



GARLAND
NOTICE OF MEETING
CITY OF GARLAND, TEXAS

**Board of Adjustment
Public Meeting
Council Chambers
William E. Dollar Municipal Building
200 N. Fifth Street
Garland, Texas
May 20, 2026
7:00 PM**

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.

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 concerns attorney/client communication, including pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

AGENDA:

1. APPROVAL OF MINUTES

- a. Consider approval of the Board of Adjustment Minutes for the December 17, 2025 meeting.**

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- a. BOA 26-02 Henry Hinojoza. The applicant is requesting a variance to Section 4.104 (A) and 4.105 (C) of the Garland Development Code which prohibits fences from being located within a property's front yard and requires fence gates to be set back 20 feet from the property line. The existing fence was installed along the perimeter of the property within the front yard of the property located at 13401 Lyndon B Johnson Fwy (District 5). This site is currently zoned Urban Business (UB) District. This is a variance request to the GDC to allow the existing fence to be located within the front yard and the gates within 20 feet of the property line. (District 5)**

3. MISCELLANEOUS

a. Discussion and possible adoption of amendments to the Board of Adjustment By-laws

Consider amending the By-laws to update the meeting start time for the Board of Adjustment.

4. ADJOURN

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



GARLAND

MINUTES

The Board of Adjustment of the City of Garland convened in regular session at 7:00 PM on December 17, 2025, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present: John McDonald
James VanDyke
Wesley Johnson
Bruce Bishop
Margaret Bice
Bruce Astin
Joseph Willoughby

Absent: Herman Puckett

Staff Present: Nabila Nur, Planning Director
Mark Mann, Sr. Assistant City Attorney II
Emma Chetuya, Planning Administrator
Matthew Wolverton, Planner II
Stewart Starry, Planner II
Kalyan Mutukundu, Planner I
Elba Garcia, Recording Secretary

1. APPROVAL OF MINUTES

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

Motion was made by Board Member Bruce Bishop to **approve** the Minutes as presented. Seconded by Board Member Joseph Willoughby. **Motion carried: 7 Ayes, 0 Nays.**

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- a. **BOA 25-20 Sonia Villa Hernandez. The applicant is requesting a variance 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 1528 Dent St (District 8). This site is currently zoned Single-Family-7 (SF-7) District. This is a variance request to the GDC to not be required to construct a 2-car parking garage.**

Planner II, Stewart Starry, presented the request to the Board and remained available for questions.

The applicant, John Perez, 2317 Country Valley Road, Garland, TX 75041, provided an overview of the request and remained available for questions.

Motion was made by Board Member Wesley Johnson to **approve** the application as presented. Seconded by Board Member Bruce Bishop. **Motion carried: 6 Ayes, 1 Nay** with Board Member James VanDyke in opposition.

- b. **BOA 25-21 Yilvin Munguia. The applicant is requesting a variance to have a fence in the required side setback of a key corner lot. Section 2.72 (F) of the Garland Development Code requires the side yard setback of a key corner lot to match the front yard setback of neighboring lots. The required side setback on this property is 30 feet. The site is addressed as 2900 Old Orchard Road. (District 5).**

Planner II, Matthew Wolverton, presented the request to the Board and remained available for questions.

The applicant, Yilvin Munguia, 543 Longridge Dr., Dallas, TX 75232, provided an overview of the request and remained available for questions.

Motion was made by Board Member Bruce Bishop to **approve** the application as presented. Seconded by Joseph Willoughby. **Motion carried: 7 Ayes, 0 Nays.**

- c. **BOA 25-22 Ronald Herrick (Authorized Applicant: Patrick Mayes). The applicant is requesting a variance to have a reduced side yard setback in order to construct an attached carport on the site addressed as 1713 Ce Ora Drive on the side of their existing home. Section 2.34 (E) (2) Table 2-3 of the Garland Development Code requires a side yard setback, not adjacent to a street, to have a 7.5-foot setback in the SF-10 Zoning District. This is a variance request to reduce the side yard setback to allow an attached wooden carport on the side of the single-family residence at 1713 Ce Ora Drive (District 6).**

Planner I, Kalyan Mutukundu, presented the request to the Board and remained available for questions.

The applicant, Patrick Mayes, 2613 Locke Dr., Garland, TX 75041, provided an overview of the request and remained available for questions.

