

**BOARD OF ADJUSTMENT & BUILDING BOARD OF APPEALS**  
**AGENDA**  
**REGULAR MEETING**  
**May 3, 2016**  
**CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**  
**REGULAR SESSION - 7:00 PM**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. SWEARING IN OF SPEAKERS**

**IV. MINUTES APPROVAL**

A. Consider approval of minutes from April 5, 2016 Board of Adjustment meeting

**V. VISITOR/CITIZENS FORUM**

*At this time, any person with business before the Board of Adjustment not scheduled on the Agenda may speak to the Board, provided that an official 'Speaker's Request Form' has been completed and submitted to the Board Secretary prior to the start of the meeting. All comments must be directed towards the Chair, rather than individual board members or staff. All speakers must limit their comments to the subject matter as listed on the 'Speaker's Request Form.' No formal action can be taken on these items.*

**VI. REGULAR ITEMS**

A. **CASE # BOA 16-01** to hold a public hearing and consider action on a request by Tien Tran for a Special Exception as required by City Code Section 17-421, Schedule of Uses and Off-Street Parking Requirements, to allow a vehicle storage facility in an "I" Industrial zoning district at 7084 E Kennedale Pkwy, more particularly described as Elam Addition Block 1 Lots 1-3.

**VII. REPORTS/ANNOUNCEMENTS**

A. Update on past BOA cases and other city business

**VIII. ADJOURNMENT**

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact the City Secretary at 817.985.2104 or (TDD) 1.800.735.2989

**CERTIFICATION**

*I certify that a copy of the May 3, 2016, Board of Adjustment & Building Board of Appeals agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of*

*Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.*

A handwritten signature in cursive script that reads "Rachel Roberts". The signature is written in dark ink and is positioned above a horizontal line.

Rachel Roberts, Board Secretary



## STAFF REPORT TO THE BOARD OF DIRECTORS

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**Date:** May 3, 2016

**Agenda Item No:** MINUTES APPROVAL - A.

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**I. Subject:**

Consider approval of minutes from April 5, 2016 Board of Adjustment meeting

**II. Originated by:**

Katherine Rountree, Permits Clerk

**III. Summary:**

Consider approval of minutes from April 5, 2016 Board of Adjustment meeting

**IV. Recommendation:**

Approve

**V. Alternative Actions:**

**VI. Attachments:**

|    |                        |                                   |
|----|------------------------|-----------------------------------|
| 1. | 04.05.2016 BOA Minutes | 04.05.2016 BOA Minutes Final.docx |
|----|------------------------|-----------------------------------|

**BOARD OF ADJUSTMENT & BUILDING BOARD OF APPEALS**  
**MINUTES**  
**REGULAR MEETING**  
**April 5, 2016**  
**CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**  
**REGULAR SESSION - 7:00 PM**

**I. CALL TO ORDER**

Mr. Clark called the meeting to order at 7:00 P.M.

**II. ROLL CALL**

|          |                   |
|----------|-------------------|
| Present? | Commissioner      |
| X        | John Clark        |
|          | Brian Cassady     |
| X        | Jeff Madrid       |
| X        | Patrick Vader     |
| X        | Martin Young      |
|          | <i>Alternates</i> |
| X        | Jeff Nevarez      |
| X        | Lana Sather       |
|          | <i>Vacant</i>     |

There was a quorum.

Lana Sather was asked to join the board as a regular member.

Staff present: Rachel Roberts (city planner); Katherine Rountree (board secretary)

**III. SWEARING IN OF SPEAKERS**

Ms. Rountree swore in those who wished to speak.

**IV. MINUTES APPROVAL**

- A. Consider approval of minutes from the November 3, 2015 Board of Adjustment regular meeting

Mr. Madrid motioned to approve the minutes. The motion was seconded by Mr. Vader and passed with all in favor.

**V. VISITOR/CITIZENS FORUM**

No one signed up to speak.

**VI. REGULAR ITEMS**

- A. **CASE # BOA 16-01** to hold a public hearing and consider action on a request by Tien

Tran for a Special Exception as required by City Code Section 17-421, Schedule of Uses and Off-Street Parking Requirements, to allow a vehicle storage facility in an "I" Industrial zoning district at 7084 E Kennedale Pkwy, more particularly described as Elam Addition Block 1 Lots 1-3.

### **1. Staff Presentation**

Mr. Clark asked the members of the board if they needed Ms. Roberts to give a staff presentation. They indicated that the staff report was sufficient, so there was no staff presentation.

### **2. Applicant Presentation**

Tien Tran, with translating help from Nein Nguyen, said that he wanted to do truck, RV, and boat storage with 18 wheeler repair. He said the primary use will be vehicle storage with light maintenance. He said he currently does not have another business like the one presented.

### **3. Public Hearing**

No one signed up to speak.

### **4. Applicant Response**

No applicant response was needed.

### **5. Staff Response and Summary**

Ms. Roberts said that the city interprets that you can't do a combination of uses on one property, but that even if more than one use was permitted, she would need verify that the truck repair use didn't require a special exception. She said staff was only aware that Mr. Tran wanted to do vehicle storage and hadn't done notices for truck repair and that the staff only made their recommendation on vehicle storage.

### **6. Action by the Board of Adjustment**

Mr. Madrid motioned to postpone the case 60 days. The motion was seconded by Mr. Vader and passed with all in favor.

### **B. Consider approval of changes to Board of Adjustment Rules of Procedure**

The board made suggestions of changes to the proposed new rules of procedure.

Mr. Vader motioned to approve as corrected. The motion was seconded by Mr. Madrid and passed with all in favor

## **VII. REPORTS/ANNOUNCEMENTS**

Mr. Nevarez said Art in the Park is April 15-17 and they are accepting volunteers.

## **VIII. ADJOURNMENT**

Mr. Vader motioned to adjourn. The motion was seconded by Mr. Madrid and passed with all in favor.

The meeting adjourned at 7:26 PM

Mr. Madrid motioned to reopen. The motion was seconded by Mr. Young and passed with all in favor.

The meeting reopened at 7:26 PM.

Mr. Madrid motioned to adjourn. The motion was seconded by Ms. Sather and passed with all in favor.

The meeting adjourned to enter the work session at 7:39 PM.

## **IX. WORK SESSION**

### **A. Training on new procedure manual**

Attorney Ashely Dierker provided training on the updated manual to the board members.

