

CITY OF LAKE WORTH

PLANNING AND ZONING COMMISSION AGENDA

**3805 ADAM GRUBB
LAKE WORTH, TEXAS 76135
TUESDAY, JUNE 20, 2017**

REGULAR MEETING: 6:30 PM

Held in the City Council Chambers

A. CALL TO ORDER

A.1 ROLL CALL

A.2 INVOCATION AND PLEDGE OF ALLEGIANCE

B. MINUTES

B.1 [Approve minutes of the May 23, 2017 Planning & Zoning Commission meeting.](#)

C. PUBLIC HEARINGS

C.1 [Public Hearing to consider Planning & Zoning Case No. PZ17-04, an Ordinance amending Ordinance No. 500, the Comprehensive Zoning Ordinance of the City of Lake Worth, so as to change the zoning designation of an approximately 0.2249 acre tract of land, legally known as Block 5, Lot 18, Broadview West, Lake Worth, Tarrant County, Texas, being that all of the certain called 0.2249 acre tract of land recorded in the deed records of Tarrant County, Texas, from a zoning designation change and land use approval from "SF-1" – Single Family Residential to a zoning designation change and land use of "MD" – Moderate Density for the use of a Duplex Dwelling Unit, and by amending the Official Zoning Map and the Future Land Use Map of the Comprehensive Land Use Plan to reflect such change. The property to be considered for re-zoning is generally described as a 0.2249 tract of land located at 6012 Cowden Street, Lake Worth, Texas.](#)

D. EXECUTIVE SESSION

The Planning and Zoning Commission 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 Planning and Zoning Commission to seek advice from the

city attorney (551.071) as to the posted subject matter of this Planning and Zoning Commission meeting.

The Planning and Zoning Commission 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 – PLANNING & ZONING COMMISSION MAY TAKE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION LISTED ON THE AGENDA.

No items for this category.

F. ADJOURNMENT

All items on the agenda are for discussion and/or action.

Certification

I do hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, 3805 Adam Grubb, City of Lake Worth Texas in compliance with Chapter 551, Texas Government Code on Friday, June 16, 2017 at 4:00 p.m.

Planning & Zoning Administrator

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) 237-1211 ext. 105 for further information.

<p>REMOVED FROM POSTING BOARD</p> <p>DATE: _____</p> <p>TIME: _____</p> <p>BY: _____</p>

Lake Worth Planning and Zoning Commission Meeting – June 20, 2017

Agenda Item No. B.1

FROM: Suzanne Meason, Planning & Zoning Administrator

ITEM: Approve minutes of the May 23, 2017 Planning & Zoning meeting.

SUMMARY:

The minutes are approved by majority vote of the Commission at the Planning and Zoning Commission meeting.

The Planning and Development office prepares action minutes for each Planning and Zoning Commission meeting. The minutes for the previous meeting are placed on the agenda for review and approval by the Commission. Upon approval of the minutes, an electronic copy will be uploaded to the City's website.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. May 23, 2017 Planning and Zoning Commission meeting minutes

RECOMMENDED MOTION OR ACTION:

Approve minutes of the May 23, 2017 Planning and Zoning Commission meeting.

**MINUTES OF THE REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION OF THE
CITY OF LAKE WORTH, TEXAS
HELD IN CITY HALL, COUNCIL CHAMBERS, 3805 ADAM GRUBB
TUESDAY, MAY 23, 2017**

REGULAR MEETING: 6:30 PM

A. CALL TO ORDER.

Chair Wenger called the Planning & Zoning Commission meeting to order at 6:30 p.m.

A.1 ROLL CALL.

Present:	Sue Wenger	Chair, Place 7
	Jeannie Turley	Vice Chair, Place 3
	Becky Campbell	Place 1
	Sherrie Kubala Watkins	Place 2
	Patty Biggers	Place 4
	Troy Jones	Place 5
	Dianne Smith	Place 6
Staff:	Stacey Almond	City Manager
	Debbie Whitely	Assistant City Manager/Finance Director
	Barry Barber	Building Development Director
	Suzanne Meason	Planning and Zoning Administrator

A.2 INVOCATION AND PLEDGE OF ALLEGIANCE.

Chair Wenger gave the invocation. Attendees recited the pledge of allegiance.

B. MINUTES

B.1 APPROVE MINUTES OF THE MAY 16, 2017 PLANNING AND ZONING COMMISSION MEETING.

APPROVED

COMMISSIONER WATKINS MADE A MOTION, SECONDED BY COMMISSIONER TURLEY, TO APPROVE THE MINUTES OF THE MAY 16, 2017 PLANNING AND ZONING COMMISSION MEETING AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

C. PUBLIC HEARINGS

- C.1 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE NO. PZ17-01, AN ORDINANCE AMENDING ORDINANCE NO. 500, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH, SO AS TO CHANGE THE ZONING DESIGNATION OF AN APPROXIMATELY 0.399 ACRE LOT OF LAND, LEGALLY KNOWN AS BLOCK 1, LOT 1, CIRCLE A ADDITION, LAKE WORTH, TARRANT COUNTY, TEXAS, BEING THAT ALL OF THE CERTAIN CALLED 0.399 ACRE LOT OF LAND RECORDED IN THE DEED RECORDS OF TARRANT COUNTY, TEXAS, FROM A ZONING DESIGNATION OF “PC” – PLANNED COMMERCIAL FOR THE USE OF AN OFFICE AND A WAREHOUSE FACILITY FOR ELECTRICAL CONTRACTING TO A ZONING DESIGNATION OF “PC” – PLANNED COMMERCIAL FOR THE USE OF A RETAIL GARDEN CENTER, ALONG WITH A DEVELOPMENT PLAN AND SITE PLAN APPROVAL AND BY AMENDING THE OFFICIAL ZONING MAP AND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE LAND USE PLAN TO REFLECT SUCH CHANGE. THE PROPERTY TO BE CONSIDERED FOR RE-ZONING IS GENERALLY DESCRIBED AS A 0.399 LOT OF LAND LOCATED 3605 ROBERTS CUT OFF ROAD, LAKE WORTH, TEXAS.**

APPROVED

Chair Wenger opened the Public Hearing at 6:31 p.m.

