



CITY OF MANSFIELD

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

Meeting Agenda - Final Zoning Board of Adjustments

Wednesday, July 7, 2021

6:00 PM

City Hall Council Chambers

1. **CALL TO ORDER**

2. **APPROVAL OF MINUTES**

[21-4100](#) Minutes - Approval of the May 5, 2021 Zoning Board of Adjustments Meeting Minutes

Attachments: [Meeting Minutes 05-05-2021.pdf](#)

3. **PUBLIC HEARINGS**

[21-4097](#) ZBA#21-003: Request for a Special Exception under Section 155.082(E) (6) of the Code of Ordinances to allow an accessory building with an area of approximately 2607 square feet and a height of approximately 16 feet at 2315 Chaparral Trail Drive; Darrell and Dee Murphy, owners

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

[Site plan and exhibits.pdf](#)

[Section 155.082\(E\)\(6\).pdf](#)

[21-4098](#) ZBA#21-004: Request for a variance to Section 155.095(C)(2) of the Code of Ordinances to allow a reduction of the minimum lot width from 120 feet to approximately 111.3 feet and to allow a reduction of the minimum 40 foot side yard setback at 905 N Main St.; Michael Duke, owner/applicant

Attachments: [Maps and Supporting Information.pdf](#)

[Site Plan and Exhibits.pdf](#)

[Provisions of Section 155.095\(C\)\(2\).pdf](#)

- [21-4099](#) ZBA#21-005: Request for a Special Exception under Sec 155.101(I) of the Code of Ordinances, Antenna Facility Siting Matrix, of the Code of Ordinances to allow an increase in height of an existing monopole telecommunications tower to approximately 89 feet 1 inch on property within the "FC" Full Commercial land use threshold at 1871 Country Club Road; Janice Manley on behalf of SBA Network Services, applicant

Attachments: [Maps and Supporting Information.pdf](#)

[Site Plan and Exhibits.pdf](#)

[Provisions of Section 155.100.pdf](#)

- [21-4151](#) ZBA#21-006: Request for a variance to Section 155.055(B)(1) of the Code of Ordinances allow a reduction of the minimum lot width from 90 feet to approximately 88 feet at 909 North St.; Luis Alegria, owner/applicant

Attachments: [Maps and Supporting Information.pdf](#)

[Site Plan and Exhibits.pdf](#)

[Provisions of Section 155.055\(B\)\(1\).pdf](#)

- [21-4152](#) ZBA#21-007: Request for Special Exceptions under Sec 155.082(E)(6) of the Code of Ordinances to allow an accessory building with an area of approximately 2,280 square feet and a height of approximately 18 feet at 1563 Matlock Rd; Janice Lilly, applicant; Danny Green, property owner

Attachments: [Maps and Supporting Information.pdf](#)

[Site Plan and Exhibits.pdf](#)

[Section 155.082\(E\)\(6\).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 June 29, 2021, in accordance with Chapter 551 of the Texas Government Code.

Jennifer Johnston, Development Coordinator

* 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.



CITY OF MANSFIELD

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STAFF REPORT

File Number: 21-4100

Agenda Date: 6/2/2021

Version: 1

Status: Approval of Minutes

In Control: Zoning Board of Adjustments

File Type: Meeting Minutes

Agenda Number:

Title

Minutes - Approval of the May 5, 2021 Zoning Board of Adjustments Meeting Minutes

Description/History

The minutes of the May 5, 2021 Zoning Board of Adjustments meeting are in DRAFT form and will not become effective until approved by the Board at this meeting.



CITY OF MANSFIELD

1200 E. Broad St.
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Meeting Minutes - Draft

Zoning Board of Adjustments

Wednesday, May 5, 2021

6:00 PM

City Hall Council Chambers

This meeting was open to the public and conducted by video conferencing with access to the public.

1. CALL TO ORDER

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:

Staff:

Art Wright, Planner II

Jennifer Johnston, Development Coordinator

Board Members:

Present 5 - Ann Smith; Joe Glover; Patrick Kelly Jones; Robyn Accipiter and Michael Aguillard

2. APPROVAL OF MINUTES

[21-4059](#)

Minutes - Approval of the March 3, 2021 Zoning Board of Adjustments Meeting Minutes

Board Member Smith made a motion to approve the minutes of the May 5, 2021, meeting. Board Member Accipiter seconded the motion, which carried by the following vote:

Aye: 5 - Ann Smith; Joe Glover; Patrick Kelly Jones; Robyn Accipiter and Michael Aguillard

Nay: 0

Abstain: 0

3. PUBLIC HEARINGS

[21-4057](#)

ZBA#21-002: Request for a Special Exception under Section 6300.E.6 of the Zoning Ordinance to allow an accessory building with an area of approximately 5,000 square feet and a height of approximately 21 feet 6 inches at 8 Woodland Drive; Todd and Shelley Cleveland, property

owner/applicant

Chairman Jones opened the public hearing.

Todd and Shelley Cleveland, property owner/applicant, gave an overview of the request and were available for questions

Robert Mann, 7 Woodland Dr. spoke in opposition of the project

Don Smith, 9 Woodland Dr. spoke in opposition of the project

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 with the following conditions: 1) the building cannot be used for business purposes: and 2) the applicant must install landscaping as described during the meeting.

Board member Aguillard seconded the motion, which carried by the following vote:

Aye: 5 - Ann Smith; Joe Glover; Patrick Kelly Jones; Robyn Accipiter and Michael Aguillard

Nay: 0

Abstain: 0

4. ADJOURNMENT OF MEETING

With no further business Chairman Jones adjourned the meeting at 6:30 p.m

Kelly Jones, Chairman

ATTEST:

Jennifer Johnston, Development Coordinator



CITY OF MANSFIELD

1200 E. Broad St.
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STAFF REPORT

File Number: 21-4097

Agenda Date: 7/7/2021

Version: 1

Status: Public Hearing

In Control: Zoning Board of Adjustments

File Type: Zoning Board
Request

Agenda Number:

Title

ZBA#21-003: Request for a Special Exception under Section 155.082(E)(6) of the Code of Ordinances to allow an accessory building with an area of approximately 2607 square feet and a height of approximately 16 feet at 2315 Chaparral Trail Drive; Darrell and Dee Murphy, owners

Description/History

The applicants had a storage building constructed on their property without a permit. To bring the structure into compliance with the City's regulations the applicants are requesting Special Exceptions to allow the building with an area of approximately 2,608 square feet and approximately 16 feet in height. The applicants' letter states the new structure will be 85'6" by 30'6" with an area of 2,601 square feet. The actual total square footage of the new building according to the measurements is approximately 2,608 square feet.

There is an existing horse barn on the back of the property which includes a "lean-to" and a small 60 square foot structure for the water well. These structures will remain on the property. Together with the new building, the total area of these structures will not exceed 2% of the property area.

The Board may grant a Special Exception under Section 155.082(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. The property is approximately 276,606 square feet (6.35 acres) according to the Tarrant County Appraisal District.
2. The applicant is not requesting an exception for the building area. The proposed building and the existing buildings combined will not exceed 2% of the square footage of the lot for accessory structures.
3. The applicant is requesting an exception to 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 one-half to two acres in size. The applicant is requesting a height of approximately 16 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

Site plan and exhibits

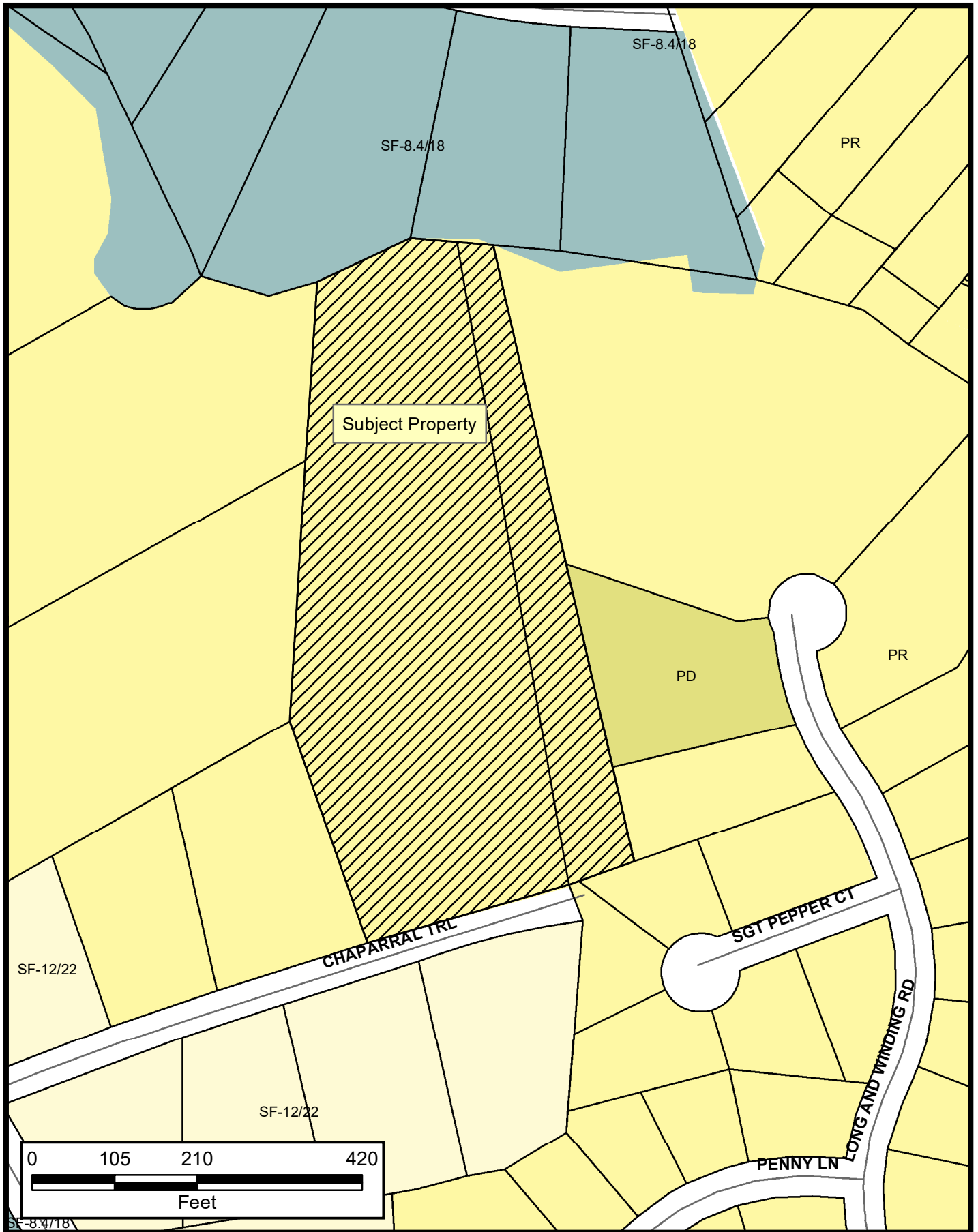
Provisions of Section 155.082(E)(6)



ZBA#21-003

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.

5/20/2021



Property Owner Notification for ZBA#21-003

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
			*** NO ADDRESS ***	*** NO CITY ***	* NO ZIP *
CHAPARRAL ACRES	BLK 1	LACOUR, DARRELL	2314 CHAPARRAL TRL	MANSFIELD, TX	76063
CHAPARRAL ACRES	BLK 1	WILLIAMS, STANLEY	2310 CHAPARRAL TR	MANSFIELD, TX	76063-5432
LAKEVIEW COUNTRY ESTATES ADDN	BLK B	MANSFIELD PARK FACILITIES DEVE	1200 E BROAD ST	MANSFIELD, TX	76063
LAKEVIEW COUNTRY ESTATES ADDN	BLK B	MANSFIELD PARK FACILITIES DEV	1200 E BROAD ST	MANSFIELD, TX	76063-1805
LAKEVIEW COUNTRY ESTATES ADDN	BLK B	MANSFIELD PARK FACILITIES DEV	1200 E BROAD ST	MANSFIELD, TX	76063-1805
LAKEVIEW COUNTRY ESTATES ADDN	BLK B	MANSFIELD PARK FACILITIES DEVE	1200 E BROAD ST	MANSFIELD, TX	76063
LASKE'S ADDITION	BLK 1	BARRINGTON, JARON	2306 CHAPARRAL TR	MANSFIELD, TX	76063-5432
MOORELAND ESTATES	BLK 1	MOORE, CASSIDY	2307 CHAPARRAL TR	MANSFIELD, TX	76063
RAY, GREVIOUS SURVEY	A 1307	JONES, DUDLEY D	300 N CREEKWOOD DR	MANSFIELD, TX	76063-5428
RAY, GREVIOUS SURVEY	A 1307	MURPHY, DARRELL	2315 CHAPARRAL TRAIL	MANSFIELD, TX	76063
RAY, GREVIOUS SURVEY	A 1307	MURPHY, DARRELL	2315 CHAPARRAL TRAIL	MANSFIELD, TX	76063
RAY, GREVIOUS SURVEY	A 1307	STAMP, GEOFFREY L	210 N CREEKWOOD DR	MANSFIELD, TX	76063-5427
RAY, GREVIOUS SURVEY	A 1307	GRAHAM, GARY	220 N CREEKWOOD DR	MANSFIELD, TX	76063
RAY, GREVIOUS SURVEY	A 1307	SONDECKER, CHARLES	2311 CHAPARRAL TR	MANSFIELD, TX	76063-5433
STRAWBERRY FIELDS - MANSFIELD	BLK 3	WINFIELD, FLOYD E.	3203 SGT PEPPER CT	MANSFIELD, TX	76063
STRAWBERRY FIELDS - MANSFIELD	BLK 3	JULIUS, ERIC	3204 SGT PEPPER CT	MANSFIELD, TX	76063-5447
STRAWBERRY FIELDS - MANSFIELD	BLK 3	SIMMONS, DEMETRIUS	3206 SGT PEPPER CT	MANSFIELD, TX	76063-5612
STRAWBERRY FIELDS - MANSFIELD	BLK 3	GATZ, STEVEN R	3205 SEARGANT PEPPER CT	MANSFIELD, TX	76063-5613
STRAWBERRY FIELDS - MANSFIELD	BLK 3	GOELZER, SUSAN CLEVANGER	1508 LONG AND WINDING RD	MANSFIELD, TX	76063-5609

Property Owner Notification for ZBA#21-003

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
STRAWBERRY FIELDS - MANSFIELD	BLK 3	LOWRY, JASON	1505 LONG AND WINDING RD	MANSFIELD, TX	76063
STRAWBERRY FIELDS - MANSFIELD	BLK 3	LEAVITT, MELISSA	1503 LONG AND WINDING RD	MANSFIELD, TX	76063
STRAWBERRY FIELDS - MANSFIELD	BLK 3	WILLIAMS, CHRISTOPHER	3202 SEARGANT PEPPER CT	MANSFIELD, TX	76063-5612

April 20, 2021

TO WHOM IT MAY CONCERN:

We are requesting an increase in the size of a building.

The total length of the building total is 85'6", width 30'6", 13' at peak on existing building and 16' at peak on shed addition.

We are also requesting a special exception to increase the height of the building for a motorhome shed which is 16' at the peak, the sides are 12' in order to accommodate the height of the motorhome (11').

