

FILE NUMBER: Z1025-0424
REQUEST FOR: Conditional Use Permit
CASE MANAGER: Ti'Ara Clark, Planner

PUBLIC HEARINGS

Planning and Zoning Commission: Monday, November 10, 2025
City Council: Monday, December 1, 2025

GENERAL INFORMATION

Applicant: Jordan Gaunt
Requested Action: A Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) with modified development standards
Location: 6713 Emerson Drive

PLANNING AND ZONING ACTION

Decision: On November 10, 2025, the Planning and Zoning Commission recommended approval of the request by a vote of 7-0.

SITE BACKGROUND

Platting: Berkshire Estates Phase 1, Block D, Lot 10
Size: 43,796 sq. ft. / 1.00 acres
Zoning: PD – Agricultural (Ord. 4791)
Future Land Use: No Future Land Use Designation
Zoning History: 2020: Annexed and zoned PD – Agricultural (Ord. 4791)

Surrounding Zoning and Land Uses (see attachment 3):

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	PD – Agricultural (Ord. 4791)	Single Family Homes
SOUTH:	PD – Agricultural (Ord. 4791)	Single Family Homes
EAST:	PD – Agricultural (Ord. 4791)	Single Family Homes
WEST:	PD – Agricultural (Ord. 4791)	Single Family Homes

CASE SUMMARY

The applicant is requesting a Conditional Use Permit (CUP) to allow the construction of an accessory dwelling unit (ADU) on the property located at 6713 Emerson Drive in the Berkshire Estates subdivision. The property is located in Kaufman County and is zoned PD–Agricultural (Ord. 4791). Per the Mesquite Zoning Ordinance (MZO), an ADU may be considered on properties within this district through the CUP process, provided the lot meets the minimum size requirement of one-half acre.

The applicant is proposing to construct a detached ADU to accommodate aging parents in the future. The proposed structure is a total of 1,200 square feet, consisting of 940 square feet of conditioned living space and 260 square feet for an attached garage. The unit will be located behind the primary residence and will contain independent living accommodations, including a kitchen and bathroom. The proposed structure height is 17.5 feet and meets all setback requirements.

The applicant requests a CUP to deviate from the maximum ADU size (1,200 sq. ft. vs. 1,000 sq. ft.) and height (17.5 ft. vs. 15 ft.). Based on the one-acre lot size and the familial use intent, staff finds these deviations reasonable. However, it is recommended that the public hearing thoroughly consider potential impacts on adjacent neighbors and neighborhood character.

More than four off-street parking spaces will be provided behind the primary dwelling, which satisfies the parking requirements for an ADU. Additionally, the ADU will share utility meter connections with the primary structure and is not intended to be rented or sold to a separate party.

It should be noted that staff has been informed by residents within Berkshire Estates subdivision that there are recorded covenants, conditions, and restrictions (CCRs) that, according to them, restrict ADUs within the subdivision. CCRs are enforced and administered by the subdivision's Homeowners Association (HOA). The CCRs are not administered or enforced by the City and remain the responsibility of the homeowners of the subdivision and the Berkshire Estates HOA to interpret and enforce.

MESQUITE COMPREHENSIVE PLAN

There is no Future Land Use Designation for the subject property.

STAFF COMMENTS: The Berkshire Estates was annexed into the City of Mesquite after the 2019 *Mesquite Comprehensive Plan* was adopted, and therefore, the Future Land Use map does not show a future land use designation for this subdivision. The intent of the Berkshire Estates is for a low-density single-family subdivision with a minimum lot size of 1 acre, which aligns most closely with the Estate Residential future land use designation in the Comprehensive Plan. It is staff's opinion that an ADU does not conflict with low density development pattern of Berkshire Estates.

MESQUITE ZONING ORDINANCE

SECTION 5-310(N): REVIEW CRITERIA FOR CONDITIONAL USE PERMITS

1. The extent to which the proposed CUP promotes public health, safety, and welfare.

STAFF COMMENTS: The proposed ADU is intended to allow aging family members to reside on-site. The request does not appear to adversely affect public health, safety, or welfare.

