



**BOARD OF ADJUSTMENT PRE-MEETING
CITY COUNCIL BRIEFING ROOM**

757 North Galloway Avenue

Mesquite, Texas

May 23, 2024 – 6:15 P.M.

Discussion of Items on the Regular Agenda

**BOARD OF ADJUSTMENT REGULAR MEETING
CITY COUNCIL CHAMBERS**

757 North Galloway Avenue

Mesquite, Texas

May 23, 2024 – 6:30 P.M.

AGENDA

Pursuant to Section 551.071 of the *Texas Government Code*, the Board of Adjustment may meet in a closed executive session to consult with the City Attorney regarding matters authorized by Section 551.071, including matters posted on this Agenda.

CALL TO ORDER

1. ROLL CALL

BOARD PROCEDURES

2. Chair shall make a public announcement regarding the Board's procedures.

PUBLIC COMMENTS

3. Any individual desiring to address the Board of Adjustment regarding an item on the AGENDA (non-public hearing items) or any matter not listed on the Agenda shall do so on a first-come, first-served basis. Comments are limited to three (3) minutes, except for a speaker addressing the Board of Adjustment through a translator will be allowed six (6) minutes.

CONSENT AGENDA

All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the Board of Adjustment or any individual wish to discuss any item, said item may be removed from the Consent Agenda by a motion of the Board of Adjustment.

4. APPROVAL OF MINUTES.

Discuss and consider approval of the minutes of the March 28, 2024, Board of Adjustment meeting.

PUBLIC HEARINGS- UNCONTESTED CASES

5. BOA0324-0432 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Esthela Dominguez, for a Special Exception to allow a garage conversion, with no requirement to relocate the converted parking spaces, located at 2859 Linhaven Drive. (BOA0324-0432, Jordan Gregory, Planner).

6. BOA324-0434 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Martin Ramirez, for a request for a Special Exception to allow a rear oversized accessory structure that exceeds the maximum size of 500 square feet by 102.9 square feet for a total size of 602.9 square feet and a Special Exception with modifications to allow a front carport that is not attached to the principal structure, located at 1425 Barbara Street. (BOA0324-0434, Jordan Gregory, Planner).

7. BOA0424-0439 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Jack Thomas, for a special exception to allow a rear oversized accessory structure that exceeds the maximum size of 500 square feet by 1,300 square feet for a total size of 1,800 square feet and the maximum height of 15 feet by 31 feet for a total of 46 feet, located at 4010 Forney Avenue. (BOA0424-0439, Jordan Gregory, Planner).

8. BOA0424-0440 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Dane Ohlen, for a special exception to allow a garage conversion with no requirement to relocate the converted parking spaces, with the condition that there are two non-tandem parking spaces remaining on the property, located at 4205 Hyde Park Drive. (BOA0424-0440, Jordan Gregory, Planner).

PUBLIC HEARINGS- CONTESTED CASES

9. BOA0424-0438 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Diana Nunez-Flores, for a Special Exception to allow a garage conversion, with no requirement to relocate the converted parking spaces, located at 823 Meandering Way. (BOA0424-0438, John Cervantes, Planner).

OTHER BOARD BUSINESS

10. Next Board of Adjustment Meeting: June 27, 2024

At the conclusion of business, the Chairman shall adjourn the meeting.

**** City Hall is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours in advance of the meeting. ****
To make arrangements, call the City Secretary's office at (972) 216-6244 or 1-800-735-2989.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Conforme a la Sección 30.06 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego oculta), personas con licencia según el Sub-capítulo H, Capítulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando un arma de fuego oculta.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

Conforme a la Sección 30.07 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego a la vista), personas con licencia según el Sub-capítulo H, Capítulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando una arma de fuego a la vista.

Pursuant to Section 551.007 (c) of the Texas Government Code, any member of the public wishing to address the Board through the use of a translator is granted at least twice the amount of time as a member of the public who does not require the assistance of a translator.

Conforme a la Sección 551.007 (c) del Código de Gobierno de Texas, cualquier miembro del público que desea dirigirse a la Junta a través del uso de un traductor se le otorga al menos el doble de tiempo como miembro del público que no requiere la asistencia de un traductor.

CERTIFICATE OF POSTING

I, Garrett Langford, Manager of Planning and Zoning for the City of Mesquite, Texas, hereby certify that the attached agenda for the Board of Adjustment meeting to be held **May 23, 2024**, was posted in compliance with Chapter 551 of the Texas Government Code ("Texas Open Meetings Act") on the bulletin boards at the Municipal Center and City Hall by **May 20, 2024, before 6:00 p.m.** (a minimum of 72-hours prior to the meeting) and remained so posted until after the meeting. This notice was likewise posted on the City's website at www.cityofmesquite.com for a minimum of 72 hours prior to the meeting.

A handwritten signature in black ink, appearing to read "Garrett Langford". The signature is fluid and cursive, with the first name "Garrett" being more prominent than the last name "Langford".

Garrett Langford, AICP
Manager of Planning and Zoning

MINUTES

March 28, 2024, 2024

BOARD OF ADJUSTMENT (BOA) CITY OF MESQUITE, TEXAS

City Hall
City Council Chambers
757 North Galloway Avenue
Mesquite, Texas

REGULAR MEETING

ATTENDANCE: BOARD MEMBERS (REGULAR MEMBERS AND ALTERNATES)

POSITION NO.	REGULAR MEMBER NAME	ATTENDANCE	
Position No. 1	Kourtne Airheart	☒ Present In-Person	☐ Absent
Position No. 2	Mr. Aeneas Ford	☒ Present In-Person	☐ Absent
Position No. 3	David Burris	☒ Present In-Person	☐ Absent
Position No. 4	Ron Abraham	☐ Present In-Person	☒ Absent
Position No. 5	Mr. Jack Akin	☐ Present In-Person	☒ Absent

ALTERNATE NO.	ALTERNATE NAME	ATTENDANCE	
Alternate No. 1	Jesse Barahona	☒ Present In-Person	☐ * Absent (* Attendance Required: ☐ No ☒ Yes)
Alternate No. 2	Vacant	☐ Present In-Person	☐ * Absent (* Attendance Required: ☒ No ☐ Yes)

ATTENDANCE: STAFF

Garrett Langford	Manager of Planning & Zoning	☒ Present In-Person
John Cervantes	Planner	☒ Present In-Person
Jordan Gregory	Planner	☒ Present In-Person
Devanee Winn	Administrative Aide Planning & Development.	☒ Present In-Person
Karen Strand	Deputy City Attorney	☒ Present In-Person

ATTENDANCE NOTES: The meeting was called to order at 6:36 PM

Note: Alternate Boardmember Jesse Barahona was seated Boardmember Akin Position No. 5

CALL TO ORDER

1. Administrative Aide of Planning & Development Services Devanee Winn called roll call.

BOARD PROCEDURES

2. The Chair made a public announcement regarding the Board's procedures.

PUBLIC COMMENTS

3. No Comments.

CONSENT AGENDA

APPROVAL OF MINUTES.

4. Discuss and consider approval of the February 22, 2024, Board of Adjustment meeting minutes.

ACTION

Boardmember Burris made a motion to APPROVE the minutes as presented; Boardmember Ford seconded; the motion carried 4-0.

PUBLIC HEARINGS- UNCONTESTED CASES

5. BOA0224-0429 SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Kenny Baez Martinez for a Special Exception to allow a rear Oversized Accessory Structure that exceeds the maximum size of 500 square feet by 381.98 square feet for a total size of 881.98 square feet, located at 413 Kedy St. (BOA0224-0429, Jordan Gregory, Planner).

This was moved to contested.

6. BOA0224-0430 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Wayne Perkins for a Special Exception to allow a rear Oversized Accessory Structure that exceeds the maximum size of 500 square feet by 550 square feet for a total size of 1,050 square feet, located at 3609 Aloha Circle (BOA0224-0430, Jordan Gregory, Planner).

PRESENTATION

Planner Jordan Gregory presented to the board.

PUBLIC HEARING

Chairwoman Airheart opened the public hearing. No one came to speak and the public hearing was closed.

ACTION

Boardmember Burris made a motion to APPROVE; Boardmember Ford seconded; the motion carried 4-0.

PUBLIC HEARINGS- CONTESTED CASES

7. BOA0224-0428 – VARIANCES

Conduct a public hearing to consider an application submitted by Theresa Rodgers, for Variances to allow a 53 foot wide lot that is a total size of 6,281 sq ft for a new single family home located at 4600 Keswick Ln (Future Address – 241 Keswick Ln). (BOA0224-0428, John Cervantes, Planner).

PRESENTATION

Planner John Cervantes presented to the board.

APPLICANT

The applicant Theresa Rodgers came up to speak. Ms. Rodgers purchased the property and understands the problems with developing the lot.

PUBLIC HEARING

Chairwoman Airheart opened the public hearing.

Christopher and Amanda Callicutt 236 Keswick Lane, Mesquite, TX, came up to speak. They are opposed to the request. They want to keep it as a green space so the children on the street can continue to play in the open space.

Ms. Rodger explained that this is her property and not a playground for the neighborhood kids. There are two playgrounds for the children to use within walking distance.

Boardmember Ford asked Ms. Rodgers if she plans on living in the home. Ms. Rodgers answered that she does not know if she will live there or a family member the house has not been built yet. No one else came to speak and the public hearing was closed.

ACTION

Chairwoman Airheart made a motion to APPROVE; Boardmember Burris seconded; the motion failed 3-1 with Boardmember Ford dissenting.

5. BOA0224-0429 SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Kenny Baez Martinez for a Special Exception to allow a rear Oversized Accessory Structure that exceeds the maximum size of 500 square feet by 381.98 square feet for a total size of 881.98 square feet, located at 413 Kedy St. (BOA0224-0429, Jordan Gregory, Planner).

PRESENTATION

Planner Jordan Gregory presented to the board.

APPLICANT

Abel Gonzalez presented the board. They want to keep the structure for security purposes.

PUBLIC HEARING

Chairwoman Airheart opened the public hearing. No one came to speak and the public hearing was closed.

ACTION

Boardmember Burris made a motion to APPROVE; Boardmember Barahona seconded; the motion carried 4-0.

OTHER BOARD BUSINESS

5. Next Board of Adjustment Meeting: April 25, 2024

Chairwoman Airheart adjourned the meeting at 7:25 p.m.

Chairwoman Kourtnie Airheart



PLANNING AND ZONING DIVISION

FILE NUMBER: BOA0324-0432
REQUEST: Special Exception to allow a garage conversion with no requirement to relocate the converted parking spaces, with the condition that there are two non-tandem parking spaces remaining on the property.
CASE MANAGER: Jordan Gregory, Planner

PUBLIC HEARING

Board of Adjustment: Thursday, May 23, 2024

GENERAL INFORMATION

Applicant: Esthela Dominguez
Property Owner: Manjula Kottegoda, Cross Keys Homes LLC
Location: 2859 Linhaven Drive

SITE BACKGROUND

Legal Description: Casa View Heights 20, Block 7, Lot 31
Size: 0.18 acres/ 7,669.8 square feet
Zoning: R-3, Single Family Residential
Zoning History: 1964 – Zoned to R-3 – Single Family Residential
1960 – Subdivision platted

Surrounding Zoning and Existing Land Uses:

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	R-3, Single Family Residential	Single-Family Home
SOUTH:	R-3, Single Family Residential	Single-Family Home
EAST:	R-3, Single Family Residential	Single-Family Home
WEST:	R-3, Single Family Residential	Single-Family Home

CASE SUMMARY

The applicant is requesting a Special Exception to allow for the conversion of an existing front-entry one-car garage without having to relocate the converted parking spaces, with the condition that at least two non-tandem parking spaces remain on the property. Currently, the driveway only has enough room for two cars to be parked in tandem. If approved, the property owner at 2859 Linhaven Drive would be required to widen the driveway to allow for two non-tandem parking spaces before a Building Permit could be issued for the garage conversion.

Garage Conversion standards identified in Section 2-202 of the Mesquite Zoning Ordinance were amended via Ordinance No. 4990 on October 3, 2022, and now require relocation of converted parking spaces that once existed behind the building line on a lot in residential zoning districts, such that the total off-street parking spaces on the lot are not reduced from what existed prior to a garage conversion. The Board of Adjustment may, however, approve a Special Exception to authorize a garage conversion with no requirement to relocate the converted parking spaces.

MESQUITE ZONING ORDINANCE

SEC. 2-202.E.4: GARAGE CONVERSION – RELOCATION OF CONVERTED PARKING NOT REQUIRED

The Board of Adjustment may approve a Special Exception, in accordance with the approval standards in Section 5-206 (L), to authorize a garage conversion with no requirement to relocate the converted parking spaces, as required in Sub-Section 2-202 (E) (2), so long as two (2) City staff approved off-street non-tandem parking spaces remain on the lot, the property was platted before October 1, 1984, and it is not feasible to replace the converted garage parking spaces elsewhere within the lot.

STAFF COMMENTS:

The existing driveway is approximately 10.2 feet wide by 29 feet long, making it too small to accommodate two non-tandem off-street parking spaces. The property was platted in January of 1960, making it an appropriate location for a garage conversion. While the City will require the property owner to widen the driveway, it is not feasible for the property owner to relocate the parking spaces elsewhere on the lot.

