

<b>AGENDA</b>
<b>ZONING BOARD OF ADJUSTMENT CITY OF MANSFIELD, TEXAS CITY COUNCIL CHAMBERS WEDNESDAY, OCTOBER 5, 2016, 6:00 PM</b>

**1. CALL TO ORDER**

**2. APPROVAL OF LAST MEETING MINUTES**

**3. PUBLIC HEARINGS:**

- A.** ZBA#16-006: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 1,200 square feet and a height of approximately 19 feet at 2451 Callender Rd.
- B.** ZBA#16-007: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with a height of approximately 21 feet to be located approximately 5 feet from the side property line at 828 S. Holland Rd.

**4. ADJOURNMENT OF MEETING**

I certify that the above agenda was posted on the bulletin board next to the main entrance of City Hall on **September 29, 2016**, in accordance with Chapter 551 of the Texas Government Code.

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Delia Jones, Secretary

- This building is wheelchair accessible. Disabled parking spaces are available. Request for sign interpreter services must be made 48 hours ahead of meeting to make arrangements. Call 817-473-0211 or TDD 1-800-RELAY TX, 1-800-735-2989.

**ZONING BOARD OF ADJUSTMENT  
CITY OF MANSFIELD**

**September 7, 2016**

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	Board Member
Joe Glover	Board Member
Don Michael	Board Member
Michael Aguillard	Board Member

**Absent:**

Ann Smith	Vice-Chairman
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**Staff:**

Art Wright	Planner
Shirley Emerson	Planner
Delia Jones	Secretary

**Approval of Last Meeting Minutes**

Board Member Accipiter made a motion to approve the minutes of the July 6, 2016, meeting. Board Member Michael seconded the motion, which carried by the following vote:

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

**ZBA#16-004: Request for a Special Exception under Section 6300.E.5 of the Zoning Ordinance to allow a reduction of the 80% minimum masonry construction requirement for a new single-family residence at 1950 Newt Patterson Road**

Brad Russell, representing the applicant, made a brief presentation and was available to answer 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 of the special exception.

Board Member Glover made a motion to approve the request. Board Member Aguillard seconded the motion, which carried by the following vote:

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

**ZBA#16-005: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 748 square feet and a height of approximately 18 feet at 233 N. Creekwood Drive**

John Banta, the applicant, made a brief presentation and was available to answer 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 of the special exception.

Board Member Aguillard made a motion to approve the request. Board Member Glover seconded the motion, which carried by the following vote:

**Ayes:** 5 – Jones, Accipiter, Glover, Michael and Aguillard

**Nays:** 0

**Abstain:** 0

**ZBA#16-006: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 1,200 square feet and a height of approximately 19 feet at 2451 Callender Road**

The applicant was not available, however, he submitted a letter requesting that his case be tabled to the October 5<sup>th</sup> meeting.

Chairman Jones opened the public hearing.

Board Member Michael made a motion to table the case to the October meeting and continue the public hearing. Board Member Accipiter seconded the motion, which carried by the following vote:

**Ayes:** 5 – Jones, Accipiter, Glover, Michael and Aguillard

**Nays:** 0

**Abstain:** 0

**Election of a Vice-Chairman**

Chairman Jones called for nominations for the position of Vice-Chairman.

Board Member Accipiter made a motion to nominate Ann Smith to continue as Vice-Chairman. Board Member Michael seconded the motion. Before the vote was taken, Chairman Jones stated that Ms. Smith is stepping down as Vice-Chairman and the motion and second were withdrawn.

Board Member Michael nominated Robyn Accipiter for Vice-Chairman. Board Member Glover seconded the motion, which carried by the following vote:

**Ayes:** 5 – Jones, Accipiter, Glover, Michael and Aguillard

**Nays:** 0

**Abstain:** 0

**Adjournment**

With no further business Chairman Jones adjourned the meeting at 6:15 p.m.

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Kelly Jones, Chairman

ATTEST:

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Delia Jones, Secretary

## **ZBA COMMUNICATION**

**Agenda Date:** October 5, 2016

**Case Number:** ZBA#16-006

**Applicant:** Arthur Girouard

**Subject Land Use:** Single-family residential

**Zoning:** PR

**Request:** Special Exception to allow an accessory building with an area of approximately 1,200 square feet and a height of approximately 19 feet

**Zoning Ordinance Reference:** 6300.E.6

**Location:** 2451 Callender Rd.

### **STAFF COMMENTS**

The applicant is requesting a Special Exception to allow a new garage/workshop building on the property. The proposed building has an area of approximately 1,200 square feet and a height of approximately 19 feet. The Board may grant a Special Exception under these regulations if all of the following criteria are met.

1. The building or structure must be located on a lot of one-half (0.5) acre in size or larger. According to the plat, the applicant's property is 3.264 acres.
2. The applicant is not requesting an exception for the total building area. Together with the existing barn on the property, the new building will not exceed 2% of the square footage of the lot.
3. The applicant is requesting an exception for the building height. The maximum height allowed for an accessory building is 12 feet. The Board may grant a Special Exception to allow accessory buildings up to 35 feet in height for properties more than two acres in size. The applicant is requesting a height of approximately 19 feet.
4. The applicant is not requesting a reduction to the setback requirements for the proposed building. The building will be approximately 15 feet from the nearest property line.
5. The Board must find that there will be no negative impact to abutting properties.

