

<p style="text-align: center;"><b>AGENDA</b></p> <p style="text-align: center;"><b>ZONING BOARD OF ADJUSTMENT</b> <b>CITY OF MANSFIELD, TEXAS</b> <b>CITY COUNCIL CHAMBERS</b> <b>WEDNESDAY, NOVEMBER 7, 2018, 6:00 PM</b></p>
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**1. CALL TO ORDER**

**2. APPROVAL OF LAST MEETING MINUTES**

**3. PUBLIC HEARINGS:**

- A.** ZBA#18-008: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow modifications to an existing accessory building with an area of approximately 1,794 square feet and a height of approximately 29 feet at 1009 Redwing Court.
- B.** ZBA#18-009: Request for Special Exceptions under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 971 square feet and a height of approximately 24 feet to be located approximately 5 feet from the side property line at 2216 Cains Lane.
- C.** ZBA#18-010: Request for Special Exceptions under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 240 square feet and a height of approximately 14 feet, 9 inches, to be located approximately 7.5 feet from the rear property line at 1419 Waterwood Drive.

**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 **November 1, 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**

**July 11, 2018**

Vice-Chairman Accipiter 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:**

Robyn Accipiter	Vice-Chairman
Michael Aguillard	Board Member
Joe Glover	Board Member
Sim Chatha	Board Member
Louis Stefanos	Board Member

**Absent:**

Kelly Jones	Chairman
Ann Smith	Board Member

**Staff:**

Art Wright	Planner
Delia Jones	Secretary
Joe Smolinski	Deputy City Manager
Ashley Dierker	City Attorney

**Approval of Last Meeting Minutes**

Board Member Glover made a motion to approve the minutes of the June 6, 2018, meeting. Board Member Chatha seconded the motion, which carried by the following vote:

**Ayes: 5** – Accipiter, Glover, Aguillard, Chatha and Stefanos

**Nays: 0**

**Abstain: 0**

**ZBA#18-006: Request for a Special Exception under Section 6300.E.7 of the Zoning Ordinance to allow a detached accessory dwelling at 1836 Gertie Barrett Road**

Phillip Wambsganss, the applicant, gave an overview of the request and was available for questions.

Vice-Chairman Accipiter opened the public hearing.

Seeing no one come forward to speak, Vice-Chairman Accipiter closed the public hearing.

Vice-Chairman Accipiter read the criteria for approval.

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

**Ayes: 5** – Accipiter, Glover, Aguillard, Chatha and Stefanos

**Nays: 0**

**Abstain: 0**

**Recess into Executive Session**

Vice-Chairman Accipiter recessed the meeting of the Board into executive session under authority of Chapter 551 of the Texas Government Code at 6:18 p.m. to seek the City Attorney's advice on the following:

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.

Vice-Chairman Accipiter adjourned the executive session at 6:22 p.m.

**Reconvene into Regular Business Session**

Vice-Chairman Accipiter reconvened the regular business session at 6:25 p.m.

**ZBA#18-007: Request for a Special Exception 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**

The applicant was not available. Vice-Chairman Accipiter read the request.

Vice-Chairman Accipiter opened the public hearing.

Seeing no one come forward to speak, Vice-Chairman Accipiter closed the public hearing.

Vice-Chairman Accipiter read the criteria for approval.

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

**Ayes: 5** – Accipiter, Glover, Aguillard, Chatha and Stefanos

**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 (Tabled from the June 6, 2018, meeting)**

Board Member Glover made a motion to remove ZBA#18-004 from the table. Board Member Stefanos seconded the motion, which carried by the following vote:

**Ayes: 5** – Accipiter, Glover, Aguillard, Chatha and Stefanos

**Nays: 0**

**Abstain: 0**

Vice-Chairman Accipiter stated that the applicant has submitted a letter requesting that the case be withdrawn.

Board Member Chatha made a motion to accept the letter of withdrawal. Board Member Glover seconded the motion, which carried by the following vote:

**Ayes: 5** – Accipiter, Glover, Aguillard, Chatha and Stefanos

**Nays: 0**

**Abstain: 0**

**Adjournment**

With no further business Vice-Chairman Accipiter adjourned the meeting at 6:31 p.m.

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Robyn Accipiter, Vice-Chairman

ATTEST:

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Delia Jones, Secretary

## **ZBA COMMUNICATION**

**Agenda Date:** November 7, 2018

**Case Number:** ZBA#18-008

**Applicant:** Precision Builders, builder  
Thomas Klein, owner

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

**Zoning:** SF-12/22

**Request:** Special Exception to allow modifications to an accessory building with an area of approximately 1,794 square feet and a height of approximately 29 feet

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

**Location:** 1009 Redwing Court

### **STAFF COMMENTS**

The applicant is requesting a Special Exception to allow a pool cabana with an area of approximately 1,794 square feet and a height of approximately 29 feet. The new building will be replacing an existing pool cabana on the property. The Board may grant a Special Exception under these regulations if all of the following criteria are met:

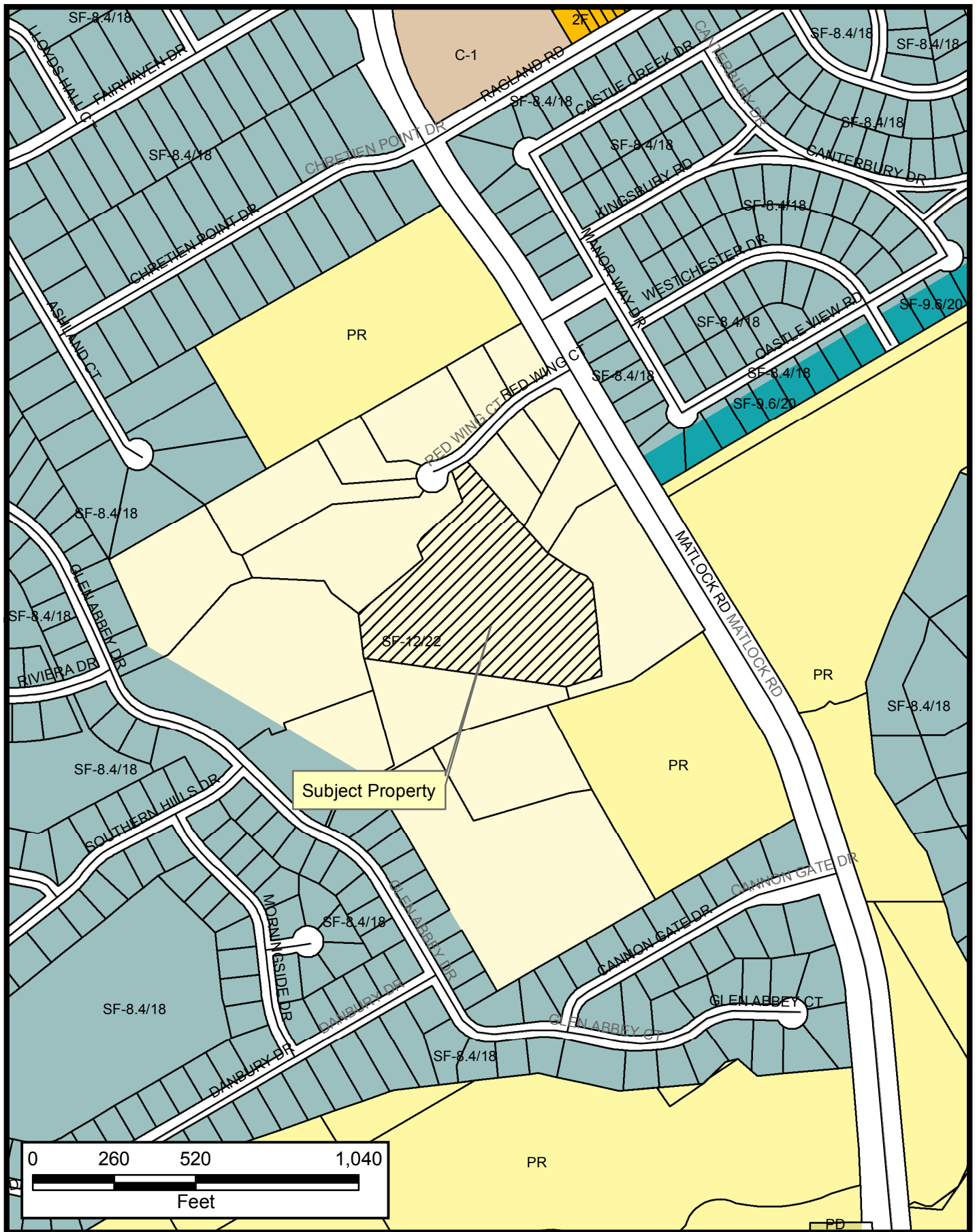
1. The building or structure must be located on a lot of one-half (0.5) acre in size or larger. According to the plat, the lot is approximately 7.23 acres in size.
2. The applicant is not requesting an exception for the total building area. Together with an existing 875 square foot well house, the new pool cabana 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 a 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 height of the cabana is approximately 29 feet.
4. The applicant is not requesting a reduction to the building setback requirements.
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#18-008**

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.

