



Zoning Board of Adjustments - Regular Meeting

November 5, 2025 - 6:00 PM

Council Chambers

1200 E. Broad St., Mansfield, TX 76063

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE UNITED STATES AND TEXAS FLAG

3. APPROVAL OF MINUTES

25-1531 Minutes - Approval of the October 1, 2025, Zoning Board of Adjustments Meeting
Minutes

Attachments:

1. 10-01-25 DRAFT Minutes

4. PUBLIC HEARINGS

25-1532 ZBA#25-006: Request for a variance to Section 155.094(A)(3) of the Code of Ordinances to allow a side fence to be located less than 15 feet from a side property line that is adjacent to a public street at 600 M3 Ranch Road; American Legend Homes, LLC, owner; Shawn Varghese, applicant

Presenters: Shirley Emerson, Planner I

Attachments:

1. Maps and Supporting Information
2. Applicant's Letter
3. Plot Plan from Permit Application
4. Provisions of Section 155.094(A)(3)

5. ADJOURN

CERTIFICATION

I certify that the above agenda was posted on the bulletin board next to the main entrance of City Hall on October 30, 2025, prior to 5:00 p.m. in accordance with Chapter 551 of the Texas Government Code.

Clarissa Carrasco, Planning Technician

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
Staff Report**

Item ID: 25-1531

Agenda Date: November 5, 2025

Title

Minutes - Approval of the October 1, 2025, Zoning Board of Adjustments Meeting Minutes

Description/History

Minutes - Approval of the October 1, 2025, Zoning Board of Adjustments Meeting Minutes

Strategic Initiative

Recommendation

Staff recommends approval of the meeting minutes as presented.

Funding Source

N/A

Prepared By

Art Wright, Planning Manager - (817) 276-4226



**Zoning Board of Adjustments - Regular Meeting Minutes
October 1, 2025 - 5:45 PM
Draft**

Council Chambers
1200 E. Broad St., Mansfield, TX 76063

1. CALL MEETING TO ORDER

Chairman Jones called the meeting to order at 5:52 p.m. in the Multi-Purpose 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 present:

Staff Present:

*Clayton Comstock, Executive Director of Planning and Development
Shirley Emerson, Planner
Art Wright, Planning Manager*

Board Members:

Present: Patrick Kelly Jones, Noel Rendon, Eddilisa Martin, Stacy Penney, Bradley Cross, Jerry Sweeney

Absent: David Jones

2. WORK SESSION - 5:45 P.M.

A. Discussion Regarding Changes to the Zoning Board of Adjustment Meeting Procedures

Mr. Comstock made a brief presentation on changes to the Board's meeting procedures, including the following:

- The Board members will receive digital meeting packets.*
- Alternate Board members have been invited to attend the Board's regular meetings. Alternate members will be able to ask questions and participate in the discussion on cases, but cannot make a motion or vote unless filling in for an absent member.*
- The Board has an opportunity to change its regular meeting day.*
- The Pledge of Allegiance and Texas Flag will be added to the agenda.*

3. 6:00 P.M. OR IMMEDIATELY FOLLOWING WORK SESSION - RECONVENE INTO REGULAR SESSION

4. PLEDGE OF ALLEGIANCE TO THE UNITED STATES AND TEXAS FLAG

5. APPROVAL OF MINUTES

- 25-1358 Minutes - Approval of the September 3, 2025, Zoning Board of Adjustments Meeting Minutes
Attachments:
1. 09-03-25 DRAFT Minutes

Chairman Jones called for a motion on the minutes of the September 3, 2025, meeting.

Board Member Penney made a motion to approve the minutes as presented. Vice-Chair Martin seconded the motion which carried by the following vote:

Aye: 4 Patrick Kelly Jones, Noel Rendon, Eddilisa Martin, Stacy Penney
Nay: 0 None
Abstain: 0 None

6. PUBLIC HEARINGS

- 25-1192 ZBA#25-005: Request for a variance to Section 155.055(D) of the Code of Ordinances to allow a dumpster enclosure less than 50 feet from a public street at 940 S. 6th Avenue; Standard Paints, Inc., owner
Presenters: Shirley Emerson, Planner I
Attachments:
1. Maps and Supporting Information
2. Applicants Letter and Documents
3. Provisions of Section 155.055(D)

Chairman Jones administered the oath to the applicant.

