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6/6/08

**DECISIONS OF THE  
COMMERCIAL  
BOARD OF ADJUSTMENT  
JUNE 4, 2008  
10:00 A.M.  
City Council Chamber  
2<sup>nd</sup> Floor-City Hall  
1000 Throckmorton Street  
Fort Worth, Texas, 76102**

**CALL TO ORDER:**

Robert West Chair	<u>    P    </u>	Susan Witts	<u>    P    </u>
Johanna McCully-Bonner Vice Chair	<u>    P    </u>	George J. Petrovich, Jr.	<u>    P    </u>
Wendy Vann Roach	<u>    A    </u>	Larry E. Dyess	<u>    A    </u>
Bill Miller	<u>    P    </u>	Carl Logan (Alternate)	<u>    P    </u>
W. B. Zimmerman (Alternate)	<u>    P    </u>	Victoria Powell	<u>    P    </u>
		Ronald Shearer (Alternate)	<u>    P    </u>

- **9:00 A.M. ....WORK SESSION.....Pre-Council Chamber**
  - Election of Vice Chair
  - Code Enforcement Update
  - Review of Cases on Today's Agenda
  - Staff Briefing – Sign Code
- **10:00 A.M. ....PUBLIC HEARING .....Council Chamber**
  - Approval of Minutes of the May 7, 2008 Hearing ..... 7-0-2
  - Cases on Today's Agenda
- **12:00 P.M.....LUNCH AND STAFF BRIEFING.....Pre-Council Chamber**
  - Staff Briefing – Update on Case BAC-06-003 located at 2059 W. Lotus Avenue
- **1:00 P.M.....PUBLIC HEARING (Continued).....Council Chamber**
  - Cases on Today's Agenda

The Commercial Board of Adjustment will conduct a closed meeting, as necessary, to seek the advice of its attorneys concerning pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, and as authorized by Section 551.071 of the Texas Government Code, which are related to any item appearing on this agenda.

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 at the northwest corner of 10<sup>th</sup> Street and Monroe. 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 of large print are requested to contact AL GODWIN, ADA COORDINATOR, DEVELOPMENT DEPARTMENT, AT (817) 392-7825. FOR SIGN INTERPRETIVE SERVICES PLEASE CALL 48 HOURS IN ADVANCE.

**ACTION**

**CONTINUED**

**CASES:**

**BAC-08-060**

**CITY OF FORT WORTH**  
**By LQ Development, LLC (Winkelmann and Associates)**

6830 Cahoba Drive

**7**

Request a **SPECIAL EXCEPTION** in an "A-5" One Family District to permit the construction and operation of a lift station.

**WITHDRAWN**  
**9 - 0**

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**BAC-08-068**

**FORT WORTH MUSEUM OF SCIENCE AND HISTORY**

1501 Montgomery Street

**7**

Request a **VARIANCE** in a "C" Medium Density Multifamily and "A-5" one-family district to permit the continued construction of a museum providing zero (0) parking spaces instead of the required seven hundred four (704) spaces, deficient by seven hundred four (704) spaces.

**APPROVED**

**9 - 0**

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**BAC-08-075**

**VILLAGE AT CAMP BOWIE LLP, by John Andersson**

6323 Camp Bowie Boulevard - #137

**3**

Request a **VARIANCE** in an MU-1 Low Intensity Mixed-Use District to install an illuminated attached sign that overhangs the adjacent occupied lease space by 6 (six) feet whereas the sign is to be erected over the occupied space only of the single tenant.

**APPROVED**

**8-0-1**

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**NEW CASES:**

**BAC-08-050**

**D R HORTON, by Metro Code Analysis**

2004 El Camino Drive

**2**

Request a **VARIANCE** in an "A-5" District to permit the continued use of a construction trailer within three hundred (300) feet of an occupied residence for an additional two years. **STIPULATING ONE YEAR ONLY.**

**APPROVED**

**8-0-1**

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**BAC-08-072R**

**DAVID R BARTLETT, by Joe Barry**  
4101 Camp Bowie Boulevard

**7**

1. Request a **SPECIAL EXCEPTION** in a "PD-209" planned development for all "F" General Commercial uses, with exceptions to permit the construction of a four (4) foot wood fence with masonry columns in the projected front yard, where only four (4) foot open-design is allowed.

