

<b>AGENDA</b>
<b>ZONING BOARD OF ADJUSTMENT CITY OF MANSFIELD, TEXAS CITY COUNCIL CHAMBERS WEDNESDAY, JULY 11, 2018, 6:00 PM</b>

**1. CALL TO ORDER**

- 2. EXECUTIVE SESSION** – Pursuant to Section 551.071, Texas Government Code, the Board reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting to receive advice from its attorney on any posted agenda item.

**3. APPROVAL OF LAST MEETING MINUTES**

**4. OLD BUSINESS:**

- A.** ZBA#18-004: 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 1595 W. Broad Street. *(Tabled from the June 6, 2018, meeting)*

**5. PUBLIC HEARINGS:**

- B.** ZBA#18-006: Request for a Special Exception under Sec. 6300.E.7 of the Zoning Ordinance to allow a detached accessory dwelling at 1836 Gertie Barrett Road.
- C.** ZBA#18-007: Request for Special Exceptions under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 468 square feet and a height of approximately 17 feet at 755 Moore Road.

**6. ADJOURNMENT OF MEETING**

I certify that the above agenda was posted on the bulletin board next to the main entrance of City Hall on **July 5, 2018**, 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**

**June 6, 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
Sim Chatha	Board Member

**Absent:**

Michael Aguillard	Board Member
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**Staff:**

Art Wright	Planner
Delia Jones	Secretary

**Approval of Last Meeting Minutes**

Board Member Glover made a motion to approve the minutes of the May 2, 2018, meeting. Vice-Chairman Accipiter seconded the motion, which carried by the following vote:

**Ayes: 5** – Jones, Accipiter, Smith, Glover and Chatha

**Nays: 0**

**Abstain: 0**

**ZBA#18-003: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow modifications for an existing accessory building with an area of approximately 1,080 square feet and a height of approximately 19.5 feet at 1419 Waterwood Drive**

Michael Robertson, the applicant was unavailable however he did notified the board that he would be out of town.

Chairman Jones opened the public hearing.

John Bement, 1418 Waterwood, stated that he received a property owner notification on this case and he would like a better understanding of the request. Chairman Jones gave an overview of the request.

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

Chairman Jones read the criteria for approval.

Vice-Chairman Accipiter made a motion to approve the request with a note that the building cannot be used as an accessory dwelling or guest house. Board Member Glover seconded the motion, which carried by the following vote:

**Ayes: 5** – Jones, Accipiter, Smith, Glover and Chatha

**Nays: 0**

**Abstain: 0**

**ZBA#18-004: 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 1595 W. Broad Street**

Cheryl Arians, representing the applicant, gave an overview of the request and was available for questions. Mr. and Mrs. Martinez were also 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.

Board Members had concerns regarding the use of hardy plank rather than brick and requested that the applicant provide more information. Board Member Smith noted that the design of the home has the appearance and style elements of a ranch style rather than craftsman. Ms. Arians stated that the picture examples in their packet are of homes built at Broad and Main Street, and Second and Alvarado Street. Mr. Wright stated that the homes pictured are part of a PD, Planned Development zoning and were built by Mansfield Custom Homes and are exempt from the masonry requirements because the Original Town of Mansfield is exempt. Mr. Wright reminded the Board that the architectural features are integral to the building design (craftsman or ranch style) that would excuse the applicant from the 80% minimum masonry construction requirement. Chairman Jones asked the applicant when they wanted to start construction and Ms. Arians stated as soon as they get permit approval construction will begin.

Board Member Smith made a motion to deny the request. Vice-Chairman Accipiter seconded the motion. No vote was taken.

Board Member Glover made a motion to table the request to the next meeting (July 11). Board Member Chatha seconded the motion, which carried by the following vote:

**Ayes: 5** – Jones, Accipiter, Smith, Glover and Chatha

**Nays: 0**

**Abstain: 0**

Chairman Jones stated that he will be unable to attend the July 11, 2018 meeting.

### **Adjournment**

With no further business Chairman Jones adjourned the meeting at 6:40 p.m.

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Kelly Jones, Chairman

ATTEST:

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Delia Jones, Secretary

## **ZBA COMMUNICATION**

**Agenda Date:** July 11 2018

**Case Number:** ZBA#18-004

**Applicant:** Guadalupe L. Martinez

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

**Zoning:** SF-7.5/12

**Request:** Special Exception to allow a reduction of the 80% minimum masonry construction requirement for a new single family residence

**Zoning Ordinance Reference:** 6300.E.5

**Location:** 1595 W. Broad St.

### **STAFF COMMENTS**

This item was tabled from the June 6, 2018 ZBA meeting. The applicant has requested to withdraw this case. Please see the attached letter.

The applicant is proposing a new, craftsman style home. The Zoning Ordinance requires that the house be constructed of at least 80% masonry materials (brick, stone, or split-face or textured concrete masonry units, laid course by course and mortared together). The elevation drawings indicate the exterior of the proposed house will use fiber-cement lap siding. The Zoning Ordinance does not classify fiber-cement siding as a masonry material. No documentation was provided to show that fiber-cement siding is as durable as masonry.

The Board may grant a Special Exception to allow a reduction in the minimum masonry requirement if the following criteria are met:

1. The proposed construction must accommodate architectural features which are integral to the building design;
2. All alternate construction materials must have the same durability as masonry; and
3. The granting of the special exception must not diminish or impair property values within the neighborhood.

#### **Attachments:**

Cancelation letter from applicant

Location map

To Whom It May Concern:

In regards to the property located at 1595 West Broad Street Mansfield, TX 76063. We are withdrawing our request for the ZBA case.

Best regards,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Steven Crews

6/14/2018



**ZBA#18-004**

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5/22/2018

## **ZBA COMMUNICATION**

**Agenda Date:** July 11, 2018

**Case Number:** ZBA#18-006

**Applicant:** Phillip Wambsganss

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

**Zoning:** SF-12/22

**Request:** Special Exception to allow a detached accessory dwelling

**Zoning Ordinance Reference:** 6300.E.7

**Location:** 1836 Gertie Barrett Road

### **STAFF COMMENTS**

The property owner is requesting a Special Exception to allow them to build a detached accessory dwelling with a floor area of approximately 1,267 square feet. The Board may grant the Special Exception if the Board finds the following criteria are met:

1. Occupancy of the accessory dwelling shall be limited to domestic servants or caretakers employed on the premises, temporary guests, or family members of the owner of the premises. Guests may occupy such dwelling no more than 90 consecutive days in any twelve-month period. The applicant states in his letter that the accessory dwelling will be used by the owner's aging in-laws.
2. An accessory dwelling cannot be rented as an apartment or used as a separate domicile. In the notes section of the plans, it states that the accessory dwelling will not be rented.
3. No more than one accessory dwelling is allowed on any lot or tract. This will be the only accessory dwelling on this lot.
4. The minimum area of the lot on which a detached accessory dwelling is located must be 20,000 square feet. According to the plat, the applicant's lot is 87,120 square feet.
5. The habitable floor area of an accessory dwelling cannot exceed fifty (50) percent of the habitable floor area of the main residential building, provided that the combined square footage of the accessory dwelling and the main residential building shall not exceed the maximum lot coverage allowed by the regulations of the zoning district in which the property is located. The accessory dwelling has a floor area of approximately 1,267 square feet. The habitable floor area of the main residence is approximately 3,340 square feet, with half that area being 1,670 square feet. Together, the square footage of the accessory dwelling and the main residence will not exceed the maximum allowable square footage for this lot.