Motion was made by Board Member Bruce Bishop to **approve** the application as presented. Seconded by Board Member Bruce Bishop. **Motion carried: 7 Ayes, 0 Nays.**

3. ADJOURN

There being no further business to come before the Board of Adjustment, the meeting adjourned at 8:00 p.m.

Submitted By:

John McDonald, Chair

Elisa Morales, Secretary



Board of Adjustment Report

File No: BOA 26-02/District 5

Agenda Item: 1

Meeting: Board of Adjustment

Date: May 20, 2026

REQUEST

Owner and applicant Henry Hinojoza. The applicant is requesting a variance to Section 4.104 (A) and 4.105 (C) of the Garland Development Code which prohibits fences from being located within a property's front yard and requires fence gates to be set back 20 feet from the property line. The existing fence was installed along the perimeter of the property within the front yard of the property located at 13401 Lyndon B Johnson Fwy (District 5). This site is currently zoned Urban Business (UB) District. This is a variance request to the GDC to allow the existing fence to be located within the front yard and the gates within 20 feet of the property line.

OWNER

Henry Hinojoza

BACKGROUND

Due to a miscommunication between the landlord and tenant regarding responsibility for obtaining the appropriate permits from the city, the fence was installed without a permit. On 03/03/2026 the applicant subsequently submitted a fence permit application for the existing fence; however, on 03/11/2026, the Building Inspections Department denied the request due to the location of the fence and its gates not complying with GDC standards. The applicant has since chosen to pursue a variance request to the Board of Adjustment (BOA) to allow the existing fence within the front yard of the property and the existing gates to remain within 20 feet of the property line.

BOARD OF ADJUSTMENT GUIDELINES

Section 4.104 (A) of the Garland Development Code requires that "No fence may be built within a required front yard, or in front of a building in a residential, nonresidential or mixed-use zoning district," and 4.105 (C) requires that "Gates for vehicular use must be a minimum of twenty feet from the property line for all types of property other than single-family or two-family residential." 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 is 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

Sections 4.104 (A) and 4.105 (C) of the Garland Development Code regulate the placement of fences and gates. Section 4.104 (A) states that "no fence may be built within a required front yard, or in front of a building in a residential, nonresidential, or mixed-use zoning district," while Section 4.105 (C) requires that "gates for vehicular use must be a minimum of twenty (20) feet from the property line for all types of property other than single-family or two-family residential." The existing six-foot-tall wrought iron fence was installed along the

perimeter of the property without obtaining a building permit from the City of Garland Building Inspections Department.

While certain zoning districts permit fences within the front yard, this allowance is limited in scope. These requirements are intended to preserve open streetscapes that promote pedestrian mobility and placemaking, which are particularly important in areas zoned for mixed-use development where walkability is emphasized.

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 exists.

CONSIDERATIONS

1. MOTION TO GRANT VARIANCE: Motion that the Board of Adjustment grant a variance to Section 4.104 (A) and 4.105 (C) to allow a fence within the front yard with gates within 20 feet of the property line 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 variance 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. Permit Application Submittal
- ii. Site Photos
- iii. Written Request
- iv. Notification Map

