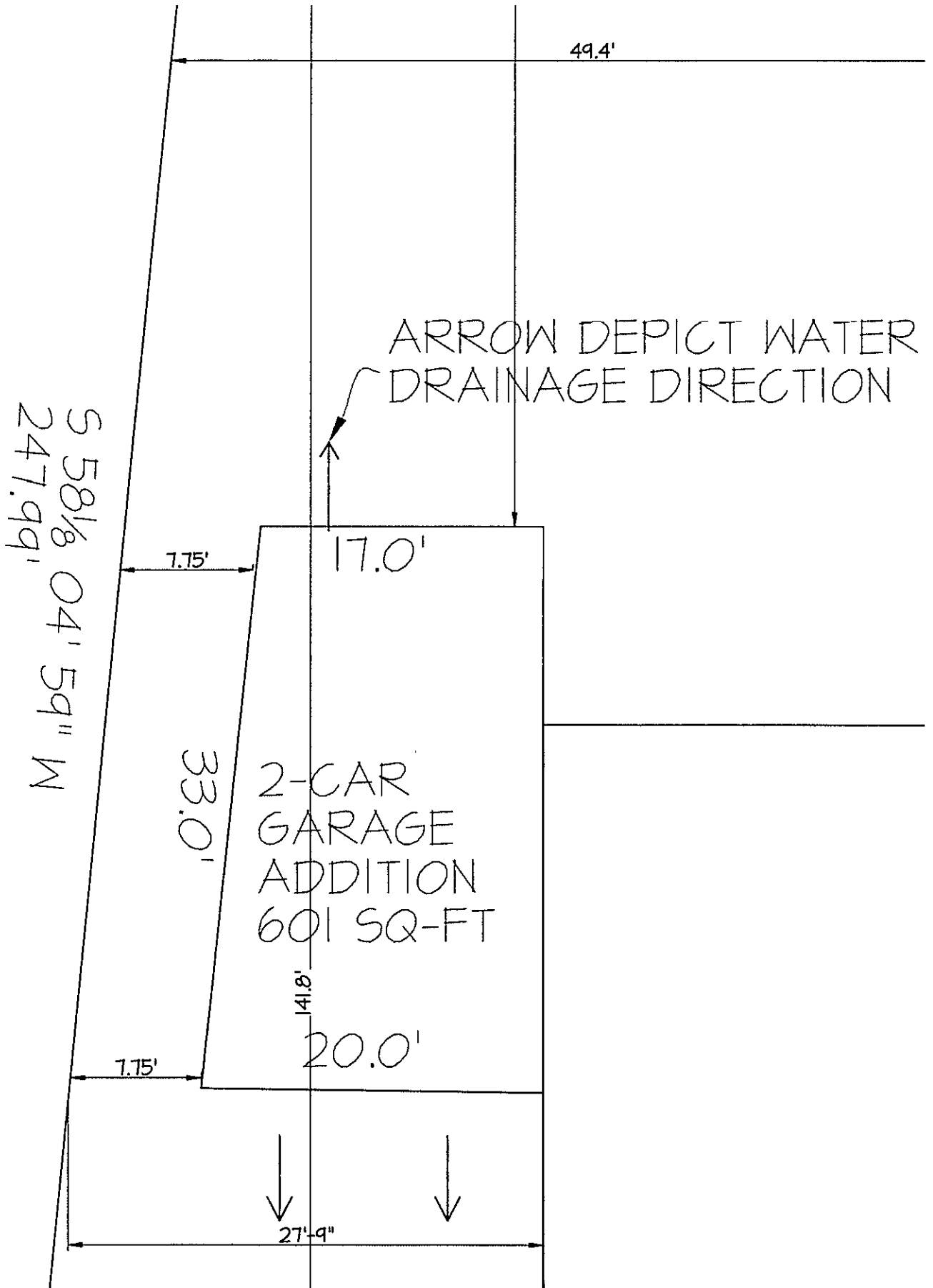
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