

REVISED 12/13/2024



MEETING AGENDA
COMMERCIAL BOARD OF ADJUSTMENT

Wednesday, December 18, 2024

Public Hearing 10:00 a.m.

In Person

City Council Chamber
2nd Floor, 200 Texas Street /Fort Worth, Texas 76102

VIDEOCONFERENCE:

<https://fortworthtexas.webex.com/weblink/register/r1c7bc59defb022f360d533da8e1d6e9c>

Meeting/ Access Code: 255 717 22406 (Registration Required)

Teleconference: (817) 392-1111 or 1-469-210-7159

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 Commercial 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 5:00 PM on December 16, 2024. 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.**

BOARD MEMBERS:

Josh Lindsay	_____	Jarrett Wilson	_____
Tony Perez	_____	Darin Hoppe	_____
Deborah Freed, Chair	_____	Kay Duffy	_____
Bob Riley, Vice-Chair	_____	Andrea Payne Shields	_____
James Hook	_____	Virginia Murillo	_____
Kelicia Stevenson	_____		

I. PUBLIC HEARING

A. Approval of Minutes of the November 18, 2024 Hearing _____

B. ANY CASES NOT HEARD WILL BE MOVED TO JANUARY 15, 2024

D. Continued Commercial Cases

1. BAC-24-026 Address: 3439 Altamesa Blvd
 Owner: 539 Moore Street LLC by Watermill Express
 Zoning: "E" Neighborhood Commercial and "FR" General Commercial Restricted Districts

- a. **Special Exception:** Permit the construction of a water/ice vending kiosk.
- b. **Variance:** Permit a water/ice vending kiosk in a location that is not allowed.

Required location: behind the front wall of the primary structure furthest from the street.
Requested location: in front of the front wall of the primary structure closest to the street.

2. BAC-24-031 Address: 2201 - 2211 (odds) 8th Avenue
 Owner: Rainbow Insurance Agency Inc by Raymond Arriaga
 Zoning: "E" Neighborhood Commercial District

- a. **Variance:** Permit fewer parking spaces for a multi-tenant building than required.

Minimum number of parking spaces: 58 spaces
Requested number of parking spaces: 31 spaces

E. New Commercial Cases

3. BAC-24-035 Address: 1120 Jacksboro Hwy
 Owner: Christie Thibodeaux
 Zoning: "FR" General Commercial Restricted Districts

- a. **Variance:** To allow auto repairs on a premises that adjoins a residential district.

II. ADJOURNMENT:

ASSISTANCE AT THE PUBLIC MEETINGS:

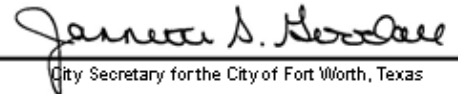
Fort Worth City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City's ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov at least 48 hours prior to the meeting so that appropriate arrangements can be made. Even if the City does not receive notification at least 48 hours prior to the meeting, the City will still 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 Board 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, places convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time Friday, December 13, 2024 at 3:25 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.


City Secretary for the City of Fort Worth, Texas



**BOARD OF ADJUSTMENT – COMMERCIAL, 12/18/2024
INFORMATION REPORT**

BAC-24-026

Address: 3439 Altamesa Boulevard
Owner: 539 Moore Street LLC by Watermill Express
Zoning: “E” Neighborhood Commercial and “FR” General Commercial Restricted Districts

- a. **Special Exception:** Permit the construction of a water/ice vending kiosk.
- b. **Variance:** Permit a water/ice vending kiosk in a location that is not allowed.

Required location: behind the front wall of the primary structure furthest from the street

Requested location: in front of the front wall of the primary structure closest to the street

GENERAL INFORMATION

REGULATION:

3.403 Board of Adjustment Action

In taking action on an application for a variance, the board of adjustment shall grant the application only when the board determines that:

- A. Literal enforcement of the regulations in this zoning ordinance will create an unnecessary hardship or practical difficulty in the development of the affected property;
- B. The situation causing the hardship or difficulty is unique to the affected property;
- C. The situation or hardship is not self-imposed;
- D. The relief sought will not injure the existing or permitted use of adjacent conforming property; and
- E. The granting of a variance will be in harmony with the spirit and purposes of this zoning ordinance.

5.100 General Conditions

B. Additional Conditions: Nothing in this Article shall prevent the City from imposing additional conditions during either the special exception or planned unit development review process.

5.130 Recycling Collection Facility

Automated collection vending machines and small collection facilities, not to exceed 500 square feet, for recycling aluminum cans, glass, grocery bags, plastic bottles, magazines, newspapers and other comparable materials may be permitted in accordance with the use tables in chapter 4, articles 6 and 8, subject to the following

- 1. Required off-street parking is not diminished; and
- 2. The board of adjustment finds that the size, location and design of the machines or facility are compatible with surrounding uses.

5.302 ACCESSORY USES ON NONRESIDENTIAL LOTS

B. Non-habitable accessory uses.

- 1. All non-habitable accessory uses must be located behind the front wall of the primary structure that is furthest from the street.



**BOARD OF ADJUSTMENT – COMMERCIAL, 12/18/2024
INFORMATION REPORT**

LOT HISTORY: None.

**COMPREHENSIVE
PLAN DESIGNATION:** Mixed Use

**REGISTERED
NEIGHBORHOOD
NOTIFICATION:** The following registered associations were sent early notification: District 6 Alliance, CandleRidge HOA, South Hills South NA, Wedgwood East NA, Crowley ISD, Fort Worth ISD, Trinity Habitat for Humanity, and Streams & Valleys Inc.

**EXISTING
CONDITIONS:** The subject property is a multi-tenant shopping center, with two out-parcels and no anchor tenant, located in an established neighborhood. The site is in the middle of the commercial uses heavily concentrated on the McCart Avenue and Altamesa Boulevard frontages. While an existing multi-family complex is located on the southern property line, the closest single-family neighborhoods are generally 500 feet or more away. Therefore, the site is not subject to the minimum off-street parking requirements.

The U-shaped lot has a building on the eastern and southern sides, where the parking is concentrated in the center of the lot and on the western side. The building has limited parking in front of the northeastern leg and wraps around the out-parcels to the western property line. The lot has a slight slope downward from west to east, but has no floodplain or notable landscaping.

The applicants are requesting to construct a self-service kiosk in the parking lot on the northwestern portion of the site, approximately 2 parking spaces south of the multi-tenant sign. The site plan shows four existing trees between the northeastern building corner and the street, with no additional landscaping existing or proposed on the opposite side near the requested kiosk. The side of the kiosk is proposed to face the street, and the kiosk's front facing west towards the parking lot's drive aisle. The roof top equipment is screened from view. The site plan detail sheet indicates the kiosk will use the majority of two parking spaces, leaving a small clear area on all sides that could be planted with shrubs. The applicants have revised the site plan to propose a landscaping area approximately 50% of the size of their water/ice kiosk area. The landscaping area is immediately to the east of their site. The kiosk commercial use **is compatible** with the surround commercial uses, as the revised site plan improves visual appeal of the commercial corridor.

A variance is requested to locate the water/ice kiosk closer to the street than the northern-most building wall, instead of behind the northern building wall furthest from the street. The L-shaped building puts the northeastern building wall approximately 300 feet in front of the southwestern building wall. Additionally, the configuration of the building to the western property line does not leave room for the kiosk to be placed slightly behind the front wall of the primary structure furthest from the street.



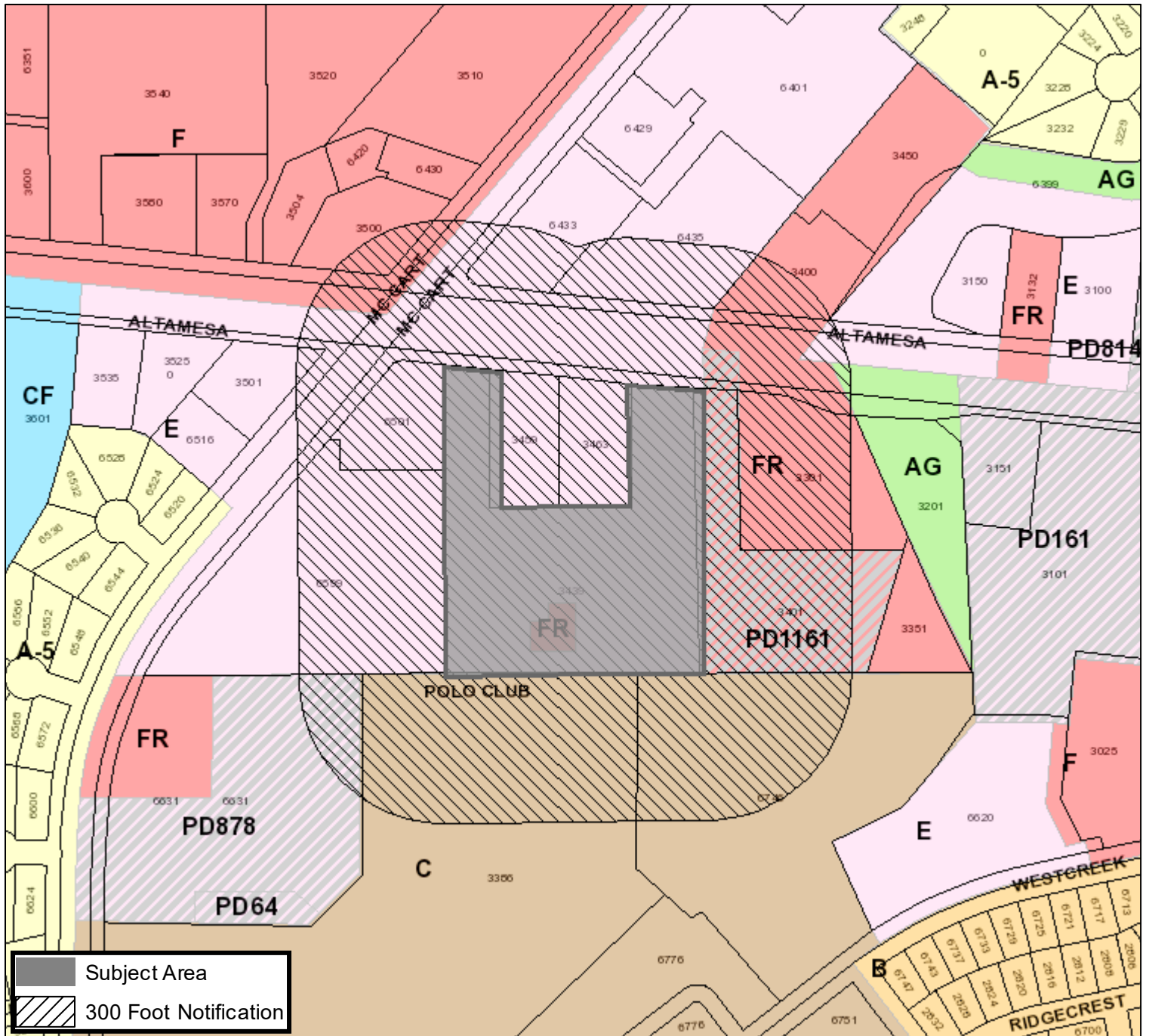
**BOARD OF ADJUSTMENT – COMMERCIAL, 12/18/2024
INFORMATION REPORT**



The case was continued from the September 18, 2024 public hearing, as the applicant received information from the Water Department that they would not be able to tie into the water line proposed. Since water service is an integral part of this business, the applicant worked with the Water Department to explore other alternatives. This issue has now been resolved.

