



BOARD OF ADJUSTMENT AGENDA
REGULAR MEETING | MARCH 12, 2026 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

I. CALL TO ORDER

- A. ROLL CALL

II. REGULAR SESSION

- A. SWEARING IN OF SPEAKERS
- B. ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION
1. Approval of the minutes from the October 27, 2025 Regular Meeting.

III. PUBLIC HEARING

- A. **BOA CASE #26-02** to receive comments and consider action on a request to renew a SPECIAL EXCEPTION USE OF VEHICLE REPAIR, MINOR as required by Table 6.2 of the Unified Development Code and conditions attached thereto for the property located at 6317 Wildcat Way, Parcel 06187687 N C S SUBDIVISION, Block 1, Lot 1A, of the City of Kennedale, Tarrant County, Texas, 76060.

IV. ADJOURNMENT



Tina Cox,
Deputy City Secretary

CERTIFICATION: I DO HEREBY CERTIFY THAT THE MARCH 12, 2026 BOARD OF ADJUSTMENT AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), IN A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES; AND THAT SAID AGENDA WAS POSTED AT LEAST THREE (3) DAYS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), THE CITY OF KENNEDALE WILL PROVIDE FOR REASONABLE ACCOMMODATIONS FOR PERSONS ATTENDING MEETINGS. THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR SIGN INTERPRETER SERVICES MUST BE MADE FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING BY CALLING 817-985-2104 OR (TTY) 1-800-735-2989.

A QUORUM OF THE KENNEDALE EDC, THE KENNEDALE PLANNING AND ZONING COMMISSION, KEEP KENNEDALE BEAUTIFUL COMMISSION, PARKS AND RECREATION BOARD, MAY BE PRESENT. NO ACTION WILL BE TAKEN BY THE ABOVE-LISTED BOARDS.

MEETING DATE: MARCH 12, 2026

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM II.B.

SUBJECT
ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 12, 2026

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM II.B.1.

SUBJECT

Approval of the minutes from the October 27, 2025 Regular Meeting.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	2025.10.27 - BOA Meeting Minutes	2025.10.27 - BOA Meeting Minutes.docx
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**BOARD OF ADJUSTMENT
REGULAR MEETING | OCTOBER 27, 2025 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPALS DRIVE, KENNEDALE, TX 76060**

MEETING MINUTES

I. CALL TO ORDER

Board Chair Kelli Rod called the meeting to order at 5:44 PM after a slight delay.

A. ROLL CALL

Board Chair Kelli Rod, Vice Chair Pat Vader, Place 2 Kelly Turner, Place 1 Tiffany Murokozi were in attendance, thus constituting a quorum.

Place 4 Amanda Hollins was absent.

City Manager, Darrell Hull and Board Secretary, Tina Cox, were also present.

II. REGULAR SESSION

A. SWEARING IN OF SPEAKERS

B. ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

1. Approval of the minutes from the April 10, 2025 Building Board of Appeals Regular Meeting.

MOTION by Place 2 Turner, second by Vice-Chair Vader to approve meeting minutes.

Vote: The motion carried unanimously: 4-0

2. Approval of the minutes from the April 10, 2025 Board of Adjustment Regular Meeting.

MOTION by Place 2 Turner, second by Vice-Chair Vader to approve meeting minutes.

Vote: The motion carried unanimously: 4-0

III. PUBLIC HEARING

1. **BOA CASE #25-10** Conduct a public hearing and act upon a request for variances to reduce the minimum rear yard setback from 20 feet to 5 feet, and the minimum side yard setback of 50 feet when adjacent to a residential district to 5 feet, as required by Table 6.3 of the Unified Development Code, at 600 W Kennedale Parkway, Woodlea Acres Addition, Block 1, Lot 8 of the City of Kennedale, Tarrant County, Texas, 76060.

Chair Rod opened the public hearing at 5:46 PM.

No one spoke for or against the variance request.

Chair Rod closed the public hearing at 5:46 PM.

City Manager Darrell Hull presented the case to the Board of Adjustment Members:

The Economic Development Corporation owns the property and is seeking the setbacks in order for the property to be used as a drive-thru restaurant/coffee shop. The EDC has a 380 Agreement in place with a developer to build a total of three 5,000 square foot commercial buildings.

Mr. Hull continued by directing the member's attention to a proposed concept plan that was included in their packets. He shared with the Board Members that the developer has two letters of intent for the buildings and the 380 Agreement allows for each building to be built in stages with 18 months being the length of time allotted for the completion of each structure. Mr. Hull estimates that project will be completed within six years.

City Manager, Hull, concluded his brief by stating that the variance requests will allow a drive-thru restaurant that is required by the 380 Agreement to be built.

Board members Rod, Turner and Vader had questions regarding the adequacy of fire access and parking requirements. Mr. Hull stated that the proposed development meets the zoning requirements for parking as well as fire lane access. Member Murokozi asked if there were any negative comments or concerns from the neighbors. Mr. Hull replied that the neighbors had not communicated their approval nor displeasure regarding the variance requests.

MOTION by Place 1 Murokozi, second by Place 2 Turner to approve BOA Case #25-10 for variances to reduce the minimum rear yard setback from 20 feet to 5 feet, and the minimum side yard setback of 50 feet when adjacent to a residential district to 5 feet, as required by Table 6.3 of the Unified Development Code, at 600 W Kennedale Parkway, Woodlea Acres Addition, Block 1, Lot 8 of the City of Kennedale, Tarrant County, Texas, 76060.

Vote: The motion carried 3-1 with Vice-Chair Vader casting a nay vote.

III. ADJOURNMENT

MOTION by Vice-Chair Vader, second by Place 2 Turner to adjourn.

With there being no further business, Chairperson Rod adjourned the meeting at 6:06 PM.