We were unable to place the motorhome shed in any other location on the property – 1) Due to the placement of the septic tank and septic lines which accommodate our home. 2) The building could not be turned in the other direction because there is a very beautiful-large old tree. 3) Also, directly behind the tree is the water-well house. 4) 220V electrical was imperative since the motorhome must be plugged in at all times.

2601 sq ft - this building

1799 sq ft - barn

320 sq ft - lean-to

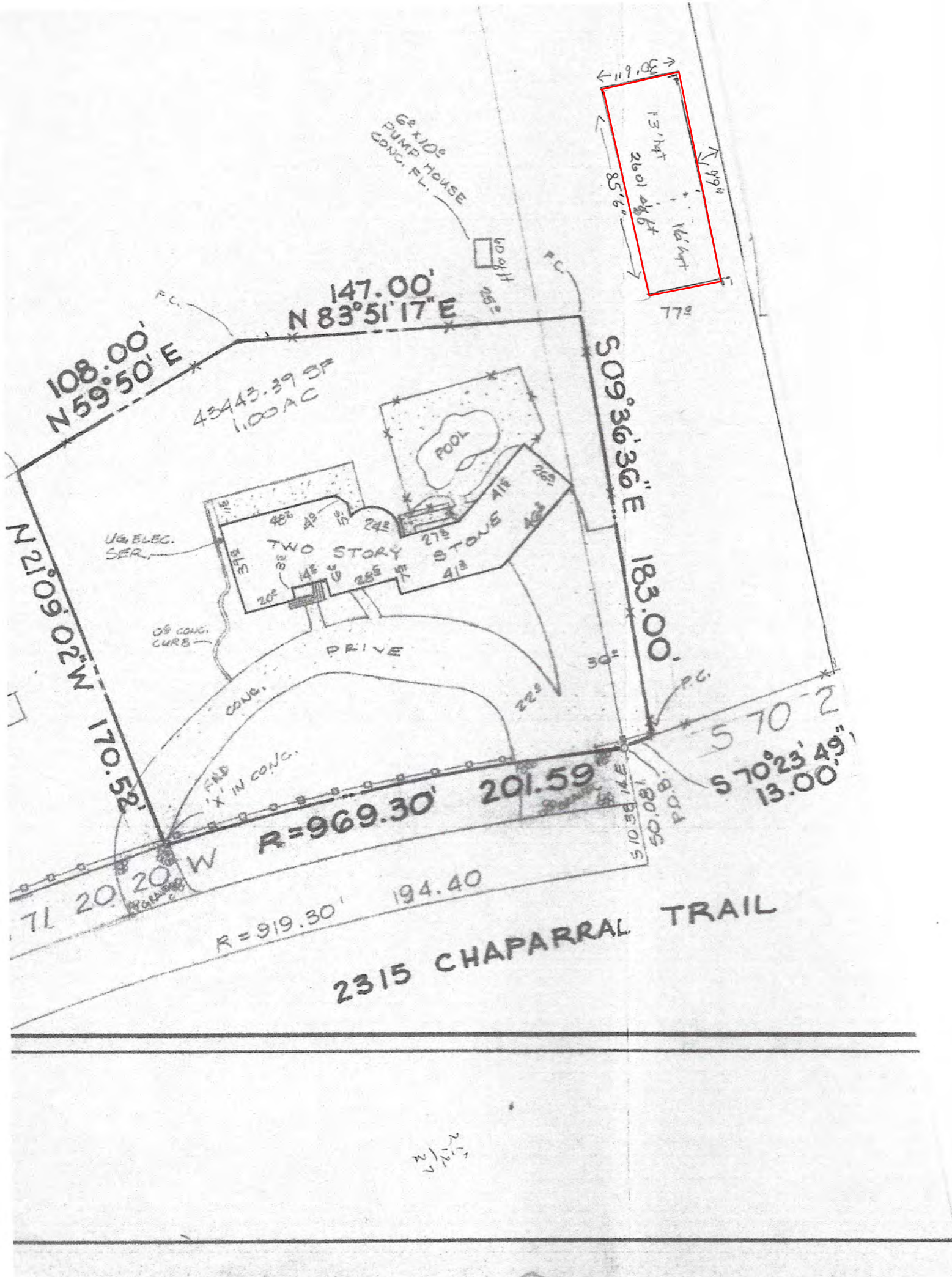
60 sq ft -well house

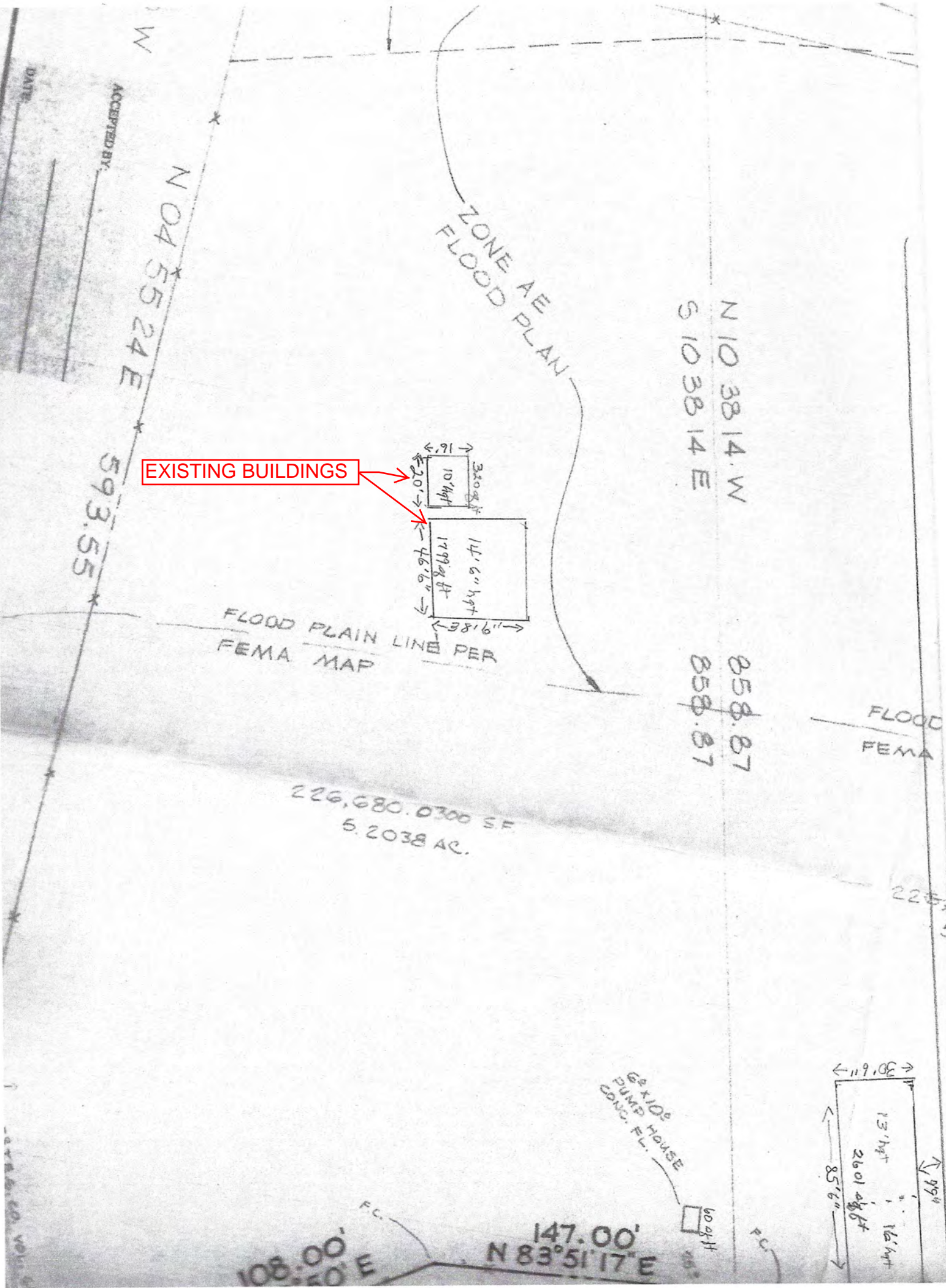
4780 sq ft total

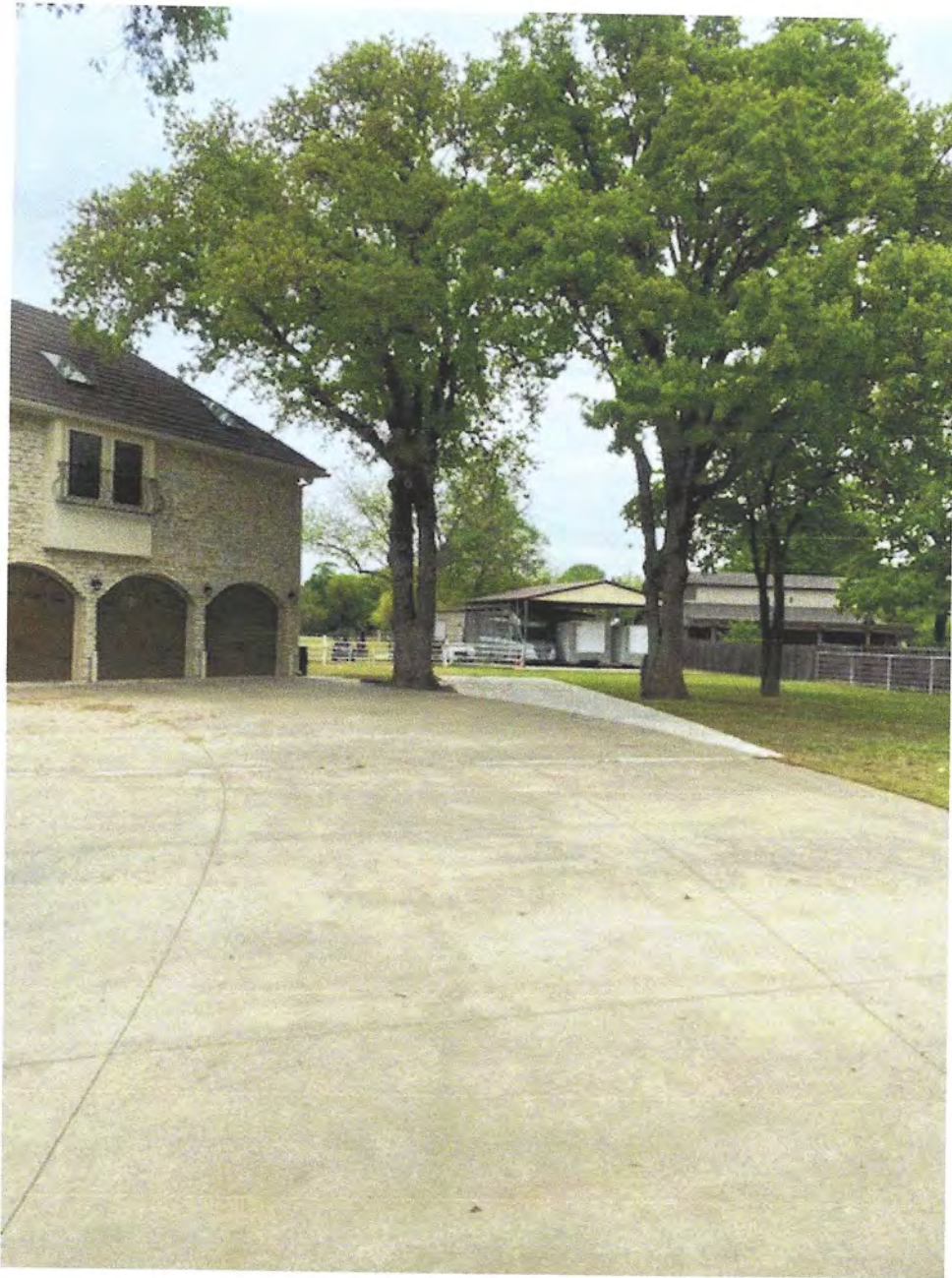
We appreciate your consideration and cooperation in this matter.

Respectfully,

Darrell & Dee Murphy







Sent from my iPhone



Dee Murphy

From: Darell Murphy <darrellmurphy530@icloud.com>
Sent: Thursday, April 15, 2021 10:55 AM
To: dee2404@sbcglobal.net





STRUCTURAL DESIGN

FULLY OPEN (CARPORT) BUILDING

**MAXIMUM 30'- 0" WIDE X 20'- 0" HEIGHT-
BOX EAVE FRAME AND BOW FRAME**

**16 July 2020
Revision 0
M&A Project No. 20096S**

Prepared for:

**Infinity Carports, Inc.
7667 US Hwy 19
Edgewood, TX 75117**

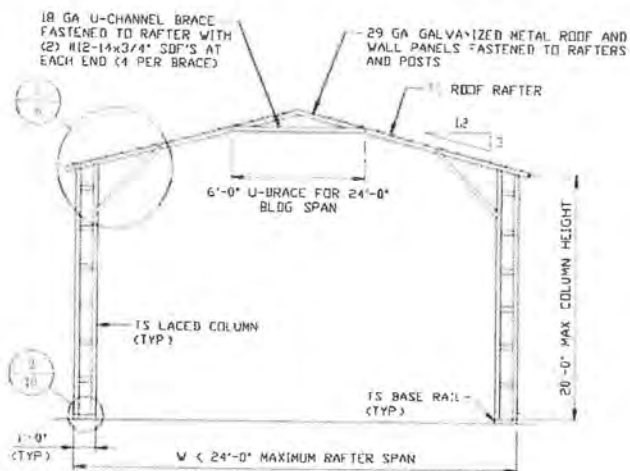
Prepared by:

Moore and Associates Engineering and Consulting, Inc.

**1009 East Avenue
North Augusta, SC 29841**

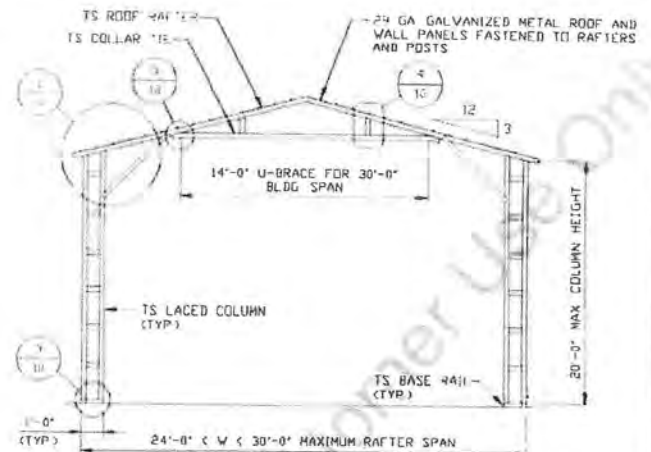
**401 S. Main Street, Suite 200
Mount Airy, NC 27030**





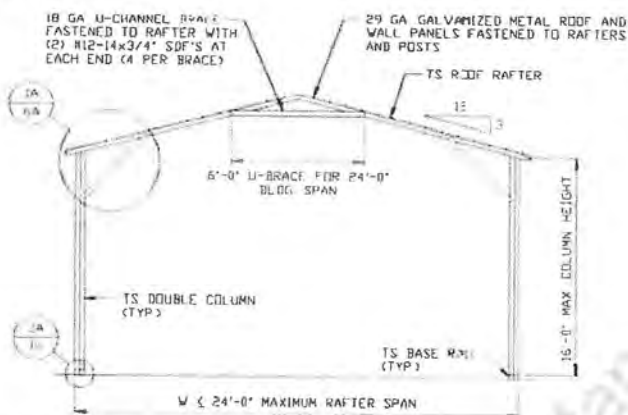
TYPICAL RAFTER/COLUMN END FRAME SECTION

SCALE: NTS



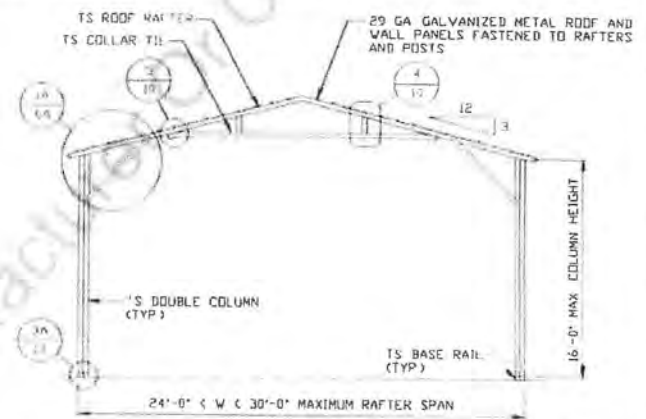
TYPICAL RAFTER/COLUMN END FRAME SECTION

SCALE: NTS



TYPICAL RAFTER/COLUMN END FRAME SECTION

SCALE: NTS



TYPICAL RAFTER/COLUMN END FRAME SECTION

SCALE: NTS

**MOORE AND ASSOCIATES
ENGINEERING AND CONSULTING, INC.**

DRAWN BY: LT

CHECKED BY: PDH

PROJECT MGR: VSM

**CLIENT: INFINITY
CARPORTS**

INFINITY CARPORTS, INC.

