

**City Council  
Staff Agenda Report**

**Agenda Item: 8b.**

**Agenda Subject:** Discussion and possible action regarding a Special Exception Application for fence height in accordance with the City of Dalworthington Garden’s Zoning Ordinance Section 14.02.321(c)(7), screening devices/fences, over height or in required front yard, for property located at 2416 Roosevelt Drive, Dalworthington Gardens.

<p><b>Meeting Date:</b></p> <p>October 19, 2023</p>	<p><b>Financial Considerations:</b></p> <p><b>Budgeted:</b></p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p><b>Strategic Vision Pillar:</b></p> <p><input checked="" type="checkbox"/> Financial Stability</p> <p><input checked="" type="checkbox"/> Appearance of City</p> <p><input checked="" type="checkbox"/> Operations Excellence</p> <p><input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input checked="" type="checkbox"/> Building Positive Image</p> <p><input checked="" type="checkbox"/> Economic Development</p> <p><input type="checkbox"/> Educational Excellence</p>
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**Background Information:** Property owner is requesting a special exception in accordance with section 14.02.321(c)(7) for “screening devices/fences, over height or in required yard.” Fence height requirements are as outlined in the Zoning Ordinance, Section 14.02.123, which states as follows:

14.02.123 Yard requirements.

(d) Permitted obstructions in required yards and open spaces. The following shall not be considered to be obstructions when located in the required yards and open spaces specified.

- (1) In all required yards:
  - (D) Fences, subject to subsection (2)(c) hereof.
- (2) In front yards:
  - (C) Fences not exceeding four (4) feet in height which do not constitute a sight obstruction.

14.02.125 Screening devices.

- (b) Erection and maintenance responsibility.
  - (3) No fence or other screening device, whether required or not, shall exceed six (6) feet in height, without appropriate approval.

Consideration for special exceptions should abide by the following guidelines from the ordinance. They differ from variances in that a hardship is not required to be shown or proven.

- 1. They should be investigated as to the manner in which the proposed character and location of the special exception will affect the master plan of the city.
  - a. The Comp Plan’s (city master plan) focus is mostly on land use and this property is being used per the plan as single family residential.
- 2. Ensure it is consistent with the spirit, purpose and intent of this article.
- 3. That it will not substantially and permanently injure the appropriate use of neighboring property.
- 4. That it will substantially serve the public convenience and welfare.

The Planning and Zoning Commission recommended approval.

**Recommended Action/Motion:** Motion to [approve or deny] a Special Exception Application for fence height in accordance with the City of Dalworthington Garden’s Zoning Ordinance Section 14.02.321(c)(7), screening devices/fences, over height or in required front yard, for property located at 2416 Roosevelt Drive, Dalworthington Gardens.

**Attachments:** Permit Application, Inspection Notes, Special Exception Application, Letters of Support

**Carla Newbell**

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**From:** Safebuilt TX PR <SafebuiltTX-PR@safebuilt.com>  
**Sent:** Friday, June 9, 2023 11:34 AM  
**To:** permits  
**Cc:** finance; Sandra Ma  
**Subject:** [EXTERNAL] Re: 2416 Roosevelt Drive Dalworthington Gardens

Received and uploaded for review

Thank you,  
Amanda Perry  
Plans Processing Team

**SAFEbuilt**

**Please send all required documents in PDF format. Documents not sent in PDF format will not be accepted.**

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**From:** permits <permits@cityofdwg.net>  
**Sent:** Friday, June 9, 2023 10:09 AM  
**To:** Safebuilt TX PR <SafebuiltTX-PR@safebuilt.com>  
**Cc:** finance <finance@cityofdwg.net>; Sandra Ma <sandra@cityofdwg.net>  
**Subject:** 2416 Roosevelt Drive Dalworthington Gardens

Good morning,

Please review the attached permit application.

