



Beth Knight 6/19/2015

RESIDENTIAL BOARD OF ADJUSTMENT

D E C I S I O N S

Wednesday, June 17, 2015

1:30 PM

1000 Throckmorton

City Council Chamber

2nd Floor – City Hall

Fort Worth, Texas 76102

For More Docket Information Visit:

<http://fortworthtexas.gov/planninganddevelopment/boards>

BOARD MEMBERS:

Michael Wellbaum (Alternate)	<u>P</u>
Chris Cook	<u>P</u>
Moiri Brown	<u>P</u>
Joey Dixson	<u>P</u>
De De Smith	<u>P</u>
Philip Vaden	<u>P</u>
Wade Chappell, Vice Chair	<u>P</u>
Steve Epstein	<u>P</u>
Darien George, Chair	<u>P</u>

I. 12:30 P.M LUNCH/WORK SESSION Pre-Council Chamber

A. Review of Cases on Today's Agenda

II. 1:30 P.M. PUBLIC HEARING Council Chamber

A. Approval of Minutes of May 20, 2015 Hearing (8-0-1)



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B. Translation Cases

1. BAR-15-071

Froilan Vaca
3534 Avenue I

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of 5-foot front yard open design fence.
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a front yard open design fence to be 6 feet in height, excessive by 1 foot.
- c. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a detached garage on a lot less than ½ acre with two existing porte-cocheres, where an additional garage is not allowed.
- d. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a 400 square foot garage that increased the lot coverage to 51%, exceeding the maximum allowable of 50%.

Items "a" & "b" FAILED FOR LACK OF SEVEN AFFIRMATIVE VOTES (5 – 4)
Items "c" & "d" APPROVED (8 – 1)

2. BAR-15-078

Leonel Lara by Maricruz Lara
712 McCurdy Street

- a. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a carport that encroaches 5 feet into the 5-foot side yard setback.

APPROVED (9 - 0)

3. BAR-15-082

Jose Salazar by Elizabeth Flores
1308 W. Spurgeon Street

- a. Request a **VARIANCE** in an "A-5" One-Family District on the west side yard to permit the continued use of:
 - i. a garage that encroaches 1 foot into a 5-foot side yard setback, creating a 4-foot side yard setback.
 - ii. an accessory building that encroaches 3 feet into a 5-foot side yard setback, creating a 2-foot side yard setback.
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an accessory building that encroaches 2 feet into a 5-foot rear yard setback, creating a 3 feet rear yard setback.
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an accessory structures with 264 square feet combined, where 200 square feet is allowed, excessive by 64 square feet.

FAILED FOR LACK OF SEVEN AFFIRMATIVE VOTES

Items "a-i" (6 - 3)
Items "a-ii" (1 - 8)
Items "b" (1 - 8)
Items "c" (2 - 7)



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4. BAR-15-092

Juan & Lorena Garcia
3713 Stuart Drive

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued enclosure of the garage that removed the required parking behind the front building line.

APPROVED (9 - 0)

5. BAR-15-094

Digna Rodriguez by Jose Sanchez
927 W. Mason Street

- a. Request a **VARIANCE** in a "B" Two-Family District to permit the continued construction of a carport that encroaches into a 10-foot side yard setback, deficient by 4-feet.

APPROVED (9 - 0)

6. BAR-15-099

Jose Angon
3129 Hedrick Street

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the expansion of a carport that encroaches 5 feet into a 5-foot side yard setback, creating a 0-foot setback.

APPROVED (7 - 2)

C. Continued Cases

7. BAR-15-060

Linwood Park Redevelopment by Dunaway Associates
201 Wimberly Street

- a. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a duplex with a 15-foot front yard setback, where a 25-foot setback is required, deficient by 10 feet.

CONTINUED TO JULY 15, 2015 (9 - 0)

8. BAR-15-061

Linwood Park Redevelopment by Dunaway Associates
211 Wimberly Street

- a. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a duplex with a 15-foot front yard setback, where a 25-foot setback is required, deficient by 10 feet.