10/8/2018







City of Mansfield  
Planning and Zoning Department  
1200 E. Broad St.  
Mansfield, Texas 76063

September 16, 2018

To whom it may concern,

This is a Letter of Request for a special exemption on a pool cabana being built at 1009 Red Wing Court Mansfield. We are requesting that a special exception be made for the construction of a pool cabana under the Accessory Building Structure rule that will allow the height of the new structure to be 29' tall. Please note that the new pool cabana is REPLACING an old pool cabana of approximately the same size and in the same location as the previous cabana.

The new cabana is being built on a 7.23 acre lot. The .57% cabana size does not exceed the 4% maximum as compared to the lot requirement, and is within the "will not exceed the 35 feet in height being located on lots 2 acres or greater" rule. Additionally, the new cabana will be built in the same location as the old cabana and is approximately 130' from the rear property line, 360' from the right property line, 320' from the left property line and 65' from the closest point of the house.

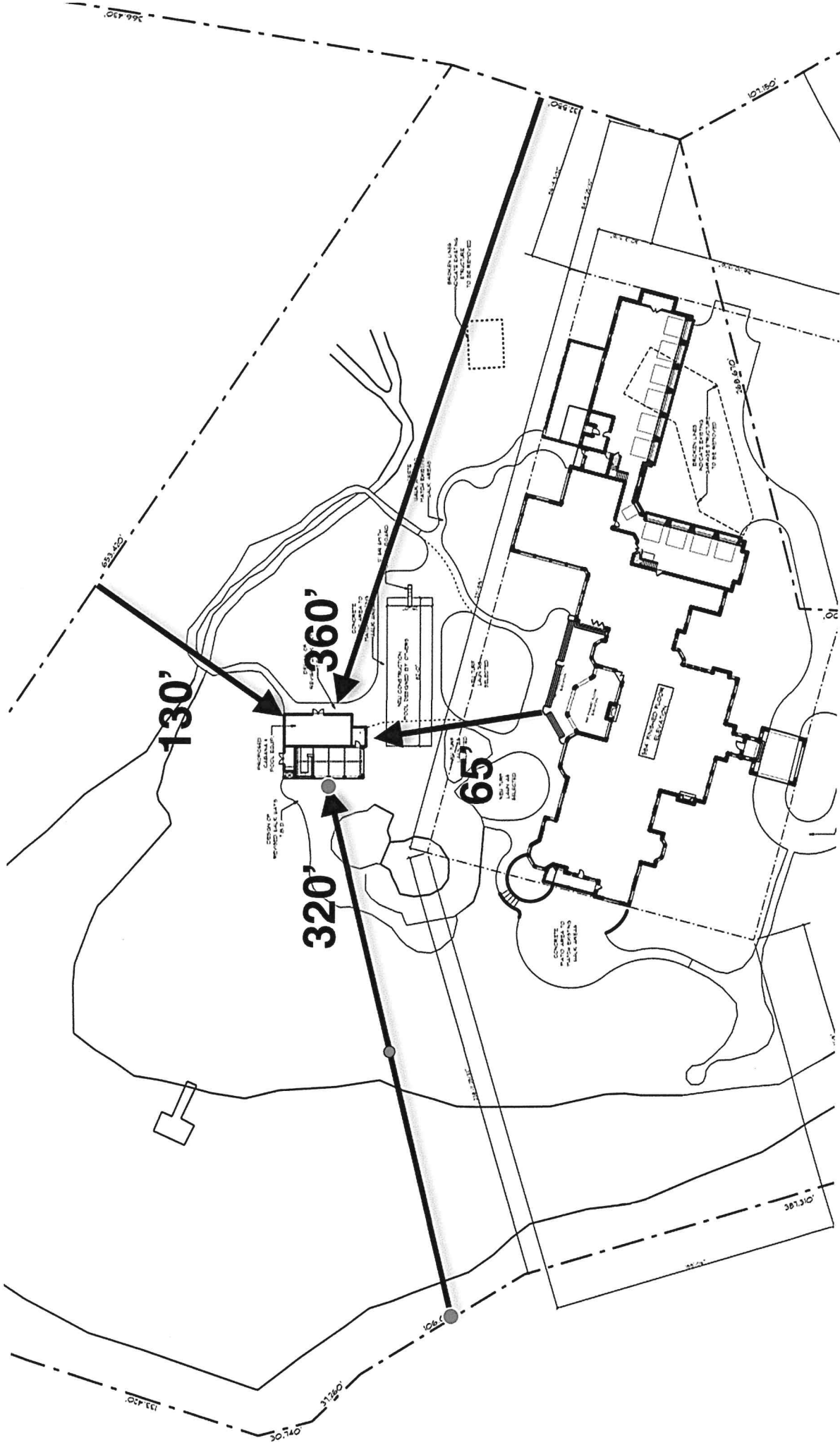
Property Size = 7.23 Acres / 314,938 Square Feet  
Pool Cabana/Accessory Building Size = 1,794 Square Feet / .57% of Property Size  
Existing Well House = 875 sqft / .28% of Property Size  
Total Accessory Building As a Percentage of Property Size = .85%

If you have any questions please contact us at 847-650-0661 or 847-975-0661.

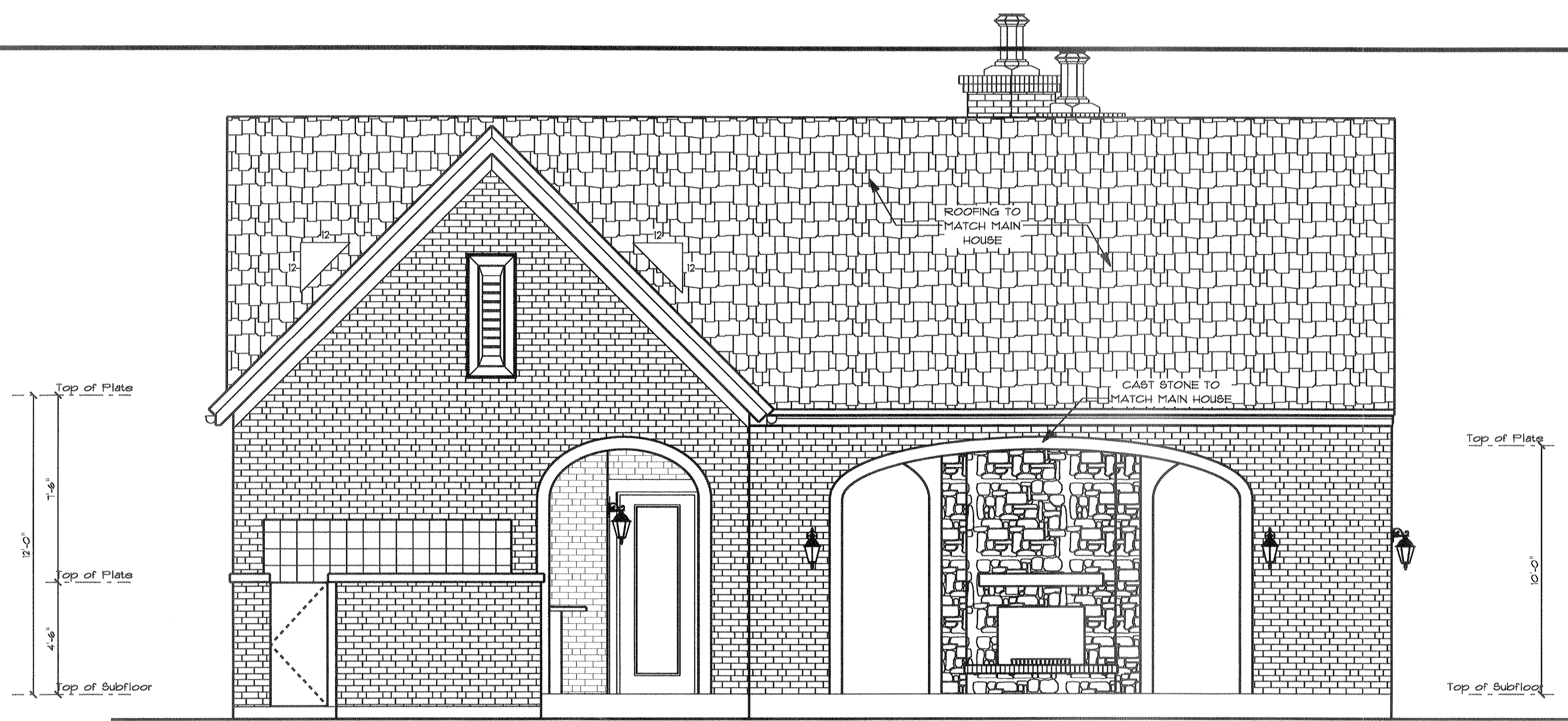
Thank You for your consideration,



Michael Cannaday  
Precision Builders  
4931 Long Praire Rd Suite 200  
Flower Mound TX 75028