Ms. Emerson made a staff presentation and was available for questions.

DaRon Jones, 940 S. 6th Avenue, applicant, presented the request and was available for questions.

Chairman Jones announced that in the absence of Board Member D. Jones, Alternate Member Bradley Cross would be voting in his place.

After reviewing the criteria for approval, Chairman Jones called for a motion on the request for a variance.

Board Member Penney made a motion to approve the variance. Chairman Jones seconded the motion. After discussion, the Board voted on the motion, which failed by the following vote:

Aye: 2 Patrick Kelly Jones, Stacy Penney
Nay: 3 Noel Rendon, Eddilisa Martin, Bradley Cross
Abstain: 0 None

After further discussion, Board Member Rendon made a motion to deny the variance. Alternate Member Cross seconded the motion, which carried by the following vote:

Aye: 4 Patrick Kelly Jones, Noel Rendon, Eddilisa Martin, Bradley Cross
Nay: 1 Stacy Penney
Abstain: 0 None

7. ADJOURN

With no further business, Chairman Jones adjourned the meeting at 6:31 p.m.

Kelly Jones, Chairman

ATTEST:

Art Wright, Principal Planner



City of Mansfield
Staff Report

Item ID: 25-1532

Agenda Date: November 5, 2025

Title

ZBA#25-006: Request for a variance to Section 155.094(A)(3) of the Code of Ordinances to allow a side fence to be located less than 15 feet from a side property line that is adjacent to a public street at 600 M3 Ranch Road; American Legend Homes, LLC, owner; Shawn Varghese, applicant

Description/History

The applicant proposes to construct a six-foot cedar wood fence five feet from the side property line along White Buck Drive. Section 155.094(A)(3) of the Mansfield Code of Ordinances requires no fence greater than 36 inches in height shall be located less than 15 feet from any side property line that is adjacent to a public street.

155.094 General Provisions for All Fences and Free Standing Walls

(A) General Provisions

(3) *Side fence and free standing wall setbacks.* No fence or wall greater than 36 inches in height shall be located less than 15 feet from any side property line that is adjacent to a public street unless:

- a. The subject lot backs up to the rear property line of another lot, in which case no side fence setback is required.
- b. The subject lot backs up to an access easement or alley right-of-way, in which case a ten-foot visibility triangle shall be required.

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.

Options for the Board

1. Approve the request. This would allow a fence to be constructed in an easement, which is prohibited.

2. Approve the request with conditions or revisions. The Board may approve the variance request with any conditions or revisions that meet the spirit and intent of the Mansfield zoning ordinance. In this case, the ordinance allows a side fence up to 36 inches to be located less than 15 feet from any side property line.
3. Deny the request. This would require the side property fence to meet the 15-foot setback required by Section 155.094(A)(3) of the Mansfield Code of Ordinances.
4. Table the item. After discussion and Board direction to the applicant, this may allow time for the applicant to revise their request and revisit the Board at a later date.

Strategic Initiative

Recommendation

Funding Source

N/A

Prepared By

Shirley Emerson, Planner I - (817) 276-4259

Property Owner Notification for ZBA#25-006

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
M3 RANCH PH 2A & 2B	BLK 37	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 37	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 37	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 37	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 37	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 37	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 37	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 37	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 37	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 37	DEJESUS JESUS M ETUX MELISSA A	606 M3 RANCH RD	MANSFIELD, TX	76063
M3 RANCH PH 2A & 2B	BLK 38	M3 RANCH DEVELOPMENT INC	3001 KNOX ST STE 405	DALLAS, TX	75205
M3 RANCH PH 2A & 2B	BLK 44	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 44	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 44	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 44	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 44	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 45	M3 RANCH DEVELOPMENT INC	3001 KNOX ST STE 405	DALLAS, TX	75205
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056

