



CITY OF COLLEYVILLE CITY COUNCIL AGENDA

100 Main Street, Colleyville, Texas, 76034

WEDNESDAY, OCTOBER 4, 2023

**WORKSESSION
5:30 PM
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

CALL TO ORDER

- WS-1** Update and discussion of the Colleyville Recreation Center
WS-2 Discussion of the October 4, 2023, City Council regular agenda items

1. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D

Section 551.071 - Legal - Consultation with the City Attorney regarding items on the agenda or for matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Code

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 - Economic Development - Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

**REGULAR MEETING
7:00 P.M.
CITY COUNCIL CHAMBERS**

INVOCATION: Pastor Mike Dawson, First United Methodist

PLEDGE OF ALLEGIANCE: City Attorney Whitt Wyatt

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-23-4881

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A proclamation in recognition of the Colleyville Rotary Club

4. CONSENT: READING AND PUBLIC HEARING - RESOLUTION R-23-4882

- 4a** Approval of a Professional Services Agreement with Harvest MXD for development advisory services for the Northern Gateway
- 4b** Approval of the nomination of candidate(s) for Tarrant Appraisal District Board of Directors

5. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**5a Ordinance O-23-2262**

Consideration of a Rezoning from AG Agricultural to R-20 Single Family Residential for Tract 2B09B, Abstract 439, CC Doss Survey, located at 5209 Pool Road, Case ZC23-020

5b Ordinance O-23-2263

Consideration of a Special Use Permit to allow a fence for Lot 5, Block 5, Woodbriar Estates Addition, located at 3716 Briarhaven Lane, Case ZC23-021

5c Ordinance O-23-2264

Consideration of a Special Use Permit to allow for a fence for Lot 1, Block 1, Naler Addition, located at 6101 Waller Lane, Case ZC23-022

5d Ordinance O-23-2265

Consideration of a Special Use Permit to allow for a fence for Lot 4, Block C, Legacy North, located at 703 Marie Drive, Case ZC23-023

5e Ordinance O-23-2266

Request to appeal the decision by the Planning and Zoning Commission for the consideration of a Special Use Permit to allow for a fence and an accessory building for Lot 1, Block B, Legacy North, located at 812 Sawyer Drive, Case ZC23-024

5f Ordinance O-23-2267

Consideration of a Special Use Permit to allow for a Veterinarian Clinic for a for Lot 1, Block A, 170 Players Addition, located at 3825 Glade Road, Suite 130, Case ZC23-026

5g Ordinance O-23-2268

Consideration of a Special Use Permit to allow for a fence for Tract 3K & TR 3Y, Abstract 211, BBB & C RY Survey, located at 509 West LD Lockett Road, Case ZC23-027

6. RESOLUTION(S): READING AND PUBLIC HEARING**6a Resolution R-23-4883**

Consideration of a variance to lot size, lot coverage, and side yard setbacks for lot 27, Community Home Addition, located at 1611 Cherry Lane, Case VC23-004

6b Resolution R-23-4884

Consideration of a variance to lot coverage for Lot 34, Block 1, Oak Alley, located at 7220 Oak Alley, Case VC23-005

7. CITIZEN COMMENTS**8. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR WEDNESDAY, OCTOBER 4, 2023 - READING AND PUBLIC HEARING - RESOLUTION R-23-4885****9. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards *Friday, September 29, 2023* by 5:00 p.m.

Angela Larson
Assistant City Secretary

A quorum of any Colleyville board, commission, or committee may be present 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 CITY COUNCIL BRIEFING

Agenda Number WS-1

Agenda Date 10/4/2023

Type Worksession

Department City Manager

Title

Update and discussion of the Colleyville Recreation Center

Explanation

This item provides for the discussion and update of the Colleyville Recreation Center.

Attachments

1. Recreation Center Update

Recreation Center Update

OCTOBER 4, 2023

Recreation Center - Timing

- Admin offices nearing completion – in-house team
- Roof bid in October, award in November (completion early 2024)
- Gym bid in October, award in November (completion summer 2024)
- Irrigation and landscape design – winter project
- Glade Road fence – winter project



Recreation Center – Phase 1

Phase 1

- New gymnasium (volleyball, basketball)
- Existing small gym (volleyball, basketball, pickle ball)
- Classrooms for programs
- Open gym time
- “Hang-out” area near smaller gym
- Expanded programs and recreation offerings
- Use of open space
- Voting center at Annex building



* All funded with \$1.5 million existing bond funding and additional staff approved in budget *

Moving Forward

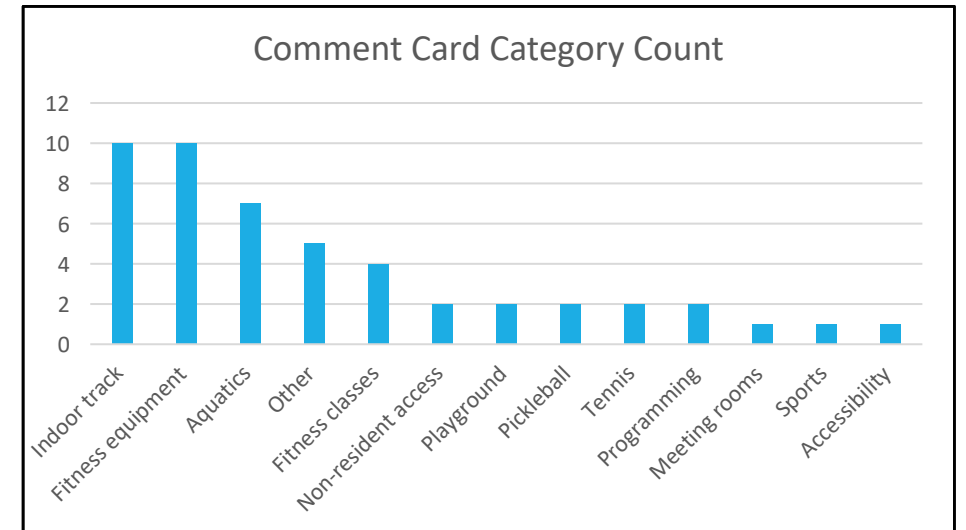
Recreation Center - Opportunities

Open House

- Overwhelming success, excitement from the community
- Here's what we heard:
 - Fitness Center
 - Indoor track
 - Aquatics

Parks & Rec Advisory Board

- Met this summer to develop amenity list
- Top ranked items:
 - Indoor: fitness room, locker rooms, walking track, aquatics, multi-purpose rooms, indoor playground, climbing wall
 - Outdoor: multi-use field, pavilion, outdoor hangout, lap pool, splash pad, pickle ball courts, group fitness, destination playground, dog park, walking trail



Recreation Center - Direction

- Seeking direction from the City Council on moving forward
- Fitness and aquatics rank the highest
- Proceed with an architect to layout an expansion plan (incorporating what elements)?
- Proceed with referendum in May? (if yes, is it advisory or bond issuance?)
- Proceed with Phase 1 only and wait for future phases after Phase 1 opens?
- Do you want to answer this tonight or have a special future meeting/work session to discuss further?



**CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING**

Agenda Number WS-2	Agenda Date 10/4/2023
Type Worksession	
Department City Secretary	

Title
Discussion of the October 4, 2023, City Council regular agenda items

Explanation

Attachments



CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 1

Agenda Date 10/4/2023

Type Executive Session

Department City Secretary

Title

Section 551.071 - Legal - Consultation with the City Attorney regarding items on the agenda or for matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Code

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

Attachments

RESOLUTION R-23-4881

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF OCTOBER 4, 2023**

WHEREAS, following discussion in Executive Session, and in full accordance with the requirements of the Open Meetings Act, the City Council determines that the following action is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS ON THIS THE 4TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor



CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 3

Agenda Date 10/4/2023

Type Announcements, Proclamations, and Presentations

Department City Council

Title

A proclamation in recognition of the Colleyville Rotary Club

Attachments

RESOLUTION R-23-4882

**APPROVING CITY COUNCIL ACTION UNDER CONSENT ITEMS AT
THE REGULAR CITY COUNCIL MEETING OF OCTOBER 4, 2023**

WHEREAS, City Council has taken action on certain items on the agenda under Consent Items.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF COLLEYVILLE, TEXAS:**

- Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:
- a. Approval of a Professional Services Agreement with Harvest MXD for development advisory services for the Northern Gateway
 - b. Approval of the nomination of candidate(s) for Tarrant Appraisal District Board of Directors

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS ON THIS THE 4TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor



CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 4a

Agenda Date 10/4/2023

Number Resolution R-23-4882

Type Resolution

Department City Manager

Title

Approval of a Professional Services Agreement with Harvest MXD for development advisory services for the Northern Gateway

Explanation

Reading and Public Hearing

The City purchased 37 acres at the southwest corner of John McCain and SH26 several years ago to ensure quality development at the northern entrance into Colleyville. Under this agreement, Harvest MXD would provide real estate advisory services potentially resulting in a selected developer, development concept, and sales contract at the conclusion. The contracted services are broken out by milestone, and each milestone (and resulting cost) will not begin unless the City provides authorization to continue.

Financial Impact

The Professional Services Agreement will not exceed \$271,000.00 and will be provided out of the TIF fund.

