



MEETING AGENDA
RESIDENTIAL BOARD OF ADJUSTMENT

October 16, 2024

Lunch 12:00 p.m.

Public Hearing 12:30 p.m.

In Person

City Council Chamber

2nd Floor, 200 Texas Street /Fort Worth, Texas 76102

VIDEOCONFERENCE:

<https://fortworthtexas.webex.com/weblink/register/r4a7f8fe78e4002cfa5dab17081a37691>

Meeting/ Access Code: 2558 576 8348 (Registration Required)

Teleconference: (817) 392-1111 or 1-650-479-3208

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 October 14, 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:

Adrienne Holland	_____	Myra Mills	_____
Sergio Garza	_____	Whit Wolman	_____
Kenneth Jones	_____	Lucretia Powell	_____
Joey Dixon,		Jennifer Glass Renta	_____
Vice Chair Residential Board	_____	Janna Herrera	_____
Debra Brown Sturns	_____	Juan Manuel Acosta	_____

I. Lunch 12:00 P.M.

II. PUBLIC HEARING 12:30 P.M.

A. Approval of Minutes of the September 18, 2024 Hearings

B. ANY CASES NOT HEARD WILL BE MOVED TO NOVEMBER 20, 2024

C. New Residential Cases

1. BAR-24-061 Address: 2927 Angle Avenue
Owner: Jose Villalobos on behalf of Blessed to Bless Investments, LLC
Zoning: "A-5" One-Family Residential District

a. Variance: Permit construction of a single-family dwelling on a lot with less area than required.

Minimum lot size: 5,000 Square Feet
Proposed Lot Size 4,250 Square Feet

2. BAR-24-062 Address: 8509 Sunset Cove Court
Owner: Michael and Sherry Decker
Zoning: "R-1" One-Family Residential District

a. Variance: Permit construction of a covered patio that would encroach into the side yard setback.

Minimum side yard setback: 3 feet
Requested side yard setback: Zero (0) feet

3. BAR-24-066 Address: 3236 Bideker Avenue
Owner: Alicia Silex on behalf of A&O Builders LLC
Zoning: "A-5" One-Family Residential District

a. Variance: Permit construction of a new single family dwelling on a lot with less width than required.

Minimum lot width required: 50 feet
Requested lot width: 45 feet

4. BAR-24-067 Address: 2104 Fairmount Ave
Owner: Shanna Gomez by Anthony G. Gomez
Zoning: "B" Two-Family Residential District in the Fairmount Historic Overlay

a. Variance: Permit construction of a new detached garage with a second floor where none are allowed.

b. Variance: Permit construction of a new detached garage with a heated/air-conditioned floor space on the second story where none are allowed.

5. BAR-24-068

Address: 4320 Carmel Ave
Owner: Eric Drentlaw on behalf of 5E Real Estate LLC
Zoning: "A-5" One-Family Residential District within the Stop Six Overlay

- a. **Variance:** Permit fewer parking spaces than required behind the front building wall of a single-family dwelling.

Required parking spaces behind front wall: 2 spaces

Requested parking spaces behind front wall: Zero (0) spaces

- b. **Variance:** Permit fewer than required parking spaces for a single-family dwelling with 4 bedrooms.

Required parking spaces: 3 spaces

Requested parking spaces: 2 spaces

6. BAR-24-071

Address: 4712 Harley Avenue
Owner: Teresa McGee on behalf of Robert Baker
Zoning: "A-5" One-Family Residential District

- a. **Special Exception:** Permit the continued construction of a solid wall or fence up to 4 feet in height in the front yard.

- b. **Variance:** Permit the continued construction of a solid wall exceeding 4 feet in the front yard.

Maximum Height: 4 feet

Requested Height: 7 feet 9 inches

III. ADJOURNMENT:

ASSISTANCE AT THE PUBLIC MEETINGS:

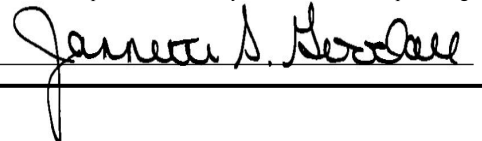
Fort Worth City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City’s ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov 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 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 Wednesday, October 09, 2024 at 3:50:p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

BAR-24-061 Address: 2927 Angle Avenue
Owner: Jose Villalobos on behalf of Blessed to Bless Investments, LLC
Zoning: "A-5" One-Family Residential District

- a. **Variance:** To permit construction of a single-family dwelling on a lot with less area than required.

Minimum required lot size: 5,000 square feet

Requested lot size: 4,250 square feet

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:

Literal enforcement of the regulations in this zoning ordinance will create an unnecessary hardship or practical difficulty in the development of the affected property;

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

4.705 One-Family ("A-5") District

c. Property development standards.

(1) In the one-family ("A-5") district, the minimum dimension of lots and yards and the height of buildings shall be as shown by the accompanying table:

Lot Area:	5,000 square feet minimum
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LOT HISTORY:

Development Services building permit PB24-09681, new single-family residence, awaiting client resubmittal for plan review as of 08/08/2024.

COMPREHENSIVE PLAN DESIGNATION:

Single-Family Residential

REGISTERED NEIGHBORHOOD NOTIFICATION:

The following registered associations were sent early notification: Trinity Habitat for Humanity, Streams and Valleys, Inc., Fort Worth ISD, Inter-District 2 Alliance, Far Greater Northside Historical NA, North Side Neighborhood Association.

EXISTING CONDITIONS:

The subject property is a vacant lot located in an intermittently developed neighborhood and was platted without an alley. There are a number of trees on the property, and the lot is not located within a floodplain. The lot is an irregular shape with a 10% downward slope from the southeast corner to the street frontage. Both the front and rear property lines meet the 50 feet lot width requirement within the "A-5" district.

The applicant is requesting a variance to permit construction of a two-story 1,865 square foot single-family residence on a 4,250 square foot lot which is deficient by 750 square feet. The subject lot is the result of a replat recorded in 1958. The lot is not considered a legal lot of record because it does not meet

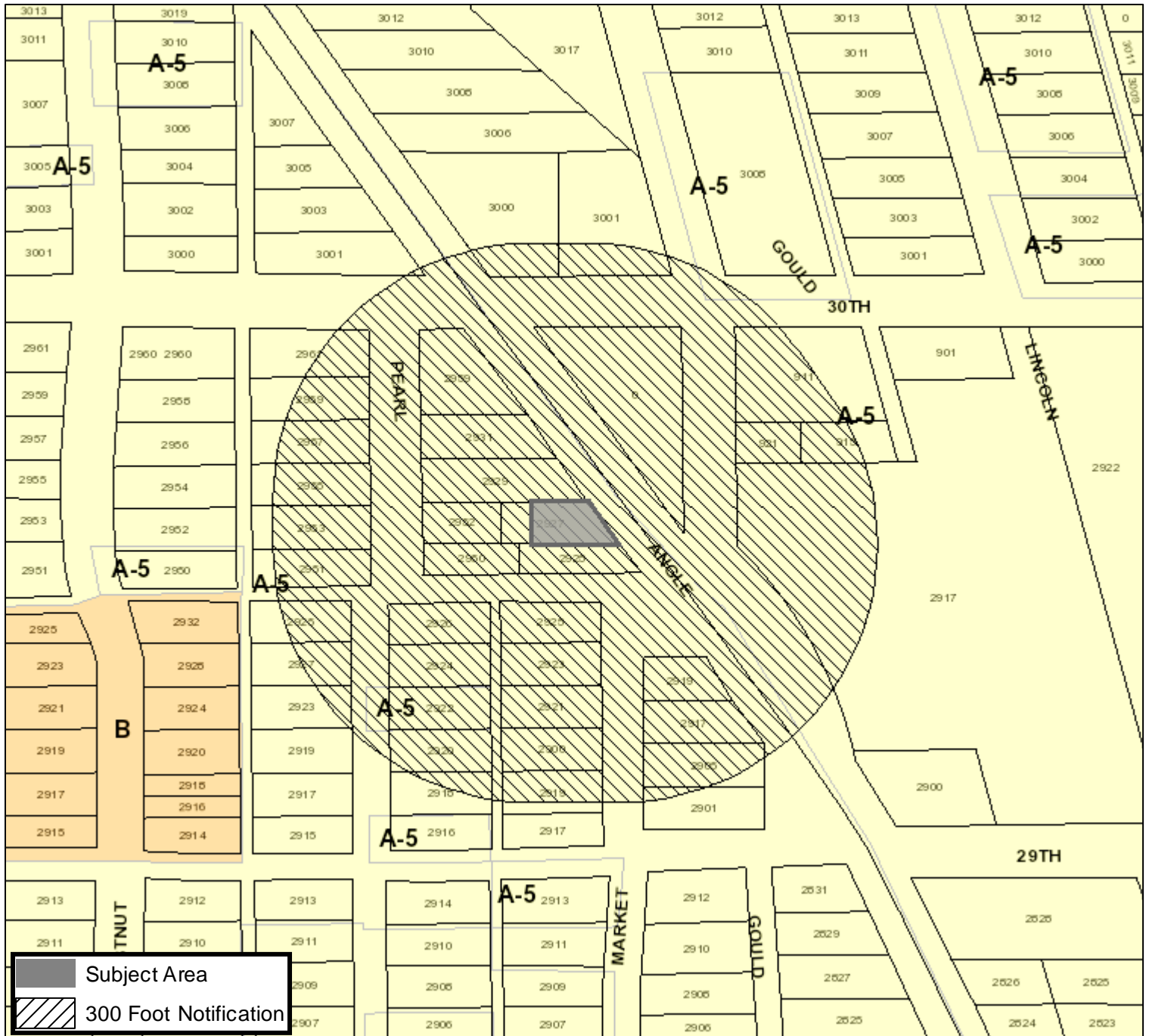
BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT



the minimum lot size required by the “A-5” zoning district. The site plan indicates that the applicant will meet all required setbacks, lot coverage, and parking requirements.

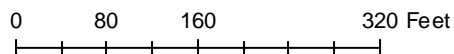


Area Zoning Map

Applicant: Blessed to Bless by Jose Villalobos
MapSCO: 62A
Commission Date: 10/16/2024



	Subject Area
	300 Foot Notification



Aerial Photo Map



0 30 60 120 Feet



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



Planning and Development

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: 2927 Angle Ave Ft Worth Tx 76106
 Lot/Tract: 2B Block/Abstract: 44 Lot Size: 4250
 Legal Description: Addition/Survey: OAK GROVE ADDITION

Owner's Name: Blessed to Bless
 Address: 704 Glade Park Ct
 City: AZle State: Tx Zip: 76020
 Tele: (817) 454-0456 E-Mail: jlvjr30@yahoo.com

Applicant's Name: Jose Villalobos
 Address: 704 Glade Park Ct
 City: AZle State: Tx Zip: 76020
 Tele: (9m) 454-0456 E-Mail: jlvjr30@yahoo.com

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials:
will be constructing a 2 story residential home, 1865 SQFT
The first floor will be 42-4' x 24-6', Hardie siding, with composite
shingles and vinyl windows
The lot is 4250 SQFT AND would need a variance to build this home

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 H5
 Owner Occupied Variance (One and Two Family Homes) for Section _____
 Special Exception for Section _____
 Variance for: Lot area.
 Interpretation of the Regulation \$400

DATE RECEIVED: <u>8/19/24</u>	FEE AMOUNT PAID : <u>\$750.00</u>	# OF REQUESTS: <u>1</u>	RECEIVED BY: <u>MP.</u>	CASE NO. <u>BAR-24-061</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. The lot was re platted before I
purchased the land

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 lot being on Angle Ave creates a slope to the
property that takes away square footage

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

4. The variance will not adversely affect the health, safety, or welfare of the public.
The variance will not affect anybody's health, safety or welfare
of the public surrounding the property

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

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:



Date


08-14-24

Harrison Kirk 58-76

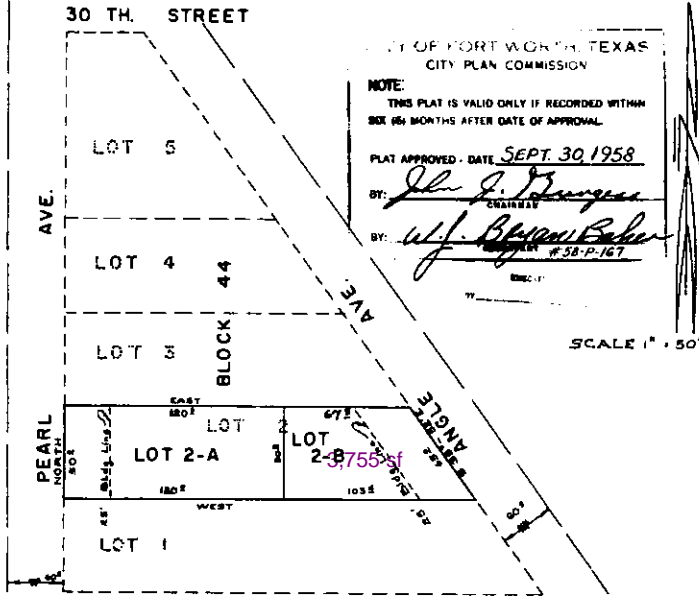
DESIGNS ESTIMATES PLANS SURVEYS

HUMPHREY & HILL, INC.

MEMBER
FRANK H. PAYNE & ASSOCIATES
CONSULTING ENGINEERS



John G. Humphrey, Pres. John B. Hill, Vice Pres.
Frank H. Payne, Vice Pres.
608 N. SYLVANIA AVE. TELEPHONE TE 4-2287 FORT WORTH, TEXAS



LOTS 2-A and 2-B

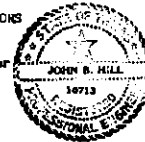
BEING A REVISION OF LOT 2, BLOCK 44 OAK GROVE
A DIVISION AS RECORDED IN PLAT RECORDS VOL. 309,
PAGE 59, FORT WORTH, TARRANT COUNTY, TEXAS.
THIS ABOVE BEING AN ADDITION TO FORT WORTH, TEXAS.

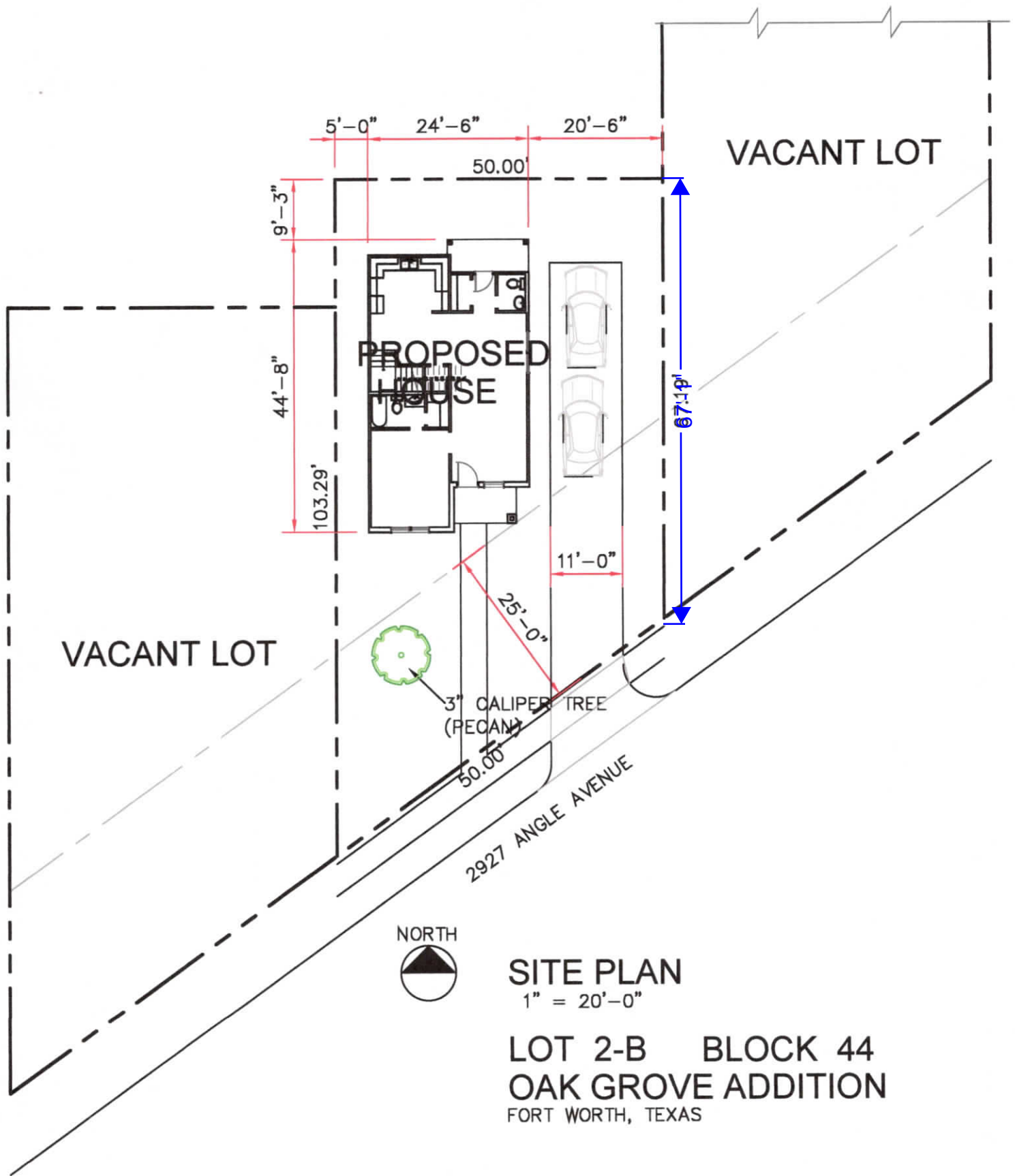
SURVEYED JUNE, 1958

BY

HUMPHREY AND HILL INC.
CONSULTING ENGINEERS AND SURVEYORS

John B. Hill
Registered Professional Engineer





BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

BAR-24-062

Address: 8509 Sunset Cove Court
Owner: Michael & Sherry Decker
Zoning: "R1" One-Family Residential District

a. **Variance:** Permit the construction of a patio cover that would encroach into the side yard setback.