SEC. 5-206.L: SPECIAL EXCEPTION APPROVAL STANDARDS

Special Exceptions may be granted as set out in this Zoning Ordinance, when the Board finds that the special exception:

- a) Will allow greater use and enjoyment of property; and
- b) Without creating adverse impacts on adjacent properties; and
- c) That it will be compatible with the surrounding neighborhood; and
- d) When applicable, the board shall also consider any additional criteria set out in this Zoning Ordinance for any specific special exception.

STAFF COMMENTS:

The case meets the requirements for approval of a Special Exception for a garage conversion. The applicant makes this request to legalize the previously converted garage. Staff does not anticipate any adverse impacts on adjacent properties, as approval of this request is contingent on the development of the existing driveway to provide sufficient off-street parking.

The garage conversion is compatible with the surrounding neighborhood, as a windshield survey revealed other garage conversions within the same block as the subject property, located at 2855 Linhaven Drive and 2863 Linhaven Drive.

PERMITS

2020 – Rental Property (Residential)
2020 – Mechanical

STAFF RECOMMENDATION

Staff recommends approving the Special Exception to allow a garage conversion, with no requirement to relocate the converted parking spaces, with the condition that two (2) City staff-approved off-street non-tandem parking spaces remain on the lot.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of May 15, 2024, there have been no returned notices.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Site Photos
4. Application Materials

ATTACHMENT 1 – AERIAL MAP

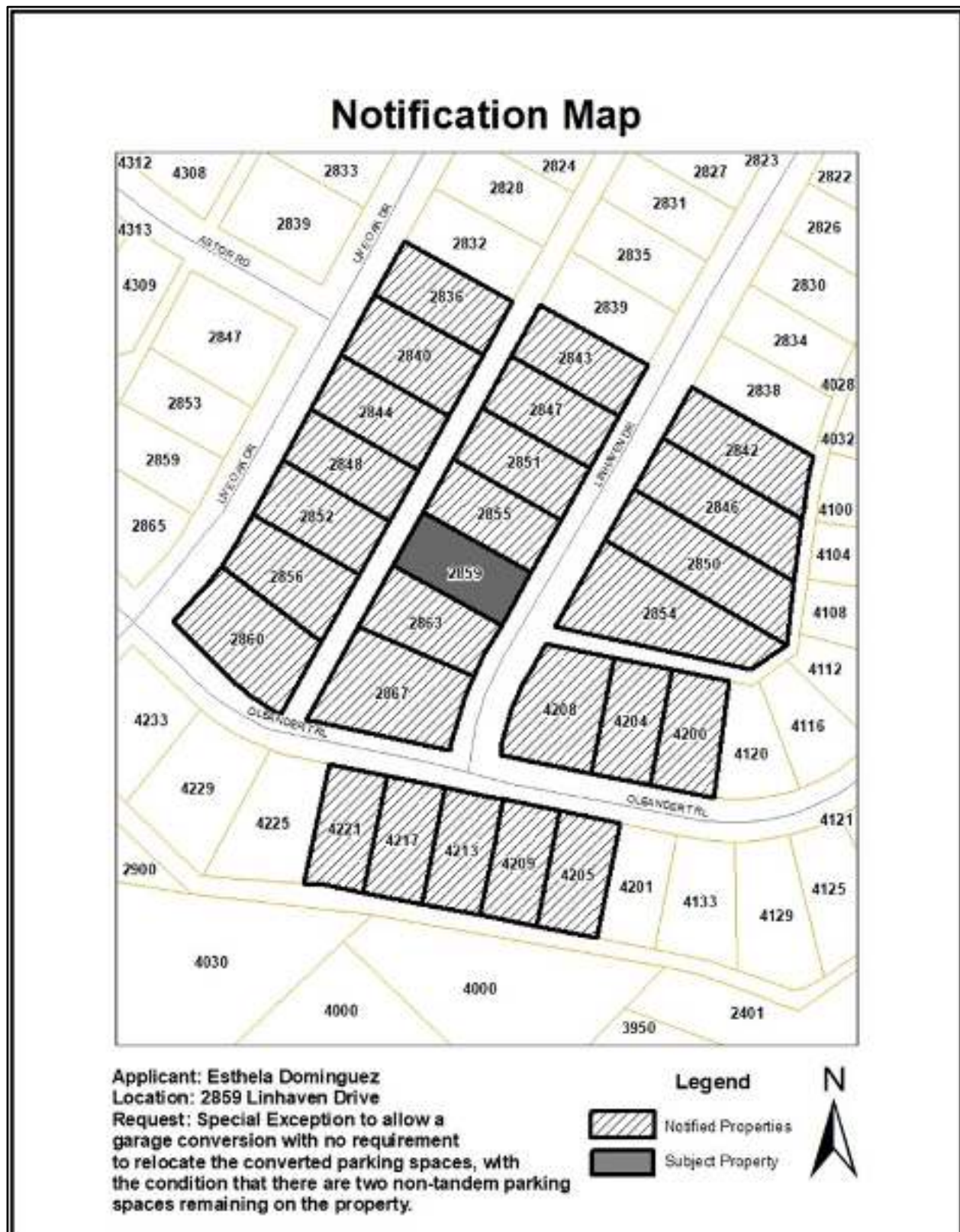
Aerial Map



Applicant: Esthela Dominguez
Location: 2859 Linhaven Drive
Request: Special Exception to allow
a garage conversion with no requirement
to relocate the converted parking spaces, with
the condition that there are two non-tandem
parking spaces remaining on the property.



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP



ATTACHMENT 3 – SITE PHOTOS



Subject property from Linhaven Drive, facing northwest.



View of the converted garage from Linhaven Drive, facing southwest.

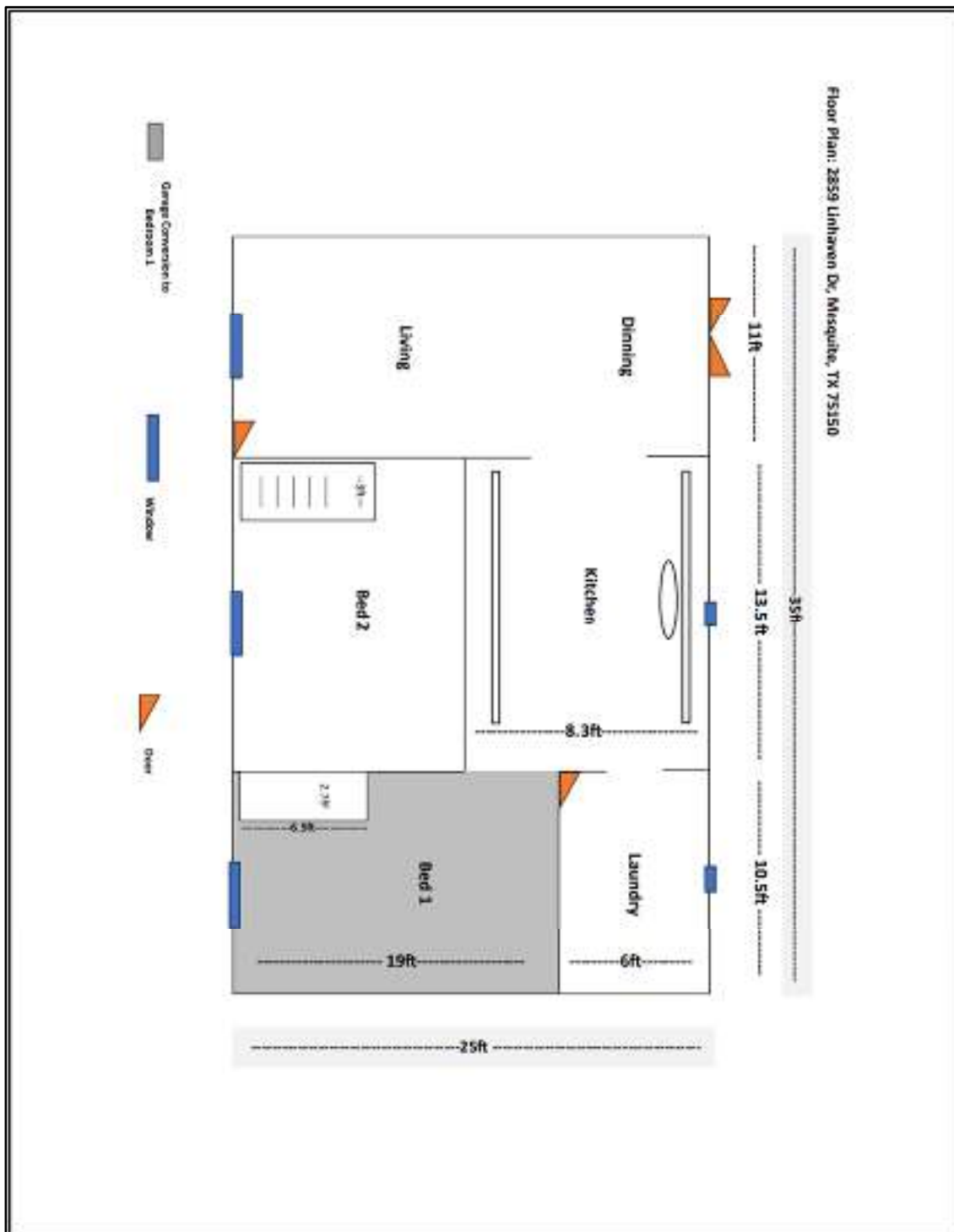
ATTACHMENT 4 – APPLICATION MATERIALS

OWNER AUTHORIZATION PAGE

1. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
2. I hereby designate the person named as the applicant on page 1 of this application, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite.
3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of taking photographs, documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in taking of said photographs.
4. I have read and understand the information contained in the application for which I am applying.

Property Owner: Manjula Kottegoda,
Cross Keys Homes LLC Phone Number: 214 704 0461
Address: 625 Dover ct.
Coppell, TX 75019 Email Address: CrosskeysHomes@outlook.com
Signature: 

ATTACHMENT 4 – APPLICATION MATERIALS





PLANNING AND ZONING DIVISION

FILE NUMBER: BOA0324-0434
REQUEST: A request for a Special Exception to allow a rear oversized accessory structure that exceeds the maximum size of 500 square feet by 102.9 square feet for a total size of 602.9 square feet and a Special Exception to allow a front carport with the modification that it is not attached to the primary structure.
CASE MANAGER: Jordan Gregory, Planner

PUBLIC HEARING

Board of Adjustment: Thursday, May 23, 2024

GENERAL INFORMATION

Applicant: Martin Ramirez
Property Owner: Martin Ramirez
Location: 1425 Barbara Street

SITE BACKGROUND

Legal Description: Northridge Estates 5, Block 67, Lot 16
Size: 0.2 acres/ 8,826.2 square feet
Zoning: R-3, Single Family Residential
Existing Land Use: Single Family Home
Zoning History: 1955 – Platted
1964 – Zoned to R-3 – Single Family Residential

Surrounding Zoning and Existing Land Uses:

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	C - Commercial	Vacant
SOUTH:	R-3, Single Family Residential	Single Family Residential
EAST:	R-3, Single Family Residential	Single Family Residential
WEST:	C – Commercial	Vacant

CASE SUMMARY

The applicant is requesting a Special Exception to allow a 602.9 square-foot rear oversized accessory structure, which is used as a detached garage. This structure was originally built with the home and has been present on the property since 1968. The Mesquite Zoning Ordinance (MZO)

allows for the maximum square footage of an accessory structure to be 500 square feet for properties zoned Residential. In addition to the Special Exception for the oversized rear accessory structure, the applicant is also requesting a Special Exception to allow the existing front carport to remain attached to the accessory structure rather than the primary structure. The carport was added to the property sometime between 1995 and 2001. If approved, the rear oversized accessory structure and the carport would remain as they have been for the past 20+ years, with the one condition that the carport will be made smaller to meet the maximum allowed square footage per the MZO (400 square feet). To clarify, the Special Exception request for the rear oversized accessory structure does not include the size of the front carport. While attached, the request being made is for two separate structures.

The applicant recently bought the home at 1425 Barbara and Staff was notified of these structures after a building permit was applied for to put in a new fence. The purpose of applying for the Special Exception(s) is to make the two structures conform legally.

MESQUITE ZONING ORDINANCE

SEC. 2-604.A: OVERSIZED ACCESSORY STRUCTURE

The Board of Adjustment may authorize an oversized accessory structure, which shall be any structure which exceeds the height, size or coverage limits as set out in Section 2-602. An existing accessory building shall not become an oversized structure due to the attachment of a minor building with separate entrances. Buildings exceeding 10% of the lot area are generally considered incompatible.

STAFF COMMENTS:

Pursuant to Section 2-602.A of the Mesquite Zoning Ordinance (MZO), the maximum permitted size for an accessory structure in the R-3 district is 500 square feet, and the maximum permitted lot coverage for all accessory structures is 35% of the yard area in which the structures are located unless otherwise approved through a Special Exception.

The current oversized accessory structure is 602.9 square feet, which exceeds the maximum size allowed for an accessory structure by 102.9 square feet. Currently, the accessory structure covers approximately 13% of the rear yard and 7% of the entire lot. Staff believes that the rear oversized accessory structure will allow for greater enjoyment of the property, as the structure was present on the property at the time of purchase, and it provides necessary parking coverage. Additionally, Staff does not believe this request will adversely impact adjacent properties due to the length of time that the structure has been present on the property. This accessory structure is compatible with nearby homes.

SEC. 5-206.L: SPECIAL EXCEPTION APPROVAL STANDARDS

1) Special Exceptions.

Special Exceptions may be granted as set out in this Zoning Ordinance, when the Board finds that the special exception:

- a. will allow greater use and enjoyment of property; and
- b. without creating adverse impacts on adjacent properties; and
- c. that it will be compatible with the surrounding neighborhood; and

when applicable, the board shall also consider any additional criteria set out in this Zoning Ordinance for any specific special exception.