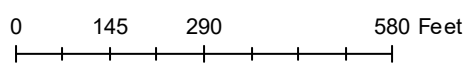


Area Zoning Map

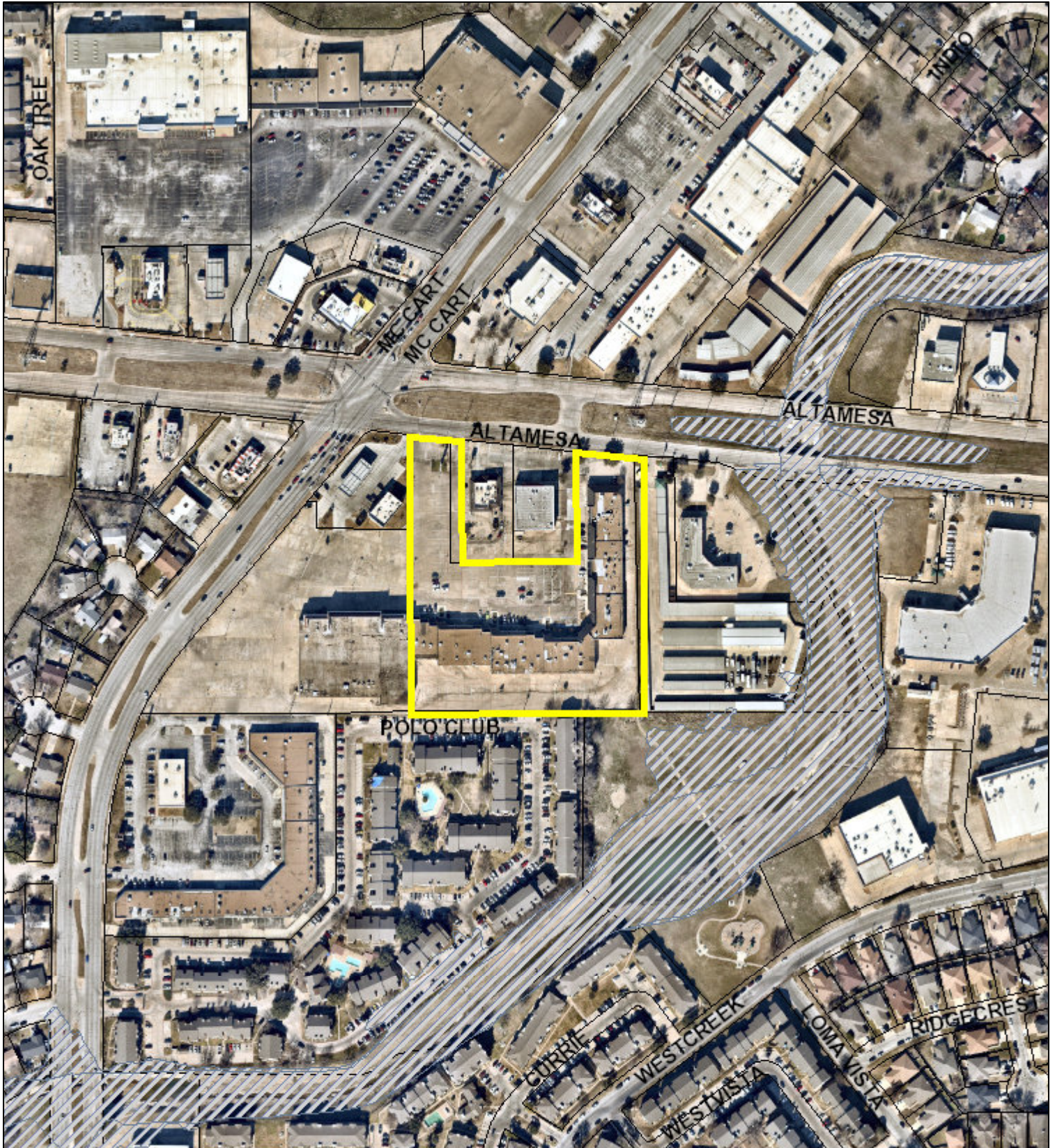
Applicant: 539 Moore Street LLC by Watermill Express
MapSCO: 104A
Commission Date: 9/18/2024



	Subject Area
	300 Foot Notification



Aerial Photo Map



0 190 380 760 Feet



BAC-24-026
3439 Altamesa Boulevard



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: 3439 Alta Mesa Blvd., Fort Worth, TX 76133

Lot/Tract: _____ Block/Abstract: _____ Lot Size: _____

Legal Description: Addition/Survey: Alta Mesa Village Addition Block 1 Lot 1R-1A

Owner's Name: 539 Moore St, LLC, Zars Acquisition, LLC, Somani Holdings, LLC

Address: 603 Harwood Rd

City: Bedford State: TX Zip: 76021

Tele: () 817-606-7120 E-Mail info@intellimanagement.net

Applicant's Name: Watermill Express, LLC (Tenant/Lessee)-Bob Kralicek-Representative

Address: 1177 S 4th Ave

City: Brighton State: CO Zip: 80601

Tele: () 303-659-1573 E-Mail bob.kralicek@watermillexpress.com

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials:

Install a new concrete, pre-manufactured, stand-alone, unmanned water and ice vending station in 2 leased parking spaces on a new 15'x15' pad. The vending stations is trucked in and craned into place already inspected & approved by the State of Texas. The unit is 108sf at 14' 4-1/2" x 12' 2" w x 8' 10" d. There are two vending sinks for water and bulk and bag dispensers for ice.

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 USE ONLY: Zoning _____

Owner Occupied Variance (One and Two Family Homes) for Section _____

Special Exception for Section _____

Variance for: _____

Interpretation of the Regulation \$400

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

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. _____

Because our structure is classified as a "non-habitable accessory use", it is to be placed behind the existing shopping center. Watermill Express is an operating business; not a storage shed. Thus being visible to potential customers for convenience and safety reasons is imperative.

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.

Being a L shaped shopping center with a separate large anchor tenant that extends beyond the back wall of the center, there is no visibility to any consumer driving within the normal customer areas of the center.

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

As with the other freestanding structures that are not part of the existing shopping center, the Watermill Express would be positioned behind the existing setback line, meet code for traffic, parking and ADA guidelines.

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

By placing our structure within 2 existing parking spaces, it allows the public to park adjacent to the vending area, out of the way of traffic coming into or exiting the shopping center. Bollards also protect customers in the vending area.

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

By not affecting existing traffic flow or visibility of either adjacent property, there is no adverse affect on those properties.

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.**

(All applications submitted via email must be signed using a digital ID or certificate.)

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

DocuSigned by:
Bob Kralicek
4CAE9FB6119A4CF...

Signature: _____

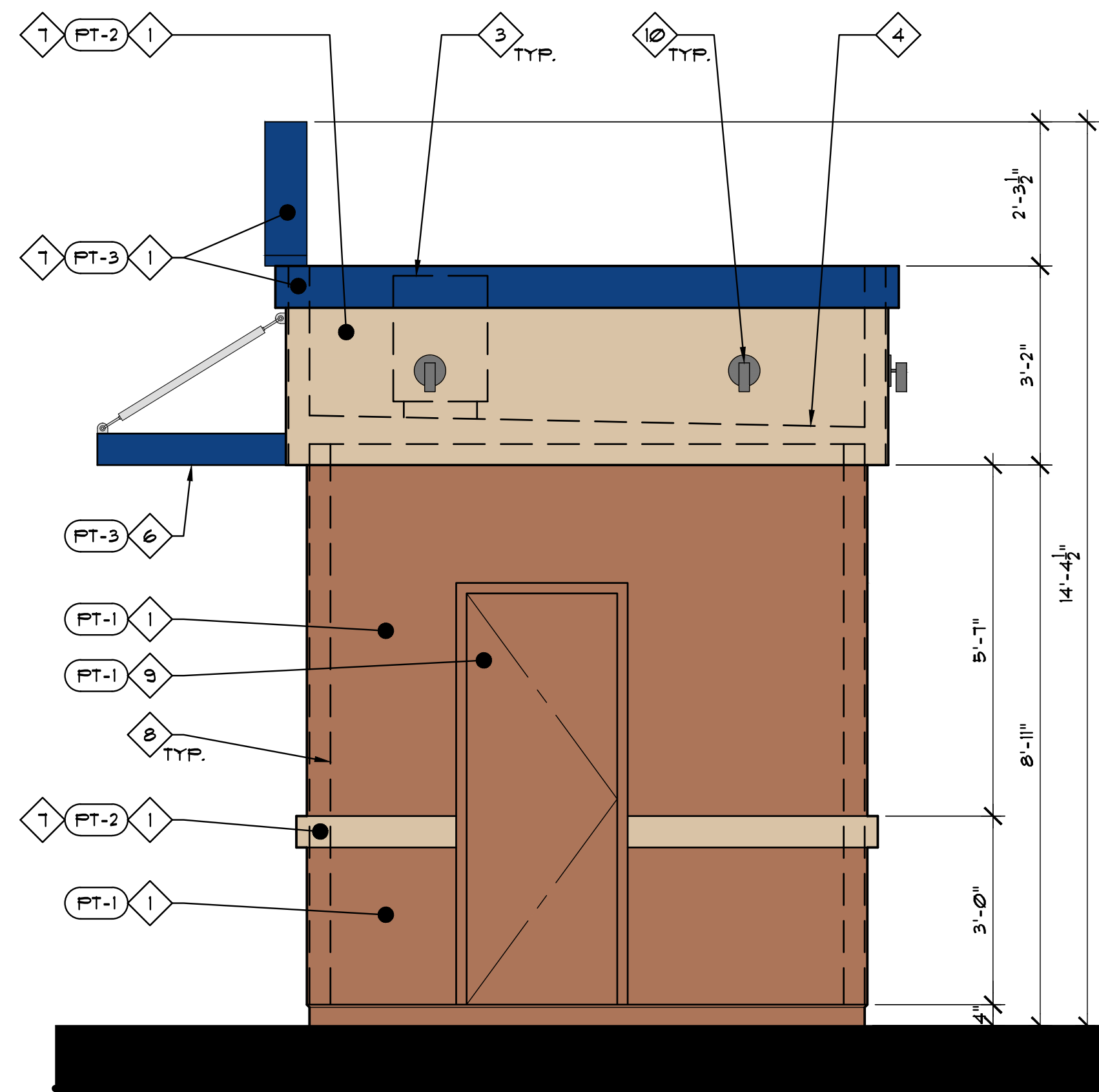
Date 8/6/2024



Front Elevation - West View

Scale: 1/8" = 1'-0"

