



Planning and Development Department

ZONING BOARD OF ADJUSTMENT: INFORMATION AND GUIDELINES

- JURISDICTION:** The Board of Adjustment is a citizen court appointed by the City Council to hear an appeals and requests for:
Variations, Special Exceptions, and Interpretations of the Zoning Ordinance.
- WHO MAY APPLY:** The owner of the property under consideration, or a person having a written authorization from, and representing, the owner may apply for a “Variance” or “Special Exception” to the Zoning Board of Adjustment.
- Anyone aggrieved by an “Interpretation” of the Zoning Ordinance, rendered by a City Official, may appeal such decision to the Zoning Board of Adjustment.
- WHERE TO APPLY:** Planning and Development Department-Appeals, (Lower Level in the Northeast section of the building), City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.
- WHEN TO APPLY:** Application for an appeal must be filed by the scheduled filing deadline, which is approximately 30 days prior to the Public Hearing.
- FILING FEES:**
- | | | | |
|-----------------------|-----------|--------------------------|-----------|
| Residential Variance | \$187.00* | Non-Residential Variance | \$374.00* |
| Special Exceptions | \$400.00* | Interpretations | \$429.00 |
| (Front Yard Carports) | \$187.00* | Bed and Breakfast | \$560.00 |
| Continuance Request | \$187.00 | | |
- Note: Fees are non-refundable**
(* Plus \$60.00 for each additional variance within the same application.)

NOTE: All fees must be paid at the time of application filing. Additional fees may be applicable upon full review of the application request. Upon Board approval of a request, a separate application and fee is required for processing a building permit.

- HEARING DATE:** **Commercial Board:** First Wednesday of each month at 10 a.m.
Residential Board: Third Wednesday of each month at 1:30 p.m.
Hearing Location: City Council Chambers, Second Floor, City Hall, 1000 Throckmorton Street, Fort Worth, Texas.
- HEARING PROCESS:** The applicant, or authorized agent, must be present at the hearing to present one’s appeal. Otherwise, the Board may deny the case. The Planning and Development Department will mail a hearing notice to all property owners within 300’ of the application site, not less than ten days prior to the date of the hearing.
- BOARD DECISION:** At the conclusion of the public hearing, the Board will render a decision to either: **approve, approve with conditions, continue, deny, or deny without prejudice.** *****Applicants with approved cases are allowed 180 days to obtain a building permit.** ***** (A one-time extension may be obtained upon written request.)**
- APPEAL OF DECISION:** Any person aggrieved by a decision of the Board may, within **ten (10) days** following the date the Board’s Decision is filed for record in the City Planning and Development Department, submit a verified petition to any court of law having legal jurisdiction, setting forth that the Board’s decision is illegal, either in whole or in part, and specifying the grounds of the illegality. **DECISIONS of the Board do not replace approvals required by any other agency or review body.**

APPLICANT'S RESPONSIBILITY:

Applicants are responsible for the presentation of their case before the Board, and to provide support information to include, but not be limited to the following items: *(Note: Staff will provide support services only)*

- Surrounding land use supporting the request.
- Description of the "Hardship(s)" that necessitate the request.
(See Zoning Ordinance No. 13896, Sect. 3.403.1-5)
- Reason(s) for appearing before the Board (i.e. Code Violation, Citizen Complaint, Building Inspector noted permit violation, etc.)
- Reasons why the Board should grant the applicant's request.

OTHER REGULATORY CONSIDERATIONS:

Approval of a request does not negate any private legal recorded *Restrictive Deed Covenants and Restrictions* that may affect the property. However, the City does not enforce such additional restrictions.

CRITERIA REGULATING VARIANCE REQUESTS:

Sect. 3.403 of the Zoning Ordinance establishes 5-evaluation criteria for consideration by the Board, when reviewing and deciding upon requested variances to the Zoning Ordinance. The applicant is therefore encouraged to respond to these criteria, upon addressing the Board:

1. Will literal enforcement of the ordinance result in a "hardship" or "practical difficulty"?
2. Is the "hardship" self-imposed?
3. Is the condition unique to the property, or is it common to other properties within the area?
4. Will the requested Variance injure the adjacent property?
5. Will the requested variance be contrary to orderly development in the area?

WITHDRAWAL OF CASE:

The applicant may withdraw his/her case at anytime without penalty, except after public notice has been filed. A request for withdrawal shall be submitted in writing. Upon receipt, all proceedings will terminate thereon. If withdrawn after public notice advertisement, the case will automatically constitute a "Denial" by the Board. If "Denied with Prejudice", no re-application of like nature will be accepted within a 24 calendar month period. If "Denied Without Prejudice", and the original applicant finds that substantial or significant changes have occurred in the project during the prescribed 24 month waiting period, then a written re-application may be submitted, and a waiver requested relax all or part of the 24 month period.

Supplemental Information:

(817) 392-8029 / (817) 392-2414

(817) 392-8826 / (817) 392- 2561 or FAX (817) 392-7526

Log on: www.fortworthgov.org/PlanningandDevelopment

APPLICATION TO THE ZONING BOARD OF ADJUSTMENT City of Fort Worth, Texas

PLEASE TYPE OR PRINT USING BLACK OR BLUE INK.

