



**City of Harker Heights**  
**Zoning Board of Adjustment Minutes**  
**October 30, 2019**

Present:	Thomas G. Wilson	Chairman
	David McClure	Vice Chairman
	Edward Paul Loughran III	Secretary
	Charles Sweeney	Board Member
	David Hermosillo	Board Member
	Tony Canterino	Alternate Board Member
Staff:	Joseph Molis	Director of Planning & Development
	Kristina Ramirez	Asst. Director of Public Works
	Courtney Peres	Senior Planner
	Dan Phillips	GIS Analyst/Planner
	Gabby Palma	Code Enforcement Officer
	Mike Beard	Building Official
	Brad Alley	Fire Marshal
	Randy Ray	Deputy Fire Marshal
	Tiffany Dake	Administrative Assistant Planning & Development
Absent:	Mark Hyde	Director of Public Works

A quorum was established, and the meeting was called to order at 5:30 p.m.

The first item on the agenda was the approval of the minutes from the July 29, 2019 meeting. Mr. Sweeney made the motion to approve the minutes and Mr. Loughran seconded the motion. The motion passed unanimously (5-0).

The next item on the agenda was to identify and set a reoccurring meeting date for future Zoning Board of Adjustment meetings. The board members decided on the third Thursday of every month at 6:00 PM.

Mr. Molis requested tabling the request for variance for **ZBA19-05** Conduct a public hearing to discuss and consider a request for variance from the required method to install a fire suppression system for a commercial endeavor and allow a converted residential structure serving as the business, Tap Tap Art School, to install a residential grade fire suppression system, on property described as A0838BC R.W. Tom, 2-7, Acres 1.378, generally located at 103 Mountain Lion Road, Harker Heights, Bell County, Texas.

Mr. Molis stated that Staff would like additional time to confer with the City Attorney in order to determine if a variance can be granted on the property without violating the existing Conditional Use Permit, specifically Condition #9 which states that, "The

development shall adhere to all other commercial requirements as directed from the City of Harker Heights Code of Ordinances.”

Chairman Wilson asked if there was a motion to approve tabling this agenda item until the next meeting.

Mr. McClure made a motion to table this agenda item until the next meeting. The motion was seconded by Mr. Sweeney. Chairman Wilson then asked for a vote. The motion was unanimously approved (5-0).

Mrs. Courtney Pate presented, **ZBA19-06** Conduct a public hearing to discuss and consider a request for variance from the International Building Code, Section F 903.2.9 (2015 edit) and the International Fire Code Section 903.2.9 (2015 edit), 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 storage units without a fire suppression system but require established fire areas subdivided by several one-hour fire rated walls not to exceed 2,500 square feet, on property described as J.P.T.C Addition, Block One (1), Lot Four (4), PT 3, 5.394 Acres, generally located at 1174 S. Amy Lane, Harker Heights, Bell County, Texas.

Mrs. Courtney Pate stated that staff has reviewed the request submitted by Top Value Storage for a variance from the International Building Code and International Fire Code, Section F, 903.2.9, which states the following:

**[F] 903.2.9 Group S-1.** An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 *fire area* exceeds 12,000 square feet (1115 m2).
2. A Group S-1 *fire area* is located more than three stories above grade plane.
3. The combined area of all Group S-1 *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m2).
4. A Group S-1 *fire area* used for the storage of commercial trucks or buses where the *fire area* exceeds 5,000 square feet (464 m2).
5. **A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m2).**

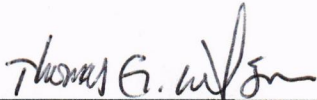
Mr. Sweeney asked if there was anything being done on the fire community side to address the sprinkler systems in storage units. Mr. Alley, Fire Marshal did state there is an attempt to change the language to add “fire area” in the ICC 2021 Code. Mr. Beard, Building Official stated that the time line would be in the 2021 Code and that will not come out till mid-2021. We will adopt the 2021 Code in mid-2021. The fire marshal feels like this is an equitable solution but that they will not deviate from the code.

Chairman Wilson asked who is ~~here~~ representing this agenda item. Mr. John Bandas of Bandas Engineering at 415 Cottingham Dr., Temple, TX 76504 was present to answer any questions. There were no questions asked.



Chairman Wilson asked if there was a motion to approve a request for a variance from the fire code to allow for fire walls instead of a fire sprinkler system in the storage buildings.

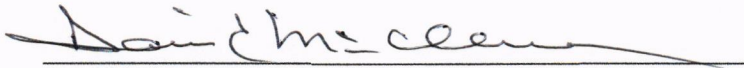
Mr. Sweeney made a motion to approve the variance from the fire code to allow for fire walls instead of a fire sprinkler system in the storage buildings. That motion was seconded by Mr. McClure. Chairman Wilson then asked for a vote. The motion was unanimously approved (5-0). The meeting was adjourned at 6:00 pm.



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Thomas G. Wilson, Chairman

ATTEST:



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David McClure, Vice Chairman