



Duncanville Zoning Board of Adjustment

City Hall Council Chambers
203 E. Wheatland Rd.
Duncanville, TX 75116

Thursday, November 6, 2025 | 7:00 P.M. Meeting

City of Duncanville Planning and Zoning Commission meetings are available to all persons regardless of disability. The Duncanville City Hall is accessible to people with disabilities. If you need assistance in participating in this meeting due to a disability as defined under the ADA, please call 972-780-5017 or email city.secretary@duncanvilletx.gov at least three (3) business days prior to the scheduled meeting to request an accommodation.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

The City of Duncanville and Planning and Zoning Commission reserves the right to reconvene, recess or align the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Persons may participate by live broadcast via Swagit. To view the live meeting or previous meetings click on the following link:
<https://duncanvilletx.new.swagit.com/views/454/>

(7:00 P.M.) ZONING BOARD OF ADJUSTMENT MEETING

1. Call to order and confirm a quorum

2. Public Comment

Receive public comments on items not listed on the agenda, limit 5-minutes per individual speaker. To submit a comment via email and for your comments to be read, the following information is required:

- Submit a comment by 4:00 p.m. on Thursday, November 6, 2025.
- Email planningandzoning@duncanvilletx.gov
- Email Title: Public Comment – November 6, 2025
- First and Last Name; and address.

The Board Secretary will still set a five-minute time limit on the comments as they are read.

3. Zoning Board of Adjustment Action Items/Public Hearings

A. ZBA-2025-00004: Request from Jeffrey Kassa, applicant and owner, for variance to increase the height for a fence in the front yard, of the Woodhaven Addition, Block 5, Lot 5A, 8.8825 acres, more commonly known as **708 Cavan Road, City of Duncanville, Dallas County, Texas.**

1. Staff summary
2. Public hearing
3. Discuss, consider, and take any necessary action.

B. ZBA-2025-0001: Request from Leonard Vose, applicant and owner, for a variance to construct an accessory structure related to the current auto repair, of the Merrill Abstract 884, Page 75, Tract 51, 0.261 acres, more commonly known as **209 S. Hastings Street, City of Duncanville, Dallas County, Texas.**

1. Staff summary
2. Public hearing
3. Discuss, consider, and take any necessary action.

4. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Duncanville City Hall, a place convenient and readily accessible to the general public, as well as to the City's website www.duncanvilletx.gov and said Notice was posted on the following date and time: **Wednesday, October 29, 2025 by 5:00 pm** and remained posted for at least two hours after said meeting was convened.

Desiree' Powell

Desiree' Powell, City Planner

**ZONING BOARD OF ADJUSTMENT
STAFF REPORT**

LOCATION:	708 Cavan Road
OWNER:	Jeffrey Kassa
APPLICANT:	Jeffrey Kassa
ZONING DISTRICT:	Single-Family 10 Residential (SF-10)
REASON FOR DESIRED ADJUSTMENT:	To construct an 8' fence in residential zoning district

BACKGROUND

The applicant is requesting a variance to build an 8 feet fence in the front yard in a residential zoning district. The current zoning district allows front yard fences at a maximum height of 4 feet. The subject property is over 8 acres. The property is currently zoned Single-Family 10 Residential District (SF-10) and must comply with the SF-10 zoning district regulations outlined in Section 2.03.C.2. The proposed fence must also comply with the fence regulations outlined in Chapter 12, Article X in the City of Duncanville Code of Ordinances.

Currently, there are two (2) dwelling units on the lot. The larger structure (3,380 square feet) is considered the primary residence and the second structure (2,400 square feet) to the east is considered an accessory dwelling unit (ADU). The applicant has expressed that the need for a taller fence is due to stray and loose animals, security and crime concerns, trespassing, illegal dumping, and homeless encampments, street racing on Cavan Road, littering, and theft. Therefore, the applicant is requesting a variance from the required front yard fence height of 4 feet to 8 feet.

The applicant has stated the proposed fence material will be brick and iron rod which would complement his neighbor's fence.

The subject property is platted in the Woodhaven Addition, lot 4, block 5. The property was replatted from three (3) lots into one (1) lot in 2024 to build a single-family home and shop, however, the shop structure was later changed to an accessory dwelling unit (ADU). The ADU is located to the east of the primary structure.