APPROVED:

ATTEST:

BOARD OF ADJUSTMENT CHAIR

BOARD SECRETARY



**STAFF REPORT
TO THE BOARD OF ADJUSTMENT**

MEETING DATE: MARCH 12, 2026

AGENDA ITEM NUMBER: IIIA

SUBJECT

BOA CASE #26-02 TO RECEIVE COMMENTS AND CONSIDER ACTION ON A REQUEST TO RENEW A SPECIAL EXCEPTION USE OF VEHICLE REPAIR, MINOR AS REQUIRED BY TABLE 6.2 OF THE UNIFIED DEVELOPMENT CODE AND CONDITIONS ATTACHED THERETO FOR THE PROPERTY LOCATED AT 6317 WILDCAT WAY, PARCEL 06189687 NCS SUBDIVISION, BLOCK 1, LOT 1A, OF THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS.

ORIGINATED BY Edward McRoy

AREA SUMMARY

Current Zoning	Proposed Action g	Comprehensive Plan Designation
C-1	Special Exception	General Commercial

Nearby Zoning/Use			
North	C1	East	C1
South	MF	West	C1

BACKGROUND / ANALYSIS / REVIEW

This is a request to extend a Special Exception for Vehicle Repair Minor previously approved on February 14, 2023. This was the site of a car wash that was converted to automotive service use. The Board limited the Special Exception to a three (3) year term. That term has now expired.

This type of business involves things like oil changes, battery, tire and window replacement, air conditioning and radiator service, brakes and shocks, muffler service, installation of audio and vehicle accessories and similar services. These types of activities typically involve short service times and vehicles which are drivable or which can be made so with relative ease.

A variety of uses, including several retail and service uses, are allowed within the C-1 District. This specific use requires a Special Exception because such businesses may have negative impacts when located in proximity to certain other uses or if various operations or situations are present. Another factor the Board may consider is the benefit a particular type of business, use, or activity may bring to the community vs. alternatives. Some operations have value due to the provision of

desired or needed services in the community, due to the generation of economic benefit to the community, or even due to unique historical, cultural, artistic, or promotional values they bring.

The site is located within visual distance of a significant thoroughfare and is surrounded by a big-box retail store, other smaller retail and auto service businesses, and a series of multi-family apartments units. This type of business in general is typically considered compatible with the development pattern seen in this area.

Available records indicate since the approval of the Special Exception there have been a total of 14 disturbance calls that the Kennedale Police Department has responded to at this site. Most of these appear to be related to disputes between customers alleging improper or poor service or incidents involving allegations of customers driving off without paying for services. In one instance on 02/19/2025, a dumpster was found to be on fire at the site. Anecdotal reports indicate the site has had occasional instances of high grass and weed violations. Staff could not find records of citations issued for such situations. It is assumed all such instances were resolved through voluntary compliance by the operator.

STANDARDS FOR GRANTING A SPECIAL EXCEPTION

- 1) The Board Should find that the establishment, maintenance, or operation of the use will not be materially detrimental to or endanger the public health, safety, morals, or general welfare.**

Staff have no objection to the request based on this standard.

- 2) The Board must find that the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the use.**

The proposed use in the abstract is generally considered compatible with other uses in this area and consistent with the adopted Future Land Use Plan. It appears complaints received about this business have not been from adjacent property owners or operators alleging damages from this operation. Most complaints identified relate to civil disputes with customers.

- 3) The Board must find that the establishment of the use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

The area is mostly already developed except for one small pad site directly to the east. That said, the upkeep of drives, parking, landscaping and physical maintenance of buildings and their visual character can affect nearby sites and the attractiveness of the area for new and continued investment.

- 4) The Board must find that adequate utilities, access roads, drainage, and other necessary site improvements have been or are being provided.**

This property appears to be serviced by adequate public services and improvements.

- 5) The Board must find that adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.**

Ingress and or egress appears adequate with certain conditions relating to overnight parking being put into effect.

- 6) The Board must find that the use shall conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located.

The proposed use will comply with established standards; Staff has included recommended conditions below.

OPTIONS

- 1) Approve as requested without conditions (not time limit or additional requirements)
- 2) Approve with conditions
- 3) Deny
- 4) Postpone

RECOMMENDATIONS.

If the Board finds all six (6) of the standards above are satisfied or could be with conditions, Staff does not object. The following conditions of approval are recommended:

- 1) All automotive work to be conducted inside the building in service bays.
- 2) All outdoor storage to comply with Section 11.25 of the UDC.
- 3) Parking areas, striping, fire lanes, handicapped spaces, and signage to be maintained in a good state of repair and clearly marked at all times.
- 4) Overnight outside parking of vehicles under repair or waiting pick up by customers to be limited to spaces to the rear or side of the site or no more than 75% of available spaces maximum.

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
42572	IPL0317159	Legal Ad - IPL0317159	BOA 26-02	1.0	36.0L

ATTENTION: CITY OF KENNEDALE IP
 405 MUNICIPAL DR
 KENNEDALE, TX 76060-2249
 citysecretary@cityofkennedale.com;bdahl@cityofkennedale.com;tcoc@cityofkennedale.com

CITY OF KENNEDALE NOTICE OF PUBLIC HEARING

The Kennedale Board of Adjustment will hold a public hearing for the following case on Thursday, March 12, 2026 at 5:30 PM in the City Council Chambers, located at 405 Municipal Drive, Kennedale, Tarrant County, Texas 76060.

BOA CASE #26-02 TO RECEIVE COMMENTS AND CONSIDER ACTION ON A REQUEST TO RENEW A SPECIAL EXCEPTION USE OF VEHICLE REPAIR, MINOR AS REQUIRED BY TABLE 6.2 OF THE UNIFIED DEVELOPMENT CODE AND CONDITIONS ATTACHED THERETO FOR THE PROPERTY LOCATED AT 6317 WILDCAT WAY, NCS SUBDIVISION, BLOCK 1, LOT 1A, OF THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS.