Chair Wenger called on the applicant to present the item. The applicant was not present at the time of public hearing. Ms. Meason presented the item. The applicant is requesting a use change from office and warehouse facility for electrical contracting to retail garden center. She was available to answer any questions.

Commissioner Jones inquired about an enclosure around the dumpster.

Ms. Meason advised that if a dumpster was put on the property an enclosure would be required to be built per ordinance.

Chair Wenger called for anyone wishing to speak for or against the request to come forward.

There being no one wishing to speak, Chair Wenger closed the public hearing at 6:33 p.m. and called for the motion.

COMMISSIONER TURLEY MADE A MOTION, SECONDED BY COMMISSIONER BIGGERS, TO APPROVE PLANNING & ZONING CASE #PZ17-01 AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

C.2 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE NO. PZ17-02, AN ORDINANCE AMENDING ORDINANCE NO. 500, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH, SO AS TO CHANGE THE ZONING DESIGNATION OF AN APPROXIMATELY 0.4178 ACRE LOT OF LAND, LEGALLY KNOWN AS BLOCK 30, LOT 16, INDIAN OAKS SUBDIVISION, LAKE WORTH, TARRANT COUNTY, TEXAS, BEING THAT ALL OF THE CERTAIN CALLED 0.4178 ACRE LOT OF LAND RECORDED IN THE DEED RECORDS OF TARRANT COUNTY, TEXAS, FROM A ZONING DESIGNATION OF “PC” – PLANNED COMMERCIAL FOR THE USE OF TRANSMISSION REPAIR WORK AND FOR STORAGE OF EQUIPMENT AND PARTS TO A ZONING DESIGNATION CHANGE AND LAND USE OF “PC” – PLANNED COMMERCIAL FOR THE USE OF A CONSTRUCTION COMPANY OFFICE AND STORAGE YARD ZONING DESIGNATION CHANGE AND LAND USE APPROVAL, ALONG WITH A DEVELOPMENT PLAN AND SITE PLAN APPROVAL, AND BY AMENDING THE OFFICIAL ZONING MAP AND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE LAND USE PLAN TO REFLECT SUCH CHANGE. THE PROPERTY TO BE CONSIDERED FOR RE-ZONING IS GENERALLY DESCRIBED AS A 0.4178 LOT OF LAND LOCATED 2929 CADDO TRAIL, LAKE WORTH, TEXAS.

APPROVED

Chair Wenger opened the Public Hearing at 6:34 p.m.

Mr. Martinez, 2924 Caddo Trail, the applicant was present to answer any questions. He advised that he wants to open a storage yard for his construction company at the location.

Commissioner Smith asked Mr. Martinez what type of equipment would be stored at the property, and what he considered heavy equipment. She also asked if they would be parking the equipment on a paved surface.

Mr. Martinez advised that there would be no 18 Wheelers or Dump Trucks, those types of heavy equipment. That he would have small tractors, goose neck trailers, and his employee's vehicles at the site. Ms. Meason advised that the equipment would be parked on a paved surface that the site was mostly concrete and Mr. Martinez was adding some additional paving as well.

Commissioner Campbell asked what the hours of operation would be and what type of traffic it would create.

Mr. Martinez advised that business hours would be 7:00 am – 5:00 pm, Monday thru Friday with an occasional Saturday. The traffic would not be heavy as it would just be his employees getting equipment and leaving.

Chair Wenger called for anyone wishing to speak for or against the request to come forward.

There being no one wishing to speak, Chair Wenger closed the public hearing at 6:38 p.m. and called for the motion.

COMMISSIONER SMITH MADE A MOTION, SECONDED BY COMMISSIONER JONES, TO APPROVE AGENDA ITEM C.2, PLANNING & ZONING CASE #PZ17-02 AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

C.3 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE NO. PZ17-03, AN ORDINANCE AMENDING ORDINANCE NO. 500, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH, SO AS TO CHANGE THE ZONING DESIGNATION OF AN APPROXIMATELY 0.23 ACRE TRACT OF LAND, LEGALLY KNOWN AS ABSTRACT 1552, TRACT 221, MOSES TOWNSEND SURVEY, LAKE WORTH, TARRANT COUNTY, TEXAS, BEING THAT ALL OF THE CERTAIN CALLED 0.23 ACRE TRACT OF LAND RECORDED IN THE DEED RECORDS OF TARRANT COUNTY, TEXAS, FROM A ZONING DESIGNATION CHANGE AND LAND USE APPROVAL FROM “SF-1” – SINGLE FAMILY RESIDENTIAL TO A ZONING DESIGNATION CHANGE AND LAND USE OF “PC” – PLANNED COMMERCIAL FOR THE USE OF A MUNICIPAL COMPLEX, AND BY AMENDING THE OFFICIAL ZONING MAP AND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE LAND USE PLAN TO REFLECT SUCH CHANGE. THE PROPERTY TO BE CONSIDERED FOR RE-ZONING IS GENERALLY DESCRIBED AS A 0.23 TRACT OF LAND LOCATED 6728 CHARBONNEAU ROAD, LAKE WORTH, TEXAS.

