

**BOARD OF ADJUSTMENT AND  
BUILDING BOARD OF APPEALS AGENDA  
REGULAR MEETING  
TUESDAY, FEBRUARY 9, 2021 6:00 PM  
VIA VIDEOCONFERENCE**

**MEMBERS OF THE PUBLIC MAY JOIN BY VISITING  
<https://us02web.zoom.us/j/7732695410> AND/OR BY DIALING 877 853 5257 AND  
USING MEETING ID Meeting ID: 773 269 5410**

**I. CALL TO ORDER**

**NOTE: Pursuant to Texas Government Code §551.071, the Board reserves the right to adjourn into Executive Session at any time during the Work Session or the Regular Session to discuss posted Executive Session items or to seek legal advice from the City Attorney on any item posted on the agenda.**

**II. REGULAR SESSION**

**III. ROLL CALL**

**IV. SWEARING IN OF SPEAKERS**

**V. VISITOR AND CITIZEN FORUM**

*At this time, any person may address the board or governing body, provided that an official 'Speaker's Request Form' has been submitted to the secretary prior to the start of the meeting. All comments must be directed towards the body as a whole, rather than individual 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 nor discussion held regarding these items.*

**VI. REPORTS AND ANNOUNCEMENTS**

**VII. MINUTES APPROVAL**

- A. Consider approval of minutes for September 8, 2020 regular meeting

**VIII. DECISION ITEMS**

- A. **CASE # BOA 21-01** to receive comments and consider action on a request for a special exception use by Mark Watson for the special exception use of Manufacturing, processing and packaging - light as required by Section 6.2 of the Unified Development Code for 731 E Kennedale Parkway, Lot 15 (BAL 15, 15A, 16 (BAL 16), 16C & 16D, and 733 E Kennedale Parkway, Lot 16B, CA Boaz J B Renfro Subdivision, City of Kennedale, Tarrant County, Texas.

**IX. EXECUTIVE SESSION***The Board of Adjustment/Board of Appeals reserves the right to*

*convene in Executive Session(s) during this meeting pursuant to §551.071(2) when the Board of Adjustment/Building Board of Appeals seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Board of Adjustment/Board of Appeals under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code.*

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

**XI. ADJOURNMENT**

**CERTIFICATION**

*I DO HEREBY CERTIFY THAT THE FEBRUARY 9, 2021 BOARD OF ADJUSTMENT AND BUILDING BOARD OF APPEALS 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 SEVENTY-TWO (72) HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.*



MELISSA DAILEY, AICP  
DIRECTOR OF PLANNING AND  
ECONOMIC DEVELOPMENT

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.

POSTED \_\_\_\_\_ (DATE) \_\_\_\_\_ (TIME)

**BOARD OF ADJUSTMENT AND  
BUILDING BOARD OF APPEALS  
MINUTES**

**REGULAR MEETING | September 8, 2020 at 6:00 PM  
VIA VIDEOCONFERENCE**

**ZOOM INFORMATION TO JOIN: <https://us02web.zoom.us/j/7732695410> AND/OR BY  
DIALING 877 853 5257 AND USING MEETING ID Meeting ID: 773 269 5410**

**I. CALL TO ORDER**

Chairman Jeff Nevarez called the meeting to order at 6:00 PM

**II. REGULAR SESSION**

**III. ROLL CALL**

| PLACE | COMMISSIONER               | PRESENT | ABSENT |
|-------|----------------------------|---------|--------|
| 1     | Azam Shaikh                | X       |        |
| 2     | Jeff Nevarez               | X       |        |
| 3     | Kelli Rod                  | X       |        |
| 4     | Martin Young               | X       |        |
| 5     | Lana Sather                | X       |        |
| 6     | Jeremy Johnston, alternate |         | X      |
| 7     | Josh Virnoche, alternate   |         | X      |
| 8     | Thelma Kobeck, alternate   | X       |        |
| 9     | Patrick Vader, alternate   | X       |        |

**IV. SWEARING IN OF SPEAKERS**

No speakers were present.

**V. VISITOR AND CITIZEN FORUM**

No speakers were present.