Monday, October 13, 2025

Page 1 of 2

Property Owner Notification for ZBA#25-006

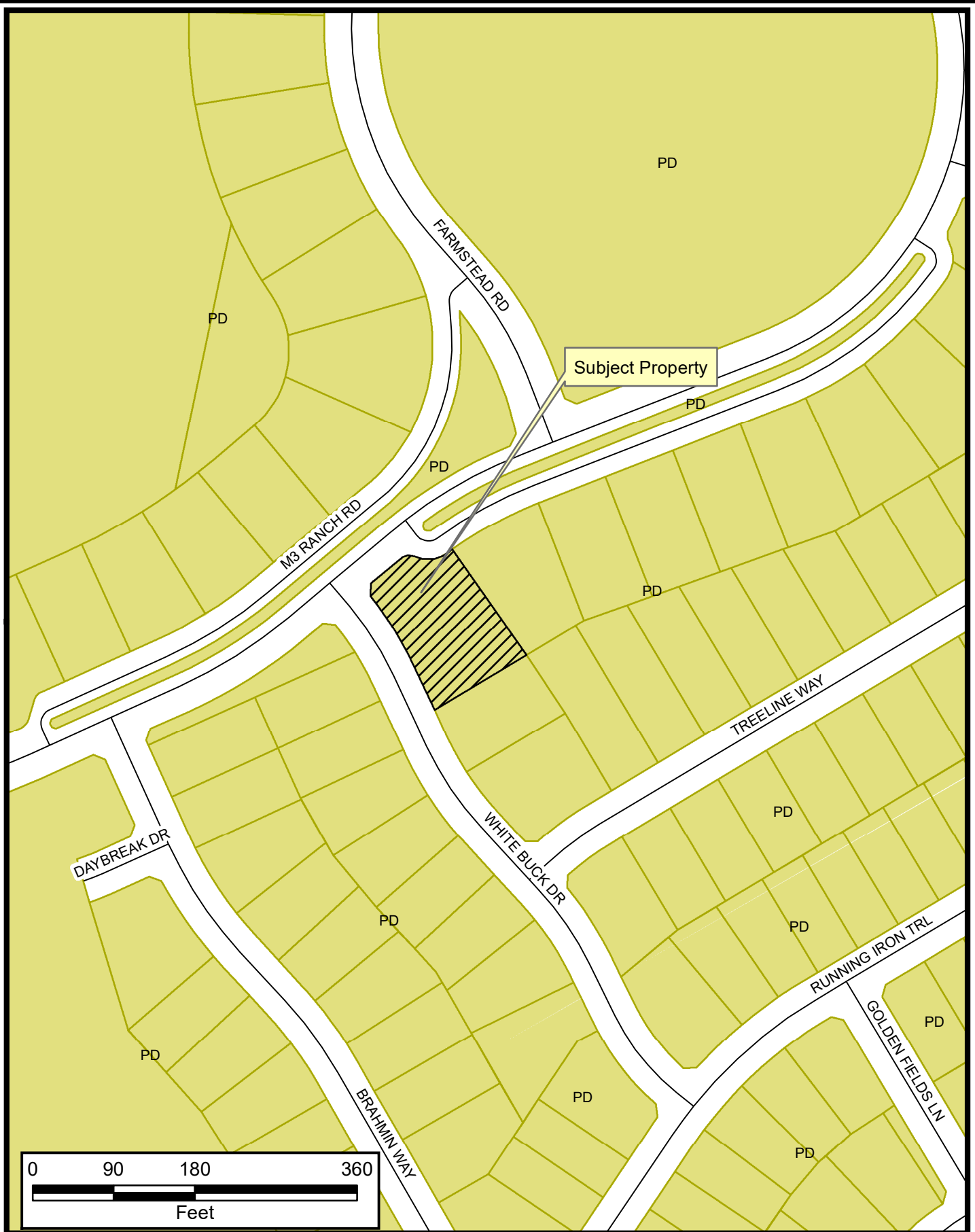
LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056
M3 RANCH PH 2A & 2B	BLK 60	M3 RANCH DEVELOPMENT INC	3001 KNOX ST STE 405	DALLAS, TX	75205
M3 RANCH PH 2A & 2B	BLK 60	AMERICAN LEGEND HOMES LLC	4400 HWY 121 STE 410	LEWISVILLE, TX	75056



