



CITY OF MANSFIELD

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

Meeting Agenda Zoning Board of Adjustments

Wednesday, May 3, 2023

6:00 PM

City Hall Council Chambers

1. **CALL TO ORDER**

2. **APPROVAL OF MINUTES**

[23-5326](#) Minutes - Approval of the April 5, 2022, Zoning Board of Adjustments Meeting Minutes

Attachments: [04.05.23 Meeting Minutes](#)

3. **PUBLIC HEARINGS**

[23-5324](#) ZBA#23-002: Request for Variances to Section 155.099 (B)(5) of the Code of Ordinances to allow for two accessory structures to exceed the maximum height and area for accessory structures, and to allow a reduction of the minimum setbacks for accessory structures on property located at 390 Holland Rd. Salvador Guardado, owner

Attachments: [Maps and Supporting Information](#)

[Site plan and exhibits](#)

[155.099 Special Conditions \(B\)\(5\)\(g\), \(k\) and \(o\)](#)

[23-5325](#) ZBA#23-003: 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 1,760 square feet and a height of approximately 18 feet on property located at 841 Seeton Road; Dave Homet, owner

Attachments: [Maps and Supporting Information](#)

[Site Plan and Exhibits](#)

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

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 Wednesday, April 26, 2023 prior to 5:00 p.m. in accordance with Chapter 551 of the Texas Government Code.

Art Wright, Principal Planner

* This building is wheelchair accessible. Disabled parking spaces are available. Request for sign interpreter services must be made 48 hours ahead of meeting to make arrangements. Call 817-473-0211 or TDD 1-800-RELAY TX, 1-800-735-2989.



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STAFF REPORT

File Number: 23-5326

Agenda Date: 5/3/2023

Version: 1

Status: Approval of Minutes

In Control: Zoning Board of Adjustments

File Type: Meeting Minutes

Title

Minutes - Approval of the April 5, 2022, Zoning Board of Adjustments Meeting Minutes

Description/History

The minutes of the April 5, 2022, Zoning Board of Adjustments meeting are in DRAFT form and will not become effective until approved by the Board at this meeting.



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1200 E. Broad St.
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Meeting Minutes - Draft

Zoning Board of Adjustments

Wednesday, April 5, 2023

6:00 PM

City Hall Council Chambers

1. CALL TO ORDER

Chairman Jones called the meeting to order at 6:11 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, Principal Planner

Jennifer Johnston, Development Coordinator

Board Members:

Present 5 - Patrick Kelly Jones; Tammy Miller; James Menefee; Eddilisa Martin and Noel Rendon

2. APPROVAL OF MINUTES

[23-5241](#)

Minutes - Approval of the September 7, 2022, Zoning Board of Adjustments Meeting Minutes

Board Member Rendon made a motion to approve the minutes of the September 7, 2022 meeting. Board Member Martin seconded the motion, which carried by the following vote:

Aye: 5 - Patrick Kelly Jones; Tammy Miller; James Menefee; Eddilisa Martin and Noel Rendon

Nay: 0

Abstain: 0

3. PUBLIC HEARINGS

[23-5242](#)

ZBA#23-001: 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 1,504 square feet and a height of approximately 24 feet on property located at 611 W Broad St.; Justin Zuckerbrow, owner

Chairman Jones opened the public hearing at 6:13 p.m.

Justin Zuckerbrow, applicant, gave an overview of the request and was available for

questions.

Seeing no one else come forward to speak, Chairman Jones closed the public hearing at 6:17 p.m.

Chairman Jones read the criteria for approval.

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

Aye: 5 - Patrick Kelly Jones; Tammy Miller; James Menefee; Eddilisa Martin and Noel Rendon

Nay: 0

Abstain: 0

4. ADJOURNMENT OF MEETING

With no further business Chairman Kelly adjourned the meeting at 6:19 p.m.

Kelly Jones, Chairman

ATTEST:

Art Wright, Principal Planner



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STAFF REPORT

File Number: 23-5324

Agenda Date: 5/3/2023

Version: 1

Status: Public Hearing

In Control: Zoning Board of Adjustments

File Type: Zoning Board
Request

Agenda Number:

Title

ZBA#23-002: Request for Variances to Section 155.099 (B)(5) of the Code of Ordinances to allow for two accessory structures to exceed the maximum height and area for accessory structures, and to allow a reduction of the minimum setbacks for accessory structures on property located at 390 Holland Rd. Salvador Guardado, owner

Description/History

The applicant constructed a new carport and storage building on the property without obtaining building permits. The carport was constructed between the house and an existing detached garage. The new storage building was attached to the existing garage and shares a common wall, bringing both structures out of compliance with the accessory building regulations. There is another existing shed on the property.

