



# Zoning Staff Report

**Date:** August 8, 2023

**Case Number:** ZC-22-226

**Council District:** 5

## Zoning Map Amendment

**Case Manager:** [Shad Rhoten](#)

**Owner / Applicant:** Mary Helen Johnson / Alpha Family Group

**Site Location:** 1809 Miller Avenue **Acreeage:** 0.15 acres (6,320 sq. ft.)

### Request

**Proposed Use:** Duplex

**Request:** From: “A-5/SS” One-Family/Stop Six Overlay

To: “B/SS” Two-Family/Stop Six Overlay

### Recommendation

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

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

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

**Zoning Commission Recommendation:** **Approval by a vote of 6-0**

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## Project Description and Background

*This item was continued from the June 14, 2023 Zoning Commission meeting to allow the applicant additional time to gain support of the project. At this time, no letters of support have been submitted to staff.*

The property is platted as Lot 1C, Block 8, College Heights Addition and is located within the Stop Six Overlay District and NEZ Area Six. The proposal to rezone this lot would change the current “A-5” zoning to “B” zoning, going from an allowance for one (1) single family dwelling unit to an allowance for two-family dwellings, attached or detached. Based on the application and correspondence with applicant, a duplex is proposed. The property is currently vacant. A single-family residence was previously located on site but demolished between 2009-2010. A curb cut onto Miller Avenue still remains from the previous single-family use.

The lot is approximately 6,320 square feet or 0.15 acres which exceeds the minimum 5,000 square foot lot area required for the “B” district. Due to the smaller lot size, the applicant could construct two (2) attached units but appears to lack the area to construct two (2) detached units. Additional standards for “B” zoning are 50% maximum building coverage on the lot, 20-foot front yard setback, 5-foot side and rear yard setbacks, 35-foot maximum height, and 2 parking stalls per dwelling unit, situated behind the front building line.

Neighborhood Empowerment Zones (NEZ's) promote housing and economic development in central city neighborhoods of Fort Worth. Municipal property tax abatements, fee waivers, and release of city liens are available to property owners who build or rehabilitate property within NEZ's. These incentives are designed to promote affordable housing, economic development and expanded services.

## Surrounding Zoning and Land Uses

North “A-5” One-Family / single family residential  
East “A-7.5” One-Family / single family residential  
South “A-5” One-Family / single family residential  
West “A-10” One-Family / undeveloped

## Recent Zoning History

- The subject property was rezoned in 2019 (ZC-19-116) under the Stop Six Overlay District. The purpose of the Stop Six Overlay District is to provide high quality detached single-family dwellings that will retain their value over time.
- The subject property was included in an approximate 149-acre city-initiated rezoning in 2011 (ZC-11-015) from a mix of districts A-5, B, E and FR to A-10, A-7.5, A-5, CF, ER and E.

## Public Notification

300-foot Legal Notifications were mailed on May 26, 2023.  
The following organizations were emailed on May 30, 2023:

Organizations Notified	
Historic Stop Six NA	Streams and Valleys Inc
Stop 6/Poly Oversight*	Trinity Habitat for Humanity
Echo Heights Stop Six Environmental Coalition	Southeast Fort Worth Inc
East Fort Worth, Inc.	East Fort Worth Business Association
Fort Worth ISD	

*\*Located within this registered Neighborhood Association*

## Development Impact Analysis

### Land Use Compatibility

The current zoning of “A-5” allows the use of one (1) single family dwelling unit. The proposed zoning of “B” Two-Family would allow the construction and use of Two-family dwelling unit on a single lot of record.

As stated above, the property is located within the Stop Six Overlay District, created to provide high quality detached single-family dwellings that will retain their value over time. The overlay has specific development standards applicable to one-family residential only, such as, building design and architectural features, two-car garage requirements and landscape requirements. A duplex and/or “B” Two-Family zoning would not be subject to the Stop Six Overlay development standards.