Thanks,  
Carla Newbell, Clerk  
City of Dalworthington Gardens

**Carla Newbell**

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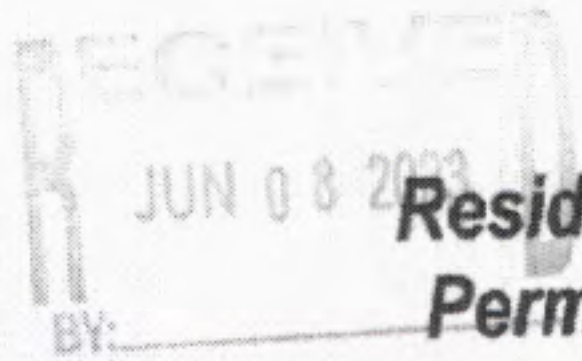
**From:** no-reply@noreply.communitycore.com  
**Sent:** Monday, June 12, 2023 3:56 PM  
**To:** permits  
**Subject:** [EXTERNAL] 2416 Roosevelt Drive - Approved Fence Plans

2416 Roosevelt Drive - Approved Fence Plans

[2416 Roosevelt Drive - Approved Fence Plans.pdf](#)

The above link(s) will expire in 180 days.





# Residential Building Permit Application

City of Dalworthington Gardens  
2600 Roosevelt Drive  
Dalworthington Gardens, TX 76016  
Phone: 817-274-7368  
permits@cityofdwwg.net

Building Permit Number: 2060 Total Cost of Construction: \$ 8,000  
(Must provide supporting documentation)  
Applicant Name: Richard Crosier (CFS Contracting) Zoning District: \_\_\_\_\_  
Project Address: 2416 Roosevelt

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_ HOA: \_\_\_\_\_  
Project Description: New SFR  SFR Remodel/Addition  Electrical  Roofing\*   
Plumbing  Mechanical  Swimming Pool/Spa\*  Sign\*   
Accessory Building\*  Irrigation  Fence\*  Other   
\* Requires supplemental project information sheet

Description of Work: Fence install  
Area Square Feet: Living: \_\_\_\_\_ Garage: \_\_\_\_\_ Covered Porch: \_\_\_\_\_ Total: \_\_\_\_\_ Number of Stories: \_\_\_\_\_

### General Contractor Information

Name: Richard Crosier Company: CFS Contracting  
Address: 124 Parkwood Ave Odessa TX Email Address: cfcontracting@gmail.com  
Phone Number: 817 948-3615 Phone Number: \_\_\_\_\_

<small>All contractors are required to be registered and submit permit application to the City before beginning work.</small>				
	Contact Name	Email	Phone	Contractor License Number
Mechanical Contractor:				
Electrical Contractor:				
Plumbing/Irrigation Contractor:				
Pool Contractor:				
Sign Contractor:				
Fence Contractor:				

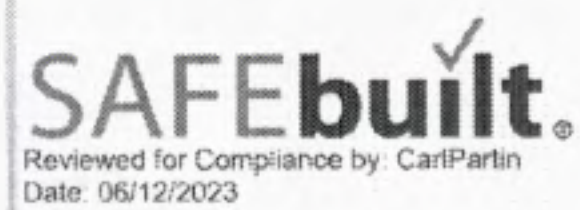
\*All Permit Applications must include supporting documentation: 2 sets of Site and Building Plans and an electronic version if available. (see Building Permit Checklist for more specific information)

For building inspections contact Countywide Inspections:  
Email: [inspections@cwistx.com](mailto:inspections@cwistx.com) (preferred method) or 940-521-0470  
24 hour advance notice is required.

*I hereby certify that I have read and examined this application and know the same to be true and correct. All provision of laws and ordinance governing this type of work will be complied with whether specified or not. I certify that construction material, methods, and practices shall conform to the applicable Ordinances and Coded adopted by the City of Dalworthington Gardens. The granting of a permit does not presume to give authority to violator cancel the provision of any other state or local law regulating construction or the performance of construction.*

Signature of Applicant: [Signature] Date: 6/7/23

OFFICE USE ONLY		
Plan Review Fee: \$	Approved by:	DWG Receipt Number:
Building Permit Fee: \$ <u>75.00</u>	Date Approved:	<u>GOVPRY</u>
Tap & Access Fee: \$	Issue Date:	
Total Due: \$ <u>75.00</u>	Issued by:	



**PLANS MUST BE ON SITE FOR ALL INSPECTIONS**



## Carla Newbell

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**From:** permits  
**Sent:** Tuesday, June 13, 2023 8:46 AM  
**To:** 'CFS Contracting'  
**Subject:** 2416 Roosevelt Drive Dalworthington Gardens  
**Attachments:** 2416 Roosevelt Drive-Fence .pdf

Good morning,

Attached, you will find the approved permit for 2416 Roosevelt Drive in Dalworthington Gardens. **Please review the permit notes regarding the final inspection. Please have plans onsite during the inspection. Click on the link below for your approved plans.**

Thanks,  
Carla Newbell, Clerk  
City of Dalworthington Gardens

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**From:** no-reply@noreply.communitycore.com <no-reply@noreply.communitycore.com>  
**Sent:** Monday, June 12, 2023 3:56 PM  
**To:** permits <permits@cityofdwg.net>  
**Subject:** [EXTERNAL] 2416 Roosevelt Drive - Approved Fence Plans

2416 Roosevelt Drive - Approved Fence Plans

[2416 Roosevelt Drive - Approved Fence Plans.pdf](#)  
The above link(s) will expire in 180 days.





