



AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
THURSDAY, OCTOBER 29, 2020
6:00 PM
COVID-19 PRECAUTIONS

The operation of a municipality is an Essential Service. The Texas Governor's Order, with the guidance of DSHS Commissioner Dr. Hellerstedt, allows all persons in Texas to obtain essential services, but directs the public to do so by minimizing in-person contact with people who are not in the same household and direct the implementation of social distancing, good hygiene, environmental cleanliness and sanitation. Therefore, the following social distancing rules apply to the public attending this meeting:

- 1) Any member of the public attending the meeting shall maintain a six-foot distance from others (except for those you live in the same household). City Staff and City Officials shall practice social distancing to the extent able without interfering in the ability to carry out the essential governmental functions to be conducted at this meeting.
- 2) To enter City Hall to attend this meeting all persons must wear a face covering (i.e. a cloth mask that effectively covers the mouth and nose with more than one layer of fabric) or equivalent device.
- 3) Attendance in the Council Chamber will be limited to allow for the public in attendance to practice social distancing. Seating may be assigned.
- 4) Coughs and sneezes must be covered with a cloth or tissue, which should then be properly disposed of or washed, and shall not be exposed to others.
- 5) Public courtesies such as handshakes or other greetings shall be respectfully avoided.
- 6) Any member of the public approaching city representatives, whether they be city staff or elected or appointed officials must maintain six-foot social distancing.

Any person who fails to comply with the COVID-19 Precautions may be removed from the meeting.

EXPANDED OPPORTUNITY FOR PUBLIC COMMENT OR PUBLIC TESTIMONY:

The City shall continue to allow expanded opportunities for members of the public who do not attend to participate in Public Comment and Public Testimony. Such participation will be allowed when recognized upon the Chair's announcement.

ANYONE WHO DOES NOT ATTEND BUT DESIRES TO COMMENT ON A MATTER **NOT ON THE AGENDA** MAY SUBMIT COMMENTS TO BE READ INTO THE RECORD BY THE CHAIR DURING THE PUBLIC TESTIMONY PORTION OF THE AGENDA. ANYONE WHO DESIRES TO COMMENT ON A MATTER UNDER CONSIDERATION FOR ACTION BY THE BODY THAT APPEARS ON THE AGENDA AT THIS MEETING MUST SEND THEIR COMMENT IN WRITING USING THE FORM AT <https://www.cowtx.org/WEDCcomments> NO LATER THAN ONE (1) HOUR PRIOR TO

THE MEETING.

All written comments must comply with applicable decorum rules for comments made during a public meeting of the Watauga City Council to be read into the record. Up to three minutes shall be allotted for each written or oral comment to be read/spoken into the record of the meeting. All timely written comments will be read into the record of the meeting at the appropriate time during the meeting. While reasonable efforts will be taken to gather comments received within the hour prior to the meeting or received during the meeting, all such comments are considered untimely and may not be recognized and read during the meeting.

CALL TO ORDER

ROLL CALL

PUBLIC TESTIMONY Members of the public are invited and encouraged to attend all public meetings of the Zoning Board of Adjustment that are not closed to the public in accordance with the Texas Open Meetings Act. It is the desire of the Board that citizens actively participate in the City's governance system and processes. Public input to the Board of Adjustment is encouraged during the Public Testimony, Public Hearings, or Action Item sections of a meeting agenda. Individuals desiring to speak during Public Testimony shall be called upon to speak only after completing a Request to Speak form provided. The Request to Speak form for Public Testimony shall be submitted to the administrative staff prior to speaking. Individuals desiring to speak on an agenda item or during a public hearing shall submit the Request to Speak form prior to the introduction of that respective item by the Chair. Once the form is received by administrative staff, the individual shall be recognized and called upon by the Chair prior to speaking. Any public testimony must occur prior to formal action being taken by the Body. The Chair shall have the power to suspend citizen comments at any time during the meeting to preserve the order and efficiency of the meeting. Reasonable time limitations may be placed on public testimony by the presiding officer in order to conduct an efficient and effective public meeting.