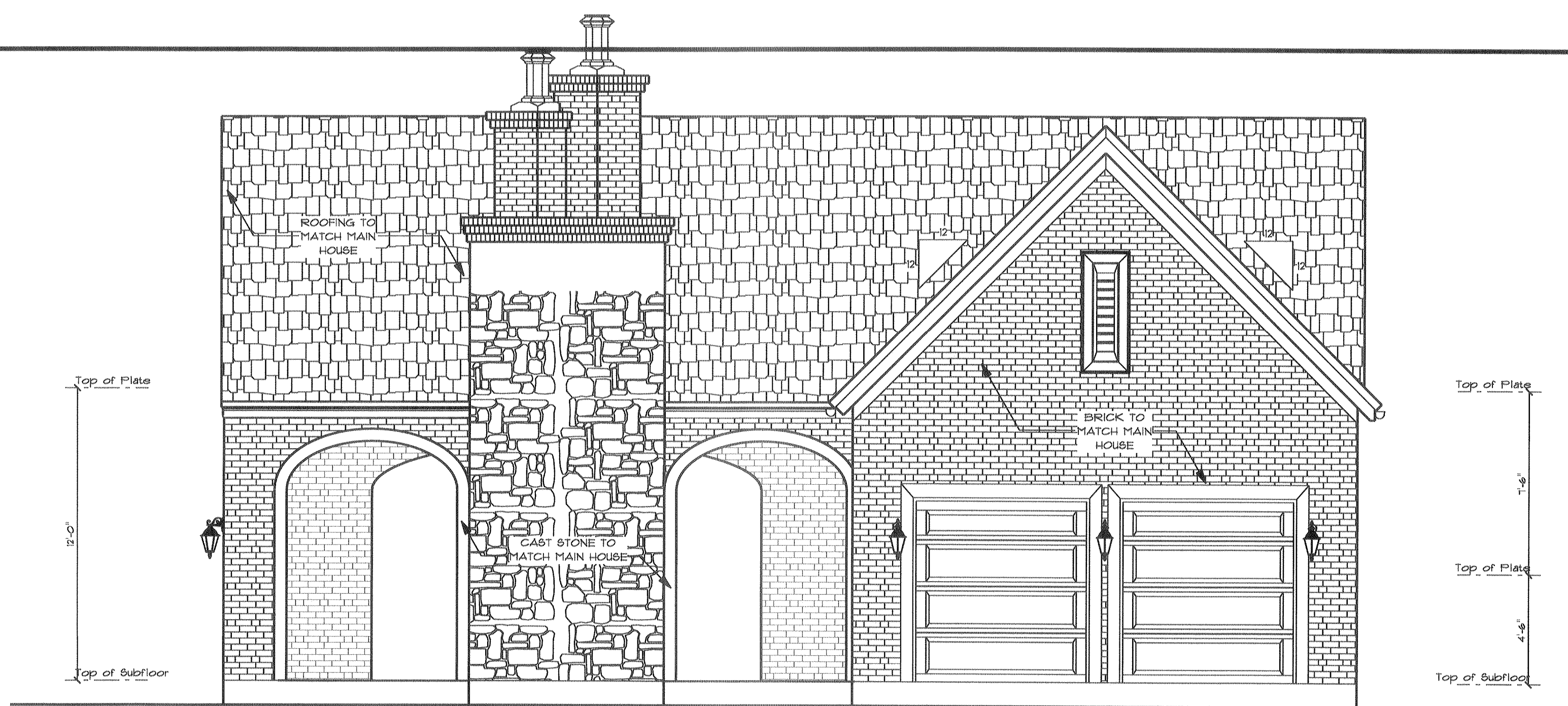






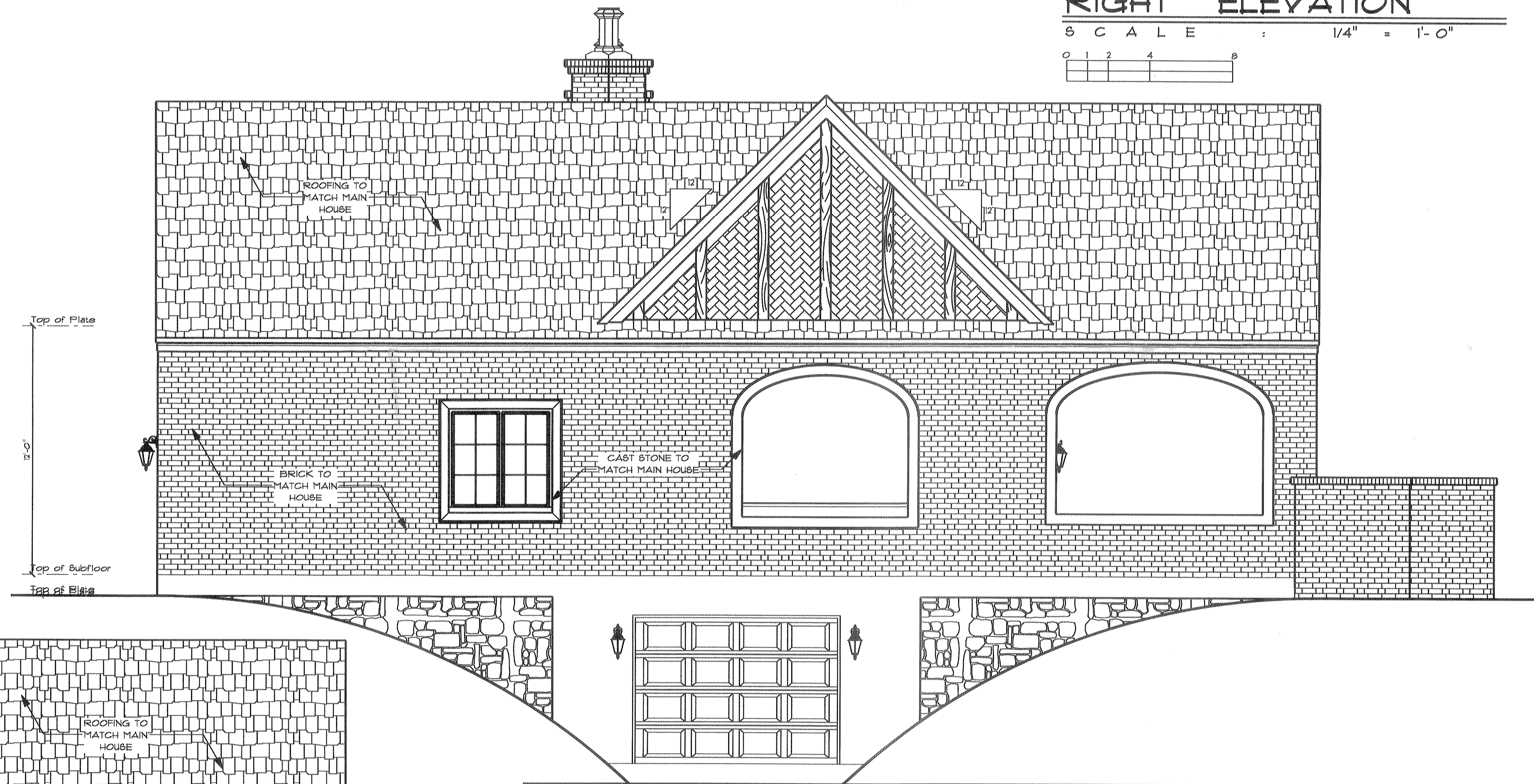
LEFT ELEVATION

SCALE : 1/4" = 1'-0"  
NOTE: 1. DRAWINGS INDICATE A 10' FLOOR SYSTEM  
2. PROVIDE WEEP HOLES @ 48" O.C.