Interested persons are encouraged to attend the public hearings to offer public comments or provide written comments prior to the meeting to the Community Development, 405 Municipal Drive, Kennedale, TX, 76060. For more information, please call (817) 985-2135.
 IPL0317159
 Feb 25 2026

THE STATE OF TEXAS
 COUNTY OF TARRANT

Before me, a Notary Public in and for said County and State, this day personally appeared the undersigned, Bid and Legal Coordinator for the Star-Telegram, published by the Star-Telegram, Inc. at Fort Worth, in Tarrant County, Texas; and who, after being duly sworn, did depose and say that the attached clipping of an advertisement was published in the above named paper on the listed dates. The Fort Worth Star-Telegram is generally circulated in Tarrant County.

1.0 insertion(s) published on:
 02/25/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



Julie Ambry

Russ Cage Davis



Sworn to and subscribed before me on

Feb 25, 2026, 10:50 AM EST



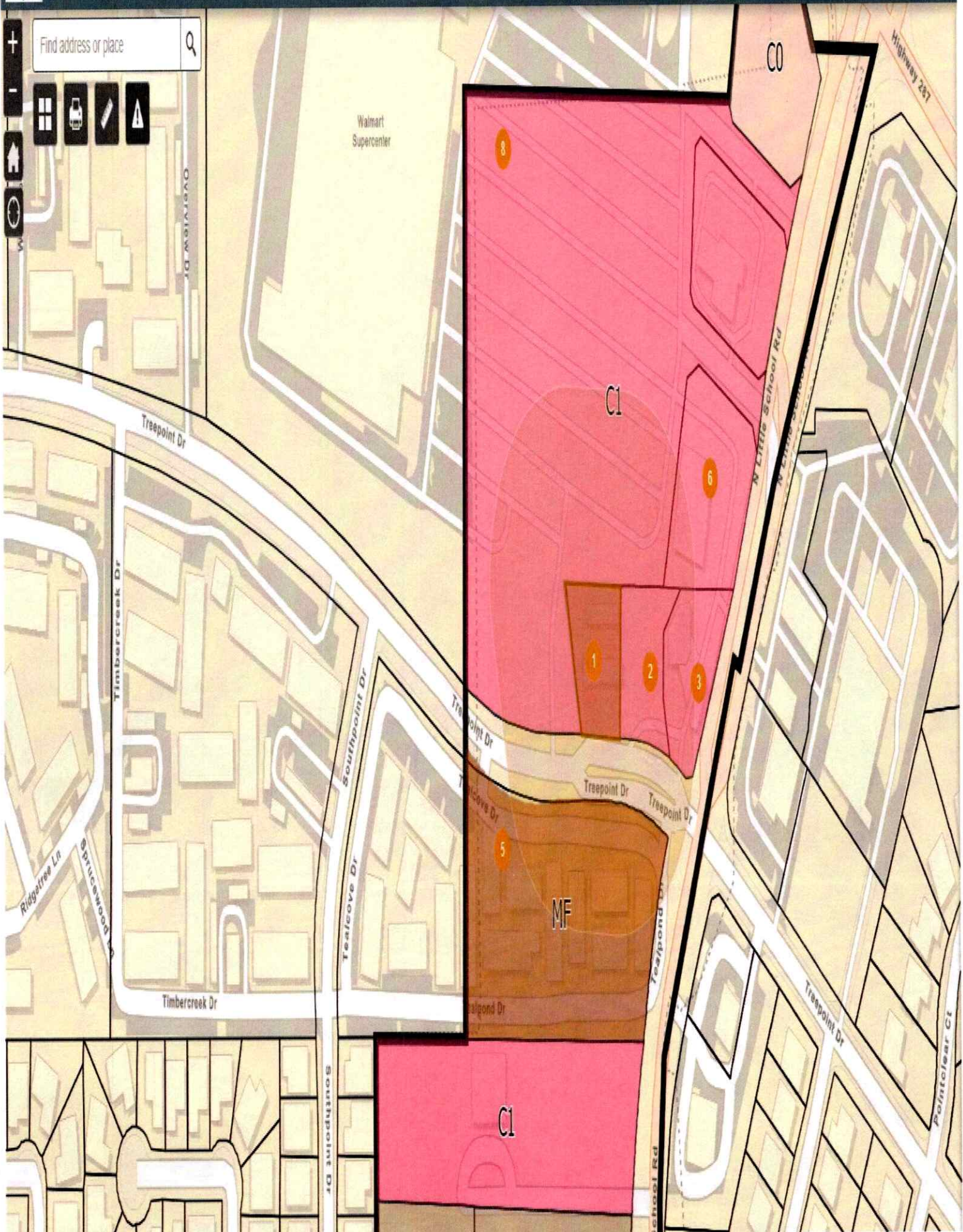
Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX®

**CITY OF KENNEDALE
NOTICE OF PUBLIC HEARING**

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IPL0317159
Feb 25 2026



displayname

KHAZEM INVESTMENTS INC

SKIPPER BEVERAGE CO INC

DMIS LLC

TEALCOVE DRIVE LLC

TEALCOVE DRIVE LLC

GALARUS LLC

WAL MART REAL ESTATE BUS TRUST

WAL MART REAL ESTATE BUS TRUST

ADDRESS

11442 CORSICANA DR

PO BOX 52085 DC-17

1201 N LITTLE SCHOOL RD

PO BOX 81

PO BOX 81

667 SENDA

PO BOX 8050 MAIL STOP 0555

PO BOX 8050 MAIL STOP 0555

CITY	STATE	ZIP CODE	situsaddress
FRISCO	TX	75035	6317 WILDCAT WAY
PHOENIX	AZ	85072	1201 N LITTLE SCHOOL
KENNEDALE	TX	76060	1201 N LITTLE SCHOOL
GLENBROOK	NV	89413	6400 TEALCOVE DR
GLENBROOK	NV	89413	6400 TEALCOVE DR
IRVING	TX	75039	4970 US HWY 287
BENTONVILLE	AR	72712	
BENTONVILLE	AR	72712	