APPROVED

Chair Wenger opened the Public Hearing at 6:39 p.m.

Stacey Almond, City Manager briefly explained that the City is looking to build a storage facility for the City on the lot in question and that it is not platted or the correct zoning to do such, so those items are being addressed with the zone change request and platting. This item and Items C.4 and C.5 are companion items.

Chair Wenger called for anyone wishing to speak for or against the request to come forward.

Mr. Juan Valles, 3800 Merrett Drive just wanted to verify the exact location of the property in question.

There being no one else wishing to speak, Chair Wenger closed the public hearing at 6:42 p.m. and called for the motion.

COMMISSIONER JONES MADE A MOTION, SECONDED BY COMMISSIONER BIGGERS, TO APPROVE AGENDA ITEM C.3, PLANNING & ZONING CASE #PZ17-03 AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

C.4 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE NO. PS17-03, A PROPOSED PRELIMINARY PLAT BEING ALL OF BLOCK 1, LOT 1R, LAKE WORTH MUNICIPAL COMPLEX, AN ADDITION TO THE CITY OF LAKE WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED UNDER INSTRUMENT NUMBER D211286203, AND ABSTRACT 1552, TRACT 2Z1, MOSES TOWNSEND SURVEY OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS. THE PROPOSED PRELIMINARY PLAT'S NEW LEGAL DESCRIPTION WILL BE BLOCK 1, LOT 1R1, LAKE WORTH MUNICIPAL COMPLEX, COMMONLY KNOWN AS 3805 ADAM GRUBB, LAKE WORTH, TEXAS.

APPROVED

Chair Wenger opened the Public Hearing at 6:43 p.m.

Ms. Almond explained that this was the preliminary plat for the property mentioned in the prior hearing (Item C.3) that would be platted into the existing lot to create one (1) large lot. The preliminary (Item C.4) and final plats (Item C.5) are being run concurrently for approval.

Chair Wenger called for anyone wishing to speak for or against the request to come forward.

There being no one wishing to speak, Chair Wenger closed the public hearing at 6:43 p.m. and called for the motion.

COMMISSIONER WATKINS MADE A MOTION, SECONDED BY COMMISSIONER SMITH, TO APPROVE AGENDA ITEM C.4, PLANNING & ZONING CASE #PS17-03 AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

C.5 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE NO. PS17-04, A PROPOSED FINAL PLAT BEING ALL OF BLOCK 1, LOT 1R, LAKE WORTH MUNICIPAL COMPLEX, AN ADDITION TO THE CITY OF LAKE WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED UNDER INSTRUMENT NUMBER D211286203, AND ABSTRACT 1552, TRACT 2Z1, MOSES TOWNSEND SURVEY OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS. THE PROPOSED FINAL PLAT'S NEW LEGAL DESCRIPTION WILL BE BLOCK 1, LOT 1R1, LAKE WORTH MUNICIPAL COMPLEX, COMMONLY KNOWN AS 3805 ADAM GRUBB, LAKE WORTH, TEXAS.

APPROVED

Chair Wenger opened the Public Hearing at 6:44 p.m.

Item C.5 was presented with Items C.3 and C.4.

Chair Wenger called for anyone wishing to speak for or against the request to come forward.

There being no one wishing to speak, Chair Wenger closed the public hearing at 6:45 p.m. and called for the motion.

COMMISSIONER CAMPBELL MADE A MOTION, SECONDED BY COMMISSIONER JONES, TO APPROVE AGENDA ITEM C.5, PLANNING & ZONING CASE #PS17-04 AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

E. EXECUTIVE SESSION

The Planning and Zoning Commission 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 Planning and Zoning Commission to seek advice from the city attorney (551.071) as to the posted subject matter of this Planning and Zoning Commission meeting.

The Planning and Zoning Commission 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.

There are no items listed in Executive Session.

F. EXECUTIVE SESSION ITEMS – PLANNING & ZONING COMMISSION MAY TAKE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION LISTED ON THE AGENDA.

There are no items listed in Executive Session.

G. ADJOURNMENT

Chair Wenger adjourned the meeting at 6:45 p.m.

APPROVED:

Sue Wenger, Chair
Planning & Zoning Commission

ATTEST:

Suzanne Meason
Planning & Zoning Administrator

Agenda Item No. C.1

From: Suzanne Meason, Planning & Zoning Administrator

Item: Public Hearing to consider Planning & Zoning Case No. PZ17-04, an Ordinance amending Ordinance No. 500, the Comprehensive Zoning Ordinance of the City of Lake Worth, so as to change the zoning designation of an approximately 0.2249 acre tract of land, legally known as Block 5, Lot 18, Broadview West, Lake Worth, Tarrant County, Texas, being that all of the certain called 0.2249 acre tract of land recorded in the deed records of Tarrant County, Texas, from a zoning designation change and land use approval from “SF-1” – Single Family Residential to a zoning designation change and land use of “MD” – Moderate Density for the use of a Duplex Dwelling Unit, and by amending the Official Zoning Map and the Future Land Use Map of the Comprehensive Land Use Plan to reflect such change. The property to be considered for re-zoning is generally described as a 0.2249 tract of land located at 6012 Cowden Street, Lake Worth, Texas.

