MEETING AGENDA
RESIDENTIAL BOARD OF ADJUSTMENT

September 21, 2022
Work Session 12:00 p.m.
Public Hearing 1:00 p.m.

In Person
City Council Conference Room 2020 (Work Session)
City Council Chamber (Public Hearing)
2nd Floor - City Hall, 200 Texas Street /Fort Worth, Texas 76102

Videoconference
https://fortworthtexas.webex.com/fortworthtexas/onstage/g.php?MTID=e7198a965ce1341e26228d186cdf0be1e

Meeting/ Access Code: 2556 806 4762, Registration Required

Teleconference
(817) 392-1111 or 1-650-479-3208
Meeting/ Access Code: 2556 806 4762

Viewing Only
Television: Charter 190; One Source 7; Verizon 5; AT&T Uverse 99
City of Fort Worth Website Homepage: http://fortworthtexas.gov/fwtv

For more information on attending or speaking at this meeting either through Videoconference or Teleconference, please visit the City’s website: http://fortworthtexas.gov/boards/

To view this meeting’s docket, visit: https://www.fortworthtexas.gov/calendar/boards-commission

The location identified on this agenda is the location at which the presiding officer will be physically present and presiding over the meeting. Members of the Residential Board of Adjustment may be attending remotely in compliance with the Texas Open Meetings Act.

**Any member of the public who wishes to address the Board using videoconference or teleconference regarding an item on the listed agenda must sign up to speak no later than 5:00PM on September 19, 2022. To sign up, either register through WebEx per the directions on the City’s website above or contact Karen Moreno at Karen.Moreno@fortworthtexas.gov or 817-392-8026. Please note the City of Fort Worth is using a third party vendor to assist with City meetings. If there are service interruptions, including call-in number changes, we will provide alternative call-in numbers on our website whenever possible.**
I. WORK SESSION  12:00 P.M.

A. Discussion of Today’s Cases

II. PUBLIC HEARING   1:00 P.M.

A. Approval of Minutes of the August 17, 2022 Hearings

B. ANY CASES NOT HEARD WILL BE MOVED TO OCTOBER 19, 2022.

C. Translation Residential Case

1. BAR-22-070  Address:  2810 Grover Avenue
    Owner:   Jose Medina de la Cruz
    Zoning:  “A-5” One-Family

   a. Variance: Permit the continued construction of a carport in the side yard setback

      Required setback:  5 feet
      Requested setback:  1 foot

D. New Residential Cases

2. BAR-22-079  Address:  3725 Wedghill Way
    Owner:   Glenda Hawkins
    Zoning:  “A-5” One-Family

   a. Variance: Permit a portion of an existing fence in the rear yard that is taller than the maximum height allowed

      Maximum height allowed:  8 feet
      Requested height:  10 feet
3. **BAR-22-082**  
Address: 200 block McGee Drive
Owner: John & Carson Bennett
Zoning: “A-5” One-Family

**a. Variance:** Permit the construction of a new single-family residence that would encroach into the front yard setback

| Established front yard setback: | 40 feet |
| Requested setback: | 25 feet |

**II. ADJOURNMENT:**

ASSISTANCE AT THE PUBLIC MEETINGS:

Fort Worth City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City’s ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov at least 48 hours prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least 48 hours prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

El Edificio Municipal de la Ciudad de Fort Worth, o City Hall, tiene acceso para silla de ruedas. Se solicita a las personas que planean asistir a esta reunión y que necesitan ayudas auxiliares o servicios de intérpretes, lectores o impresiones con letra grande, que se comuniquen con el Coordinador de la Asociación Americana de Discapacitados (ADA) de la Ciudad llamando al teléfono (817) 392-8552; o por correo electrónico a ADA@FortWorthTexas.gov por lo menos 48 horas antes de la reunión para que se puedan hacer los arreglos adecuados. Si la Municipalidad no recibe una notificación por lo menos 48 horas antes de la reunión, ésta hará un intento razonable para proporcionar los servicios auxiliares necesarios.