7667 US HWY 19

EDGEWOOD, TX 75117

30'-0"x20'-0" FULLY OPEN STRUCTURE

DATE: 7-16-20

SHT. 5

SCALE: NTS

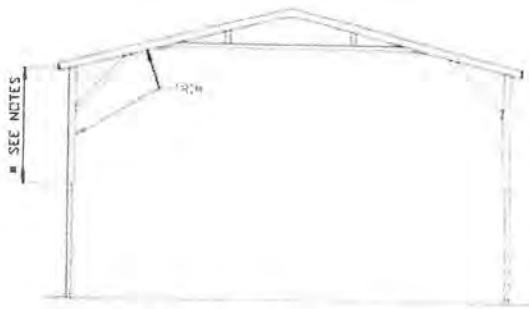
DWG. NO: SK-1

JOB NO: 20096S

REV: 0

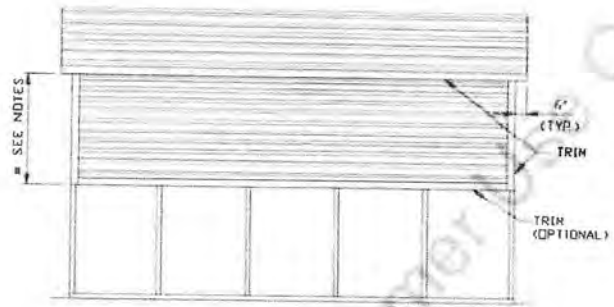
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BOX EAVE RAFTER EXTRA SIDE PANEL OPTION



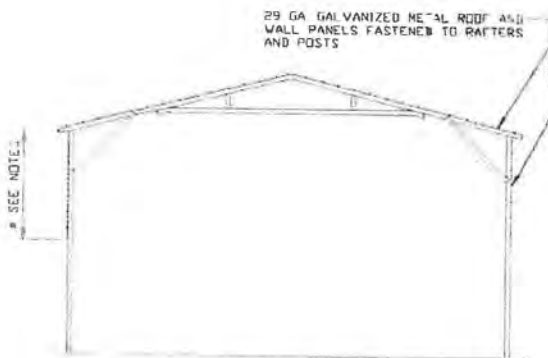
**TYPICAL END ELEVATION
EXTRA SIDE PANELS**

SCALE: NTS



**TYPICAL SIDE ELEVATION
EXTRA SIDE PANELS**

SCALE: NTS



**TYPICAL RAFTER/COLUMN FRAME
SECTION - EXTRA SIDE PANELS**

SCALE: NTS

NOTES:

- * 15'-0" MAX FOR EAVE HEIGHT 16'-0" < TD ≤ 20'-0"
- * 12'-0" MAX FOR EAVE HEIGHT 14'-0" < TD ≤ 16'-0"
- * 3'-0" MAX FOR EAVE HEIGHT < 14'-0"

**MOORE AND ASSOCIATES
ENGINEERING AND CONSULTING, INC.**

DRAWN BY: LT

CHECKED BY: PDH

PROJECT MGR: WSM

**CLIENT: INFINITY
CARPORTS**

INFINITY CARPORTS, INC.

7667 US HWY 19

EDGEWOOD, TX 75117

30'-0"x20'-0" FULLY OPEN STRUCTURE

DATE: 7-16-20

SHT. 13

SCALE: NTS

DWG. NO: SK-1

JOB NO: 20096S

REV: 0

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SECTION 155.082(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.



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 21-4098

Agenda Date: 7/7/2021

Version: 1

Status: Public Hearing

In Control: Zoning Board of Adjustments

File Type: Zoning Board
Request

Agenda Number:

Title

ZBA#21-004: Request for a variance to Section 155.095(C)(2) of the Code of Ordinances to allow a reduction of the minimum lot width from 120 feet to approximately 111.3 feet and to allow a reduction of the minimum 40 foot side yard setback at 905 N Main St.; Michael Duke, owner/applicant

Description/History

The property owners are seeking to build a single-family residence on the property. The property is bordered by single-family residential zoning on the north and west property lines and along the south property line for approximately 315 feet. The remaining 187 feet of the south property line is adjacent to property zoned C-2, Community Business District with an existing office building.

Prior to issuance of a building permit, the property must be platted. Section 155.095(C)(2) of the Code of Ordinances, "Zoning", requires the following when residential property is platted next to an existing commercial development:

- Section 155.095(C)(2)(a): A minimum 40-foot building setback must be provided along the residential property lines that abut the boundary of the non-residentially zoned property;
- Section 155.095(C)(2)(b): To accommodate the 40-foot building setback along the side property line, the minimum residential lot width must be increased by the difference between 40 feet and the minimum side setback of 10 feet for the PR District (40'-10'=30'). The standard lot width in the PR District is 90 feet, measured at the front building line; therefore, the lot must be at least 120 feet wide.

The tract is approximately 111.3 feet in width measured at the front building line.

To accommodate the proposed residence, the applicant is requesting a variance to allow a reduction of the minimum lot width from 120 feet to approximately 111.3 feet and to allow a reduction of the minimum 40-foot side yard setback along the south property line to approximately 25 feet abutting the commercially zoned property.

The purpose of a variance is to relieve hardship, not to confer benefits that are not enjoyed by neighboring properties. According to Section 155.113 of the Code of Ordinances, the Board may grant a variance if the following conditions are met:

- a. That the granting of the variance will not be contrary to the public interest; and
- b. That literal enforcement of the ordinance will result in unnecessary hardship

because of exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional physical situation or physical condition unique to the specific piece of property in question. "Unnecessary hardship" shall mean physical hardship relating to the property itself as distinguished from a hardship relating to convenience, financial considerations or caprice, and the hardship must not result from the applicant or property owner's own actions; and

- c. That by granting the variance, the spirit of the Zoning Ordinance will be observed and substantial justice will be done

Attachments

Maps and supporting information

Site plan and exhibits

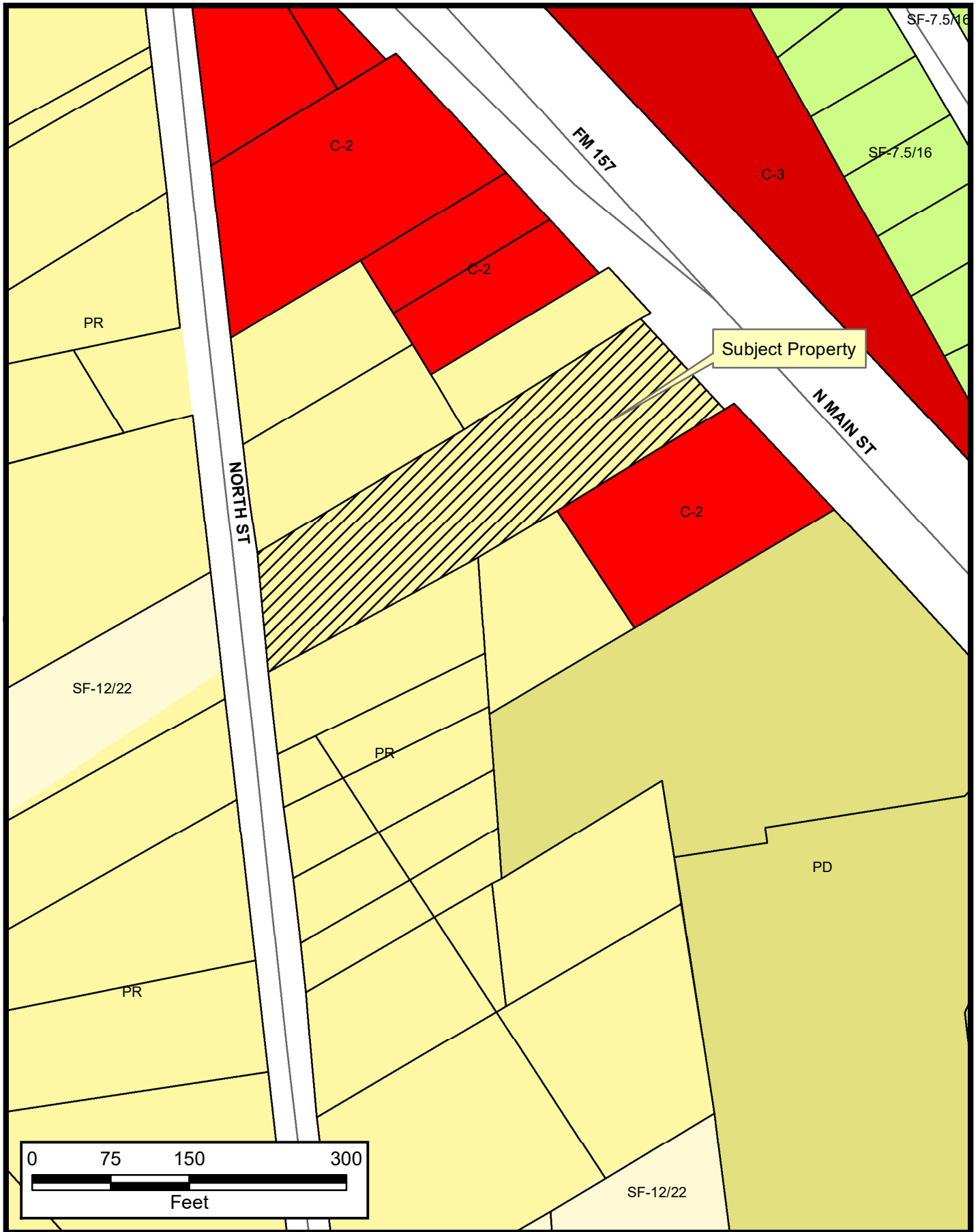
Provisions of Section 155.095(C)(2)



ZBA#21-004

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5/19/2021



May 3, 2021

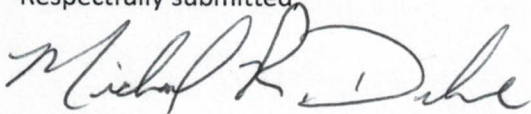
Michael R. Duke
905 N. Main Street
Mansfield, TX 76063

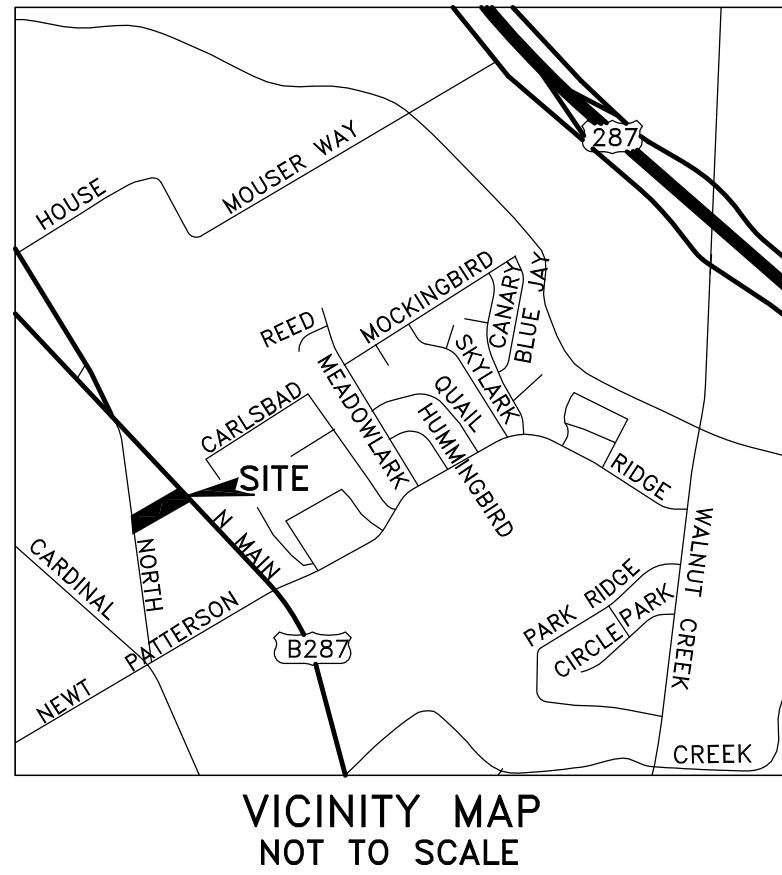
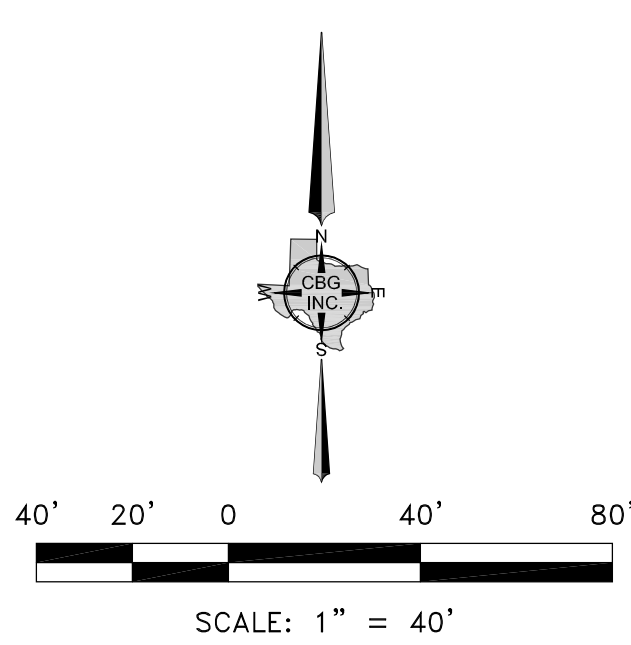
Zoning Board of Adjustments:

This Letter of Intent is in support of my request for a variance to the width requirement for an existing lot, located on Lot 1, Block A of the Circle KS addition to the City of Mansfield. This property was owned by my dad, David Duke, and his Aunt and Uncle before him for over 50 years. Now that dad is deceased I have inherited the land and plan to build my own home on the lot for my family. My intention is to build a new single-family residence. The lot width is 111.3 feet wide. As such based on the current code, lot width requirement is 120 feet. What I would ask the board to consider, is (1) we are only asking for a variance of 8.7 feet (2) my lot is land-locked by the properties on the north and west sides which is a land based hardship that we cannot avoid.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michael R. Duke". The signature is written in dark ink and is positioned below the typed name "Michael R. Duke".



