12-22-11

FORT WORTH

RESIDENTIAL BOARD OF ADJUSTMENT

DECISIONS

Wednesday, December 21, 2011
1:30 PM
1000 Throckmorton
City Council Chamber
2nd Floor – City Hall
Fort Worth, Texas 76102

BOARD MEMBERS:

Vacant	
Ronald R. Shearer	P
Barbara Worthley	P
Jerry Tinkle, Chair	P
Vacant	
Clifford (Carl) Logan, Vice Chair	P
Wade Chappell	P
Shirley Bryant	P
Victoria E. Bargas	A
Marlene Beckman (Alternate)	P

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 the November 16, 2011 Hearings **APPROVED 7-0**

ASSISTANCE AT THE PUBLIC MEETINGS:
The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available on the south side of the City Hall building to the south of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers or large print, are requested to call 817-392-7844, FAX 817-392-7985, or call TDD 1-800-RELAY-TX at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

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.

B. Translation Cases:

1. BAR-11-257 **ELIAS CHAVARRIA, by Perla Chavarria** **CD2**
1318 Homan Avenue

a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of a front yard carport in the front yard where none is allowed.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 1/6

b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a four (4) foot solid fence in the front yard.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 1/6

c. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of a five (5) foot wrought iron fence in the front yard.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 1/6

d. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a front yard carport encroaching approximately five (5) feet into the required five (5) foot side yard setback, creating an approximate zero (0) foot side yard.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 1/6

e. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an approximate six foot solid metal fence in the front yard.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 1/6

f. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an approximate six foot eight inch (6'8") wrought iron fence instead of the maximum allowed four (4) feet in height, excessive by approximately two feet eight inches (2'8").

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 1/6

g. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an approximate six foot eight inch (6'8") wrought iron fence in the Public Open Space Easement (P.O.S.E.).

WITHDRAWN 1/6

2. BAR-11-276 **JORGE DOMINGUEZ** **CD7**
821 Reveille Road

a. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a storage shed approximately twelve feet nine inches (12'9") instead of the maximum allowed eight (8) feet in height, excessive by approximately four feet nine inches (4'9").

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/1

3. BAR-11-278 **MARTIN AND JUANA GARCIA** **CD7**
111 Nursery Lane

a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued use of a four (4) foot solid wood fence in the front yard.

APPROVED 7/0

b. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued use of a five (5) foot wrought iron fence in the front yard.

APPROVED 7/0

c. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of an approximate six (6) foot solid wood fence instead of the maximum allowed four (4) feet in height, excessive by approximately two (2) feet.

APPROVED 7/0

d. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of an approximate five foot six inch (5'6") wrought iron fence instead of the maximum allowed five (5) feet in height, excessive by approximately six inches (6").

APPROVED 7/0

4. BAR-11-298 **DAVID R. VIDALES** **CD8**
1013 S Sargent Street

a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a four (4) foot solid wood fence in the front yard.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 0/7

b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a five (5) foot open design fence in the front yard.

APPROVED 7/0

c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an approximate six (6) foot solid wood fence instead of the maximum allowed four (4) feet in height, excessive by approximately two (2) feet.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 1/6

d. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an approximate five foot three inch (5'3") wrought iron and masonry fence with an approximate six foot three inch (6'3") wrought iron gate instead of the maximum allowed five (5) feet in height, excessive by approximately three inches (3") for the wrought iron and masonry fence and one foot three inches (1'3") for the wrought iron gate.

APPROVED 7/0

B. Continued Cases:

1. BAR-11-240 **ROGER & JANET JACKSON, by Johnathan Killebrew** **CD7**
5001 & 5005 Bryce Avenue

a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a residence encroaching approximately thirteen (13) feet into the required thirty-nine (39) foot front yard setback, creating an approximate twenty-six (26) foot front yard.

APPROVED 7/0

C. New Cases:

1. BAR-11-256 **TED W. AND CAROL J. PATE** **CD3**
6251 Sea Meadow Drive

a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed approximately eleven feet nine inches (11'9") instead of the maximum allowed eight (8) feet in height, excessive by approximately three feet nine inches (3'9").

CONTINUED TO JANUARY 18, 2012 6/1

2. **BAR-11-263** **JUAN AND BLANCA N. OROZCO** **CD5**
3038 Bright Street

a. Request a **SPECIAL EXCEPTION** in an "A-7.5" One-Family District to permit the continued use of a four (4) foot solid wood fence in the projected front yard.

APPROVED 7/0

b. Request a **SPECIAL EXCEPTION** in an "A-7.5" One-Family District to permit the continued use of a five (5) foot open design fence in the front yard.