APPROVAL OF MINUTES

1. Consider and take action to approve the Minutes from the September 29, 2020 Regular Meeting of the Zoning Board of Adjustment

PUBLIC HEARING

1. **ZBA Case No. 20-01:** Request for a Special Exception to Watauga City Code of Ordinances, Chapter 115 - Zoning, Article II, Section 115-34, Paragraph (e), to allow an authorized special exception (7) Outside storage for department stores and hardware stores. **Conditions:** Storage Items must not be located in the designated front yard setback area. All stored Items within the storage area shall be displayed items for sale and not discarded items. The property is located at 5609 Watauga Road, Lot 1R Block 5 of the Schellinger, I J Subdivision. Harry Saginaw, owner. Raul Ramon, authorized applicant/owner of El Sol Mexican Imports.

NEW BUSINESS

1. Discussion and Action of **ZBA Case No. 20-01:** Consider request for a Special Exception to Watauga City Code of Ordinances, Chapter 115 - Zoning, Article II,

Section 115-34, Paragraph (e), to allow as an authorized special exception (7) Outside storage for department stores and hardware stores. **Conditions:** Storage Items must not be located in the designated front yard setback area. All stored Items within the storage area shall be displayed items for sale and not discarded items. The property is located at 5609 Watauga Road, Lot 1R Block 5 of the Schellinger, I J Subdivision. Harry Saginaw, owner. Raul Ramon, authorized applicant/owner of El Sol Mexican Imports.

ADJOURNMENT

Meeting Notices and Reservation of Rights

The Zoning Board of Adjustment may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the to address a subject matter on the agenda. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

NOTICE

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 CITY

SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 281-1991 FOR FURTHER INFORMATION.

I, Andrea Gardner, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on Monday, October 26, 2020 before 5:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Andrea Gardner, City Secretary





AGENDA MEMORANDUM

DATE: October 16, 2020

TO: Zoning Board of Adjustment Members

FROM: Randy Richards, CFM, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

SUBJECT: Consider and take action to approve the Minutes from the September 29, 2020 Regular Meeting of the Zoning Board of Adjustment

BACKGROUND/INFORMATION:

This item contains the draft of the meeting minutes for the September 29, 2020, Regular Meeting of the Zoning Board of Adjustment. Said minutes are submitted for review and approval by the board,

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend the Zoning Board of Adjustment review and approve the meeting minutes as attached.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Meeting Minutes - September 29, 2020 DRAFT

REVIEWED BY:

Randy Richards, CFM, Building Official	Approved - 10/21/2020
Karrie Marling, Legal	Approved - 10/21/2020
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 10/26/2020
Andrea Gardner, City Manager	Final Approval - 10/26/2020

Approved as to form for inclusion on Agenda



“A GREAT PLACE TO LIVE”

**MINUTES
ZONING BOARD OF ADJUSTMENT
THURSDAY, SEPTEMBER 29, 2020
CITY HALL-COUNCIL CHAMBER, 7105 WHITLEY ROAD
REGULAR MEETING
6:00 P.M.**

CALL TO ORDER:

Chairperson Charlie Mann called the meeting to order at 6:11 PM.

MEMBERS PRESENT:

David Villafuerte, Place 1
Damon Solko, Place 2
Pete Beierschmitt, Place 3
Mel Eperthener, Place 4
Charlie Mann, Place 5

Jan Hill, Alternate, Place 4 – present and available

And

Randy Richards, Building Official
Jeannette Garcia, Planning and Zoning Coordinator

PUBLIC TESTIMONY Members of the public are invited and encouraged to attend all public meetings of the City Council that are not closed to the public in accordance with the Texas Open Meetings Act. It is the desire of the City Council that citizens actively participate in the City's governance system and processes. Public input to the City Council is encouraged during the Public Testimony, Public Hearings, or Action Item sections of a meeting agenda. Individuals desiring to speak during Public Testimony shall be called upon to speak only after completing a Request to Speak form provided. The Request to Speak form for Public Testimony shall be submitted to the administrative staff prior to speaking. Individuals desiring to speak on an agenda item or during a public hearing shall submit the Request to Speak form prior to the introduction of that respective item by the Chair. Once the form is received by administrative staff, the individual shall be recognized and called upon by the Chair prior to speaking. Any public testimony must occur prior to formal action being taken by the Body. The Chair shall have the power to suspend citizen comments at any time during the meeting to preserve the order and efficiency of the meeting. Reasonable time limitations may be placed on public testimony by the presiding officer in order to conduct an efficient and effective public meeting.

Art Miner, 7757 Kelly Lynn Ln, remind the board members of the current business climate, keeping an open mind and to understand that additional zoning special

exceptions and variances may be requested.