SEC. 2-201.E: GENERAL USE REGULATIONS

Special requirements for specific uses are noted in 2-203 under "Special conditions". The designated use is permitted only when in compliance with the special conditions listed. When a use is authorized as a conditional use, or as a special exception, the authorizing body may approve modification of the special conditions by specifying the allowed modification in its approval, provided that proposed modifications must be identified in the required notices as part of the request approval. Such modification may be approved if it is determined that the use can be accommodated under modified conditions without creating adverse impact on adjacent properties and that it will be compatible with the neighborhood.

STAFF COMMENTS:

Pursuant to Section 2-203.C.1. of the Mesquite Zoning Ordinance (MZO), compliance with Section 2-600 of the MZO is a special condition, which provides the authorizing body (the Board of Adjustment) to ability to approve a modification by specifying said modification in its approval. Section 2-603.E.2a. states that the front carport shall be attached to the roof of the principal structure provided that, if the carport abuts a wall of the home above one story, the carport shall be attached to the abutting wall. The Board of Adjustment has the authority to approve modification of this regulation via a Special Exception.

The current front carport is not attached to the primary structure, but rather it is attached to the oversized rear accessory structure. The primary structure at 1425 Barbara Street was permitted and built without an attached garage. The carport itself was added to the oversized rear accessory structure sometime between 1995 and 2001 to create additional covered parking on the property. Staff believes that the current front carport does allow for greater enjoyment of the property, as the structure as the structure has been present for many years, and it provides necessary parking coverage. Additionally, Staff does not believe this request will adversely impact adjacent properties due to the length of time that the structure has been present on the property. This accessory structure is compatible with nearby homes.

SEC. 5-206.L: SPECIAL EXCEPTION APPROVAL STANDARDS

2) Special Exceptions.

Special Exceptions may be granted as set out in this Zoning Ordinance, when the Board finds that the special exception:

- a. will allow greater use and enjoyment of property; and
- b. without creating adverse impacts on adjacent properties; and

c. that it will be compatible with the surrounding neighborhood; and

when applicable, the board shall also consider any additional criteria set out in this Zoning Ordinance for any specific special exception.

PERMITS

2024 – Building (Residential)

STAFF RECOMMENDATION

Staff recommends approval of a Special Exception request to allow a rear oversized accessory structure that exceeds the maximum size of 500 square feet by 102.9 square feet for a total size of 602.9 square feet, as well as approval of a Special Exception to allow a front carport with the modification that it is not attached to the primary structure.

PUBLIC NOTICE

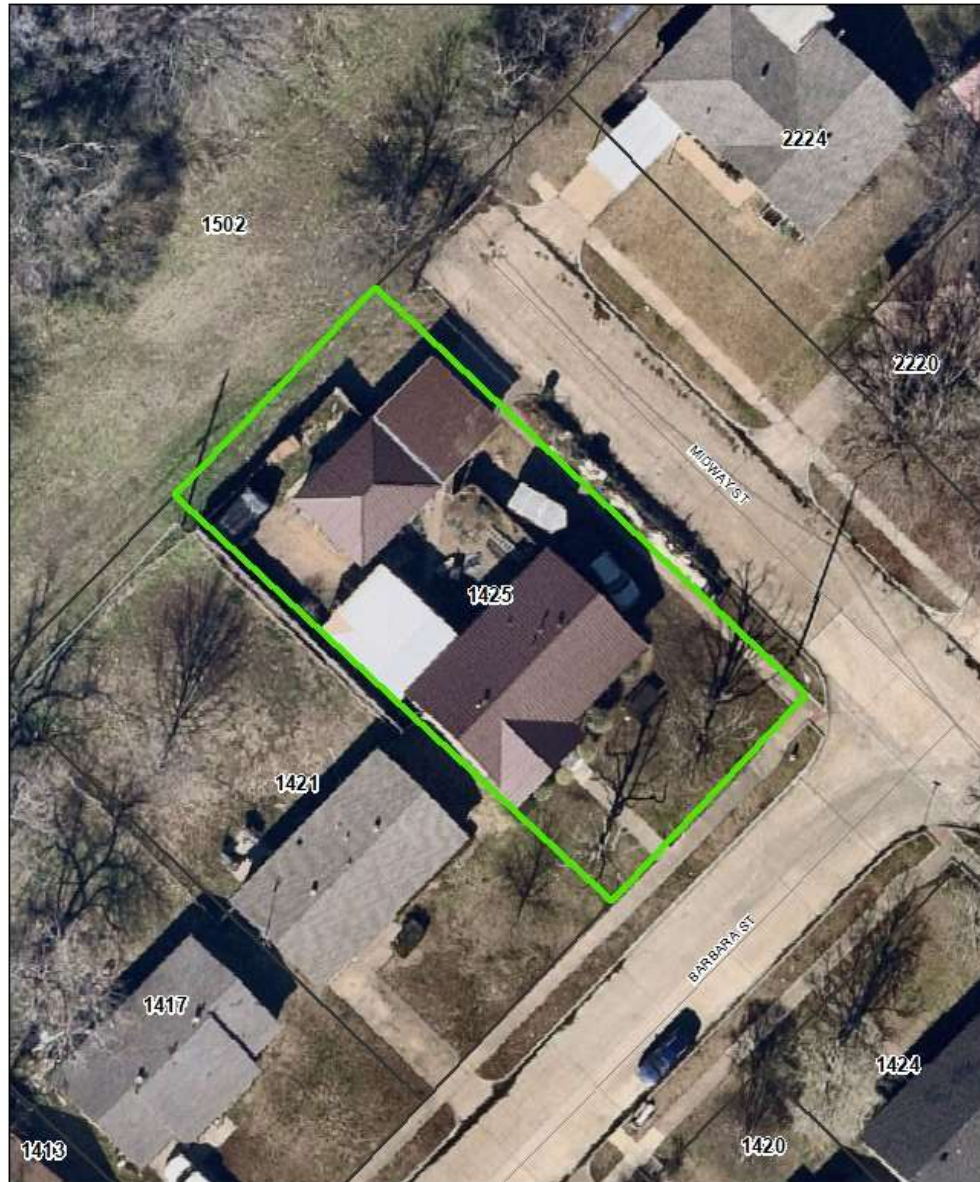
Staff mailed notices to all property owners within 200 feet of the subject property. As of May 16, 2024, there have been no returned notices.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Site Photos
4. Application Materials
5. Returned Notices
6. Historic Aerials

ATTACHMENT 1 – AERIAL MAP

Aerial Map



Applicant: Martin Ramirez
Location: 1425 Barbara Street
Request: Special Exception to allow an oversized accessory structure and a front carport with modifications.

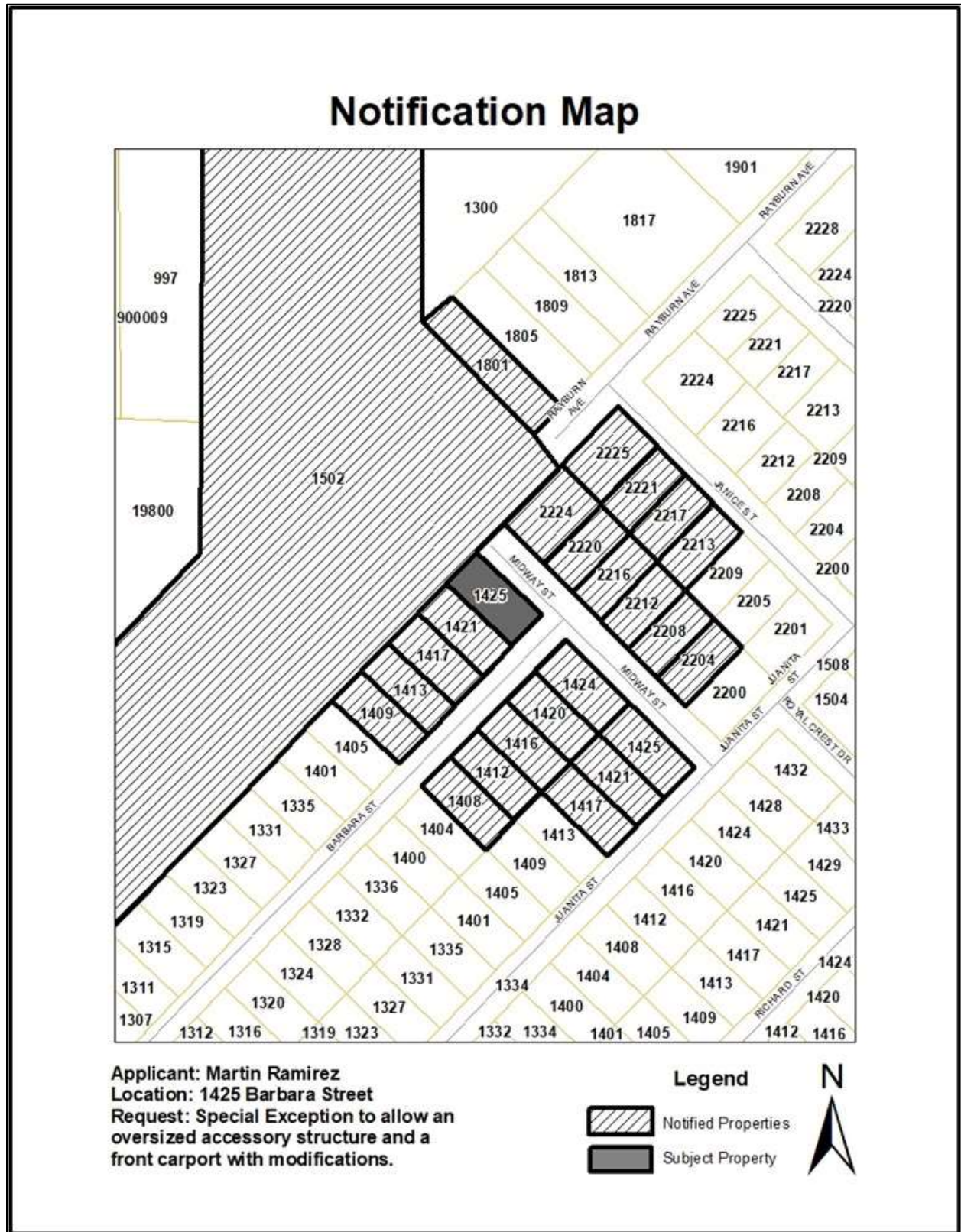
Legend

 Subject Property

0 5 10 20 30 40
Feet



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP



ATTACHMENT 3 – SITE PHOTOS



Front view of the subject property, facing northwest



Exterior side yard view of the subject property, facing west

ATTACHMENT 4 – APPLICATION MATERIALS

 MESQUITE T E X A S Real. Texas. Service.	City of Mesquite Board of Adjustment Application
Please print legibly. This application can also be completed online at https://www.cityofmesquite.com/DocumentCenter/View/7724/Board-of-Adjustment---Application-for-General-Special-Exceptions-and-Variations.	
Application Checklist ☒ Completed Application ☒ Site Plan/Drawing ☒ Site Plan Checklist (Page 7) ☐ Application Fee ☒ Owner Authorization Form (Page 6)	
Property Information – Where the residence is located Physical Address: 1425 Barbara St City, State: Mesquite, Texas Zip Code: 75149	
Applicant Information – The person filling out the application First Name: Martin Last Name: Ramirez Phone Number: 5053075775 Email Address: _____ I would like an interpreter at the meeting: ☐ Yes ☒ No Language: _____	
Property Owner(s) Information – The owner of the property listed as physical address Same as Applicant: ☒ Yes ☐ No (If no, fill in information below) First Name: _____ Last Name: _____ Phone Number: _____ Email Address: _____ Mailing Address: _____ City, State: _____ (If different from physical address) Zip Code: _____	
Office Use Only Subdivision: _____ Block: _____ Lot: _____ Size of Property: _____ Square Feet When was the property platted: _____ Date Received: _____ Project Intake: _____ Case Number: BOA ☐ Special Exception (\$200) ☐ Residential Variance (\$200) ☐ Non-Residential Variance (\$500) ☐ Appeals (\$300)	
April 2022 P.O. Box 850137 • Mesquite, Texas 75185-0137 • www.cityofmesquite.com Page 1 of 13	

ATTACHMENT 4 – APPLICATION MATERIALS

Structure Types

Check all that applies

Main Structure

- ☐ Room Addition
- ☐ Garage Addition
- ☐ New Residence

Nonconforming

- ☐ Use
- ☐ Premise
- ☐ Structure

Residential

- ☒ Rear Carport
- ☐ Storage Building
- ☐ Detached Garage
- ☐ Patio Cover
- ☒ Oversized Accessory Structure
- ☐ Accessory Dwelling Unit
- ☐ Garage Conversion

Non-Residential

- ☐ Off-Site Parking
- ☐ Joint Use Parking
- ☐ Parking Reduction
- ☐ Flag Poles >75 Ft
- ☐ Reverse Vending Machine
- ☐ Oversized Accessory Structure
- ☐ New Structure

Other

- ☐ Fencing
- ☐ Temporary Uses
- ☐ Tree Preservation
- ☐ Oversized Antenna
- ☐ Lighted Game Courts
- ☐ Livestock

Height of Structure: Carport 7.3 Feet Garage 8 Feet Size of Structure: 417/587.6 Square Feet

Roof Pitch (If applicable): _____

Describe Materials Used:

Garage: wood framing, wood siding, metal roof, concrete foundation and floor. 587.6sq ft

Carport: metal post and roof. 417 sq ft

Affected Part(s) of the Property

- ☐ Interior Side Yard ☐ Front Yard
- ☐ Exterior Side Yard ☒ Rear Yard

Will it

- ☐ Exceed Maximum Height?
- ☒ Exceed Maximum Size?