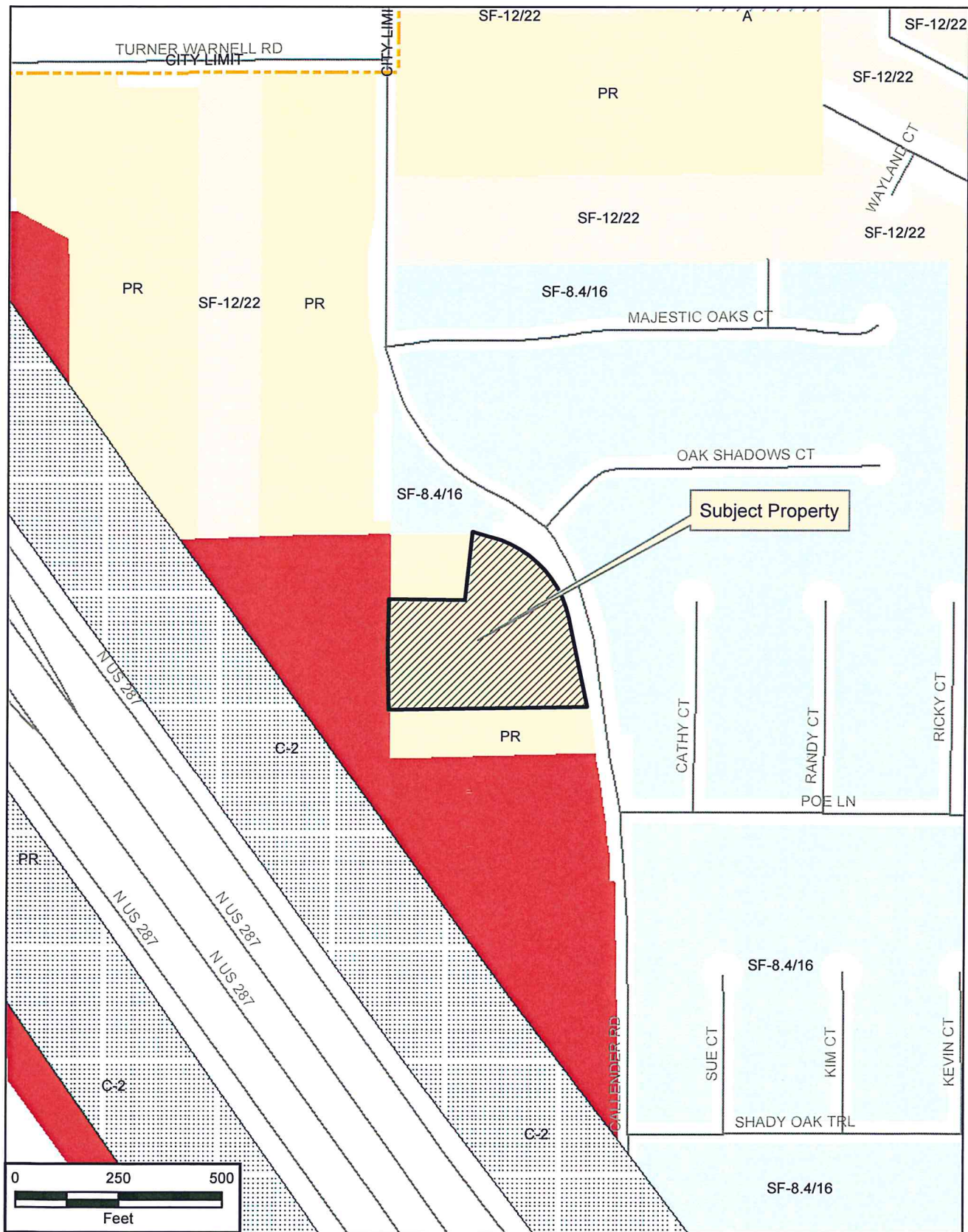
Please note that the accessory building regulations are intended to restrict tall or large accessory buildings from being located too close to property lines. To this end, the Board may establish conditions with respect to the maximum area, height and setbacks of the accessory building. If approved, the accessory building may not be used for business purposes.

### **Attachments:**

Maps and supporting information

Site plan and exhibits

Provisions of Section of 6300.E.6



**ZBA# 16-006**

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

08/08/2016





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08/08/2016



To Whom it may concern,

This is a request for a special exception. I would like to have a 2-car garage built behind my house. The plans call for a 19 foot building height. Because this exceeds the limit of 12 feet I need this special exception.

The total square feet of all out buildings is less than 2 % of the total square footage of the property (property description provided).

The setback is 15 feet, exactly the same as the existing house to provide for symmetry.

The proposed location is at the side of the yard, more than 75 feet from the front property line. Additionally, the garage is located behind the rear façade of the main residential building that is furthest from the street.

Thank you for your consideration,

Arthur E. Girouard

ZONED 'C-2'

MOUSER FAMILY L.P. #1  
VOL. 13631, PG. 379  
D.R.T.C.T.

N 01° 04' 14" E 90.59'

N 01° 40' 30" E 174.45'

7.5' U.E.

EXISTING PART  
TO REMAIN

EXISTING CONC  
ISKIS' PAD TO REMAIN

overhead electric line

7.5' U.E.

overhead electric line

LOT 1, BLOCK 1  
DAUGHERY ADDITION  
VOL. 388-141, PG. 32

CHI KIM DOAN & STEVEN VO  
C.C. INSTR. #D211072192  
D.R.T.C.T.

ZONED 'PR'

Lot 1, Block 1  
3.264 ac  
142,180 sf

50' EXPLORER PIPELINE ESM'T.

APPROXIMATE CENTERLINE OF  
SINCLAIR REFINING CO. ESM'T.  
VOL. 1959, PG. 609

RIGHT-OF-WAY DEDICATION  
0.014 ACRE / 614 SQ.FT

JOYCE ANN NEAL  
VOL. 6073, PG. 312  
D.R.T.C.T.

ZONED 'PR'

N 06° 01' 35" E 158.14'

14" OAK 18" CAN

10' U.E.

25' B.L.