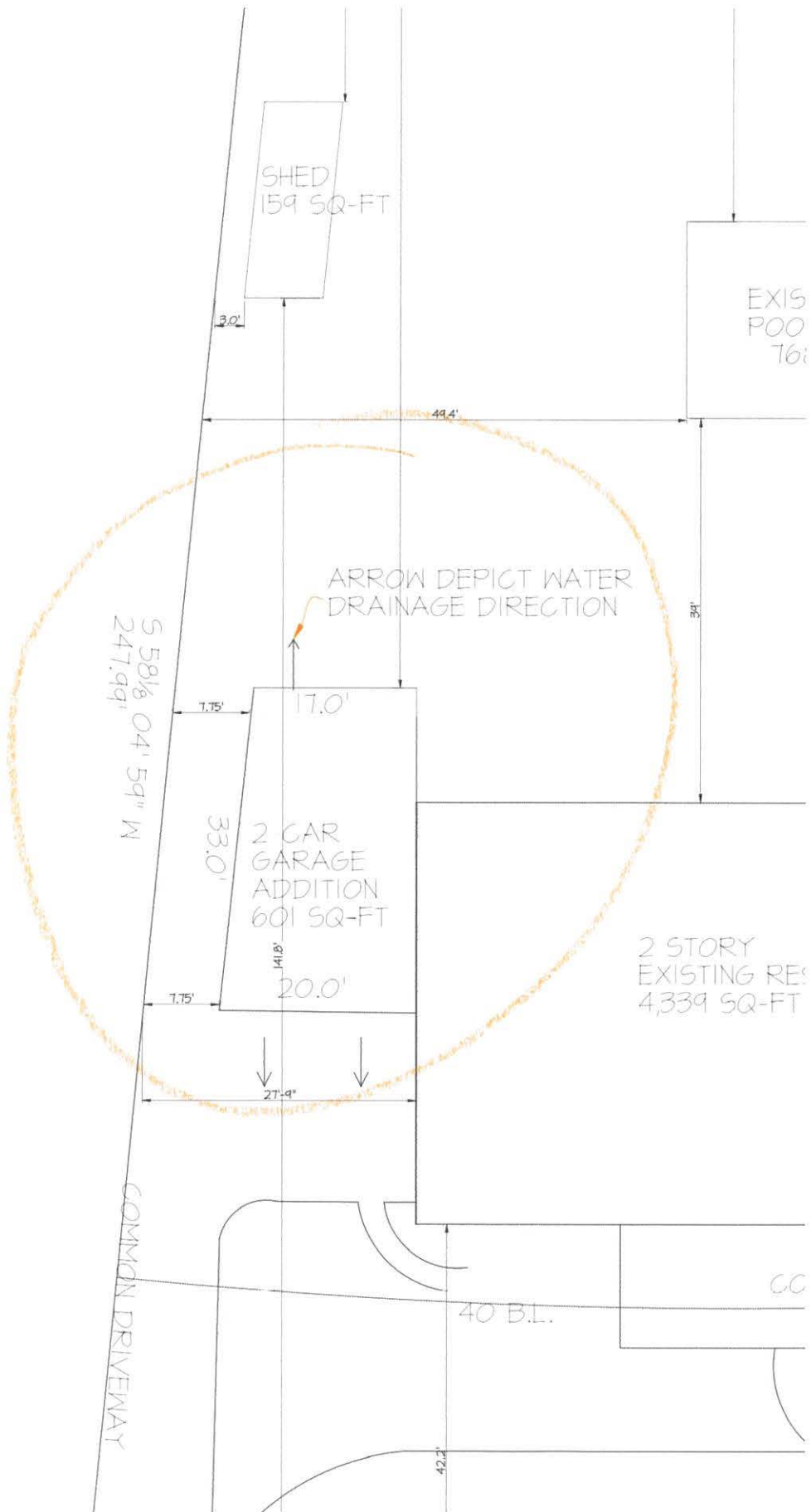
PURCHASER: PEREZ