Status

- ☒ Existing
- ☐ Proposed

Describe the structure and its purpose:

The garage is used as a storage for the homeowner,

The carport protects the vehicles from the elements

ATTACHMENT 4 – APPLICATION MATERIALS

COMPLETE FOR SPECIAL EXCEPTIONS ONLY.

Requests for a Special Exception may be granted after the Board of Adjustment have found the following to be true. Please answer the following questions to the best of your ability.

Will the Special Exception allow greater use and enjoyment of the property without creating adverse impacts on adjacent properties?

☒ Yes ☐ No

If yes, how?

The garage is very helpful to store all kinds of things, since the inside of the house is small, allowing us to keep a neat backyard because all of our things are hidden from sight, thus allowing us to keep an organized environment and avoiding a mess that would affect the look of the neighborhood. We, as new owners of this property have gotten along very well with our surrounding neighbors and have heard no complaints. If the building has been out of code since the construction of this structure my thoughts are the neighbors haven't noticed this violation so far. It is my belief that this structure doesn't have any impact on adjacent properties.

Will the Special Exception be compatible with the surrounding neighborhood?

☒ Yes ☐ No

If yes, how?

The structure was built many years ago to my knowledge and its been part of this neighborhood since then.

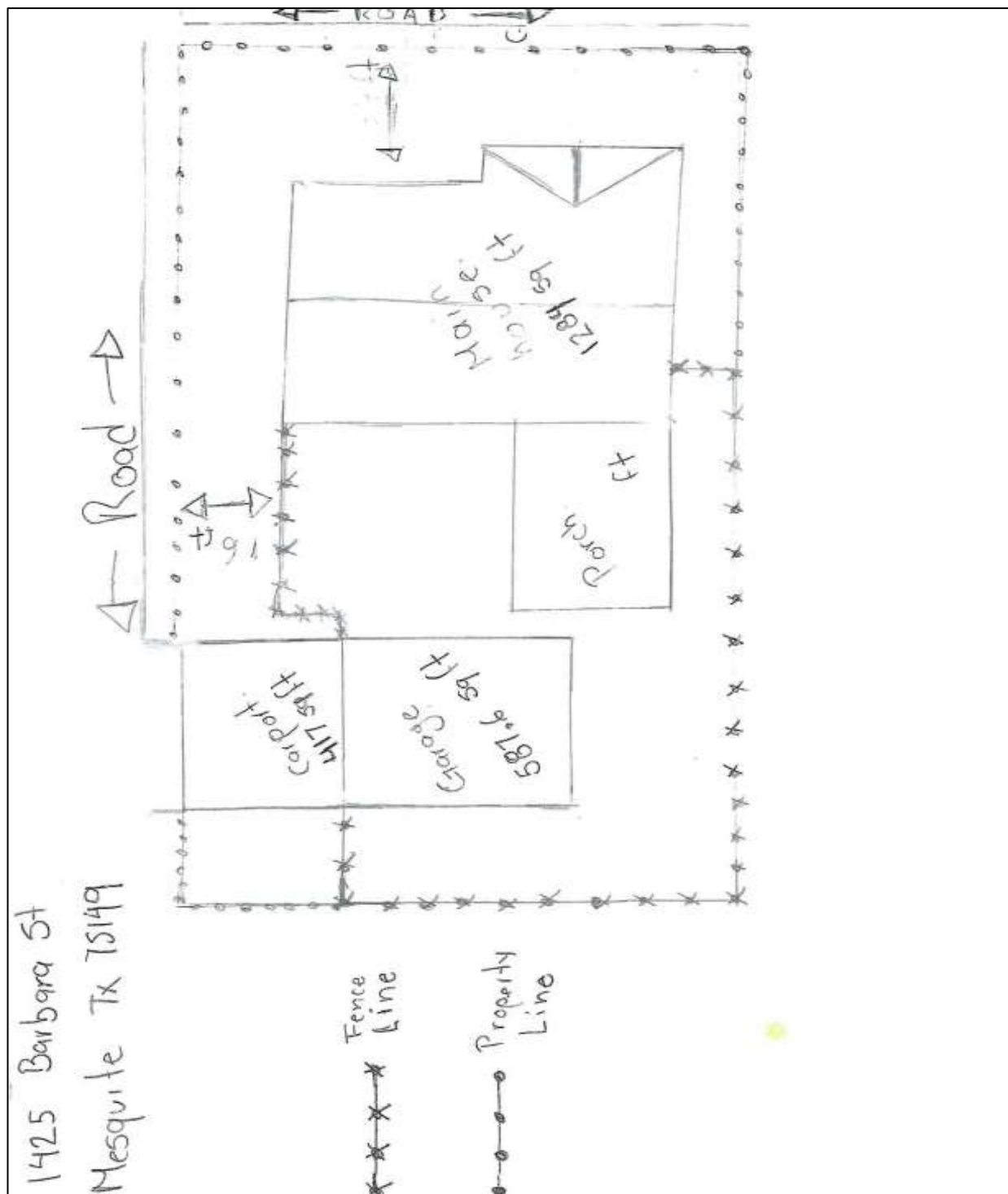
ATTACHMENT 4 – APPLICATION MATERIALS

OWNER AUTHORIZATION FORM

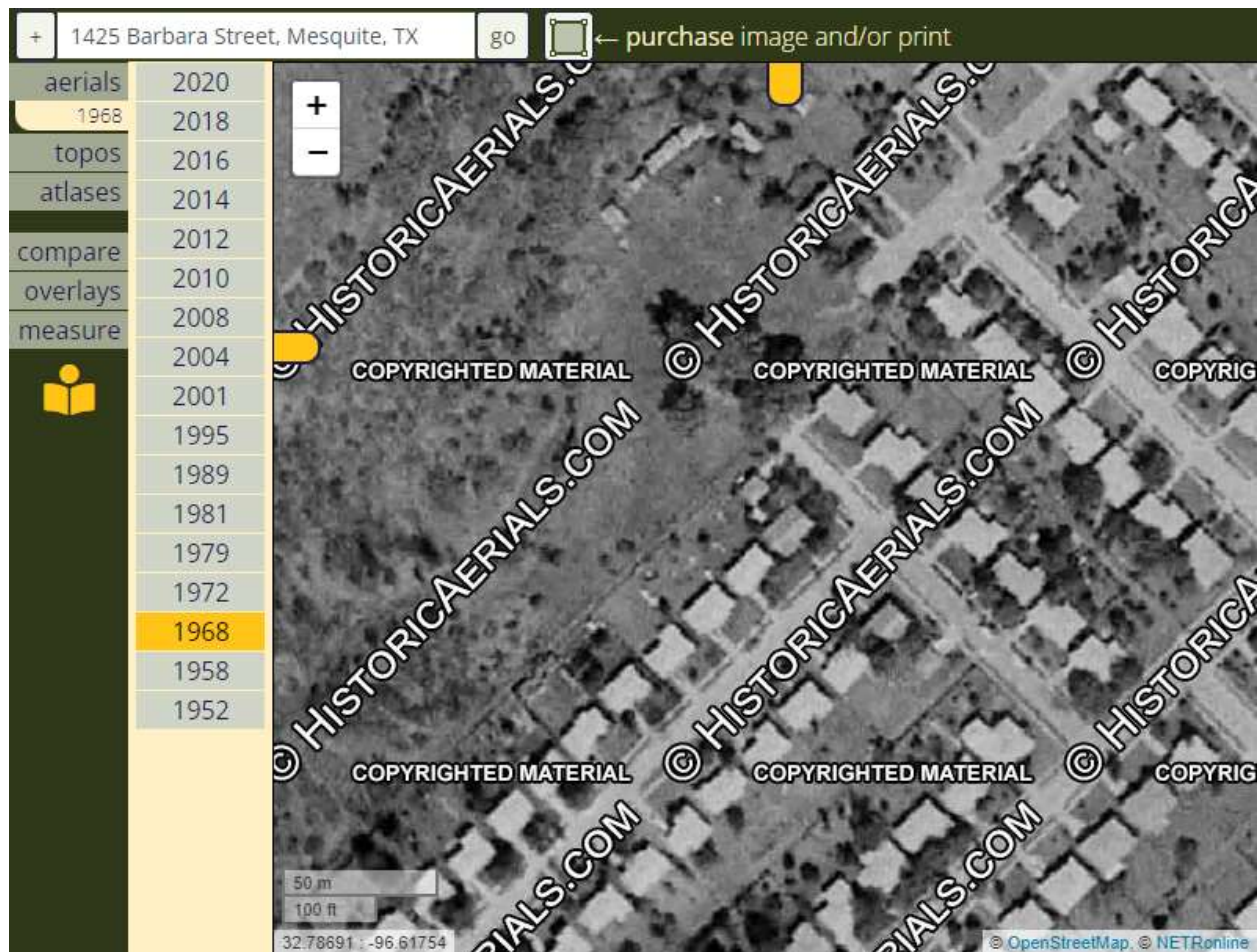
1. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
2. I hereby designate the person named as the applicant on page 1 of this application, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite.
3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of taking photographs, documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in taking of said photographs.
4. I have read and understand the information contained in the Board of Adjustment Application packet.

Property Owner: Martin Ramirez Phone Number: 505-307-5724
Address: 1425 Barbara St
Mesquite Tx 75149 Email Address: diaz-silvia71@yahoo.com
Signature: Martin Ramirez

ATTACHMENT 4 – APPLICATION MATERIALS

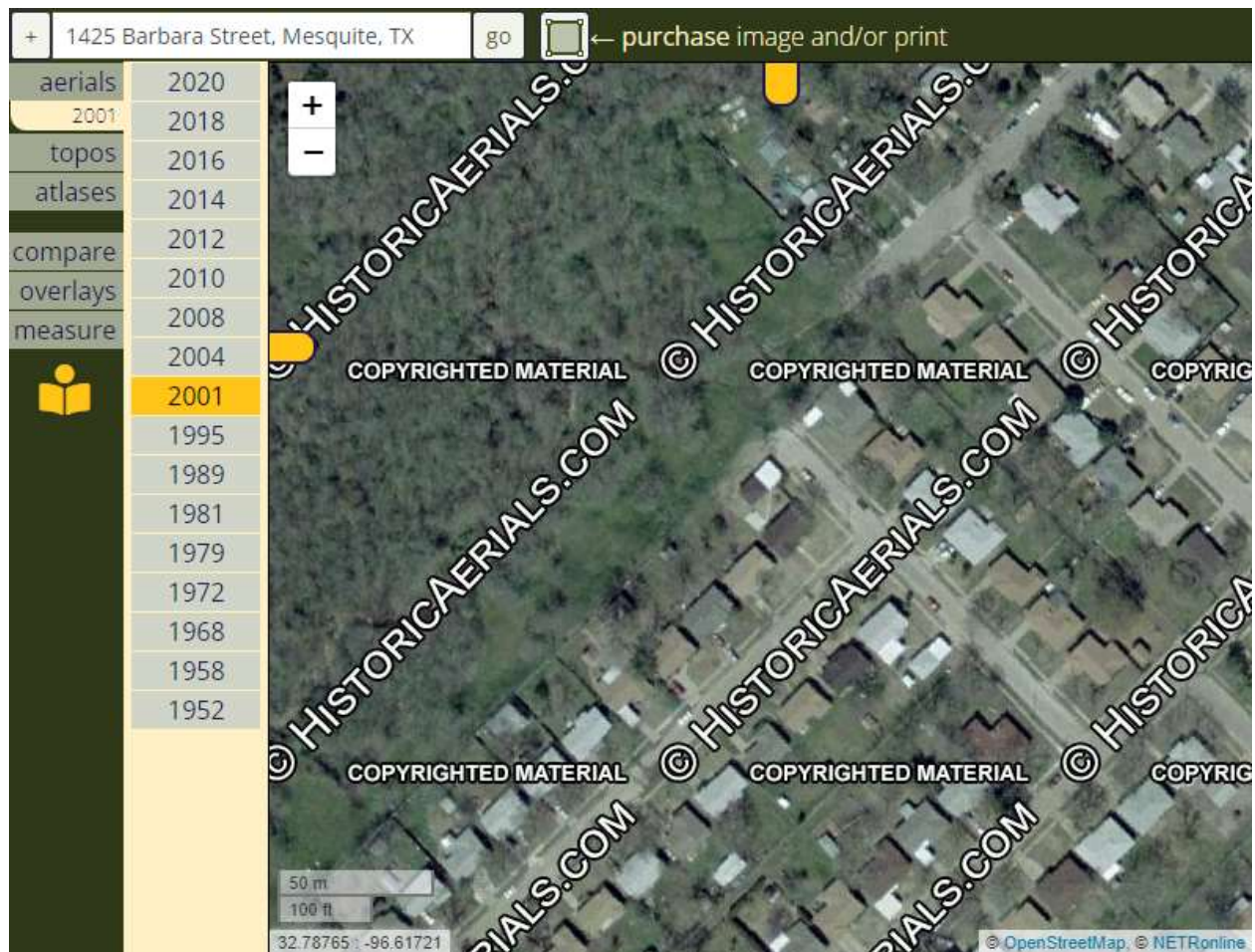


ATTACHMENT 5 – HISTORIC AERIAL



1968 – Aerial View of the property, showing the accessory structure

ATTACHMENT 5 – HISTORIC AERIAL



2001 – Aerial View of the property, showing the addition of the carport



PLANNING AND ZONING DIVISION

FILE NUMBER: BOA0424-0439
REQUEST: Special Exception to allow an accessory structure to exceed the maximum size of 500 square feet by 1,300 square feet for a total of 1,800 square feet and the maximum height of 15 feet by 31 feet for a total of 46 feet.
CASE MANAGER: Jordan Gregory, Planner

PUBLIC HEARING

Board of Adjustment: Thursday, May 23, 2024

GENERAL INFORMATION

Applicant: Jack Thomas
Property Owner: Sam Thornton
Location: 4010 Forney Avenue

SITE BACKGROUND

Legal Description: Chase Road Industrial Park, Block 1, Lot 1, ACS 1.00
Size: 39,143.3 square feet / ~ 0.9 acres
Zoning: I - Industrial & Skyline Logistics Hub Overlay
Existing Land Use: Industrial
Zoning History: 1954 – Annexed
1964 – Zoned to Industrial

Surrounding Zoning and Existing Land Uses:

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	I - Industrial	Vacant
SOUTH:	I - Industrial	Landscaping Business
EAST:	I - Industrial	Union Pacific Railroad
WEST:	I - Industrial	Freight Business

CASE SUMMARY

The applicant is requesting a Special Exception to allow a 1,800-square-foot oversized accessory structure for storage. The rear yard is approximately 11,315.2 square feet, measured from the end of the rear building line of the home. The Mesquite Zoning Ordinance currently allows for a maximum square footage of an accessory structure to be 500 square feet. For

nonresidential structures, there are no requirements for maximum lot coverage. The Special Exception would allow an oversized accessory structure 1,300 square feet larger and 31 feet taller than the amount permitted by right.