**Executive Session:**

A closed Executive Session may be held with respect to any posted agenda item to enable the Boards of Adjustment to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the City of Fort Worth official bulletin board, plaque convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, September 16, 2022 at 10:20 a.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

[Signature]

City Secretary for the City of Fort Worth, Texas
BAR-22-070

Address: 2810 Grover Avenue
Owner: Jose Manuel Medina de la Cruz
Zoning: "A-5" One-Family

**Translation Cases**

a. **Variance:** Permit the continued construction of a carport in the side yard setback

   - Required setback: 5 feet
   - Requested setback: 1 foot

**GENERAL INFORMATION**

4.705 "A-5" One-Family
C. Property Development Standards
   Side yard: 5 feet

**LOT HISTORY:**
Code compliance case 22-625622. Building a carport, not sure if there is a permit (6/21/2022).


**COMPREHENSIVE PLAN:**
Single-Family

**REGISTERED NEIGHBORHOOD:**
The following registered associations were sent early notification: Trinity Habitat for Humanity, Streams and Valleys, Inc., Fort Worth ISD, Inter-District 2 Alliance, Riverside Alliance, Diamond Hill Jarvis NAC, Friends of Riverside Park, and Oakhurst Alliance of neighbors.

**EXISTING CONDITIONS:**
The subject property is a single-family residence in an established neighborhood, platted with an alley. The lot is flat, rectangular shaped, and without any floodplain or any other environmental constraints. The lot size is 6,250 square feet.

The applicant has applied for a variance to continue constructing a detached carport located in the side yard setback on the southern property line. The existing frame encroaches 4 feet into the 5-foot required setback, creating a 1-foot setback. According to the plans submitted, the proposed detached carport is 13 feet wide by 33 feet long or 429 square feet. The carport frame was installed in 2022.

The zoning ordinance permits lots less than 7,500 square feet to have a 200 square foot side yard carport 1 foot 6 inches from the property line or a 400 square foot rear yard carport with the same 1-foot 6-inch setback. Although the lot does not have a garage currently, the rear yard is accessible from either the front or rear sides of the lot. The carport frame was installed without a permit or BOA approval. The front yard paving of more than 50% was installed prior to the ordinance change in 2008.
Area Zoning Map

Applicant: Jose Medina de la Cruz
Mapsco: 63A
Commission Date: 8/17/2022

Subject Area

300 Foot Notification
SOLICITUD A LA
MESA DIRECTIVA DE AJUSTE DE ZONIFICACION
CIUDAD DE FORT WORTH, TEXAS

POR FAVOR ENTREGE UN PLANO DE SITIO DETALLADO
Dirección de local afectada: 2810 Gower Av Fortworth TX 76106
Lote/Tracto: 13 Bloque/Abstracto: 1 Tamaño de Lote: 
Descripción Legal: Addición/Topografía: 
Nombre de Propietario: José Manuel Medina de la Cruz Teléfono: (817) 123-1234 
Dirección: 2810 Gower Av Fortworth 
Cuidad: Fort Worth Estado: TX Código Postal: 76106 
Correo Electrónico: 

Nombre de Solicitante: José Manuel Medina 
Dirección: 2810 Gower Av 
Cuidad: Fort Worth Estado: TX Código Postal: 76106 
Correo Electrónico: 

Provee una descripción del Proyecto existente/propuesta, con tipo/uso de la estructura, dimensiones, altura, y materiales:

Dimensiones 32' x 13'

Documentos adicionales pueden ser sometidos para apoyar su caso, si suministran fotos, por favor etiquete cada imagen.