Recommendation

Approve

Attachments

1. Northern Gateway Property Development Proposal Presentation
2. Harvest MXD Professional Services Agreement

NORTHERN GATEWAY PROPERTY DEVELOPMENT PROPOSAL

City Council

October 4, 2023

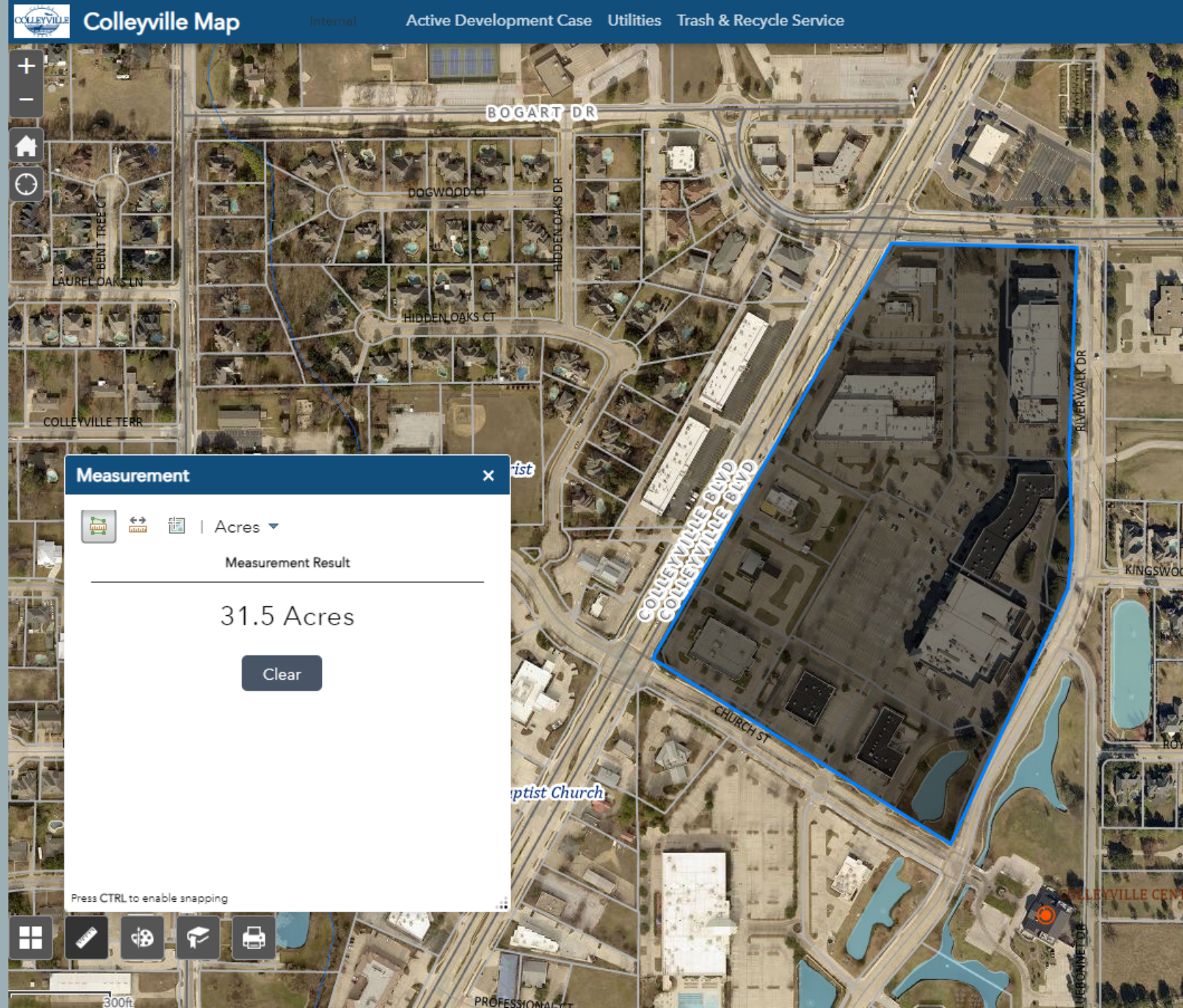
Site Details

- 37 acres
- SWC John McCain/SH26
- ~1,350 feet SH26 frontage
- Current Zoning CC-2 and ML
- Two transactions in 2020
- Total purchase price - \$8.4M
- Total appraisal value - \$9.2M



For Comparison

- Town Center Colleyville (Market Street center) including all out-lots
- 31.5 acres
- Similar SH26 frontage
- Similar depth



DEVELOPMENT PROPOSAL

- Staff has worked with Harvest MXD on a development proposal
- Goal - understand the market viability and suitability of the property and, if viable and suitable, solicit proposals from the development community
- Proposal broken out by milestones
 - Strategic planning and marketing materials - \$30,000
 - Solicitation of initial proposals / proposal analysis / solicitation of formal proposals - \$150,000
 - Formal proposal evaluation / selection of master developer - \$50,000
 - Contract negotiation and execution - \$25,000
- Project can stop at any milestone

DISCUSSION AND QUESTIONS

PROFESSIONAL SERVICES AGREEMENT
NORTHERN GATEWAY PROJECT

This Professional Services Agreement ("Agreement") is made by and between the **City of Colleyville, Texas** ("City"), and **Harvest MXD, Inc.** ("Professional") (each a "party" and collectively the "parties"), acting by and through their respective authorized representatives.

RECITALS

WHEREAS, City desires to engage Professional to perform certain work and services, hereinafter referred to only as "services", as further specified in the Scope of Services defined in Section 1 of this Agreement; and

WHEREAS, Professional has expressed a willingness to perform said services in conformance with this Agreement.

NOW, THEREFORE, for and in consideration of the covenants and promises made one to the other herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Section 1. Scope of Services

Upon written notice to proceed by City, Professional agrees to provide to City Northern Gateway Project ("Project"), as set forth in the Scope of Services attached hereto as **Exhibit "A"** and incorporated herein by reference (the "Scope of Services"). Professional shall not be entitled to any claim for extra services, additional services or changes in the services without a written agreement with City prior to the performance of such services.

Section 2. Term of Agreement

The term of this Agreement shall begin on the last date of execution hereof (the "Effective Date") and shall continue until Professional completes the services required herein and the City has accepted the same, unless sooner terminated as provided in this Agreement.

Section 3. Professional's Obligations

(a) Performance of Services. Professional shall furnish and pay for all labor, tools, software, materials, equipment, supplies, transportation and management necessary to perform the services. To the extent reasonably necessary, Professional may engage the services of any agents, assistants, or other persons that Professional may deem proper to assist in the performance of the services under this Agreement; provided, that Professional shall be responsible for all costs related thereto, except as expressly authorized in writing in advance by City.

(b) Site Access. City will endeavor to provide such rights of access on any project site as may be reasonably necessary for Professional to perform any necessary studies, surveys, tests or other required investigations in relation to the services; provided, that City shall have no obligation to (i) provide off-site access, (ii) provide access to private property for which City does not have an existing right to access, nor (ii) incur any costs associated with the access to be provided under this Agreement.

(c) Standard of Care. Professional shall perform the services with the skill and care ordinarily provided by competent professionals practicing in the same or similar locality and under the same or similar

circumstances and professional licenses. Professional shall be responsible for the professional quality, technical accuracy, and the coordination of all services furnished by Professional under this Agreement. Professional shall, without additional compensation, correct or revise any errors or deficiencies it becomes aware of in the services. To the extent practicable, Professional shall further make, without expense to City, such revisions to the Project Documents as may be required to meet the needs of City and which are within the Professional's Scope of Services.

(d) Additional Services. Should City require additional services not included under this Agreement, Professional shall make reasonable effort to provide such additional services in accordance with the fee schedule set forth in **Exhibit A**, and within the time schedule prescribed by City; and without decreasing the effectiveness of the performance of services required under this Agreement.

(e) No Waiver of City's Rights. Neither City's review, approval, acceptance of, nor payment for any of the services required under this Agreement, shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

(f) Independent Contractor. It is understood and agreed by and between the parties that Professional, while performing under this Agreement, is acting independently, and that City assumes no responsibility or liabilities to any third party in connection with Professional's actions. All services to be performed by Professional pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of City. Professional shall supervise the performance of its services and shall be entitled to control the manner and means by which its services are to be performed, subject to the terms of this Agreement. There is no intended third-party beneficiary to this Agreement.

(g) Inspection of Records. Professional grants City and its designees the right to audit, examine or inspect, at City's election, all of Professional's Records (defined below) relating to the performance of services under this Agreement, during the term of the Agreement and any retention period herein. City's audit, examination, or inspection of Professional's Records may be performed by a City designee, which may include its internal auditors or an outside representative engaged by City. Professional agrees to retain Professional's Records for a minimum of one (1) year following termination of the Agreement, unless there is an ongoing dispute under the contract; then, such retention period shall extend until final resolution of the dispute. "Professional's Records" shall include any and all information, materials and data of every kind and character generated in connection with the services under this Agreement. City agrees that it will exercise its right to audit, examine or inspect Professional's Records during regular business hours unless City has provided advance written notice of an alternate time. Professional agrees to allow City and its designees access to all of Professional's Records, Professional's facilities, and the current or former employees of Professional, to the extent deemed reasonably necessary by City or its designee(s), to perform such audit, inspection or examination

(h) Certification of No Conflicts. Professional hereby warrants to the City that Professional has made full disclosure in writing of any existing or potential conflicts of interest related to Professional's services under this Agreement. In the event that any conflicts of interest arise after the Effective Date of this Agreement, Professional hereby agrees immediately to make full disclosure to the City in writing.

