



# City of Colleyville Zoning Board of Adjustment Agenda

City Hall  
100 Main Street  
Colleyville, Texas 76034  
817. 503.1000  
www.colleyville.com

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Tuesday, May 10, 2022

City Council Chambers

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**7:00 P.M.  
CITY COUNCIL CHAMBERS  
THIRD FLOOR**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**1. APPROVAL OF MINUTES**

**1a** Zoning Board of Adjustment Meeting Minutes - July 14, 2020

**2. PUBLIC HEARING AGENDA ITEMS**

**2a** Consideration of a variance to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically for lot area in the R-40 Single Family Residential district, for Lot 3, Block 3, Stafford Heights Subdivision, located at 4801 Manning Drive, Case VC22-003

**2b** Consideration of a variance to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically for lot area in the R-40 Single Family Residential district, for Lot 2, Block 3, Stafford Heights Subdivision, located at 4809 Manning Drive, Case VC22-004

**3. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards May 6, 2022 by 5:00 p.m.

Dakari Hill  
Planner

*A quorum of the Colleyville City Council or any other Board, Commission, or Committee may be in attendance at this meeting.*

*Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.*

*If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1133, and reasonable accommodations will be made to assist you.*



# City of Colleyville Zoning Board of Adjustment Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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<b>Agenda Number</b> 1a	<b>Agenda Date</b> 5/10/2022	<b>Number</b>
<b>Type</b> Approval of Minutes		
<b>Department</b> Zoning Board of Adjustment		

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## **Title**

Zoning Board of Adjustment Meeting Minutes - July 14, 2020

## **Explanation**

Approval of minutes from the July 14, 2020 Zoning Board of Adjustment Meeting

## **Recommendation**

Approve

## **Attachments**

1. 7.14.2020 - ZBA Minutes



# City of Colleyville Zoning Board of Adjustment Minutes

City Hall  
100 Main Street  
Colleyville, Texas 76034  
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Tuesday, July 14, 2020

City Council Chambers

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## CALL TO ORDER

The City of Colleyville Planning and Zoning Commission Meeting was called to order by Chair Carroll on July 14, 2020, at 6:30 p.m.

### Roll Call

**Present:** Richard Vallario, Dee Kamerman, Frank Carroll, Michael Deakin, and Taylor Anderson

**Absent:** Dan Shadle

**Staff Present:** Ben Bryner, Jacquelyn Reyff, and Araceli Botello

**Also Present:** Attorney, Nicole Corr

**The Board adjourned into an executive session at 6:32 p.m.**

**The Board reopened the meeting at 6:46 p.m.**

Chair Carroll adjourned the Zoning Board of Adjustment Meeting at 6:47 p.m.

## CALL TO ORDER

The Zoning Board of Adjustment meeting of the City of Colleyville was called to order by Chair Carroll on July 14, 2020 at 7:00 p.m.

### Roll Call

**Present:** Richard Vallario, Dee Kamerman, Frank Carroll, Michael Deakin, and Taylor Anderson

**Absent:** Dan Shadle

**Staff Present:** Ben Bryner, Jacquelyn Reyff, and Araceli Botello

**Also Present:** Attorney, Nicole Corr

**1. APPROVAL OF MINUTES****1a** Zoning Board of Adjustment Meeting Minutes – October 8, 2019

**Board member Vallario made a motion to approve the October 8, 2019 Zoning Board of Adjustment Meeting Minutes. Board member Deakin seconded.**

**The motion was carried by the following vote:**

**Aye: 5** –Vallario, Kamerman, Carroll, Deakin, and Anderson

**Nay: 0**

**2. PUBLIC HEARING AGENDA ITEMS**

**2a** Request for an Appeal concerning interpretation or administration of a regulation of the Land Development Code, specifically appealing to allow infant swim lessons as a home occupation on Lot 2R, Block 2, of the of the Woodbriar Estates Addition, located at 417 Woodbriar Court, Case VC20-002

Chair Carroll stated that the hearing was to determine if staff's interpretation of the Land Development Code was correct.

The applicant, Jennifer DeLaCruz, 417 Woodbriar Court, Colleyville, TX, came forward and expressed her reasoning for conducting the business from her home. Mrs. DeLaCruz highlighted drowning statistics amongst young children, COVID-19's impact on facilities that offer similar services, and being unaware of the City's regulations as reasons why the business was operated from her home.

The lawyer of the applicant, Paul Wieneskie, 1300 Summit Avenue, Suite 650, Fort Worth, TX, came forward and expressed that staff's interpretation of the Land Development Code was incorrect. Mr. Wieneskie highlighted that admission was not charged and that the clientele were invited guests.

Jacquelyn Reyff presented the case and briefed the Board.

Ms. DeLaCruz came forward and answered questions of the Board regarding charging for the provided service.

Mr. Wieneskie came forward and answered questions of the Board regarding when the applicant preferred the vote to take place and a

potential ongoing violation of an ordinance.

Attorney, Nicole Corr, answered questions of the Board regarding whether the vote could happen at the meeting in session.

Staff answered questions of the Board regarding their interpretation of infant swim lessons being an appropriate use based on code.

The public hearing was opened at 7:29 p.m.

Bruce Bell, 158 Winchester Drive, Euless, TX, came forward and spoke in support of the case. Mr. Bell expressed the service saves lives.

Katie Gatzke, 3205 Eaton Circle, Colleyville, TX, came forward and spoke in support of the case. Ms. Gatzke expressed the service was beneficial to children with special needs that have limited options for this specific service.

John Wright, 4224 Chestnut Street, Fort Worth, TX, came forward and spoke in support of the case. Mr. Wright expressed the service was needed due to its importance in helping children.

Hailey Nolaslo, 806 Majestic Oaks Court, Mansfield, TX, came forward and spoke in support of the case. Ms. Nolaslo expressed the service was efficient, professional, and important to the community.

Chair Carroll expressed that the Board had no power to change the ordinance.

Courtney Kalloway, 3302 McKamy Oaks Trail, Arlington, TX, came forward and spoke in support of the case. Ms. Kalloway expressed the service was impactful for young children.

Kristi Rodriguez, 2106 Highland Meadow Drive, Colleyville, TX, came forward and spoke in support of the case. Ms. Rodriguez expressed the hope for the applicant to receive an extension on conducting her business.

Jeff Lenhart, 412 Woodbriar Court, Colleyville, TX, came forward and spoke in opposition of the case. Mr. Lenhart expressed concern regarding the traffic caused by the business.

Janet Lenhart, 412 Woodbriar Court, Colleyville, TX, came forward and spoke in opposition of the case. Mrs. Lenhart expressed concern

regarding the business not operating in a building, short session times, and the suitability of the business in a residential location.

Ernest Reynolds III, 413 Woodbriar Court, Colleyville, TX, came forward and spoke in opposition of the case. Mr. Reynolds III expressed concern regarding the noise level created by the business.

With no one else wishing to speak, the public hearing was closed at 7:54 p.m.

Mr. Wieneskie came forward and expressed to the Board that swim lessons were not in the list of excluded uses.

Chair Carroll expressed that the car traffic was a potential issue.

Board member Deakin expressed that swim lessons were not in the list of excluded uses.

Alternate member Anderson expressed that the interpretation of the code could include swim lessons.

Mrs. DeLaCruz came forward and answered questions of the Board regarding traffic being impacted by the length of sessions, activities for children while waiting, and certification to teach lessons.

**Board member Deakin a motion to approve Case VC20-002. Alternate member Anderson seconded the motion.**

**The motion was carried by the following vote:**

**Aye: 2 – Deakin and Anderson**

**Nay: 3 – Vallario, Kamerman, and Carroll**

### **3. ADJOURNMENT**

The meeting adjourned at 8:10 p.m.

Minutes were written and prepared by:

A handwritten signature in black ink, appearing to read 'DH', is centered within a light gray rectangular box.

Dakari Hill  
Planner

The meeting minutes were approved on \_\_\_\_\_, \_\_\_\_ by a vote of \_\_\_\_\_.



# City of Colleyville Zoning Board of Adjustment Agenda Briefing

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<b>Agenda Number</b> 2a	<b>Agenda Date</b> 5/10/2022	<b>Number</b>
<b>Type</b> Public Hearing Agenda Items		
<b>Department</b> Zoning Board of Adjustment		

## Title

Consideration of a variance to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically for lot area in the R-40 Single Family Residential district, for Lot 3, Block 3, Stafford Heights Subdivision, located at 4801 Manning Drive, Case VC22-003

## Explanation

Sib Bahjat, the applicant, has submitted a request for a variance to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically for the lot area in the R-40 Single Family Residential district. The request is to allow for the lot size of 38,063 square feet.