APPROVAL OF MINUTES:

1. Approval of Minutes from the September 26, 2019 Regular Meeting of the Zoning Board of Adjustment.

Member Pete Beierschmitt made a motion to approve the minutes of September 26, 2019 as presented. Member Damon Solko seconded the motion, which passed as follows:

AYES: Villafuerte, Solko, Beierschmitt, Eperthener, Mann
NAYS: None
ABSENT: None
ABSTAIN: None

NEW BUSINESS

1. Discussion and action on selection of Zoning Board of Adjustment Officers

- a. Chairperson

Mel Eperthener nominated David Villafuerte as Chairperson and he accepted the nomination. Damon Solko seconded the motion, which passed as follows:

AYES: Villafuerte, Solko, Beierschmitt, Eperthener, Mann
NAYS: None
ABSENT: None
ABSTAIN: None

- b. Vice-Chairperson

Charlie Mann nominated Mel Eperthener to serve as Vice-Chairperson, Damon Solko seconded the motion, which passed as follows:

AYES: Villafuerte, Solko, Beierschmitt, Eperthener, Mann
NAYS: None
ABSENT: None
ABSTAIN: None

- c. Secretary

Damon Solko volunteered to serve as Secretary. Mel Eperthener seconded the motion, which passed as follows:

AYES: Villafuerte, Solko, Beierschmitt, Eperthener, Mann
NAYS: None
ABSENT: None

ABSTAIN: None

ADJOURNMENT:

With no further business to discuss, Chairperson Charlie Mann adjourned the meeting at 6:20 p.m.

APPROVED: this the _____ day of _____ 202_.

SIGNED: this the _____ day of _____ 202_.

APPROVED: _____
David Villafuerte, Chairperson

ATTEST: _____
Damon Solko, Secretary



AGENDA MEMORANDUM

DATE: October 16, 2020

TO: Zoning Board of Adjustment Members

FROM: Randy Richards, CFM, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

SUBJECT: **ZBA Case No. 20-01:** Request for a Special Exception to Watauga City Code of Ordinances, Chapter 115 - Zoning, Article II, Section 115-34, Paragraph (e), to allow an authorized special exception (7) Outside storage for department stores and hardware stores. **Conditions:** Storage Items must not be located in the designated front yard setback area. All stored Items within the storage area shall be displayed items for sale and not discarded items. The property is located at 5609 Watauga Road, Lot 1R Block 5 of the Schellinger, I J Subdivision. Harry Saginaw, owner. Raul Ramon, authorized applicant/owner of El Sol Mexican Imports.

BACKGROUND/INFORMATION:

The Public Hearing Notice for Zoning Board of Adjustment Case No. ZBA. 20-01 was duly posted at City Hall and published in the Star Telegram by the City Secretary's Office

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend allowing for staff and citizen participation as published and posted.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Star Telegram - OrderConf - 2020-10-15T115051.154

REVIEWED BY:

Randy Richards, CFM, Building Official	Approved - 10/21/2020
Karrie Marling, Legal	Approved - 10/26/2020
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 10/26/2020
George Hyde, Legal	Approved - 10/26/2020
Andrea Gardner, City Manager	Final Approval - 10/26/2020



AGENDA MEMORANDUM

Approved as to form for inclusion on Agenda

Star-Telegram MEDIA

Arlington Citizen-Journal | The Keller Citizen | La Estrella
 Mansfield News-Mirror | Star-Telegram Northeast | Weatherford Star-Telegram
 star-telegram.com | 808 Throckmorton St. | Ft Worth, Tx. 76102-6315

Order Confirmation

Customer

CITY OF WATAUGA

Customer Account

600616

Customer Address

7105 WHITLEY RD
 FORT WORTH TX 761482024 USA

Customer Phone

817-281-8047

Customer Fax

Sales Rep

clopez@star-telegram.com

Payor Customer

CITY OF WATAUGA

Payor Account

600616

Payor Address

7105 WHITLEY RD
 FORT WORTH TX 761482024 USA

Payor Phone

817-281-8047

Customer EMail

Order Taker

agrisham@mcclatchy.com

<u>PO Number</u>	<u>Payment Method</u>	<u>Blind Box</u>	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>
Legal Notice	Invoice		0	0	1

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$84.12	\$0.00	\$84.12	\$0.00	\$84.12

<u>Ad Order Number</u>	<u>Order Source</u>	<u>Ordered By</u>	<u>Special Pricing</u>
0004784475		Raquel Guajardo	
			<u>Promo Type</u>
			<u>Materials</u>
			<u>Invoice Text</u>
			<u>Package Buy</u>