ZBA#25-006

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

10/13/2025



ZBA#25-006

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10/13/2025

Shawn Varghese

600 M3 Ranch Rd.

Mansfield, TX

shawnvarghese1@gmail.com

Date: Oct 3, 2025

Zoning Board of Adjustment

City of Mansfield

1200 E. Broad St.

Mansfield, TX 76063

Dear Members of the Zoning Board of Adjustment,

I am writing to formally request a variance to reduce the required 15-foot fence setback on my property located at 600 M3 Ranch Rd. (Block 37, Lot 1), within the M3 Ranch subdivision (Section 2A-2).

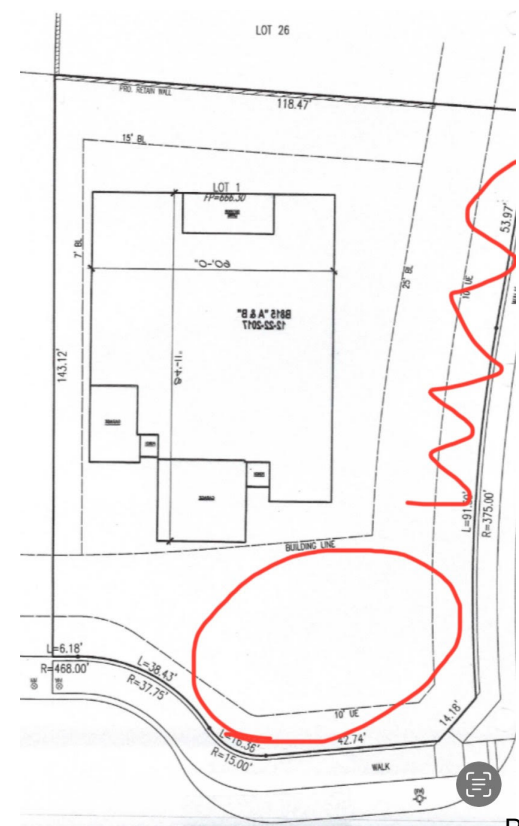
My family and I are eagerly anticipating our move to this vibrant community in the highly regarded city of Mansfield. Unfortunately, we are disheartened to learn of the fence setback that would reduce the utility of the space.

We respectfully request a reduction of the fence setback from **15 foot** to **5 foot** along the side of the property facing White Buck Rd. Should the committee determine that **5 foot** cannot be approved, I would then ask for a **10 foot** setback as an alternative. Our request is based on the following reasons:

We have unique hardship based on our lot

Our lot presents a hardship that falls into a legitimate case. A significant portion of our land falls within what is designated as a 'front yard,' due to the building line. Thus, much of our yard falls outside of *usable, fenced-in yard space*. This layout prohibits our ability to make full and safe use of our property for outdoor living, gardening, and playspace for children.

Additionally, a fire hydrant to serve nearby houses prevents us from having any street parking. Further, since we are located on the entrance to a slip road, we won't have driveway entrance parking either. Together, these conditions restrict our options compared to nearby homes. Granting our request would allow us to reclaim a modest amount of



functional yard space without compromising visibility, aesthetics, or character of the neighborhood.

Many Neighbors have reduced their setbacks

Numerous similar lots within our neighborhood and adjacent communities have fences that do not appear to meet the 15-foot setback requirement. These fences are located closer to the property line and still maintain a clean, safe, and aesthetically pleasing streetscape.

The list of these properties are many but I am providing the first 10 I found within a 10 minute survey on Google Maps.

