



# CITY OF MANSFIELD

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

## Agenda - Final

### Zoning Board of Adjustments

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Wednesday, June 1, 2022

6:00 PM

City Hall Council Chambers

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1. **CALL TO ORDER**

3. **APPROVAL OF MINUTES**

[22-4693](#)

Minutes - Approval of the April 6, 2022, Zoning Board of Adjustments Meeting Minutes

**Attachments:** [Meeting Minutes 04-06-22.pdf](#)

4. **PUBLIC HEARINGS**

[22-4692](#)

ZBA#22-005: Request for Special Exceptions under Section 155.082(E) (6) of the Code of Ordinances to allow an accessory building with an area of approximately 1,440 square feet and a height of approximately 20 feet located at 233 Creekwood Dr.; John Banta, owner.

**Attachments:** [Maps.pdf](#)

[A Site plan and exhibits.pdf](#)

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

5. **ADJOURNMENT OF MEETING**

I certify that the above agenda was posted on the bulletin board next to the main entrance of City Hall on May 25, 2022 in accordance with Chapter 551 of the Texas Government Code.

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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.



# CITY OF MANSFIELD

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## STAFF REPORT

File Number: 22-4693

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**Agenda Date:** 6/1/2022

**Version:** 1

**Status:** Approval of Minutes

**In Control:** Zoning Board of Adjustments

**File Type:** Meeting Minutes

**Agenda Number:**

**Title**

Minutes - Approval of the April 6, 2022, Zoning Board of Adjustments Meeting Minutes

**Description/History**

The minutes of the April 6, 2022, 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.  
Mansfield, TX 76063  
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## Meeting Minutes - Draft

### Zoning Board of Adjustments

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Wednesday, April 6, 2022

6:00 PM

City Hall Council Chambers

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#### 1. CALL TO ORDER

*Vice Chair Accipiter called the meeting to order at 6:02 p.m. in the Multipurpose Room 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*

*Jennifer Johnston, Development Coordinator*

**Present** 5 - Robyn Accipiter; Eddilisa Martin; Noel Rendon; Tammy Miller and Ann Smith

#### 2. APPROVAL OF MINUTES

[22-4598](#)

Minutes - Approval of the March 2, 2022, Zoning Board of Adjustments Meeting Minutes

**Board Member Martin made a motion to approve the minutes of the March 2, 2022 meeting. Board Member Miller seconded the motion, which carried by the following vote:**

**Aye:** 5 - Robyn Accipiter; Eddilisa Martin; Noel Rendon; Tammy Miller and Ann Smith

**Nay:** 0

**Abstain:** 0

#### 3. PUBLIC HEARINGS

[22-4599](#)

ZBA#22-002: Request for Special Exceptions under Sec 155.082(E)(6) of the Code of Ordinances to allow an 750 square foot addition to an existing 737 square foot accessory building for a total area of approximately 1,487 square feet and a height of approximately 17 feet, and for an existing accessory building with an area of approximately 909 square feet and a height of approximately 16 feet at 1678 Cardinal Rd.; Olusegun Asekun, owner.

*Vice-Chairman Accipiter opened the public hearing at 6:09p.m.*

*Olusegun Asekun, applicant, gave an overview of the request and was available for questions.*

*Seeing no one else come forward to speak, Vice-Chairman Accipiter closed the public hearing at 6:10 p.m.*

*Vice-Chairman Accipiter read the criteria for approval.*

**After a brief discussion Board Member Smith made a motion to approve the request as presented. Board Member Rendon seconded the motion, which carried by the following vote:**

**Aye:** 5 - Robyn Accipiter; Eddilisa Martin; Noel Rendon; Tammy Miller and Ann Smith

**Nay:** 0

**Abstain:** 0

[22-4600](#)

ZBA#22-003: 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 800 square feet and a height of approximately 16 feet located at 2451 Callender Rd.; Arthur Girouard, owner.