The new structures do not comply with the minimum 5-foot setback for any accessory building over 120 square feet from another structure. Additionally, the total square footage of the new and existing buildings exceeds four percent of the lot area. As a result, this request is for variances to the accessory building regulations rather than for a Special Exception.

The new carport is approximately 16 feet in height and approximately 1,680 square feet in area. The new storage shed is approximately 13 feet in height and approximately 627 square feet in area. The existing detached garage that the new storage shed is attached to is approximately 16 feet in height and approximately 1,488 square feet in area. The smaller existing shed is approximately 11 feet in height and approximately 160 square feet in area. The total square footage for all four structures is approximately 3,955 square feet, or 4.74 percent of the lot area.

The necessary variances for these structures are as follows:

1. Area - The maximum area allowed for accessory structures is 2 percent of the lot area, unless a Special Exception is granted for up to 4 percent of the lot area. According to the plat, the lot is approximately 83,375 square feet. The total area of the accessory structures is approximately 3,955 square feet, or 4.74 percent of the lot area. (Section 155.099(B)(5)(g) of the Mansfield Code of Ordinances)
2. Height - The maximum height of an accessory structure is 12 feet, measured from the ground to the top of the building. Three of the four structures exceed 12 feet in height. (Section 155.099(B)(5)(k) of the Mansfield Code of Ordinances)

3. Setbacks - The minimum setback from an accessory building with an area of 120 square feet or more is 5 feet from any other structure. The new carport and new storage shed do not meet this requirement. (Section 155.099(B)(5)(o) of the Mansfield Code of Ordinances)

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:

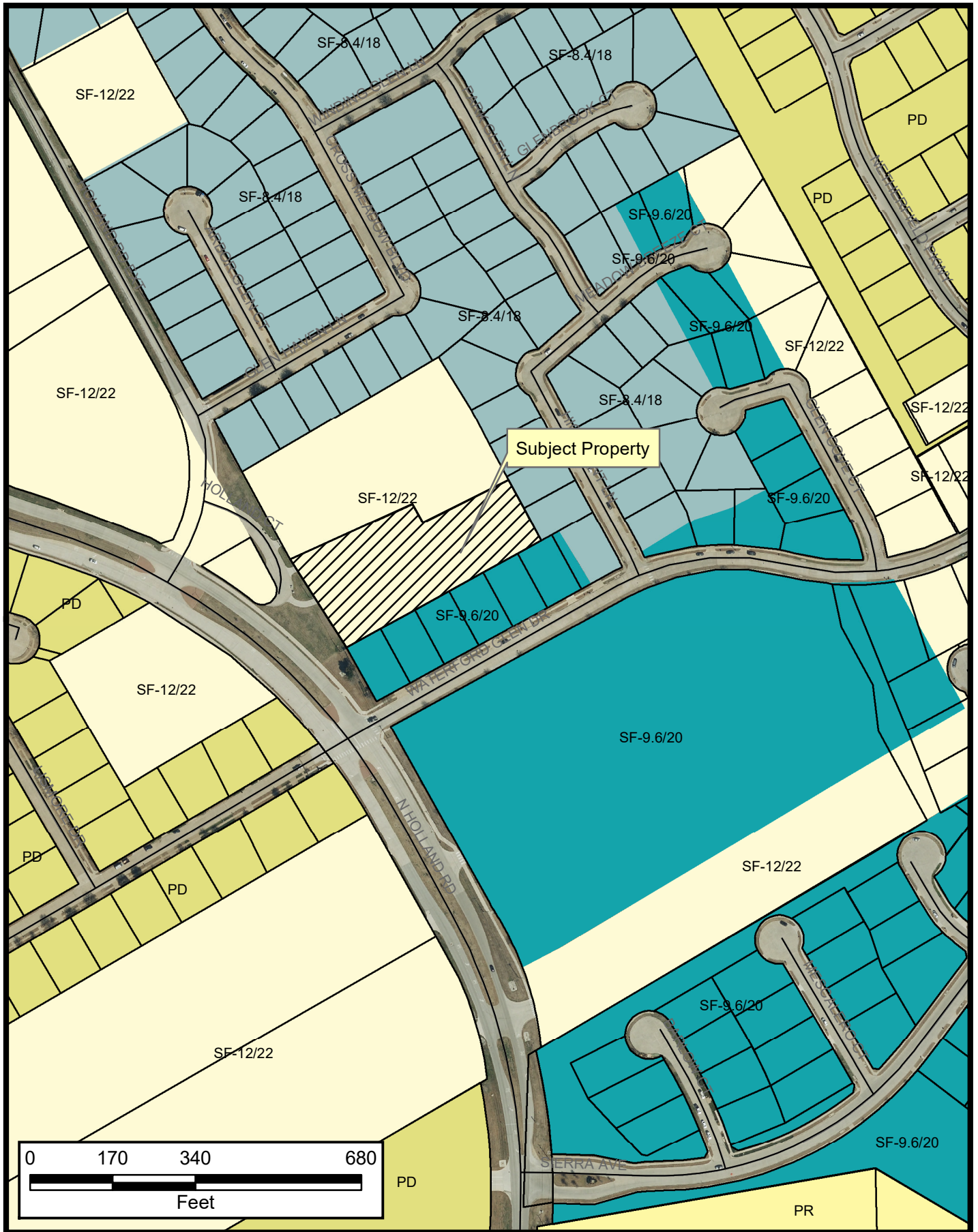
- a. That the granting of the variance will not be contrary to the public interest; and
- b. That literal enforcement of the ordinance will result in unnecessary hardship because of exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional physical situation or physical 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 155.099(B)(5)(g), (k) and (o)





