

MINUTES OF THE CITY OF MESQUITE BOARD OF ADJUSTMENT, HELD DECEMBER 18, 2008, AT 6:30 P.M., AT CITY HALL, 711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Chairman Jennifer Vidler, Vice Chairman Cindy Burkett, Regular Members Mike Travis, Dianne Mendoza, Lonnie Craine, and Alternate Member Duddly Hargrove

Absent:

Staff: Planner Garrett Langford, Planner Bee Martin, Plans Examiner Larry Ewing, Assistant City Attorney Steve Crane

I. APPROVAL OF THE MINUTES OF NOVEMBER 20, 2008, MEETING

Ms. Mendoza moved to approve the minutes of November 20, 2008. Ms. Burkett seconded and the motion passed unanimously.

II. SPECIAL EXCEPTION

A. **Case No. 3614**

Conduct a public hearing to consider an application submitted by Terry and Jan Carter for a special exception to allow an accessory dwelling unit at 1135 S. Peachtree Road.

Garrett Langford, Planner, presented the staff report. Mr. Langford stated that the Sherwood Forest neighborhood has a rural residential development pattern where the lots, including the subject property, are considerably larger than the standard residential lot size of 7,200 square feet found in the rest of the city. Given the size of the lot in question and the surrounding lot sizes, adding an accessory dwelling unit would not increase the density or change the residential development pattern of the neighborhood. Additionally, the proposed stipulations recommended by Staff will ensure that enough off-street parking is provided and that the building materials used and the design for the accessory dwelling are compatible with the existing house. Therefore, it is Staff's opinion that the request with the following stipulations, will allow greater enjoyment of the property without having an adverse impact on the adjacent properties.

1. The accessory dwelling unit shall not be rented or utilized as a separate principal dwelling unit.
2. The accessory structure shall be built with materials compatible with the principal structure.
3. The lot shall provide a minimum of four off-street parking spaces on an acceptable paving material.
4. The construction of the accessory dwelling unit shall substantially comply with the site plan that was submitted with the November 20, 2008, application for the special exception.
5. If the subject property is subdivided, the special exception shall expire.

Terry Carter, 1135 Peachtree Road, presented the request. The Board discussed the case among themselves and with the applicant. The applicant indicated that he wanted to provide additional living space for his two sons. He is proposing a separate accessory dwelling unit to avoid cutting down any trees which would have been necessary if they were to add on to the house. The applicant also stated that the accessory dwelling unit will not be rented out.

Ms. Vidler opened the public hearing asking if anyone wished to speak in favor of or in opposition to the request. Neva Parker, 1112 S. Peachtree Road, and Barbara Shotwell, 2131 Potter Lane, both spoke in favor of the request. As no one else came forward to speak, Ms. Vidler closed the public hearing.

Mr. Craine noted that the request will not affect the rural setting of the neighborhood and the applicant understands and agrees with the Staff's recommendation.

Ms. Vidler asked how the City will ensure that the applicant complies with the stipulations and not rent out the property. Mr. Crane stated that the property will be flagged in code enforcement for periodic inspections to ensure compliance.

Mr. Craine moved to approve the request with staff recommendations 1-5. Mr. Travis seconded and the motion passed unanimously.

III. OTHER

A. Consider for approval the 2009 schedule for Board of Adjustment meetings.

Garrett Langford, Planner, presented the meeting schedule for 2009. Staff and the Board discussed various scheduling options. No action was taken by the Board.

There being no further business for the Board, Chairman Vidler adjourned the meeting at 7:00 p.m.

Chairman, Jennifer Vidler