6. The maximum height of an accessory dwelling is thirty-five (35) feet. A detached accessory dwelling is limited to one story; however, it may have a loft or attic. This building will be approximately 23'8" in height with an attic for storage only.
7. An accessory dwelling must comply with the same minimum side and rear setback requirements as the main residential building and must be at least seventy-five (75) feet from the front property line or behind the rear façade of the main residential building that is furthest from the street. An accessory dwelling cannot be located forward of the main residential building. The applicant has provided a plot plan that shows the new building will meet all of the required setbacks.
8. No separate driveway approach shall be permitted for an accessory dwelling. The applicant's plot plan shows that he will extend the existing driveway to the new accessory dwelling.
9. An accessory dwelling shall be constructed of the predominant building and roofing materials used on the main residential building. The applicant has included pictures of the existing main house and elevation drawings for the proposed accessory dwelling. He has also stated in his letter that the new building will match the style of the main house and in the notes on the plans that they will comply with this requirement.
10. All utilities must be on the same meter as the main residential building. The applicant said in his letter that the accessory dwelling will be on the same utilities as the main house.
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.

**Attachments:**

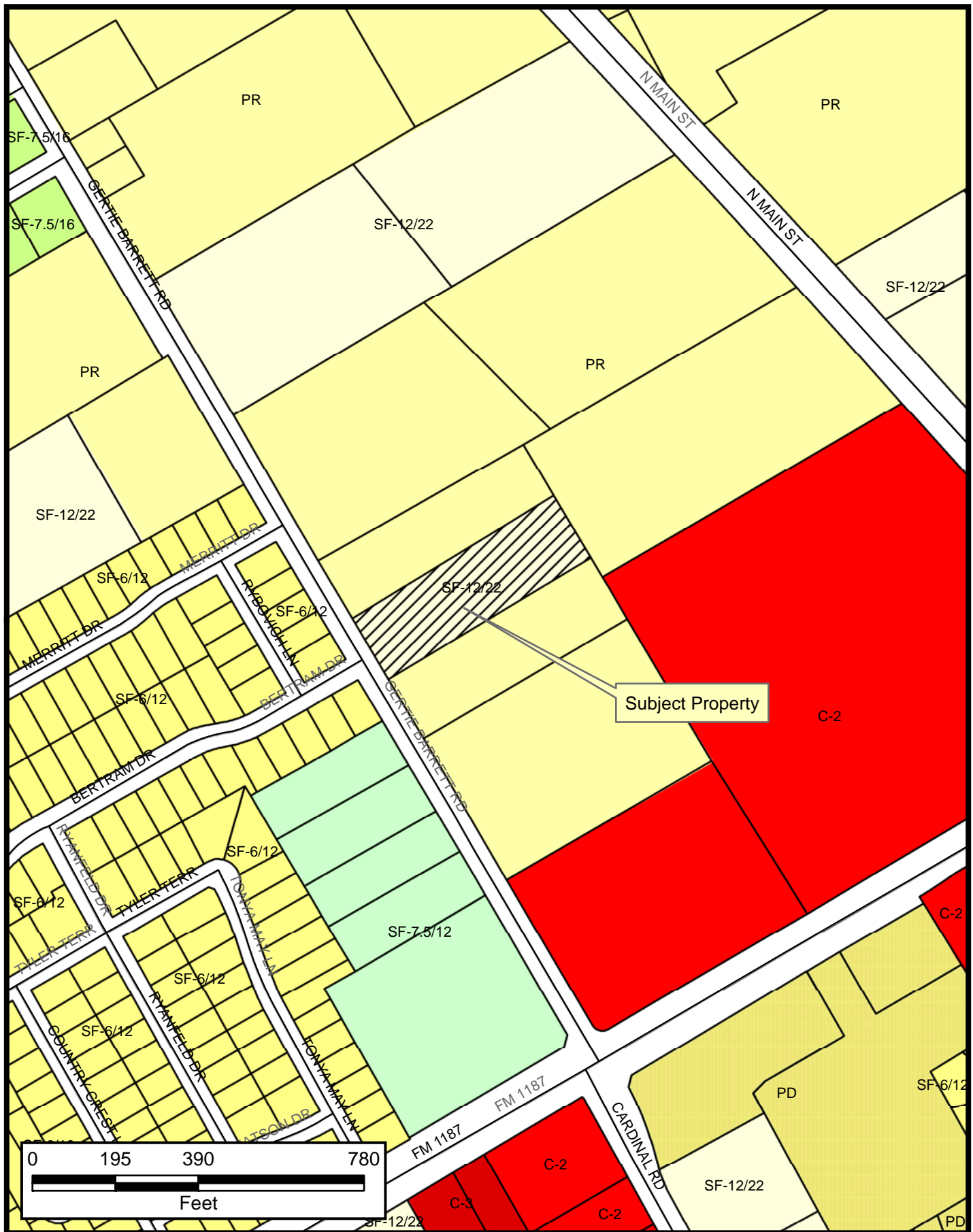
Maps and supporting information  
Letter from property owner  
Site plan and exhibits  
Provisions of Section 6300.E.7



**ZBA#18-006**

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6/12/2018



**ZBA#18-006**

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6/12/2018

**Phillip Wambsganss**  
**1836 Gertie Barrett Road**  
**Mansfield, TX 76063**  
**817-881-1913**

June 4, 2018

Ms. Shirley Emerson, Planner I  
City of Mansfield  
1200 E. Broad Street  
Mansfield, TX 76063

**RE: Proposed Accessory Dwelling Located at 1836 Gertie Barrett Road**

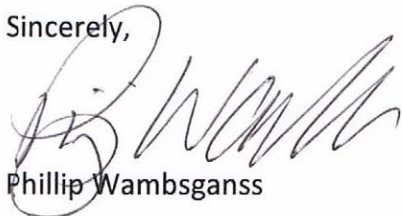
To Whom It May Concern,

My wife, family and I have been residents of Mansfield since 2008. We purchased our current home in 2014. We spent several months renovating and moved into the home in March, 2015. The home is a two story, country-style home with a total of 3,340 square feet of living space and sits on 2 acres of land.

We are proposing to build a ~1,267 square foot (living space) accessory dwelling which will serve as a garage, workshop and living space for my aging in-laws (Bill and Mary Wilson). We have reviewed the eleven accessory dwelling requirements and see no issues and meeting or exceeding the requirements. I have provided the City architectural plans, elevations, and pictures of our existing home. Our goal is to match the style of our home and property by building a similar country style accessory building which will enhance the entire property and neighborhood. We acknowledge that the accessory building will require the utilities to be run through our existing home and meters.

Thank you for your consideration. Please let me know if you have any questions.