**Existing Conditions/Background:** The subject property, 4801 Manning Drive, resides on the east side of Manning Drive south of the intersection with Glade Road and has R-40 zoning. The existing lot area is 38,063 sq. ft., not the required 40,000 sq. ft. There is an existing home which was built over the lot line that will be demolished.

**Requested Variance:** The applicant is requesting a variance to the lot size to allow for a new single-family home to be constructed. The existing R-40 zoning requires a minimum of 40,000 sq. ft. for the lot size. The variance would allow for the existing lot size of 38,063 sq. ft.

*Ordinance* – Chapter 3 – Land Use – Section 3.24.G Schedule of District Regulations

G. Schedule of District Regulations:

### **SECTION 3.24.G – SCHEDULE OF DISTRICT REGULATIONS**

MAXIMUM RESIDENTIAL DENSITY; MINIMUM LOT SIZE REQUIREMENTS; MINIMUM YARD REQUIREMENTS; MAXIMUM BUILDING HEIGHT; MAXIMUM LOT COVERAGE; OUTDOOR STORAGE; SCREENING; AND, HOURS OF OPERATION

Minimum Lot Size	40,000 SF	38,063 SF
Minimum Lot Width	150 feet	±210 feet
Minimum Lot Depth	150 feet	±171 feet

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Front Building Line	40 feet
Side Building Line	15 feet
Rear Building Line	25 feet
Max. Lot Coverage	20%
Max. Impervious Coverage	50%

**Plat Status:** The property is currently platted as Lot 3, Block 3, of the Stafford heights Subdivision.

**DRC Review:** The Development Review Committee (DRC) reviewed the request at their April 18, 2022 meeting, did not offer any comments, and scheduled the request for the Zoning Board of Adjustment meeting on May 10, 2022.

**Drainage:** NA

**Analysis:** The subject property is requesting to have a variance to the lot size. The property is zoned R-40 and the lot size is not in compliance. A variance to the lot size would allow for the ability to apply for and receive the necessary building permits to build a new single-family home.

Should the waiver request be denied, a change of zoning to a district where the lot would comply with the lot area would be necessary.

**Surrounding Development:** The properties to the north, south east and west are zoned R-40 Single Family Residential district and are improved with single-family residential homes.

**Public Notification:** Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, no formal correspondence has been received.

**Staff Recommendation:** Staff recommends approval of the requested variance.

### Recommendation

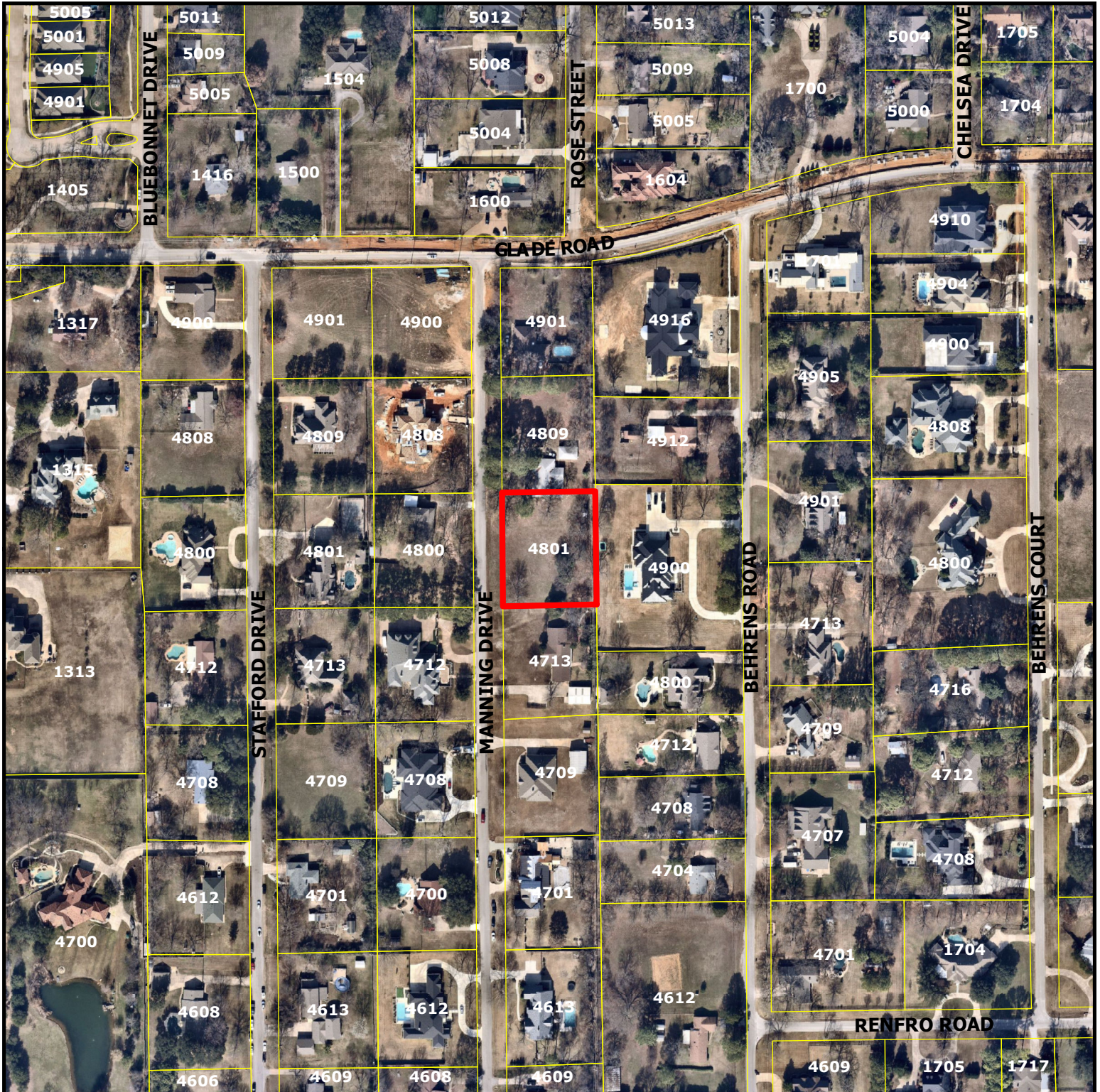
Approve

### Attachments

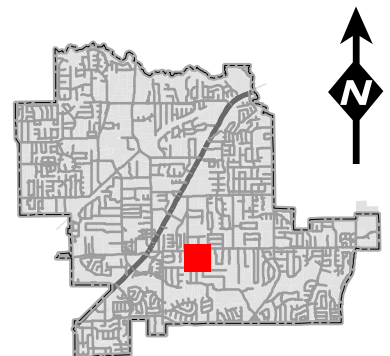
1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives

- 
5. Stafford Heights Plat
  6. Survey Plat
  7. Notification Map
  8. Notification Letter
  9. Notification List
  10. Letter of Opposition 1
  11. Letter of Opposition 2
  12. Letter Rescinding Opposition


