



# CITY OF MANSFIELD

1200 E. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## Meeting Agenda Zoning Board of Adjustments

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Wednesday, April 1, 2020

6:00 PM

City Hall Council Chambers

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1. **CALL TO ORDER**

2. **APPROVAL OF MINUTES**

[20-3511](#) Approval of Last Meeting Minutes

3. **PUBLIC HEARINGS**

[20-3510](#) ZBA#20-002: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 576 square feet at 509 N. Parkridge Dr.; Shawn Malley, property owner/applicant

**Attachments:** [Maps and supporting information.pdf](#)

[Site plan and exhibits.pdf](#)

[Section 6300.E.6.pdf](#)

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 March 26, 2020, 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.



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## STAFF REPORT

File Number: 20-3511

Agenda Date: 4/1/2020

Version: 1

Status: Approval of Minutes

In Control: Zoning Board of Adjustments

File Type: Meeting Minutes

### ZONING BOARD OF ADJUSTMENT CITY OF MANSFIELD

February 5, 2020

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
Michael Aguillard	Board Member
Ann Smith	Board Member
Joe Glover	Board Member
Darryl Haynes	Board Member

**Absent:**

None

**Staff:**

Art Wright	Planner
Delia Jones	Secretary
Tom Brandt	TML Attorney
Steve Henninger	TML Attorney

Chairman Jones called the meeting to order at 6:00 p.m.

**Approval of Last Meeting Minutes**

Board Member Glover made a motion to approve the minutes of the October 30, 2019, meeting. Board Member Aguillard seconded the motion, which carried by the following vote:

**Ayes:** 5 - Jones, Accipiter, Glover, Aguillard and Haynes  
**Nays:** 0  
**Abstain:** 0

**ZBA#20-001: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 864 square feet and a height of approximately 24 feet, at 907 Corto Drive**

Alberto Garcia, the applicant, gave an overview of the request and was available for questions. Rob Clardy, builder, was also available for questions.

Chairman Jones opened the public hearing.

Christine Stegmiller stated that she has concerns about where additional cars will be parked

### **Rebuttal**

Mr. Gardia stated that no additional cars will be parked there and added that would be against HOA rules.

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

Chairman Jones read the criteria for approval.

Board Member Glover made a motion to approve the request. Vice-Chairman Accipiter seconded the motion, which carried by the following vote:

**Ayes:**        5 - Jones, Accipiter, Aguillard, Glover and Haynes  
**Nays:**        0  
**Abstain:**    0

Board Member Smith arrived at the meeting for Executive Session.

### **Recess into Executive Session**

Chairman Jones recessed the meeting of the Board into executive session under authority of Chapter 551 of the Texas Government Code at 6:15 p.m. to seek the City Attorney's advice on the following:

Pending Litigation on Cause No. 4:19-cv-00944-O, Kirk Laney v. Mansfield Zoning  
Board of Adjustment and City of Mansfield

### **Reconvene into Regular Business Session**

Chairman Jones reconvened the regular business session at 6:57 p.m.

### **Adjournment**

With no further business Chairman Jones adjourned the meeting at 6:58 p.m.

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Kelly Jones, Chairman

ATTEST:

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Delia Jones, Secretary



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## STAFF REPORT

File Number: 20-3510

Agenda Date: 4/1/2020

Version: 1

Status: Public Hearing

In Control: Zoning Board of Adjustments

File Type: Zoning Board  
Request

### ZBA COMMUNICATION

**Subject:** ZBA#20-002: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 576 square feet at 509 N. Parkridge Dr.; Shawn Malley, property owner/applicant

### STAFF COMMENTS

The applicant is requesting a Special Exception to allow an accessory building for storage and a workshop with an area of approximately 576 square feet and a height of approximately 24 feet. There is an existing storage building on the property that will be removed. The property is zoned SF-7.5/12, Single-Family Residential District.