**ACTION**

**APPROVED**

**9 - 0**

2. Request a **VARIANCE** in a "PD-209" planned development for all "F" General Commercial uses, with exceptions to permit the construction of a six (6) foot wood fence with masonry columns in the projected front yard, where only four (4) foot open-design is allowed.

**APPROVED**

**9 - 0**

3. Request a **SPECIAL EXCEPTION** in a "PD-209" planned development for all "F" General Commercial uses, with exceptions to permit the construction of a four (4) foot masonry wall with columns in the projected front yard, where only four (4) foot open-design is allowed.

**APPROVED**

**9 - 0**

4. Request a **VARIANCE** in a "PD-209" planned development for all "F" General Commercial uses, with exceptions to permit the construction of a six (6) foot masonry wall with columns in the projected front yard, where only four (4) foot open-design is allowed.

**APPROVED**

**9 - 0**

5. Request a **VARIANCE** in a "PD-209" planned development for all "F" General Commercial uses, with exceptions to permit the continued construction of an outdoor firepit encroaching approximately two (2) feet into the twenty (20) foot projected front yard, creating an eighteen (18) foot projected front yard.

**APPROVED**

**9 - 0**

6. Request a **VARIANCE** in a "PD-209" planned development for all "F" General Commercial uses, with exceptions to permit the continued construction of additions to an existing building encroaching approximately twenty (20) feet into the required thirty-five (35) foot supplemental building setback, creating an approximate fifteen (15) foot supplemental setback.

**APPROVED**

**9 - 0**

**BAC-08-074**

**WATERVIEW ESTATES LP, by Bureau Veritas**  
5800 Grenada Court

**5**

Request a **VARIANCE** in a "PD 518" All Uses in an "A-5" One Family District to permit the use of a model home within three hundred (300) feet of an occupied residence.

**APPROVED**

**9 - 0**

**BAC-08-076**

**Heard on May 7, 2008**

**BAC-08-077**

**TAURUS TWIN MILLS LTD PARTNERSHIP, by North Texas Inspection Service**  
5433 Thornbush Drive

**7**

Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a construction trailer within three hundred (300) feet of an occupied residence. **STIPULATING TWO (2) YEARS.**

**APPROVED**

**9 - 0**

**BAC-08-078**

**VOID**

		ACTION
<b><u>BAC-08-079</u></b>	<b><u>ORVALL HALL EXCAVATING, by Mike Hall</u></b> 3620 and 3760 Lawnwood Street	
<b>8</b>	1. Request a <b>SPECIAL EXCEPTION</b> in a "J" Medium Industrial District to permit the use of non-accessory outside storage. (Blk. 70 R, Lot 1)	<b>FAILED FOR LACK OF SEVEN (7) VOTES 0 - 9</b>
	2. Request a <b>VARIANCE</b> in a "J" Medium Industrial District to permit the construction of an automotive equipment repair shop and conducting repairs adjacent to a residential district boundary. (Blk. 69 R, Lot 1)	<b>FAILED FOR LACK OF SEVEN (7) VOTES 0 - 9</b>
	3. Request a <b>VARIANCE</b> in a "J" Medium Industrial District to permit the construction of an automotive equipment repair shop without providing the required screening fence or evergreen hedge. (Blk. 69 R, Lot 1)	<b>FAILED FOR LACK OF SEVEN (7) VOTES 0 - 9</b>
	4. Request a <b>VARIANCE</b> in a "J" Medium Industrial District to permit the construction of an automotive equipment repair shop with bay doors facing a One or Two-Family District. (Blk. 69 R, Lot 1)	<b>FAILED FOR LACK OF SEVEN (7) VOTES 0 - 9</b>
<b><u>BAC-08-080</u></b>	<b><u>TRI CITY BUILDINGS INC.</u></b> 4225 Glen Abbey Drive	
<b>6</b>	Requesting a <b>VARIANCE</b> in an "A-5" One Family District to permit the use of a model home within three hundred (300) feet of an occupied residence.	<b>APPROVED 9 - 0</b>
<b><u>BAC-08-081</u></b>	<b><u>TEXAS CHRISTIAN UNIVERSITY</u></b> 3070 Wabash Avenue	
<b>9</b>	1. Request a <b>SPECIAL EXCEPTION</b> in a "PD" 497 and "C" Medium Density Multi-Family District to construct a five (5) foot wrought iron fence with masonry columns in the front yard.	<b>APPROVED 8-0-1</b>
	2. Request a <b>VARIANCE</b> in a "PD" 497 and "C" Medium Density Multi-Family District to construct a six foot six inch (6'6") wrought iron fence with six foot eleven inch (6'11") masonry columns in the front yard.	<b>APPROVED 8-0-1</b>
<b><u>BAC-08-082</u></b>	<b><u>WELLS FRAMING CONTRACTORS, dba Pyramid Homes, by Mel Lacquement</u></b> 9417 Michael Drive	
<b>8</b>	Request a <b>VARIANCE</b> in a "CR" Low Density Multi-Family District to permit the continued construction of an apartment complex providing approximately fifty four percent (54%) open space instead of the required sixty percent (60%), deficient by approximately six percent (6%).	<b>APPROVED 9 - 0</b>

