



# Zoning Staff Report

**Date:** May 9, 2023

**Case Number:** ZC-23-018

**District: (old/new):** 9/9

## Zoning Map Amendment

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

**Owner / Applicant:** James W. Eby

**Site Location:** 2801 Townsend Drive

**Acreage:** 0.14 acres

### Request

**Proposed Use:** Duplex/Two-family attached dwelling

**Request:** From: “A-5” One-Family/TCU Residential Overlay (Application incorrectly states the property is “A-10”)

To: “B” Two-Family/TCU Residential Overlay

### 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 7-0**

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## Project Description and Background

**Note: This item was continued from the March 22, 2023 Special Called Meeting due to a technical error in the newspaper notice.**

The property is part of the Frisco Heights Addition and within the TCU/Westcliff area of the city. It is also within the TCU Residential Overlay District. This request, if approved, 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 one (1) duplex unit containing two (2) dwelling units, attached. The property currently contains a single-family residence with a subordinate accessory building located at the rear (east) portion of the property and to the rear of the single- family structure. The applicant proposes to construct a duplex on the property for student housing as stated in the submitted application.

The lot is approximately 6,350 square feet or 0.14 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 a 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.

## Surrounding Zoning and Land Uses

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

## Recent Zoning History

- The subject property was rezoned in 2014 under the TCU Residential Overlay District. The purpose of the TCU residential overlay district is to facilitate preservation of existing single-family residential neighborhoods by establishing limitations and special requirements on property uses within the area that are inconsistent with the underlying zoning and original construction thereof by providing a mechanism for making such inconsistent uses compatible.

## Public Notification

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

Organizations Notified	
Las Familias de Rosemont NA	University Place NA
Park Hill Place HOA	Ryan Place Improvement Assn
Paschal NA*	Park Hill NA
Frisco Heights NA	Berkeley Place NA
Streams And Valleys Inc	Trinity Habitat for Humanity
Berry Street Initiative	Fort Worth ISD

## Development Impact Analysis

### Land Use Compatibility

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The current zoning of “A-5” allows the use of the existing 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 TCU Residential Overlay District, created to facilitate preservation of existing single-family residential neighborhoods by establishing limitations and special requirements on property uses within the area that are inconsistent with the underlying zoning and original construction thereof by providing a mechanism for making such inconsistent uses compatible. The overlay also prohibits more than three unrelated persons from occupying a single dwelling unit unless the owner has registered as a nonconforming use by March 31, 2015.

Based on the overall build out of single-family residential surrounding the property and the desire to preserve single-family residential within the TCU Overlay, this rezoning request **is not compatible**.

### Comprehensive Plan Consistency – TCU/Westcliff

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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. The proposed zoning is not in alignment with the following policies of the Comprehensive Plan:

- Encourage infill development of compatible, single-family homes in existing neighborhoods to preserve and protect residential neighborhoods.
- Encourage small-lot single-family zoning districts (i.e. AR and A-5) on the periphery of mixed-use growth centers (TCU), where the City seeks to concentrate employment and public services. The proposed zoning is not consistent with the Comprehensive Plan Future Land Use designation.

