



ZONING BOARD OF ADJUSTMENT Hearing Application

SIGNATURES:	
Applicant / Agent: <u>Mason Griffin, The Griffin Firm PLLC</u>	Property Owner (if different): <u>Sterling Properties JV</u>
Signature: <u><i>Mason Griffin</i></u>	Signature: <u><i>Kyle Poulson</i></u>
Mailing Address: <u>10440 N. Central Expressway, Suite 800</u>	Mailing Address: <u>2012 E. Randall Mill Rd</u>
City: <u>Dallas</u> State: <u>TX</u> Zip Code <u>75231</u>	City: <u>Arlington</u> State: <u>TX</u> Zip Code <u>76011</u>
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Applicant is requesting an appeal/interpretation for Article & Section No.: \_\_\_\_\_

Check one: \_\_\_\_\_ Appeal \_\_\_\_\_ Interpretation  Variance

Describe requested appeal/interpretation/variance (Provide additional sheets if necessary)

See attached description  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant hereby appeals this case to the Zoning Board of Adjustment for review and a decision. I do hereby certify that the above statements are true and correct.

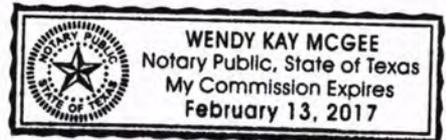
Date 6/3/13 Applicant's signature *Mason Griffin*

On this 3rd day of June, 2013, before me Wendy M. Lee, the undersigned notary public, personally appeared Mason Griffin, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed it.

WITNESS my hand and official seal: \_\_\_\_\_ [Seal]

FORM UPDATED 06/2010

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13-02-2BA  
Paid  
13-60000002

## COMMERCIAL ZONING VARIANCE QUESTIONNAIRE

The City of Euless Zoning Board of Adjustments can grant a variance only when certain conditions are met. This questionnaire will assist the Board in determining whether the property in question meets the necessary conditions for a variance. Please complete and submit this form, using additional sheets if necessary.

1. How will public convenience and welfare be substantially served if the variance is granted?

The telecommunications pole will provide emergency 911 service to the residential area surrounding the site, and telecommunications coverage will be improved along Hwy 183. Additionally, by providing additional space on the tower for other carries, the tower will reduce the need for multiple other towers to address coverage needs in the area.

2. How will granting this variance affect neighboring properties and what steps will be taken to prevent any substantial or permanent injury to neighboring properties.

By placing the tower in close proximity to the access road of Hwy 183, the hope is that there will be no reduction in value. The stealth design and the proximity to the highway should make the tower blend in with other utility structures (light poles, power lines, telecommunication lines) along the highway and minimize the visual impact.

3. How would the literal enforcement of the Code requirements result in an unnecessary physical hardship on the subject property?

The literal enforcement of the two setbacks (the 3:1 setback ratio from existing structures and the 5000' setback from other telecommunications towers) make it impossible to address the coverage need in the vicinity of the proposed site. No property exists which meets these requirements and also addresses the coverage need.

4. Describe the physical defect in the subject property that prevents it from being developed in the same manner as neighboring properties

Not applicable. There is no problem with the subject property.

5. Variances cannot be granted to relieve self-created, personal, or financial hardships. Describe the hardship for which the variance is being requested.

The hardship is the inability of Verizon Wireless to address a documented network coverage need while maintaining compliance with the two setbacks that are the subject of this variance.

6. Will the granting of this variance create a special privilege for the subject property that is not available for other properties under the terms of the United Development Code?

The granting of the variance will allow the construction of the proposed tower on the subject property despite the two setback requirements. Other properties would not benefit from this variance, but we are not aware of other towers proposed in the immediate vicinity.