



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

757 North Galloway Avenue
Mesquite, Texas
October 24, 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
October 24, 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 September 26, 2024, Board of Adjustment meeting.

PUBLIC HEARINGS- UNCONTESTED CASES

5. BOA0924-0454 – SPECIAL EXCEPTION

Special Exception to renew a Special Exception (BOA0923-0418) to allow two temporary classrooms for the Yoga of Immortals Meditation Center, located at 1535 N Belt Line Road. (John Cervantes, Senior Planner)

PUBLIC HEARINGS- CONTESTED CASES

6. BOA0824-0453 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Lynn Benedetto for a Special Exception to allow a garage conversion with no requirement to relocate the converted parking spaces, located at 2324 Warm Springs Road. (Jordan Gregory, Planner)

ITEM WAS POSTPONED FROM THE SEPTEMBER 26, 2024, BOARD OF ADJUSTMENT MEETING.

OTHER BOARD BUSINESS

7. Next Board of Adjustment Meeting: December 5, 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 **October 24, 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 **October 21, 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.



Garrett Langford, AICP
Manager of Planning and Zoning

MINUTES

September 26, 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	Jesse Barahona	☒ Present In-Person	☐ Absent
Position No. 5	Mr. Jack Akin	☒ Present In-Person	☐ Absent
ALTERNATE NO.	ALTERNATE NAME	ATTENDANCE	
Alternate No. 1	William Augustine	☒ 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
Ti'Ara Clark	Planner	☒ Present In-Person
David Paschall	City Attorney	☒ Present In-Person
Millie Laird	Administrative Aide Planning & Development.	☒ Present In-Person

ATTENDANCE NOTES: The meeting was called to order at 6:34 PM

CALL TO ORDER

1. Administrative Aide of Planning & Development Services Millie Laird 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 August 22, 2024, Board of Adjustment meeting minutes.

ACTION

Boardmember Akin made a motion to APPROVE the minutes; Boardmember Burris seconded; the motion carried 5-0.

PUBLIC HEARINGS- UNCONTESTED CASES**5. BOA0824-0449 – SPECIAL EXCEPTION**

Conduct a public hearing to consider an application submitted by Karina Taylor for a Special Exception to allow a garage conversion with no requirement to relocate the converted parking spaces, located at 1305 Greenbriar Drive. (Ti'Ara Clark, Planner).

6. BOA0824-0450 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Jose Lucio Campos for a Special Exception to allow a garage conversion, with no requirement to relocate the converted parking spaces, located at 4537 Sarazen Drive. (John Cervantes, Senior Planner).

7. BOA0824-0452 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Jose Hernandez for a Special Exception to allow an oversized accessory structure to exceed the maximum size of 1,000 square feet by 3,000 square feet for a total size of 4,000 square feet and the maximum height of 15 feet by 3 feet for a total height of 18 feet, located at 2736 Pioneer Road. (John Cervantes, Senior Planner).

PRESENTATION

Planner Ti'Ara Clark presented items 5-7 to the Board.

DISCUSSION

There were no discussions.

PUBLIC HEARING

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

ACTION

Boardmember Akin made a motion to approve items 5-7; Boardmember Augustine seconded; the motion carried 5-0.

PUBLIC HEARINGS- CONTESTED CASES**8. BOA0824-0451 – SPECIAL EXCEPTION**

Conduct a public hearing to consider an application submitted by Juan Fernando Santos for a Special Exception to allow livestock, including 25 chickens on a parcel of land less than two acres, located at 1605 Mesquite Valley Road. (Jordan Gregory, Planner).

PRESENTATION

Planner Jordan Gregory presented to and answered questions from the Board.

DISCUSSION

There were discussions regarding the zoning of adjacent properties and the type of fencing currently around both applicant's and adjacent neighbors' properties.

APPLICANT

Juan Fernando stated to the Board his reasons for application, projected placement of chicken coop and explained that the adjacent property belonged to a family member.

PUBLIC HEARING

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

ACTION

Boardmember Burris made a motion to approve; Boardmember Akin seconded; the motion carried 5-0.

9. BOA0824-0453 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Lynn Benedetto for a Special Exception to allow a garage conversion with no requirement to relocate the converted parking spaces, located at 2324 Warm Springs Road. (Jordan Gregory, Planner).

PRESENTATION

Planner Jordan Gregory presented to the Board. Mr. Gregory advised the Board that staff recommends postponing the hearing to October 24, 2024

DISCUSSION

There was no discussion.

APPLICANT

No one came forward.

PUBLIC HEARING

Chairwoman Airheart opened the public hearing. No one came to speak. The public hearing was left open.

ACTION

Chairwoman Airheart motioned to postpone until October 24, 2024, per Planning and Zoning recommendation. Boardmember Akin seconded the motion.

OTHER BOARD BUSINESS

10. Next Board of Adjustment Meeting: October 24, 2024

Chairwoman Airheart adjourned the meeting at 7:10 P.M.

