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2-20-09

City of Fort Worth, Texas
Municipal Building, 1000 Throckmorton Street



RESIDENTIAL BOARD OF ADJUSTMENT

DECISIONS

Wednesday, February 18, 2009

1:30 PM

City Council Chamber

2nd Floor – City Hall

Fort Worth, Texas 76102

BOARD MEMBERS :

Wendy Vann Roach (Alternate)	P _____
Ronald R. Shearer	P _____
Barbara Worthley	P _____
Jerry Tinkle, Vice Chair	P _____
Jefferson Davis, Jr.	P _____
Clifford (Carl) Logan	P _____
Nicolo S. "Nick" Genua, Chair	P _____
Susan De Los Santos	P _____
Victoria E. Bargas	A _____

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

- A. Review of Cases on Today's Agenda
- B. Code Enforcement Update-Code Compliance

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

- A. Approval of Minutes of the January 21, 2009 Hearing **APPROVED**

6-0-2

The Residential Board of Adjustment will conduct a closed meeting, as necessary, to seek the advice of its attorneys concerning pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, and as authorized by Section 551.071 of the Texas Government Code, which are related to any item appearing on this agenda.

ASSISTANCE AT THE PUBLIC MEETINGS. The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available at Texas, south end of the building. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired readers or large print are requested to contact AL GODWIN, ADA COORDINATOR, DEVELOPMENT DEPARTMENT, AT (817) 392-7825. FOR SIGN INTERPRETIVE SERVICES PLEASE CALL 48 HOURS IN ADVANCE.

B. Interpretation Cases:

1. **BAR-09-005 JOSE LOPEZ, by Ramon Garcia**
3721 N. Harding Street **CD2**
 - a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed approximately three hundred four (304) square feet instead of the maximum allowed two hundred (200) square feet, excessive by approximately one hundred four (104) square feet.
APPROVED 8/0
 - b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed approximately fourteen (14) feet in height instead of the maximum allowed eight (8) feet in height, excessive by approximately six (6) feet.
APPROVED 8/0
 - c. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of an arbor in the front yard that is approximately seven feet six inches (7'6") in height.
APPROVED 8/0
 - d. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a water fountain in the front yard that is approximately six feet six inches (6'6") in height.
APPROVED 8/0
2. **BAR-09-016 TOMAS AGUIRRE**
1928 Bolingbroke Place **CD8**
 - a. Request a **VARIANCE** in an "A-5" One Family District to permit the construction of a residence encroaching approximately ten (10) feet into the twenty (20) foot projected front yard, creating an approximate ten (10) foot projected front yard.
APPROVED 8/0
3. **BAR-09-019 GUADALUPE J. MARTINEZ**
3313 E. Seminary Drive **CD8**
 - a. Request a **SPECIAL EXCEPTION** in an "A-5" One Family District to permit the continued use of a five (5) foot wrought iron fence in the required front yard.
APPROVED 8/0
 - b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of two approximate five foot six inch (5'6") wrought iron gates in the required front yard instead of the maximum allowed five (5) feet in height, excessive by approximately six (6) inches.
APPROVED 8/0
 - c. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of an enclosed garage eliminating the one (1) parking space behind the front building line.
APPROVED 8/0

Continued Cases:

4. **BAR-09-001 RANDY L AND SUSAN J. GREENER**
6509 Sabrosa Court E. CD6
- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of second garage where only one (1) garage is allowed.
APPROVED 8/0
5. **BAR-09-009 ANTONIO ACEVES, II**
3844 S. Jones Street CD9
- a. An **APPEAL** from an **INTERPRETATION** of the City Official that the residence at 3844 S. Jones Street does not have legal nonconforming status for more than two (2) units in an "A-5" One-Family District.
MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES
0/8
6. **BAR-09-011 JOSEPH AND TERRY NEE**
816 Shady Glen Court CD4
- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a second garage where only one (1) garage is allowed.
APPROVED 8/0
- C. New Cases:
1. **BAR-09-012 GONZALO AND VERONICA ROSAS**
3507 Royal Crest Drive CD8
- a. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a second garage, where only one (1) garage is allowed.
APPROVED 8/0
2. **BAR-09-013 ALBERT AND LINDA DELANEY**
7216 Kuban Boulevard CD4
- a. Request a **SPECIAL EXCEPTION** in an "A-43" One-Family District to permit the continued use of vacant land for large animals and stables without residing within the required one quarter (.25) mile from the property.
APPROVED 8/0

3. **BAR-09-014 ALFREDO OLIVO, by Saira Olivo**
3124 Ross Avenue **CD2**
- a. Request a **VARIANCE** in a “B” Two-Family District to permit the continued use of a gazebo approximately four hundred (400) square feet instead of the maximum allowed two hundred (200) square feet, excessive by approximately two hundred (200) square feet.
APPROVED 8/0
- b. Request a **VARIANCE** in a “B” Two-Family District to permit the continued use of a gazebo approximately fourteen (14) feet instead of the maximum allowed eight (8) feet in height, excessive by approximately six (6) feet.
APPROVED 8/0
- c. Request a **VARIANCE** in a “B” Two-Family District to permit the continued use of a storage shed approximately two hundred eighty (280) square feet instead of the maximum allowed two hundred (200) square feet, excessive by approximately eighty (80) square feet.
APPROVED 8/0
- d. Request a **VARIANCE** in a “B” Two-Family District to permit the continued use of a storage shed approximately fourteen (14) feet instead of the maximum allowed eight (8) feet in height, excessive by approximately six (6) feet.
APPROVED 8/0
4. **BAR-09-015 ISABEL AND MAXIMULIANO SOTO**
3801 N. Harding Street **CD2**
- a. Request a **SPECIAL EXCEPTION** in an “A-5” One Family District to permit the construction of a front yard carport.
APPROVED 8/0
- b. Request a **VARIANCE** in an “A-5” One Family District to permit the construction of a front yard carport encroaching approximately one foot six inches (1’6”) into the five (5) foot side yard setback, creating an approximate three foot six inch (3’6”) side yard.
APPROVED 8/0
5. **BAR-09-017 VOID**