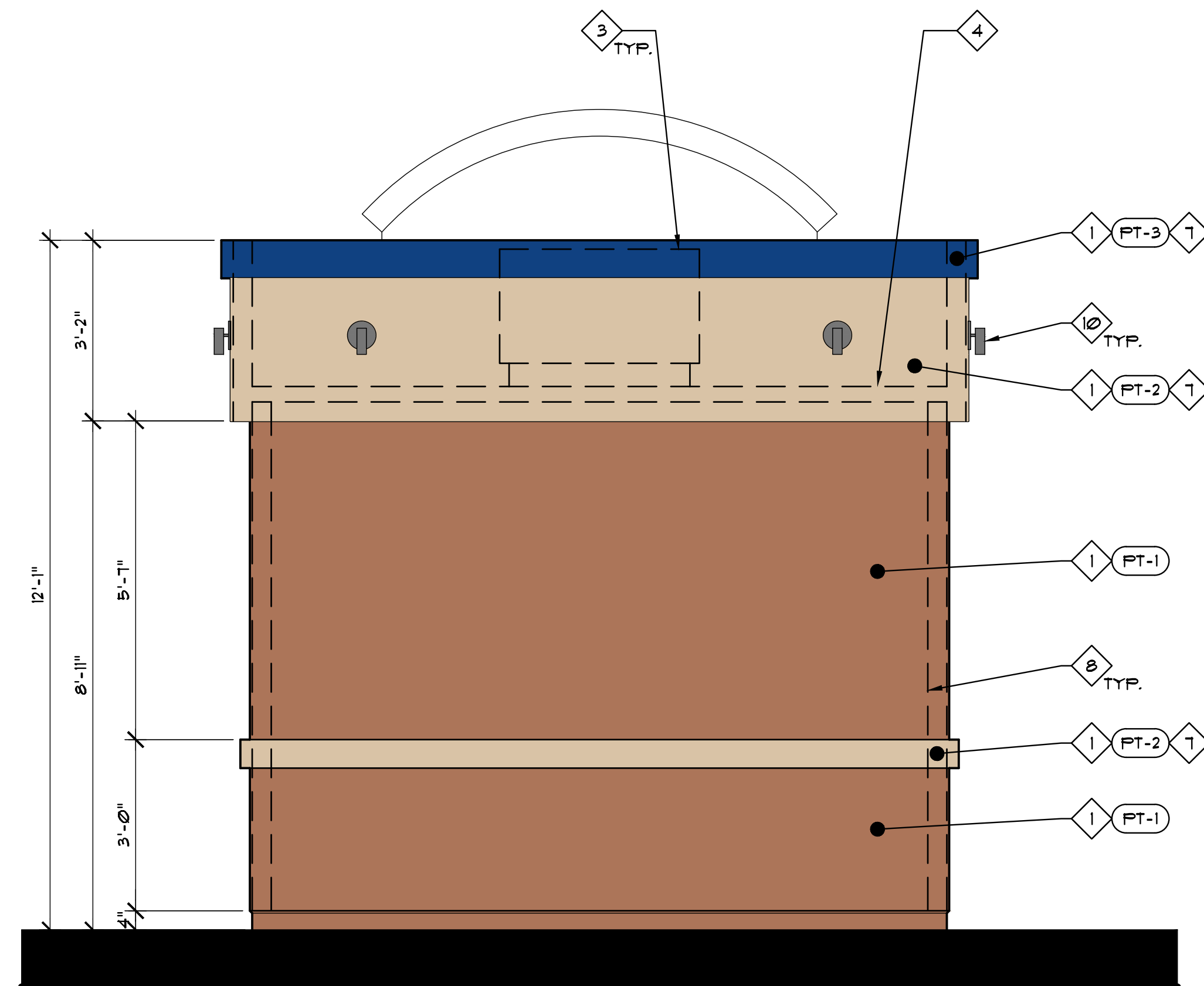
4
A4



Side Elevation - South View

Scale: 1/8" = 1'-0"

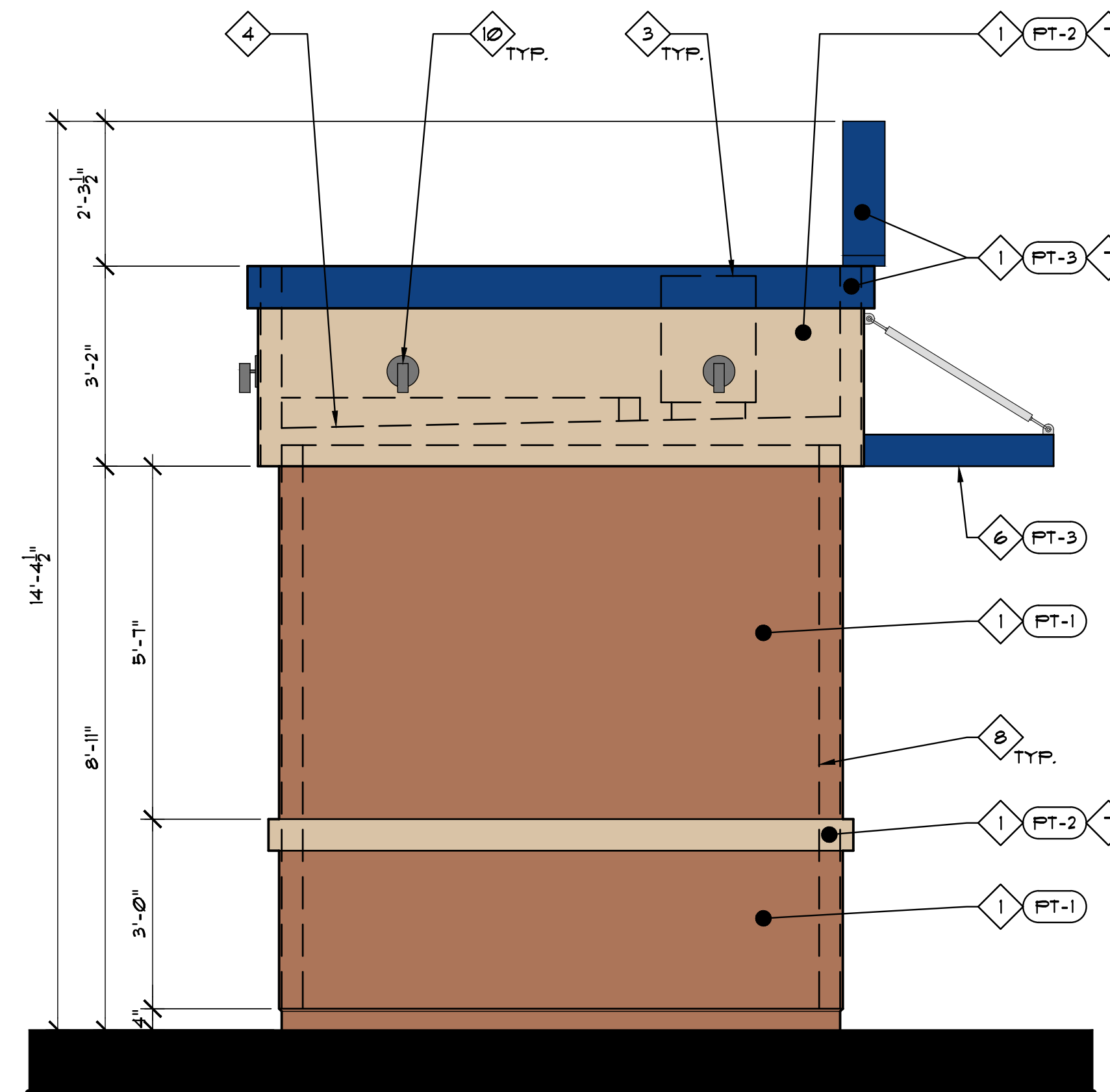
3
A4



Back Elevation - East View

Scale: 1/8" = 1'-0"

2
A4



Side Elevation - North View

Scale: 1/8" = 1'-0"

1
A4

Keynotes A4

- 1 PAINTED PRE-CAST CONCRETE WATER KIOSK, REFER TO STRUCTURAL, M/E/P AND EXTERIOR ELEVATIONS DRAWINGS.
- 2 WATER/ ICE DISPENSER AND CONTROL PER MFR WRITTEN INSTRUCTION, REFER TO M/E/P DRAWINGS AND COORDINATE WITH OWNER.
- 3 CONDENSER EQUIPMENT BEYOND, REFER TO MECHANICAL & STRUCTURAL DUG'S.
- 4 SLOPED PRE-CAST CONCRETE ROOF LINE BEYOND.
- 5 BLUE & WHITE ACRYLIC COVER OVER LIGHT BOX, REFER TO ELECT. DUG'S AND COORDINATE WITH OWNER.
- 6 PRIME AND PAINTED METAL CANOPY AND SUPPORT SYSTEM, REFER TO STRUCTURAL DRAWINGS.
- 7 RETURN PAINT COLOR TO INSIDE FACE BACK TO MAIN BUILDING.
- 8 DASHED LINES REPRESENT BUILDING BEYOND.
- 9 PRIME AND PAINTED DOOR AND FRAME ASSEMBLY.
- 10 WALL MOUNTED EXTERIOR LIGHTING, REFER TO ELECTRICAL DUG'S.

Materials & Colors

DESIGN IS BASED ON BUT NOT LIMITED TO BELOW ITEMS
 CONTRACTOR TO PROVIDE MOCK-UP FOR ARCHITECT AND OWNER APPROVAL PRIOR TO PAINTING EACH ENTIRE BUILDING

- PT-1, SHERWIN WILLIAMS #SW 0001 DECORIOUS
- PT-2, SHERWIN WILLIAMS #SW 0036 BUCRAM BINDING
- PT-3, SHERWIN WILLIAMS #SW B95-30 BLUE MATCH

General Notes

- 1 CONTRACTOR TO FIELD VERIFY ALL CONDITIONS.
- 2 ALL DIMENSIONS ARE TAKEN FROM FACE OF STUD, MASONRY, OR CONCRETE UNO.