**City of Dalworthington  
Gardens**

City of Dalworthington Gardens  
2600 Roosevelt Drive  
Dalworthington Gardens, TX 76016  
Phone: 817-274-7368  
permits@cityofdwg.net

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Permit Number: 2060  
Permit Type: Fence  
Permit Date: 6/13/2023

Effective Date: 6/13/2023  
Expiration Date: **12/10/2023**

Site Location: 2416 Roosevelt Dr  
DWG, Texas 76016

Contractor: CFS Contracting (Richard Crosier)  
Email Address: cfscontracting@gmail.com  
Phone Number: 817-948-3615

Permit Notes: Approved For Fence Installation

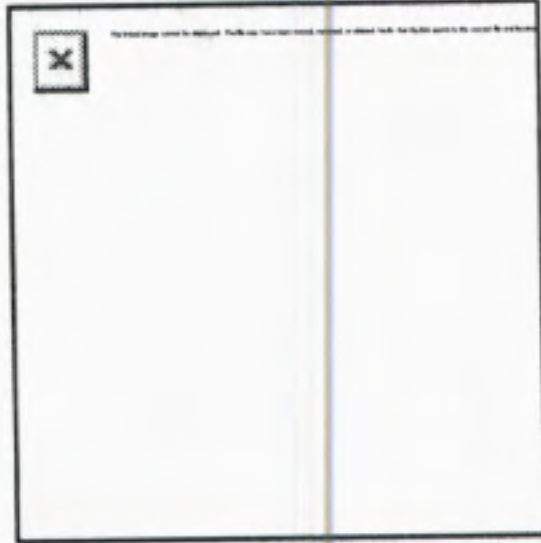
Contractor: To Schedule an inspection email Countrywide Inspections at [inspections@cwistx.com](mailto:inspections@cwistx.com)  
24 Hour Advanced Notice Is Required



**Carla Newbell**

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**From:** no-reply@noreply.communitycore.com  
**Sent:** Monday, July 17, 2023 1:27 PM  
**Subject:** [EXTERNAL] Inspection Result for 2060



Please find below the results of your recent building permit inspection(s):

**2060**

**Permit type: Fence**

**Inspection: Fence Final**

**Inspection Step: Inspections**

**Result: Failed - Code Violation**

**Property Address**

2416 Roosevelt Drive,

Dalworthington Gardens, TX 76016

Property Owner:

Applicant: CFS Contracting, (817) 948-3615

cfscontracting@gmail.com

**Inspection Performed: 7/17/2023**

**Inspection Performed By: Joseph Trammell TSBPE I-3435, (817) 914-4867**

**Description:**

**Inspection Notes:**

- City of DWG has a fence ordinance stating any fence over 6' needs approval. Just need clarification from the city that this is approved since permit application says nothing about height. I have attached ordinance to inspection. If you have anything regarding the approval from the city you can email me at [jtrammell@safebuilt.com](mailto:jtrammell@safebuilt.com) and I can reschedule inspection and pass it.

**Subdivision:**

**Contractors:**

**Primary:** Dalworthington Gardens, [permits@cityofdwg.net](mailto:permits@cityofdwg.net), (682) 330-7400

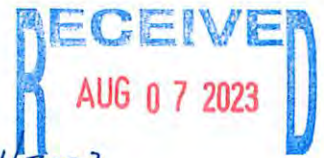
**Inspection Photos/Files:**

File	Notes
<a href="#">Over 6.jpg</a>	
<a href="#">City ordinance.jpg</a>	

The above link(s) will expire in 1 year.



CITY OF DALWORTHINGTON GARDENS  
SPECIAL EXCEPTION APPLICATION



Scott Gray

Applicant's Name (please print)

8/4/2023

Date

2412 Roosevelt Dr.

Address

817 832 2557

Telephone Number

2414 Roosevelt Dr.

Property Address

Scott Gray

Property Owner

Address

817832 2557

Telephone Number

Legal Description of Property

Scott@sija.org

I hereby apply to the Planning and Zoning Commission and City Council for the following special exception.

