

**ZONING BOARD OF ADJUSTMENT
CITY OF MANSFIELD**

March 1, 2017

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
Don Michael	Board Member

Absent:

None

Staff:

Art Wright	Planner
Delia Jones	Secretary
Allen Taylor	City Attorney

Approval of Last Meeting Minutes

Board Member Glover made a motion to approve the minutes of the February 1, 2017, meeting. Board Member Michael seconded the motion, which carried by the following vote:

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

Nays: 0

Abstain: 0

ZBA#17-002: Appeal of the determination of the Director of Planning as Zoning Administrator regarding the classification of a person dressed in a costume that represents or symbolizes a business, standing outside and performing activities such as waving, as a sign for Liberty Tax office at 2851 Matlock Road

Richard Edwards, the applicant, gave a brief overview of his request for appeal and was available for questions.

Chairman Jones opened the public hearing.

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

Chairman Jones read the criteria for approval.

After discussion, Board Member Smith made a motion to deny the appeal request. Vice-Chairman Accipiter seconded the motion, which carried by the following vote:

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

Nays: 0

Abstain: 0

ZBA#17-003: Request for Special Exceptions under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with a height of approximately 15.5 feet and an area of approximately 255 square feet to be located approximately 5 feet from the side property line at 820 S. Holland Road

Javier and Ginger Rodriguez, the applicants, gave a brief presentation and were available for questions.

Chairman Jones opened the public hearing.

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

Chairman Jones read the criteria for approval.

After discussion, Board Member Glover made a motion to approve all three exceptions. Board Member Michael seconded the motion, which failed by the following vote:

Ayes: 3 – Jones, Glover and Michael
Nays: 2 – Smith and Accipiter
Abstain: 0

Adjournment

With no further business Chairman Jones adjourned the meeting at 6:22 p.m.

At this time, Mr. Taylor, City Attorney, advised the Board regarding ZBA#17-003. He stated that if their objection is to the height only, the Board can reopen the meeting and reconsider their decision.

Chairman Jones reopened the meeting at 6:24 p.m. for the purpose of reconsidering the motion for ZBA#17-003.

Board Member Smith made a motion to reconsider and vote on the height separately. Board Member Glover seconded the motion which carried by the following vote:

Ayes: 5 – Jones, Accipiter, Smith, Glover and Michael
Nays: 0
Abstain: 0

After discussion, Board Member Smith made a motion to approve the setback and square footage request. Board Member Glover seconded the request which carried by the following vote:

Ayes: 5 – Jones, Accipiter, Smith, Glover and Michael
Nays: 0
Abstain: 0

Board Member Smith made a motion to deny the height request. Vice-Chairman Accipiter seconded the motion which carried by the following vote:

Ayes: 3 – Accipiter, Smith and Michael
Nays: 2 – Jones and Glover
Abstain: 0

Adjournment

With no further business, Chairman Jones adjourned the meeting at 6:31 p.m.

Kelly Jones, Chairman

ATTEST:

Delia Jones, Secretary