## STAFF REPORT TO THE BOARD OF ADJUSTMENT

**Date:** May 3, 2016

**Agenda Item No:** REGULAR ITEMS - A.

### I. Subject:

**CASE # BOA 16-01** to hold a public hearing and consider action on a request by Tien Tran for a Special Exception as required by City Code Section 17-421, Schedule of Uses and Off-Street Parking Requirements, to allow a vehicle storage facility in an "I" Industrial zoning district at 7084 E Kennedale Pkwy, more particularly described as Elam Addition Block 1 Lots 1-3.

### II. Summary:

#### Background and Overview.

|                                          |                                                                                                                                                                        |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Request:</b>                          | Special exception to operate a vehicle storage facility (note: RV storage and truck repair are permitted by right; other vehicle storage requires a special exception) |
| <b>Applicant:</b>                        | Tien Tran                                                                                                                                                              |
| <b>Location:</b>                         | 7084 E Kennedale Pkwy (south end of Kennedale Pkwy)                                                                                                                    |
| <b>Surrounding uses:</b>                 | commercial, industrial, and residential uses (described below)                                                                                                         |
| <b>Future Land Use Plan designation:</b> | Light industrial; urban corridor                                                                                                                                       |
| <b>Staff recommendation:</b>             | approve for three years with conditions                                                                                                                                |

The board heard this case in April and postponed the case for 60 days to allow the applicant time to prepare and submit a site plan. Mr. Tran has submitted a site plan and is ready for Board of Adjustment consideration. The site plan is attached to this report.

Staff have reviewed the site plan submitted by Mr. Tran. Elements of the site plan:

- The three lots are shown as separate uses in the site plan. One lot is for the truck repair business, one is for vehicle storage, and one is reserved for future use (currently unpaved).
- The site plan shows a 22-foot fire lane – fire code requires a 20-foot wide fire lane plus a turn-around for lane over 150 feet in length. This appears to meet fire code. During a certificate of occupancy inspection, fire department inspectors can confirm the proposed location and spacing, but space on site is adequate to provide for both the fire lane and vehicle parking.
- The plan shows areas for truck parking and repair and the separate area for vehicle storage.
- The unpaved part of the property is indicated as a future storage area and future fire lane; the property will not be used until it is paved in accordance with city regulations.

City staff have met with the applicant, and he is aware that if he is granted the special exception, he will still need a certificate of occupancy, and any structures to be used will need to meet building and fire codes.

The report from last month's hearing is shown below with updates in red.

Please note that Mr. Tran is proposing to do truck repair at this address, too. Truck repair does not require a special exception and is therefore not addressed in this report except where it affects or could affect the site design and other requirements for the vehicle storage use.

#### Current status of property

This property is zoned Industrial. The building was likely constructed prior to annexation in 1998, as the city's files do not include any building permit information for new construction at this site; aerial imagery shows a building here since at least 2001. The site has been vacant for at least a year.

If the building was built prior to annexation (as it appears), the city's overlay district regulations would not have been applied, and the building was therefore considered grandfathered from those regulations.

#### Surrounding properties and neighborhood

The surrounding uses are primarily commercial and industrial, although residential and vacant residential properties are located nearby (within 500-1,000 ft). A restaurant is located directly across the street. A salvage yard operates to one side of this site, and a contractor's yard (soil drilling and sampling) is adjacent on the other side. Another salvage yard is located diagonally across the street.

Along Eden Rd nearby (across Kennedale Pkwy) are additional businesses (typically contractors) and residences.

#### Special exception history

The property received a special exception for a related but different land use, a vehicle impound facility, in 2002. The special exception was for three years and was renewed in 2004 for seven years and then again in 2011 for five years. The business closed before the special exception expired, and the property has not received another special exception since that time.

### **Analysis.**

The special exception is a tool that allows a city to determine where and when a particular use is suitable. Kennedale's city code requires a special exception for any business owner wanting to operate a **vehicle storage facility** in an Industrial zoning district.

#### **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.

|                     |                                                                                                                                                                                                |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Standard (1)</b> | <b>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.</b> |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Mr. Tran's application should demonstrate that the proposed use will not have a negative effect on the public health, safety, or general welfare. Potential elements of a vehicle storage business that could affect general welfare include (but are not limited to) the following.

- Lighting
- Pollution (in soil, air, or storm water due to leaking vehicles or similar problems)

- Crime (e.g., large number of vehicles sitting unattended could be an attractive site for car theft)
- *Light.* The existing lighting provided onsite is not tall enough to have a negative effect on nearby residential uses, and the applicant does not have plans to install taller lighting. Existing commercial and industrial uses are not expected to be affected by the existing lighting.

*Pollution.* As long as vehicles are parked only on areas that are properly paved, and as long as no repairs or salvage work is done at the site, the city's storm water staff does not expect pollution to be a problem stemming from this use.

- o If the special exception is granted, staff recommends requiring any areas where vehicles are to be stored be paved according to city standards (asphalt or concrete).
- *Crime.* Kennedale Police Department staff does not expect crime to be an issue stemming from this use.

|                     |                                                                                                                                                                                                                                   |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Standard (2)</b> | <b>The board must find that the requested use will not impair or diminish the establishment, maintenance, or operation of, or use, values, or enjoyment of other property in the neighborhood for purposes already permitted.</b> |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

*This would include continuance of existing uses.*

Existing uses in the vicinity of this location:

Commercial businesses (e.g., restaurant) – The proposed use will not impair or diminish the operation of any businesses provided all applicable city regulations (e.g., storm water regulations) are followed.

Industrial/salvage operations – The proposed use will not impair or diminish the operation of any existing salvage or industrial operations provided all applicable city regulations (e.g., storm water regulations) are followed.

Neighborhood – Generally, large-scale auto-related uses are not suitable to be located next to an existing neighborhood. However, this property is not adjacent to the nearby residences and, moreover, the intensity of the use is not expected to impair or diminish the enjoyment or operation of permitted residential uses nearby if all applicable city regulations are followed.

|                     |                                                                                                                                                                                                               |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Standard (3)</b> | <b>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.</b> |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

*Would the requested use be likely to impede the development and improvement of surrounding property for uses already permitted in the area but that don't exist there now? Would it impede improvement of property for existing uses?*

The area surrounding this location is zoned primarily for light industrial and commercial uses. The industrial zoning district was established to accommodate a number of industrial and manufacturing

uses, provided such use is not noxious or offensive by reason of emission of odors, soot, dust, noise, fumes or vibrations. Permitted industrial uses include, but are not limited to:

- commercial bakery;
- distribution center;
- electrical components manufacturing;
- ice cream plant;
- machine shop;
- pottery manufacturing;
- warehouse; and
- welding shop.