Property Description:

0.2249 acres of property, located at 6012 Cowden Street

Property Owner(s):

Jason Jones, 1205 Comanche Drive, Allen, Texas 75013

Applicant:

Jason Jones

Engineer/Surveyor:

N/A

Current Zoning:

“SF-1” – Single Family Residential

Proposed Use:

“MD” – Moderate Density for the use of a Duplex Dwelling Unit

Existing Road(s):

Cowden Street

Surrounding Zoning:

North: The property to the north is currently zoned “PC” – Planned Commercial, but is used for a single family residence.

South: The property to the south is currently zoned “PC” – Planned Commercial, but is used for a single family residence.

Agenda Item No. C.1

East: The property to the east is currently zoned “PC” – Planned Commercial, but is used for a single family residence.

West: The property to the west is currently zoned “SF-1” – Single Family Residential.

Summary:

Mr. Jones purchased the above mentioned property in February 2017 with the intent to use the property as a duplex dwelling unit along with an additional residence in the rear of the property, so three (3) families dwelling on the same property. Upon a rental inspection in February 2017 staff discovered Mr. Jones intent. He was then notified that the property was currently zoned “SF-1” – Single Family Residential and could only have one (1) family live at the property. The property was zoned “PC” – Planned Commercial at one time, when a former owner Ruth Bullon operated an assisted living facility out of the property. Upon her retirement she let her state license expire and then requested a zoning change for the property back to “SF-1” – Single Family Residential in April 2012. The property was sold and/or changed hands several times before Mr. Jones purchased it in 2017. Mr. Jones was notified by staff that the property was not properly zoned for his proposed intent and that he would have to request a zoning district change. However, the City does not have a zoning district which would allow for three (3) families to occupy one (1) property. Mr. Jones was told that he may apply for a zoning district change to “MD” – Moderate Density for a duplex dwelling unit, but the back structure could not be used for a dwelling unit at all and would have to be an accessory structure only. The main structure would also require separation of the electric meter and water meter, should the request be granted.

Public Input:

On June 6, 2017, as required by State law, the City mailed out twenty seven (27) letters of Notification for a Public Hearing to all property owners within two hundred (200) feet of the subject site. Notice was also published in the City’s paper of record, the Fort Worth Star Telegram on June 2, 2017. We have received the following in favor/opposition to the request:

1. FOR – no comment forms received.
2. AGAINST – One (1) comment form received, owner thinks should remain single family, houses already too close together.

Fiscal Impact:

N/A

Attachments:

1. Ordinance
2. Zoning Change Application
3. Vicinity Map
4. Public Hearing Notice
5. Public Hearing Notifications (within 200’ of subject property)

Agenda Item No. C.1

6. Returned Public Comment Forms

Recommended Motion or Action:

Staff's recommendation is to deny the zoning change requested as it does not conform with the current future land use map.

ORDINANCE # 1087

AN ORDINANCE AMENDING ORDINANCE NO. 500, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF APPROXIMATELY 0.2249 ACRES, BEING GENERALLY DESCRIBED AS A 0.2249 ACRE TRACT OF LAND BEING ALL THAT CERTAIN TRACT DESCRIBED AS BLOCK 5, LOT 18, BROADVIEW WEST, LOCATED IN THE CITY OF LAKE WORTH, TARRANT COUNTY, TEXAS, FROM A ZONING DESIGNATION OF "SF-1" SINGLE FAMILY RESIDENTIAL, TO A ZONING DESIGNATION OF "MD" – MODERATE DENSITY FOR THE USE OF A DUPLEX DWELLING UNIT, AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; AND BY FURTHER AMENDING THE FUTURE LAND USE MAP OF THE CITY OF LAKE WORTH TO REFLECT A CHANGE IN ZONING FOR THE 0.2249 ACRE TRACT DESCRIBED HEREIN FROM "LOW DENSITY RESIDENTIAL", TO A ZONING DESIGNATION OF "MODERATE DENSITY RESIDENTIAL"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND NAMING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth is a Home Rule City acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, and providing for a method to amend said ordinance and map for promoting the public health, safety, morals and general welfare; and

WHEREAS, the owner of a 0.2249 acre tract of land located in Lake Worth, Texas, has

initiated an application on the hereinafter described property to re-zone same; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Lake Worth on June 20, 2017, and by the City Council of the City of Lake Worth on July 11, 2017, with respect to the zoning described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City of Lake Worth, Texas, does hereby deem it advisable and in the public interest to amend Ordinance No. 500, as amended, and to amend the Official Zoning Map of the City, and to also amend the Future Land Use Map of the Lake Worth Comprehensive Plan, as described herein.

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

SECTION 1.

INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2.

ORDINANCE 500 AMENDED

Ordinance No. 500, as amended, is hereby amended by approving a change to the zoning designation from "SF-1" – Single Family Residential to a zoning designation change and land use of "MD" – Moderate Density for the use of a Duplex Dwelling Unit and by amending

the Official Zoning Map and the Future Land Use Map of the Comprehensive Land Use Plan to reflect such change for the property hereinafter described below:

Zoning Case No. PZ17-04

Owner:	Jason E Jones 1205 Comanche Drive Allen, Texas 75013
Applicant:	Jason E Jones 1205 Comanche Drive Allen, Texas 75013
Legal Description:	Block 5, Lot 18, Broadview West, Lake Worth, Tarrant County, Texas
Property Address:	6012 Cowden Street
Property Zoning:	“MD” Moderate Density
Permitted use:	Duplex Dwelling Unit

SECTION 3.