Sincerely,



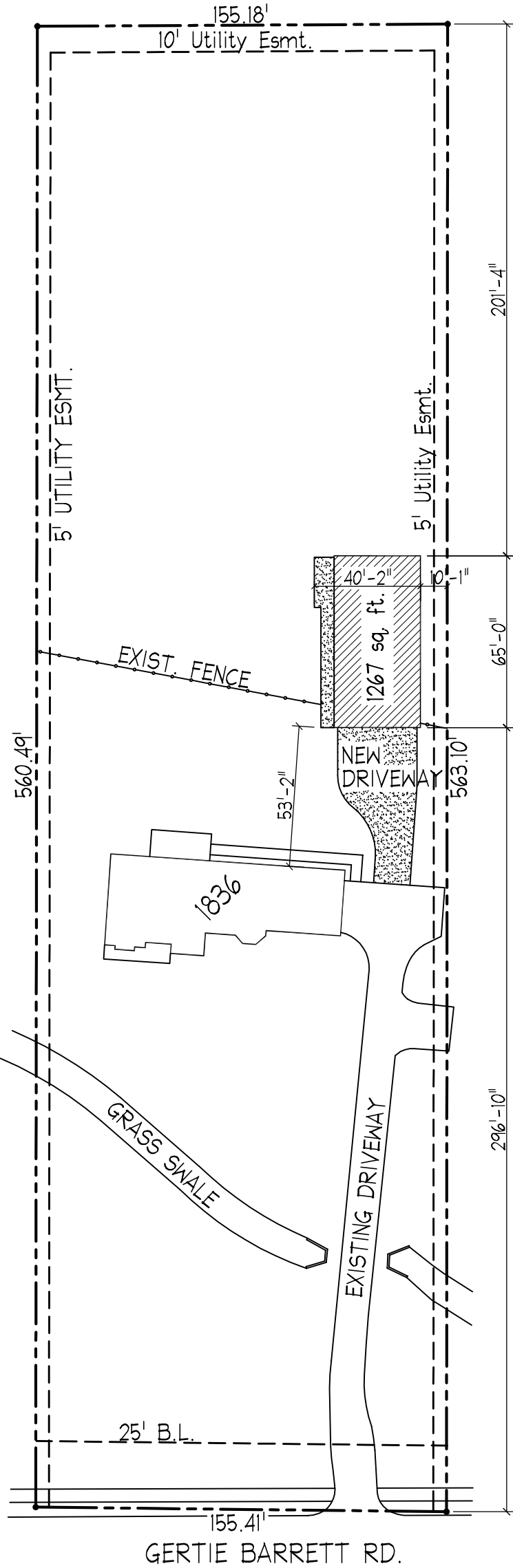
Phillip Wambsganss

Scale 1"=50'  
Plan # SF 1267  
Address: 1836 Gertie Barrett Rd.  
  
City: Mansfield  
Date: 07 MAY 18

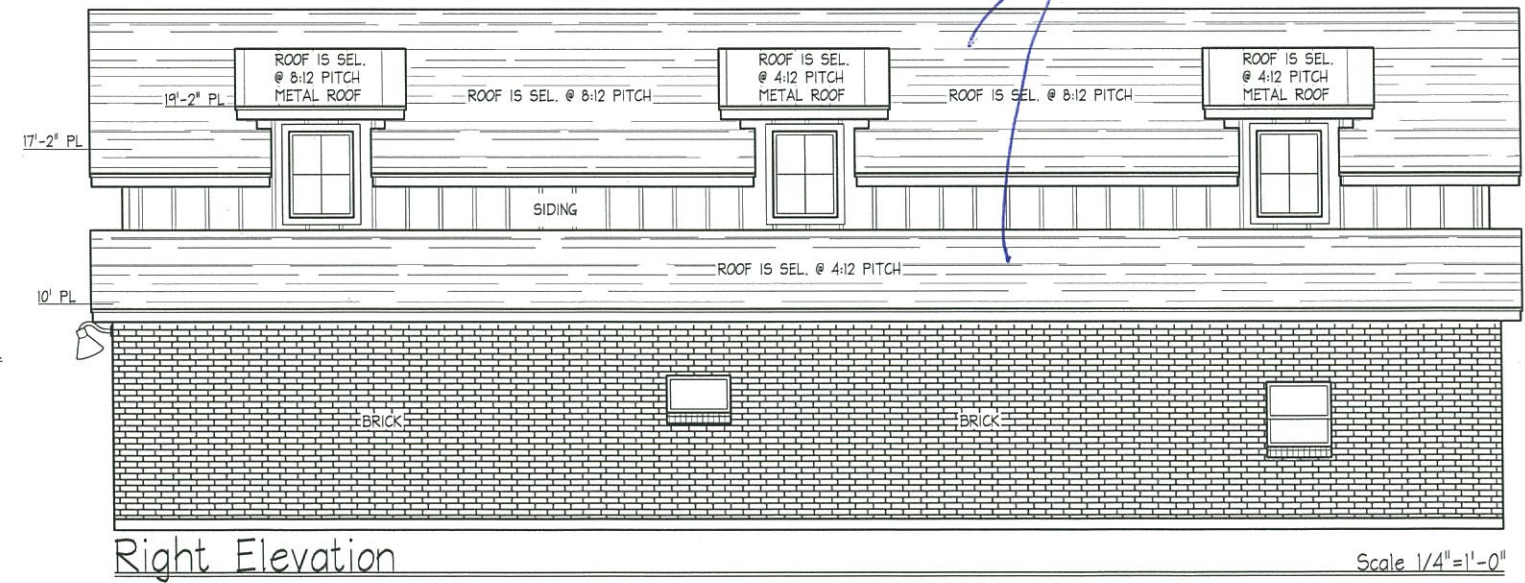
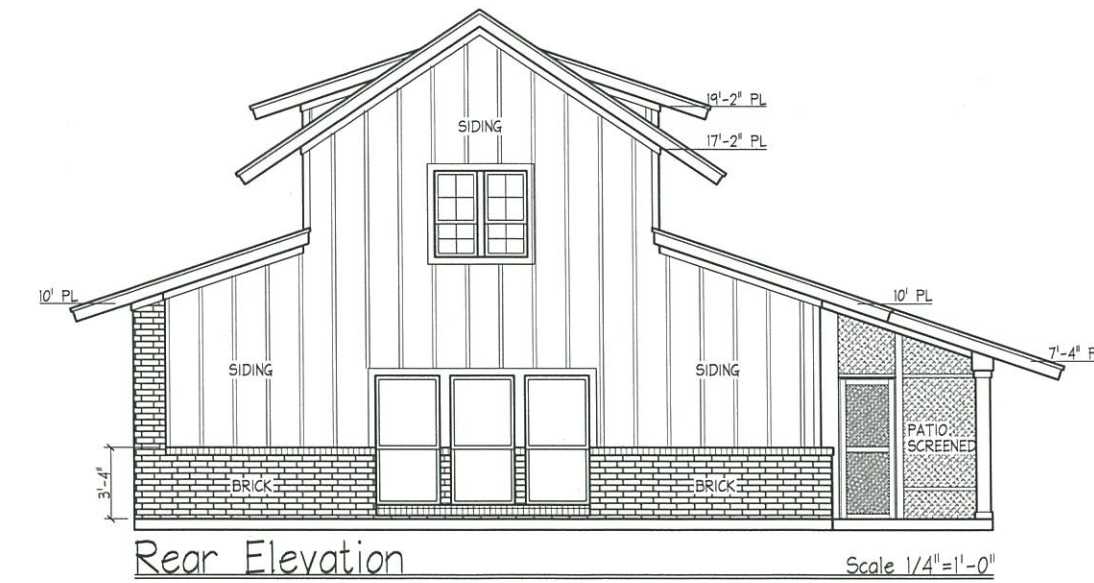
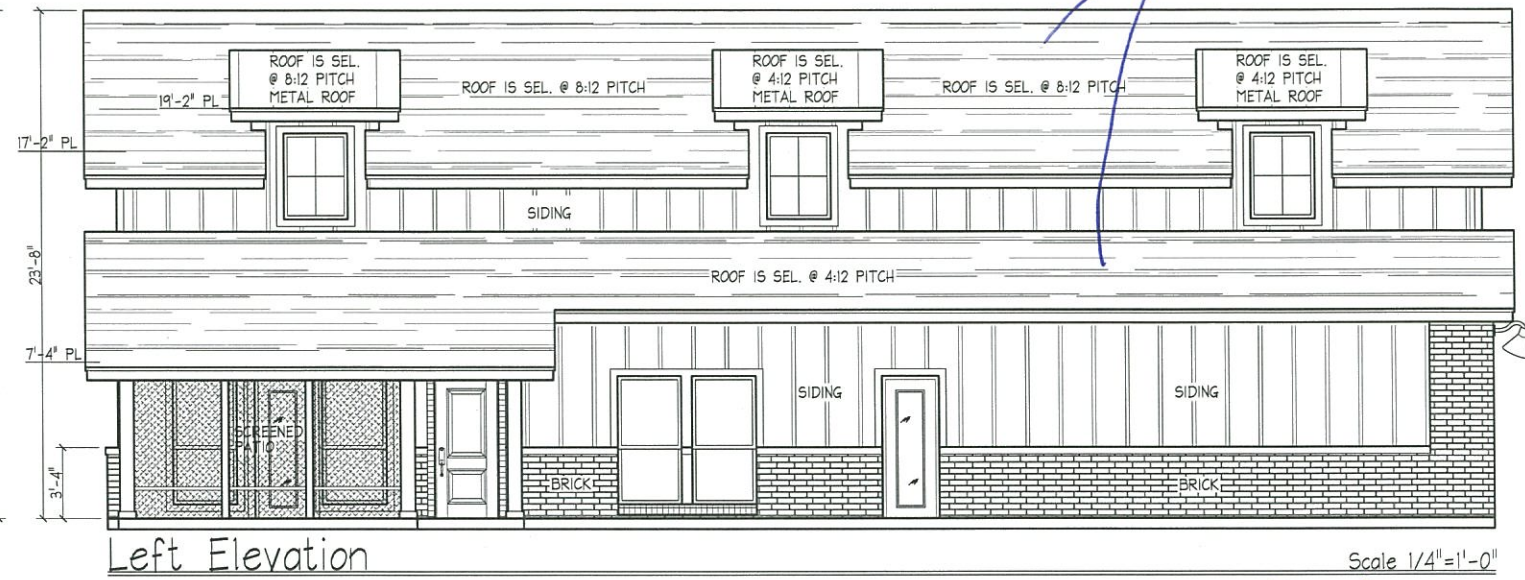
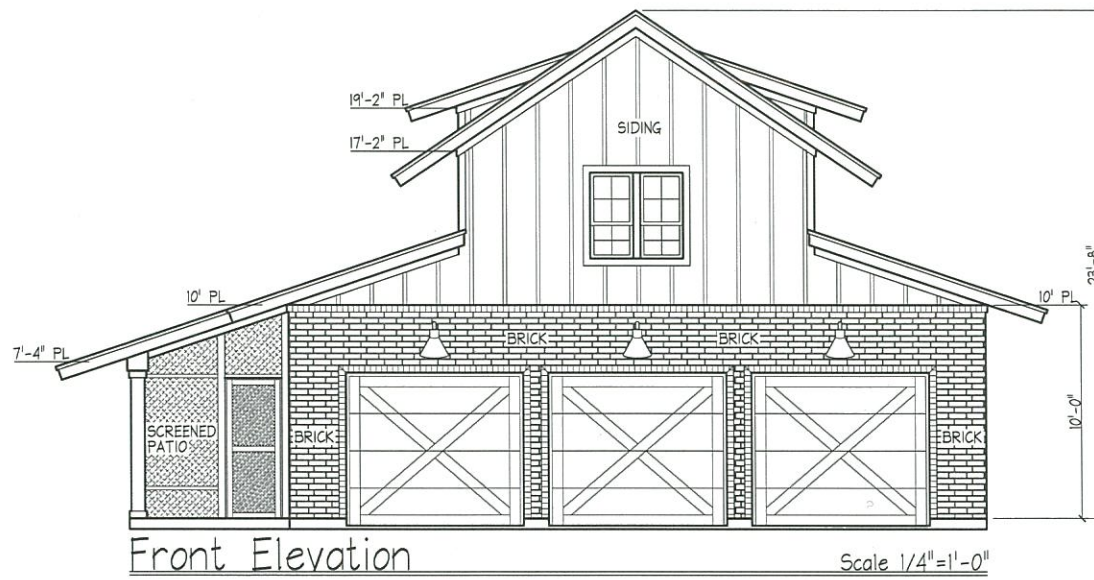
# Lindbergh Designs