Boardmember David Burris

FILE NUMBER: BOA0924-0454
REQUEST: Special Exception to allow two temporary portable classrooms
CASE MANAGER: John Cervantes

PUBLIC HEARING

Board of Adjustment: Thursday, October 24, 2024

GENERAL INFORMATION

Applicant / Property: Yoga of Immortals Meditation Center
Owner: ShivYog USA
Location: 1535 N Beltline Rd

SITE BACKGROUND

Legal Description: First Assembly of God, Block A, Lot 1R1B
Size: 87,120 Square feet / 2 acres
Zoning: Planned Development, LC – Light Commercial Ord.3580
Zoning History: 1951: Annexed
1973: Residential to Commercial
1981: Commercial to PD – Apartments
2003: PD – Apartments to PD – Light Commercial

Surrounding Zoning and Existing Land Uses:

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	C - Commercial	Medical Office
SOUTH:	Planned Development LC - Light Commercial Ord. 3580	Church
EAST:	R-3, Single Family Residential	Low Density Residential
WEST:	Planned Development TH – Townhomes Ord.4899	Medium Density Residential

CASE SUMMARY

The applicant is seeking approval of a Special Exception to allow two existing portable buildings including approximately 336 square feet each, to be used as temporary classrooms. The portable buildings have existed on the site since 2018 when First Assembly of God was the operator of the principal building and received approval for a special exception to allow the structures. The First Assembly of God was approved for a special exception that lasted three

years and expired in 2021. First Assembly of God completed the construction of their new church at 1531 N Belt Line Road and relocated. The remaining lot was sold to ShivYog USA and the new tenants have been utilizing the portable buildings to teach classes since receiving a special exception in 2023. The latest special exception permitted the two temporary portable classrooms for 1 year starting from the issuance of a Certificate of Occupancy. While the tenants hope to expand in the future, no plans have been proposed to the City of Mesquite at this moment.

As shown on the site plan, the portable buildings will be located on the south side of the existing building and will meet all setback requirements. Additionally, accessory structures shall be 6 feet from any other structure on the lot.

MESQUITE ZONING ORDINANCE

SEC. 1-603.A: TEMPORARY CLASSROOMS

To allow the use of temporary classroom buildings by elementary and secondary schools, churches, private schools, boy/girl scouts and similar organizations: Approval shall be for no more than a 3-year period, provided that the Board may specify conditions under which the approval period may be extended. Such temporary buildings shall be considered compatible if the following criteria are met.

1. Permanent Site: Buildings are to be located on a permanent site with a valid Certificate of Occupancy.

Staff Comment

YOI Meditation Center received approval of a Certificate of Occupancy in September of 2023.

2. Proposed Construction: There is a proposed schedule of construction/expansion of permanent facilities which will eliminate the need for the long term use of the temporary buildings.

Staff Comment

The temporary classrooms are requested to accommodate the future expansion of YOI as its membership grows. No date has been identified to staff for future renovation or expansion.

3. Alternate Space: There are no reasonable alternatives for providing needed space in a functional manner.

Staff Comment

There is no reasonable alternatives for providing needed spaces in a functional area, as the existing building cannot accommodate additional classes.

4. Site Adequacy: Parking, circulation, electrical and utility connections, drainage, fire protection and all other health and safety considerations can be accommodated and provided for with the addition of temporary buildings in an orderly and safe manner.

Staff Comment

The addition of temporary classrooms will not affect parking or circulation, as the structure will be located on the campus without taking up parking space or affecting pickup or drop-off operations. During the permit and inspection process, Staff will ensure that electrical and utility connections, drainage, fire protection, and other health and safety requirements are met.

5. Adjacent Properties: The placement of the temporary buildings on the site will comply with all setback requirements.

Staff Comment

All setback requirements of the zoning district will be met.

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

STAFF COMMENTS:

Staff does not anticipate any adverse impacts on adjacent properties. However, additional criteria has not been met because firm construction plans have not been proposed at this moment.

PERMITS

2010 – Electrical, Plumbing and cement
2010 – Building Permit
2011 – Mechanical, Irrigation
2012 – Cement
2015 – Sign
2018 – Temporary Buildings (BOA)
2023 – Temporary Buildings (BOA)

STAFF RECOMMENDATION

Staff recommends approval of the Special Exception to allow 2 portable buildings, each approximately 336 square feet, to be used as temporary classrooms on the subject property for 3 years from the date the Certificate of Occupancy was issued, October 23, 2023.

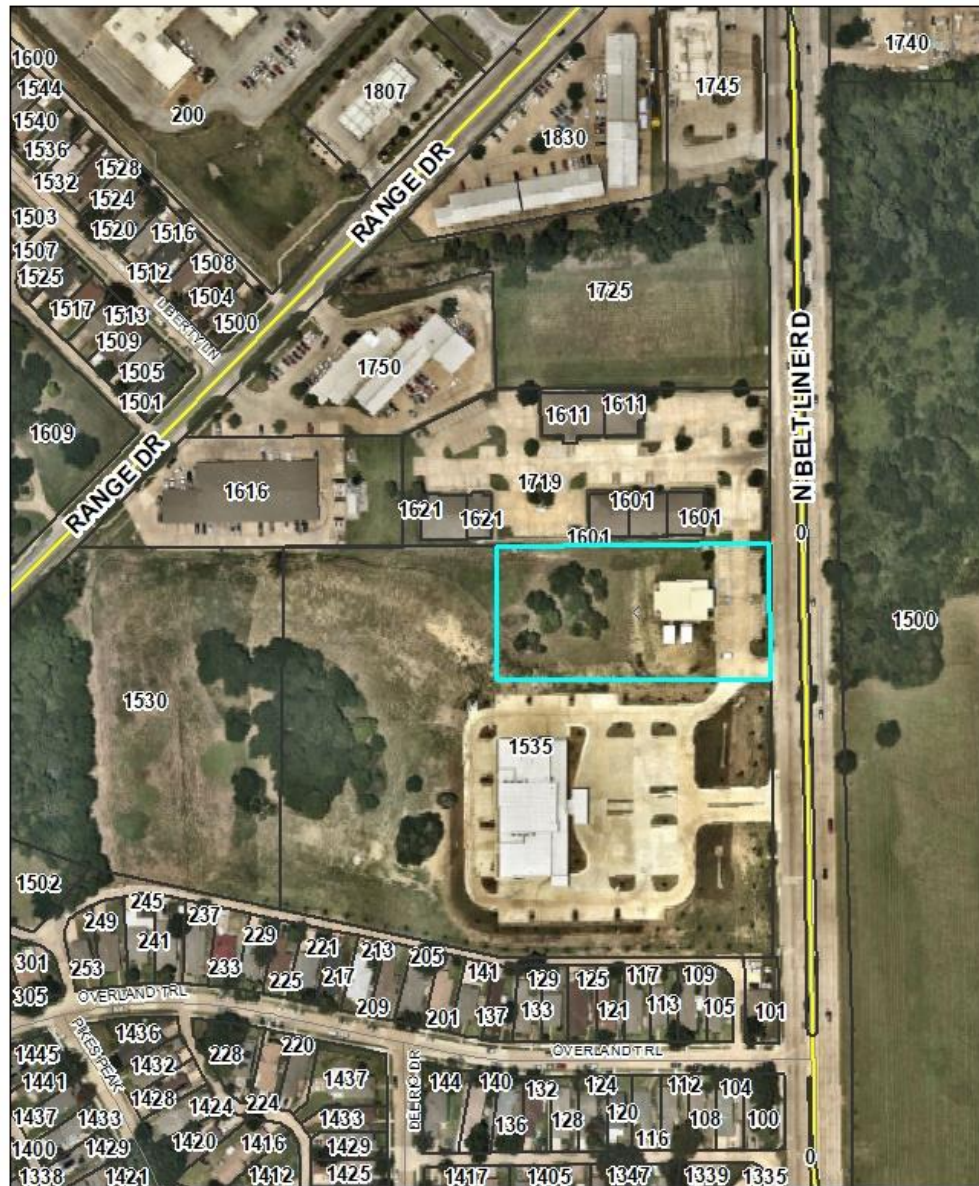
PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of October 18, 2024, Staff has received not received a response regarding the request.