# Aerial Map



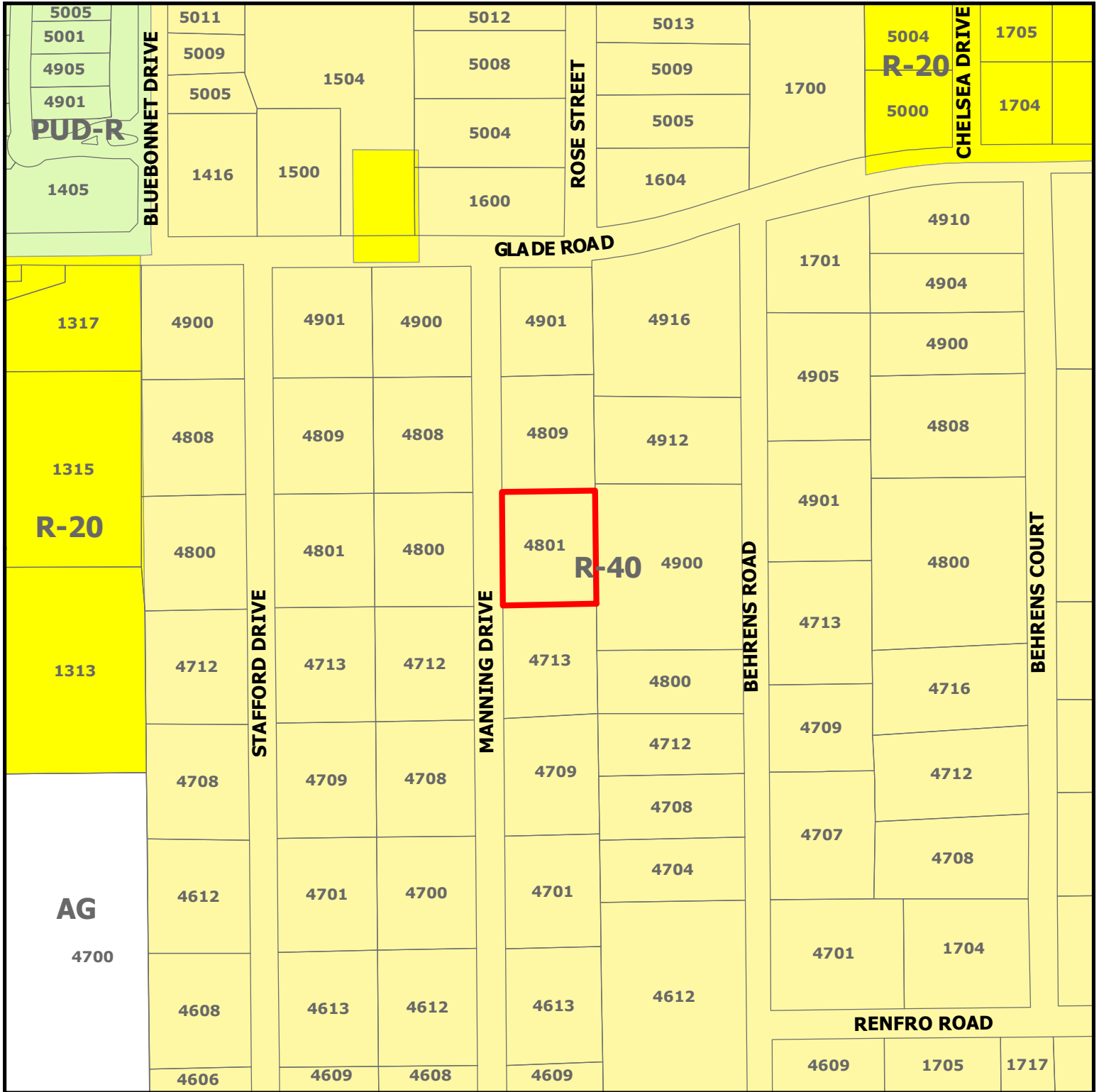
**VC22-003**  
**4801 Manning Drive**



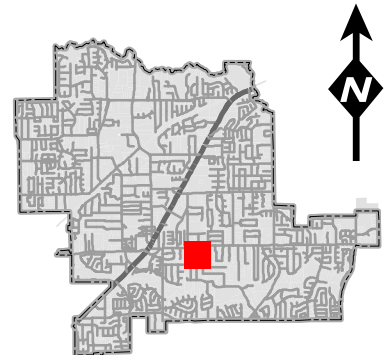
DISCLAIMER:  
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.


 Subject Property

# Zoning Map



**VC22-003**  
**4801 Manning Drive**



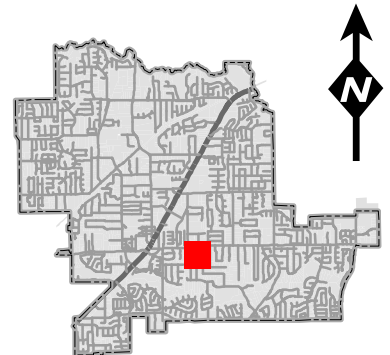
 Subject Property

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# Future Land Use Map



## VC22-003 4801 Manning Drive



**DISCLAIMER:**  
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-  Subject Property
-  Residential
-  Open Space; Parks

Proposed Planning Objectives for

4801/4809 Manning Dr., Colleyville TX 76034


A unique situation occurs with this property that was not a result of our actions.

GridIron Realty LLC, a partnership owned by Sib Bahjat and Nick Bossinakis, purchased the property in December 2021 from the Seller, Mr. John Henning. Mr. Henning built the existing home and lived in the home for over 40 years. The home sits in the middle of the lot of 1.746 acres. The home was originally built to exceed the individual plat of .87 acre lot of 4801 Manning, crossing over to 4809 Manning by about three feet. As a result, the sale of the property included both 4801 and 4809 Manning as one property. Because the lots are addressed separately and platted separately, they are considered two lots at approximately .87 acre each.

We are seeking approval from the City of Colleyville to demolish the existing home to allow us to have two individual R40 lots as shown on the current Survey and plat attached. Future use consideration is for a residential home to be built on each lot.

Please let me know if you have any questions or need further information.

Respectfully,  
Michelle Bahjat  
817.917.5482 (c)





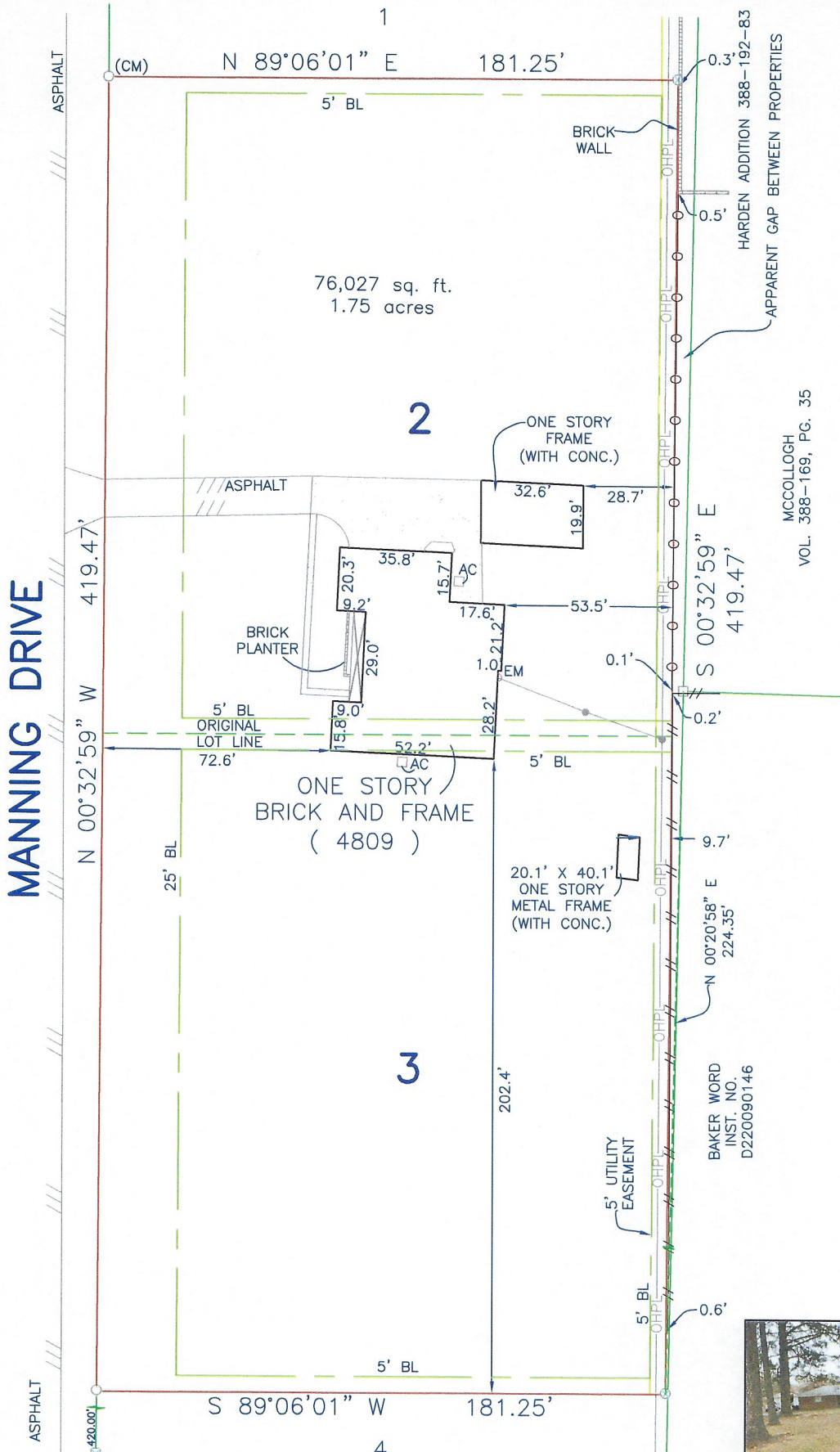
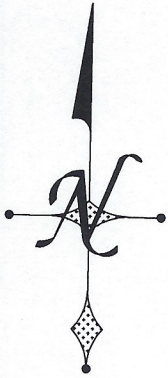
# SURVEY PLAT



FIRM REGISTRATION NO. 10194366

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 4801 & 4809 MANNING DRIVE, in the City of COLLEYVILLE Texas. Being Lots 2 and 3, in Block 3, STAFORD HEIGHTS an Addition to the City of Colleyville, Tarrant County, Texas according to the Plat thereof recorded in Volume 388-32, Page 12, of the Plat Records of Tarrant County, Texas.