APPROVED 7/0

c. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the continued use of an approximate six (6) foot solid wood fence in the projected front yard instead of the maximum allowed four (4) feet in height, excessive by approximately two (2) feet.

APPROVED 7/0

d. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the continued use of an approximate five foot three inch (5'3") wrought iron fence with an approximate seven foot three inch (7'3") wrought iron gate instead of the maximum allowed five (5) feet, excessive by approximately three inches (3") for the wrought iron fence and two feet three inches (2'3") for the wrought iron gate.

APPROVED 7/0

e. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the continued use of a storage shed encroaching approximately twenty (20) feet into the projected front yard creating an approximate zero (0) projected front yard.

DENIED 7/0

f. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the continued use of a carport encroaching approximately five (5) feet into the required five (5) foot side yard setback, creating an approximate zero (0) foot side yard.

APPROVED 7/0

3. **BAR-11-264** **TO BE HEARD JANUARY 18, 2012**

4. **BAR-11-265** **TO BE HEARD JANUARY 18, 2012**

5. **BAR-11-266** **TO BE HEARD JANUARY 18, 2012**

6. **BAR-11-267** **TO BE HEARD JANUARY 18, 2012**

7. **BAR-11-268** **RAMON AND DWAN VILLARREAL** **CD7**
9216 Conestoga Drive

a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a storm shelter within the garage, eliminating one (1) parking space behind the front building line.

APPROVED 7/0

8. BAR-11-269 **SIM FAMILY FOUNDATION INC, c/o Jorea McNamee Kelly** **CD8**
5519 Van Natta Lane

a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of a front yard carport where none is allowed.

CONTINUED TO JANUARY 18, 2012 7/0

b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an enclosed garage, eliminating the one (1) parking space behind the front building line.

APPROVED 7/0

9. BAR-11-270 **LOUIS & BARBARA SABO** **CD3**
4813 South Drive W.

a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed approximately ten (10) feet instead of the maximum allowed eight (8) feet in height, excessive by approximately two (2) feet.

CONTINUED TO JANUARY 18, 2012 7/0

10. BAR-11-271 **TO BE HEARD JANUARY 18, 2012**

11. BAR-11-272 **TO BE HEARD JANUARY 18, 2012**

12. BAR-11-273 **TO BE HEARD JANUARY 18, 2012**

13. BAR-11-274 **JESSE SANDOVAL** **CD9**
2724 Weisenberger Street

a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed, an accessory use without a primary use. **STIPULATING FOR A PERIOD OF THREE (3) YEARS.**

APPROVED 7/0

14. BAR-11-275 **DANIEL AND RITA NAJERA** **CD6**
5312 and 5316 Smokey Ridge Drive

a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a pool, an accessory without a primary use.

APPROVED 7/0

15. BAR-11-277 **STEVEN L. AND TERRY D. ZINK** **CD7**
1301 Spanish Needle Trail

a. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the construction of a second garage where only one (1) garage is allowed.

APPROVED 7/0

b. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the construction of a second garage encroaching approximately ten (10) feet into the required ten (10) foot side street yard, creating an approximate zero (0) foot side street yard.

APPROVED 7/0

16. BAR-11-279 **WITHDRAWN BY STAFF PRIOR TO PUBLIC NOTICE**

17. BAR-11-280 **TO BE HEARD JANUARY 18, 2012**

18. BAR-11-281 **DAVID R. HESTERMANN, by Don L. Taylor Homes, LTD** **CD7**
1204 Virginia Place

a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a habitable detached garage with workshop encroaching approximately four (4) feet into the required five (5) foot rear yard setback, creating an approximate one (1) foot rear yard.

DENIED WITHOUT PREJUDICE 7/0

b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a habitable detached garage with workshop approximately twenty nine (29) feet in height instead of the allowed twenty two (22) feet approximately seven (7) feet taller than the principal residence.

DENIED WITHOUT PREJUDICE 7/0

19. BAR-11-282 **GLENN K. AND JULIA A. DAVIDSON** **CD6**
429 Rivercrest Drive

a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of a four (4) foot solid masonry wall in the required front yard of a through lot.

APPROVED 7/0

b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a ten (10) foot solid masonry wall in the front yard of a through lot instead of the maximum allowed four (4) feet in height, excessive by approximately six (6) feet.