Section 4. Performance Schedule

(a) Time for Performance. Professional shall perform all services as provided for under this Agreement in an efficient, timely, and professional manner.

In the event Professional's performance of this Agreement is delayed or interfered with by acts of the City or others, Professional may request an extension of time in conformance with this Section 4 for the performance of same as hereinafter provided but shall not be entitled to any increase in fee as a result of such delay unless mutually agreed to by the parties.

(b) Extensions; Written Request Required. No allowance of any extension of time, for any cause whatever (including an event of Force Majeure as defined herein below), shall be claimed or made to Professional, unless Professional shall have promptly made written request upon City for such extension within reasonable amount of time after the cause for such extension occurred, and unless City and Professional have agreed in writing upon the allowance of additional time to be made.

Section 5. Documents

(a) Project Documents. All proposals, reports, studies, surveys, applications, drawings, plans, specifications, data, and other documents, whether in draft form or final form (including any electronic format) prepared by Professional and its employees, consultants, subcontractors, agents, or representatives (collectively referred to in this section as "Professional") for the use and/or benefit of City in connection with this Agreement ("Project Documents"). Professional shall be deemed the authors of their respective component of the Project Documents. Notwithstanding, upon payment by City as required by this Agreement, City shall own, have, keep and retain all rights, title and interest in and to all Project Documents, including all ownership, common law, statutory, and other reserved rights, including copyrights (except copyrights held by the Professional) in and to all Project Documents, whether in draft form or final form, which are produced at City's request and in furtherance of this Agreement. City shall have full authority to authorize any contractor(s), subcontractors, consultants, and material or equipment suppliers to reproduce applicable portions of the Project Documents to and for use in their execution of the services or for any other purpose.

(b) Professional's Documents. All previously owned intellectual property of Professional, including but not limited to any computer software (object code and source code), tools, systems, equipment or other information used by Professional or its suppliers in the course of delivering the Services hereunder, and any know-how, methodologies or processes used by Professional to provide the services or protect deliverables to City, including without limitation, all copyrights, trademarks, patents, trade secrets and any other proprietary rights inherent therein and appurtenant thereto ("Professional's Documents"), shall remain the sole and exclusive property of Professional. Notwithstanding, Professional agrees that City shall have the right to access to all such information and City is granted the right to make and retain copies of Professional's Documents. City acknowledges that any reuse of Professional's Documents without specific written verification or adaptation by Professional will be at City's sole risk and without liability or legal exposure to Professional.

(c) Confidential Information. Professional agrees it will notify City in writing if it considers specific information to be confidential or proprietary trade secrets and will use its best efforts to clearly mark all such information as "Confidential" and/or "Proprietary – Trade Secret" at the time it is delivered or made accessible to City. City acknowledges that all such designated information is considered by Professional to be confidential and the exclusive property of Professional. Notwithstanding the foregoing, Professional acknowledges that this Agreement, and all services performed hereunder, are subject to the legal requirements of the Texas Public Information Act and that City will have no obligation to protect or otherwise limit disclosure of any confidential or proprietary information if Professional has not notified

City of such designation in conformance with this section. Professional agrees and covenants to protect any and all proprietary rights of City (or other persons) in any materials provided to Professional by City. Additionally, any materials provided to Professional by City shall not be released to any third party without the consent of City and shall be returned intact to City upon termination or completion of this Agreement if instructed to do so by City. In the event City delivers to Professional any information that has been expressly marked "Confidential" or has notified Professional is confidential or is the proprietary information of a third-party, Professional agrees it shall not disclose to anyone during the term of this Agreement or at any time thereafter, any such information, nor shall it use any such information for any purpose other than as reasonably necessary in connection with Professional's performance of the services under this Agreement. Professional shall further, at its own expense, defend all suits or proceedings instituted against City and pay any award of damages or loss resulting from an injunction, against City, insofar as the same are based on any claim that materials or services provided under this Agreement constitute an infringement of any patent, trade secret, trademark, copyright or other intellectual property rights. Notwithstanding, the foregoing confidentiality obligations shall not extend to and nothing herein shall limit either party's right to disclose any information provided hereunder which: (i) was or becomes generally available to the public, other than as a result of a disclosure by the receiving party or its personnel; (ii) was or becomes available to the receiving party or its representatives on a non-confidential basis, provided that the source of the information is not bound by a confidentiality agreement or otherwise prohibited from transmitting such information by a contractual, legal, or fiduciary duty; (iii) was independently developed by the receiving party without the use of any confidential information of the disclosing party; or (iv) is required to be disclosed by applicable law or a court order.

Section 6. Payment

(a) Compensation. Professional's compensation shall be as specified in the payment schedule set forth in **Exhibit A**; provided, that the total compensation under this Agreement shall not exceed TWO HUNDRED AND SEVENTY-ONE THOUSAND DOLLARS (\$271,000.00). The parties acknowledge that the Project consists of several individual components and milestones that Professional will perform only those services specified in City's written notice(s) to proceed. City is not obligated to proceed with any specific component or milestone under this Agreement.

(b) Payment Terms. City agrees to pay Professional for all services authorized in writing and properly performed by Professional in conformance with the fee schedule set forth in **Exhibit A**, subject to changes in the Scope of Services or additional services agreed upon in writing. Unless otherwise agreed in writing, all payments to Professional by City shall be based on invoices submitted by Professional for work performed and accepted by City, less any previous payments. Payment will be due within thirty (30) days of the City's receipt and acceptance of an approved invoice.

(c) Deductions. City may deduct from any amounts due or to become due to Professional any sum or sums owing by Professional to City. In the event of any breach by Professional of any provision or obligation of this Agreement, or in the event of the assertion by other parties of any claim or lien against City, or City's premises, arising out of Professional's performance of this Agreement, City shall have the right to retain out of any payments due or to become due to Professional an amount sufficient to completely protect City from any and all reasonably anticipated loss, damage or expense therefrom, until the breach, claim or lien has been satisfactorily remedied or adjusted by Professional.

Section 7. Default; Force Majeure

(a) Default; Notice to Cure. A party shall be deemed in default under this Agreement if the party is in breach of a material provision of this Agreement and said breach is not cured within fifteen (15) days written notice of default by the other party. In the event the breaching party has notified the other party in writing that it is diligently working to cure the breach and has provided reasonable written evidence in support of the same, the breaching party shall not be deemed in default until the thirtieth (30th) day following the non-breaching party's notice of default.