GENERAL NOTES

- 1) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- 2) THE PURPOSE OF THIS PLAT IS TO CREATE 1 LOT FROM A TRACT OF LAND.
- 3) LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.
- 4) ANY STRUCTURE NEW OR EXISTING MAY NOT EXTEND ACROSS NEW PROPERTY LINES.
- 5) BASIS OF BEARING IS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, Michael Duke, is the owner of a tract of land situated in the F.B. Waddell Survey, Abstract No. 1658, City of Mansfield, Tarrant County, Texas, and also being that tract of land conveyed to David Duke, by General Warranty Deed, recorded in _____, Official Public Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a TxDot brass disc found for corner, said corner being in the Southwest Right-of-Way line of North Main Street (a Variable width Right-of-Way), and being the Northeast corner of Lot 1, Block 1 of the Circle KS Addition, an addition to the City of Mansfield according to the plat recorded in Instrument Number D203404778, Official Public Records, Tarrant County, Texas;

THENCE South 59 degrees 26 minutes 58 seconds West, along the North line of said Lot 1, and along the North line of a tract of land conveyed to Knapp Sister Investments, LTD, by deed recorded in Instrument Number D205312095, Official Public Records, Tarrant County, Texas, a distance of 288.79 feet to a 1/2 inch iron pipe found for corner, said corner being the Northwest corner of said Knapp Sister Investments, LTD tract, same being the Northeast corner of a tract of land conveyed to Bernardo Cervantes, Emma R. Cervantes and Violenta Cervantes, by deed recorded in Instrument Number D218118047, Official Public Records, Tarrant County, Texas;

THENCE South 60 degrees 43 minutes 51 seconds West, along the North line of said Cervantes tract, a distance of 226.52 feet to a 1/2 inch iron rod found for corner, said corner being on the Northwest corner of said Cervantes tract, same being on the Northeast Right-of-Way line of North Street (a Variable width Right-of-Way);

THENCE North 06 degrees 18 minutes 44 seconds West, along the Northeast Right-of-Way line of said North Street, a distance of 114.13 feet to a 1/2 inch iron rod with a plastic yellow cap stamped "CBG Surveying" set for corner, said corner being on the Northeast Right-of-Way line of said North Street, same being on the Southwest corner of a tract of land conveyed to Carol Ann McMillen by deed recorded in Volume 10266, Page 2230, Deed Record, Tarrant County, Texas;

THENCE North 58 degrees 54 minutes 01 seconds East, along the South line of said McMillen tract, a distance of 280.02 feet to a 1/2 inch iron rod with a plastic yellow cap stamped "CBG Surveying" set for corner, said corner being the Southeast corner of said McMillen tract, same being the Southwest corner of a tract of land conveyed to Magdaleno Rico by deed recorded in Instrument Number D210236135, Official Public Records, Tarrant County, Texas;

THENCE North 59 degrees 09 minutes 12 seconds East, along the South line of said Rico tract, a distance of 156.54 feet to a TxDot brass disc found for corner, said corner being the Southeast corner of said Rico tract, same being the Southwest Right-of-Way line of said North Main Street;

THENCE South 46 degrees 20 minutes 46 seconds East, along the Southwest Right-of-Way line of said North Main Street, a distance of 117.05 to the POINT OF BEGINNING and containing 52,399 square feet or 1.203 acres of land.

LEGEND:

CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS	1/2 INCH IRON ROD SET WITH A PLASTIC YELLOW CAP STAMPED "CBG SURVEYING"
MON	TxDOT BRASS DISC FOUND
ESMT.	EASEMENT
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
D.R.T.C.T.	DEED RECORDS, TARRANT COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, Michael Duke, being the sole owner of the above described parcel, does hereby adopt the herein above described property as Lot 1, Block A, **DUKE MAIN ADDITION** an addition to the City of Mansfield, Tarrant County, Texas and does dedicate to the public use the streets and easements as shown thereon.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Mansfield.

WITNESS, my hand at Mansfield, Texas, this the _____ day of _____, 2021.

BY: _____
Michael Duke, Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day appears Michael Duke known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2021.

Notary Public in and for Dallas County, Texas.

SURVEYOR'S STATEMENT:

This is to certify that I, Bryan Connally, a Registered Professional Land Surveyor of the State of Texas, having platted the above subdivision from an actual survey on the ground, and that all lot corners, and angle points, and points of curve shall be properly marked on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

Dated this the _____ day of _____, 2021.

RELEASED FOR REVIEW 04/14/2021 PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

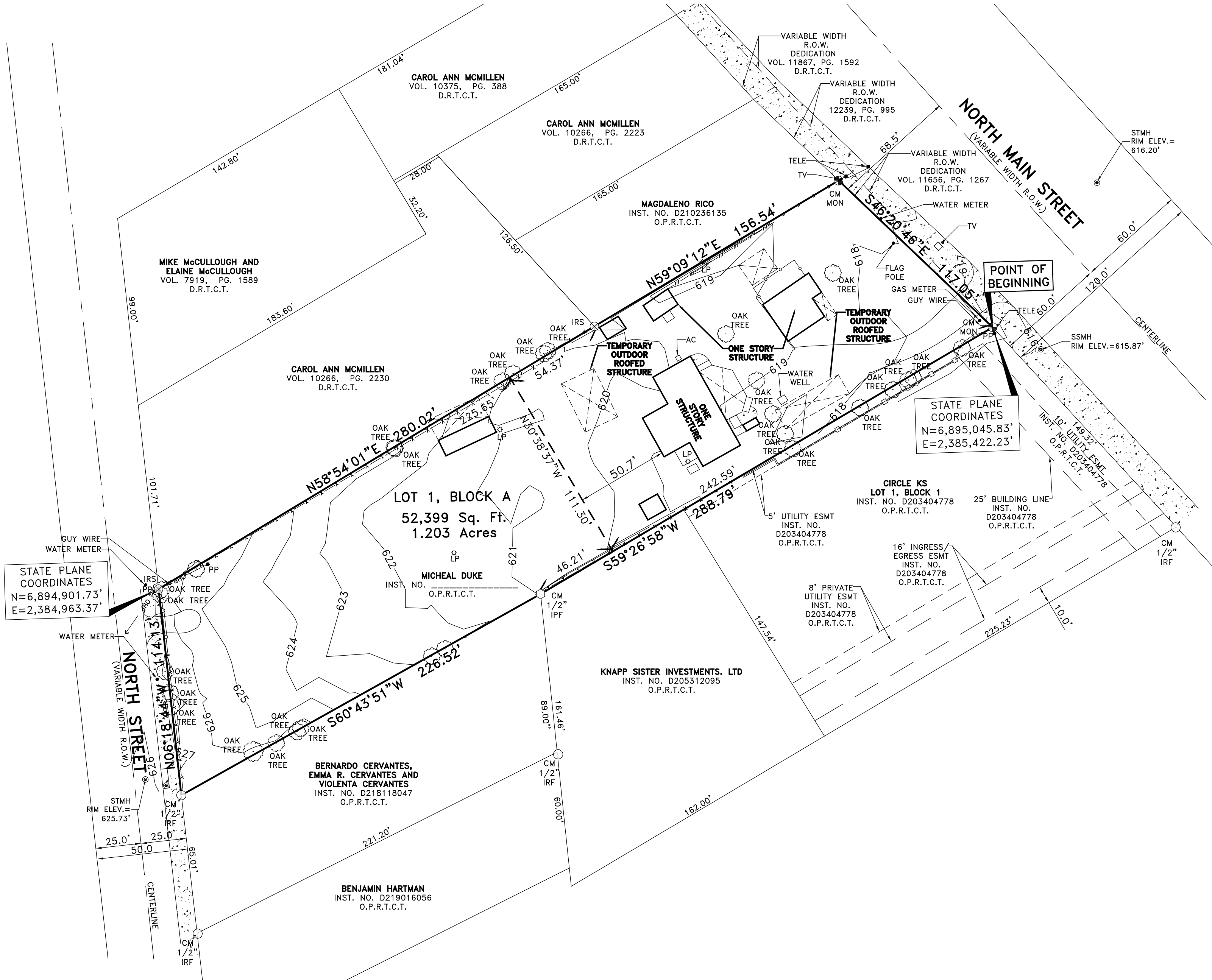
Bryan Connally
Texas Registered Professional Land Surveyor No. 5513

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Bryan Connally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021.

Notary Public in and for the State of Texas



APPROVED BY THE CITY OF MANSFIELD	
_____ 2021	
APPROVED BY:	P&Z COMMISSION CHAIRMAN
_____ 2021	
ATTEST:	PLANNING & ZONING SECRETARY

PRELIMINARY PLAT
LOT 1, BLOCK A
DUKE MAIN ADDITION
1.165 ACRES OUT OF THE
F.B. WADDELL SURVEY, ABSTRACT NO. 1658
CITY OF MANSFIELD, TARRANT COUNTY, TEXAS
1 LOT
MARCH 2021

OWNER: MICHAEL DUKE
905 N. MAIN STREET
MANSFIELD, TEXAS, 76063
817-706-1299



PLANNING & SURVEYING
Main Office
12025 Shiloh Road, Ste. 230
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbginctx.com

SCALE: 1"=30' / DATE: 02/23/21 / JOB NO. 2024862 / DRAWN BY: YP

This plat filed in Instrument No. _____ Date _____, 2021.

Section 155.095(C)(2)

(2) *Residential use.*

(a) Residential lots in a residential zoning classification or a PR zoning classification that abut properties in an OP, C-1, C-2, C-3, I-1 or I-2 zoning classification shall provide a 40 foot minimum setback for the principle residential building along the lot lines that abut the boundary of such non-residentially zoned property.

(b) In order to accommodate the 40 foot minimum building setback, the minimum residential lot depth shall be increased by the difference between 40 feet and the minimum rear setback required by the residential or PR zoning district where the lot is located; or the minimum residential lot width shall be increased by the difference between 40 feet and the minimum side setback required by the residential or PR zoning district where the lot is located, whichever is applicable.



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 21-4099

Agenda Date: 7/7/2021

Version: 1

Status: Public Hearing

In Control: Zoning Board of Adjustments

File Type: Zoning Board
Request

Agenda Number:

Title

ZBA#21-005: Request for a Special Exception under Sec 155.101(l) of the Code of Ordinances, Antenna Facility Siting Matrix, of the Code of Ordinances to allow an increase in height of an existing monopole telecommunications tower to approximately 89 feet 1 inch on property within the "FC" Full Commercial land use threshold at 1871 Country Club Road; Janice Manley on behalf of SBA Network Services, applicant

Description/History

The applicant operates an existing monopole in the Cubesmart self-storage facility at 1871 Country Club Road. The existing tower is approximately 75 feet in height. The existing tower can accommodate three antenna arrays and two arrays are already installed. The applicant is seeking a Special Exception to increase the height of the tower to approximately 89 feet, 1 inch in height to accommodate another antenna array for DISH Wireless.

Under Section 7950.G.3 of the Zoning Ordinance, the proposed facility is located within the "FC" Full Commercial threshold. The lease property is zoned C-2, Community Business District, and the existing cell tower facility is located more than 600 feet of other property with single- or multi-family residential zoning.

According to Section 155.101(l), the Antenna Facility Siting Matrix, an applicant may apply for a Special Exception to allow a monopole tower up to 130 feet in height in the "EC" threshold (see table on page 7950-7 of the attached ordinance). To grant the Special Exception, the Board must consider the following:

- a. The effect on the value of the surrounding property;
- b. The potential for interference with the enjoyment or the use of surrounding properties;
- c. Aesthetics;
- d. The proposed height of the antenna facility;
- e. The zoning district and the adjoining zoning districts of the property for which the Special Exception is sought; and
- f. The unique conditions that govern reasonable reception on any given lot.

In addition, the Board must find that the co-location of this facility with a nearby existing antenna facility is technically not feasible and the following conditions are met:

- a. Applicant will permit co-location of other providers at the site;

- b. Applicant will construct and configure its antenna facility and other equipment to accommodate other providers;
- c. Applicant will identify its backhaul provider connecting antenna sites; and
- d. Applicant will give notice to the City identifying any provider who co-locates to the site and identify its backhaul provider.

Attachments

Maps and supporting information

Site Plan and Exhibits

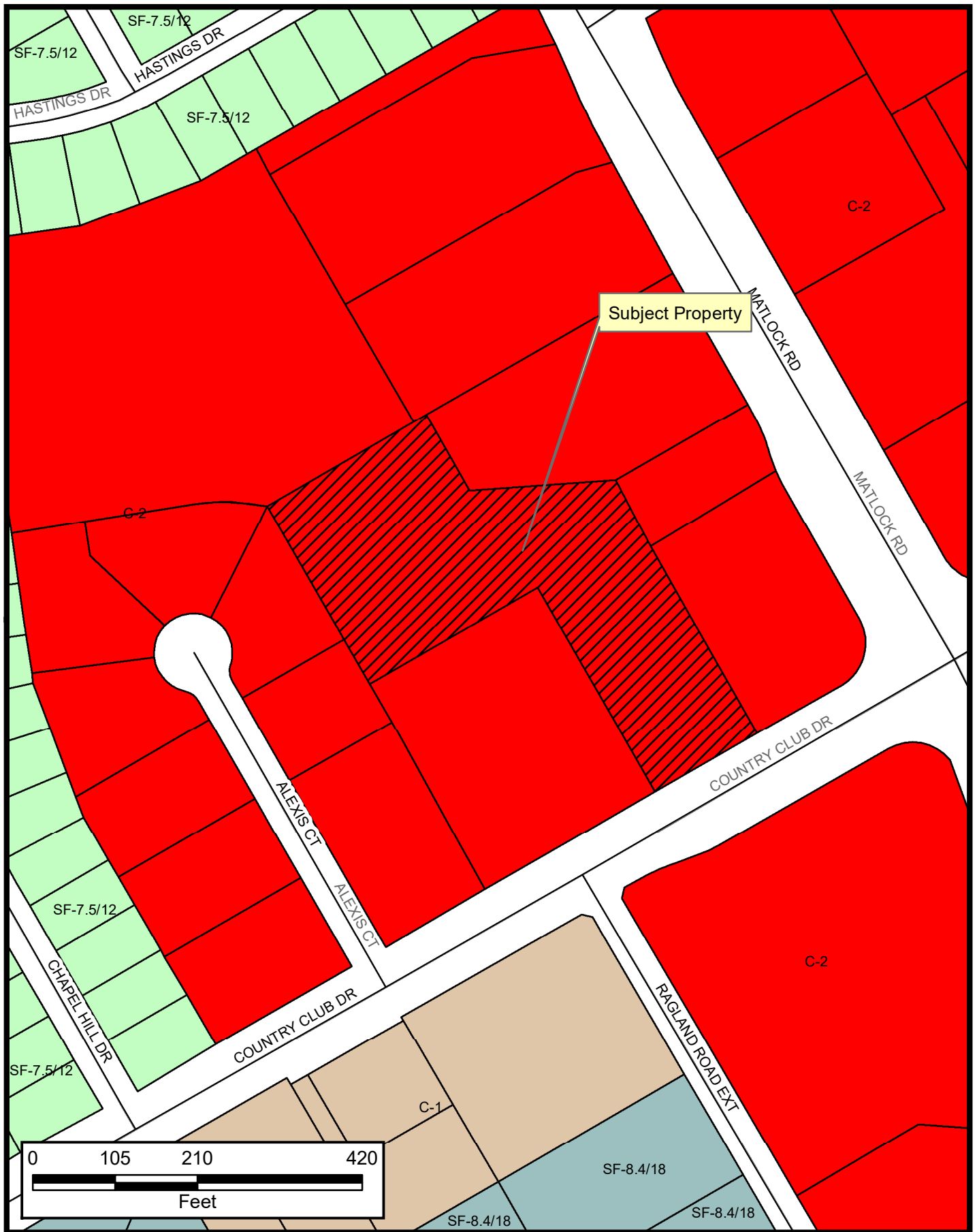
Provisions of Section 155.101



ZBA#21-005

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.