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

### Economic Development Plan

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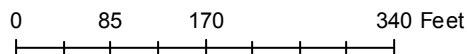
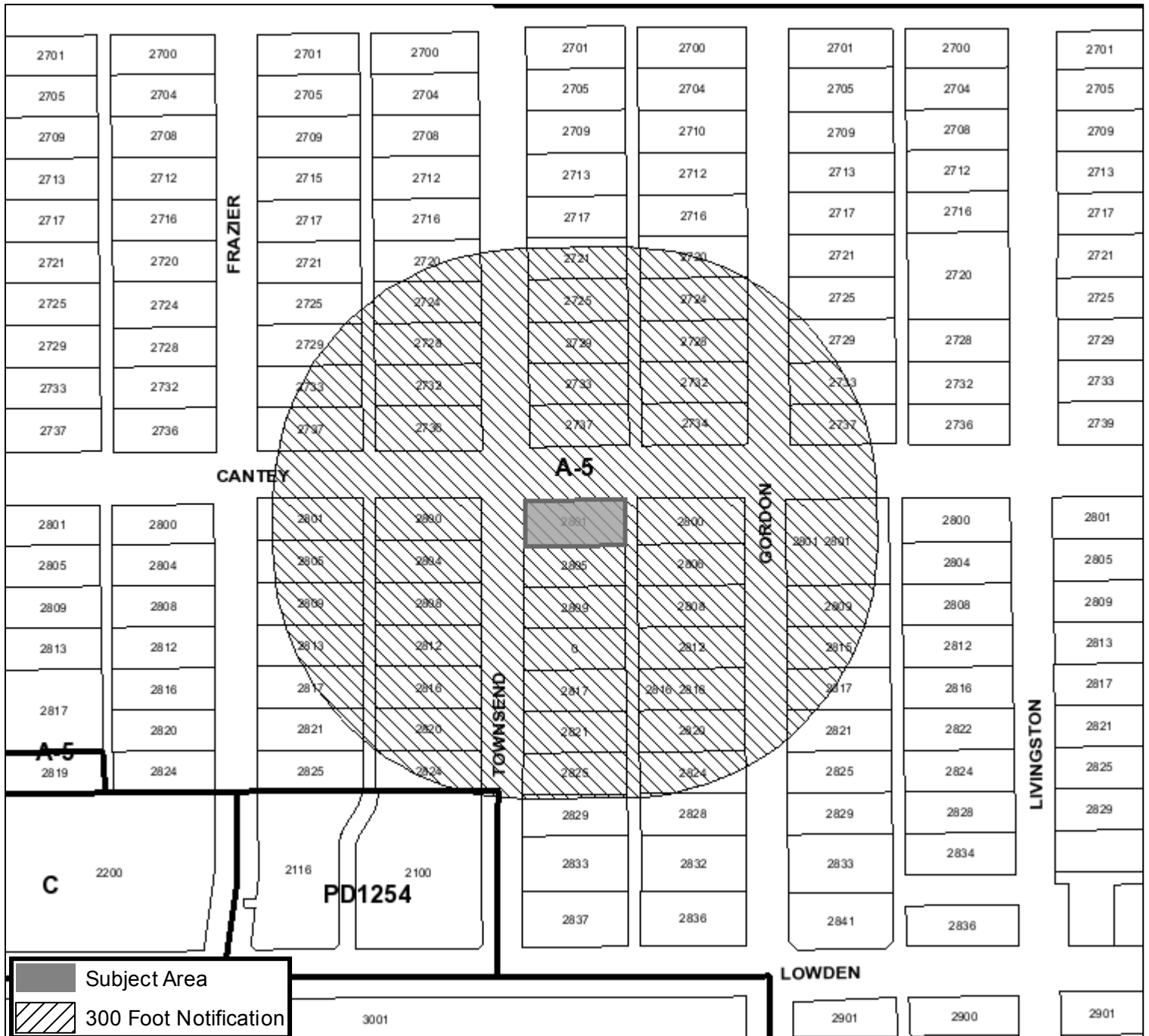
The 2017 Economic Development Strategic Plan identified a vision, goals, and strategies to facilitate the success and growth of the City of Fort Worth. The site is not within any of the six target areas that were studied in depth for their redevelopment potential.