100 Kings Row Drive • Mansfield, TX 76063  
bus.( 817) 283-4800

## EXISTING PLOT PLAN



# ACCESSORY DWELLING



Composition  
Roof Shingles

Composition  
Roof Shingles

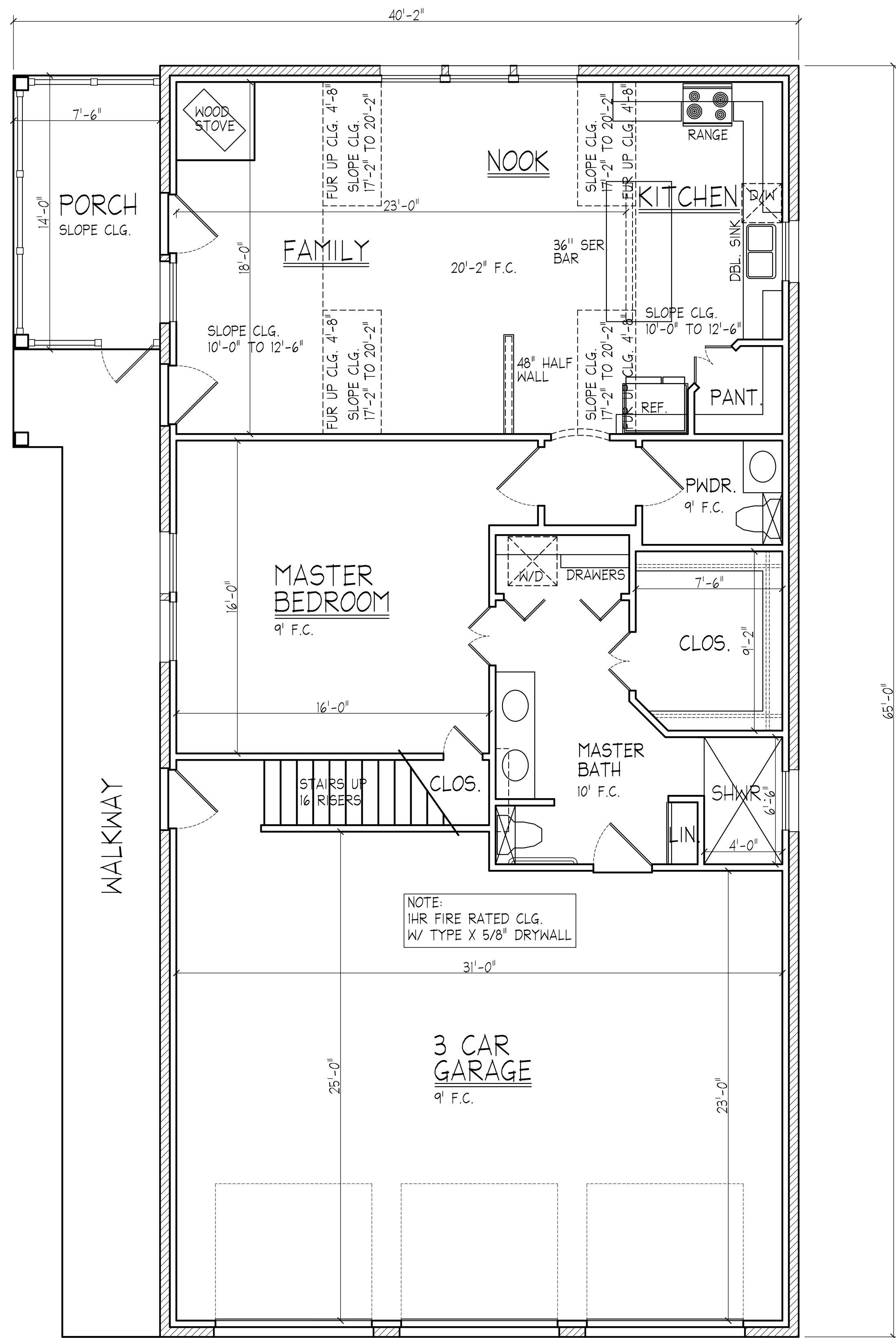
These plans are the property of Lindbergh Designs LLC, and are not to be reproduced, copied or used for construction without the written permission of Lindbergh Designs LLC. These plans are intended to provide the construction information necessary to build the structure to the minimum standards required by the local building department. Lindbergh Designs LLC does not warrant the accuracy of the plans, and the user assumes all responsibility for not exceeding the fee paid for plans. Structural Engineering plans may be required in addition to these plans.

