



AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
WEDNESDAY, MAY 4, 2022
6:30 PM

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT 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 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

PUBLIC HEARING

1. **ZBA. 22-01:** Public hearing to receive comments for or against the request for a Variance to Watauga City Code of Ordinances, Chapter 115 Zoning, Article III, Section 115-62, Subsection (2)(b)(1)(ii) 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. Owner/Applicant is Xochitl C. Alvarez.

Randy Richards, CFM, Assistant Director of Public Works
Paul Hackleman, Director of Public Works

ACTION ITEM

1. **ZBA. 22-01:** Discuss and consider action for or against a Variance to Watauga City Code of Ordinances, Chapter 115 Zoning, Article III, Section 115-62, Subsection (2)(b)(1)(ii) 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. Owner/ applicant is Xochitl C. Alvarez.

Randy Richards, CFM, Assistant Director of Public Works
Paul Hackleman, Director of Public Works

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 April 29, 2022, before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Linda Proskey, City Secretary





AGENDA MEMORANDUM

DATE: April 25, 2022

TO: Zoning Board of Adjustment Members

FROM: Randy Richards, CFM, Assistant Director of Public Works

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:

- September 28, 2021 - DRAFT

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 4/26/2022
Paul Hackleman, Director of Public Works	Approved - 4/27/2022
David Berman, City Attorney	Approved - 4/27/2022
Joshua Jones, City Manager	Approved - 4/29/2022
Linda Proskey, City Secretary	Final Approval - 4/29/2022

Approved as to form for inclusion on Agenda



**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: April 25, 2022

TO: Zoning Board of Adjustment Members

FROM: Randy Richards, CFM, Assistant Director of Public Works

SUBJECT: **ZBA. 22-01:** Public hearing to receive comments for or against the request for a Variance to Watauga City Code of Ordinances, Chapter 115 Zoning, Article III, Section 115-62, Subsection (2)(b)(1)(ii) 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. Owner/ applicant is Xochitl C. Alvarez.

BACKGROUND/INFORMATION:

The Public Hearing Notice for Zoning Board of Adjustment Case No. ZBA. 22-01 was duly posted at City Hall and published in the Star Telegram by the City Secretary's Office.

The variance use applied for is authorized under Section 115-34 Board of Adjustment (b)(3) subject to board approval finds a variance granted to the Owner of a property shall be authorized from the terms of the zoning ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.

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



AGENDA MEMORANDUM

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend allowing for citizen participation as published and posted.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Sec. 115-34 (b), (3). Board of Adjustment

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 4/26/2022
Paul Hackleman, Director of Public Works	Approved - 4/27/2022
David Berman, City Attorney	Approved - 4/27/2022
Joshua Jones, City Manager	Approved - 4/29/2022
Linda Proskey, City Secretary	Final Approval - 4/29/2022

Approved as to form for inclusion on Agenda

Sec. 115-34. Board of adjustment.

(a) *Organization of the board.*

- (1) *Creation.* There is hereby created a board of adjustment to be composed of five members who shall be qualified electors of the city. It is the declared policy of the city council that it will consider for appointment by the mayor and subject to approval and consent of the city council, only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, and availability to prepare for and attend meetings. The city council may appoint up to four alternate members of the board of adjustment who shall serve in the absence of one or more regular members of the board when requested to do so by the mayor or city manager, as the case may be. Alternate members shall be qualified electors of the city and shall serve for a period of two years from September 1 of the year in which they are appointed.
- (2) *Term of office.* The board of adjustment shall consist of five regular members. Places on the board shall be numbered one through five with all members appointed for two-year terms to expire August 31. Members serving in odd-numbered places shall have their terms expire on each odd-numbered year, and members serving in even-numbered places shall have their terms expire on even-numbered years. The board may submit to the mayor the names of those current members who are recommended for reappointment. An interview committee composed of three members of the city council shall be appointed by the mayor for a term of one year (October 1 through September 30) to interview applicants to fill vacancies on the board. The mayor shall designate one of these three members as an "alternate." In the event the city council has a quorum of four members, all three members (including the alternate) shall serve in their capacity to interview applicants. In the event the city council has a quorum of three members, the alternate will not participate in the interviewing of applicants. However, the alternate shall serve in his or her capacity to interview applicants in the absence of one of the two other members. Members of the interview committee, individually, or as a group, shall submit the names of those recommended for appointment to the mayor. No person shall be recommended for appointment to the mayor by a member of the interview committee unless they have been interviewed by at least one member of the interview committee. The mayor may accept or reject the names submitted. The mayor, subject to the approval and consent of the city council in an open meeting, shall appoint members to the board.
- (3) *Vacancy.* Vacancies shall be filled for unexpired terms; no member shall be appointed for a term in excess of two years. A vacancy in a term of office shall occur whenever the city council finds that a member:
 - a. Has resigned or has not maintained the qualifications required for appointment;
 - b. Has repeatedly failed to attend properly called meetings of the board without just cause; or
 - c. Has been guilty of malfeasance or misconduct in office.
- (4) *Liaisons.* In addition to regular board members, each board shall have two members of the city council appointed by the mayor, subject to the approval and consent of the city council, to serve as liaisons to the board. The purpose of the liaisons is to provide guidance to the board in matters pertaining to city administration and home rule charter affairs, and to provide interface with city staff, the city attorney, and the full city council in any matter that may arise. City council liaisons shall not have the right to vote in any matter before the board, but shall have the right to fully participate in all discussions of matters that come before the board. The appointment of liaisons by the mayor shall be at the second meeting in June of each year.
- (5) *Annual meeting; adoption of rules; installation of members, duties of officers.* The board shall hold an organizational meeting in September of each year and shall elect a chairman, vice-chairman and a

secretary from among its members before proceeding to any other matters of business. The board shall meet regularly and shall designate the time and place of its meetings. The board shall adopt its own rules of procedure and keep a record of its proceedings in accordance with the state statutes and this chapter. Newly appointed members shall be installed at the first regular meeting after their appointment. Duties of the officers shall be as follows:

- a. *Chairperson.* The chairperson shall preside at all meetings, represent the board at public functions, appoint special committees, and provide an agenda for each meeting, which will include any item requested by another board member, or by the director of the department with whom this board directly interfaces. The agenda shall be provided to the city secretary in advance of any meeting to provide proper posting and notification notice in accordance with Texas Open Meeting Act (V.T.C.A., Government Code ch. 551). The chairperson shall schedule meetings of the board, if other than the pre-established time, day, and/or week of the month. The chairperson shall be a voting member of the board.
 - b. *Vice-chairperson.* The vice-chairperson shall assist the chairperson in directing the affairs of the board and act in the chair's absence.
 - c. *Secretary.* The secretary is responsible for the accuracy of the minutes of the board meetings. A draft copy of those minutes will be provided to the city secretary within three working days following any meeting. In addition, the secretary shall sign the approved minutes.
- (6) *Quorum and attendance at meetings.* Four members of the board shall constitute a quorum for the conduct of business. The members of the board shall regularly attend meetings and public hearings of the board and shall serve without compensation, except for reimbursement for authorized expenses attendant to the performance of their duties.
- (7) *Removal.*
- a. The board shall recommend to the mayor and city council removal of any member who is absent from two consecutive meetings without first notifying the chair or the city secretary's office by 12:00 noon of the meeting date and/or fails to exhibit a general interest in the endeavors of the board. Two consecutive absences by a member, whether or not the member first notifies the chair or the city secretary's office by 12:00 noon of the meeting date, shall require a specific agenda item at the next regularly scheduled meeting to determine if the reasons for the absences are sufficient to be excused or constitutes a failure to exhibit a general interest in the endeavors of the board.
 - b. After a public hearing and upon a written charge, the council may remove a board member for cause pursuant to V.T.C.A., Local Government Code § 211.008(b).
- (b) *Duties and powers of the board.* The board of adjustment shall have the powers and exercise the duties of a board in accordance to V.T.C.A., Local Government Code § 211.008. Board members are representatives of the city and shall have the right to inspection of premises where required in the discharge of their responsibilities under the laws of the State of Texas and the ordinances of this city. The board's jurisdiction shall extend to and include the hearing and deciding of the following types of appeals and applications, and to that end shall have the necessary authority to insure continuing compliance with its decision.
- (1) *Interpretation.* To render an interpretation of the zoning regulations or the manner of their application where it is alleged that there is error in any order, requirement, or determination made by the zoning official in the administration of such provisions. In reaching its decisions the board shall establish firm guidelines for future administrative actions on like matters.
 - (2) *Special exception.* To decide upon those applications for a special exception use or development of property when the same is authorized under this chapter subject to board approval. In reaching its decision the board shall not grant the application if it finds:

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- a. That the use is not specifically permitted under this chapter;
 - b. That the locations of proposed activities and improvements are not clearly defined on the site plan filed by the applicant; or
 - c. That the exception will not be wholly compatible with the use and permitted development of adjacent properties.
- (3) *Variance.* To authorize upon appeal in specific cases such variance from the development controls set forth in this chapter as will not be contrary to public interest. In reaching its decision, the board shall not grant the variance appeal if it finds:
- a. That literal enforcement of the controls will not create an unnecessary hardship or practical difficulty in the development of the affected property;
 - b. That the situation causing the hardship or difficulty is not unique to the affected property or is self-imposed;
 - c. That the relief sought will injure the permitted use of adjacent conforming property; or
 - d. That the granting of the variance will not be in harmony with the spirit and purposes of this chapter.
- (c) *Appeal and allocation procedure.*
- (1) *Interpretation request; variance appeal.* A request for interpretation of regulations or an appeal for variance from development controls may be taken by any person aggrieved or by any officer, department, or board of the city affected by a decision of the zoning official. Such appeal shall be taken within a reasonable time as determined by rules of the board of adjustment, by filing with both the zoning official and the board of adjustment a notice of appeal, specifying the grounds thereof. The zoning official shall transmit to the board all papers constituting the record upon which the action appealed from was taken.
 - (2) *Stay of proceedings.* An appeal shall stay all proceedings of the action appealed from, unless the zoning official, after the notice of appeal has been filed with him, certifies to the board that by reason of facts stated in his certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by a restraining order which may be granted by the board or by a court of record on application and notice to the zoning official from whom the appeal is taken.
 - (3) *Special exception application.* An application for a special exception to use or develop property as specifically authorized in district use regulations or in this chapter may be filed by any person owning the affected property or by any tenant upon written authorization of the owner. Such application shall be filed with the board, and a copy thereof with the zoning official.
 - (4) *Form of appeal or application.* The appeal or application shall be in such form and contain such information as the board may require under its rules of procedure. It shall be accompanied by the required fee. An incomplete appeal or application shall be deemed only to give notice of intent to appeal or apply to the board, and shall not be reviewed or scheduled for hearing until brought to completion.
 - (5) *Notice of hearing.* Official written notice of public hearing on every application for a variance or special exception or for an interpretation of regulations applying solely to an individual property shall be sent to all owners of property, or to the person rendering the same for city taxes, affected by such application, located within 200 feet of any property affected thereby, within not less than ten days before such hearing is held. Such notice shall be served by using the last known address as listed on the city tax roll and depositing the notice, postage paid, in the United States mail. Notice of hearings on requests for interpretation of regulations applying to more than one property and ownership shall be

given by means of a general notice as provided below. In addition, a list of items on the agenda to be heard by the board shall be posted at a public place in city hall at least 72 hours before the hearing on said items, and a list of agenda items shall be published in a newspaper of general circulation in the city at least 24 hours before the hearing at which action will be considered.

(d) *Hearing and decision.*

(1) *Generally.*

- a. The board of adjustment shall fix a reasonable time for the hearing of an appeal, give public notice thereof, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by attorney or agent. Evidence supporting the grant or denial of an appeal shall be submitted only through the zoning official or to the board in public meeting.
- b. Any appeal or application may be withdrawn upon written notice to the zoning official, but no appeal shall be withdrawn after posting of hearing notice and prior to board action thereon without formal consent of the board.

(2) *Decision and voting.*

- a. Every decision of the board shall be based upon findings of fact and every finding of fact shall be supported in the record of proceedings. The enumerated conditions required to exist on any matter upon which the board is authorized to pass under this chapter shall be construed as limitations on the power of the board to act.
- b. Nothing herein contained shall be construed to empower the board to change the terms of this chapter, or to effect changes in the zoning districts. The powers of the board shall be so applied that the terms of this chapter will be strictly enforced.
- c. In exercising its powers, the board of adjustment, in conformity with the provisions of V.T.C.A., Local Government Code §§ 211.008—211.013 may modify in whole or in part any order, requirement, decision, or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken.
- d. The concurring vote of four members of the board shall be necessary to reverse on appeal, any order, requirement, decision, or determination of the zoning official, or to approve any application upon which it is required to pass under this chapter or to effect any variance in said chapter.

(3) *Disqualification from voting.*

- a. A member shall disqualify himself from voting whenever he has a personal or monetary interest in the property under appeal, or will be directly affected by the decision of the board.
- b. A member may disqualify himself from voting whenever any applicant, or his agent, has sought to influence the member's vote on the appeal, other than in the public hearing.

(4) *Approval of request.*

- a. In approving any request, the board of adjustment may designate such conditions in connection therewith in order to secure substantially the objectives of the regulation or provision to which such variance is granted and to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted.
- b. When necessary, the board of adjustment may require guarantees, in such form as it deems proper, to insure that conditions designated in connection therewith are being or will be complied with.