KHAZEM INVESTMENTS INC
11442 CORSICANA DR
FRISCO, TX 75035

SKIPPER BEVERAGE CO INC
PO BOX 52085 DC-17
PHOENIX, AZ 85072

DMIS LLC
1201 N LITTLE SCHOOL RD
KENNEDEALE, TX 76060

TEALCOVE DRIVE LLC
PO BOX 81
GLENBROOK, NV 89413

GALARUS LLC
667 SENDA
IRVING, TX 75039

WAL MART REAL ESTATE BUS TRUST
PO BOX 8050 MAIL STOP 0555
BENTONVILLE, AR 72712

CITY OF KENNEDALE
405 MUNICIPAL DR
KENNEDEALE, TX 76060



NOTICE OF PUBLIC HEARING BOARD OF ADJUSTMENT

February 24, 2025

The Kennedale Board of Adjustment will hold a public hearing for the following case on Thursday, March 12, 2026 at 5:30 P.M. in the City Council Chambers, located at 405 Municipal Drive, Kennedale, Tarrant County, Texas 76060:

BOA CASE #26-02 TO RECEIVE COMMENTS AND CONSIDER ACTION ON A REQUEST TO RENEW A SPECIAL EXCEPTION USE OF VEHICLE REPAIR, MINOR AS REQUIRED BY TABLE 6.2 OF THE UNIFIED DEVELOPMENT CODE AND CONDITIONS ATTACHED THERETO FOR THE PROPERTY LOCATED AT 6317 WILDCAT WAY, PARCEL 06189687 NCS SUBDIVISION, BLOCK 1, LOT 1A, OF THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS.

We are sending notifications to those who own property(ies) within 200 feet of the request in case they wish to attend the public hearings or provide written comments. You are not required to attend the public hearing, but if you choose to attend, you will have the opportunity to speak either in favor of or against the request. Written comments may be provided prior to the meeting to the Community Development Department, 405 Municipal Drive, Kennedale, TX 76060. If you would like more information about the case or the public hearing process, please contact Community Development Director Edward McRoy at 817-985-2135 or email at emcroy@cityofkennedale.com.

The agenda will be posted at least three business days before the meeting at www.cityofkennedale.com/agendas.

Regards,

Edward McRoy
Community Development
Director City of Kennedale
emcroy@cityofkennedale.com
[m \(817\)985-2135](tel:8179852135)

#26-000051 - BOA- Special Exception In Review

Project Type: BOA- Special Exception

Department: Permits and Inspections

Applicant: HUSSEIN khazem

Project Manager: Edward McRoy

Overview

Reviews

Inspections

Payments

Documents

Updates

Comments

Contacts

ADDRESS

6317 Wildcat Way, Kennedale, TX USA
76060

Prop ID: 06189687

DESCRIPTION

Renewal of Special Exception

Project Steps

Information Fields

Fees

Credentials 0

Correction Items 0

Terms

Manage Information Fields

Field Name:

Value:

BOA Property Information

Property Address *

6317 wildcat way kennedale TX 76017

Property Legal Description *

N C S SUBDIVISION BLOCK 1 LOT 1A

Special Exemption Use Requested *

ALREADY BEEN APPROVED BY THE CITY OF KENNEDALE AS MINOR AUTO REPAIRS.

Property Owner Information

Owners Name *

Khazem H investments

Address *

11442 corsicana dr



3/4/2026, 1:00:06 PM

Zoning (View)