Estado de Proyecto: □ Existe □ Bajo Construcción □ Propuesto
Status of Property: □ Ocupado por Propietario □ Terreno vacío □ No Ocupado por el Propietario

Caso anterior de la Mesa Directiva presentado en esta propiedad: □ Si □ No
Fecha: _____________ Numero(s) de Caso: _____________

¿El propósito de esta solicitud es proporcionar adaptaciones razonables para una(s) persona(s) con discapacidades? □ Si □ No

En caso afirmativo, la solicitud se dirigirá al Director de Planificación y Desarrollo o al Administrador de Zonificación para su revisión de Conformidad con la Ordenanza No 22098-03-2016, "Alojamiento razonable o Modificación para Usos Residenciales." Las solicitudes bajo una revisión de la Ordenanza de Adaptación Razonable no serán escuchadas por la Mesa Directiva de Ajuste. Consulte la Ordnanza No 22098-03-2016 (Capítulo 17, División V) para obtener más información.

NOTA AL PERSONAL: En caso afirmativo, envíe una copia de esta aplicación y de los archivos adjuntos al Administrador de Zonificación.

¿Ha informado a su Asociación de Propietarios de Viviendas □ Si □ No o Vecinos □ Si □ No de la solicitud?

Para ver las audiencias: http://www.fortworth texas.gov, haga clic en "Ver en línea ahora" y "Tablero de ajuste de vídeo".

SOLAMENTE PARA EL USO DEL PERSONAL: ZONIFICACIÓN
□ Variación Ocupada del Propietario (Una y Dos Casas Familiares) para la Sección
□ Excepción Especial para la Sección
□ Varianza para __________
□ Interpretación de la Regulación

FECHA RECIBIDA: 1/10/22 CUOTA PAGADA: $50.00 # DE SOLUCITUDES: 2 RECIBIDO POR: D.G. NUMERO DE CASO: 070

Revised 01/07/2020
APPLICATION TO THE
ZONING BOARD OF ADJUSTMENT
CITY OF FORT WORTH, TEXAS

[Form fields filled in]

PLEASE PROVIDE A DETAILED SITE PLAN

Address of Premises affected:
Lot/Tract: ____________________ Block/Abstract: ____________ Lot Size: ____________________
Legal Description: Addition/Survey: ____________________

Owner's Name: ____________________
Address: ____________________
City: ____________________ State: ____________________ Zip: ____________________
Tele: ( ) ____________________ E-Mail ____________________

Applicant's Name: ____________________
Address: ____________________
City: ____________________ State: ____________________ Zip: ____________________
Tele: ( ) ____________________ E-Mail ____________________

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials:
Car port dimensions 32x13 Height 8 feet.

Additional documentation may be supplied to support your case if photos are supplied, please label each picture.

Status of Project: [ ] Existing [ ] Under Construction [ ] Proposed
Status of Property: [ ] Owner Occupied [ ] Vacant Land [ ] Non-owner Occupied

Previous Board of Adjustment Case filed on this property: [ ] Yes [ ] No

Date ___________ Case Number(s) ___________

Is the purpose of this request to provide reasonable accommodation for a person(s) with disabilities? [ ] YES [ ] NO

If Yes, the application will be directed to the Planning and Development Director or Zoning administrator for review pursuant to Ordinance No. 22098-03-2016, "Reasonable Accommodation or Modification for Residential Uses." Applications under a Reasonable Accommodation Ordinance review will not be heard by the Board of Adjustment. Please see Ordinance No. 22098-03-2016 (Chapter 17, Division V) for more information.

NOTE TO STAFF: If Yes, send a copy of this application and any attachments to the Zoning Administrator.

Have you informed your Home Owners Association [ ] YES [ ] NO or Neighbors [ ] YES [ ] NO of the request?

To watch the Hearings: http://www.fortworthtexas.gov/, click on "Watch online Now" & "Board of Adjustment video".

[Staff fields filled in]

DATE RECEIVED: ____________________ FEE AMOUNT PAID: ____________________ # OF REQUESTS: ____________________ RECEIVED BY: ____________________ CASE NO. ____________________

Revised 01/07/2020
Propuesta de Solicitud, Solamente para Varianza

Por favor explique con sus propias palabras, cómo la solicitud cumple con cada uno de los criterios de dificultad enumerados a continuación.