5/17/2021



ZBA#21-005

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.

5/17/2021



"FC" Full Commerical

12/14/2017

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature loc. **33** s. 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.



5/3/2021

Andrew Bogda, AICP

Planner I

City of Mansfield

1200 E Broad St.

Mansfield, TX 76063

Dear Andrew,

SBA Network Services owns and operates a Telecommunications Tower located at CubeSmart LP, 1991 Country Club Road, Mansfield, TX. SBA is in the business of renting space on this tower to the different Wireless carrier companies such as AT&T and T-Mobile. SBA has been approached by Dish Wireless to also locate their antennas on the tower but the available space for their installation was proven to not be high enough to adequately serve their customers. In an effort to keep the number of new tower builds to a minimum, SBA is proposing to increase the height of this existing tower by 10' to accommodate the Dish Wireless installation.

In addition to this letter, I am submitting plans to show the existing and the proposed elevation for review by the Zoning Board of Adjustments along with the property owners representation form. Please let me know if anything else is needed to process this application.

Respectfully submitted,

Janice Manley

Site Development Specialist II

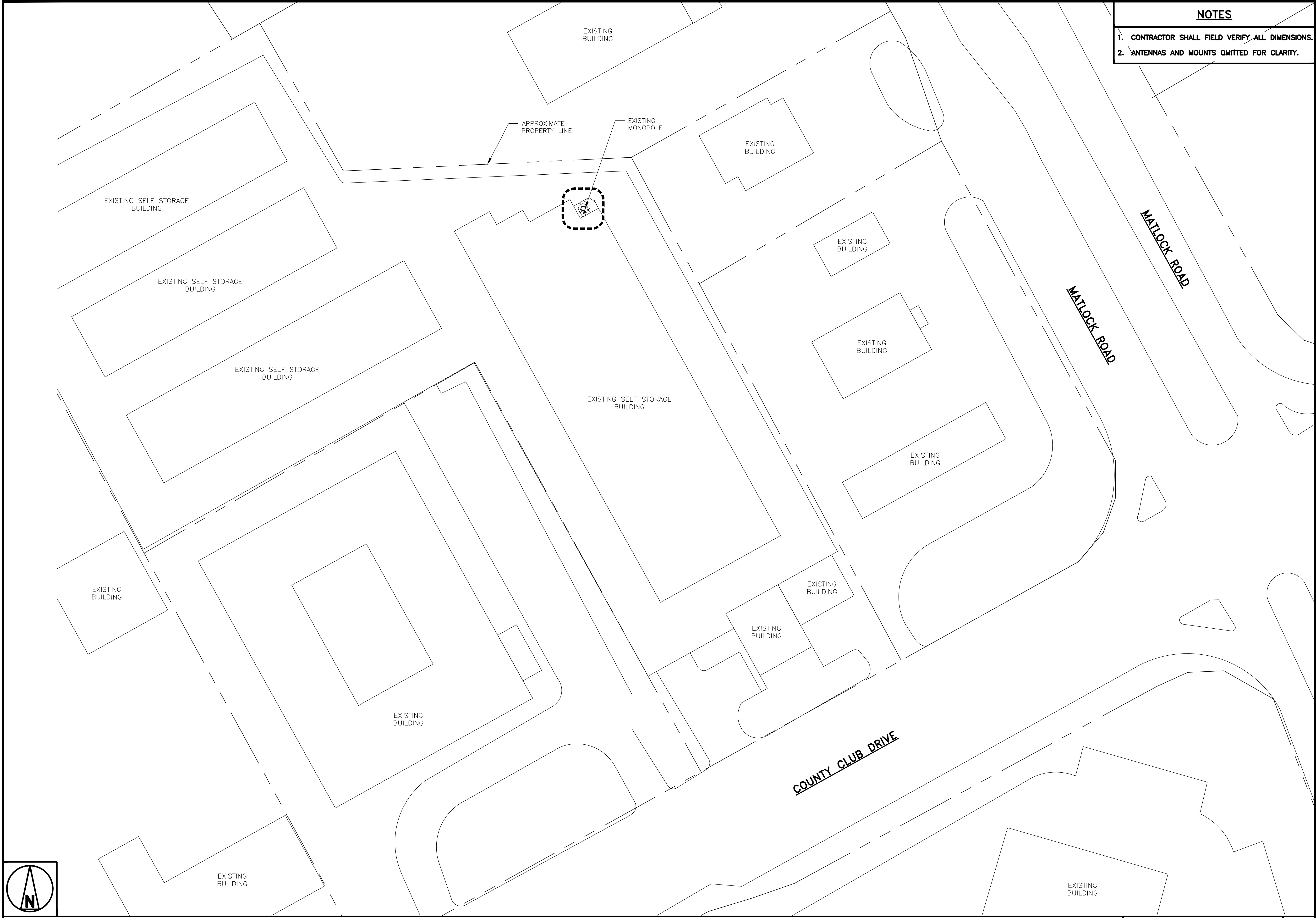
SBA Network Services

1255 W. 15th St.

Plano, TX 75075

505.250.6389 + **C**

jmanley@sbsite.com



- NOTES
1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.

2. ANTENNAS AND MOUNTS OMITTED FOR CLARITY.

dish
wireless.

5701 SOUTH SANTA FE DRIVE
LITTLETON, CO 80120

PM&A

1000 HOLCOMB WOODS PKWY,
SUITE 210
ROSWELL, GA 30076
678-280-2325

NOT TO BE USED
FOR CONSTRUCTION

IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

DRAWN BY:	CHECKED BY:	APPROVED BY:
SR	SE	SA

RFDS REV #: ---

PRELIMINARY
DOCUMENTS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	04/28/2021	ISSUED FOR REVIEW

A&E PROJECT NUMBER
21SBAD3N-021

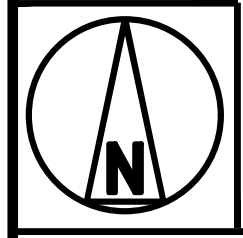
DISH WIRELESS, LLC.
PROJECT INFORMATION

DADAL00449A
1991 COUNTY CLUB ROAD
MANSFIELD, TX. 76063

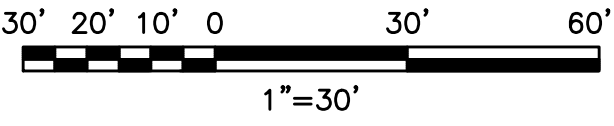
SHEET TITLE
OVERALL AND ENLARGED
SITE PLAN

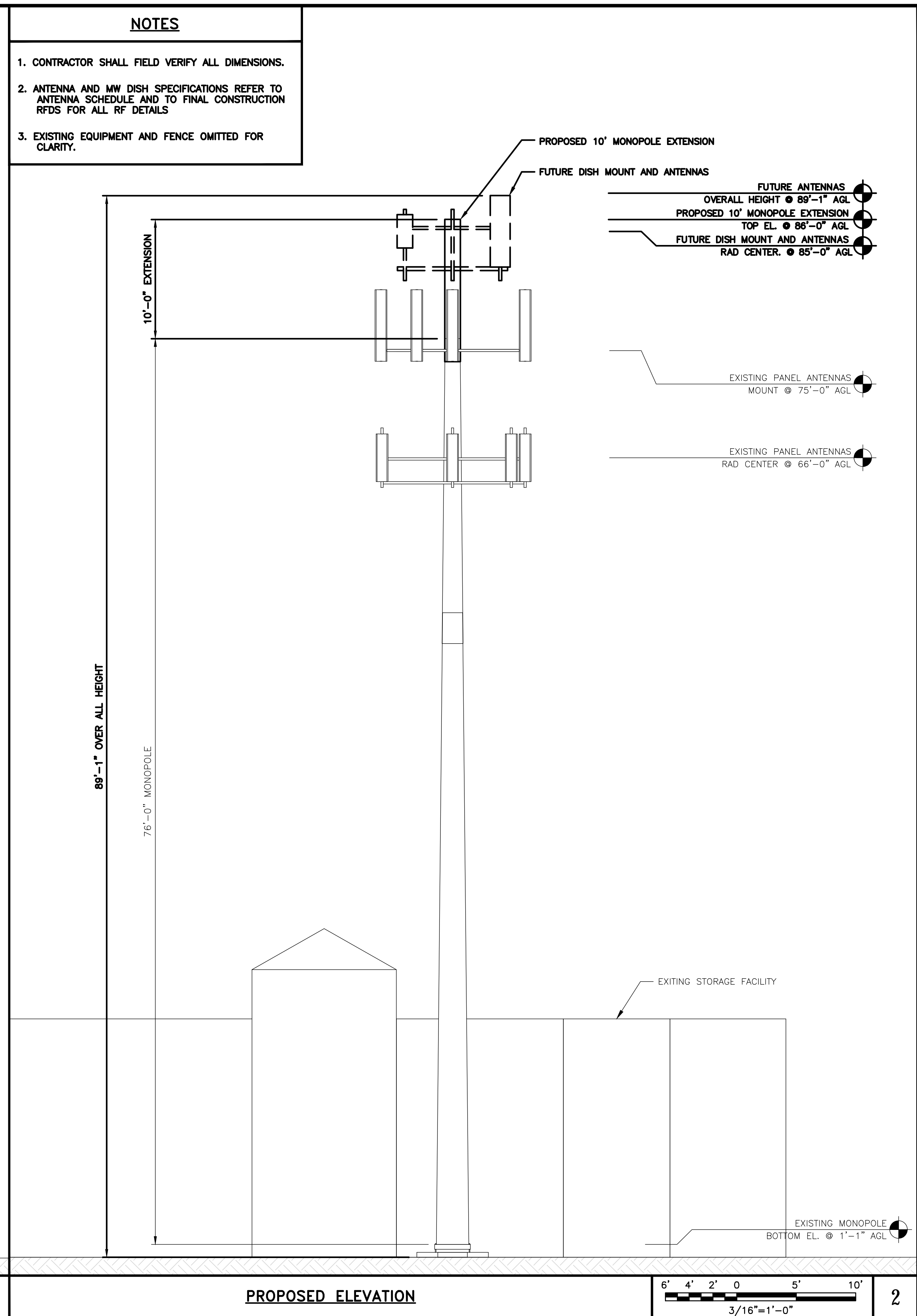
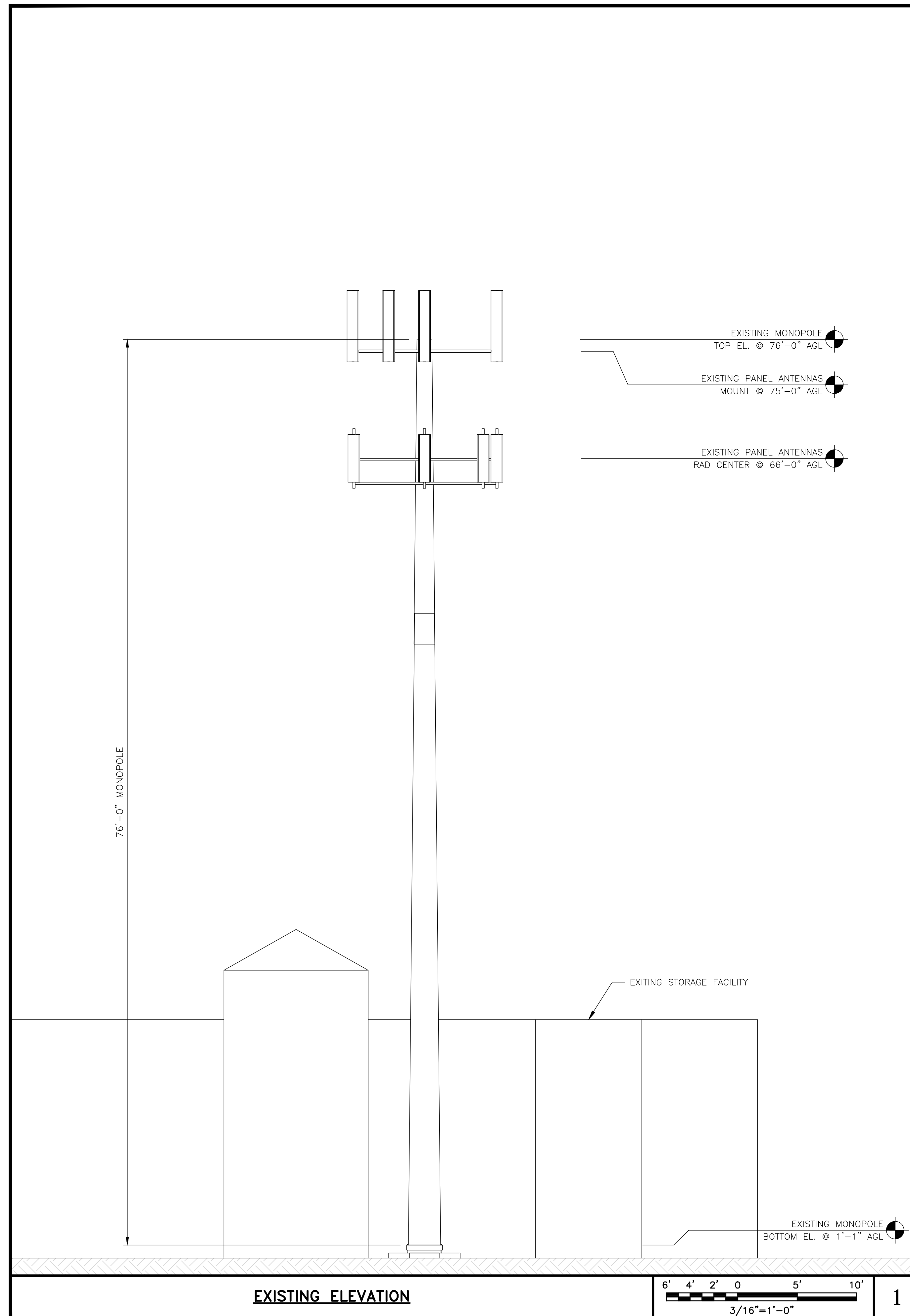
SHEET NUMBER

A-1



OVERALL SITE PLAN



The Dish Wireless logo, featuring the word "dish" in a bold, lowercase sans-serif font, with the "i" stylized as three horizontal lines. Below "dish" is the word "wireless." in a smaller, lowercase sans-serif font.

