

MESQUITE

T E X A S
Real. Texas. Service.

BOARD OF ADJUSTMENT PRE-MEETING CITY COUNCIL BRIEFING ROOM

757 North Galloway Avenue
Mesquite, Texas

August 28, 2025 – 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
August 28, 2025 – 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 June 26, 2025, Board of Adjustment meeting.

PUBLIC HEARINGS- UNCONTESTED CASES

No uncontested cases.

PUBLIC HEARINGS- CONTESTED CASES

5. BOA0625-0473- SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Jose Leones for a Special Exception to allow a rear oversized accessory structure to exceed the maximum size of 500 square feet by 700 square feet, for a total of 1,200 square feet, and exceed the maximum allowable height of 15 feet by 6 feet, for a total height of 21 feet located at 2941 Clearmeadow Drive. (Ti'Ara Clark, Planner).

OTHER BOARD BUSINESS

6. Next Board of Adjustment Meeting: September 25, 2025.

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 segun 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 segun 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, Assistant Director of Planning and Development Services for the City of Mesquite, Texas, hereby certify that the attached agenda for the Board of Adjustment meeting to be held **August 28, 2025**, 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 **August 25, 2025, 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
Assistant Director of Planning and Development Services

June 26, 2025

MINUTES

BOARD OF ADJUSTMENT (BOA)
CITY OF MESQUITE, TEXAS

REGULAR MEETING

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

ATTENDANCE: BOARD MEMBERS (REGULAR MEMBERS AND ALTERNATES)

POSITION NO.	REGULAR MEMBER NAME	ATTENDANCE	
Position No. 1	Kournie Airheart	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Absent
Position No. 2	William Augustine	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Absent
Position No. 3	Andrew Williams	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Absent
Position No. 4	Jesse Barahona	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Absent
Position No. 5	Jack Akin	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Absent

ALTERNATE NO.	ALTERNATE NAME	ATTENDANCE	
Alternate No. 1	Vacant	<input type="checkbox"/> Present In-Person	<input type="checkbox"/> * Absent (* Attendance Required: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes)
Alternate No. 2	Vacant	<input type="checkbox"/> Present In-Person	<input type="checkbox"/> * Absent (* Attendance Required: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes)

ATTENDANCE: STAFF

Ti'Ara Clark	Planner	<input checked="" type="checkbox"/> Present In-Person
David Paschall	City Attorney	<input checked="" type="checkbox"/> Present In-Person
Millie Laird	Administrative Aide Planning & Development.	<input checked="" type="checkbox"/> Present In-Person

ATTENDANCE NOTES: The meeting was called to order at 6:40 PM

CALL TO ORDER

1. Administrative Aide of Planning & Development Services Millie Laird called roll call and declared a quorum was present.

BOARD PROCEDURES

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

PUBLIC COMMENTS

3. No comments.

BOARD BUSINESS**CONSENT AGENDA****4. APPROVAL OF MINUTES**

Discuss and consider approval of the May 22, 2025, Board of Adjustment meeting minutes.

ACTION

Boardmember Augustine made a motion to approve the minutes; Boardmember Williams seconded; the motion carried 5-0.

PUBLIC HEARINGS- UNCONTESTED CASES**5. BOA0325-0461 – SPECIAL EXCEPTION**

Conduct a public hearing to consider an application submitted by Pam Anastopoulos for a Special Exception for reasonable accommodation to allow an oversized front carport to exceed the maximum size of 400 square feet by 40 square feet for a total size of 440 square feet located at 6 Ginger Circle. (Ti'Ara Clark, Planner).

7. BOA0625-0471 – SPECIAL EXCEPTION

Conduct a public hearing to consider an application submitted by Christopher Rampone for a Special Exception to allow a garage conversion with no requirement to relocate the converted parking spaces, located at 5021 Kiamesha Way. (Ti'Ara Clark, Planner).

ACTION

Boardmember Augustine moved to approve both cases; Boardmember Williams seconded. The motion carried 5-0.

PUBLIC HEARINGS- CONTESTED CASES**6. BOA0525-0468 – SPECIAL EXCEPTION (This case was listed on the Agenda under uncontested cases, but was moved to contested due to a late submission of opposition)**

Conduct a public hearing to consider an application submitted by Peggy Nix for a Special Exception to allow an oversized accessory structure to exceed the maximum size of 500 square feet by 50 square feet for a total of 550 square feet and for the 14-foot-tall structure to exceed the height of the house, located at 2039 Rhonda Drive. (Garrett Langford, Assistant Director).