C0 - Retail Commercial

C1 - Restricted Commercial District

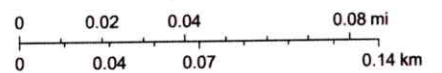
MF - Multi-Family District

UV - Urban Village District

City Limits

TAD Parcels

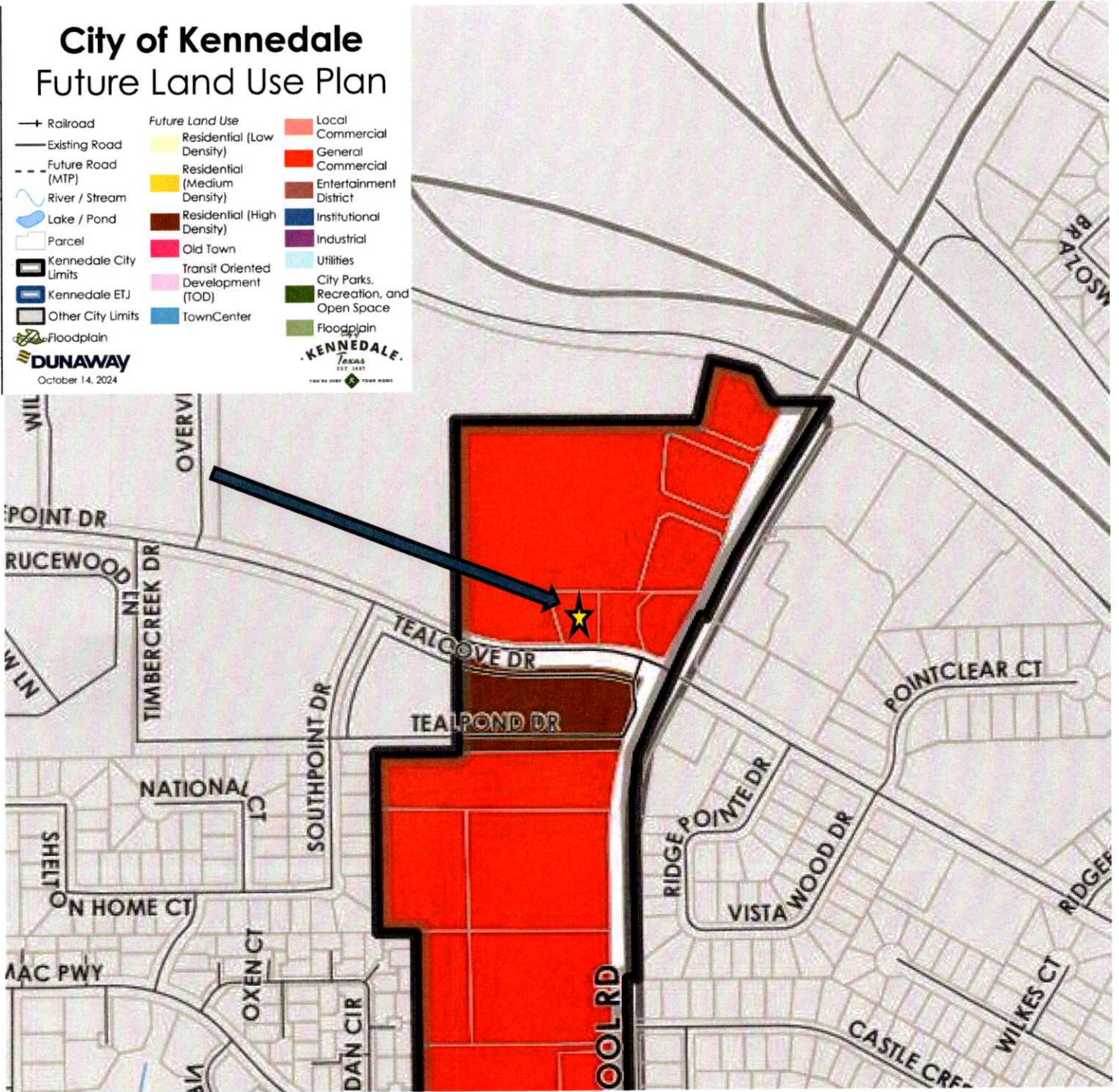
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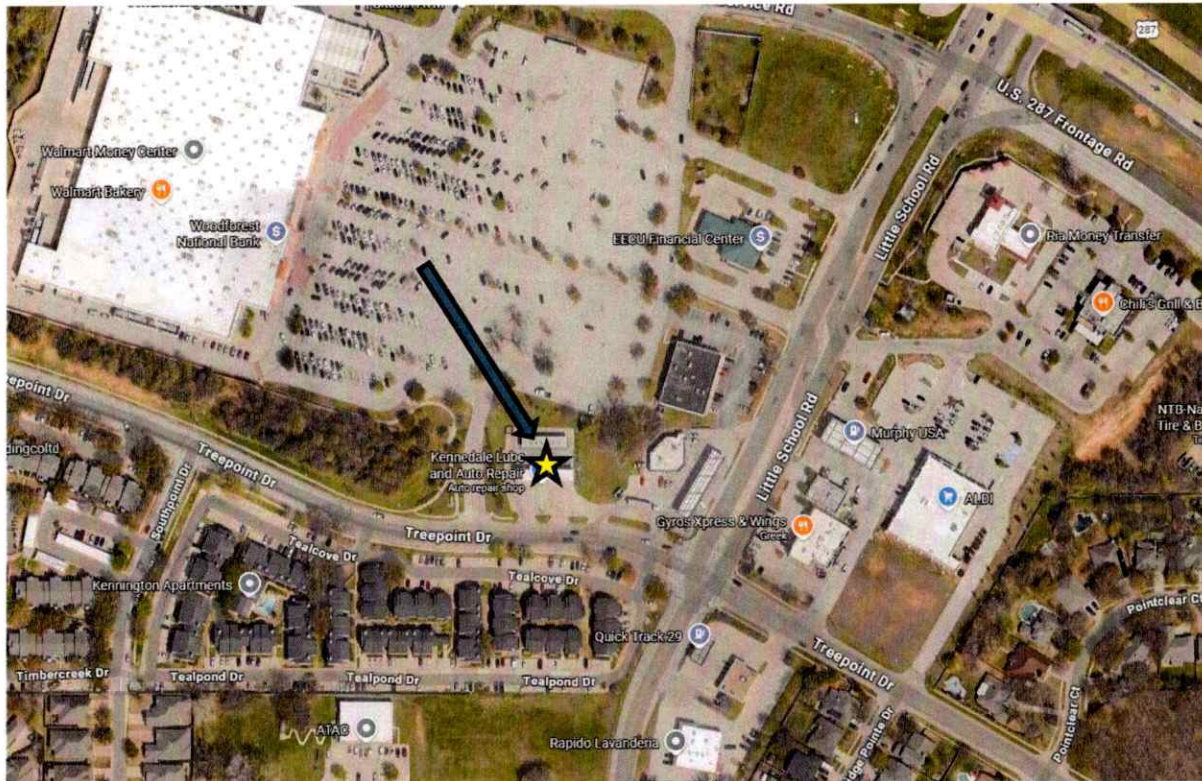
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Microsoft, Vantor

Future Land Use Plan

City of Kennedale Future Land Use Plan



Location and Property View





Permit Number

BOARD OF ADJUSTMENT · SPECIAL EXCEPTION

Required Attachments

Please review the following requirements. Your application **will not be accepted** if any of the below items are missing or incomplete. Please submit your completed application to the Planning and Permits Department in person or via email at permits@cityofkennedale.com.

- Two site plans drawn to scale with all structures, fences, dimensions, property lines, etc. and how you propose to use the property.
- A statement to the BOA explaining your request and how your proposed use would meet the six standards for a special exception.
- Owner affidavit form completed if the applicant is not the property owner.
- A \$250 filing fee.
- Any other information that you feel will help explain your request.

