

MINUTES OF THE CITY OF MESQUITE BOARD OF ADJUSTMENT, HELD SEPTEMBER 25, 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, Assistant City Attorney Steve Crane,

I. APPROVAL OF THE MINUTES OF AUGUST 28, 2008. MEETING

Ms. Burkett moved to approve the minutes of August 28, 2008. Mr. Craine seconded and the motion passed unanimously.

II. PREVIOUSLY HEARD ITEM

A. **Case No. 3607 (Tabled from the August 28, 2008, BOA Meeting)**

Conduct a public hearing to consider an application submitted by Pius Okorie for a special exception to allow an ambulance service to occupy the subject property located at 3939 E. US HWY 80, Suite #168.

Bee Martin, Planner, presented the staff report. Mr. Martin indicated that the request was tabled from the August 28, 2008, meeting due to the absence of the applicant. During the meeting on August 28, 2008, a number of neighboring residents attended to speak in opposition. At that meeting, Board Member Mike Travis raised concerns about the constant travel of ambulances on Bahamas Drive, a residential street, to ultimately access Interstate 30. The recommended conditions state that the ambulance service should not be allowed to access the site using the Highway 80 service road and a designated parking area encourages the vehicles to use Bahamas Drive. Because the concern documented by Mr. Travis and the concerns of Staff would heavily stipulate the proposed use and Staff does not believe that any of the recommended conditions should be compromised, Staff is recommending denial of the request. Mr. Martin stated there was one letter in opposition on August 28, 2008, and 10 letters in opposition on September 25, 2008.

The applicant was absent from the meeting and no one else came forward to present the request.

Ms. Vidler opened the public hearing asking if anyone wished to speak in favor of or in opposition to the request. Ms. Joyce Hampton, 4023 Flamingo Way, spoke in opposition to the request due to concerns with access and additional traffic on Bahamas Drive. As no one else came forward to speak, Ms. Vidler closed the public hearing.

Ms. Vidler noted the number of letters from neighboring property owners in opposition to the request.

Mr. Craine moved to deny the request as submitted. Ms. Burkett seconded and the motion passed unanimously.

III. SPECIAL EXCEPTIONS

A. **Case No. 3608**

Conduct a public hearing to consider an application submitted by Robert Linton for a special exception to allow a carport to encroach 20 feet into the required 30-foot front yard setback located at 2712 Greenhill Drive.

Garrett Langford, Planner, presented the staff report. Staff found there are a number of carports in the surrounding area. The property is located in a front-entry neighborhood with a single car garage and although it has a paved alley, the property does not have vehicle access to that alley. Therefore, staff recommends approval of the request. Mr. Langford stated there were two responses from the property owner notices in favor of the request.

Robert Linton, 2712 Greenhill Drive, Mesquite, TX 75150, presented the request. The Board discussed the case among themselves and with the applicant.

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.

The Board noted that there were several carports in the surrounding area and that approving the carport would not create an adverse impact on adjacent properties.

Mr. Travis moved to approve the request as submitted. Ms. Burkett seconded and the motion passed unanimously.

B. Case No. 3609

Conduct a public hearing to consider an application submitted by Mesquite Metal Products on behalf of Dwayne Ashmore for a special exception to allow a front carport to encroach 23.5 feet into the 30-foot front yard setback at 1625 Summit Drive.

Garrett Langford, Planner, presented the staff report. Staff found that the property is located in a front-entry neighborhood with no paved rear alley access. As with the majority of the houses located in the immediate surrounding the area, the property has a single-car garage. Furthermore, the general characteristic of the neighborhood is front entry homes with single-car garages and carports. Staff feels that allowing the special exception will allow greater enjoyment of the property without creating adverse impacts on adjacent properties. Therefore, staff recommends approval of the request. Mr. Langford stated there were three responses from the property owner notices in favor of the request.

Michael Stout, 110 Industrial Drive, Forney TX, presented the request on behalf of the Dwayne Ashmore the property owner. The Board discussed the case among themselves and with the applicant.

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.

Ms. Vidler noted that the request is compatible with the neighborhood.

Mr. Craine moved to approve the request as submitted. Mr. Travis seconded and the motion passed unanimously.

C. Case No. 3610

Conduct a public hearing to consider an application submitted by Metro Patio & Carports, Inc. on behalf of Kenneth Mingo for a special exception to allow a front carport to encroach 18 feet into the 30-foot front yard setback at 2814 Spiceberry Drive.

Garrett Langford, Planner, presented the staff report. While staff found that there were a number of existing carports in the surrounding area, the request did not meet the criteria for a special exception because the property has access to a paved rear alley, albeit limited access, and has a front two-car garage. However, the alley is only accessible from Military Parkway or from Sandpiper Drive both of which are located several blocks from the subject property. The location of the entryways to the alley makes it difficult to access the property from the alley. In addition, the existence of several BOA approved carports located in the neighborhood will mitigate any adverse impact on the surrounding neighbors by granting the request. Therefore, staff recommends approval of the request. Mr. Langford stated there were two responses from the property owner notices in favor of the request.

Tom Freely, 4441 I-30, Mesquite, TX 75150 , presented the request. The Board discussed the case among themselves and with the applicant.

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.

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

There being no further business for the Board, Chairman Vidler adjourned the meeting at 6:53 p.m.

Chairman, Jennifer Vidler