DISCUSSION

There was no discussion on this case.

APPLICANT

Applicant addressed the Board.

There were no questions from the Board for the Applicant.

ACTION

Commissioner Williams motioned to approved; Boardmember Akin seconded. The motion passed 5-0.

8. BOA0525-0469 – VARIANCE

Conduct a public hearing to consider an application submitted by Jose Grano Tapia for a Variance to allow an accessory structure to encroach into the 5-foot side yard setback by 5 feet and 3-foot rear setback by 3 feet, located at 410 Southerland Ave. (Ti'Ara Clark, Planner).

DISCUSSION

There were discussions concerning whether there are other encroaching structures in the immediate neighborhood and any renovations made to the structure since the date of purchase. Boardmember Augustine expressed an opinion in relation to how long the structure had already existed.

APPLICANT

Applicant addressed the Board, explaining that he has made renovations to the structure, replacing rotting wood as well as adding lighting and a ceiling fan.

ACTION

Boardmember Akin made a motion to deny the application for a variance; Boardmember Williams seconded.

The motion to deny passed 4-1, with Boardmember Augustine opposed.

OTHER BOARD BUSINESS**7. Next Board of Adjustment Meeting: July 24, 2025**

Chairwoman Airheart adjourned the meeting at 7:42 P.M.

Chairwoman Kourtnie Airheart



T E X A S

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PLANNING AND ZONING DIVISION

FILE NUMBER: BOA0625-0473

REQUEST: Special Exception to allow a rear oversized accessory structure to exceed the maximum allowable size of 500 square feet by 700 square feet, for a total of 1,200 square feet, and exceed the maximum allowable height of 15 feet by 6 feet, for a total height of 21 feet.

CASE MANAGER: Ti'Ara Clark, Planner

PUBLIC HEARING

Board of Adjustment: Thursday, August 28, 2025

GENERAL INFORMATION

Applicant: Jose Leones
Property Owner: Jose Leones
Location: 2941 Clearmeadow Drive

SITE BACKGROUND

Legal Description: Creek Crossing Estates 14, Block C, Lot 20
Size: 19,562.25 square feet/ 0.45 acres
Zoning: PD, Single Family Residential (Ord. 2070)
Existing Land Use: Single Family Residential
Zoning History: 1974 – Annexed; Zoned to R-1 and R-2, Single Family Residential
1984: Rezoned to PD-R-2A, Single Family Residential (Ord. 2070)

Surrounding Zoning and Existing Land Uses:

	ZONING	EXISTING LAND USE
NORTH:	R-2A, Single Family Residential	Single Family Residential
SOUTH:	R-2A, Single Family Residential	Single Family Residential
EAST:	R-2A, Single Family Residential	Single Family Residential
WEST:	R-2A, Single Family Residential	Single Family Residential

CASE SUMMARY

The applicant is requesting Special Exceptions to allow construction of a 1,200-square-foot oversized accessory structure in the rear yard for storing personal recreational vehicles (RVs). According to the site plan, the structure could accommodate up to two RVs.

The proposed structure would be 21 feet in height, which exceeds the 15-foot maximum allowed by the Mesquite Zoning Ordinance by 6 feet. While taller than the eight-foot fence enclosing the rear yard, the structure would not exceed the height of the applicant's two-story home. The rear yard measures approximately 14,540 square feet. An existing detached accessory structure of about 630 square feet is already on the property and was granted BOA special exception approval to build the oversized structure in July 1990. With the addition of the proposed structure, accessory structures would occupy about 12% of the rear yard.

Per the Mesquite Zoning Ordinance, accessory structures are limited to 500 square feet individually, and the total combined size of all accessory structures may not exceed 35% of the yard area. The request, therefore, seeks approval for an accessory structure that is 700 square feet larger than permitted and 6 feet taller than the allowed maximum.

The Special Exception would allow more secure storage for at least two additional vehicles, provide greater accessible storage capacity, and make more efficient use of the large rear yard. It should also be noted that the property currently has an outstanding notice of violation related to unpermitted concrete work for an extended driveway.