N 88° 53' 00" W 484.74'  
(Reference bearing & control line)

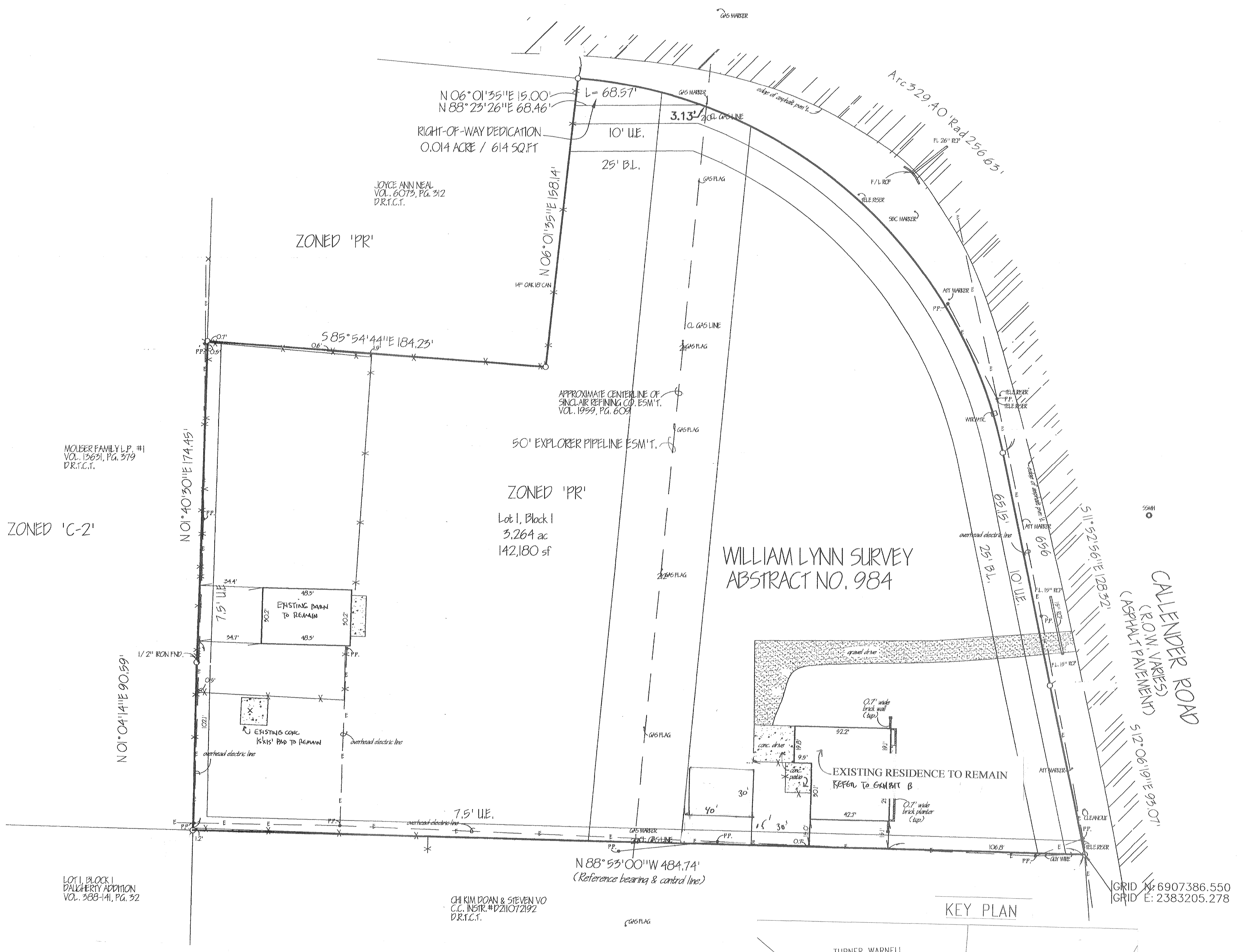
WILLIAM LYNN SURVEY  
ABSTRACT NO. 984

EXISTING RESIDENCE TO REMAIN  
REFER TO EXHIBIT B

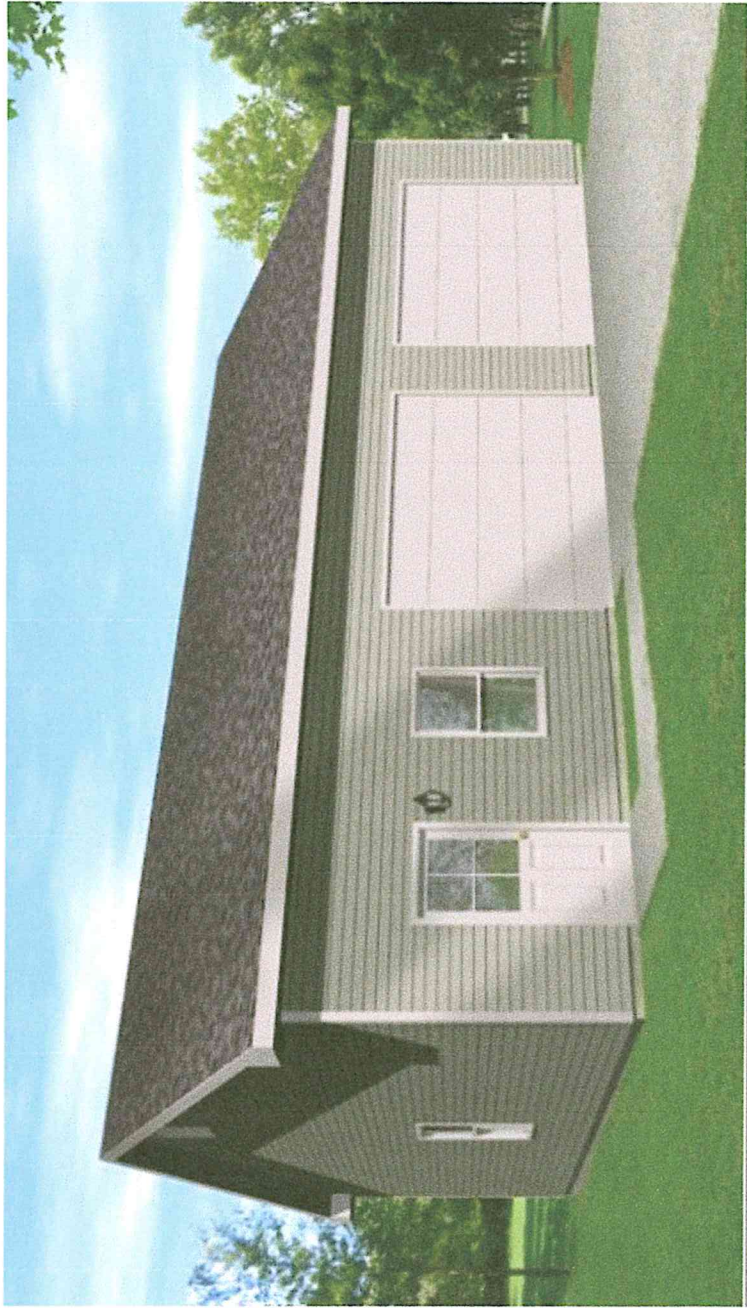
KEY PLAN

CALENDER ROAD  
(R.O.W. VARIES)  
(ASPHALT PAVEMENT)