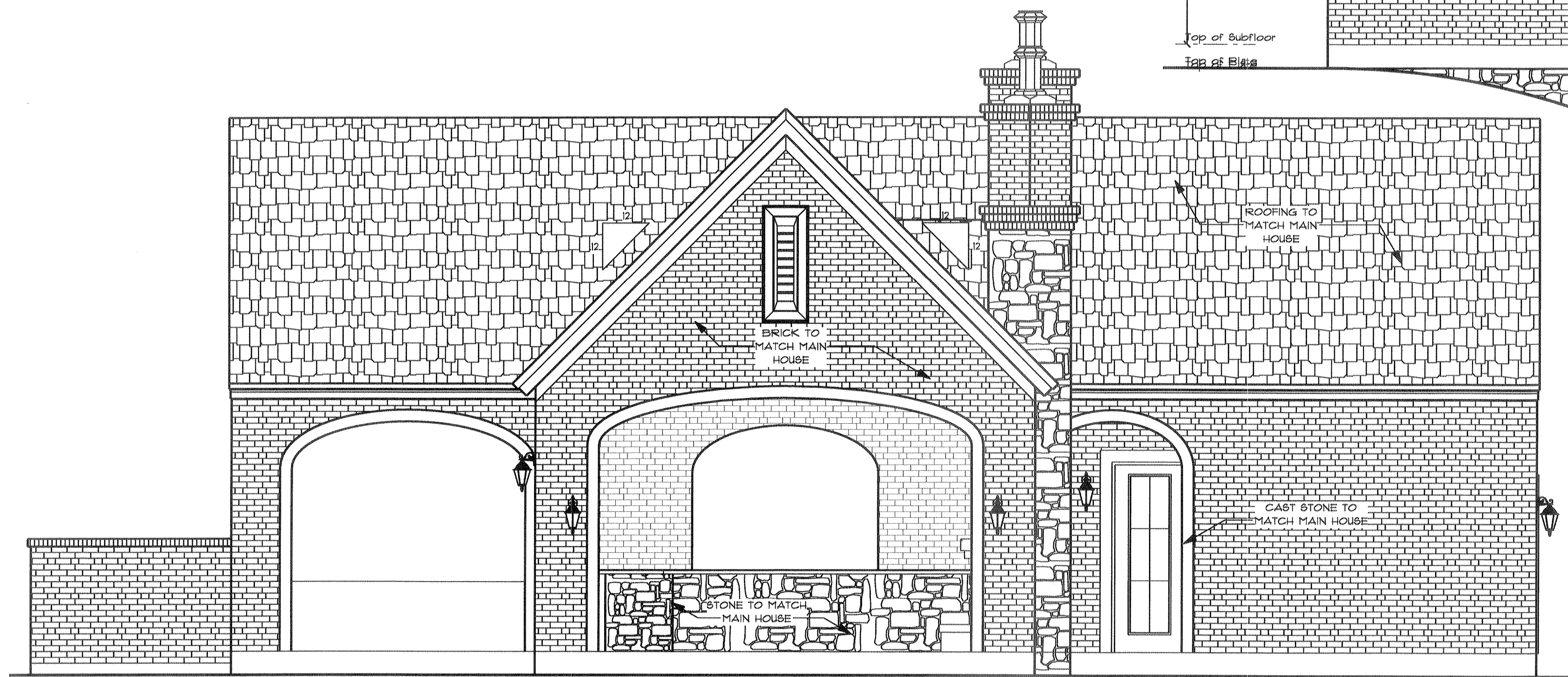
RIGHT ELEVATION

SCALE : 1/4" = 1'-0"  
NOTE: 1. DRAWINGS INDICATE A 10' FLOOR SYSTEM  
2. PROVIDE WEEP HOLES @ 48" O.C.



REAR ELEVATION

SCALE : 1/4" = 1'-0"  
NOTE: 1. DRAWINGS INDICATE A 10' FLOOR SYSTEM  
2. PROVIDE WEEP HOLES @ 48" O.C.



FRONT ELEVATION

SCALE : 1/4" = 1'-0"  
NOTE: 1. DRAWINGS INDICATE A 10' FLOOR SYSTEM  
2. PROVIDE WEEP HOLES @ 48" O.C.

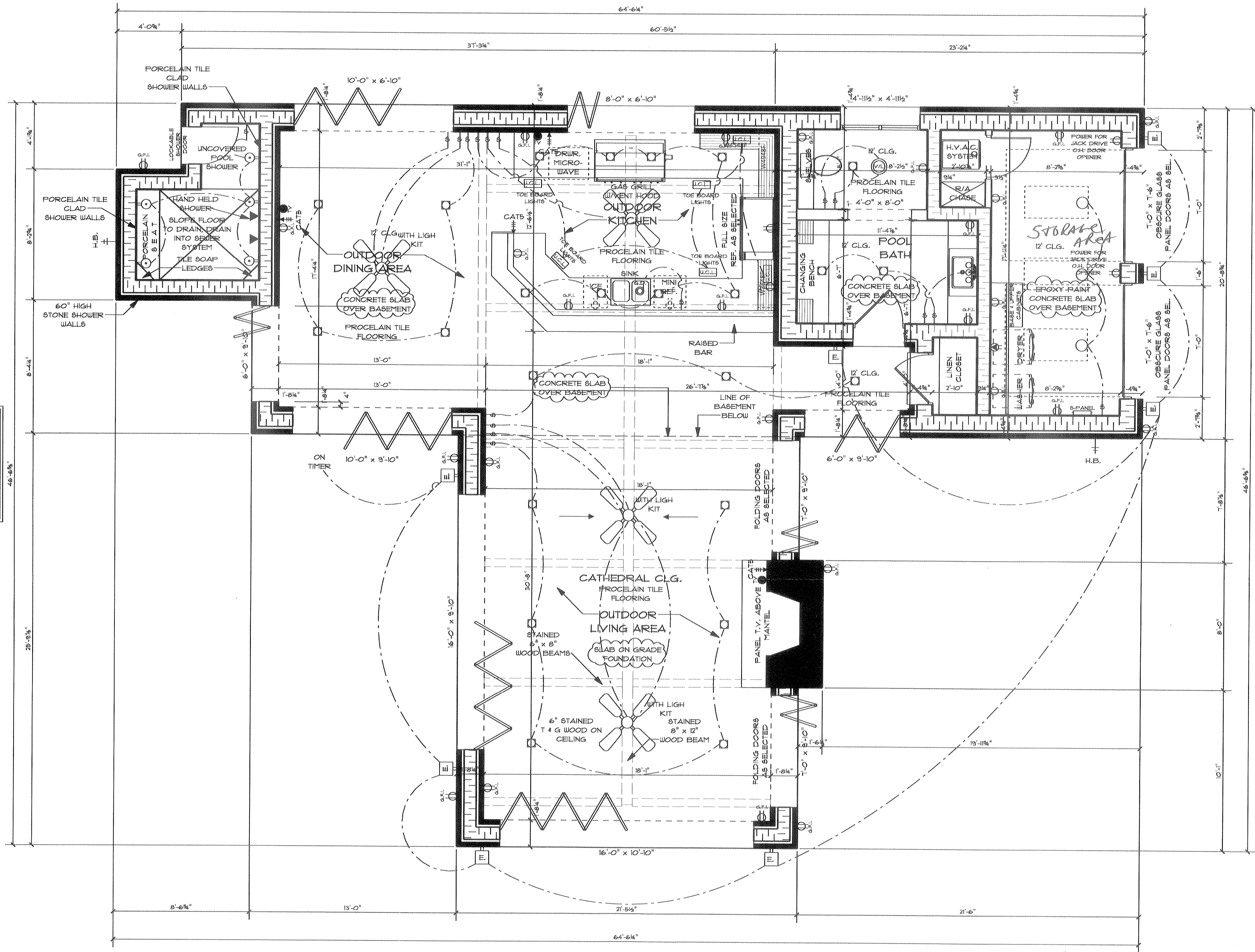






OPENING SCHEDULE				
SIZE	HINGE	REVERSED	COUNT	TYPE
3'-0" x 8'-0"	L	NO	1	DOOR
3'-0" x 8'-0"	R	YES	1	DOOR
2'-6" x 6'-8"	L	NO	1	DOOR
2'-4" x 5'-0"	R	YES	1	DOOR
4'-11 1/2" x 4'-11 1/2"	NN	NA	1	WINDOW
7'-0" x 7'-6"	U	NO	2	GARAGE

ELECTRICAL LEGEND		
ELECTRICAL	COUNT	SYMBOL
Ice Maker	1	ICE
Ref. Mini	1	MINI
Fan	4	FAN
LED 2 x 4 LIGHT	3	LED 2 x 4
Garbage Disposal	1	G.D.
Light- 6in Rec. Can	24	6" REC. CAN
Light- Elec. Lantern-1	8	ELEC. LANTERN
Light- Vanity Light	1	Vanity Light
Outlet- 110v	3	110V OUTLET
Outlet- 110v GFI	26	110V GFI OUTLET
Outlet- TV	3	TV OUTLET
Switch- Single	17	SINGLE SWITCH
Vent- Light	1	VENT. LIGHT
Light- Wall Sconce Small	5	WALL SCONCE
Outlet- CAT 5	4	CAT 5 OUTLET
Misc.- Service Panel	1	SERVICE PANEL
Light- Under Cabinet Lighting	6	UNDER CABINET LIGHTING



# PROPOSED CABANA FLOOR PLAN

SCALE : 1/4" = 1'-0"

OUTDOOR LIVING 1,391 SQ.FT.  
POOL EQUIPMENT/STORAGE 1,160 SQ.FT.  
POOL BATH 173 SQ.FT.  
GARAGE STORAGE 218 SQ.FT.  
TOTAL SLAB 1,794 SQ.FT.