Ad Order Information

Ad Number **Ad Type** **Production Method** **Production Notes**
0004784475-01 FTW-Legal Liner AdBooker

External Ad Number **Ad Attributes** **Ad Released** **Pick Up**
No

Ad Size **Color**
1 X 48 li

Product **Placement** **Times Run** **Schedule Cost**
FTW- Star-Telegram 0300 - Legals Classified 1 \$69.12

Run Schedule Invoice Text **Position**
ZONING BOARD OF ADJUSTMENT CITY HALL C 0301 - Legals & Public Notices

Run Dates
10/19/2020

Product **Placement** **Times Run** **Schedule Cost**
FTW-Upsell ST.Com 0300 - Legals Classified 1 \$15.00

Run Schedule Invoice Text **Position**
ZONING BOARD OF ADJUSTMENT CITY HALL C 0301 - Legals & Public Notices

Run Dates
10/19/2020

ZONING BOARD OF
ADJUSTMENT
CITY HALL COUNCIL CHAMBER
7105 WHITLEY ROAD,
WATAUGA, TEXAS 76148
OCTOBER 29, 2020
6:00 P.M.

Notice is hereby given of a Public Hearing to be held in the City of Watauga Council Chamber located at 7105 Whitley Road, on Thursday, October 29, 2020 at 6:00 p.m. for the purpose of hearing the following Zoning Board of Adjustment Case:

ZBA. 20-01: Consider request for a Special Exception to Watauga City Code of Ordinances, Chapter 115 Zoning, Article II, Section 115-34, Paragraph (e), to allow as an authorized special exception (7) Outside storage for department stores and hardware stores. Conditions: Storage Items must not be located in the designated front yard setback area. The property is located at 5609 Watauga Road, Lot 1R Block 5 of the Schellinger, I J Subdivision. Harry Saginaw, owner. Raul Ramon, authorized applicant.

Published on Monday, October 19, 2020, in the Star Telegram, Legal Notices Section.

I, Andrea Gardner, City Secretary for the City of Watauga, Texas, hereby certify that this notice was posted on the official bulletin board at City Hall, 7105 Whitley Road, Watauga, Texas, on Monday, October 19, 2020 before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

/s/ Andrea Gardner
City Secretary



AGENDA MEMORANDUM

DATE: October 16, 2020

TO: Zoning Board of Adjustment Members

FROM: Randy Richards, CFM, Building Official
Paul Hackleman, P.E., CFM, Director of Public Works

SUBJECT: Discussion and Action of **ZBA Case No. 20-01**: Consider request for a Special Exception to Watauga City Code of Ordinances, Chapter 115 - Zoning, Article II, Section 115-34, Paragraph (e), to allow as an authorized special exception (7) Outside storage for department stores and hardware stores. **Conditions:** Storage Items must not be located in the designated front yard setback area. All stored Items within the storage area shall be displayed items for sale and not discarded items. The property is located at 5609 Watauga Road, Lot 1R Block 5 of the Schellinger, I J Subdivision. Harry Saginaw, owner. Raul Ramon, authorized applicant/owner of El Sol Mexican Imports.

BACKGROUND/INFORMATION:

This application is a request to allow as an authorized special exception for outside storage as for department stores and hardware stores. The property is located at 5609 Watauga Road, Block 5 Lot 1R in the Schellinger Addition. The proposed site will be the new home to El Sol Mexican Imports which has been operating in the City of Watauga over 26 years. Raul and Cristina Ramon, business owners.

Notice of Public Hearing letters were sent to all properties within 200 feet of proposed location on October 16, 2020.

Sec. 115-34 - Board of Adjustment. (e)Authorized Special Exceptions. The following privately owned or privately operated uses may be permitted as special exceptions by the board in the districts indicated below, subject to full and complete compliance with any and all conditions listed, together with such other conditions as the board may impose for protection of public health or safety: (7) Outside storage for department stores and hardware stores. **Conditions:** Storage Items must not be located in the designated front yard setback area. All stored Items within the storage area shall be displayed items for sale and not discarded items. District where permitted is CF, GU, LB, GB, C, or I.