BEARINGS ARE BASED ON NAD 83 DATUM, TEXAS STATE PLANE COORDINATE SYSTEM. NORTH CENTRAL ZONE

SW CORNER OF LOT 4 (CM)

ACCEPTED BY: \_\_\_\_\_







## NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

The City of Colleyville has scheduled public hearings concerning the below referenced request on the following dates and location:

**Zoning Board of Adjustment Meeting: Tuesday, May 10, 2022 at 7:00 p.m.  
3<sup>rd</sup> floor of City Hall, 100 Main Street, Colleyville, Texas**

**Request:** Request for a variance to the provisions of Section 3.24.G Schedule of District Regulations of the Land Development Code, specifically for the minimum lot size requirements in the R-40 Single Family Residential district. The size of a platted lot is smaller than the minimum 40,000 square foot lot size requirement. The variance will allow for the construction of a new single family home on the lot.

**Zoning Case:** VC22-003

**Applicant:** Sib Bahjat

**Owner:** Gridiron Realty LLC

**Location:** 4801 Manning Drive

**Property Description:** Lot 3, Block 3, Stafford Heights Subdivision

**Present Zoning:** R-40 Single Family Residential

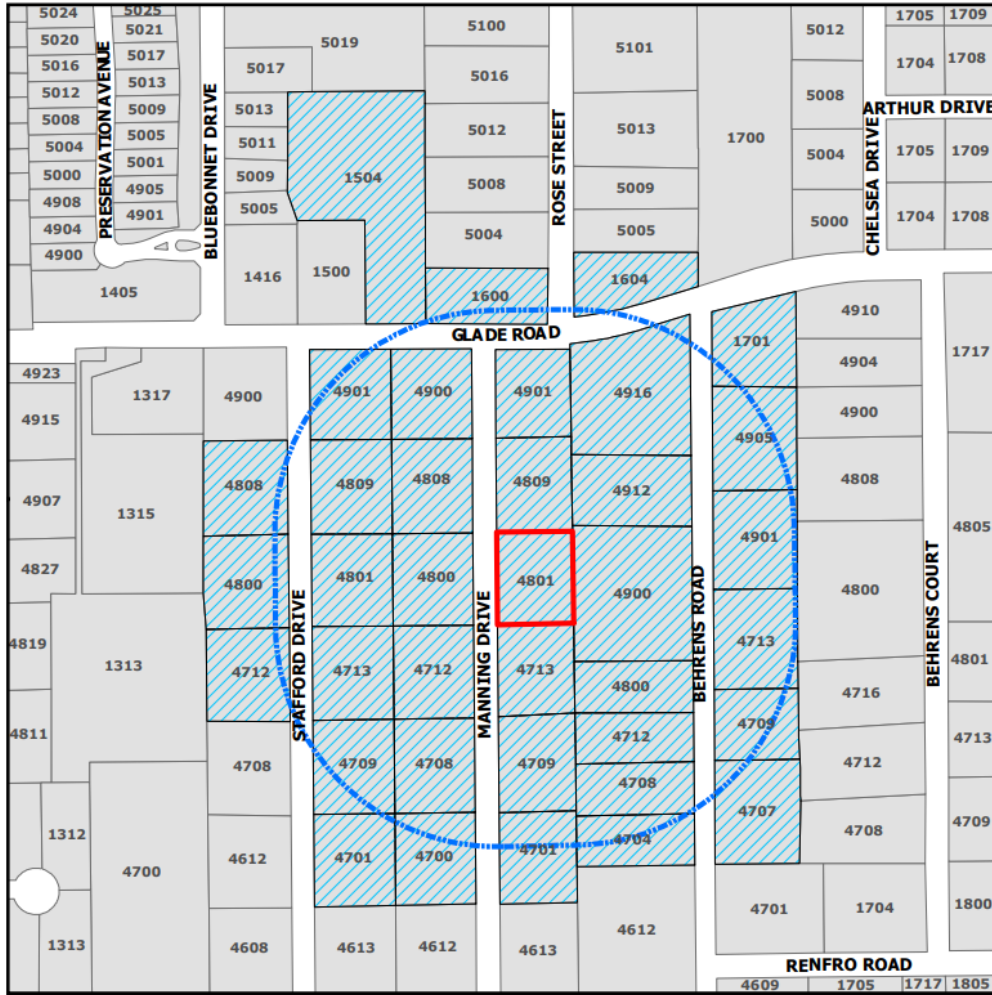
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved City tax roll. Action by the City Council serves as a final action on the request.

All interested persons are encouraged to attend the public hearing and express their opinions on the variance request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

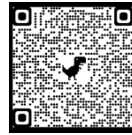
**Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034**

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet.

# NOTICE OF PUBLIC HEARING



The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):



For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff  
Planning Manager  
[jreyff@colleyville.com](mailto:jreyff@colleyville.com)

Owner Name	Owner Address	Owner City
BABIN, CHRISTOPHER	1504 GLADE RD	COLLEYVILLE, TX
PHILLIPS, VANICE	4713 STAFFORD DR	COLLEYVILLE, TX
BENNIE, JAMES	2051 HUGHES RD	GRAPEVINE, TX
WORD, RAMIE	4900 BEHRENS RD	COLLEYVILLE, TX
LUTRICK, THOMAS M	4701 MANNING DR	COLLEYVILLE, TX
MILLS, DONALD	4801 STAFFORD DR	COLLEYVILLE, TX
KEEFE, ALEX	4713 MANNING DR	COLLEYVILLE, TX
BACA, RICHARD	4713 BEHRENS RD	COLLEYVILLE, TX
GRIDIRON REALTY LLC	1450 POST AND PADDOCK ST	GRAND PRAIRIE, TX
HENNING, JOHN B	4809 MANNING DR	COLLEYVILLE, TX
SMITH, RICHARD	4901 MANNING DR	COLLEYVILLE, TX
WEISS, SABRINA	4709 BEHRENS RD	COLLEYVILLE, TX
CASILIO LIVING TRUST	1705 AVALON DR	COLLEYVILLE, TX
BURRIS, RACHEL	4809 STAFFORD DR	COLLEYVILLE, TX
THE PENCE COMPANY LLC	3428 BROWN TRL	BEDFORD, TX
COX, NORMAN LLOYD	4901 BEHRENS RD	COLLEYVILLE, TX
WINSWORTH, LLOYD	4900 STAFFORD DR	COLLEYVILLE, TX
LYNCH, JOHN M	4700 MANNING DR	COLLEYVILLE, TX
CUMMINGS, WILLIAM C	4800 BEHRENS RD	COLLEYVILLE, TX
HERRING, CANDY	1600 GLADE RD	COLLEYVILLE, TX
COPLON, MAHLON	4905 BEHRENS RD	COLLEYVILLE, TX
PHILLIPS, WILLIAM C	4712 MANNING DR	COLLEYVILLE, TX
NGUYEN, HAI	3933 FRESHWATER DR	CARROLLTON, TX
SPROUSE, MARY G	4704 BEHRENS RD	COLLEYVILLE, TX
SNYDER, JOHN JOSEPH	1701 ROYAL LN APT 1202	FARMERS BRANCH, TX
DAVID AND KECIA MALDONADO REVO	1701 GLADE RD	COLLEYVILLE, TX
MAHAN, ROY	4712 STAFFORD DR	COLLEYVILLE, TX
POMROY, PAUL R	4712 BEHRENS RD	COLLEYVILLE, TX
VEACH, GARY E	4709 MANNING DR	COLLEYVILLE, TX
CAPPA, ROBERT	4800 STAFFORD DR	COLLEYVILLE, TX
RICKS, GREGORY A	8808 QUEENS CT	COLLEGE STATION, TX
HUGGINS, WILLIAM S	PO BOX 1047	COLLEYVILLE, TX
DODSON, DAVID	4701 STAFFORD DR	COLLEYVILLE, TX
DAVIDSON, MARK	4708 BEHRENS RD	COLLEYVILLE, TX
HENNING, JOHN B	4809 MANNING DR	COLLEYVILLE, TX
WINSWORTH, LLOYD A	4900 STAFFORD DR	COLLEYVILLE, TX
MCCOLLOUGH JOYCE B	4912 BEHRENS RD	COLLEYVILLE, TX
CHELSEA PARK ADDITION	1816 AVONDALE DR	COLLEYVILLE, TX
PRESERVATION	106 N DENTON TAP RD #210-375	COPPELL, TX
LAKES OF SOMERSET	1104 CHATSWORTH CT WEST	COLLEYVILLE, TX
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX

4900 Behrens Road  
Colleyville TX

April 27, 2022

Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034

RE: Zoning Case VC 22-003 and Zoning Case VC 22-004

I am opposed to granting a Variance for both lots, each under 40,000 square feet for two single family houses at 4801 and 4809 Manning Drive; zoning case numbers referenced above.