ATTACHMENTS

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

Aerial Map



Location: 1535 N Belt Line Rd

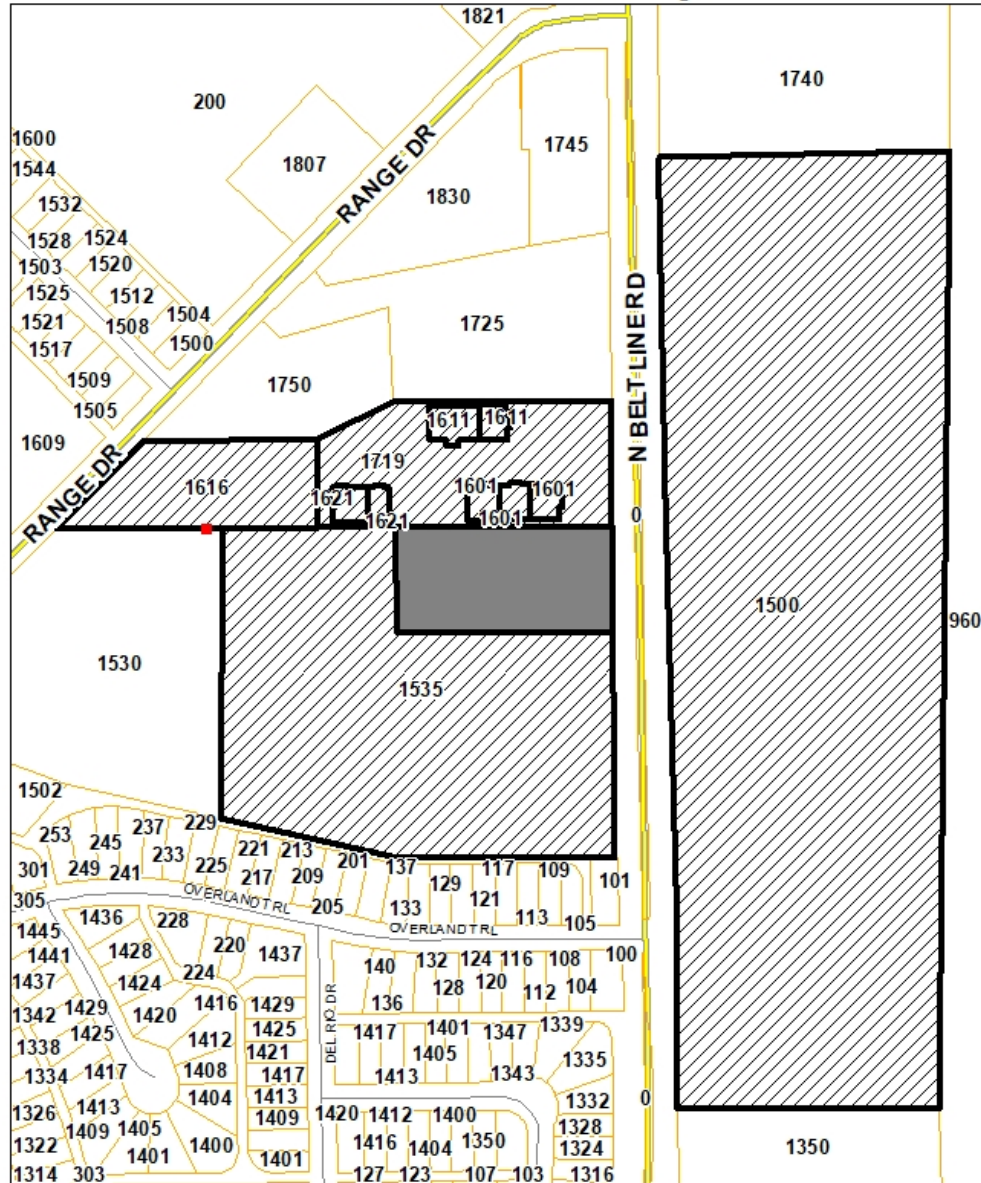
Legend

Subject Property

0 55 110 220 330 440 Feet



Notification Map



Location: 1535 N Belt Line Rd

Legend



ATTACHMENT 3 – SITE PHOTOS

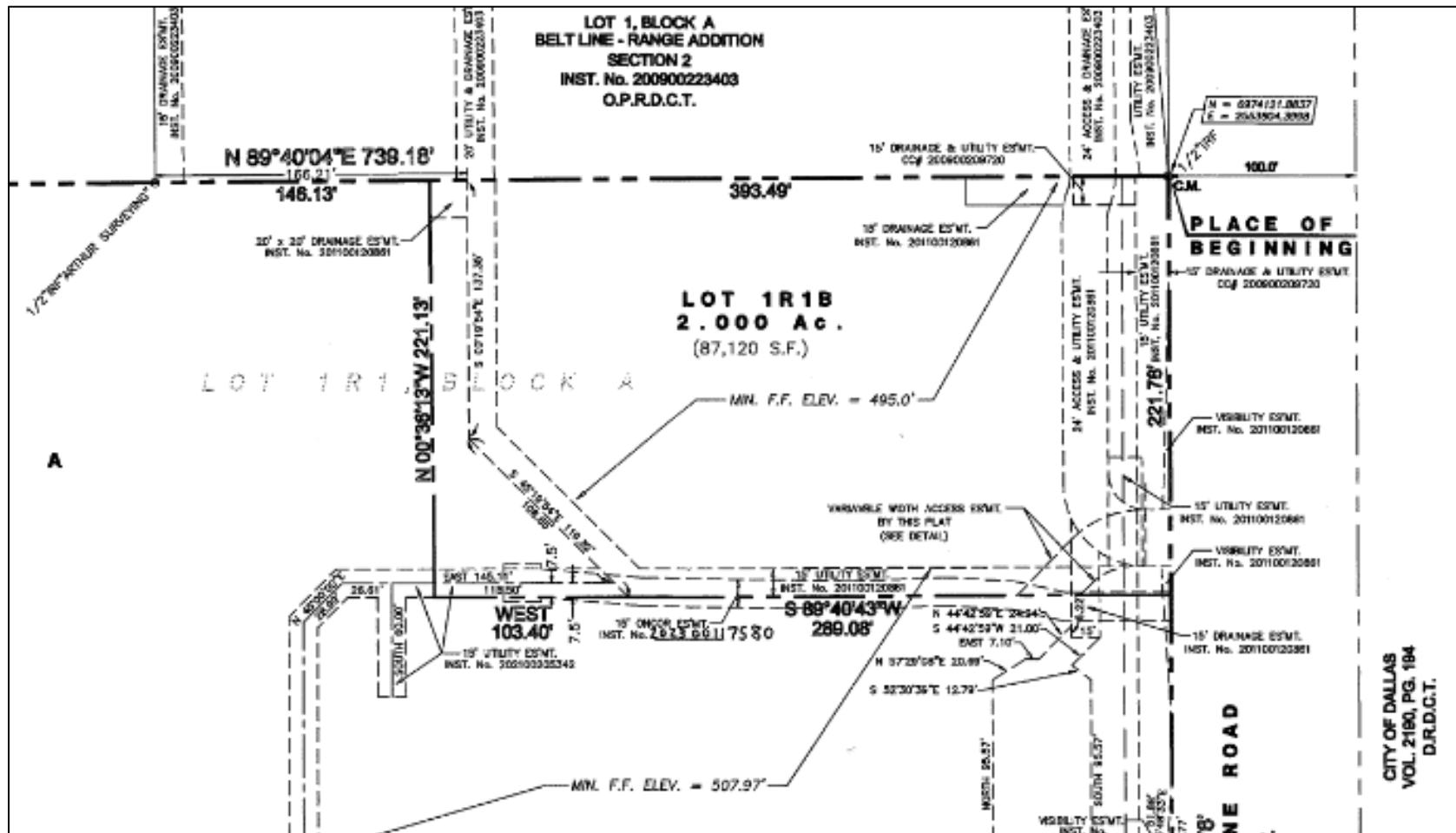


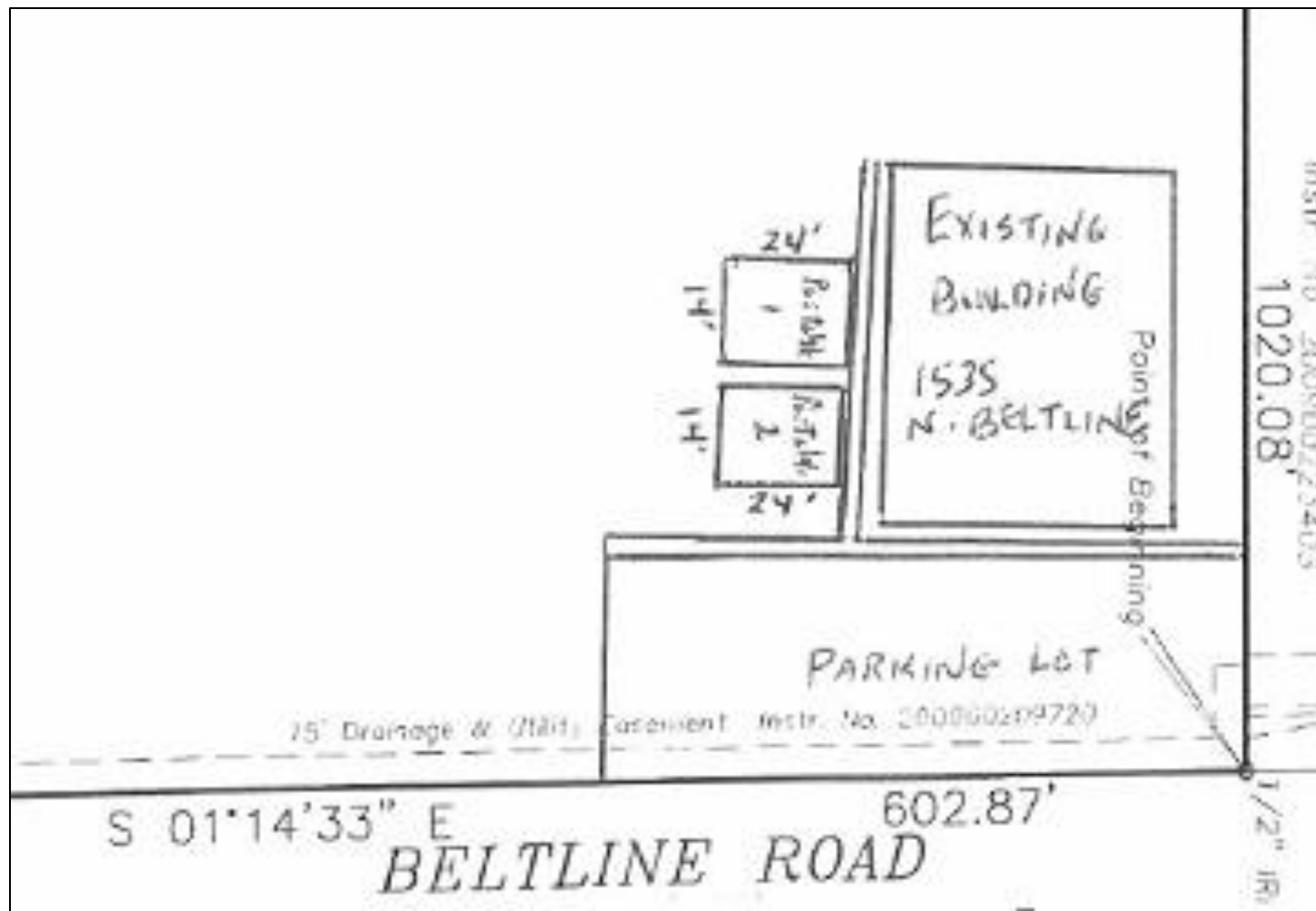
View of the subject property from N Belt Line Rd, facing west.



View of subject portables, facing southwest.

ATTACHMENT 4 – APPLICATION MATERIALS





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?

we will only be using for church classes

Will the Special Exception be compatible with the surrounding neighborhood?

☒ Yes ☐ No

If yes, how?

already existing and just continuing to use them as church classrooms

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: shiviyog usa Phone Number: 6149467674
Address: 1535 N Bellline Rd
Mesquite TX 75150 Email Address: billing@krealc.com
Signature: 



FILE NUMBER: BOA0824-0453
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, October 24, 2024

GENERAL INFORMATION

Applicant: Lynn Benedetto
Property Owner: Benedetto Investments Group, LLC
Location: 2324 Warm Springs Road

SITE BACKGROUND

Legal Description: Skyline 5, Block D, Lot 1
Size: 0.23 acres/ 9,881 square feet
Zoning: R-3, Single Family Residential
Zoning History: 1960 – Annexed