Default by Professional. In addition to default under Section 7(a) above, Professional shall be in default under this Agreement if Professional fails to comply or becomes disabled and unable to comply with the provisions of this Agreement related to Professional's performance of the services, including the quality or character of the services or time of performance for any material component of the services.

(b) Force Majeure. To the extent either party of this Agreement shall be wholly or partially prevented from the performance of any obligation or duty placed on such party by reason of or through stoppage of labor, riot, fire, flood, acts of war, insurrection, court judgment, or a government restriction, quarantine or mandatory closure order enacted in response to a pandemic or other public health crises, or other specific cause reasonably beyond the party's control and not attributable to its malfeasance, neglect or nonfeasance (each an event of "Force Majeure"), the time for performance of such obligation (other than a payment obligation) may be extended for a period equal to the time lost by reason such event, provided, that the party complies with the provisions of this section. Specifically, the party asserting Force Majeure (i) shall give prompt notice to the other party of the prevention of performance as soon as the asserting party is reasonably aware of such prevention, and (ii) has the burden of demonstrating: (1) how and why their performance was so prevented, (2) the period of time during which they were so prevented from performing (which under the facts may be equal to, or shorter or longer than, the duration of the Force Majeure event itself), and (3) that the party used commercially reasonable efforts to mitigate and/or eliminate such prevention and resumed performance under this Agreement as soon as reasonably practicable.

Section 8. Termination

(a) Termination Upon Default. Either party may terminate this Agreement upon written notice if the other party is in default of this Agreement, subject to the defaulting party's right to cure in conformance with the terms of this Agreement.

(b) Termination by City. City shall be entitled to terminate this Agreement, with or without cause, by providing thirty (30) days prior written notice to Professional. Professional will be entitled to receive compensation for work performed up to the date of termination.

(c) Suspension. City reserves the right to suspend this Agreement for the convenience of City by issuing a written notice of suspension which shall describe City's reason(s) for the suspension and the expected duration of the suspension. Such expected duration shall, in no way, guarantee what the total number of days of suspension shall occur. Such suspension shall take effect immediately upon Professional's receipt of said notice. Should such suspension extend past the expected duration identified by City in its latest notice of suspension, Professional shall have the right to terminate this Agreement if Professional if (i) Professional provides not less than thirty (30) days prior written notice to City requesting to recommence the services, and (ii) City does not recommence the services within the time requested.

Section 9. Insurance

Professional shall during the term hereof maintain in full force and effect professional liability and errors and omissions insurance of one million dollars (\$1,000,000) single limit. Professional's obligation to provide acceptable certificates of insurance is a material condition precedent to this Agreement, and

services under this Agreement shall not commence until certificates of insurance have been received, reviewed, and accepted by City.

Section 10. Indemnification; Notice.

PROFESSIONAL SHALL INDEMNIFY AND HOLD HARMLESS CITY FROM THIRD PARTY CLAIMS TO THE EXTENT ARISING FROM PROFESSIONAL'S NEGLIGENT ACTS, ERRORS OR OMISSIONS AND SHALL SECURE, PAY FOR AND MAINTAIN IN FORCE DURING THE TERM OF THIS AGREEMENT SUFFICIENT ERRORS AND OMISSIONS INSURANCE IN THE AMOUNT OF ONE MILLION AND 00/100 DOLLARS (\$1,000,000.00) SINGLE LIMIT, WITH CERTIFICATES EVIDENCING SUCH COVERAGE TO BE PROVIDED TO TOWN.

TO THE FULLEST EXTENT ALLOWED BY LAW, PROFESSIONAL AGREES TO INDEMNIFY AND HOLD HARMLESS CITY, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "CITY INDEMNITEES") AGAINST ALL CLAIMS, DEMANDS, ACTIONS, SUITS, LOSSES, DAMAGES, LIABILITIES, COST AND/OR ANY REASONABLE EXPENSE OF EVERY KIND AND NATURE (INCLUDING, BUT NOT LIMITED TO COURT COST, REASONABLE LITIGATION EXPENSE AND REASONABLE ATTORNEYS FEES) ARISING FROM THIRD-PARTY INJURY (INCLUDING DEATH) OR DAMAGE TO PROPERTY (WHETHER REAL, PERSONAL OR INCHOATE), TO THE EXTENT ARISING OUT OF PROFESSIONAL'S NEGLIGENCE, FRAUD OR WILLFUL MISCONDUCT.

IN NO EVENT DOES THE CITY REQUIRE OR PROFESSIONAL AGREE TO INDEMNIFY OR HOLD HARMLESS THE CITY FOR CLAIMS OR LIABILITY RESULTING FROM NEGLIGENT ACTS, OMISSIONS OR WILLFUL MISCONDUCT OF THE CITY OR ITS EMPLOYEES, AGENTS, SUBCONTRACTORS OR OTHER THIRD PARTIES (PROVIDED, THAT SUCH NEGLIGENCE OR WILLFUL MISCONDUCT HAS BEEN DETERMINED TO BE ATTRIBUTED TO CITY OR OTHER THIRD-PARTY BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION).

Notices of Claim. Professional shall promptly advise City in writing of any claim or demand against the City, related to or arising out of Professional's acts or omissions under this Agreement and shall see to the investigation of such claims or demand at Professional's sole cost and expense; provided, that City, at its option and at its own expense, may participate in such investigation without relieving Professional of any of its obligations hereunder. Professional's obligations under this section shall not be limited to the limits of coverage of insurance maintained or required to be maintained under this Agreement.

THE PROVISIONS OF THIS SECTION SHALL SURVIVE EXPIRATION OR TERMINATION OF THIS AGREEMENT FOR A PERIOD OF FOUR (4) YEARS.

Section 11. Notice.