- c. Unless a building permit or certificate of occupancy is obtained, appeal shall expire 60 days after the board's decision unless a greater time is requested in the application and is authorized by the board. Any approval may be granted one emergency extension of 60 days on written request filed with the board before expiration of the original approval.
- (5) *Denial of request.* No appeal or application that has been denied shall be further considered by the board under a subsequent request obtained by filing new plans and obtaining of a new decision from the zoning official unless:
- a. The new plans materially change the nature of the request; or
- b. The permitted development of other nearby property in the same zone has been substantially altered or changed by a ruling of the board, so as to support an allegation of changed conditions.
- (6) *Appeal of board action.* Any persons, jointly or separately, aggrieved by any decision of the board of adjustment, or any taxpayer, or any officer, department, or board of the city, may present to a court of record a petition duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of such illegality. Such petition shall be presented to the court within ten days after the filing of the decision complained of in the office of the board of adjustment, and not thereafter.
- (e) *Authorized special exceptions.* The following privately owned or privately operated uses may be permitted as special exceptions by the board in the districts indicated below, subject to full and complete compliance with any and all conditions listed, together with such other conditions as the board may impose for protection of public health or safety:

Special Exception		District Where Permitted
(1)	Aviation field, airport, or aircraft landing area	I
(2)	Extension of cemetery, mausoleum, or crematory for the disposal of human dead	All districts
(3)	Shared parking: Sharing of the same off-street parking space by two or more uses, as follows:	CF, GU, LB, GB, C or I
	(A) When two or more uses, according to such approved plan, share the same off-street parking space, each may be considered as having provided such sharing space individually.	
	(B) The land uses and common parking facility must be located in close proximity to one another.	
	(C) The land uses must be located not farther from the shared parking than a distance of 300 feet, measured by a straight line from the nearest point of the shared off-street parking space.	
(4)	Off-site parking when the following applies:	
	(A) Must be located not farther from the use served than a distance of 300 feet, measured by a straight line from the nearest point of the land on which the use served is located to the nearest point of the separated off-street parking space.	
	(B) A written agreement shall be drawn to the satisfaction of the city attorney and executed by all parties concerned assuring the continued availability of the off-site parking facilities for the use they are intended to service.	
(5)	Reduction of required parking between 11% and 50%.	CF, GU, LB, GB, C or I

(6)	Antenna facilities which do not meet the requirements of section 115-116, Antenna facilities. See section 115-116, Antenna facilities.	
(7)	Outside storage for department stores and hardware stores. Conditions: Must not be located in the designated front yard setback area.	CF, GU, LB, GB, C or I
(8)	Carpports. Conditions: Must have minimum five foot front yard setback from the sidewalk (or ten-foot front yard setback in yards where there is no sidewalk), and minimum five-foot side yard setback. Carports may be constructed of (1) all metal finished in a color or color scheme identical to, or compatible with, the trim of the existing residential structure, or (2) a combination of wood and masonry so designed that the masonry and roofing material used in the construction of the carport is compatible with the existing residential structure. However, residences constructed pursuant to 80% or greater masonry requirements (based on square footage measurements) must have carports constructed with vertical columns of brick or natural stone. Residences constructed pursuant to zoning buildings regulations with masonry requirements of less than 80% are exempt from the requirement of masonry or natural stone columns. The maximum height of any portion of the carport shall not be higher than the highest part of the residence. Flat roof designed carports shall not extend below the lowest point of the eaves of the house. Carports will not be built to accommodate vehicles more than eight feet in height.	SFA, SF6, D, and MF and residential uses; permitted in nonresidential districts by provisions otherwise contained within the zoning ordinance.
(9)	Seasonal merchants. Conditions: The special exception shall be limited to outdoor retail sales of items to include pumpkins, hay bales, Christmas trees, holiday yard art or holiday accessory items, shrubbery, outdoor plants, potted plants, hanging baskets and container plants as well as fruit and vegetable plants, shrubs and trees. These special exception sales may only occur March 1 through December 31. Seasonal permits must be obtained annually from the department of public works.	GB, LB, C and I

(Code 2001, § 14.604; Code 2010, § 14.06.004; Ord. No. 1439, § IV, 2-22-2010; Ord. No. 1543, § I, 1-27-2014; Ord. No. 1673, § I, 10-22-2018)

State law reference(s)—Board of adjustment, V.T.C.A., Local Government Code § 211.008 et seq.



AGENDA MEMORANDUM

DATE: April 25, 2022

TO: Zoning Board of Adjustment Members

FROM: Randy Richards, CFM, Assistant Director of Public Works

SUBJECT: **ZBA. 22-01:** Discuss and consider action for or against a Variance to Watauga City Code of Ordinances, Chapter 115 Zoning, Article III, Section 115-62, Subsection (2)(b)(1)(ii) 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. Owner/ applicant is Xochitl 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. 22-01 - Variance - Staff recommends approval of Resolution

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. ZBA.21-01 Application_Redacted
2. 5630 LAMAR SURVEY
3. Old Town Watauga Addition Final 2003 Lots 10R-15R Blk 3.....D203380341
4. Resolution 2022-001 (Case ZBA. 22-01) - Variance



AGENDA MEMORANDUM

5. ZBA.22-01 - Resolution EXHIBITS A-D

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 4/26/2022
Paul Hackleman, Director of Public Works	Approved - 4/27/2022
David Berman, City Attorney	Approved - 4/27/2022
Joshua Jones, City Manager	Approved - 4/29/2022
Linda Proskey, City Secretary	Final Approval - 4/29/2022

Approved as to form for inclusion on Agenda



Zoning Board of Adjustment Application (PLEASE PRINT)

CASE NO. ZBA 2201

DATE PAID: 11.22.2021

ZBA FEE: \$300.00

RECEIPT #: 21-0477

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: Xochith 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]