1. La varianza no es una dificultad auto-impuesta. Es la única opción de lugar

2. La propiedad donde se busca la varianza tiene circunstancias únicas existentes en la propiedad, como el área, la forma, o inclinación de terrano; que las circunstancias únicas no fueron creadas por el propietario de la propiedad; que la solicitud no es meramente financiera o por conveniencia; y que la circunstancia no se debe a las condiciones generales del distrito de zonificación de la propiedad. No hay otro lugar donde pone el por que un cable de la luz cruzar por la mitad de la casa

3. La varianza sería armonía con la intención y el propósito del plan integral y el capítulo específico de la ordenanza de zonificación. Hay estructuras similares por el área

4. La varianza no afectará negativamente la salud, la seguridad o el bienestar del público. NO

5. La varianza no lesionará sustancial o permanentemente el uso apropiado de la propiedad adyacente en el mismo distrito. NO

Reconocimiento

Yo certifico que la información proveída es verdadera y correcta en la medida de mi conocimiento, y que yo, o mi representante autorizado, estare(mos) en la audiencia publica del Consejo de Ajustes a menos de que decidiera retirar el caso antes que la Ciudad envíe la Notificación Publica. Si inicio el retiro después de que se dé un aviso público, la tarifa de presentación no será reembolsable. Además, no se podrá presentar una nueva solicitud de audiencia dentro de los 24 meses siguientes a la denegación del Consejo, a menos que la denegación sea sin perjuicio o se hayan producido cambios sustanciales que justifiquen una exención del Consejo del período de retraso obligatorio de la solicitud de 24 meses. ENTIENTO QUE TODOS LOS PERMISOS REQUERIDOS DEBEN OBTERNERSE DENTRO DE 180 DÍAS.

Firmado por: □ El Propietario  □ Solicitante o Agente

[Signature]

Fecha: 07-14-22

Revised 01/07/2020
Variance Request Proposal Only
Please explain in your own words, how the request meets each of the hardship criterion listed below.

1. The variance is not a self-created hardship. This is the only option (location)

2. The property where the variance is being sought has unique circumstances existing on the property, such as area, shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the property. There is no other place to put it because a power cable crosses the the middle of the house.

3. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance. There are similar structures around the area.

4. The variance will not adversely affect the health, safety, or welfare of the public. NO

5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district. NO

Acknowledgement
I certify that the information provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. Should I initiate withdrawal after public notice is given, the filing fee will be non-refundable. Also, no new application may be filed for hearing within 24 months of a Board denial, unless the denial is without prejudice or substantial changes have occurred which warrant a Board waiver of the 24-month mandatory re-application delay period. ANY REQUIRED PERMITS MUST BE OBTAINED WITHIN 180 DAYS.

Signed by the Owner / Applicant or Agent (Circle appropriate entity)

Signature: ___________________________ Date ________________

Revised 01/07/2020
BAR-22-079

Address: 3725 Wedgill Way
Owner: Glenda C. Hawkins
Zoning: "A-5" One-Family

a. Variance: Permit an existing fence that is taller than the maximum allowed

<table>
<thead>
<tr>
<th>Maximum height allowed</th>
<th>Requested height</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 feet</td>
<td>10 feet</td>
</tr>
</tbody>
</table>

GENERAL INFORMATION

REGULATION

5.305 Fences

7. No fence over eight feet in height surrounding residential property shall be allowed behind the front building setback line.

LOT HISTORY:

Code Compliance case C22-626119. What is occurring on the property? The fence in the backyard towards the alley is over the 8ft. Could cause fire since it is near the electrical line if the metal part over the fence. 6/27/2022.

COMPREHENSIVE PLAN:

Single-Family

REGISTERED NEIGHBORHOOD:

The following registered associations were sent early notification: Trinity Habitat for Humanity, Streams and Valleys, Inc., Fort Worth ISD, South Hills N/A, South Hills South NA, Wedgwood Square N/A, Wedgwood East N/A, and District 6 Alliance.