**VI. REPORTS AND ANNOUNCEMENTS**

Mr. Nevarez stated the 9/11 memorial cycling event will occur this week. He stated that Concert in the Park will not occur this year but that a canned food drive will take place instead.

**VII. MINUTES APPROVAL**

- A. Consider approval of minutes from the August 11, 2020 regular meeting.  
A motion was made by Azam Shaikh to approve the minutes from August 11, 2020. Kelli Rod seconded the motion. The motion passed unanimously.

**VIII. DECISION ITEMS**

- A. CASE # BOA 20-05 to receive comments and consider action on a request for a special exception by Kerwin Branch for the special exception use of Outdoor Storage as required by Section 6.2 of the Unified Development Code for 221 Valley Lane, Lot 5, Block 13, Oak Crest Addition, City of Kennedale, Tarrant County, Texas

### **Staff Presentation**

Planning and Economic Development Director Melissa Dailey reviewed the special exception request. She stated that the applicant is requesting a special exception for outdoor storage of vehicles. Ms. Dailey reviewed the surrounding zoning and uses. She stated there is a wide variety of surrounding zoning districts because the property is large. She stated that the future land use map calls for parks and open space and that the requested use is not consistent with the comprehensive plan. She stated a significant portion of the property is in a flood zone. She stated that for these reasons, staff recommends denial.

### **Public Hearing**

Nevarez opened the public hearing. There were no speakers on the case. Mr. Nevarez closed the public hearing at 6:14pm.

### **Board Discussion**

Mr. Shaikh asked whether responses to notifications were received from surrounding property owners. Ms. Dailey stated no responses were received. Ms. Dailey provided details regarding potential development in the surrounding area, as well as the requirements for development in the flood zone. Mr. Young asked whether the vehicles would need to be removed. Ms. Dailey stated that if the exception is not granted, they will need to be removed as they are not code compliant. She stated the applicant applied for the special exception because of the current code violation.

Mr. Shaikh made a motion to deny the special exception request. Mr. Young seconded the motion. The motion passed unanimously.

## **XII. ADJOURNMENT**

The meeting was adjourned at 6:17pm.

**Date:** February 9, 2021  
**Agenda Item No:** REGULAR ITEMS (A)

## I. SUBJECT

**CASE # BOA 21-01** to receive comments and consider action on a request for a special exception use by Mark Watson for the special exception use of Manufacturing, processing and packaging - light as required by Section 6.2 of the Unified Development Code for 731 E Kennedale Parkway, Lot 15 (BAL 15, 15A, 16 (BAL 16), 16C & 16D, and 733 E Kennedale Parkway, Lot 16B, CA Boaz J B Renfro Subdivision, City of Kennedale, Tarrant County, Texas.

## II. SUMMARY

### BACKGROUND AND OVERVIEW

|                                         |                                                                                           |
|-----------------------------------------|-------------------------------------------------------------------------------------------|
| <b>Request</b>                          | Special exception use to allow Manufacturing, processing & packaging – light in C2 zoning |
| <b>Applicant</b>                        | Mark Watson                                                                               |
| <b>Location</b>                         | 731-733 E Kennedale Parkway                                                               |
| <b>Surrounding Uses</b>                 | Light and heavy industrial, commercial, residential, vacant land                          |
| <b>Surrounding Zoning</b>               | C2, R3, I                                                                                 |
| <b>Future Land Use Plan Designation</b> | Urban Corridor                                                                            |
| <b>Staff Recommendation</b>             | Approve                                                                                   |

### CURRENT STATUS OF PROPERTY

This property recently had several dilapidated residential structures on the site that were demolished over the summer 2020. The property is now vacant land. The two parcels that are the subject of this request extend from Kennedale Parkway to the east to Mansfield Cardinal Road.

### SURROUNDING PROPERTIES & NEIGHBORHOOD

#### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The property fronts both Kennedale Parkway and Mansfield Cardinal Road. The two streets are quite different in character and use. This area of Kennedale Parkway is one that transitions from retail and commercial uses to light and heavy industrial uses to the south. Because of that, there is a mix of uses in the immediate area on the Parkway that include a self-storage facility, oil and gas spoiler supplier, welding shop, ambulance service, and vacant land. Most uses in the immediately surrounding area on Kennedale Parkway are commercial or light industrial. The character of Mansfield Cardinal is larger lot

residential and the back of Brookstone Estates. The east side of the street is characterized by a long brick wall and the backs of Brookstone homes. The west side of the street, where the subject property backs onto, is characterized by single family homes. The lot in between the two subject lots is a long linear lot that also fronts Kennedale Parkway and has a vacant, single family home on it fronting Mansfield Cardinal.

## ANALYSIS

### 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. The proposed use is the expansion of an existing Kennedale business, R. E. Watson & Associates, currently located at 670 Tower Drive. This is a light industrial use, providing glass and glass products for real estate construction.

#### 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 along Kennedale Parkway, and the industrial use can be made to appear compatible with commercial uses with the recommended conditions. The uses along Mansfield Cardinal are not compatible with this type of use. However the site plan and conditions indicate that there will be no access for vehicles or people from Mansfield Cardinal Road. The proposed improvements, including a wrought iron fence and tall landscaping, will improve the current conditions, which is an overgrown, vacant property. There will be no noise or traffic impact from Mansfield Cardinal Road. It will have a similar feel to the brick wall along Mansfield Cardinal that runs along the rear of that development while providing much more greenspace than the wall.

#### 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 development for Kennedale Parkway, bring a vacant tract of land to a viable commercial use, while enhancing the parkway with the brick or stone façade and landscaping that are part of the recommended conditions. Along Mansfield Cardinal, the attractive fencing and landscaping proposed will enhance that street, and will not impede normal development along the street.

#### **STANDARD 4**

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

According to Public Works staff, the property is served by all necessary site improvements.

#### **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.**

According to Public Works staff, adequate measures have been provided. Any drives along the parkway will need to be reviewed and approved by the Texas Department of Transportation.

#### **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 light industrial use of Manufacturing, processing and packaging – light in C2 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 C2 zoning. Staff recommends approval of the special exception with the following conditions:

C2 zoning is approved for 731E Kennedale Parkway

Office use to be located fronting Kennedale Parkway with warehouse building behind the office

Front facing façade shall incorporate fenestration at least every 15 feet

Front facing façade shall incorporate overhang awning and stone or brick columns

Front facing façade shall incorporate at least 80% brick or stone

Parking fronting Kennedale Parkway shall incorporate parking screening of 3-4 feet tall that is made of brick or stone, or of landscaping. A taller fence may be installed if desired, but must be wrought iron with 3-4' landscaping.

Rear of site fronting Mansfield Cardinal shall not have vehicular access  
A 6-8' tall wrought iron fence and landscaping that reaches at least 5' tall shall be installed along the rear of all property fronting Mansfield Cardinal, in the character shown on attached Exhibits  
All landscaping shall be maintained, and any plants that die replaced with similar plants

#### **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 a special exception and make a motion to approve case BOA 20-01.

Deny: Based on the evidence and testimony provided, I find that the proposed request does not meet the standards for a special exception and make a motion to case BOA 20-01.

Approve with Conditions: Based on the evidence and testimony provided, I find that the proposed request meets the standards for a special exception and make a motion to approve case BOA 20-01 with the following conditions (state conditions).

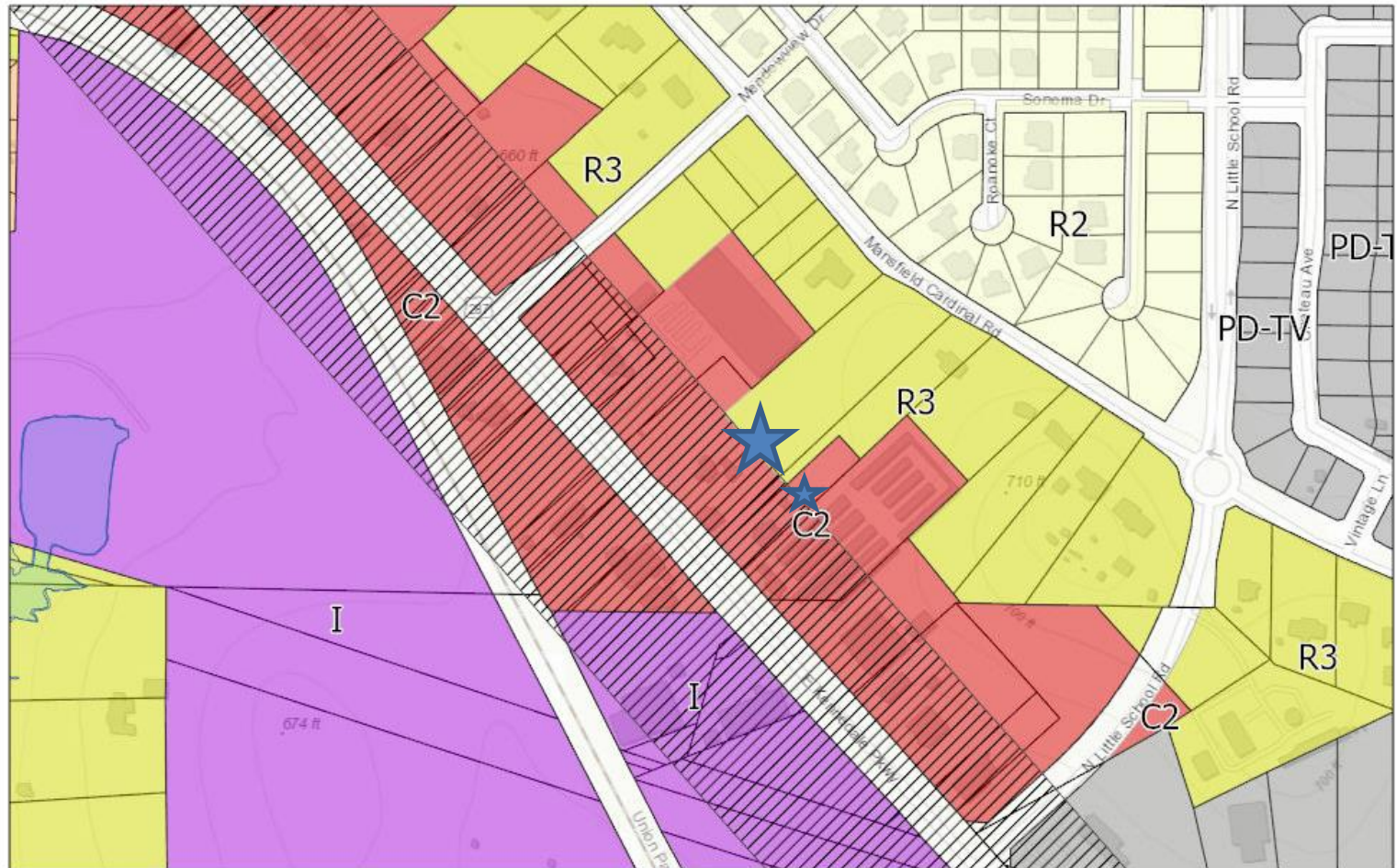
# BOA 21-01

## 731-733 E Kennedale Parkway



# BOA 21-01

## 731-733 E Kennedale Parkway



2/7/2021, 3:13:21 PM

Overlay Districts - Floodplain

1% Annual Chance Flood Hazard

0.2% Annual Chance Flood Hazard



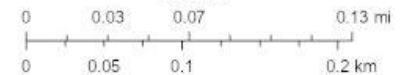
Overlay Districts - Business 287 and Interstate 20/820 Loop

Zoning



C2 - General Commercial District

1:4,514



City of Arlington, TX, City of Fort Worth, Tarrant County College, Texas Parks

Web AppBuilder for ArcGIS

City of Arlington, TX, City of Fort Worth, Tarrant County College, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Tarrant Appraisal District |

# BOA 21-01

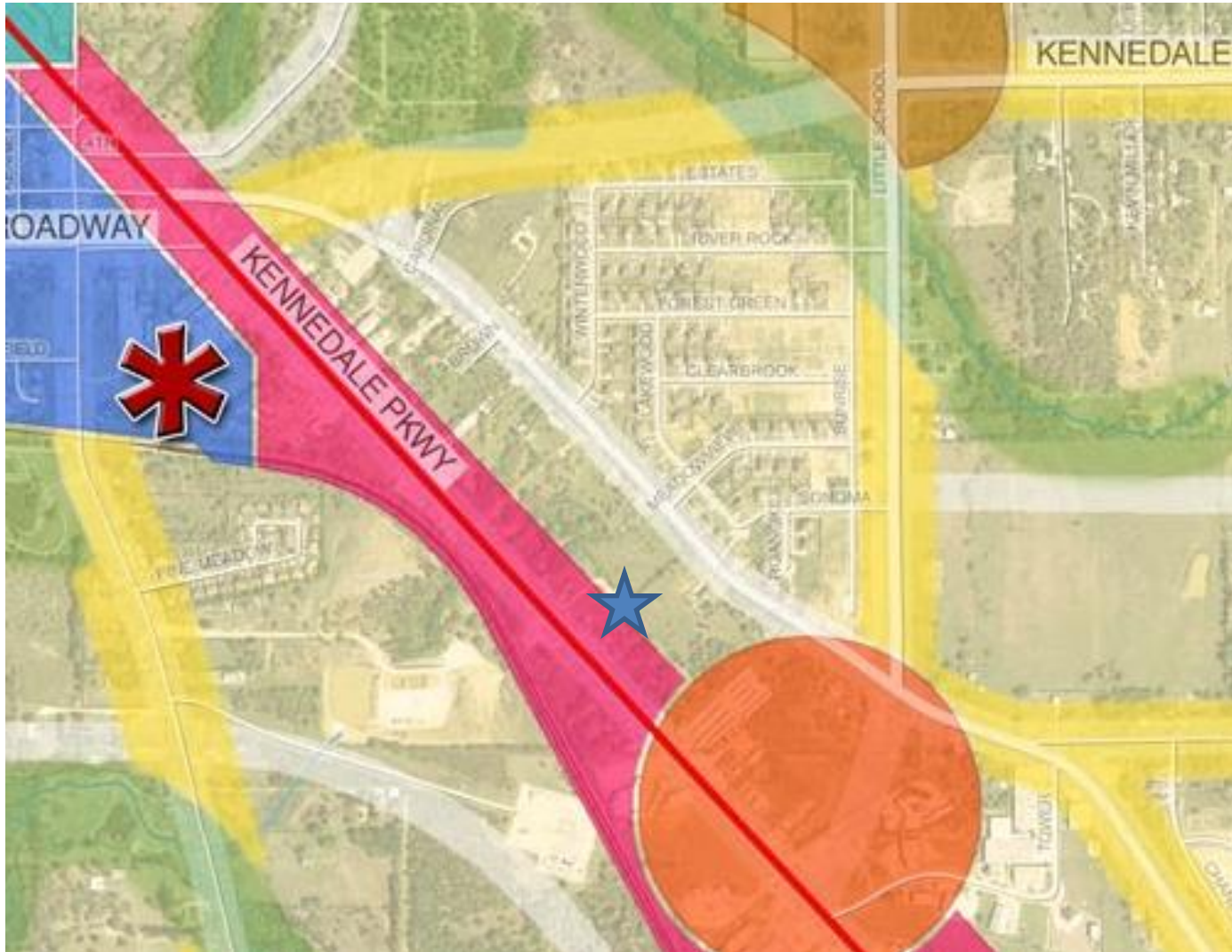
## 731-733 E Kennedale Parkway

### KENNEDALE COMPREHENSIVE PLAN UPDATE

#### FUTURE LAND USE PLAN

##### CATEGORIES

|                                                    |                                                                                     |
|----------------------------------------------------|-------------------------------------------------------------------------------------|
| Town Center                                        |  |
| Downtown Village                                   |  |
| Urban Village                                      |  |
| Urban Corridor                                     |  |
| Neighborhood Village                               |  |
| Neighborhood Corridor                              |  |
| Neighborhoods                                      |  |
| Employment Center                                  |  |
| Light Industrial District                          |  |
| Park & Open Space                                  |  |
| Conservation Overlay                               |  |
| Potential Commuter Train or<br>Park & Ride Station |  |
| Schools                                            |  |





G.R. TURNER  
& ASSOCIATES

604 PLEASANT RUN  
BOAT'S SUBDIVISION  
(817) 447-2288 (Office)  
(817) 882-5712 (Main)  
10000 W. 10th St.  
Ft. Worth, TX 76116  
ARCHITECTS  
CITY OF  
REGISTERED  
F-2553

COMPANY REGISTRATION #



| ISSUE / REVISION |          |                                         |
|------------------|----------|-----------------------------------------|
| NO.              | DATE     | DESCRIPTION                             |
| 1                | 01.05.21 | CHANGED BUILDING OFFSET TO 55' FROM ROW |
|                  |          |                                         |
|                  |          |                                         |
|                  |          |                                         |
|                  |          |                                         |
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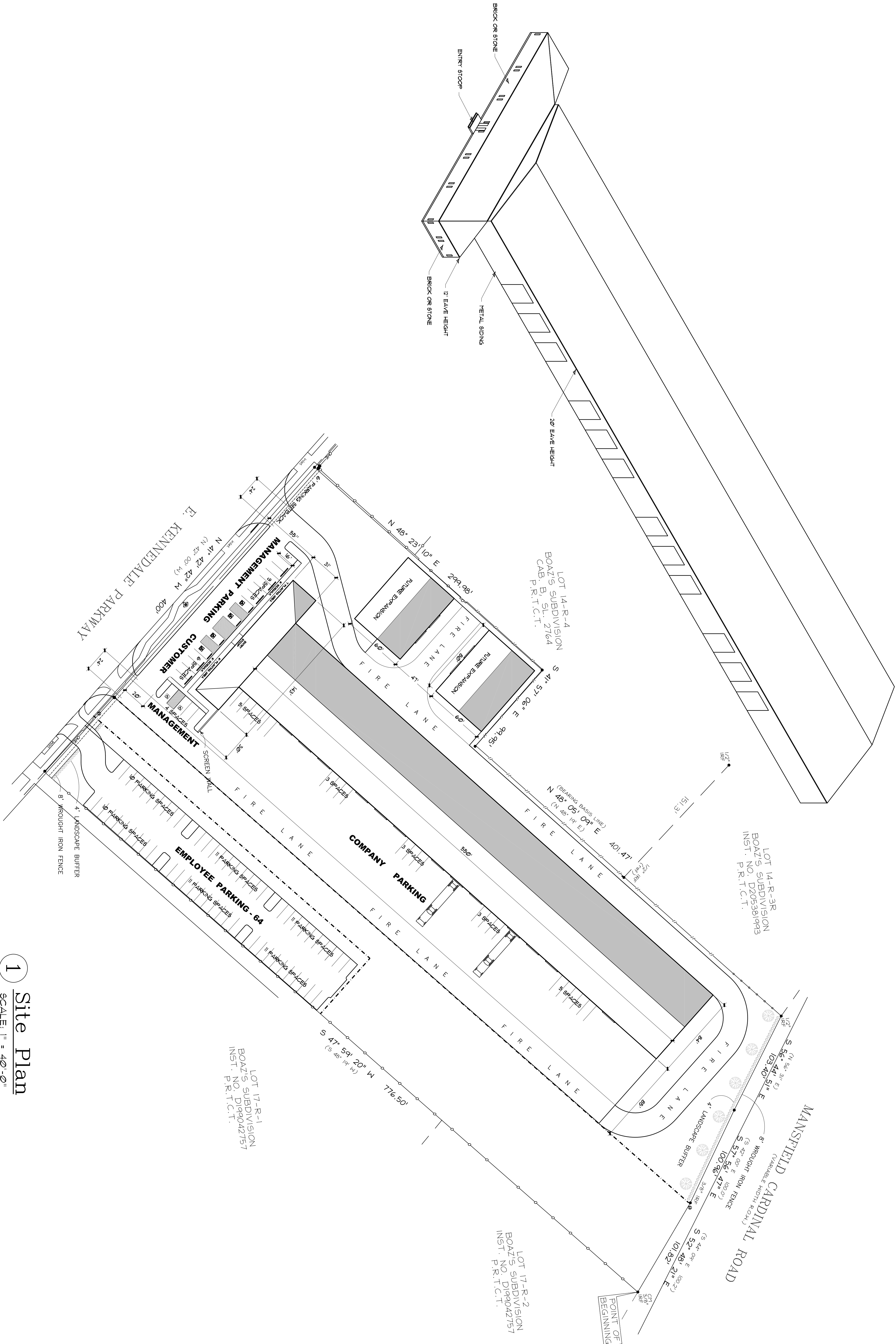
# Site Plan Reduced

New Facilities  
for  
R. E. Watson & Associates, INC.  
731 Kennedale Pkwy, Kennedale, Texas

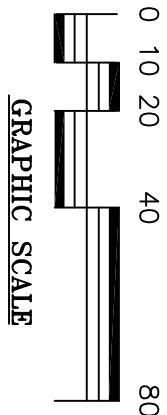
DATE: 02/04/21  
JOB NO.: 21114

SHEET:  
OF SHEETS  
2

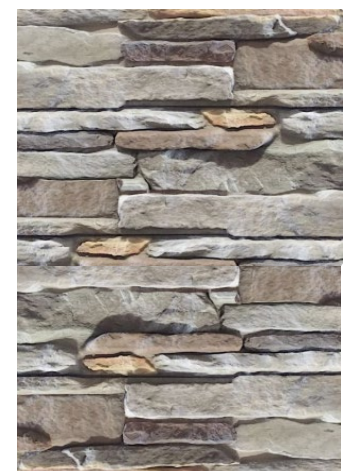
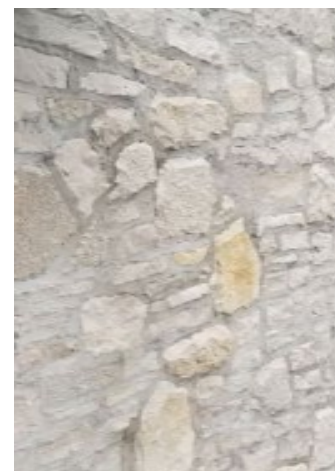
THIS DRAWING REMAINS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE USED IN ANY WAY WITHOUT HIS WRITTEN PERMISSION. ARCHITECTURAL AND STRUCTURAL DESIGN IS FOR CONDITIONS OF SAID LOCATION ONLY.



1 Site Plan  
SCALE: 1" = 40'-0"



PARKING REQUIRED:  
OFFICE 11  
WAREHOUSE 31  
FUTURE 52  
PROVIDED 23  
HANDICAPPED: 6



## **FINISHES**

**TAN METAL**

**SAND or BROWN TRIM**

**STONE or BRICK ENTIRE OFFICE (FAÇADE AND SIDES)**



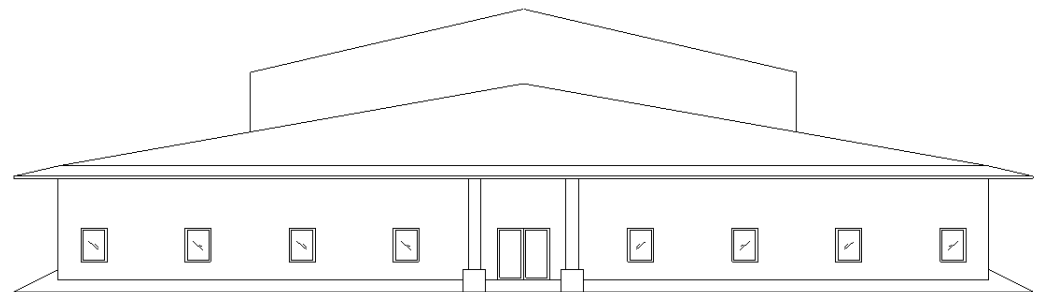
## **LANDSCAPING**

**CONTINUOUS 8' ROD IRON FENCE**

**4' BUFFER ALONG PARKWAY**

**TALL TREES ALONG CARDINAL**





**SHAPE TO RESEMBLE PICTURED**

**RE WATSON WOULD INCLUDE:**

**OVERHANG AWNING AROUND OFFICE**

**FINISHED COLUMNS (STONE or BRICK)**

## NOTIFICATION RESPONSE FORM

Case BOA 21-01

BOA Meeting Date: February 9, 2021

Your Name:

Jason & Glaine Biles

Address:

712 Mansfield Cardinal Rd.

Please provide completed forms via mail, fax or email (mdailey@cityofkennedale.com) before the start of the scheduled public hearing.

Being the owner(s) of the property so noted above, are hereby

In favor of

opposed to

undecided about

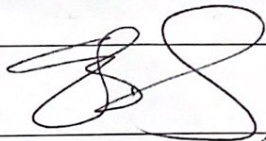
(circle or underline)

the proposed Application referenced above.

Comments (optional)

see letter included

Signature



Date:

2/5/21

Printed Name(s)

Jason & Glaine Biles

One form per property

Phone number (optional)

Direct questions and mail responses to the address below, call (817) 985-2135, fax form to (817) 483-0812 or email to mdailey@cityofkennedale.com.

## NOTIFICATION RESPONSE FORM

Case PZ 21-03

P&Z Meeting Date: February 11, 2021

Your Name: Jason + Elaine Biles

Address: 712 Mansfield Cardinal Rd

Please provide completed forms via mail, fax or email (mdailey@cityofkennedale.com) before the start of the scheduled public hearing.

Being the owner(s) of the property so noted above, are hereby

In favor of

opposed to

undecided about

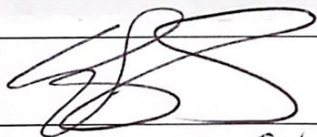
(circle or underline)

the proposed Application referenced above.

Comments (optional)

See letter included

Signature



Date: 2/5/21

Printed Name(s)

Jason + Elaine Biles

One form per property

Phone number (optional) \_\_\_\_\_

Direct questions and mail responses to the address below, call (817) 985-2135, fax form to (817) 483-0812 or email to mdailey@cityofkennedale.com.

To Whom it may Concern:

This letter is in regards to Case PZ 21-03 and BOA 21-01.

As owners of the property at 712 Mansfield Cardinal Road, we are opposed to the changes requested for the property at 731. We purchased our property with the hope that more houses would be built around us and knowing that this property was zoned residential we did not worry that this would eventually happen. We do not want a business next door. Why is this even being considered? We have a pool in the backyard and you can see straight over the fence from next door. The public or a business should not have access to our privacy.

We have lived at this location 15 years at the end of March. We have had nothing but problems and heartache with too many unfortunate occurrences.

1. Utility pole in front of our home hit and snapped in half by woman driving by. Had to be replaced. We were without power and had to repair our fence.
2. A different woman driving by drove through front portion of fence, through our front yard, and through the side portion of our fence and would have ultimately hit the house currently being built. At the time it was vacant land. At this time we asked for speed bumps, but the speed limit was raised instead.
3. We owned the land next door at 704 for many years and just recently sold it to a builder who is currently building a house. We wanted to expand our property and make it one, but an ex City Manager wanted to play dirty so that did not work out. Ultimately we decided to sell last year.
4. We fought to keep the warehouse behind our property from being built and we finally lost after a couple of years of opposition. Stipulations were put in place for a fence and trees. Other than some loud banging occasionally we have not had any horrible issues arise. It is not ideal, but so far tolerable.

As you can see, we have dealt with many issues and are just plain tired of fighting for our home. Again OUR HOME. Please do not let us down yet again. We both work long hours and just want to relax and enjoy our free time when home. We do not want to worry about a business next door now or when we retire in 10-12 years.

Thank you for your time and consideration of our feelings.

Jason and Elaine Biles

