



**ZONING MAP CHANGE  
STAFF REPORT**

**City Council Meeting Date:**  
October 13, 2015

**Council District** ALL

**Zoning Commission Recommendation:**  
Approval by a vote of 8-0

**Opposition:** excess of 100 emails and forms desiring no definition

**Support:** 23 emails and forms in support of creating a definition, including the TCU Student House of Representatives (no presumptions)

Continued Yes \_\_\_ No X  
Case Manager Jocelyn Murphy  
Surplus Yes \_\_\_ No X  
Council Initiated Yes \_\_\_ No X

**Owner / Applicant:** City of Fort Worth Planning and Development Department

**Proposed Change:** An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend Chapter 4 "District Regulations" to amend:

- Amending Chapter 9 "Definitions", to amend Section 9.101, "Defined Terms" to revise the definitions of "Boarding House or Lodging House", "Community Home", "Family" and "Restaurant", and;
- Add Definitions for "Single Housekeeping Unit" and "Transient or Short Term Resident"

**To review the proposed amendments:** <http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

**Request:** TEXT AMENDMENT: DEFINITIONS

**Background:**

Four definitions are proposed to be revised: Boarding House or Lodging House, Community Home, Family, and Restaurant.

- 1) Boarding House or Lodging House will be revised to remove "single housekeeping unit", since that term is used in the definition of Family. The definition will further be revised to incorporate existing supplemental standards in Section 5.107A Boarding Houses. That section will be revised to remove language incorporated into the definition through ZC-15-104.
- 2) Community Home will be revised to allow resident supervisors to live in the home, consistent with the Texas Human Resources Code, and to be counted toward the eight maximum residents.
- 3) Family will be revised to allow persons related by guardianship to be considered related, in addition to persons related by blood, adoption, or marriage.
- 4) Restaurant will be revised to clarify that no less than 50% of the income can be from food sales, in order to be consistent with the regulations of the Texas Alcoholic Beverage Commission category of a Supper Club.

Two definitions are proposed to be added: Single Housekeeping Unit and Transient or Short Term Resident.

### **SINGLE HOUSEKEEPING UNIT**

#### ***Recommended by the Zoning Commission dated 9/9/2015***

Individuals occupying a dwelling unit that have established ties and familiarity with each other, share a lease agreement or own the property, jointly use common areas, interact with each other, and share the expenses for food, rent or ownership costs, utilities and other household and maintenance costs and activities. If the unit is rented, all residents over the age of 18 jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises, and the makeup of the household is determined by the residents of the dwelling unit rather than the landlord or property manager.

#### ***Recommended by Staff dated 10/2/2015***

Individuals occupying a dwelling unit that have established ties and familiarity with each other; share a lease agreement, have consent of the owner to reside on the property, or own the property; jointly use common areas and interact with each other; and share the household expenses, such as for food, rent or ownership costs, utilities, and other household and maintenance costs, or share responsibility for household activities. If the unit is rented, all residents over the age of 18 have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises, and the makeup of the household is determined by the residents of the dwelling unit rather than the landlord or property manager.

**TRANSIENT OR SHORT TERM RESIDENT.** Individuals occupying a dwelling unit, including rental of a home or room, for a period of less than 30 days. The definition also includes the usage of a property for a daily or weekly rental as a commercial business.

The case was remanded to the Zoning Commission from the City Council on August 4 with the Boarding House amendment and with direction to have a public meeting to discuss the proposal and Single Housekeeping Unit options. A meeting was held on August 12 with approximately 75 people in attendance. Participants filled out written cards at the meeting with their opinions and numerous emails have been received by staff with comments.

After hearing the testimony, the Zoning Commission voted to recommend approval to create a definition, which included the proposed paragraph only. Discussion from the Commission included concern for having no definition to provide guidance to staff and residents.

