



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
May 6, 2014

Council District 7

Zoning Commission Recommendation:
Approval by a vote of 9-0

Opposition: 1 spoke; within 200 ft.
Support: Petition submitted

Continued Yes ___ No X
Case Manager Lynn Jordan
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: Barrett & Chrislyn Green

Site Location: 412 Ridgewood Road Mapsco: 61V

Proposed Use: Single-Family

Request: From: "A-21" One-Family
To: "A-10" One-Family

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent.
(Minor Boundary Adjustment)

Background:

The proposed site is located south of Cresthaven Road and east of Ridgewood. The applicant is proposing to rezone to "A-10" in order to reflect the correct zoning for his lot size. The actual size of the lot is 16,651 square feet according to the plat submitted for the Crestwood Addition. In "A-21" zoning the minimum lot area is 21,780 sq. ft. In "A-10" zoning the minimum lot area is 10,000 sq. ft. The lot directly adjacent is zoned A-10.

The applicant appeared before the Board of Adjustment to seek for a variance for a covered porch encroaching 5 ft into the 10 ft. side yard setback. The variance was denied therefore the applicant is requesting a zoning change to A-10. The table below reflects the difference between the two zoning districts.

Development Standards	"A-21" One-Family	"A-10" One-Family
Lot Area	Minimum 21,780 sq. ft.	Minimum 10,000 sq. ft.
Front Yard	30 ft. maximum	25 ft. maximum
Lot Width	85 ft. minimum	60 ft. minimum
Lot Coverage	30% maximum	40% maximum
Rear Yard	10 ft. minimum	10 ft. minimum

Side Yard	10 ft. minimum	5 ft. minimum
Height	35 ft. maximum	35 ft. maximum

Site Information:

Owner: Barrett & Chrislyn Green
412 Ridgewood Road
Fort Worth, Texas 76051

Acreage: 0.38 acres

Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:

North "A-21" One-Family / single-family
East "A-21" One-Family / single-family
South "A-10" One-Family / single-family
West "A-10" One-Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-07-160 approved by City Council 12-04-07 from A-5 to A-10 & A-21 subject area
Platting History: NA

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Ridgewood Rd	Two-way	Two-way	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Crestwood*	Streams & Valleys, Inc (West Fork Trinity River)
Westside Alliance	Fort Worth ISD

*within this neighborhood organization

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change for A-10 single-family use. Surrounding land uses consist of single-family.

Based on surrounding land uses, the proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2014 Comprehensive Plan designates the subject property as Suburban Residential. The Land Use and Zoning Classifications table in the Comprehensive Plan lists the appropriate zoning classifications for Suburban Residential as ½ acre (A-21). The requested zoning change is not consistent with the following Comprehensive Plan policies.

- Preserve the character of rural and suburban residential neighborhoods. (pg. 37)