Minimum rear yard setback required: 3 feet
Requested setback: Zero (0) feet

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.

4.708 "R1" Zero Lot Line for One-Family Detached Units

C. Property Development Standards

Side Yard: 3 feet minimum

Lot History

Development Services easement encroachment agreement PN24-00092, submitted 5/14/2024, finalized 7/31/2024.

Development Services attached patio permit PB24-10774. Submitted 7/17/2024, on hold 7/29/2024.

**COMPREHENSIVE
PLAN DESIGNATION:**

Low Density Residential

**REGISTERED
NEIGHBORHOOD
NOTIFICATION:**

The following registered associations were sent early notification: Trinity Habitat for Humanity, Streams and Valleys, Inc., Eagle Mountain-Saginaw ISD, Northwest Fort Worth Neighborhood Alliance, Club Villa Estates HOA, Eagle Ranch POA, Gleneagles HOA, and Lake Country POA.

BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

**EXISTING
CONDITIONS:**

The subject property is a single-family residence in an established neighborhood, platted without alley. The lot is flat, parallelogram (rectangular with angled ends) shaped, and without any floodplain or other environmental constraints. The small 16-lot "R1" Zero Lot Line development lies at the end of finger of Eagle Mountain Lake, surrounded by larger single-family lots.

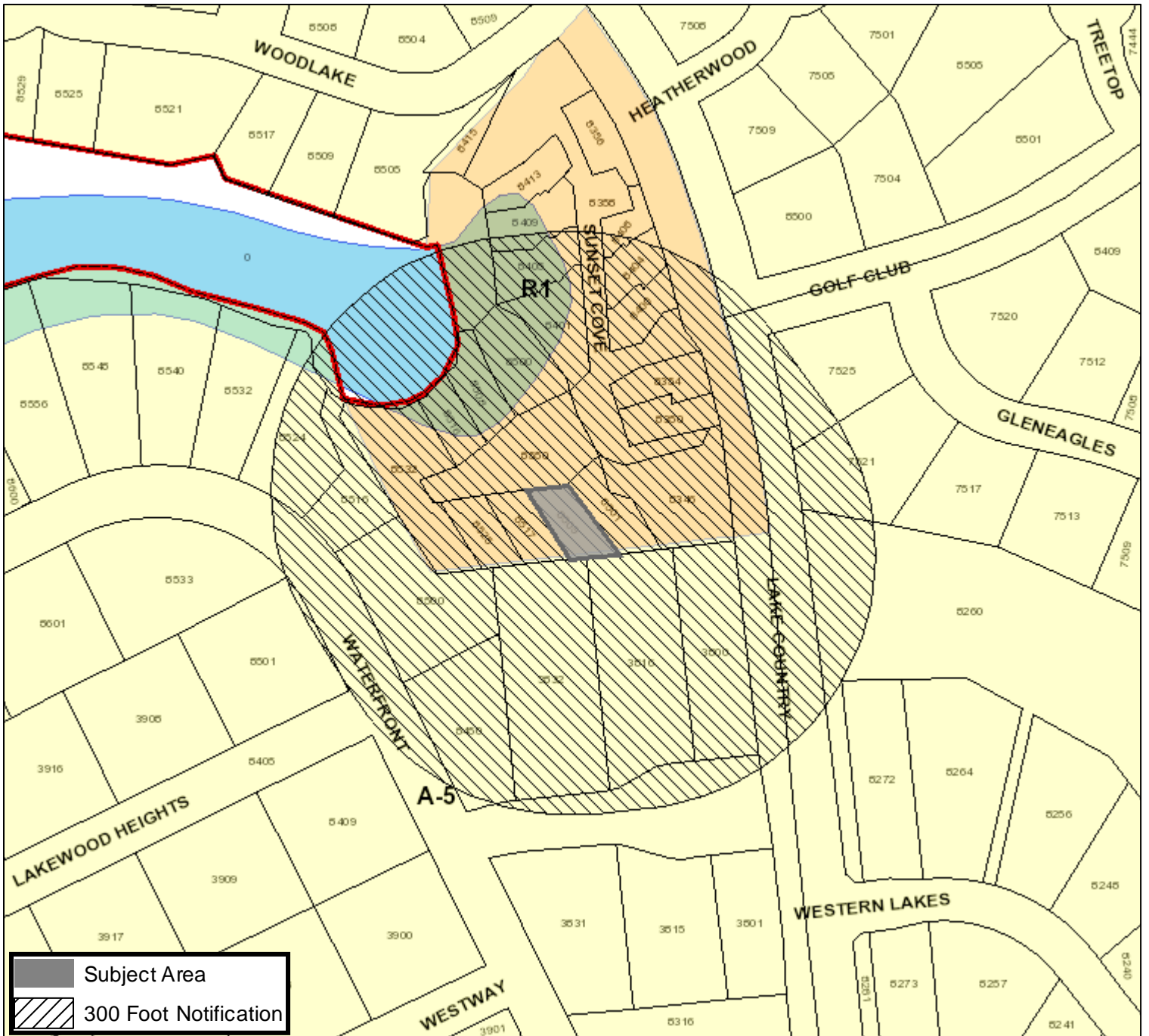
The R1 district allows several different configurations of setbacks, and this lot was constructed to the 3-foot side yard standard. This zoning district does not have a front setback or maximum lot coverage requirement. The applicant has requested a variance for an attached patio cover to be constructed in the eastern side yard setback and utility easement. A home-owner's association lot containing a drainage area is noted past the side property line. The variance request is for a 0-foot side yard setback, and the site plan shows the patio cover extending to the property line. The applicant revised the setback request after the application form had been submitted with a 1-foot setback.



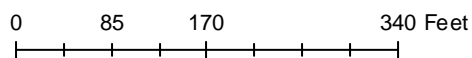
BAR-24-062

Area Zoning Map

Applicant: Michael & Sherry Decker
Mapsc0: 31R
Commission Date: 10/16/2024



	Subject Area
	300 Foot Notification



Aerial Photo Map



0 30 60 120 Feet



BAR-24-062



PW 24 - 00091

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

FORT WORTH[®]



Planning and Development

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: 8509 Sunset Cove Ct, 76179

Lot/Tract: Lake Country Estates Add Block/Abstract: 17A Lot Size: 17

Legal Description: Addition/Survey: LAKE COUNTRY ESTATES ADDITION Block 17A Lot 17

Owner's Name: Michael and Sherry Decker

Address: 8509 Sunset Cove Ct

City: Fort Worth State: Texas Zip: 76179

Tele: () 817-637-6665 E-Mail mdecker@sbcglobal.net

Applicant's Name: Michael Decker

Address: 8509 Sunset Cove Ct

City: Fort Worth State: Texas Zip: 76179

Tele: () 817-637-6665 E-Mail mdecker@sbcglobal.net

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials: Patio cover/ pergola installed over the existing concrete pad/patio on the east side of the residence. The proposed object is constructed of powder coated aluminum framing. It is 22'w x 11.5d x 9"t. It will be flush mounted to the fascia of the residence and two 6" posts will support the opposite end. The posts will be plate mounted to existing concrete patio. It will be of a color that blends with the house per HOA requirements. The residence currently has no outdoor coverage to protect

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

DATE RECEIVED: <u>8/28/24</u>	FEE AMOUNT PAID : <u>\$500 -</u>	# OF REQUESTS: <u>1</u>	RECEIVED BY: <u>MP.</u>	CASE NO. <u>BAR-24-062</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. _____
Permit the construction of a pergola over an existing patio that encroaches into the minimum side yard setback. Required setback: 5 feet. Requested setback 1 foot. There exists a utility easement at 5 feet. There is no occupant property adjacent to the setback, nor will there be in the future. **+**

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. Currently there is no outdoor cover from elements for pets and occupants.

3. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance.
Of the six residences in the 8500 block of Sunset Cove Ct., 2 currently have similar patio covers attached to their homes.

4. The variance will not adversely affect the health, safety, or welfare of the public.
The pergola will blend seamlessly into the aesthetic of the residence, blending in such a way to appear as if it's always been there.

5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.
Residents at the 4 adjacent homes have approved and signed off on the proposed structure. There is no occupant property on the east property line of this residence.

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: Sherry Decker

Date 05/13/24
Revised 12/05/2022

Knight, Beth

From: Knight, Beth
Sent: Tuesday, October 1, 2024 3:01 PM
To: 'Personal Email'
Cc: Pena, Michelle; Tolliver Jones, Ashlie D
Subject: RE: 8509 sunset cove ct

Michael,
I will add this to the application packet and update the agenda caption.

Sincerely,
Beth Knight, AICP
Senior Planner
City of Fort Worth
817-392-8190

Please note: Development fees will increase on 10/1/24

Working together to build a strong community.

-----Original Message-----

From: Personal Email <mdecker@sbcglobal.net>
Sent: Tuesday, October 1, 2024 2:49 PM
To: Knight, Beth <Beth.Knight@fortworthtexas.gov>
Subject: 8509 sunset cove ct

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.

Beth,

I made an error on my application when I requested the 1 foot setback. That should have been a 0 (zero) foot setback. Can you make that change?

Sent from my i

FLOOD LEGEND

- ZONE A** SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. NO BASE FLOOD ELEVATION DETERMINED
- ZONE AE** SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. BASE FLOOD ELEVATIONS DETERMINED
- ZONE X (SHADED)** AREA OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE FOOT; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.
- ZONE X** AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN

LEGEND

- EM ELECTRIC METER
- WV WATER VALVE
- WM WATER METER
- GV GAS VALVE
- GM GAS METER
- SSMH SANITARY SEWER MANHOLE
- MH MANHOLE
- PP POWER POLE
- LS LIGHT STANDARD
- TR TELEPHONE RISER
- WF WIRE FENCE
- WF WOOD FENCE
- CLF CHAIN LINK FENCE
- IF IRON FENCE
- UG UNDERGROUND OVERHEAD UTILITY
- OHU OVERHEAD UTILITY
- FH FIRE HYDRANT
- ET ELECTRIC TRANSFORMER
- SS SANITARY SEWER
- SSCO SANITARY SEWER CLEANOUT
- MH MANHOLE
- STSMH STORM SEWER MANHOLE
- BLDO BUILDING WITH PERMANENT FOUNDATION
- SHED STRUCTURE WITH NO PERMANENT FOUNDATION
- AC AIR CONDITIONER
- POSE PUBLIC OPEN SPACE EASEMENT
- IPF IRON PIPE FOUND
- IRF IRON ROD FOUND
- IRS 5/8" IRON ROD SET
- MARKED "A-WARD"
- SR 5/8" IRON ROD RECOVERED
- MARKED "A-WARD"
- CM CONTROL MONUMENT
- BEARINGS OR DISTANCE SHOWN IN '17 ARE PLAT OR DEED CALL

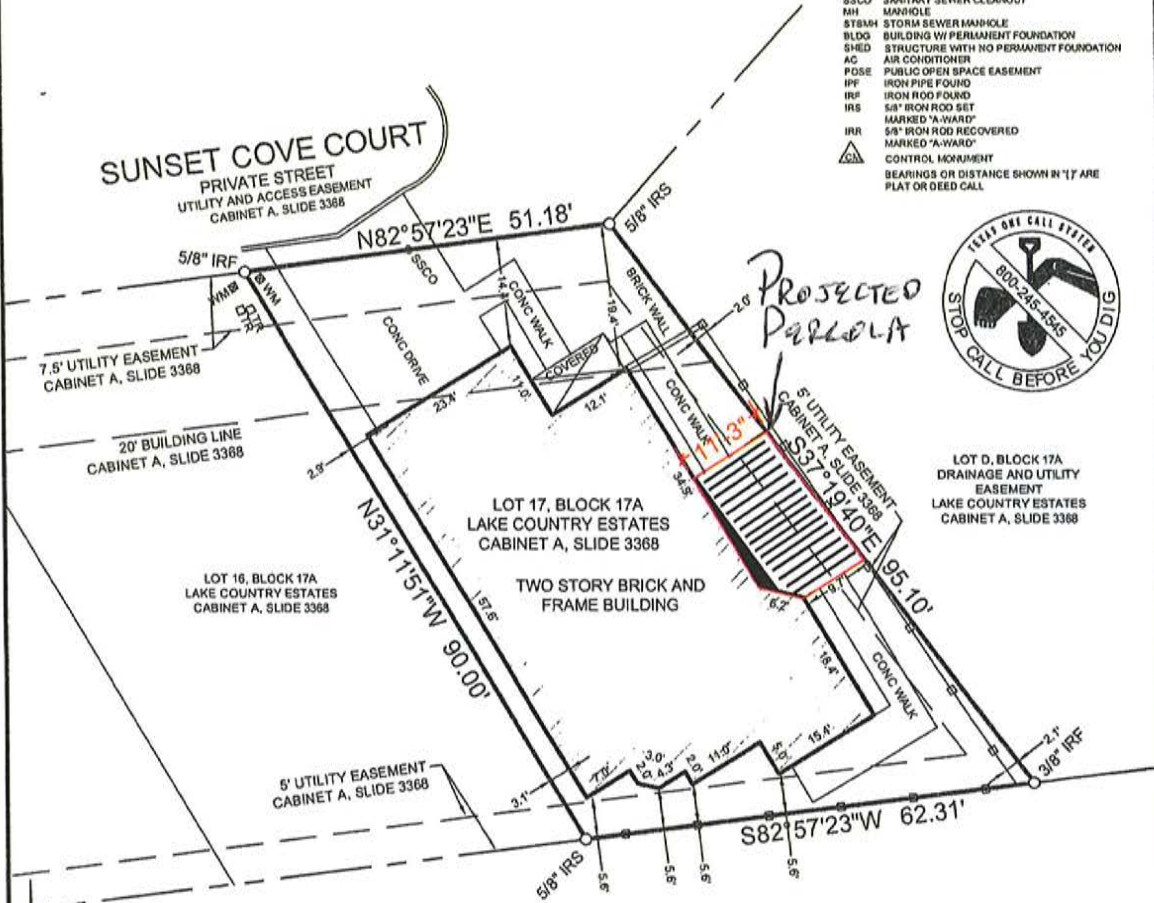


EXHIBIT-A
 N ↑



SURVEY ACCEPTED BY:

TITLE COMPANY: Rattikin
 G.F. NO.: 19-1257
 ADDRESS: 8509 Sunset Cove Court, Fort Worth, TX 76179
 BUYER: James Bodeker
 SELLER: George Stafford

The undersigned hereby states that this survey is true and correct, was made on the ground under my supervision and all corners are marked as shown, shows all visible and apparent easements, encroachments and protrusions. According to Map No. 48439C0040K dated September 25, 2009 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Tarrant County, Texas and Incorporated Areas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located in Zone X (SHADED) and is not within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

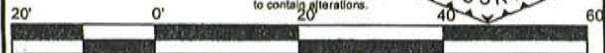
This survey substantially complies with the current Texas Society of Professional Surveyors Standard and Specifications for a Category 1A, Condition II Survey. Surveyed on the ground April 18, 2019

A-Ward Surveying

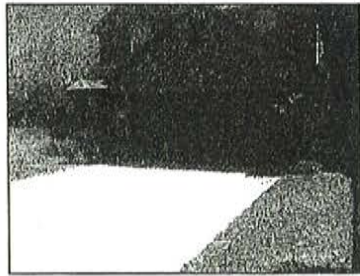
 James Paul Ward
 Registered Professional Land Surveyor, No. 5606



All rights reserved
 Copyright 2019 ©
 If the seal is not embossed, this document is an unauthorized copy and should be presumed to contain alterations.



