



MEETING AGENDA
COMMERCIAL BOARD OF ADJUSTMENT

June 15, 2022

Work Session 10:00 a.m.
Public Hearing 11:00 a.m.

In Person

City Council Conference Room 2020 (Work Session)
City Council Chamber (Public Hearing)
2nd Floor - City Hall, 200 Texas Street /Fort Worth, Texas 76102

Videoconference

<https://fortworthtexas.webex.com/fortworthtexas/onstage/g.php?MTID=ecac8eab2f08b454f495b39b01798a082>

Meeting/ Access Code: 2551 817 2346, Registration Required

Teleconference

(817) 392-1111 or 1-650-479-3208
Meeting/ Access Code: 2551 817 2346

Viewing Only

Television: Charter 190; One Source 7; Verizon 5; AT&T Uverse 99
City of Fort Worth Website Homepage: <http://fortworthtexas.gov/fwty>

For more information on attending or speaking at this meeting either through Videoconference or Teleconference, please visit the City's website: <http://fortworthtexas.gov/boards/>

To view this meeting's docket, visit: <https://www.fortworthtexas.gov/calendar/boards-commission>

The location identified on this agenda is the location at which the presiding officer will be physically present and presiding over the meeting. Members of the Commercial Board of Adjustment may be attending remotely in compliance with the Texas Open Meetings Act.

****Any member of the public who wishes to address the Board using videoconference or teleconference regarding an item on the listed agenda must sign up to speak no later than 5:00PM on June 13, 2022. To sign up, either register through WebEx per the directions on the City's website above or contact Karen Moreno at Karen.Moreno@fortworthtexas.gov or 817-392-8026. Please note the City of Fort Worth is using a third party vendor to assist with City meetings. If there are service interruptions, including call-in number changes, we will provide alternative call-in numbers on our website whenever possible.**

BOARD MEMBERS:

Robert Gutierrez _____
Deborah Freed _____
Bob Riley _____
Bob Horton _____
Kay Friedman _____

Jeremy Raines, _____
Chair Commercial Board _____
Darin Hoppe _____
Angela Gaither, _____
Vice Chair Commercial Board _____

I. WORK SESSION 10:00 A.M.

A. Discussion of Today's Cases

II. PUBLIC HEARING 11:00 A.M.

A. Approval of Minutes of the May 18, 2022 Hearings _____

B. Consider and Adopt a Resolution Ratifying All Actions Taken By the Commercial and Residential Boards of Adjustment from September 1, 2021 to March 18, 2022.

C. ANY CASES NOT HEARD WILL BE MOVED TO JULY 20, 2022

D. Continued Commercial Case

1. **BAC-22-012** Address: 925 Arizona Avenue
Owner: Kevin Khorrami by Alan Scivally
Zoning: "J" Medium Industrial District

a. **Variance:** Allow a telecommunication tower to be less than required distance to a multifamily district for a period of nine months

Minimum distance required: 250 feet
Requested distance: 73 feet

E. New Commercial Case

2. **BAC-22-012** Address: 601 & 605 NE 23rd Street
Owner: FW Heritage Development by Meriman Anderson Architects
Zoning: "SY-TSA-55" and "SY-TSA-105" Stockyards Transition
Swift/Armour District with 55 and 105 foot maximum heights,
respectively

a. **Variance:** Allow a multifamily complex to be taller than the allowed height in the SY-TSA-55 sub-district

Maximum height allowed: 55 feet
Requested height: 72 feet

III. ADJOURNMENT:

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 reunión 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 Boards of Adjustment to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the City of Fort Worth official bulletin board, places convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time Friday, June 10, 2022 at 10:30 a.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



City Secretary for the City of Fort Worth, Texas

Residential and Commercial Boards of Adjustment City of Fort Worth, Texas

Resolution No. _____

RATIFYING ALL ACTIONS TAKEN BY THE COMMERCIAL AND RESIDENTIAL BOARDS OF ADJUSTMENT FROM SEPTEMBER 1, 2021 TO MARCH 18, 2022

WHEREAS, the City of Fort Worth Commercial and Residential Boards of Adjustment were created to hear appeals, hear and decide on requests for special exceptions and variances from the terms of the Zoning Ordinance, and to perform other duties in accordance with Chapter 211 of the Texas Local Government Code and the City Code; and

WHEREAS, the Commercial and Residential Boards of Adjustment meet from time to time to carry out their lawful purpose; and

WHEREAS, the Texas Open Meetings Act (“TOMA”) requires that certain governmental bodies, including the Commercial and Residential Boards of Adjustment, comply with specific requirements for conducting meetings and other official business; and

WHEREAS, on March 16, 2020, in response to the COVID-19 Pandemic, Governor Abbott suspended portions of TOMA, including the requirement to physically post meeting agendas and notices at City Hall, to allow for the continuation of governmental operations while ensuring government transparency remained a priority; and

WHEREAS, from that time, the Commercial and Residential Boards of Adjustment continued to comply with TOMA as amended by Governor Abbott; and

WHEREAS, Governor Abbott ended the TOMA suspension effective September 1, 2021, and all open meeting requirements resumed on that day; and

WHEREAS, from September 1, 2021, to March 18, 2022, agendas for the City’s various councils, boards, and commissions continued to be posted online to provide notice to residents and other interested parties but, due to a good faith misunderstanding on the part of City staff, were not physically posted at City Hall; and

WHEREAS, as soon as the error was identified, the City cancelled planned upcoming meetings for which no physical posting had been made; and

WHEREAS, to ensure technical compliance with TOMA for all actions taken in good faith at meetings since September 1, 2021, the Commercial and Residential Boards of Adjustment now wish to re-notice those items and ratify all actions taken at those meetings; and

WHEREAS, the agendas and minutes describing the actions taken for the meetings that occurred during that time are listed below and attached hereto as Exhibit A; and

WHEREAS, the Commercial and Residential Boards of Adjustment have caused this item to be included on an agenda which has been posted in full compliance with TOMA, including physical posting;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMERCIAL AND RESIDENTIAL BOARDS OF ADJUSTMENT, THAT:

1. Notice of this resolution, including all actions and items to be ratified, has been included on an agenda that has been posted in accordance with the Texas Open Meetings Act.
2. The Commercial and Residential Boards of Adjustment ratify all actions taken with respect to the items identified in the attached agendas, which actions are reflected in the attached meeting minutes, for the following meetings:

September 15, 2021;
October 20, 2021;
November 17, 2021;
December 15, 2021;
January 19, 2022;
February 16, 2022; and
March 16, 2022

3. It is the expressed intention of the Commercial and Residential Boards of Adjustment that all action herein ratified are deemed effective as of the date listed in the attached minutes for such action.
4. By approval of this Resolution, the Commercial and Residential Boards of Adjustment expressly ratify each member's vote or abstention, as described in the minutes, on each of the items or actions being ratified as the member's official action for each item.

Adopted this 15th day of June, 2022.

Chair, Commercial Board of Adjustment

Chair, Residential Board of Adjustment

ATTEST:

Executive Secretary