1. 1210 Limestone Ridge Rd.
2. 1401 Old Rock Springs Pass
3. 1501 Emberwood Horizon Ln.
4. 1007 Thicket Dr.
5. 1525 Misty Pasture Way
6. 1601 Misty Pasture Way
7. 1301 Thicket Dr.
8. 1409 Sage wood Lane.
9. 506 Split Rock Rd.
10. 1300 Limestone Ridge Rd.

These do not include properties outside of M3 Ranch. For example, numerous homes with similar lots in the South Pointe community are not maintaining the standard setback requirements.

Strict enforcement of the 15-foot setback in our case creates an unnecessary hardship by significantly reducing usable space without a proportional public benefit. A 5-foot setback strikes a fair balance between compliance and functional land use.

I received notice of a 10-foot utility easement on our property but I kindly request that adjustments made elsewhere to accommodate their fence lines be applied for us. I imagine these properties also had similar utility easements some workaround has been found.

Community Consistency

Community consistency is not applicable here when many nearby homeowners are already out of compliance. At the same time, I would be happy to ensure safe, attractive streetscapes—even with reduced setbacks.

Garage of Rear lot is opposite to rear fence

The placement of the driveway for the lot to the rear of our future property decreases concerns over visibility. The lot behind us has the garage opposite to our fence providing more visibility (see picture). In other words, the driveway is not directly behind the fence.

I would be eager to see an independent engineer could verify if our suggested plans would pose a risk and would be happy to cover any costs associated.



In the end, my family and I are committed to constructing a high-quality, visually harmonious fence in full alignment with city standards on height, materials, and visibility goals. We kindly request the Board's consideration of this variance and would welcome the opportunity to provide any additional information or documentation that would support our request. If the concerns we raised can be addressed, we are open to some compromise on the matter. For example, a 10-ft setback to preserve utility easement. Otherwise, we respectfully seek the Board's support in finding a solution that serves the best interests of our family, the surrounding community, and the City of Mansfield as a whole.

Thank you for your attention to this matter and for your service to the City of Mansfield.