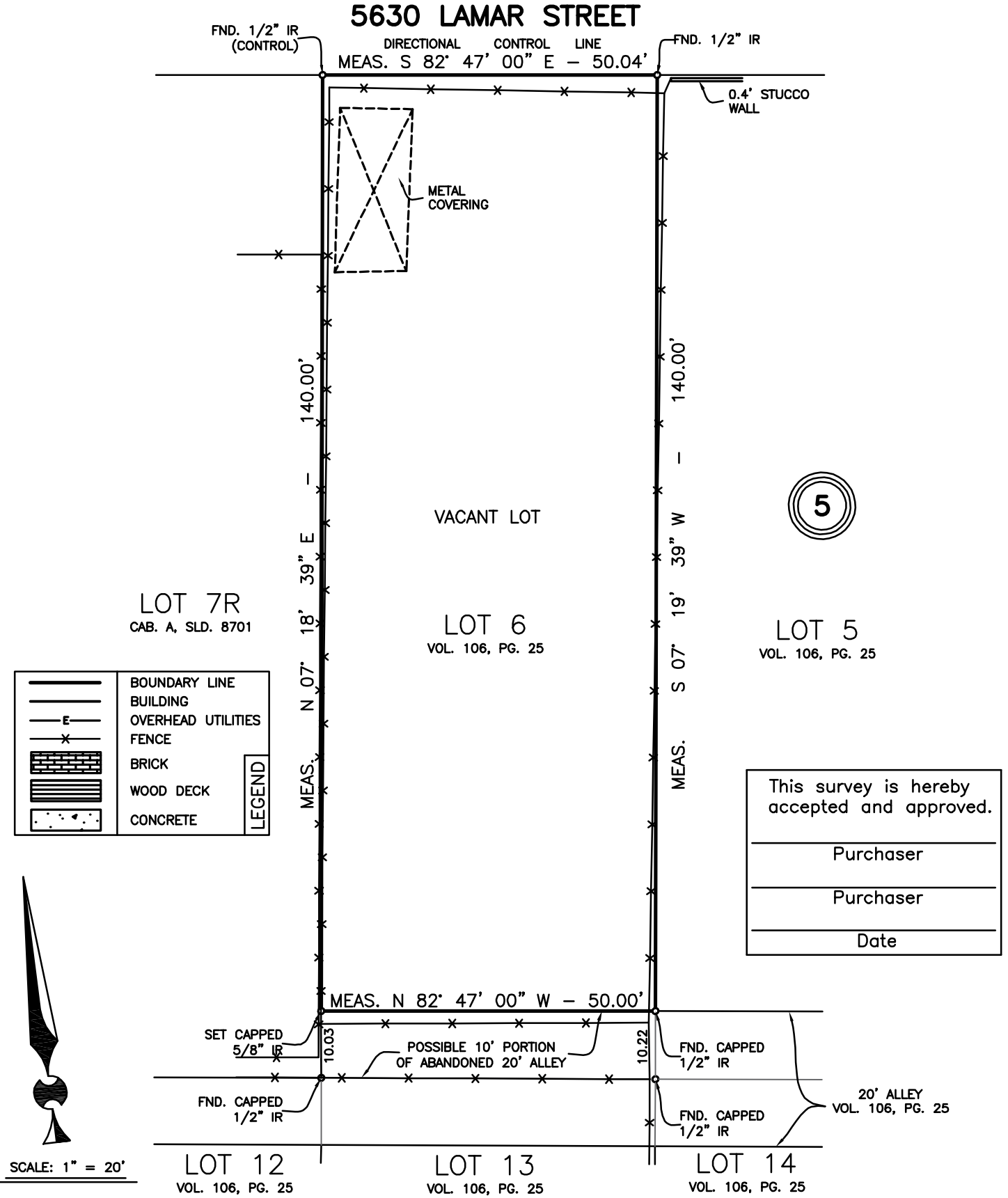
OFFICE USE ONLY: THIS APPEAL HAS BEEN APPROVED [] DISAPPROVED [] BY THE ZONING BOARD OF ADJUSTMENT ON THIS [] DAY OF [], 20 []. CHAIRMAN, ZONING BOARD OF ADJUSTMENT

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

SCALE: 1" = 20'

SURVEYORS CERTIFICATION

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

Ph# 817-276-1148 orders@prolinesurveyors.com

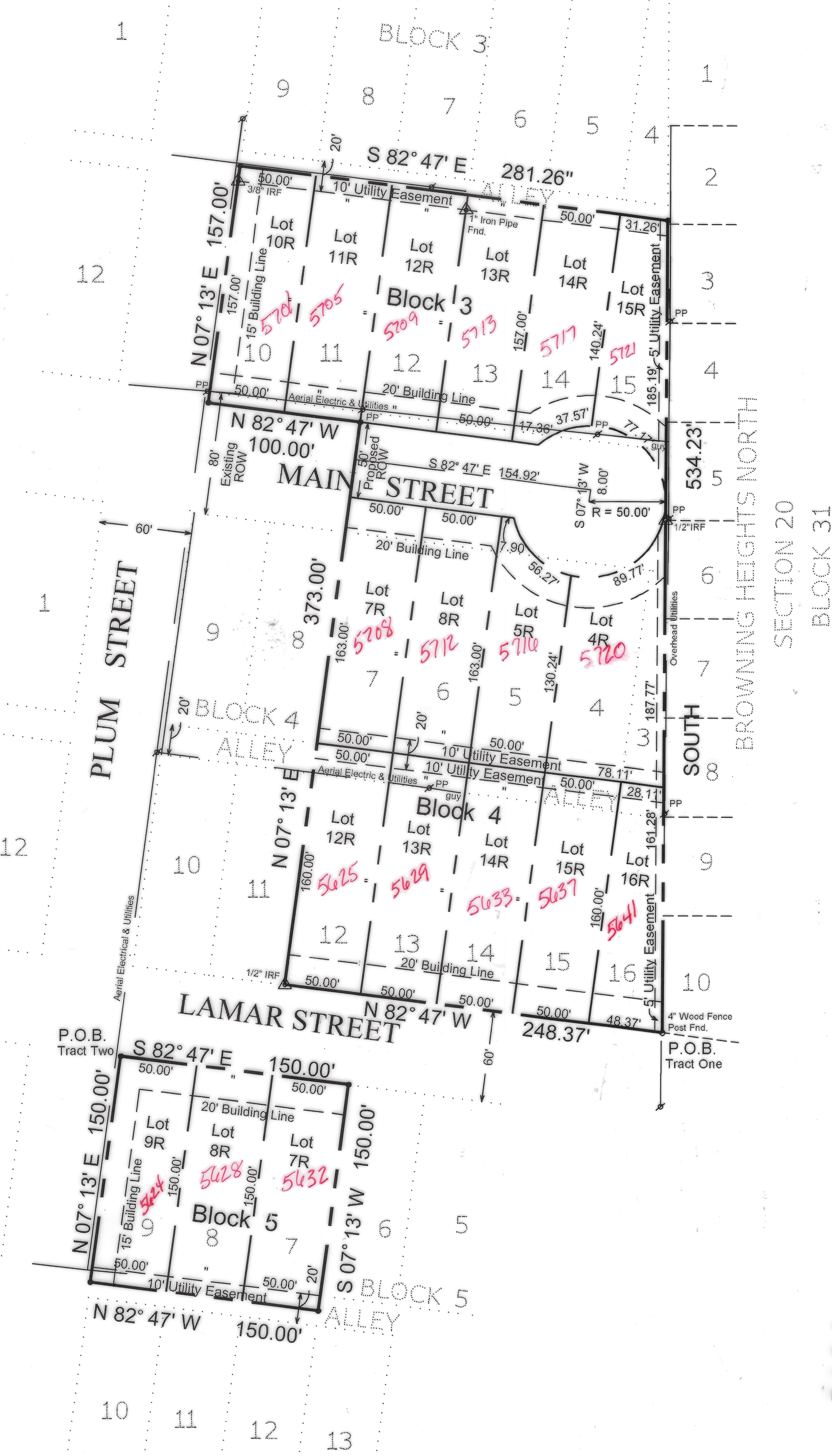
© Proline Surveying, LTD. 2019

DRAWN BY: CGF DATE: 04/30/2020

David J. Rose

SURVEY ONLY VALID WITH ORIGINAL SIGNATURE

FILED
-REAR COUNTY CLERK
OCT-3 PM 2:20
COUNTY CLERK



STATE OF TEXAS }
COUNTY OF TARRANT }

OWNER'S ACKNOWLEDGMENT & DEDICATION

I, the undersigned, owner of the land shown on this plat within the area described by metes and bounds as follows:

Being all of Lots 10 thru 15, Block 3, Lots 3 thru 7 and Lots 12 thru 16 Block 4 and Lots 7 thru 9 Block 5, and part of Main Street and alleys as shown on plat of Watauga Addition as recorded in Volume 106, Page 25, Deed Records, Tarrant County, Texas, being more particularly described in two tracts as follows:

Tract One
BEGINNING at a 4 inch wood fence post found at the southeast corner of Block 4 of Watauga Addition and being the intersection of the north right-of-way of Lamar Street and the east line of said Watauga Addition;
THENCE North 82 degrees 47 minutes West, leaving east line of said Watauga Addition, along the north right-of-way of Lamar Street and the south line of said Block 4, 248.37 feet to a 1/2 inch iron rod found at the southeast corner of Lot 11, Block 4 of said Watauga Addition;
THENCE North 07 degrees 13 minutes East, leaving said north right-of-way of Lamar Street and with the east line of said Lot 11 crossing an alley and along east line of Lot 8, Block 4, of Watauga Addition, passing a 1/2 inch iron rod found at the northeast corner of said Lot 8 at 300.00 feet in all a distance of 373.00 feet to a capped 1/2 inch iron rod set for corner;
THENCE North 82 degrees 47 minutes West, parallel with the south line of Block 3 of Watauga Addition, 100.00 feet to a capped 1/2 inch iron rod set for corner in the east right-of-way line of Plum Street;
THENCE North 07 degrees 13 minutes East, with the east right-of-way line of Plum Street at 7.00 feet passing the southeast corner of Lot 10, Block 3 of Watauga Addition, and at 147.00 feet passing a 1/2 inch iron rod found at the northwest corner of said lot 10, in all a distance of 157.00 feet to a capped 1/2 inch iron rod set for corner in the center of an alley;
THENCE South 82 degrees 47 minutes East, leaving the east right-of-way of Plum Street, with the center of said alley, 281.26 feet to a capped 1/2 inch iron rod set for corner;
THENCE South , with said east line 534.23 feet to the POINT OF BEGINNING and containing 129,553 square feet or 2.974 acres of land, more or less.

Tract Two
BEGINNING at a capped 1/2 inch iron rod set at the intersection of the south right-of-way line of Lamar Street and the east right-of-way line of Plum Street and being the northwest corner of Block 5, of Watauga Addition;
THENCE South 82 degrees 47 minutes East, leaving the east right-of-way of Plum Street, and with the south line of Lamar Street and north line of said Block 5, 150.00 feet to a capped 1/2 inch iron rod set for corner, at the northeast corner of Lot 7, Block 5, of Watauga Addition;
THENCE South 07 degrees 13 minutes West, leaving the south right-of-way line of Lamar Street and along the east line of said Lot 7, at 140.00 feet passing the southeast corner of said Lot 7, in all a distance of 150.00 feet to a capped 1/2 inch iron rod set for corner in the center of an alley;
THENCE North 89 degrees 47 minutes West, with the center of said alley, 150.00 feet to a capped 1/2 inch iron rod set for corner in the east right-of-way line of aforementioned Plum Street;
THENCE North 07 degrees 13 minutes West, with the east right-of-way line of said Plum Street, at 10 feet passing the southeast corner of Lot 9, Block 5, of Watauga Addition, in all 150.00 feet to the POINT OF BEGINNING and containing 22,500 square feet or 0.5165 acres of land, more or less, designated as OLD TOWN WATAUGA ADDITION for the City of Watauga, Texas, and whose name is subscribed hereto, he hereby dedicate to the use of the public forever, all streets, alleys, paths, watercourses, drains, easements, rights-of-way and public places thereon for the consideration therein expressed.

Phil DeLong

STATE OF TEXAS }
COUNTY OF TARRANT }

NOTARY PUBLIC

Before me, the undersigned authority, on this day personally appeared Phil DeLong of Tarrant County, Texas, known to me the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal on this 5th day of August, 2003

Phil DeLong
My commission expires: 11-11-2007

PLANNING & ZONING CERTIFICATION

On the 5th day of August, 2003, This Plat was duly approved by the Planning and Zoning Commission of the City of Watauga, Texas.

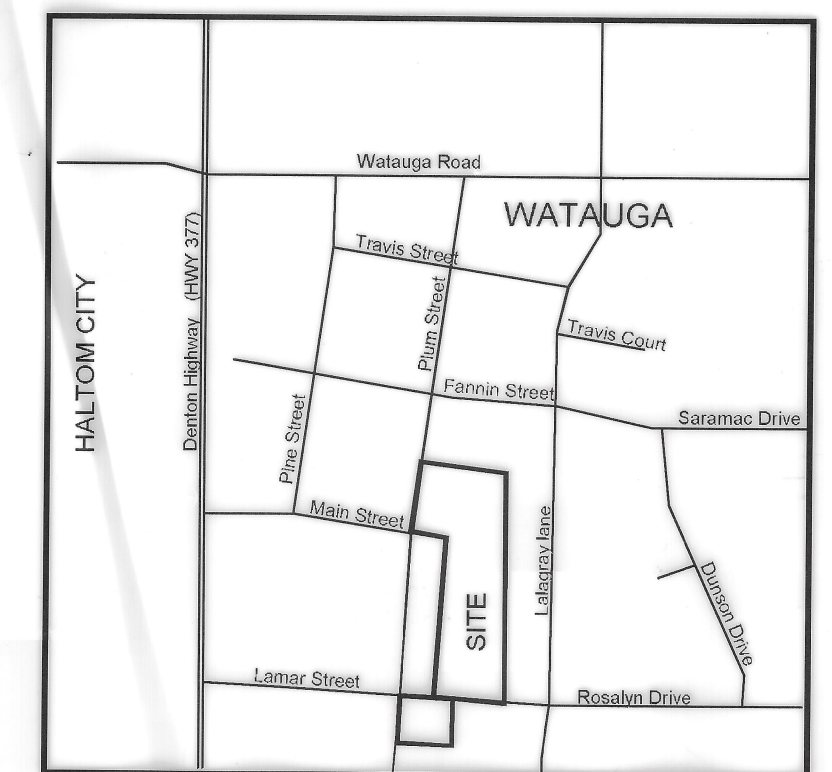
By: Mace Pierce Chairman
Attest: Nancy Meadows City Secretary