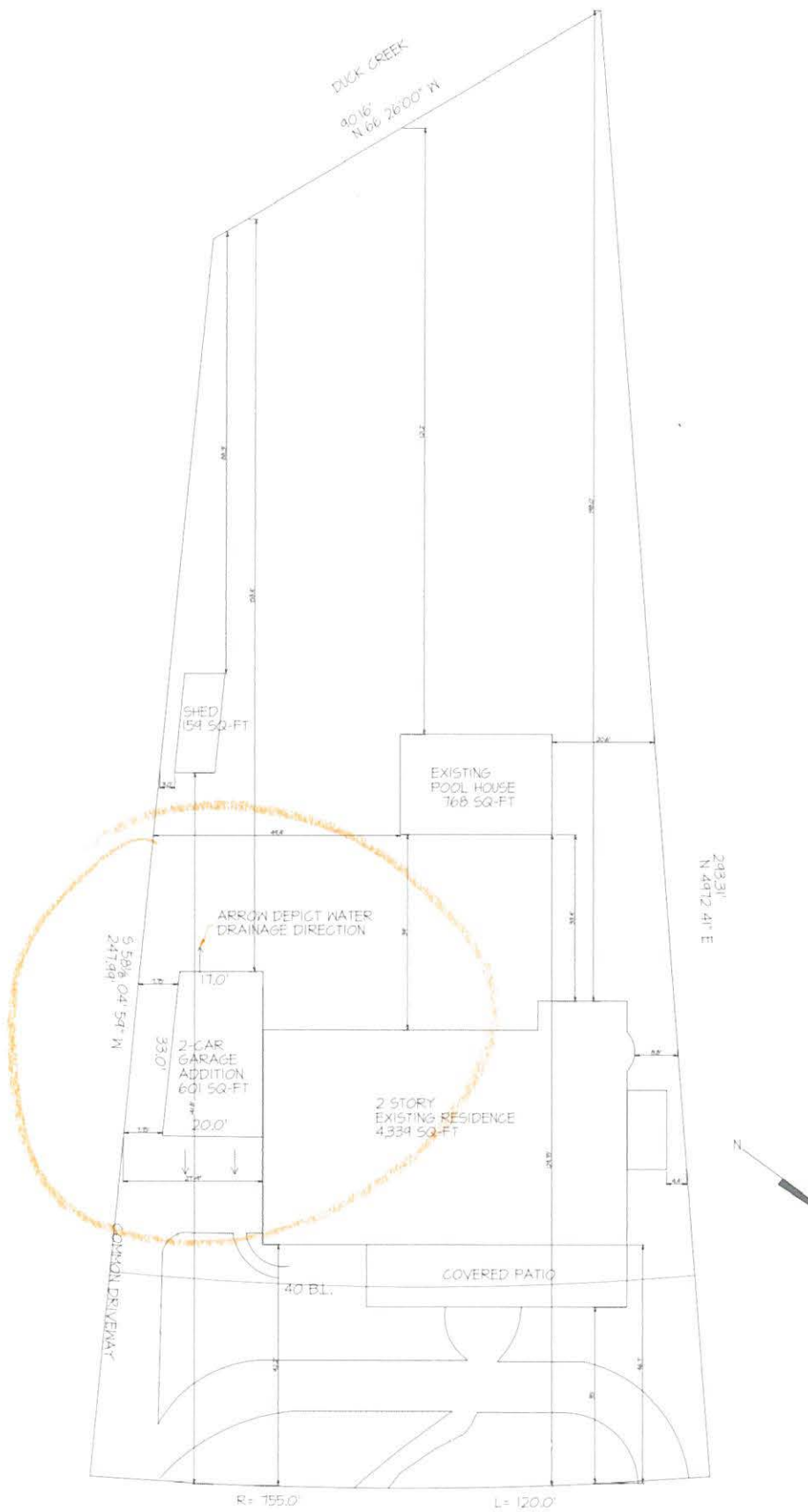


LEGEND
 I.P.F. = IRON PIPE FOUND
 I.R.F. = IRON ROD FOUND
 I.R.S. = IRON ROD SET
 DOTTED LINE = DENOTES CONC. PAVT

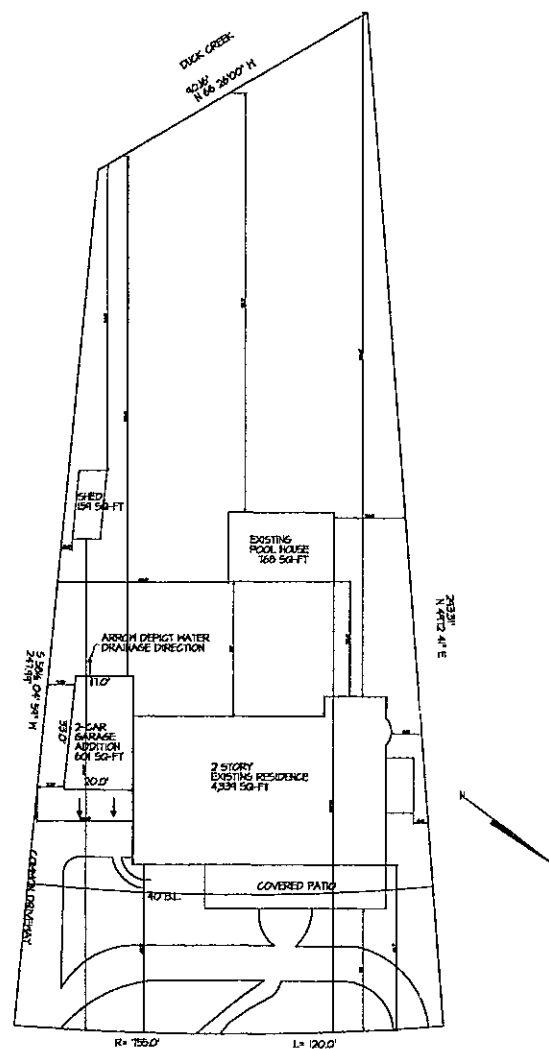
CARMAN-DONALDSON SURVEYING
 12989 JUPITER RD., SUITE 205
 DALLAS, TEXAS 75238
 214-349-8885 FAX 340-3803







SITE PLAN
SCALE 1/16"=1'-0"



3454
DESIGNS

Design And Remodeling
Fashionful & Commercial
DALLAS, TEXAS

PROJECT NAME:
3401 RIDGEDALE DR

LOCATION:
GARLAND, TX 75041

REVISIONS

[illegible]

SHEET TITLE:

DATE:1/13/2025

SCALE:

SHEET NO.:

SITE



A1.02

Design And Remodeling
East (only) & Commercial (all)
DALLAS, TEXAS

The arrangement stipulated that the title property of the business had been sold and the proceeds were to be divided equally between the two parties. The arrangement was made in the presence of the two parties and the proceeds were to be divided equally between the two parties.

LOCATION:
GARLAND, TX 75041

REVISIONS

[illegible]

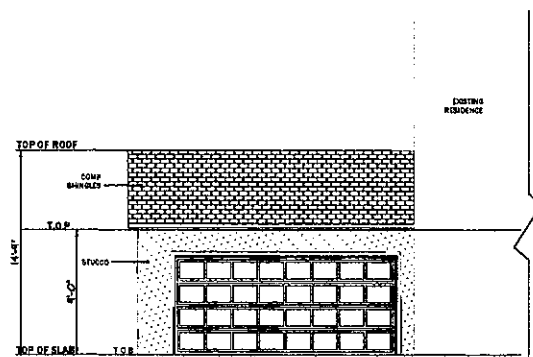
SHEET TITLE:

DATE:1/13/2025

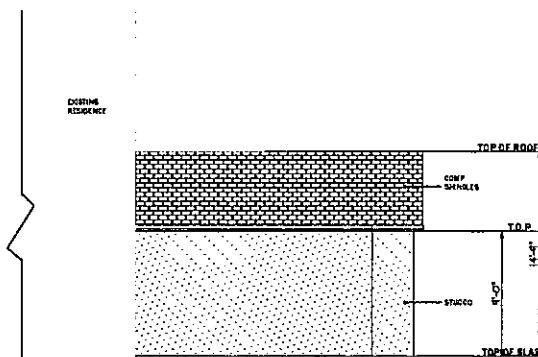
SCALE:

SHEET NO.:

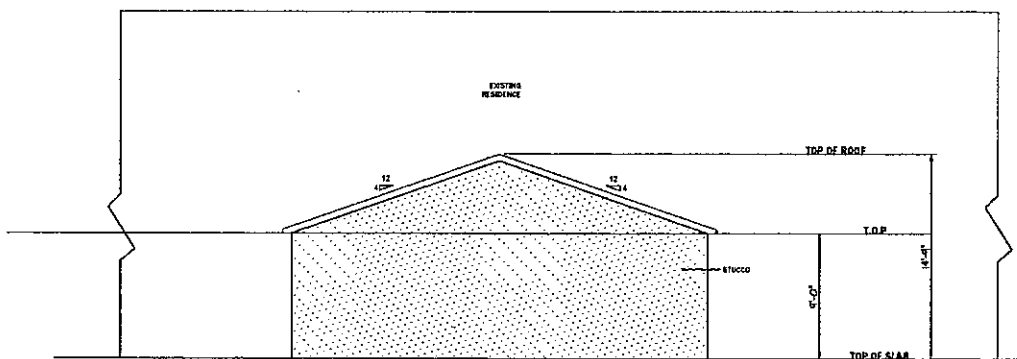
A1.03



FRONT ELEVATION
SCALE 1/4"=1'-0"



REAR ELEVATION
SCALE 1/4"=1'-0"



LEFT ELEVATION

SCALE 1/4"=1'-0"

BOA 25-14



View of the north-east side of home.



View of the gate.



View of the area southeast of the existing home.



View of the southeast of the property.

