



# Zoning Staff Report

**Date:** December 13, 2022

**Case Number:** ZC-22-116

**Council District:** 9

## Conditional Use Permit

**Case Manager:** [Alondra Salas-Beltré](#)

**Owner / Applicant:** Mari Real Estate Holdings LLC. / Zagros Bigvand

**Site Location:** 1908 May Street

**Acreage:** 0.11 acres

### Request

**Proposed Use:** Parking Lot

**Request:** To: Add Conditional Use Permit for auxiliary parking lot in “B” Two-family Residential, site plan included.

### Recommendation

**Land Use Compatibility:** Requested change **is not compatible**

**Comprehensive Plan Consistency:** Requested change **is not consistent**

**Staff Recommendation:** **Denial**

**Zoning Commission Recommendation:** **Denial by a vote of 8-0**

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## Project Description and Background

The nature of this request is to add a CUP [Conditional Use Permit] Overlay to allow the auxiliary parking use on the subject property. Located at 1908 May St. currently an empty lot that sits between two residential structures. The applicant has expressed that they would like to use the parking lot for the building located at 1900 May Street. Such building is located in an “E” neighborhood commercial district, it was last used as a church but it is currently abandoned. The applicant is not sure how they will use the building in the future.

Surrounding zoning is predominately “B”, Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location.



Per Section 4.407 (a), the following general rules apply to all conditional uses:

- Conditional use permits in residential districts shall be limited to those uses designated “CUP” in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.
- Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.
- A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.
- The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy shall not be issued until all or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate Of Occupancy and subdivision approval have been satisfied.

Section (d) provides the following Conditional Use Permit factors in consideration of appropriateness of a request:

- a) The proposed use is consistent with the Comprehensive Plan;
- b) The proposed use is compatible with the existing and adjacent uses.
- c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;
- d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;
- e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

- On 8/29/2022, the applicant requested a continuance.
- The applicant received a letter of support from the Hemphill Heights Community Association and has collected many signatures from the surrounding neighbors and he is scheduled to meet with Councilwoman Beck on Monday, November the 7<sup>th</sup>.

## Surrounding Zoning and Land Uses

North “E” Neighborhood Commercial / Single Family Residential

East “B” Two-Family Residential / Single Family Residential

South “B” Two-Family Residential / Duplex

West “B” Two-Family Residential / Single Family Residential

## Recent Zoning History

- None

## Public Notification

300-foot Legal Notifications were mailed on.  
The following organizations were emailed on:

Organizations Notified	
South Hemphill Heights NA	Ryan Place Improvement Assn
Fairmount NA	Near Southside, Inc.
Streams and Valleys Inc	Trinity Habitat for Humanity
Hemphill Corridor Task Force	Fort Worth ISD

## Development Impact Analysis

## Land Use Compatibility

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The primary use of the site will be an auxiliary parking lot for commercial building located at the south west corner of Richmond and May St. All the immediate surrounding uses are however residential. The Auxiliary parking is intended to be used for a commercial property located north of the subject site.

The proposed zoning request **is not compatible** with surrounding land uses.

## Comprehensive Plan Consistency – Northeast

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The 2021 Comprehensive Plan currently designates the subject property as “Single-Family Residential” on the Future Land Use Map.

RESIDENTIAL		
Rural Residential	1+ acre single-family	A-2.5A, A-43
Suburban Residential	1/2+ acre single-family	A-21
Single-Family Residential	3,500+ sq. ft. lot single-family	A-10, A-7.5, A-5, AR
Manufactured Housing	Manufactured home parks and subdivisions	MH
Low Density Residential	2,500+ sq. ft. lot single-family, two-family, patio homes, townhouses, cluster housing	B, R1, R2
Medium Density Residential	Up to 36 units/acre multifamily	CR, C, D
High Density Residential	>36 units/acre multifamily, mixed-use multifamily in growth centers	UR, MU-1, MU-2, Form-Based Codes

The proposed zoning **is not consistent** with the Comprehensive Plan.