CITY APPROVAL STATEMENT

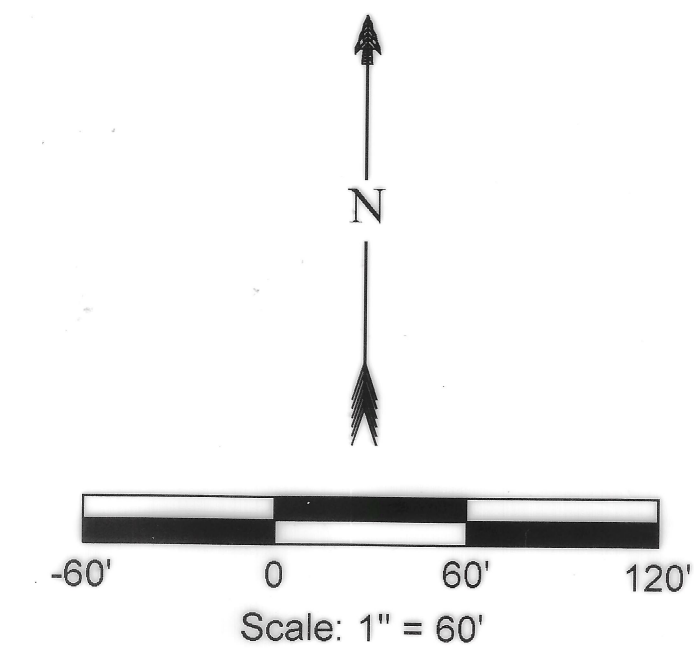
The City Council of Watauga, Texas, on the 25th day of August, 2003, voted affirmatively to adopt this Plat and approve it for filing of record.

By: Henry Hoffner Mayor
Attest: Nancy Meadows City Secretary

Owner/Developer
Phil DeLong
956 Roxbury Way
Keller, Tx 76248



Location Map
Not to scale

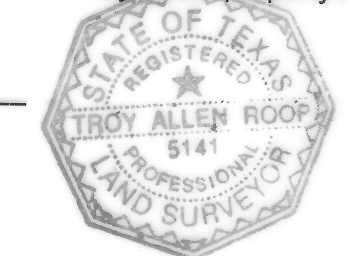


STATE OF TEXAS }
COUNTY OF TARRANT }

SURVEYOR'S CERTIFICATE

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this Plat is true and correct and was prepared from an actual survey of the property made on the ground by me or under my supervision and direction.

Troy Allen Roop
Troy Allen Roop
Registered Professional Land Surveyor No. 5141



PLAT SHOWING THE FINAL PLAT OF
OLD TOWN WATAUGA ADDITION
TO BE KNOWN AS LOTS 10R THROUGH 15R, BLOCK 3,
LOTS 4R THROUGH 7R, BLOCK 4, 12R THROUGH 16R, BLOCK 4,
AND LOTS 7R THROUGH 9R, BLOCK 5.
BEING A RE-PLAT OF
LOTS 10 THROUGH 15, BLOCK 3,
LOTS 3 THROUGH 7, BLOCK 4, LOTS 12 THROUGH 16, BLOCK 4,
LOTS 7 THROUGH 9, BLOCK 5, OF WATAUGA ADDITION,
TARRANT COUNTY, TEXAS

Arrow-Surveying
P.O. Box 902, Decatur, Texas 76234
Ph. (940) 626-8034 Fax (940) 626-8134

Iron Rod Set, Control Monument, GM Gas Meter, Iron Rod Found, X-Wood or Wire Fence, EM Electric Meter, Air Conditioner, Overhead Utilities, Power Pole. All iron rods are 1/2" rebar unless otherwise noted.

Troy Allen Roop
Registered Professional Land Surveyor No. 5141

Date: 7-1-03
Drawn by: TR
Job No. 0306012-AMJ

Return to:
City of Watauga
City Secretary's Office
7101 Whitley Road
Watauga TX 76148
(817) 514-5811

- Surveyor's Notes:
1. Basis of Bearings - East line of Watauga Addition as recorded in Volume 106, Page 25, Deed Records, Tarrant County, Texas, being South.
 2. All Lot corners will be set marked with 1/2" rebar with yellow cap stamped R.P.L.S. 5141, upon approval of this plat, unless shown otherwise hereon.
 3. A variance will be required for 50' lots, the City Code requirements call for a minimum width of 60'.
 4. Dotted lines indicated lots lines from original plat of Watauga Addition recorded in Volume 106, Pg. 25, DRTCT.
 5. All power poles, guy wires, aerial electrical and utilities not in a platted easement shall be relocated to easements shown on plat without cost to the City of Watauga.
 6. The City of Watauga by this plat hereby abandons those portions of ROWs and Easements originally platted and identified on the plat recorded in Volume 106, Page 25 of the Deed Records of Tarrant County, Texas and included on this plat as portions of Block 3, 4, and 5.
 7. The power pole located on Lot 13, Block 4 will be relocated without cost to the City of Watauga.

**CITY OF WATAUGA, TEXAS
ZBA RESOLUTION NO. 2022-001**

A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF WATAUGA, TEXAS AUTHORIZING A VARIANCE TO WATAUGA CITY CODE OF ORDINANCES, CHAPTER 115 - ZONING, ARTICLE II, SECTION 115-34 (B)(3); AUTHORIZING VARIANCE FROM THE DEVELOPMENT CONTROLS SET FORTH IN THE ZONING CODE AS WILL NOT BE CONTRARY TO PUBLIC INTEREST, AND; DESIGNATING CONDITIONS, 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; FOR THE PROPERTY LOCATED AT 5630 LAMAR STREET, LOT 6 BLOCK 5 OF THE WATAUGA ADDITION. XOCHITL C. ALVAREZ, OWNER. PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, the Zoning Board of Adjustment finds, Xochitl C. Alvarez owns the Property addressed as 5630 Lamar Street, Lot 6 Block 5 of the Watauga Addition, located in the City of Watauga, Tarrant County, Texas; and

WHEREAS, the Zoning Board of Adjustment finds, 5630 Lamar Street, Lot 6 Block 5 of the Watauga Addition, located in the City of Watauga, Tarrant County, Texas shall be known as the “Property”; and

WHEREAS, the Zoning Board of Adjustment finds, for purposes of this Resolution, Xochitl C. Alvarez, authorized Applicant/Owner of said “Property” shall be known as the “Owner”; and

WHEREAS, the Zoning Board of Adjustment finds, variance use applied for is authorized under Section 115-34 Board of Adjustment (b)(3) subject to board approval; and