CONTINUED TO JULY 15, 2015 (9 - 0)

9. BAR-15-062

Linwood Park Redevelopment by Dunaway Associates
225 & 229 Wimberly Street and 2850 & 2854 Wingate Street

- a. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of 4 duplexes where a 25-foot setback is required:

- i. 2 structures with a 15-foot front yard setback on Wingate, deficient by 10 feet; and
- ii. 2 structures with a 10-foot front yard setback on Wimberly, deficient by 15 feet.

CONTINUED TO JULY 15, 2015 (9 - 0)



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10. BAR-15-072 **Raymundo Reyes by Tarrant Properties**
925 Bonnie Brae Street

- a. Request a **SPECIAL EXCEPTION** in an “A-7.5” One-Family District to permit the continued use of 4-foot solid front yard fence.
- b. Request a **VARIANCE** in an “A-7.5” One-Family District to permit the continued use of a front yard solid fence 8 feet in height, excessive by 4 feet.
- c. Request a **VARIANCE** in an “A-7.5” One-Family District to permit the continued use of a front yard open design fence to be chain link fencing material, where none is allowed.
- d. Request a **VARIANCE** in an “A-7.5” One-Family District to permit the construction of a fountain located in the front yard where accessory structures are not allowed. **STIPULATING THAT THE FOUNTAIN DOES NOT EXCEED 6 FEET IN HEIGHT.**

Items “a”, “b” and “c” DENIED WITHOUT PREJUDICE (9 – 0)
Item “d” APPROVED WITH THE STIPULATION CITED (9 – 0)

11. BAR-15-073 **Tarrant Properties**
5300 Locke Avenue

- a. Request a **VARIANCE** under the “A-5” One-Family District regulations to permit the construction of a house proposed to encroach 5 feet into a 10-foot side yard setback, creating a 5-foot side yard setback.

APPROVED (9 – 0)

D. New Cases

12. BAR-15-083 **Socorro Campos**
3209 Avenue I

- a. Request a **VARIANCE** in a “MU-1” Low Intensity Mixed-Use District to permit the continued use of an accessory building for outdoor storage which is a secondary use without an existing primary structure, where none is allowed.
- b. Request a **VARIANCE** in an “MU-1” One-Family District to permit the continued use of a solid screening fence to be metal panels, where none are allowed.

Item “a” FAILED FOR LACK OF SEVEN AFFIRMATIVE VOTES (6 - 2 - 1)
Item “b” FAILED FOR LACK OF SEVEN AFFIRMATIVE VOTES (2 - 6 - 1)

13. BAR-15-084 **Roberto & Debbie Ortega**
2301, 2209 & 2207 Lena Street

- a. Request a **SPECIAL EXCEPTION** in an “A-5” One-Family District to permit the continued use of two large animals and a stable where:
 - i. the property owner owns less than ½ acre,
 - ii. two large animals are kept on less than 10,000 square feet per animal, and
 - iii. the large animals are kept less than 50 feet to a regulated structure.
- b. Request a **VARIANCE** in a an “A-5” One-Family District to permit the continued use of a stable that encroaches into the required 5-foot rear yard setback, deficient by 3 feet 6 inches.

APPROVED (7 – 2)



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De De Smith	<u> P </u>
Philip Vaden	<u> P </u>
Wade Chappell, Vice Chair	<u> A </u>
Steve Epstein	<u> P </u>
Darien George, Chair	<u> P </u>

14. BAR-15-085

Jesus Quirino
3404 Bryan Avenue

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a second garage on a single residential lot of less than ½ acre, where one garage is allowed.
- b. Request a **VARIANCE** in an "A-5" One-Family District on the west side yard to permit the continued use of:
 - i. a garage that encroaches 3 feet into a 5-foot side yard setback, creating a 2-foot side yard setback.
 - ii. a garage and an accessory building that encroaches 5 feet into a 5-foot side yard setback, creating a 0-foot side yard setback.
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an accessory building that encroaches 4 feet 4 inches into a 5-foot rear yard setback, creating an 8-inch rear yard setback.