A vehicle storage facility stores vehicles (cars and trucks) only; no repairs or salvage would be permitted. Staff considers this to be a suitable use for a light industrial district, provided adequate site design measures have been taken (e.g., adequate screening, adequate storm water controls, lighting appropriate for the district, etc.).

Some commercial uses are also permitted in the Industrial zoning district and in the nearby C-2 general commercial zoning district. The C-2 district was established to accommodate commercial activities that cannot generally be accommodated in the C-1 restricted district, which is a lighter zoning district more oriented toward retail and office uses. The C-2 district permits the storage of goods, materials, equipment, machinery and vehicles outside of enclosed buildings.

The proposed use is not expected to generate significant amounts of traffic, noise, or crime, or to have other noxious effects such as pollution or odors. As long as adequate site control measures are in place, it is not expected that development of surrounding properties for most commercial uses would be impeded by the establishment of a vehicle storage lot at this location.

The Future Land Use Plan shows this area to be light industrial and commercial, so the proposed use should not impede development under the city's long-term development plans. However, the types of facilities for light industrial and commercial uses envisioned in the comprehensive land use plan are of a higher development quality than the existing facilities. Market pressures will likely bring significant redevelopment to the area consistent with the comprehensive plan, and the existing buildings could present a development impediment at that time. But these pressures are not likely to occur for at least the next few years. Staff recommends allowing continued use of the existing facilities for now, provided the facilities meet all applicable building and fire codes, as well as any other relevant development codes.

|                     |                                                                                                                                                   |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Standard (4)</b> | <b>The board must find that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.</b> |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|

#### *Utilities*

According to the Public Works director, water and sewer facilities are available for this property. However, the property may not already be tied into the water and sewer lines, and if that is the case, the applicant will need to pay applicable costs and tie into the city utility system.

#### *Drainage*

The city's storm water coordinator has determined that the existing storm water facilities are adequate at this time, **based on current improvements/paving**. However, it should be noted that if additional areas of the property are paved, then additional storm water facilities will be required. If the special

exception is granted, the applicant should note that it does not exempt the business or property owner from being required to install additional storm water facilities as needed.

*Parking lot and ingress/egress*

Mr. Tran (applicant) has indicated that there will not usually be an employee on site, as customers will have individual access to the storage area. Staff does not expect a large number of customers to visit the site at one time and have determined that the existing parking lot has a sufficient number and size of parking spaces for this use. However, the parking lot needs to be restriped. The streets department considers the ingress and egress facilities for the property to be adequate; however, one of the gates to the property should not be used to access the storage area until the lane into the storage area is paved (see photographs).

**UPDATE:** There will be employees on site for the truck repair business. However, staff still considers the number of parking spaces provided to be adequate. As you can see on the site plan, Mr. Tran intends to provide 60 truck parking spaces; if needed, some of these spaces could be set aside for employee parking instead. The parking spaces used for vehicle storage, as well as the parking used for customers and employees, need to be striped/restriped, though, before a certificate of occupancy is granted.

*Other site improvements*

The paved area to be used for parking is not marked to indicate individual storage locations for vehicles, and the concrete is cracked and in need of repair (see attached photographs). Before the site is used for vehicle storage, adequate customer parking spaces should be provided, and the cracks in the storage area paving should be repaired.

Landscaping was provided as part of the TxDOT Green Ribbon grant program. As long as the landscaping is maintained, the current landscaping is sufficient for this site.

|                     |                                                                                                                                                                                |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Standard (5)</b> | <b>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.</b> |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

*“Adequate measures” would include an adequate drive approach, deceleration lane if needed, etc.*

The property has three drive approaches on Kennedale Pkwy. Two of the drive approaches (the second and third approaches heading south on Kennedale Pkwy) connect to paved surfaces. The other approach (the first one seen while heading south) connects to an unpaved area and should not be used for access.

Public Works staff does not have concerns about traffic congestion due to this use at this location.

|                      |                                                                                                                                                                                                                         |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Standard (6).</b> | <b>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.</b> |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

*Area, yard, height, lot coverage, building size, and exterior requirements*

The property has an existing grandfathered building, and the applicant does not plan to change the building footprint.

Industrial zoning district

The Industrial zoning district does not have a minimum requirement for lot area or building size and has no masonry requirement.

Business 287 Overlay district

The Business 287 overlay district (Sec. 17-420) requires that any building wall that faces Kennedale Pkwy shall have a minimum of eighty (80) percent of the surface area of the exterior walls constructed from an approved list of masonry materials, but the existing building was constructed before annexation and therefore before the overlay district regulations could regulate development on the property. The board may require compliance with the overlay district regulations as a condition of approval.

*Parking space regulations*

The building official has confirmed an adequate number of parking has been provided. However, please note that if the board grants the special exception, the board must specify the minimum number of spaces that must be provided. Staff recommends a minimum of six spaces (including handicapped spaces) be required.

*Additional requirements of the zoning district*

The existing pole sign is not in compliance with city regulations. If a new sign is to be installed, the new sign must meet city regulations. However, city code does not require the existing sign to be removed.

### **Staff Recommendation**

Staff analysis is that the proposed use will meet the standards for a special exception under adequate site conditions. Staff recommends granting the special exception with the conditions listed below. However, because the applicant has not submitted a site plan or other supporting materials to document how the business and operations will be managed, and because staff does have any knowledge of the applicant's prior experience in managing operations under the standards of a special exception, staff recommends granting the special exception for a period of **three (3) years** only.

Recommended conditions of approval (**updated from the previous staff report**):

- (1) The applicant shall tie into the city water and waste water systems if the property is not already connected.
- (2) The parking lot shall be restriped and approved by the city within 90 days of the special exception being granted.
- (3) The area to be used for vehicle storage and the area to be used for truck repair shall also be striped or otherwise marked (as approved by city staff during the certificate of occupancy permitting process) to allow for storage and parking in an orderly and safe manner and to ensure an adequate number of spaces are provided for the proposed uses.
- (4) Only the areas paved with asphalt or concrete shall be used for storing vehicles, customer or employee parking, or any kind of access or circulation. No portions of Lot 2 or any other unpaved shall be permitted to be used for any purpose, include access and circulation, unless those areas are paved with asphalt or concrete as approved by the city.