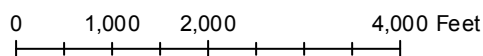
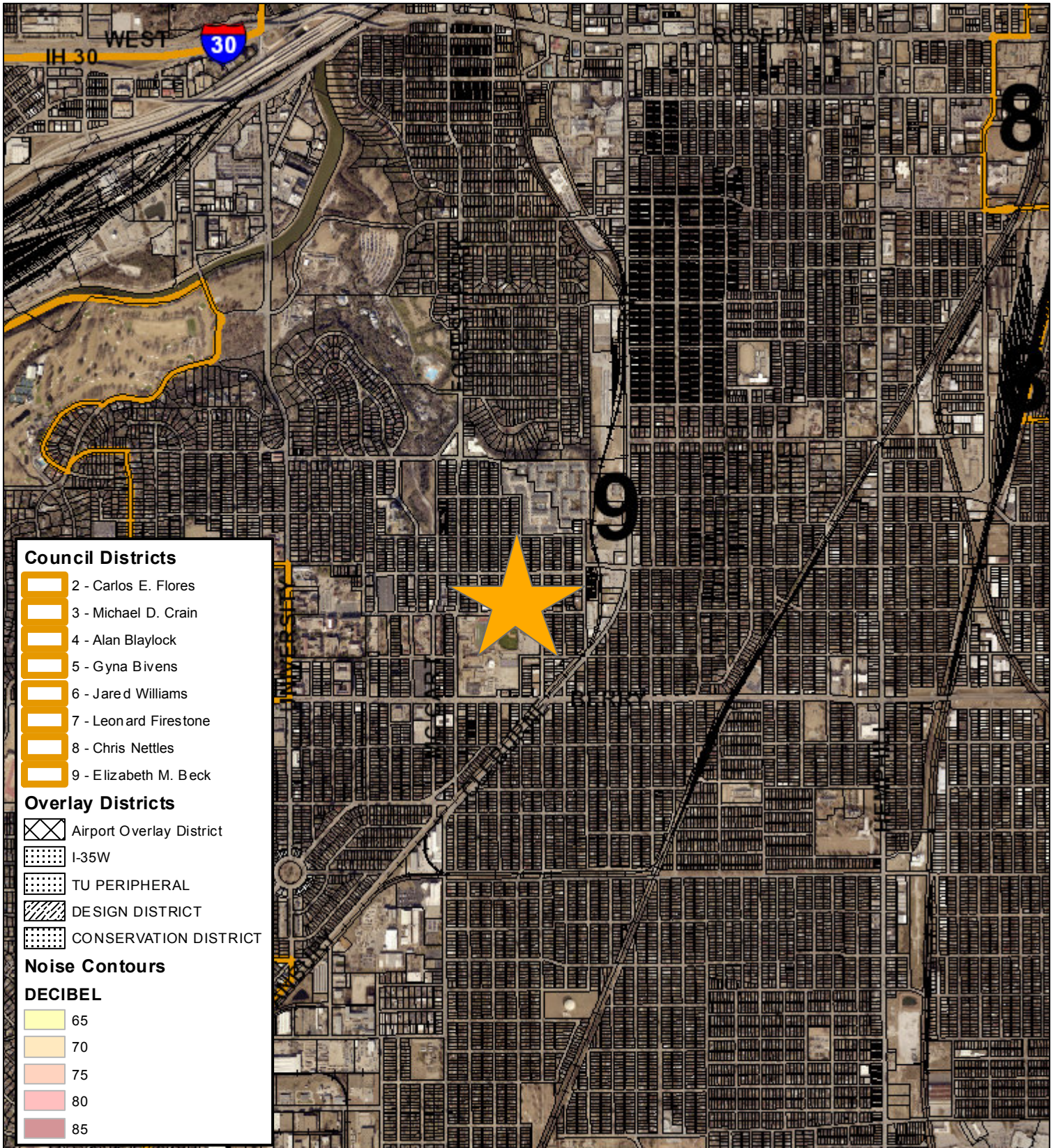
ZC-23-018