GRID N: 6907386.550  
GRID E: 2383205.278

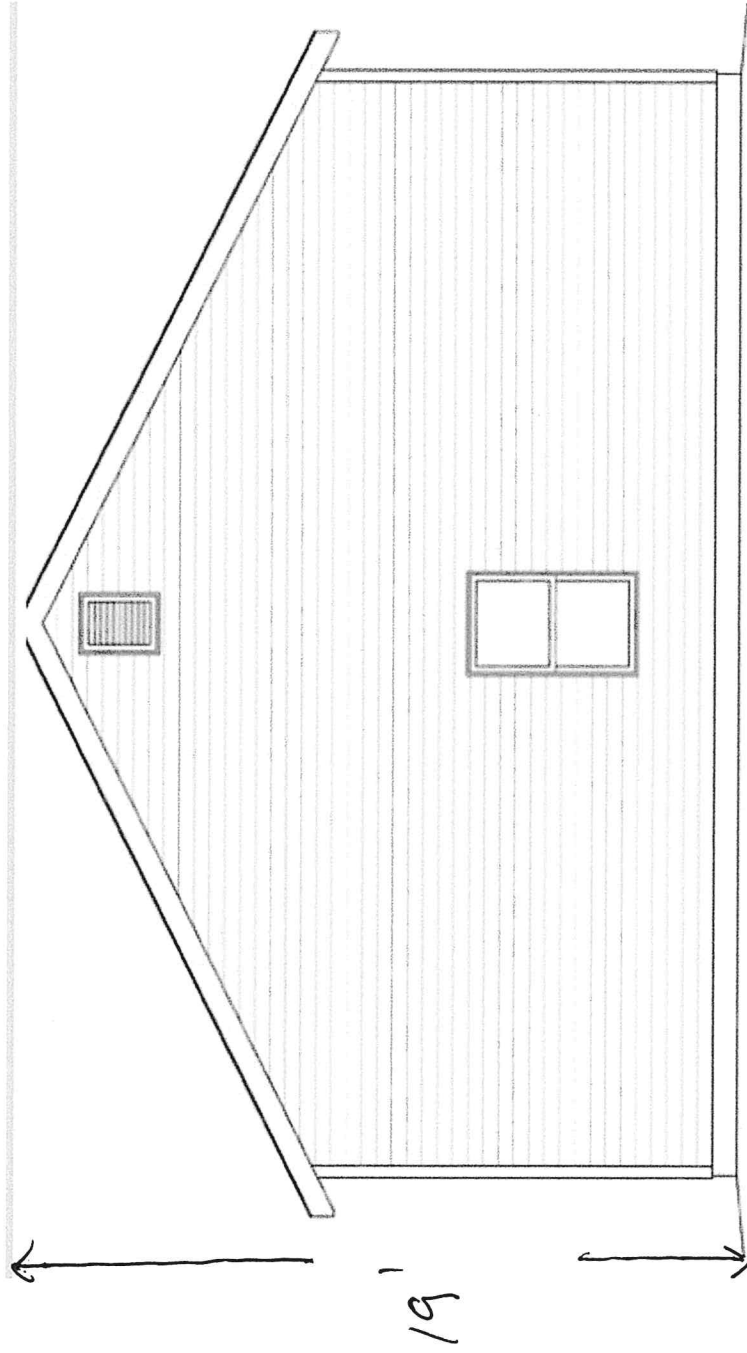




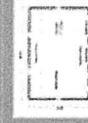


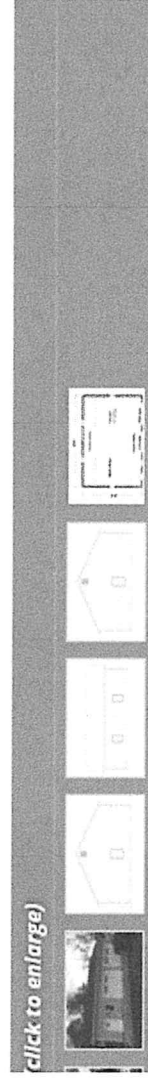
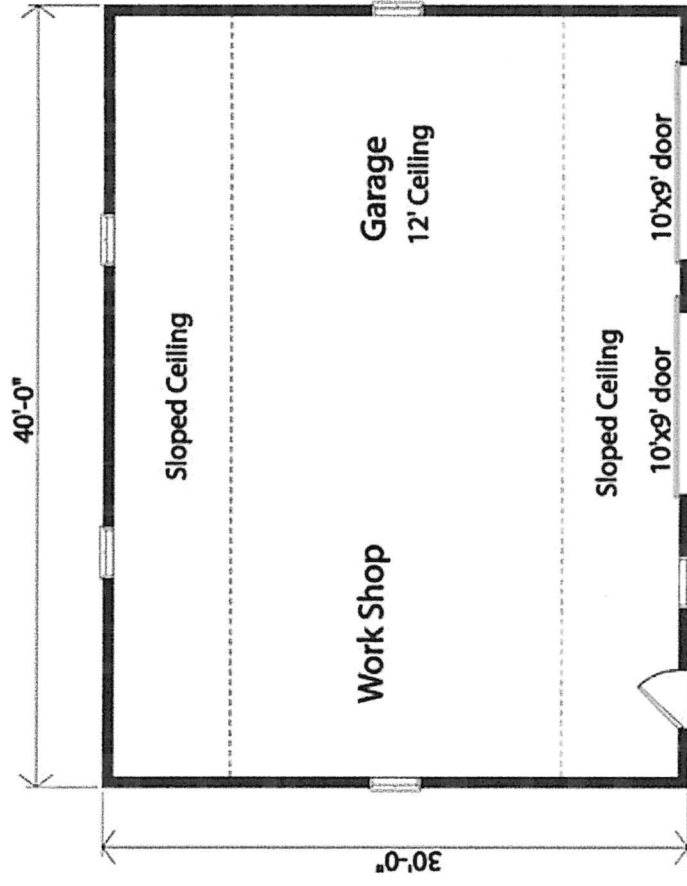
Front View (click to enlarge)





Right View (click to enlarge)







## **SECTION 6300.E.6**

6. An increase in the maximum allowable area or height, or a reduction of the minimum setback requirements for accessory buildings or structures.

- a. Conditions of Approval:

1. No special exception may be granted by the Board of Adjustment unless the building or structure is to be located on a lot of one-half (0.5) acre in size or larger.
2. The Board may grant an increase in building area provided that the total building area resulting from the approval of the special exception shall not exceed four (4) percent of the square footage of the lot.
3. The Board may grant an increase in height not to exceed twenty-four (24) feet for buildings or structures located on lots of one-half (0.5) acre to two (2) acres in size, and not to exceed thirty-five (35) feet for buildings or structures located on lots of two (2) acres in size or larger.
4. The Board may grant a reduction in the minimum required setbacks to allow an accessory building to be located no closer than five (5) feet from the side property line and seven and one-half (7.5) feet from the rear property line, unless the accessory building or structure is intended to house or contain livestock, in which case the setbacks established in Section 7800.B.13 shall apply.
5. To grant a special exception, the Board must find that there will be no negative impact to the abutting properties.

## **ZBA COMMUNICATION**

**Agenda Date:** October 5, 2016

**Case Number:** ZBA#16-007

**Applicant:** Kami Kinsey

**Subject Land Use:** Single-family residential

**Zoning:** SF-12/22

**Request:** Special Exception to allow an accessory building with height of approximately 21 feet to be located approximately 5 feet from the side property line

**Zoning Ordinance Reference:** 6300.E.6

**Location:** 828 S. Holland Rd.

### **STAFF COMMENTS**

The applicant is requesting a Special Exception to allow a new accessory building on the property with a height of approximately 21 feet and to be located approximately 5 feet from the side property line. The Board may grant a Special Exception under these regulations if all of the following criteria are met.

1. The building or structure must be located on a lot of one-half (0.5) acre in size or larger. According to the property survey, the applicant's property is 1.938 acres.
2. The applicant is not requesting an exception for the total building area. Together with the existing shed on the property, the new building will not exceed 2% of the square footage of the lot.
3. The applicant is requesting an exception for the building height. The maximum height allowed for an accessory building is 12 feet. The Board may grant a Special Exception to allow accessory buildings up to 24 feet in height for properties less than two acres in size. The applicant is requesting a height of approximately 19 feet.
4. The applicant is requesting a reduction to the setback requirements for the proposed building. The required side yard setback for a building of this height is 9 feet. The Board may grant a reduction in the side yard setback to no less than 5 feet. The applicant is requesting a side yard setback of approximately 5 feet.
5. The Board must find that there will be no negative impact to abutting properties.