EXISTING CONDITIONS:

The subject property is a single-family residence in an established neighborhood, platted without an alley. The lot is square shaped, without any floodplain or any other environmental constraints. A shopping center is located immediately to the rear of the subject lot that sits approximately 2 feet below the level of the adjacent residential lots.

The applicant is requesting a variance to leave a portion of the rear yard fence at 10 feet, where 8 feet is maximum height allowed. A new fence has been constructed immediately behind the storage building in the rear yard, at the top of a concreted slope. The northern portion of the rear yard fence is 8 feet tall, while the southern portion of the fence is 10 feet tall.

The application packet noted security cameras had been mounted on the rear of the shopping center, facing the residential lots. The shopping center did have cameras on the rear wall in a 2018 Google Streetview photo. No security cameras were readily noticeable in the applicant’s photos, although the shopping center does have wall mounted lights that face outward, instead of downward.
APPLICATION TO THE
ZONING BOARD OF ADJUSTMENT
CITY OF FORT WORTH, TEXAS

□ Marque con una "X" si necesita que la Ciudad le proporcione un INTERPRETE durante la Audiencia Publica.

PLEASE PROVIDE A DETAILED SITE PLAN

Address of Premises affected: 3725 WEDGILL WAY
Lot/Tract: 204 Block/Abstract: N.W.A.
Legal Description: Addition/Survey: NEAGWOOD ADDITION

Owner's Name: LAURA C. HAWKINS
Address: 3725 WEDGILL WAY
City: Ft. Worth State: TX Zip: 76133
Tel: 817-755-9093 E-Mail: LHAWKINS@GIX.com

Applicant's Name: SANDY
Address: 
City: 
State: 
Zip: 
Tel: ( ) E-Mail

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials: I INSTALLED AN OFF. POWER COVERED STEEL PRIVACY FENCE. IT IS SET WITH 4X4 STEEL POSTS IN SET OF CONCRETE.

Additional documentation may be supplied to support your case if photos are supplied, please label each picture.

Status of Project: □ Existing □ Under Construction □ Proposed
Status of Property: □ Owner Occupied □ Vacant Land □ Non-owner Occupied

Previous Board of Adjustment Case filed on this property: □ Yes □ No
Date ________ Case Number(s) ________

Is the purpose of this request to provide reasonable accommodation for a person(s) with disabilities? □ YES □ NO

If Yes, the application will be directed to the Planning and Development Director or Zoning administrator for review pursuant to Ordinance No. 22098-03-2016, "Reasonable Accommodation or Modification for Residential Uses." Applications under a Reasonable Accommodation Ordinance review will not be heard by the Board of Adjustment. Please see Ordinance No. 22098-03-2016 (Chapter 17, Division V) for more information.

NOTE TO STAFF: If Yes, send a copy of this application and any attachments to the Zoning Administrator.
Have you informed your Home Owners Association □ YES □ NON □ Neighbor's □ YES □ NO of the request?

To watch the Hearings: http://www.fortworthtexas.gov., click on "Watch online Now" & "Board of Adjustment video".

STAFF USE ONLY: Zoning □ A-5
□ Owner Occupied Variance (One and Two Family Homes) for Section □ Special Exception for Section
□ Variance for: Front Yard Setback □ Interpretation of the Regulation $400

DATE RECEIVED: 8/15/2022
FEE AMOUNT PAID: $300.00
# OF REQUESTS: 1
RECEIVED BY: KM
CASE NO.: BAR-22-079

Revised 01/07/2020
**Variance Request Proposal Only**

Please explain in your own words, how the request meets each of the hardship criterion listed below.