2. The consistency of the proposed CUP with the Comprehensive Plan.

STAFF COMMENTS: The property does not have a designated future land use classification in the Comprehensive Plan; however, the request supports the Plan's broader objective of expanding housing options that accommodate varying household needs.

3. The consistency of the proposed CUP with any adopted land use policies.

STAFF COMMENTS: The request is consistent with the City Council's strategic goal to develop policies that promote well-designed residential neighborhoods with a mixture of housing options and amenities, as the proposed ADU would provide an additional housing choice within an established subdivision.

4. The extent to which the proposed CUP created nonconformities.

STAFF COMMENTS: The CUP does not create nonconformities, as the accessory structure will be reviewed for compliance with all other applicable zoning and building requirements.

5. The compatibility with the existing uses and zoning of nearby property, such that the proposed CUP will not be injurious to the use and enjoyment of other property in the immediate area for purposes already permitted, nor substantially diminish property values within the immediate vicinity.

STAFF COMMENTS: The proposed ADU is located behind the primary dwelling and is residential in character, and its use is compatible with surrounding single-family development. The proposed ADU should not be injurious to the use and enjoyment of other properties within the area.

6. The trend of development, if any, in the general area of the property in question.

STAFF COMMENTS: The surrounding area of Kaufman County has experienced significant development of residential subdivisions.

7. Whether adequate public facilities are available including, but not limited to, schools, parks, police, and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are

reasonably capable of being provided prior to the development of the uses which would be permitted on the subject property if the CUP were adopted.

STAFF COMMENTS: Adequate public facilities and infrastructure are available to serve the proposed ADU, as they were constructed as part of the subdivision development.

8. The extent to which adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed conditional uses.

STAFF COMMENTS: The property provides sufficient off-street parking behind the primary structure to accommodate both the main dwelling and the accessory dwelling unit.

9. Whether adequate measures have been or will be taken to prevent or control offensive lights, odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance and/or violate the Mesquite City Code, including the MZO.

STAFF COMMENTS: City staff does not believe there will be any nuisance that will violate the Mesquite City Code. However, as mentioned previously, the private deed and covenant restrictions of the Berkshire Estates' HOA may prohibit accessory dwelling units within the subdivision.

10. Any other legally sufficient standard under Texas law.

STAFF COMMENTS: No staff comments.

CONCLUSIONS

The applicant is requesting a CUP to allow an ADU on a residential lot. The ADU would provide additional housing for the property owner's family and is relatively compatible with the residential character of the area. The request includes deviations to the maximum allowable size and height of an accessory dwelling unit, outlined in the MZO. Adequate parking and public services are available to support the proposed use. Staff finds that the request may be appropriate, subject to the Commission's evaluation of the request.

STAFF ASSESSMENT

Based on the information contained in the application and analysis of the facts of record, Planning Staff concludes that approval of the zoning request for a CUP with stipulations to allow an accessory dwelling unit is warranted, as it meets the review criteria in Section 5-310(N) of the Mesquite Zoning Ordinance. Further, any change in use—such as rental or a separate sale of the ADU—will require reapplication or additional city review to ensure ongoing compatibility and compliance. The following stipulations are suggested.

1. Allow an accessory dwelling unit with a maximum floor area of 1,200 square feet and a maximum height of 17.5 feet.

Alternatively, based on the information provided at the public hearing, the P&Z may:

1. Recommend approval the request with additional stipulations.
2. Deny the request.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property and courtesy notices within 400 feet. As of November 17, 2025, Staff has not received any returned property owner notices for the request. Five comments have been submitted online, with three in support and two in opposition. One of the responses in favor of the request is from the statutory notice area.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Pictures
6. Application Materials
7. Concept Plan
8. Public Responses

ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

Notification Map








ATTACHMENT 3 – ZONING MAP

Zoning Map



Property Address - 6713 Emerson Drive

Legend - Base Zones

	Subject Properties		Commercial		Light Commercial
	General Retail		Single Family Residential		



ATTACHMENT 5 – SITE PHOTOS



Front view of subject property, facing northeast.



