



**COMMERCIAL BOARD OF ADJUSTMENT
DECISIONS**

**Wednesday, May 17, 2017
Work Session 8:30 AM
Public Hearing 9:30 AM**

**200 Texas Street
City Council Conference Room 290 /City Council Chamber
2nd Floor – City Hall
Fort Worth, Texas 76102
For More Docket Information Visit:
<http://fortworthtexas.gov/zoning/variances/cases/>**

BOARD MEMBERS:

Dan Moore	<u>P</u>
Robert Gutierrez	<u>P</u>
Steve Epstein (Alternate)	<u>P</u>
Bob Riley	<u>P</u>
Courtney Lewis	<u>P</u>
Michael Wellbaum, Chair	<u>P</u>
Dori Boone-Costantino	<u>P</u>
Robert Kelly	<u>P</u>
Graham Brizendine, Vice-Chair	<u>P</u>

- I. 8:30 A.M. **WORK SESSION** City Council Conference Room 290
- A. Review of Cases on Today's Agenda
- II. 9:30 A.M. **PUBLIC HEARING** Council Chamber
- A. Approval of Minutes of the April 19, 2017 Hearing 7-0-2
- B. Cases on Today's Agenda
- C. MEETING WILL ADJOURN AT 12:00 PM (ANY CASES NOT HEARD WILL BE MOVED TO JUNE 21, 2017)



D. Continued Cases

1. BAC-17-010 **Mohammad Wafayee by Eloy Contreras**
4412 & 4416 Hemphill Street

- a. Request a **VARIANCE** in an “E” Neighborhood Commercial District to permit the conversion of retail space to restaurant space providing 18 parking spaces, where 37 spaces are required, deficient by 19 parking spaces.

Failed for Lack of 7 Affirmative Votes (0-9)

2. BAC-17-024 **Clover III Construction, LLC by Eco-Site**
5136 W. Vickery Boulevard

- a. Request a **VARIANCE** in an “I” Light Industrial District to permit the installation of a telecommunication tower that encroaches into the required 500-foot setback from the nearest one-family district, deficient by 390 feet.
- b. Request a **VARIANCE** in an “I” Light Industrial District to permit the installation of a telecommunication tower 110 feet in height, where 75 feet is the maximum height allowed, excessive by 35 feet.

Approved (9-0) with the Stipulation on item “b” that the tower will have a maximum height of 85 feet, excessive by 10 feet.

3. BAC-17-027 **Hoa Dinh Tran by Webber, LLC**
5001 E. Rosedale Street

- a. Request a **SPECIAL EXCEPTION** in an “E” Neighborhood Commercial District to permit the installation of a concrete batch plant for 1 year 10 months that exceeds the allowed time frame of 6 months by 1 year and 4 months.
- b. Request a **VARIANCE** in an “E” Neighborhood Commercial District to permit the installation of a concrete batch plant that would encroach into the required 600-foot setback from the nearest one-family dwelling, deficient by 580 feet.
- c. Request a **VARIANCE** in an “E” Neighborhood Commercial District to permit the installation of concrete batch equipment proposed to be 85 feet in height, where 45 feet is the maximum height allowed, excessive by 40 feet.

Approved Items “a” and “b” (8-1) with the Stipulation on item “b” that the batch plant would encroach into the required 600-foot setback from the nearest one-family dwelling, deficient by 450 feet; Denied Item “c” (9-0)

4. BAC-17-028 **Oncor Electric Delivery Company by Masterplan**
9401 Wagley Robertson Road

- a. Request a **VARIANCE** in a “K” Heavy Industrial District to permit the construction of an electrical telecommunication tower 195 feet in height, where 120 feet is the maximum height allowed, excessive by 75 feet.
- b. Request a **VARIANCE** in a “K” Heavy Industrial District to permit the construction of an electrical telecommunication tower 450 feet from a residential district, where 500 feet is the minimum distance allowed, deficient by 50 feet.

Approved (9-0)



E. New Cases

5. BAC-16-133 **Devon Storage/Fort Worth LLC by Razor Signs**
7400 Blue Mound Road

- a. Request a **SPECIAL EXCEPTION** in the "PD 766" Planned Development 766 for E uses plus mini-warehouses District to permit the installation of electronic changeable copy on a monument sign.

Approved (8-0)

6. BAC-16-137 **Bruce & Shellie King by American Tower**
2722 NW 33rd Street

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One Family District to permit the installation of a stealth telecommunication tower.
- b. Request a **VARIANCE** in an "A-5" One Family District to permit the installation of a stealth telecommunication tower 120 feet in height, excessive by 50 feet.

Approved (7-2)

7. BAC-17-008 **Alanal GB, LLC and Ettore Proper by Ettore Regalzi**
3201 North Freeway

- a. Request a **SPECIAL EXCEPTION** in an "I" Light Industrial District to permit the installation of electronic changeable copy on a freeway sign.
- b. Request a **VARIANCE** in an "I" Light Industrial District to permit the continued use of a front yard fence, where none are allowed.

Approved Item "a" (8-1); Continued Item "b" to the June 21, 2017 hearing (9-0)

8. BAC-17-029 **Siegun Trust by Dak Hatfield**
2941 Livingston Avenue

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District with TCU Residential Overlay to permit the construction of an auxiliary parking lot.

Approved (8-0) with the Stipulation that the 9 parking spaces on the north side of the parking lot be removed and replaced with landscaping and that the parking lot only be available between the hours of 8:00AM and 11:00PM.

9. BAC-17-030 **3880 Hulen Street by Bill Bauman**
3880 Hulen Street

- a. Request a **VARIANCE** in an "E" Neighborhood Commercial District to permit the installation of rooftop telecommunication antenna up to 103 feet in height, excessive by 58 feet.

Approved (9-0)



10. BAC-17-031 **Fort Worth ISD by Opal Lee**
5151 C A Roberson Boulevard

- a. Request a **SPECIAL EXCEPTION** in a “CF” Community Facilities District to permit a temporary outdoor amusement (carnival) for 9 days from June 13 – June 21, 2017.

Denied without Prejudice (9-0)

11. BAC-17-032 **JLK LTD by Legacy Signs**
2200 Montgomery Street

- a. Request a **VARIANCE** in a “J” Medium Industrial District to permit the construction of a monument sign 15 feet in height that exceeds the maximum height of 8 feet by 7 feet.
- b. Request a **VARIANCE** in a “J” Medium Industrial District to permit the construction of a monument sign with 149 square feet of message area that exceeds the maximum message area of 96 square feet by 53 square feet.

Failed for Lack of 7 Affirmative Votes (0-9)

12. BAC-17-033 **Conti GSB, LLC by Legacy Signs**
1734 E. El Paso Street

- a. Request a **VARIANCE** in a “J” Medium Industrial District to permit the construction of two attached signs 3,600 square feet in area that exceed the maximum area for the northeast facade of 500 square feet by 3,100 square feet.
- b. Request a **VARIANCE** in a “J” Medium Industrial District to permit the continued use of two attached signs 1,356 square feet in area that exceeds the maximum area for the northwest facade of 500 square feet by 856 square feet.
- c. Request a **VARIANCE** in a “J” Medium Industrial District to permit the construction of and continued use of four attached signs with approximately 4,956 square feet in area that exceed the maximum allowed area of 1,340 square feet for a building by 3,616 square feet.

Continued to the June 21, 2017 Hearing (8-0)

III. ADJOURNMENT:

12:01 PM

ASSISTANCE AT THE PUBLIC MEETINGS:

Fort Worth City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City's ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov at least 48 hours prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least 48 hours prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

El Edificio Municipal de la Ciudad de Fort Worth, o City Hall, tiene acceso para silla de ruedas. Se solicita a las personas que planean asistir a esta reunión y que necesitan ayudas auxiliares o servicios de intérpretes, lectores o impresiones con letra grande, que se comuniquen con el Coordinador de la Asociación Americana de Discapacitados (ADA) de la Ciudad llamando al teléfono (817) 392-8552; o por correo electrónico a ADA@FortWorthTexas.gov por lo menos 48 horas antes de la reunion para que se puedan hacer los arreglos adecuados. Si la Municipalidad no recibe una



notificación por lo menos 48 horas antes de la reunión, ésta hará un intento razonable para proporcionar los servicios auxiliares necesarios.

Executive Session.

A closed Executive Session may be held with respect to any posted agenda item to enable the Commission to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.