1. The variance is not a self-created hardship. **The hardship existed when I moved into the house.**

2. The property where the variance is being sought has unique circumstances existing on the property, such as area, shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the property. **There was a security camera mounted on the wall of the church behind me & it had an unimpeded view of my back yard.**

3. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance. **YES**

4. The variance will not adversely affect the health, safety, or welfare of the public. **NO**

5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district. **NO because it's a commercial shopping center.**

**Acknowledgement**

I certify that the information provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. Should I initiate withdrawal after public notice is given, the filing fee will be non-refundable. Also, no new application may be filed for hearing within 24 months of a Board denial, unless the denial is without prejudice or substantial changes have occurred which warrant a Board waiver of the 24-month mandatory re-application delay period. **ANY REQUIRED PERMITS MUST BE OBTAINED WITHIN 180 DAYS.**

**Signed by the Owner/Applicant or Agent**

(Circle appropriate entity)

Signature: [Signature]

Date: 10 July 22

Revised 01/07/2020
Request for Fence Variance

The 10 ft. fence variance is requested for privacy and safety. My home backs up to a commercial shopping center with an alley in between. The entire length of the back of my fence is 68 ft. long and only 45 ft. is 10 ft. tall in order to block the viewing area of the camera that’s mounted on the church behind me. The remaining 23 ft. of my back fence drops down to 8 feet.
SURVEY PLAT: 3725 WEDGHILL WAY

Being Lot 17, Block 68, Wedgewood Addition, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the Map/Plat recorded in Volume 388-6, Page 58, Map/Plat Records, Tarrant County, Texas.

LOT 20-R
BLOCK 68
WEDGWOOD ADDITION
CABINET 0, SL. 2004
M.R.D.C.T.

LOT 17

Proposed 10' High Fence Section

Existing Residence

2182 sq. ft.

Commercial Driveway/Alley

440 sq. ft.

Existing Carport/Garage

20 FT.

FLOOD

This is to certify that no portion of the subject property shown herein lies within the 100 Year Flood Hazard Area as shown on the Flood Insurance Rate Map, Community Panel No. 48493C 0310K, dated 06-25-1999. The property is located in Zone "A".

LEGEND

1/8" INCH
EXPOSE
TIE-RAND
SKEW-45
SAPR CEMENT
MATERIAL-PORT
UTILITY POLE
CONCRETE
OVERHEAD UTILITY LINE
Mahlenl
CADD.COLOR
STORAGE
MAGNETIC SIDEWALK
RIP-OUT/CONDUIT
LIGHT POST
WATER VACUUM
PIPE FENCE
EQUIPMENT AREA
SOLAR PANEL
CONCRETE
STORAGE/UNIT
BRICK RAY MALL
STONE MALL
CEMENT MALL
WATER MALL
HANDRAIL SPACE

NOTE: All 1/2 IRS are 1/2-inch iron rods with yellow plastic caps stamped "R1LS 5310".

WEDGHILL WAY
(VEGA DRIVE - PLAT)
(50' RIGHT-OF-WAY)

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-0
P.O. BOX 87009, MESQUITE, TX 75187
PHONE: (972) 681-4915 FAX (972) 681-6134
WWW.AWSURVEY.COM

JOBA: 18-1906
DATE: 05-27-2004
DRAWN BY: 303
GDP NO: FT-15560841000034-20
CERTIFY TO: Michael Anne Brown
FILE OR FACILITY NAME: R-116

A professional surveying service in your best interest.
Front of Commercial Property (Antioch Church) that backs up to my house
Rear of Antioch Church that faces my backyard which is 19 ft. tall.
View of the alley and back of my fence.
BAR-22-082

Address: 200 block McGee Drive
Owner: John L. Bennet and Carson Bennet
Zoning: "A-5" One-Family

a. Variance: Permit the construction of a new single-family residence that would encroach into the front yard setback.

Established front yard setback: 40 feet
Requested setback: 25 feet

GENERAL INFORMATION

REGULATION

6.100 Yards
D. Front yard setbacks.
   (1) The front yard setback in residential districts shall be the greatest of:
      a. The platted building line; (25')
      b. The setback for the applicable zoning district; (20') or
      c. The setback of the nearest building on either side that is the closest to the street (40'), up to a maximum setback of 50 feet, provided that said setback is not the result of a variance granted by the board of adjustment. This requirement is applicable only if homes have been constructed on at least 40% of the lots within the blockface.