FINANCIAL IMPLICATIONS:



AGENDA MEMORANDUM

NA

RECOMMENDATION/ACTION DESIRED:

Discussion and approval or denial for ZBA Case No. 20-01 - Special Exception.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 5609 Watauga Rd - Sp Exception Application - El Sol
2. Grounds for Request - Details Attachment
3. Statement of Agent
4. Site Plan - 5609 Watauga Rd
5. 5609 Watauga Rd_200 foot labels final
6. MAILED Notice - Response Form - RECEIVED
7. Star Telegram - Public Hearing Notice - Publication - ZBA. 20-01.JPG
8. 5609 Watauga Rd - El Sol Imports - Zoned LB

REVIEWED BY:

Randy Richards, CFM, Building Official	Approved - 10/26/2020
Karrie Marling, Legal	Approved - 10/26/2020
Paul Hackleman, P.E., CFM, Director of Public Works	Approved - 10/26/2020
George Hyde, Legal	Approved - 10/26/2020
Andrea Gardner, City Manager	Final Approval - 10/26/2020

Approved as to form for inclusion on Agenda



Zoning Board of Adjustment Application

(PLEASE PRINT)

CASE NO. ZBA. 20-01

DATE PAID: 9/23/2020

ZBA FEE: \$300.00

RECEIPT #: 20-00963

I, THE UNDERSIGNED APPLICANT, HEREBY MAKE APPLICATION FOR A VARIANCE OR X SPECIAL EXCEPTION FROM THE ZONING ORDINANCE OF THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN THE CITY OF WATAUGA, TEXAS:

LOT: 1R BLOCK: 5 IN THE: SCHELLINGER ADDITION ADDITION

I AM THE OWNER LESSEE [checked] OTHER OF SAID PROPERTY. (IF NOT THE OWNER PLEASE PROVIDE OWNER'S AUTHORIZATION)

NAME OF APPLICANT: RAUL B RAMON

APPLICANT ADDRESS: 701 EAGLE DR SAGINAW TX 76131

PHONE: 817 896 3392 E-MAIL ADDRESS: ELSOLRAUL@YAHOO.COM

LIST PERTINENT SECTION (S) OF ZONING ORDINANCE AND INDICATE THE SPECIFIC VARIANCE OR SPECIAL EXCEPTION AMOUNTS BEING REQUESTED. (ATTACH A SEPARATE SHEET IF NECESSARY)

AUTHORIZED SPECIAL EXCEPTIONS

STATE GROUNDS FOR THE REQUEST AND DETAIL ANY SPECIAL CONDITIONS WHICH CAUSE HARDSHIPS THAT IN YOUR OPINION JUSTIFY THE VARIANCE OR SPECIAL EXCEPTION (S) YOU ARE REQUESTING.

DETAILS ATTACH

(ATTACH A DETAILED DIAGRAM OF SITE DRAWN TO SCALE AND ANY OTHER DRAWINGS OR PICTURES NECESSARY TO HELP EXPLAIN THE CASE.)

*I have read the completed application and know the same is true and correct and hereby agree that if a permit is issued all provisions of the City Ordinances and State Laws will be complied with whether herein specified or not. I agree to comply with all property restrictions. I am the owner of the property or the duly authorized agent.

*Submittal of false information or omission as required by this application may result in any permit, license, or approval being revoked.

*Signatures certify that all information provided is true and correct

SIGNATURE: [Signature]

OFFICE USE ONLY: THIS APPEAL HAS BEEN APPROVED DISAPPROVED BY THE ZONING BOARD OF ADJUSTMENT ON THIS DAY OF, 20. CHAIRMAN, ZONING BOARD OF ADJUSTMENT

TO WHOM IT MAY CONCERN:

WE ARE A FAMILY BUSINESS AND
WE HAD BEEN SERVING THE WATAUGA
COMMUNITY FOR 26 YEARS AT
6008 DENTON HWY.

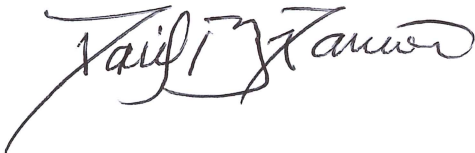
OUR KIND OF BUSSINESS, IS MAINLY
YARD ART FOR THE PATIO, ALSO
RUSTIC FURNITURE AND INTERIOR
DECOR.

WE'RE MOVING TO A NEW LOCATION
AND WE WILL LIKE TO USE THE
YARD IN THE BACK OF THE BUILDING
TO DISPLAY OUR PRODUCTS AND GIVE
OUR CUSTOMERS THE IDEA OF HOW
TO DECORATE THEIR YARDS.

THANKS!

EL SOL MEXICAN IMP.