Jackson Lee & Kuei Mei Lin

3401 Ridgedale Dr

Garland, Texas 57041

March 13, 2025

City of Garland

To the Board of Adjustments,

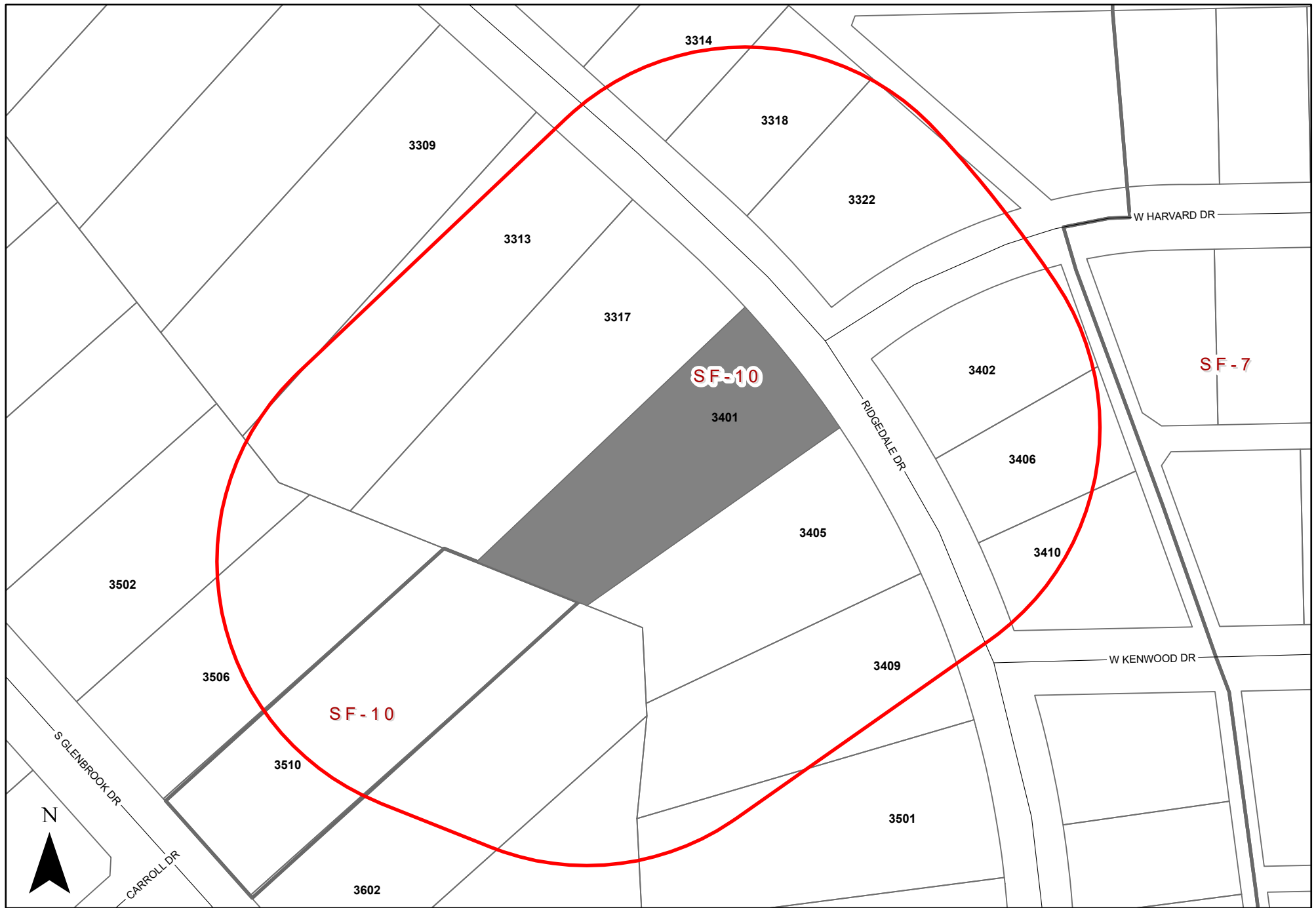
I am writing to formally request approval from the Board of Adjustments (BOA) for not building a garage on the property located at 3401 Ridgedale Dr.

The following points outline the reasons behind this request:

- We purchased the house in October 2024, and it did not have a garage. There were already modifications made to convert it into living quarters before hand.
- The current minimum distance from the property line is 7.5 feet, which does not provide enough space to meet the minimum requirement of an 18-foot-wide garage. Building an 18-foot-wide garage would leave only 6.75 feet remaining, according to the survey. Based on actual measurements, our fence line would be 22 feet wide, and subtracting the 18-foot garage width would leave only 4 feet.
- The property is used exclusively for short-term rentals; therefore, a garage is not necessary. There will be no full-time residents requiring a garage.
- Significant expenses were incurred to purchase and renovate the house, including new furniture, designing for STR, etc... Having invested all our savings in this property, we lack additional funds to construct a new garage as well.

For these reasons, we are requesting that the Board of Adjustments grants approval for not building a new garage on this property or approve us to build smaller garage at 17' instead of 18' minimum width requirement.

Thank you so much for your consideration.



0 100 200 Feet

BOA 25-14

INDICATES AREA OF REQUEST INDICATES NOTIFICATION AREA

3401 Ridgedale Drive