The Board may grant a Special Exception under Section 6300.E.6 if the following criteria are met:

1. The building must be located on a lot of 12,000 square feet in size or larger. According to the plat, the property is 14,820 square feet.
2. The applicant is requesting an exception for the building area. The proposed building will exceed 2% of the square footage of the lot or tract for accessory structures. The Board may approve an increase in building area up to 4% of the square footage of the property. The applicant is requesting a building with an area of approximately 576 square feet, or 3.89% of the property area. The applicant states in his letter that the existing shed will be removed before the new building is constructed.
3. The applicant is not requesting an exception for the building height. Unless the lot is at least one-half acre in size, the maximum height allowed for a accessory building is 12 feet. The proposed building will comply with the 12-foot height limitation.
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

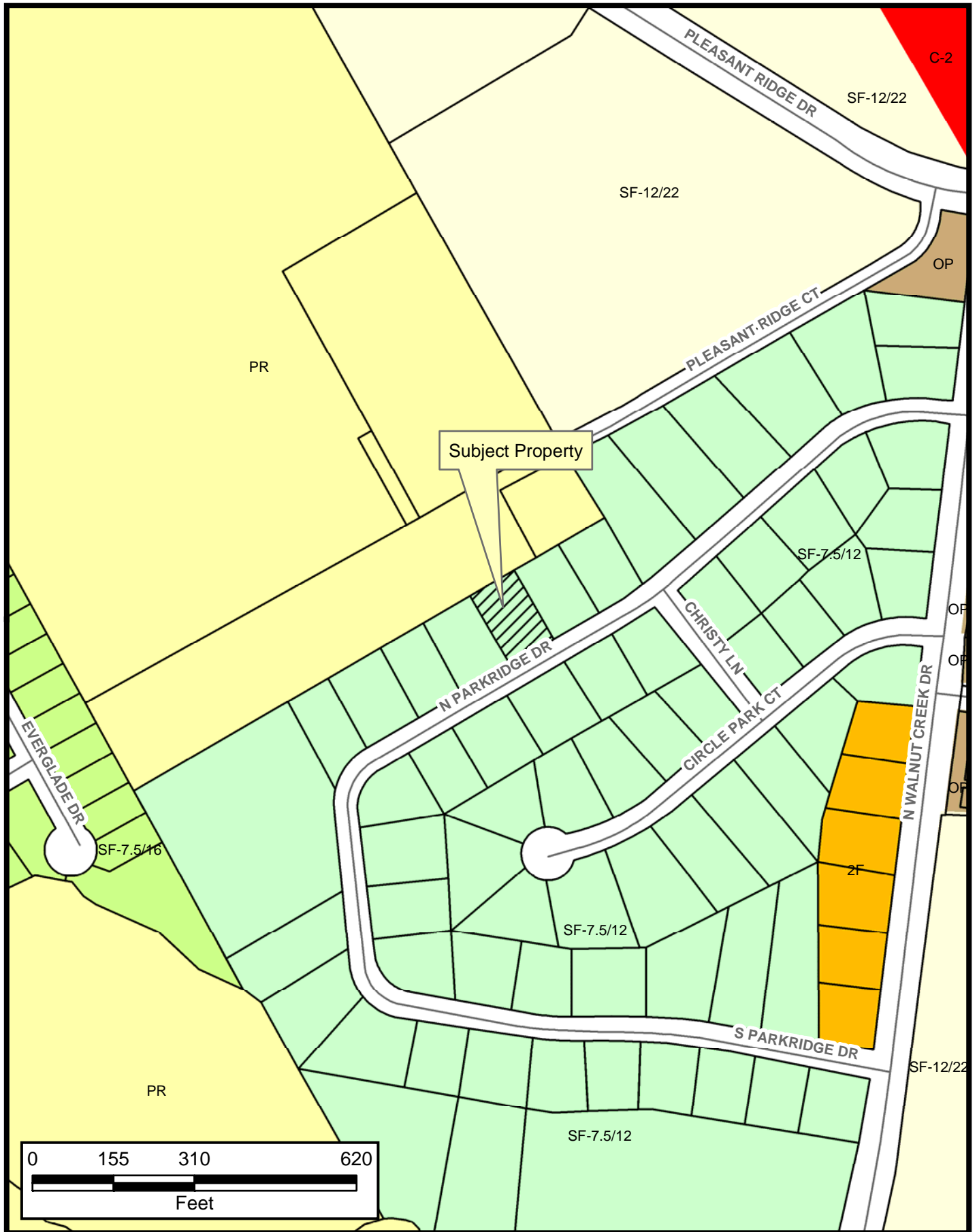
Site plan and exhibits

Provisions of Section of 6300.E.6



**ZBA#20-002**





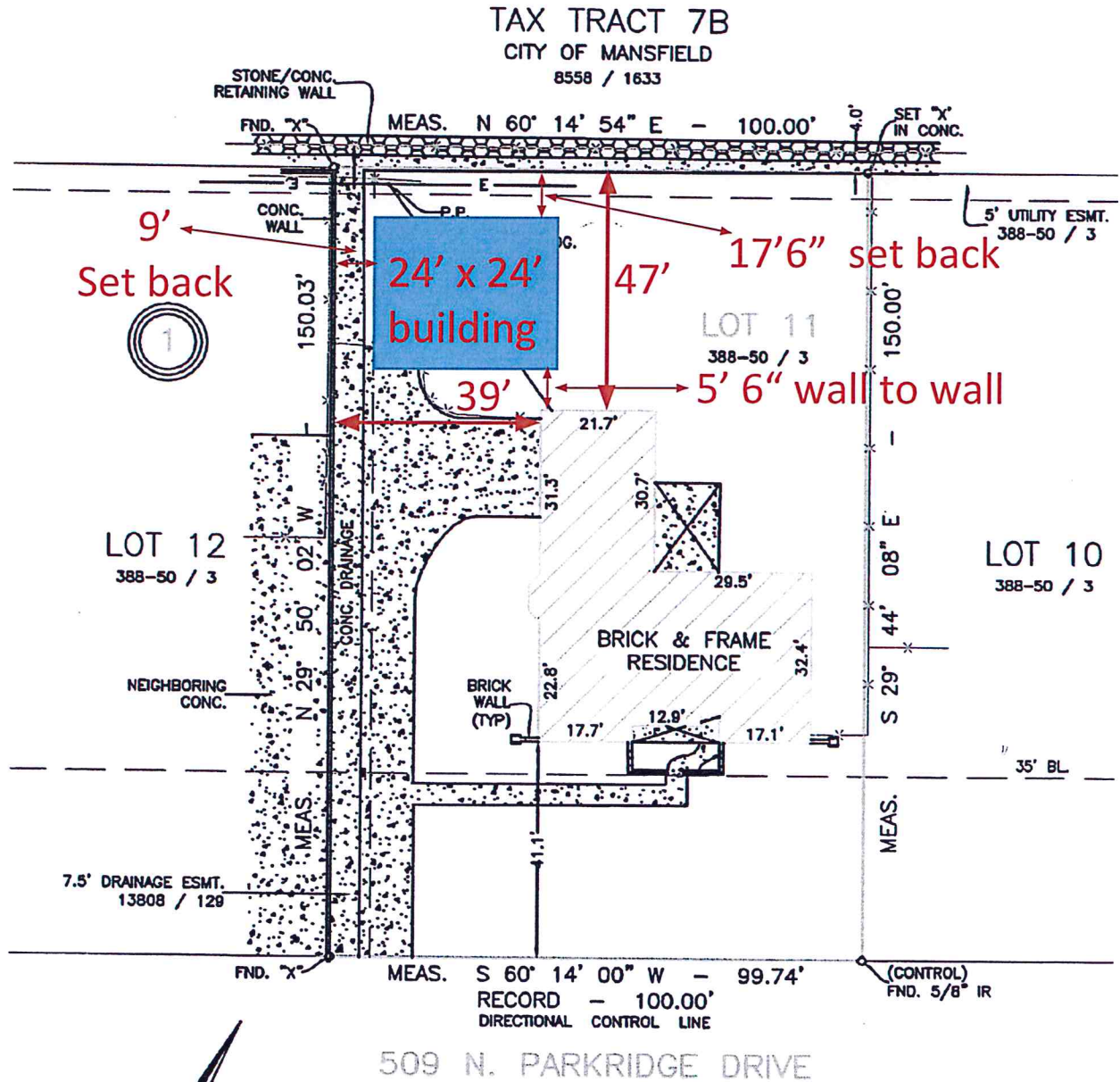
**ZBA#20-002**

# Proposal Request

Request for variance is for the size and height of the proposed building of 24' x 24' with a roof line of 12'. The building will be constructed within all city easements. Exterior paint and shingles will match current residence. Total square footage of the lot is 14,820.