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 that 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:

According to Section 2-602.A of the Mesquite Zoning Ordinance (MZO), the maximum allowable size for a residential accessory structure is 500 square feet, and the combined lot coverage of all accessory structures may not exceed 35% of the yard in which they are located—unless otherwise approved through a Special Exception.

The applicant is proposing a 1,200-square-foot accessory structure, which exceeds the maximum permitted size by 700 square feet. While oversized, the proposed structure and existing structure combined would occupy approximately 8% of the total lot area, remaining within the 10% threshold outlined in Section 2-604.A. Additionally, the total rear yard coverage by both accessory structures would be approximately 12%, which complies with the MZO's 35% rear yard coverage limit.

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 RV storage in the rear yard. Staff does not anticipate any adverse impacts on the adjacent properties.

PERMITS

2024 – Fence

2024 – Concrete Driveway (Not Issued)

STAFF RECOMMENDATION

Staff recommends approval of a Special Exception to allow an accessory structure that exceeds the maximum size of 500 square feet by 700 square feet (for a total of 1,200 square feet) and exceeds the maximum height of 15 feet by 6 feet (for a total of 21 feet), subject to the condition that the applicant obtain an approved concrete permit for the expanded rear driveway.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of August 22, 2025, there have been two returned notices in opposition to the request.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Site Photos
4. Application Materials
5. Notice of Violation
6. BOA Special Exception Approval (1990)
7. Returned Notices