Job Location:  
Wambagans Residence  
1836 Gerie Barrett Rd.  
Mansfield, TX 76063

Lindbergh Designs  
Commercial & Residential Planning  
bus. (817) 283-4800 • fax (817) 796-1479

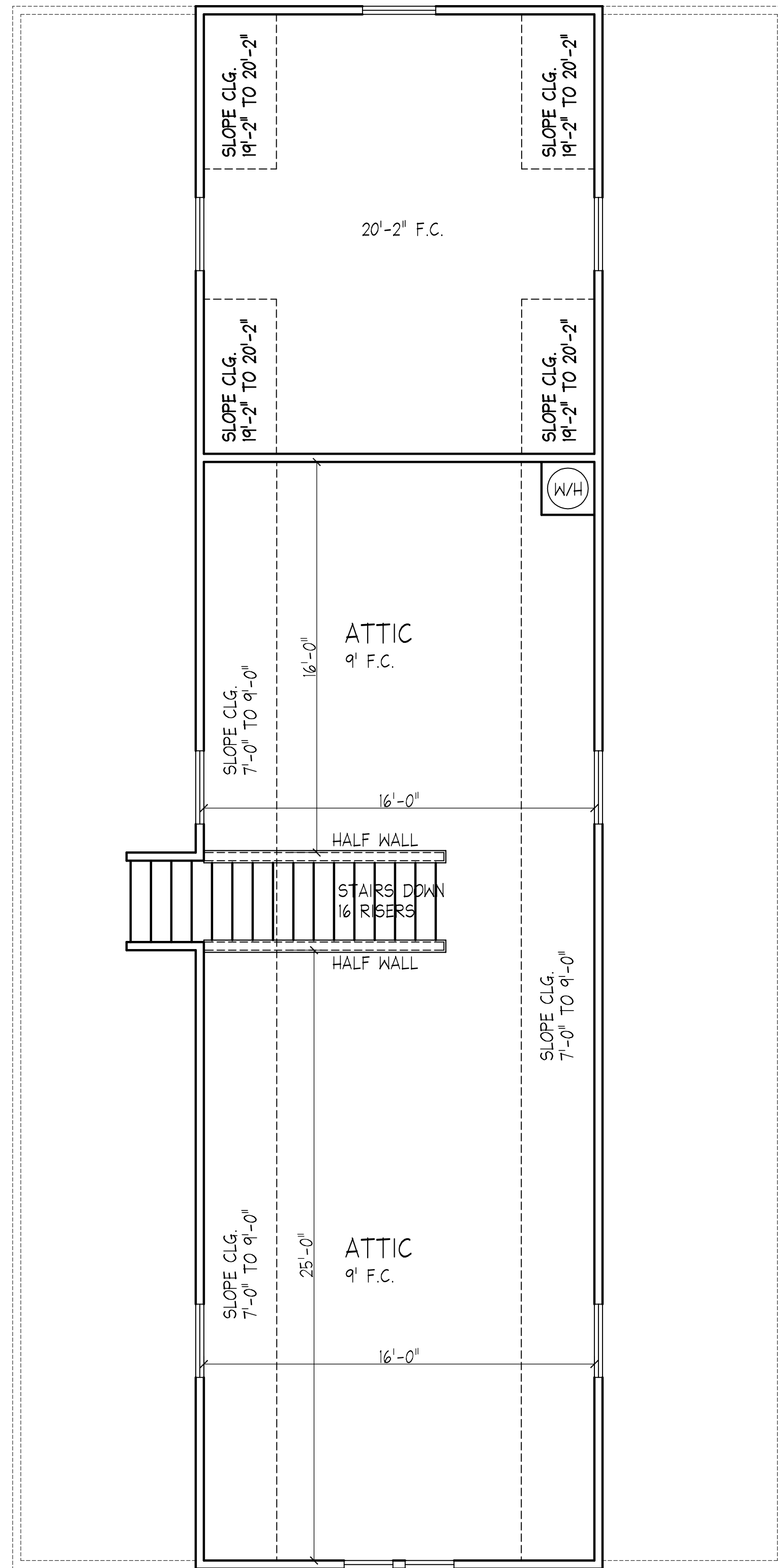


DATE: 04 JUN 18  
REV. 18 JUN 18  
PLAN: SF 1267  
A1



First Floor

Scale 1/4"=1'-0"



Attic Storage

Scale 1/4"=1'-0"

AREA ANALYSIS

LIVING AREA	1267	S.F.
GARAGE	856	S.F.
PATIO	143	S.F.
ATTIC AREA	728	S.F.

PLAN LEGEND

⊗	WINDOW TYPE (LETTERED)
⊕	DOOR TYPE (NUMBERED)
—#—	GAS
M.C.	MEDICINE CABINET
⊙ <sub>HB</sub>	HOSE BIB
▬	ELEVATION CHANGE
⌈---⌋	CLEAR OPENING OR HEADER
⌈---⌋	ARCHED CLEAR OPENING OR HEADER
▬▬▬	2X4 STUD WALL
▨▨▨	BRICK LEDGE
▬▬▬	2X6 PLUMBING WALL
▨▨▨	2X8 PLUMBING WALL
▨▨▨▨▨	DOWN DRAFT VENT
----	CEILING SLOPE
----	ROUGH CEDAR OR LAMINATED BEAM
---	GLUE-LAM OR BEAM
-----	DOUBLE HANGING RODS
-----	SINGLE HANGING ROD
S.H. ▽	SHOWER HEAD @ 7'-0" A.F.F.
▽	ATTIC ACCESS
⊠	2020 SCUTTLE
(W/H)	WATER HEATER ( 20" DIAMETER ) (RUN 220 OUTLET IF GAS IS NOT AVAILABLE)
○	WATER HEATER OVERHEAD (RUN 220 OUTLET IF GAS IS NOT AVAILABLE)

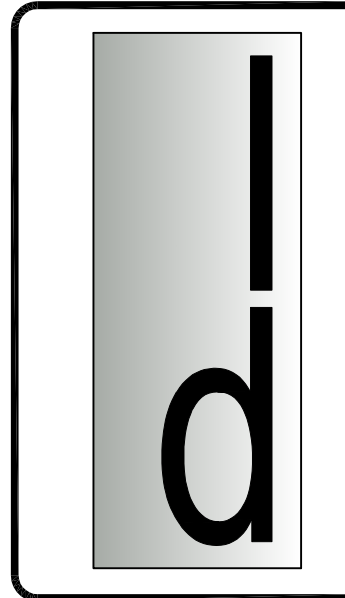
NOTE:

- The accessory dwelling will be used by owners family
- The accessory dwelling will not be rented
- Only one accessory dwelling will be constructed
- The height of the accessory dwelling is 23'-8"
- The accessory dwelling is one story w/ attic
- The accessory dwelling square footage is 36% of the main residential building.
- The accessory dwelling complies with the same minimum side and rear setback requirements as the main residential building. Accessory dwelling is located behind the existing main residential building.
- Accessory building will utilize the same driveway as the main residential building
- Utilities for the accessory building will be on the same meter as the main residential building
- Accessory building will be constructed of the predominant building and roofing materials used on the main residential building.
- The lot on which the accessory dwelling will be constructed meets the minimum area requirement of 20,000 Sq. Ft.