(5) If additional areas are paved, then the applicant shall provide additional storm water facilities subject to review and approval by the city's storm water department.

(6) At least six (6) parking spaces shall be provided in the customer/visitor parking lot for the vehicle storage use and maintained in good condition at all times.

(7) At least ten (10) parking spaces for the truck repair use for customers and employees shall be provided. These spaces shall be reserved for customers visiting the site and employees and shall not be used for parking of trucks awaiting repair.

(8) The special exception shall expire in three (3) years from the date the special exception was granted. If the applicant does not re-apply for a special exception at expiration or if the board does not grant an additional special exception at that time, the use shall be deemed illegal, and the business shall be required to cease operations.

### **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.*

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.

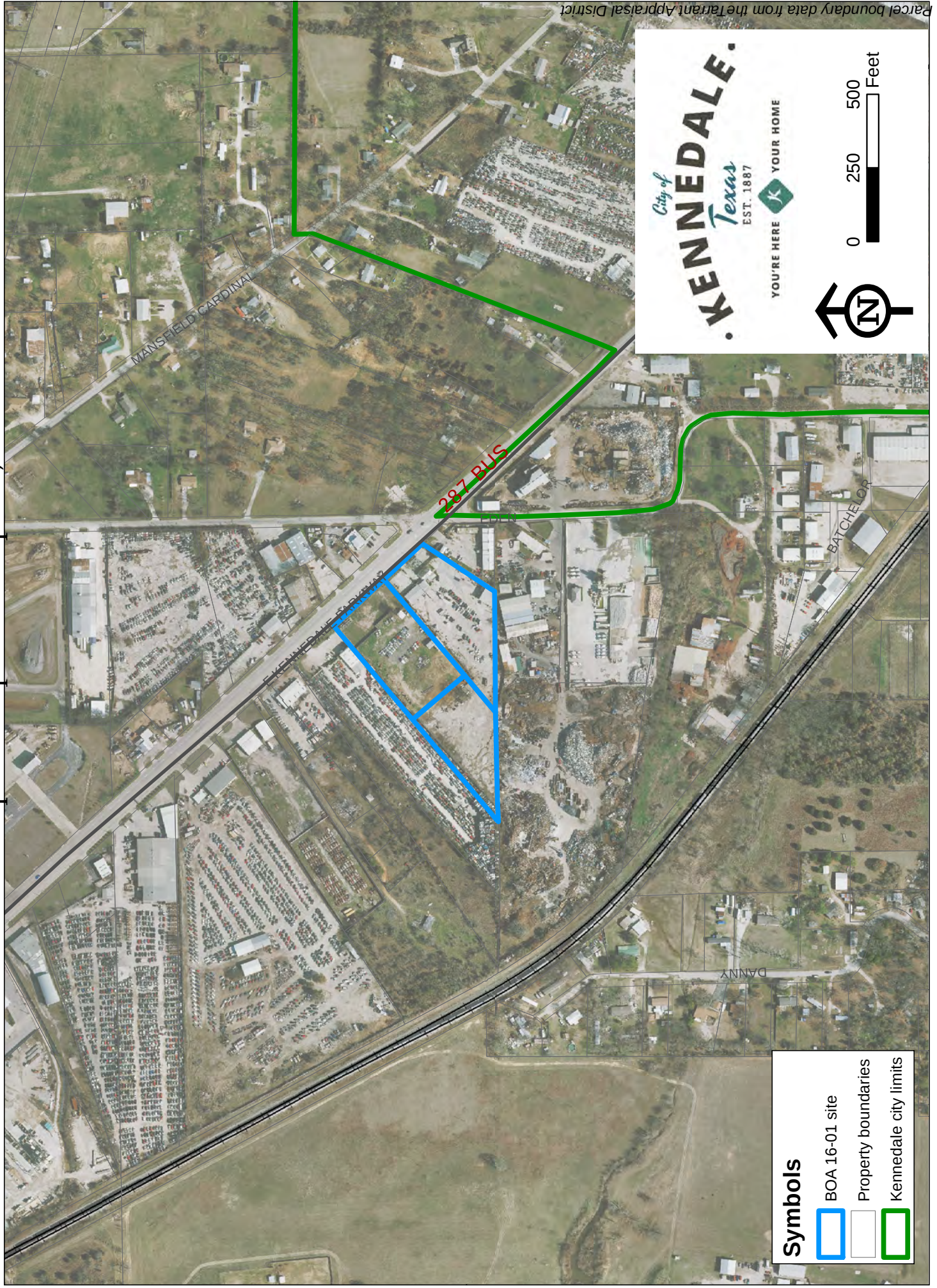
#### Approval with conditions

Based on the evidence and testimony provided, I find that the proposed use can meet the standards for a special exception under certain conditions and make a motion to approve the requested special exception with the following conditions [list conditions].

#### Deny

Based on the evidence and testimony provided, I find that the proposed use does not meet [list standards for a special exception not met] and make a motion to deny the request.

Site of requested special exception, BOA 16-01



Aerial View, 1 in. = 125 ft.