Side of subject property, facing north

ATTACHMENT 6 – APPLICATION MATERIALS



City of Mesquite Conditional Use Permit Packet

Please print legibly. This application can also be completed online at [Civic Access](#).

Application Checklist

- ☒ Completed Application ☒ Statement of Intent and Purpose ☒ Zoning Exhibits A & B
☒ Owner Authorization (page 6) ☒ Application Fee*

**Fee will be assessed at time of application submittal (\$1,000/\$1,250).*

Property Information

General Location: Approximately 1 mile southeast of I-20 along FM 2932
Physical Address: 6713 Emerson Dr. City, State: Mesquite, Texas
Zip Code: 75126
Platted: ☒ Yes ☐ No (If yes, fill in information below)
Subdivision: Berkshire Estates Block: D Lot: 110

Applicant Information – The person filling out the application

First Name: Jordan Last Name: Gaunt
Phone Number: 214-697-3251 Email Address: jordan.gaunt7@gmail.com
Company Name: _____

Property Owner(s) Information – The owner of the property listed as physical address

Same as Applicant: ☒ Yes ☐ No (If no, fill in information below)
First Name: Alexander & Jordan Last Name: Gaunt
Phone Number: 214-697-3251 Email Address: jordan.gaunt7@gmail.com
Mailing Address: 6713 Emerson Dr City, State: Mesquite, TX
(If different from physical address)
Zip Code: 75126

October 2024

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P.O. Box 850137 • Mesquite, Texas 75185-0137 • www.cityofmesquite.com

ATTACHMENT 6 – APPLICATION MATERIALS

Requested Action

Existing district classification: (Select all that apply)

Residential Zoning Districts

- ☒ AG – Agricultural ☐ R-1 – Single Family ☐ R-1A – Single Family ☐ R-2 – Single Family
☐ R-2A – Single Family ☐ R-3 – Single Family ☐ D – Duplex ☐ Multifamily (less than 25 units)
☐ Traditional Neighborhood Mixed Residential (TNMR)
☐ Other: _____

Non-Residential Zoning Districts

- ☐ O – Office ☐ GR – General Retail ☐ LC – Light Commercial ☐ MU – Mixed Use
☐ CB – Central Business ☐ SS – Service Station ☐ C – Commercial ☐ I – Industrial
☐ CV – Civic
☐ Other: _____

Describe the proposed Conditional Use Permit and the purpose of the request using the space below. You may use a separate sheet if necessary. The following should be included:

1. Description of project uses.
2. If the property is currently developed, list all active businesses on the property with a brief description of each.
3. Address how the requested conditional use permit complies with the [Mesquite Comprehensive Plan](#).

Current property at 6713 Emerson Drive is situated on a 1 acre lot in the Berkshire Estates neighborhood, with a single family residence of 3,200 sq ft. Scope of the project will be building an accessory dwelling unit that contains 1 bedroom, 1.5 bathrooms, living space, kitchen space (960 of livable sq ft) and an attached 1 car garage space (260 sq ft). Total square feet of the accessory dwelling will not extend 1,200 square feet allowed in the Berkshire Estates neighborhood. The intent of use for the accessory dwelling unit will provide additional guest space for family members to utilize in the future.

Project will meet Mesquite comprehensive plan, specifically the estate residential section on page 37. Estate residential section identifies detached single family homes on large lots. Project scope and plans outlines materials that will match the existing residential structure to ensure consistency and meeting Berkshire Estates HOA guidelines. Additionally, the project will met section 2-603(N) of the Mesquite Zoning Ordinance regarding ADU by the following:

1. Lot size (1 acre) exceeds minimum requirement of one-half acre.
2. ADU will share utility meter/connections with the main residence.
3. ADU will have 1 attached garage parking space, with two additional spaces on the extended driveway included in project plans. With 6 additional spaces available in the existing driveway.
4. Property owners, Jordan & Alexander Gaunt will remain living in the main residence.
5. ADU will never be rented or sold separately, as stated in the intent of use listed above.
6. ADU meets set back requirements of 20 feet from the side, and 30 feet from the back of property as listed in the property survey
7. ADU will not extend height of the main structure. The ADU will be 1 story (main structure is a two story home). The roofline of the ADU is designed to be consistent with the existing residence, and will match the roofline of the existing garage. This follows Berkshire Estates HOA guidelines, and was approved by the Berkshire Estates HOA Architectural Control Committee.
8. ADU size does not exceed the 1,200 square feet allowed per the approved Development Agreement for Berkshire Estates, addressing the 1,200 sq ft Accessory Structure (attached with application). Project scope includes only 940 of livable sq ft, with an attached garage of 260 sq ft.
9. ADU location is in the right side rear of existing primary structure, as noted on project plans.
10. This ADU project plan will be the one and only ADU structure on the property.

Address how the request meets the approval criteria in [Section 5-303](#) of the Mesquite Zoning Ordinance, outlined below.

1. **Existing Uses:** That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate area for purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
2. **Vacant Properties:** That the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in area.
3. **Services:** That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. Conditional uses in residential districts shall generally require direct access to an arterial street.
4. **Parking:** That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed uses.
5. **Performance Standards:** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

You may use a separate sheet if necessary.

Accessory dwelling unit project will meet the Mesquite Zoning Ordinance as outlined above by:

1. Existing Uses: As the ADU project will only be adding an additional structure to a lot with an existing residence, there is no risk that the ADU will be injurious to the use and enjoyment of other property in the immediate area. Additionally, there will be setbacks as outlined in the property survey, and the ADU will be constructed using materials that match the existing residence. Project will likely increase property values due to the planned matching materials of existing residence on the property and the addition of livable square footage.
2. Vacant Properties: The project will only add one additional structure to the lot where a residence already existing. Therefore, there will be no effect on surrounding vacant lots, which mostly contain other residences or residences being constructed.
3. Services: Services requirements are already met by the existing residence on the property
4. Parking: As mentioned above: ADU will have 1 attached garage parking space, with two additional spaces on the extended driveway included in project plans. With 6 additional spaces available in the existing driveway.
5. Performance Standards: None of these will be present since this is a residential project and neighborhood

Additionally, we'd like to note that the Berkshire Estates HOA Architectural Control Committee has approved construction of this ADU.

ATTACHMENT 6 – APPLICATION MATERIALS

Berkshire Estates Homeowners Association, Inc.
c/o Gulf PPM, Inc.
Rockwall, TX 75032

September 09, 2025
Reference: 6713 Emerson Drive

Alexander & Jordan Alexandria Gaunt
6713 Emerson Drive
Mesquite, TX 75126

ARCHITECTURAL APPROVAL

Dear Alexander Gaunt,

Your Architectural Modification request for **6713 Emerson Drive** has been *approved as submitted* by the Architectural Control Committee of Berkshire Estates Homeowners Association, Inc.. Specifically, you have *approval to proceed* with the following request as submitted:

Congratulations on your new home improvement project. The ARC Request for the Accessory building has been approved. You may begin construction.

Please note the Committee reserves the right to make a final inspection of the improvements to ensure they match the request submitted. Please follow the plans submitted or submit an additional request form if you are unable to follow the original plan.

NOTICE TO OWNER: PLEASE READ CAREFULLY

As the Owner, you are solely responsible for ensuring that all conditions of this approval are followed precisely. Any deviation by you, your contractor, or vendor from the approved conditions may result in a requirement to remove non-conforming items or structures, impose a monetary fine, and/or require the submission of a new Architectural Control Committee (ACC) Application. A copy of this conditional approval must be provided to your contractor.

The Homeowner(s) bear full responsibility for any damages, repairs, removal, or replacement required due to non-compliance that affects neighboring Lots, Common Areas, or Common Elements.