STANDARDS AND FINDINGS

During staff research, we did contact the City of Duncanville Police department to better understand the safety concerns. Staff found that from January 1, 2024, until September 2025 the Police department had received multiple calls from the applicant related to stray animals in the area. The Police department records did not show calls regarding other safety concerns in the area nor along Cavan Road during the timeframe requested.

Staff research also included reaching out to the Code Compliance/Enforcement department for any calls during the timeframe of January 1, 2024, to September 2025. The assigned code officer for this area stated that they had not received any calls regarding illegal dumping, however, had issued a citation for illegally cutting/removing trees at the subject property.

Additionally, both structures being constructed on the subject property are setback more than 50

feet from the front property line. The required minimum front setback of the SF-10 zoning district is 25 feet.

Per Chapter 12, Article X, Sec. 12-108 (b) (2), the required fence height in residential zoning districts is 48 inches or 4 feet in height.

Per Article VI, Section 6.09(a), of the Comprehensive Zoning Ordinance, the Zoning Board of Adjustment may authorize in specific cases a variance from the terms of the Zoning Ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the Ordinance is observed and substantial justice is done.

Per Article VI, Section 6.09(b), of the Comprehensive Zoning Ordinance, the conditions for granting a variance are as follows:

1. There are special circumstances existing on the property on which the application is made

related to the size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district.

2. A variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed under this Ordinance by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
3. The granting of a variance on the specific property will not adversely affect the land use pattern as outlined in the Land Use Plan and will not adversely affect any other feature of the Comprehensive Plan.
4. The granting of the variance will not be based upon the recognition of a self-imposed hardship or only the opportunity to make the property more profitable to the applicant and/or owner.
5. The variance, if granted, will not be material detriment to the public welfare or injury to the use, enjoyment, or value of property in the vicinity.

HARDSHIP

A hardship is present when the use of a property cannot be fully enjoyed due to the current zoning and/or development standards. The hardship presented would not take away from the full enjoyment and/or use of the subject property in compliance with the current zoning and fence regulations.

STAFF ANALYSIS

1. The granting of a variance on the specific property will not adversely affect the land use, however, it will set a precedence of requesting changes to the adopted and required development standards and regulations.
2. There are other homes along Cavan Road that have fences meeting the required height of 4 feet, creating a sense of cohesion on the street. The proposed increase would be incompatible with the surrounding homes except for one lot.
3. The granting of the variance will not adversely affect any other feature of the Comprehensive Plan.
4. The variance is a self-imposed hardship and will not be a detriment to the public welfare or injure to the use, enjoyment, or value of property in the vicinity.

STAFF RECOMMENDATION

Staff recommends **denial** of the requested variance to permit an 8' fence instead of a 4' in a residential zoning district.

LOCATION:	209 S. Hastings Street
OWNER:	Leonard Vose Carlin's Auto Repair & Service
APPLICANT:	Leonard Vose
ZONING DISTRICT:	Downtown District-Urban Living (DD-UL)
REASON FOR DESIRED ADJUSTMENT:	To construct an addition to an existing building and business.

BACKGROUND

The applicant is requesting a variance to build an addition to an existing auto repair business. The request is needed as the current land use, auto repair (major), is not permitted in the Downtown District and is considered a non-conforming use. The property is currently zoned Downtown District-Urban Living (DD-UL) and must comply with the Downtown District regulations outlined in Section 4.11.G.2. The proposed building addition must also comply with the nonconformities regulations outlined in Article VI, Section 6.03 in the City of Duncanville Code of Ordinances.

The existing business has been in operation at the current property since 2001 as an auto repair and service business. The proposed addition is proposed to be 750 square feet and will include additional work bays. The addition is proposed on the west side of the existing building. The current zoning district does not allow for the operation of auto repair and services businesses. The existing business became a nonconforming use due to a zoning change impacting various downtown properties. Since the existing business use is considered a nonconforming use, it cannot be expanded. Therefore, the applicant is requesting a variance from the nonconforming regulations to construct the building addition.

The subject property is in the A M G Merrill Abstract 884, page 075, tract 51.

STANDARDS AND FINDINGS

The subject property is currently zoned within the Downtown District as of 2021 when the current Zoning Ordinance was adopted.

Staff research also included reaching out to the Code Compliance/Enforcement department for any calls during the timeframe of January 1, 2024, to September 2025. The assigned code officer for this area stated that they had not received any calls regarding illegal dumping, however, had issued a citation for illegally cutting/removing trees at the subject property.