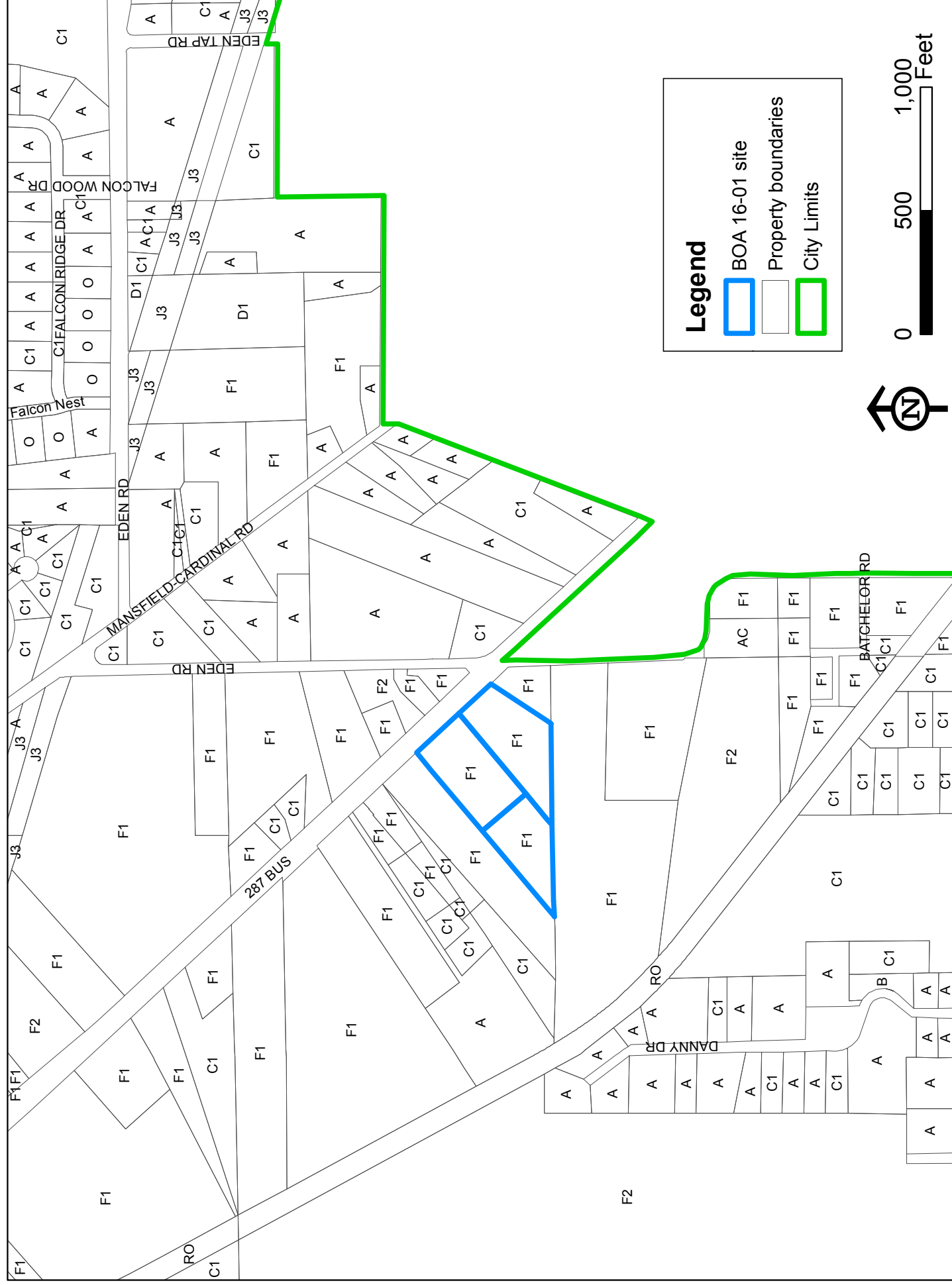
Parcel boundary data from the Tarrant Appraisal District  
Road data & aerial imagery from North Central Texas Council of Governments



City of  
**KENNEDALE.**  
Texas  
EST. 1887  
YOU'RE HERE  YOUR HOME

100 0 100 Feet

# BOA 16-01: surrounding uses



## STATE USE CODES

| <b>A RESIDENTIAL</b> |                                |
|----------------------|--------------------------------|
| <b>A1</b>            | Single-Family                  |
| <b>A2</b>            | Mobile Homes                   |
| <b>A3</b>            | Condominiums                   |
| <b>A4</b>            | Townhomes                      |
| <b>A5</b>            | Planned Unit Development (PUD) |
| <b>A9</b>            | Interim use                    |

| <b>B RESIDENTIAL</b> |              |
|----------------------|--------------|
| <b>B1</b>            | Multi-Family |
| <b>B2</b>            | Duplex       |
| <b>B3</b>            | Triplex      |
| <b>B4</b>            | Quadraplex   |

| <b>C VACANT PLATTED LOTS/TRACTS</b> |                              |
|-------------------------------------|------------------------------|
| <b>C1</b>                           | Residential                  |
| <b>C2</b>                           | Commercial                   |
| <b>C3</b>                           | Rural                        |
| <b>C6</b>                           | Vacant Exempt (Right-of-Way) |

| <b>D ACREAGE</b> |             |
|------------------|-------------|
| <b>D1</b>        | Ranch Land  |
| <b>D2</b>        | Timberland  |
| <b>D3</b>        | Farmland    |
| <b>D4</b>        | Undeveloped |

| <b>E FARM/RANCH</b> |                             |
|---------------------|-----------------------------|
| <b>E1</b>           | House + Limited Acres       |
| <b>E2</b>           | Mobile Home + Limited Acres |
| <b>E3</b>           | Other Improvements          |

| <b>F COMMERCIAL/INDUSTRIAL</b> |            |
|--------------------------------|------------|
| <b>F1</b>                      | Commercial |
| <b>F2</b>                      | Industrial |
| <b>F3</b>                      | Billboards |

| <b>G OIL/GAS/MINERAL RESERVES</b> |                          |
|-----------------------------------|--------------------------|
| <b>G1</b>                         | Oil/Gas/Mineral Reserves |