CONDITIONS OF APPROVAL:

1. **Drainage:** Drainage or drainage flow paths must not be altered in any way. If affected, the Owner(s) will be solely responsible for any resulting damages and repairs to both their Lot and any neighboring Lots or properties.

This Community is Professionally Managed By: Gulf PPM, Inc. | Phone: (469) 600-5080 | Email: customerservice@gulpppm.com

ATTACHMENT 6 – APPLICATION MATERIALS

2. **Setbacks and Easements:** All setbacks, building lines, and easements as stated in the Covenants, Conditions, and Restrictions (CCRs) or as shown on your survey or the recorded plat of the Association must be adhered to.
3. **Permits:** Obtain all necessary permits from relevant City or County authorities before commencing any work.
4. **Compliance with Codes:** All applicable City or County building codes must be followed.
5. **Materials and Design:** The color, height, and style of materials must match what is specified in your request.
6. **Neighboring Lots:** It is your responsibility to ensure that no neighboring Lots are encroached upon. If access to a neighboring Lot or Common Area is required, written permission from the Owner(s) must be obtained and filed with Gulf Professional Property Management prior to the start of construction.
7. **Yard Restoration:** Any damage to front or side yards during construction must be repaired and restored to their original condition within ten days after the completion of construction.
8. **Construction Hours:** You must ensure that your contractors or vendors maintain reasonable construction hours to minimize disturbance to others.
9. **Material Storage:** Materials must not be stored on the street or in the yard.
10. **Waste Disposal:** All waste and debris must be properly disposed of daily.
11. **Additions:** Any new additions must be consistent with existing structures or improvements in terms of materials, style, height, and color.

Approval by the Architectural Control Committee does not override or replace any restrictions or requirements imposed by the Association, the City, or any other governmental authority with jurisdiction over the property, including the need for approvals or permits. In the event of a conflict between the conditions outlined in this approval notice and the Design Guidelines or the Covenants, Conditions, and Restrictions (CCRs) of the Association, the CCRs shall govern. It is the Owner's responsibility to ensure compliance with both this approval notice and the CCRs of the Association.

Please keep this approval letter for your records. If you have any questions or concerns please do not hesitate to contact us at customerservice@gulfpmp.com.

We appreciate the opportunity to serve you and hope you enjoy your new improvements.

Regards,

Gulf Professional Property Management, Inc., Managing Agent
Architectural Committee **Berkshire Estates Homeowners Association, Inc.**

ATTACHMENT 6 – APPLICATION MATERIALS

OWNER AUTHORIZATION

1. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
2. I hereby designate the person named as the applicant on page 1 of this application, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite.
3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of taking photographs, documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in taking of said photographs.
4. I have read and understand the information contained in the City of Mesquite Conditional Use Permit Application.

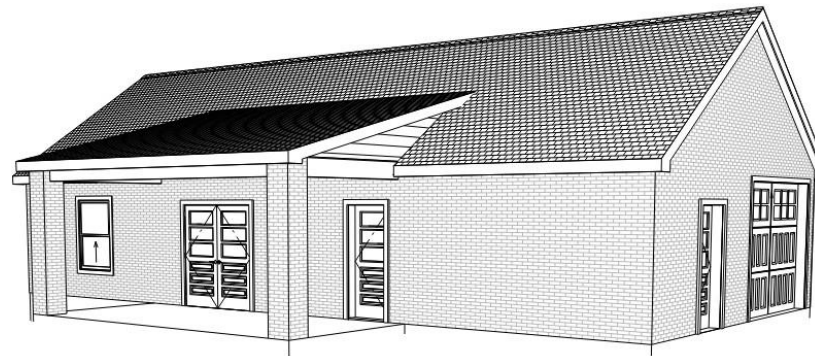
Property Owner: Jordan Gaunt Phone Number: 214-697-3251
Address: 6713 Emerson Dr
Mesquite, TX 75126
214-697-3251 Email Address: jordan.gaunt7@gmail.com
Signature: *Jordan Gaunt*