GRAPHIC SCALE SCALE IN FEET 1"= 20'
 A-WARD PROJECT NO: JOB NO



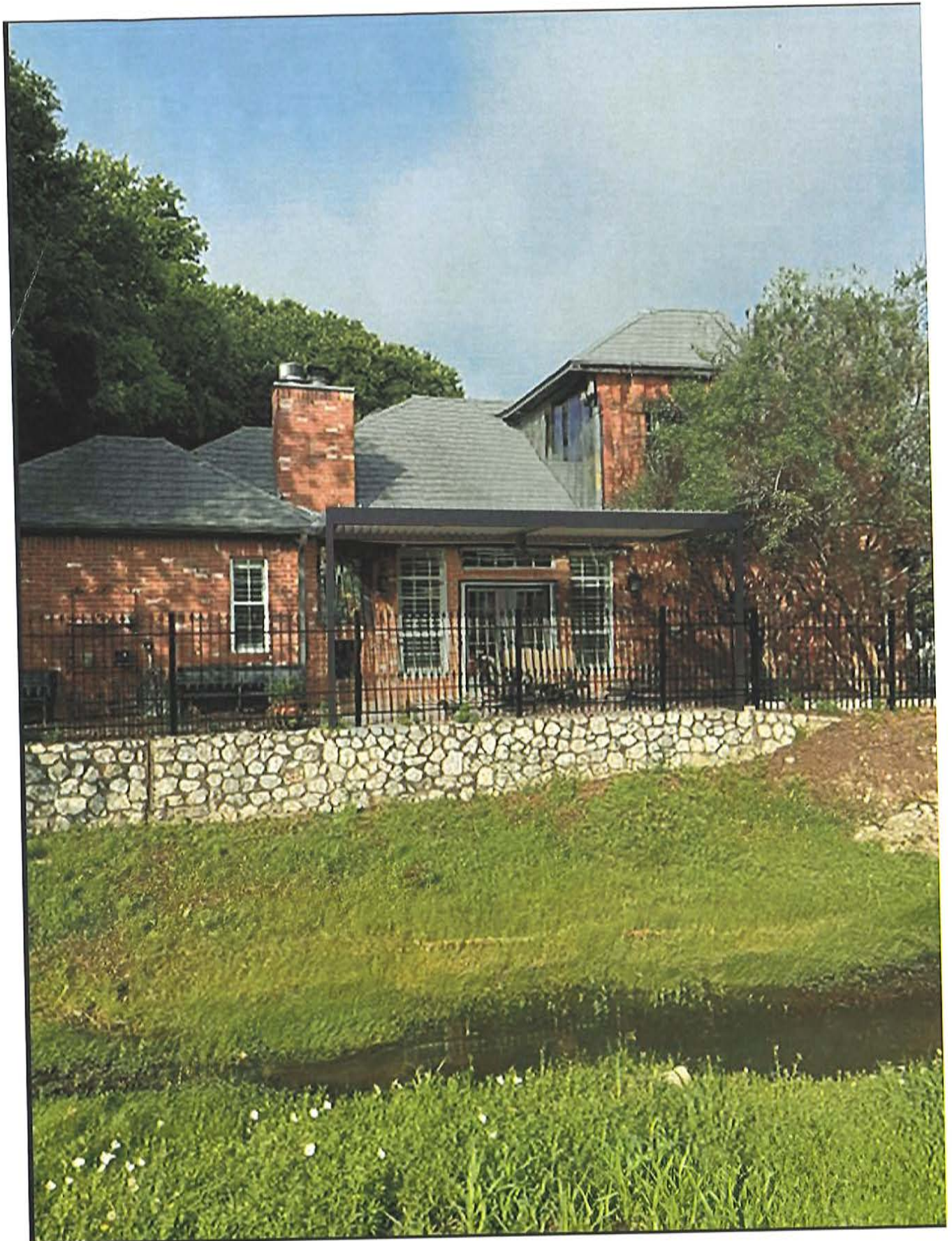
ANY DECLARATION MADE HEREON OR HEREIN IS MADE TO THE ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF THE NORTH AMERICAN DATUM OF 1983 (2011) EPOCH 2010, NORTH CENTRAL ZONE 4202 (US SURVEY FEET) FROM GPS OBSERVATIONS USING THE RTK COOPERATIVE NETWORK.

LAND TITLE SURVEY
 Lot 17, Block 17A, LAKE COUNTRY ESTATES, an Addition to Tarrant County, Texas, according to plat recorded in Cabinet A, Slide 3368, Deed Records of Tarrant County, Texas

A-WARD SURVEYING COMPANY
 252 WEST MAIN STREET, SUITE F, AZLE TX 76020
 817-33A-WARD (332-9273) 877-982-9273
 survey@a-wardsurveying.com TBPLS Firm No. 10194435

EXHIBIT-C N →



BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

BAR-24-066

Address: 3236 Bideker Avenue

Owner: A&O Builders, LLC by Oscar Garcia

Zoning: "A-5" One-Family Residential District

- a. **VARIANCE:** Permit the construction of a new single family dwelling on a lot with less width than required.

Required lot width: 50 feet

Requested width: 45 feet

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.

4.705 "A-5" One-Family

C. Property Development Standards

Lot Width: 50 Feet minimum at building line

LOT HISTORY:

BAR-19-098, variance for 45-foot lot width, approved 10/16/2019, expired 4/16/2020.

Development Services Department building permit PB20-12880, submitted 9/14/2020, and expired 3/10/2021.

Development Services Department building permit PB24-13407, submitted 9/5/2024, on hold.

**COMPREHENSIVE
PLAN DESIGNATION:**

Single-Family Residential

**REGISTERED
NEIGHBORHOOD
NOTIFICATION:**

The following registered associations were sent early notification: Trinity Habitat for Humanity, Streams and Valleys, Inc., Fort Worth ISD, United Communities Association of South Fort Worth, Eastland NA, The New Mitchell Boulevard NA, Polytechnic Heights South NA, East Fort Worth, Inc., Southeast Fort Worth, Inc.

**EXISTING
CONDITIONS:**

The subject property contains a vacant lot in an established neighborhood platted with an alley. The lot is flat, rectangular, and without any floodplain, slope, trees, or other environmental constraints. The western portion of the lot was sold to the

BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

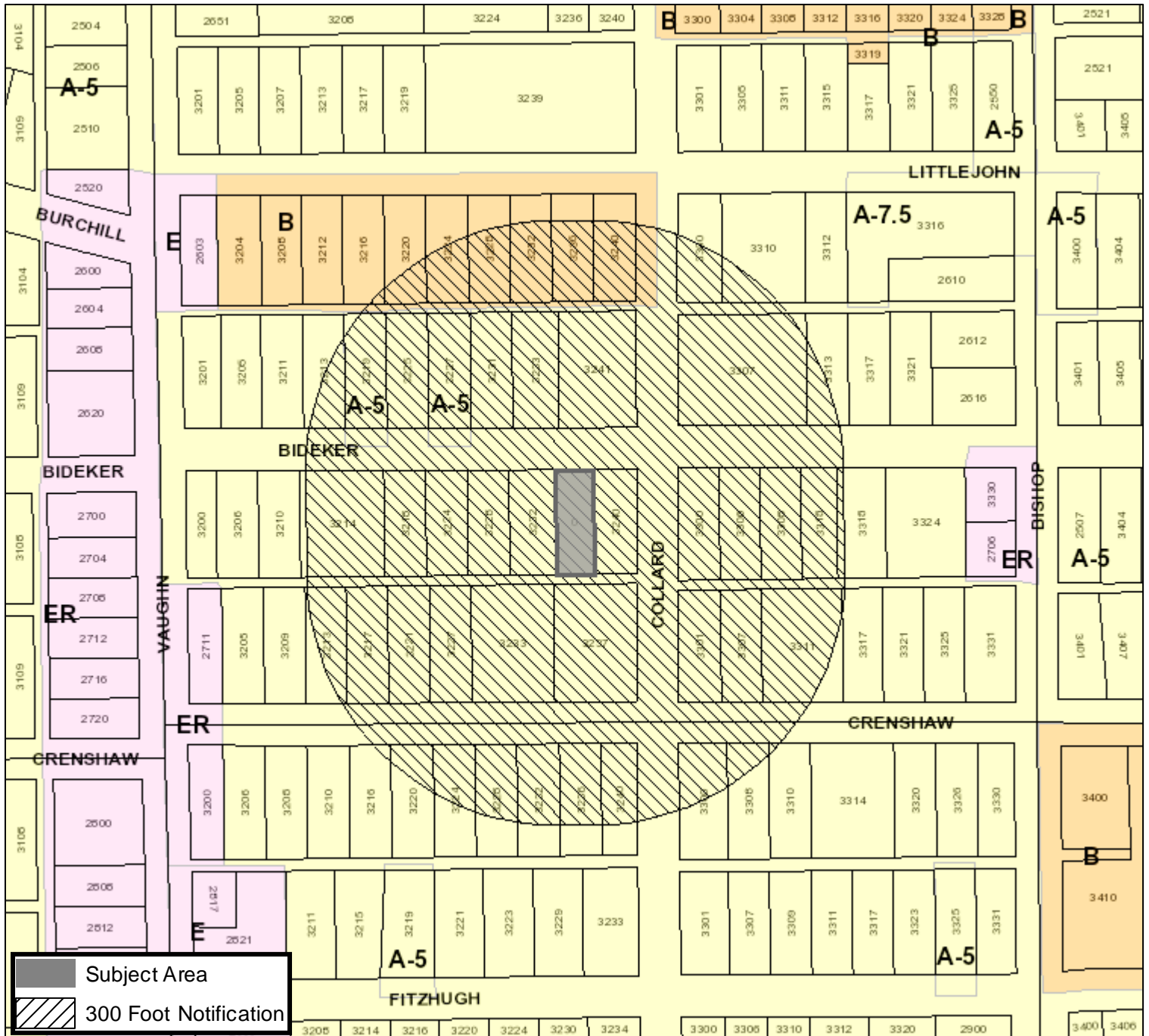
adjacent lot at some point in the past without replatting the lots. Historical aerials show a residence from 1952 to 1995. The lot has been empty since 1995.



The applicant has submitted a variance request in order to build a new residence with a 45-foot lot width, where a 50-foot is required, deficient by 5 feet. The lot exceeds the minimum 5,000 square foot lot area requirement. The site plan shows the project meeting the required setbacks and parking standards. The site was approved for the same lot width variance in 2019; however, the variance approval expired in April 2020 because no extension had been requested nor building permit issued. If the lot width variance is approved, the site will need to be replatted prior to receiving a building permit.

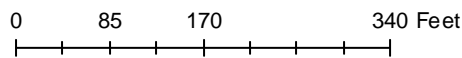


Area Zoning Map

Applicant: A&O Builders, LLC by Oscar Garcia
Mapsc0: 78T
Commission Date: 10/16/2024



 Subject Area
 300 Foot Notification



Aerial Photo Map



0 37.5 75 150 Feet



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



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: 3236 BIDEKER AVE. FORT WORTH, TX. 76105
 Lot/Tract: 10 Block/Abstract: 4 Lot Size: 5940sf
 Legal Description: Addition/Survey: ENGLEWOOD HEIGHTS

Owner's Name: A&O BULDERS LLC
 Address: 1911 WILLIAMS RD.
 City: IRVING State: TX Zip: 75060
 Tele: (972) 567-7321 E-Mail aliciasilex1@gmail.com

Applicant's Name: ALICIA SILEX
 Address: 1911 WILLIAMS RD.
 City: IRVING State: TX Zip: 75060
 Tele: (972) 567-7321 E-Mail aliciasilex1@gmail.com

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

Siteplan and floor plan attached

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 10/17/2019 Case Number(s) BAR-19-098

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: Lot width
 Interpretation of the Regulation \$400

DATE RECEIVED:	FEE AMOUNT PAID :	# OF REQUESTS:	RECEIVED BY:	CASE NO.
<u>9/13/24</u>	<u>750.00</u>	<u>1</u>	<u>KM</u>	<u>BAR-24-066</u>

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, the intent is to meet the city and zoning requierments and build the new single family acoording those.

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.

Yes, for unique circustances this empty lot has a 5ft wide short (same the next door lot "3640 Bideker Ave")

according whit the zoning regulations, this variance has been aproved on 2019 but for diferents reason and

covitw we can buil on that specific lot until now.

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, this request do not affect the harmony of the neighborhood, because the NSF to buld is according whit the

zoning and city codes.

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

No, this project do not affect the healt, safety or welfare of the public or neighbors.

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

Absoluty not, the variance is to build a new construction inside of the propery line and sitebacks

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.)

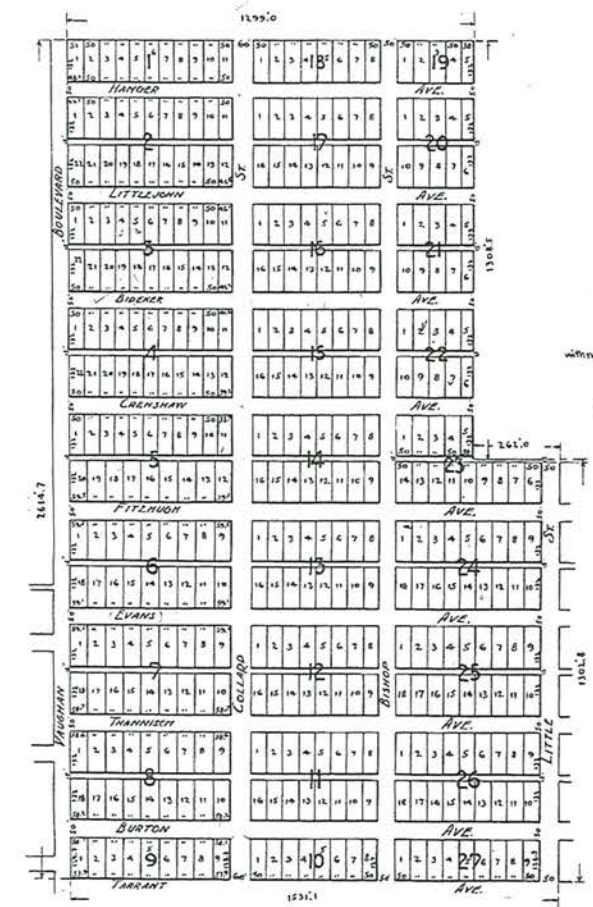
Signed by the Owner / Applicant or Agent (Circle appropriate entity)

Signature: _____



Date _____

09/13/2024



DEDICATION

State of Texas
County of Tarrant Know all men by these presents: That the Polytechnic Heights Investment Company, of Fort Worth, Tarrant County, Texas, a private corporation, does hereby adopt the foregoing map and plat as correctly representing its sub-division of 48 acres of land out of the R.R. Ramsey survey situated in Tarrant County, Texas, and more particularly described on this plat and to which reference is hereby made; the said corporation hereby dedicating to public use, the streets and alleys shown on said plat, but reserving to itself, successors and assigns, the exclusive right to grant franchises and privileges for street railways, electric lights, telephone and telegraph lines and for gas and water mains upon and through the said streets and alleys shown on said plat.

Witness the signature of the Polytechnic Heights Investment Company by its President, attested by its corporate seal and the signature of its secretary, at Fort Worth, Texas, this 19th day of Nov. 20, 1910

Polytechnic Heights Investment Company
President
W. R. Rogers, Secy.

State of Texas, before me, W. J. Bessner, a Notary Public in and for Tarrant County, Texas, on this day personally appeared Arby Dunklin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as President for the Polytechnic Heights Investment Company, for the purposes and considerations therein expressed, and as the act and deed of said Polytechnic Heights Investment Company.

Given under my hand and seal of office, this 19th day of Nov. A.D. 1910

W. J. Bessner
Notary Public, Tarrant County, Texas. L.S.

DESCRIPTION

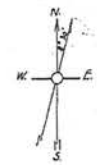
Beginning of the N.W. corner of the R.R. Ramsey 640 acre survey, which is also a point on the south line of the J.W. Sublett survey, thence south on line between Ramsey and Thompson surveys, 261.7 feet, thence east parallel with north line of Ramsey survey 1531 feet, thence north parallel with west line of Ramsey survey 1306.5 feet to a point on the south line of Sublett survey, thence west on line between Sublett and Ramsey surveys, 1299 feet to place of beginning.

ENGLEWOOD HEIGHTS ADDITION
TO
FORT WORTH
OWNED BY
POLYTECHNIC HEIGHTS INVESTMENT COMPANY
FT. WORTH, TEX.

Received and filed for record at 3 o'clock P.M. Nov. 19, 1910
County Clerk, Tarrant County, Texas.

Recorded at 2:37 o'clock P.M. Nov. 21, 1910

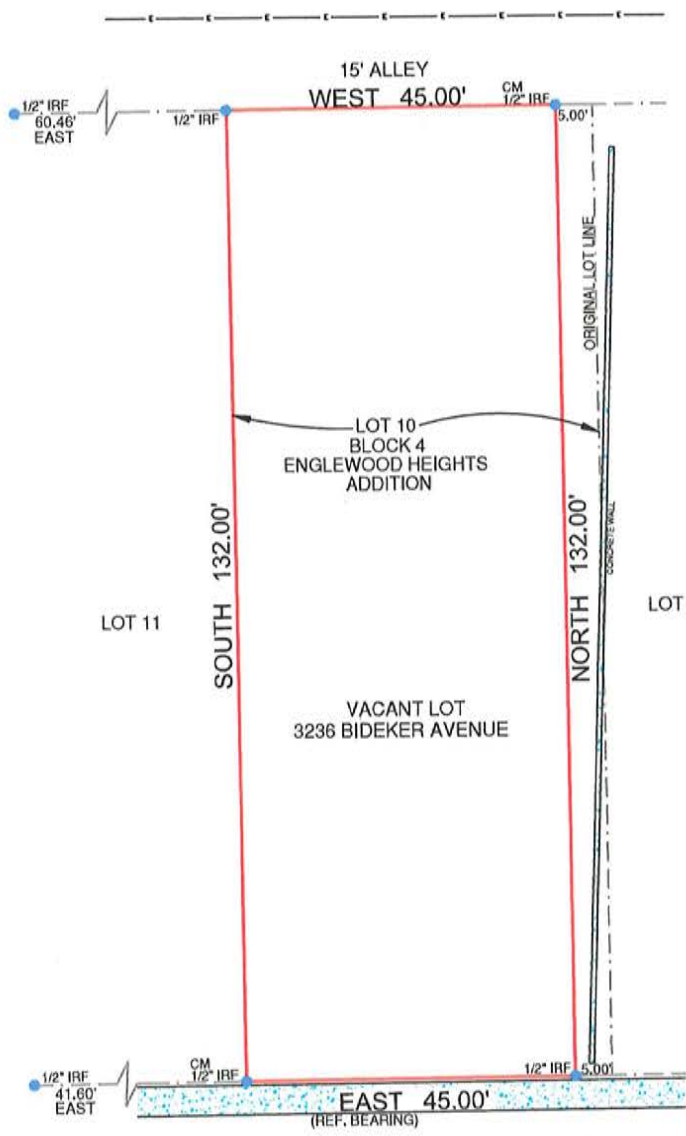
W. J. Bessner
County Clerk



A CERTIFIED COPY,

ATTEST: 8-7, 20 20
MARY LOUISE NICHOLSON, County Clerk
Tarrant County, Texas

BY: *[Signature]* Deputy

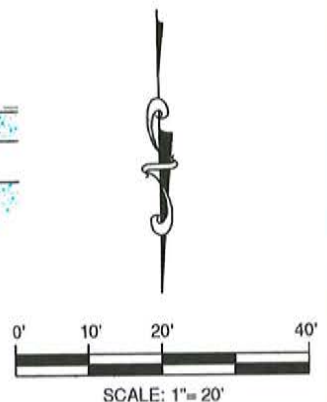


BIDEKER AVENUE (50' R.O.W.)