ZBA 23-002

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4/19/2023

Propose Storage/Accessory Building and Patio Cover/Carport

Address: 380 Holland Ct, Mansfield, Texas 76063

To Whom it May Concern,

Per the Civil plan we constructed a 23' 8" wide X 26' 6" long X 13' tall building to store construction equipment. We also constructed a patio cover/carport that is 32' wide X 52' 6" long X 16' tall.

Under the current code accessory building we found out that the building can not be taller 12' and not greater than 2% of the size of the lot. Based on the size of our lot (83199.60 SQFT) we would like the 4% SQFT accessory building to be considered. In this case the maximum size would be 3,327.98 SQFT. This building is about 600 SQFT and is 13' high. We are asking 4% SQFT accessory building to be considered because our property has a garage and a shed already build that totals We are requesting the maximum height to be 13' measured form top of slab to the peak of the building. The building is located 78' from the West side property line, and 105' from the eat side of the property line.

Under the current patio cover/carport code we found that our patio cover can not be taller than 12'. We are requesting the maximum height to be 16' from the slab to the peak of the building. This patio cover/carport is located between the house and the garage of our property.

If you have any further questions, please let me know.

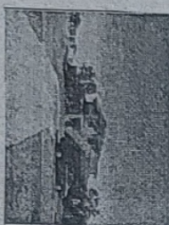
Thank you,

Salvador Guardado

817-899-4294

	ROOF/COURT LATE
	BUILDING
	OVERSEEN UTILITIES
	TRUCK
	BOX
	WOOD DECK
	CONCRETE

LEGEND



SCALE: 1" = 30'



PROLINE

SURVEYINC LTD.
www.prolifesurveyors.com
Ph# 017-276-1143 info@prolifesurveyors.com
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SURVEY CAN BE UNDERTAKEN FOR A GOVERNMENT PRICE

Eleven birds (recorded as 225 MOAs and 542 MOAs), RPRITOT, and thalassidromic birds cannot be located on this survey date. There is no listing, on the ground evidence of the animals recorded in 1220a-194, RPRITOT.