Item "a" APPROVED (7 – 1)
Items "b" FAILED FOR LACK OF SEVEN AFFIRMATIVE VOTES (6 – 2)
Items "c" FAILED FOR LACK OF SEVEN AFFIRMATIVE VOTES (6 – 2)

15. BAR-15-086

Rhodes James Jr
2212 Glenco Terrace

Request a **VARIANCE** in an "A-5" One Family District to permit the construction of an addition that would encroach 2 feet 6 inches into a 5-foot side yard setback, deficient by 2-feet 6-inches. **WITH THE STIPULATION THAT THE ADDITION DOES NOT EXCEED 1 STORY**

APPROVED WITH THE STIPULATION CITED (7 – 0 – 1)



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16. BAR-15-088

Lawrence Boyd
1864 Sheffield Place

- a. Request a **SPECIAL EXCEPTION** in the "PD 604" Planned Development for One-Family uses plus design standards District to permit the construction of a 5-foot open-design front yard fence.
- b. Request a **VARIANCE** in the "PD 604" Planned Development for One-Family uses plus design standards District to permit the construction of a front yard open-design fence (~~7~~) 6 feet in height, excessive by (~~2~~) 1 feet. **STIPULATING A MAXIMUM HEIGHT OF 6 FT FOR THE WROUGHT IRON FENCE (MEASURED FROM THE SIDE WALK) AND THAT NEITHER A FOOTER, NOR A RETAINING WALL IS PROVIDED.**

APPROVED WITH THE STIPULATION CITED (7 - 1)

17. BAR-15-089

Don and Kim Allen by Clint Thurman
4416 Lost Creek Blvd.

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an accessory building for outdoor recreation which is a secondary use without an existing primary structure, where none is allowed.

APPROVED (7 - 1)

18. BAR-15-093

MHI Partnership LTD by North Texas Inspections
11944 Tranquil Cove

- a. Request a **VARIANCE** the "PD 778" Planned Development for R2 uses with specific criteria District to permit the continued construction of a single family residence that encroaches into a 19-foot 6-inch established front yard setback, deficient by 4 feet 6 inches.

APPROVED (8 - 0)

19. BAR-15-095

Frederick Melton Brandford
4141 Staghorn Circle South

- a. Request a **VARIANCE** in an "A-5" One-Family District on the east side yard to permit the construction of an accessory structure that would encroach 2 feet into a 9-foot side yard setback for an accessory structure 12 feet in height, creating a 7-foot rear yard setback.
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an accessory structure that would encroach 3 feet 6 inches into a 9-foot rear yard setback for an accessory structure 12 feet in height, creating a 5-foot 6-inch rear yard setback.
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an accessory structure with 264 square feet, where 200 square feet is allowed, excessive by 64 square feet.

APPROVED (8 - 0)



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20. BAR-15-096

Joselito Felipe by Joseph Felipe
7901 Black Hills Lane

- a. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the construction of a pool located in a projected front yard where accessory structures are not allowed.

APPROVED (8 - 0)

21. BAR-15-097

Aubrey Hallum
1409 Belle Place

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a single family residence that would create a 20-foot front yard setback, where a 25-foot setback is required, deficient by 5 feet.
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a single family residence that would encroach 5 feet into a 10-foot side yard setback, creating a 5-foot side yard setback.

APPROVED (8 - 0)

22. BAR-15-098

Scott Raffel
3917 Locke Avenue

- a. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a carport that encroaches into a 5-foot side yard setback, deficient by 4 feet.

APPROVED (8 - 0)

III. ADJOURNMENT: 6:22 PM

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.

ASISTENCIA DURANTE LA REUNION PUBLICA:

El Edificio Municipal de la Ciudad de Fort Worth, City Hall, tiene acceso para silla de ruedas. Se solicita a las personas que planean asistir a esta reunión y que necesitan servicios de intérpretes o lectores/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 reunion para que se hagan 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 Commission to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.