1972 – 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 partial conversion of an existing rear-entry two-car garage without having to relocate the converted parking space(s). According to the application material, the applicant wants to partially convert the garage to add an 8-foot wide bedroom (the minimum is 7 feet). The remainder of the garage would be approximately 9 feet in width. In addition to the garage, the rear driveway provides two non-tandem off-street spaces for cars to be parked. The driveway and garage give the property four off-street parking spaces.

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. However, the Board of Adjustment may approve a Special Exception to authorize a garage conversion with no requirement to relocate the converted parking spaces.

The property at 2324 Warm Springs Road was platted in 1972, and it does not require a garage, allowing it to be converted as long as four parking spaces remain on the property. If the partial conversion allows the garage to retain a parking space at least 9 feet wide and 18 feet long, then one additional parking space will need to be added to the property. If it is less than 9 feet by 18 feet, two additional off-street parking spaces will need to be added. As the property was platted before 1984, it is eligible for a Special Exception to allow the conversion without replacing the 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 18 feet wide by 18 feet long, large enough to accommodate two off-street parking spaces. The property was platted in October of 1972, which makes it eligible for a garage conversion.

Staff could not identify any physical issue as to why the driveway could not be expanded to accommodate that lost space(s) from converting the garage other than the existing fence may need to be relocated. Additionally, the application material does not explain why the driveway