# Proposed location on current Survey



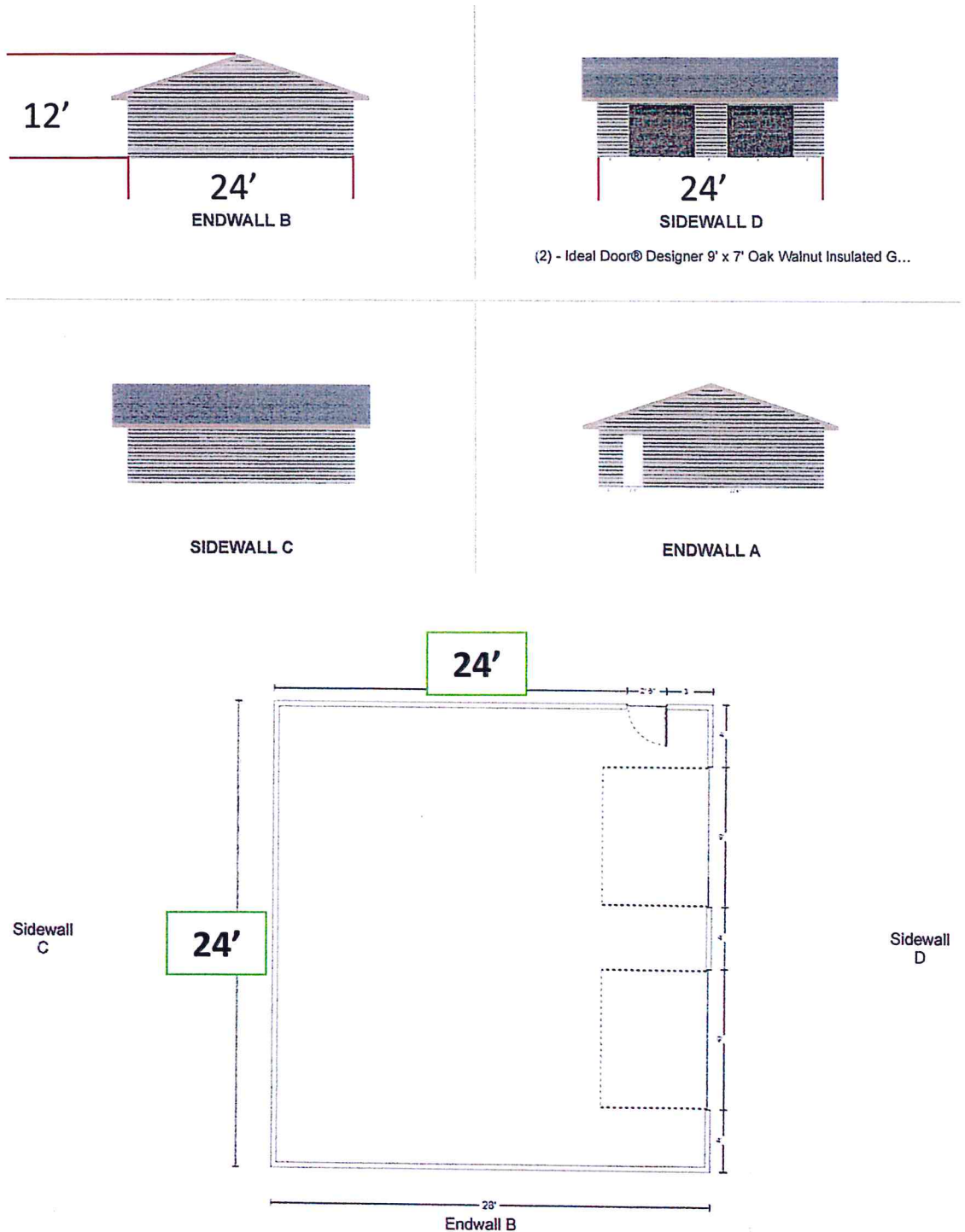
SCALE: 1" = 30'