LEGEND:

BARBWIRE FENCE	ASPHALT
CHAINLINK FENCE	CONCRETE
WROUGHT IRON FENCE	GRAVEL
WOOD FENCE	T.E.
VINYL FENCE	WOOD
ELECTRIC LINE	BRICK
GM = GAS METER	STONE
EM = ELECTRIC METER	(WOOD) RAILROAD TIE
IPF = IRON PIPE FOUND	
IRS = IRON ROD SET WITH "PREMIER" CAP	
IRF = IRON ROD FOUND	
CM = CONTROLLING MONUMENT	

NOTES:
BEARINGS ARE BASED ON THE RECORDED PLAT.



LEGAL DESCRIPTION:
BEING THE EAST 45 FEET OF LOT 10, BLOCK 4, ENGLEWOOD HEIGHTS ADDITION, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 310, PAGE 67, PLAT RECORDS OF TARRANT COUNTY, TEXAS.

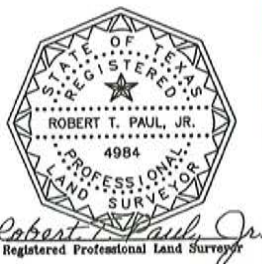
SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT PROVIDED BY A TITLE COMPANY. THERE MAY BE EASEMENTS AND OTHER MATTERS OF RECORD AFFECTING THE PROPERTY SHOWN HEREON THAT ONLY A PROPER TITLE SEARCH WOULD REVEAL. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

TECH	AV
FIELD	JW

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48439C0310 L, DATED MARCH 21, 2010.

DATE: 08/10/2020 JOB NO.: 19-07344
FIELD: 08/10/2020

3236 BIDEKER AVENUE, FORT WORTH, TX 76105
EAST 45 FEET OF LOT 10, BLOCK 4
ENGLEWOOD HEIGHTS ADDITION



Premier
Surveying LLC

5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
972-612-3601 (O) | 855-892-0468 (F)
www.premiersurveying.com
premierorders@premiersurveying.com

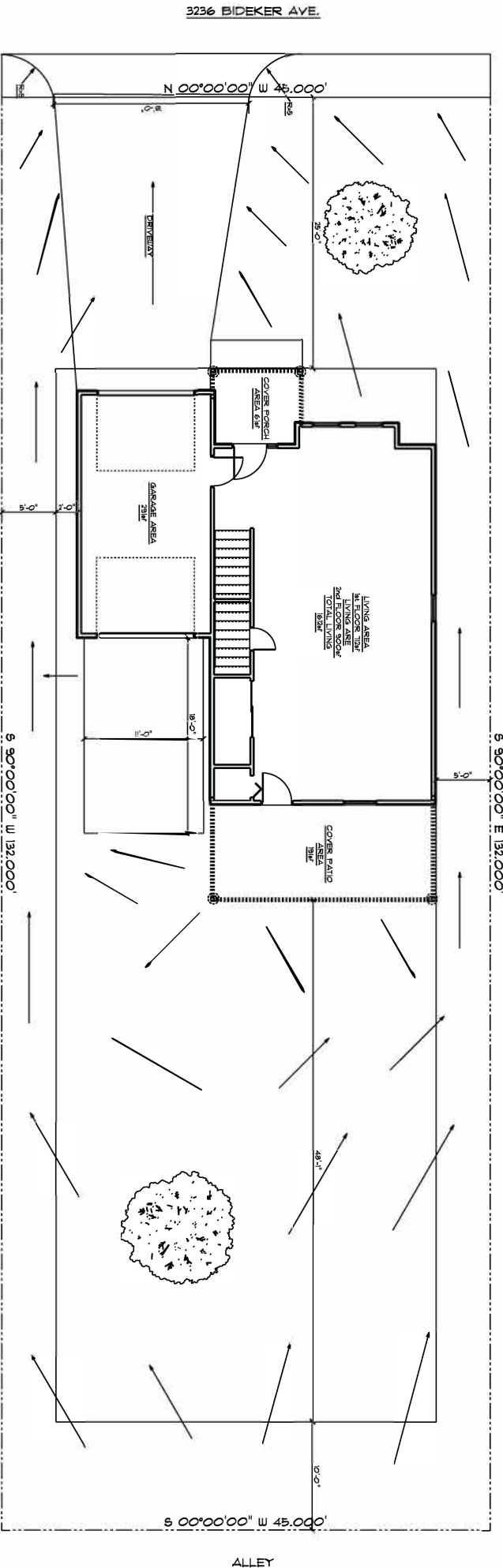
DATE: _____
ACCEPTED BY: _____

Premier
Surveying LLC

5700 W. Plano Pkwy., Suite 1200
Plano, Texas 75093
Office: 972-612-3601
Fax: 972-964-7021
Firm Registration No. 10146200

SITE PLAN
SCALE: 0.1562" = 1'-0"

Revised 10/1/2024



GENERAL NOTES:

1. The general contractor/builder shall examine and verify the accuracy of all dimensions and conditions of these plans/documents and shall notify owner of any discrepancies and/or omissions prior to the start of the construction.
2. These plans are intended for the general residential construction purposes only and are not exhaustively detailed or fully specified.
3. The general contractor/builder shall supervise construction and shall be responsible to set, verify, measure, and install all work performed on this project shall meet or exceed the current edition of the uniform building code and all applicable state and local ordinances, codes and regulations.
4. It is the responsibility of the general contractor to provide any engineering necessary to the stability of the structure(s) of the project. Furthermore it recommends that these plans shall be reviewed by a qualified professional engineer.



EXCELLENT
CONSULTING, LLC

469.379.5736

Contact info:
OSCAR GARCIA
ooscar.garcia@excellentconsulting.com
alicia.alex@excellentconsulting.com
469.379.5736

Project Address:
3236 BIDEKER St.
FORT WORTH, TX 76105

Project Name:
NEW SINGLE FAMILY HOUSE
AND BUILDERS LLC

Square Footage:
1st Floor Living Area..... 1216'
2nd Floor Living Area..... 1216'
Covered Porch Area..... 616'
Garage..... 2016'
TOTAL LIVING sf..... 2432'
TOTAL Construction..... 2156'

Plan Name:
SITE PLAN

Date:
09/06/2024

Scale:
1/4" = 1'-0"

Sheet #: 1 of 1





October 17, 2019

BAR-19-098
Oscar Garcia
1911 Williams Rd
Irving, TX 75060

The Board of Adjustment-Residential **APPROVED** your **VARIANCE** request during the hearing held on October 16, 2019.

BAR-19-098

Address: 3236 Bideker Avenue
Owner: A&O Builders, LLC by Oscar Garcia
Zoning: "A-5" One-Family

- a. **VARIANCE:** permit the construction of a new residence with a 45-foot lot width

Required lot width: 50 foot lot width

Requested width: 45 feet of lot width

THE DECISION IN YOUR CASE WAS FILED IN THE BOARD OF ADJUSTMENT'S OFFICE IN THE PLANNING AND DEVELOPMENT DEPARTMENT ON OCTOBER 17, 2019. THE LETTER CONSTITUTES THE DECISION OF THE BOARD.

THE BOARD APPROVAL EXPIRES ON APRIL 16, 2020; A BUILDING PERMIT MUST BE ISSUED OR AN AUTHORIZED USE MUST BE ESTABLISHED BEFORE THE DATE THE BOARD APPROVAL EXPIRES.

If you fail to obtain a permit or establish a use by **April 16, 2020**, the approval will be canceled, and you will be required to reapply to the Board, pay the filing fees, and reappear before the Board of Adjustment as a new request. You may request a one-time extension for additional six months, only if you make your request in writing to the Director of Planning and Development Department or his designee prior to the expiration date of your approval.

Should you have any further questions, please contact Aide-Pocasangre-Garay, Planning Assistant at (817) 392-2733 or Daniel Guerrero, Planner at (817) 392-2397. For permit questions, please call (817) 392-2222.

Regards,

Beth Knight
Senior Planner
Planning and Development Department
Board of Adjustment

BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

BAR-24-067

Address: 2104 Fairmount Avenue
Owner: Jason Eggenburger
Zoning: "B/HC" Two-Family Residential District in the Fairmount Historic District.

a. Variance: Permit construction of a detached garage with a second floor where none are allowed.

b. Variance: Permit construction of a detached two-story garage with heated/air-conditioned floor space on the second floor where none are allowed.

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.

5.301 Accessory Uses on Residential Lots

b. Non-habitable accessory structures.

(2) Private garages, private carports or private porte cocheres.

- a. Non-habitable accessory buildings or structures shall be limited to one story, may have an attic or loft provided the attic or loft does not contain heated or air-conditioned floor space. The non-habitable accessory structure may not exceed the height of the primary residence.

LOT HISTORY:

Development Services Department, HCLC-24-211 for a Certificate of Appropriateness to demolish the existing one-story detached garage and construct a new two-story accessory structure, approved 9/6/2024.

**COMPREHENSIVE
PLAN DESIGNATION:**

Single-Family Residential

**REGISTERED
NEIGHBORHOOD
NOTIFICATION:**

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

BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

**EXISTING
CONDITIONS:**

The subject property is located in the established Fairmount Historic District neighborhood and was platted with alley access. The lot is 7,000 square feet in area and contains a one-story primary structure, and an existing 200 square foot storage shed, and a 374 square foot detached one-story garage. The historic district overlay exempts the property from the rear and side yard setback requirements defined by the “B” base zoning district. The lot coverage is currently 36%.

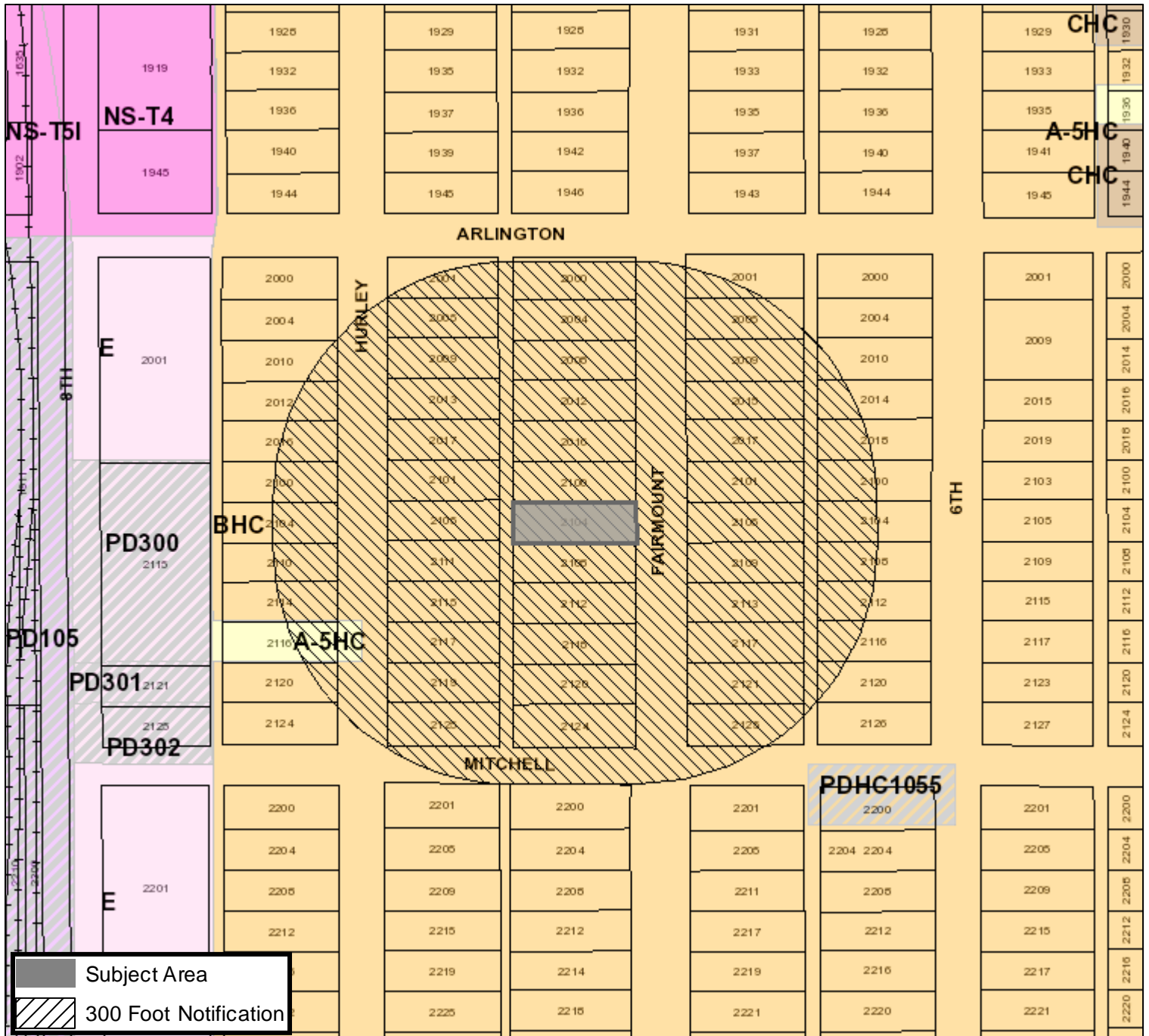
The applicant has applied for two variances. The first variance request is to permit construction of a detached garage with a second floor. The second variance request is to permit construction of a detached garage with a habitable second floor.

The proposed site plan indicates that the existing detached garage would be demolished in order to construct the proposed two-story detached garage. The proposed garage will be approximately 1,064 square feet, to include a 524 square foot garage on the first floor and a 540 square foot habitable space on the second floor. The height of the proposed accessory structure is 17 feet. The primary structure height is approximately 24 feet – 26 feet. The proposed detached garage would result in 38% lot coverage. A Certificate of Appropriateness for a separate building, instead of an addition, has been approved by the HCLC staff because historic guidelines do not encourage new additions to historic buildings.

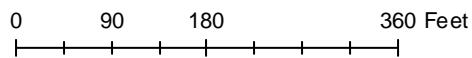


Area Zoning Map

Applicant: Jason Eggenburger
MapSCO: 76Q
Commission Date: 10/16/2024




Subject Area
 300 Foot Notification



Aerial Photo Map



0 45 90 180 Feet



BAR-24-067



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



Planning and Development

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: 2104 Fairmount Avenue
 Lot/Tract: 35 & 36 Block/Abstract: 22 Lot Size: 50'x140' = 7000 SF
 Legal Description: Addition/Survey: Fairmount

Owner's Name: Jason Eggenburger
 Address: 2104 Fairmount Avenue
 City: Fort Worth State: TX Zip: 76110
 Tele: () 817-228-7938 E-Mail jason.eggenburger@studio97w.com

Applicant's Name: Jason Eggenburger
 Address: 2104 Fairmount Avenue
 City: Fort Worth State: TX Zip: 76110
 Tele: () 817-228-7938 E-Mail jason.eggenburger@studio97w.com

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials:
Step 1 is the demolition of an existing detached 1-story, dirt-floor, open to the elements, wood-framed garage clad in plywood panels. It is in the historic location on the property. Step 2 is to build a new 2-story wood-framed garage with space above in the location of the original garage structure. Composition shingles, siding, and details to match the existing house at approximately 22'-2" high and 20'x23' on the ground floor and 23'x23' above.

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 B

Owner Occupied Variance (One and Two Family Homes) for Section _____
 Special Exception for Section _____
 Variance for: Variance for a garage with a second story and the second story having HVAC.
 Interpretation of the Regulation \$400

DATE RECEIVED: <u>9.16.24</u>	FEE AMOUNT PAID : <u>\$750</u>	# OF REQUESTS: <u>2</u>	RECEIVED BY: <u>M.P.</u>	CASE NO. <u>BAR-24-067</u>
----------------------------------	-----------------------------------	----------------------------	-----------------------------	-------------------------------

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 variance is not a self-created hardship, but due to the existing nature of previous owner decisions and locations of existing structures on the site. _____

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. _____

This is a unique situation due to the historic overlay. First, historic staff prefer that detached garages to stay in their original locations. In addition, the existing driveway already approaches the location of the existing garage. If the location were to move, it would require cutting the concrete back - only to be thrown into a land fill. There is also an existing adjacent shed on the north side of the property. _____

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 is in harmony with the historic nature of the site. After discussions with historic staff, their preference is for detached garages to stay in their original locations. _____

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

Correct. This variance will not adversely affect the health, safety, or welfare of the public. _____

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

Correct. The variance will not injure the appropriate use of the adjacent 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)

Signature:  _____

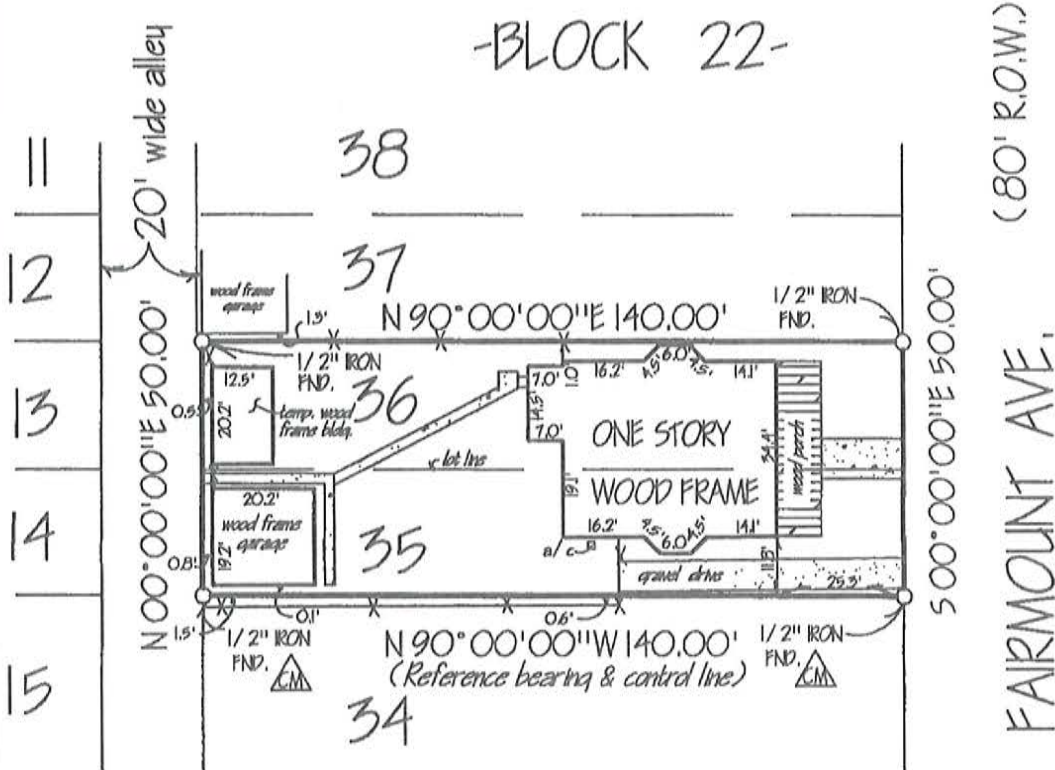
Date 9/15/24 _____

SURVEY PLAT

2104 FAIRMOUNT AVE.
Being lot 35 & 36, Block 22 of
FAIRMOUNT ADDITION

An Addition to the City of Fort Worth, Tarrant County, Texas
According to the Plat thereof recorded in Volume 63, Page 25
Plat Records, Tarrant County, Texas

-BLOCK 22-



N

Notes:
According to the U.S. Department of Housing
and Urban Development Federal Insurance
Administration Flood Insurance Rate Map
Community Panel Number: 4843AC0405H
Effective Date: 8-2-95.
This property lies in Zone X and does not
lie within a 100 Year Flood Hazard Area.

