



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
June 3, 2014

**Council District** 2

**Zoning Commission Recommendation:**  
Approval by a vote of 8-1  
  
**Opposition:** None submitted  
**Support:** None submitted

Continued Yes \_\_\_ No X  
Case Manager Lynn Jordan  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** **Allen Fulsom**

**Site Location:** 2605 Cantrell Sansom Road Mapsco: 49A

**Proposed Use:** **Snow Cone Stand**

**Request:** From: "A-5" One-Family  
To: "E" Neighborhood Commercial

**Land Use Compatibility:** Requested change **is compatible.**

**Comprehensive Plan Consistency:** Requested change **is not consistent.**  
**(Significant Deviation)**

**Background:**

The proposed site is located north of Cantrell Sansom and west of Lionfish. The applicant is proposing to rezone to "E" to allow for a snow cone stand. Staff has tried to contact the applicant for more detailed information on the proposed use.

**Site Information:**

Owner: Allen Fulsom  
2505 Gobi Drive  
Fort Worth, Texas 76131  
Acreage: 0.59 acres  
Comprehensive Plan Sector: Far North

**Surrounding Zoning and Land Uses:**

- North "E" Neighborhood Commercial / vacant, church property
- East "A-5" One-Family / single-family
- South "FR" One-Family / Eagle Mountain Saginaw Elementary school
- West "E" Neighborhood Commercial / Church

**Recent Relevant Zoning and Platting History:**

Zoning History: NA  
Platting History: NA

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Cantrell Sansom	Two-way, County Road	Major Arterial	No

**Public Notification:**

The following organizations were notified:

Organizations Notified	
Northbrook*	
The Crossing of Fossil Creek	Eagle Mountain-Saginaw ISD

\*within this neighborhood organization

**Development Impact Analysis:**

**1. Land Use Compatibility**

The applicant is proposing a zoning change to E for a snow cone stand use. Surrounding land uses consist of single-family to the east, vacant to the north, Eagle Mountain-Saginaw elementary school to the south and a church to the west.

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

**2. Comprehensive Plan Consistency**

The 2014 Comprehensive Plan designates the subject property as Single-Family Residential. The requested zoning change is not consistent with the following Comprehensive Plan policies.

- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 37)

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

**Attachments:**

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

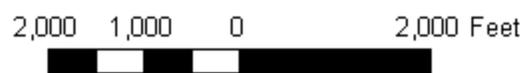
### Location Map



#### COUNCIL DISTRICTS

- 2 - Salvador Espino
- 3 - Zim Zimmerman
- 4 - Danny Scarth
- 5 - Gyna Bivens
- 6 - Jungus Jordan
- 7 - Dennis Shingleton
- 8 - Kelly Allen Gray
- 9 - Joel Bums

OVERLAY	
	Airport Overlay District
	I-35W
	TU PERIPHERAL
	DESIGN DISTRICT
	CONSERVATION DISTRICT