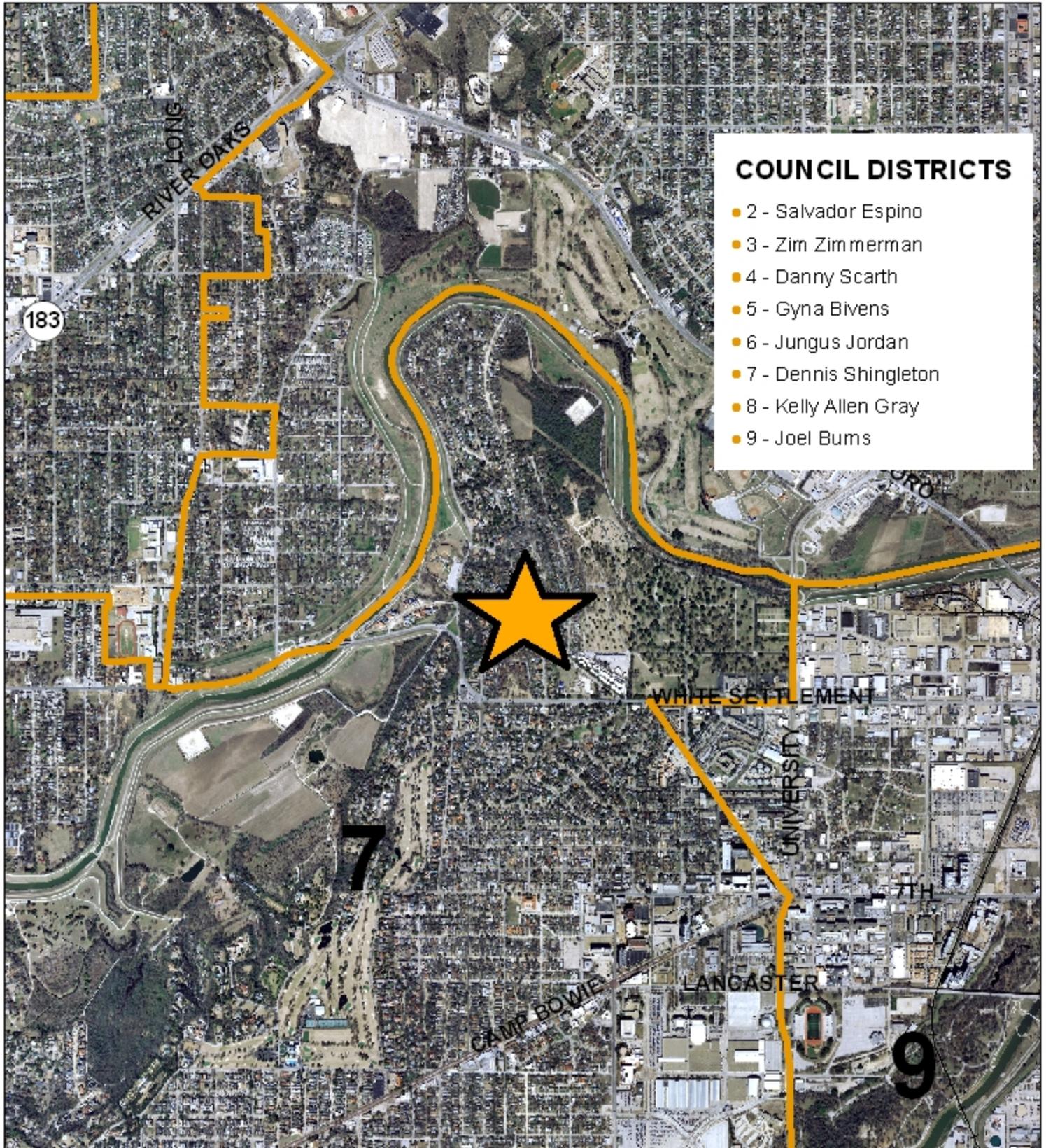
Based on non conformance with the future land use map and the policies stated above; the proposed zoning **is not consistent (Minor Boundary Adjustment)** with the Comprehensive Plan.

However, with the lot being smaller than what the minimum size square footage is for A-21, and the lot to the south is zoned A-10 there should be no significant impact.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