Be sure to include the following with your application:

- (1) Exact special exception requested;
- (2) Site plan sketch showing location of the use on property;
- (3) A statement as to why the proposed special exception will not cause substantial injury to the value, use or enjoyment of other property in the neighborhood;
- (4) A statement as to how the proposed special exception is to be designed, arranged and operated in order to ensure that development and use of neighboring property in accordance with the applicable district regulations will not be prevented or made unlikely, and that the value, use and reasonable enjoyment of such property will not be impaired or adversely affected; and
- (5) An identification of any potentially adverse effects that may be associated with the proposed special exception and the means proposed by the applicant to avoid, minimize or mitigate such effects.



(1) Side yard fence 96" tall

(2) see permit application - (4) see permit application -

(3) The height provides privacy for bedrooms in one-story residence next door to 2-story residence. (5) none

Scott Gray

Applicant's Signature

8/4/2023

Date

For Office Use Only

Fee Amount: \$500.00

Date: 8/7/2023

Receipt Number: CC243318

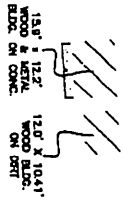
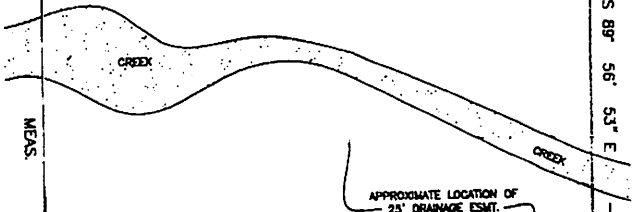
Transaction Code - 161



1

LOT 7B  
388-140 / 95

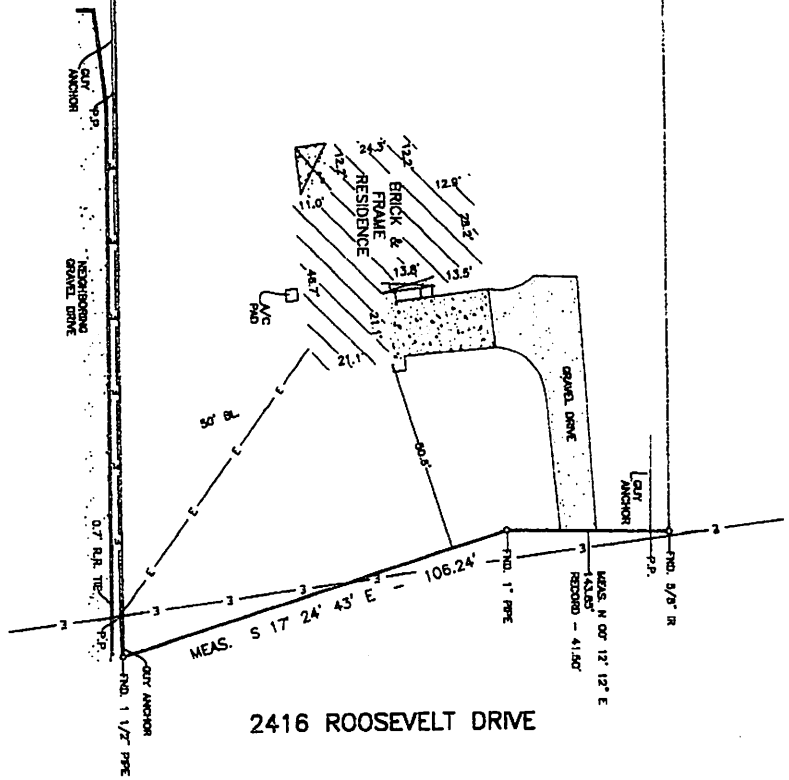
MEAS. S 89° 56' 53" E 482.98'



LOT 7A  
388-140 / 95

MEAS. N 89° 55' 17" W 514.37'  
RECORD 514.37'  
DIRECTIONAL CONTROL LINE

PORTION OF  
LOT 7  
ROBERT A WALKER  
D204190222



2416 ROOSEVELT DRIVE

MEASURING GRAVEL DRIVE

MEAS. S 17° 24' 45" E 106.24'

MEAS. N 00° 12' 12" E  
RECORD - 41.50'