COMPLIANCE WITH DEVELOPMENT PLAN, SITE PLAN AND ORDINANCES

The use and development of the property shall be subject to all applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City of Lake Worth, Texas.

SECTION 4.

OFFICIAL ZONING MAP AMENDED

The City Secretary is hereby directed to amend the Official Zoning Map to reflect the

changes in classification approved herein.

SECTION 5.

FUTURE LAND USE MAP OF LAKE WORTH COMPREHESIVE PLAN AMENDED

The City Secretary is hereby directed to amend the Future Land Use Map to reflect the changes in classification approved herein from Low Density Residential to Moderate Density Residential.

SECTION 6.

CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of all other ordinances of the City of Lake Worth, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 7.

PENALTY CLAUSE

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 (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

SEVERABILITY

It is hereby declared to be the intention of the City Council of the City of Lake Worth that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable,

and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 9.

SAVINGS

All rights or remedies of the City of Lake Worth, Texas are expressly saved as to any and all violations of the provisions of any ordinance affecting zoning or land use, which have accrued at the time of the effective date of this Ordinance; and as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 10.

ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Lake Worth is hereby directed to engross and enroll this Ordinance by copying the caption, publication clause and effective date clause in the minutes of the City Council and by filing the Ordinance in the Ordinance Records of the City.

SECTION 11.

PUBLICATION

The City Secretary of the City of Lake Worth is hereby directed to publish in the official newspaper of the City of Lake Worth, the caption, the penalty clause, publication clause, and effective date clause of this ordinance two (2) days as authorized by Section 52.013 of the Local Government Code.

SECTION 12.

EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED by a vote of ____ to ____ this 11th day of July, 2017.

Approved:

Walter Bowen, Mayor

Attest:

Monica Solko, TRMC
City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

City of Lake Worth
P & Z Department
3805 Adam Grubb
Lake Worth, Texas 76135
817-237-1211 X 111 Fax 817-237-1333



ZONING DISTRICT CHANGE/LAND USE APPLICATION

PROPERTY OWNER INFORMATION

Company Name: Jason E. Jones		Contact Person: Jason Jones	
Address: 1205 Comanche Dr.	City: Allen	State: TX	Zip: 75013
Phone: 405-312-6511	Fax:	Email: jason@leaderpath.com	

APPLICANT/DEVELOPER INFORMATION

Company Name: Jason E. Jones		Contact Person: Jason E. Jones	
Address: 1205 Comanche Dr.	City: Allen	State: TX	Zip: 75013
Phone: 405-312-6511	Fax:	Email: jason@leaderpath.com	

PROPERTY INFORMATION

Street Address of Property: 6012 Cowden St.			
Legal Description	Block/Abstract: 5	Lot/Tract: 18	Addition/Survey: Broadview West Addition
Current Zoning: Single Family Residential (SF)		Proposed Zoning/Land Use: Moderate Density (MD)	
Type of Development being proposed? <input type="checkbox"/> SF <input checked="" type="checkbox"/> MD <input type="checkbox"/> C <input type="checkbox"/> I <input type="checkbox"/> MH <input type="checkbox"/> MPD <input type="checkbox"/> PMF <input type="checkbox"/> PC <input type="checkbox"/> PI		All Items Attached As Required? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

I understand that I must provide a hard copy and a copy in electronic format (pdf, tif, etc.) of: a detailed letter requesting the zoning change and the reason for the request, a development plan of the property, the zoning change application, and the required fee (verify fee with Zoning Coordinator). I hereby certify that the information provided in this application is true and factual to the best of my knowledge. I further understand that the public hearing for this request will not be scheduled until the application fee has been paid and the application and supporting documentation has been reviewed and accepted by City staff, before it will go before the P & Z Commission and the City Council for final approval. I further understand that all fees associated with this request are non-refundable regardless of the final outcome.

Property Owner Signature:	Date: 4/20/17
Printed Name: Jason E. Jones	Title: Owner

OFFICE USE ONLY

Fee: \$500.00	Date Paid:	Receipt #:
PZ #:	Ownership Verified: <input type="checkbox"/> YES <input type="checkbox"/> NO	Taxes Paid: <input type="checkbox"/> YES <input type="checkbox"/> NO
P & Z Meeting Date:	City Council Meeting Date:	Liens Paid: <input type="checkbox"/> YES <input type="checkbox"/> NO
Zoning Change Approved: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Ordinance #:	Date Approved: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

APR 21 2017

Letter of Request for Zoning Change

From:

Jason E. Jones
1205 Comanche Dr.
Allen, TX 75013
405.312.6511

To:

City of Lake Worth Planning and Zoning Department
3805 Adam Grubb
Lake Worth, TX 76135

Property Address: 6012 Cowden St., Lake Worth, TX

My name is Jason Jones and I am seeking to change the zoning designation for the property I own at 6012 Cowden St. This is my first property in Lake Worth and I purchased here because of the many great things I have heard about this city.

I am an investor with the mission of providing clean and affordable housing that people can be proud to call home. I purchased this home that has multiple units in February 2017 and then learned soon after that the property is zoned single family. This property was once zoned Commercial and has three nice living units on the property. I am seeking to change the zoning of the property to Moderate Density (MD) for several reasons.