*Vice-Chairman Accipiter opened the public hearing at 6:16 p.m.*

*Arthur Girouard, applicant, gave an overview of the request and was available for questions.*

*Seeing no one else come forward to speak, Vice-Chairman Accipiter closed the public hearing at 6:16 p.m.*

*Vice-Chairman Accipiter read the criteria for approval.*

**After a brief discussion Board Member Martin made a motion to approve the request as presented. Board Member Miller seconded the motion, which carried by the following vote:**

**Aye:** 5 - Robyn Accipiter; Eddilisa Martin; Noel Rendon; Tammy Miller and Ann Smith

**Nay:** 0

**Abstain:** 0

[22-4601](#)

ZBA#22-004: 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 1600 square feet and a height of approximately 22 feet located at 1840 Paul Rd.; Arthur and Misty Morin, owner.

*Vice-Chairman Accipiter opened the public hearing at 6:21 p.m.*

*Arthur Morin, applicant, gave an overview of the request and was available for questions.*

*Seeing no one else come forward to speak, Vice-Chairman Accipiter closed the public hearing at 6:21 p.m.*

*Vice-Chairman Accipiter read the criteria for approval*

**After a brief discussion Board Member Martin made a motion to approve the request as presented. Board Member Rendon seconded the motion, which carried by the following vote:**

**Aye:** 5 - Robyn Accipiter; Eddilisa Martin; Noel Rendon; Tammy Miller and Ann Smith

**Nay:** 0

**Abstain:** 0

#### **4. ADJOURNMENT OF MEETING**

With no further business Vice-Chairman Accipiter adjourned the meeting at 6:25 p.m.

\_\_\_\_\_  
Kelly Jones, Chairman  
ATTEST:

\_\_\_\_\_  
Jennifer Johnston, Development Coordinator



# CITY OF MANSFIELD

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

## STAFF REPORT

File Number: 22-4692

**Agenda Date:** 6/1/2022

**Version:** 1

**Status:** Public Hearing

**In Control:** Zoning Board of Adjustments

**File Type:** Zoning Board  
Request

**Agenda Number:**

### Title

ZBA#22-005: Request for Special Exceptions under Section 155.082(E)(6) of the Code of Ordinances to allow an accessory building with an area of approximately 1,440 square feet and a height of approximately 20 feet located at 233 Creekwood Dr.; John Banta, owner.

### Description/History

The applicant is requesting a Special Exception to allow an accessory building with an area of approximately 1,440 square feet and a height of approximately 20 feet. The building will be used for , personal storage, to store a camper and workspace for personal vehicles. There is an existing pool house of 816 square feet and a shed of 100 square feet which will remain, for a total combined square footage of 2,356 square feet or approximately 1.59% of 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 147,886 square feet (3.395 acres) according to the plat.
2. The applicant is not requesting an exception for the building area. The proposed building 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 an increase in height up to 35 feet for properties of two or more acres in size. The applicant is requesting a height of approximately 20 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 dwelling or

business purposes.

**Attachments**

Maps and supporting information

Site plan and exhibits

Provisions of Section 155.082(E) (6)