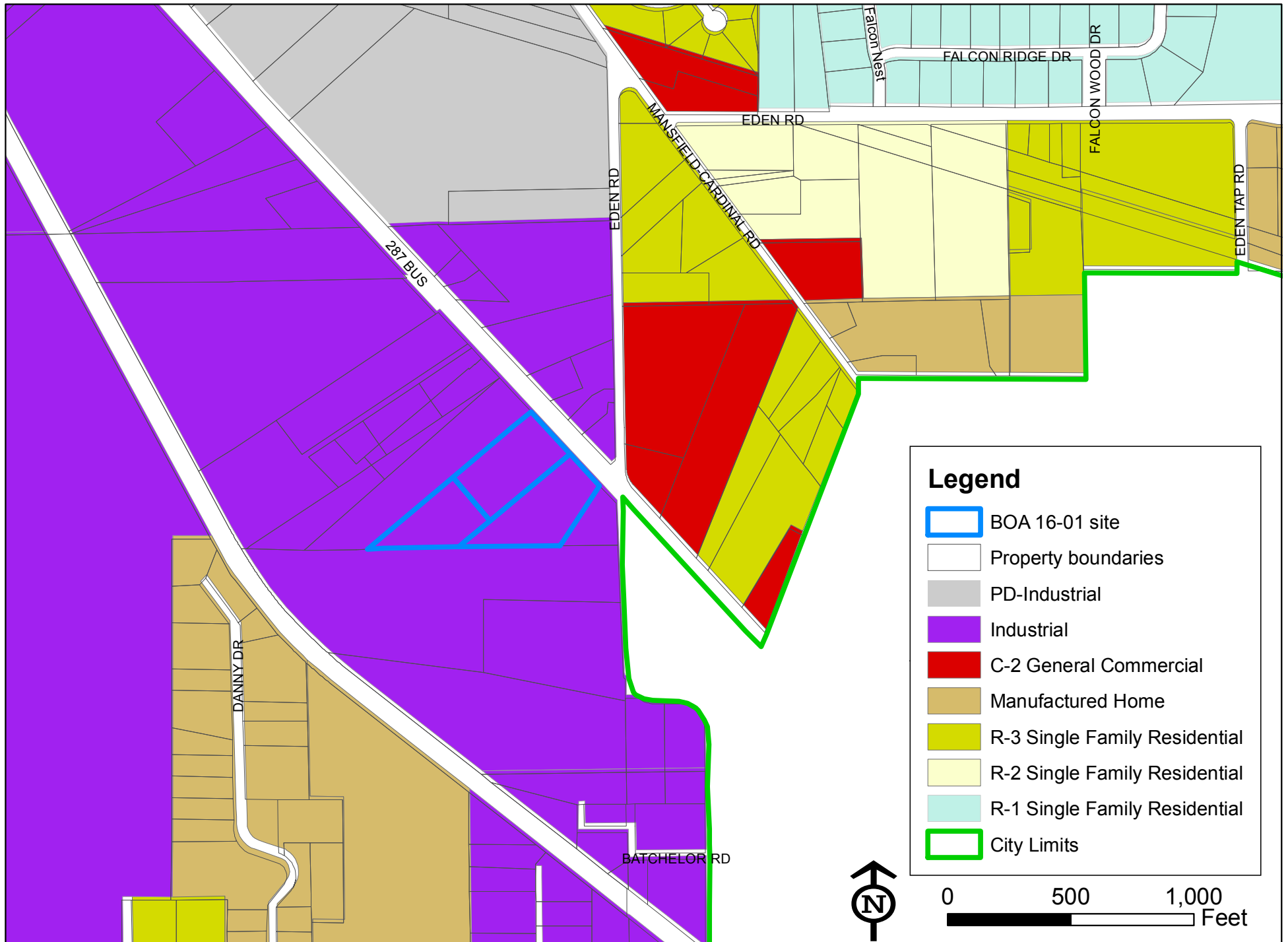
| <b>J UTILITIES</b> |                     |
|--------------------|---------------------|
| <b>J1</b>          | Water Systems       |
| <b>J2</b>          | Gas Companies       |
| <b>J3</b>          | Electric Companies  |
| <b>J4</b>          | Telephone Companies |
| <b>J5</b>          | Railroads           |
| <b>J6</b>          | Pipelines           |
| <b>J7</b>          | Cable Companies     |
| <b>J8</b>          | Other               |

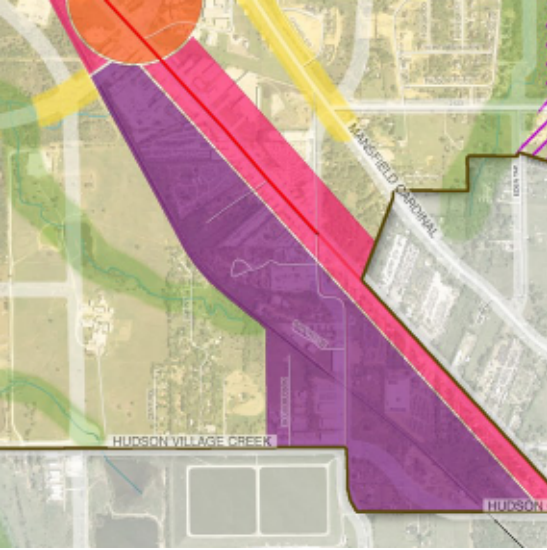
| <b>L COMMERCIAL/INDUSTRIAL</b> |                |
|--------------------------------|----------------|
| <b>L1</b>                      | Commercial BPP |
| <b>L2</b>                      | Industrial BPP |

| <b>M MOBILE HOMES</b> |                   |
|-----------------------|-------------------|
| <b>M2</b>             | Private Aircraft  |
| <b>M3</b>             | Mobile Home       |
| <b>M4</b>             | Other Tangible PP |

| <b>O RESIDENTIAL INVENTORY</b> |          |
|--------------------------------|----------|
| <b>O1</b>                      | Vacant   |
| <b>O2</b>                      | Improved |

# BOA 16-01: map showing surrounding zoning





## Standards for Special Exceptions

(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?

No, the property will be used as an auto boat, trailer, tractor, and RV storage and parking, in which minor automobile repairs may take place when necessary.

(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 you are requesting a special exception?

No, I plan to keep an organized area that should not impair or diminish the uses, values, and enjoyment of neighboring properties as I will remain within the boundaries of the property fences.

(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?

No, as I will remain within the boundaries of my property, and should I ever impede the normal and orderly development and improvement of the surround property for uses permitted in the district, I will take necessary

(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.)

No, I do not need to make such changes to the property for my use.

(5) Have adequate measures been taken or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets?

Traffic congestion in the public streets have been minimized through the use of the 8 feet fences that are in place.

(6) Does the use 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 (see Sections 17-405, 17-421, and 17-424 of Kennedale city code)?

Yes, the property has been put to similar use before.



