



**City of Harker Heights  
Zoning Board of Adjustment Minutes  
March 17, 2022**

Present:	Thomas G. Wilson	Chairman
	David McClure	Vice Chairman
	Anthony Canterino	Secretary
	David Hermosillo	Board Member
	Jeffery K. Harris	Board Member
	Dr. William Mack	Alternate Board Member
	Dr. Desi Roberts	Alternate Board Member
Staff:	Kristina Ramirez	Planning & Development Director
	Yvonne K. Spell	City Planner
	Michael Beard	Building Official
	Courtney Fye	Building Official Secretary
	Daniel Phillips	GIS Analyst/Planner
	Brad Alley	Fire Marshal
	Raelin Fiscus	Planning & Development Administrative Assistant
Absent:	Courtney Peres	Alternate Board Member
	Philemon Brown	Alternate Board Member

**Agenda Item I: Call to Order-** The Zoning Board of Adjustment established a quorum and called to order the March 17, 2022 meeting at 5:30 P.M.

**Agenda Item II: Approval of Agenda** – Consider approval of the agenda for the meeting of the Zoning Board of Adjustment for March 17, 2022.

Secretary Canterino made a motion to approve the agenda. Vice Chair McClure seconded the motion. **The motion passed (5-0).**

**Agenda Item III: Consent Agenda - Approval of Minutes** from the Zoning Board of Adjustment Meeting held on February 17, 2022.

Board Member Harris made a motion to approve the minutes. Board Member Hermosillo seconded the motion. **The motion passed (5-0).**

**Agenda Item IV: Public Comments-** At this time, comments will be taken from the audience on non-agenda related topics, for a length of time not to exceed three minutes per person. To address the Zoning Board of Adjustment, please clearly state your name and address prior to making a comment. No action may be taken by the Zoning Board of Adjustment during Public Comments.

There was no one in the audience who wished to address the Zoning Board of Adjustment.

**Agenda Item V: Staff Presentation-**

1. None

**Agenda Item VI: Public Hearings-**

1. **ZBA22-02 Conduct a public hearing to discuss and consider a request for variance from the International Building Code, Section F 903.2.9 (2015 edition) and the International Fire Code Section 903.2.9 (2015 edition), Group S-1 – An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy, (5) A group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet, to allow for two-hour fire rated walls in established fire areas (square footage not to exceed 2,500 square feet) in lieu of a fire suppression system, on property described as J P T C Addition, Block 001, Lot 4, PT 3, 5.394AC, generally located at 1174 S. Amy Lane, Harker Heights, Bell County, Texas.**

Yvonne Spell explained that the applicant was denied a permit for an additional climate-controlled storage structure due to lack of compliance with fire safety codes. The applicant was previously approved for the same variance request in 2019, but due to lack of progress the variance expired. Per the submitted variance application the applicant is requesting to install two-hour rated fire walls in lieu of an automatic sprinkler system. Should the applicant had applied for this permit after the adoption of the 2021 International Building Code and 2021 International Fire Code, they would not be required to request this variance due to an exception being written into the updated codes.

Tiffany Townsend of Geffen Self-Storage was present in person to represent the request.

Chairman Wilson then opened the public hearing and asked if there was anyone to speak in favor or in opposition to the variance request. There was no one attending in person to speak in favor or against the variance. Chairman Wilson closed the public hearing.

Board Member Hermosillo made a motion to approve a request for variance from the International Building Code, Section F 903.2.9 (2015 edition) and the International Fire Code Section 903.2.9 (2015 edition), Group S-1 – An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy, (5) A group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet, to allow for two-hour fire rated walls in established fire areas (square footage not to exceed 2,500 square feet) in lieu of a fire suppression system, on property described as J P T C Addition, Block 001, Lot 4, PT 3, 5.394AC, generally located at 1174 S. Amy Lane, Harker Heights, Bell County, Texas. Vice Chair McClure seconded the motion. **The motion to approve the variance request was passed (5-0).**

This decision was based on testimony and evidence presented during the public meeting and based upon the following findings

**Approval of Variance Request**

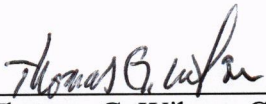
1. The financial cost of compliance is not greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code.
2. Compliance would not result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur.
3. Non-compliance with the 2015 IBC and 2015 IFC would result in the structure being in compliance with the cited sections of the 2021 IBC and the 2021 IFC.
4. Compliance would not result in the unreasonable encroachment on an adjacent property or easement.
5. Compliance would not result in a nonconforming structure.
6. The applicant has provided a letter of intent explaining their request to install 2-hour fire walls in lieu of the required automatic fire sprinkler system.
7. There are no special circumstances particular to the land, structure, or building which necessitate such request.
8. Denying this variance will deprive the applicant of the rights enjoyed by others in the district.
9. This variance if granted would confer upon the applicant special privilege, which is denied by the Ordinance to land, structure, or buildings in the district.

**Agenda Item VII- Staff Comments**

1. None

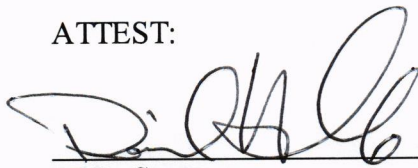
**Agenda Item VIII- Adjournment**

Chairman Wilson then adjourned the meeting of the Zoning Board of Adjustment at 5:43 P.M.

  
\_\_\_\_\_  
Thomas G. Wilson, Chairman

5/19/2022  
Date

ATTEST:

  
\_\_\_\_\_  
TBD, Secretary

5/19/2022  
Date