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Grand Home Designs, Inc.  
817.696.0520





## **SECTION 6300.E**

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:** November 7, 2018

**Case Number:** ZBA#18-009

**Applicant:** Grossman Design Build, LLC, builder  
Robert Lemmons, owner

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

**Zoning:** SF-8.4/18

**Request:** Special Exceptions to allow an accessory building with an area of approximately 971 square feet and a height of approximately 24 feet to be located approximately 5 feet from the side property line

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

**Location:** 2216 Cains Lane

### **STAFF COMMENTS**

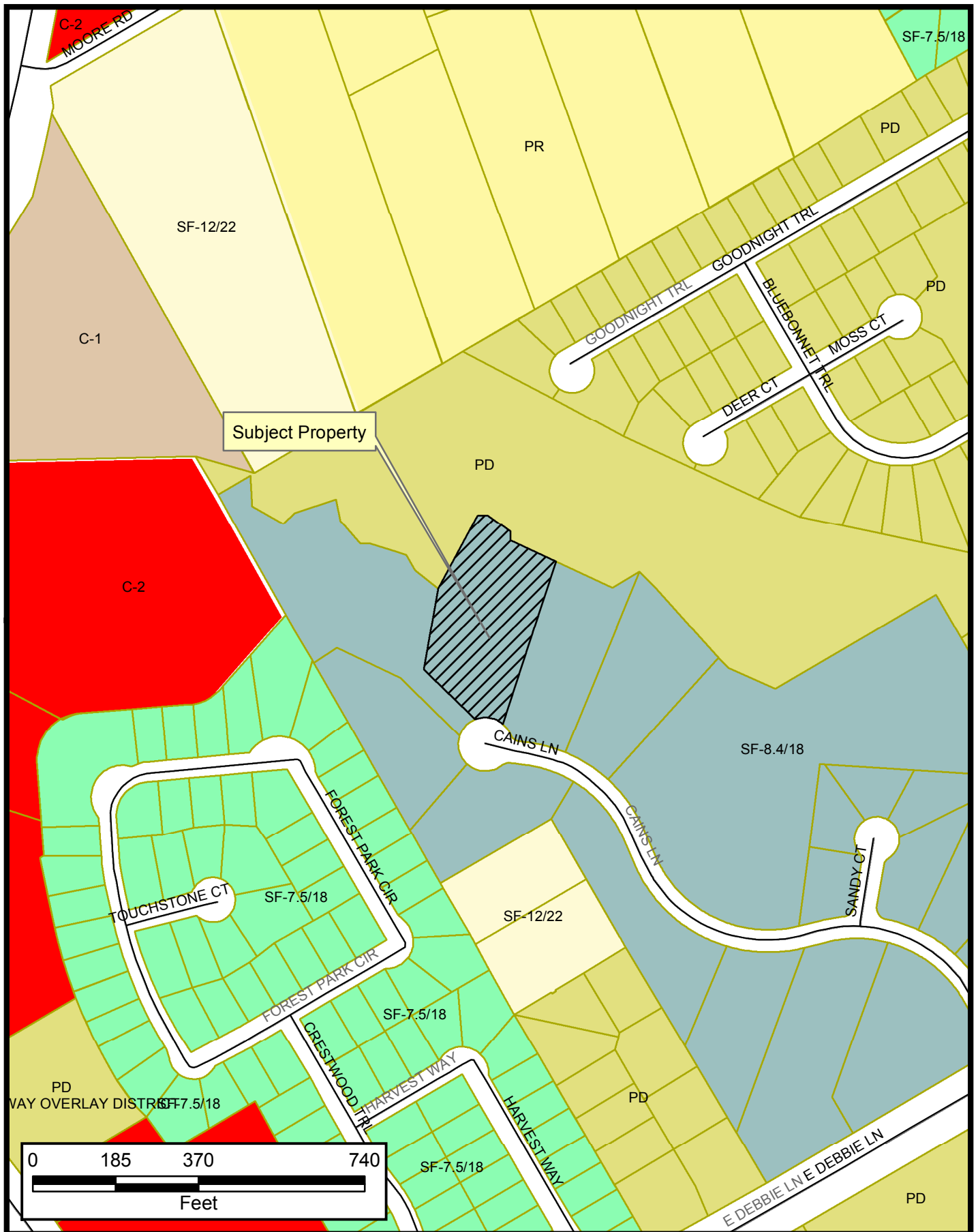
The applicant is requesting Special Exceptions to allow a RV/garage building with an area of approximately 971 square feet and a height of approximately 24 feet to be located approximately 5 feet from the side property line. The Board may grant a Special Exception under these regulations if all of the 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 applicant's survey, the lot is approximately 1.91 acres in size.
2. The applicant is not requesting an exception for the total building area. The new garage 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 a 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 height of the garage is approximately 24 feet.
4. The applicant is requesting a reduction to the building setback requirements. The minimum side setback for a structure with this height is 9 feet. The applicant is requesting a reduction in the side setback to 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:**

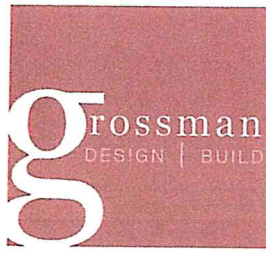
Maps and supporting information  
Site plan and exhibits  
Provisions of Section of 6300.E.6











911 EAST BROAD STREET, SUITE 120 • MANSFIELD TX 76063 • 817-473-9168

9-26-2018

City of Mansfield

Zoning Board of Adjustment

Request for Special Exemption for an Accessory Building

Request for roof ridge to be 24' maximum

Address of property is 2216 Cains Lane

Lot 8, Block 1, Pleasant Acres subdivision

Mr and Mrs Rob Lemmons, owners

### **LETTER OF REQUEST FOR SPECIAL EXCEPTION**

We are asking to be allowed to build our detached RV and garage structure a total of 24' maximum to the ridge of the building.

Our wall height of the RV garage is 14" to park the vehicle inside

We are trying to build a similar style structure as to the existing home with an existing architectural style which features a 10/12 pitch roof and dormer windows.

The existing lot size is 83,184 sq ft which is between the allowed ½ up to 2 acres use.

Our building setback is 5' from both the angled side yard property lines as per our site survey.

The approx. dimension to the street and/or front property line is +/- 90'.

Our detached building = 971 sq ft total, allowed addition is 2% of the site = 1,662 sq ft

Please refer to attached plans.

Thank you, Gary Grossman, architect and builder



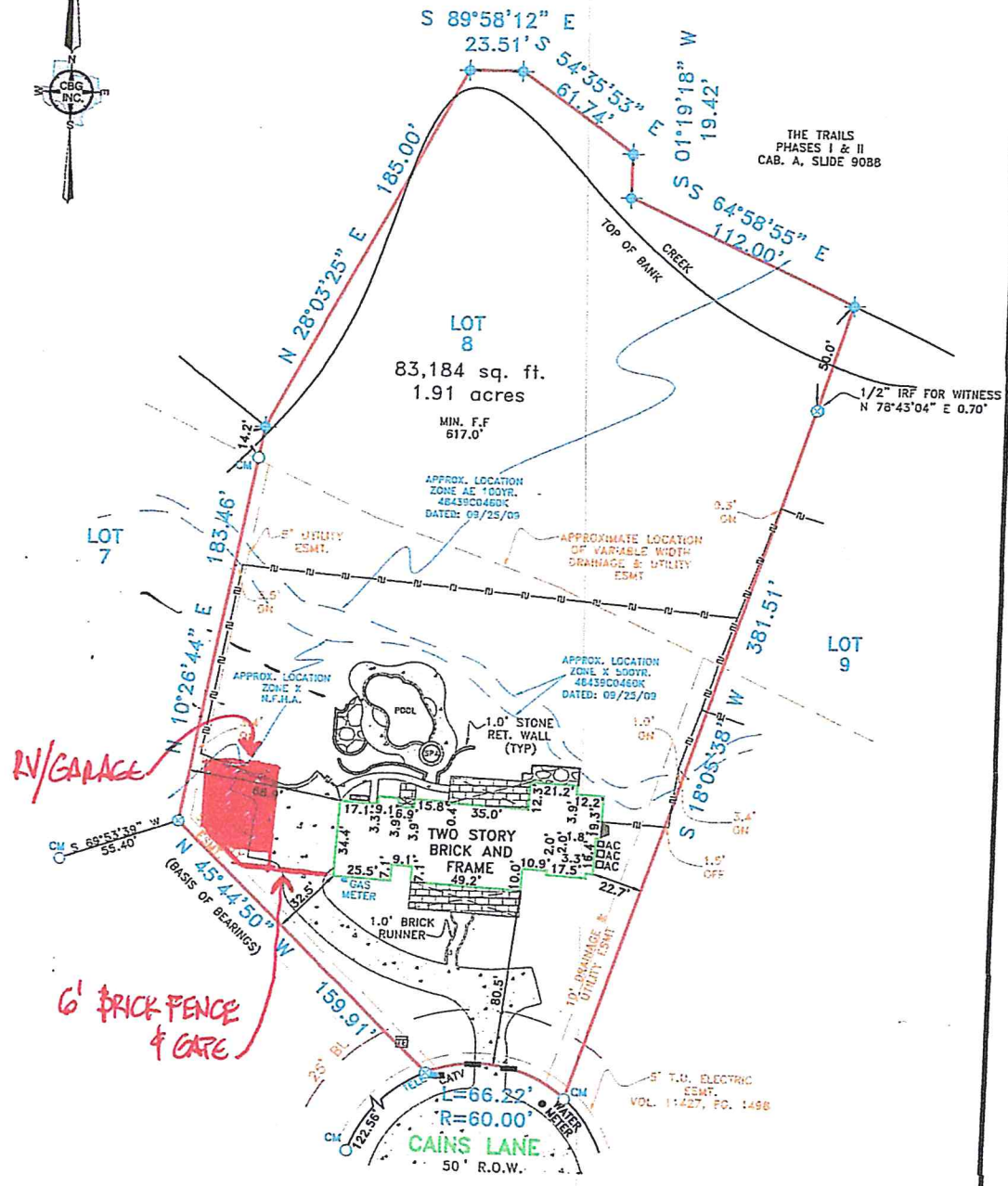
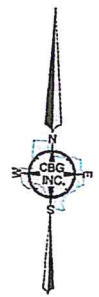
# 2210 Cains Lane