The two proposed platted lots were sold recently (December, 2021); listed as a single property.

There has NEVER been a house or other building on the address listed as 4801 Manning Drive, VC 22-003. The land at 4801 Manning Drive in the Tarrant Appraisal District is listed at 35,571 square feet.

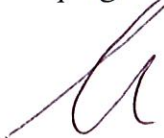
Our home is at 4900 Behrens Road, directly behind both the referenced properties. If you look at the map, our land is wider and deeper at 76,286 square feet; a little over 1.75 acres.

We were not permitted to have two homes under the R40 minimum lot size.

Our home at 4900 Behrens Road did not accommodate our larger family adequately in 2020, but in order to comply with the R40 zoning, we were unable to build an additional house on our property. As a result, we then opted to build a larger, one story home on our land, but necessarily had to demolish the existing family home to keep within the Colleyville ordinances.

We have lived in Colleyville for 35 years and actively supported large pastoral lot sizes in R40 zoning. This is a lovely area and was intended by Master Plan to remain R40 as the minimum lot size.

As the applicant is a real estate investor/speculator, he does not have the same interest in keeping it this way.



Ramie Word  
4900 Behrens RD  
Colleyville, TX 76034  
(817) 657-2981

Thursday, April 28, 2022

The Pence Company LLC  
c/o 4901 Stafford Drive  
4843 Colleyville BLVD, Suite 251-127  
Colleyville, TX 76034

Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034

To Whom it May Concern,

As a property owner in Stafford Heights Subdivision, we are writing in response to the notice of public hearing regarding zoning case VC22-003 and VC22-004, applicant Sib Bahjat, managing member of **Gridiron Realty LLC**, located at 409 Timberline Drive South, Colleyville, TX 76034. The zoning case involves the location of 4801 & 4809 Manning Drive, Lot 2 & 3, Block 3, Stafford Heights.

Stafford Heights subdivision has been a peaceful and open community in Colleyville for many years with abundant specimen trees, wildlife, gardens, and large yards for kids and pets. When we first discovered Stafford Heights, we fell in love with the space of the community and open and peacefulness not typically found in the modern master planned communities of today. Thankfully missing was the congestion and the close proximity of homes on top of each other that is often the goal of profiteer realty companies with no regard for the local community. Colleyville and its current subdivisions are gems that should not be altered from their original plats put in place by early visionaries of Colleyville, Texas.

The variance request by Gridiron Realty LLC is a prime example of corporate disregard to preserve the historical charm of and forethought in planning done years ago.

The variance request if granted will alter the essential character of the neighborhood, could possibly negatively affect the neighborhood's property values, and lead to congestion that could possibly risk the health of current residents. Granting the variance would also set a precedent that might open the door to many other developers that would seek to subdivide and overbuild in Stafford Heights and surrounding areas, thus destroying old growth trees, open spaces, and lead to further traffic congestion and economic burdens to city services such as water & sewer supply systems. The environmental impact is also a grave concern and should be studied at a minimum including but not limited to a traffic study as well before any consideration. This should not be at the cost of the community but rather the developer seeking the variances.

As owners in Stafford Heights and proud tax payers in Colleyville, Texas, ***we hereby request that you deny the variance requests for zoning cases VC22-003 and VC22-004 and preserve our community.***

Thank you for your time, service, and helping preserve the charm of Stafford Heights and Colleyville, Texas.

Kind Regards,

A handwritten signature in black ink, appearing to read 'MJ Pence', written in a cursive style.

MJ Pence, Manager/Member  
The Pence Company LLC

Enclosures

Monday, May 2, 2022

The Pence Company LLC  
c/o 4901 Stafford Drive  
4843 Colleyville BLVD, Suite 251-127  
Colleyville, TX 76034

Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034

To Whom it May Concern,

We recently sent a letter concerning the notice of public hearing regarding zoning case VC22-003 and VC22-004. We might have misinterpreted the intention of the variance request after further investigation.


Based on the two letters we received from the City of Colleyville concerning the properties located at 4801 and 4809 Manning, we interpreted the intent of the variance request to be the division of both lots, thereby allowing for two single family homes to be constructed for each addressed disclosed. It seems, although there are two separate addresses on file, the true intent is to make these properties separate and subject to one single family home per existing address. Our confusion is rooted in the fact that the properties already appear to be separate with two distinct mailing addresses.

Nonetheless, if the intent of the variance requests by Gridiron LLC is simply to allow the new construction of a single-family home at either disclosed address, *we do not object*.

Our objection is only if more than one single family home or multi-family homes are being constructed on one lot in the neighborhood, subsequently requiring multiple mailing addresses.

Thank you for your time, service, and helping preserve the charm of Stafford Heights and Colleyville, Texas.

Kind Regards,

A handwritten signature in black ink, appearing to read 'MJ Pence', written over a white background.

MJ Pence, Manager/Member  
The Pence Company LLC



# City of Colleyville Zoning Board of Adjustment Agenda Briefing

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817. 503.1000  
www.colleyville.com

<b>Agenda Number</b> 2b	<b>Agenda Date</b> 5/10/2022	<b>Number</b>
<b>Type</b> Public Hearing Agenda Items		
<b>Department</b> Zoning Board of Adjustment		

## Title

Consideration of a variance to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically for lot area in the R-40 Single Family Residential district, for Lot 2, Block 3, Stafford Heights Subdivision, located at 4809 Manning Drive, Case VC22-004

## Explanation

Sib Bahjat, the applicant, has submitted a request for a variance to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically for the lot area in the R-40 Single Family Residential district. The request is to allow for the lot size of 38,063 square feet.

**Existing Conditions/Background:** The subject property, 4809 Manning Drive, resides on the east side of Manning Drive south of the intersection with Glade Road and has R-40 zoning. The existing lot area is 38,063 sq. ft., not the required 40,000 sq. ft. There is an existing home which was built over the lot line that will be demolished.

**Requested Variance:** The applicant is requesting a variance to the lot size to allow for a new single-family home to be constructed. The existing R-40 zoning requires a minimum of 40,000 sq. ft. for the lot size. The variance would allow for the existing lot size of 38,063 sq. ft.

*Ordinance* – Chapter 3 – Land Use – Section 3.24.G Schedule of District Regulations

G. Schedule of District Regulations:

### **SECTION 3.24.G – SCHEDULE OF DISTRICT REGULATIONS**

MAXIMUM RESIDENTIAL DENSITY; MINIMUM LOT SIZE REQUIREMENTS; MINIMUM YARD REQUIREMENTS; MAXIMUM BUILDING HEIGHT; MAXIMUM LOT COVERAGE; OUTDOOR STORAGE; SCREENING; AND, HOURS OF OPERATION

Minimum Lot Size	40,000 SF	38,063 SF
Minimum Lot Width	150 feet	±213 feet
Minimum Lot Depth	150 feet	±170 feet

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Front Building Line	40 feet
Side Building Line	15 feet
Rear Building Line	25 feet
Max. Lot Coverage	20%
Max. Impervious Coverage	50%

**Plat Status:** The property is currently platted as Lot 2, Block 3, of the Stafford heights Subdivision.

**DRC Review:** The Development Review Committee (DRC) reviewed the request at their April 18, 2022 meeting, did not offer any comments, and scheduled the request for the Zoning Board of Adjustment meeting on May 10, 2022.

**Drainage:** NA

**Analysis:** The subject property is requesting to have a variance to the lot size. The property is zoned R-40 and the lot size is not in compliance. A variance to the lot size would allow for the ability to apply for and receive the necessary building permits to build a new single-family home.

Should the waiver request be denied, a change of zoning to a district where the lot would comply with the lot area would be necessary.

**Surrounding Development:** The properties to the north, south, east and west are zoned R-40 Single Family Residential district and are improved with single-family residential homes.

**Public Notification:** Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, no formal correspondence has been received.