## Site Plan Comments

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### Zoning and Land Use

- Add zoning and land use classification to the site area and zoning classification to the adjacent lots
- The lot, if adjacent to a residential district, must be chained and locked at night.

### Fire FWFD - (Lt. Donna York, donna.york@fortworthtexas.gov)

FYI: Fire Code does not apply to passenger vehicle parking unless a structure requiring a Certificate of Occupancy is present on the lot.

Failure to recognize violations of the fire code by the fire code official does not waive the requirement of meeting minimum requirements of the fire code in the future.

It is the applicant's and the owner's responsibility to meet all minimum fire code requirements at all times.

The City of Fort Worth has adopted the 2021 International Fire Code as its current fire code at the time of this review. The City of Fort Worth has also adopted Amendments that are available by searching the City Secretary's site for Ordinance #25388-03-2022.

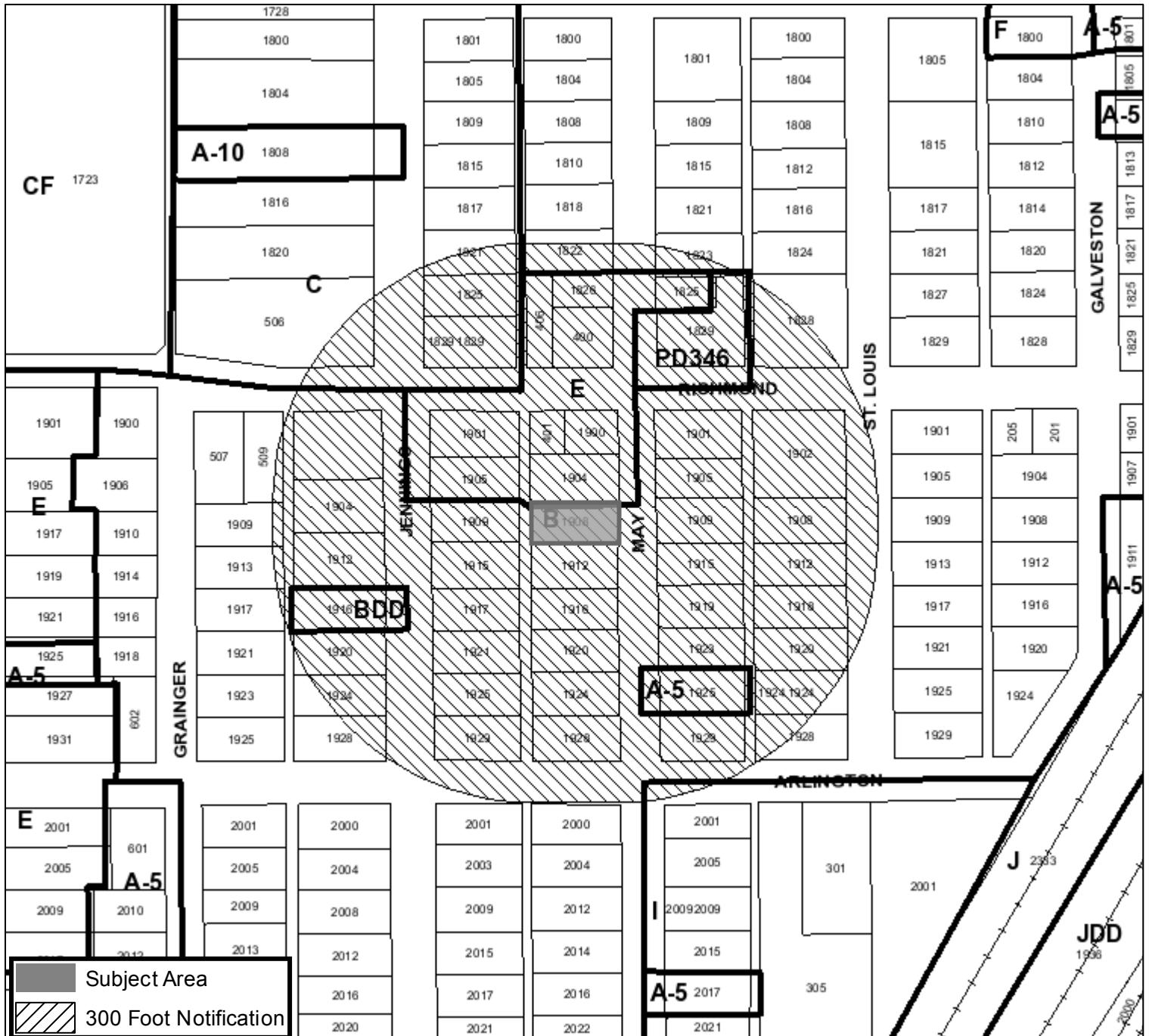
### Stormwater



**No comments provided**

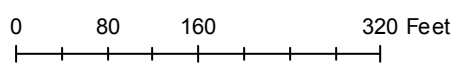


# Area Zoning Map

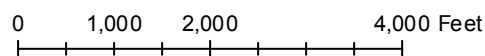
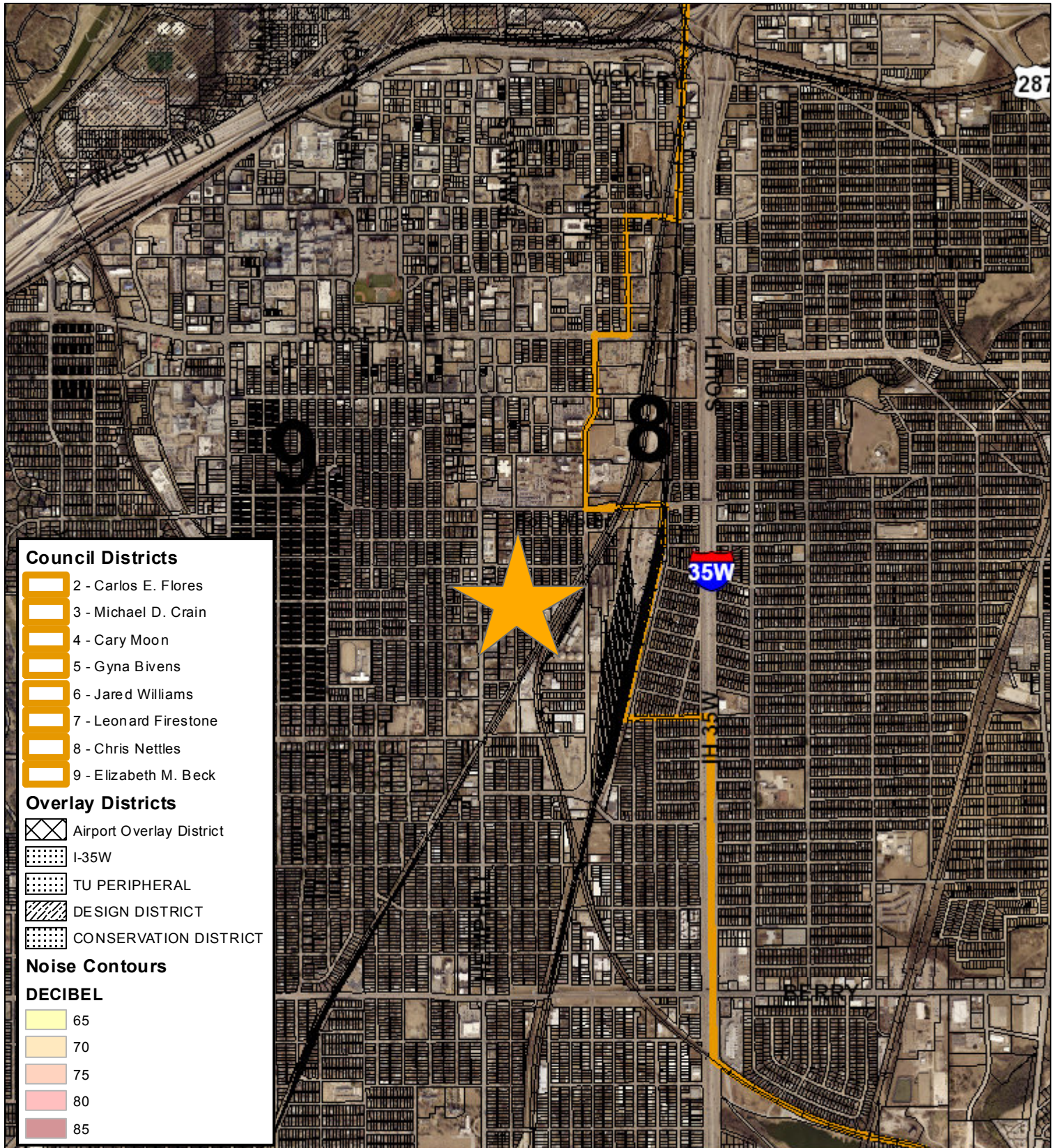
Applicant: Mari Real Estate Holdings LLC  
 Address: 1908 May Street  
 Zoning From: B  
 Zoning To: Add Conditional Use Permit for auxillary parking lot with development waivers  
 Acres: 0.11332563  
 Mapsco: 77N  
 Sector/District: Southside  
 Commission Date: 11/9/2022  
 Contact: 817-392-2495