MESQUITE ZONING ORDINANCE

SEC. 3-703.A.: OVERSIZED ACCESSORY STRUCTURE

The Board may grant a special exception to allow an oversize accessory building, which shall be an accessory structure which exceeds the height and/or size limits set out in Section 3-701. This provision shall apply only to structures which are clearly accessory and shall not be used to exclude a principal structure from the requirements for exterior fire-resistant construction.

STAFF COMMENTS:

Pursuant to Section 3-701.D of the Mesquite Zoning Ordinance (MZO), the maximum permitted size for a nonresidential accessory structure is 500 square feet.

The oversized accessory structure is 1,800 square feet, which exceeds the maximum size allowed for an accessory structure by 1,300 square feet. Additionally, the oversized accessory structure is currently 46 feet tall, which exceeds the maximum height of 15 feet by 31 feet.

SEC. 5-206.L: SPECIAL EXCEPTION APPROVAL STANDARDS

1) Special Exceptions.

Special Exceptions may be granted as set out in this Zoning Ordinance, when the Board finds that the special exception:

- a. will allow greater use and enjoyment of property; and
- b. without creating adverse impacts on adjacent properties; and
- c. that it will be compatible with the surrounding neighborhood; and

when applicable, the board shall also consider any additional criteria set out in this Zoning Ordinance for any specific special exception.

STAFF COMMENTS:

According to the applicant, the new structure would allow greater use and enjoyment of the property, as it would provide storage in the rear yard. Staff does not anticipate any adverse impacts on the adjacent properties.

PERMITS

1979 – Commercial Building Permit

STAFF RECOMMENDATION

Staff recommends approval of a Special Exception to allow a rear oversized accessory structure that exceeds the maximum size of 500 square feet by 1,300 square feet for a total of 1,800 square feet and the maximum height of 15 feet by 31 feet for a total of 46 feet.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of May 16, 2024, no notices have been returned for the request.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Site Photos
4. Owner ua
5. Returned Notices

ATTACHMENT 1 – AERIAL MAP

Aerial Map



Applicant: Jack Thomas
Location: 4010 Forney Avenue
Request: Special Exception to allow
a Rear Oversized Accessory Structure

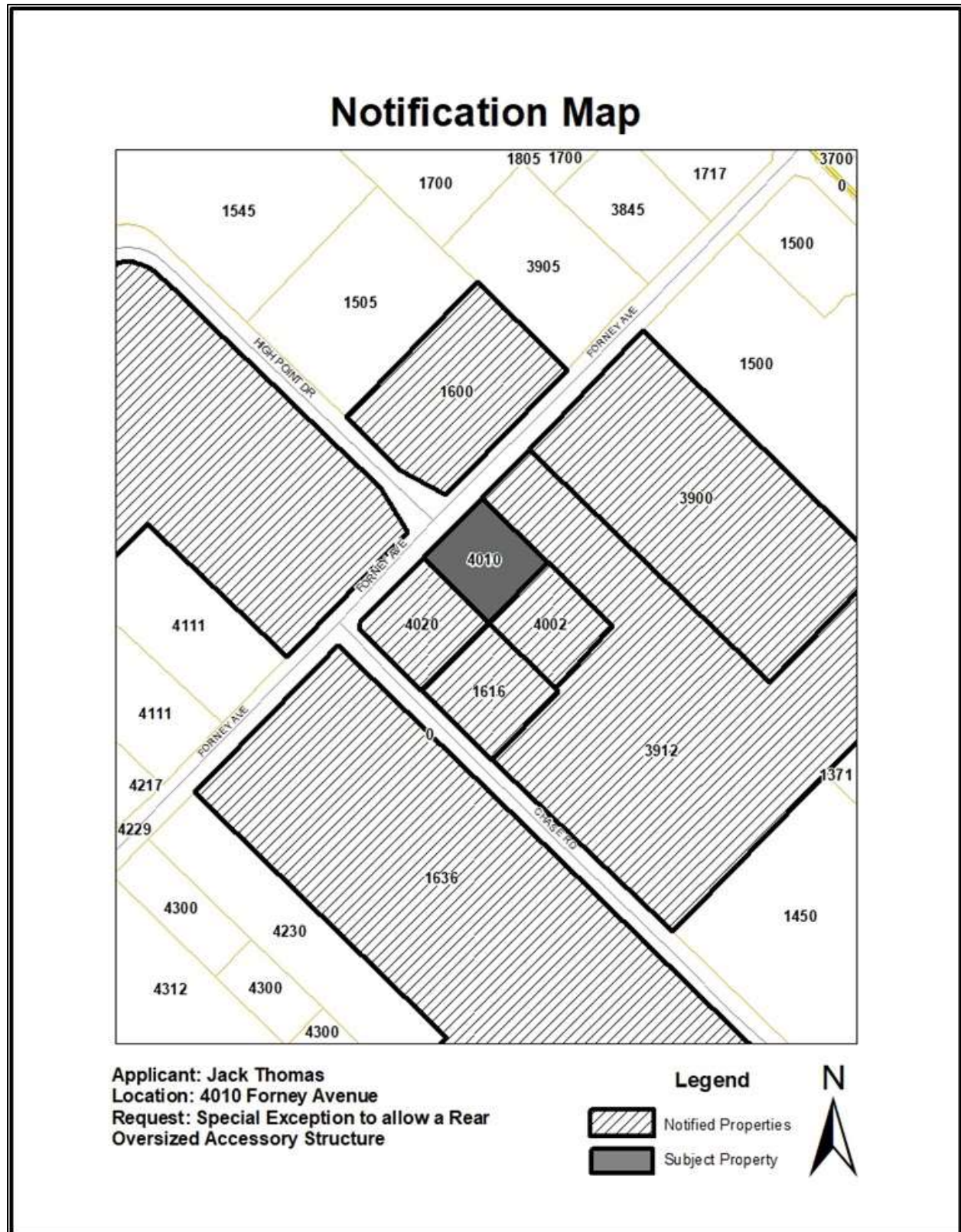
Legend

 Subject Property

0 12.5 25 50 75 100 Feet



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP



ATTACHMENT 3 – SITE PHOTOS



Front view of the subject property, facing South



Side view of the subject property facing East

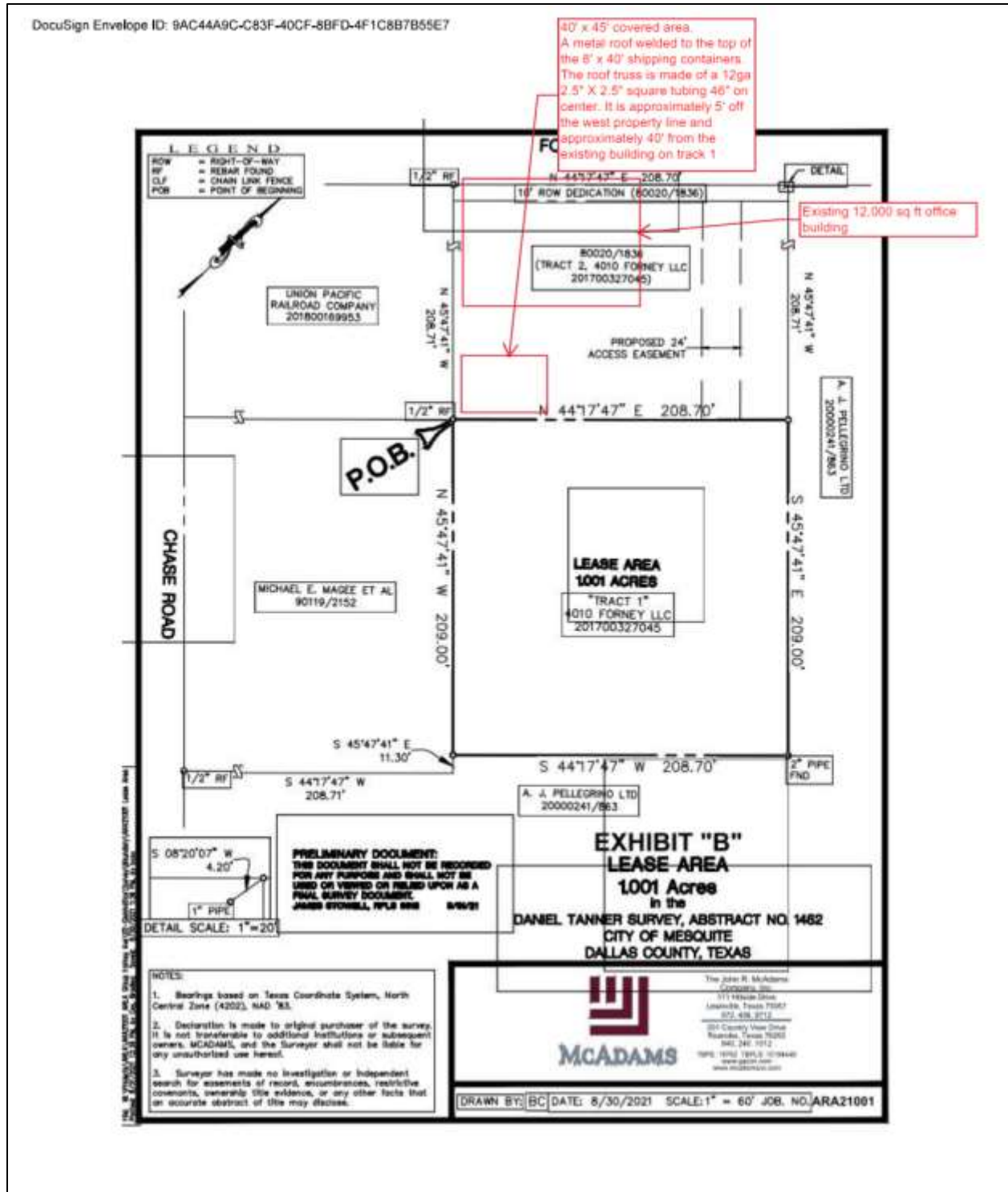
ATTACHMENT 4 – APPLICATION MATERIALS

OWNER AUTHORIZATION PAGE

1. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
2. I hereby designate the person named as the applicant on page 1 of this application, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite.
3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of taking photographs, documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in taking of said photographs.
4. I have read and understand the information contained in the application for which I am applying.

Property Owner: Sam Thornton Phone Number: 972-485-6181
Address: 4010 Forney Rd
Email Address: samt@doublerelectric.net
Signature: *Sam Thornton*

ATTACHMENT – APPLICATION MATERIALS



ATTACHMENT – APPLICATION MATERIALS





PLANNING AND ZONING DIVISION

FILE NUMBER: BOA0424-0440
REQUEST: Special Exception to allow a garage conversion with no requirement to relocate the converted parking spaces, with the condition that there are two non-tandem parking spaces remaining on the property.
CASE MANAGER: Jordan Gregory, Planner

PUBLIC HEARING

Board of Adjustment: Thursday, May 23, 2024

GENERAL INFORMATION

Applicant: Dane Ohlen
Property Owner: Felis Enriquez
Location: 4205 Hyde Park Drive

SITE BACKGROUND

Legal Description: Casa View Heights 15, Block 13, Lot 37
Size: 0.17 acres/ 7,335.5 square feet
Zoning: R-3, Single Family Residential
Zoning History: 1954 – Annexed
1964 – Zoned to R-3 – Single Family Residential

Surrounding Zoning and Existing Land Uses:

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	R-3, Single Family Residential	Single-Family Home
SOUTH:	R-3, Single Family Residential	Single-Family Home
EAST:	R-3, Single Family Residential	Single-Family Home
WEST:	R-3, Single Family Residential	Single-Family Home

CASE SUMMARY

The applicant is requesting a Special Exception to allow for the conversion of an existing front-entry one-car garage without having to relocate the converted parking spaces, with the condition that there are two non-tandem parking spaces remaining on the property. Currently, the driveway only has enough room for two cars to be parked in tandem. If approved, the property owner at 4205 Hyde Park Drive would be required to widen the driveway to allow for two non-tandem parking spaces or find two alternative non-tandem parking spots on the property before a Building Permit could be issued for the garage conversion.