These plans are the property of Lindbergh Designs LLC, and are not to be reproduced, traced or reused for construction without the written permission of Lindbergh Designs LLC. These plans are intended to provide the construction information necessary to build this structure. Submitter/Owner shall verify and check all dimensions prior to construction. Lindbergh Designs LLC shall not be responsible for any errors or omissions in the plans. The structural engineering plans may be required in addition with these plans.

Job Location:  
Wambsgans Residence  
1836 Gerlie Barrett Rd.  
Mansfield, TX 76033

Lindbergh Designs  
Commercial & Residential Planning  
bus. (817)283-4800 • fax (817)796-1479



DATE: 04 JUN 18  
REV. 18 JUN 18  
PLAN: SF 1267  
A2







§6300.E

7. The construction of an accessory dwelling in any A, PR or SF zoning district that does not comply with Section 7800.B.35.
  - a. Conditions of Approval:
    1. Occupancy of the accessory dwelling shall be limited to domestic servants or caretakers employed on the premises, temporary guests, or family members of the owner of the premises. Guests may occupy such dwelling no more than 90 consecutive days in any twelve-month period.
    2. An accessory dwelling shall not be rented as an apartment or used as a separate domicile.
    3. No more than one accessory dwelling shall be allowed on any lot or tract.
    4. The minimum area of the lot on which a detached accessory dwelling is located shall be 20,000 square feet. There shall be no minimum lot size for accessory dwellings attached to the main residential building.
    5. The habitable floor area of an accessory dwelling shall not exceed fifty (50) percent of the habitable floor area of the main residential building, provided that the combined square footage of the accessory dwelling and the main residential building shall not exceed the maximum lot coverage allowed by the regulations of the zoning district in which the property is located.
    6. The maximum height of an accessory dwelling shall be thirty-five (35) feet. A detached accessory dwelling shall be limited to one story; however, it may have a loft or attic.
    7. An accessory dwelling must comply with the same minimum side and rear setback requirements as the main residential building and must be at least seventy-five (75) feet from the front property line or behind the rear façade of the main residential building that is furthest from the street. In no case shall an accessory dwelling be located forward of the main residential building.
    8. No separate driveway approach shall be permitted for an accessory dwelling.  
(*Ordinance No. 1487, Adopted 7/12/04*)
    9. An accessory dwelling shall be constructed of the predominant building and roofing materials used on the main residential building.
    10. All utilities must be on the same meter as the main residential building (*Ordinance No. 1487, Adopted 7/12/04*)
    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.

## **ZBA COMMUNICATION**

**Agenda Date:** July 11, 2018

**Case Number:** ZBA#18-007

**Applicant:** Mats Lindquist

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

**Zoning:** SF-8.4/18

**Request:** Special Exception to allow an accessory building with an area of approximately 468 square feet and a height of approximately 17 feet

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

**Location:** 755 Moore Road.

### **STAFF COMMENTS**

The applicant is requesting a Special Exception to allow a detached pool house on the property with an area of approximately 468 square feet and a height of approximately 17 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 property is 4.964 acres.
2. The applicant is not requesting an exception for the total building area. Together with the existing accessory buildings 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 greater than two acres in size. The applicant is requesting a height of approximately 17 feet.
4. The applicant is not requesting a reduction to the setback requirements for the proposed building.
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:**

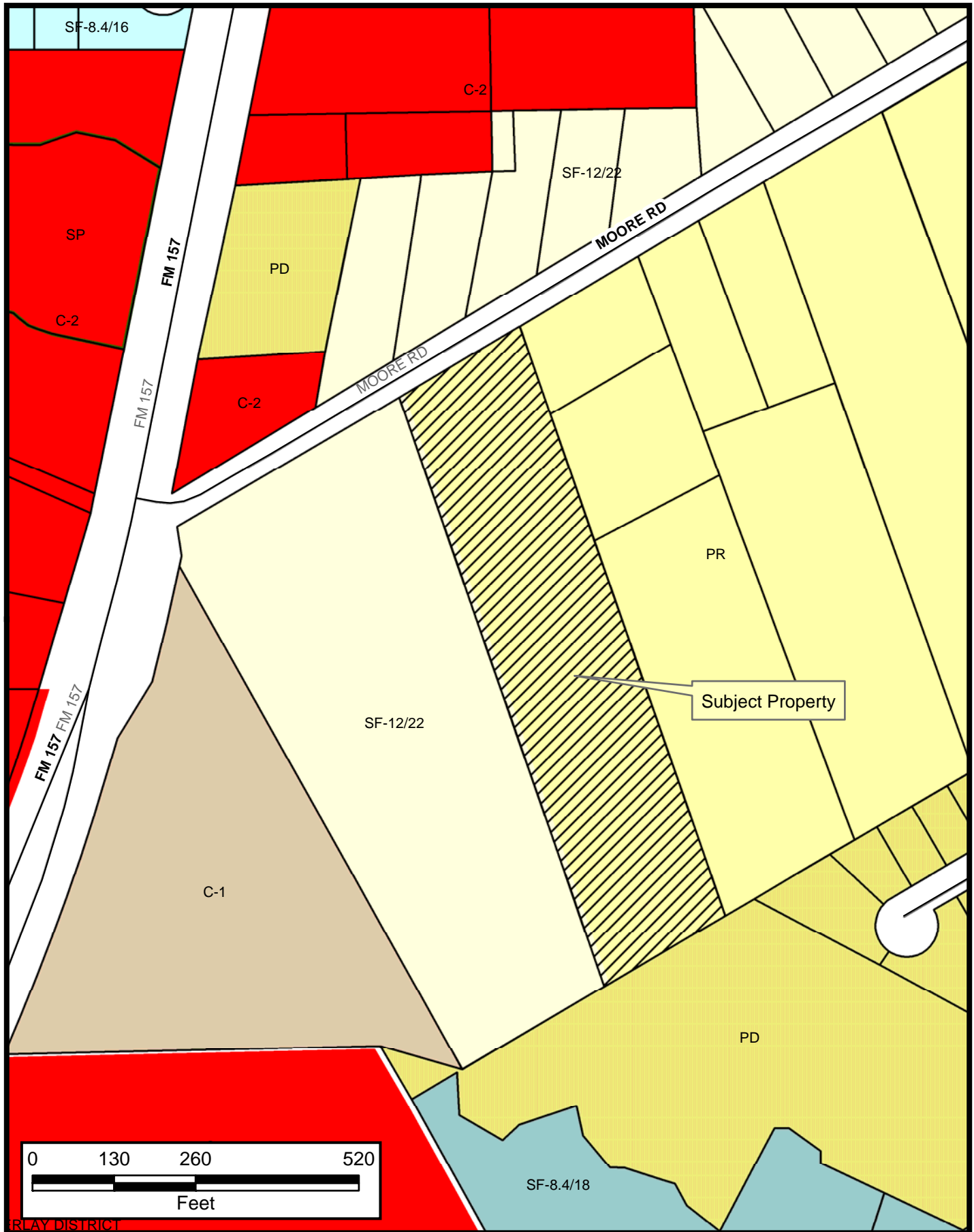
Maps and supporting information  
Letter from applicant  
Site plan and exhibits  
Provisions of Section of 6300.E.6



**ZBA#18-007**

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6/14/2018



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6/14/2018

June 14, 2018

Mansfield Custom Homes  
1848 Lone Star Rd.  
Mansfield, Texas 76063

The City of Mansfield  
1200 E. Broad St.  
Mansfield, TX 76063

To Whom it may concerning,

We are requesting approval to complete the construction of the pool house located at 755 Moore Road. I have attached the plans and dimensions for the structure. The highest point of the roof is 15' and the chimney is 17'.