PROJECT NAME:
Watermill Express # 112148
 9441 FM 1960 Bypass Rd W., Unit A
 Humble, Texas 77338

EXTERIOR ELEVATIONS

SHEET TITLE:

REVISIONS:

NO.	DESCRIPTION
1	
2	
3	
4	

Drawn By:
SM

Date: July 1, 2024

Scale: As Noted

Sheet No:

A4

Drawings and specifications as instruments of service are and shall remain the property of the design professional. Copies of the drawings and specifications prepared by the design professional shall not be used for any other project. The design professional shall not be held responsible for any errors or omissions in the drawings and specifications. The design professional shall not be held responsible for any errors or omissions in the drawings and specifications. The design professional shall not be held responsible for any errors or omissions in the drawings and specifications.

REVISED 12/5/24

NEW 4" SANITARY SEWER TAP

NEW 3/4" WATER TAP

NEW 3/4" WATER METER

...CING
...TION
...OF THE
...Y LINE OF
...ND THE
...AY LINE
...LEVARD

POINT OF BEGINNING
PER TITLE DESCRIPTION
FOUND "X" IN CONC.
C.M.

S 83°39'21" E
80.43'(R)

S 84°19'08" E
16.58'(R)

FOUND 5/8"
IRON ROD
BEARS
S49°04'W
1.1'
ACCESS

EDGE OF PAVEMENT

BEARS
N59°20'E
1.3'

10" WATER

S.S.

20' BUILDING SETBACK (ZONING)

INGRESS AND EGRESS EASEMENT
VOL. 7144 PAGE 482
D.R.T.C.T.

3" S.S.
SIGN

CONC. CURB

S 00°31'08" E 281.63'(M)
S 00°00'00" E 281.63'(R1)(P1)

LOT 1R-2
BLOCK 1
ALTA MESA VILLAGE
VOLUME 388-182 PAGE 65
D.R.T.C.T.

SGAS HOLDINGS
PARCEL NO 05870526
DOC#218047156

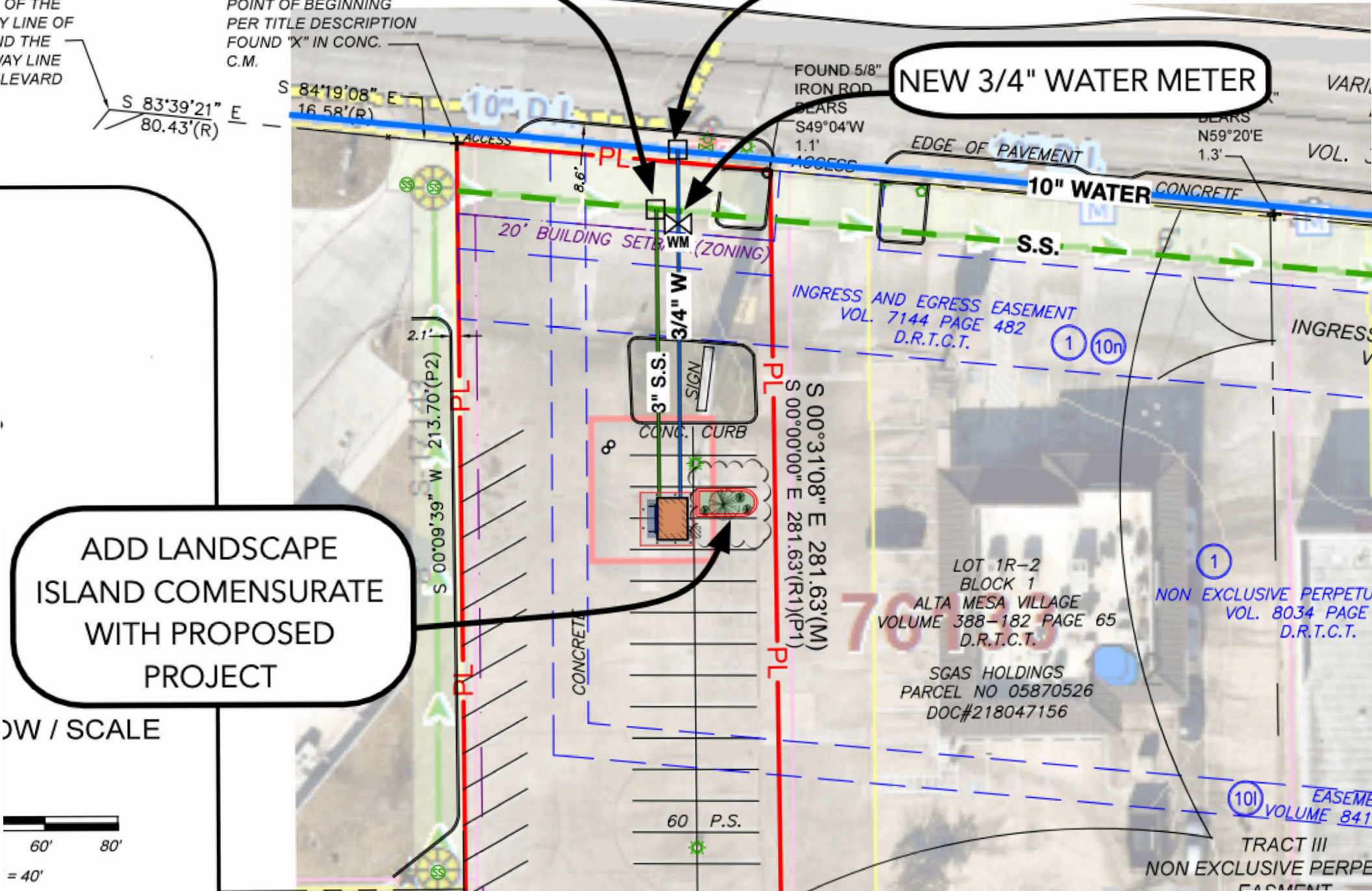
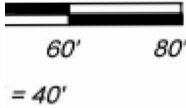
NON EXCLUSIVE PERPETU
VOL. 8034 PAGE
D.R.T.C.T.

EASEME
VOLUME 841

TRACT III
NON EXCLUSIVE PERPE
EASEMENT

ADD LANDSCAPE ISLAND COMENSURATE WITH PROPOSED PROJECT

...W / SCALE





**BOARD OF ADJUSTMENT – COMMERCIAL, 12/18/2024
INFORMATION REPORT**

BAC-24-031

Address: 2201 8th Avenue

Owner: Rainbow Insurance Agency Inc by Raymond Arriaga

Zoning: "E" Neighborhood Commercial District

- a. **Variance:** Permit fewer parking spaces for a multi-tenant building than required.
Required number of parking spaces: 58 parking spaces
Requested number of parking spaces: 31 parking spaces

GENERAL INFORMATION

REGULATION:

3.403 Board of Adjustment Action

In taking action on an application for a variance, the board of adjustment shall grant the application only when the board determines that:

- A. Literal enforcement of the regulations in this zoning ordinance will create an unnecessary hardship or practical difficulty in the development of the affected property;
- B. The situation causing the hardship or difficulty is unique to the affected property;
- C. The situation or hardship is not self-imposed;
- D. The relief sought will not injure the existing or permitted use of adjacent conforming property; and
- E. The granting of a variance will be in harmony with the spirit and purposes of this zoning ordinance.

6.201 Off-Street Parking Requirements

B. Required Off-Street Parking

- 1. Minimum Parking Requirements: The following table establishes the minimum parking requirements for uses located in residential zoned property or within two hundred fifty feet (250') of One or Two-Family zoned property.

Commercial business, retail sales and service 4 spaces per 1,000 square feet

Office, professional building 2.5 spaces per 1,000 square feet of gross floor area

LOT HISTORY:

Development Services Department change of use Certificate of Occupancy PO24-00956 for insurance office, approved 6/18/2024, but not issued due to lack of registered contractor.

Development Services Department change of use Certificate of Occupancy PO24-00958 for fitness center, submitted 3/19/2024, on hold for revisions 9/11/2024.

Development Services Department change of use Certificate of Occupancy PO24-00959 for hair/nail salon, approved 9/13/2024, but not issued due to fees unpaid.

**COMPREHENSIVE
PLAN DESIGNATION:**

Neighborhood Commercial



**BOARD OF ADJUSTMENT – COMMERCIAL, 12/18/2024
INFORMATION REPORT**

**REGISTERED
NEIGHBORHOOD
NOTIFICATION:**

The following registered associations were sent early notification: Fort Worth ISD, Paschal NA, Fairmount NA, Berkeley Place NA, Mistletoe Heights NA, Ryan Place Improvement Assn, Near Southside, Inc., Trinity Habitat for Humanity and Streams & Valleys, Inc.

EXISTING

CONDITIONS:

The subject property had been a single business through 2022, but has been vacant since that time. The commercial building was constructed in 1972 and is located in a narrow commercial corridor along 8th Avenue in an established neighborhood. Single family residences are immediately behind the subject building to the east. The other side of 8th Avenue has a railroad and train yard, with another single-family neighborhood further to the east.

The site has been developed with the commercial building and surface parking spaces, before landscaping requirements were adopted. Due to the adjacent “B” Two-Family zoning, on-site parking for all uses is required. The applicant is proposing to convert the building from a single tenant to a multi-tenant building leased to an office, beauty salon, and fitness center. The last lease space does not have a specific tenant, so is counted as an office space to determine a minimum number of parking spaces required. Commercial uses are parked at a higher ratio than office spaces, due to the higher numbers of customers and employees. The building is proposed to have a mix of both commercial and office uses, resulting in each tenant’s required parking space count shown in the chart below.

	Square Footage	Parking Requirement	Parking Spaces
Office	3,713 sf	2.5 / 1,000 sf	10
Fitness center	7,277 sf	4 / 1,000 sf	30
Insurance office	2,460 sf	2.5 / 1,000 sf	7
Beauty salon	2,588 sf	4 / 1,000 sf	11
Total			58

The site currently has 31 parking spaces on the northern portion of the lot. An 11-foot wide space is vacant on the northeast side of the building abutting the alley that could hold 4 parallel parking spaces. However, the Transportation/Public Works Department did not approve this area for parallel parking spaces. The space can be utilized instead for roll-off trash carts, since the site does not have an enclosed dumpster.