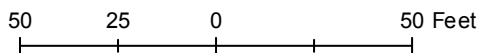
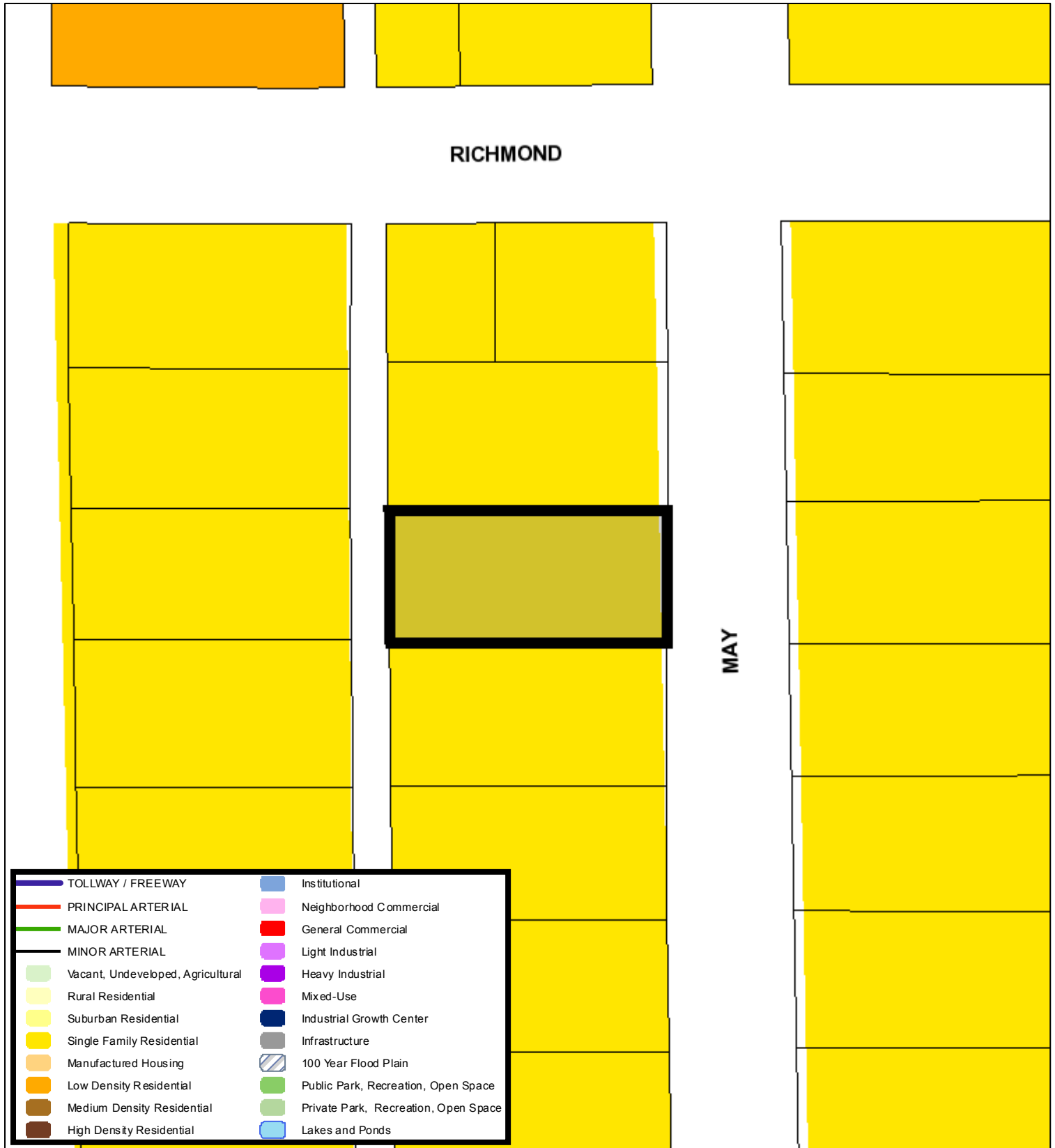
 Subject Area  
 300 Foot Notification