PROPERTY DESCRIPTION

Distribution No. 110500099 D.F. No. ATD-07-000007700122-KO
 The Co. ALAMO TITLE COMPANY
 Purchaser. ARIZONA

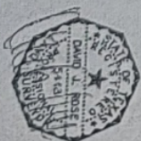
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REFERENCES

OF

over $\frac{3-9-1}{2}$

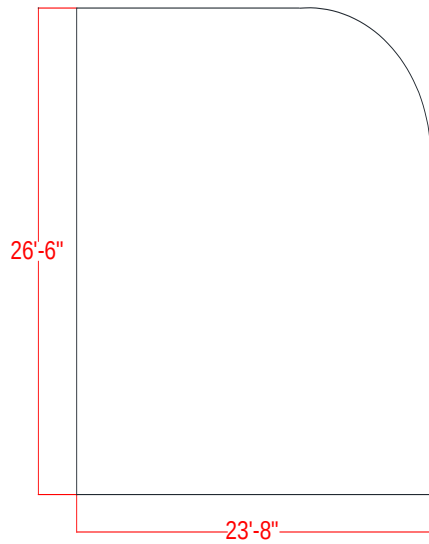
SHOULD ONLY BE USED WITH ORIGINAL INVENTIONS



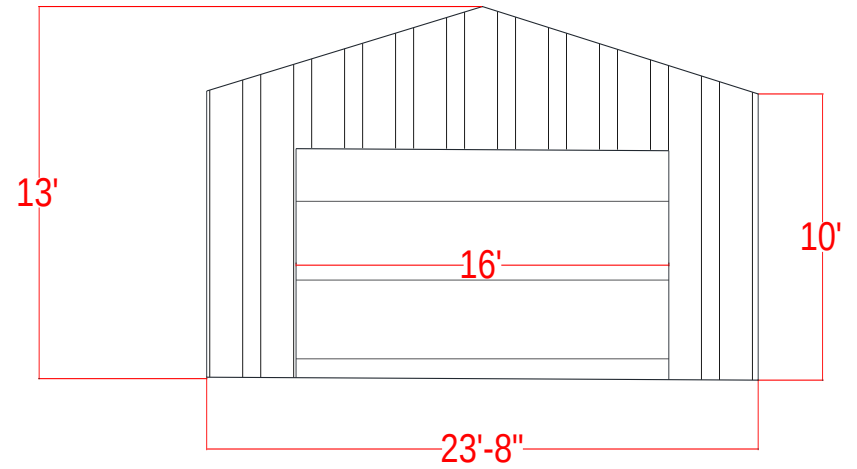
STATE FIRM REGISTRATION NUMBER 10103797

This survey is hereby
accepted and approved.

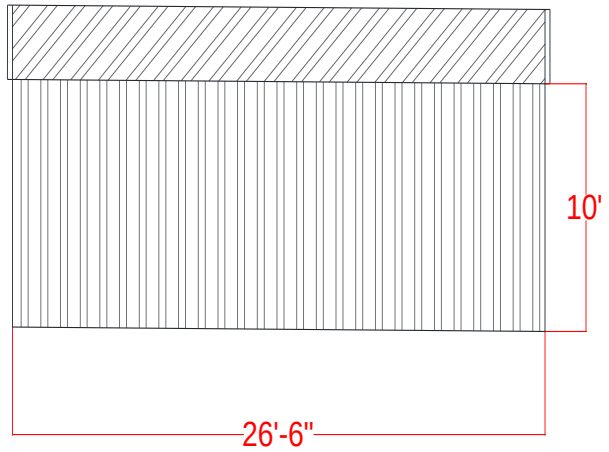
Purchaser
Purchaser
Date



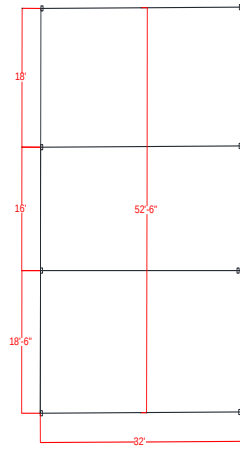
FLOOR PLAN STORAGE



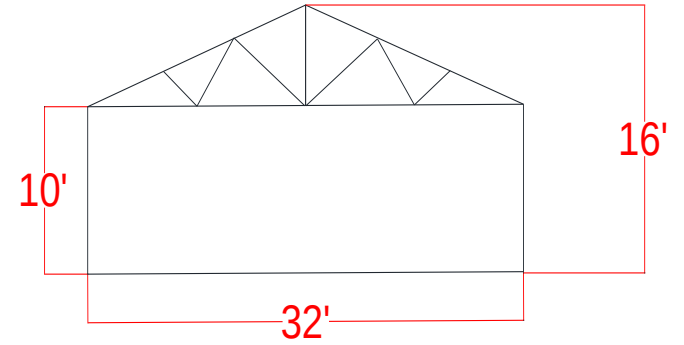
FRONT ELEVATION STORAGE



LEFT ELEVATION STORAGE



FLOOR PLAN PATIO COVER/CARPORT



FRONT ELEVATION PATIO COVER/CARPORT









Section 155.099(B)(5)(g):