Based on the overall build out of single-family residential surrounding the property and the desire to provide high quality detached single-family dwellings within the Stop Six Overlay, this rezoning request is **not compatible**.

### Comprehensive Plan Consistency – Southeast

The 2022 Comprehensive Plan currently designates the subject property as future Single-Family Residential. This land use designation includes zoning districts “A-5”, “A-7.5”, “A-10”, and “AR”. Duplex or “B” Two-Family zoning would be classified as Low Density Residential under the adopted Future Land Use Plan. The difference between Single Family Residential and Low Density Residential is negligible as both have a residential character. A duplex would be slightly more intense than a single-family residence, but both would be less intense uses than commercial or industrial zoning. Although this rezoning request is not compatible with the Future Land Use component of the Comprehensive Plan, it **is in** alignment with the following policies of the Comprehensive Plan for the Southeast Sector:

- Encourage marketable infill houses, particularly in the Polytechnic and Stop Six neighborhoods.
- Support diverse housing options, including duplexes, fourplexes, townhomes, and small courtyard apartments to promote walkable communities, access to neighborhood services, and multimodal transportation options, while ensuring compatibility with the form, sale, and design of existing neighborhoods.

Conversely, the proposed zoning **is not in** alignment with the Comprehensive Plan policies listed below:

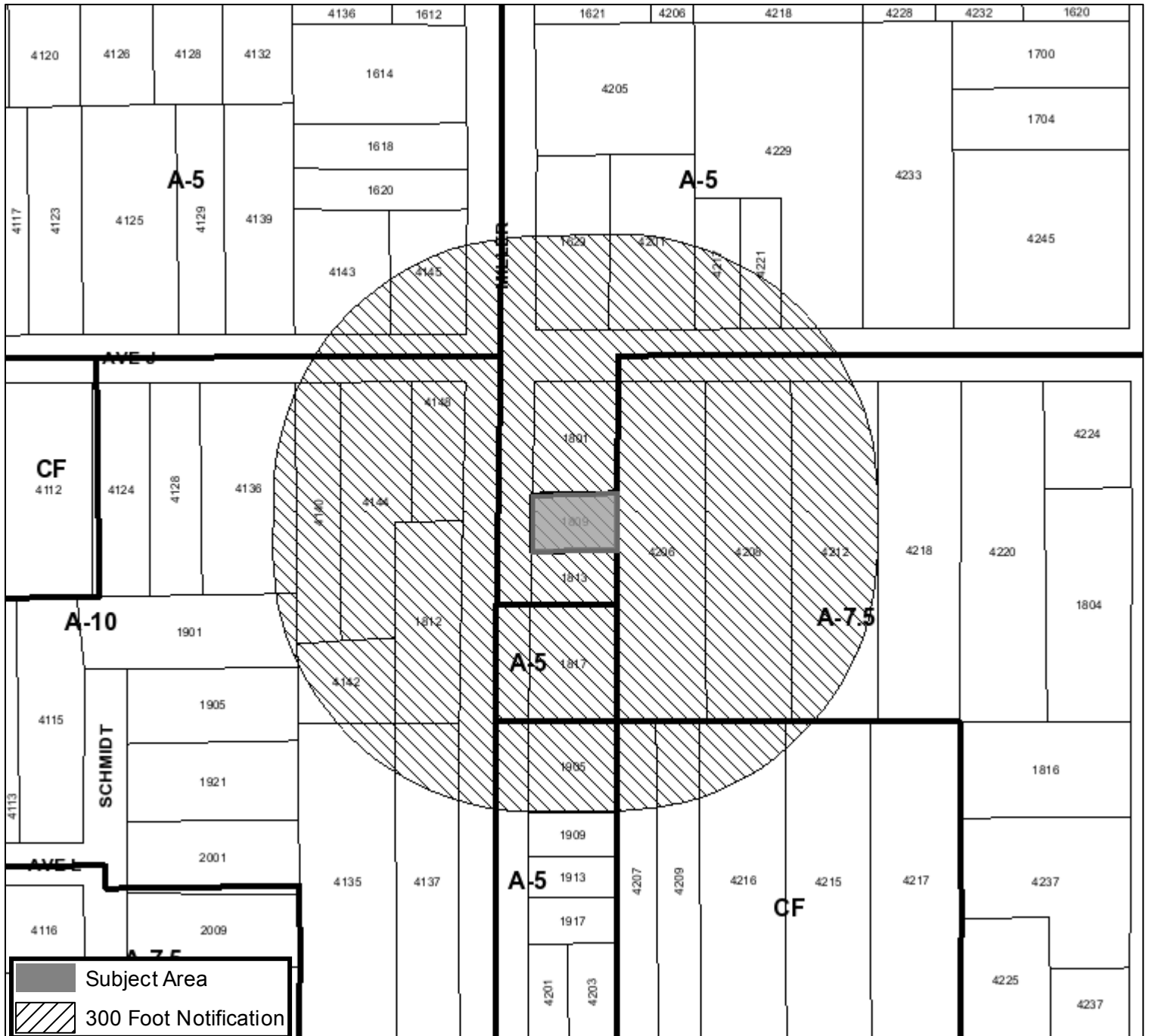
- Encourage infill development of compatible, single-family homes in existing neighborhoods to preserve and protect residential neighborhoods.
- Preserve the character of rural and suburban residential neighborhoods.
- Improve the percentage of zoning decisions that are consistent with the Comprehensive Plan.
- Encourage Urban Residential and Low Density Residential as transitional uses between Single-Family Residential and high density uses.

