

MEETING AGENDA
BOARD OF ADJUSTMENT

Monday, February 17, 2020

6:30 p.m

City Hall, 101 E. Main Street, Forney, Texas 75126

1. Call Meeting To Order
2. Consent Items
 - 2.1. Discuss And Consider Approval Of The Minutes Of The October 8, 2019 Meeting.

Documents:

[OCTOBER 8, 2019 MINUTES.PDF](#)

3. Public Hearing Items
 - 3.1. Hold A Public Hearing And Discuss And Consider Approval Of Variances To The Sign Regulations Of Section 48 Of The City Of Forney Comprehensive Zoning Ordinance. The Request Is For The Forney Professional Center, Located At 214 Farm-To-Market Road 548.

Documents:

[ITEM SUMMARY-FORNEY PROFESSIONAL CENTER.PDF](#)
[EXHIBITS-FORNEY PROFESSIONAL CENTER.PDF](#)

4. Adjournment

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Community Development office at 972-564-7386 or FAX 972-552-1538 for further information. Braille is not available.

CERTIFICATE

I, Alex Dixon, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 14th day of February, 2020, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.



MINUTES
BOARD OF ADJUSTMENT
Tuesday, October 8, 2019 – 6:30 p.m.
Forney City Hall
101 East Main Street

I. CALL TO ORDER

Rick Henrichs called the meeting to order at 6:30 PM. Present were board members and alternates Rick Henrichs, Jamie Brown, Gina Talkington, Thomas Hoffman and Jonathan Dolleman. Also present were Director Peter Morgan, City Planner Alex Dixon and Board Secretary Gladis Saldana. Board members Richard Salgado, Brian Reese and Tiffany Fuqua were absent.

II. CONSENT ITEMS

1. Consider approval of the minutes of the September 10, 2019 of the Board of Adjustment meeting.

Jamie Brown made a motion to approve the minutes and Thomas Hoffman seconded the motion. The motion passed by a vote of 5 ayes (Henrichs, Brown, Hoffman, Talkington and Dolleman) and 0 nays.

Thomas Hoffman made a motion to move into Public Hearing. Jonathan Dolleman seconded the motion. The motion passed by a vote of 5 ayes (Henrichs, Brown, Hoffman, Talkington and Dolleman) and 0 nays.

III. PUBLIC HEARING ITEMS

1. Hold a public hearing and discuss and consider approval of a sign variance for Pet Supplies Plus. The request is for property located at 471 Marketplace Boulevard.

Director Peter Morgan introduced the item and explained that the request was for a side façade wall sign to be larger than fifteen square feet. The board members discussed the location and sign design.

After reviewing the materials provided and discussing the criteria that needed to be met for approval. Jonathan Dolleman made a motion to approve the request, Rick Henrichs seconded the motion. The motion failed by a vote of 0 ayes and 5 nays (Henrichs, Brown, Hoffman, Talkington and Dolleman).

IV. ADJOURNMENT

There being no further business to bring before the board, Thomas Hoffman made a motion to close and adjourn the meeting at 6:49 p.m. Gina Talkington seconded the motion. The motion passed by a vote of 5 ayes (Henrichs, Brown, Hoffman, Talkington and Dolleman) and 0 nays.

PASSED AND APPROVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF FORNEY, TEXAS, this _____ day of _____, 2020.

Chairperson

ATTEST:

Gladis Saldana, City of Forney



Board of Adjustment Agenda Item Summary Report

Meeting Date: February 17, 2020	Submitted by: A.C. Dixon
Item Title:	
Hold a Public Hearing and discuss and consider approval of variances to the sign regulations of Section 48 of the City of Forney Comprehensive Zoning Ordinance. The request is for the Forney Professional Center, located at 214 Farm-to-Market Road 548.	
Consent Item [] Public Hearing Item [X] Action Item []	Documentation Attached: Application Letter Photo & Exhibits
Item Summary	
<p>Dr. Nathan Harris requests approval of a variance to install a second monument sign on his property at 214 Farm-to-Market Road 548 in the City of Forney. The Forney Professional Center Lot 1 property fronts FM 548, The new building is located on Forney Professional Center Lot 2 which behind the building on Lot 1. It doesn't have frontage along FM 548. There is already a monument sign on Lot 1.</p> <p>The proposed sign would require the following variances to be granted by the City of Forney Board of Adjustment:</p> <p>Dr. Nathan Harris would like a variance to construct a second monument sign on Lot 1 to serve the building located on Lot 2. Zoning Ordinance Sec. 48.2.F (71) states no more than one (1) monument sign is allowed per lot with the following exceptions:</p> <ul style="list-style-type: none"> (1) For lots over five (5) acres, abutting a state highway which is not classified as a business route: Minimum two hundred feet (200') separation between other allowed permanent freestanding signs on the same lot. (2) For lots over twenty (20) acres: Minimum three hundred feet (300') separation between other allowed permanent freestanding signs on the same lot. 297 (3) Monument signs shall be located at least one hundred twenty feet (120') apart and at least sixty feet (60') from the property lines of any other lot. <p>Section 48.19 of the Zoning Ordinance discusses variances specific to signs. Section 48.19.D states: "In order to approve a request for a variance, the Board shall determine whether the request meets three (3) of the following four (4) criteria:</p> <ol style="list-style-type: none"> 1. The proposed sign shall not adversely impact the adjacent property (visibility, size and the like); 2. The proposed sign shall be of a unique design or configuration; 3. The variance is needed due to restricted area, shape, topography, or physical features that are unique to the property or structure on which the proposed sign would be erected; 4. The variance will substantially improve the public convenience and welfare and does not violate the intent of this article." <p>The Board can authorize a special exception allowing a business wall sign increased area when the Board determines the following:</p> <ol style="list-style-type: none"> a. That the granting of such special exception will be consistent with the area's 19th and early 20th century small town Texas character in size, shape, style, color and content; and b. The wall sign is placed on a single tenant building with a minimum floor area of four thousand (4,000) square feet; and c. The maximum wall sign area authorized is one hundred (100) square feet; and d. The maximum number of wall signs with an area increase allowed is two (2) per building, meeting the criteria of (b) above; and e. Any conditions that the Board believes are necessary to secure substantially the purpose and intent of this Sign Code. 	

ADDENDUM TO APPLICATION FOR DEVELOPMENT REVIEW

Attached to application submitted by Dr. Nathan Harris requesting variance for placement of a new monument sign on his property.

January 20, 2020

To the Forney Zoning Board of Adjustment (the "Board"),

We respectfully request the following information be considered and deliberated when evaluating the merits of our request for a sign variance with the hopes of the Board granting such approval. We thank you in advance for any and all consideration.

Brief Background

Dr. Nathan Harris, a practicing Orthodontist in Forney since 2005, built his first building, Forney Professional Center I (FPC I) in 2008, located at 215 S FM 548, and has been practicing there ever since. His building is also home to Just for Kids Dentistry, Drs. Parker and Garza, and an Oral Surgeon, Dr. Thomas Draper. All tenants have experienced great success over the years.

When the land was initially purchased to build FPC I, it was sufficient in size to one day build a second building directly behind FPC I. This new building, Forney Professional Center II (FPC II) with a physical address of 219 S FM 548, would become the new office for Harris Orthodontics. In November 2018 the land for FPC II was officially replatted (see attached Exhibit A) and in September of 2019 construction commenced with an expected opening in mid-February 2020.

Monument Sign Variance Request

Signage of any kind is profoundly important to virtually all businesses whether the importance lies in its ability to promote services, provide exposure, enhance one's brand, or build name recognition; Or, assist the public with the identification or type of business; Or, provide the public with needed directions to assist them in locating the desired business.

Why we are requesting a variance...

The FPC I property fronts S FM 548. The replatted land with its new building (FPC II) is located directly behind FPC I and therefore has no direct access or frontage along S FM 548 to offer signage or visibility. Dr. Harris is requesting a variance to erect a second monument sign on the FPC I property along S FM 548. The existing monument sign currently serves FPC I. The additional monument sign will serve FPC II.