Applicant Information

Applicant Name: HUSSEIN KHAZEM

Applicant Address: 11442 CORSICANA DR. FRISCO, TX 75035

Applicant Phone: 469-955-2274 Applicant Email: KHAZEMH@ATT.NET

Property Address: 6317 WILDCATWAY

Property Legal Description: SELF SERVICE CARWASH

Special Exception Use Requested: MINOR AUTO REPAIR

Owner Information (If different than applicant)

Owner Name: Same

Owner Address: _____

Owner Phone: _____ Owner Email: _____

Special Exception Request

Please provide a statement explaining your request and how your proposed use will meet the following six standards:

1. Will the establishment, maintenance, or operation of the use you are requesting be materially detrimental to or endanger the public health, safety, morals, or general welfare?
2. Will the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the use for which you are requesting a special exception?
3. Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?
4. Have adequate utilities, access roads, drainage, and other necessary site improvements been (or will be) provided? (If adequate improvements are not already in place, you must demonstrate what improvements you will make and how/when).
5. Have adequate measures been taken or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets?
6. Does the use conform to all applicable area, yard, height, lot coverage, building size, exterior requirements, and parking space regulations of the district in which it is located?

Special Exception Checklist

Has a previous application or appeal been filed on this property? Yes No

If yes, when was the application or appeal filed? _____

Has a special exception for the same use been granted for this property? Yes No

If this request of for oil or gas well drilling, how many wells are requested? _____

New Construction Addition Remodel

Site Improvements

Adequate water service in place? Yes No Size of water line available: _____

Adequate sewer service in place? Yes No Size of sewer line available: _____

Adequate drainage facilities in place? Yes No Describe: _____

Adequate access roads in place? Yes No Describe: _____

Other necessary site improvements: _____

Ingress and Egress

Drive approach width is adequate? Yes No

Drive/parking are sufficient to prevent/minimize stacking/congestion in public streets? Yes No

Number of parking spaces provided: 8

Applicant Agreement

By signing below, I acknowledge that I have read and completed all applicable requirements. I understand that if I have submitted an incomplete or false application, my application may be rejected and that the fee is nonrefundable.

Signature of Applicant:  Date: 1/10/2023

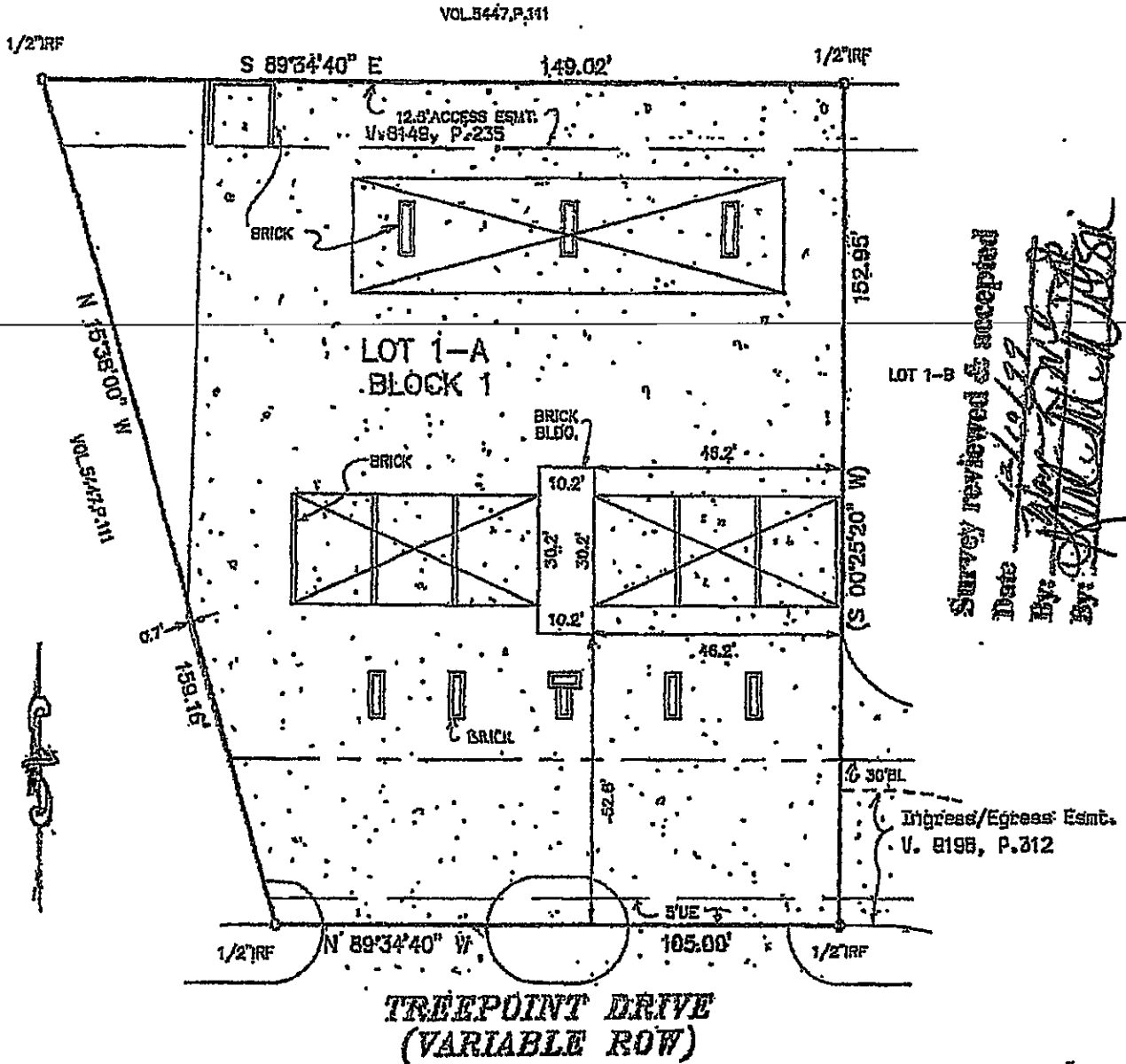
LEGEND OF ABBREVIATIONS AND SYMBOLS

B.C. = Brick Column
 B.D.S.F. = Bois D'Ara stake found
 BLDG. = Structure with a Permanent Foundation
 B.L. = Building Line
 D.E. = Drainage Easement
 D/W = Driveway
 E.T. = Electric Transformer
 F.P. = Fence Post
 G.R. = Gravel
 I.P.F. = Iron Pipe Found