The site would not have enough parking spaces if used solely for general office uses with the low parking requirement, as 41 spaces would be required for the 16,038 square foot building. The applicant is requesting a parking variance for 27 spaces, where 58 spaces are required for the mixed commercial and office uses. Based on current parking requirements, the site as originally developed was slightly deficient by having 31 parking spaces currently.

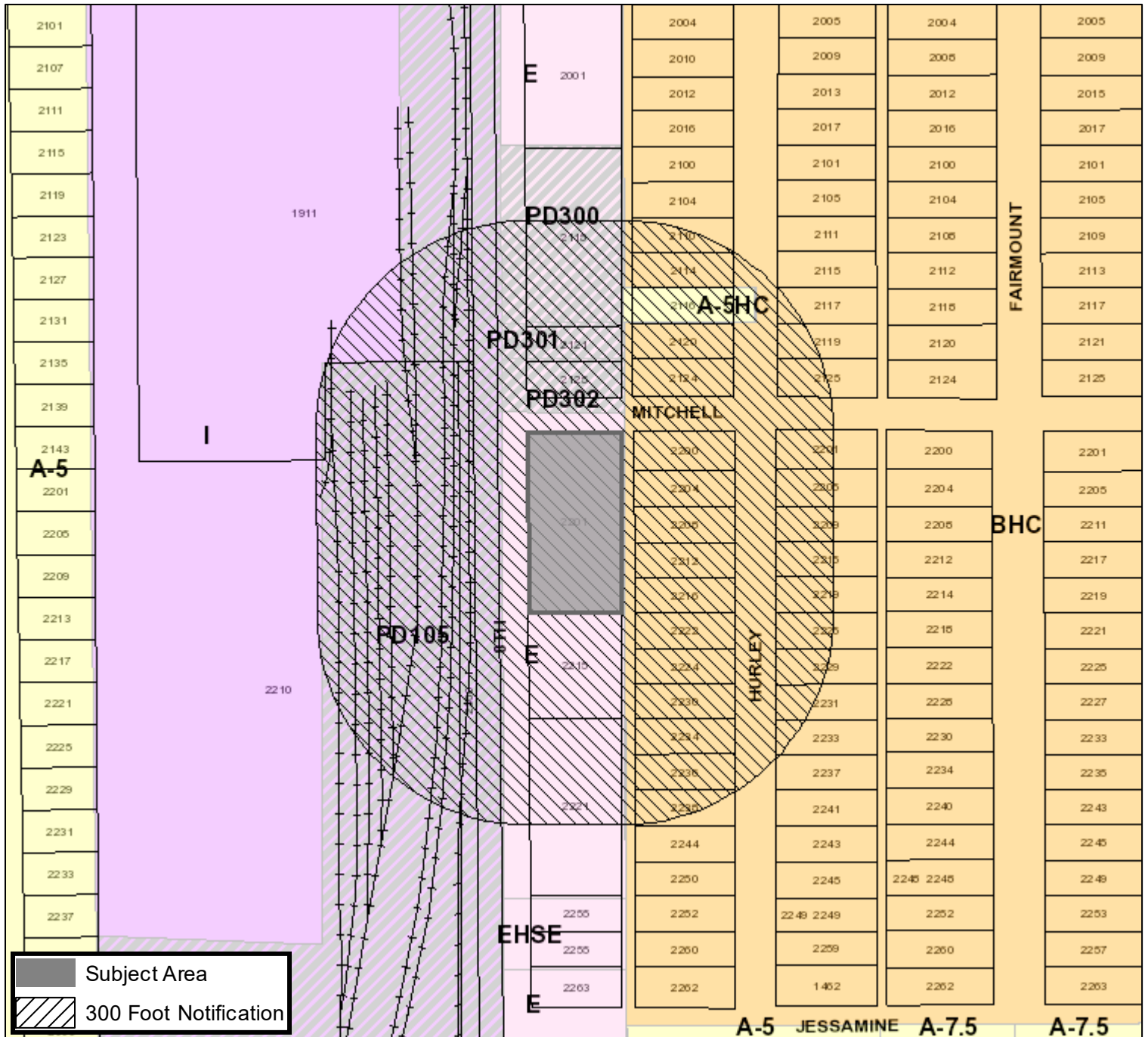
The case was continued from the November 20, 2024 public hearing to give the applicant time to speak with the affected neighbors to the east.





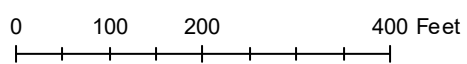
BAC-24-031

Area Zoning Map

Applicant: Rainbow Insurance Agency Inc by Raymond Arriaga
Mapsc0: 76Q
Commission Date: 11/20/2024



	Subject Area
	300 Foot Notification





**BOARD OF ADJUSTMENT – COMMERCIAL, 11/20/2024
INFORMATION REPORT**

BAC-24-031

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Owner: Rainbow Insurance Agency Inc by Raymond Arriaga

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B. Required Off-Street Parking

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Development Services Department change of use Certificate of Occupancy PO24-00956 for insurance office, approved 6/18/2024, but not issued due to lack of registered contractor.

Development Services Department change of use Certificate of Occupancy PO24-00958 for fitness center, submitted 3/19/2024, on hold for revisions 9/11/2024.

Development Services Department change of use Certificate of Occupancy PO24-00959 for hair/nail salon, approved 9/13/2024, but not issued due to fees unpaid.

**COMPREHENSIVE
PLAN DESIGNATION:**

Neighborhood Commercial



**BOARD OF ADJUSTMENT – COMMERCIAL, 11/20/2024
INFORMATION REPORT**

**REGISTERED
NEIGHBORHOOD
NOTIFICATION:**

The following registered associations were sent early notification: Fort Worth ISD, Paschal NA, Fairmount NA, Berkeley Place NA, Mistletoe Heights NA, Ryan Place Improvement Assn, Near Southside, Inc., Trinity Habitat for Humanity and Streams & Valleys, Inc.

EXISTING

CONDITIONS:

The subject property had been a single business through 2022, but has been vacant since that time. The commercial building was constructed in 1972 and is located in a narrow commercial corridor along 8th Avenue in an established neighborhood. Single family residences are immediately behind the subject building to the east. The other side of 8th Avenue has a railroad and train yard, with another single-family neighborhood further to the east.

The site has been developed with the commercial building and surface parking spaces, before landscaping requirements were adopted. Due to the adjacent “B” Two-Family zoning, on-site parking for all uses is required. The applicant is proposing to convert the building from a single tenant to a multi-tenant building leased to an office, beauty salon, and fitness center. The last lease space does not have a specific tenant, so is counted as an office space to determine a minimum number of parking spaces required. Commercial uses are parked at a higher ratio than office spaces, due to the higher numbers of customers and employees. The building is proposed to have a mix of both commercial and office uses, resulting in each tenant’s required parking space count shown in the chart below.

	Square Footage	Parking Requirement	Parking Spaces
Office	3,713 sf	2.5 / 1,000 sf	10
Fitness center	7,277 sf	4 / 1,000 sf	30
Insurance office	2,460 sf	2.5 / 1,000 sf	7
Beauty salon	2,588 sf	4 / 1,000 sf	11
Total			58

The site currently has 31 parking spaces on the northern portion of the lot. An 11-foot wide space is vacant on the northeast side of the building abutting the alley that could hold 4 parallel parking spaces. However, the Transportation/Public Works Department did not approve this area for parallel parking spaces. The space can be utilized instead for roll-off trash carts, since the site does not have an enclosed dumpster.

The site would not have enough parking spaces if used solely for general office uses with the low parking requirement, as 41 spaces would be required for the 16,038 square foot building. The applicant is requesting a parking variance for 27 spaces, where 58 spaces are required for the mixed commercial and office uses. Based on current parking requirements, the site as originally developed was slightly deficient by having 31 parking spaces currently.

The case was continued from the November 20, 2024 public hearing to give the applicant time to speak with the affected neighbors to the east.

Aerial Photo Map



0 75 150 300 Feet



BAC-24-031
2201 8th Avenue



**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: 2201 8th Ave. Ste. 2207, 2209, 2211
 Lot/Tract: 1 Block/Abstract: 28 Lot Size: 33,500 Sq. Ft.
 Legal Description: Addition/Survey: Fairmount Addition

Owner's Name: Rainbow Insurance Agency Inc - Susan Hedary
 Address: 1449 Finney Dr.
 City: Weatherford State: TX Zip: 76085
 Tele: (817) 881-3418 E-Mail: rainbowins@hotmail.com

Applicant's Name: Raymond Arriaga
 Address: 3520 Clinton Ave
 City: Ft. Worth State: TX Zip: 76106
 Tele: (817) 721-1150 E-Mail: rarria2016@gmail.com

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials:

CMU Building former Cleaners / Laundry
Appling for a Parking Variance
TPW did not approve parking in the Alley

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 USE ONLY: Zoning E

- Owner Occupied Variance (One and Two Family Homes) for Section _____
 Special Exception for Section _____
 Variance for: Parking
 Interpretation of the Regulation \$400

DATE RECEIVED: <u>10/21/24</u>	FEE AMOUNT PAID : <u>\$843.75</u>	# OF REQUESTS: <u>1</u>	RECEIVED BY: <u>MP.</u>	CASE NO. <u>BAC-24-031</u>
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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. Existing building. No changes to structure's square footage or to parking lot square footage

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. owner did not create the existing parking area