The proposed zoning **is not consistent** with the Comprehensive Plan Future Land Use designation.

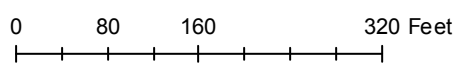


### Area Zoning Map

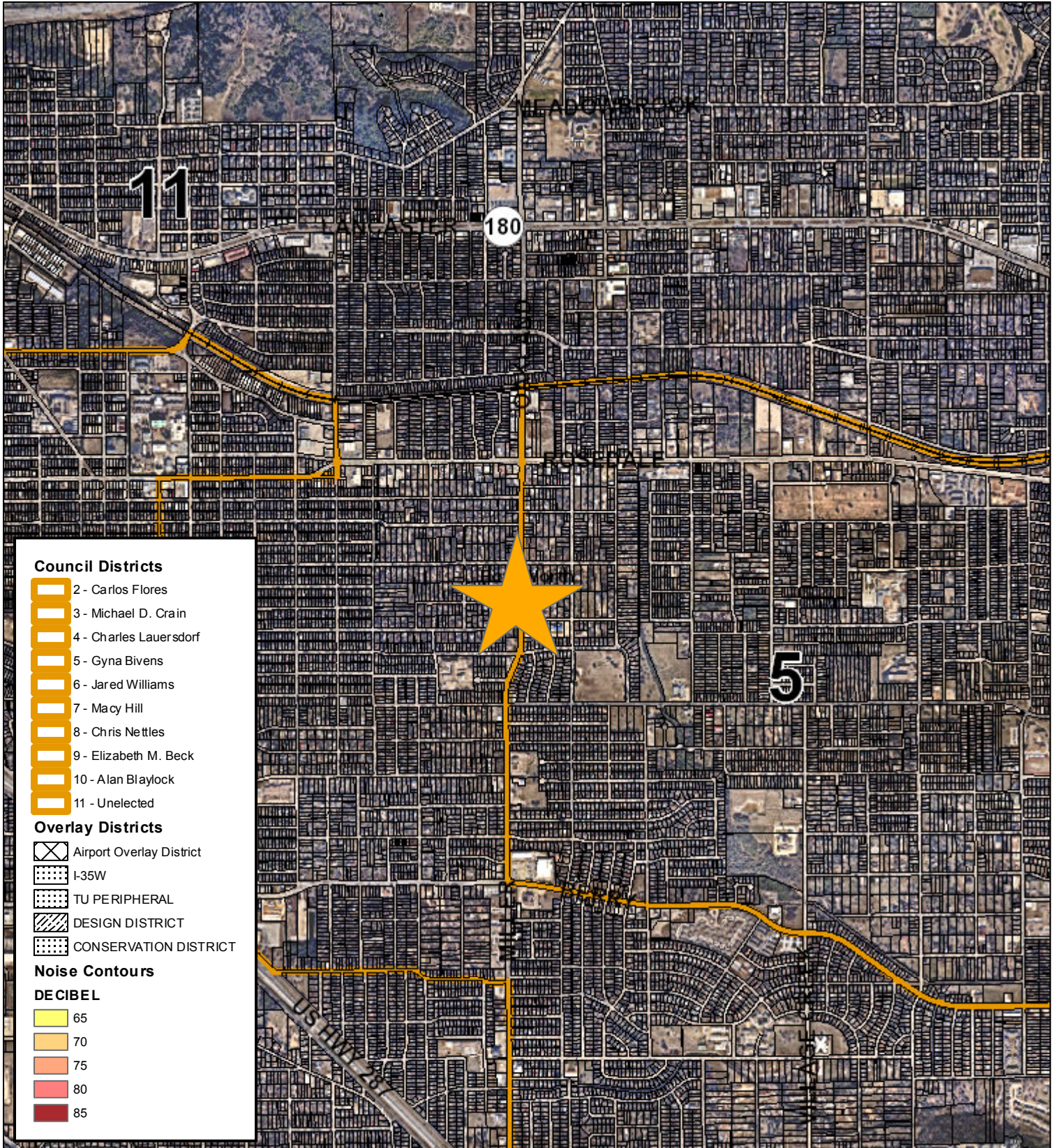
Applicant: Mary Helen Johnson  
 Address: 1809 Miller Avenue  
 Zoning From: A-5  
 Zoning To: B  
 Acres: 0.14836844  
 Mapsco: Text  
 Sector/District: Southeast  
 Commission Date: 6/14/2023  
 Contact: 817-392-8025



- Subject Area
- 300 Foot Notification








### Area Map



**Council Districts**






-  2 - Carlos Flores
-  3 - Michael D. Crain
-  4 - Charles Lauerdorf
-  5 - Gyna Bivens
-  6 - Jared Williams
-  7 - Macy Hill
-  8 - Chris Nettles
-  9 - Elizabeth M. Beck
-  10 - Alan Blaylock
-  11 - Unelected

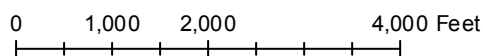
**Overlay Districts**

-  Airport Overlay District
-  I-35W
-  TU PERIPHERAL
-  DESIGN DISTRICT
-  CONSERVATION DISTRICT