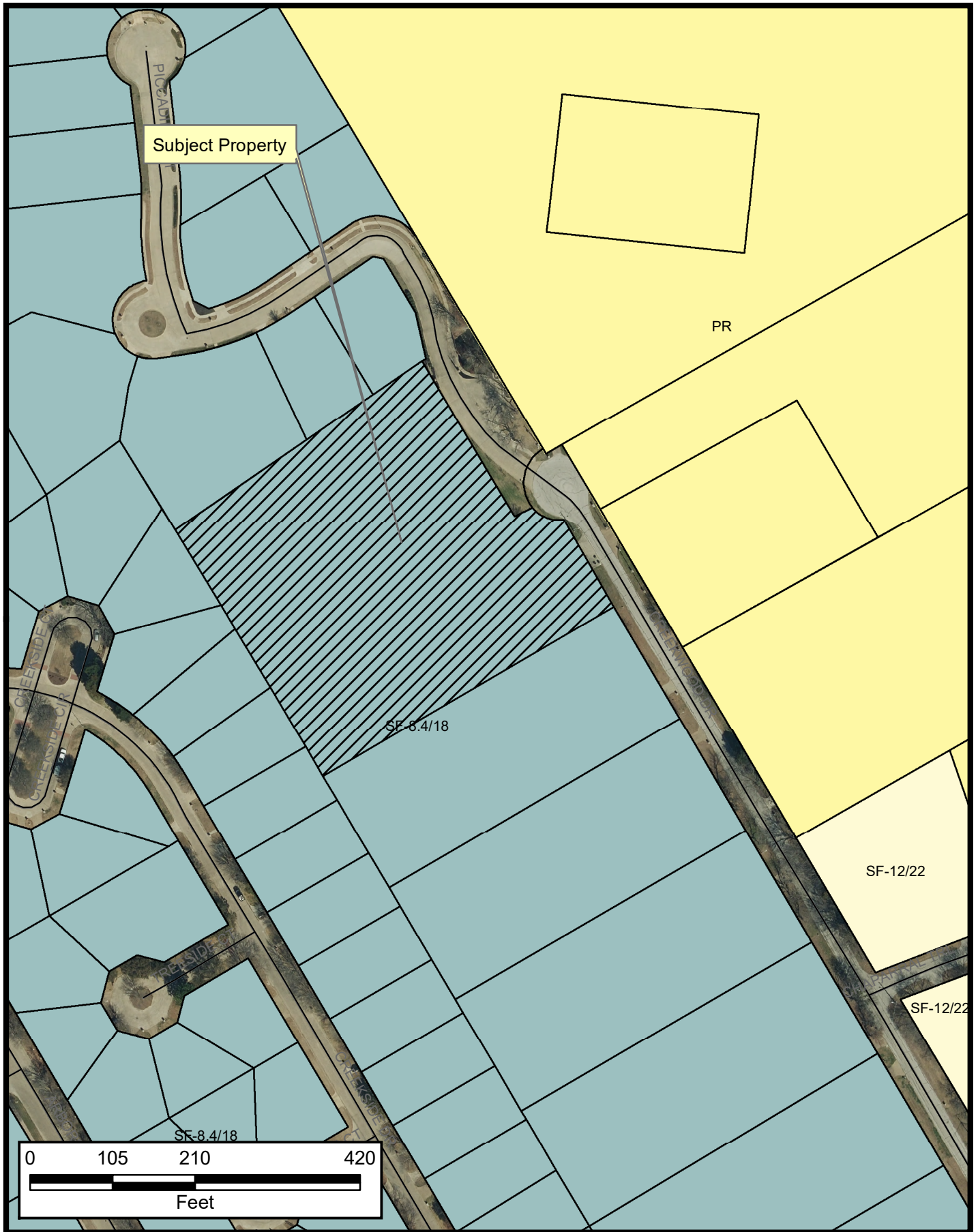


**ZBA 22-005**

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.

5/10/2022





JOHN & SHARON BANTA

**To Whom it May Concern**

We are requesting to build an accessory building on our property at 233 N. Creekwood dr., Arbors of Creekwood Addition, Block 1, Lot 73R. This is our principal residence. The function of the building will be a two-car garage with an attached hobby shop. Our lot is 147,886 sq. ft. There is an existing accessory property on the acreage, a pool house of 816 sq. ft. The proposed building will be 32' x 45', 1,440 sq. ft., for a combined area under accessory buildings of 2,256 sq. ft. This is less than what is allowed for our size lot. We are asking for a height exemption of 20'.

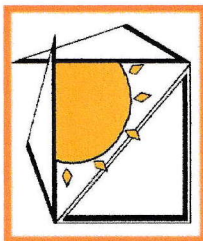
The building will be stick frame. The exterior will have a base of 4' of Austin stone, topped with painted Hardie board to the eaves. This will match the exterior of the house and the pool house which are Austin stone and cedar-look Hardie board.

SINCERELY YOURS

**John Banta**

233 N Creekwood Dr.  
Mansfield, TX 76063  
817-319-4778

[Pick the Date]



Scoggin Outdoor Living & Shops

5/1/22

To whom it may concern,

My name is Jarod Scoggin, I own Scoggin Outdoor Living. I have been hired by John and Sharon Banta to build a detached garage at their home, property address is 233 N Creekwood Dr, Mansfield 76063.

I have applied for a permit but we have been told that the maximum allowable height for a standard permit is 12' or under. We would like to build the garage at an 18' peak height.

Please accept this letter on our behalf to apply for a variance to allow for the taller height.