couldn't be expanded or why additional off-street parking could not be added. The Special Exception is intended to provide relief when replacing the lost parking spaces is not feasible.

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:

A windshield survey revealed two other garage conversions within the same block as the subject property, located at 2301 Monticello Drive (permitted in 1983) and 2120 Monticello Drive (no record of a permit, but it appears to have been converted since at least 2011) that do not have expanded driveways. However, parking relocation was not required when these conversions took place. While 2325 Monticello Drive, 2320 Warm Springs, 2219 Monticello Dr, 2214 Warm Springs Dr, and 2215 Monticello Dr do not have converted garages, they do have expanded three-car wide driveways.

As noted in the previous section, staff could not identify an issue with the property that would make parking relocation unfeasible. As a result, the request does not meet Sec. 5-206.L.d) and therefore does not meet the approval standards.

PERMITS

1973: Building (Residential) Permit – New Primary Dwelling
1973: Building (Residential) Permit – Concrete for Sidewalk and Alley
2003: Building (Residential) Permit – Repair Foundation
2018: Mechanical (Residential) Permit – Replace AC System
2018: Plumbing (Residential) Permit – Replace Water Heater
2022: Building (Residential) Permit – Concrete for Garage Floor and Driveway
2022: Franchise Utility Permit

STAFF RECOMMENDATION

Based on available information, Staff does not recommend approval of the request.

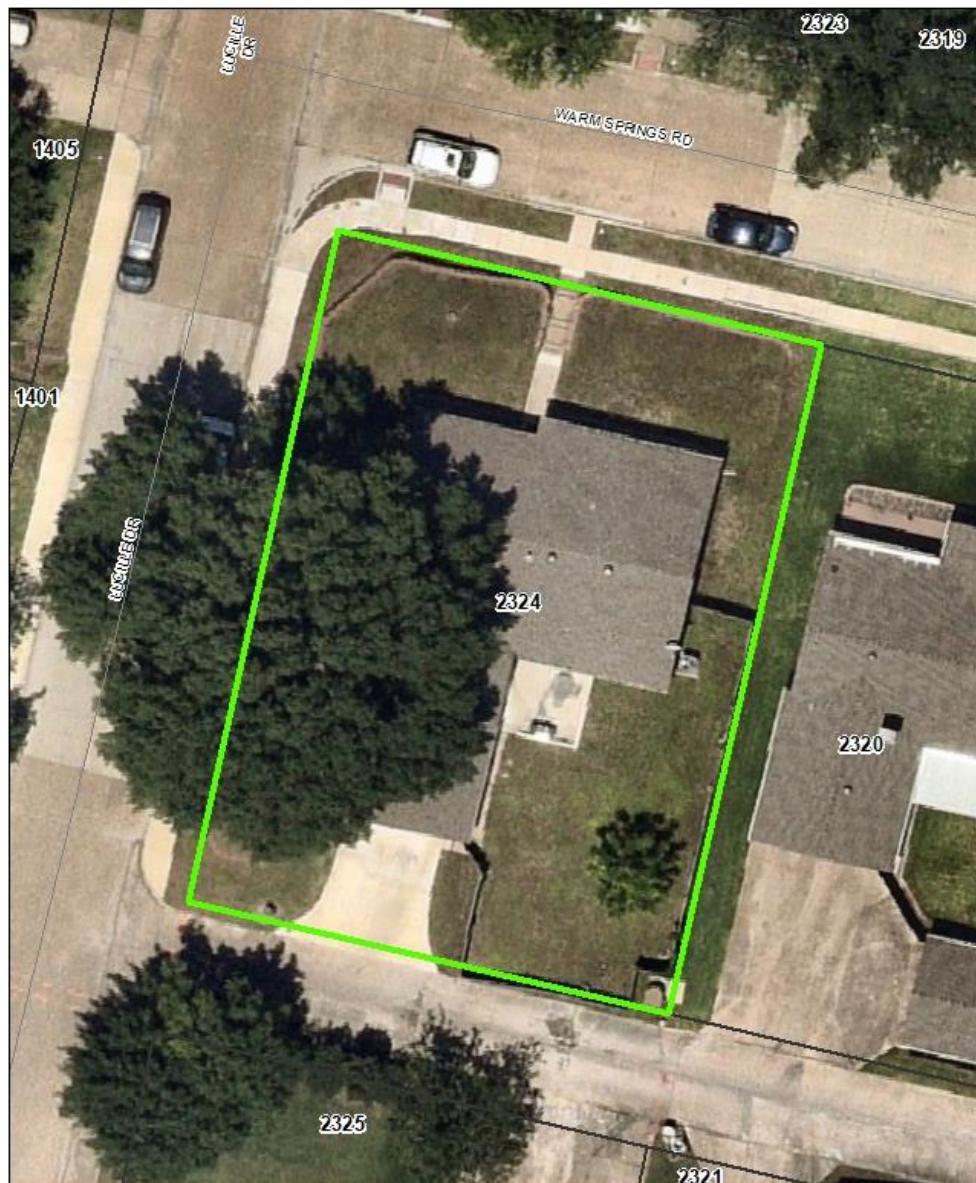
PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of September 20, 2024, there have been two returned notices opposed to the request.

ATTACHMENTS

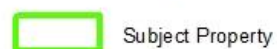
1. Aerial Map
2. Public Notification Map
3. Site Photos
4. Application Materials
5. Returned Notices

Aerial Map



Applicant: Lynn Benedetto
Location: 2324 Warm Springs Road
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



0 5 10 20 30 40 Feet



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

Notification Map



Applicant: Lynn Benedetto
Location: 2324 Warm Springs Road
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

-  Notified Properties
-  Subject Property



ATTACHMENT 3 – SITE PHOTOS



Subject property from Warm Springd Road, facing southwest.



Rear view of the subject property from the alleyway, facing northeast.

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: BENEDETTO INVESTMENT GROUP
LYNN A BENEDETTO Phone Number: 214-868-5930
Address: 10008 Silverstone Drive
Irving, TX. 75243 Email Address: BENEDETTO85@SBLGLOBAL
Signature: Lynn A Benedetto

ATTACHMENT 4 – APPLICATION MATERIALS

KENNETH R. SCOTT

Registered Professional Engineer
State of Texas No. 37327

March 26, 2023

Mr. Lynn Benedetto
Benedetto Investments Group, LLC
10008 Silvertree Drive
Dallas, Texas 75243-5308

Re: Proposed Remodel
2324 Warm Springs Road
Mesquite, Texas
Skyline 5
Block D, Lot 1

Dear Mr. Benedetto:

This report rescinds and replaces my previous report dated February 5, 2023.

At your request, I and Mr. Douglas G. Adams met you at your property in Mesquite, Texas, which is referenced above, for the purpose of determining if an existing wall can be removed without loss to the structural integrity of the roof support system at that location.

The structure is a one-story wood-framed residence with brick veneer and wood or faux wood siding. The structure is supported by a concrete slab-on-grade foundation. County tax records state that this residence was built circa 1973 and the type and quality of construction appear to be typical for this age of house in the local area. It appears that the front entry of the structure faces Warm Springs Road in a north-northwesterly direction but for purposes of orientation, I will say it faces north. The garage is off the alley at the south side of the lot.

The purpose of our investigation was to determine whether or not the wall that you propose to remove is load-bearing. I am attaching, as Exhibit A, a drawing entitled "PRE-CONSTRUCTION FLOORPLAN SCHEMATIC", which depicts the current floorplan on the occasion of our visit on February 5, 2023. I am also attaching, as Exhibit B, a drawing entitled "POST-CONSTRUCTION FLOORPLAN SCHEMATIC", which depicts your proposed modification plan, which consists of removal of the wall at the south side of the current dining area as indicated on the drawing, thereby opening the area into the garage and to construct walls in the garage and at the south side of the current dining room in order to create an additional bedroom with dimensions of approximately eighteen (18) feet by approximately seven (7) feet.

In this regard, during the course of our investigation, we determined that the roof support system above the garage and as far as the original rear of the living area consists of self-supporting pre-

1520 Richardson Drive • Richardson, TX 75080 • 214.556.7001

ATTACHMENT 4 – APPLICATION MATERIALS

2324 Warm Springs Road, Mesquite, Texas

March 26, 2023

Page 2

manufactured trusses, as shown on Exhibits A & B. Based on observations, it is my opinion that no additional support other than the existing truss system is required at any such location where walls are either proposed to be removed or newly constructed.

This report is intended specifically to certify that the proposed removal of the wall between the dining room and the garage will not compromise the structural integrity of the roof support system. The scope of this report does not include specifications regarding construction of the new walls or mechanical, electrical or plumbing systems.

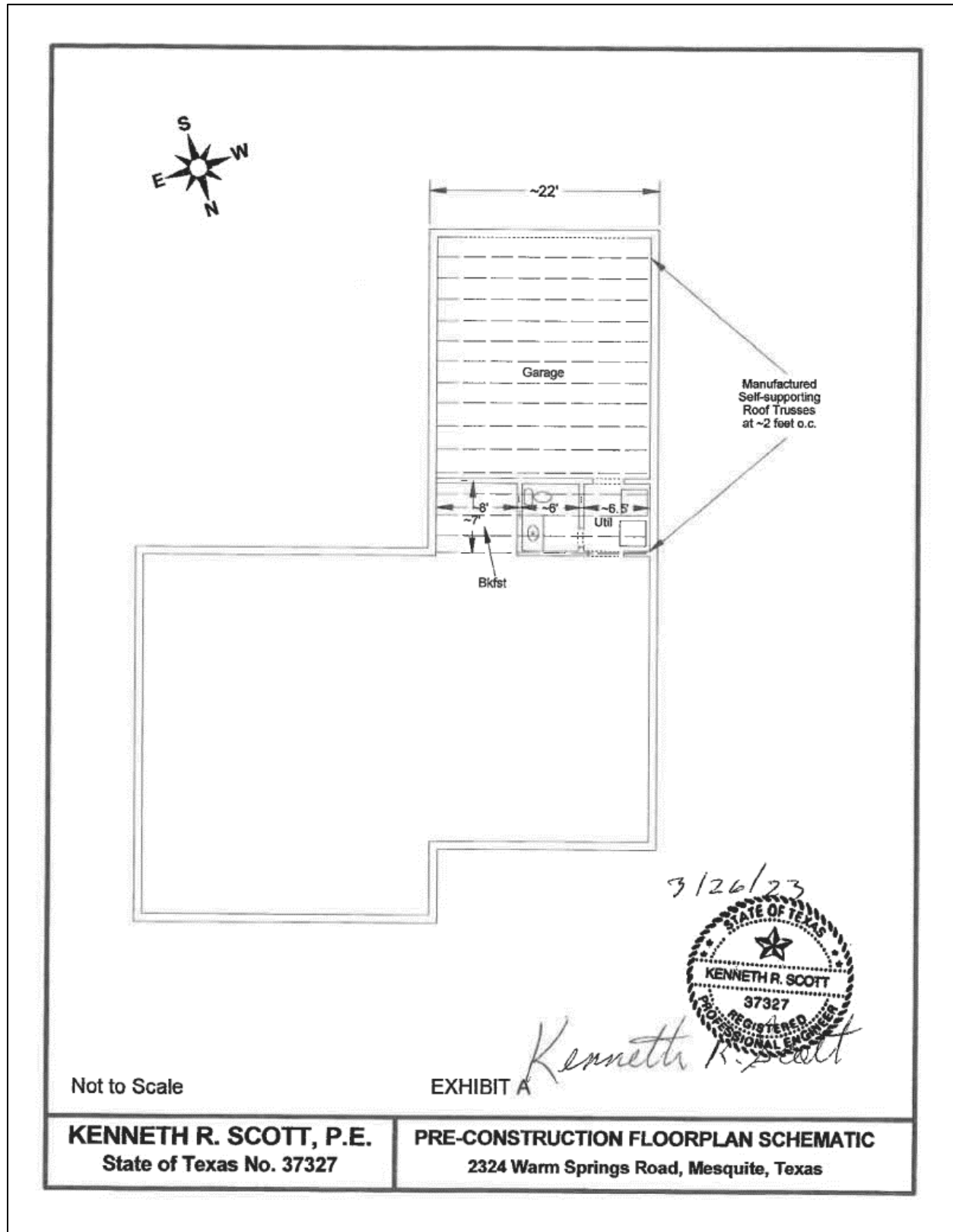
Respectfully,

Kenneth R. Scott

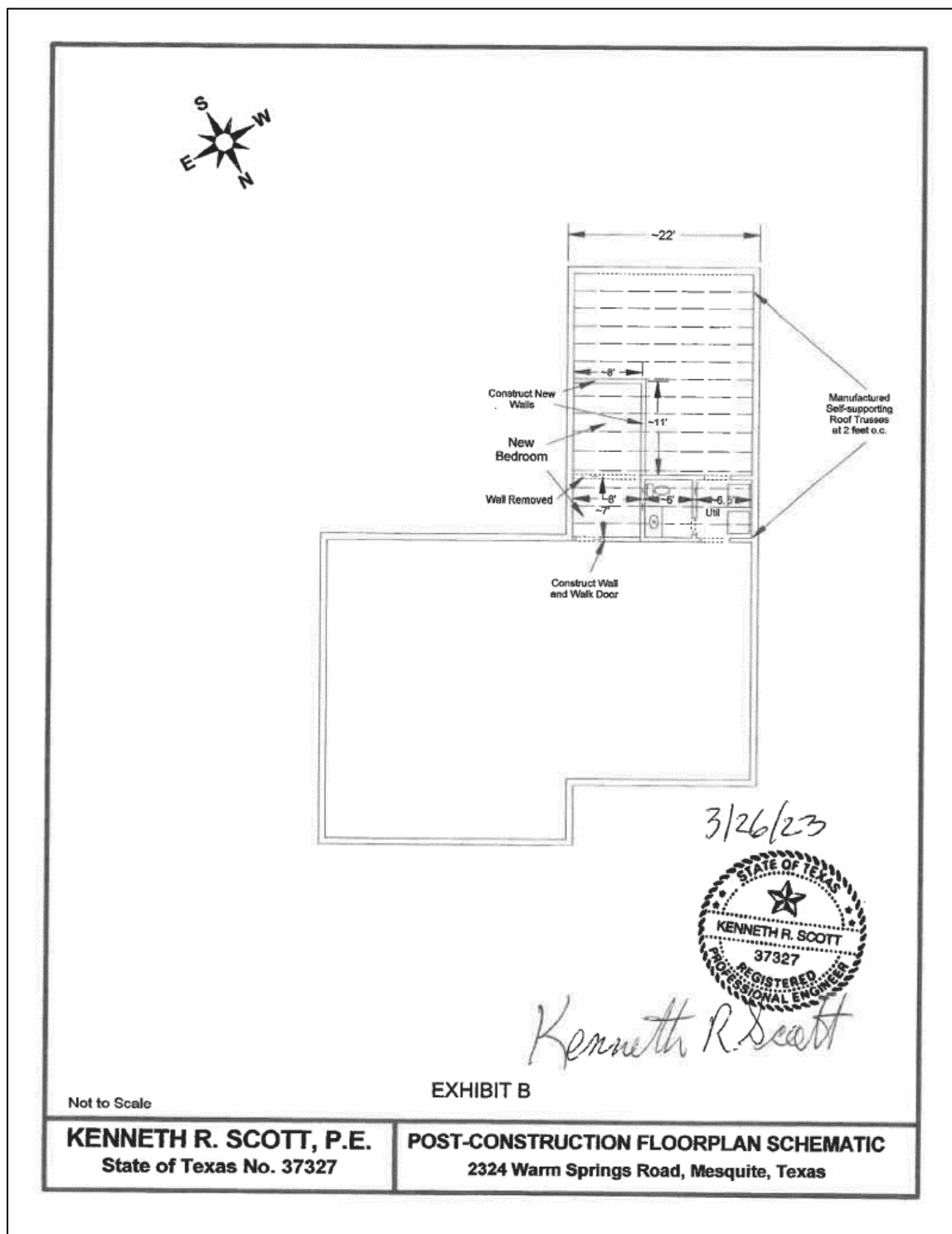
Kenneth R. Scott, P.E.
State of Texas No. 37327
Firm No. F-19457



ATTACHMENT 4 – APPLICATION MATERIALS



ATTACHMENT 4 – APPLICATION MATERIALS



ATTACHMENT 5 – RETURNED NOTICES



RECEIVED
SEP 19 2024
PLANNING AND ZONING

The Board of Adjustment of the City of Mesquite will conduct a public hearing on Thursday, **September 26, 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:	BOA0824-0453
Submitted By/	Lynn Benedetto
Property Owner:	Benedetto Investments Group LLC
Property Location:	2324 Warm Springs Road
Legal Description:	Skyline 5, Block D, Lot 1
Requested Action:	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.

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) 329-8543 or by email at jgregory@cityofmesquite.com.

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

BOA Case: BOA0824-0453

I am **in favor** of this request

I am **opposed** to this request

Reasons
(optional):

Name:
(required)
Address:
(required)

Ryan Kidd
2311 Warm Springs
Mesquite, TX 75149

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

ATTACHMENT 5 – RETURNED NOTICES



RECEIVED
SEP 20 2024
PLANNING AND ZONING

The Board of Adjustment of the City of Mesquite will conduct a public hearing on Thursday, **September 26, 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:	BOA0824-0453
Submitted By/	Lynn Benedetto
Property Owner:	Benedetto Investments Group LLC
Property Location:	2324 Warm Springs Road
Legal Description:	Skyline 5, Block D, Lot 1
Requested Action:	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.

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

BOA Case: BOA0824-0453

Name: Hazel Ferris
(required)

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

Address: 2321 Monticello Dr
(required)

I am **opposed** to this request ✓

mesq. TX 75149

Reasons
(optional):

A single-family home is a house intended for one family to live in at a time. Not a group home. 2 car driveway is for two cars generally not utilized. The side streets have become a active parking lot. Even for a commercial veh.

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

If the intention is to increase occupancy - Purchase another house! We all ready have wandering people around the late night hours. Dont need to add additional issues.

Thank You.