**Attachments:** Proposed Ordinance Recommended by the Zoning Commission 9/9/2015  
Proposed Ordinance Recommended by Staff 10/2/2015  
Minutes from the Zoning Commission meeting

## DEFINITIONS

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 21653, AS AMENDED, CODIFIED AS APPENDIX “A” OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING CHAPTER 9 “DEFINITIONS”, TO AMEND SECTION 9.101, “DEFINED TERMS” TO REVISE THE DEFINITIONS OF “FAMILY”, “BOARDING HOUSE OR LODGING HOUSE”, “COMMUNITY HOME”, “RESTAURANT” AND ADD DEFINITIONS FOR “TRANSIENT OR SHORT TERM RESIDENTIAL” AND “SINGLE HOUSEKEEPING UNIT”; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, from time to time it is necessary to update certain definitions to be consistent with state law and to reflect current interpretations and applications; and

**WHEREAS**, it is necessary to clarify certain existing residential definitions to ensure that they are being applied as intended; and

**WHEREAS**, new definitions should be created to codify the relationship of residents within a unit and clarify when occupancy is short term;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

### SECTION 1.

Chapter 9 “Definitions”, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of the City of Fort Worth, Section 9.101 “Defined Terms” is amended to revise the definitions for restaurant, community home, family, and boarding house or lodging house, and to add definitions for “single housekeeping unit” and “transient or short term residential”, to read as follows:

Sec. 9.101 DEFINED TERMS.

***BOARDING HOUSE* or *LODGING HOUSE*. ~~A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients. A~~ dwelling with at least one common exterior entrance where separate sleeping rooms are available for rent for a period of seven consecutive days or longer to persons for compensation, pursuant to**

previous arrangements, and excluding hotels or motels. The owner, agent or rental manager may or may not reside within the dwelling.

***COMMUNITY HOME.*** A community-based residential home as defined by the Community Homes for Disabled Persons Location Act, Tex. Human Resources Code, Chapter 123. Not more than six persons with disabilities and two supervisors may reside in the community home at the same time. The limitation on the number of persons with disabilities applies regardless of the legal relationship of those persons to one another.~~eight disabled persons and two nonresident supervisory personnel and which otherwise meets the requirements of the Community Homes for Disabled Persons Location Act, Tex. Human Resources Code Chapter 123.001.~~

***FAMILY.*** Any individual or two or more persons related by blood, adoption, marriage or guardianship, or not more than five unrelated persons living and cooking operating as a Single Housekeeping Unit or home and expressly excluding lodging, boarding, fraternity, and sorority houses.

***RESTAURANT.*** A place which is regularly open in a bona fide manner; which is used and kept open for the service of food to customers for compensation; which has suitable seating for guests; which has suitable facilities for preparation and service of an assortment of foods commonly ordered at various hours of the day or night and the serving of food is the primary business of such place, and which may, as an accessory use, provide patrons with space for dancing or permit patrons to dance. Includes restaurants legally authorized (by duly issued permits from the city and state) to sell alcoholic beverages for consumption on the premises; provided however that gross receipts for alcoholic beverages shall not exceed 50% of the total gross receipts.

***SINGLE HOUSEKEEPING UNIT.*** Individuals occupying a dwelling unit that have established ties and familiarity with each other, share a lease agreement or own the property, jointly use common areas, interact with each other, and share the expenses for food, rent or ownership costs, utilities and other household and maintenance costs and activities. If the unit is rented, all residents over the age of 18 jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises, and the makeup of the household is determined by the residents of the dwelling unit rather than the landlord or property manager.

***TRANSIENT OR SHORT TERM RESIDENT.*** Individuals occupying a dwelling unit, including rental of a home or room, for a period of less than 30 days. The definition also includes the usage of a property for a daily or weekly rental as a commercial business.

## **SECTION 2.**

This ordinance shall be cumulative of all other ordinances of the Code of the City of Fort Worth, Texas (1986), as amended, affecting zoning and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinance are in direct conflict with the provisions of this ordinance.

## **SECTION 3.**

That all rights or remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of Ordinance Nos. 3011, 13896, or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 4.**

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 5.**

That any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be

fined not more than Two Thousand Dollars (\$2000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 6.**

That the City Secretary of the City of Fort Worth, Texas is hereby directed to publish this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

**SECTION 7.**

This ordinance shall take effect after adoption and publication as required by law.

**APPROVED AS TO FORM AND LEGALITY:**

By: \_\_\_\_\_

Melinda Ramos, Sr. Assistant City Attorney

\_\_\_\_\_

Mary Kayser, City Secretary

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX “A” OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING CHAPTER 9 “DEFINITIONS”, TO AMEND SECTION 9.101, “DEFINED TERMS” TO REVISE THE DEFINITIONS OF “FAMILY”, “BOARDING HOUSE OR LODGING HOUSE”, “COMMUNITY HOME”, “RESTAURANT” AND ADD DEFINITIONS FOR “TRANSIENT OR SHORT TERM RESIDENTIAL” AND “SINGLE HOUSEKEEPING UNIT”; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, from time to time it is necessary to update certain definitions to be consistent with state law and to reflect current interpretations and applications; and

**WHEREAS**, it is necessary to clarify certain existing residential definitions to ensure that they are being applied as intended; and

**WHEREAS**, new definitions should be created to codify the relationship of residents within a unit and clarify when occupancy is short term;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

**SECTION 1.**

Chapter 9 “Definitions”, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of the City of Fort Worth, Section 9.101 “Defined Terms” is amended to revise the definitions for restaurant, community home, family, and boarding house or lodging house, and to add definitions for “single housekeeping unit” and “transient or short term residential”, to read as follows:

Sec. 9.101 DEFINED TERMS.

***BOARDING HOUSE*** or ***LODGING HOUSE***. ~~A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients. A dwelling with at least one common exterior entrance where separate sleeping rooms are available for rent for a period of seven consecutive days or longer to persons for compensation, pursuant to previous arrangements, and excluding hotels or motels. The owner, agent or rental manager may or may not reside within the dwelling.~~

**COMMUNITY HOME.** A community-based residential home as defined by the Community Homes for Disabled Persons Location Act, Tex. Human Resources Code, Chapter 123. Not more than six persons with disabilities and two supervisors may reside in the community home at the same time. The limitation on the number of persons with disabilities applies regardless of the legal relationship of those persons to one another.~~eight disabled persons and two nonresident supervisory personnel and which otherwise meets the requirements of the Community Homes for Disabled Persons Location Act, Tex. Human Resources Code Chapter 123.001.~~

**FAMILY.** Any individual or two or more persons related by blood, adoption, marriage or guardianship, or not more than five unrelated persons ~~living and cooking~~ operating as a Single Housekeeping Unit ~~or home~~ and expressly excluding lodging, boarding, fraternity, and sorority houses.

**RESTAURANT.** A place which is regularly open in a bona fide manner; which is used and kept open for the service of food to customers for compensation; which has suitable seating for guests; which has suitable facilities for preparation and service of an assortment of foods commonly ordered at various hours of the day or night and the serving of food is the primary business of such place, and which may, as an accessory use, provide patrons with space for dancing or permit patrons to dance. Includes restaurants legally authorized (by duly issued permits from the city and state) to sell alcoholic beverages for consumption on the premises; provided however that gross receipts for alcoholic beverages shall not exceed 50% of the total gross receipts.

**SINGLE HOUSEKEEPING UNIT.** Individuals occupying a dwelling unit that have established ties and familiarity with each other; share a lease agreement, have consent of the owner to reside on the property, or own the property; jointly use common areas and interact with each other; and share the household expenses, such as for food, rent or ownership costs, utilities, and other household and maintenance costs, or share responsibility for household activities. If the unit is rented, all residents over the age of 18 have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises, and the makeup of the household is determined by the residents of the dwelling unit rather than the landlord or property manager.

**TRANSIENT OR SHORT TERM RESIDENT.** Individuals occupying a dwelling unit, including rental of a home or room, for a period of less than 30 days. The definition also includes the usage of a property for a daily or weekly rental as a commercial business.

## SECTION 2.

This ordinance shall be cumulative of all other ordinances of the Code of the City of Fort Worth, Texas (1986), as amended, affecting zoning and shall not repeal any of the provisions of

such ordinances, except in those instances where provisions of such ordinance are in direct conflict with the provisions of this ordinance.

**SECTION 3.**

That all rights or remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of Ordinance Nos. 3011, 13896, or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 4.**

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.**

That any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 6.**

That the City Secretary of the City of Fort Worth, Texas is hereby directed to publish this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

**SECTION 7.**

This ordinance shall take effect after adoption and publication as required by law.

**APPROVED AS TO FORM AND LEGALITY:**

By: \_\_\_\_\_

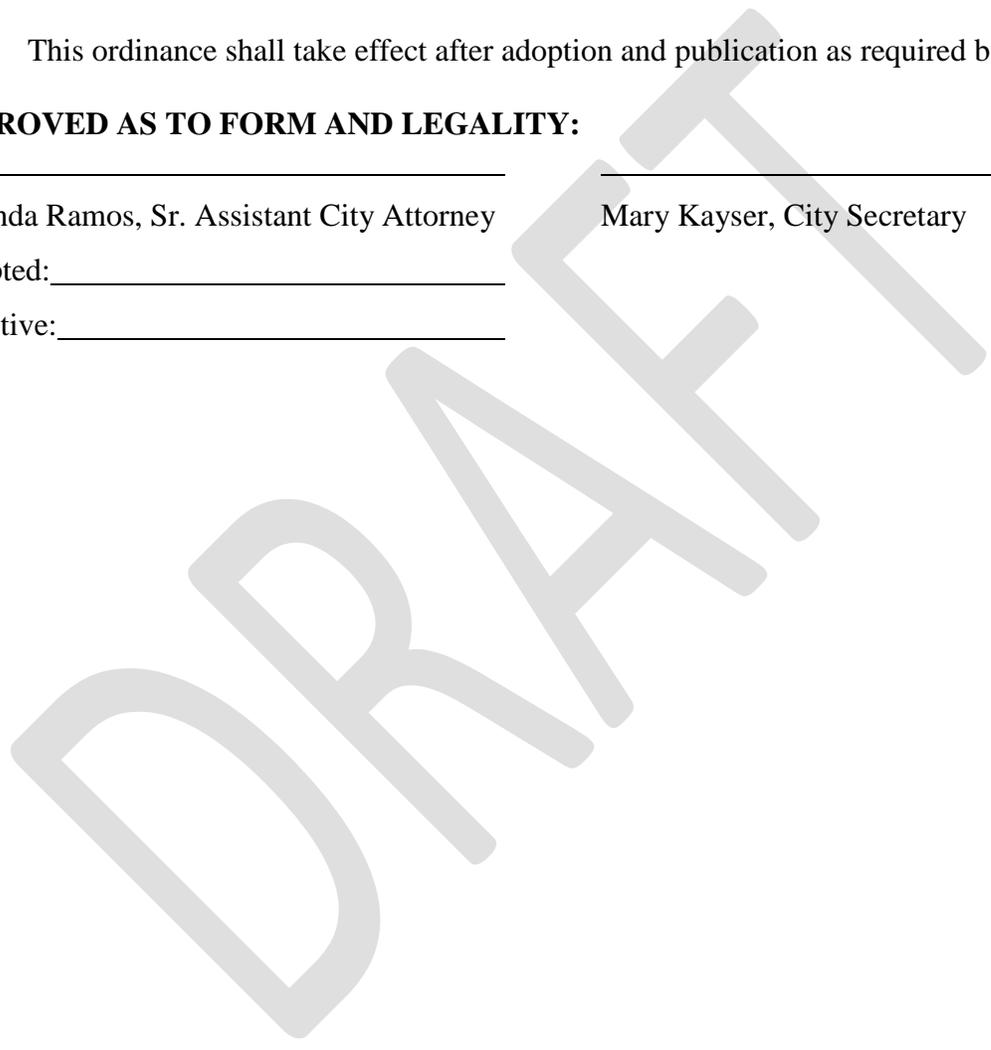
Melinda Ramos, Sr. Assistant City Attorney

\_\_\_\_\_

Mary Kayser, City Secretary

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_



**shading/glazing or other thermal light heat energy measure, metal, porcelain, spandrel panels or curtain walls for masonry requirement and utilize landscaping architectural elements for screening parking garage façade; site plan included**

Hal Fairbanks, 394 Audubon Street, New Orleans, LA representing Whitehead Equities JV explained to the Commissioners the request to rezone to “PD/MU-2” for a hotel will support the new arena and Will Rogers Coliseum. The PD language is to provide for flexibility in height and facade.

Mr. Genua reopened the hearing to ask Mr. Fairbanks to explain the elevation drawing they received. Mr. Fairbanks said this was prepared by Dunaway to provide an illustration of what the approximate height would look like and the view line to downtown.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request, seconded by Mr. Northern. The motion carried unanimously 8-0.

**12. ZC-15-126 City of Fort Worth Planning & Development (CD 7) 4500 Block El Campo Avenue (Chamberlain Arlington Heights 1<sup>st</sup> Addition, Block 6, Lots 1-6; Block 68, Lots 21-26 and Block 69, Lots 10-20, 2.97 Acres): from “B” Two-Family to “A-5” One-Family**

Kathy Bergkamp, 4525 El Campo, Fort Worth, Texas representing the property owners explained to the Commissioners they filed a petition in order to rezone their property to “A-5”.

Motion: Following brief discussion, Mr. Northern recommended Approval of the request, seconded by Ms. Reed. The motion carried unanimously 8-0.

<i>Document received for written correspondence</i>				<b>ZC-15-126</b>	
<b>Name</b>	<b>Address</b>	<b>In/Out 300 notification area</b>	<b>Position on case</b>		<b>Summary</b>
Brenda Helmer/ Arlington Heights NA	NA	Out		Support	Sent letter in
Janice Bergkamp	4525 El Campo	In		Support	Sent letter in

**13. ZC-15-103 City of Fort Worth Planning & Development: Text Amendment: Definitions (CD All)**

**An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of The City of Fort Worth (1986), by Amending:**

- **Chapter 9 “Definitions”, to amend Section 9.101, “Defined Terms” to revise the definitions of “Family”, “Boarding House”, “Community Home”, and “Restaurant”, and;**

- **Add Definitions for “Transient or Short Term Residential” and “Single Housekeeping Unit”**

Ms. Burghdoff explained the definitions in the text amendment related to Boarding House or Lodging House to provide clarity, Community Home to match state law, Restaurant to reflect TABC rules, Family to reflect current practice, Transient or Short Term Resident to add a definition to reflect current practice, and specifically, the different options related to Single-Housekeeping Unit.

- Option one is to not add a new definition to the ordinance.
- Option two is to add the definition with a descriptive paragraph only: {Individuals occupying a dwelling unit that have established ties and familiarity with each other, share a lease agreement or won property, jointly use common areas, interact with each other, and share the expenses for food, rent or costs and activities. If the unit is rented, all residents over the age of 18 jointly occupy the entire premises, and the makeup of the household is determined by the residents of the dwelling unit rather than the landlord or property manager}.
- Option three is to add the definition with one or more of the numbered presumptions:
  1. Keyed or deadbolt lock(s) on an interior door(s);
  2. Members of the household significantly change over the course of a 12-month period by losing or gaining members;
  3. One or more of the members of the household has a different address for the purpose of voter registration, driver’s license, motor vehicle registration or filing of taxes; or
  4. The association of the members of the household is temporary or seasonal or the sharing of a dwelling unit is merely for convenience and economics.

Ms. Burghdoff addressed the tally of all comment cards received prior to the public hearing in reference to options 1, 2 and 3 with some representing different neighborhood associations.

- Mr. Genua called those in favor of wanting to speak for option three first.

Earl Collin, 2821 Alton Road, Fort Worth Texas spoke in support of option three.

Linda Cozzem, 4017 Anita Avenue, Fort Worth, Texas representing Westcliff and Westcliff West NA spoke in support of option three. At their joint meeting held on September 1<sup>st</sup>, the neighborhood voted to support all the presumptions along with the entire definition. Ms. McDougall asked what the total membership count of the neighborhood organization is. Ms. Cozzem said she didn’t recall the total number but it is hundreds.

Roy Jageman, 2818 Simmondale Drive, Fort Worth, Texas representing Colonial Hills NA spoke in support of option three with the addendum that it apply to A-5 and B zoning and the rental landlords file a presumption application. Mr. Edmonds asked about the additional penalty. Mr. Jageman read into the record a letter received from Dr. Marlo stating an additional second offense penalty be instituted with zero tolerance.

Martin Dahl, 1704 S. Henderson, Fort Worth, Texas representing Fairmount NA spoke in support of option three with all presumptions.

Bryan Eppstein, 2908 Alton Road, Fort Worth, Texas member of Colonial Hills NA spoke in support of option three and mentioned that the additional addendums added were a response from the public meeting that was held. He explained some of the concerns he has with the ordinance and enforcement.

Mr. Edmonds asked about contracts and subcontracts. Ms. Burghdoff explained if the landlord had individual leases with each separate tenant this could raise a red flag. Mr. Eppstein explained in those contracts with the Board of Realtors this could be resolved if the presumption rebuttal was used.

Charleen McGluray, 3825 Hilltop Road, Fort Worth, Texas spoke in support of option three.

Paul Billmat, 3037 Alton Road, Fort Worth, Texas also a member of the Colonial Hills neighborhood spoke in support of option three.

John Roach, 2805 Alton Road, Fort Worth, Texas supports option three. He suggested a better definition of single-family housekeeping unit.

- Mr. Genua called those wanting to speak on option two with no presumptions.

Mike Coffey, 2566 Shirley Avenue, Fort Worth, Texas representing University West NA spoke in support of option two. Mr. Coffey said the presumptions are very broad and would have unfair or unintentional consequences.

Martha Jones, 3136 Wabash Avenue, Fort Worth, Texas representing Bluebonnet Hills NA spoke in support of option two.

Terri West, 2530 5<sup>th</sup> Avenue, Fort Worth, Texas spoke in support of option two.

Maddie Reddick, 2716 Greene Avenue, Fort Worth, Texas representing TCU and the House of Representatives spoke in support of option two. A petition on behalf of the student body was submitted. They do recognize a definition is needed and feels like the presumptions are geared toward the students. Mr. Flores asked about the resolution letter and does she support option one or two. Ms. Reddick said in the current form they would be supportive of option one and also are supportive of option two, the general definition.

Mr. Cockrell mentioned this committee is not for or against TCU but this ordinance pertains to the entire City of Fort Worth. Ms. Reddick said because it represents the entire City that is why they are supportive of option two.

Joe Shannon, 4836 Overton Woods Drive, Fort Worth, Texas spoke very strongly against the presumptions and in support of option two. He stated several kinds of presumptions are non-rebuttable in state law.

Rebecca Lucas, 4836 Overton Woods Drive, Fort Worth, Texas spoke in support of option two. She mentioned the majority of the people at the mediation group public meeting reached a consensus for option two.

Kerri Reymeyer, 6824 Middle Road, Fort Worth, Texas spoke in support of option two.

- Mr. Genua called those wanting to speak on option one.

Genna Banta, 3209 Greene Avenue, Fort Worth, Texas spoke in support of option one. She mentioned the presumptions are geared towards students and would be hard to enforce.

Michael Langford, 2650 Parkview Drive, Fort Worth, Texas representing the Greater Association of Realtors spoke in support of option one.

Glenn Leimbach, 2716 Greene Avenue, Fort Worth, Texas spoke in support of option one. Mr. Edmonds asked whether he would rather have a definition as published or judged on a case by case basis. Mr. Leibach said you have to be careful with option two.

Nesa Grider, 2635 Rogers Road, Fort Worth, Texas representing Castle Peak Homes spoke in support of option one. She mentioned corporate housing where they rent out from 60-90 days, which is not included in this definition.

Kyle O'Keefe, 3558 Winton, Fort Worth, Texas spoke in support of option one. He is concerned because there is an ordinance in place for this area.

Mr. Genua mentioned they have heard enough about TCU. He wants to hear about the presumptions.

Mr. Edmonds mentioned there are a number of ordinance amendments staff sends to the commission to try to update the zoning ordinance and this just happens to be one of them. TCU is in the neighborhood but this involves all areas within the City of Fort Worth.

Chris Powers, 3005 Preston Hollow, Dallas, Texas spoke in support of option one. He mentioned they did a study as well with the 38 cities that were mentioned. The most restrictive town was Morgantown, WV.

Adam Gonzales, 1963 College, Fort Worth, Texas spoke in support of option one. He does not live in the TCU area but does house four other people in his home and they have deadbolts on the doors to protect valuables.

Carl Montgomery, 2564 S. University Drive, Fort Worth, Texas spoke in support of option one. He is concerned with people being kicked out of houses because of deadbolts.

Patrick Woodson, 4916 Camp Bowie, Fort Worth, Texas has rent houses and supports option one.

Mark Stelmas, 3237 Wabash Avenue, Fort Worth, Texas spoke in support of option one.

Mr. Genua asked if there was anyone else who wanted to speak to the other definitions listed in the text amendment.

Bryan Eppstein, 2908 Alton Road, Fort Worth, Texas wanted to talk about the boarding house definition and how it relates to single-family housekeeping and property use. Mr. Eppstein asked about the definition of a border, lodger or roomer. He is concerned that the Boarding house is now encompassing those definitions. Mr. Eppstein said a better definition for single-housekeeping unit is needed in order to understand what constitutes a family.

Motion: Following brief discussion, Mr. Edmonds recommended Approval of the request for the proposed definitions as written and for single-family housekeeping unit, Option Two, seconded by Ms. Conlin. On a substitute motion Mr. Cockrell recommended Approval of the request and for it to apply to A-5 and B zoning districts, Mr. Flores seconded the motion for discussion purposes only. The motion was withdrawn. The original motion carried unanimously 8-0.

<i>Document received for written correspondence: Single-Family Housekeeping Unit</i>					ZC-15-103
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
<b>Option 3</b>					
Earl Collin	2821 Alton Rd			Support	Spoke at hearing
Linda Cozzen	4017 Anita Ave			Support	Spoke at hearing
Roy Jageman	2818 Simondale			Support	Spoke at hearing
Martin Dahl	1704 S. Henderson			Support	Spoke at hearing
Bryan Eppstein	2908 Alton Rd			Support	Spoke at hearing
Charleen McGluray	3285 Hilltop Rd			Support	Spoke at hearing
Paul Billmat	3037 Alton Rd			Support	Spoke at hearing
John Roach	2805 Alton Rd			Support	Spoke at hearing
<b>Option 2</b>					
Mike Coffey	2566 Shirley Ave			Support	Spoke at hearing
Martha Jones	3136 Wabash Ave			Support	Spoke at hearing
Terri West	2350 5 <sup>th</sup> Ave			Support	Spoke at hearing
Maddie Reddick	2716 Greene Ave			Support	Spoke at hearing
Joe Shannon	4836 Overton Woods			Support	Spoke at hearing
Rebecca Lucas	4836 Overton Woods			Support	Spoke at hearing
Kerri Rehmeier	6824 Middle Rd			Support	Spoke at hearing
Todd Daniel	4728 El Campo			Support	Present did not speak

<b>Option 1</b>					
Genna Banta	3209 Greene			Support	Spoke at hearing
Michael Langford	2650 Parkview			Support	Spoke at hearing
Glenn Leimbach	2716 Greene			Support	Spoke at hearing
Nesa Grider	1635 Rogers Ave			Support	Spoke at hearing
Kyle O'Keefe	3558 Winton			Support	Spoke at hearing
Chris Powers	3005 Preston Hollow			Support	Spoke at hearing
Adam Gonzales	1963 College			Support	Spoke at hearing
Carl Montgomery	2564 S. University			Support	Spoke at hearing
Patrick Woodson	4916 Camp Bowie			Support	Spoke at hearing
Mark Stelmas	3237 Wabash			Support	Spoke at hearing
Tony Sims	1901 Fairmount			Support	Spoke at hearing
Leigh York	1801 Versailles			Support	Present did not speak
Lisa Elkins	2600 N 7th			Support	Present did not speak
Diana Levin	3516 W. Harton			Support	Present did not speak
Lee Anne Hardie	6925 Weatherwood			Support	Present did not speak
Scott McKnight	4912 Riverbend			Support	Present did not speak
Kyle Poulson	4132 Idlewild Dr			Support	Present did not speak
Sheila Cole	Multiple properties			Support	Present did not speak
Juliet Anthony	44913 Bryce			Support	Present did not speak
Jerry & Margaret Chalker	Multiple properties			Support	Present did not speak
Clinton Quisenberry	4913 Bryce Ave			Support	Present did not speak
Peter Cancelmo/Scott Adair/Robert Spears/Cole Miller	3701 Park Ridge			Support	Present did not speak
Kathryn Cashion	6852 Brants Ln			Support	Present did not speak
Craig Rember	3955 Angus Dr			Support	Present did not speak
Robert Cowan	3000 Bellaire Ranch			Support	Present did not speak
Wesley Shipling	2305 Advance Rd			Support	Present did not speak
Dorothy Casteel	1103 Roaring Springs			Support	Present did not speak

Anthony Chairmont	2913 Lackland			Support	Present did not speak
Eric Fox	3513 Overton Park Dr E			Support	Present did not speak
Michael Waltrip	4821 Harley Ave			Support	Present did not speak
Dan Harris	3217 Overton Park Dr E			Support	Present did not speak
William Richardson	6621 Meadows West			Support	Present did not speak
Mike Ramsay	3451 Mist Hollow			Support	Present did not speak
Allen Wallach	2800 River Forest			Support	Present did not speak
David Walters	4533 Harley Ave			Support	Present did not speak
Huck Newberry III	120 Hazelwood Dr			Support	Present did not speak

Multiple emails were received and are in the record for this case.

**14. ZC-15-104 City of Fort Worth Planning & Development: Text Amendment: Boarding House Supplemental Standards (CD All) An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of The City of Fort Worth (1986), by Amending:**

- **Article 1. “Standards for Selected Uses” of Chapter 5 “Supplemental Use Standards”, to amend Section 5.107a, “Boarding Houses” to revise standards to conform to the definition for Boarding Houses**

Ms. Murphy explained the text amendment and that it is a companion to the prior zoning case, ZC-15-103.

Motion: Following brief discussion, Ms. Conlin recommended Approval of the request, seconded by Mr. Flores. The motion carried unanimously 8-0.

**Meeting adjourned: 4:50 p.m.  
9/09/15**

---

Dana Burghdoff, Executive Secretary and Deputy Director, Planning and Development Department

---

Nick Genua, Chair