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. It will not

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

Acknowledgement

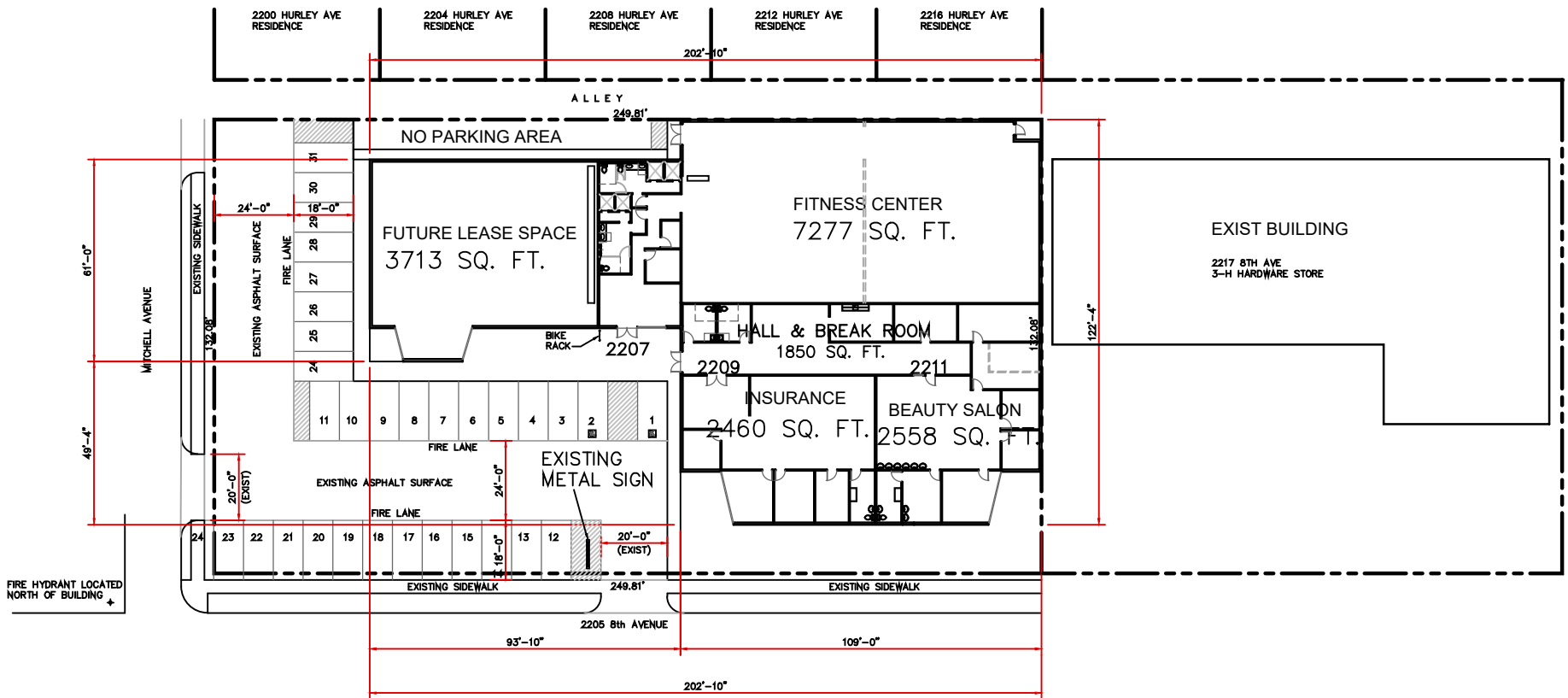
I certify that the information provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. Should I initiate 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.**

(All applications submitted via email must be signed using a digital ID or certificate.)

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

Signature: Sham Hedary

Date 10-17-24



SITE PLAN

1" = 20'-0"

**LOT 1-10 BLOCK 1
FAIRMONT ADDITION
FORT WORTH, TEXAS**

BUILDING TOTAL = 17858 SQ. FT.
LAND TOTAL = 33500 SQ. FT.

NOTE : EACH TENANT WILL USE ROLL OUT
GARBAGE CARTS FOR TRASH AND RECYCLE



View from NW corner

At time of
Purchase
Broken Windows

Texas
Street View

Stanley Ave
Mitchell
Daggett M
118

Google

Windows taskbar with search bar and application icons.



**BOARD OF ADJUSTMENT – COMMERCIAL, 12/18/2024
INFORMATION REPORT**

BAC-24-035

Address: 1120 Jacksboro Hwy
Owner: Christie Thibodeaux
Zoning: FR – General Commercial Restricted

a. Variance: To allow auto repairs on a premises that adjoins a residential district.

GENERAL INFORMATION

REGULATION:

3.403 Board of Adjustment Action

In taking action on an application for a variance, the board of adjustment shall grant the application only when the board determines that:

- (a) Literal enforcement of the regulations in this zoning ordinance will create an unnecessary hardship or practical difficulty in the development of the affected property;
- (b) The situation causing the hardship or difficulty is unique to the affected property;
- (c) The situation or hardship is not self-imposed;
- (d) The relief sought will not injure the existing or permitted use of adjacent conforming property; and
- (e) The granting of a variance will be in harmony with the spirit and purposes of this zoning ordinance.

5.104 Automotive Repair; Paint and Body Shop.

- (c) No repairs shall be conducted on any premises that adjoin any residential district boundary.

LOT HISTORY:

CC24-01027 – Sign Complaint (too large, not permitted), Issued 10/03/2024
PO24-02886, Change of Use, Paso Del Norte Tire Shop, Awaiting Client Reply 10/15/2024.
PO24-01443, Change of Use, Beltran Tire Shop, Expired 11/05/2024.
PO22-03274 – Change of Occupancy, Retail (My Bargain Store), Finaled, 08/23/2022.
PO20-00365 – Change of Occupancy, Retail (Karen Brookshire), Finaled, 02/03/2020.
PO19-04700 – Change of Use, Street Scene Collision Repair, Expired 12/09/2019.
BAC-18-051 – Auto Repair w/in 200ft of residential, Applied but never went to Board, 06/29/2018.
CC17-00588 – Building walls w/out permit, Issued 09/21/2017, Closed 10/05/2017.
PO17-03453 – Change of Occupancy, Retail (CJ Six Inc), Finaled, 08/23/2017
PO15-02050 – Change of Occupancy, Retail (Global Flea Market), Finaled, 05/15/2015.
PB12-08803 – Remodel: auto repair to retail (Ste 120), Finaled, 01/04/2013
PO12-05244 – Change of Occupancy, Retail (HC Furniture and Cabinets), Finaled, 01/04/2013



**BOARD OF ADJUSTMENT – COMMERCIAL, 12/18/2024
INFORMATION REPORT**

PL11-00941 – Operating without a Certificate of Occupancy (Kustom Concepts), Complaint Submitted, 10/31/2011
PO11-0122 – Change of Occupancy, Sales and Installation, Expired 02/24/2011.

**COMPREHENSIVE
PLAN DESIGNATION:**

FR – General Commercial

**REGISTERED
NEIGHBORHOOD
NOTIFICATION:**

Inter-District 2 Alliance, North Side Neighborhood Association, Historic Northside Business Association, Fort Worth Stockyards Business Association, Tarrant Regional Water District, Streams and Valleys Inc., Trinity Habitat for Humanity, Fort Worth ISD

**EXISTING
CONDITIONS:**

The subject property is a single-story, brick structure, built in 1953, facing Jacksboro Hwy and is currently zoned “FR” General Commercial. The adjacent properties to the immediate east and west are zoned FR while the adjacent properties to the north are zoned “A-5” One-Family Residential District. The subject property shares a property line with a single-family residential property, currently owned and occupied by the applicant.

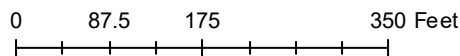
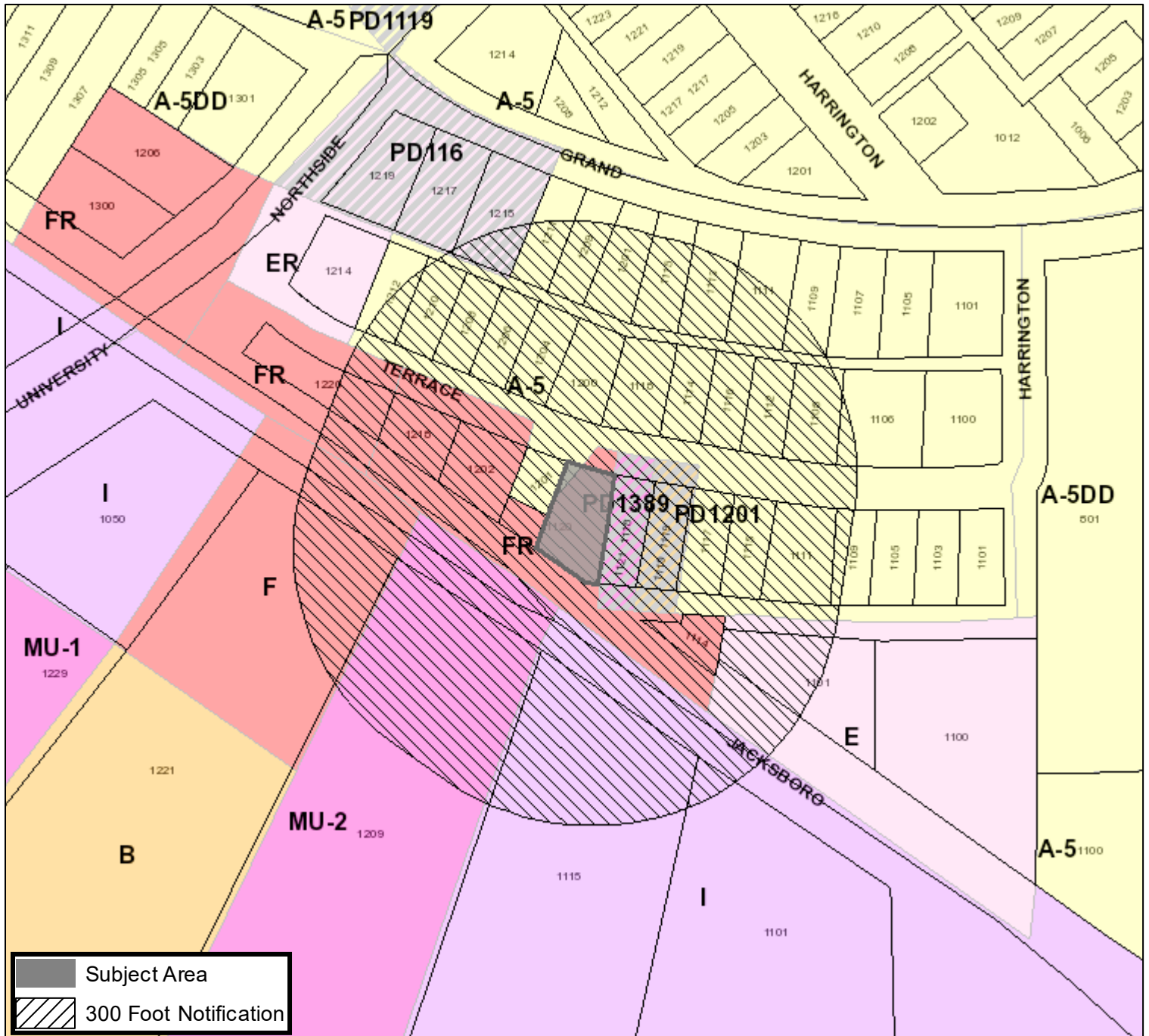
The site was last used as ‘auto sales and installation’ in 2011, however the City now considers tire sales and installation to be an automotive repair use. Since then, the use has been various retail businesses. The owner is requesting a variance to allow auto repairs on a premise that adjoins a residential district, conducting tire sales and installation. The proposed tenant, Paso Del Norte Tire Shop, opened in November and is currently operating without a certificate of occupancy.