Additionally, both structures being constructed on the subject property are setback more than 50 feet from the front property line. The required minimum front setback of the SF-10 zoning district is 25 feet.

Per Chapter 12, Article X, Sec. 12-108 (b) (2), the required fence height in residential zoning districts is 48 inches or 4 feet in height.

Per Article VI, Section 6.09(a), of the Comprehensive Zoning Ordinance, the Zoning Board of Adjustment may authorize in specific cases a variance from the terms of the Zoning Ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the

Ordinance is observed and substantial justice is done.

Per Article VI, Section 6.09(b), of the Comprehensive Zoning Ordinance, the conditions for granting a variance are as follows:

6. There are special circumstances existing on the property on which the application is made

related to the size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district.

7. A variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed under this Ordinance by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
8. The granting of a variance on the specific property will not adversely affect the land use pattern as outlined in the Land Use Plan and will not adversely affect any other feature of the Comprehensive Plan.
9. The granting of the variance will not be based upon the recognition of a self-imposed hardship or only the opportunity to make the property more profitable to the applicant and/or owner.
10. The variance, if granted, will not be material detriment to the public welfare or injury to the use, enjoyment, or value of property in the vicinity.

HARDSHIP

A hardship is present when the use of a property cannot be fully enjoyed due to the current zoning and/or development standards. The hardship presented would not take away from the full enjoyment and/or use of the subject property in compliance with the current zoning and fence regulations.

STAFF ANALYSIS

5. The granting of a variance on the specific property will not adversely affect the land use, however, it will set a precedence of requesting changes to the adopted and required development standards and regulations.
6. There are other homes along Cavan Road that have fences meeting the required height of 4 feet, creating a sense of cohesion on the street. The proposed increase would be incompatible with the surrounding homes except for one lot.
7. The granting of the variance will not adversely affect any other feature of the Comprehensive Plan.
8. The variance is a self-imposed hardship and will not be a detriment to the public welfare or injure to the use, enjoyment, or value of property in the vicinity.

STAFF RECOMMENDATION

Staff recommends **denial** of the requested variance to permit an 8' fence instead of a 4' in a residential zoning district.

APPLICATION FOR A ZONING OR BUILDING CODE VARIANCE BEFORE THE ZONING BOARD OF ADJUSTMENT

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED. A PROPERTY SURVEY/SITE PLAN IS REQUIRED TO BE SUBMITTED
ALONG WITH THIS APPLICATION. IF ANY OTHER INFORMATION IS REQUIRED, STAFF WILL REACH OUT TO THE APPLICANT.
PAYMENT OF APPLICATION WILL BE ACCEPTED AFTER STAFF REVIEWS THE SUBMITTAL. STAFF WILL REACH OUT TO
APPLICANT FOR PAYMENT AFTER REVIEW.

February 04, 2025
DATE: _____

OWNER OF PROPERTY : UniversalEnclosure Systems _____

LOCATION OR ADDRESS OF PROPERTY: 1146 S Cedar Ridge Drive _____

DESCRIPTION OF PROPERTY: _____
LOT BLOCK SUBDIVISION

DESIRED ADJUSTMENT: Allow setback for building addition along Explorer Street to be 10' which matches
the existing buildings Southeast corner set back currently of 10'.

REASON FOR DESIRED ADJUSTMENT: New addition to extend building 75' to the East placing it at 10'
from the Southeast corner to the property line.

☐ PROPERTY SURVEY/SITE PLAN ATTACHED. [Click here to attach](#)


SIGNATURE

nsalem@ues-tx.com

EMAIL

Nelson Salem

PRINTED NAME

205 901 8378

TELEPHONE NUMBER

FOR OFFICE USE ONLY:

DATE RECEIVED _____

FILE NUMBER _____

HEARING DATE _____

ZONING VARIANCE REQUEST FEE \$500.00

LETTER PREPARATION FEE \$10.00

PLEASE SUBMIT COMPLETED APPLICATIONS TO
planningandzoning@duncanvilletx.gov



1193 Explorer Street
200ft Property Address Buffer Map

Explorer

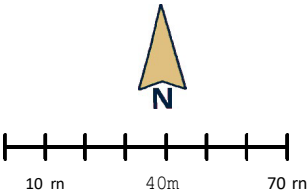
S

Cedar

Ridge

Dr

Alameda Ave



- Legend**
- City Limits
 - Parcel Boundary
 - Parcels Within 200ft Buffer
 - i 200ft Buffer