

**CITY OF FORNEY AGENDA
BOARD OF ADJUSTMENT MEETING
FORNEY CITY HALL, 101 E. MAIN STREET
FORNEY, TX 75126
THURSDAY, APRIL 22, 2021, 6:30 P.M.
VIA CONFERENCE CALL**

The general public can listen to the meeting live on the City's website at <https://forneytx.gov/803/Watch-Meetings>. If you wish to address the Board during this meeting, you are required to email [\[email protected\]](#) no later than Thursday, April 22, 2021 by 1:00 p.m. You must provide your name and telephone number. You will be provided with information needed to dial in at least 15 minutes prior to the scheduled meeting start time. Due to technical restrictions, those who fail to dial into the meeting at the prescribed time may forfeit their ability to speak at the meeting.

1. Call Meeting To Order

2. Consent Items

- 2.I. Consider Approval Of The Minutes Of The February 23, 2021, Board Of Adjustment Meeting.

Documents:

[FEBRUARY 23, 2021 MINUTES.PDF](#)

3. Public Hearing Items

- 3.I. Hold A Public Hearing And Discuss And Consider Approval Of A Parking Variance For The Forney ISD Aquatic Center On The Northeast Side Of F.M. 740, West Of Ranch Road.

Documents:

[ITEM SUMMARY-FORNEY AQUATIC CENTER.PDF](#)
[EXHIBIT-FORNEY AQUATIC 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, Peter Morgan, 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 16th day of April, 2021, 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, February 23, 2021 – 6:30 p.m.
Forney City Hall
101 East Main Street

I. CALL TO ORDER

Richard Salgado called the meeting to order at 6:35 PM. Present were board members and alternates Richard Salgado, Terese Rice, Rick Henrichs, Brian Reese, Thomas Hoffman and Tiffany Fuqua. Also present were City Planner Alex Dixon and Board Secretary Gladis Saldana. Alternate board member Nikki Chandler and Jonathan Dolleman were absent. Alternate Board Member Tiffany Fuqua was a non-voting member for this meeting.

II. CONSENT ITEMS

1. Consider approval of the minutes of the February 17, 2020 of the Board of Adjustment meeting.

Brian Reese made a motion to approve the minutes and Rick Henrichs seconded the motion. The motion passed by a vote of 5 ayes (Reese, Henrichs, Hoffman, Rice and) and 0 nays.

III. PUBLIC HEARING ITEMS

1. Hold a public hearing and discuss and consider approval of variance for a new sign at the corner of N. Gateway Boulevard and N. FM 548.

City Planner Alex Dixon introduced the item and explained that the request was for a variance to install a large construction sign located near Whaley Drive and N. Gateway Boulevard intersection. Mr. Dixon stated what the Zoning Ordinance allowed. The applicant Angie LePine spoke in favor of the request and was available for questions. The board members discussed the location and sign design.

No from the public chose to speak. At 7:02 p.m. Mr. Salgado closed the public hearing. The board members discussed the size and location of the sign. After reviewing and discussing the criteria that needed to be met for approval, Richard Salgado made a motion to approve the request, Thomas Hoffman seconded the motion. The motion passed by a vote of 5 ayes and 0 nays (Salgado, Hoffman, Henrichs, Rice, and Reese).

IV. ADJOURNMENT

There being no further business to bring before the board, Richard Salgado adjourned the meeting at 7:10 p.m.

PASSED AND APPROVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF FORNEY, TEXAS, this _____ day of _____, 2021.