CITY OF DALWORTHINGTON GARDENS

NOTICE OF PUBLIC HEARINGS

Re: Special Exception for fence height at 2416 Roosevelt Drive

To Property Owners within 200' of 2416 Roosevelt Drive:

Notice is hereby given that the Dalworthington Gardens Planning and Zoning Commission will hold a public hearing on September 25, 2023 at 6:00 p.m. and the Dalworthington Gardens City Council will hold a public hearing on October 19, 2023 at 7:00 p.m., both to be held in the City Hall Council Chambers, 2600 Roosevelt Drive, Dalworthington Gardens, Texas to consider the following:

A Special Exception Application for fence height in accordance with the City of Dalworthington Garden's Zoning Ordinance Section 14.02.321(c)(7), screening devices/fences, over height or in required front yard, for property located at 2416 Roosevelt Drive, Dalworthington Gardens.

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved city tax roll. All interested persons are encouraged to attend the public hearing and express their opinions on the amendment. If you are unable to attend but wish to have your opinions made part of the public record, please mail your opinions to the address below prior to the public hearing. Please include your name, address, and property description on all correspondence.

COMMENTS:

I have no problem w/ said fence being over height. Furthermore, I feel that any resident wanting an 8' fence should be allowed to have it for, if nothing else, →

I AM IN FAVOR: ✓ I HAVE NO OBJECTIONS: ✓ I HAVE OBJECTIONS: \_\_\_\_\_

Robert A. Walker (PRINTED NAME) Robert A. Walker (SIGNATURE)

2500 Roosevelt Dr. DWG, TX 76016 (ADDRESS) (CITY, STATE, ZIP)

MAIL TO: CITY OF DALWORTHINGTON GARDENS CITY ADMINISTRATOR 2600 ROOSEVELT DRIVE DALWORTHINGTON GARDENS, TX 76016 For questions: 682-330-7418 or lsmith@cityofdwwg.net



privacy and security. Also, if this resident has  
incurred any charges as a result, I feel they  
should be waived. My neighbors are good  
people and would never intentionally violate  
and code. To fine them anything at all  
would be a little excessive, I believe.

Sincerely,

Robert A. Walker





CITY OF DALWORTHINGTON GARDENS

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COMMENTS:

Three horizontal lines for writing comments.

I AM IN FAVOR: \_\_\_\_\_ I HAVE NO OBJECTIONS:  \_\_\_\_\_ I HAVE OBJECTIONS: \_\_\_\_\_

LARRY GALBIATI  
(PRINTED NAME)

*Larry Galbiati*  
(SIGNATURE)

2508 Roosevelt Dr DWG TX 76016  
(ADDRESS) (CITY, STATE, ZIP)

MAIL TO:  
CITY OF DALWORTHINGTON GARDENS  
CITY ADMINISTRATOR  
2600 ROOSEVELT DRIVE  
DALWORTHINGTON GARDENS, TX 76016  
For questions: 682-330-7418 or [lsmith@cityofdwg.net](mailto:lsmith@cityofdwg.net)





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COMMENTS:

Three horizontal lines for writing comments.

I AM IN FAVOR: \_\_\_\_\_ I HAVE NO OBJECTIONS:  I HAVE OBJECTIONS: \_\_\_\_\_

James Riddle Sr.  
(PRINTED NAME)

James Riddle Sr.  
(SIGNATURE)

2415 Roosevelt Dr  
(ADDRESS)

DWG, TX. 76016  
(CITY, STATE, ZIP)

MAIL TO:  
CITY OF DALWORTHINGTON GARDENS  
CITY ADMINISTRATOR  
2600 ROOSEVELT DRIVE  
DALWORTHINGTON GARDENS, TX 76016  
For questions: 682-330-7418 or [lsmith@cityofdwwg.net](mailto:lsmith@cityofdwwg.net)



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COMMENTS:

Three horizontal lines for writing comments.

I AM IN FAVOR: X I HAVE NO OBJECTIONS: \_\_\_\_\_ I HAVE OBJECTIONS: \_\_\_\_\_

Aneela Williams  
M&B Ventures LLC  
(PRINTED NAME)

*Aneela Williams*  
(SIGNATURE)

2321 Michigan  
Ct  
(ADDRESS)

DWG, TX 76016  
(CITY, STATE, ZIP)

MAIL TO:  
CITY OF DALWORTHINGTON GARDENS  
CITY ADMINISTRATOR  
2600 ROOSEVELT DRIVE  
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