**Staff Recommendation:** Staff recommends approval of the requested variance.

### Recommendation

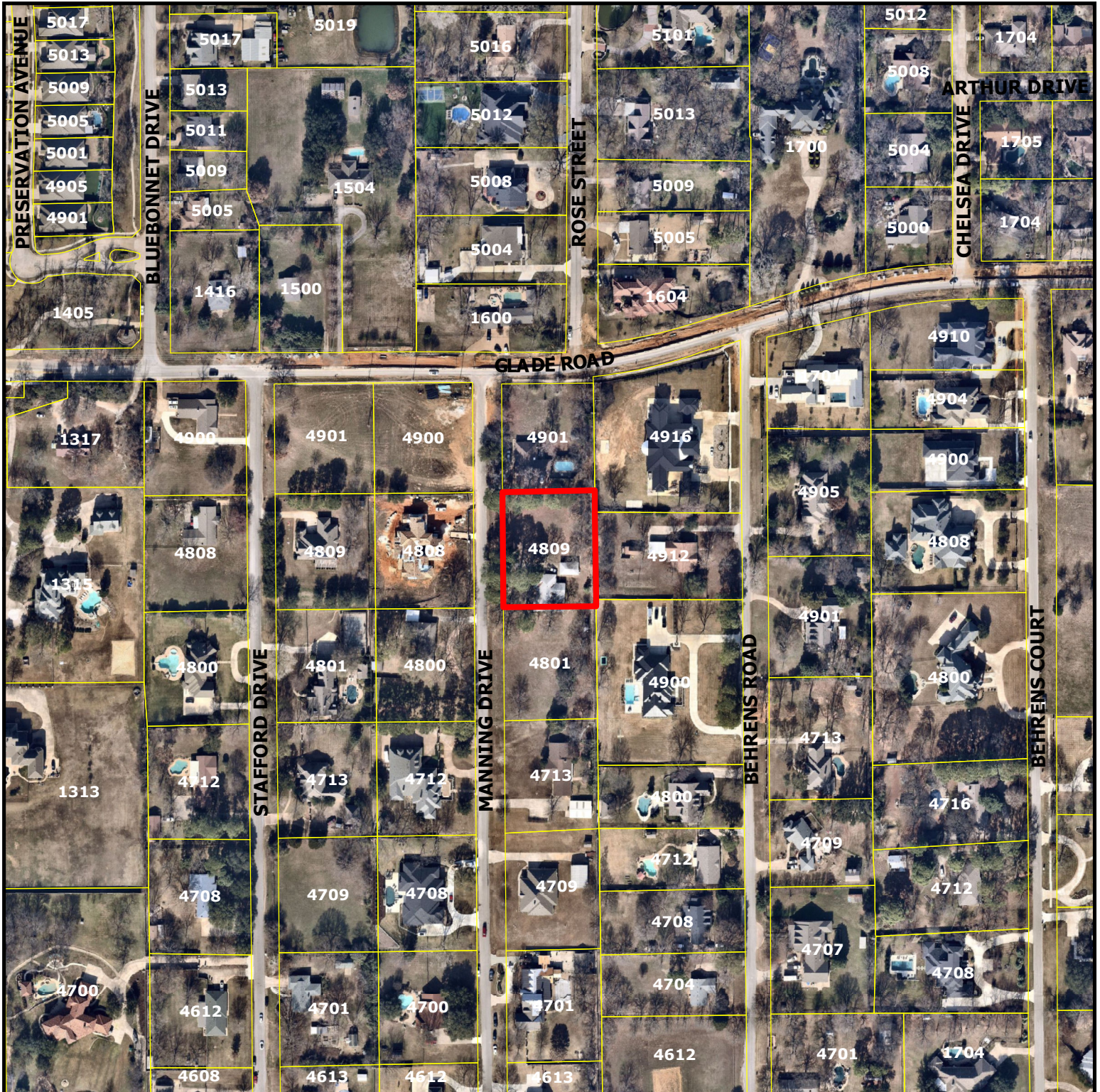
Approve

### Attachments

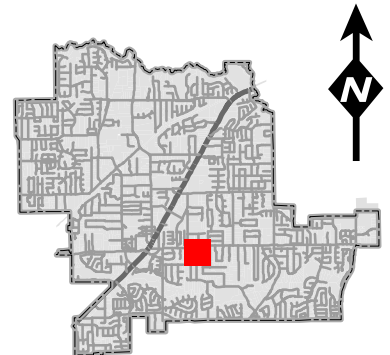
1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives


- 
5. Stafford Heights Plat
  6. Survey Plat
  7. Notification Map
  8. Notification Letter
  9. Notification List
  10. Letter of Opposition 1
  11. Letter of Opposition 2
  12. Letter Rescinding Opposition

# Aerial Map



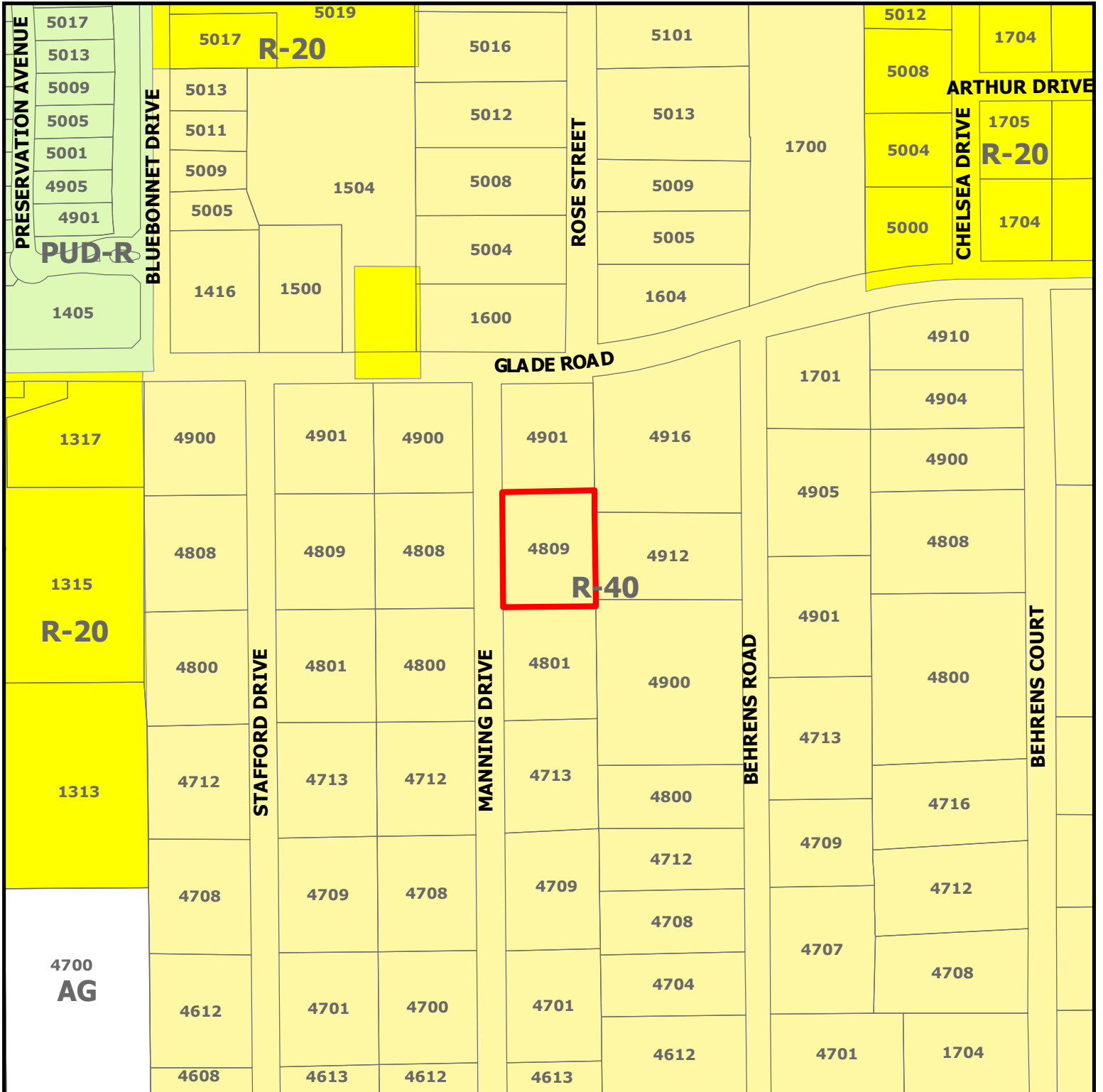
**VC22-004**  
**4809 Manning Drive**



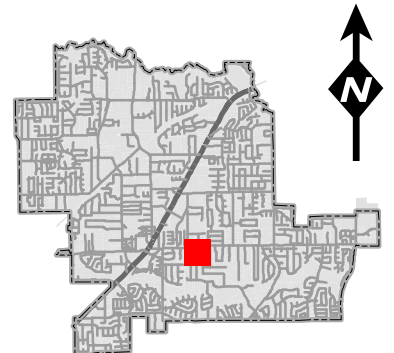
 Subject Property


DISCLAIMER:  
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

# Zoning Map



**VC22-004**  
**4809 Manning Drive**






 Subject Property

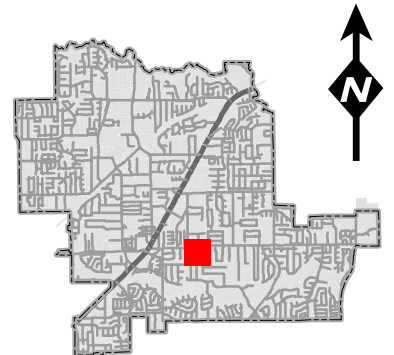
**DISCLAIMER:**  
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# Future Land Use Map



## VC22-004 4809 Manning Drive

-  Subject Property
-  Residential
-  Open Space; Parks



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Proposed Planning Objectives for

4801/4809 Manning Dr., Colleyville TX 76034


A unique situation occurs with this property that was not a result of our actions.