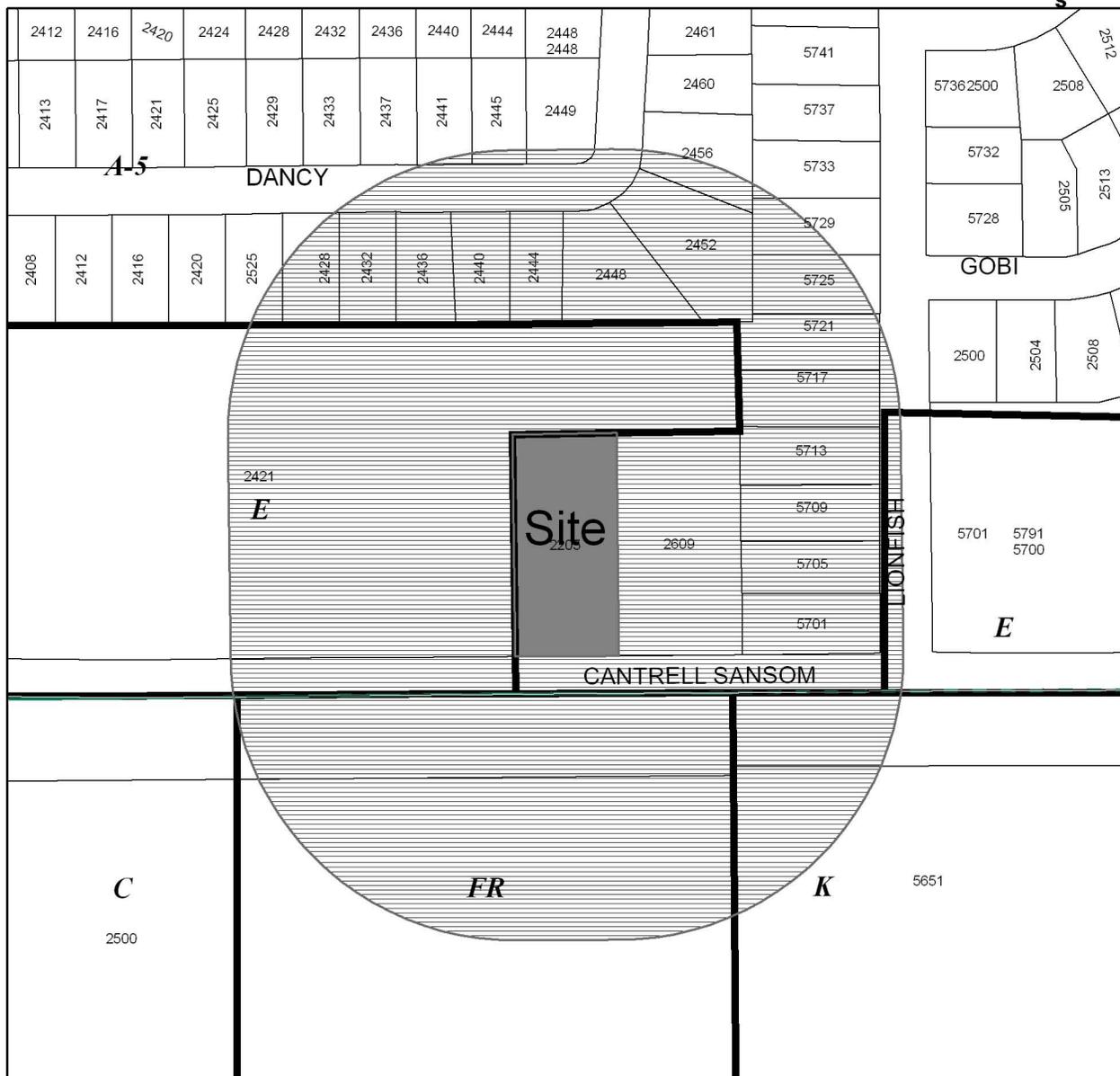


### Area Zoning Map

Applicant: Allen Fulsom  
 Address: 2605 Cantrell Sansom Road  
 Zoning From: A-5  
 Zoning To: E  
 Acres: 0.59202834  
 Mapsco: 49A  
 Sector/District: Far North  
 Commission Date: 5/14/2014  
 Contact: 817-392-8043