Location Map

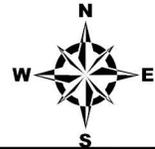


2,000 1,000 0 2,000 Feet

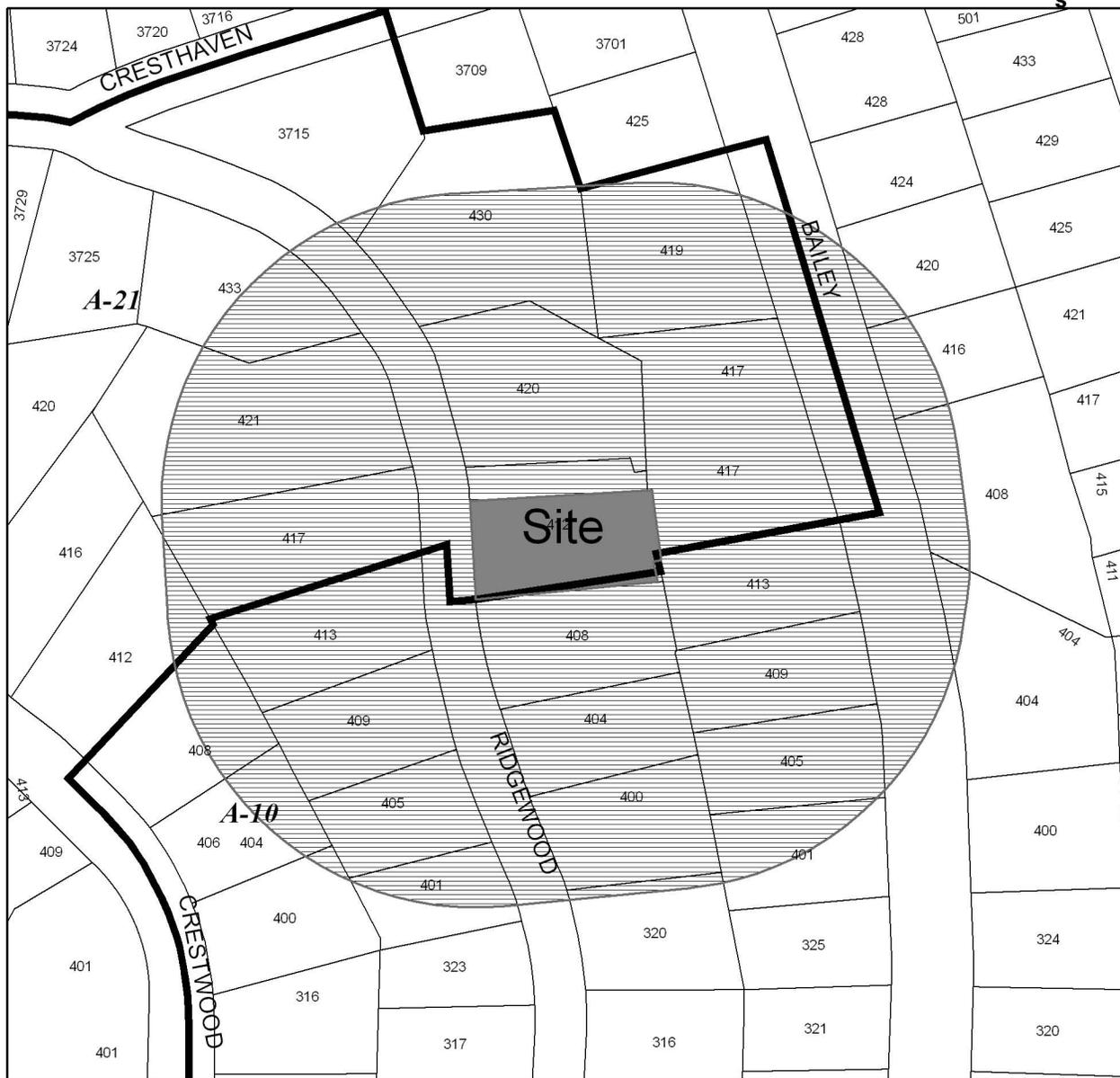


Area Zoning Map

Applicant: Barrett & Chrislyn Green
Address: 412 Ridgewood Road
Zoning From: A-21
Zoning To: A-10
Acres: 0.38093511
Mapsc0: 61V
Sector/District: Arlington Heights
Commission Date: 4/9/2014
Contact: 817-392-2495