**BAC-08-083**

**TXU ELECTRIC COMPANY, by Zone Systems (Peter Kavanagh)**  
1078 (1096) S Erie Street

**5**

1. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a new equipment shelter on unplatted land.

**ACTION**

**APPROVED**

**9 - 0**

2. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a new equipment shelter, without providing the required one (1) parking space.

**APPROVED**

**9 - 0**

3. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a new equipment shelter without providing the required landscaping.

**APPROVED**

**9 - 0**

**BAC-08-084**

**TXU ELECTRIC COMPANY, by Zone Systems (Peter Kavanagh)**  
6220 (6293) Boca Raton Boulevard

**4**

1. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a new equipment shelter on unplatted land.

**APPROVED**

**9 - 0**

2. Request a **VARIANCE** in a "A-5" One-Family District to permit the construction of a new equipment shelter, without providing the required one (1) parking space.

**APPROVED**

**9 - 0**

3. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a new equipment shelter without providing the required landscaping.

**APPROVED**

**9 - 0**

**BAC-08-085**

**TXU ELECTRIC COMPANY, by Zone Systems (Peter Kavanagh)**  
5195 Bryant Irvin Road

**3**

1. Request a **VARIANCE** in a "C" Medium Density Multi-Family District to permit the construction of a new equipment shelter on unplatted land.

**APPROVED**

**9 - 0**

2. Request a **VARIANCE** in a "C" Medium Density Multi-Family District to permit the construction of a new equipment shelter, without providing the required one (1) parking space.

**APPROVED**

**9 - 0**

3. Request a **VARIANCE** in a "C" Medium Density Multi-Family District to permit the construction of a new equipment shelter without providing the required landscaping.

**APPROVED**

**9 - 0**

**BAC-08-086**

**TXU ELECTRIC COMPANY, by Zone Systems (Peter Kavanagh)**  
9496 White Settlement Road

**7**

1. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a new equipment shelter on unplatted land.

**ACTION**  
  
**APPROVED**  

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**9 - 0**

2. Request a **VARIANCE** in a "A-5" One-Family District to permit the construction of a new equipment shelter, without providing the required one (1) parking space.

**APPROVED**  

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**9 - 0**

3. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a new equipment shelter without providing the required landscaping.

**APPROVED**  

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**9 - 0**

**BAC-08-087**

**TXU ELECTRIC COMPANY, by Zone Systems (Peter Kavanagh)**  
3596 Valley Vista Drive (10501 Tube Drive)

**5**

1. Request a **VARIANCE** in a "J" Medium Industrial District to permit the construction of a new equipment shelter, without providing the required one (1) parking space.

**APPROVED**  

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**9 - 0**

2. Request a **VARIANCE** in a "J" Medium Industrial District to permit the construction of a new equipment shelter without providing the required landscaping.