All notices required by this Agreement shall be in writing and addressed to the parties at the addresses set forth on the signature page(s) of this Agreement (or to such other address that may be designated by the receiving party from time to time in accordance with this section). All notices shall be delivered by (a) personal delivery, (b) certified or registered mail (in each case, return receipt requested, postage prepaid), (c) nationally recognized overnight courier (with all fees pre-paid), or (d) email of a pdf document containing the required notice. Such notice or document shall be deemed to be delivered or given, whether actually received or not, (i) when received if delivered or given in person, (ii) if sent by United States mail, three (3) business days after being deposited in the United States mail as set forth above, (iii) on the next business day after the day the notice or document is provided to a nationally recognized carrier to be delivered as set forth above, or (iv) if sent by email, the next business day. A confirmation of delivery report which reflects the time that the email was delivered to the recipient's last notified email address is prima facie evidence of its receipt by the recipient, unless the sender receives a delivery failure notification,

indicating that the email has not been delivered to the recipient.

Section 12. Verifications by Professional

Professional's execution of this Agreement shall serve as its formal acknowledgement and written verification that:

(a) if the requirements of Subchapter J, Chapter 552, Government Code, apply to this Agreement and Professional agrees that the Agreement can be terminated if Professional knowingly or intentionally fails to comply with a requirement of that subchapter;

(b) pursuant to Texas Government Code Chapter 2270, that Professional's organization does not presently boycott Israel and will not boycott Israel during the term of this Agreement; and

(c) pursuant to Texas Government Code Chapter 2251, that Professional's organization does not current discriminate against firearm and ammunition industries and will not for the term of the contract. Discriminating means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with the firearm or ammunition industry or with a person or entity doing business in the firearm or ammunition industry, but does not include an action made for ordinary business purposes.

Section 13. Miscellaneous

(a) Professional shall not assign or sublet this Agreement, in whole or in part, without the prior written consent of City. (b) Professional shall comply with all federal, state, county, and municipal laws, ordinances, resolutions, regulations, rules, and orders applicable to the services under this Agreement. (c) The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall be in the state district courts of Tarrant County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said courts. (d) This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and there are no oral understandings, statements or stipulations bearing upon the meaning or effect of this Agreement which have not been incorporated herein. (d) The exhibits attached hereto, if any, are incorporated herein and made a part hereof for all purposes. (f) Unless expressly provided otherwise herein, this Agreement may only be modified, amended, supplemented or waived by a mutual written agreement of the parties. (g) In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it. (h) Any of the representations and obligations of the parties, as well as any rights and benefits of the parties pertaining to a period of time following the termination of this Agreement shall survive termination. (i) This Agreement may be executed by the parties in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the parties. (j) Each party represents that it has full capacity and authority to grant all rights and assume all obligations granted and assumed under this Agreement. (k) Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the parties to it and their respective heirs, executors, administrators, legal representatives, successors and assigns.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK -
SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have executed and delivered this Agreement as of the Effective Date.

For City:

For Professional:

CITY OF COLLEYVILLE, TEXAS

HARVEST MXD INC.

By: _____

Jerry Ducay
City Manager

By: _____

Chris Harden
President

Date: _____

Date: _____

Notice Address:

City of Colleyville
Attn: City Manager
100 Main Street, 3rd Floor
City of Colleyville, Texas 76034
E: jducay@colleyville.com

Notice Address:

Harvest MXD Inc.
Attn: Chris Harden, President
1000 Ballpark Way suite 310
Arlington, Texas 76011
E: chris@havestmxd.com

Colleyville Contract ID:
WW_September 14 2023_v1.20220714

Proposal Strategic Real Estate Advisory



Chris Harden
President & CEO
Direct: +1 972 663 9680
chris@harvestmxd.com

Daniel Mitlyng
Vice President
Direct: +1 214 499 3762
daniel@harvestmxd.com



Prepared for: Mark Wood, Assistant City Manager for City of Colleyville
June 2, 2023



TABLE OF CONTENTS

01 / Executive Summary

02 / Property Summary

03 / Proposed Milestones
and Compensation



EXECUTIVE SUMMARY

01



EXECUTIVE SUMMARY

Harvest MXD Inc. ("HMXD") is pleased to provide its opinion of value and proposal for strategic real estate advisory services for the city-owned land located at the southwest corner of John McCain Rd and Colleyville Blvd/Highway 26 (the "Property"). The Property includes three contiguous parcels totaling approximately 37.42 acres and is bounded by ±290 feet of frontage along John McCain Rd to the north, ±1,350 feet of frontage along Colleyville Blvd to the east, and ±2,350 feet of TexRail commuter rail line to the west.

HMXD's understanding is that City of Colleyville (the "City") is interested in finding a qualified developer to acquire the Property for commercial development (the "Project"). Ideally, the Project would include non-residential commercial uses, including but not limited to, office, retail and hospitality. The City would like to understand the market viability and suitability of the Property for such a project and, if viable and suitable, solicit proposals from the development community for such a project.

As such, HMXD has analyzed the market and the Property for the Project to determine how much non-residential commercial uses would be feasible and the potential value the City may realize with such a Project.

We hope you find the following information useful in your decision process and look forward to assisting the City of Colleyville with this important, market-making opportunity. Please do not hesitate to reach out with any questions or for additional information.

Sincerely,



Chris Harden
President & CEO



LEADERSHIP TEAM



CHRIS HARDEN
President & CEO

972 746 0725
chris@harvestmxd.com

Chris Harden is President & CEO of Harvest MXD which he founded in 2023. Mr. Harden has over 20 years of diverse real estate industry experience involving ground-up development, redevelopment, acquisitions and dispositions of large-scale retail, multifamily and mixed-use projects with a capitalized value in excess of \$6.2 billion.

Prior to founding Harvest MXD, Mr. Harden was an Executive Director within Cushman & Wakefield's Capital Markets Group where he established and led the retail, land and mixed-use investments practice in Texas, providing strategic real estate advisory to local, national and international clients for a variety of assignments. During his tenure at C&W, his team completed over \$2 billion in real estate transactions.

Prior to Cushman & Wakefield, Mr. Harden served as a Vice President for Trademark Property Company, leading large-scale mixed-use acquisitions and developments.

Additional experience includes the acquisition and development of mixed-use lifestyle/power centers and regional malls with an estimated value of over \$500 million. Mr. Harden holds both a Masters of Business Administration and Masters of Architecture degree from Texas Tech University and is a licensed real estate broker in the states of Texas and Colorado. He is also a licensed architect in the state of Texas, LEED-AP and is an active member of the International Council of Shopping Centers (ICSC) and the Urban Land Institute (ULI), where he served on the Transit-Oriented Development Local Product Council.