WHEREAS, the Zoning Board of Adjustment finds, pursuant to Section 115-34, by an affirmative vote and after public hearing and proper notice to all parties affected have been made, and ascertaining that requirements and safeguards as are necessary to protect adjoining property, may authorize variance to the Zoning Ordinance; and

WHEREAS, the Zoning Board of Adjustment finds, the variance granted to the Owner of a property shall be authorized from the terms of the zoning ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; and

WHEREAS, the Zoning Board of Adjustment finds, the Owner of the Property has made proper application in accordance with Section 115-34(c)(4) for variance; and

WHEREAS, the Zoning Board of Adjustment finds the proposed development for a new single family residence is clearly defined on the site plan filed by the applicant; and

WHEREAS, the Zoning Board of Adjustment finds the proposed use is wholly compatible with the use and permitted development of adjacent properties; and

WHEREAS, in granting a Variance, Zoning Board of Adjustment may impose requirements and safeguards as are necessary to protect adjoining property regarding certain uses of land located within the City which shall be complied with by the Owner; and

WHEREAS, the Zoning Board of Adjustment finds, that the following conditions are necessary to provide adequately for the protection of public health and safety, as well as maintenance of the integrity and character of the zone in which the variance is to be granted; and

WHEREAS, the Zoning Board of Adjustment finds, that the site plan outlining the proposed use of the Property confirms compliance with the conditions and special regulations associated with the granting of the variance; and

WHEREAS, the Zoning Board of Adjustment finds, that such application, and Site Plan, were presented to and approved by the Zoning Board of Adjustment as Zoning Board of Adjustment Case Z.22-01 on May 4, 2022, (**Exhibit “A”** and **Exhibit “B”** attached hereto and fully incorporated herein for all purposes); and

WHEREAS, the Zoning Board of Adjustment finds, written notice of the Zoning Board of Adjustment public hearing on the proposed changes was sent to all owners of property, or to the person rendering the same for city taxes, affected by such proposed changes of classification, and to all owners of property, or to the person rendering the same for city taxes located within 200 feet of the Property affected thereby, in accordance with Section 115-34(c)(5) (**Exhibit “C”** attached hereto and fully incorporated herein for all purposes); and

WHEREAS, the Zoning Board of Adjustment finds, the City of Watauga published, in its designated newspaper of general circulation, legal notice of the public hearing and the consideration of the application for variance for the Property and for the Owner and provided all notices as required by law to adjacent property owners (**Exhibit “D”** attached hereto and fully incorporated herein for all purposes); and

WHEREAS, the Zoning Board of Adjustment of the City of Watauga, Texas has considered the application and the materials presented referenced herein and now deems it appropriate to grant such requested variance.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF WATAUGA, TEXAS:

I.

The facts and recitations set forth in the preamble of this Resolution are hereby found to be true and correct.

II.

The Zoning Variance of the Property is hereby granted to the Owner, Xochitl C. Alvarez.

III.

The Variance permitted to the Owner by this Resolution is to construct a new residential home on a lot which is fifty (50) feet wide in a SF6 Single-Family district, pursuant to Section 115-34(d)(4). Unless a building permit or certificate of occupancy is obtained, appeal shall expire 60 days after the board's decision unless a greater time is requested in the application and is authorized by the board, then this permit shall become void, provided that such limitation may be extended upon application by the owner of such property to the Zoning Board of Adjustment of the City of Watauga.

IV.

This Resolution shall be and is hereby cumulative of all other Resolutions of the City of Watauga, Texas, and this Resolution shall not operate to repeal or affect any of such other Resolutions, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Resolution, in which event such conflicting provisions, if any, in such other Resolution(s) are hereby repealed. However, to the extent this Resolution represents any deviation from the 2016 Future Land Use Plan of the City of Watauga City Comprehensive Plan, such map is hereby amended to conform with this Resolution.

V.

If any section, sub-section, sentence, clause or phrase of this Resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution.

VI.

Any person who violates, or any person who causes or allows another person to violate any provision of this Resolution shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine in accordance with the general penalty provision found in section 1-7. Each occurrence of any violation of this Resolution shall constitute a separate offense. Each day in which any violation of this Resolution occurs shall constitute a separate offense.

VII.

This Resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the Zoning Board of Adjustment and upon approval thereof by the Zoning Board of Adjustment of the City of Watauga, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the Zoning Board of Adjustment of the City of Watauga, Texas this, the 4th day of May 2022.

APPROVED:

CHAIRPERSON, City of Watauga
Zoning Board of Adjustment

ATTEST:

SECRETARY



Zoning Board of Adjustment Application (PLEASE PRINT)

CASE NO. ZBA 2201

DATE PAID: 11.22.2021

ZBA FEE: \$300.00

RECEIPT #: 21-0477

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: Xochith 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)

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*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]

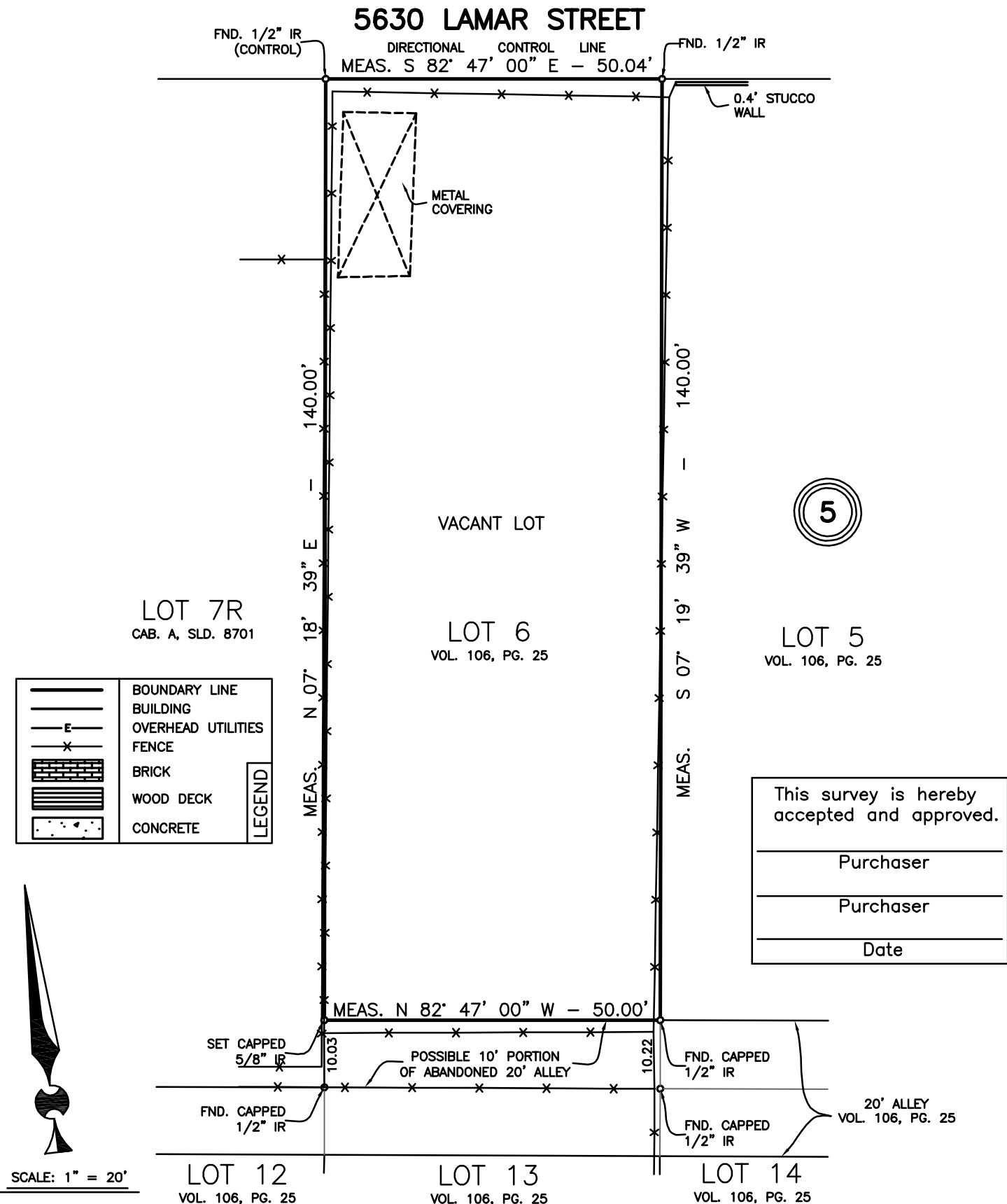
OFFICE USE ONLY: THIS APPEAL HAS BEEN APPROVED [] DISAPPROVED [] BY THE ZONING BOARD OF ADJUSTMENT ON THIS [] DAY OF [], 20 []. CHAIRMAN, ZONING BOARD OF ADJUSTMENT

