



Shakti Adhyapak

01/08/09

COMMERCIAL BOARD OF ADJUSTMENT

DECISIONS

Wednesday, January 7, 2009

10:00 AM

1000 Throckmorton

City Council Chamber

2nd Floor – City Hall

Fort Worth, Texas 76102

BOARD MEMBERS:

Sam Buchanan	_____ P
Wendy Vann Roach	_____ A
Ronald Shearer (Alternate)	_____ P
Robert West, Chair	_____ P
Bill Miller	_____ P
Susan Witts	_____ A
Carl Logan (Alternate)	_____ P
Jeff Hughes	_____ P
Larry E. Dyess	_____ A
Johanna McCully-Bonner, Vice Chair	_____ P
Victoria Powell	_____ P

- I. 9:00 A.M. WORK SESSION Pre-Council Chamber
- A. Review of Cases on Today's Agenda
- B. Election of Officers
- II. 10:00 A.M. PUBLIC HEARING Council Chamber
- A. Approval of Minutes of the December 3, 2008 Hearing 6 - 0 - 2
- B. Cases on Today's Agenda
- III. 12:00 P.M. LUNCH AND STAFF BRIEFING Pre-Council Chamber
- IV. 1:00 P.M. CONTINUATION OF PUBLIC HEARING Council Chamber

JANUARY 2009 DECISIONS

A. Continued Cases

1. **BAC-08-173** **GC MUSEUM PARTNERS LP By Gary Millington (CB Richard Ellis)**
512 Bailey Avenue (550 Bailey Avenue) **CD7**

- a. Request a **VARIANCE** in an "MU-2" High Intensity Mixed Use District to permit use of a temporary banner that is two-thousand-six square feet (2006 sq. ft.) in area, where only a sixty-four square feet (64 sq. ft.) banner is allowed, excessive by one-thousand-nine-hundred-forty-six square feet (1946 sq. ft.)
- b. Request a **VARIANCE** in an "MU-2" High Intensity Mixed Use District to permit the display of a temporary banner for a consecutive period of six (6) months.

DENIED

8 - 0

2. **BAC-08-183** **CARLYLE / CYPRESS WEST 7TH LLC By Chandler Signs**
(Lauren Stackhouse)
801 Currie Street (2825 West 7th Street) **CD9**

- a. Request a **VARIANCE** in an "MU-2" High Intensity Mixed Use District to permit the installation of an illuminated attached wall sign measuring three-hundred-and-eighty-nine square feet (389 sq. ft.) whereas only two-hundred square feet (200 sq. ft.) is allowed. Excessive by approximately one-hundred-and-eighty-nine square feet (189 sq. ft.)
- b. Request a **VARIANCE** in an "MU-2" High Intensity Mixed Use District to permit the installation of a sign projecting sixty-four inches (64") from the building whereas only thirty-six (36") is allowed. Excessive by approximately twenty-eight (28) inches.

APPROVED

8 - 0

B. New Cases

1. **BAC-09-001** **BARBARA ORAND By Rodney Orand**
1950 Roberts Cut-Off **CD2**

- a. Request a **VARIANCE** in an "E" Neighborhood Commercial District to permit the continued use of the required front yard to store merchandise, plants and trees. No merchandise to be stored in the public right-of-way.

CONTINUED

8 - 0

2. **BAC-09-002** **WITHDRAWN PRIOR TO PUBLIC NOTICE**

3. **BAC-09-003** **MAURICE AND BRENDA TERRY By Jerry Hawkins**
700 Grainger Street **CD8**

- a. Request a **VARIANCE** in a "NS-T4N" Near Southside District to permit the continued use of a vacant lot for a dumpster, a secondary use without a primary use.

DENIED W/O PREJUDICE

8 - 0

JANUARY 2009 DECISIONS

4. **BAC-09-004** **HOLIDAY BUILDERS INC (Lily Turner) By Bureau Veritas North America**
12037 Walden Wood Drive **CD2**

- a. Request a **VARIANCE** in a "PD" Planned Development District to permit the use of a construction trailer within three-hundred feet (300') of an occupied residence for a period of two (2) years.

APPROVED 8 - 0

5. **BAC-09-005** **WITHDRAWN PRIOR TO PUBLIC NOTICE**

6. **BAC-09-006** **FLIPS WC REAL ESTATE, LP By Hancock Sign Company**
(Melanie Hancock)
6613 Fossil Bluff Drive **CD4**

- a. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the installation of an illuminated monument sign approximately thirty-five feet (35') overall height where only eight feet (8') is allowed. Excessive by approximately twenty-seven feet (27').
- b. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the installation of an illuminated monument sign having at least twenty-five percent (25%) contact with the ground instead of the required seventy-five percent (75%).
- c. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the installation of an illuminated monument sign with a combined display area of three-hundred square feet (300 sq. ft.) where only one-hundred-and-twenty square feet (120 sq. ft.) is allowed. Excessive by one-hundred-and-eighty square feet (180 sq. ft.)
- d. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the installation of an illuminated monument sign thirty-five feet (35') overall height that has zero percent (0%) materials similar to the building whereas they are required to have twenty-five percent (25%) materials similar to the building in the sign face area.

DENIED W/O PREJUDICE 8 - 0

7. **BAC-09-007** **WITHDRAWN PRIOR TO PUBLIC NOTICE**

8. **BAC-09-008** **ACADEMY SPORTS AND OUTDOORS By Chandler Signs LP, LLP**
5836 N. Tarrant Pkwy. **CD4**

- a. Request a **VARIANCE** in an "I" Light Industrial District to permit the installation of three (3) illuminated attached signs at a total of seven-hundred-and-thirty square feet (730 sq. ft.) of area where only a maximum of five-hundred square feet (500 sq. ft.) per façade is allowed. Excessive by two-hundred-and-thirty square feet (230 sq. ft.)

APPROVED 8 - 0

9. **BAC-09-009** **D. R. HORTON-TEXAS LTD. By Metro Code Analysis**
11705 & 11713 Ersebrook Ct. **CD7**

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of two (2) model homes within three-hundred feet (300') of an occupied residence for a period of three (3) years.

APPROVED 8 - 0

10. **BAC-09-010** **TO BE HEARD ON FEBRUARY 4th 2009**

11. BAC-09-011 UNITED COMMUNITY CENTERS, INC By RPGA Design Group Inc.
(Javier Lucio)
3101 Ave. J (3100 Ave I)

CD8

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the use of a Community Center in a One-Family District.
- b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the use of an auxiliary parking lot with dumpster.
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the use of a service door landing that projects by ten feet (10') into the required ten foot (10') side yard leaving a zero foot (0') side yard.
- d. Request a **VARIANCE** in an "A-5" One-Family District to permit the use of landscape buffer in lieu of a privacy fence around the parking lot.
- e. Request a **VARIANCE** in an "A-5" One-Family District to permit the use of required parking in the required-front-yard.
- f. Request a **VARIANCE** in an "A-5" One-Family District to permit the use of required parking in the required side yard.

APPROVED

8 - 0

V. **ADJOURNMENT:**

12:14 PM

ASSISTANCE AT THE PUBLIC MEETINGS:

The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available on the south side of the city hall building off of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact Al Godwin at (817) 392-7825, FAX (817) 392-7985, or call TDD 1-800-RELAY-TX at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

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.