Garage Conversion standards identified in Section 2-202 of the Mesquite Zoning Ordinance were amended via Ordinance No. 4990 on October 3, 2022, and now require relocation of converted parking spaces that once existed behind the building line on a lot in residential zoning districts, such that the total off-street parking spaces on the lot are not reduced from what existed prior to a garage conversion. The Board of Adjustment may, however, approve a Special Exception to authorize a garage conversion with no requirement to relocate the converted parking spaces.

MESQUITE ZONING ORDINANCE

SEC. 2-202.E.4: GARAGE CONVERSION – RELOCATION OF CONVERTED PARKING NOT REQUIRED

The Board of Adjustment may approve a Special Exception, in accordance with the approval standards in Section 5-206 (L), to authorize a garage conversion with no requirement to relocate the converted parking spaces, as required in Sub-Section 2-202 (E) (2), so long as two (2) City staff approved off-street non-tandem parking spaces remain on the lot, the property was platted before October 1, 1984, and it is not feasible to replace the converted garage parking spaces elsewhere within the lot.

STAFF COMMENTS:

The existing driveway is approximately 9 feet wide by 39 feet long, making it too small to accommodate two non-tandem off-street parking spaces. The property was platted prior to October of 1984, making it an appropriate location for a garage conversion. While the City will require the property owner to widen or relocate the current driveway, it is not feasible for the property owner to also relocate the parking spaces lost to the conversion.

SEC. 5-206.L: SPECIAL EXCEPTION APPROVAL STANDARDS

Special Exceptions may be granted as set out in this Zoning Ordinance, when the Board finds that the special exception:

- a) Will allow greater use and enjoyment of property; and
- b) Without creating adverse impacts on adjacent properties; and
- c) That it will be compatible with the surrounding neighborhood; and

- d) When applicable, the board shall also consider any additional criteria set out in this Zoning Ordinance for any specific special exception.

STAFF COMMENTS:

The case meets the requirements for approval of a Special Exception for a garage conversion. The applicant makes this request to legalize the previously converted garage. Staff does not anticipate any adverse impacts on adjacent properties, as approval of this request is contingent on the development of the existing driveway to provide sufficient off-street parking.

The garage conversion is compatible with the surrounding neighborhood, as a windshield survey revealed other garage conversions within the same block as the subject property, located at 4208 Hyde Park Drive and 4212 Hyde Park Drive.

PERMITS

2024 – Building (Residential) – Add/Alt/Repair/Remodel

2024 – Building (Residential) – Concrete

STAFF RECOMMENDATION

Staff recommends approving the Special Exception to allow a garage conversion, with no requirement to relocate the converted parking spaces, with the condition that two (2) City staff-approved off-street non-tandem parking spaces remain on the lot.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of May 16, 2024, there have been no returned notices.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Site Photos
4. Application Materials

ATTACHMENT 1 – AERIAL MAP

Aerial Map



Applicant: Dane Ohlen
Location: 4205 Hyde Park Drive
Request: Special Exception to allow a
garage conversion with no requirement
to relocate the converted parking spaces, with
the condition that there are two non-tandem
parking spaces remaining on the property.

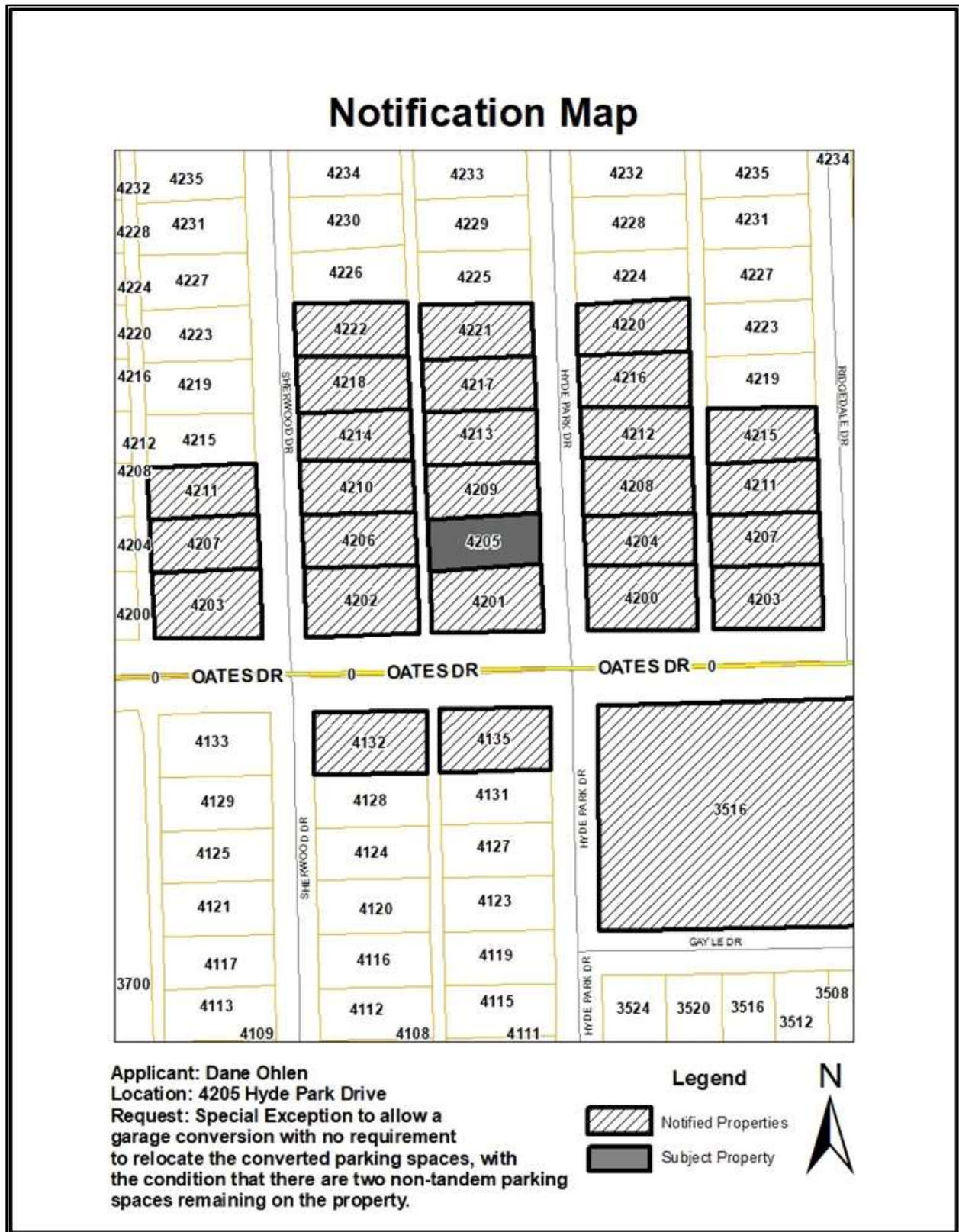
Legend

 Subject Property

0 5 10 20 30 40
Feet



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP



ATTACHMENT 3 – SITE PHOTOS



Subject property from Hyde Park Drive, facing west.



View of the converted garage from Hyde Park Drive, facing southwest.

ATTACHMENT 4 – APPLICATION MATERIALS

 MESQUITE T E X A S Real. Texas. Service.	City of Mesquite Board of Adjustment Application
--	--

Please print legibly. This application can also be completed online at
<https://www.cityofmesquite.com/DocumentCenter/View/7724/Board-of-Adjustment---Application-for-General-Special-Exceptions-and-Variances>.

Application Checklist

☒ Completed Application ☒ Site Plan/Drawing ☒ Site Plan Checklist (Page 7) ☒ Application Fee
☒ Owner Authorization Form (Page 6)

Property Information – Where the residence is located

Physical Address: 4205 Hyde Park Drive City, State: Mesquite, Texas
Zip Code: 75150

Applicant Information – The person filling out the application

First Name: Dane Last Name: Ohlen
Phone Number: 214.929.7611 Email Address: Richardson, TX 75081
I would like an interpreter at the meeting: ☐ Yes ☒ No Language: _____

Property Owner(s) Information – The owner of the property listed as physical address

Same as Applicant: ☐ Yes ☒ No (If no, fill in information below)

First Name: Felis Last Name: Enriquez
Phone Number: 972.589.6707 Email Address: danielle.torres2011@yahoo.com
Mailing Address: _____ City, State: _____
(If different from physical address)
Zip Code: _____

Office Use Only

Subdivision: _____ Block: _____ Lot: _____
Size of Property: _____ Square Feet When was the property platted: _____
Date Received: _____ Project Intake: _____ Case Number: BOA
☐ Special Exception (\$200) ☐ Residential Variance (\$200) ☐ Non-Residential Variance (\$500) ☐ Appeals (\$300)

April 2022 P.O. Box 850137 • Mesquite, Texas 75185-0137 • www.cityofmesquite.com Page 1 of 13

ATTACHMENT 4 – APPLICATION MATERIALS

Structure Types

Check all that applies

Main Structure

- ☐ Room Addition
- ☐ Garage Addition
- ☐ New Residence

Nonconforming

- ☐ Use
- ☐ Premise
- ☐ Structure

Residential

- ☐ Rear Carport
- ☐ Storage Building
- ☐ Detached Garage
- ☐ Patio Cover
- ☐ Oversized Accessory Structure
- ☐ Accessory Dwelling Unit
- ☒ Garage Conversion

Non-Residential

- ☐ Off-Site Parking
- ☐ Joint Use Parking
- ☐ Parking Reduction
- ☐ Flag Poles >75 Ft
- ☐ Reverse Vending Machine
- ☐ Oversized Accessory Structure
- ☐ New Structure

Other

- ☐ Fencing
- ☐ Temporary Uses
- ☐ Tree Preservation
- ☐ Oversized Antenna
- ☐ Lighted Game Courts
- ☐ Livestock

Height of Structure: Ceiling 8 Feet Size of Structure: 275 Square Feet

Roof Pitch (If applicable): 4-12

Describe Materials Used:

Wood frame, sheetrock, tile and carpet.

Affected Part(s) of the Property

- ☐ Interior Side Yard ☐ Front Yard
- ☐ Exterior Side Yard ☐ Rear Yard

Will it

- ☐ Exceed Maximum Height?
- ☐ Exceed Maximum Size?

Status

- ☐ Existing
- ☐ Proposed

Describe the structure and its purpose:

Garage conversion into an additional living space for current residents.

ATTACHMENT 4 – APPLICATION MATERIALS

COMPLETE FOR SPECIAL EXCEPTIONS ONLY.

Requests for a Special Exception may be granted after the Board of Adjustment have found the following to be true. Please answer the following questions to the best of your ability.

Will the Special Exception allow greater use and enjoyment of the property without creating adverse impacts on adjacent properties?

☒ Yes ☐ No

If yes, how?

Yes, it will allow greater use and enjoyment of the property without creating adverse impacts on adjacent properties. The foot print of the structure is not changing nor is the amount of residences living at the property.

Will the Special Exception be compatible with the surrounding neighborhood?

☒ Yes ☐ No

If yes, how?

The exterior garage door will be removed and replace with a door and two new energy efficient windows. The exterior will be more updated and pleasing to the eye.