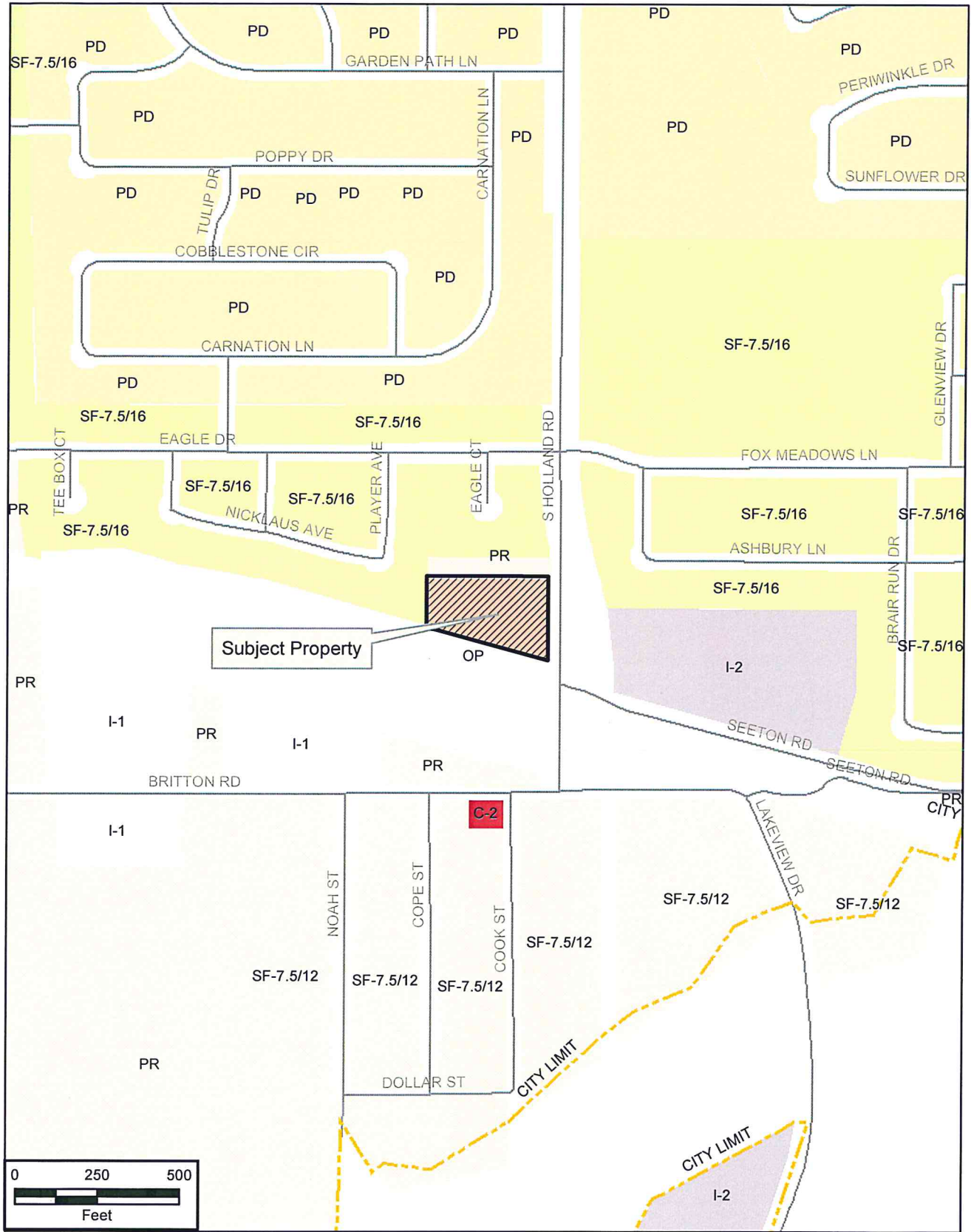
Please note that the accessory building regulations are intended to restrict tall or large accessory buildings from being located too close to property lines. To this end, the Board may establish conditions with respect to the maximum area, height and setbacks of the accessory building. If approved, the accessory building may not be used for business purposes.

### **Attachments:**

Maps and supporting information

Site plan and exhibits

Provisions of Section of 6300.E.6



**ZBA# 16-007**

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09/06/2016





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09/06/2016



Shirley Emerson <[shirley.emerson@mansfield-tx.gov](mailto:shirley.emerson@mansfield-tx.gov)>

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**Re: 828 S Holland**

1 message

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**Kami Kinsey** <[mattuprr@sbcglobal.net](mailto:mattuprr@sbcglobal.net)>

Thu, Sep 22, 2016 at 10:27 AM

To: Shirley Emerson <[shirley.emerson@mansfield-tx.gov](mailto:shirley.emerson@mansfield-tx.gov)>

Dear Planning and Zoning board members,

As the owners of the property at 8:20 8 S. Holland Rd., Mansfield, TX 76063, we are requesting a special exception in order to build a garage and storage area on the property.

We would like to build a building that is approximately the size of a three car garage, with attic storage above.

The building we are requesting to build requires a height of 21 feet. We are requesting a special exception for the height. Our property is approximately 2 acres. This building would not obstruct anyone's view as it will be by the railroad tracks. It may actually act as a buffer.

Our goal in building this attitude is to enhance the property and aide in the development of the city-beautification improving the property value-therefore improving the value of properties around our location.

We are also requesting a reduction in set back from 9' to 5' on the side we share with the railroad. This is not close to any houses and actually moves it further away from any houses.

We plan to build the garage with materials that match the house unifying the garage and house, making them both aesthetically pleasing.

Thank you for your consideration.

Kami Kinsey



- Complete Onsite Construction
- Painting
- 36" Raised Panel Steel Entry Door
- House Wrap
- 30 Year Laminated Shingles and Engineered Panel Siding
- Engineered Trim
- Final Clean-up of Construction related debris
- Full Upper Floor with  $\frac{3}{4}$ " CDX Decking & (16' wide building 2"x10" floor joist 12" O.C. & two rows of bridging) (20' wide building 2"x12" floor joist 12" O.C. & two rows of bridging)
- Concrete Foundation
- Raised Panel Steel Garage Door 7' Tall
- (Five) 36"X 36" Windows (Color choice of White or Bronze)
- Flush Overhang with two gable Vents
- 2x6" Rafters 24" O.C.
- Eight Foot Wall height , 2x4" Wall Studs 16" O.C.
- 36" Wide Stairway with landing