Being Lot 8, Block 1, Pleasant Acres, an Addition to the City of Mansfield, Tarrant County, Texas, according to the Plat recorded in Cabinet A, Slide 1445, Plat Records, Tarrant County, Texas



## LEGEND

- 1/2" ROD FOUND
- ⊙ 1/2" ROD SET
- ⊙ 1" PIPE FOUND
- ⊙ "X" FOUND/SET
- ⊙ POINT FOR CORNER
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- AC AIR CONDITIONER
- PE POOL
- TE EQUIPMENT
- TE TRANSFORMER PAD
- BRICK COLUMN
- POWER POLE
- ▲ UNDERGROUND ELECTRIC
- △ OVERHEAD ELECTRIC
- OHP— OVERHEAD ELECTRIC POWER
- OES— OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- W— IRON FENCE
- X— BARBED WIRE
- E— EDGE OF ASPHALT
- G— EDGE OF GRAVEL
- C— CONCRETE
- A— COVERED AREA
- B— BRICK
- S— STONE



THE TRAILS PHASES I & II CAB. A, SLIDE 9088

RV/GARAGE

6' BRICK FENCE & GATE

## EXCEPTIONS:

NOTE: PROPERTY SUBJECT TO TERMS, CONDITIONS, AND EASEMENTS CONTAINED IN INSTRUMENT RECORDED IN VOL. 6843, PG. 1341, VOL. 6843, PG. 1335

PROPOSED LOCATION- ADDITION REFER TO 1/8" PLANS

## NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

FLOOD NOTE: According to the F.I.R.M. No. 48439C0460 K, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone. Except as shown.

This survey is made in conjunction with the information provided by Old Republic National Title Insurance Company. Use of this survey by any other parties and/or for other purposes shall be at user's own risk; and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate representation of the property lines and dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Drawn By: RAH

Scale: 1" = 50'

Date: 10/27/15

GF No.: 5151005129

Job No. 1516330

C.B.G. Surveying, Inc.

12025 Shiloh Road, Ste. 230

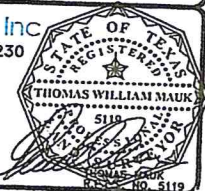
Dallas, TX 75228

P 214.349.9485

F 214.349.2216

Firm No. 10168800

www.cbgsurvey.com

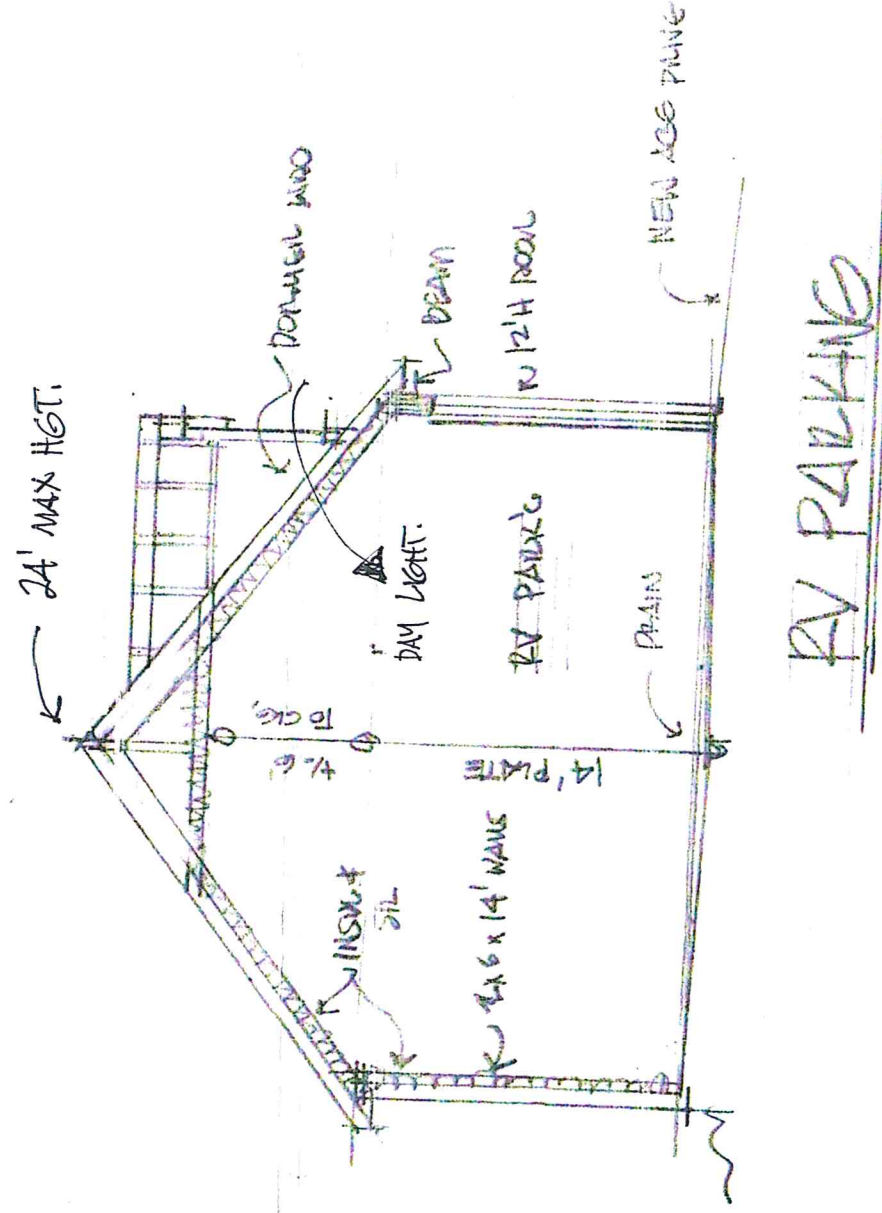
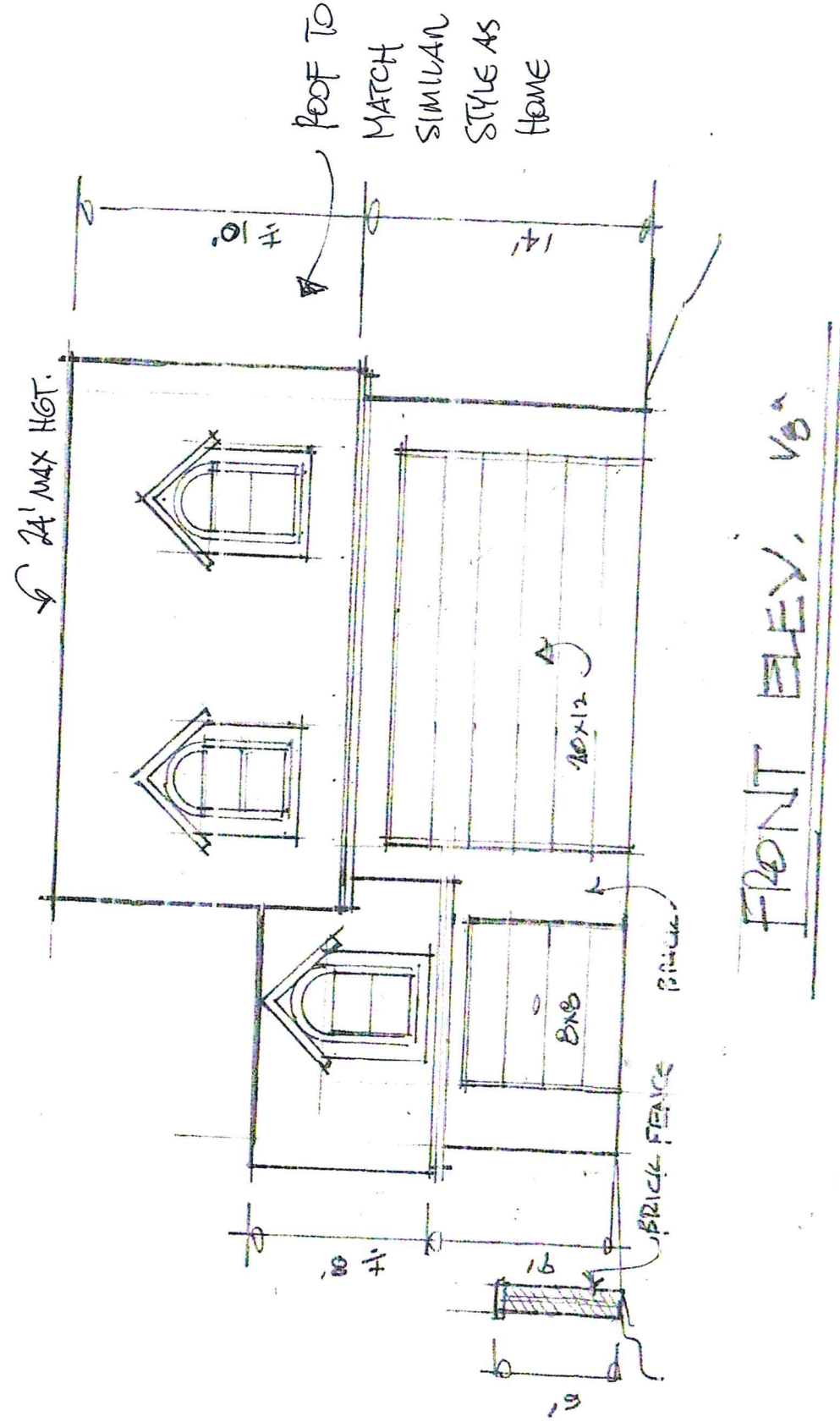