It is property is on 5 acres and the structure is on the rear section and is not visible to anyone except the homeowners and their guests.

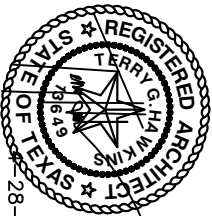
Please let me know if there is anything else you need for me to provide.

Thank you,

A handwritten signature in dark ink, appearing to read 'Wendy Garman', with a long, sweeping horizontal line extending to the right.

Wendy Garman

Purchasing Manager  
Mansfield Custom Homes  
214-334-7022  
wendy@mchtexas.com



170787

MR AND MRS  
LINDQUIST

755 MOORE ROAD  
LOT 1 BLOCK 1  
LINDQUIST ADDITION  
MANSFIELD, TEXAS  
TARRANT COUNTY

DATE: 3-14-17 PD1  
3-15-17 PD2  
4-5-17 PD3  
4-13-17 F/R  
4-26-17  
5-22-17 REV  
8-21-17 REV

GENERAL NOTES:

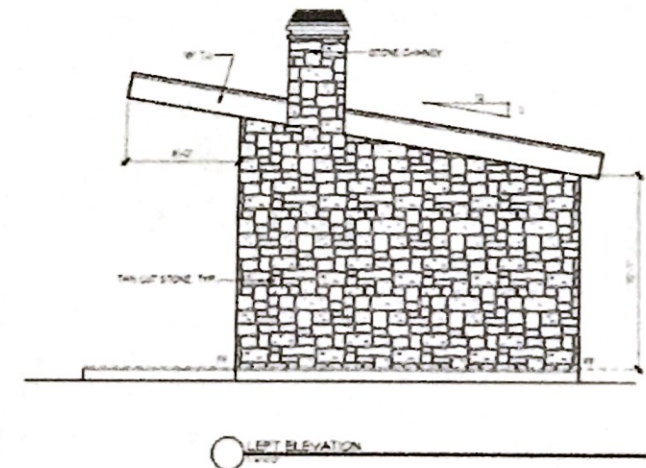
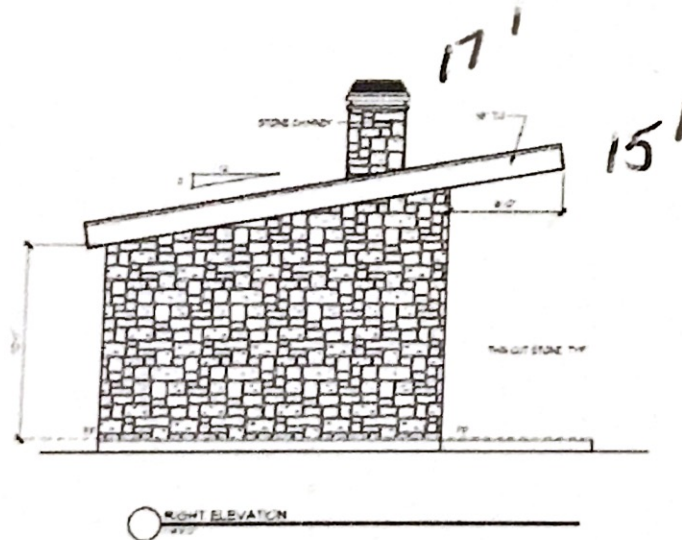
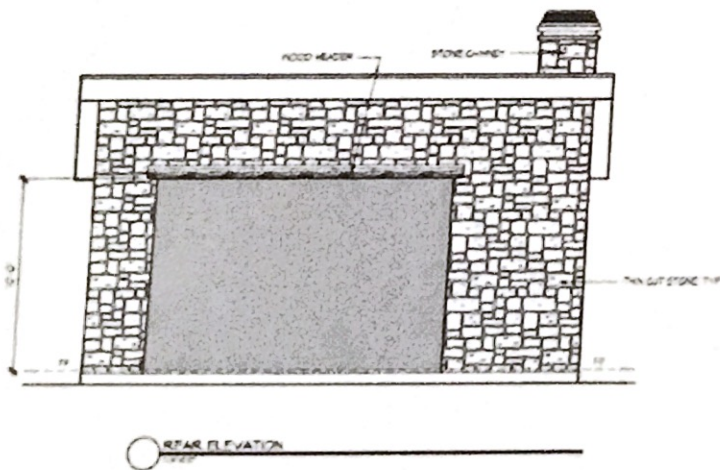
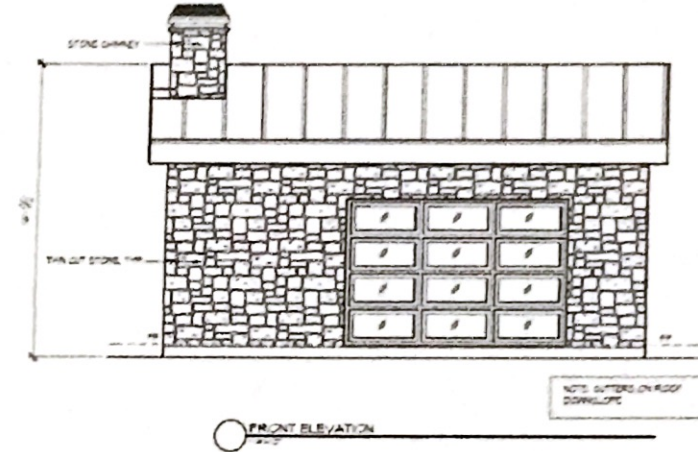
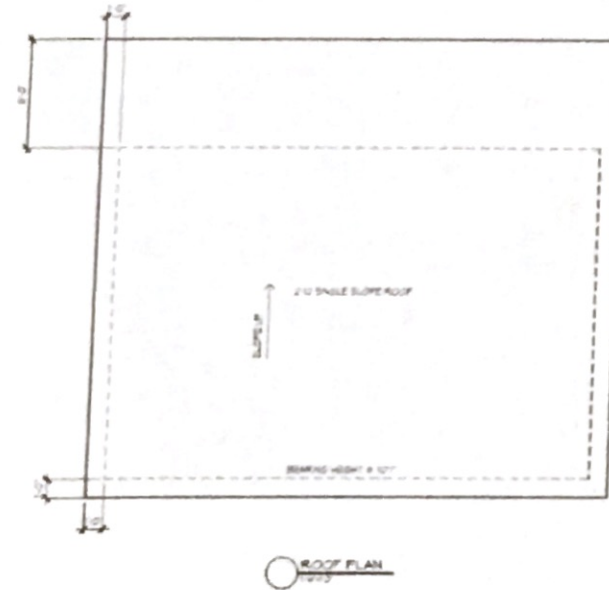
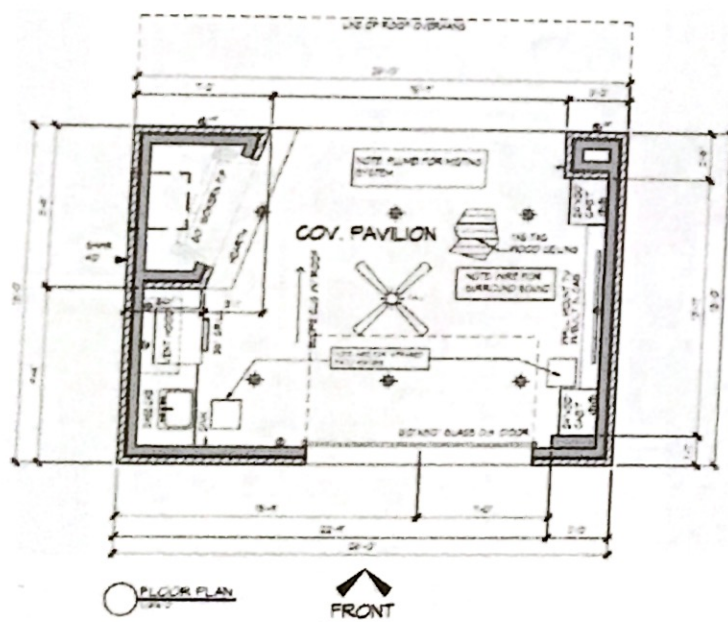
1. CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO BEGINNING CONSTRUCTION NOTIFY ARCHITECT OF ANY DISCREPANCIES IMMEDIATELY
2. CONTRACTOR TO OBSERVE ALL APPLICABLE CITY, STATE AND FEDERAL REGULATIONS
3. ALL ELECTRICAL OUTLETS AT REAR AREAS SHALL BE GRADED TO BE 6" F.I.
4. ALL ELECTRICAL OUTLETS TO BE GRADED TO BE 6" F.I.
5. ALL SLABS WITHIN 20' HORIZONTAL DISTANCE FROM EXISTING CONCRETE DRIVE SHALL BE 4" THICK
6. ALL SLABS WITHIN 20' HORIZONTAL DISTANCE FROM EXISTING CONCRETE DRIVE SHALL BE 4" THICK
7. ALL SLABS WITHIN 20' HORIZONTAL DISTANCE FROM EXISTING CONCRETE DRIVE SHALL BE 4" THICK
8. ALL SLABS WITHIN 20' HORIZONTAL DISTANCE FROM EXISTING CONCRETE DRIVE SHALL BE 4" THICK
9. ALL SLABS WITHIN 20' HORIZONTAL DISTANCE FROM EXISTING CONCRETE DRIVE SHALL BE 4" THICK
10. ALL SLABS WITHIN 20' HORIZONTAL DISTANCE FROM EXISTING CONCRETE DRIVE SHALL BE 4" THICK