I.R.F. = Iron Rod Found
 I.R.S. = Iron Rod Set
 L.S.T. = Landscape Timber
 M.E. = Maintenance Easement
 P.A.E. = Public Access Easement
 P.O.B. = Point of Beginning
 R.O.W. = Right of Way
 R.W. = Retaining Wall
 S.E. = Sewer Easement
 S/W = Sidewalk
 U.E. = Utility Easement

U.P. = Utility Pole
 W.M. = Water Meter
 W.W. = Wall
 X.T.R.W. = Cross Tie Retaining Wall
 O.H.E.S. = Overhead Electric Service Line
 W.F. = Wood Fence
 W.F. = Wire Fence
 C.H.F. = Chain-link Fence
 G.W.A. = Guy Wire & Anchor

[Symbol] = Concrete
 [Symbol] = Covered porch, Entrance or Deck
 [Symbol] = Wood Deck
 [Symbol] = Brick
 () = Record Data



Survey reviewed & accepted
 Date: 12/16/97
 By: [Signature]
 By: [Signature]

Deeds recorded in Volume 9186, Page 312, Volume 9394, Page 1418 and Volume 9394, Page 1422, DRCT, refer to easements recorded in Volume 8149, Page 235, Volume 8313, Page 338 and Volume 4328, Page 32, DRCT, and to the easements as shown on plat recorded in Volume 388-211, Page 25, PRCT, all of which are addressed on this survey.

Easements recorded in Volume 8313, Page 338 and Volume 4328, Page 32, DRCT, have no effect on this plat.
SAFEbuilt.
 Reviewed for Compliance by: Andrea Pios
 Date: 11/17/2022

Drawer: Wilson
 Address: 6317 Treepoint Drive
 O.P. No.:
 Job No.: 911fg01

This lot is shown as being located in Zone X by Flood Insurance Rate Map No. 48439C0437H, dated 8-2-95. It is not shown as being in a Special Flood Hazard Area Inundated by 100-Year Flood.

To whom it may concern,

My name is Hussein Khazem, and I am the new owner of the property 6317 Wildcat Way. The previous owner of the property made an agreement with me to purchase the property with the condition of the city allowing me to change the use to minor auto repair.

While proceeding with this process I went to City Hall with the previous owner's broker. I have spoken to a gentleman named James Cowey who was in charge of the planning department, he said that the property can be changed into a minor auto repair. Mr. Cowey then told me what documents were needed to proceed with the minor auto repair permit, I took his advice and obtained all the necessary documents that Mr. Cowey requested. The following week after meeting with Mr. Cowey I have submitted all the documents to him in person to proceed with the application, he advised that we are to change the drawing. After taking his advice, I changed the minor details in the drawing and went back down to City Hall to show him the changes per his request. Ms. Betty at the front desk explained that Mr. Cowey was in a meeting and could not review or meet with me. Mr. Cowey explained to leave the drawing with Ms. Betty and he will review when he is finished with the meeting. After 3 to 4 days of waiting, I decided to contact Mr. Cowey myself to get an update and I was not able to reach him. I am wanting to make sure everything is going smoothly so I went back down to City Hall again, just to find out he no longer works with the city anymore.

A kind woman named Andrea Rios told me she is going to be helping with the permit process temporarily. I handed her all the documents so she can review and make sure everything is up to date. After Ms. Rios reviewed, she says we are all set to proceed forward and she will submit the documents to a third party for approval. After waiting, the third party approved the documents, and I received by email the permit from the city and the approval of the plan has been stamped.

After receiving the permit for the property, I have finalized the purchase of 6317 Wildcat Way and taken out the necessary loans to complete the purchase. There is also a permit number from the city, 412. We started moving forward to convert the property to a minor auto repair according to the plan. In the middle of the process, we find out from Mr. Nathan Gonzales that I would need to file for a special use permit. This has never been brought to my attention throughout this entire timely consuming process.

I am now filing for the special use permit in order for me to apply for a Certificate of Occupancy. Any changes that need to be made with this property will be according to the City Code and will be done in a professional manner. I would love your cooperation and attentiveness towards this situation.

Thank you,

Hussein Khazem



Date: February 14, 2023
Agenda Item No: REGULAR ITEMS (1)

I. SUBJECT

CASE # BOA 23-01 to receive comments and consider action on a request for a Special Exception Use by Hussein Khazem, for the special exception use of *Vehicle repair, minor* by Section 6.2 of the Unified Development Code for 6317 Wildcat Way, NCS Subdivision, Block 1, Lot 1A, City of Kennedale, Tarrant County, Texas.

II. SUMMARY

BACKGROUND AND OVERVIEW	
Request	Special exception use to allow <i>Vehicle repair, minor</i> in C1 zoning
Applicant	Hussein Khazem
Location	6317 Wildcat Way, Kennedale, TX 76060
Surrounding Uses	Retail, Multi-family, Gas Stations, Banking
Surrounding Zoning	C1, MF
Future Land Use Plan Designation	Urban Village
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

At this location is an existing self-service car wash which has been recently purchased by the applicant. Prior to his purchase of the property, Mr. Khazem met with staff to inquire if he could convert the car wash into a quick-service automotive facility and was told he could. Mr. Khazem purchased the property and submitted a building permit for minor remodel of the existing office, garage bays, and restroom in October of 2022. The building permit was reviewed by a third-party inspection firm, approved, and issued by staff. It was later determined his proposed use will require a *Special Exception* granted by BOA prior to any approval of a *Certificate of Occupancy*.

SURROUNDING PROPERTIES & NEIGHBORHOOD

To the north of this property is Wal-Mart. To the east are small strip center buildings which offer take-out food options, as well as two gas stations. To the south is a multi-family apartment complex.

