

**ZONING BOARD OF ADJUSTMENT
CITY OF MANSFIELD**

May 2, 2018

Chairman Jones called the meeting to order at 6:00 p.m. in the Council Chambers of City Hall, 1200 East Broad Street, with the meeting being open to the public and notice of said meeting, giving date, place, and subject thereof, having been posted as prescribed by Chapter 551, Texas Government Code, with the following members present:

Present:

Kelly Jones	Chairman
Robyn Accipiter	Vice-Chairman
Ann Smith	Board Member
Joe Glover	Board Member
Michael Aguillard	Board Member

Absent:

None

Staff:

Art Wright	Planner
Delia Jones	Secretary

Approval of Last Meeting Minutes

Board Member Aguillard made a motion to approve the minutes of the February 7, 2018, meeting. Board Member Glover seconded the motion, which carried by the following vote:

Ayes: 5 – Jones, Accipiter, Smith, Glover and Aguillard

Nays: 0

Abstain: 0

ZBA#18-002: Request for a Special Exceptions under Section 6300.E.7 of the Zoning Ordinance to allow an attached accessory building with an area of approximately 650 square feet at 3 Woodbridge Court

Audrey Iverson, the applicant, stated that she purchased the home in 2016 and planned for her daughter and family to live in the main house and she will live in the attached accessory building. She noted that she is in poor health but likes her independence which is why she is requesting a full kitchen because she enjoys cooking. She also noted that she is separated from the main house by a laundry room. She was available for questions.

Chairman Jones opened the public hearing.

Sandy Null spoke in support of the request.

Steve Casio, HOA President, spoke in opposition to the request noting that everyone is required to have a 2-4 car garage according to the HOA rules and the CC&R's. He stated that the decision tonight will affect all 282 neighbors. He noted that they seem like nice neighbors, however, everyone must follow the same rules. Keith Roten stated that without a garage, cars will always be in the driveway and in the cul-de-sac. Richard Littell stated that the bylaws state that you when you purchase your home you automatically become a member of the HOA and you must abide by the rules which includes going before the Architectural Review Committee and obtaining the proper permits before constructing anything on your property. Amber Roten stated that she is objecting to the request because the rules were not followed and she is concerned about what will happen to the attached dwelling if and when Mrs. Iverson's daughter and family decide to move.

Don Wester (son-in-law of Mrs. Iverson) stated that he did not know you needed a permit to make changes on his home and he was never told that what he was doing was wrong. He added that he will be building a new garage behind the attached accessory building within the next six months

Rebuttal

Mrs. Iverson stated that she never intended to do something illegal. She added that she was unaware of the HOA rules.

Seeing no one else come forward to speak, Chairman Jones closed the public hearing.

Chairman Jones read the criteria for approval and stated that the Board does not enforce HOA rules or CC&R's.

Board Member Glover made a motion to approve the request. The motion died for lack of a second.

Board Member Smith made a motion to deny the requested based on Comment #11--The granting of the special exception does not change the essential character or appearance of the neighborhood or diminish or impair property values within the neighborhood. Vice-Chairman Accipiter seconded the motion, which carried by the following vote:

Ayes: 4 – Jones, Accipiter, Smith and Aguillard

Nays: 1 - Glover

Abstain: 0

Adjournment

With no further business Chairman Jones adjourned the meeting at 6:42 p.m.

Kelly Jones, Chairman

ATTEST:

Delia Jones, Secretary