

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ADJUSTMENT OF THE
CITY OF LAKE WORTH, TEXAS
HELD IN CITY HALL, COUNCIL CHAMBERS, 3805 ADAM GRUBB
TUESDAY, MARCH 5, 2019**

REGULAR MEETING: 6:30 PM

A. CALL TO ORDER.

Chair Robb Welch called the Board of Adjustment meeting to order at 6:40 p.m.

A.1 ROLL CALL.

Present:	Tana Wharton	Place 2
	Robb Welch	Place 3
	Bill Still	Place 4
	Yvonne "Bonnie" Amick	Alternate Place 6
	Vacant	Alternate Place 7
Absent:	Wilson Daggs, Jr.	Place 1
	Patricia Davis	Place 5
Staff:	Barry Barber	Director of Building Development
	Suzanne Meason	Planning & Zoning Coordinator
	Bradley Anderle	City Attorney

A.2 INVOCATION AND PLEDGE OF ALLEGIANCE.

Chair Robb Welch gave the invocation and attendees recited the pledge of allegiance.

A.3 SPECIAL PRESENTATION(S)

**A.3.1 PRESENTATION – ADMINISTER OATHS OF OFFICE TO APPOINTED
BOARD OF ADJUSTMENT MEMBERS, PLACES 1, 2, 3 AND 5.**

Ms. Meason administered the oath of office for Bill Still, Place 4 and Yvonne "Bonnie" Amick, Alternate Place 6 prior to the meeting opening and Chair Robb Welch introduced them during this time and advised that Member Amick would be a voting member for this meeting due to regular member absences.

B. MINUTES

B.1 APPROVE MINUTES OF THE OCTOBER 30, 2018 BOARD OF ADJUSTMENT MEETING.

APPROVED

MEMBER TANA WHARTON MADE A MOTION, SECONDED BY MEMBER YVONNE "BONNIE" AMICK, TO APPROVE THE MINUTES OF THE OCTOBER 30, 2018 BOARD OF ADJUSTMENT MEETING AS PRESENTED.

MOTION TO APPROVE CARRIED 4-0.

CHAIR ROBB WELCH THEN ANNOUNCED AT 6:45 PM THAT THE BOARD OF ADJUSTMENT WOULD ADJOURN INTO EXECUTIVE SESSION AS AUTHORIZED BY CHAPTER 551.071, TEXAS GOVERNMENT CODE, TO SEEK ADVICE FROM THE CITY ATTORNEY.

CHAIR ROBB WELCH RECONVENED BACK IN TO OPEN SESSION AT 7:11 PM.

C. PUBLIC HEARINGS

C.1 PUBLIC HEARING TO CONSIDER BOARD OF ADJUSTMENT CASE #BOA-2019-01, A VARIANCE REQUEST OF THE COMPREHENSIVE ZONING ORDINANCE, ARTICLE 14.500, SEC. 14.501 (1) AND (2) REGARDING THE REQUIRED FRONT YARD BUILDING SETBACK OF TWENTY-FIVE FOOT (25') AND SIDE YARD BUILDING SETBACK OF FIVE FOOT (5') ON A 0.4068-ACRE PARCEL OF LAND KNOWN AS BLOCK 20, LOT(S) 21 AND 22, INDIAN OAKS SUBDIVISION OF THE RECORDS OF TARRANT COUNTY, TEXAS; WHICH IS GENERALLY DESCRIBED AS 7308 NAVAJO TRAIL, LAKE WORTH, TEXAS.

APPROVED

Chair Robb Welch opened the public hearing at 7:13 pm and asked staff to provide the report for the case.

Ms. Meason explained that Mr. Fermin Cruz was the owner and resident of the property located at 7308 Navajo Trail. He came to the city to request a permit to add an addition on to his current residence. When he did so it was discovered that there were two (2) separate lots and that the house was built across property lines. He was advised that he would have to replat the property into one (1) lot in order to be able to build the addition. When Mr. Cruz hired the surveyor to do so it was revealed that the current structure only sits 21.7' from the front property line and at 4.2' on the side property line. Current ordinance requires 25' front and 5' side setbacks; he was told he would have to request a variance to the ordinance requirement before the Board of Adjustment. She advised

that notice of the public hearing was mailed to property owners within 200' of the property and was also published in the city's paper of record, the Fort Worth Star Telegram. Ms. Meason advised that Mr. Cruz and Mr. Moore were present to answer any questions.

Mr. Moore spoke on behalf of Mr. Cruz with his permission regarding the request.

City Attorney, Bradley Anderle advised Mr. Moore that the issue at hand was currently the variance request to where the current structure sits. Mr. Moore stated that he understood.

Chair Robb Welch thanked Mr. Cruz and Mr. Moore for their presence and opened discussion from the Board. He also made mention that the only item for consideration this evening was the variance request. Chair Welch advised that the Board has very specific criteria that they have to look at when considering a variance request and he read those criteria directly from the code of ordinances.

There being no one else in the audience wishing to speak, Chair Robb Welch closed the public hearing at 7:26 pm and called for a motion.

MEMBER YVONNE "BONNIE" AMICK MADE A MOTION, SECONDED BY MEMBER TANA WHARTON, THAT IT WAS FOUND THAT ALL THE CRITERIA FOR VARIANCE HAS BEEN MET AND THAT THE VARIANCE REQUESTED IN BOARD OF ADJUSTMENT CASE #BOA-2019-01 BE APPROVED AS PRESENTED.

MOTION TO APPROVE CARRIED 4-0.

THERE WERE NO OTHER EXECUTIVE SESSION ITEMS.

D. EXECUTIVE SESSION

The Board of Adjustment may enter into closed Executive Session as authorized by Chapter 551, Texas Government Code. Executive Session may be held at the end of the Regular Session or at any time during the meeting that a need arises for the Board of Adjustment to seek advice from the city attorney (551.071) as to the posted subject matter of this Board of Adjustment meeting.

The Board of Adjustment may confer privately with its attorney to seek legal advice on any matter listed on the agenda or on any matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Texas Government Code.

E. EXECUTIVE SESSION ITEMS – BOARD OF ADJUSTMENT MAY TAKE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION LISTED ON THE AGENDA.

F. ADJOURNMENT

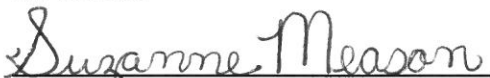
Chair Robb Welch adjourned the meeting at 7:28 p.m.

APPROVED:



Robb Welch, Chair
Board of Adjustment

ATTEST:



Suzanne Meason
Planning & Zoning Administrator