History of the Property:

I want to be honest and upfront with the unique history of this property that I have learned and want the use of this property to be within city code and guidelines. The property was zoned commercial at one point and used as a multi-unit property for a period of time. The three units of the property include a duplex (front structure) and a guesthouse (back structure). The back structure must have been permitted by the city since it has its own dedicated electrical line and meter.

I purchased this property under the assumption that it was a multiple-unit property and zoned accordingly. I later found that the zoning was changed to single family a few years ago. This is very problematic for me as an investor and for the city since unused structures invite squatters, illegal activity, vandalism, and disrepair.

Property Plan:

As you can see in the attached property survey, this property already has two main structures. I have rehabbed the property to bring it to a very good condition. The property already has two driveways that will accommodate parking for six vehicles. Through change of zoning I am seeking, I would like the zoning to allow at least two families to live on the property. This would allow for the utilization of the structures that have already been permitted by the city.

The back structure, which is 800 Square feet, is already metered separately from the front structure and a separate water meter would be added if zoning is approved.

Benefits of Zoning to Moderate Density include:

- Increase value of property and tax revenue for the city
- Occupied structures are better maintained by the city
- Occupied structures reduce illegal activity, disrepair, and misuse.

I am open to additional requests for property changes made by the Planning and Zoning Department to make this property eligible for Moderate Density (MD) zoning. I purchased this property in Lake Worth because of the many good things that I have heard about this city and I am hoping to be a productive and active member of the community and the neighborhoods for which I invest. If you have any questions please feel free to contact me directly at 405-312-6511.

Thank you for your time and consideration.

Regards,

A handwritten signature in black ink, appearing to read 'Jason Jones', with a long horizontal flourish extending to the right.

Jason Jones
1205 Comanche Dr.
Allen, TX 75013
405-312-6511
Jason@leaderpath.com

LEGAL DESCRIPTION

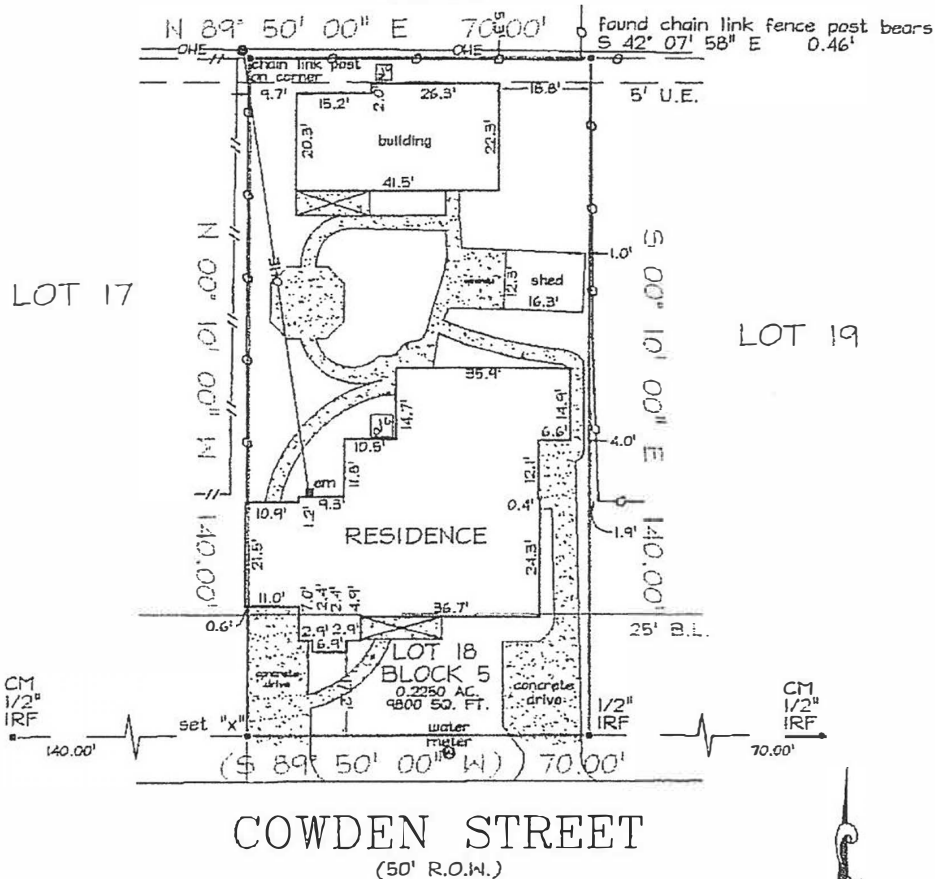
Any reproduction of this plot without surveyors written consent is a violation of Federal copyright law.

Lot 18, Block 5 of BROADVIEW-WEST ADDITION, an Addition to the City of LAKE WORTH, TARRANT County, Texas, according to the Plat thereof recorded in Volume 388-Q, Page 561, Plat Records, TARRANT County, Texas.

According to the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel No. 48499C0170 K, dated September 25, 2009, this property does not lie within a 100-Year Flood Hazard Area.

Scale: 1" = 30' Tech: JD Job No: 15011N36
Field: JN

BROADVIEW WEST ADDITION VOL. 388-V, PG. 68 P.R.T.C.T.



Address: 6012 COWDEN STREET

G.F. No.: CTEC32-8061321-400063

Date: 01/26/15

DATE:
ACCEPTED BY:

Purchaser

Purchaser

I, Paul G. Fuller II, Registered Professional Land Surveyor No. 4843, do hereby declare that the map shown herein accurately represents the property as determined by an on-the-ground survey made under my direct supervision and correctly shows the boundary lines and dimensions of the property, as found on the date of the survey, indicated herein. There are no visible conflicts, or encroachments, except as shown and said property has access to a public roadway. All easements and right-of-ways that the surveyor has knowledge of or has been advised of and those shown on the referenced plat of record are shown or noted herein. This survey is for the exclusive use of title company, the mortgage company and the purchaser.