300 Ft. Buffer

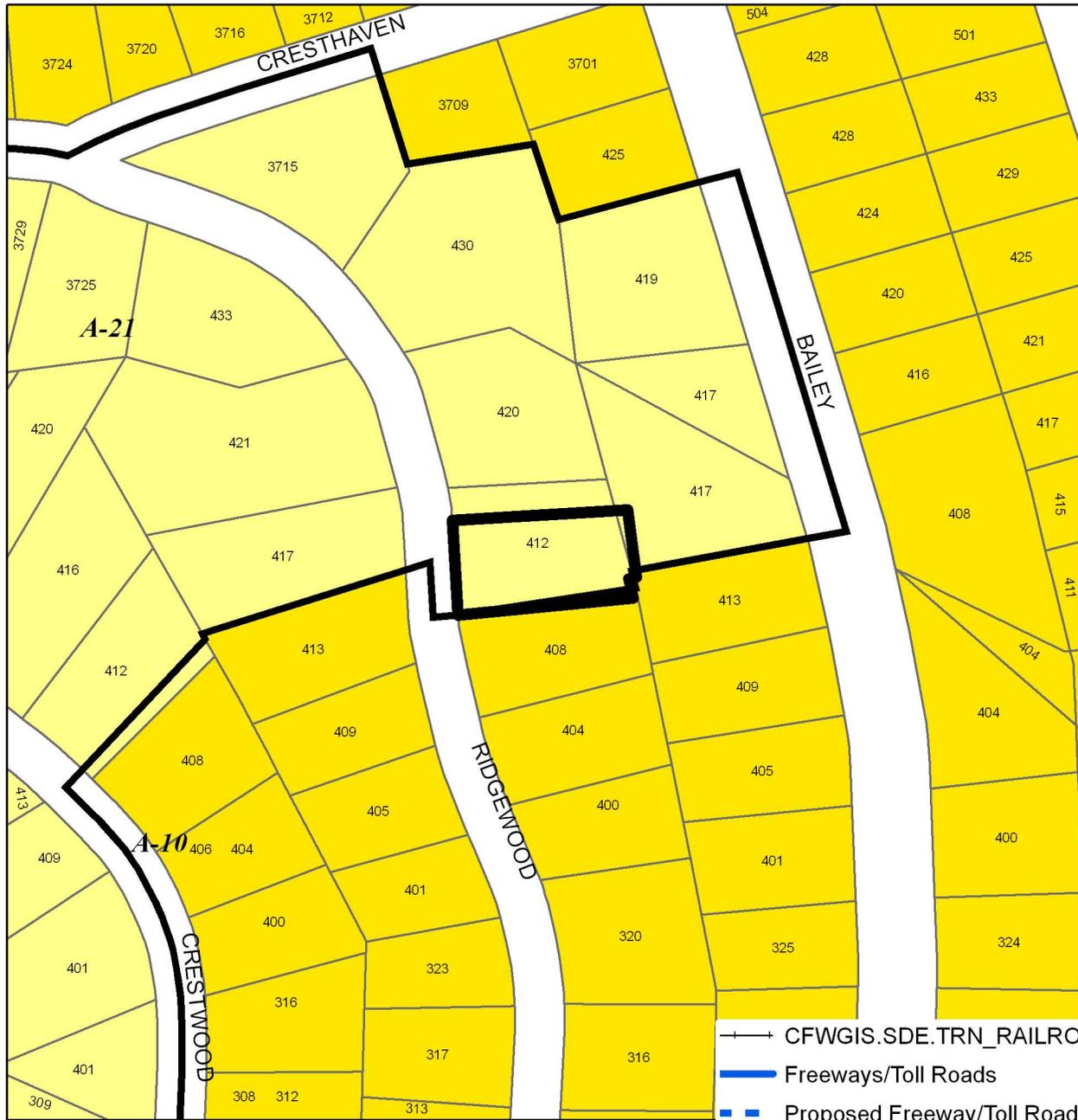




412 Ridgewood Road

Future Land Use

ZC-14-048



CFWGIS.SDE.TRN_RAILROADS

Freeways/Toll Roads

Proposed Freeway/Toll Road

Principal Arterial

Proposed Principal Arterial

Major Arterial

Proposed Major Arterial

Minor Arterial

Proposed Minor Arterial

FLD_ZONE

Floodplain

- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

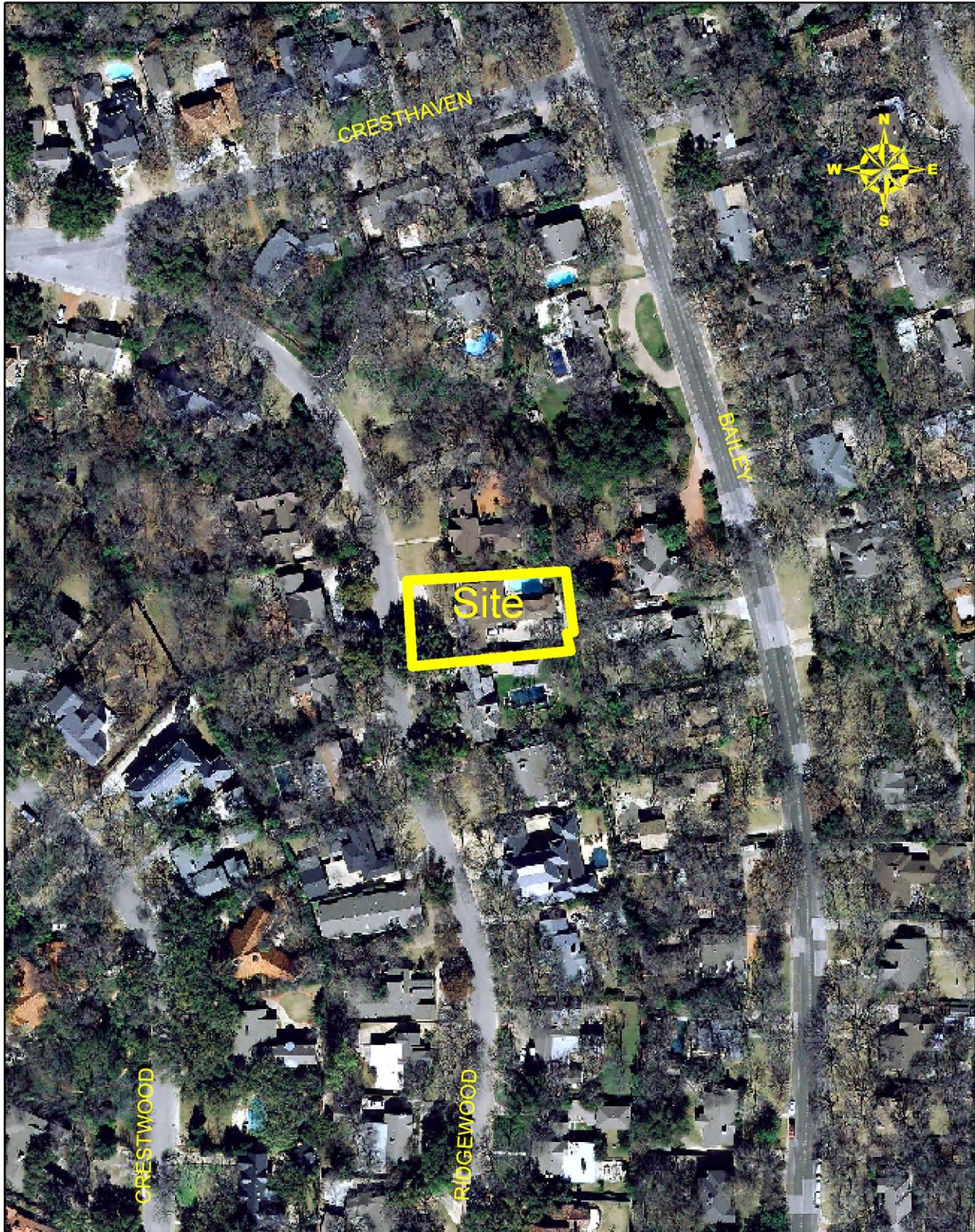
- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed Use
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on March 18, 2014.



Aerial Photo Map



and is the Assistant Director. Mr. Edmonds asked if he received notice of the hearing. Mr. Carothers said to his knowledge no not from the City.

In rebuttal Mr. Light said he understands the concerns in wanting to keep the area nice. The developer is proposing a nice facility. He said this would be a much nicer facility than the large furniture store to the south. He noted one of the comments made in opposition was from someone living five miles away. The church that was mentioned is some distance from the facility as well.

Mr. Edmonds said it looks like a good project and if there is only one neighborhood that is notified in the area saying they need more time to get the details. He said unless the timing is critical he would like to suggest continuing for 30 days so the applicant can get together with the neighborhood group and get their support. Mr. Light said the contract for the property is on a deadline. He noted there are 17 different organizations within the Northwest Fort Worth Community Alliance. He said there was a zoning sign out there on Willow Springs Road when he visited the property yesterday, and the developer is on a deadline to get this project finished. Mr. Edmonds asked if 30 days would interfere with their deadline. Mr. Light said it would be right up on the deadline and pushback a lot of the planning they've prepared for this project.