Scale: 1" = 30'

Reference bearing per Plat recorded
in Volume 389, Page .

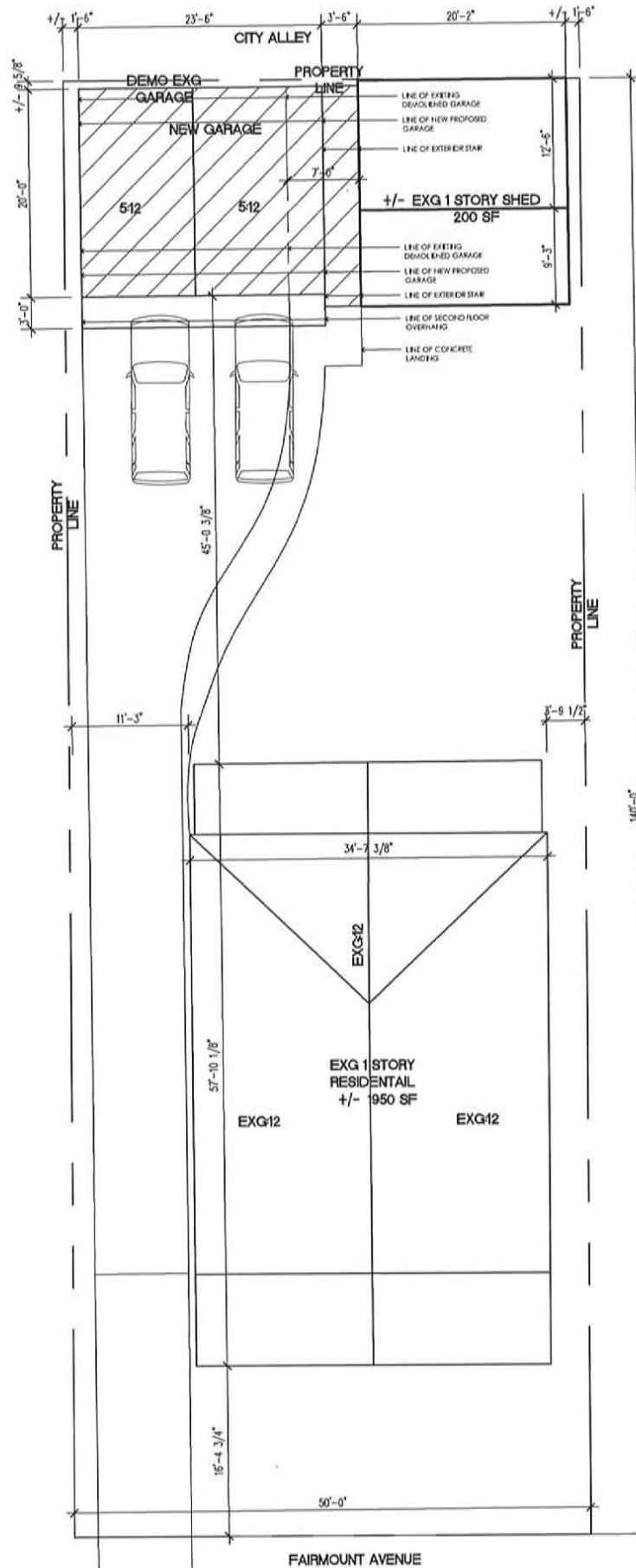
△ = Control Monument
Q# #: 99 TA 527853 K (00744)



Gary Fulton
R.P.S. No. 1938
April 22, 1999

The plat hereon was prepared from an actual
on the ground survey of the legally described
property shown hereon, the lines and dimensions
of said property being as indicated by the plat,
the size, location and type of buildings and
improvements are as shown, all improvements being
within the boundaries of the property except as
shown, set back from the property lines the
distances indicated, and there are no encroachments,
protrusions, or apparent easements, except as shown.

FULTON SURVEYING, INC.
115 ST. LOUIS AVENUE
FORT WORTH, TEXAS 76104
(817) 335-3625
#99244 FAX (817) 335-3629



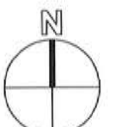
PROPOSED AREA:

FIRST FLOOR AREA	524 GSF
SECOND FLOOR AREA	540 GSF
TOTAL FLOOR AREA	1064 GSF
TOTAL LOT AREA	7,000

LEGAL DESCRIPTION:

LOT -	35&36
BLOCK -	22
SUBDIVISION -	FAIRMOUNT
CITY -	FORT WORTH
COUNTRY -	TARRANT
STATE -	TEXAS

SITE / ROOF PLAN





Certificate of Appropriateness Historic & Cultural Landmarks Commission

Jason Eggenburger
2104 Fairmount Avenue

On **September 6, 2024**, Historic Preservation Staff **APPROVED** a request for a Certificate of Appropriateness to demolish the non-contributing accessory structure and construct a new two-story accessory structure at the contributing property within the Fairmount Historic District.

FINDINGS IN ACCORDANCE WITH STANDARDS

Fairmount District Standards & Guidelines: Accessory Structures; New Construction, Additions, and Demolition

New Construction, Additions, and Demolition Standard 17

The existing accessory structure has lost its original integrity and significance due to substantial alterations, removal of original materials, and structural instability. Thus, it is no longer considered contributing to the character of the district.

Accessory Structure Standards 1, 4, 5, 6, 7

The proposed accessory structure is located in the rear yard and is designed to complement the period and style of the main structure,

Secretary of the Interior's Standards for the Treatment of Historic Properties: Standards 9, 10 and New Additions

Standard 9

The proposed garage is differentiated from the primary structure and compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

APPROVALS AND PERMITS

The Historic and Cultural Landmarks Commission or Historic Preservation Officer must approve work not included in this Certificate of Appropriateness prior to the issuance of a building permit. Approval of your case **does not** negate you from any other applicable requirements needed to obtain required permits. If necessary, you must obtain all required variances **before** a building permit will be issued.

APPEALS AND CERTIFICATE OF APPROPRIATENESS VALIDITY

An appeal to this decision may be submitted by written request to the City Secretary and the Historic Preservation Officer within 15 days of the date of this decision. Certificates of Appropriateness are valid for two years from the date of issuance.

FURTHER INFORMATION

Questions regarding this case may be forwarded to the Development Services Department at (817) 392-8000.
CITY OF FORT WORTH | 200 TEXAS STREET | FORT WORTH, TEXAS 76102-6311
817.392.800 | 817.392.8016 (fax)

Development Services Department

2104 Fairmount Avenue

Loss of Significance Statement (Garage Only)

It is our understanding that the Existing Garage may be designated a 'contributing structure' to the Fairmount Historic District. However, I was unable to find a Sanborn map to prove it.

Most of the information we've found about the property is related to the Main House, with little found on the existing detached garage. It appears that the ~20' x 20' structure served as both a small garage and storage for most of its life. There are no windows. Carriage style doors frame the front façade at the end of a long single-lane driveway.

The existing structure has changed due to the fact the structure has been compromised. The building is leaning, open to the elements and has deteriorated significantly. The south wall has moved from its footing and is now bowing south and hanging in the air with no foundation support. In addition, this occurrence will eventually lead to a collapse of the garage, resulting in significant property loss. The exterior sheathing is rotted/rotting plywood. This material was never historically appropriate. The facade deterioration leads to squirrels, possums, raccoons, rats, and cats entering the structure. This further deteriorates the personal items on the inside. In addition, there are vines and other vegetation growing into the structure due to the poor condition. Further, this has also led to the plywood panels being ripped off the walls during recent storms. The dirt floor contributes to a muddy condition which aids in enhancing the mosquito population. All of these are building issues and health issues.

The significant and irreversible changes have caused the structure to lose its relationship to other distinctive structures and as a result, it no longer contributes to the overall character of the Fairmount Historic District.

In summary:

- The structure is open to the elements which caused materials to further deteriorate.
- Any meaningful historical contribution this building made has been lost over the years due to changes and deterioration.
- Renovation of this building is technically infeasible and costprohibitive.

We therefore respectfully request that approval be granted for the demolition of the structure to allow a new structure to be built.

Jason Eggenburger, AIA, NCARB

Attached are pictures of the existing building.

View from the street



Edge of Concrete Driveway



Façade Deterioration

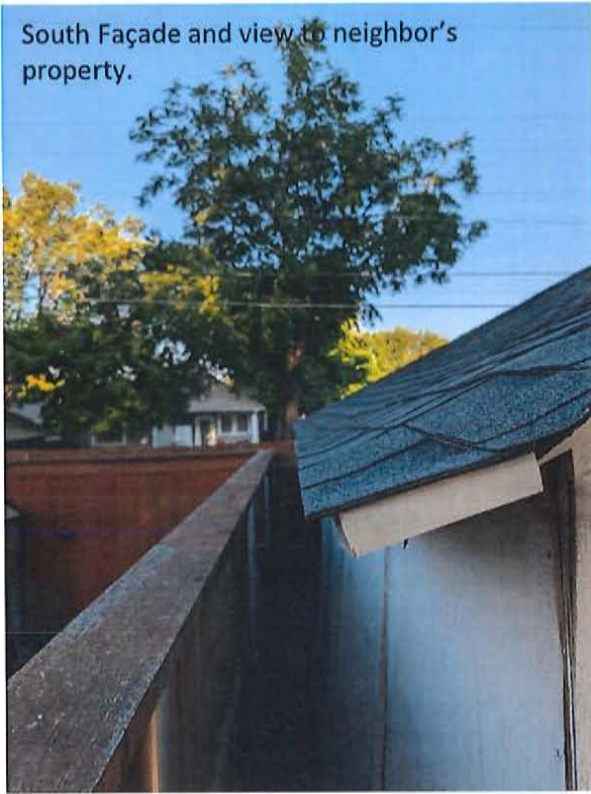


North Façade





South Façade and view to neighbor's property.



South Façade off foundation: exterior view



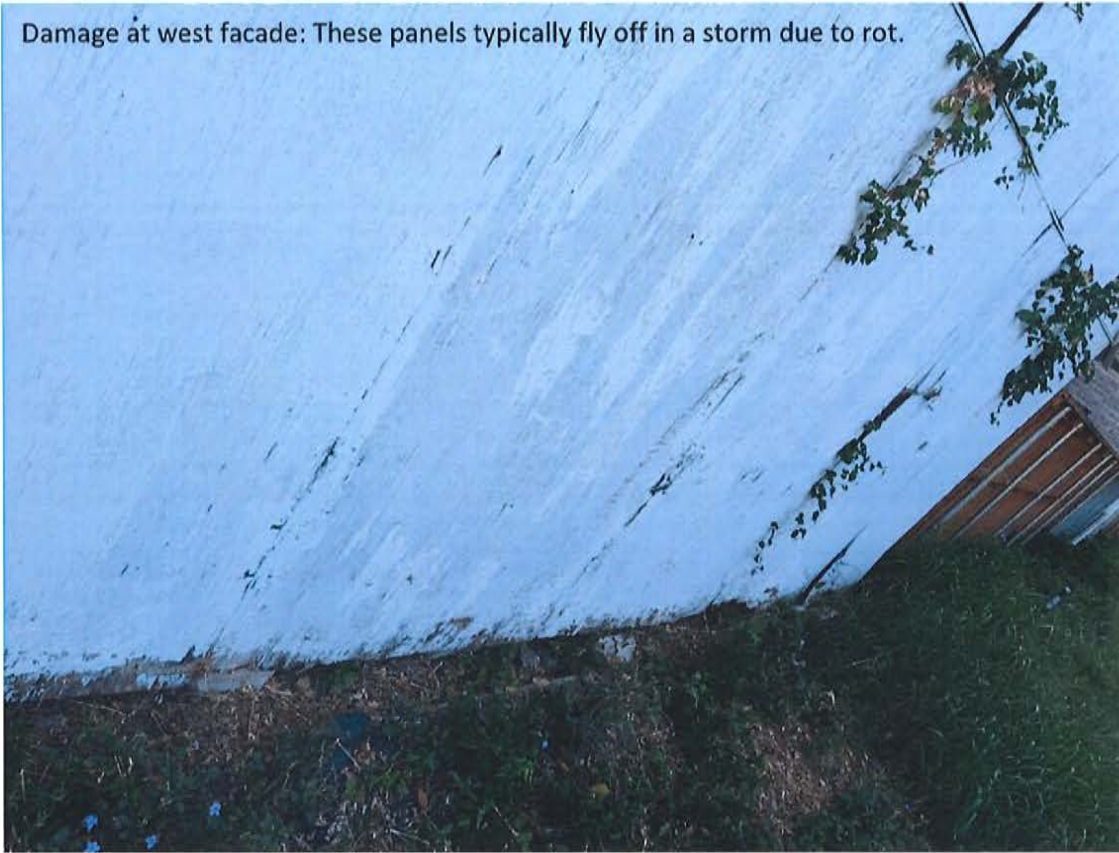
Damage at base: Open to the elements.



View from Driveway



Damage at west facade: These panels typically fly off in a storm due to rot.



BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

BAR-24-068

Address: 4320 Carmel Avenue

Owner: Eric Drentlaw on behalf of 5E Real Estate LLC

Zoning: "A-5" One-Family Residential District in the Stop Six Residential Overlay

- a. **Variance:** Permit fewer parking spaces than required behind the front building wall of a single-family dwelling.

Required parking spaces behind front wall 2 spaces

Requested parking spaces behind front wall: Zero (0) spaces

- b. **Variance:** Permit fewer than required parking spaces for a single-family dwelling with 4 bedrooms.

Required parking spaces: 3 spaces

Requested parking spaces: 2 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:

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

4.705 One-Family "A-5" District

d. Other development standards.

(2) Parking.

Two spaces located behind the front building wall for dwelling units with three or fewer bedrooms, plus one space located behind the front building wall or in the driveway for each bedroom above three.

LOT HISTORY:

Development Services ZC-19-116 for a Map Amendment for the Stop Six Overlay was approved 09/11/2019. Development Services Building Permit PB24-12445 was submitted in August 2024 to obtain the proper permits and is currently on hold pending Board of Adjustment action.

COMPREHENSIVE

PLAN DESIGNATION:

Single-Family Residential

BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

**REGISTERED
NEIGHBORHOOD
NOTIFICATION:**

The following registered associations were sent early notification: Trinity Habitat for Humanity, Streams and Valleys, Inc., Fort Worth ISD, Glen Park NA, Village Creek NA, Fairhaven NA, Eastland NA, Echo Heights NA, Echo Heights Stop Six Environmental Coalition, East Fort Worth, Inc., Southeast Fort Worth, Inc.

**EXISTING
CONDITIONS:**

The subject property contains an existing single-family dwelling and is located in an established neighborhood and is a flat, rectangular lot, platted without an alley.

The applicant is requesting a variance for the location of required parking spaces to be in front of the front building wall, as well as a variance to permit less parking than required for a four-bedroom dwelling. According to 2007 Google Street View, the attached garage was converted to habitable space. No corresponding building permits were found. The garage conversion resulted in an additional bedroom and triggers the parking requirements.