LOT HISTORY:
Development Services Final Short Plat, FS-22-010, approved 9/1/2022, not yet recorded.

COMPREHENSIVE PLAN:
Single-Family

REGISTERED NEIGHBORHOOD:
The following registered associations were sent early notification: Trinity Habitat for Humanity, Streams and Valleys, Inc., Fort Worth ISD, The Grove at the River District HOA, FW Rivercrest Bluffs HOA, W River Heights HOA, River District NA, and Castleberry ISD.

EXISTING CONDITIONS:
The subject property is a vacant lot in an established neighborhood, platted without an alley. The lot is generally rectangular and slopes towards the rear lot line and the West Fork of the Trinity River. The lot contains a 5% slope in the rear yard. The lot is clipped by a floodplain in the southern corner, and has a cluster of mature trees on the rear and one mature tree on the front property line. The plat also shows an access easement along the eastern property line, so the adjacent property owner to the east can access their building that is entirely on the applicant's site.

According to historical aerials, the block face was developed between 1952 and 1956. However, the subject site has remained vacant since 1952. The applicant has applied for a front yard setback of 25 feet, where the front setbacks of the adjacent residences to the east and west are 40 feet. A plat has been approved to divide Lot 1A of the McGee Place subdivision into 2 lots, but has not been recorded. The lot cannot be developed in the configuration shown until the plat is recorded. While the eastern lot line may be one of the smaller lot lines in the vicinity, the proposed lot size is almost 12,000 square feet.
Area Zoning Map

Applicant: John & Carson Bennett
Mapsco: 61W
Commission Date: 9/21/2022
APPLICATION TO THE
ZONING BOARD OF ADJUSTMENT
CITY OF FORT WORTH, TEXAS

Marque con una "X" si necesita que la Ciudad le proporcione un INTERPRETE durante la Audiencia Publica.

PLEASE PROVIDE A DETAILED SITE PLAN

Address of Premises affected:  MCGEE DR, FORT WORTH, TX
Lot/Tract:  1AR1  Block/Abstract: 1  Lot Size: 11,803 SQFT (.271 ACRES)
Legal Description: Addition/Survey: LOT 1AR1, BLOCK 1, MCGEE PLACE ADDITION, AN ADDITION TO THE
CITY OF FORT WORTH, TARRANT COUNTY, TEXAS

Owner's Name:  JOHN BENNETT AND CARSON BENNETT
Address:
City:  Fort Worth  State:  TX  Zip:  
Tel: (214) 676-9996  E-Mail: JBennett@mmginc.info

Applicant's Name:  JOHN BENNETT
Address:  (SAME AS ABOVE)
City:  
State:  
Zip:  
Tel:  
E-Mail:  

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials:
The proposed project is a new 3,769 sq ft residential construction on an existing vacant lot. The purpose of this variance is
to request the front yard setback of 25' per plat be honored in lieu of the setback of the nearest building on either side that is
closest to the street, which in this instance would be a 40' front yard setback.

Additional documentation may be supplied to support your case If photos are supplied, please label each picture.

Status of Project:  Existing  Under Construction  Proposed
Status of Property:  Owner Occupied  Vacant Land  Non-owner Occupied

Previous Board of Adjustment Case filed on this property:  Yes  No
Date  Case Number(s)  

Is the purpose of this request to provide reasonable accommodation for a person(s) with disabilities?  YES  NO

If Yes, the application will be directed to the Planning and Development Director or Zoning administrator for review pursuant to Ordinance No.
22098-03-2016, “Reasonable Accommodation or Modification for Residential Uses.” Applications under a Reasonable Accommodation
Ordinance review will not be heard by the Board of Adjustment. Please see Ordinance No. 22098-03-2016 (Chapter 17, Division V) for more
information.

NOTE TO STAFF: If Yes, send a copy of this application and any attachments to the Zoning Administrator.