Date: \_\_\_\_\_ Accepted by: \_\_\_\_\_

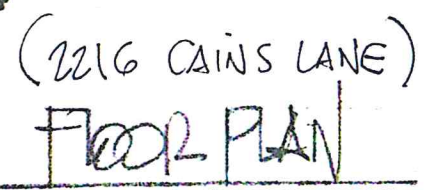
Purchaser \_\_\_\_\_

Purchaser \_\_\_\_\_





ADDITION = 971  $\phi$



rossman  
DESIGN + BUILD



## **SECTION 6300.E**

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:** November 7, 2018

**Case Number:** ZBA#18-010

**Applicant:** DFW Sheds, builder  
Roberston Intellectual Pro LLC, owner

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

**Zoning:** SF-8.4/18

**Request:** Special Exceptions to allow an accessory building with an area of approximately 240 square feet and a height of approximately 14 feet, 9 inches, to be located approximately 7.5 feet from the rear property line

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

**Location:** 1419 Waterwood Drive

### **STAFF COMMENTS**

The applicant is requesting Special Exceptions to allow a storage shed with an area of approximately 240 square feet and a height of approximately 14 feet, 9 inches, to be located approximately 7.5 feet from the rear 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 plat, the lot is approximately 0.78 acres in size.
2. The applicant requesting an exception for the total building area. The Board may approve an increase in building area up to 4% of the square footage of the property. The new shed is approximately 240 square feet. In addition, there is an existing pool house on the lot with an area of approximately 1,100 square feet. The two buildings will have a total area of approximately 1,340 square feet, or 3.94% of the property area.
3. The applicant is requesting an exception for the building height. The maximum height allowed for a 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 height of the shed is approximately 14 feet, 9 inches.
4. The applicant is requesting a reduction to the building setback requirements. The minimum rear setback for a structure with this height is 11.5 feet. The applicant is requesting a reduction in the rear setback to 7.5 feet.
5. The Board must find that there will be no negative impact to abutting properties.

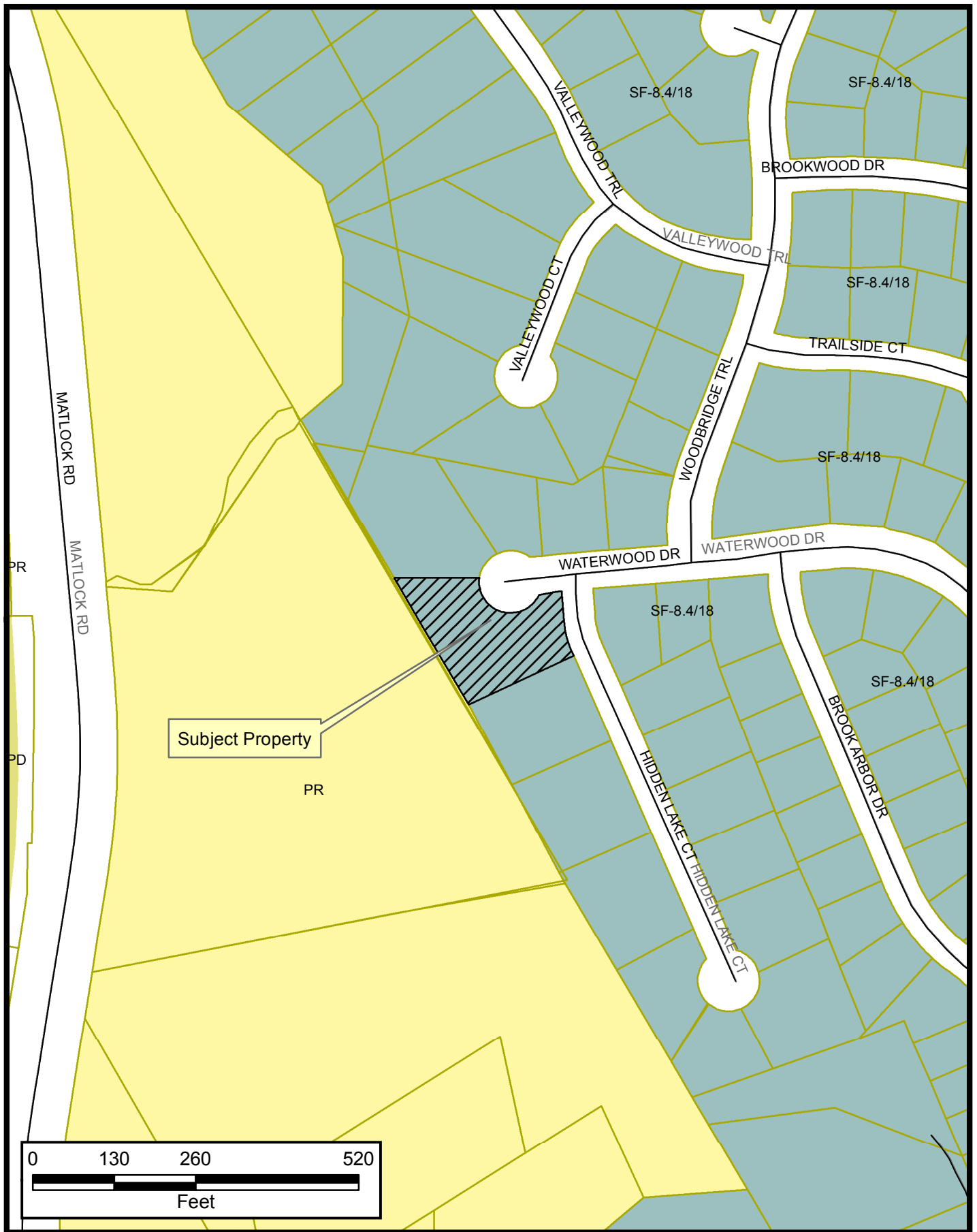
Please note that the accessory building regulations are intended to restrict tall or large accessory buildings from being located too close to property lines. To this end, the Board may establish conditions with respect to the maximum area, height and setbacks of the accessory building. If approved,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