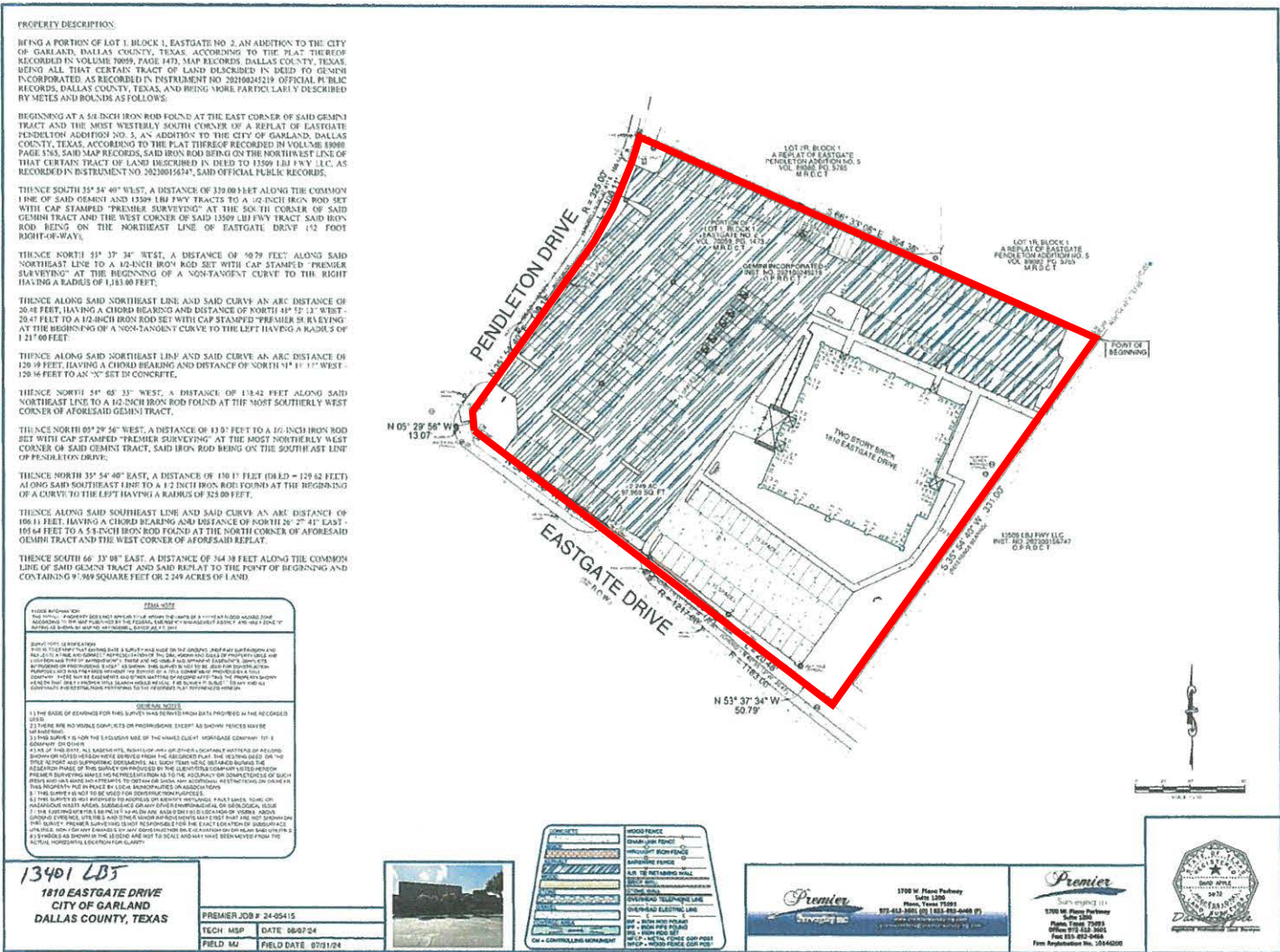
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Existing Fence



BOA 26-02



View from subject property facing North



View from subject property facing East



View from subject property facing East



View from subject property facing West

1. Request

Gemini Signage requests a variance under Garland Development Code Section 4.109 from the fence-location restrictions in Section 4.104 (A) and the gate setback requirements in Section 4.105 (C) to allow the existing 6-foot open ornamental metal perimeter fence and controlled-access gates at 1810 Eastgate Drive, Garland, Texas, to remain substantially in the locations shown on the attached survey and site plan.