Mr. Genua wanted to be clear on the notification that was handed to him. The person that was notified for North Fort Worth Community Alliance was F. Valtierra3@hotmail.com. Mr. Genua asked Mr. Carothers if he knew who that was and that they were properly notified. Mr. Carothers acknowledged he knew Mr. Valtierra.

Motion: Following brief discussion, Mr. Edmonds recommended a 30 day continuance of the request, seconded by Ms. McDougall. The motion carried unanimously 9-0.

Document received for written correspondence					ZC-14-047
Name	Address	In/Out 300 notification area	Position on case		Summary
David Carothers	1213 Diamond Back Ln	Out	Opposition		Spoke at hearing
Dan Rousseau	NA	Out	Opposition		Sent letter in
Aimee Copadis	NA	Out	Opposition		Sent letter in
Jill Echols Kolb	NA	Out	Opposition		Sent letter in
Bob Larson	NA	Out	Opposition		Sent letter in

15. ZC-14-048 Barrett & Chrislyn Green (CD 7) – 412 Ridgewood Road (Crestwood Addition, Block 4, Lot 10, 0.38 Acres): from “A-21” One-Family to “A-10” One-Family

Barry Green, 412 Ridgewood Road, Fort Worth, Texas property owner explained to the Commissioners they are requesting a zoning change due to an error on Tarrant Appraisal Districts maps which caused a rezoning of their property back in 2007. The current zoning

designation is A-21 which requires a minimum 21,780 square feet (½ acre). Mr. Green said his lot is only 16,502 square feet, 0.384 of an acre. He handed in a form from Tarrant Appraisal District indicating the correct square footage of his property. Mr. Green has contacted 22 of the 28 property owners in the neighborhood within the 300 ft buffer area with the exclusion of one property that is vacant. A petition was submitted of those in support including those in the Crestwood NA where he was in attendance at one of the meetings and explained his zoning change request. Lisa Griffith, President and Patti Crabtree, Vice President for Crestwood NA were in attendance and signed the support petition.

Mr. Green mentioned his zoning variance for a covered patio on the side of his home which was denied by the Board of Adjustment. He had built a simple roof to cover his patio grill area but the structure has been taken down and all he is wanting is to get the zoning corrected to A-10 for his property. Mr. Green said he has no future plans and has abandoned that idea. He did explain that the neighbor to his north is in opposition and thinks he will rebuild the structure if approved. His property fits the criteria for A-10 and not A-21. Mr. Green wanted to address some of the other concerns his neighbor mentioned in his letter of opposition. He does have a five foot side yard, and the neighbor also suggested he poured concrete without pulling permits. He also referenced what was called a parking lot behind his home which is his driveway allowing him access to his side entrance garage. Mr. Green said the porte-cochere and parking area were in place when he bought the home in 1997. He did want to mention he spoke with staff and was told concrete can be in the side yard and no permit is required for it. The shed on his back property line was there when he purchased the property as well.

Rick Sorenson, 420 Ridgewood Road, Fort Worth, Texas spoke in opposition. Mr. Sorenson said his property is immediately north of the subject property and they purchased it back in the mid 1990's. He is sensitive to property rights and has no dispute to the acreage involved. He noted the square footage is less than a half acre for Mr. Green's property. His concern is the development of the property and provided some information in respect to the subject property. He asked if the zoning is changed that it be conditioned so that those items that were in violation of the existing zoning be denied, and that the 10 ft setback be applied with respect to his property and Mr. Green's property. The questions of concern is the patio area that looks into their den and living room area and that the area has been paved all the way through with concrete.

Ms. Burghdoff, Deputy Director, City of Fort Worth wanted to clarify for the record that you may pave your side or back yards; the only restriction is the front yard.