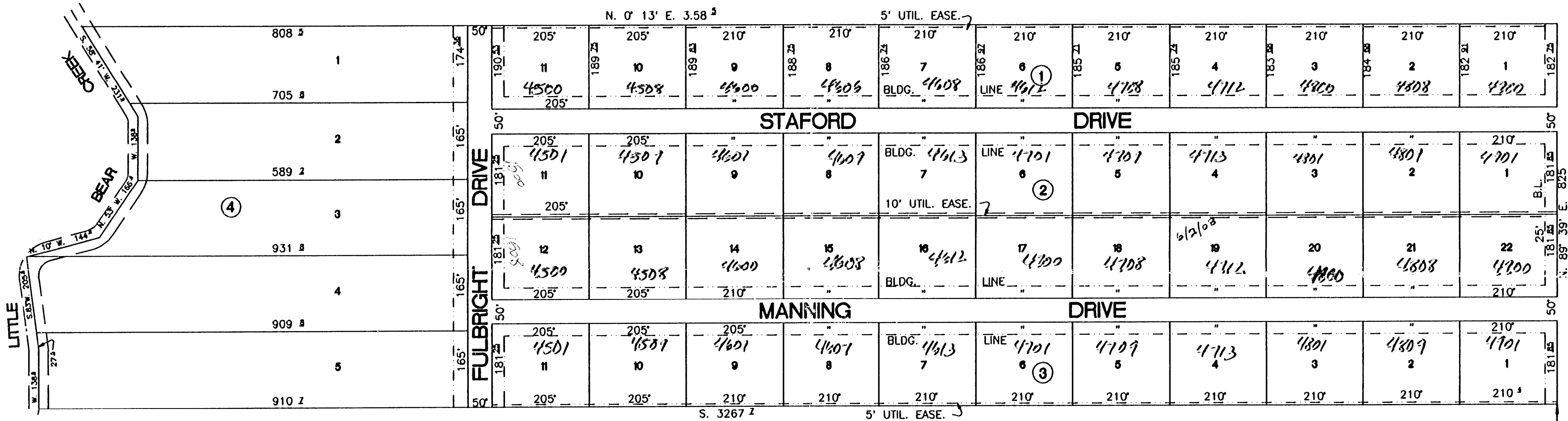
GridIron Realty LLC, a partnership owned by Sib Bahjat and Nick Bossinakis, purchased the property in December 2021 from the Seller, Mr. John Henning. Mr. Henning built the existing home and lived in the home for over 40 years. The home sits in the middle of the lot of 1.746 acres. The home was originally built to exceed the individual plat of .87 acre lot of 4801 Manning, crossing over to 4809 Manning by about three feet. As a result, the sale of the property included both 4801 and 4809 Manning as one property. Because the lots are addressed separately and platted separately, they are considered two lots at approximately .87 acre each.

We are seeking approval from the City of Colleyville to demolish the existing home to allow us to have two individual R40 lots as shown on the current Survey and plat attached. Future use consideration is for a residential home to be built on each lot.

Please let me know if you have any questions or need further information.

Respectfully,  
Michelle Bahjat  
817.917.5482 (c)





BEGIN 25' S. FROM N.E./C G.W. TEETER SURV. & BEING N.W./C BESSIE V. BEHRENS TRACK AS REC. IN VOL. 3609, PG. 358, D.R.T.C.T.

I, David C. Moak DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AS SURVEYED ON THE GROUND AUGUST, 1962.

PLAT OF  
**STAFORD HEIGHTS**

A SUB'D. 60 AC. OUT G.W. TEETER SURV. COLLEYVILLE, TARRANT COUNTY, TEXAS



SUBDIVISION APPROVAL

Town of Colleyville  
Tarrant Co. - Texas

DATE: Aug 14, 1962  
BY: E. P. Eudaly, Mayor  
BY: Mrs. J. O. Bailey

CHECKED  
BY: Herm. W. M. F.

**David C. Moak**  
REG. PUBLIC SURVEYOR  
334E HURST BLVD. HURST TEXAS  
BU2-5587 BU2-5855







## NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

The City of Colleyville has scheduled public hearings concerning the below referenced request on the following dates and location:

**Zoning Board of Adjustment Meeting: Tuesday, May 10, 2022 at 7:00 p.m.  
3<sup>rd</sup> floor of City Hall, 100 Main Street, Colleyville, Texas**

**Request:** Request for a variance to the provisions of Section 3.24.G Schedule of District Regulations of the Land Development Code, specifically for the minimum lot size requirements in the R-40 Single Family Residential district. The size of a platted lot is smaller than the minimum 40,000 square foot lot size requirement. The variance will allow for the construction of a new single family home on the lot.

**Zoning Case:** VC22-004

**Applicant:** Sib Bahjat

**Owner:** Gridiron Realty LLC

**Location:** 4809 Manning Drive

**Property Description:** Lot 2, Block 3, Stafford Heights Subdivision

**Present Zoning:** R-40 Single Family Residential

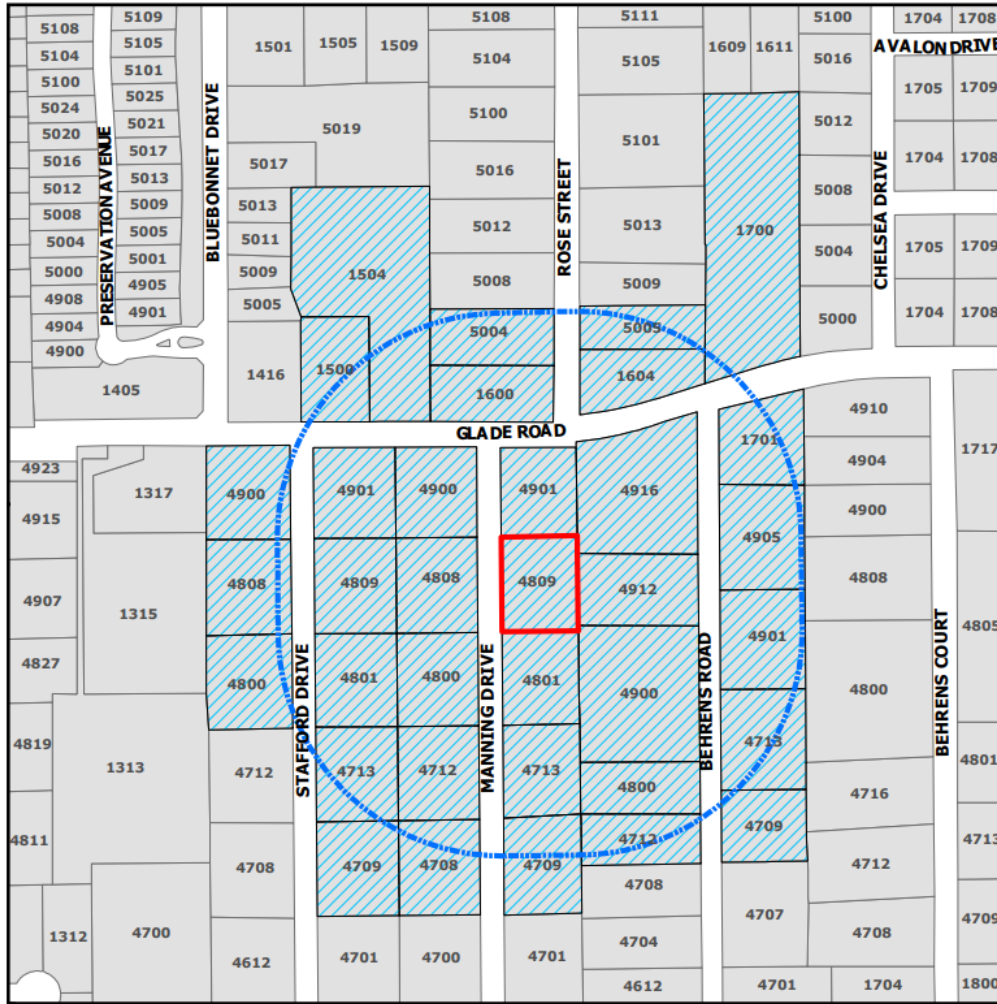
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved City tax roll. Action by the City Council serves as a final action on the request.

All interested persons are encouraged to attend the public hearing and express their opinions on the variance request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

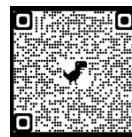
**Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034**

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet.