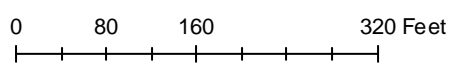
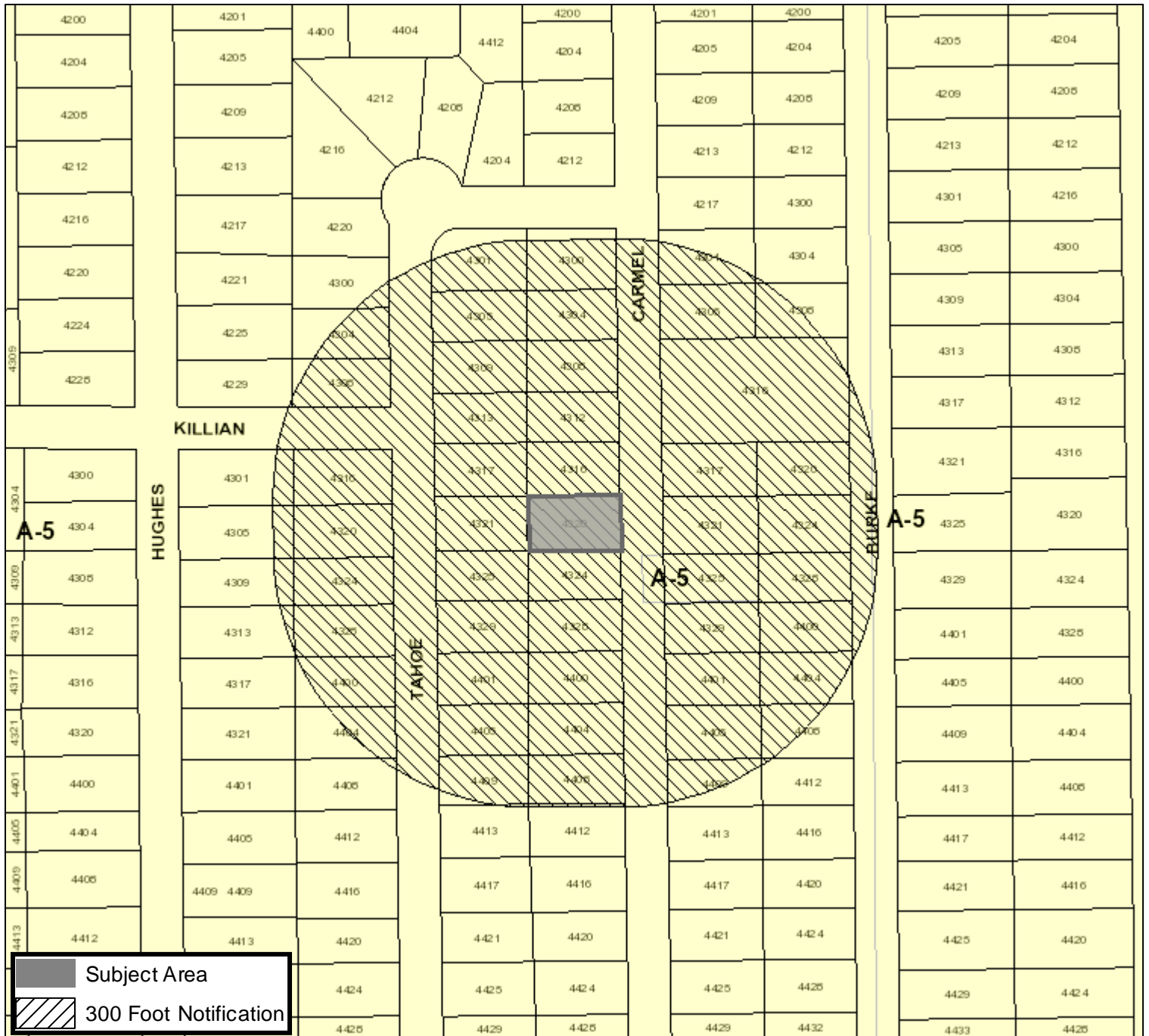
The existing driveway for parking measures 10 feet wide X 24 feet long, and provides parking for one vehicle. The applicant is proposing an expansion of the driveway to measure 18 feet wide X 24 feet long, and provides parking for two vehicles.

The side-yard setbacks of the subject property are 10 feet 6.5 inches on the southern property line, and 5 feet on the northern property line. The applicant could meet the parking requirements if they relocated the existing drive approach to the southern property boundary and provided parking behind the front wall along the side of the house.

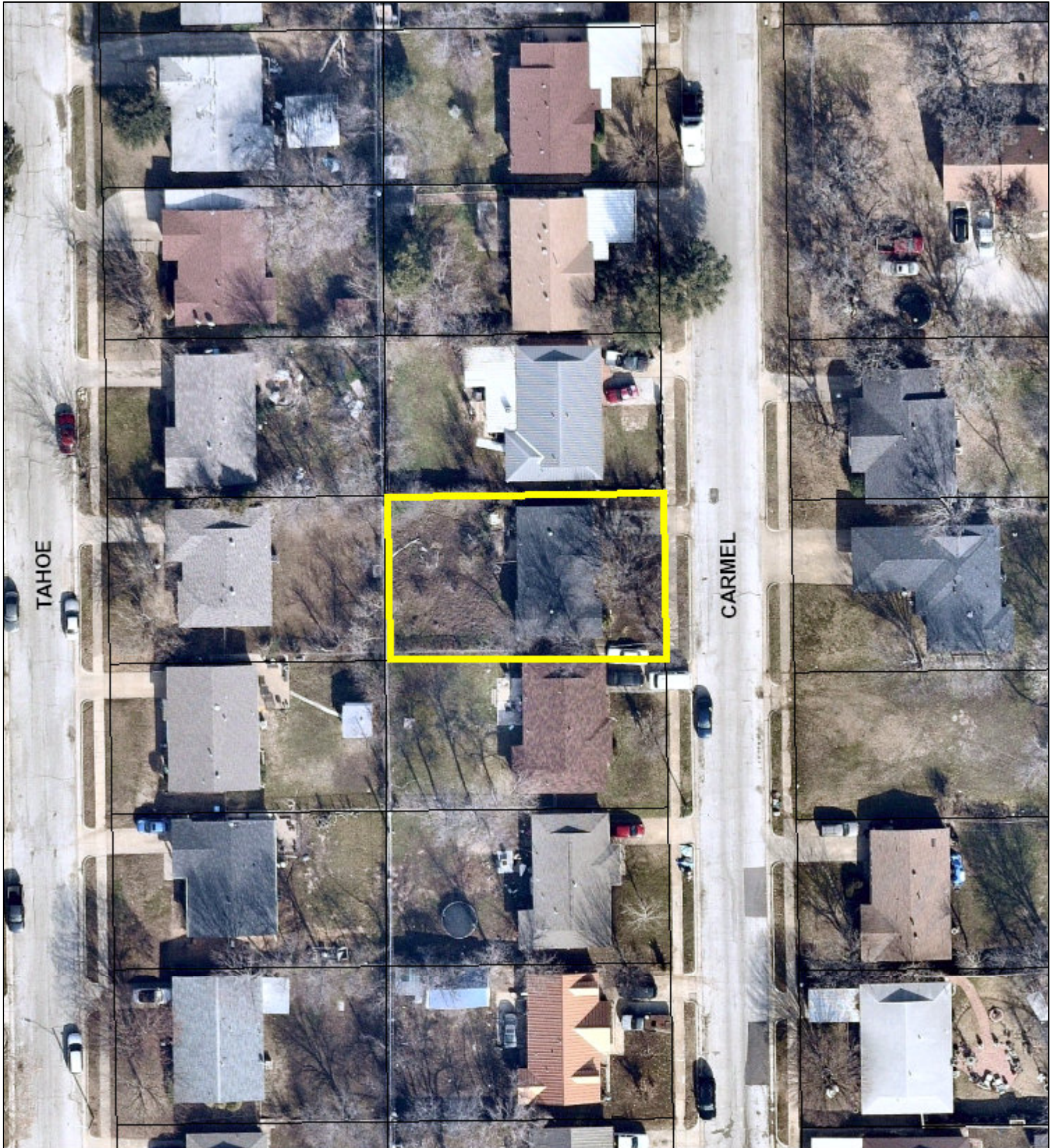


Area Zoning Map

Applicant: 5E Real Estate LLC by Erik Drentlaw
Mapsko: 93A
Commission Date: 10/16/2024



Aerial Photo Map



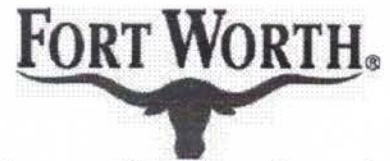
0 30 60 120 Feet



BAC-24-068



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



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: 4320 Carmel Avenue, Fort Worth, TX 76119
 Lot/Tract: 6 Block/Abstract: 2R Lot Size: 6540 sq ft
 Legal Description: Addition/Survey: Golden Gate Addition

Owner's Name: 5E Real Estate LLC
 Address: 642 N Interurban Street
 City: Richardson State: TX Zip: 75081
 Tele: () (469) 964-5633 E-Mail edrentla@gmail.com

Applicant's Name: Erik Drentlaw
 Address: 642 N Interurban Street
 City: Richardson State: TX Zip: 75081
 Tele: () (469) 964-5633 E-Mail edrentla@gmail.com

Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials:
 To accommodate the previous owner unpermitted garage conversion, we will widen the driveway and approach to accommodate two parking spots. The exterior enhancements will harmonize with the neighboring properties.

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: Variance for 2 parking spaces located in front of the building wall and variance for number of parking spaces.
 Interpretation of the Regulation \$400

DATE RECEIVED:	FEE AMOUNT PAID :	# OF REQUESTS:	RECEIVED BY:	CASE NO.
9/16/2024	\$1,150.00	2	MP	BAR-24-068

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 variance is not a self-created hardship since there is no unique geological feature on the land.

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 where the variance is being sought does not have a unique circumstance existing on the property since the property's situation is common to other nearby properties therefore it wouldn't be considered "unique" enough to warrant a variance.~~

3. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance.
The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance since the proposed change would match the neighboring properties.

4. The variance will not adversely affect the health, safety, or welfare of the public.
The variance will not adversely affect the health, safety or welfare of the public since the work should not create hazards or adverse conditions for the surrounding community.

5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.
The variance will not substantially or permanently injured the appropriate use of adjacent property in the same district since the work being complete is within the property line.

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.**

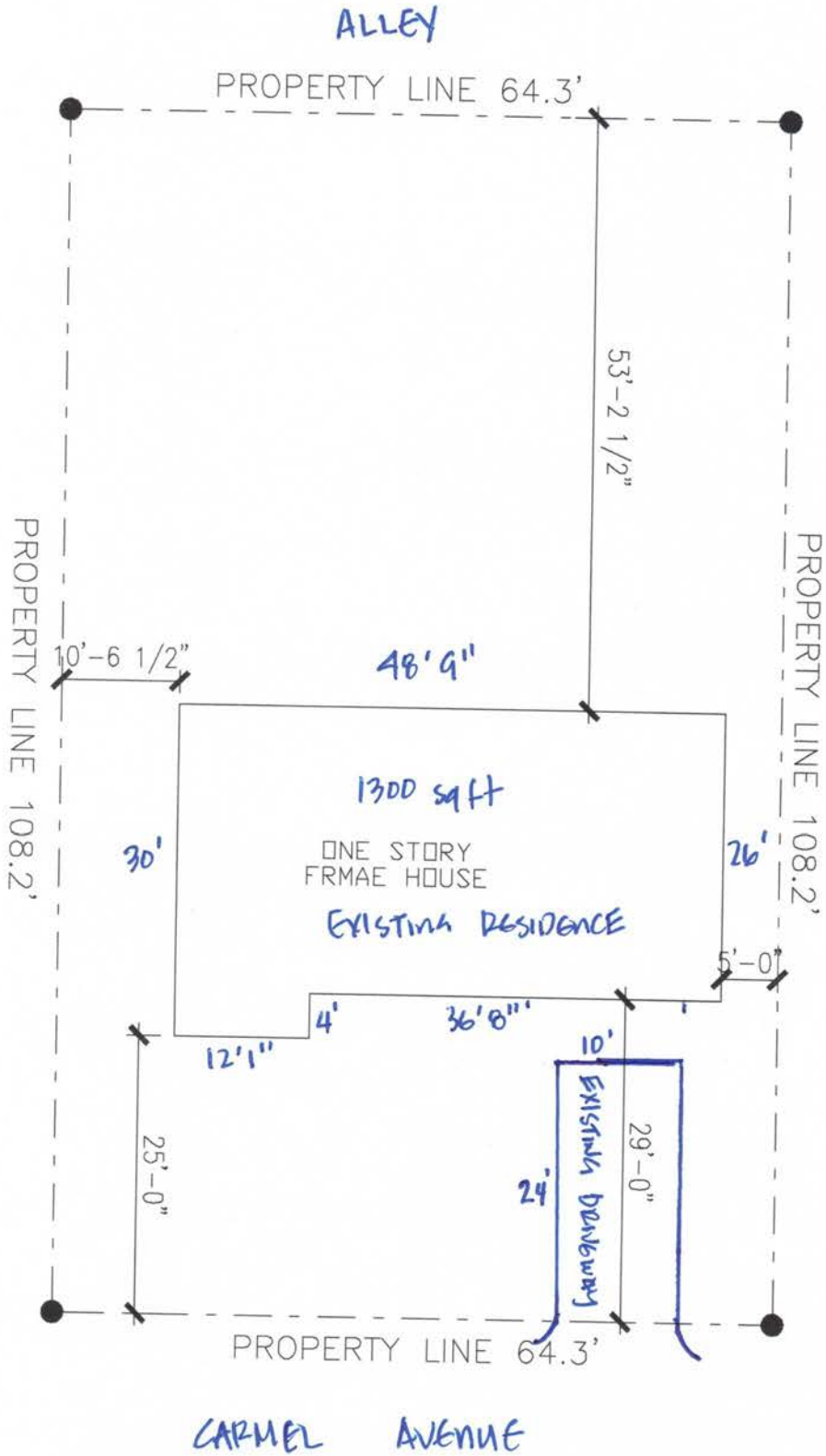
(All applications submitted via email must be signed using a digital ID or certificate.)

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

Signature: 
B8C5D1DC8525438...
ERIK DRENTLAW

Date 9/16/2024

SITE PLAN
Scale 1/8" = 1'-0"



→ N

EXISTING

ISSUE LOG
DATE
DESCRIPTION
SCALE
8/32" = 1'-0"
DATE
08/07/2002
SHEET
A1.00

5E REAL ESTATE
 4320 CARMEL AVE.
 FORT WORTH, TX

COPYRIGHT, OMNI LUX DESIGN, LLC - 2004

This Plan was prepared by the Designer for the use of the Client. It is the Client's responsibility to ensure that the information provided is accurate and complete. The Designer is not responsible for any errors or omissions in this Plan. The Designer is not a contractor and does not provide construction services. The Client is responsible for obtaining all necessary permits and approvals. The Designer is not responsible for any delays or costs incurred by the Client. The Designer is not responsible for any damage to property or persons. The Designer is not responsible for any liability. The Designer is not responsible for any other matters. The Designer is not responsible for any other matters.

ALLEY

PROPERTY LINE 64.3'

SITE PLAN
SCALE 3/32" = 1'-0"

53'-2 1/2"

PROPERTY LINE 108.2'

PROPERTY LINE 108.2'

10'-6 1/2"

48'9"

1300 sq ft

ONE STORY
FRMAE HOUSE

30'

26'

5'-0"

12'1"

4'

36'8"

15'

24'

PROPOSED
NEW
DRIVEWAY

29'-0"

25'-0"

PROPERTY LINE 64.3'

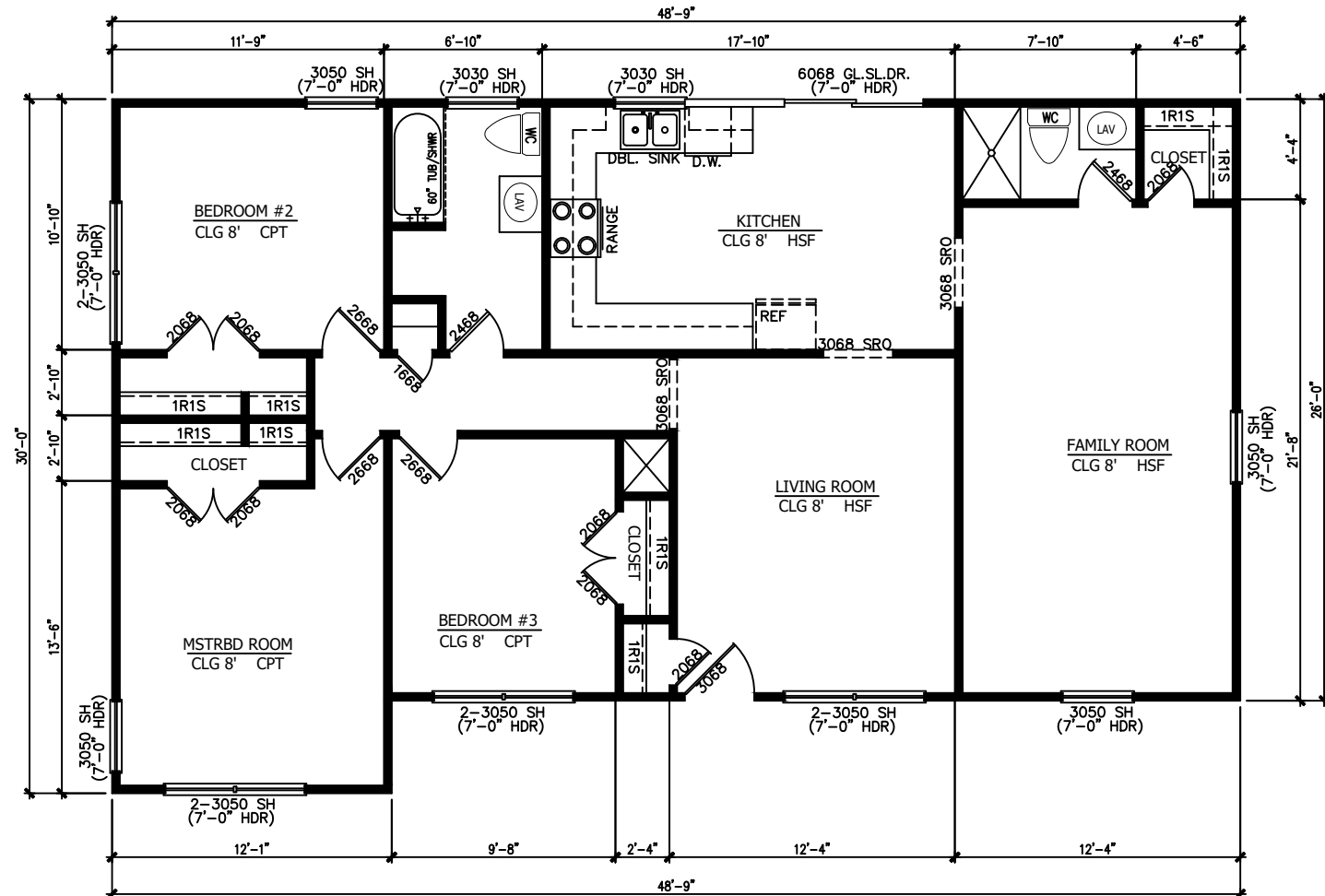
CARMEL AVENUE

→ Z

ISSUE LOG	SCALE
DATE DISSEMINATED	3/32" = 1'-0"
	DATE
	08/07/202
SHEET	
A1.00	

5E REAL ESTATE
4320 CARMEL AVE.
FORT WORTH, TX

COPYRIGHT, OMNI LUX DESIGN, LLC - 2024
THIS PLAN IS ISSUED TO YOU BY THE ARCHITECT UNDER A PROFESSIONAL ARCHITECTURAL AGREEMENT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THIS PLAN. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF ANY INFORMATION PROVIDED TO HIM BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED TO HIM BY OTHERS. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR FOR ANY OTHER DEFECTS IN THE BUILDING. THE ARCHITECT'S DESIGN IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.