### Area Map



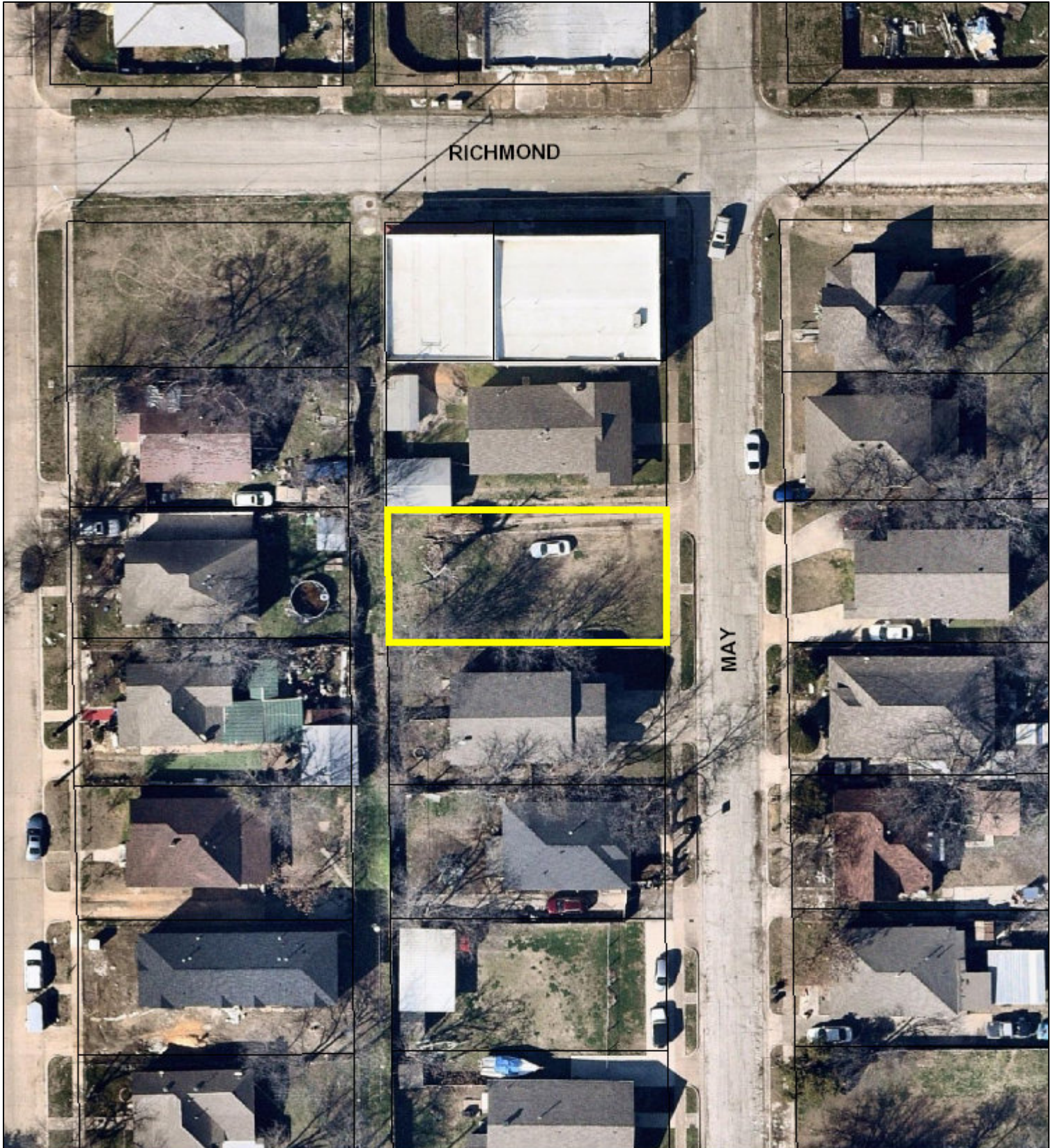
### Future Land Use



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 6, 2018.