(g) Notwithstanding the above, accessory buildings or structures for single-family homes in the PR, 2F and MF-1 Districts shall conform to the maximum square footage limit for accessory buildings or structures shown below.

Area of the Residential Lot	Max. Total Sq. Ft. for All Accessory Buildings or Structures
Less than 8,400 sq. ft.	200 sq. ft.
Between 8,400 sq. ft. and 19,999 sq. ft.	400 sq. ft.
20,000 sq. ft. or greater	2% of the total area of the lot

Section 155.099(B)(5)(k):

(k) Accessory buildings or structures shall comply with the minimum setback from the property line as depicted in the table below in conjunction with the height of the accessory building or structure. Accessory buildings or structures shall be limited to one story, and may have a loft or attic, provided that such loft or attic is not used as habitable space. The height of accessory buildings or structures shall be measured from the ground to the highest point of the building or structure.

Max. Accessory Building Height	Minimum Setbacks	
	Min. Rear Yard	Min. Side Yard
8'	7.5'	5'
10'	9.5'	7'
12'	11.5'	9'

Section 155.099(B)(5)(o):

(o) A minimum distance of five feet from accessory buildings or structures to the house and to other accessory buildings or structures shall be required. No minimum separation shall be required for accessory buildings or structures with an area of 120 square feet or less.



CITY OF MANSFIELD

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STAFF REPORT

File Number: 23-5325

Agenda Date: 5/3/2023

Version: 1

Status: Public Hearing

In Control: Zoning Board of Adjustments

File Type: Zoning Board
Request

Agenda Number:

Title

ZBA#23-003: 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 1,760 square feet and a height of approximately 18 feet on property located at 841 Seeton Road; Dave Homet, owner

Description/History

The applicant is requesting a Special Exception to allow an accessory building to be used to for his motorhome. The new structure will be approximately 1,760 square feet with a height of 18 feet. There is an existing shed of approximately 200 square feet which will remain 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 92,390 square feet (2.121 acres) according to the plat.
2. The applicant is requesting an exception for the building area. The proposed building and the existing shed 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 new building and existing shed will have an area of approximately 1,960 square feet, or 2.12% 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 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 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 dwelling or

business purposes.