In addition, a particularly unique challenge is that there is no curb cut anywhere along the FPC I property for which the public may directly access the FPC I property. There is a curb cut on the adjacent property to the north (see attached Exhibit B) with which FPC I has a shared access easement. This curb cut is approximately 190' from the FPC I property line (and existing

monument sign) and adds to the challenge of providing the public easy access to the property. Patients traveling south often miss the turn into the adjacent property because they are not expecting to enter the FPC I property 190' in advance of their desired destination. I'm not suggesting an additional monument sign will resolve that particular issue. Only a future curb cut would do that. However, I am suggesting that FPC I and FPC II have some unique access and visibility challenges, in particular FPC II since it will be behind FPC I and out of view.

Without the additional monument sign for FPC II, Dr. Harris and his patients will bear a heavy burden due to the lack of exposure, loss of patients who do not know his practice has simply moved to the back and not left the area, and of course patients who have a negative experience trying to locate the office.

We believe the additional monument sign will substantially increase the quality of the property and thusly the public's overall experience and satisfaction.

Sign Location

If the Board sees fit to grant the variance, we will certainly work with the City of Forney to install a monument sign that complies with all city requirements. We have taken the liberty to suggest a location for the proposed sign (Exhibit B).

The proposed sign should in no way adversely affect adjacent properties. It will not diminish the quality of said properties, pose any risk, or negatively impact the experience for those who frequent those properties or businesses. As you can the sign will be located at the south end of the FPC I property so there would be no concerns from the adjacent property to the north; and, the adjacent property to the south is vacant land. But still, any future development would be unaffected by the monument sign. The rendering also indicates a sign that will be unique and professional in its look and design, and will complement the existing structures.

Also, FPC I and FPC II are over-parked and removing one parking space on the south corner to install the monument sign would make the most sense and have no impact on the parking requirement or parking needs of the property.

In conclusion, we hope we have conveyed the importance of the variance, the significance to Dr. Harris as well as his patients. The monument sign would have a profound and substantial impact on the success of Dr. Harris' practice and an overwhelmingly positive experience for his patients.

We thank the Board and eagerly await the Boards reply.