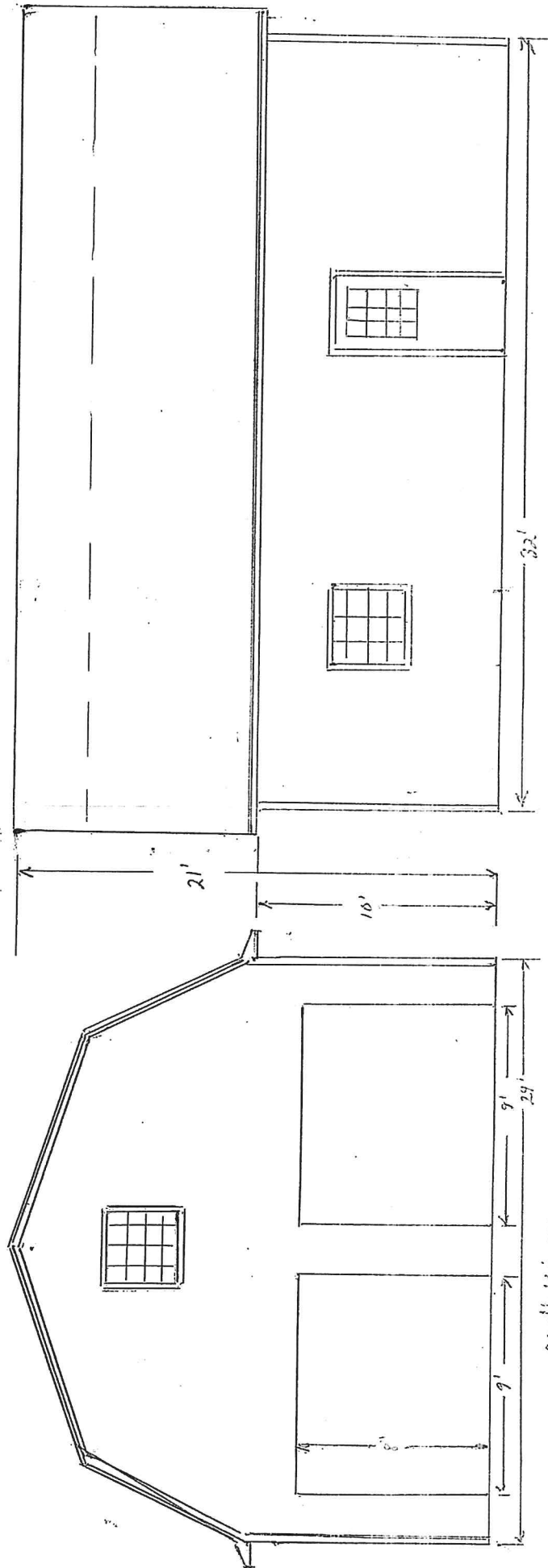


[illegible]

Robert W. Byrum  
ROBERT W. BYRUM, R.F.D. No. 5008  
6440 MANHATTAN SOUTH 010  
00164 FT. TOLSON INST  