5701 SOUTH SANTA FE DRIVE
LITTLETON, CO 80120

PM&A

1000 HOLCOMB WOODS PKWY
SUITE 210
ROSWELL, GA 30076
678-280-2325

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FOR CONSTRUCTION

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OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

DRAWN BY: CHECKED BY: APPROVED BY:

SR	SE	SA
----	----	----

RFDS REV #: ---

PRELIMINARY
DOCUMENTS[illegible]

A&E PROJECT NUMBER
21SBAD3N-021

DISH WIRELESS, LLC. PROJECT INFORMATION

DADAL00449A
1991 COUNTY CLUB ROAD
MANSFIELD, TX. 76063

SHEET TITLE

ELEVATION, ANTENNA LAYOUT AND SCHEDULE

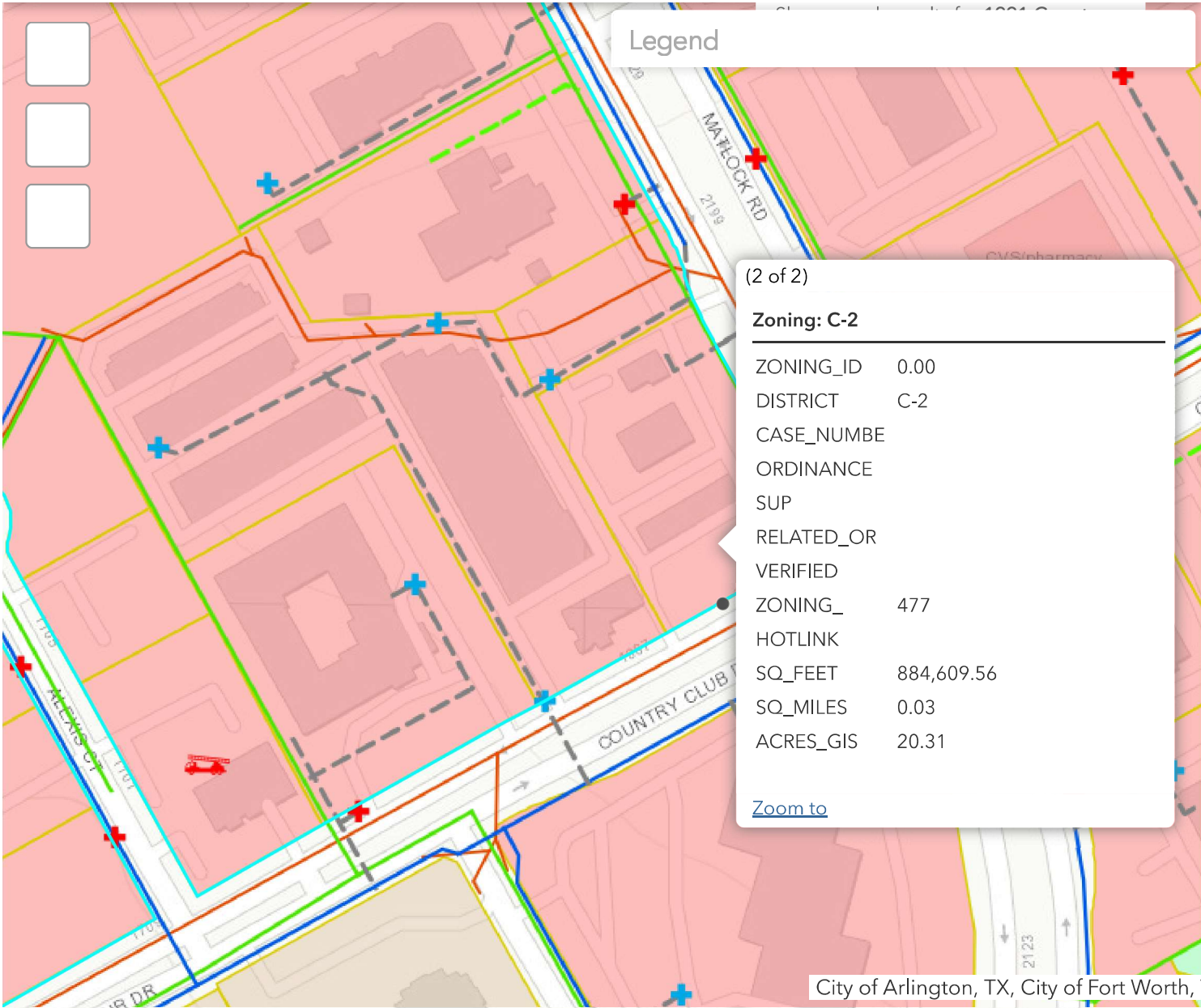
SHEET NUMBER

A-2



1991 Country Club Dr, Mansfield X

Q



City of Arlington, TX, City of Fort Worth,



200ft

§ 155.101 WIRELESS TELECOMMUNICATION FACILITY REGULATIONS.

(A) *Purpose.* Wireless telecommunications facilities used in transmitting and receiving signal energy are essential and promote the health, safety, and general welfare of the citizens of the city. The purpose of this section is to govern the placement of these facilities to:

- (1) Assure that their location and use do not compromise the aesthetic quality of the community;
- (2) Encourage operators of antenna facilities and antennas to locate them in areas where the adverse impact on the community is minimal;
- (3) Encourage co-location on both new and existing antenna facilities;
- (4) Encourage operators of antenna facilities and antennas to configure them in a way that minimizes the adverse visual impact through careful design, landscape screening, and innovative stealth techniques;
- (5) Enhance the ability of antenna facilities and antennas to provide services to the community effectively and efficiently; and
- (6) Promote the aesthetic quality of the city as a significant aspect of the health, safety, and general welfare of the community.

(B) *Definitions.* In this section the following definitions apply:

- (1) *Amateur radio antenna.* A radio communication antenna used by a person holding an amateur station license from the Federal Communications Commission.
- (2) *Antenna.* A device used in communications, which transmits or receives radio signals.
- (3) *Antenna, building attached.* Antenna attached to an existing structure in two general forms: (1) roof-mounted, in which antennas are placed on the roofs of buildings; or (2) building-mounted, in which antennas are placed on the sides of buildings. These antennas can also be mounted on structures such as water tanks, billboards, church steeples, electrical transmission towers, etc.
- (4) *Antenna facility.* Any structure, monopole, tower, or lattice tower used to support antennas.
- (5) *Co-location.* The act of locating wireless communications equipment for more than one use on a single antenna facility.
- (6) *Equipment storage building.* An unmanned, single story equipment building used to house radio transmitters and related equipment.
- (7) *Monopole.* A self-supporting antenna facility composed of a single spire used to support communications equipment or other visible items.
- (8) *Satellite receive-only antenna.* An antenna that enables the receipt of television signals transmitted directly from satellites to be viewed on a television monitor. Such antennas are commonly known as a satellite dish, television receive-only antenna, dish antenna, parabolic antenna, or satellite earth station antenna.
- (9) *Stealth facility.* An antenna facility that is virtually transparent or invisible to the surrounding neighborhood. Stealth facilities may include totally enclosed antennas, wireless facilities that replicate or duplicate the construction of common structures such as flagpoles, and camouflaged wireless facilities that are constructed to blend into the surrounding environment.
- (10) *Tower, lattice.* A self-supporting tower having three or four support legs with cross-bracing and the capacity to hold a number and a variety of antennas.
- (11) *TV antenna.* An antenna that enables the receipt of television signals transmitted from broadcast stations.

(C) *General regulations.* The following regulations apply to all antenna facilities and antennas located within any district:

- (1) *Equipment and storage building.* An equipment storage building associated with an antenna facility or an antenna shall be screened and landscaped as described in other sections of this chapter, or be incorporated into the stealth treatment so that it is consistent and complementary with the existing structures and uses on the premises.
- (2) *Driveway surfaces.* All driveways accessing any antenna facility site or equipment storage site shall be constructed of concrete.
- (3) *Lights.* No outdoor lighting shall be allowed on antennas located on residentially zoned property except lights or lighting that is by required by the Federal Aviation Administration or the Federal Communications Commission.
- (4) *Limitations.* Antenna facilities are limited to stealth facilities and monopoles except where other facilities are allowed by this section.
- (5) *Antenna facility capacity.* An antenna facility shall not have more than the number and size of antennas attached to it than are allowed by the antenna facility manufacturer's designs and specifications for maximum wind load requirements.
- (6) *Monopoles.* No guy wires are permitted with the use of monopoles.
- (7) *Prohibited in easements.* Antenna facilities constructed solely for the purpose of supporting antennas shall not be placed in an easement.
- (8) *Construction standards.* A building permit must be obtained prior to the construction or installation of a tower, antenna, or mast. An antenna facility must be installed according to the manufacturer's recommendations or under the seal of a registered professional engineer of the State of Texas.

(9) *Use and repair.* Antenna facilities and antennas not in use shall be removed within 30 days following notice given by the Building Official. Antenna facilities or antennas in need of repair as determined by the Building Official, shall be removed or brought into compliance within 30 days following notice given by the Building Official. This notice requirement shall not preclude immediate action by the Building Official if public safety requires it.

(10) *Contained on property.* No part of an antenna facility, antennas, or other attachment may extend beyond the property lines of the lot on which the antenna or antenna facility is located.

(11) *Special exception requirement.* A special exception is required from the Zoning Board of Adjustment for an antenna or antenna facility which will not comply with any requirement of this section. See division (J).

(D) *Amateur radio and TV antennas.* Amateur radio and TV antennas are permitted as accessory uses in the A, SF-5AC/24, SF-12/22, SF-9.6/20, SF-8.4/18, SF-8.4/16, SF-7.5/18, SF-7.5/16, SF-7.5/12, SF-6/12, 2F, MF-1, MF-2 or MH or PR zoning districts. Amateur radio and TV antennas must comply with the following regulations:

(1) *Antenna facility type.* The antenna facility may be either building attached, a monopole, tower, or a lattice tower.

(2) *Number of facilities per lot.* Only one antenna facility exceeding 35 feet in height is permitted on each lot.

(3) *Height limitations.* An antenna facility, exclusive of the height of any antenna or mast, shall not exceed 35 feet in height; except, that an antenna facility shall be permitted additional height at the ratio of one added foot in height for each additional foot of setback beyond the minimum setback required of an accessory building in the zoning district regulations to a maximum height of 65 feet in a residential district. A special exception is required for additional height.

(4) *Height limit for building mounted antenna.* An antenna shall not extend more than eight-feet above a building on which it is mounted.

(5) *Setbacks.* The following minimum setbacks apply:

(a) Antennas and antenna facilities shall not be permitted in front or side yards. Guy wires are not permitted in front yards;

(b) Guy wires are permitted in required side and rear yards; and

(c) Setback for antenna facilities shall be the same as is required for accessory buildings in residential districts.

(6) *Separation.* There shall be no minimum or maximum separation requirements for antenna facilities from other structures on the same lot of record.

(7) *Lights.* No outdoor lighting above 20 feet shall be allowed on antenna facilities located on residentially zoned property, and no lights so located shall be directed off one's property, except lights or lighting that is required by the Federal Aviation Administration or the Federal Communications Commission.

(E) *Satellite receive-only antennas generally.* A satellite receive only antenna is permitted as an accessory use under the following conditions:

(1) The satellite receive-only antenna is not greater than one meter in diameter: all zoning districts.

(2) The satellite receive-only antenna is one meter or greater in diameter, but not greater than two meters in diameter: all nonresidential zoning districts.

(F) Satellite receive-only antennas greater than one meter in diameter in residential districts and greater than two meters in diameter in non-residential districts are permitted as accessory uses if they comply with the following regulations:

(1) *Number of antennas per lot.* Only one satellite receive-only antenna per lot of record.

(2) Height: not exceeding ten feet in height.

(3) Setbacks:

(a) *Front and side yards.* Not permitted.

(b) *Rear yard.* Minimum setback as required for accessory buildings in residential districts and as for all buildings in nonresidential districts.

(4) *Separation.* No minimum or maximum separation requirements for satellite receive-only antennas from other structures on the same lot of record.

(5) *Screening.* Satellite receive-only antennas that are mounted on the ground shall be screened from view from adjoining properties by solid fencing or evergreen plants to a height of at least six feet. A satellite receive-only antenna located within a fence surrounding the yard in which the satellite receive-only antenna is located shall be considered to be screened.

(G) *Placement of antenna facilities (other than amateur radio, TV, and satellite receive-only antennas) within land use thresholds.* For the purpose of determining the appropriate locations for the placement of antenna facilities other than amateur radio, TV, and satellite receive-only antennas, the city is divided into land use threshold areas that require different regulations pertaining to height, location, and type of antenna facility. These land use thresholds are defined as follows:

(1) *Interior Industrial "II".* Property within the I-1 and I-2 zoning districts that is located more than 1,000 feet away from any other zoning district.

(2) *Exterior Industrial "EI".* Property within the I-1 and I-2 zoning districts, that is located within 1,000 feet of any other zoning district.

(3) *Full Commercial "FC".* Property within the OP, C-1, C-2, C-3, or C-4 zoning districts, which is located more than 600 feet from an A, SF-5AC/24, SF-12/22, SF-9.6/20, SF-8.4/18, SF-8.4/16, SF-7.5/18, SF-7.5/16, SF-7.5/12, SF-6/12, 2F, MF-1, MF-2, MH or PR zoning district.

(4) *Undeveloped Residential "UR"*. Property within the A, SF-5AC/24, SF-12/22, SF-9.6/20, SF-8.4/18, SF-8.4/16, SF-7.5/18, SF-7.5/16, SF-7.5/12, SF-6/12, 2F, MF-1, MF-2, MH or PR zoning districts, that:

- (a) Is not a part of a recorded subdivision; or
- (b) Is a part of a recorded subdivision but has not had a building permit issued for a residential structure; and
- (c) Is not located within the calculated limits of the "DR" threshold.

(5) *Edge Commercial "EC"*. Property within the OP, C-1, C-2, C-3, or C-4 zoning districts, which is located within 600 feet of an A, SF-5AC/24, SF-12/22, SF-9.6/20, SF-8.4/18, SF-8.4/16, SF-7.5/18, SF-7.5/16, SF-7.5/12, SF-6/12, 2F, MF-1, MF-2, MH or PR zoning district.

(6) *Wireless corridors "WC"*. Property within, and 75 feet either side of, the right-of-way of a freeway or a major or minor arterial roadway, as indicated on the city's thoroughfare plan.

(7) *Developed residential "DR"*. Property within the A, SF-5AC/24, SF-12/22, SF-9.6/20, SF-8.4/18, SF-8.4/16, SF-7.5/18, SF-7.5/16, SF-7.5/12, SF-6/12, 2F, MF-1, MF-2, MH or PR zoning districts, which:

- (a) Is a recorded subdivision that has had at least one building permit for a residential structure; or
- (b) Is within the exterior surfaces of an existing primary residential structure; or
- (c) Is within 600 feet of areas described by divisions (7)(a) and (b) above.

(8) *Scenic /Limited "SL"*. Property that has been defined as a scenic/limited area, the boundary of which has been delineated on the zoning map.