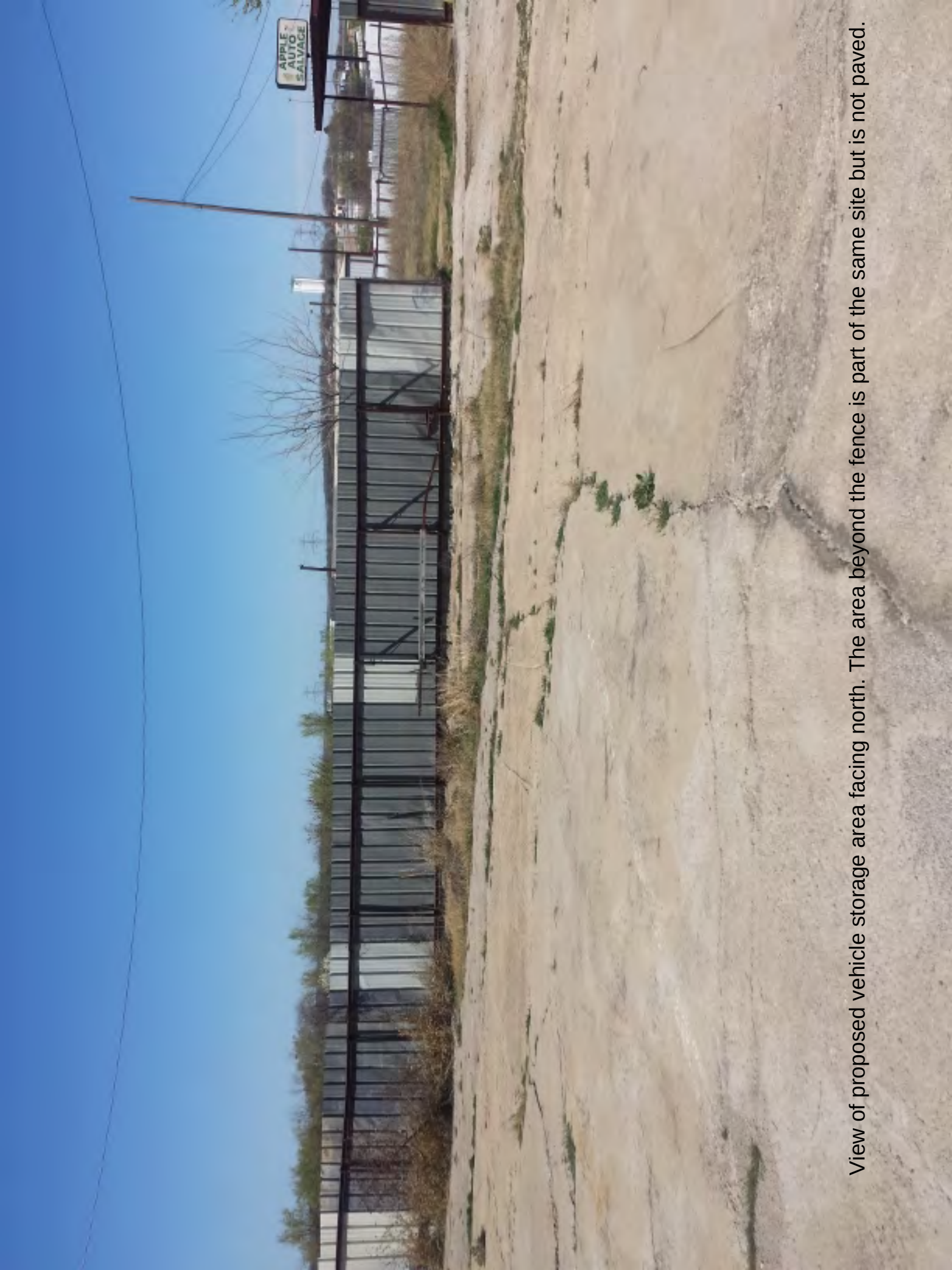
View of storage area facing the back of the existing primary building (looking toward Kennedale Pkwy). The access gate shown connects to the public parking lot and the paved storage area behind the building. The drive shown on the left side of the picture connects to an unpaved area and should not be used for access or storage.



View of proposed vehicle storage area facing intersection of Kennedale Pkwy and Eden Road



View of proposed vehicle storage area facing south/southeast



View of proposed vehicle storage area facing north. The area beyond the fence is part of the same site but is not paved.