## NOTICE OF PUBLIC HEARING



The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone’s camera to scan QR code below):



For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

*Jacquelyn Reyff*

Jacquelyn Reyff  
 Planning Manager  
[jreyff@colleyville.com](mailto:jreyff@colleyville.com)

Owner Name	Owner Address	Owner City
BABIN, CHRISTOPHER	1504 GLADE RD	COLLEYVILLE, TX
PHILLIPS, VANICE	4713 STAFFORD DR	COLLEYVILLE, TX
WINSWORTH, LLOYD A	4900 STAFFORD DR	COLLEYVILLE, TX
BENNIE, JAMES	2051 HUGHES RD	GRAPEVINE, TX
WORD, RAMIE	4900 BEHRENS RD	COLLEYVILLE, TX
ALBERT, JOHN M	5004 ROSE ST	COLLEYVILLE, TX
MILLS, DONALD	4801 STAFFORD DR	COLLEYVILLE, TX
KEEFE, ALEX	4713 MANNING DR	COLLEYVILLE, TX
BACA, RICHARD	4713 BEHRENS RD	COLLEYVILLE, TX
GRIDIRON REALTY LLC	1450 POST AND PADDOCK ST	GRAND PRAIRIE, TX
HENNING, JOHN B	4809 MANNING DR	COLLEYVILLE, TX
SMITH, RICHARD	4901 MANNING DR	COLLEYVILLE, TX
GRIFFIN, JOHN	1813 AVALON DR	COLLEYVILLE, TX
WEISS, SABRINA	4709 BEHRENS RD	COLLEYVILLE, TX
CASILIO LIVING TRUST	1705 AVALON DR	COLLEYVILLE, TX
BURRIS, RACHEL	4809 STAFFORD DR	COLLEYVILLE, TX
THE PENCE COMPANY LLC	3428 BROWN TRL	BEDFORD, TX
COX, NORMAN LLOYD	4901 BEHRENS RD	COLLEYVILLE, TX
WINSWORTH, LLOYD	4900 STAFFORD DR	COLLEYVILLE, TX
CUMMINGS, WILLIAM C	4800 BEHRENS RD	COLLEYVILLE, TX
HERRING, CANDY	1600 GLADE RD	COLLEYVILLE, TX
COPLON, MAHLON	4905 BEHRENS RD	COLLEYVILLE, TX
PHILLIPS, WILLIAM C	4712 MANNING DR	COLLEYVILLE, TX
NGUYEN, HAI	3933 FRESHWATER DR	CARROLLTON, TX
SNYDER, JOHN JOSEPH	1701 ROYAL LN APT 1202	FARMERS BRANCH, TX
DAVID AND KECIA MALDONADO REVO	1701 GLADE RD	COLLEYVILLE, TX
POMROY, PAUL R	4712 BEHRENS RD	COLLEYVILLE, TX
BACA, RICHARD	4713 BEHRENS CT	COLLEYVILLE, TX
VEACH, GARY E	4709 MANNING DR	COLLEYVILLE, TX
CAPPA, ROBERT	4800 STAFFORD DR	COLLEYVILLE, TX
RICKS, GREGORY A	8808 QUEENS CT	COLLEGE STATION, TX
HENNING, JOHN B	4809 MANNING DR	COLLEYVILLE, TX
DUCIC, YADRANKO	1700 GLADE RD	COLLEYVILLE, TX
WINSWORTH, LLOYD A	4900 STAFFORD DR	COLLEYVILLE, TX
MCCOLLOUGH JOYCE B	4912 BEHRENS RD	COLLEYVILLE, TX
CHELSEA PARK ADDITION PRESERVATION	1816 AVONDALE DR 106 N DENTON TAP RD #210-375	COLLEYVILLE, TX COPPELL, TX
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX

4900 Behrens Road  
Colleyville TX

April 27, 2022

Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034

RE: Zoning Case VC 22-003 and Zoning Case VC 22-004

I am opposed to granting a Variance for both lots, each under 40,000 square feet for two single family houses at 4801 and 4809 Manning Drive; zoning case numbers referenced above.

The two proposed platted lots were sold recently (December, 2021); listed as a single property.

There has NEVER been a house or other building on the address listed as 4801 Manning Drive, VC 22-003. The land at 4801 Manning Drive in the Tarrant Appraisal District is listed at 35,571 square feet.

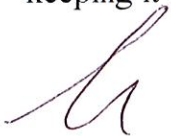
Our home is at 4900 Behrens Road, directly behind both the referenced properties. If you look at the map, our land is wider and deeper at 76,286 square feet; a little over 1.75 acres.

We were not permitted to have two homes under the R40 minimum lot size.

Our home at 4900 Behrens Road did not accommodate our larger family adequately in 2020, but in order to comply with the R40 zoning, we were unable to build an additional house on our property. As a result, we then opted to build a larger, one story home on our land, but necessarily had to demolish the existing family home to keep within the Colleyville ordinances.

We have lived in Colleyville for 35 years and actively supported large pastoral lot sizes in R40 zoning. This is a lovely area and was intended by Master Plan to remain R40 as the minimum lot size.

As the applicant is a real estate investor/speculator, he does not have the same interest in keeping it this way.



Ramie Word  
4900 Behrens RD  
Colleyville, TX 76034  
(817) 657-2981

Thursday, April 28, 2022

The Pence Company LLC  
c/o 4901 Stafford Drive  
4843 Colleyville BLVD, Suite 251-127  
Colleyville, TX 76034

Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034

To Whom it May Concern,

As a property owner in Stafford Heights Subdivision, we are writing in response to the notice of public hearing regarding zoning case VC22-003 and VC22-004, applicant Sib Bahjat, managing member of **Gridiron Realty LLC**, located at 409 Timberline Drive South, Colleyville, TX 76034. The zoning case involves the location of 4801 & 4809 Manning Drive, Lot 2 & 3, Block 3, Stafford Heights.

Stafford Heights subdivision has been a peaceful and open community in Colleyville for many years with abundant specimen trees, wildlife, gardens, and large yards for kids and pets. When we first discovered Stafford Heights, we fell in love with the space of the community and open and peacefulness not typically found in the modern master planned communities of today. Thankfully missing was the congestion and the close proximity of homes on top of each other that is often the goal of profiteer realty companies with no regard for the local community. Colleyville and its current subdivisions are gems that should not be altered from their original plats put in place by early visionaries of Colleyville, Texas.

The variance request by Gridiron Realty LLC is a prime example of corporate disregard to preserve the historical charm of and forethought in planning done years ago.

The variance request if granted will alter the essential character of the neighborhood, could possibly negatively affect the neighborhood's property values, and lead to congestion that could possibly risk the health of current residents. Granting the variance would also set a precedent that might open the door to many other developers that would seek to subdivide and overbuild in Stafford Heights and surrounding areas, thus destroying old growth trees, open spaces, and lead to further traffic congestion and economic burdens to city services such as water & sewer supply systems. The environmental impact is also a grave concern and should be studied at a minimum including but not limited to a traffic study as well before any consideration. This should not be at the cost of the community but rather the developer seeking the variances.

As owners in Stafford Heights and proud tax payers in Colleyville, Texas, ***we hereby request that you deny the variance requests for zoning cases VC22-003 and VC22-004 and preserve our community.***

Thank you for your time, service, and helping preserve the charm of Stafford Heights and Colleyville, Texas.

Kind Regards,

A handwritten signature in black ink, appearing to read 'MJ Pence', written in a cursive style.

MJ Pence, Manager/Member  
The Pence Company LLC

Enclosures

Monday, May 2, 2022

The Pence Company LLC  
c/o 4901 Stafford Drive  
4843 Colleyville BLVD, Suite 251-127  
Colleyville, TX 76034

Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034

To Whom it May Concern,

We recently sent a letter concerning the notice of public hearing regarding zoning case VC22-003 and VC22-004. We might have misinterpreted the intention of the variance request after further investigation.

Based on the two letters we received from the City of Colleyville concerning the properties located at 4801 and 4809 Manning, we interpreted the intent of the variance request to be the division of both lots, thereby allowing for two single family homes to be constructed for each addressed disclosed. It seems, although there are two separate addresses on file, the true intent is to make these properties separate and subject to one single family home per existing address. Our confusion is rooted in the fact that the properties already appear to be separate with two distinct mailing addresses.

Nonetheless, if the intent of the variance requests by Gridiron LLC is simply to allow the new construction of a single-family home at either disclosed address, *we do not object*.

Our objection is only if more than one single family home or multi-family homes are being constructed on one lot in the neighborhood, subsequently requiring multiple mailing addresses.

Thank you for your time, service, and helping preserve the charm of Stafford Heights and Colleyville, Texas.

Kind Regards,

A handwritten signature in black ink, appearing to read 'MJ Pence', written over a white background.

MJ Pence, Manager/Member  
The Pence Company LLC