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

PROPERTY DESCRIPTION

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LEGEND	
	BOUNDARY LINE
	BUILDING
	OVERHEAD UTILITIES
	FENCE
	BRICK
	WOOD DECK
	CONCRETE

This survey is hereby accepted and approved.

Purchaser

Purchaser

Date



SCALE: 1" = 20'

SURVEYORS CERTIFICATION

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.

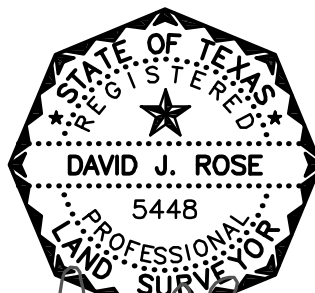
STATE FIRM REGISTRATION NUMBER 10193797

PROLINE

SURVEYING LTD.
 www.prolinesurveyors.com

Ph# 817-276-1148 orders@prolinesurveyors.com

© Proline Surveying, LTD. 2019



DRAWN BY: CGF DATE: 04/30/2020

SURVEY ONLY VALID WITH ORIGINAL SIGNATURE

EXHIBIT "C"

Owner	Owner_Address	Owner_City State	Owner_Zip	Situs_Address
Xochitl C Alvarez	5701 Tourist Dr	N Richland Hills TX	76117	5630 Lamar St
Appia Wind Services LLC	3200 Ashland Dr	Bedford TX	76021	6004 Plum St
Albert/Bertha/Jose/Karen Perez	5650 Lamar St	Fort Worth TX	76148	5625 Bowie St
Rachel Lynn Nabors	6009 Lalagray Ln	Watauga TX	76148	6009 Lalagray Ln
Brigham T Green	6051 Lalagray Ln	Watauga TX	76148	6051 Lalagray Ln
Morris Sayon	5641 Lamar St	Fort Worth TX	76148	5641 Lamar St
Luis & Candelaria Barrera	5637 Lamar St	Watauga TX	76148-3455	5637 Lamar St
Hector C Aguirre & Laura E Sanchez	5633 Lamar St	Watauga TX	76148	5633 Lamar St
Kim O & Thong L Phan	5629 Lamar St	Watauga TX	76148-3455	5629 Lamar St
Jose A Marquez	5625 Lamar St	Watauga TX	76148-3455	5625 Lamar St
Ricky Wayne Parker	6020 Plum St	Watauga TX	76148-3466	6020 Plum St
Thanh & Kelly Le	6640 Hightower Dr	Watauga TX	76148	5624 Lamar St
Steve A & Della M Jones	5628 Lamar St	Watauga TX	76148-3454	5628 Lamar St
Manuel Soto	5632 Lamar St	Watauga TX	76148-3454	5632 Lamar St
Albert/Bertha/Jose/Karen Perez	5650 Lamar St	Fort Worth TX	76148	5650 Lamar St

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0070472

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

FTW - Legal Ads

Final Cost:

86.68

Payment Type:

Account Billed

User ID:

IPL0019627

ACCOUNT INFORMATION

CITY OF WATAUGA IP
7105 WHITLEY RD
FORT WORTH, TX 76148-2024
817-281-8047
noemail@noemail.com
CITY OF WATAUGA

TRANSACTION REPORT**Date**

April 25, 2022 5:15:54 PM EDT

Amount:

86.68

SCHEDULE FOR AD NUMBER IPL00704720

April 29, 2022

Fort Worth Star-Telegram

PREVIEW FOR AD NUMBER IPL00704720**NOTICE OF PUBLIC HEARING**

WATAUGA ZONING BOARD OF
ADJUSTMENT
CITY HALL COUNCIL CHAMBER
7105 WHITLEY ROAD, WATAUGA,
TEXAS 76148
MAY 4, 2022
6:30 P.M.

Notice is hereby given that there will be a public hearing before the City of Watauga Zoning Board of Adjustment at its meeting on May 4, 2022, beginning at 6:30 p.m. in the City Council Chambers at 7105 Whitley Road, Watauga, TX to receive comments for or against the following item:

ZBA. 22-01: Consider request for a Variance to Watauga City Code of Ordinances, Chapter 115 Zoning, Article III, Section 115-62, Subsection (2)(b) (1)(ii) 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 the 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. Owner/Applicant is Xochitl C. Alvarez.

Published on April 29, 2022, in the Star Telegram, Legal Notices Section. I, Linda Proskey, City Secretary for the City of Watauga, Texas, hereby certify that this notice was posted on the official bulletin board at City Hall, 7105 Whitley Road, Watauga, Texas, on April 25, 2022 before 6:30 p.m. in

ON APRIL 29, 2022, BEFORE 5:00 P.M., in accordance with Chapter 551 of the Texas Government Code.
/s/ Linda Proskey
Linda Proskey, City Secretary
IPL0070472
Apr 29 2022

[<< Click here to print a printer friendly version >>](#)