Each property owner must complete a separate authorization form



ATTACHMENT 7 – CONCEPT PLAN

6713 EMERSON DR



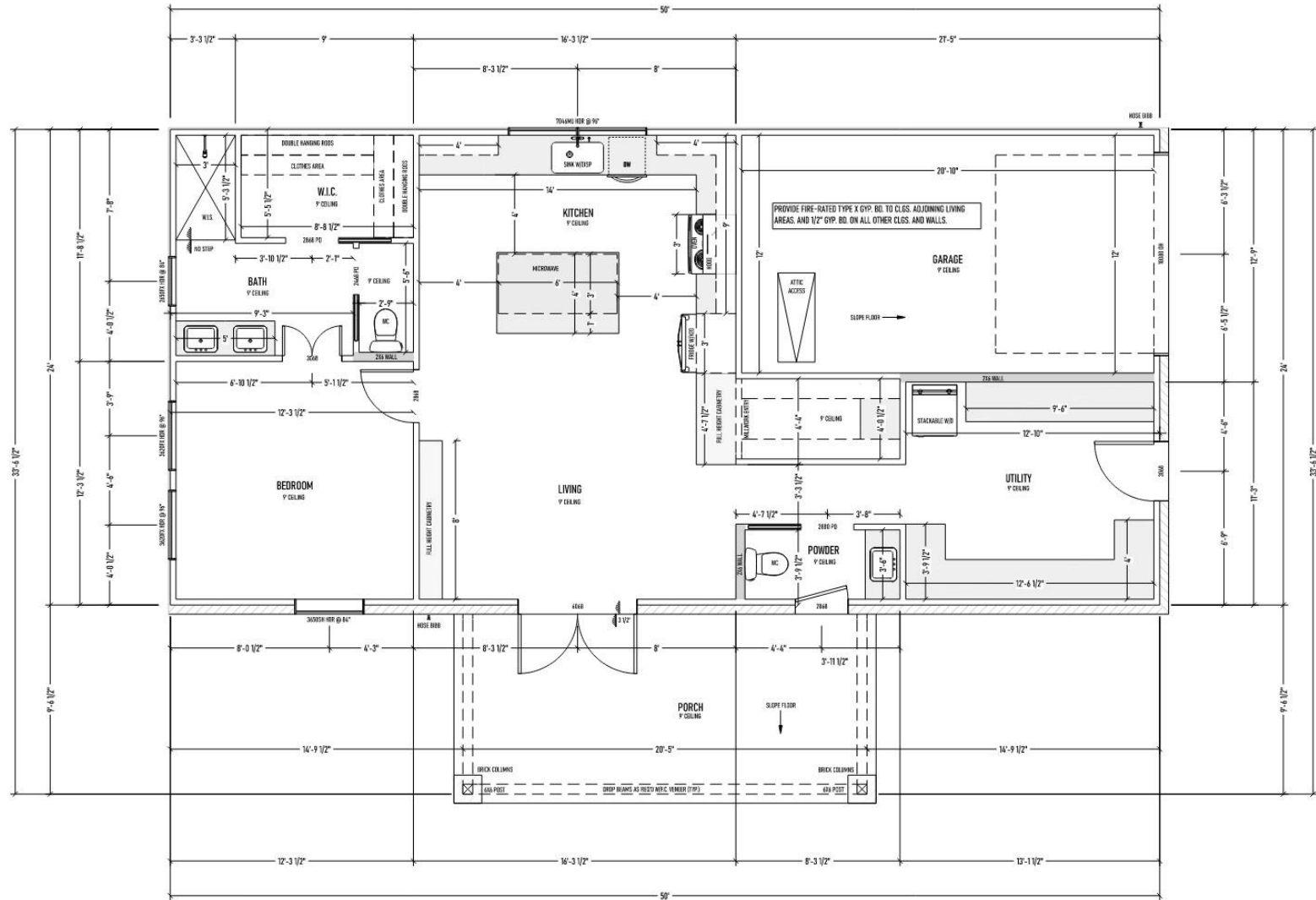
SHEET INDEX	
SHEET NAME	SHEET NO.
COVER SHEET	A1.00
SITE PLAN	A2.00
FLOORPLAN	A3.00
ELECTRICAL LAYOUT	A4.00
ELEVATIONS	A5.00
ROOF AND DETAILS	A6.00
SLAB LAYOUT	S1.00
QUANTITIES	Q1.00