6. **BAR-09-018 DONALD C. REYNOLDS, by Seth Fowler (V. Fine Homes)**
4204 Ridgehaven Court **CD3**
- a. Request a **VARIANCE** in an "A-43" One-Family District to permit the construction of a porte cochere encroaching approximately twenty one (21) feet into the twenty-five (25) foot side yard setback, creating an approximate four (4) foot side yard.
APPROVED 8/0
- b. Request a **VARIANCE** in an "A-43" One-Family District to permit the construction of a carport encroaching approximately fifteen (15) feet into the twenty-five (25) foot side yard setback, creating an approximate ten (10) foot side yard.
APPROVED 8/0
- c. Request a **VARIANCE** in an "A-43" One-Family District to permit the construction of a carport encroaching approximately fifteen (15) feet into the twenty-five (25) foot rear yard setback, creating an approximate ten (10) foot rear yard.
APPROVED 8/0
- d. Request a **VARIANCE** in an "A-43" One-Family District to permit the construction of a cabana encroaching approximately twenty (20) feet into the twenty-five (25) foot rear yard setback, creating an approximate five (5) foot rear yard.
APPROVED 8/0
7. **BAR-09-020 ANTHONY C. AND MARY B. DEPAUL**
6705 Oriole Court **CD4**
- a. Request a **VARIANCE** in an "R1" Zero Lot Line/Cluster District to permit the construction of a storage shed that is approximately seven (7) feet from the front property line instead of the required seventy-five (75) feet, deficient by approximately sixty eight (68) feet from the front property line. **STIPULATING NOT IN FRONT OF RESIDENCE.**
APPROVED 8/0
8. **BAR-09-021 RICHARD S. ROMANS, by Sandra Romans**
5412 Vesta Farley Road **CD5**
- a. Request a **VARIANCE** in an "E" Neighborhood Commercial District to permit the continued use of an enclosed garage eliminating the one (1) parking space behind the front building line.
APPROVED 8/0
9. **BAR-09-022 KRJ HOLDINGS LP**
3829 W. 6th Street **CD7**
- a. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a pool and spa encroaching approximately ten (10) feet into the ten (10) foot side street yard setback, creating an approximate zero (0) foot side street yard.
APPROVED 8/0

10. **BAR-09-023 GARY P. LINVILLE**
by Jon Caster (Caster Vintage Homes, LTD)
2424 Rogers Avenue **CD9**
- a. Request a **VARIANCE** in an "A-5" One Family District to permit the construction of a porte cochere and second floor addition to the residence encroaching approximately three feet eleven inches (3'11") into the five (5) foot side yard setback, creating and approximate one foot one inch (1'1") side yard.
APPROVED 8/0
- b. Request a **VARIANCE** in an "A-5" One Family District to permit the construction of an addition to the main residence that encroaches approximately one foot six inches (1'6") into the five (5) foot side yard setback, creating and approximate three foot six inch (3'6") side yard.
APPROVED 8/0
11. **BAR-09-024 D. M. KNEGGERS INC.**
5121 Humbert Avenue **CD7**
- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued construction of a new residence that encroaches approximately twenty (20) feet into the required fifty (50) foot established front yard, creating an approximate thirty (30) foot front yard.
CONTINUED TO MARCH 18, 2009 8/0
12. **BAR-09-025 HMH LIFESTYLES LP, by Metro Code Analysis**
9961 Sparrow Hawk Lane **CD7**
- a. Request a **VARIANCE** in an "A-5" One Family District to permit the construction of a residence encroaching approximately nine (9) feet into the twenty (20) foot projected front yard, creating an approximate eleven (11) foot projected front yard.
STIPULATING NO FENCE BE CONSTRUCTED IN PROJECTED FRONT YARD.
APPROVED 8/0
13. **BAR-09-026 CHRISTOPHER VAUGHN, by Marion L. Weik**
5425 Vesta Farley Road **CD5**
- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an enclosed garage eliminating the one (1) parking space behind the front building line.
APPROVED 8/0

16. **BAR-09-029 FIRST TEXAS HOMES INC.**
2621 Stable Door Lane

CD2

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One Family District to permit the continued use of a four (4) foot solid wood fence in the projected front yard. **STIPULATING N.W. CORNER FENCE TO HAVE A TEN FOOT BY TEN FOOT (10'x10') CORNER CLIP.**
APPROVED 8/0
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an approximate six (6) foot solid wood fence instead of the maximum allowed four (4) feet in height, excessive by approximately two (2) feet.
APPROVED 8/0
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued construction of a pool encroaching approximately two feet two inches (2'2") into the required five (5) foot rear yard, creating an approximate three foot ten inch (3'10") rear yard.
APPROVED 8/0
- d. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued construction of a pool encroaching approximately nine feet three inches (9'3") into the twenty (20) foot projected front yard, creating an approximate ten foot nine inch (10'9") projected front yard.
APPROVED 8/0

ADJOURNMENT: 3:54 P.M.