Sincerely,

Shawn Varghese

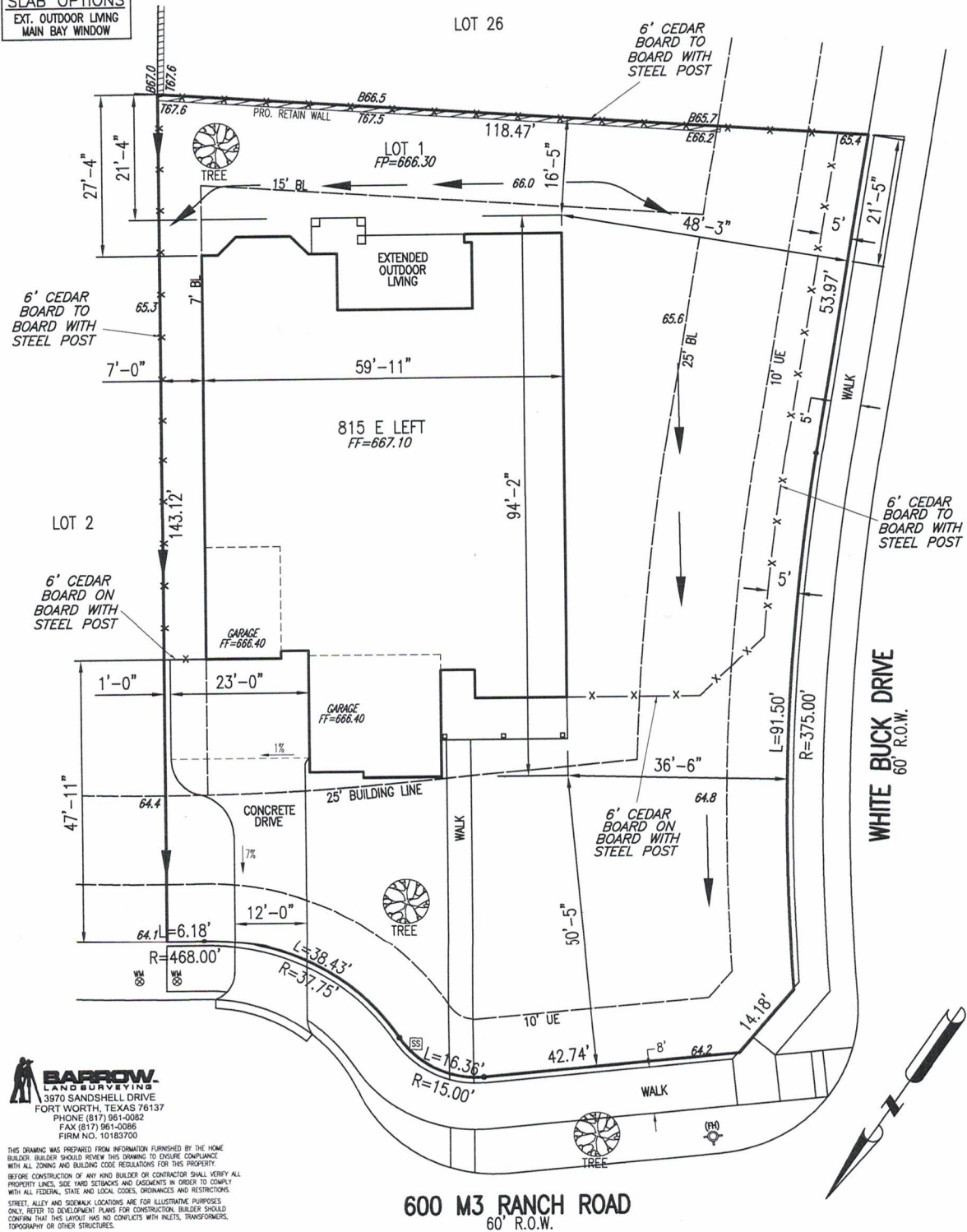
American
Legend
HOMES

LEGEND	
BL	= BUILDING LINE
UE	= UTILITY EASEMENT
TW	= TOP OF WALL
BW	= BOTTOM OF WALL
TC	= TOP OF CURB
FP	= FINISHED PAD
FF	= FINISHED FLOOR
W	= WOOD EASEMENT
X	= DIRECTION OF FLOW
DATE:	12-5-24
REVISION:	1-6-25
REVISION:	4-30-25
REVISION:	6-26-25
REVISION:	8-8-25

DRIVEWAY	<u>863</u>	SQ. FT.	FRONT SOD	<u>723</u>	SQ. YD.
APPROACH	<u>127</u>	SQ. FT.	REAR SOD	<u>611</u>	SQ. YD.
CUT-OUT	<u>25</u>	SQ. FT.	FENCE LINE	<u>338'</u>	LINEAR FT.
LEAD WALK	<u>265</u>	SQ. FT.	HOUSE SLAB	<u>4980</u>	SQ. FT.
CITY WALK	<u>1510</u>	SQ. FT.	TOTAL LOT	<u>16638</u>	SQ. FT.
PATIO	<u>N/A</u>	SQ. FT.	COVERAGE	<u>30</u>	%
FLATWORK	<u>2790</u>	SQ. FT.	DRIVE SLOPE	<u>7</u>	% (12% MAX.)
			WALK SLOPE	<u>4</u>	%

NOTE: AS A STANDARD ALL GARAGES ARE DROPPED 5" FOR
SLOPE, IF A DROP GARAGE IS SHOWN/NOTED THAT WILL BE
IN ADDITION TO THE STANDARD 5" DROP.

SLAB OPTIONS
EXT. OUTDOOR LIVING
MAIN BAY WINDOW



§ 155.094 GENERAL PROVISIONS FOR ALL FENCES AND FREE STANDING WALLS.

(3) *Side fence and free standing wall setbacks.* No fence or wall greater than 36 inches in height shall be located less than 15 feet from any side property line that is adjacent to a public street unless:

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