ATTACHMENT 4 – APPLICATION MATERIALS

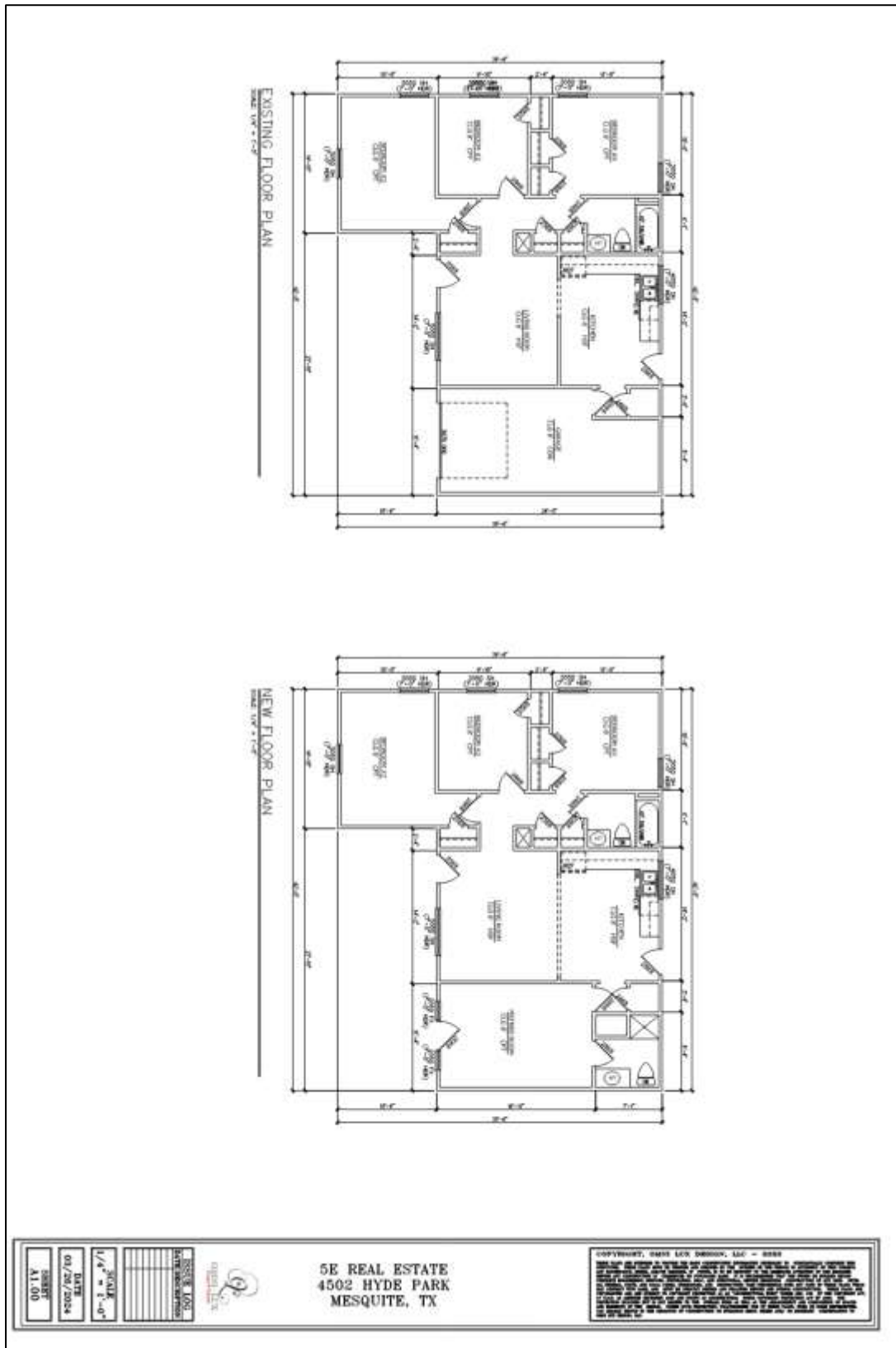
OWNER AUTHORIZATION

1. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
2. I hereby designate the person named as the applicant on page 1 of this application, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite.
3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of taking photographs, documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in taking of said photographs.
4. I have read and understand the information contained in the City of Mesquite Conditional Use Permit Application.

Property Owner: Felis Enriquez Phone Number: 214-994-4708
Address: 4205 Hyde Park Dr
Mesquite TX 75150 Email Address: _____
Signature: *Felis Enriquez*

Each property owner must complete a separate authorization form

ATTACHMENT 4 – APPLICATION MATERIALS





PLANNING AND ZONING DIVISION

FILE NUMBER: BOA0423-0438
REQUEST: Special Exception to allow a garage conversion with no requirement to relocate the converted parking spaces.
CASE MANAGER: John Cervantes, Planner

PUBLIC HEARING

Board of Adjustment: Thursday, May 23, 2024

GENERAL INFORMATION

Applicant: Diana Nunez-Flores
Property Owner: Diana Nunez-Flores
Location: 823 Meandering Way

SITE BACKGROUND

Legal Description: Green Canyon Estates, Block 2, Lot 27
Size: 0.18 acres/8,017.95 square feet
Zoning: Planned Development - R-2A, Single Family Residential (Ord.1427)
Zoning History: 1971 – Annexed and Zoned R-1, Single Family Residential
1978 – Zoned Planned Development - R-2A, Single Family Residential (Ord.1414)
1978 – Amended Planned Development - R-2A, Single Family Residential (Ord.1427)

Surrounding Zoning and Existing Land Uses:

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	Planned Development - R-2A, Single Family Residential (Ord.1427)	Single-Family
SOUTH:	Planned Development - R-2A, Single Family Residential (Ord.1427)	Single-Family
EAST:	Planned Development - R-2A, Single Family Residential (Ord.1427)	Single-Family
WEST:	Planned Development - R-2A, Single Family Residential (Ord.1427)	Single Family

CASE SUMMARY

The applicant is requesting a Special Exception to allow for the conversion of an existing rear-entry two-car garage into living space without having to relocate the converted parking spaces. The home was constructed in 1983. According to the applicant, they converted the garage into an activity room. While the applicant submitted for a building permit earlier this year, it appears the applicant completed the conversion before obtaining the permit. If the Special Exception request is approved, the work will be inspected to confirm that it meets the building code.

Garage Conversion standards identified in Section 2-202 of the Mesquite Zoning Ordinance were amended via Ordinance No. 4990 on October 3, 2022, and now require relocation of converted parking spaces that once existed behind the building line on a lot in residential zoning districts, such that the total off-street parking spaces on the lot are not reduced from what existed prior to a garage conversion. The Board of Adjustment may, however, approve a Special Exception to authorize a garage conversion with no requirement to relocate the converted parking spaces.

MESQUITE ZONING ORDINANCE

SEC. 2-202.E.4: GARAGE CONVERSION – RELOCATION OF CONVERTED PARKING NOT REQUIRED

The Board of Adjustment may approve a Special Exception, in accordance with the approval standards in Section 5-206 (L), to authorize a garage conversion with no requirement to relocate the converted parking spaces, as required in Sub-Section 2-202 (E) (2), so long as two (2) City staff approved off-street non-tandem parking spaces remain on the lot, the property was platted before October 1, 1984, and it is not feasible to replace the converted garage parking spaces elsewhere within the lot.

STAFF COMMENTS:

The existing driveway is approximately 16 feet wide and 25 feet long in front of the existing garage. Currently, the driveway is large enough to accommodate two off-street parking spaces and the spaces that are being replaced by the garage conversion will not drastically affect parking on the site. The property was platted in August of 1980.

SEC. 5-206.L: SPECIAL EXCEPTION APPROVAL STANDARDS

Special Exceptions may be granted as set out in this Zoning Ordinance, when the Board finds that the special exception:

- a) Will allow greater use and enjoyment of property; and
- b) Without creating adverse impacts on adjacent properties; and
- c) That it will be compatible with the surrounding neighborhood; and
- d) When applicable, the board shall also consider any additional criteria set out in this Zoning Ordinance for any specific special exception.

STAFF COMMENTS:

The case meets the requirements for approval of a Special Exception for a garage conversion. The applicant requests to convert the garage for extra living space. Staff does not anticipate

any adverse impacts on adjacent properties, as there is sufficient off-street parking along the existing driveway. The garage conversion is compatible with the surrounding properties zoned Planned Development - R-2A, Single Family Residential (Ord.1427).

PERMITS

1989: Pool Permit
1989: Electrical Permit
1989: Plumbing Permit
2024: Fence Permit

STAFF RECOMMENDATION

Staff recommends approving the Special Exception to allow a garage conversion, with no requirement to relocate the converted parking spaces, provided two (2) City staff approved off-street non-tandem parking spaces remain on the lot.

PUBLIC NOTICE

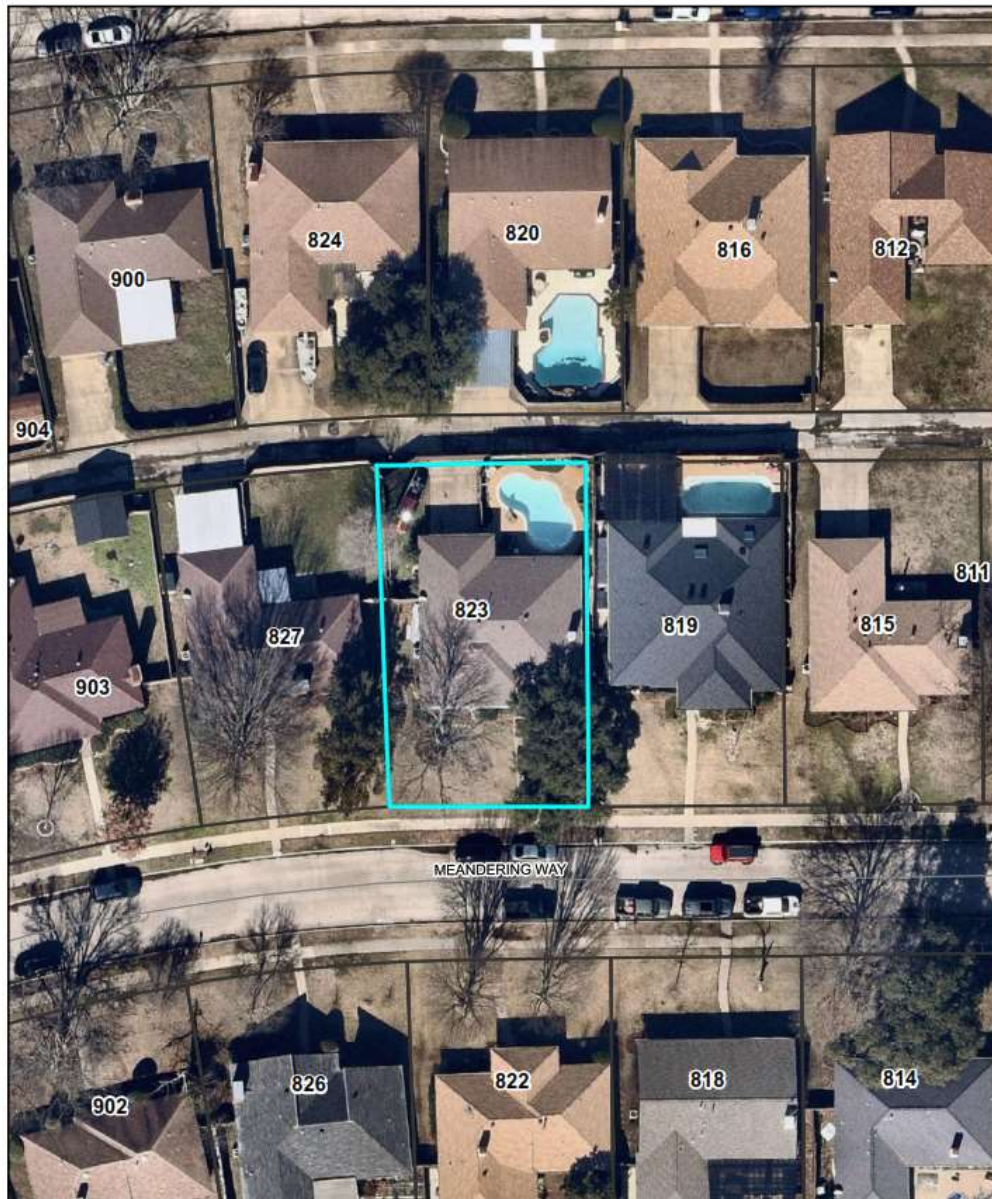
Staff mailed notices to all property owners within 200 feet of the subject property. As of May 17, 2024, there has been six returned notices opposed and one notice in support of the request.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Site Photos
4. Application Materials
5. Returned Notices

ATTACHMENT 1 – AERIAL MAP

Aerial Map



Location: 823 Meandering Way

Legend



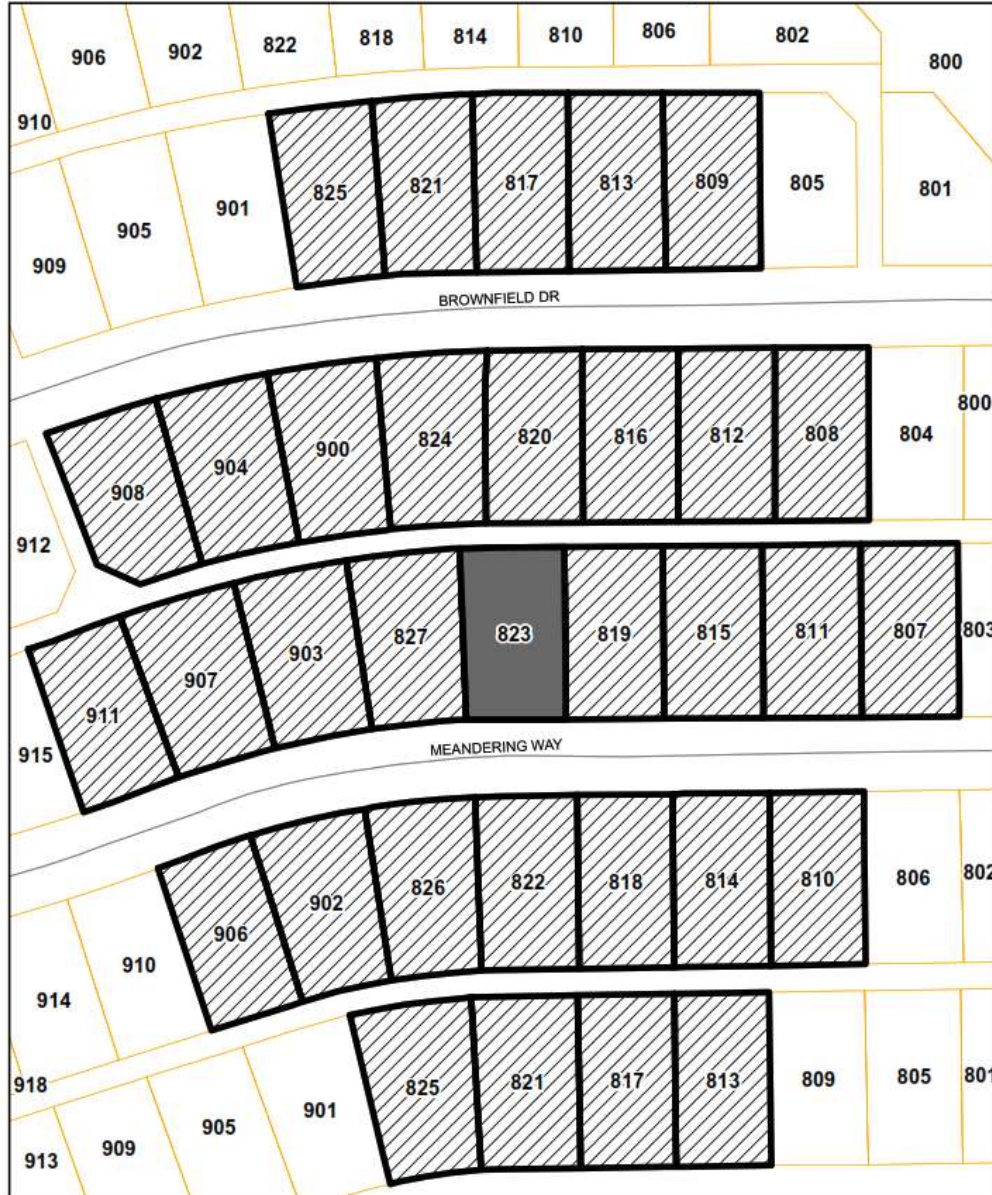
Subject Property

0 12.5 25 50 75 100 Feet



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

Notification Map



Location: 823 Meandering Way

Legend

 Subject Property  Notified Properties



ATTACHMENT 3 – SITE PHOTOS



Subject property from Meandering Way.