Most sincerely,

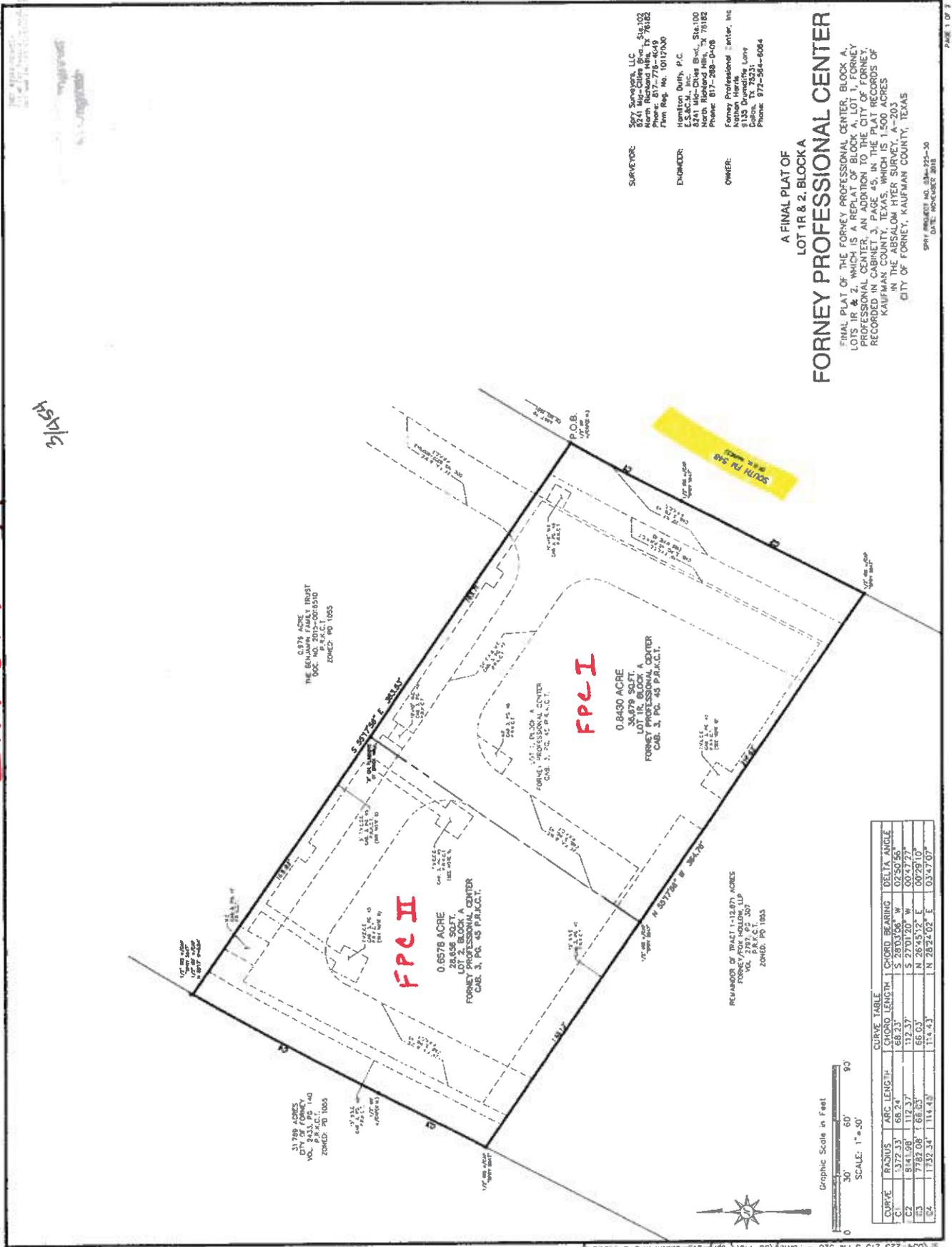


Robert C. Armstrong, CCIM, CIPS, CFP®, LEED AP®
Real Estate Consultant to Dr. Harris

2025 P&L COND. MODEL C
 07/18
 Report of
 1 of 2
 Forney Professional Center

EXHIBIT "A"

3/15/24



CURVE	RADIUS	ARC LENGTH	CHORD BEARING	DELTA ANGLE
C1	1,372.33'	68.24'	S 203°10' W	02°50'55"
C2	814.98'	112.37'	S 270°12' W	00°47'23"
E3	7,782.08'	66.03'	N 26°45'2" E	00°29'10"
E4	1,152.34'	114.43'	N 28°24'02" E	03°47'07"

Graphic Scale in Feet
 0 30 60 90
 SCALE: 1" = 50'



SURVEYOR:
 SEV Surveyors, LLC
 8241 Mc-Clellan Blvd., Suite 100
 Houston, Texas 77055
 Phone: 817-778-6449
 Fax: 817-778-6449
 Firm Reg. No. 19117000

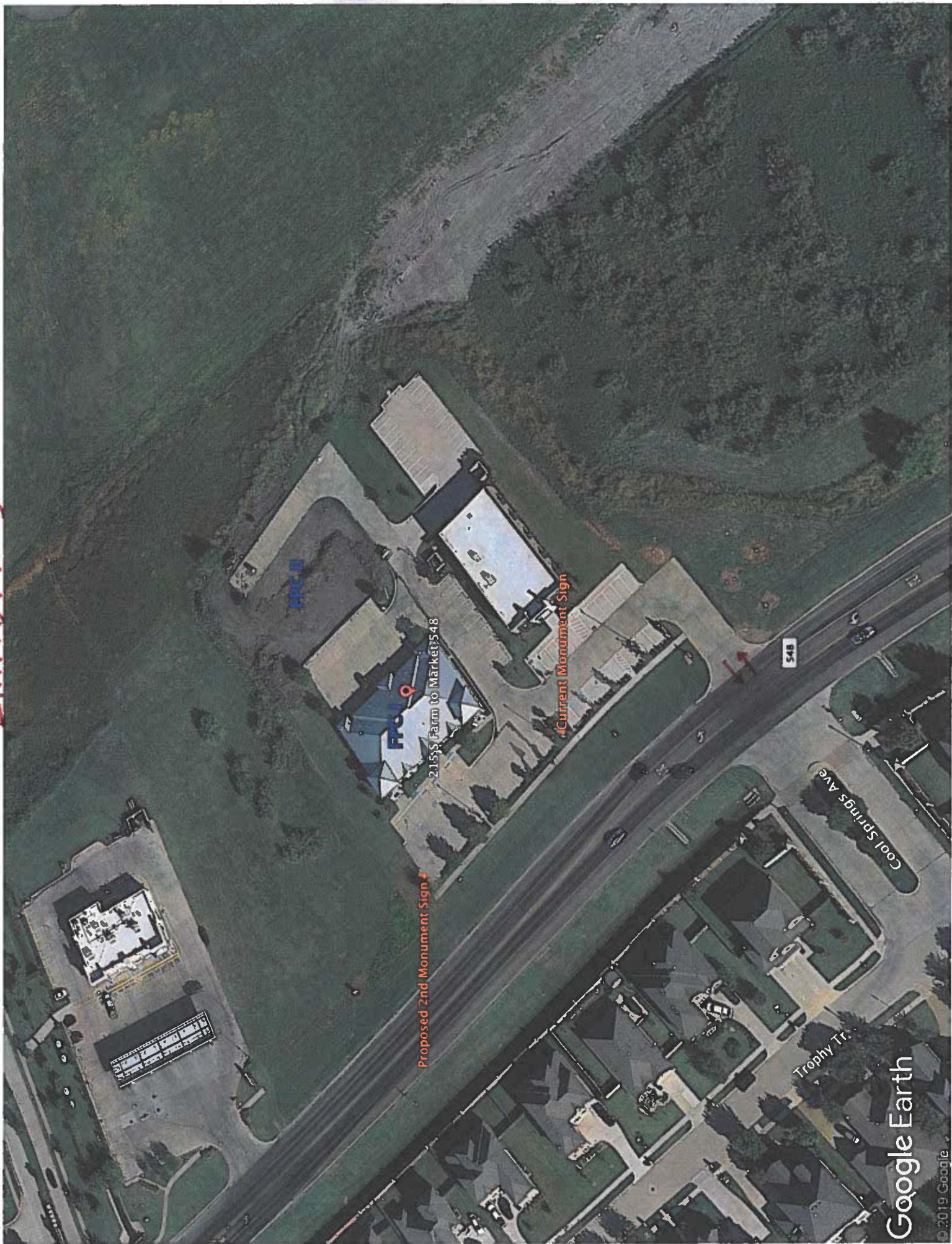
ENGINEER:
 Hamilton Duffy, P.C.
 L.S.A.C. No. 10000
 1400 North Loop West, Suite 100
 Houston, Texas 77002
 Phone: 817-288-0408

OWNER:
 Forney Professional Center, Inc.
 Kathleen Henke
 5133 Drummette Lane
 Houston, Texas 77055
 Phone: 817-288-6084

A FINAL PLAT OF
 LOT 1R & 2, BLOCK A
FORNEY PROFESSIONAL CENTER
 FINAL PLAT OF THE FORNEY PROFESSIONAL CENTER, BLOCK A
 WHICH IS A SUBDIVISION OF LOT 1A, BLOCK A OF THE
 PROFESSIONAL CENTER AN ADDITION TO THE CITY OF FORNEY,
 KAUFMAN COUNTY, TEXAS, WHICH IS 1,500 ACRES
 IN THE ABSALOM HYER SURVEY, A-203
 CITY OF FORNEY, KAUFMAN COUNTY, TEXAS

SPR # PROJECT NO. 23-225-30
 DATE: NOVEMBER 2023

20191115



Proposed 2nd Monument Sign

2155 Farm to Market 548

Current Monument Sign

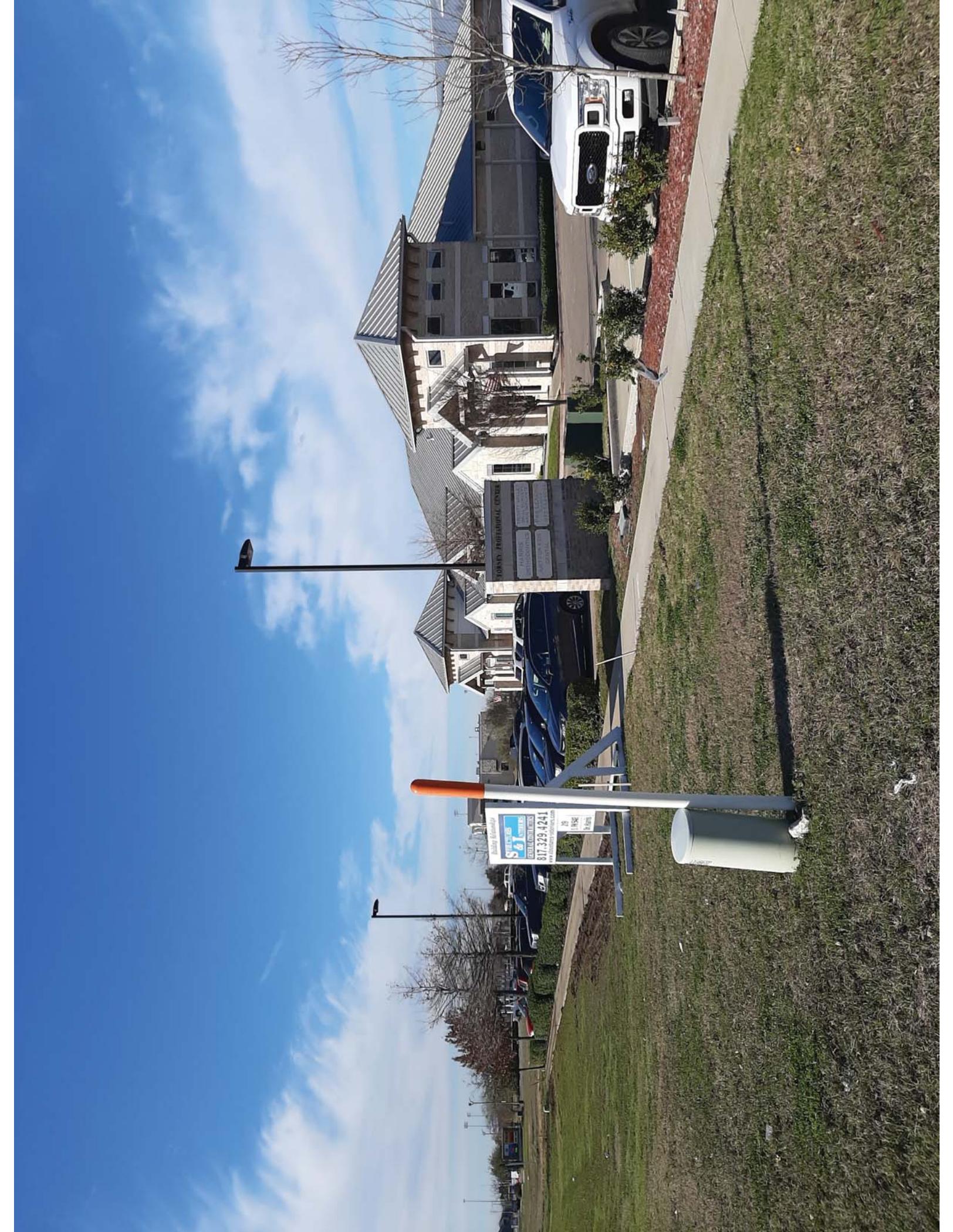
548

Cool Springs Ave

Trophy Tr.

Google Earth

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SELECTUS
61 SYSTEMS
317.328.4241
GENERAL CONTRACTORS

TORNEY PROFESSIONAL CENTER
HEALTHCARE
INDUSTRIAL
OFFICE