**Attachments:**

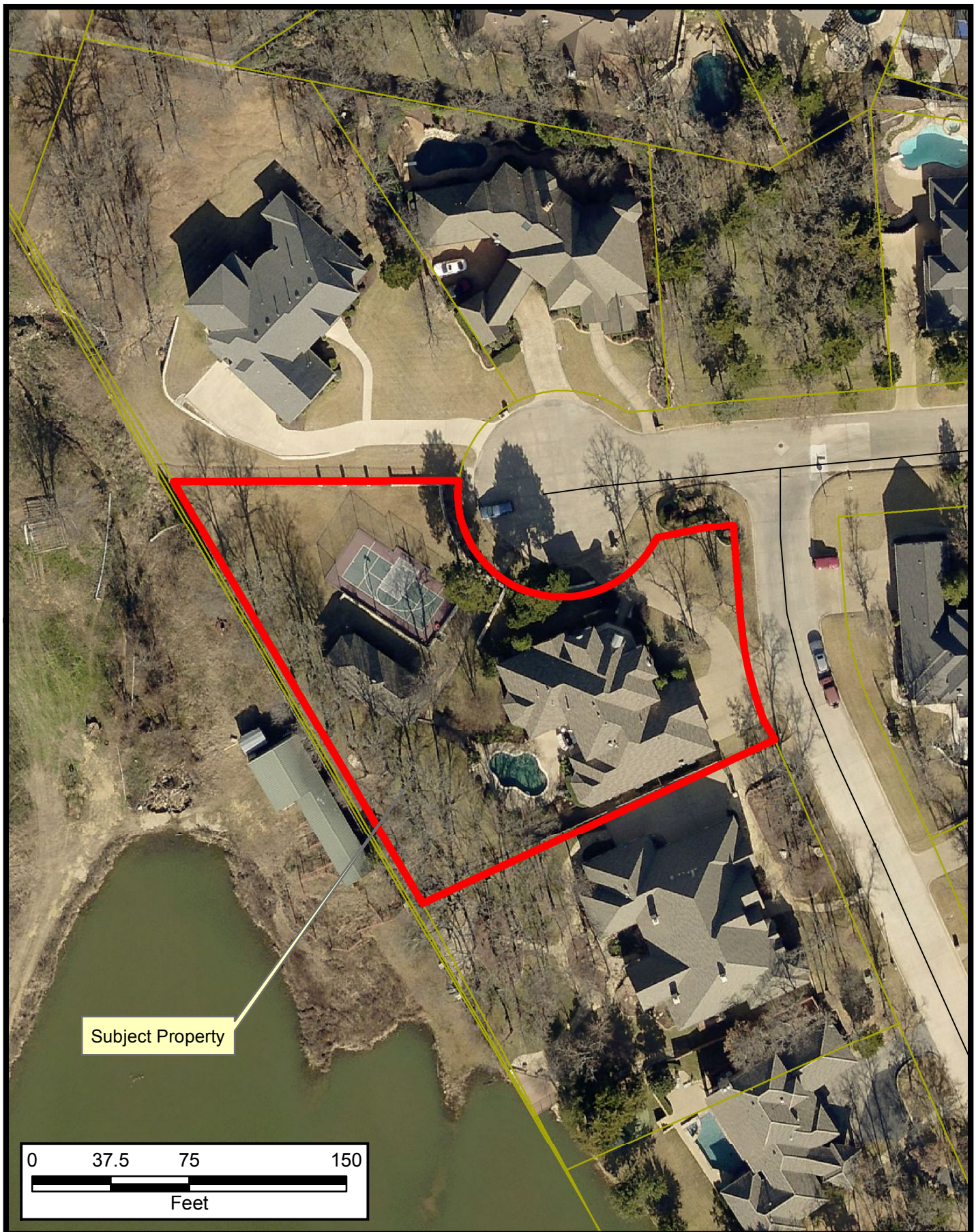
Maps and supporting information

Site plan and exhibits

Provisions of Section of 6300.E.6







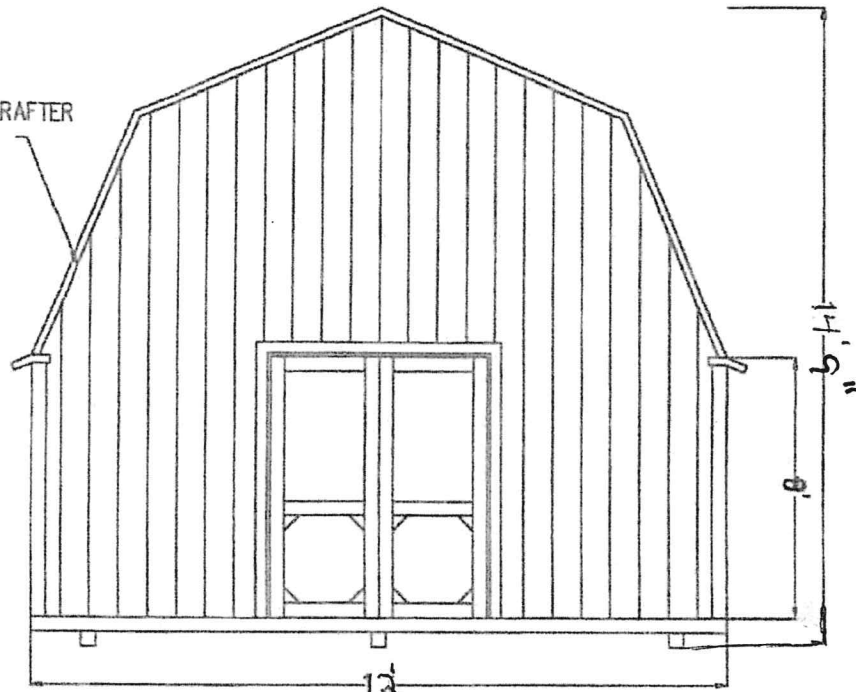


**Special Exception Request For Accessory Storage Building At: 1419 Waterwood Dr.**

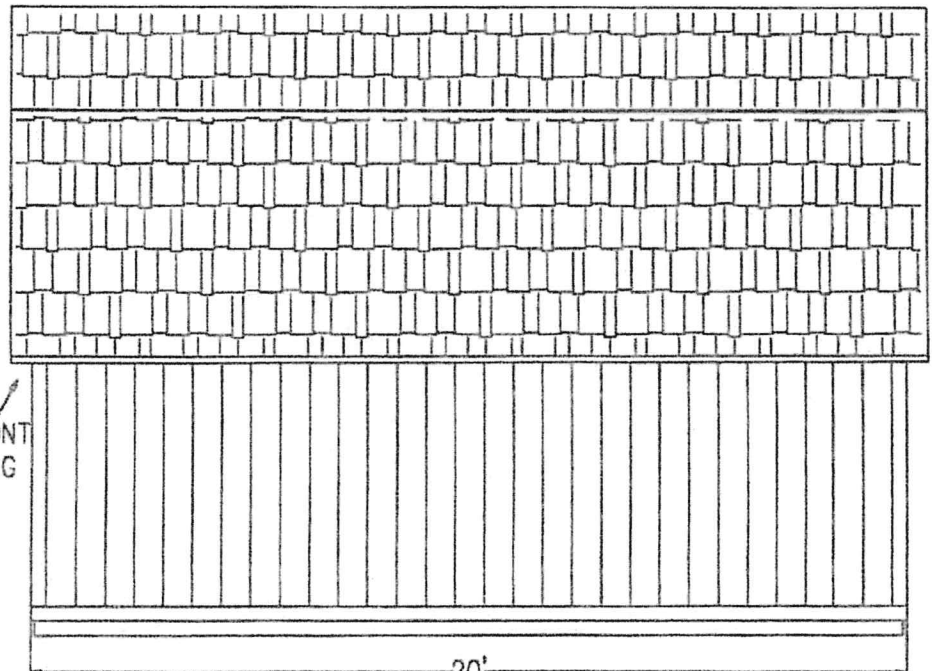
- 1.) Property is on .78 acres.
- 2.) We are requesting a special exception for a 240 sq.ft. storage building – basically the square footage increase in building area exception to the allowable 4% coverage of the specified lot. There is approximately 261 sq.ft. available left for use to reach the 4% max limit based on lot size - there is an existing 1100 sq.ft pool house, thus the lot allows up to 1361 sq.ft.
- 3.) We are requesting a special exception for the height of the storage building to be up to 14' 9" vs. the 12' stipulated, based on the size of the lot. The exception allowance would up to but not exceeding 24'.
- 4.) We are requesting a special exception for the reduction for the minimum setback requirement, based on storage building height, from 11.5' to 7.5' which is the mandatory back property line setback, as the normal setback would encroach into existing trees on the property.

**SURVEY ONLY VALID WITH ORIGINAL SIGNATURE**

2 x 6 FLY RAFTER



FRONT ELEVATION



SIDE ELEVATION

12' x 20' BONANZA  
8' Side Walls



## **SECTION 6300.E**

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.