The site has been approved to meet parking standards with the understanding that no vehicles will be allowed to be stored on the adjacent parcel, located at 1201 Jacksboro Hwy, as it does not meet the material standards and is not screened. The customer parking will be in the 4 spots in front of the building.

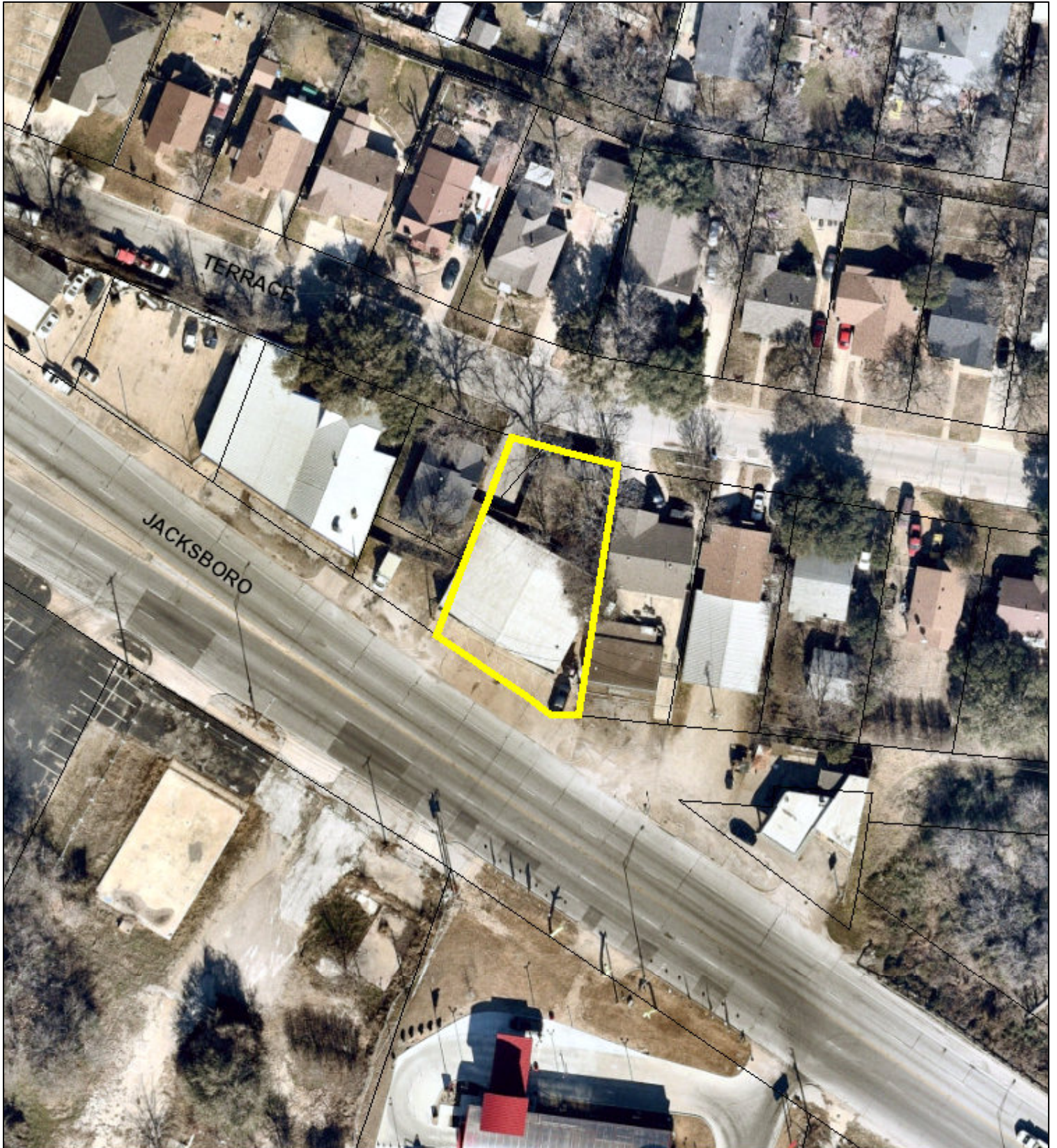


Area Zoning Map

Applicant: Christie Thibodeaux
Mapsko: 62T
Commission Date: 12/18/2024



Aerial Photo Map



0 45 90 180 Feet



BAC-24-035



**APPLICATION TO THE
ZONING BOARD OF ADJUSTMENT
CITY OF FORT WORTH, TEXAS**

pc24-0288E



Development Services Department

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: 1120 Jacksboro Hwy

Lot/Tract: 12 Block/Abstract: 134 Lot Size: _____

Legal Description: Addition/Survey: North Fort Worth

Owner's Name: Christie Thibodeaux

Address: 134 Bishop Dr.

City: Weatherford State: TX Zip: 76088

Tele: () 817-929-4396 E-Mail: Christieathib@aol.com

Applicant's Name: Juan Flores Christie Thibodeaux

Address: 1120 Jacksboro Hwy

City: Fort Worth State: TX Zip: 76164

Tele: (817) 832-9083 E-Mail: JuanFlores9423@gmail

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials:

Building we owned since 1952
New zoning is allowing us not to do Business
as we have always done

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 USE ONLY: Zoning _____

- Owner Occupied Variance (One and Two Family Homes) for Section _____
- Special Exception for Section _____
- Variance for: _____
- Interpretation of the Regulation \$400

DATE RECEIVED: <u>11/4/24</u>	FEE AMOUNT PAID : <u>843.75</u>	# OF REQUESTS: <u>1</u>	RECEIVED BY: <u>KM</u>	CASE NO. <u>BAC-24-035</u>
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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. NO

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.

Correct - very unique has been the same since Bought in 1952

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 - as it has been in harmony for the last 72 years

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

absolutely not !! Has not done so for the last 72 years we have owned it

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

absolutely not !! The properties along this area have been operating in perfect harmony for the last 72 years

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.**

(All applications submitted via email must be signed using a digital ID or certificate.)

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

Signature C. Thibodeaux

Date 11-1-24
originally turned in october Revised 08/29/2024

Site Plan

1201 Terrace
owned By Christie Thibodeaux

12 ft Retaining Wall
Rail Road ties
+ stycand wood

52 ft

owned by
Christie Thibodeaux

Lot 11

52 ft

Potential
parking
lot
on
Lot
11

Property line

Please note this
Perimeter is 3 feet
only showing the rest
of the building
is underground

68 ft

1120 Jacksboro
Lot 12
Hwy

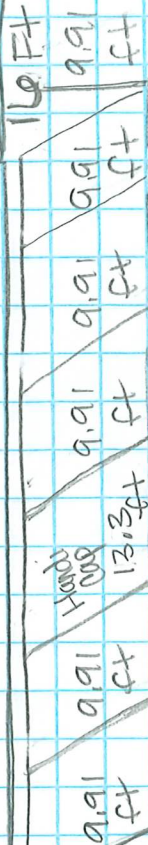
Owned by
Christie Thibodeaux

68 ft

Property line

12 1/2 ft

5 ft



14 Feet Back up space

14 Feet Driveway Entrance - 62 ft -

150 ft →
Jacksboro Hwy

16 ft Driveway Entrance

From: Simerly, Tom J Tom.Simerly@fortworthtexas.gov
Subject: P024-02886 .. Christie Thibodeaux 1120
Jacksboro Hwy
Date: Oct 23, 2024 at 7:47:46 AM
To: christieathib@aol.com
Cc: Knight, Beth Beth.Knight@fortworthtexas.gov

This building has obviously been in operation for a long time. The frontage along Jacksboro Highway has a curb separating the parking from the street except for the driveways. Outside of demolishing the building, I see no way to do anything differently. There are greater offenders of using the parkway to back out onto the street to the north. I am unaware that this building has created a safety issue with their maneuvering. The curbed off parking helps prevent someone from actually backing into the street. I am OK with allowing them to continue to operate as they have in the past.

From: christieathib@aol.com <christieathib@aol.com>
Sent: Monday, October 21, 2024 1:00 PM
To: Simerly, Tom J <Tom.Simerly@fortworthtexas.gov>
Cc: Knight, Beth <Beth.Knight@fortworthtexas.gov>
Subject: P024-02886 .. Christie Thibodeaux 1120 Jacksboro Hwy

CAUTION: This email originated from outside of the City of Fort Worth email system. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Tom,

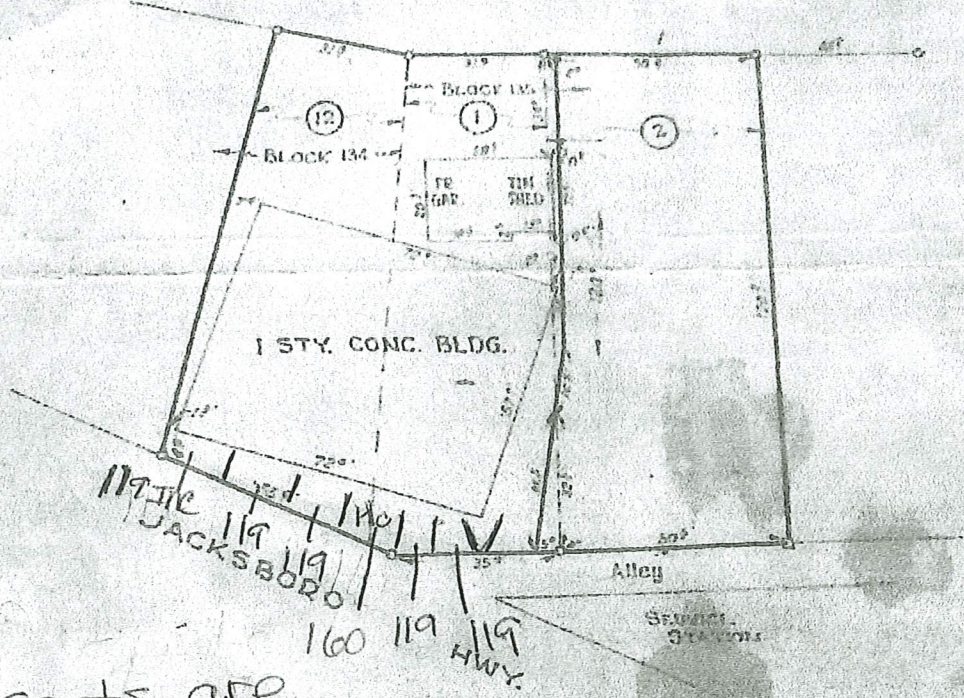
My name is Christie, I met with you this morning as we looked up my property to get approval for maneuvering space. Thank you for taking the time to look at it with me! If you could please send approval over through email or however is going to be satisfactory for Beth I would appreciate it greatly ! As you can see we have plenty of backing up and exiting space. For a good 50 years there has been no accidents from any customers or us while leaving our property. We DO NOT have to back out into Jacksboro Hwy.