- | | |
|---|---|
| <input type="checkbox"/> Residential Variance (One and Two Family Homes) \$187 | <input type="checkbox"/> Special Exception \$400
Non-Residential |
| <input type="checkbox"/> Residential Special Exception (One and Two Family Homes) \$187 | <input type="checkbox"/> Interpretation \$429 |
| <input type="checkbox"/> Non-Residential Variance (Multifamily / Industrial / Commercial) \$374 | |
| <input type="checkbox"/> Bed & Breakfast \$560 | |

Mapsc0 _____ Map Number _____ Zoning _____ Building Permit NO. _____

Address of Premises affected: _____

Block/Abstract: _____ Lot/Tract: _____ Lot Size: _____

Legal Description: Addition/Survey: _____

Owner's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Tele: () _____ Fax: _____ E-Mail _____

Applicant's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Tele: () _____ Fax: _____ E-Mail _____

Explain Request: (Fully explain the existing conditions that make this request necessary.) _____

Status of project: Existing Under Construction Proposed

Previous Board of Adjustment Case filed on this property: Yes No (If yes, provide the location)

Date _____ B/A Case Number(s) _____

Are there similar situations in the area? Yes or No

Addresses: _____

Have you informed your neighbors of the request? Yes or No

Code Violation Notice Number and Date (if applicable): _____

PLAT# _____ **RELATED CASE#** _____

Case Number _____

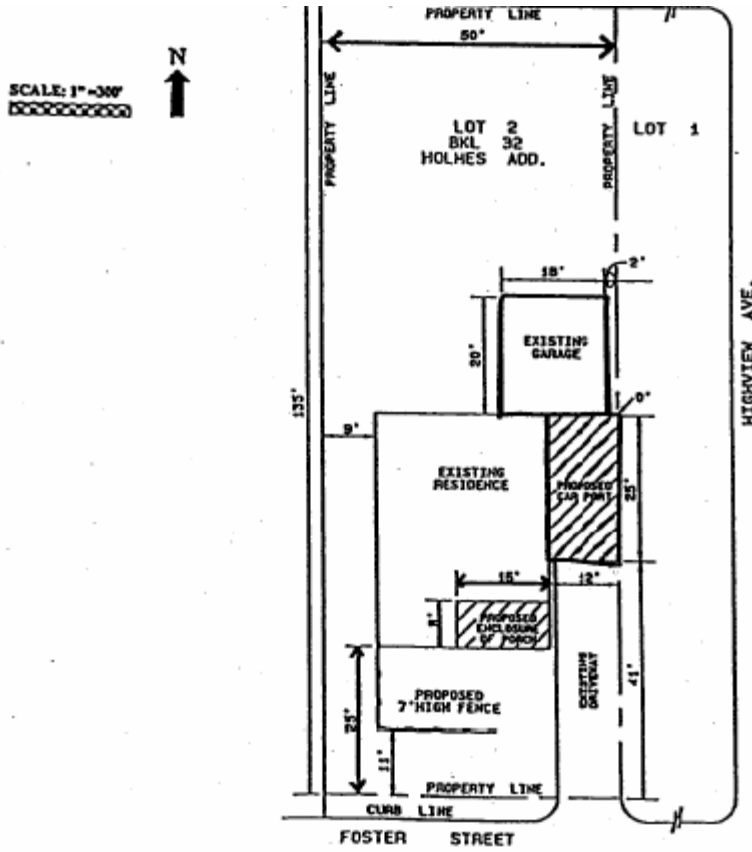
SITE PLAN REQUIREMENTS



Application Before the
Zoning Board of Adjustment

Planning and Development
Department

1. Plan Sheet Size (8½" X 11").
2. Use dark pencil or black ink and print legibly.
3. Drawing must be to scale with North Arrow to top of paper. Graphic scale indicated.
4. Identify and show all Property Lines and Lot Dimensions.
5. Show all existing buildings and structures with a **solid heavy line**, and all those that are proposed with a **dashed line**.
6. Dimension the perimeter of all structures. Provide square footage of each building / structure, and show their dimensional separation from each building, and distances to adjacent property lines.
7. Identify and label all adjacent streets, alleys, and access easements.
8. Provide a copy of the subdivision plat in which the lot is located, and a plot plan (survey map) of the property (if available).
9. Show on-site parking areas with dimensions of parking spaces and maneuvering areas.
 - a. No. parking spaces required: _____
 - b. No. parking spaces provided: _____
 - c. No. parking spaces for which a variance is requested: _____
 - d. Total No. parking spaces provided if the request is granted _____





LETTER OF AUTHORIZATION

To the City of Fort Worth, Texas

Authority is hereby granted to _____
(Name)

(Address) (City, State, Zip) (Telephone)

to file in my/our behalf for Request for Variance from terms of the Zoning Ordinance or Special Exception on the following described property.

(Address)

(Legal Description)

The Authority is granted only for the following specific request:

Nature of Request: _____

The undersigned is the property owner of the above-described property.

The Authorization will remain in force until revoked by written notice.

By: _____

Address: _____

Telephone: _____

Accepted for Case No. B/A _____

By _____

Date _____