APPROVED 7/0

20. BAR-11-283 **JAIME AND DEALVA J. JUAREZ** **CD2**
2700 & 2702 Springdale Road

a. Request a **SPECIAL EXCEPTION** in an "A-7.5" One- Family District to permit the continued use of a four (4) foot solid wood fence in the front yard along the west property line only.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/1

b. Request a **VARIANCE** in an "A-7.5" One- Family District to permit the continued use of an approximate six (6) foot solid wood fence instead of the maximum allowed four (4) feet in height, excessive by approximately two (2) feet along the west property line only.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/1

21. BAR-11-284 **VOID**

22. BAR-11-285 **STEVEN R. WILLIAMSON** **CD7**
10524 Pack Saddle Trail

a. Request a **VARIANCE** in an "A-21" One-Family District to permit the construction of a second garage where only (1) garage is allowed.

CONTINUED TO JANUARY 18, 2012 7/0

23. BAR-11-286 **TO BE HEARD JANUARY 18, 2012**

24. BAR-11-287 **DAVID R. AND ROSA ELVIA JONES** **CD3**
By Municipal Permit Service
2900 Cordone Street

a. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a front yard carport, where none is allowed.

CASE NOT HEARD DUE TO NOTICING ERROR

25. BAR-11-288 **TO BE HEARD JANUARY 18, 2012**

26. BAR-11-289 **GLADYS AND LEO LAZO** **CD9**
4324 Houghton Avenue

a. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a front yard carport, where none is allowed.

CASE NOT HEARD DUE TO NOTICING ERROR

b. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a front yard carport encroaching approximately one (1) foot into the required five (5) foot side yard setback, creating an approximate four (4) foot side yard.

CASE NOT HEARD DUE TO NOTICING ERROR

27. BAR-11-290 **CHRIS GLIDEWELL, by Serena Glidewell** **CD2**
7628 Scarlet View Trail

a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storm shelter within the garage, eliminating one (1) parking space behind the front building line.

APPROVED 7/0

28. BAR-11-291 **TO BE HEARD JANUARY 18, 2012**

29. BAR-11-292 **P. MARKUS AND MARY KYPREOS, by Village Homes** **CD7**
3800 W. 5th Street

a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a residence encroaching approximately two feet six inches (2'6") into the required ten (10) foot side street yard, creating an approximate seven foot six inch (7'6") side street yard.

APPROVED 7/0

b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an attached garage encroaching approximately five (5) feet into the required ten (10) foot side street yard, creating an approximate five (5) foot side street yard.

APPROVED 7/0

30. BAR-11-293 **APRIL SIMPSON, By Karl Hahnfeld** **CD3**
4801, 4805, 4809 Estonia Court and 4804, 4808 Sidonia Court

a. Request a **SPECIAL EXCEPTION** in an "A-7.5" One- Family District to permit the construction of a four (4) solid masonry fence in the front yard.

APPROVED 7/0

b. Request a **VARIANCE** in an "A-7.5" One- Family District to permit the construction of an approximate eight (8) foot solid masonry fence instead of the maximum allowed four (4) feet in height, excessive by approximately four (4) feet.

APPROVED 7/0

31. BAR-11-294 **GUADALUPE VILLANUEVA** **CD9**
908 W. Kellis Street

a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued use of a five (5) foot open design fence in the front yard.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/1

b. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of an approximate seven (7) foot wrought iron and masonry fence with an eight foot seven and one half inch (8'7½") masonry arch instead of the maximum allowed five (5) feet in height, excessive by approximately two (2) feet for the fence and approximately three feet seven and one half (3'7½") inches for the masonry arch.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/1

32. BAR-11-295 **CHRISTINE THOMAS** **CD5**
3779 Rufus Street

a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued use of a five (5) foot open design fence in the front yard.

APPROVED 7/0

b. Request a **VARIANCE** in a "B" Two-Family District to permit the continued construction of an approximate seven foot two inch (7'2") wrought iron and masonry fence with masonry columns that are approximately seven feet two inch (7'2") along the south property line instead of the allowed five (5) feet for the wrought iron and masonry fence and five foot six inch (5'6") for the columns excessive by approximately two feet two inches (2'2") for the wrought iron and masonry fence and columns.

APPROVED 7/0

33. BAR-11-296 **RICHARD J. MONCRIEF** **CD3**
6951 Tamarack Road

a. Request a **SPECIAL EXCEPTION** in an "A-5" One- Family District to permit the continued use of a four (4) foot solid wood fence in the front yard.

APPROVED 7/0

b. Request a **VARIANCE** in an "A-5" One- Family District to permit the continued use of an approximate eight (8) foot solid wood fence instead of the maximum allowed four (4) feet in height, excessive by approximately four (4) feet.

APPROVED 7/0

III. ADJOURNMENT: **5:10 P.M.**