Also if you could please send me a copy of the approval that would be greatly appreciated as well !

Christie Thibodeaux
[817-929-4396](tel:817-929-4396)

#2551

TERRACE AVE.



Spots are
119 inches
Handycap is 160 inches

A SURVEY OF LOT 2
BLOCK 135
NORTH FORT WORTH ADDN.
FORT WORTH
TARRANT COUNTY, TEXAS

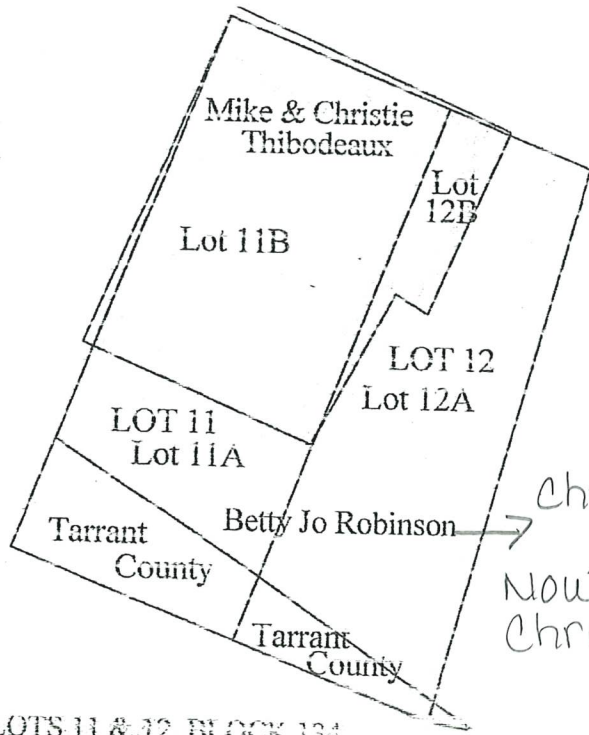


SCALE 1" = 40'

- - - - - - STEEL CORNER OR FOR CORNERS UNLESS OTHERWISE INDICATED.
- X— - - - - FENCE
- - - - - - BOIS D'ARC ETC.

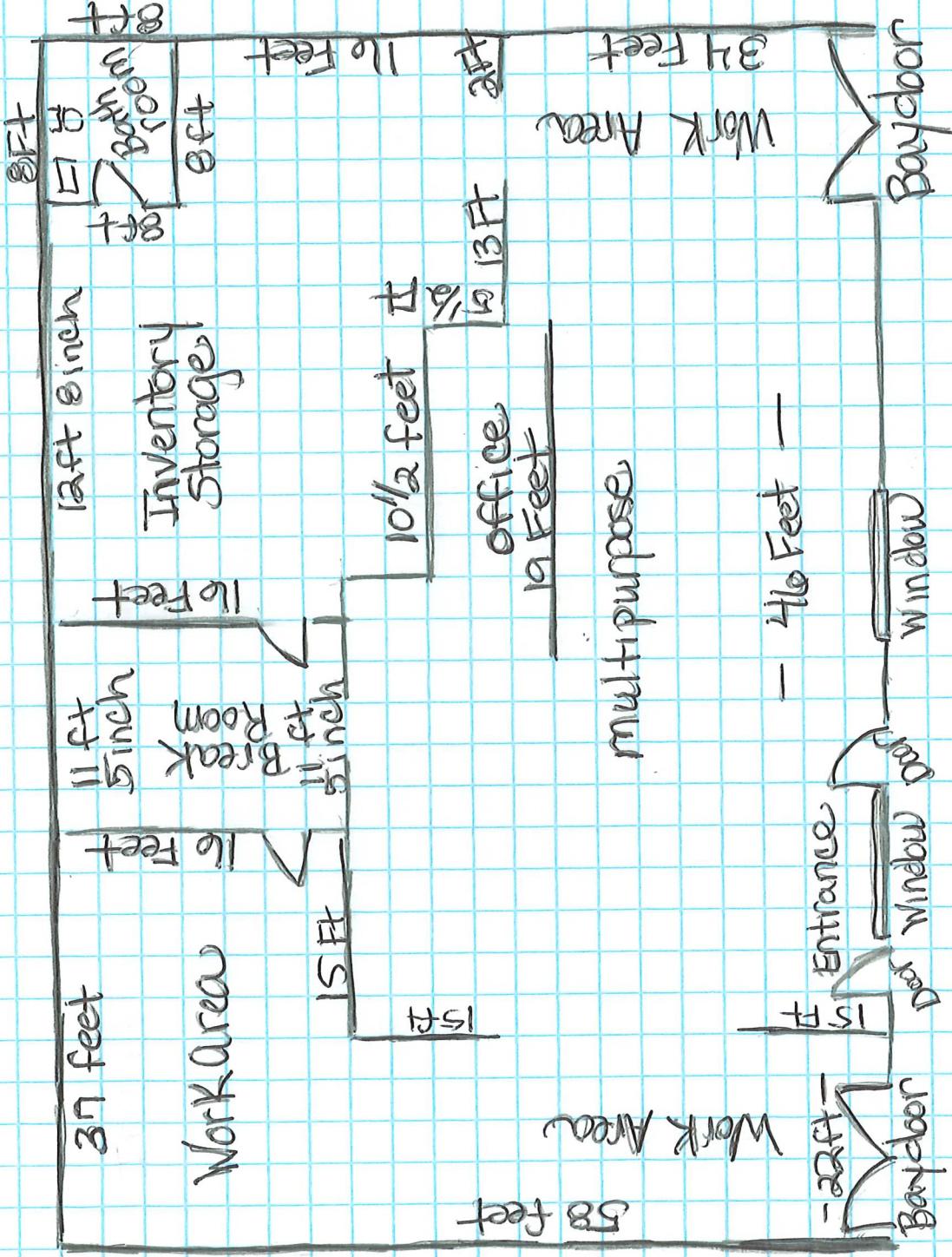
WEST SURVEYING CO.
C. A. (Billy) WEST
LICENSED STATE LAND SURVEYOR
109 1/2 Main Street Suite 4 FORT WORTH, TEXAS Phone FA-227 10-794

I, C. A. West do hereby certify that this map is true and correct surveyed on the ground.
Date 2 12 53



Christie Thibodeaux
mom
Now owned by
Christie Thibodeaux

LOTS 11 & 12. BLOCK 134

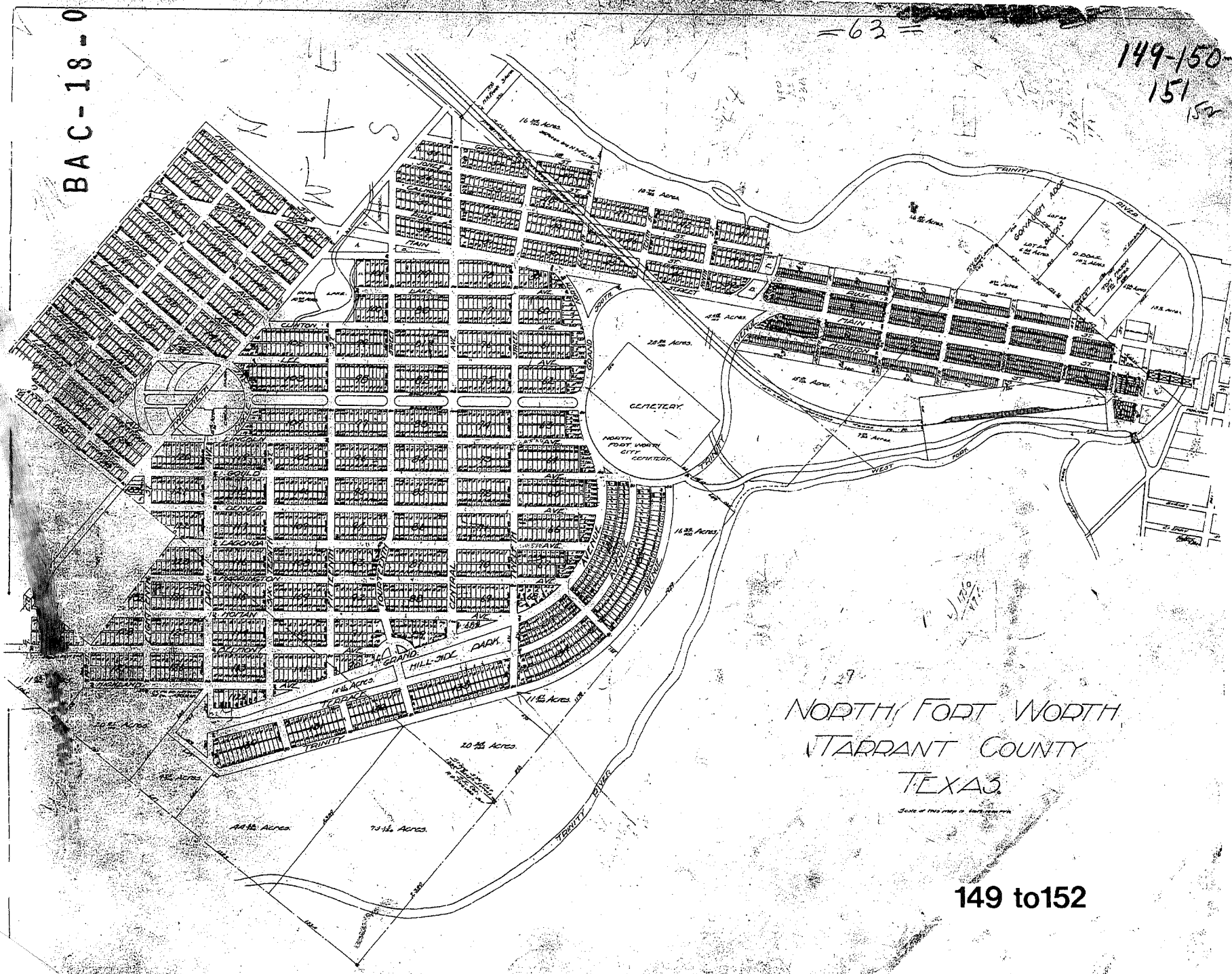


* All Work Will Be Done Inside Building

BAC-18-051

-63-

149-150
151
152



127
 NORTH FORT WORTH
 TARRANT COUNTY
 TEXAS

149 to 152