## Aerial Photo Map



RICHMOND

MAY

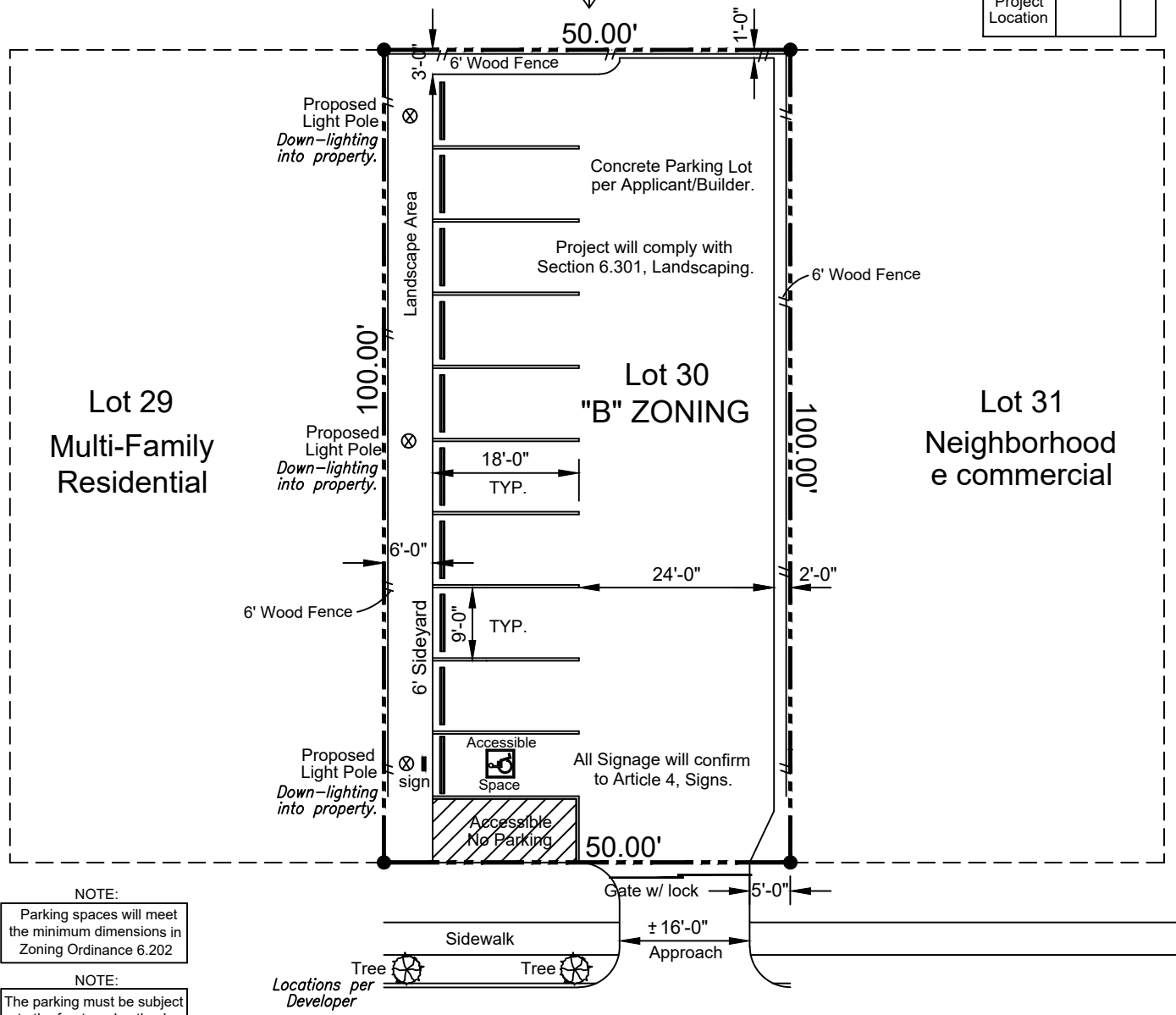
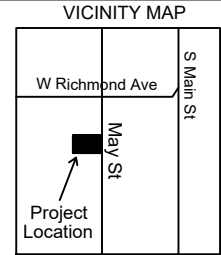
0 30 60 120 Feet





SCALE: 1"=20'

Lot 30 Block 14  
 "B" ZONING  
 PROPOSED "SPECIAL USE"



- NOTE:  
 Parking spaces will meet the minimum dimensions in Zoning Ordinance 6.202
- NOTE:  
 The parking must be subject to the front yard setback requirements of the district in which it is located.
- NOTE:  
 A 6' screen fence and bufferyard must be provided on all sides adjacent to a residential district in accordance with 6.300.

LDT AREA = 5000 SF

1908 May Street  
 Parking Lot Layout

Case Reference #: ZC-22-116  
 Director of Development Services:  
 Date:

<b>MARI REAL ESTATE HOLDINGS LLC</b>  1908 May Street Fort Worth, Tx 76110  Contact: Zagros Bigvand 972.740.2378 Phone	subdiv.	Pattillos Addition to Ft.Worth Emory College Subdivision	lot	30	blk	14
	address	1908 May Street				
	date	10-31-22	plan	Parking Lot Layout		
	rev.		BEFORE CONSTRUCTION OF ANY KIND, BUILDER OR CONTRACTOR SHALL VERIFY ALL PROPERTY LINES, SIDEYARDS, SETBACKS & ESMTS. IN ORDER TO COMPLY WITH ALL FEDERAL, STATE & LOCAL CODES, ORDINANCES & RESTRICTIONS			
		<b>SITE PLANNING SOLUTIONS</b> 1374 W.Reindeer Rd. • Lancaster, Tx • 75146 972-989-0327 Phone				