(H) *Antenna facility impact levels*. For the purpose of determining appropriate locations for antenna facilities, the city recognizes differing levels of impact for antenna facilities depending upon physical location, aesthetics, and land uses compatibility. These antenna facility impact levels are defined as follows:

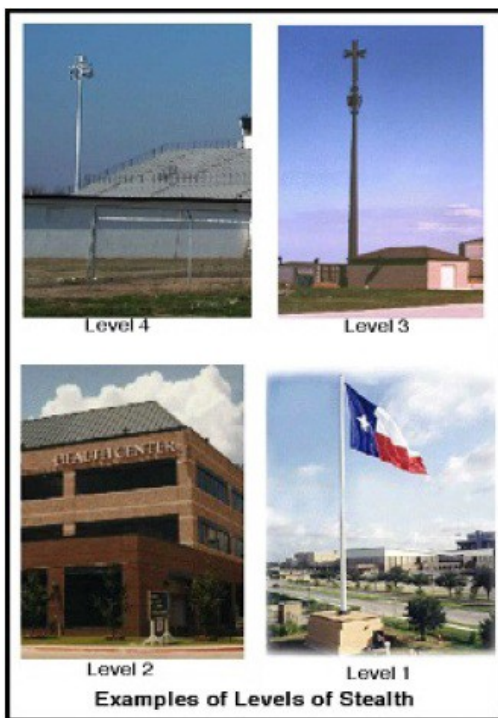


(1) *90 foot monopole*. A monopole no greater than 90 feet in height. The antenna equipment may not extend more than five feet above the highest point on the monopole.

(2) *60 foot monopole*. A monopole no greater than 60 feet in height. The antenna equipment may not extend more than five feet above the highest point on the monopole.

(3) *35 foot monopole*. A monopole no greater than 35 feet in height. The antenna equipment may not extend more than five feet above the highest point on the monopole.

(4) *Level 4 stealth facility*. The antenna on a Level 4 stealth facility is located on an existing structure (other than an antenna facility) including, but not limited to, a building, water tower, utility tower, steeple, or light pole. The antenna is not screened nor hidden. For the purpose of this level, a pole or tower may be reconstructed to structurally hold the antenna but shall not be any higher than the original structure that it is replacing.



(5) *Level 3 stealth facility.* The antenna on a Level 3 stealth facility is located on an existing structure (other than an antenna facility) including, but not limited to, a building, water tower, utility tower, steeple, or light pole. The antenna may be aesthetically painted, constructed, or applied with material so that it is incorporated into the pattern, style, and material of the structure to effectively render the antenna unnoticeable. A new structure may be constructed to hold or house the antenna or equipment; however, the structure must be consistent with the overall architectural features of the primary buildings.




(6) *Level 2 stealth facility.* The antenna on a Level 2 stealth facility is attached to the structure in such a manner that if it is seen it appears unrecognizable as an antenna, and the structure in which or on which the antenna is attached is an integral part of an overall development.

(7) *Level 1 stealth facility.* The antenna on a Level 1 stealth facility is attached to the structure in such a manner that the antenna is completely unseen and the structure in which or on which the antenna is attached is an integral part of an overall development.

(I) *Antenna facility siting matrix.* Antenna facilities shall be located in accordance with the following siting matrix. This matrix provides for areas where antenna facilities may be located as permitted uses, areas where they may be located with a special exception, and areas where they are prohibited.

(1) *Additional height.* Permitted monopoles shown as 90 ft., 60 ft., and 35 ft. in the Antenna Facility Siting Matrix may be increased in height up to 20 feet, if the antenna facility is constructed to accommodate co-location. Co-location must include area requirements for ground storage buildings, driveways, screening, and any other accommodation that is required for the successful operation of a multiple-user antenna facility site. The extension of height may only occur twice to a maximum 40 additional feet.

Antenna Facility Siting Matrix

			
	Permitted Use	Requires a Special Exception	Prohibited
Special Exception			
90 - 130 ft. Monopole			
60 - 100 ft. Monopole			
35 - 75 ft. Monopole			
Level 4 Stealth Facility			
Level 3 Stealth Facility			
Level 2 Stealth Facility			
Level 1 Stealth Facility			
	II	EI	FC
	UR	EC	WC
	DR	SL	

(J) *Special exception.* When a special exception is required by this section for the location of an antenna facility or an antenna, the property owner must submit an application to the Zoning Board of Adjustment.

(1) *Application.* To properly evaluate an application to locate an antenna facility or an antenna that requires a special exception, the following information must be provided by the applicant:

- (a) Describe the nature of the antenna site. Indicate whether the proposed structure is a monopole or mounted to a self-supporting structure. Indicate the proposed height.
- (b) Provide photos or drawings of all equipment, structures, and antennas.
- (c) Describe why the antenna or tower is necessary at the particular location.
- (d) State the name(s) of the telecommunications providers or other users of the antenna or tower and describe the use to be made by each user.
- (e) Indicate if this antenna or tower site is to be connected to other sites; and if so, describe how it will be connected and who will be the back haul provider.
- (f) The applicant must address whether it has made an effort to co-locate the facilities proposed for this antenna facility on existing antenna facilities in the same general area. Identify the location of these existing sites, and describe in detail these efforts and explain in detail why these existing sites were not feasible. Attach all studies or tests performed which demonstrate why the existing sites will not provide sufficient signal coverage. Provide written documentation from existing sites' owners and/or operators which confirm the statements provided. Indicated whether the existing sites allow/ promote co-location and, if not, describe why not.
- (g) Indicate whether co-location will be allowed to other telecommunications providers at the requested site. If they are not allowed, state every reason and the basis of each reason.
- (h) If the requested location is in a residential district the applicant must address whether it has made an effort to locate the facility in a nonresidential district. Identify the location of these nonresidential district sites, describe in detail these efforts, and explain in detail why these nonresidential sites were not feasible. Attach all studies or tests performed which demonstrate why the nonresidential sites will not provide sufficient signal coverage. Provide written documentation from nonresidential district sites' owners or operators which confirm the statements provided.
- (i) Indicate the proposed provider's current coverage area for the city. Attach maps showing the areas the proposed provider's existing antenna currently covers, the areas the applicant's existing sites and the requested site would cover.
- (j) Describe the applicant's master antenna facilities plan for the city. Attach maps and other related documentation. Provide information indicating each phase of the plan.
- (k) Describe the applicant's plan to minimize the number of antenna facilities needed to cover the city.

(2) *Consideration of application.* In considering whether to grant a special exception, the Zoning Board of Adjustment shall consider the following:

- (a) The effect on the value of the surrounding property;
- (b) The potential for interference with the enjoyment or the use of surrounding properties;
- (c) Aesthetics;
- (d) The proposed height of the antenna facility;

- (e) The zoning district and the adjoining zoning districts of the property for which the special exception is sought; and
 - (f) The unique conditions that govern reasonable reception on any given lot.
- (3) The Zoning Board of Adjustment will approve a requested application subject to the finding that co-location of this facility with a nearby existing antenna facility is technically not feasible and subject to the following conditions:
- (a) Applicant will permit co-location of others at the site;
 - (b) Applicant will construct and configure its antenna facility and other equipment to accommodate other providers;
 - (c) Applicant will identify its backhaul provider connecting antenna sites; and
 - (d) Applicant will give notice to the city identifying any provider who co-locates to the site and identify its backhaul provider.
- (K) *Written report upon denial of request.* The Board of Adjustment shall document in writing any denial of a request to place, construct, or modify an antenna facility. This documentation shall be supported by substantial evidence within the written record.
- (Ord. 671, passed 4-15-86)



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 21-4151

Agenda Date: 7/7/2021

Version: 1

Status: Public Hearing

In Control: Zoning Board of Adjustments

File Type: Zoning Board
Request

Agenda Number:

Title

ZBA#21-006: Request for a variance to Section 155.055(B)(1) of the Code of Ordinances allow a reduction of the minimum lot width from 90 feet to approximately 88 feet at 909 North St.; Luis Alegria, owner/applicant

Description/History

The property owners are seeking to build a new single-family residence on the property. The property is bordered by residential lots on the north, south and west sides. Prior to issuance of a building permit for this property, the property must be platted. During the platting process, it was discovered that the width of the property is approximately 88 feet measured at the front building line.

The property is zoned PR, Pre-Development District. By ordinance, lots in the PR District must comply with the same lot dimensions as the SF-12/22 District. SF-12/22 lots must have a minimum lot width of 90 feet at the front building line. Due to the existing residences on the adjacent properties, the applicant's property cannot be widened to meet the minimum lot width. The applicant is requesting a reduction in the minimum lot width by approximately 2 feet.

The purpose of a variance is to relieve hardship, not to confer benefits that are not enjoyed by neighboring properties. According to Section 155.113 of the Code of Ordinances, the Board may grant a variance if the following conditions are met:

- a. That the granting of the variance will not be contrary to the public interest; and
- b. That literal enforcement of the ordinance will result in unnecessary hardship because of exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional physical situation or physical condition unique to the specific piece of property in question. "Unnecessary hardship" shall mean physical hardship relating to the property itself as distinguished from a hardship relating to convenience, financial considerations or caprice, and the hardship must not result from the applicant or property owner's own actions; and
- c. That by granting the variance, the spirit of the Zoning Ordinance will be observed and substantial justice will be done.

Attachments:

Maps and supporting information
Site plan and exhibits
Provisions of Section 155.055(B)(1)





6/22/2021

May 3, 2021

City of Mansfield
Zoning Board of Adjustments
1200 E Broad Street
Mansfield, Texas 76063

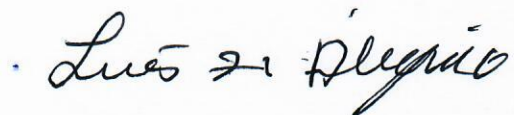
To whom it may concern:

We, Luis and Maria Alegria, would like to request for variance from the ZBA for approved of the proposed attached preliminary plat. The address of the property is 909 North Street.

As set forth for Zoning SF-12/22, the current minimum width at setback is 90'. We currently do not meet that criteria. All other standards are met.

We purchased this property in 2013 with a structure on the property. We have based our current plans on a 90' minimum width for the lot. Please find attached. In order to meet the minimum requirement, it would cause financial hardship. Also, there are existing structures on the neighboring properties that would be affected.

Thank you for your time and consideration.



Luis Alegria



Maria Alegria



James Howard
RFLA No. 9499
March 17, 2017

-BLOCK 1-

0.880 ACRE
LUIS ALEGRIA AND
WIFE MARIA ALEGRIA
CC # D213080947

LINDA LOUISE JOHNSON JENNINGS
VOL. 7844
PG. 102

NORTH STREET
(R.O.W. VARIES)
07°14'31"E 95°55' B5° (ACQUIN
08°-57'10"E 95°56' (DEED

CONNECTION ADDITION
CUBA
8-12-47

-BLOCK

CALEB AND MELISSA BROOKER
CC# D215045492

FIELD NOTES

0.8500 acre of land situated in the WRIGHT FORESTYELLOW SURVEY, APPROACH NO. 1267, City of Mansfield, Tarrant County, Texas and being that certain tract of land described to Lee and Maria Wright by deed recorded in County Clerk's Deedbook No. 925080847, Deed Records, Tarrant County, Texas and being more particularly described by nature and bounds as follows:

REMARKS: A 2" run found at the Southwest corner of said Agra tract and the Northwest corner of a tract of land described in Linda Louise Johnson Jennings is also recorded in Volume 7084, Page 802, Deed Records, Garret County, Idaho, and 2" run being in the West line of North Street (R.O.H. versus);

0843 5 97 5927 W, 592.78 deg to a N run with "Yellow Springs" cap on the Northwest corner of said jump track in the Northwest 1/4 of a tract of land described to Calde and Helms Center by deed recorded in County Clerk's Precinct No. 278-O-19-192, Pinal Records, Pinal County, Texas;

SENEZ N 49°14'56" W, along the Northwest line of said Center tract, 29.50 feet to a 5" iron stake with "Center" cap, at the west Northern corner of said Center tract and the Southeast corner of Lot 1, Block 1, CONVEY BY ADDITION, as Addition to the City of Hinsdale, Tarrant County, Texas, according to the Plat recorded in Colored A. State 129-17, Plat Records, Tarrant County, Texas.

SEANCE N 4° 25' 07" W, along the Northwest line of said Lot 1, a distance of 66.24 feet to a 6" iron rod with "Palen Survey" cap at the west Westerly corner of said Acreage track and the Southwest corner of Lot 1, Block 1, PHOEBES ADDITION, as Addition to the City of Memphis, Tarrant County, Texas according to the Plat recorded in Volume 2635-2637, Page 92, Plat Records, Tarrant County, Texas.

BEARING N 85° 25' 40" E, along the common line of said Haystack tract and said Lot 1, Block 1, PRIMER 256485, 450.60 feet to a 4" iron band with a "Candidate" cap at the Southwest corner of said Lot 1, Block 1, PRIMER 256485 and in the West line of said North Street.

WIND: 5.07-14.54 E, along the shoreline of mid North Street, 99.85 feet to the POINT OF BEGINNING and containing 0.2830 acre of land.

SURVEY PLAT
909 North Street
0.880 Acre
Situated in the
MARGARET ROCKEFELLOW SURVEY
ABSTRACT NO. 1267
City of Mansfield
Tarrant County, Texas

FULTON SURVEYING, INC.
100 ST. LOUIS AVENUE
FORT WORTH, TEXAS 76102
(817) 338-3486
TX. PERM 888-A/LIC.
NO. 0003600

417009

§ 155.055 AREA, SETBACK AND HEIGHT REGULATIONS.

(A) No lot, parcel, premises or tract of land shall be created and no building permit shall be issued for any request that does not meet the appropriate minimum lot area, width, depth, yard and height regulations as set forth in the tables in division (B) of this section.

(B) See tables on following page.

(1) Residential districts.

Zoning District ⁶	Minimum Lot Area per Dwelling Unit (Sq. Ft.)	Minimum Floor Area Per Unit (Sq. Ft.)	Maximum Lot Coverage	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Minimum Front Yard (Feet)	Minimum Rear Yard (Feet) ¹	Minimum Interior Side Yard (Feet) ¹	Minimum Exterior Side Yard (Feet)		Max. Height (Feet)	Min. Masonry Construction ⁶
									Backing up to an abutting side yard	Backing up to an abutting rear yard		
A	2 acres	2,200	15%	150	200	40	15	25	25	25	35	See §155.056
SF-12/22	12,000	2,600 ⁸	45%	90	120	25	25	10	25	15	35	
SF-9.6/20	9,600	2,400 ⁸	45%	80	110	25	15	10	25	15	35	
SF-8.4/18	8,400	2,200 ⁸	45%	70	110	25	15	10	20	15	35	
SF-7.5/18	7,500	1,800	45%	65	110	25	15	5 & 10 ^{2,7}	20	15	35	
2F	3,750	1,000	45%	65	110	25	15	5 & 10 ²	20	15	35	
MF-1	3,630	See §155.055 (F)	40%	100	120	25	25 ³	20 ³	25	25	35 ⁴	
MF-2	2,420	See §155.055 (F)	40%	100	120	25	25 ³	20 ³	25	25	35 ⁴	
SF-5AC/24	5 acres	2,400	15%	200	200	45	35	20	45	20	35	See §155.056
SF-8.4/16	8,400	1,600	45%	70	110	25	15	5/7.5 ⁵	20	15	35	
SF-7.5/16	7,500	1,600	45%	65	110	25	15	5 & 10 ^{2,7}	20	15	35	
SF-7.5/12	7,500	1,200	45%	65	110	25	15	5/7.5 ⁵	20	15	35	
SF-6/12	6,000	1,200	45%	60	100	25	15	0/10 ⁵	20	15	35	

Footnotes:

1. Refer to § 155.095(C) for minimum rear or side yard requirement on residential lots abutting property in an OP, C-1, C-2, C-3, I-1 or I-2 zoning classification.