**Noise Contours**

**DECIBEL**

























-  65
-  70
-  75
-  80
-  85

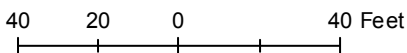


### Future Land Use

AVE J

MILLER

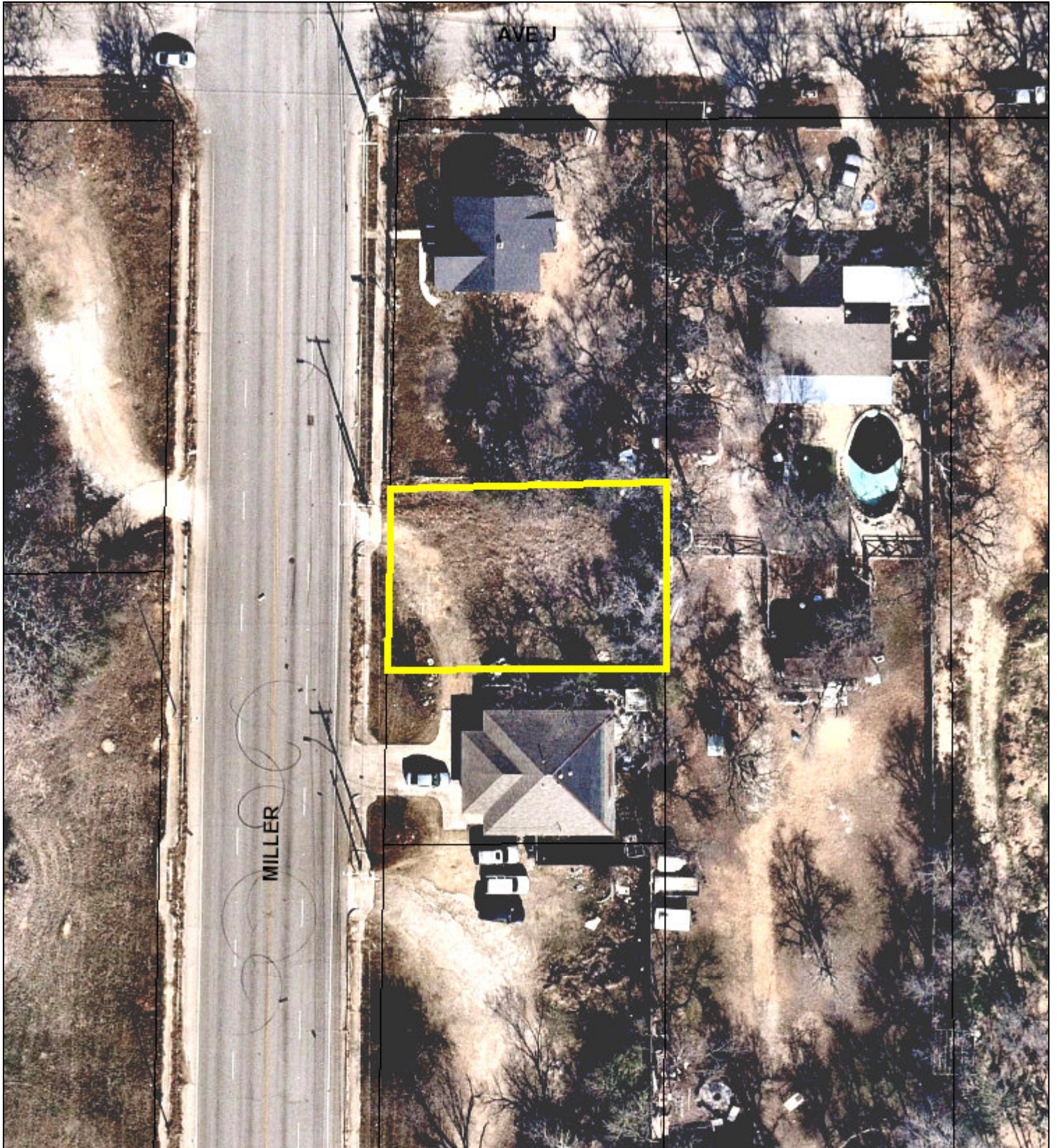
	TOLLWAY / FREEWAY		Institutional
	PRINCIPAL ARTERIAL		Neighborhood Commercial
	MAJOR ARTERIAL		General Commercial
	MINOR ARTERIAL		Light Industrial
	Vacant, Undeveloped, Agricultural		Heavy Industrial
	Rural Residential		Mixed-Use
	Suburban Residential		Industrial Growth Center
	Single Family Residential		Infrastructure
	Manufactured Housing		100 Year Flood Plain
	Low Density Residential		Public Park, Recreation, Open Space
	Medium Density Residential		Private Park, Recreation, Open Space
	High Density Residential		Lakes and Ponds



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**



0 30 60 120 Feet