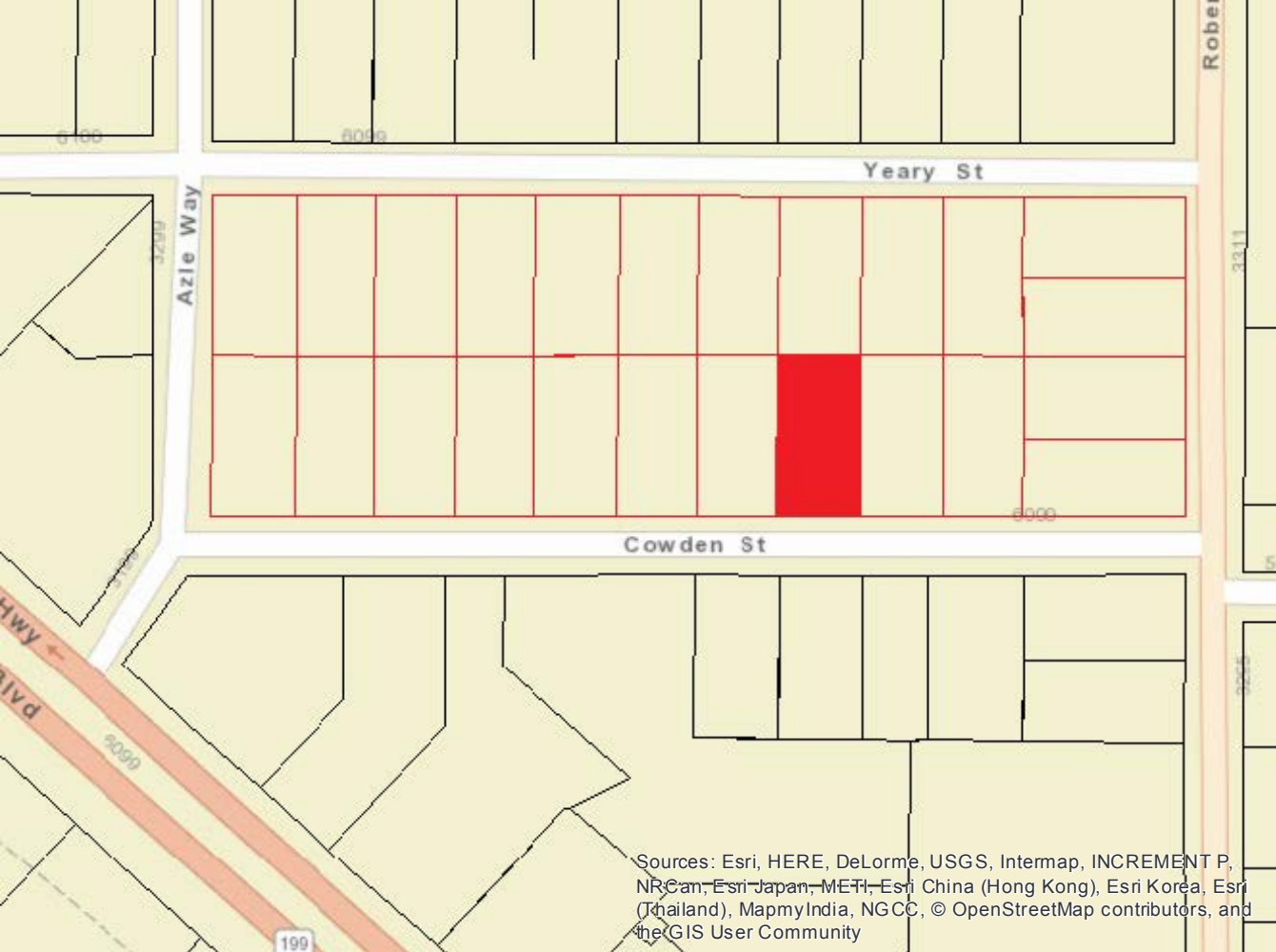
FULLER ENGINEERING
INC.

LEGEND OF ABBREVIATIONS AND SYMBOLS

B.L.	= Building Line	I.P.F.	= Iron Pipe Found	P.A.E.	= Public Access Easement	—//—	= Wood Fence
C.M.	= Control Monument	I.R.F.	= Iron Rod Found	P.O.S.E.	= Public Open Space Easement	—○—	= Chain Link Fence
D.E.	= Drainage Easement	I.R.S.	= Iron Rod Set	R.O.W.	= Right of Way	—□—	= Iron Fence
D.U.E.	= Drainage & Utility Easement	O.H.E.	= Overhead Electric	R.M.	= Retaining Wall	—X—	= Wire Fence
M.E.	= Maintenance Easement ()	R.D.	= Record Data	U.E.	= Utility Easement	—gm—	= Electric Meter
ET	= Electric Transformer ()	B.B.	= Bearing Basis	G.M.	= Gas Meter		