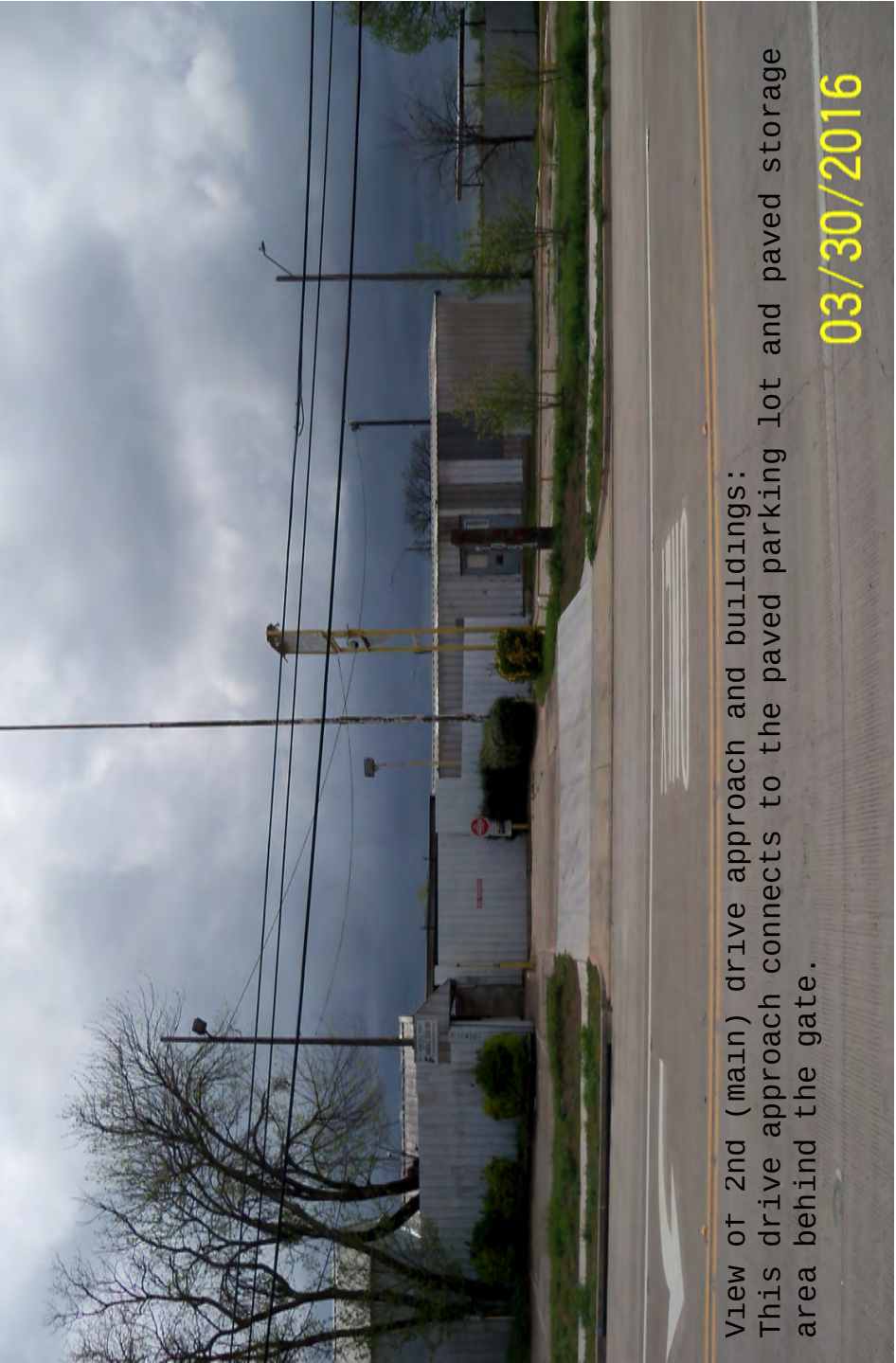


View of proposed vehicle storage area facing northwest



View of front of property showing 1st drive heading south:  
This drive approach connects to an unpaved area behind the gate.

03/30/2016



View of 2nd (main) drive approach and buildings:

This drive approach connects to the paved parking lot and paved storage area behind the gate.

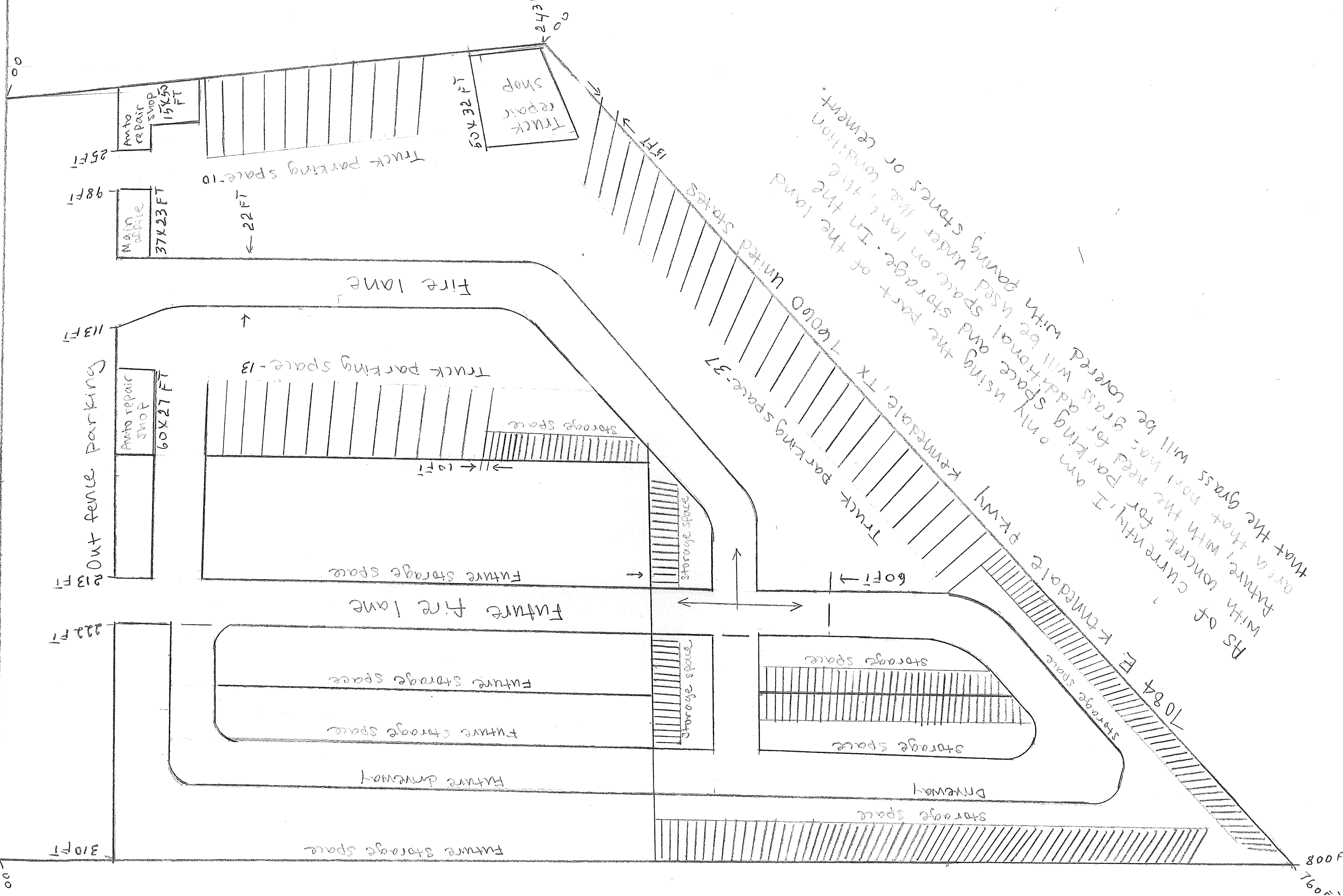
03/30/2016



View of 3rd drive approach:  
This drive approach connects to paved surfaces on site.

03/30/2016

E Kennedale Pkwy



As of currently, I am only using the part of the land with concrete for parking space and storage. In the future, with the need for additional space under the paving stones or cement, area that now has grass will be covered with paving stones or cement.

1084 E Kennedale Pkwy

760 FT  
800 FT



## **STAFF REPORT TO THE BOARD OF DIRECTORS**

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**Date:** May 3, 2016

**Agenda Item No:** REPORTS/ANNOUNCEMENTS - A.

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**I. Subject:**

Update on past BOA cases and other city business

**II. Originated by:**

Rachel Roberts, City Planner

**III. Summary:**

At the meeting, staff will provide an update on BOA variances and special exceptions granted in the past few years. In addition, staff will also provide information about recent City Council decisions or other board decisions of interest.

**IV. Recommendation:**

None

**V. Alternative Actions:**

**VI. Attachments:**