In addition to professional organizations, Mr. Harden served as Vice Chairman on the board of the Abiding Fathers Ministry. He also supports several philanthropic causes including Joshua Nations.



DANIEL MITLYNG
Vice President

214 499 3762
daniel@harvestmxd.com

Daniel Mitlyng is Vice President at Harvest MXD, supporting all functions of the business including asset management, acquisition, underwriting, and advisory. Prior to joining Harvest MXD, Mr. Mitlyng served within Cushman & Wakefield's Land Advisory Group, providing strategic real estate advisory services to local, national, and international clients on a variety of assignments.

Mr. Mitlyng's experience also includes asset management services at both Cushman & Wakefield and Bank of America Private Bank, where he was responsible for managing a portfolio of real assets for ultra-high net worth individuals, family offices, and institutions. These assets had a combined market value of over \$240 million and were managed on a fiduciary basis. His asset management responsibilities included lease negotiations, transacting 1031 Exchanges, capital improvement projects, and underwriting for acquisition and disposition. Additional experience includes single family land development in Dallas-Fort Worth, where Mr. Mitlyng managed the development of approximately 800 single family lots, gaining an understanding of project cost estimating, value engineering, and other aspects of land development.

Mr. Mitlyng holds a BA in finance with a real estate concentration from the University of Arkansas and is a licensed real estate salesperson in the state of Texas. Additionally, he is a candidate for the Certified Commercial Investment Member (CCIM) designation. In his spare time, Daniel enjoys all outdoor activities, and leads a group of middle school boys on Sundays and Wednesdays. Daniel also supports ministries such as Compassion International and Reliant Mission.

COMPANY SNAPSHOT

Harvest MXD specializes in providing strategic real estate solutions in select urban and suburban markets throughout Dallas-Fort Worth, Texas. Our core team has decades of experience providing unparalleled advisory services to a variety of real estate owners including private investors, partnerships, family offices, REITs, publicly-traded companies, institutional investors, municipalities, transit agencies, and other governmental authorities. We have established a proven track record of executing on some of the most complex real estate transactions in the industry including earn-outs, phased take-downs, forward-commitments, long-term ground leases and public-private-partnerships. Each solution is tailored to meet the goals and objectives of our valued clients. Since 2015 our team has transacted on nearly \$2 billion and over 4 million square feet of urban and mixed-use real estate.





**2525 Turtle Creek Blvd.
Dallas, TX**

Client: Turtle Creek Garden Condos
Land Area: 4.44 acres

Sold Date: June 2022
Land Sale Price: \$32.5 million
Est. Development Value: \$250 million
Est. Completion: 2025+; multi-phase
Use: High Rise Luxury Multifamily

Services Provided: Land Disposition
Selected Developer: Hanover



**Mockingbird Station East
Dallas, TX**

Client: Dallas Area Rapid Transit (DART)
Land Area: 11.5 acres
Transaction Date: October 2019
Land Value: \$30 million (Ground Lease)
Est. Development Value: \$250 million
Est. Completion: 2025+; multi-phase
Use: High Rise Luxury Multifamily, Office, Retail

Services Provided: Public / Private Partnership & Incentives,
Repositioning & Development Strategy, Developer Procurement
Selected Developer: Trammell Crow Co. / High Street Residential



**Lincoln Square
Arlington (DFW), TX**

Client: Blackstone / ShopCore Properties
Land Area: 45.30 acres
GLA: 472,123 SF

Sold Date: October 2022
Sale Price: \$64.5 million
Est. Redevelopment Value: \$500 million
Est. Completion: 2025+; multi-phase
Use: Retail, Multifamily, Office, Hotel
Services Provided: Investment Sale Disposition

Selected Buyer/Developer: Trademark Property Co.



**Addison Circle
Addison (DFW), TX**

Client: Town of Addison
Land Area: 18.5 acres
Transaction Date: Ongoing
Land Value: \$25 million (Ground Lease)
Est. Development Value: \$472 million
Est. Completion: 2025+; multi-phase
Use: High Rise Luxury Multifamily, Office, Retail & Hotel

Services Provided: Public / Private Partnership & Incentives,
Repositioning & Development Strategy, Developer Procurement
Selected Developer: AMLI Residential / Stream Realty



**Watters Creek
Allen (DFW), TX**

Client: PCCP / Trademark Property Co.
Land Area: 7.69 acres

Sold Date: February 2021
Sale Price: \$5.6 million
Est. Redevelopment Value: \$90 million

Completion: 2022
Use: 375 Multifamily Units

Services Provided: Land Disposition
Selected Buyer/Developer: High Street Residential



**The Central
Dallas, TX**

Client: Conduent / Xerox Corporation
Land Area: 10.46 acres

Sold Date: June 2017
Sale Price: \$34 million
Est. Redevelopment Value: \$2.5 billion
Est. Completion: 2025+; multi-phase
Use: Retail, Multifamily, Office, Hotel

Services Provided: Investment Sale Disposition
Selected Buyer/Developer: De La Vega

PROPERTY SUMMARY

02





DEMOGRAPHICS			
RADIUS	1 MILE	3 MILE	5 MILE
Population			
2022 Population	6,537	64,179	210,399
2027 Population Projection	6,990	68,628	224,553
Growth 2022-2027	6.9%	6.9%	6.7%
Households			
2022 Households	2,207	21,676	78,275
2027 Household Projection	2,361	23,134	83,249
Growth 2022-2027	6.9%	6.7%	6.3%
Avg Household Income	\$209,492	\$183,533	\$146,773
Median Household Income	\$195,993	\$162,658	\$117,098



PROPOSED MILESTONES AND COMPENSATION

03

CITY HALL

Proposed Milestone Structure

Our proposed fee is based on the amount of time and complexity of an assignment and is negotiable.

- Strategic Planning & Project Underwriting
 - In conjunction with staff, Harvest MXD will develop a Needs Assessment/Decision Matrix that will guide the RFP, Evaluation criteria and developer selection process.
 - Consultant will provide a list of due diligence materials/information needed from City.
 - Consultant will prepare a market and feasibility analysis including the expected pricing, financing structure(s), and marketing strategy for the RFP.
 - Consultant will meet with staff to discuss values and pricing strategy.
 - Consultant will have discussions with adjacent property owners to determine desire to be included in master plan of the area and what desired terms make most sense to them.
 - Consultant will provide a broker opinion of value.
- Create & Approve Marketing Materials
 - Consultant will develop a detailed Request for Proposal (RFP). This document will be used to solicit the initial and formal proposals.
 - Consultant will present a draft of the RFP to Staff for review and approval.
 - Consultant will finalize the RFP based on feedback from staff.