6012 Cowden St. Photos





Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

**CITY OF LAKE WORTH
NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
AND CITY COUNCIL**

**ZONING DISTRICT CHANGE WITH LAND USE DESIGNATION
PLANNING & ZONING CASE #PZ17-04**

The Planning and Zoning Commission of the City of Lake Worth, Texas, will conduct the first of two public hearings at **6:30 p.m. on Tuesday, June 20, 2017**, at Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135 to hear public comment and consider recommendations to the City Council regarding an Ordinance amending Ordinance No. 500, the Comprehensive Zoning Ordinance of the City of Lake Worth, so as to change the zoning designation of an approximately 0.2249 acre tract of land, legally known as Block 5, Lot 18, Broadview West, Lake Worth, Tarrant County, Texas, being that all of the certain called 0.2249 acre tract of land recorded in the deed records of Tarrant County, Texas, from a zoning designation change and land use approval from "SF-1" – Single Family Residential to a zoning designation change and land use of "MD" – Moderate Density for the use of a Duplex Dwelling Unit, and by amending the Official Zoning Map and the Future Land Use Map of the Comprehensive Land Use Plan to reflect such change. The property to be considered for re-zoning is generally described as a 0.2249 tract of land located 6012 Cowden Street, Lake Worth, Texas. The City Council will conduct a second Public Hearing at **6:30 p.m. on Tuesday, July 11 2017**, at Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135 to hear public comment and consider the proposed zoning change for the above listed property. All interested parties are encouraged to attend.

ADCOX, TOMA
3301 ROBERTS CUT OFF RD
FORT WORTH, TX 76114 1034

AYALA, AMERICO & MAGDA P AYALA
6016 COWDEN ST
LAKE WORTH, TX 76135 3302

JONES, JASON E
1205 COMANCHE DR
ALLEN, TX 75013

BOENKER PROPERTIES INC
6030 JACKSBORO HWY
LAKE WORTH, TX 76135 3706

BRASWELL, N A & AMY BRASWELL
6016 YEARY ST
FORT WORTH, TX 76135 3308

RILEY, THERESA KAY
6704 AZLE AVENUE
LAKE WORTH, TX 76135

BUSH, SANDRA
6012 YEARY ST
LAKE WORTH, TX 76135 3308

COFFEY, DEBORAH ANN
6017 YEARY ST
LAKE WORTH, TX 76135 3307

DEATON, KATY MARIE
6021 YEARY ST
LAKE WORTH, TX 76135 3307

FRANCO, RONALD V
PO BOX 5287
CULVER CITY, CA 90231 5287

GARCIA, MARCO & MARIA
6024 COWDEN ST
LAKE WORTH, TX 76135 3302

HARDAWAY, TERRI W
6013 YEARY ST
LAKE WORTH, TX 76135 3307

LOPEZ, ELISEO
6005 COWDEN ST
LAKE WORTH, TX 76135

LOVELL, JERRY D & JANET
3305 ROBERTS CUTOFF RD
FORT WORTH, TX 76114 1034

MCCALLIE, MARY J
6008 COWDEN ST
LAKE WORTH, TX 76135 3302

MILAN, ZONIA
6009 YEARY ST
LAKE WORTH, TX 76135 3307

MORALES, MARIA & VERONICA MORALES
6004 COWDEN ST
LAKE WORTH, TX 76135 3302

MULANDO, ROBERT
6009 COWDEN ST
LAKE WORTH, TX 76135 3301

MUNOZ, FRANCISCO
2713 PRAIRIE AVE
FORT WORTH, TX 76164 6819

PEREZ, AGUSTIN & VERONICA MENDEZ
6020 COWDEN ST
LAKE WORTH, TX 76135

QUIROZ, ANTONIO & DOMINGUEZ QUIROZ
6017 COWDEN ST
LAKE WORTH, TX 76135 3301

STEVENS, EDWARD L
10709 SAN SIMEON LN
FORT WORTH, TX 76179 6838

TALLANT, MARGIE S
6020 YEARY ST
LAKE WORTH, TX 76135 3308

VALVERDE, LORENA
6004 YEARY
LAKE WORTH, TX 76135

WILCOX, FRANK E JR. & WEBB KAY LYNN
1121 HILLWOOD DR
SAGINAW, TX 76179 3472

WRIGHT, JIMMY RAY & TONIE R
3309 ROBERTS CUTOFF RD
FORT WORTH, TX 76114 1034

YARBOROUGH, LEROY W
6025 YEARY ST
LAKE WORTH, TX 76135 3307

**CITY OF LAKE WORTH
PUBLIC COMMENT FORM
(Please type or use black ink)**

Planning & Zoning Department at 3805 Adam Grubb, Lake Worth, Texas 76135

- ☐ I am **FOR** the proposed zoning case as explained on the attached public notice for Zoning Case #PZ17-04.
- ☒ I am **AGAINST** the proposed zoning case as explained on the attached public notice for Zoning Case #PZ17-04.

Date, Time and Location of Planning & Zoning Commission Meeting: **Tuesday, June 20, 2017 at 6:30 pm. - Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135**

Date, Time and Location of City Council Meeting: **Tuesday, July 11, 2017 at 6:30 pm. - Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135**

Name: TERRI HARDAWAY
(Please print)

Mailing Address: 6013 YEARY ST

Signature: TERRI HARDAWAY

Date: 6-8-17

Property Address(s): 6013 YEARY ST
LAKE WORTH TX 76135

COMMENTS:

Single family is fine
Houses are too close together as it is

PLEASE TURN IN PUBLIC COMMENT FORM NO LATER THAN
WEDNESDAY, JUNE 14, 2017 TO BE INCLUDED IN THE AGENDA PACKET

RECEIVED
JUN 12 2017
SM