2. Requires two side yards to have a combined total of not less than 15' with a 5' minimum on one side and a 10' minimum on the other side.

3. Notwithstanding the above, townhomes, apartments and multi-family dwellings in MF- 1 and MF-2 Districts, when located adjacent to other residential districts that do not permit multi-family dwellings, shall setback from the property line along such other residential districts four (4) feet for every one (1) foot of building height. See additional landscaping requirements in §155.092 that may affect the building setback.

4. Multi-family dwelling units in MF-1 and MF-2 Districts shall not be higher than 35' or two stories, whichever is less.

5. For single-family detached dwellings located in SF-8.4/16, SF-7.5/12 and SF-6/12 Districts, the minimum interior side yard shall be five (5) feet for one-story units and seven and a half (7.5) feet for units with more than one-story. Zero-lot-line dwellings in SF-6/12 District shall comply with the provisions in §155.055(C).

6. The area and height regulations for the PR District shall be the same as those provided for the SF-12/22 District.

7. Developments in the SF-7.5/18 District approved prior to September 14, 2015, and developments in the SF-7.5/16 District

§ 155.033 PR, PRE-DEVELOPMENT DISTRICT REGULATIONS.

(A) *General purpose and description.* To identify areas that will ultimately be developed for residential, commercial or industrial purposes. This zoning classification does not infer any specific indication of future land uses other than its projection for some form of residential, commercial or industrial development. The actual zoning classification for properties in these areas will be converted to a residential, commercial or industrial zoning district classification at the initiation of the development process by a properly filed zoning change request to be evaluated in conformance with the city's zoning ordinance. The zoning classification selected will be determined based upon normal zoning change review criteria to include the city's then current land use plan, thoroughfare plan, and the developer's projected uses.

(B) *Permitted uses.* Uses permitted in the PR District shall be the same as those permitted in the SF-12/22 District.

(C) *Area and height regulations.* Area and height regulations in the PR District shall be the same as those provided for the SF-12/22 District.

(Ord. 671, passed 4-15-86)



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 21-4152

Agenda Date: 7/7/2021

Version: 1

Status: Public Hearing

In Control: Zoning Board of Adjustments

File Type: Zoning Board
Request

Agenda Number:

Title

ZBA#21-007: Request for Special Exceptions under Sec 155.082(E)(6) of the Code of Ordinances to allow an accessory building with an area of approximately 2,280 square feet and a height of approximately 18 feet at 1563 Matlock Rd; Janice Lilly, applicant; Danny Green, property owner

Description/History

The applicant is requesting a Special Exception to allow an accessory building to be used for parking a RV, boat and additional storage items. The new structure will be approximately 2,280 square feet and approximately 18 feet in height. There are two existing detached buildings, a 165 square foot pump house and a 1,311 square foot garage on the property.

The Board may grant a Special Exception under Section 155.082(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. The property is approximately 115,434 square feet (2.65 acres) according to the plat.
2. The applicant is requesting an exception for the building area. The proposed building will exceed 2% of the square footage of the lot 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 new building with an area of approximately 2,280 square feet; plus the two existing detached structures of 165 square feet and 1,311 square feet, for a total of 3,756 square feet or 3.25% of the property area.
3. The applicant is requesting an exception to 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 one-half to two acres in size. The applicant is requesting a height of approximately 18 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

Site plan and exhibits

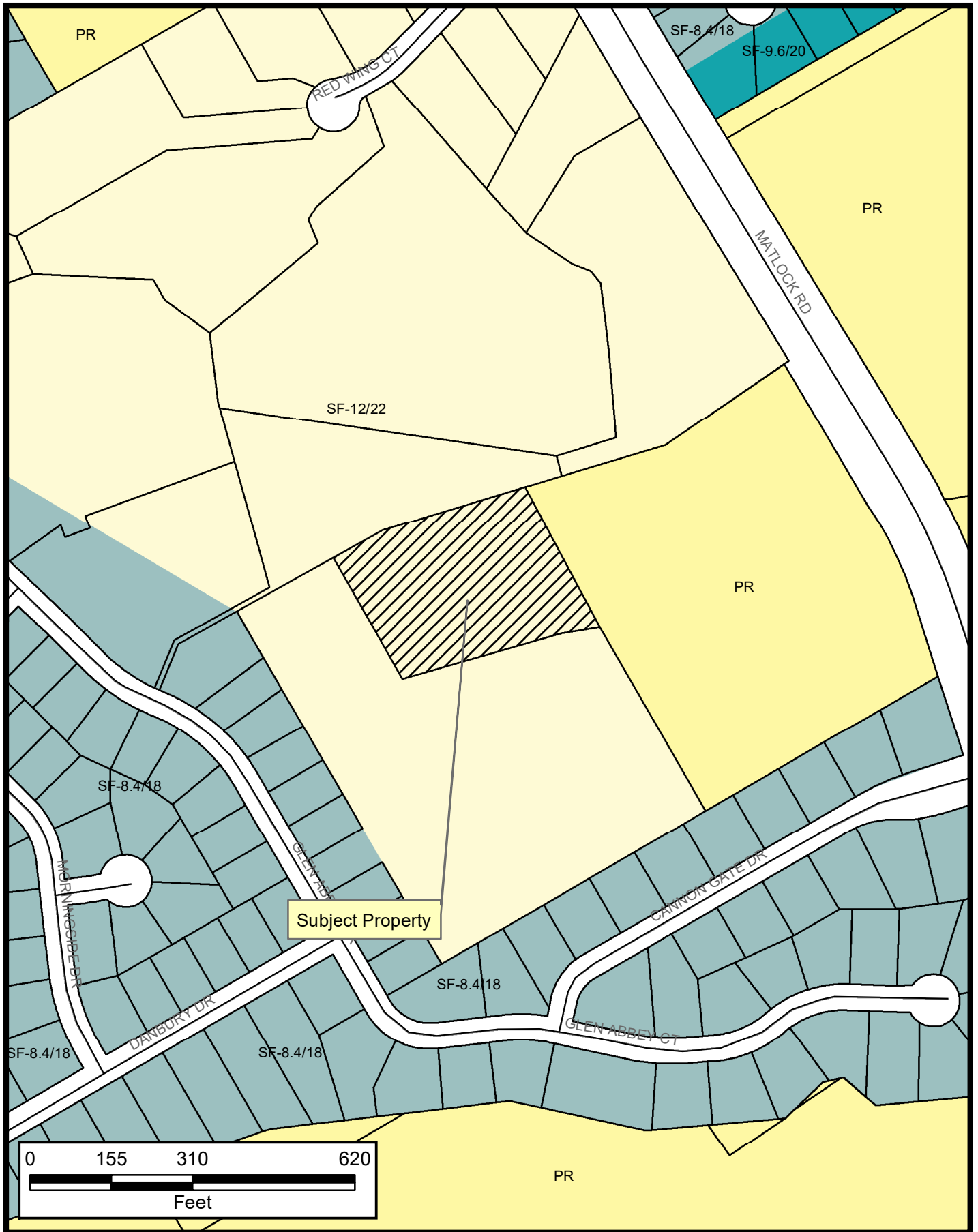
Provisions of Section 155.082(E)(6)



ZBA# 21-007

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.

6/22/2021



June 21, 2021

To Whom It May Concern,

I, Janice Lilly, in representation of Danny Green, am petitioning the planning and zoning board to approve the addition of a new building on the property 1563 Matlock Road.

This building will be utilized to house the RV, boat and additional storage for the property to prevent these items just sitting out in the sun, and where the items won't be visible from surrounding properties. Currently the plans that we have drawn up feature a 40 ft by 60 ft metal building to be put in the back right portion of the property (proposed location shown on the site plan). The walls of the building will be 16 ft tall and the overall height of the roof being 19 ft tall including the foundation. These plans are just a proposal and can still be changed slightly if need be to fit the guidelines of the city.

We are also requesting an increase in the maximum allowable square footage of land that can be used for accessory buildings on the property from 2% to 4%. The property currently contains a detached garage and a pump house which are under the 2% ordinance, however, with the new building, we would go over the current ordinance.

I look forward to meeting with you to continue this process. If you have any questions, please feel free to contact me at (817)791-3913.

Regards,

Janice Lilly

Janice Lilly

LOT 27R2B, BLOCK 18
WALNUT ESTATES - SECTION TWO
CAB. A, SLIDE 6233

7.5' UTILITY EASEMENT
CAB. A, SLIDE 6233

1563 MATLOCK RD.

LOT 34R-B
BLOCK 18
114,298 SQ. FT.
2.6239 ACRES

LOT 1, BLOCK 1
GREEN ACRES
CAB. A, SLIDE 9241

LOT 34R-A, BLOCK 18
WALNUT ESTATES SECTION FIVE
CAB. A, SLIDE 3556

EXHIBIT OF

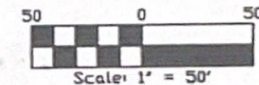
LOT 34R-B, BLOCK 18,
WALNUT ESTATES, SECTION FIVE,
in the City of Mansfield, Tarrant County, Texas,
as shown on the plat thereof recorded in Cabinet A, Slide 3556,
County Clerk's Records, Tarrant County, Texas,

NOTES:

1. THE SUBJECT PROPERTY BY SCALED LOCATION LIES WITHIN ZONE X (UNSHADED) AREA DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOODPLAIN AS DEPICTED BY FLOOD INSURANCE RATE MAP NO. 48439C0480K, REVISED SEPTEMBER 25, 2009.

2. BEARINGS ARE BASED UPON THE PLAT OF WALNUT ESTATES, SECTION FIVE, RECORDED IN CABINET A, SLIDE 3556, TARRANT COUNTY, TEXAS PLAT RECORDS.

3. DISTANCES IN PARENTHESES () ARE PLAT CALLS FOR DISTANCE.



All original copies of survey maps and descriptions prepared by the surveyor and firm whose names appear hereon will contain an embossed surveyor's seal. Any map or description copy without that embossed seal is likely a copy not prepared in the office of the surveyor and may contain alterations or deletions made without the knowledge or oversight of the surveyor.

G CURTIS SURVEYORS, LLC
T.B.P.E.L.S. Firm No. 10194225
P.O. Box 471787 817/334-0381
Fort Worth, Texas 76147-1408

20' INGRESS-EGRESS
EASEMENT
VOL. 10471, PG. 1227
(TRACT II)

COMPILED FROM PREVIOUS
SURVEYS AND PLANS FURNISHED
BY OWNER'S REPRESENTATIVE.

3 June 2021

06034



Lelands Metal Building
 900 McDuff Ave.
 Grandview, TX, 76050
 1-817-764-1123
 info@lelandsmetalbuildings.com

Customer Details

Customer Name	Danny Green
Phone Number	8179886839
Email	dgreen@dmgmasonry.com

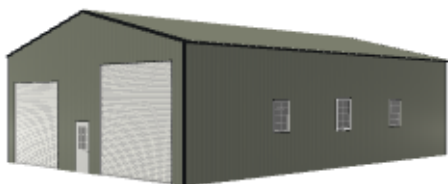
Delivery and Installation Details

Delivery Contact Person	Danny Green
Delivery Address	1563 Matlock Rd
Delivery City, State, ZIP	Mansfield, TX, 76063

Order Details

Date:	Tue, May 11, 2021
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Building Images



Perspective View



Front

Building Images



Left Side

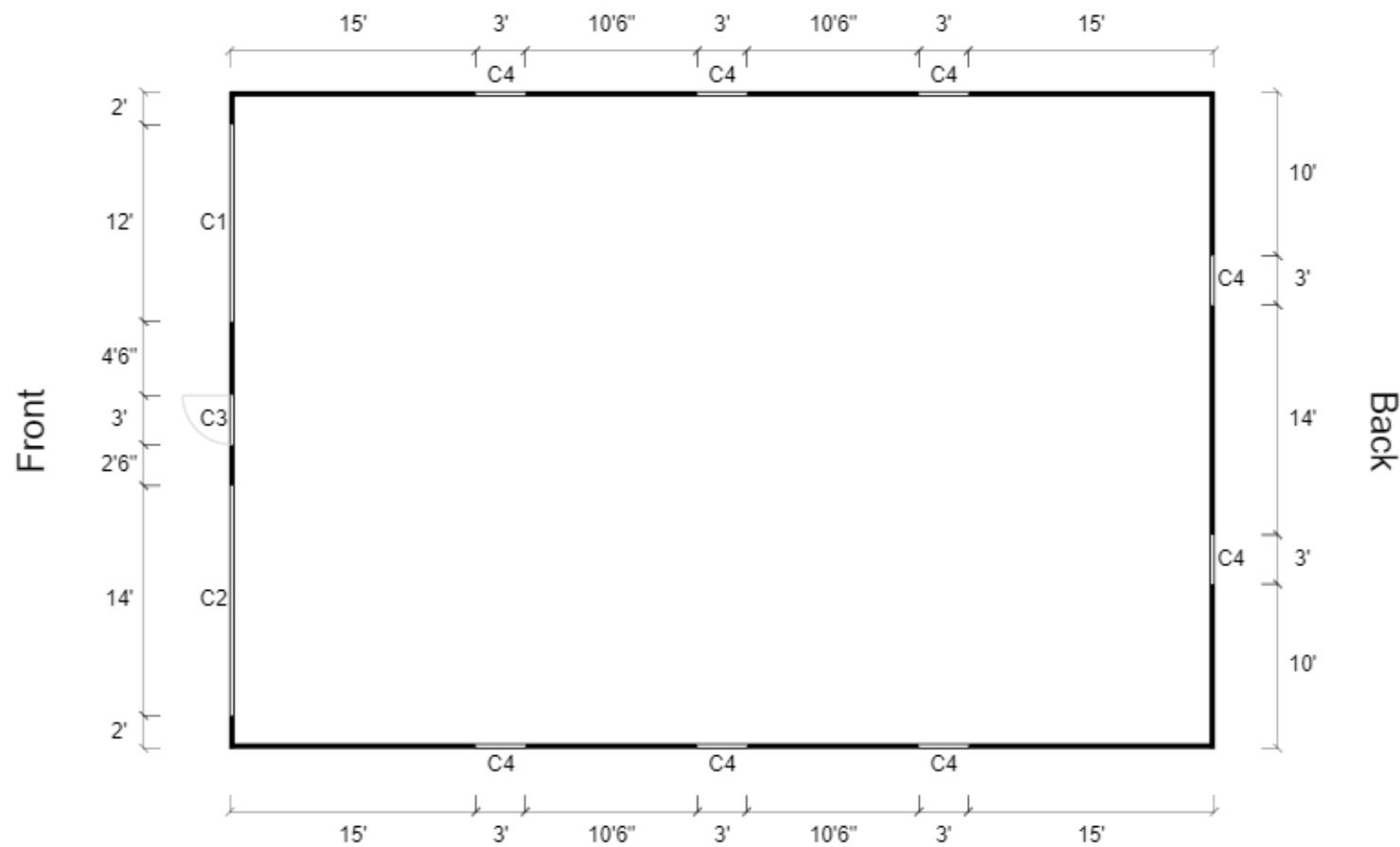


Right Side



Back

Left



Right

Symbol Legend:

- C1: 12x12 RUD
- C2: 14x14 (Chain - Special Order & Lift Needed)
- C3: 36x80 9Lite
- C4: 3'x4' Vinyl

SECTION 155.082(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.