

MINUTES OF THE CITY OF MESQUITE BOARD OF ADJUSTMENT, HELD JANUARY 22, 2009, AT 6:30 P.M., AT CITY HALL, 711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

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

Absent:

Staff: Planner Garrett Langford and Assistant City Attorney Steve Crane

I. APPROVAL OF THE MINUTES OF DECEMBER 18, 2008, MEETING

Ms. Burkett moved to approve the minutes of December 18, 2008. Ms. Mendoza seconded and the motion passed unanimously.

II. SPECIAL EXCEPTION

A. **Case No. 3615**

Conduct a public hearing to consider an application submitted by Metro Patio & Carports, Inc. on behalf of Billy Russell for a special exception to allow a front carport to encroach eighteen feet into the thirty foot front yard setback and a variance to allow the same carport to encroach three feet into the five foot side yard setback at 1622 Ridgeview Street.

Garrett Langford, Planner, presented the staff report. Concerning the request for the Special Exception to allow the front carport, staff found there are a number of carports in the surrounding area. Given the prevalence of front carports in the neighborhood with BOA approval and that there is no paved alley access, the proposed carport for the subject property is not expected to create adverse impacts on adjacent properties and will likely be compatible with the surrounding neighborhood.

Mr. Langford stated that staff is in receipt of a letter from the applicant dated January 20, 2009, withdrawing the request for a side yard variance. As a result, the matter before the Board is limited to the consideration of the special exception for the encroachment into the front yard. Mr. Langford stated there were five responses from the property owner notices in favor of the request and one response in opposition of the request.

Tom Freely, 4441 I-30, Mesquite, TX 75150, presented the request on behalf of Billy Russell, 1622 Ridgeview Street. The Board discussed the case among themselves and with the applicant. Mr. Freely confirmed that they are no longer pursuing the request for a variance into the side yard.

Ms. Vidler opened the public hearing asking if anyone wished to speak in favor of or in opposition to the request. As no one came forward to speak, Ms. Vidler closed the public hearing.

Mr. Vidler noted that there were a number of carports in the area making the request for the special exception compatible with the neighborhood.

Mr. Craine moved to approve the special exception as submitted. Ms. Burkett seconded and the motion passed unanimously.

III. OTHER

A. **Consider amendments to the Board of Adjustment's By-Laws**

Garrett Langford, Planner, presented amendments to Section C of the Board of Adjustment's By-Laws regarding the scheduling of Board meetings. The amendment would allow the Board to schedule a meeting on a night other than the fourth Thursday of each month as currently required in the By-Laws. Ms. Burkett moved to approve the amendment to the By-Laws as presented. Ms. Mendoza seconded and the motion passed unanimously.

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

Garrett Langford, Planner, presented the meeting schedule for 2009. Ms. Mendoza moved to approve the 2009 schedule as presented. Mr. Craine seconded and the motion passed unanimously.

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

By unanimous vote, the Board of Adjustment members elected Jennifer Vidler as Chairman, Cindy Burkett as Vice-Chairman and Lonnie Craine as Secretary.

All testimony including the staff report, applicant's presentation, public hearing, and Board discussions were considered in the Board's decision for each case.

There being no further business for the Board, Chairman Vidler adjourned the meeting at 6:56 p.m.

Chairman, Jennifer Vidler