Mr. Sorenson said the existing wall is a six foot fence and that the patio area has been elevated so that now you can see over the fence. To the back of the property there is building that has been there for an extended period of time and fills the back yard all the way to the property line. He also mentioned that the porte-cochere and the parking area are also paved in concrete. Mr. Sorenson asked if the zoning is approved that these items as far as encroachments or excessive parking be corrected. He displayed a survey that was presented to the Board of Adjustment that shows some of the setback issues at the back of the property and encroachments with respect to some of the paving. Once again he said he has no objection to the zoning change just the items that are in violation.

Mr. West asked Mr. Sorenson about the survey and the building that encroaches over the line. Mr. Sorenson said the building that is depicted on the drawing is not in the correct location and that the drawing may be dated. It also shows more decking and paving area. Mr. West asked him if he thinks the building has moved since the survey was made. Mr. Sorenson said yes. Mr. West asked if it is in the 10 ft setback for either zoning. Mr. Sorenson said that is his understanding. Mr. West also asked about the kitchen area on the survey and if it is there today. Mr. Sorenson acknowledged that a portion indicated on the site plan is gone and the elevated structure has been dropped to grade. Mr. West asked about the distances between the property lines. Mr. Sorenson said he thinks the distance between the fence and the northern wall of the residence is roughly 10 feet. Mr. West asked when this went before the Board of Adjustment was the concern the kitchen area being too close to the property line. Mr. Sorenson said yes. Mr. West said the Board denied it and what was the encroachment they were asking for. Mr. Sorenson said he thinks originally it came within two feet of the wall and another structure was at five feet.

Ms. McDougall wanted to clarify what Mr. Sorenson's true objection was. She said looking at the aerial is it the construction of the roof and the outlay of Mr. Green's kitchen. Mr. Sorenson said until recently the construction was there except for the wood on the roof. Saturday afternoon the structure was dropped down and the stanchion that holds up the entire structure is roughly placed at five feet.

Mr. West asked if the roof is over the kitchen area. Mr. Sorenson said yes. Mr. West asked if the house structure is behind the kitchen area. Mr. Sorenson said yes. His concern was that it was denied and that it was inconsistent with the development, and now the patio has been elevated to a grade that affects his privacy. There may also be a drainage issue since it was built without a building permit.

Ms. McDougall asked if he is still opposed if the height of the fence was increased. Mr. Sorenson said he would not be opposed to the level if his patio as it has been represented today. Ms. McDougall asked staff if his property was improperly zoned at a mistake on our part. Ms. Murphy, Planning Manager, City of Fort Worth said her understanding was it was Tarrant Appraisal District's mistake not the City. This was part of a 2007 Council-initiated zoning case and since we use TAD for property information that determined the boundary of A-10 and A-21, his property was included in A-21. Once it was identified that his property was less than 21,000 s.f. he requested that the zoning be fixed. Ms. McDougall said it was no mistake on his end. Ms. Murphy said no it was the Appraisal District and how they calculate acreage.

Mr. Edmonds mentioned part of the testimony is regarding the zoning application and to make the property in conformance with the actual square footage therefore he doesn't see a reason to deny the request. Mr. Edmonds said the items Mr. Sorenson is bringing up are an entirely different set of issues in regards to building code and code compliance issues. Zoning is not conditioned on these issues.

Mr. West wanted to note it looks like the lot may have been adjusted. Mr. Sorenson said in 1950 the plat was redone and the property owners conveyed small pieces adjusting the lot lines. Roughly five to ten feet were taken off Mr. Green's lot on the border they share.

Ms. Conlin asked staff if all the concrete puts him in a different category for storm water. Ms. Burghdoff said it is possible she doesn't know but it wouldn't be a zoning matter.