300 Ft. Buffer

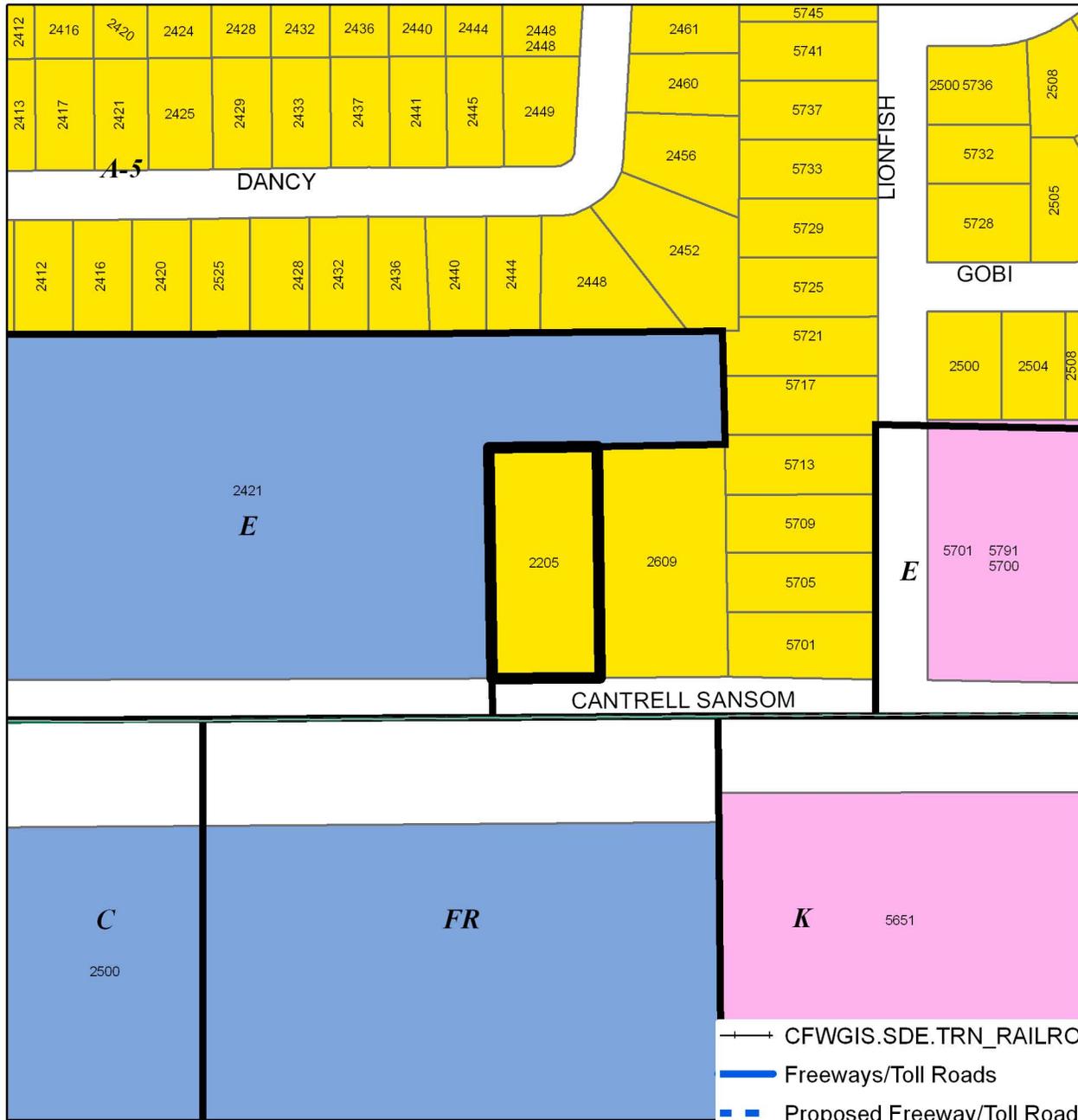




2605 Cantrell Sansom Road

# Future Land Use

ZC-14-050



- 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

- 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



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



Mr. Flores asked if there had been any discussion with the Stop 6 Sunrise Neighborhood Association in regards to the stables. Mr. Ruiz stated that he had spoken to them and was not aware of any issues.

Liz Casso, Historic Preservation Officer for City of Fort Worth spoke to the background of the property and the applicant’s approval of certificate of appropriateness. She also spoke to the code compliance violation of the illegal demolition and stated the applicant was issued a demolition permit after the structure was demolished. Ms. McDougall asked for clarification on the restoration of the structure after the demolition took place. Ms. Casso stated that they had received the approval of the demolition after the fact and were also approved to reconstruct what was had been there. Ms. Casso stated that they are not required to reconstruct the residential structure since it had been approved for demolition.