PAUL B RANOW



We are a family business and we been serving the Watauga community for 26 years at 6008 Denton Hwy.

Our kind of business, is mainly yard art for the patio, also rustic furniture and interior decor, that's why we will like to use the yard of the building, so we can display our products and give our customers the idea of how to decorate their yards.

Thanks!

El Sol Mexican Imports.



Statement of Agent Authorization

I, HARRY SAGINAW, owner of 5609 Watauga BLVD also known as Block 5, Lot IR of the SCHELLINGER, I J Subdivision in the City of Watauga hereby certify that I have given my permission to HARRY SAGINAW AGENT to act as my agent for zoning, specific use permit, preliminary plat, final plat, or variance/special exception for said property. As the owner of the aforementioned property, I accept and agree to be bound by and comply with any written requirements a zoning, specific use permit, preliminary plat, final plat or variance/special exception of the property.

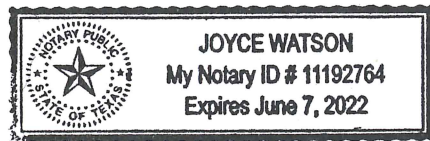
[Signature of Owner]
Signature of Owner

HARRY SAGINAW 9-24-20
Name (Typed or Printed) Date

Notary Acknowledgement No. 2: Before me, the undersigned authority, on this day personally appeared Harry J. Saginaw, known to me to be the person whose name is subscribed to the above and foregoing instrument, and knowledge to me that he/she executed the same for the purposes and consideration expressed and in the capacity therein stated.

Given under my hand and seal of office on this the 24 day of Sept., 20 20

[Signature of Notary Public]
Notary Public



Notary Public in and For the State of Texas

My commission expires the 6 day of July, 20 22.

North



ALLSTATE

Outside
Storage
enclosed by
fence.
44.5 f tx 37 ft

Primary
Building

EL SOL
MEXICAN
IMPORTS

Watauga Road



**Owners within 200 feet
of Subject Property-5609 Watauga Rd**

Owner	Owner_Address	Owner_City State	Owner_Zip	Situs_Address
Harry Saginaw	4008 Shorecrest Dr	Dallas TX	75209-1718	5609 Watauga Rd
Mr Land LLC	622 Cobblestone Cir	Mansfield TX	76063	5620 Watauga Rd
Mr Land LLC	622 Cobblestone Cir	Mansfield TX	76063	6200 Pine St
Jay Ganpati Inc	6805 Matador Ranch Rd	N Richland Hills TX	76182	6212 Denton Hwy
Pamela Sue Dewitt	5625 Watauga Rd	Watauga TX	76148-3073	5625 Watauga Rd
Lottie Dominey Holmes	5617 Watauga Rd	Watauga TX	76148-3064	5617 Watauga Rd
Mid Enterprises LLC	340 Old Mill Rd No. 109	Santa Barbara CA	93110	6300 Denton Hwy
Mony and Sundary Rama Chheng	6308 Denton Hwy	Watauga TX	76148-2503	6308 Denton Hwy
Jintana Boone	5608 Bonnie Dr	Watauga TX	76148-2501	5608 Bonnie Dr
Tallee Homes LLC	6717 Gillis Johnson	Fort Worth TX	76179	5612 Bonnie Dr
Tallee Homes LLC	6717 Gillis Johnson	Fort Worth TX	76179	5616 Bonnie Dr
Kevin and Laura J Beale	7828 Vinca Cir	Fort Worth TX	76135-4429	5620 Bonnie Dr
Lauren N Olechna	5624 Bonnie Dr	Watauga TX	76148	5624 Bonnie Dr



Public Hearing Notice – Special Exception

October 15, 2020

Dear Property Owner/Resident:

The Zoning Board of Adjustment will hold a public hearing to consider an application request for special exception from the zoning ordinance at their meeting on October 29, 2020 at 6:00 PM in the Council Chamber at Watauga City Hall, 7105 Whitley Road.

ZBA. 20-01: Consider request for a Special Exception to Watauga City Code of Ordinances, Chapter 115 Zoning, Article II, Section 115-34, Paragraph (e), to allow as an authorized special exception (7) Outside storage for department stores and hardware stores. **Conditions:** Storage Items must not be located in the designated front yard setback area. The property is located at 5609 Watauga Road, Lot 1R Block 5 of the Schellinger, I J Subdivision. Harry Saginaw, owner. Raul Ramon, authorized applicant/owner of El Sol Mexican Imports.

