

MINUTES OF THE CITY OF MESQUITE BOARD OF ADJUSTMENT, HELD JUNE 24, 2010, AT 6:30 P.M., AT CITY HALL, 711 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Chairman Jennifer Vidler, Vice Chairman Dianne Mendoza, Regular Members Lonnie Craine, Duddly Hargrove and David Fitzgerald

Staff: Planner Elizabeth Butler, Senior Planner Garrett Langford, and Assistant City Attorney Paula Anderson

I. APPROVAL OF THE MINUTES OF THE MAY 27, 2010, MEETING

Mr. Fitzgerald moved to approve the minutes of the MAY 27, 2010, Board meeting. Mr. Craine seconded and the motion passed unanimously.

II. SPECIAL EXCEPTION

A. **Case No. 3657**

Conduct a public hearing to consider an application submitted by Eladio Ramirez for a special exception to allow a front carport with a metal exterior at 1622 Highland Street.

Garrett Langford, Senior Planner, presented the staff report. The request is for a recently constructed front carport that the applicant built without a building permit. The new carport replaced an existing carport. When the applicant tried to obtain a building permit for the new carport, Staff found that the original carport never received a Special Exception or a building permit. The existing carport recently constructed by the applicant does not comply with the front carport design standards. In addition, the carport is located 2 feet and 4 inches within the 5-ft side yard setback. Staff informed the applicant that should the Board of Adjustment approve the request that they will have to make a number of modifications to their carport including moving the carport out of the 5-ft side yard setback.

Staff found that the request for a front carport meets the criteria set out in the Zoning Ordinance for a Special Exception. The subject property does not have access to a paved alley and the home was constructed with a single-car garage, which has been converted into a living space. Additionally, the home was constructed before it was required to have off-street parking located behind the building line. Regarding the request for a metal exterior, Staff found that the subject property is eligible for a metal carport because the lot was platted in 1954. Mr. Langford noted there were ten existing front carports on Highland Street with prior Board approval. All of the existing carports on Highland have metal exteriors. Staff recommended approval of the request for a front carport with a metal exterior with the understanding that the applicant will bring the existing carport into compliance with the applicable front carport design standards set out in the Mesquite Zoning Ordinance.

Mr. Langford stated that he received three responses from the property owner notices in favor of the request.

The applicant, Eladio Ramirez, 1622 Highland Street, spoke saying that the carport was there when he bought the house and that he replaced the roof but the post from the original carport remained in the same place. He replaced the roof of the existing carport with a higher roof to cover his cars. The Board and the applicant also discussed how he reconstructed the existing carport.

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

The members of the Board discussed how the request for a front carport meets the criteria to allow a carport. The Board members and Staff also discussed how the applicant would have to modify the existing carport to meet the design standards depending whether the Board approves the carport with a metal exterior or not.

After discussing the motion procedure between the Board members and Staff, Mr. Hargrove moved to approve the request to allow a front carport and to deny the request to allow the carport with a metal exterior. Mr. Fitzgerald seconded and the motion passed unanimously.

There being no further business for the Board, Chairman Vidler adjourned the meeting at 7:12 p.m.

Chairman, Jennifer Vidler