Subject property from alleyway, facing south.

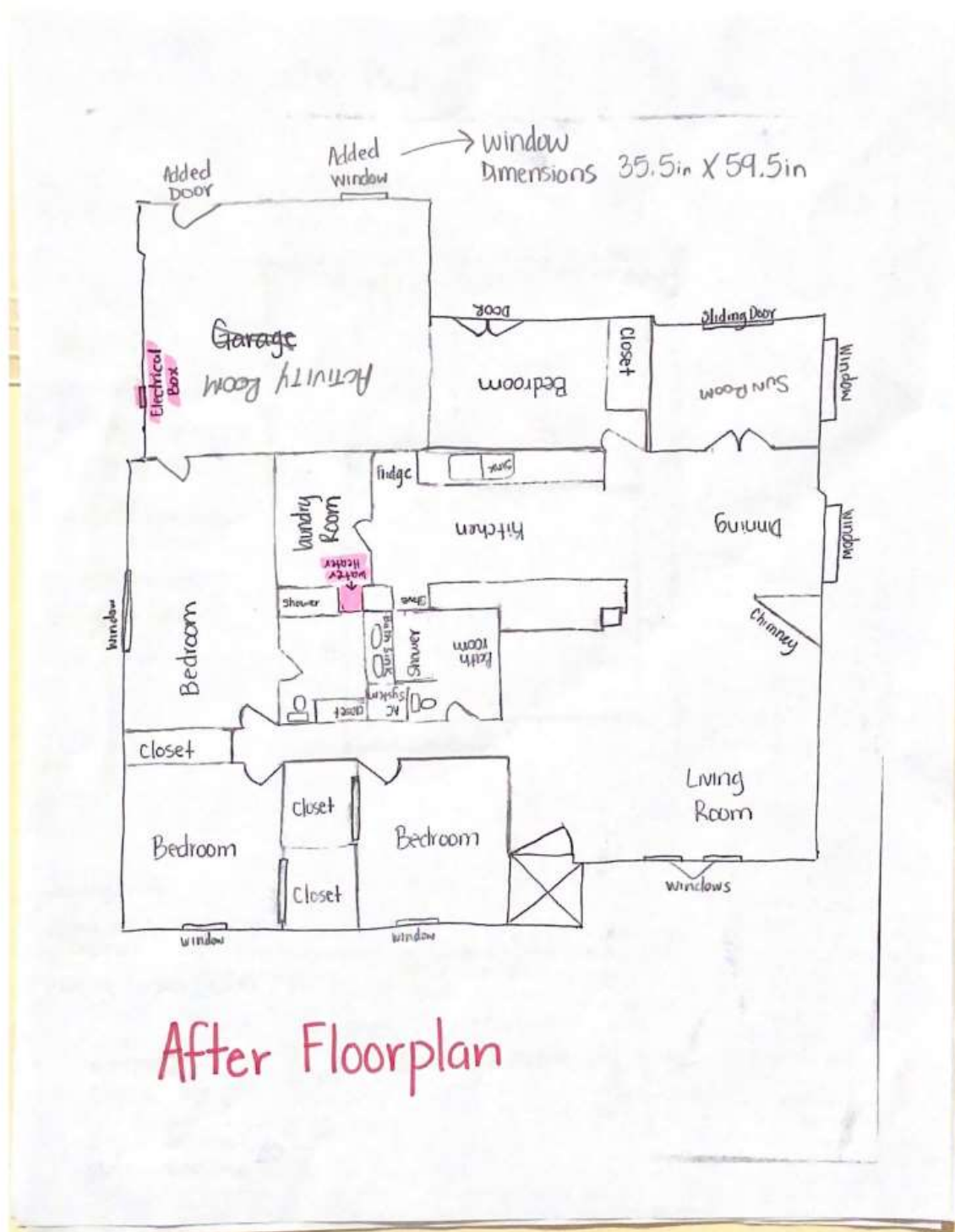
ATTACHMENT 4 – APPLICATION MATERIALS

OWNER AUTHORIZATION FORM

1. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
2. I hereby designate the person named as the applicant on page 1 of this application, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite.
3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of taking photographs, documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in taking of said photographs.
4. I have read and understand the information contained in the Board of Adjustment Application packet.

Property Owner: Diana Nunez-Flores Phone Number: 469-230-8388
Address: 823 Meandering way 916-256-8902
Mesquite TX 75150 Email Address: Diananunez64@gmail.com
Signature: Diana Nunez

ATTACHMENT 4 – APPLICATION MATERIALS



ATTACHMENT 5 – RETURNED NOTICES



The Board of Adjustment of the City of Mesquite will conduct a public hearing on Thursday, **April 25, 2024**, at **6:30 p.m.**, in the City Council Chambers of City Hall located at 757 North Galloway Avenue to consider the following application:

Case Number:	BOA0424-0438
Submitted By/	
Property Owner:	Diana Nunez-Flores
Property Location:	823 Meandering Way
Legal Description:	Green Canyon Estates Block 2 Lot 27
Requested Action:	Special Exception to allow a garage conversion, with no requirement to relocate the converted parking spaces.

As a property owner within 200 feet of this property, you are invited to make your views on this matter known. You may notify the Board of Adjustment of your comments **in writing** (no faxes or calls) by returning the response form attached below by the meeting date, or **in person** by attending the public hearing.

Questions regarding this application may be directed to the Planning Division located in the Municipal Building at 1515 North Galloway Avenue, or by telephone at (972) 216-6344 or by email at jcervantes@cityofmesquite.com.

Complete and return
Do not write on the reverse side of this form.

BOA Case: BOA0424-0438

I am **in favor** of this request ☒

I am **opposed** to this request ☐

Name: GLENN DICKERSON

(required)

Address: 813 GAGEWAY DR.

(required)

MESQUITE, TX 75150

Reasons
(optional):

IN FAVOR OF APPROVAL AS REQUESTED.

Please respond by returning to:

CITY OF MESQUITE PLANNING DIVISION
ATTN: John Cervantes
PO BOX 850137
MESQUITE TX 75185-0137

RECEIVED
APR 22 2024
PLANNING AND ZONING



The Board of Adjustment of the City of Mesquite will conduct a public hearing on Thursday, **April 25, 2024**, at **6:30 p.m.**, in the City Council Chambers of City Hall located at 757 North Galloway Avenue to consider the following application:

Case Number:	BOA0424-0438
Submitted By/	
Property Owner:	Diana Nunez-Flores
Property Location:	823 Meandering Way
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Requested Action:	Special Exception to allow a garage conversion, with no requirement to relocate the converted parking spaces.

As a property owner within 200 feet of this property, you are invited to make your views on this matter known. You may notify the Board of Adjustment of your comments **in writing** (no faxes or calls) by returning the response form attached below by the meeting date, or **in person** by attending the public hearing.

Questions regarding this application may be directed to the Planning Division located in the Municipal Building at 1515 North Galloway Avenue, or by telephone at (972) 216-6344 or by email at jcervantes@cityofmesquite.com.

Complete and return
Do not write on the reverse side of this form.

BOA Case: BOA0424-0438

Name:
(required)

Christy Trimble

I am **in favor** of this request

Address:
(required)

815 Meandering Way

I am **opposed** to this request

X

Mesquite TX 75150

Reasons
(optional):

I understand this house has turned
into a duplex. They can park on the
street instead of parking in the grass.

Please respond by returning to:

CITY OF MESQUITE PLANNING DIVISION
ATTN: John Cervantes
PO BOX 850137
MESQUITE TX 75185-0137

garage
has already
been converted

RECEIVED
APR 25 2024
PLANNING AND ZONING

MESQUITE
T E X A S
Real. Texas. Service.
NOTICE OF PUBLIC HEARING

The Board of Adjustment of the City of Mesquite will conduct a public hearing on Thursday, **April 25, 2024**, at **6:30 p.m.**, in the City Council Chambers of City Hall located at 757 North Galloway Avenue to consider the following application:

Case Number:	BOA0424-0438
Submitted By/	
Property Owner:	Diana Nunez-Flores
Property Location:	823 Meandering Way
Legal Description:	Green Canyon Estates Block 2 Lot 27
Requested Action:	Special Exception to allow a garage conversion, with no requirement to relocate the converted parking spaces.

As a property owner within 200 feet of this property, you are invited to make your views on this matter known. You may notify the Board of Adjustment of your comments **in writing** (no faxes or calls) by returning the response form attached below by the meeting date, or **in person** by attending the public hearing.

Questions regarding this application may be directed to the Planning Division located in the Municipal Building at 1515 North Galloway Avenue, or by telephone at (972) 216-6344 or by email at jcervantes@cityofmesquite.com.

Complete and return
Do not write on the reverse side of this form.

BOA Case: BOA0424-0438

Name:
(required)

MARIE WARD

I am **in favor** of this request

Address:
(required)

827 Meandering Way

I am **opposed** to this request

Mesquite, TX

Reasons
(optional):

THIS HOME ALREADY APPEARS TO HAVE A
LOT OF ADULT RESIDENTS, AS IF A
BOARDING HOUSE OR REHAB HOUSE.

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PLANNING AND ZONING

Please respond by returning to: **CITY OF MESQUITE PLANNING DIVISION**
ATTN: John Cervantes
PO BOX 850137
MESQUITE TX 75185-0137

LOTS OF CARS IN FRONT AND BACK ALL
THE TIME. ADDING ADDITIONAL ROOMS FOR
OCCUPANTS WITHOUT ADDL PARKING WILL
ONLY MAKE THE PROBLEM WORSE.



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BOA Case: BOA0424-0438

I am **in favor** of this request

I am **opposed** to this request

X

Name:
(required)
Address:
(required)

Chuck Taylor
816 Brownfield Dr
Mesquite Tx 75150

Reasons
(optional):

Garage is already closed in. House has
been converted to a duplex. The occupants are
terrible neighbors. Numerous complaints on this property.

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PLANNING AND ZONING

MESQUITE
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BOA Case: BOA0424-0438

I am **in favor** of this request _____

I am **opposed** to this request X

Reasons
(optional):

GARAGE HAS ALREADY BEEN CONVERTED. THE
HOUSE IS NOW A DUPLEX W/ MANY TENANTS
COMING & GOING.

Name: BUD BLUESTHMAN
(required)
Address: 820 BROWNFIELD DR
(required) MESQUITE, TX. 75150

Please respond by returning to: **CITY OF MESQUITE PLANNING DIVISION**
ATTN: John Cervantes
PO BOX 850137
MESQUITE TX 75185-0137

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PLANNING AND ZONING

MESQUITE
T E X A S
Real. Texas. Service.
RENOUNCE OF PUBLIC HEARING

RECEIVED
MAY 16 2024
PLANNING AND ZONING

The Board of Adjustment of the City of Mesquite will conduct a public hearing on Thursday, **May 23, 2024, at 6:30 p.m.**, in the City Council Chambers of City Hall located at 757 North Galloway Avenue to consider the following application:

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BOA Case: BOA0424-0438

Name:
(required)

CHARLIE DALTON

I am **in favor** of this request

Address:
(required)

811 Meandering Way

I am **opposed** to this request

Mesquite, TX 75150

Reasons
(optional):

To many cars and Trucks parked on street in front of Houses, making it hard for car and emergency vehicles to get down the street.

Please respond by returning to: **CITY OF MESQUITE PLANNING DIVISION**
ATTN: John Cervantes
PO BOX 850137
MESQUITE TX 75185-0137



RENOTICE OF PUBLIC HEARING

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BOA Case: BOA0424-0438

I am **in favor** of this request

I am **opposed** to this request

Name:
(required)

Address:
(required)

L. Gayle Goolsby
813 Brownfield Dr.
Mesquite, Tx 75150

Reasons
(optional):

It will effect ~~of~~ the aesthetics
of our Neighborhood and the next thing
you know there will be multiple families living
in one House!

Please respond by returning to:

CITY OF MESQUITE PLANNING DIVISION
ATTN: John Cervantes
PO BOX 850137
MESQUITE TX 75185-0137

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MAY 17 2024

PLANNING AND ZONING