In accordance with State law, you are receiving this notice due to the fact public records available through Tarrant Appraisal District reflect you are the owner(s) of property within two hundred (200) feet of the subject property. A site map is attached for your information.

If you are interested, you are invited to attend this meeting. If you cannot attend the meeting and wish to provide written comments or documentation to the Board of Adjustment, please return your information on the attached response form to the address or email provided.

If you have any questions, please contact me at 817-514-5827 or e-mail jgarcia@wataugatx.org.

Sincerely,

A handwritten signature in blue ink that reads "Jeannette Garcia".

Jeannette Garcia
Planning and Zoning Coordinator

City of Watauga
Development Services
7800 Virgil Anthony Blvd.
Watauga, TX 76148
<http://www.wataugatx.org>

To: City of Watauga, Texas

From: _____

(Address of Your Property that Could Be Impacted by this Request)

RE: **ZBA. 20-01:** Consider request for a Special Exception to Watauga City Code of Ordinances, Chapter 115 Zoning, Article II, Section 115-34, Paragraph (e), to allow as an authorized special exception (7) Outside storage for department stores and hardware stores. **Conditions:** Storage Items must not be located in the designated front yard setback area. The property is located at 5609 Watauga Road, Lot 1R Block 5 of the Schellinger, I J Subdivision. Harry Saginaw, owner. Raul Ramon, authorized applicant/owner of El Sol Mexican Imports .

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments: _____

Printed Name

Signature

Date

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
<http://www.wataugatx.org>

CASE ZBA. 20-01

<u>NAME</u>	<u>ADDRESS</u>	<u>RESPONSE</u>
Harry Saginaw Schellinger, I J Subdivision	5609 Watauga Rd Block 5 Lot 1R	_____
Mr Land LLC Watauga Addtion	5620 Watauga Rd Block 12 Lot 1R	_____
Mr Land LLC Watauga Addition	6200 Pine St Block 12 Lot 7R	_____
Jay Ganpati Inc Watauga Addition	6212 Denton Hwy Block 13 Lot R1	_____
Pamela Sue Dewitt Schellinger, I J Subdivision	5625 Watauga Rd Block 5 Lot 5	_____
Lottie Dominey Holmes Schellinger, I J Subdivision	5617 Watauga Rd Block 5 Lot 4	<u>Comment Rec'd</u>
Mid Enterprises LLC Schellinger, I J Subdivision	6300 Denton Hwy Block 5 Lot 1R2	_____
Mony & Sundry Rama Chheng Schellinger, I J Subdivision	6308 Denton Hwy Block 5 Lot 1R1	_____
Jintana Boone Schellinger, I J Subdivision	5608 Bonnie Dr Block 5 Lot 21	_____
Talee Homes LLC Schellinger, I J Subdivision	5612 Bonnie Dr Block 5 Lot 20	_____
Talee Homes LLC Schellinger, I J Subdivision	5616 Bonnie Dr Block 5 Lot 19	_____
Kevin & Laura J Beale Schellinger, I J Subdivision	5620 Bonnie Dr Block 5 Lot 18	_____
Lauren N Olechna Schellinger, I J Subdivision	5624 Bonnie Dr Block 5 Lot 17	_____

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
<http://www.wataugatx.org>

11 Notices were mailed out:

_____ Do Not Object _____ Does Object 11 Did Not Reply.

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
<http://www.wataugatx.org>

received
10/23/2020 JH

To: City of Watauga, Texas

From: _____

(Address of Your Property that Could Be Impacted by this Request)

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I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments: *If this is where the day care was then in a in a ground phone line box that is suppose to have 24hr. access to which right now it does not.*

Printed Name

James Holmes

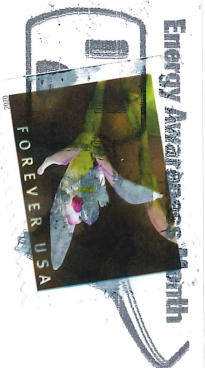
Signature

Date

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
<http://www.wataugatx.org>

HOLMES
349 C.R. 4929
NEWARK, TX 76071

NORTH TEXAS TX P&DC
DALLAS TX 750
21 OCT 2020 PM 10 L



City of Waburg
Dorel Bennett Services
7800 Lingfield Anthony Blvd
Waburg TX 76148

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POSTNET
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Signature

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ZONING BOARD OF
 ADJUSTMENT
 CITY HALL COUNCIL CHAMBER
 7105 WHITLEY ROAD,
 WATAUGA, TEXAS 76148
 OCTOBER 29, 2020
 6:00 P.M.