The Future Land Use Plan envisions this region of the city to be an Urban Village. The City of Kennedale's adopted Comprehensive Plan identifies these urban villages to act as gateways of the community. Compatible development offerings include apartments, multi-tenant offices, retail, restaurants, as well as service establishments.

STANDARDS FOR GRANTING A SPECIAL EXCEPTION

No application for a special exception shall be granted by the Board of Adjustment unless the board finds all of the conditions described below are present:

STANDARD 1

The board must find that the establishment, maintenance or operation of the use will not be materially detrimental to or endanger the public health, safety, morals or general welfare.

Staff does not believe this use will be materially detrimental to or endanger the public health, safety, morals or general welfare. In its previous condition as a self-service car wash, this location received numerous calls for service from the police department to address complaints, disturbances, and a variety of other activity detrimental to the public welfare.

STANDARD 2

The board must find that the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the use.

EXISTING AND PERMITTED USES IN THE VICINITY OF THIS LOCATION

This use is compatible with the uses in the area and is consistent with the adopted Comprehensive Plan and Future Land Use Plan which includes service establishments as part of the desired uses. This new business will establish set business hours, limiting approved access at the location, improving site conditions when compared to its previous self-service car wash use.

The building itself will receive updates and repairs to its office, restroom, service bays, underground plumbing, and exterior facade.

STANDARD 3

The board must find that the establishment of the use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Staff believes this is a positive example of redevelopment for Kennedale, enhancing service offerings in this region of the community.

STANDARD 4

The board must find that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.

The property is served by all necessary site improvements. Additionally, the applicant will be replacing the existing sand interceptor for a new oil separator to support his proposed use, improving utility usage and water treatment.

STANDARD 5

The board must find that adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

Staff does not foresee any issues with ingress, egress, or increases in traffic congestion as a result of the proposed use.

STANDARD 6

The board must find that the use shall conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located.

The proposed use will comply to all district regulations. Staff recommends the conditions listed below be approved as part of the special exception.

STAFF RECOMMENDATION

The purpose of a special exception for this use of *Vehicle repair, minor* in C1 zoning is to ensure that the use along with any special exception conditions is compatible with surrounding uses and does not impede development allowed in C1 zoning. Staff recommends approval of the special exception with the following conditions:

- All automotive work must be done only within a service bay.
- Outdoor storage must comply with the provisions of Section 11.25 of the Unified Development Code.
- The parking lot striping and spaces must comply with the Unified Development Code.

ACTION BY THE BOARD OF ADJUSTMENT

The board may grant or deny the request or postpone its vote until a later date. If you postpone your decision, you should state in your motion when the case will be heard by the board again. Sample motions are provided for your reference below. You are not required to use either of the motions provided, but your motion should state why you are granting or denying the request.

Approve: Based on the evidence and testimony provided, I find that the proposed request meets the standards for granting a special exception listed in the staff report and satisfies the General Applicable Review Criteria in the Unified Development Code, and make a motion to approve case BOA 23-01.

Deny: Based on the evidence and testimony provided, I find that the proposed request does not meet the standards for granting a special exception listed in the staff report and does not satisfy the General Applicable Review Criteria (state which conditions are not met) in the Unified Development Code and make a motion to deny case BOA 23-01.

Approve with Conditions: Based on the evidence and testimony provided, I find that the proposed request meets the standards for granting a special exception listed in the staff report and satisfies the General Applicable Review Criteria in the Unified Development Code and make a motion to approve case BOA 23-01 with the following conditions (state conditions).



KENNEDALE
Board of Adjustment
www.cityofkennedale.com

BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING | FEBRUARY 14, 2023 AT 6:00 PM
CITY COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE , KENNEDALE, TX 76060

I. CALL TO ORDER

Chair Thelma Kobeck called the meeting to order at 6:02 p.m.

A. ROLL CALL

PRESENT: Chair Thelma Kobeck, Place 4; Jessica Buchanan, Place 2; Vice Chair Kelly Rod Place 3; Pat Vader Place 5. **ABSENT:** Azam Shaikh
Staff: *City Manager Darrell Hull, Nathan Gonzales Community Development Director, Rosie Ericson Deputy City Secretary.*

II. REGULAR SESSION

A. SWEARING IN OF SPEAKERS

Applicant: Mr. Hussein Khazem, 11442 Corsicana Dr. Frisco, TX 75035
City Staff: Nathan Gonzales, Community Development Director.

B. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Approval of the minutes from the July 12, 2022 regular meeting

Motion To: Approve **Action** Approve the minutes of the July 12, 2022 regular meeting **Motion By:** Vader **Seconded By:** Rod. **Motion passes unanimously.**

2. Consider approval of the special exception request on BOA/BBA #23-01

Motion To: Approve **Action** Approve the special exception request on BOA/BBA#23-01. **Motion By:** Vader **Seconded By** Rod under the following conditions:

CONDITIONS: Special exemption was approved for the use of Vehicle repair, minor in C1 zoning to ensure that the use along with any special exemptions conditions is compatible with surrounding uses and does not impede development allowed in C1 zoning. All automotive work must be done only within a service bay. Outdoor storage must comply with the provisions of Section 11.25 of the Unified Development Code. The special exemption is valid for three (3) years and will be revisited at that time.

Motion passes 4-0

**III. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY
PURSUANT TO EXECUTIVE SESSION, IF NEEDED**

IV. EXECUTIVE SESSION

The reserves the right to meet in Executive (Closed) Session at any time during the meeting pursuant to the below cited sections of the Texas Government Code:

- A. PURSUANT TO §551.071** — *Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding the Open Meetings Act.*

No items for discussion in Executive Session.

V. ADJOURNMENT

Motion To: Adjourn **Action** Adjourn **Motion By** Rod **Seconded BY:** Buchannan
Motion passes unanimously.

Chair Kobeck adjourned the meeting at 6:30 p.m.

APPROVE:

ATTEST:

CHAIR THELMA KOBECK

BOARD SECRETARY, ARICELI LOPEZ