1001 NORTH 74100  
(617) 422-5000

FFR 1 4 2005

ESCALER: 17-039'

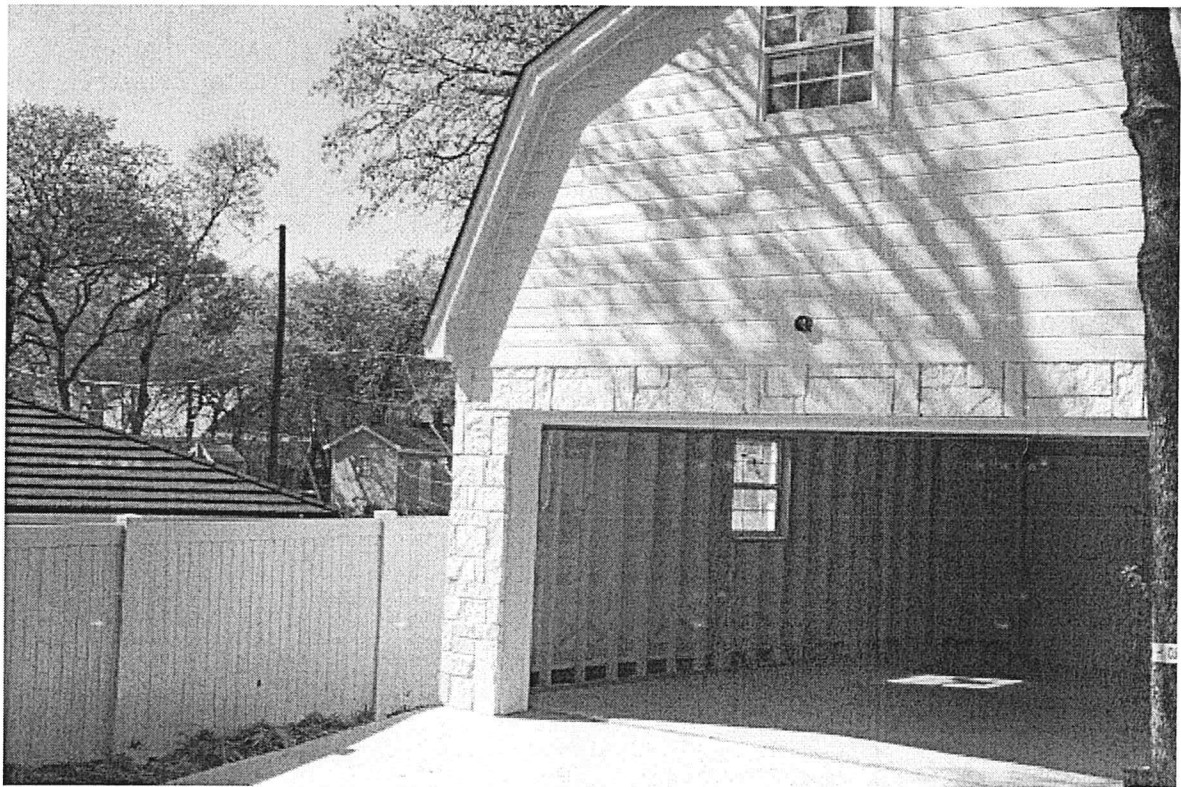
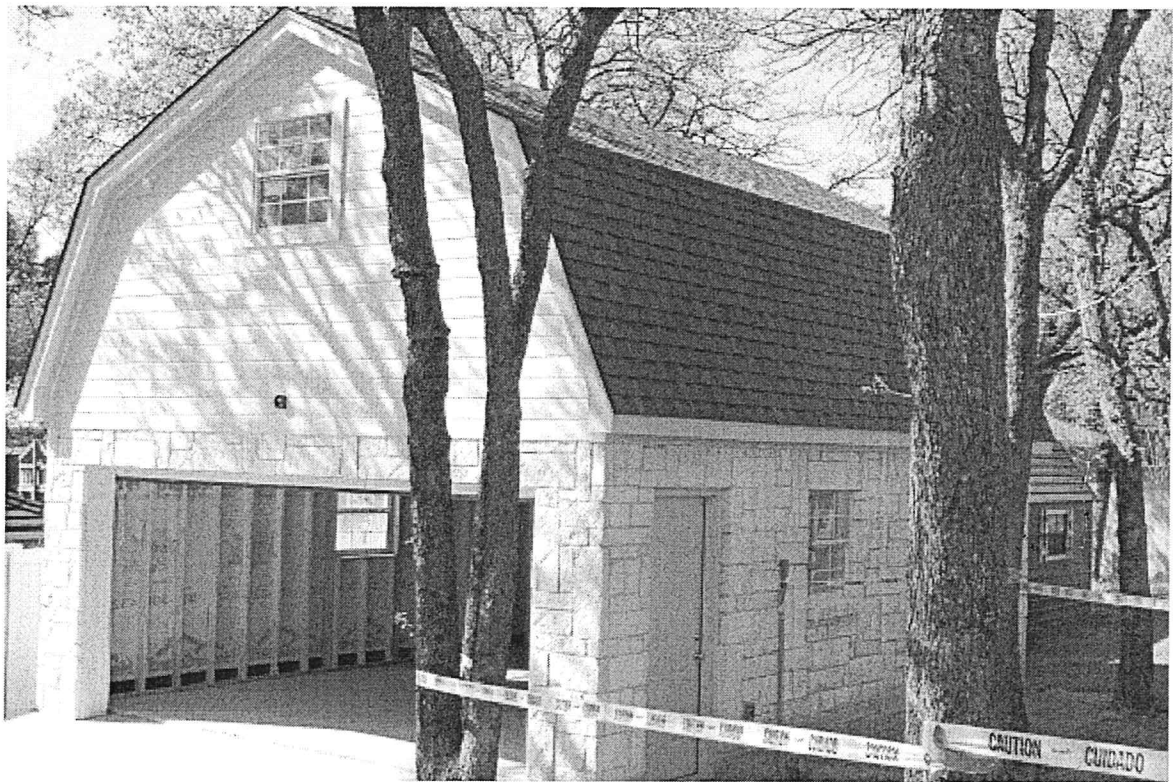