Have you informed your Home Owners Association  YES  NO  or Neighbors  YES  NO  of the request?  (None)

To watch the Hearings: http://www.fortworthtexas.gov/, click on “Watch online Now” & “Board of Adjustment video”.

STAFF USE ONLY

Owner Occupied Variance (One and Two Family Homes) for Section  
Special Exception for Section  
Non-Owner Occupied Case for Section  6.101  Interpretation of the Regulation $400

Variance for Establish Front Yard.

Zoning  HCLC Approval/ Applied  NEZ Approval/ Applied  Urban Village

DATE RECEIVED: 8/15/2023  FEE AMOUNT PAID: $500  # OF REQUESTS: 1  RECEIVED BY: KM  CASE NO.
BAR: 72-087
**Variance Request Proposal Only**

Please explain in your own words, how the request meets each of the hardship criterion listed below.

1. The variance is not a self-created hardship.

   This variance is not a self created hardship as it reduces hardship on the property. Several existing hardships have been identified on attached exhibits and listed below.

2. The property where the variance is being sought has unique circumstances existing on the property, such as area, shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the property.

   The property has several existing hardships and unique circumstances that have been identified on attached exhibits, including: an existing life estate access easement, an existing flood plain, and an existing easement for maintenance of the Trinity river. A large portion of the site is within 2’ elevation of the flood line. In addition, the depth of this lot is shallower in comparison to its neighbors; as a result, a 40’ setback greatly reduces the usable area to the rear of the property. There are also several mature trees to the rear of the property which should be maintained if possible. The lot also slopes more significantly to the rear than the front. By positioning the building closer to the street, allows the building to take advantage of the grade in order to keep FF elevation above the floodway.

3. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance.

   This variance would be in harmony with the neighborhood as the neighborhood does not maintain a specific front yard setback throughout. This variance is in harmony with the platted 25’ front yard setback. This variance is in harmony with the setback applicable for the zoning district. Further, as this lot is on a curve of the street, a line drawn tangent from the neighboring buildings existing front setbacks would be in line with the requested 25’ setback, thus the new structures would be visually in harmony. See attached exhibits. (Chapter 6.101 Yards, section (d) Front yard setbacks.)

4. The variance will not adversely affect the health, safety, or welfare of the public.

   This variance will not adversely affect the health, safety, or welfare of the public. This variance does not request any intrusions into public ways, easements, etc.

5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.

   This variance will not substantially or permanently injure the appropriate use of the adjacent properties. The proposed setback does not affect the existing setbacks of the buildings established on neighboring properties, nor changes the setbacks for any future developments.

**Acknowledgement**

I certify that the information provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. Should I initiate withdrawal after public notice is given, the filing fee will be non-refundable. Also, no new application may be filed for hearing within 24 months of a Board denial, unless the denial is without prejudice or substantial changes have occurred which warrant a Board waiver of the 24-month mandatory re-application delay period. **ANY REQUIRED PERMITS MUST BE OBTAINED WITHIN 180 DAYS.**

**Certificacion**

Certifico que la información proveida es verdadera y correcta en la medida de mi conocimiento, y que yo y/o mi representante estare(mos) en la audiencia pública del Consejo de Ajustes a menos de que decidiera retirar el caso antes que la Ciudad envíe la Notificación Pública. Entiendo que si retirara mi caso después que la Notificación fuera publicada, la acción del Consejo sería la de negar el caso, y que el costo de la aplicación no sería reembolsada. Además, entiendo que no podría aplicar en un plazo de 24 meses a la fecha en que la negativa del Consejo sea publicada, a menos de que el caso sea negado sin ser juzgado o cuando se presentaran cambios sustanciales por lo que podría aplicar antes de 24 meses. **ENTIENDO QUE EL PERMISO DE CONSTRUCCION DEBERA SER OBTENIDO EN UN PLAZO DE 180 DIAS.**

Signed by the Owner / Applicant or Agent

(Circle appropriate entity) [signature] Date 8/15/2022