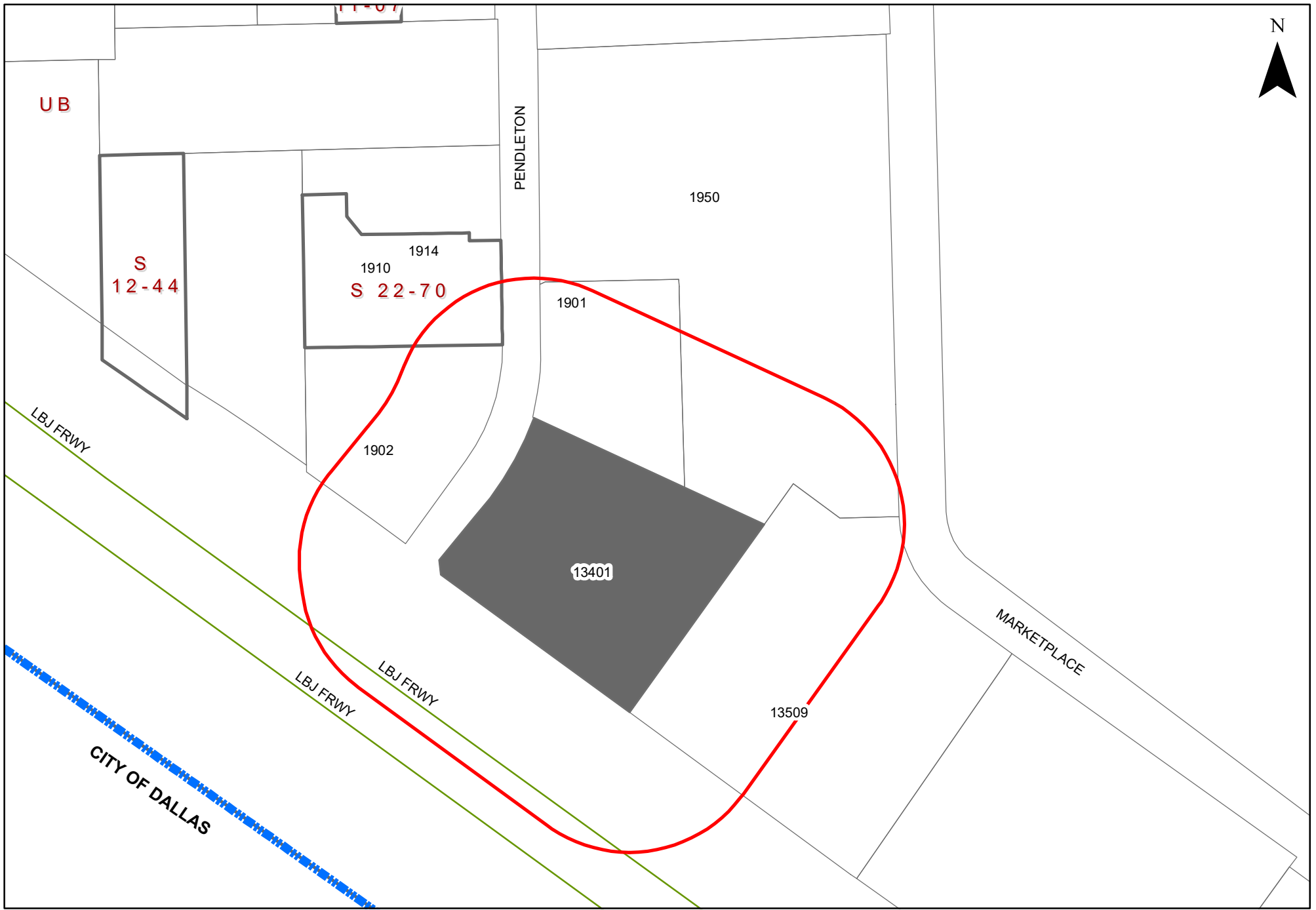
This request is limited to fence location. Gemini does not seek additional fence height, opaque screening, barbed wire, or relief from applicable safety-related requirements. Gemini is willing to accept reasonable conditions requiring limited gate relocation, gate setback adjustment, sight-distance clearance, or emergency-access revisions as required by Transportation, Fire, or other reviewing departments.

2. Property Hardship

Literal enforcement of Section 4.104 creates an unnecessary hardship on this parcel because of its restricted shape and fixed site layout. This is a multi-frontage commercial tract with exposure to Eastgate Drive, Pendleton Drive, and the LBJ frontage corridor, rather than a typical interior lot with one clear frontage and a usable side or rear area behind the building.

The primary building is lawfully located deep within the southeast portion of the parcel, close to the eastern property line, and at an angle to Eastgate Drive. Because of that fixed placement, the parcel does not contain a conventional side-yard or rear-yard area where the fence can be relocated behind the building while preserving normal parking, pedestrian access, and vehicle circulation. On this parcel, strict enforcement of the front-of-building rule would force the fence line diagonally through the established parking and circulation area south and west of the building.

This hardship is inherent in the parcel's restricted area and shape. It is not self-created, personal, or merely financial. Gemini is not seeking relief based on cost, contractor error, or preference for a particular design. The requested variance is the minimum relief necessary to allow this parcel to function in a manner commensurate with other commercial parcels in the same district that have conventional lot geometry and building placement.



BOA 26-02

13401 LBJ Fwy

INDICATES AREA OF REQUEST
 INDICATES NOTIFICATION AREA