..Attachments

Maps and supporting information

Site plan and exhibits

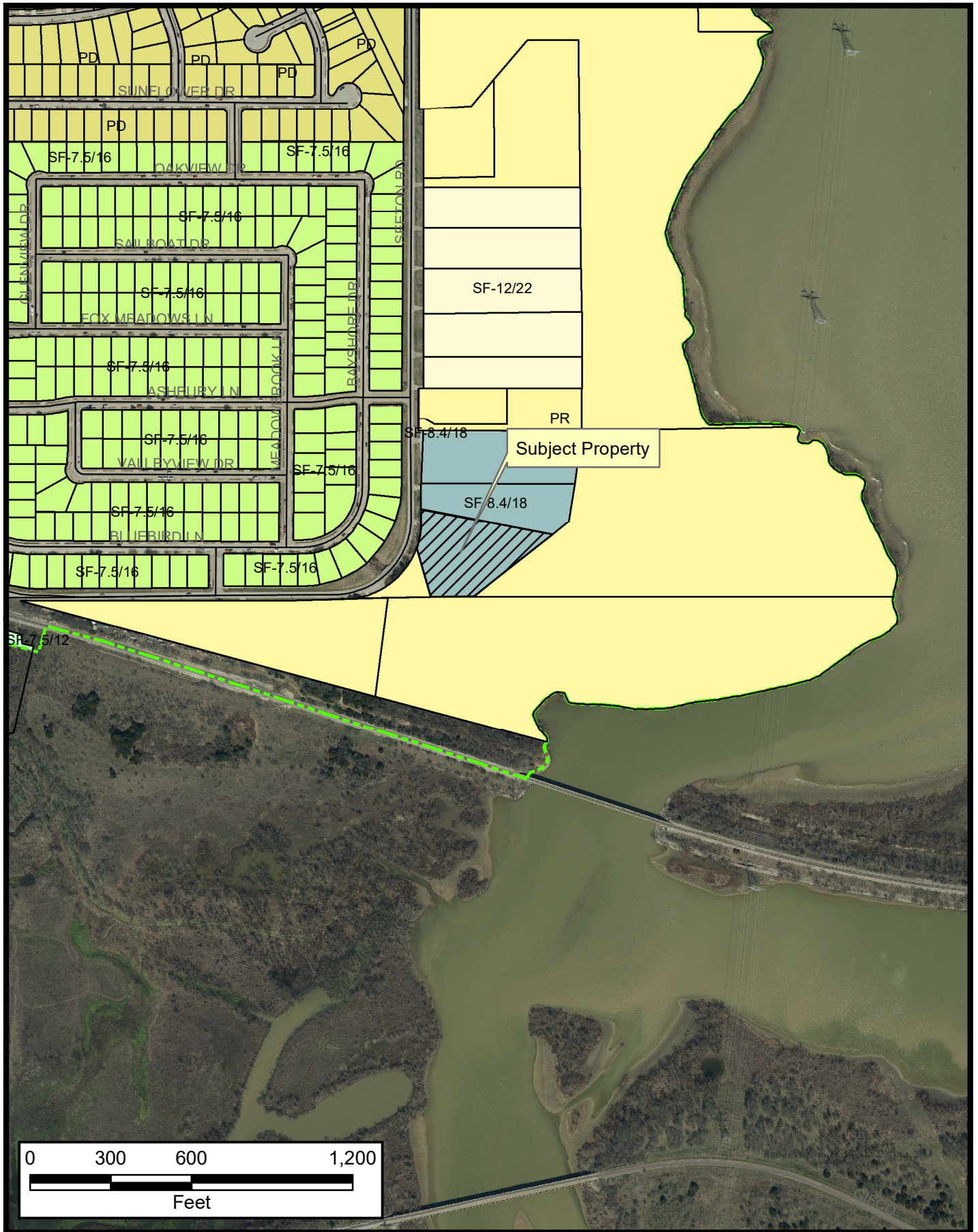
Provisions of Section 155.082(E)(6)



ZBA 23-003

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4/5/2023



ZBA 23-003

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4/5/2023

City of Mansfield

Height variance request

Lot located at 841 Seeton Rd.

April 3, 2023

Lot size 101,113.2 sq ft or 2.32 acres

Owned by Dave and Sandra Homet

To whom it may concern-

I am requesting a height variance for a structure I wish to construct on my property for the purpose of providing general storage and an RV covering. The covered structure is 44 feet wide (includes 14' wide porch) by 40 feet long with an internal clearance of 14 feet, and a total peak height of 18 feet. Square footage is therefore 1760 sq. ft under roof. This will be a steel structure that will be anchored on all sides into a poured slab.

The structure is to be placed at the rear of the property as follows:

- 114 ft back from the rear of the house (west side)
- 140 ft from the east (rear) property line
- 24 ft back from the north (side) property line
- 107 ft from the south (side) property line

Please refer to the attached site plan and elevations for further details.

Thank-you for your consideration of my request.

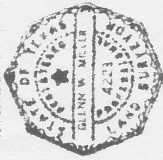
Sincerely,

Dave Homet

817-437-3110

Dave.homet@gmail.com

GLADATA SURVEYING, INC.



Glenn W. Miller
4223
STATE OF OHIO
SURVEYOR

Surveyed by
Glenn W. Miller
Date
10/10/00
Scale
1" = 40'

N 0°41'29" E - 20.2'

S 75°48'45" E - 478.21'

S 50°38'36" E - 308.36'

S 8°55'00" E - 188.55'

N 12°39'56" W - 225.15'