John Banta will be representing himself at the variance meeting and I will be there with him. Please let me know if there is anything further that you will need from him or I prior to that meeting.

Thank you,

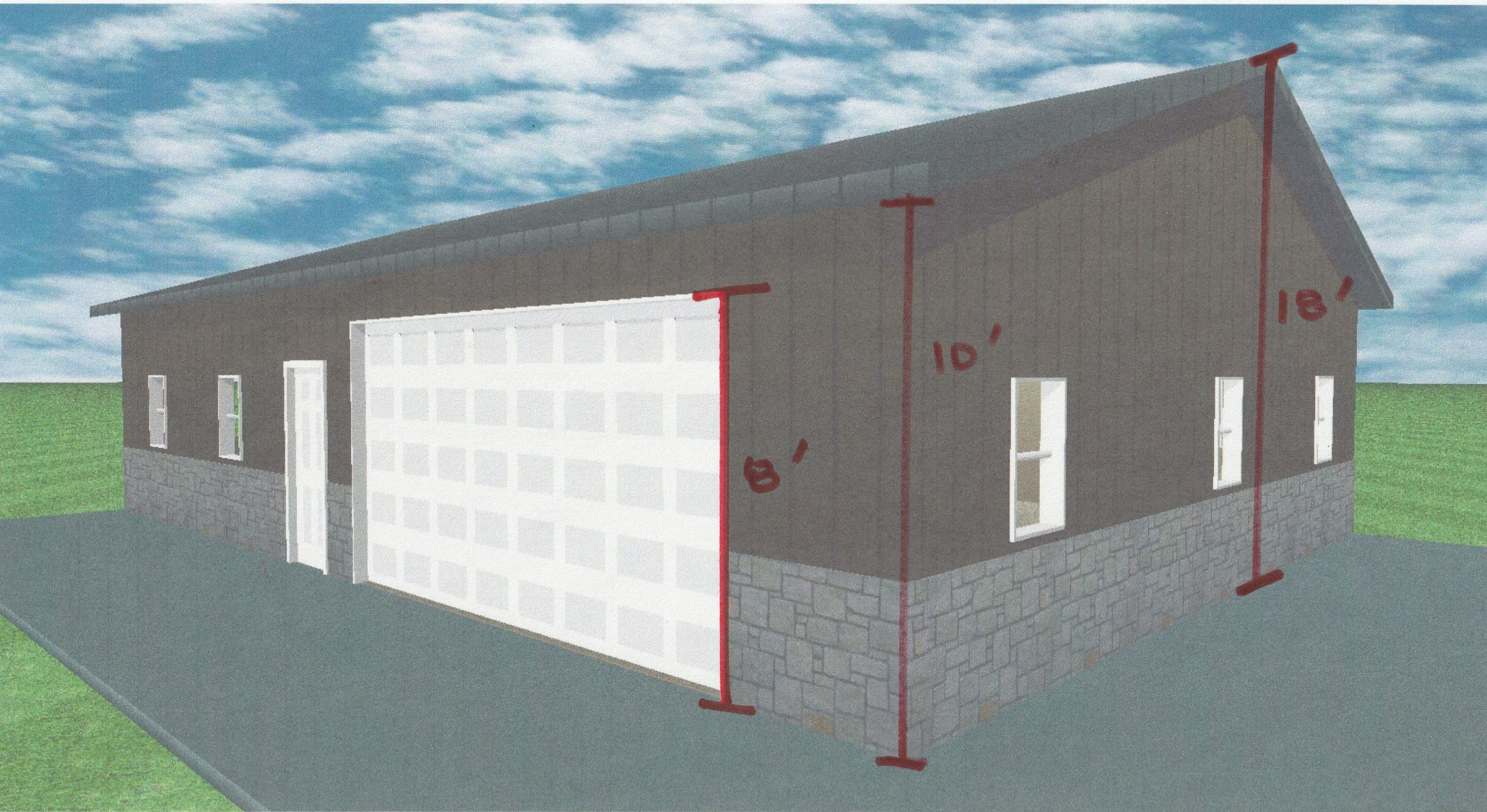
A handwritten signature in blue ink, appearing to be 'Jarod Scoggin', written over a horizontal line.