**APPROVED**  

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**9 - 0**

**BAC-08-088**

**MUZNA MANAGEMENT, INC., by Master Signs**  
4100 Reggis Court

**5**

1. Requesting a **VARIANCE** in a "J" Medium Industrial District to permit installation of an illuminated monument sign approximately two hundred twenty six (226) square feet, instead of the maximum allowed one hundred twenty (120) square feet, excessive by approximately one hundred six (106) square feet.

**APPROVED**  

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**9 - 0**

2. Requesting a **VARIANCE** in a "J" Medium Industrial District to permit installation of an illuminated monument sign approximately fifty (50) feet in height, instead of the maximum allowed eight (8) feet, excessive by approximately forty-two (42) feet.

**APPROVED**  

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**9 - 0**

3. Requesting a **VARIANCE** in a "J" Medium Industrial District to permit installation of an illuminated monument sign having zero (0) percent materials similar to the building whereas it is required to have twenty-five (25) percent materials similar to the building in the sign face area.

**APPROVED**  

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**9 - 0**

4. Requesting a **VARIANCE** in a "J" Medium Industrial District to permit installation of an illuminated monument sign having twenty-five (25) percent contact with the ground instead of the required seventy-five (75) percent.

**APPROVED**  

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**9 - 0**

**BAC-08-089**

**MARGAUX ALTAMESA PARTNERS, by Winkelmann & Assoc. (Michael Clark)**  
3540 Altamesa Boulevard

**6**

Request a "**SPECIAL EXCEPTION**" in an "F" General Commercial District to permit the construction of a Car Wash Facility.

**APPROVED**  

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**9 - 0**

		ACTION
<b><u>BAC-08-090</u></b>	<b><u>DAVID M AND MARILYN LEWIS</u></b> 5220 Locke Ave.	
<b>7</b>	Request a <b>SPECIAL EXCEPTION</b> in a "PD 494" Planned Development / Specific Use / Highly Significant Endangered for all uses in "ER" Neighborhood Commercial Restricted plus indoor and outdoor receptions, to permit the continued use of a Bed and Breakfast Inn for an additional five (5) years.	<b>APPROVED</b> <hr/> 9 - 0
<b><u>BAC-08-091</u></b>	<b><u>EAGLE MOUNTAIN-SAGINAW ISD, by Willow Creek Signs (David Flory)</u></b> 6020 Ten Mile Bridge Road	
<b>7</b>	1. Requesting a <b>VARIANCE</b> in an "A-5" One Family District to permit the construction of an illuminated sign where only unilluminated is permitted. <b>STIPULATING ILLUMINATION ONLY FROM 6:30 AM TO 10:00 PM.</b>	<b>APPROVED</b> <hr/> 9 - 0
	2. Requesting a <b>VARIANCE</b> in an "A-5" One Family District to permit the installation of a sign approximately ninety-five (95) square feet instead of the maximum allowed thirty (30) square feet, excessive by approximately sixty-five (65) square feet.	<b>APPROVED</b> <hr/> 9 - 0
	3. Requesting a <b>VARIANCE</b> in an "A-5" One Family District for the installation of a sign, approximately nine feet six inches (9'6") in height, instead of the maximum allowed six (6) feet, excessive by approximately three feet six inches (3'6").	<b>APPROVED</b> <hr/> 9 - 0
<b><u>BAC-08-092</u></b>	<b><u>KELLER ISD, by Teague Nall And Perkins Inc.</u></b> 12350 Timberland Boulevard (3201 High School Drive)	
<b>2</b>	1. Requesting a <b>VARIANCE</b> in a "CF" Community Facilities District to permit the continued construction of a high school without providing the required screening fence where adjacent to a residential district.	<b>CONTINUED TO JULY 2, 2008 HEARING</b> <hr/> 9 - 0
	2. Requesting a <b>VARIANCE</b> in a "CF" Community Facilities District to permit the continued construction of a high school without providing the required landscaping.	<b>CONTINUED TO JULY 2, 2008 HEARING</b> <hr/> 9 - 0
<b>ADJOURNMENT</b>		<hr/> 2:55 PM