SURVEYORS CERTIFICATION

	BOUNDARY LINE
	BUILDING
	OVERHEAD UTILITIES
	FENCE
	BRICK
	WOOD DECK
	CONCRETE

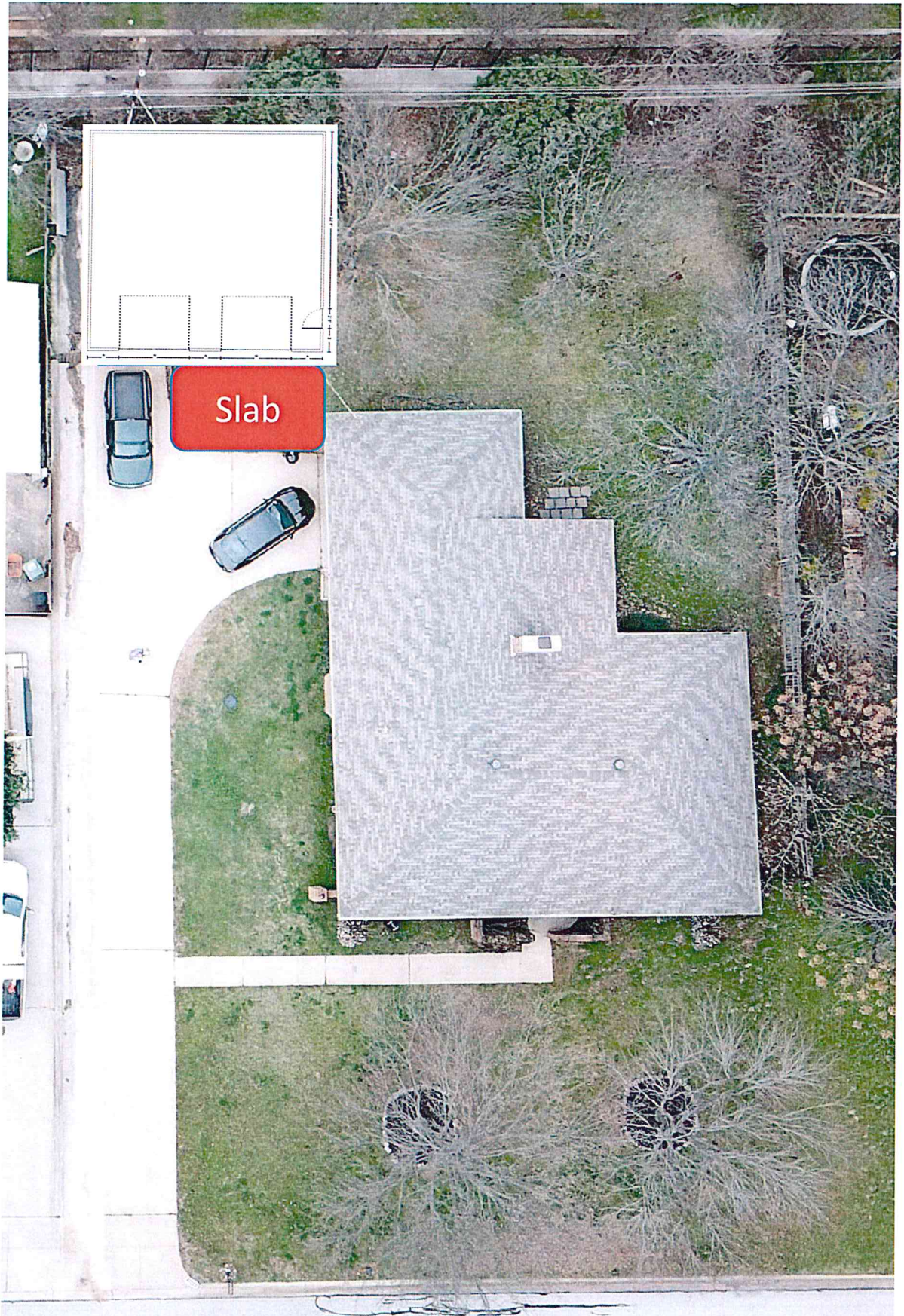
**LEGEND**

# Design Concept





# Ariel View of Proposed Location





# Ariel view of property



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

6. An increase in the maximum allowable area or height, or a reduction in 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 twelve thousand (12,000) square feet 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.