Matt Kinsey  
 828 South Holland  
 St. Louis, Missouri (Fencing Street) East

North Elevation Facing House

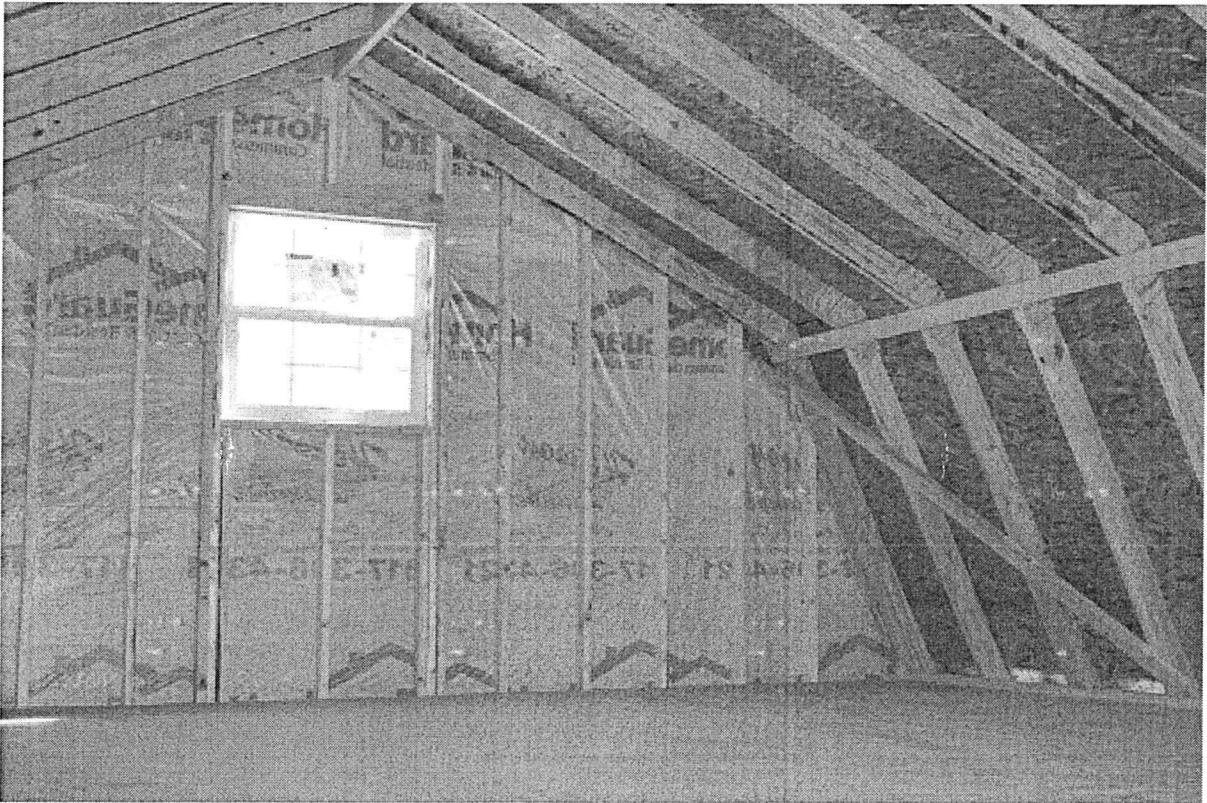
Scale 1/4" = 1'

Sample pictures of exterior to demonstrate height.





Sample pictures of interior to demonstrate quality of construction.



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