FLOOR PLAN

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

SQUARE FOOTAGE	
FIRST FLOOR	1315 SQ. FT
SECOND FLOOR	0 SQ. FT
TOTAL A/C	1315 SQ. FT
DETACHED GARAGE	0 SQ. FT
COVER'D PORCH	0 SQ. FT
TOTAL NON-A/C	0 SQ. FT
TOTAL UNDER ROOF	1315 SQ. FT

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THESE PLANS ARE PREPARED TO PROVIDE THE BASIC CONSTRUCTION INFORMATION NECESSARY TO GENERALLY COMPLETE THE CONSTRUCTION OF THE PROJECT. THEY ARE NOT TO BE USED FOR ANY OTHER PURPOSES. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON, NOR FOR THE RESULTS OF ANY INVESTIGATION, SURVEY, AND/OR EXAMINATION, IF FOUND, TO BE NECESSARY TO THE PROPER ATTENTION OF THE WORKMAN. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT OR FOR THE RESULTS OF ANY INVESTIGATION, SURVEY, AND/OR EXAMINATION, IF FOUND, TO BE NECESSARY TO THE PROPER ATTENTION OF THE WORKMAN. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT OR FOR THE RESULTS OF ANY INVESTIGATION, SURVEY, AND/OR EXAMINATION, IF FOUND, TO BE NECESSARY TO THE PROPER ATTENTION OF THE WORKMAN. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT OR FOR THE RESULTS OF ANY INVESTIGATION, SURVEY, AND/OR EXAMINATION, IF FOUND, TO BE NECESSARY TO THE PROPER ATTENTION OF THE WORKMAN.

**5E REAL ESTATE
4320 CARMEL AVE.
FORT WORTH, TX**

ISSUE LOG

DATE	DESCRIPTION

SCALE
1/8" = 1'-0"

DATE
08/07/2024

SHEET
A1.01

BAR-24-71

Address: 4712 Harley Avenue

Owner: Teresa McGee, Texas Surveying on behalf of Robert L. Baker

Zoning: "A-5" One-Family Residential District

a. Special Exception: Permit construction of a solid wall or fence up to 4 feet in height to be located in the front yard.

b. Variance: To allow a solid masonry wall that exceeds four feet in height in the front yard.

Maximum height allowed by special exception: 4 feet

Requested height: 7 feet 9 inches

GENERAL INFORMATION

REGULATIONS:

3.303 Board of Adjustment Action

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

- (1) The use is specifically permitted under this ordinance;
- (2) The location of proposed activities and improvements is clearly defined on the site plan by the applicant; and
- (3) The exception will be wholly compatible with the existing use and permitted development of adjacent properties either as filed, or subject to such requirements as the board finds necessary to protect and maintain the stability of adjacent properties.

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.

5.305 Fences

b. Height and front yard regulations.

(2) One-family and two-family residential dwellings.

b. No solid fences and walls are permitted in the required front yard, projected front yard or platted front yard of one-family and two-family residential dwellings. The board of adjustment may grant a special exception to allow a solid fence or wall up to four feet in height in the front yard, platted front yard or project front yard in accordance with the requirements set forth for special exceptions in Chapter 3, Article 3.

BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

LOT HISTORY:

Code Compliance case CC24-00332 for construction of a solid fence, April 2024. The inspector left notice for the property owner regarding the violation. Stop work notice issued 04/19/2024. The City of Fort Worth inspector performed a total of eight (8) inspections between 4/5/2024 and 7/31/2024. A final notice to obtain required permits issued 7/31/2024.

**COMPREHENSIVE
PLAN DESIGNATION:**

Single-Family Residential

**REGISTERED
NEIGHBORHOOD
NOTIFICATION:**

The following registered associations were sent early notification: Trinity Habitat for Humanity, Streams and Valleys, Inc., Fort Worth ISD, West Side Alliance, Northcrest NA, Arlington Heights NA, Crestline Area NA, Tarrant Regional Water District, Camp Bowie District, Inc.

**EXISTING
CONDITIONS:**

The subject property contains an existing 2-story single family dwelling that is located in an established neighborhood, on a rectangular lot with a 3% downward slope toward the southern property boundary, and is platted with alley access on the north side of the lot. The front building wall of the primary structure is set back approximately 27 feet from the front property line and matches the setback of the property to the west, with the property to the east being setback a few additional feet. The subject property and adjacent properties to the west are zoned A-5 One-Family Residential Zoning District, and the adjacent properties to the east are zoned "B" Two-Family Residential Zoning District to the east end of the block.

The applicant is requesting a special exception to permit a solid wall up to four feet in height to be located within the required front yard. The variance request is to permit a wall taller than 4 feet, specifically 7 feet 9 inches at its highest point above grade. The property was inspected in April 2024 where the Code Compliance Inspector determined that work had begun on construction of a solid masonry wall that varies in height with the tallest top of wall height measuring approximately 7 feet 9 inches above grade.

The applicant submitted elevation notes for the height, rather than providing a wall section elevation drawing where the height could be easily discerned. Two different height walls were constructed in the front yard. The wall closest to the front property line is approximately 3 feet 6 inches from the property line, and the height varies from 2 feet 1 inch to 2 feet 3 inches. This wall would require a special exception to allow a solid wall up to 4 feet tall in a required front yard, but would not require a variance for height.

The taller portion of wall is set back 11 feet from the front property line and is divided into a western and eastern portion of wall, separated by the previously existing walkway. On each side of the walkway, a section of wall measuring 7 feet 6 inches in height turns inward approximately 3 feet 8 inches along the walkway toward the primary structure.

The wall located on the west side of the walkway extends parallel to front property line approximately 26 feet 4 inches to the western side property line, and is

BOARD OF ADJUSTMENT – RESIDENTIAL, 10/16/2024 INFORMATION REPORT

approximately 7 ft 5 inches tall. The wall turns northward about 18 feet along the western property line, then turns back toward the house and ends at the corner of the house.

The wall located on the east side of the walkway extends approximately 19 feet 3 inches toward the eastern property line and is approximately 7 feet 6 inches tall. The wall then turns about 22 feet north along the eastern property line and varies in height from 7 feet 9 inches at its tallest point to 7 feet 5 inches at the lowest point where a gate is located between the eastern property line and the front building wall on the eastern side of the property.

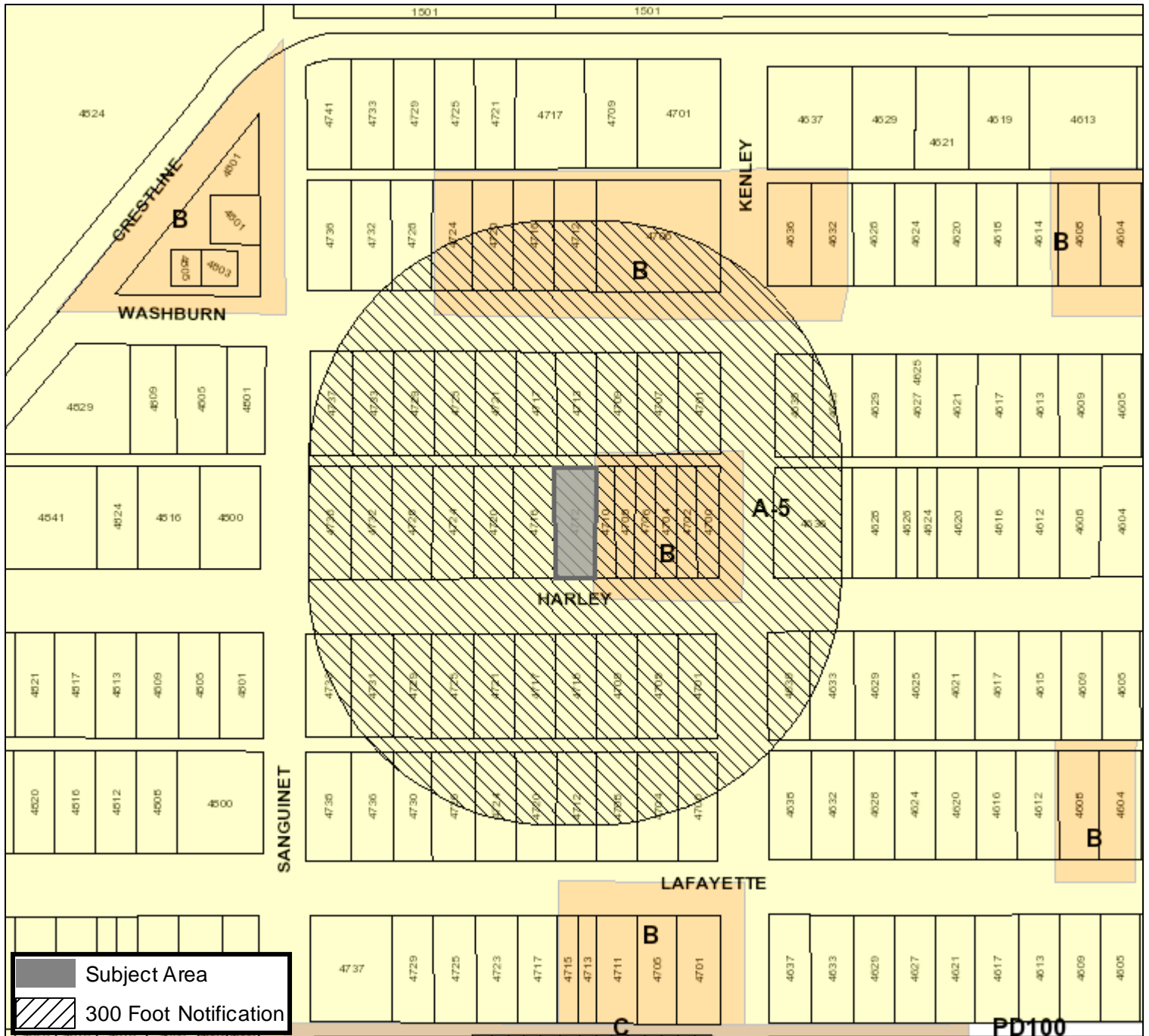
The adjacent property to the east does have a wall located in the front yard but it pre-dates the ordinance passed in 1999 regulating walls and fences, and if it were to be constructed today would require Board of Adjustment approval due to the location, density, and height. There are instances of solid walls located within the front yard of other properties in the immediate vicinity, but none appear as tall nor are as close to the property line as the wall in this case. Many walls in the immediate vicinity pre-date the 1999 ordinance.

The slope of the front yard makes the walls rise an additional 2 feet above the sidewalk. The duplexes to the east have parking directly off the street, immediately adjacent to the newly constructed solid walls on the subject property, and could create visibility issues for vehicles to see on-coming traffic when exiting the driveway on that property. The solid walls as constructed **are not compatible** with the adjacent neighbors. A 4-foot open design fence located in the required front yard is allowed by right.

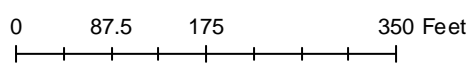


Area Zoning Map

Applicant: Robert Baker by Texas Surveying Inc.
Mapsko: 75F
Commission Date: 10/16/2024



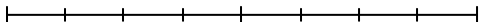
Subject Area
 300 Foot Notification



Aerial Photo Map

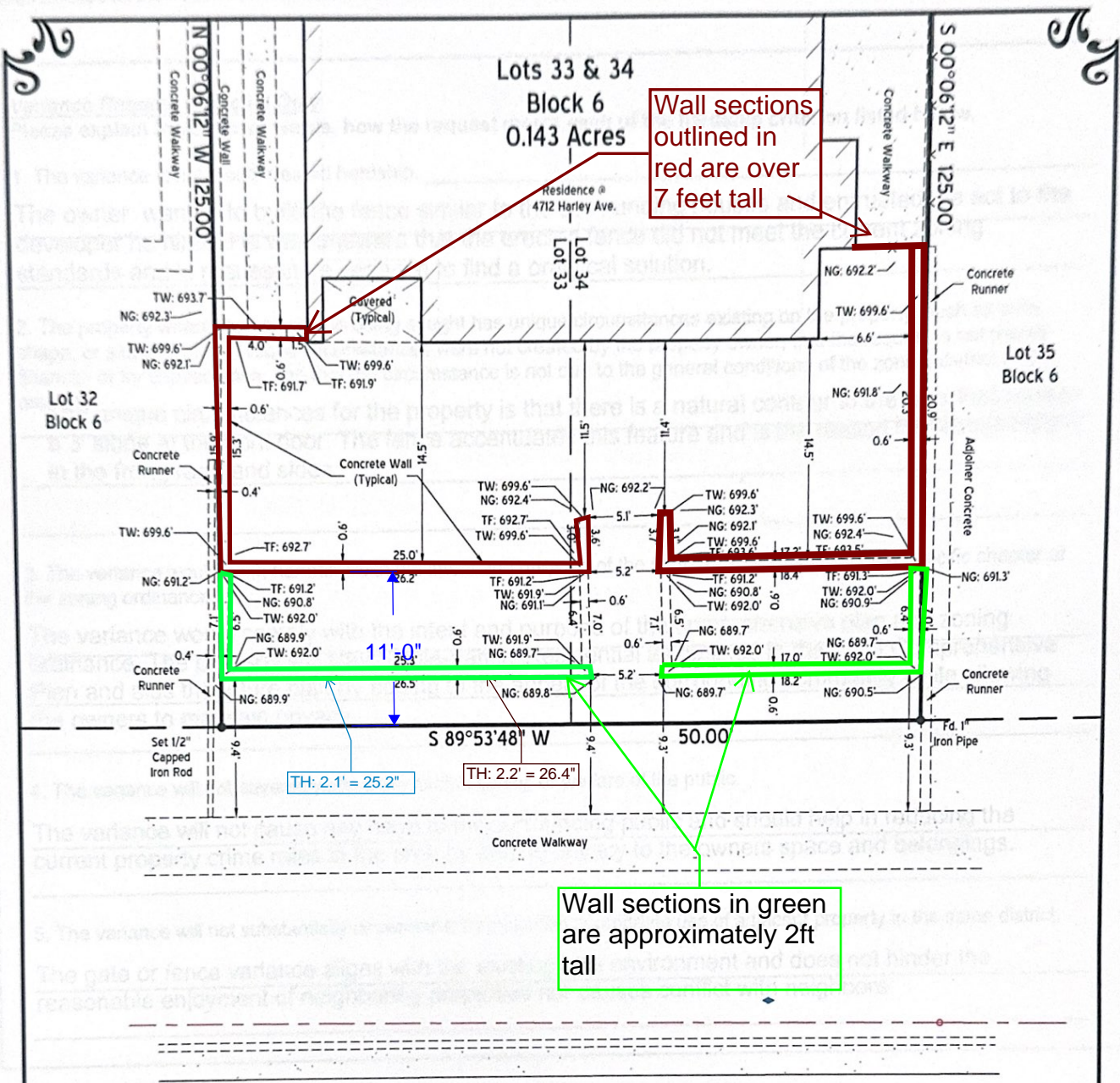


0 40 80 160 Feet



BAR-24-071





Wall sections outlined in red are over 7 feet tall

Wall sections in green are approximately 2ft tall

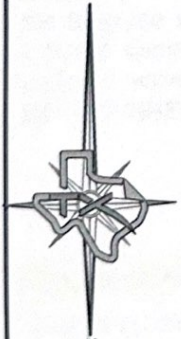
Wall Exhibit

ANO6123 - 4712 Harley Avenue
June 11, 2024

This is not a survey & should not be recorded for any reason.

Bearings, Distances, and/or Areas derived from GNSS observations and reflect N.A.D. 1983, Texas State Plane Coordinate System, North Central Zone 4202. (Grid)

Please consult all applicable governing entities regarding rules & regulations, that may affect construction on this property.



Legend	
	Water Meter
	Power Pole
	Overhead Electric

Legend
 TW: XXX.X' - TOP OF WALL ELEVATION
 TF: XXX.X' - TOP OF FOOTER ELEVATION
 NG: XXX.X' - NATURAL GROUND ELEVATION



TEXAS SURVEYING

INC.