ATTACHMENT 1 – AERIAL MAP

Ariel Map



**Applicant: Jose Leones
Location: 2941 Clearmeadow Drive
DCAD: 380539500C0200000
Request: Special Exception**



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP



ATTACHMENT 3 – SITE PHOTOS



Front view of the subject property

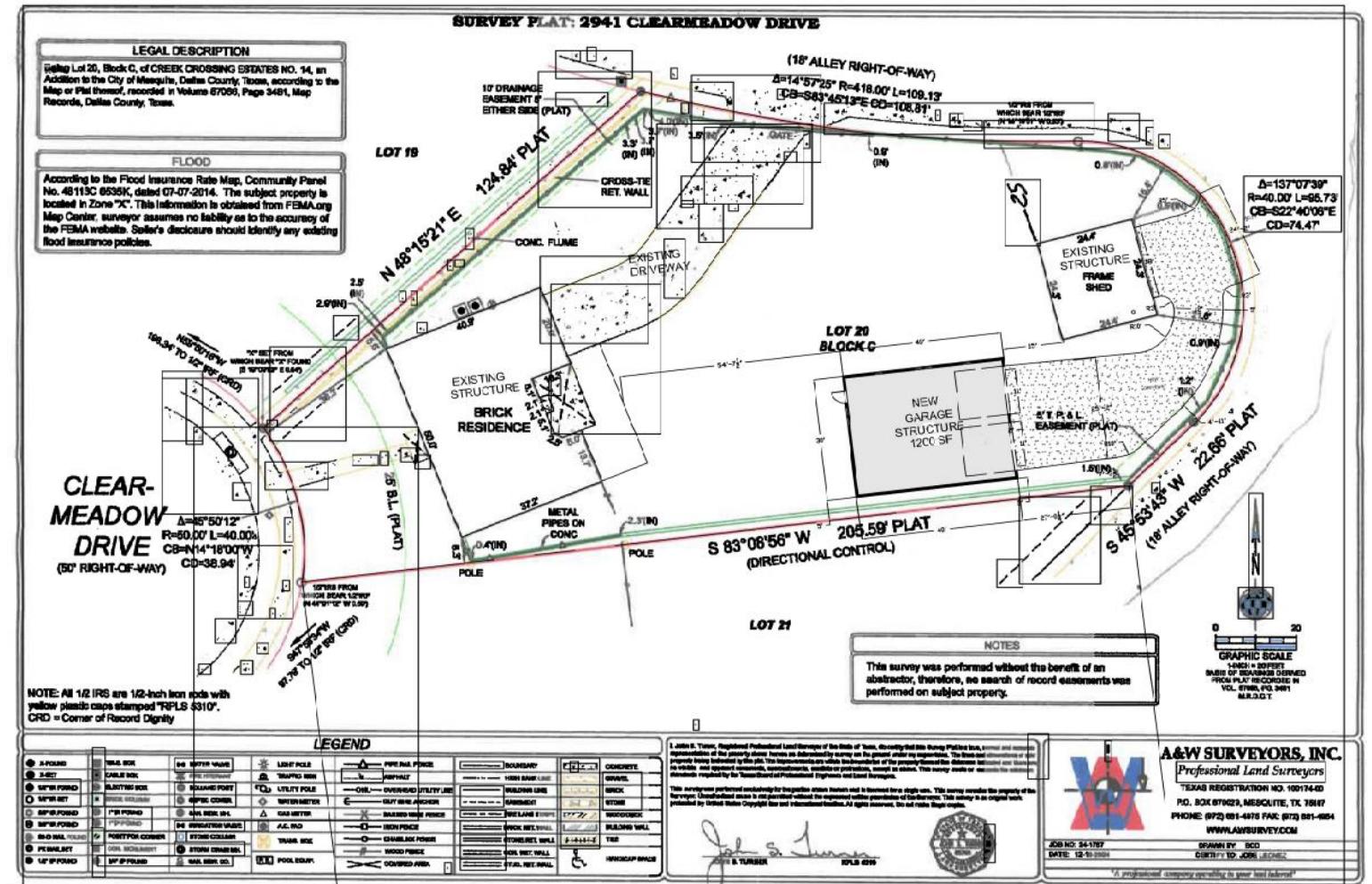


Rear view of the subject property from the alley, showing existing accessory structure

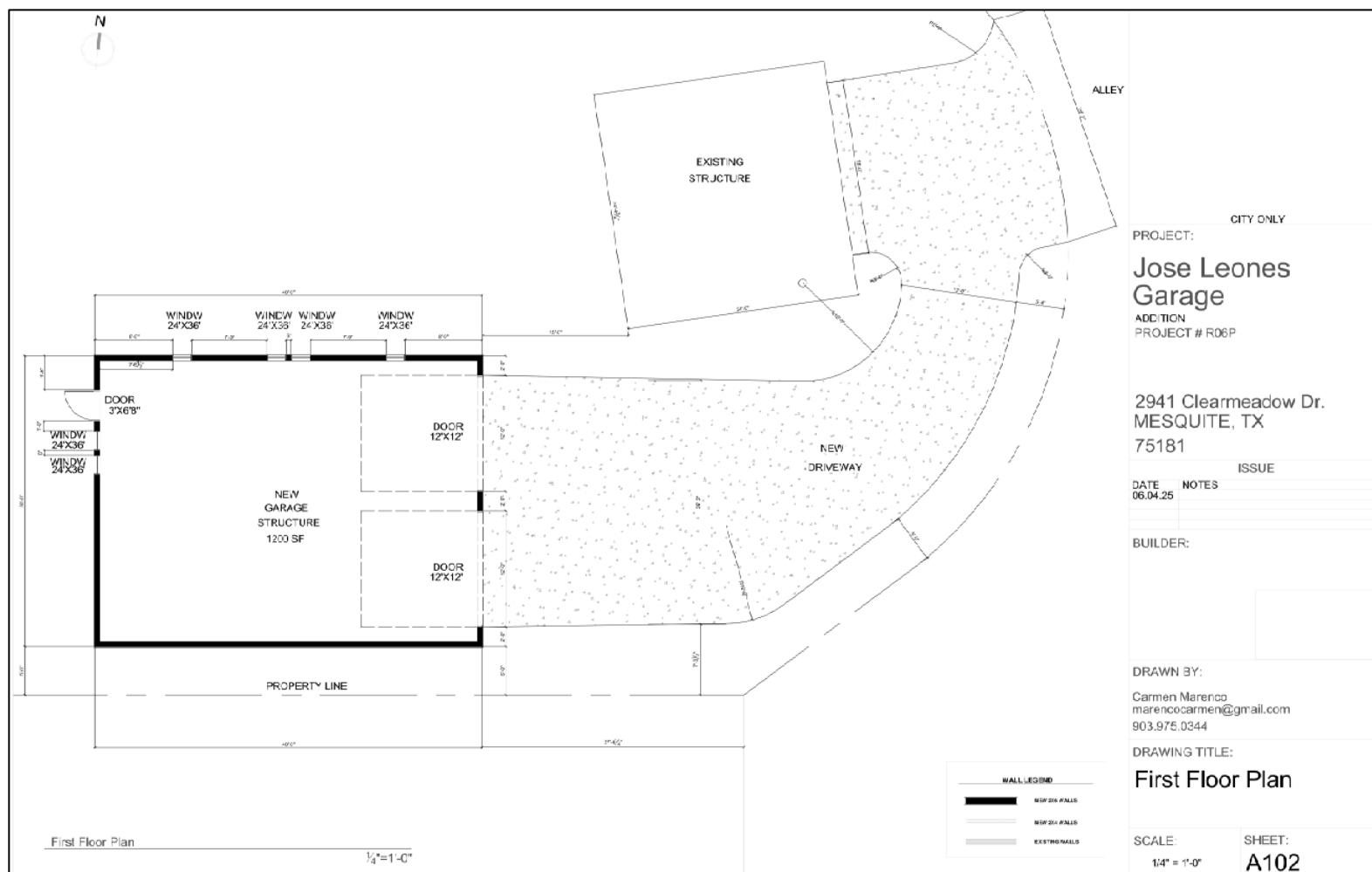
ATTACHMENT 3 – SITE PHOTOS



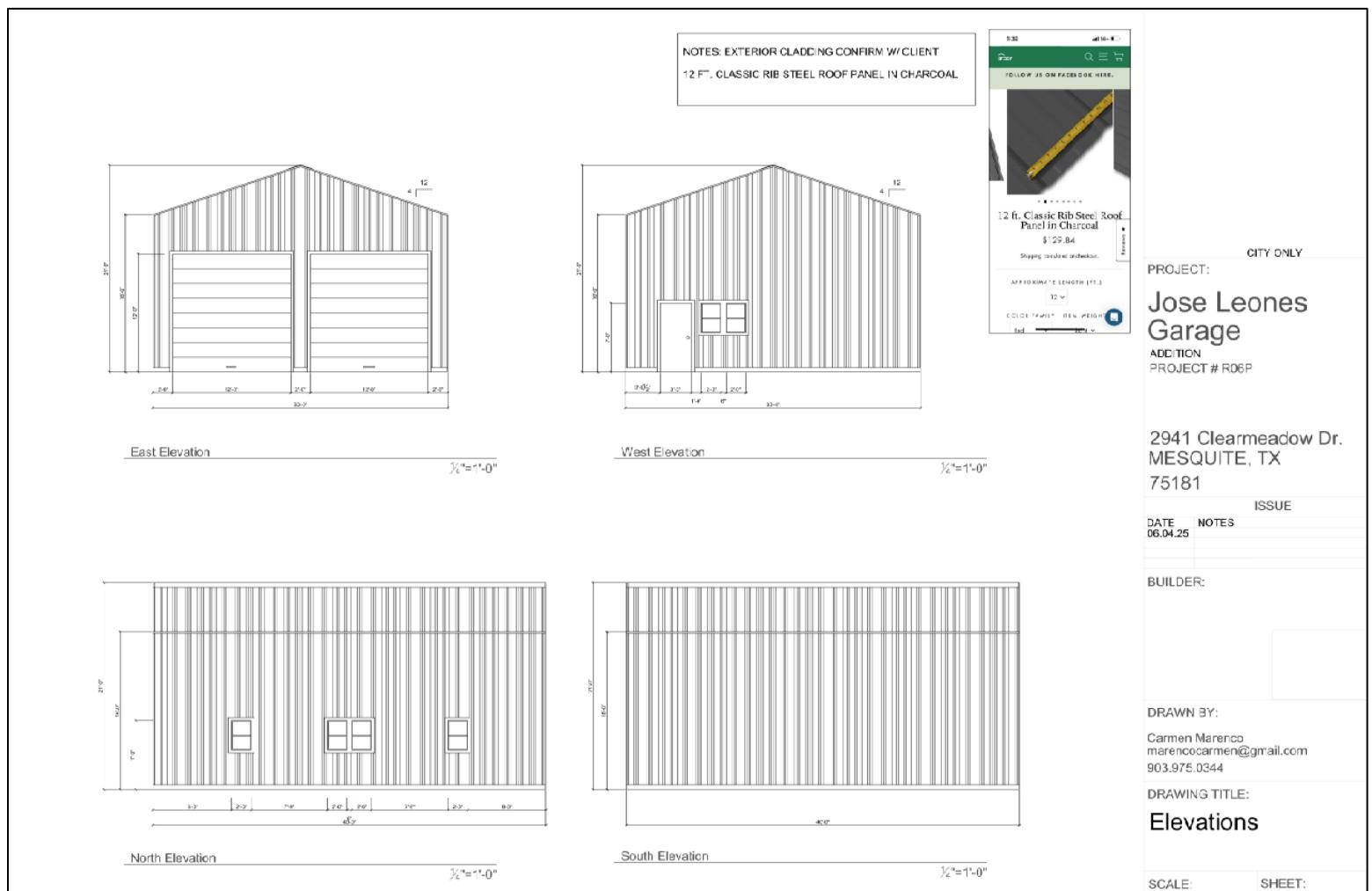
Side view of the subject property from the alley, showing the driveway access



ATTACHMENT 4 – APPLICATION MATERIALS



ATTACHMENT 4 – APPLICATION MATERIALS



ATTACHMENT 5 – NOTICE OF VIOLATION

Planning and Development Services
Building Inspection Division



Notice Date: 08/14/2025 **Inspector:** Anthony Martinez
Case Number: BLD0825-5012 **Email:** amartinez@cityofmesquite.com
Subject Property: 2941 CLEARMEADOW DR **Phone:** (972) 216-6371

LEONES HERNANDEZ, JOSE
SERRANO MENJIVAR, MARIA
2941 CLEARMEADOW DR
MESQUITE, TX 75181

DCAD ACCT: 380539500C0200000
CREEK CROSSING ESTATES 14
BLK C LOT 20

OFFICIAL NOTICE TO CORRECT VIOLATIONS

A routine inspection has identified your property as being in violation of the following City code(s):

Violation	IBC 105.1 - Permit Required	Permit Required
Corrective Action	A permit must be applied for and acquired for the driveway extension that was done in the rear of the property. Failure to do so will result in citations being issued.	
Compliance Date	8/24/2025	

Violation	IBC 110.1 IRC R109.1 Required inspections	The Building Official, upon notification, shall make or cause to be made all required inspections.
Corrective Action	All required inspections must be requested once the permit has been issued. Failure to request inspections will result in citations being issued.	
Compliance Date	8/24/2025	

A follow up inspection will be conducted in (10) days from the date of this notice. Failure to correct all violations within the time allotted will authorize the City of Mesquite to issue citations.

ATTACHMENT 6 – BOA APPROVAL (1990)

*Discuss 5 ft. front yard Carport
5 ft. 6 in. + 18.5 ft. = 23.5 ft.*


CITY OF MESQUITE

BOARD OF ADJUSTMENT PRE-MEETING
CITY COUNCIL CHAMBERS
6:15 P.M. July 26, 1990
To discuss the items on the
Regular Agenda

BOARD OF ADJUSTMENT AGENDA
CITY COUNCIL CHAMBERS
July 26, 1990
6:30 P.M.
Case Nos. 1005 - 1014

I. APPROVAL OF THE MINUTES OF THE JUNE 28, 1990 MEETING.

II. ZONING VARIANCES

*Tabled
till next
meeting*

A. Conduct a public hearing to consider an application submitted by James W. Leyhe, 112 East Mimosa, for a variance to allow a proposed carport to encroach 5 feet into the required five foot side yard setback.

Approved

File No. 1013

III. SPECIAL EXCEPTIONS

Approved

B. Conduct a public hearing to consider an application submitted by Emmitt M. Price, 1312 Douglas Drive, for a special exception to allow a proposed carport to encroach 18.5 feet into the required 30 foot front yard setback.

File No. 1005

Approved

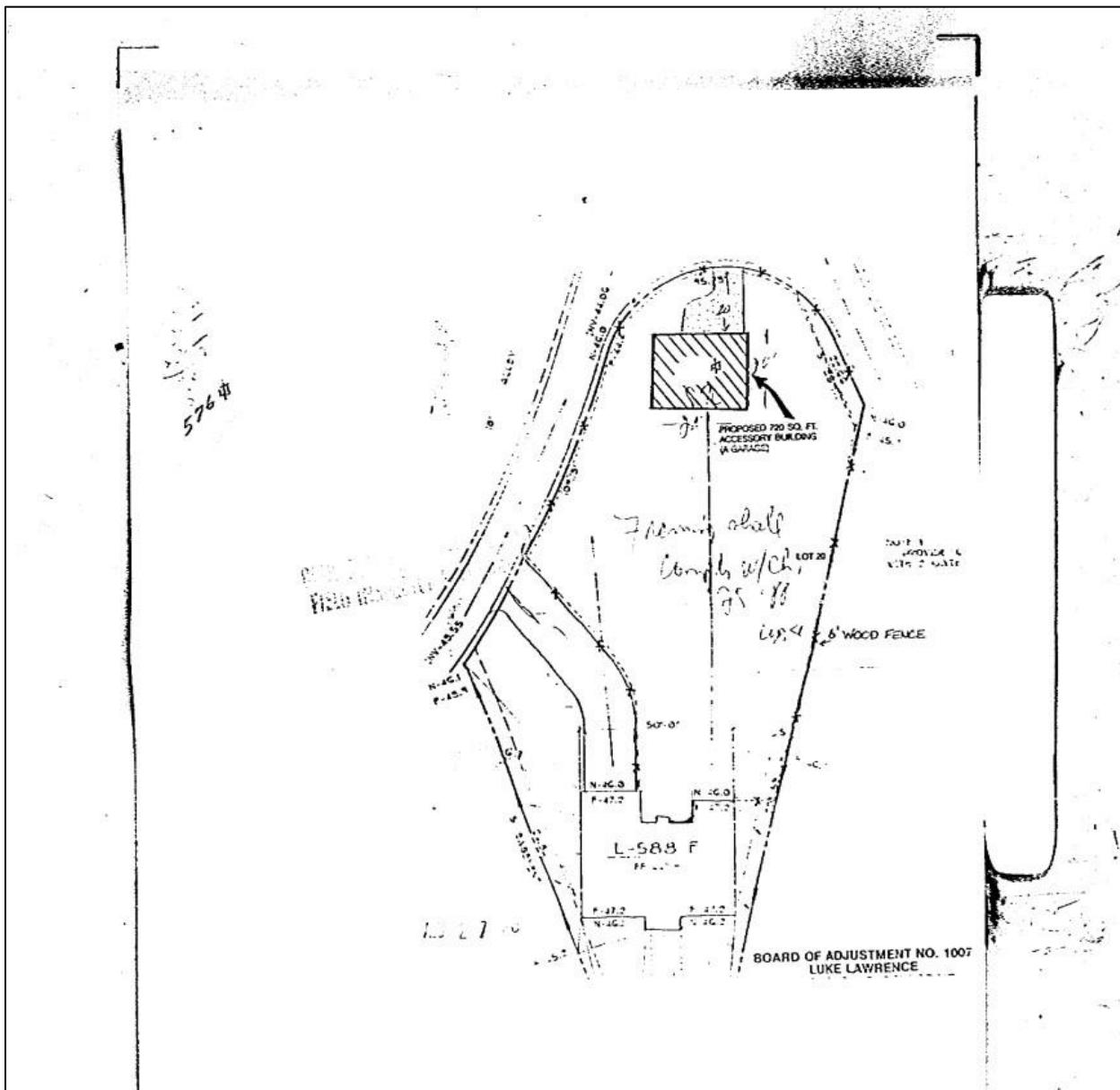
C. Conduct a public hearing to consider an application submitted by Donald B. Hammons, 2713 Westview Drive, for a special exception to allow a proposed carport to encroach 22 feet into the required 30 foot front yard setback.

File No. 1006

*Approved
for 64 x 32 ft.
576 sq ft*

File No. 1007

ATTACHMENT 6 – BOA APPROVAL (1990)



ATTACHMENT 6 – BOA APPROVAL (1990)