# Area Zoning Map

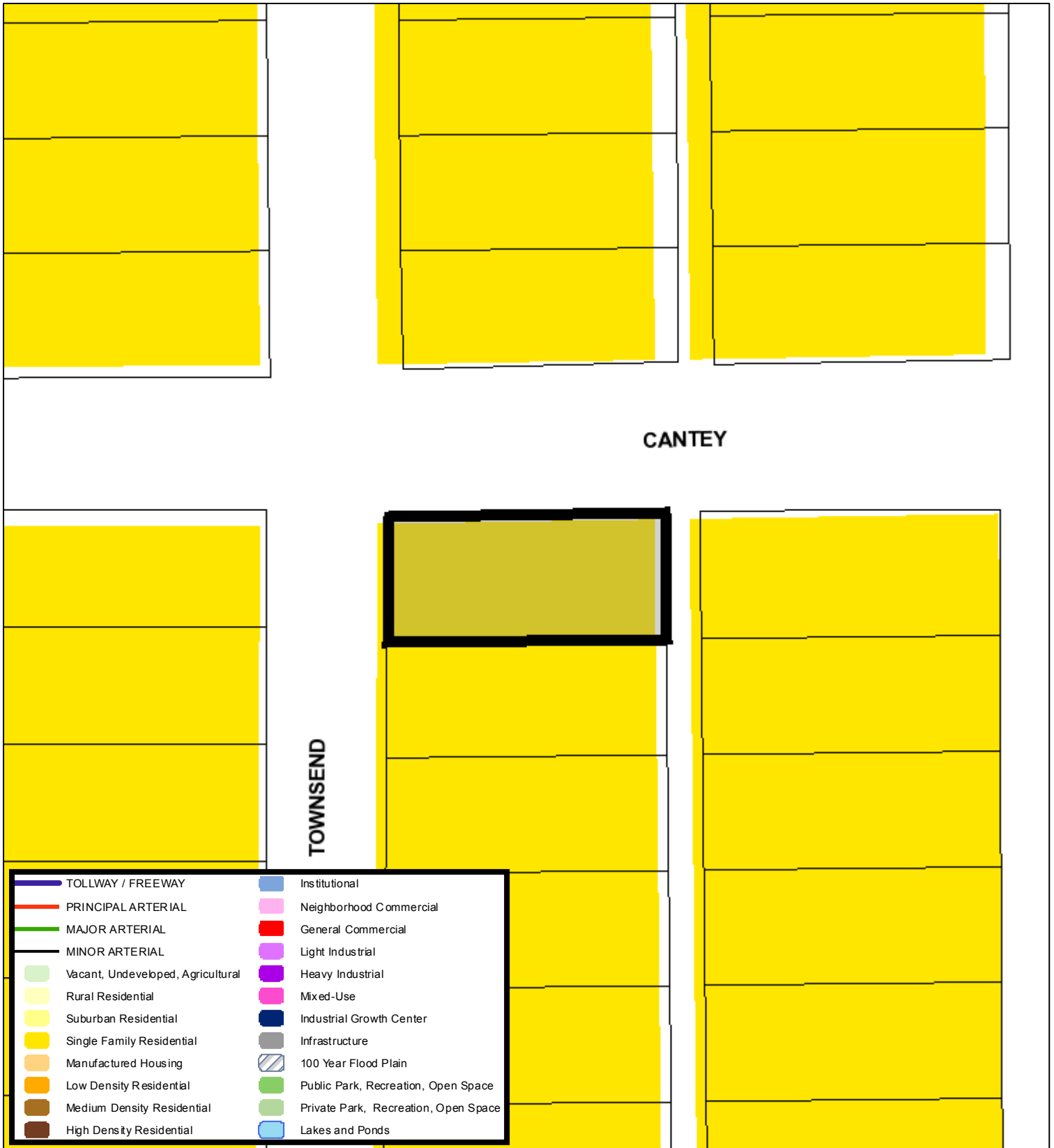
Applicant: Jim Eby  
 Address: 2801 Townsend Dr.  
 Zoning From: A-5  
 Zoning To: B  
 Acres: 6407.50301414  
 Mapsco: Text  
 Sector/District: TCU/Westcliff  
 Commission Date: 3/22/2023  
 Contact: 817-392-2025



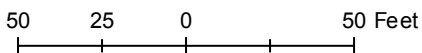
### Area Map



### Future Land Use



	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 35 70 140 Feet