ALEDO BRANCH - 817-441-5263
 FIRM No. 10194122 - ALEDO@TXSURVEYING.COM

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



Planning and Development

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: 4712 Harley Ave., F. Worth, TX 76107

Lot/Tract: 33, 34 Block/Abstract: 6 Lot Size: 0.143 acres

Legal Description: Addition/Survey: Chamberlin Arlington Heights, 1st filing Volume 63, Page 2

Owner's Name: Robert L. Baker

Address: 4712 Harley Ave..

City: Ft. Worth State: TX Zip: 76107

Tele: () 817-991-5129 E-Mail randall.sears@gmail.com

Applicant's Name: Teresa McGee, Texas Surveying Inc.

Address: 104 S. Walnut St.

City: Weatherford State: TX Zip: 76086

Tele: () 817-594-0400 E-Mail teresa@txsurveying.com

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

There was a wall built on the front of the property in similar fashion to the surrounding residences. The owner was unaware they had done so outside of the zoning guidelines for this location. Code Compliance stopped by to let him know the wall's height exceeds the current zoning dimensions and to apply for a variance. An exhibit showing the dimensions is attached. The fence is made of concrete or cinder block material. It is for privacy and aesthetic use.

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 A5

Owner Occupied Variance (One and Two Family Homes) for Section _____
 Special Exception for Section 5.305(b)(2)
 Variance for: Special Exception for a solid fence in the front yard and variance for height.
 Interpretation of the Regulation \$400

DATE RECEIVED:	FEE AMOUNT PAID :	# OF REQUESTS:	RECEIVED BY:	CASE NO.
9/5/2024	\$1,250.00	2	MP	BAR-24-071

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 owner wanted to build the fence similar to the surrounding houses and entrusted the act to the developer he hired. He was unaware that the erected fence did not meet the current zoning standards and is requesting a variance to find a practical solution.

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 unique circumstances for the property is that there is a natural contour to the land that causes a 3' slope at the front door. The fence accentuates this feature and is the reason it changes height in the front, rear, and sides.

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

The variance would comply with the intent and purpose of the comprehensive plan and zoning ordinance. The property will stay Single-Family Residential as outlined in the 2023 Comprehensive Plan and aids the future plan by adding to the appeal of the surrounding community while allowing the owners to maintain privacy.

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

The variance will not cause any harm to the surrounding public and should help in reducing the current property crime rates in the area by adding privacy to the owners space and belongings.

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

The gate or fence variance aligns with the existing built environment and does not hinder the reasonable enjoyment of neighboring properties nor causes conflict with neighbors.

Acknowledgement

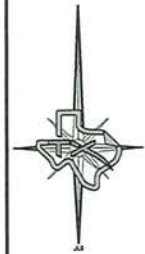
I certify that the information provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. Should I initiate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

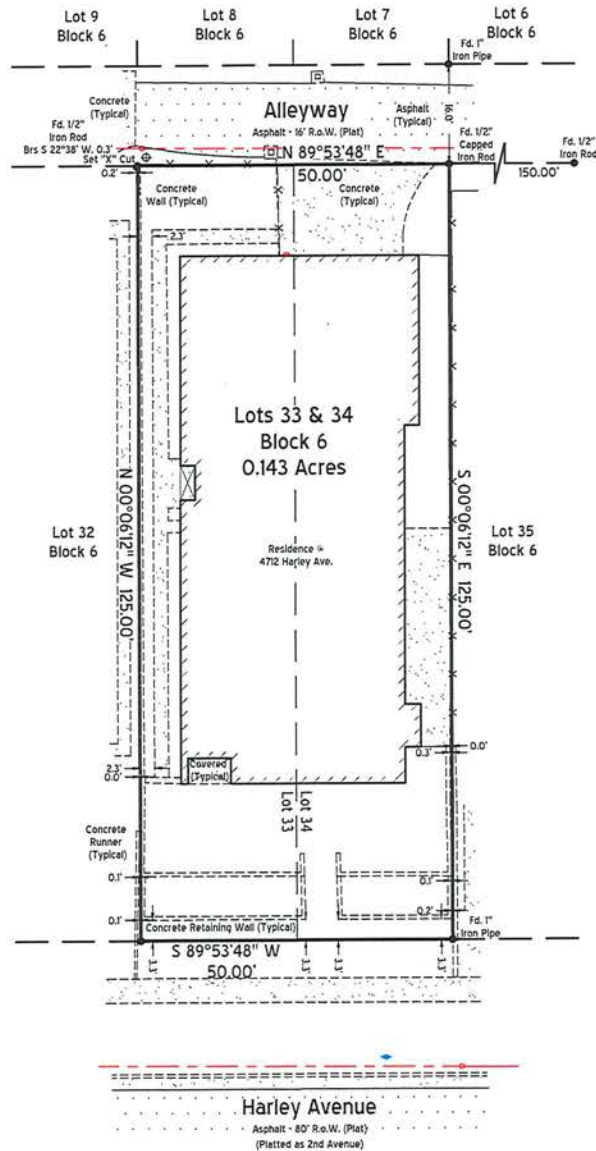
Signed by the Owner / Applicant or Agent (Circle appropriate entity)

Signature: Jeressa Mc Gee Date: 2024.09.05 08:24:35-05'00'
Foxit PDF Reader Version: 2024.2.3

Date 09/05/2024



Legend	
	Light Pole
	Fire Hydrant
	Power Pole
	Water Meter
	Electric Meter
	Sanitary Sewer Manhole
	Overhead Electric
	Gas Meter
	Telecom
	Sanitary Sewer Cleanout
	Telecom Vault
	Mail Box
	Storm Drain Manhole
	Sign Post
	Fence
	Guy Wire



Survey with Improvements

Being LOTS 33 & 34, BLOCK 6, CHAMBERLIN ARLINGTON HEIGHTS, 1ST FILING, an Addition to the City of Fort Worth, in Tarrant County, Texas.

According to the Plat as recorded in Volume 63, Page 2, Plat Records, Tarrant County, Texas.

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do certify that the above described property was surveyed on the ground; by me or under my direct supervision; visible conflicts, encroachments, and overlaps are as shown on this plat or map attached hereto; the area & boundary were determined with respect to the recorded references as shown; and the information presented is true & correct to the best of my knowledge. In addition, it is not intended to express or imply warranty, guarantee of ownership, or transfer of title, and this survey is subject to all applicable copyright laws from the date of this survey. The use of this survey is at the sole discretion of the end-user and/or assigns, all injuries, claims, losses, expenses, damages, or claim expenses arising from the use of this survey are the responsibility of the end-user and/or assigns. The surveyor's liability is limited to no greater than the fee charged for the professional services rendered during the course of this survey. To protect all parties involved, this survey is only valid if original seal & signature appear on the face of this survey in blue ink.

Zachariah R. Savory

Zachariah R. Savory, Registered Professional Land Surveyor No. 5966
 Texas Surveying, Inc. - Aledo Branch
 208 S. Front Street, Aledo TX 76008
 aledo@txsurveying.com - 817-441-5263(LAND)
 AND6123 - May 18, 2024
 Updated - May 28, 2024



Notes)

- 1) No abstract of title or title commitment was provided to this surveyor. Record research performed by this surveyor was made only for the purpose of determining the boundary of this property and of the adjoining parcels. Record documents other than those shown on this survey may exist and encumber this property.
- 2) Official F.E.M.A. flood hazard information has not been reviewed during the course of this survey, for up to date flood hazard information always visit the official F.E.M.A. website at (www.FEMA.gov).
- 3) Bearings, Distances, and/or Areas derived from GNSS observations and reflect N.A.D. 1983, Texas State Plane Coordinate System, North Central Zone 4202, (Grid)
- 4) Governmental entities may require this property to be further platted and recorded with the County Clerk.
- 5) Underground utilities were not located during this survey. Call 811 and/or Utility Providers before excavation or construction.
- 6) Please consult all applicable governing entities regarding rules & regulations, that may affect construction on this property.
- 7) All corners are set 1/2" Iron rods with orange plastic caps stamped "Texas Surveying, Inc.", unless otherwise noted.



TEXAS SURVEYING INC.
 ALEDO BRANCH - 817-441-5263
 FIRM NO. 10194122 - ALEDO@TXSURVEYING.COM



Lots 33 & 34
Block 6
0.143 Acres

Residence @
4712 Harley Ave.

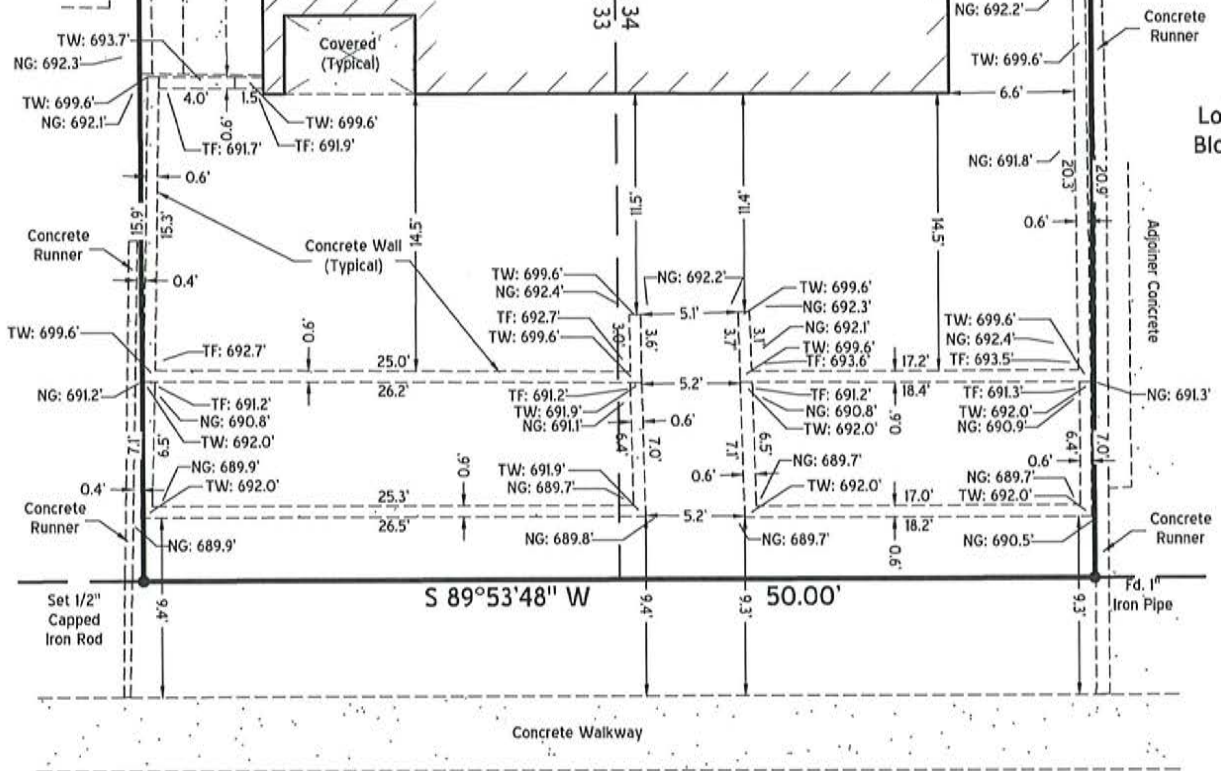
Lot 34
Lot 33

S 00°06'12" E 125.00'

N 00°06'12" W 125.00'

Lot 32
Block 6

Lot 35
Block 6



S 89°53'48" W 50.00'

Harley Avenue

Asphalt - 80' R.o.W. (Plat)
(Platted as 2nd Avenue)

Wall Exhibit

ANO6123 - 4712 Harley Avenue
June 11, 2024

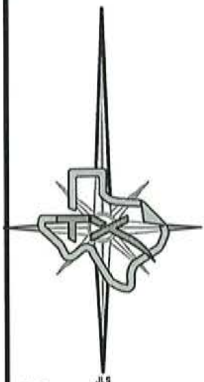
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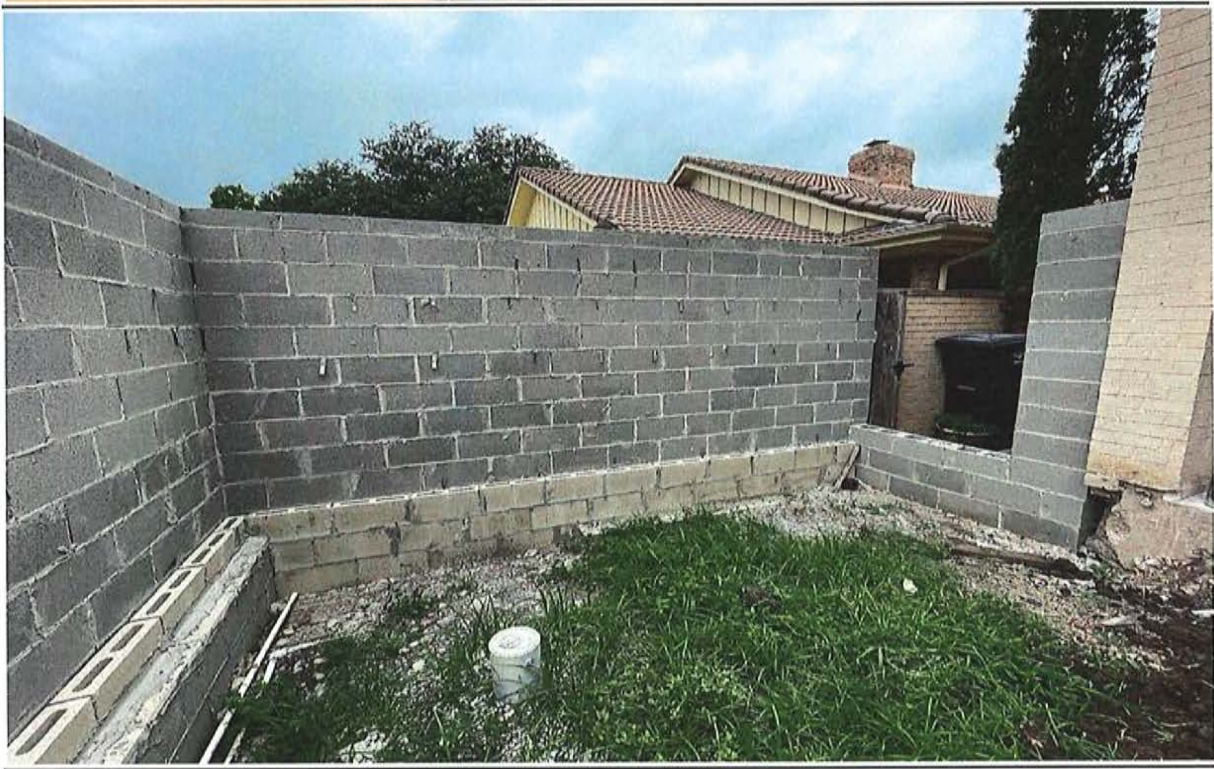
Legend
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TF: XXX.X' - TOP OF FOOTER ELEVATION
NG: XXX.X' - NATURAL GROUND ELEVATION



**TEXAS
SURVEYING**
INC.

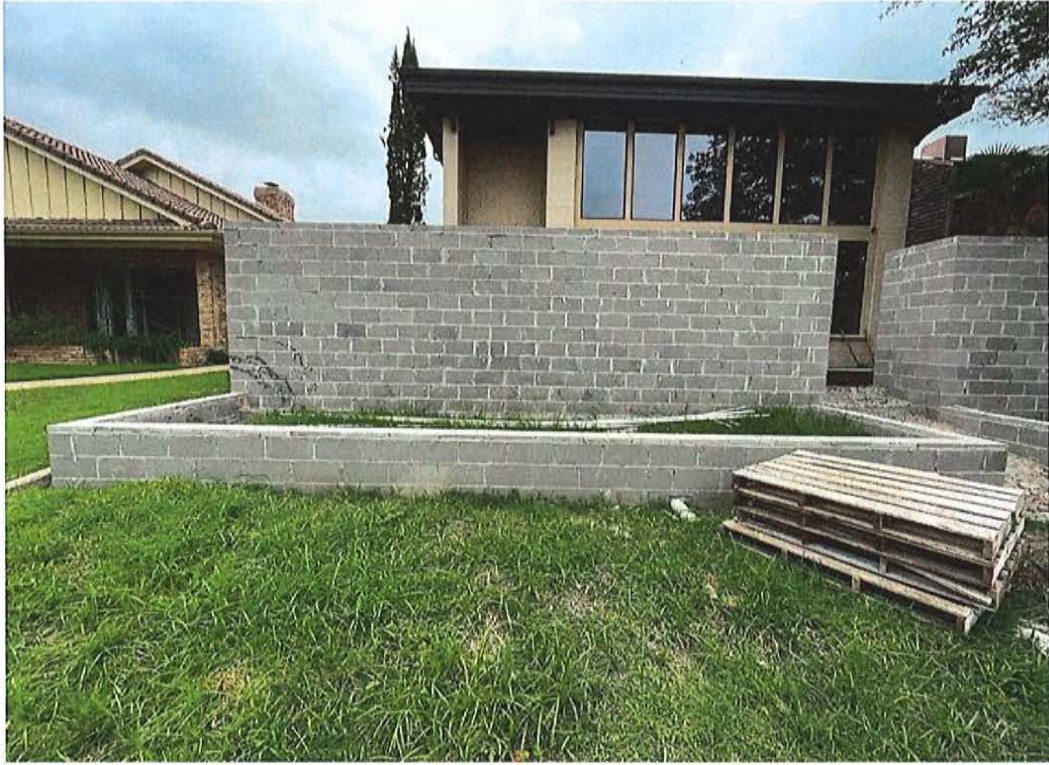
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Images of the fence:

