



AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
TUESDAY, NOVEMBER 30, 2021
6:00 PM

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Comment (for matters not posted on that particular meeting's agenda), members of the Board and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct a factual misstatement made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the designated staff to respond to the citizen and report back to the Board as soon as practicable. Such report to the Board shall not constitute a meeting called by the Board nor shall it constitute deliberation or formal action. Individual citizens addressing the Board during Public Comment shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Comment is not established to engage in a conversation with the Board and no formal Board action will be taken.

APPROVAL OF MINUTES

1. Consider action to approve the meeting minutes of the September 28, 2021 Regular Meeting of the Zoning Board of Adjustment

NEW BUSINESS

1. **ZBA.21-01:** Consider the request for a Variance to Watauga City Code of Ordinances, Chapter 115 Zoning, Article III, Section 115-62, Subsection (2)(b)(1)(ii) which regulates minimum lot width is sixty (60) feet. The applicant is seeking a variance to construct a new residential home on a lot which is fifty (50) feet wide in a SF6 Single-Family district. The subject property is in Watauga Addition Block 5 Lot 6, commonly known as 5630 Lamar Street and is located north of Bowie Street, south of Main Street and east of Denton Highway. The owner/ applicant is Xochith C. Alvarez.

ADJOURNMENT

Meeting Notices and Reservation of Rights

The Zoning Board of Adjustment may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel

pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the to address a subject matter on the agenda. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 281-1991 FOR FURTHER INFORMATION.

I, Linda Proskey, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on November 26, 2021, before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Linda Proskey, City Secretary





AGENDA MEMORANDUM

DATE: November 20, 2021
TO: Zoning Board of Adjustment Members
FROM: Randy Richards, Building Official
SUBJECT: Consider action to approve the meeting minutes of the September 28, 2021 Regular Meeting of the Zoning Board of Adjustment

BACKGROUND/INFORMATION:

This item contains the Meeting Minutes Draft for the Board of Adjustment review and approval.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend the Board of Adjustment review and take action on the item presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. September 28, 2021 - DRAFT

REVIEWED BY:

Randy Richards, Building Official

Paul Hackleman, Director of Public Works

Linda Proskey, City Secretary

Approved as to form for inclusion on Agenda

Approved - 11/22/2021

Approved - 11/22/2021

Final Approval - 11/22/2021



**MINUTES
ZONING BOARD OF ADJUSTMENT
TUESDAY, SEPTEMBER 28, 2021
CITY HALL-COUNCIL CHAMBER, 7105 WHITLEY ROAD
REGULAR MEETING
5:30 P.M.**

CALL TO ORDER:

Chairperson David Villafuerte called the meeting to order at 5:30 PM.

ROLL CALL:

David Villafuerte, Place 1
VACANT, Place 2
Roy Stults, Place 3
Lissa Sieja, Place 4 – Absent with notice
Charlie Mann, Place 5

And

Randy Richards, Building Official
Jeannette Garcia, Planning and Zoning Coordinator

PUBLIC TESTIMONY Members of the public are invited and encouraged to attend all public meetings of the Board of Adjustment that are not closed to the public in accordance with the Texas Open Meetings Act. It is the desire of the Board that citizens actively participate in the City's governance system and processes. Public input to the Board of Adjustment is encouraged during the Public Testimony, Public Hearings, or Action Item sections of a meeting agenda. Individuals desiring to speak during Public Testimony shall be called upon to speak only after completing a Request to Speak form provided. The Request to Speak form for Public Testimony shall be submitted to the administrative staff prior to speaking. Individuals desiring to speak on an agenda item or during a public hearing shall submit the Request to Speak form prior to the introduction of that respective item by the Chair. Once the form is received by administrative staff, the individual shall be recognized and called upon by the Chair prior to speaking. Any public testimony must occur prior to formal action being taken by the Body. The Chair shall have the power to suspend citizen comments at any time during the meeting to preserve the order and efficiency of the meeting. Reasonable time limitations may be placed on public testimony by the presiding officer in order to conduct an efficient and effective public meeting.

APPROVAL OF MINUTES:

1. Approval of Minutes from the October 29, 2020 Regular Meeting of the Zoning

Board of Adjustment.

Member Mann made a motion to approve the minutes of October 29, 2020 as presented. Member Stults seconded the motion, which passed as follows:

AYES: Villafuerte, Stults, Mann
NAYS: None
ABSENT: Sieja
ABSTAIN: None

NEW BUSINESS

1. Discussion and action on selection of Zoning Board of Adjustment Officers

a. Chairperson

Member Mann nominated Member David Villafuerte as Chairperson and he accepted the nomination. Member Stults seconded the motion, which passed as follows:

AYES: Villafuerte, Stults, Mann
NAYS: None
ABSENT: Sieja
ABSTAIN: None

b. Vice-Chairperson

Member Stults nominated Member Charlie Mann to serve as Vice-Chairperson, Member Villafuerte seconded the motion, which passed as follows:

AYES: Villafuerte, Stults, Mann
NAYS: None
ABSENT: Sieja
ABSTAIN: None

c. Secretary

Member Villafuerte nominated Member Lissa Sieja to serve as Secretary. Member Stults seconded the motion, which passed as follows:

AYES: Villafuerte, Stults, Mann
NAYS: None
ABSENT: Sieja
ABSTAIN: None

ADJOURNMENT:

With no further business to discuss, Chairperson Villafuerte adjourned the meeting at 5:37 p.m.

APPROVED: this the _____ day of _____ 202_.

SIGNED: this the _____ day of _____ 202_.

APPROVED: _____
David Villafuerte, Chairperson

ATTEST: _____
Lissa Sieja, Secretary



AGENDA MEMORANDUM

DATE: November 20, 2021

TO: Zoning Board of Adjustment Members

FROM: Randy Richards, Building Official

SUBJECT: **ZBA.21-01:** Consider the request for a Variance to Watauga City Code of Ordinances, Chapter 115 Zoning, Article III, Section 115-62, Subsection (2)(b)(1)(ii) which regulates minimum lot width is sixty (60) feet. The applicant is seeking a variance to construct a new residential home on a lot which is fifty (50) feet wide in a SF6 Single-Family district. The subject property is in Watauga Addition Block 5 Lot 6, commonly known as 5630 Lamar Street and is located north of Bowie Street, south of Main Street and east of Denton Highway. The owner/ applicant is Xochith C. Alvarez.

BACKGROUND/INFORMATION:

This request is to allow for the construction of a residence on an existing 50' foot wide lot known as Watauga Addition Block 5 Lot 6, commonly known as 5630 Lamar Street. The adjacent lots to the west were previously approved to develop residences on 50' wide lots. A similar request for a Variance was submitted and granted in 2003 to allow lot width to be 50 feet for lots 10-15 of Block 3, lots 4-7, 12-16 of Block 4 and lots 7-9 of Block 5 of the Watauga Addition.

Without a variance, this lot is unable to be built upon through no fault or action of the landowner.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Discussion and approval or denial of ZBA Case No. 21-01 Variance - Staff recommends approval

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. ZBA.21-01 Application
2. 5630 LAMAR SURVEY

REVIEWED BY:



AGENDA MEMORANDUM

Randy Richards, Building Official

Paul Hackleman, Director of Public Works

Caroline Kelley, City Attorney

Linda Proskey, City Secretary

Approved as to form for inclusion on Agenda

Approved - 11/23/2021

Approved - 11/23/2021

Approved - 11/24/2021

Final Approval - 11/24/2021



Zoning Board of Adjustment Application (PLEASE PRINT)

CASE NO. ZBA 21-01

DATE PAID: 11.27.2021

ZBA FEE: \$300.00

RECEIPT #: 21-01177

I, THE UNDERSIGNED APPLICANT, HEREBY MAKE APPLICATION FOR A [X] VARIANCE OR SPECIAL EXCEPTION FROM THE ZONING ORDINANCE OF THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN THE CITY OF WATAUGA, TEXAS:

LOT: 6 BLOCK: 5 IN THE: Watauga Addition ADDITION

I AM THE [X] OWNER [] LESSEE [] OTHER OF SAID PROPERTY. (IF NOT THE OWNER PLEASE PROVIDE OWNER'S AUTHORIZATION)

NAME OF APPLICANT: Xochitl C. Alvarez

APPLICANT ADDRESS: [REDACTED]

PHONE: [REDACTED] E-MAIL ADDRESS: [REDACTED]

LIST PERTINENT SECTION (S) OF ZONING ORDINANCE AND INDICATE THE SPECIFIC VARIANCE OR SPECIAL EXCEPTION AMOUNTS BEING REQUESTED. (ATTACH A SEPARATE SHEET IF NECESSARY)
I want to build on a 50 feet wide lot and minimums city is 60 feet wide -

STATE GROUNDS FOR THE REQUEST AND DETAIL ANY SPECIAL CONDITIONS WHICH CAUSE HARDSHIPS THAT IN YOUR OPINION JUSTIFY THE VARIANCE OR SPECIAL EXCEPTION (S) YOU ARE REQUESTING.
Adjacent properties are only 50' wide as well.

(ATTACH A DETAILED DIAGRAM OF SITE DRAWN TO SCALE AND ANY OTHER DRAWINGS OR PICTURES NECESSARY TO HELP EXPLAIN THE CASE.)

*I have read the completed application and know the same is true and correct and hereby agree that if a permit is issued all provisions of the City Ordinances and State Laws will be complied with whether herein specified or not. I agree to comply with all property restrictions. I am the owner of the property or the duly authorized agent.

*Submittal of false information or omission as required by this application may result in any permit, license, or approval being revoked.

*Signatures certify that all information provided is true and correct

SIGNATURE: [Signature]

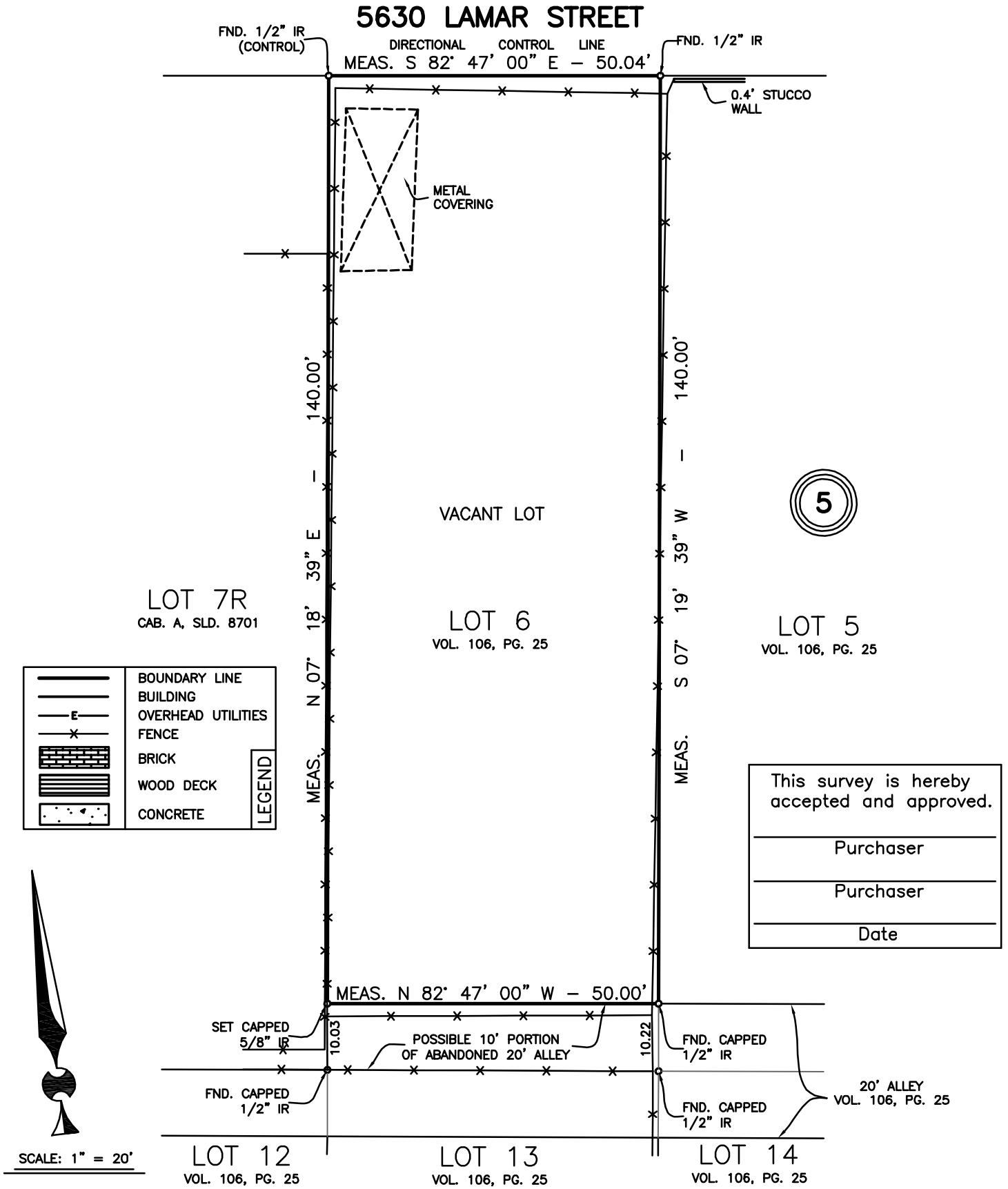
OFFICE USE ONLY: THIS APPEAL HAS BEEN APPROVED [] DISAPPROVED [] BY THE ZONING BOARD OF ADJUSTMENT ON THIS [] DAY OF [], 20 []. CHAIRMAN, ZONING BOARD OF ADJUSTMENT