Regina Blair, P.O Box 50695, Fort Worth, Texas president of the Stop Six Sunrise Edition Neighborhood Association spoke in opposition. Ms. Blair stated that the zone change request is not consistent with the Comprehensive Plan for the City of Fort Worth and is also not consistent with their neighborhood plan and the vision the residents set in 2006 when rezoning the neighborhood and in 2007 when planning commercial along Stalcup Road to support the Berry Stalcup Urban Village. Ms. Blair went on to mention the applicants’ illegal structures and uses for the property since the Certificate Of Appropriateness was granted and does not support the change to zoning.

In rebuttal, Mr. Ruiz stated that the horses have been removed for about six months to date and are no longer on site. He stated that he would make every effort to maintain a cleaner and a better kept property.

Motion: Following brief discussion, Ms. McDougall recommended a Denial of the request, seconded by Ms. Conlin. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				<b>ZC-14-032</b>	
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>Position on case</b>		<b>Summary</b>
Regina Blair/ Stop 6 Sunrise NA	P.O. Box 50695	Out	Opposition		Spoke at hearing

**5. ZC-14-050 Allen Fulsom (CD 2) – 2605 Cantrell Sansom (James Rogers Addition, Block 1, Lot 1, 0.59 Acres): from “A-5” One-Family to “E” Neighborhood Commercial**

Allen Fulsom, 2505 Gobi Drive, Fort Worth, Texas property owner explained to the Commissioners his proposal for a shaved ice facility. Mr. Fulsom stated that he lives about 4 blocks to the east of this property and went on to say that he has spoken to the adjacent property owners and believes to be supported by the neighborhood.

Mr. Flores asked for a background of the property and asked when the structure was placed on the property. Mr. Fulsom stated that he had placed the structure on the property about 9 months

ago. Mr. Flores asked if a permit was pulled for the structure and Mr. Fulsom replied that he had not obtained a permit. Mr. Flores asked for clarification of the foundation of the structure and Mr. Fulsom stated that it was on a cinder block foundation. Mr. Flores mentioned what would be required if such a request be granted and said parking would be required as well as bathroom facilities and mentioned the various permits that would be required if the zoning request is granted. Mr. Fulsom stated that he was fully aware of what would be triggered and that a bathroom facility may be granted by a neighbor of the facility if need be. Mr. Flores asked for clarification on the bathroom facility by staff. Ms. Burghdoff clarified that the case would be true of a mobile vendor but not for a permanent facility. Mr. Fulsom made clear that this would not be a mobile unit and that he would comply with what permits or requirements that would be needed for the facility.

Mr. West asked about the property owners to the far east and if any contact has been made with them about the use of the land. Mr. Fulsom stated that he had not had contact with them but that he had spoken to Ms. Rogers who is directly east of the property as well as the church. Mr. Fulsom believes that there is no opposition from the neighborhood.

Mr. Flores mentioned one letter of support and asked if Mr. Fulsom to clarify which neighborhood association he had talked to. Mr. Fulsom stated that he had spoken to the members of Northbrook NA.

Motion: Following brief discussion, Mr. Flores recommended Approval of the request, seconded by Ms. Reed. The motion carried 8-1 with Ms. Conlin against.

<i>Document received for written correspondence</i>				<i>ZC-14-050</i>	
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Joe Winkler	2452 Dancy Drive South	In		Support	Sent letter in

**6. ZC-14-051 Lawrence Duckett Sr. (CD 4) – 5904-5916 Etsie Street (Joe Louis Addition, Block 3, Lots 2, 3, 4, & N pt 5, 1.06 Acres): from “AG” Agricultural to “K” Heavy Industrial**

Lawrence Duckett, 1940 Delga Street, Fort Worth, Texas property owner explained to the commissioners his request to take his site to “K” Heavy Industrial to accommodate his business for a wrecking yard. He explained that he had previously operated as a wrecking yard back in 2007 with a special exception approval, but it has since lapsed.

Mr. Flores asked for clarification as to what type of business was being requested. Mr. Duckett stated that it would be a wrecking yard as he used in previous years. Mr. Flores asked if there had been any discussions with the neighborhood. Mr. Duckett stated that he had been in touch two neighbors next to the property.

Mr. Genua asked for clarification as to what was to the south of the property. Mr. Duckett stated that it was vacant land.