SITE  
PLAN  
1" = 40'0"



218 N. WALNUT CREEK DR. MANSFIELD TEXAS 76063  
DUSTIN LINDQUIST  
ARCHITECTS

© COPYRIGHT 2010 NO. 10 DESIGN GROUP  
SHEET No.: SP-1



170787

MR AND MRS  
LINDQUIST

755 MOORE ROAD  
LOT 1 BLOCK 1  
LINDQUIST ADDITION  
MANSFIELD, TEXAS  
TARRANT COUNTY

DATE: 3-14-17 P01  
3-15-17 P02  
4-5-17 P03  
4-10-17 P04  
4-26-17  
5-22-17 REV  
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GENERAL NOTES:  
1. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE TARRANT COUNTY CLERK'S OFFICE AND THE TARRANT COUNTY ENGINEER'S OFFICE.  
2. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE TARRANT COUNTY CLERK'S OFFICE AND THE TARRANT COUNTY ENGINEER'S OFFICE.  
3. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE TARRANT COUNTY CLERK'S OFFICE AND THE TARRANT COUNTY ENGINEER'S OFFICE.  
4. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE TARRANT COUNTY CLERK'S OFFICE AND THE TARRANT COUNTY ENGINEER'S OFFICE.  
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9. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE TARRANT COUNTY CLERK'S OFFICE AND THE TARRANT COUNTY ENGINEER'S OFFICE.  
10. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE TARRANT COUNTY CLERK'S OFFICE AND THE TARRANT COUNTY ENGINEER'S OFFICE.

SHEET NO.  
CVD. PAVILION  
PLAN  
SCALE 1/4" = 1'-0"



ARCHITECTS  
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SHEET NO.  
A4-1



- Pool house (walking from the main House (residence) toward the back of property).



Pool House located  
in rear behind  
fence

- From the front side of property to house (residence), pool house is not visible.



- View of Front of property from Street. Pool house not visible from Street.



- view from the back of the property looking toward the pool house and residence.

## **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.

**ZONING BOARD OF ADJUSTMENT  
CITY OF MANSFIELD**

**June 6, 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
Sim Chatha	Board Member

**Absent:**

Michael Aguillard	Board Member
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**Staff:**

Art Wright	Planner
Delia Jones	Secretary

**Approval of Last Meeting Minutes**

Board Member Glover made a motion to approve the minutes of the May 2, 2018, meeting. Vice-Chairman Accipiter seconded the motion, which carried by the following vote:

**Ayes: 5** – Jones, Accipiter, Smith, Glover and Chatha

**Nays: 0**

**Abstain: 0**

**ZBA#18-003: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow modifications for an existing accessory building with an area of approximately 1,080 square feet and a height of approximately 19.5 feet at 1419 Waterwood Drive**

Michael Robertson, the applicant was unavailable however he did notified the board that he would be out of town.

Chairman Jones opened the public hearing.

John Bement, 1418 Waterwood, stated that he received a property owner notification on this case and he would like a better understanding of the request. Chairman Jones gave an overview of the request.

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

Chairman Jones read the criteria for approval.

Vice-Chairman Accipiter made a motion to approve the request with a note that the building cannot be used as an accessory dwelling or guest house. Board Member Glover seconded the motion, which carried by the following vote:

**Ayes: 5** – Jones, Accipiter, Smith, Glover and Chatha

**Nays: 0**

**Abstain: 0**

**ZBA#18-004: 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 1595 W. Broad Street**

Cheryl Arians, representing the applicant, gave an overview of the request and was available for questions. Mr. and Mrs. Martinez were also 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.

Board Members had concerns regarding the use of hardy plank rather than brick and requested that the applicant provide more information. Board Member Smith noted that the design of the home has the appearance and style elements of a ranch style rather than craftsman. Ms. Arians stated that the picture examples in their packet are of homes built at Broad and Main Street, and Second and Alvarado Street. Mr. Wright stated that the homes pictured are part of a PD, Planned Development zoning and were built by Mansfield Custom Homes and are exempt from the masonry requirements because the Original Town of Mansfield is exempt. Mr. Wright reminded the Board that the architectural features are integral to the building design (craftsman or ranch style) that would excuse the applicant from the 80% minimum masonry construction requirement. Chairman Jones asked the applicant when they wanted to start construction and Ms. Arians stated as soon as they get permit approval construction will begin.

Board Member Smith made a motion to deny the request. Vice-Chairman Accipiter seconded the motion. No vote was taken.

Board Member Glover made a motion to table the request to the next meeting (July 11). Board Member Chatha seconded the motion, which carried by the following vote:

**Ayes: 5** – Jones, Accipiter, Smith, Glover and Chatha

**Nays: 0**

**Abstain: 0**

Chairman Jones stated that he will be unable to attend the July 11, 2018 meeting.

### **Adjournment**

With no further business Chairman Jones adjourned the meeting at 6:40 p.m.

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Kelly Jones, Chairman

ATTEST:

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Delia Jones, Secretary