Chairperson

ATTEST:

Gladis Saldana, City of Forney



Board of Adjustment Agenda Item Summary Report

Meeting Date: April 22, 2021	Submitted by: P. Morgan
Item Title:	
Hold a public hearing and discuss and consider approval of a parking variance for the Forney ISD Aquatic Center on the northeast side of F.M. 740, west of Ranch Road.	
Consent Item [<input type="checkbox"/>] Public Hearing Item [X] Action Item [<input type="checkbox"/>]	Documentation Attached: Application Letter Site Plan
Item Summary	
<p>Forney ISD requests approval of a variance to the City of Forney parking regulations. The City of Forney Comprehensive Zoning Ordinance requires a community pool to provide one parking space for each one-hundred square feet of gross water surface and deck area. This would require a total of 140 spaces to be provided for the new Forney ISD aquatic center.</p> <p>The application letter states that the variance request is based on the following:</p> <p>The main function of the facility is for student training use. The students will be transported to the facility by bus from their home Middle School or High School.</p> <p>Due to the nature of the pool use, occupancy will be much lower than a standard community swimming pool. There are seventeen regular parking spaces and five handicap parking spaces proposed at the aquatic center site. There will be 122 parking spaces at the Forney ISD Intermediate School across the street. These spaces can be used on an as needed basis if overflow parking is required. A sidewalk from the overflow parking area to the aquatic center is proposed.</p> <p>Section 9.6 of the Zoning Ordinance provides variance requirements. It states that no variance shall be granted unless the Board of Adjustment finds:</p> <ol style="list-style-type: none"> 1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his/her land; and 2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and 3. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and 4. That the granting of the variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of this Ordinance; and 5. That a finding of undue hardship exists (see below). <p>In order to grant a variance, the Board of Adjustment must make written findings that an undue hardship exists, using the following criteria:</p> <ol style="list-style-type: none"> 1. That literal enforcement of the controls will create an unnecessary hardship in the development of the affected property; and 2. That the situation causing the hardship or difficulty is neither financial in nature, self-imposed nor generally affecting all or most properties in the same zoning district; and 3. That the relief sought will not injure the permitted use of adjacent conforming property and 4. That the granting of a variance will be in harmony with the spirit and purpose of these regulations. 	



Forney Independent School District
600 S. Bois d'Arc,
Forney, TX, 75126
469-762-4100
www.forneyisd.net

March 8, 2021

City of Forney

PO Box 826

Forney, TX 75126

Attn: Planning and Development

RE: Parking Variance Request for new Forney Aquatic Center

City of Forney Planning and Development,

The Forney Independent School District is in the process of planning a new Aquatic Center to serve the students of the District and the Forney community. The facility is to be located on the Southwest corner of the new roundabout that was installed as part of the Rhodes Intermediate School/Jackson Middle School project. The main function of the new facility is to serve as a training pool for the students of Forney ISD with an ancillary function to serve some community needs such as learn to swim and adult water aerobics. This facility is not intended to be a community swimming pool. Our understanding of the parking requirements for this facility are as follows: one (1) parking space for each one hundred (100) square feet of gross water surface and deck area. Based on this formula, FISD would be required to provide approximately 140 parking spaces at this facility.

Forney Independent School District respectfully requests a variance to the parking requirements based on the following:



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The main function of this facility is for student training use and the students will be transported to the facility by bus from their home Middle School or High School.

Due to the nature of the pool use, occupancy will be much lower than a standard community swimming pool. Swimming lanes and diving area make up the majority of the pool surface area.

There will be one hundred twenty-two (122) parking spaces at the Forney ISD Intermediate School across future "Inspiration Way" that can be used on an as needed basis if overflow parking is required occasionally. A sidewalk from the Intermediate School parking lot to the Aquatic Center is proposed to accommodate this scenario.

There are future plans for additional construction North of future "Innovation Boulevard" that would add large amounts of parking to Lot 1, Block B that could accommodate additional parking to serve the Aquatic Center.

Seventeen (17) regular parking spaces and five (5) handicap parking spaces are proposed to serve the minimal day-to-day parking that may be required for community learn to swim/water aerobics type classes.

Please consider approval of our request for variance in the best interest of the tax payers of Forney Independent School District.

Sincerely,

Kim Morisak

Chief of Information and Innovation

Forney Independent School District