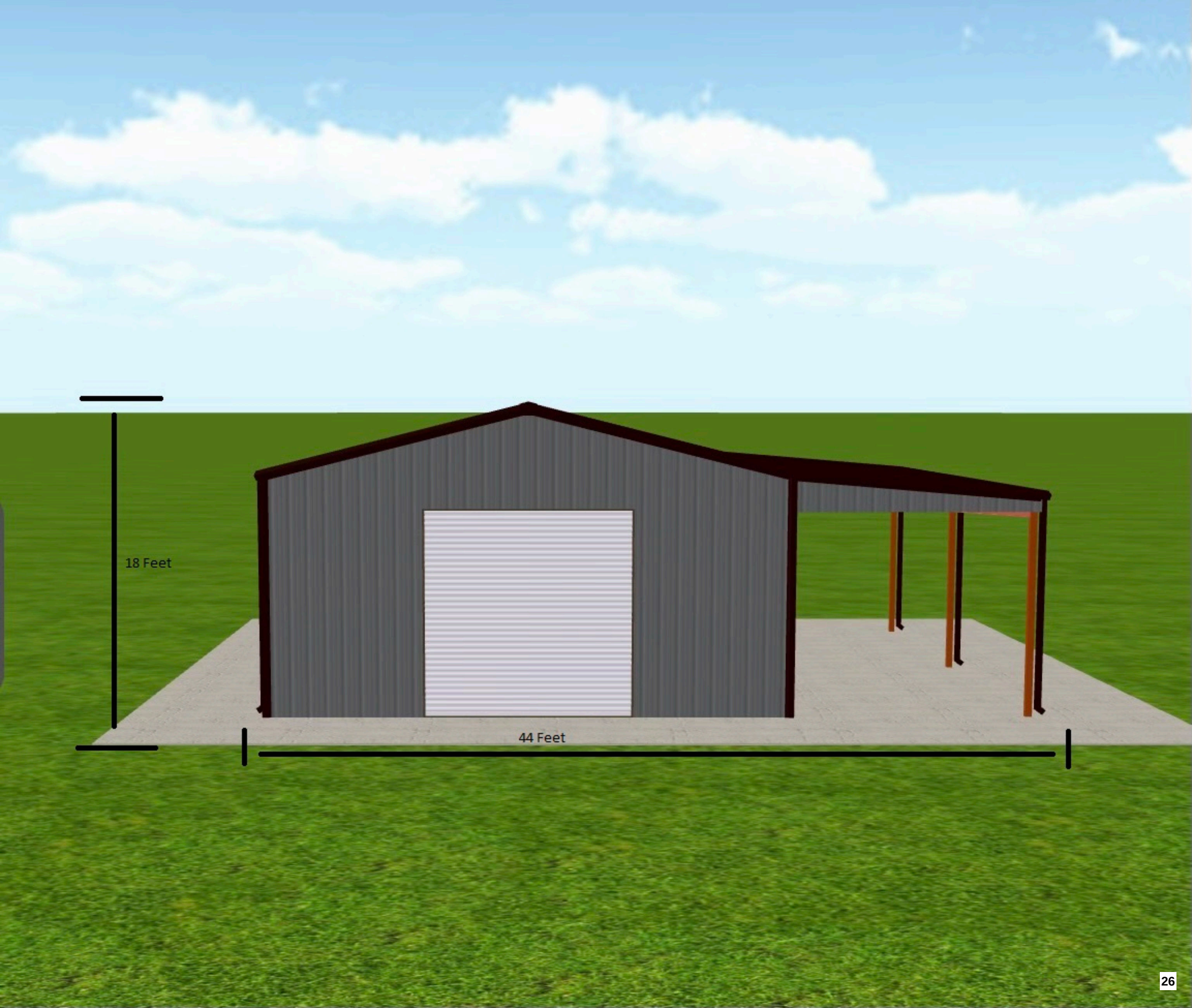
S 89°50'30" W - 199.57'

140' to rear line

114' to house

ALL DIMENSIONS ARE BASED ON P.L.A.
AND ARE SUBJECT TO THE FIELD NOTES
AND THE FIELD BOOKS OF THE SURVEYOR.
THE FIELD BOOKS ARE LOCATED AT THE
OFFICE OF THE SURVEYOR.
THE FIELD BOOKS ARE DATED AUG. 2, 1998
AND ARE LOCATED AT THE OFFICE OF THE
SURVEYOR.
THE FIELD BOOKS ARE DATED AUG. 2, 1998
AND ARE LOCATED AT THE OFFICE OF THE
SURVEYOR.





18 Feet

44 Feet

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.