CITY OF MESQUITE APPLICATION FOR BUILDING PERMIT					
JOB ADDRESS 2941 clear meadow Dr. mesquite TX 75181	ZIP 75181	DATE 8-27-90			
LEGAL DESCR 70	LOT C	SUBDIVISION crossings 14-1	PHONE		
CONTRACTOR LUKE LAWRENCE	ADDRESS 2941 clear meadow	TELEPHONE 222-6754			
PERMIT APPLICANT (ENGINEER) ARCHITECT-OWNER LUKE LAWRENCE	ADDRESS 2941 clear meadow	TELEPHONE 222-6259			
USE OF BUILDING Single	(DESCRIBE FULLY) Two Story				
WORK ACTIVITY (CHECK ONE) EXAMPLE [1] NEW [] ALTERATION [] REPAIR [] MOVE [] C/O []	ADDITION OR ALTERATION [] SQUARE FEET IN AREA 2611 526	DEMOLITION [] SQUARE FEET IN GARAGE 576	CONVERSION [] COST OF CONSTRUCTION: 3,000		
<p>Notice</p> <p>Separate permits are required for electrical, plumbing, air conditioning, and similar work. This permit becomes null and void if no work is done within 180 days of issuance. This permit becomes null and void if no work is done within 180 days of issuance. This permit becomes null and void if no work is done within 180 days of issuance.</p> <p>I hereby certify that I have read and understood the applicable laws and regulations to be true and correct. All provisions of law are to be observed. No building or work will be conducted with either specified herein or not. The grant of this permit is given to give authority to violate or cancel the provisions of any other State or local law regulating construction or the performance of construction.</p>					
<p>80057119</p> <p>SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT <i>Luke Lawrence</i> 8-27-90 (DATE)</p> <p>SIGNATURE OF HOMEOWNER (IF OWNER BUILDER) <i>Luke Lawrence</i> 8-27-90 (DATE)</p>					
DO NOT WRITE BELOW DOUBLE LINES					
CONTRACTOR NO B000001	APT. UNITS []	LOT SIZE (ACREAGE) []	LAND USE C1	ZONING RES	
LOCATION (CHECK ONE) NON FARM [1] FARM/RANCH [2]	OWNERSHIP CODE [1]	STRUCTURE CODE [2]	REVENUE ACCOUNT []		
VALUE 00	TAX CODE AND ADDITION NO []		REVENUE RECEIPT NO 815697		
PERMIT FEE 25.00	C/C []	TOTAL FEE 15.00		BOND []	
ELECTRICAL CONTRACTOR			CONTRACTOR # E	FEE []	
PLUMBING CONTRACTOR			CONTRACTOR # P	FEE []	
MECHANICAL CONTRACTOR			CONTRACTOR # M	FEE []	
APPROVED BY 11/1/1990 DATE 09/27/90					
TYPE OF CONSTRUCTION UBC			OCCUPANCY GROUP 11		



RECEIVED

JUL 28 2025

PLANNING AND ZONING

The Board of Adjustment of the City of Mesquite will conduct a public hearing on Thursday, **July 24, 2025**, 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:	BOA0625-0473
Submitted By:	Jose Leones
Property Owner:	Jose Leones
Property Location:	2941 Clearmeadow Drive
Legal Description:	Creek Crossing Estates 14, Block C, Lot 20
Requested Action:	Special Exception to allow a rear oversized accessory structure to exceed the maximum size of 500 feet by 700 square feet for a total of 1200 square feet.

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) 329-8523 or by email at tclark@cityofmesquite.com.

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

BOA Case: BOA0625-0473

Name: Xinsheng Lin
(required)
Address: 2524 Naperon Dr. Plano, TX, 75025
(required) 3225 Cool Springs Cir. Mesquite

I am in favor of this request

I am opposed to this request ✓

Reasons
(optional):

Please respond by returning to: **CITY OF MESQUITE PLANNING DIVISION**
ATTN: Ti'Ara Clark
PO BOX 850137
MESQUITE TX 75185-0137

MESQUITE

T E X A S

Real. Texas. Service.

NOTICE OF PUBLIC HEARING

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

BOA Case: BOA0625-0473

Name:

(required)

Nanette Tatum

I am in favor of this request

Address:

(required)

*3221 Cool Springs Circle
Mesquite, TX 75181*

I am opposed to this request

Reasons
(optional):

*I believe he is operating a business
at this address. There is already a sizable
garage/storage building on property. There are multiple*

Please respond by returning to: **CITY OF MESQUITE PLANNING DIVISION**

identical commercial
ATTN: Ti'Ara Clark

PO BOX 850137

MESQUITE TX 75185-0137

*type vans
leaving in mornings and returning in evenings,
driven by same people. These people have
been here about a year now, at first living in
RVs on property and building fence, etc. I object
to business being in middle of neighborhood*