Reference No: 2004295630 G.F. No: 102013371
 Title Co: PROVIDENCE TITLE
 Purchaser: ALVAREZ

PROPERTY DESCRIPTION

Being Lot 6, Block 5, of WATAUGA, an Addition to the City of Watauga, Tarrant County, Texas, according to the plat thereof recorded in Volume 106, Page 25, of the Plat Records of Tarrant County, Texas.

Prior to Construction, City of Watauga for current building setback requirements for this property.
 10 ft. portion of 20 ft. wide alley has possibly been abandoned; no record found. Contact the City of Watauga for further information.



LEGEND	
	BOUNDARY LINE
	BUILDING
	OVERHEAD UTILITIES
	FENCE
	BRICK
	WOOD DECK
	CONCRETE

This survey is hereby accepted and approved.

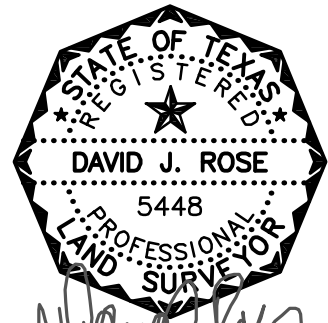
Purchaser

Purchaser

Date

I, DAVID J. ROSE, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE BOUNDARY LINE, AND DIMENSIONS OF THE LAND INDICATED THEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, SAID PROPERTY BEING SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS THAT MAY BE OF RECORD, AND THAT ONLY THE EASEMENTS SHOWN ON THE REFERENCED PLAT OF RECORD, VISIBLE EASEMENTS AND THOSE OF WHICH THE SURVEYOR HAS BEEN GIVEN WRITTEN NOTICE FROM TITLE COMPANY ARE SHOWN ON THIS PLAT. SURVEYOR DID NOT ABSTRACT THIS PROPERTY. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR THE TITLE COMPANY AND PURCHASER SHOWN AND IS LICENSED FOR ONE SINGLE USE. THIS SURVEY WILL BE VOID IF USED BY ANY OTHER PERSON OR FOR ANY OTHER PURPOSE. SURVEYOR BEARS NO RESPONSIBILITY FOR SAID USE.

STATE FIRM REGISTRATION NUMBER 10193797



PROLINE
 SURVEYING LTD.
 www.prolinesurveyors.com



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DRAWN BY: CGF DATE: 04/30/2020

David J. Rose

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SURVEY ONLY VALID WITH ORIGINAL SIGNATURE