In rebuttal, Mr. Green wanted to mention the difference between where his patio is now and where it was is not much. He said in the Board of Adjustment hearing he offered to raise the fence, put in shrubs, etc., to preserve his privacy and he never got any rebuttal back from Mr. Sorenson. Mr. Green says he thinks this is distracting from the real core of this case, the zoning error that designated his property A-21 to correct it to A-10. Mr. Green said it was never his intent to anger his neighbor and has grilled on his patio for the past 17 years and will continue to do so. He has no plans to rebuild the structure that has been taken down.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request, seconded by Mr. Hollis. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				<i>ZC-14-048</i>	
Name	Address	In/Out 300 notification area	Position on case		Summary
Rick Sorenson	420 Ridgewood Rd	In	Opposition		Spoke at hearing
Mary Swift	404 Ridgewood Rd	In		Support	Signed petition
Nina Cleveland	400 Ridgewood Rd	In		Support	Signed petition
Marshall Lancaster	408 Ridgewood Rd	In		Support	Signed petition
Brian Lynch	405 Ridgewood Rd	In		Support	Signed petition
Brian Wilson	413 Ridgewood Rd	In		Support	Signed petition
Amy Hunter	3715 Cresthaven	In		Support	Signed petition
Denisse Bynum	419 N Bailey Ave	In		Support	Signed petition
Trudy Bryant	424 N Bailey Ave	In		Support	Signed petition
Robert Rooke	401 N Bailey Ave	In		Support	Signed petition
Rozalind Stone	408 N Bailey Ave	In		Support	Signed petition
Cody Quisenberry	404 Crestwood Dr	In		Support	Signed petition
Reese Hillard	408 Crestwood Dr	In		Support	Signed petition
Patrick Woodson	412 Crestwood Dr	In		Support	Signed petition
Jan Clinkscale	320 Ridgewood Dr	In		Support	Signed petition
M Markovich	405 N Bailey Ave	In		Support	Signed petition
Wm Wynn	413 N Bailey Ave	In		Support	Signed petition
Kathe Goodwin	417 N Bailey Ave	In		Support	Signed petition

Patrick Needham	433 Ridgewood Rd	In		Support	Signed petition
Cory Collinge	430 Ridgewood Rd	In		Support	Signed petition
Mark Brown	409 Ridgewood Rd	In		Support	Signed petition
Carol Witcher	401 Ridgewood Rd	In		Support	Signed petition
John Eaton	416 N Bailey Ave	In		Support	Signed petition
Albert Hayer	609 Edgefield Rd	Out		Support	Signed petition
Patti Crabtree	605 Edgefield Rd	Out		Support	Signed petition
	3608 Sherwood Ave	Out		Support	Signed petition
Glee Lane	3809 Wildwood Rd	Out		Support	Signed petition
Jackie Liles	716 Northwood Rd	Out		Support	Signed petition
Cal Campbell	3801 Crestwood Terr	Out		Support	Signed petition
June Morton	728 N Bailey Ave	Out		Support	Signed petition
Mike Karpinski	836 Springbrooke	Out		Support	Signed petition
Judy Sager	320 N Bailey Ave	Out		Support	Signed petition
Lisa Griffith	3700 Sherwood Ave	Out		Support	Signed petition

16. ZC-14-049 Tash Inc. (CD 5) – 5721 E. Berry Street (Southeast Loop Subdivision, Block 1, Lot 2A, 0.63 Acres): from “MU-1” Low Intensity Mixed-Use to “PD/MU-1” Planned Development for all uses in “MU-1” Low Intensity Mixed-Use plus auto detail shop; site plan waiver requested

Larry Hoffman, 1705 Rearview Court, Fort Worth, Texas representing Tash Inc. explained to the Commissioners that Mr. Early Jackson Sr., and Mr. Early Jackson Jr., will be presenting a plan to increase the enhancement of the Urban Village Master Plan and looking at what has transpired to this day. No activity or development has occurred toward the implementation of the urban village in the past nine to eleven years. Mr. Hoffman said Mr. Jackson has the option and attempts to purchase and preserve his substantial investment.

Mr. Early Jackson, Jr., 10273 El Rancho Diego, Crowley, Texas representing Anointed Auto Detail explained to the Commissioners their company has been around since 1999 and currently has 13 employees. Mr. Jackson said some of their clients are GM, their teams can be seen at the Colonial golf tournament, PGA tour, Byron Nelson and most recently at Texas Motor Speedway where they provide mobile detailing. They have some pictures to display how the facility looks today and their plans to improve it. Mr. Jackson said they would like to convert the self serve car wash into an auto detail center. There will be automatic and hand held wash bays with detailing. Mr. Jackson said they would like to make this their home office.