Notice is hereby given of a Public Hearing to be held in the City of Watauga Council Chamber located at 7105 Whitley Road, on Thursday, October 29, 2020 at 6:00 p.m. for the purpose of hearing the following Zoning Board of Adjustment Case:

ZBA. 20-01: Consider request for a Special Exception to Watauga City Code of Ordinances, Chapter 115 Zoning, Article II, Section 115-34, Paragraph (e), to allow as an authorized special exception (7) Outside storage for department stores and hardware stores. Conditions: Storage items must not be located in the designated front yard setback area. The property is located at 5609 Watauga Road, Lot 1R Block 5 of the Schellinger, I J Subdivision. Harry Saginaw, owner. Raul Ramon, authorized applicant.

Published on Monday, October 19, 2020, in the Star Telegram, Legal Notices Section.

I, Andrea Gardner, City Secretary for the City of Watauga, Texas, hereby certify that this notice was posted on the official bulletin board at City Hall, 7105 Whitley Road, Watauga, Texas, on Monday, October 19, 2020 before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

/s/ Andrea Gardner
 City Secretary

J. Garcia
 10/19/2020

Requestor: Raul and Cristina Ramon
El Sol Imports **Phone:** 817.896.3392 or 3393

Location: 5609 Watauga Road **Email:** elsolraul@yahoo.com

Property Use: Retail/Seasonal Merchant **Zoning:** LB – Local Business

Requesting: New location to allow for retail sale of Imports

Sec. 115-6. - Permitted principal, accessory and specific use permit uses.

The following uses are permitted as provided in this chapter:

Retail, retail store or retail activities. An establishment engaged in selling goods or merchandise to the general public in small quantities for personal or household consumption and the rendition of services incidental to the sale of such goods.

Department store. A store offering a variety of comparison and consumptive goods, including lawn and garden products, at a retail price to the general public.

Sec. 115-85 - Permitted use table.

- (a) *Permitted use table legend* . The following table presents the zoning district classifications and the permitted uses within those classifications. Uses are listed in accordance with permitted uses (P), uses permitted by a specific use permit (S), uses permitted by special exception (SE), and prohibited uses (blank). Conditions are provided in this section. Conditions and special regulations are for listed uses.
- (b) Any land use located in the table below that predates zoning ordinance changes shall then be considered legal nonconforming per article II, administration and enforcement. Specific to section 115-31, nonconformities.

Permitted use	P
Prohibited use	(blank)
Special exception	SE
Specific use	S

Land Use	SFA	SF6	D	MF	MH	LB	GB	C	I	CF	GU	Special Conditions
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Department store						P	P	P				5, 7, 11
Retail						P	P	P				2, 5, 7, 11, 16

(c) *Conditions and special regulations for listed uses* . The following describe conditions and special regulations for uses listed in the permitted use table. Additional requirements may be added to these listed herein by the planning and zoning commission and city council as deemed necessary to protect the health, safety, and general welfare of the citizens of the city. No construction or occupancy shall commence for any permitted use until the conditions herein stated or required by the planning and zoning commission have been met.

- (2) A site plan in accordance with section 115-115, Site plan requirements, will only be required in districts which require a specific use permit.
- (5) All outdoor lighting, including parking lot lighting, shall be directional away from any property zoned or developed for residential uses.
- (7) Must provide screening and/or landscaping consisting of fences/walls, beams [berms], or a combination of such from any abutting residentially zoned property.
- (11) No outside storage permitted.
- (16) No trash dumpster shall be located within 50 feet of a residentially zoned property.

Sec. 115-34. – Board of Adjustment

Special exception means a privileged use or development of property which would not be appropriate generally or without restriction throughout the zoning district, but which, if controlled as to number, size, location, or relation to the neighborhood, would promote the public health, safety, order, comfort, convenience, appearance, prosperity or general welfare of the community.

(e) *Authorized special exceptions*. The following privately owned or privately operated uses may be permitted as special exceptions by the board in the districts indicated below, subject to full and complete compliance with any and all conditions listed, together with such other conditions as the board may impose for protection of public health or safety:

Outside storage for department stores and hardware stores. Conditions: Must not be located in the designated front yard setback area.	CF, GU, LB, GB, C or I
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