TOTAL FOOTAGES
TOTAL LIVING: 940 SF
FRONT PORCH: 195 SF
GARAGE: 260 SF
TOTAL FRAMED: 1,395 SF
BRICK LUG: 43 SF
TOTAL SLAB: 1,438 SF



REVISION TABLE NO. DATE REVISION DESCRIPTION	6713 EMERSON DR	COVER SHEET
RAPID DESIGNS WWW.RAPIDARCHITECTURAL.COM		
SHEET: A1.00		
DESIGNER: SS		

ATTACHMENT 7 – CONCEPT PLAN





[View results](#)

From statutory notice area

Respondent

<

131

Anonymous

>

07:47

Time to complete

...

1. Case Number *

Z1025-0424

2. Please provide your first name. *

Shunna

3. Please provide your last name. *

Baker

4. Please provide your address. *

6629 Howell Dr. Mesquite, TX 75126

5. Please provide your comments on the proposed request. *

I am writing in support of my neighbors' application to build an Accessory Dwelling Unit (ADU) on their property. I believe this project will be a positive addition to our community. It will make good use of existing space, help increase housing options, and enhance the overall value and appearance of the neighborhood. My neighbors have always maintained their property responsibly, and I am confident that their proposed unit will be designed and built with the same care and attention to quality. I fully support their request and encourage its approval.

Sincerely,
Shunna Baker
Neighbor: Jordan Gaunt
Address: 6713 Emerson Rd. Mesquite, TX 75126

[View results](#)

<

Respondent

130

Anonymous

03:07

Time to complete

>

...

From courtesy notice area

1. Case Number *

Z1025-0424

2. Please provide your first name. *

Julie

3. Please provide your last name. *

Tanner

4. Please provide your address. *

6636 Woodley Ct, Mesquite, TX 75126

5. Please provide your comments on the proposed request. *

I have reviewed the proposed Conditional Use Permit for an Accessory Dwelling Unit at 6713 Emerson Drive and find no issues of concern. The proposed 1,200 sq. ft. structure appears reasonable for the lot size and use. I support approval, as this improvement could enhance property value and neighborhood appeal.

[View results](#)

<

Respondent

127

Anonymous

02:49
Time to complete

>

From courtesy notice area

1. Case Number *

Z1025-0424

2. Please provide your first name. *

John

3. Please provide your last name. *

Funderburk

4. Please provide your address. *

6801 Reading Dr
Mesquite, TX 75126

5. Please provide your comments on the proposed request. *

I oppose this zoning change. This should not be allowed as separate dwelling units are not allowed per our community covenant and restrictions.

File No.: Z1025-0424
Conditional Use Permit

[View results](#)

<

Respondent

131

Anonymous

07:47

Time to complete

>

...

1. Case Number *

Z1025-0424

2. Please provide your first name. *

Shunna

3. Please provide your last name. *

Baker

4. Please provide your address. *

6629 Howell Dr. Mesquite, TX 75126

5. Please provide your comments on the proposed request. *

I am writing in support of my neighbors' application to build an Accessory Dwelling Unit (ADU) on their property. I believe this project will be a positive addition to our community. It will make good use of existing space, help increase housing options, and enhance the overall value and appearance of the neighborhood. My neighbors have always maintained their property responsibly, and I am confident that their proposed unit will be designed and built with the same care and attention to quality. I fully support their request and encourage its approval.

Sincerely,
Shunna Baker
Neighbor: Jordan Gaunt
Address: 6713 Emerson Rd. Mesquite, TX 75126