Jarod Scoggin

Scoggin Outdoor Living and Shops  
682-407-5803

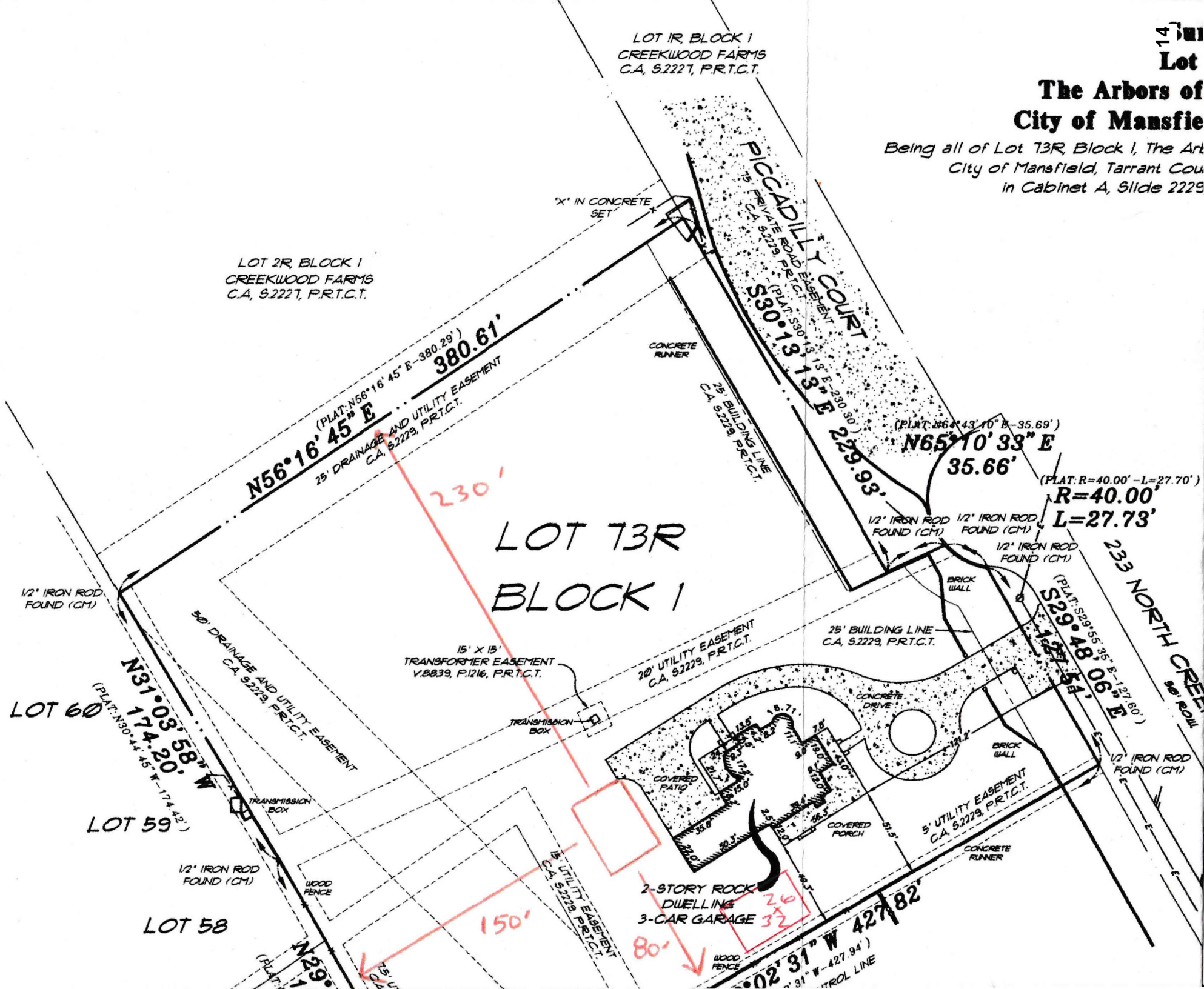








Being all of Lot 73R, Block 1, The Art  
City of Mansfield, Tarrant County  
in Cabinet A, Slide 2229



## **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.