Milestone Payment Due: \$30,000 within thirty days after the completion of Strategic Planning and Approval of Marketing Materials to the reasonable satisfaction of City.

Proposed Milestone Structure Continued

- Phase I Solicitation of Initial Proposals & Pre-Bid Conference
 - Consultant will send an introductory offering brochure (1–3 pages) to qualified developers/investors and post on public marketing channels to notify public of the offering.
 - Consultant will contact prospective applicants; coordinate site visits; promote the offering; request return of qualifications and registration.
 - Consultant will organize and lead a pre-bid conference with staff and prospective developers (if requested).
- Initial Proposal Analysis & Phase 2 Solicitation of Formal Proposals
 - Consultant will review and analyze all initial proposals submitted.
 - Consultant will create a comprehensive presentation for staff outlining proposals all received proposals.
 - Consultant will make recommendations to staff for formal proposal invitees and proceed with invitations to selected groups based on City's decision.

Milestone Payment Due: \$150,000 within thirty days after the completion of Phase 1 Solicitation and Phase 2 Solicitation to the reasonable satisfaction of City.

Proposed Milestone Structure Continued

- Formal proposal Evaluation & Master Developer Selection
 - Consultant will review and analyze all formal proposals submitted.
 - Consultant will create a comprehensive presentation for staff analyzing and evaluating formal proposals received, coordinate developer interviews and upon request, will make a recommendation for the selection of the preferred master developer
 - Consultant will assist the City in selecting a preferred master developer.

Milestone Payment Due: \$50,000 within thirty days after selection of Master Developer.

- Contract Negotiation & Execution
 - Consultant will assist staff in negotiating a Memorandum of Understanding with the preferred master developer or other master developer in event a Memorandum of Understanding with the preferred master developer is not achieved.
 - Consultant will assist staff in finalizing and executing definitive agreements with the preferred master developer or other developer if definitive agreements with preferred master developer are not executed.

Milestone Payment Due: \$25,000 within thirty days after Contract Execution with Master Developer.

Marketing Budget

A Marketing budget will be established not to exceed \$16,000 to be approved by City. This budget will be used for signage, aerial and ground photography, printing materials, renderings, and other marketing related costs (the "Marketing Expenses") . The Marketing Expenses will be paid by Consultant and reimbursed by the City upon termination of the Agreement or Consultant’s completion of the performance of the services under this Agreement. The following expenses are approximate and subject to change.

Aerial Photography	\$500
Marketing Package	\$5,000
Signage	\$2,000
Marketing Video	\$6,000
Online Marketing Platform	\$2,000
<u>Printed Marketing Materials</u>	<u>\$500</u>
	\$16,000



FOR MORE INFORMATION PLEASE CONTACT:

Chris Harden
President & CEO
Direct: +1 972 663 9680
chris@harvestmxd.com

Daniel Mitlyng
Vice President
Direct: +1 214 499 3762
daniel@harvestmxd.com

@2023 Harvest MXD Inc. All rights reserved. The information contained in this communication is strictly confidential. This information has been obtained from sources believed to be reliable but has not been verified. NO WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED, IS MADE TO THE CONDITION OF THE PROPERTY (OR PROPERTIES) REFERENCED HEREIN OR AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION CONTAINED HEREIN, AND SAME IS SUBMITTED SUBJECT TO ERRORS, OMISSIONS, CHANGE OF PRICE, RENTAL OR OTHER CONDITIONS, WITHDRAWAL WITHOUT NOTICE, AND TO ANY SPECIAL LISTING CONDITIONS IMPOSED BY THE PROPERTY OWNER(S), ANY PROJECTIONS, OPINIONS OR ESTIMATES ARE SUBJECT TO UNCERTAINTY AND DO NOT SIGNIFY CURRENT OR FUTURE PROPERTY PERFORMANCE.

Exhibit A - Scope of Services





CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 4b

Agenda Date 10/4/2023

Number

Type Resolution

Department City Manager

Title

Approval of the nomination of candidate(s) for Tarrant Appraisal District Board of Directors

Explanation

Reading and Public Hearing

In October 2021, the Colleyville City Council nominated Rich DeOtte and Gary Losada to serve on the TAD Board. The Tarrant Appraisal District (TAD) is seeking nominations for candidates to serve on the Board of Directors. The terms of service for the five members of the current Board of Directors will expire on December 31, 2023. Each voting unit may nominate one candidate for each of the five positions to be filled, but are not required to make any nomination or may nominate any number up to five. Nominations must be submitted to the Chief Appraiser as a resolution or official action adopted by the City Council by October 15, 2023.

The current TAD Board of Directors are:

- Tony Pompa, Chairman
- Rich DeOtte, Secretary
- Joe Ralph Martinez
- Jungus Jordan
- Vince Puente, Sr
- Wendy Burgess, Tarrant County Tax Assessor-Collector

To be eligible to serve as a voting member of the Board of Directors, an individual must have resided in Tarrant County for at least the two years immediately preceding January 1, 2024. An individual who is otherwise eligible is not ineligible if he or she is a member of the government body of a taxing unit. Texas law restricts eligibility and conduct of members of governmental bodies such as appraisal districts' boards of directors. In consultation with your attorneys, please review the Property Tax Code and other applicable laws carefully for the details of those restrictions, including definitions of "substantial interest", "business entity", "deferred", "abated", and other terms used below and for the potential criminal consequences of violating certain restrictions. In summary, the Property Tax Code provides that the following are ineligible to serve as voting members of the Board of Directors:

- an individual who has been an employee of Tarrant Appraisal District at any time during the preceding three years;
- an individual who has served as a voting member of the Board of Directors for all or part of five terms since January 1, 2022;
- an individual who is an employee of a taxing unit that participates in Tarrant Appraisal District unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the District;
- an individual who, directly or through a business entity in which he or she has a substantial interest, is a party to a contract with Tarrant Appraisal District or a taxing unit that participates in the District, if the contract relates to the performance of any activity governed by the Property Tax Code;
- an individual who has engaged in the business of appraising property for compensation for use in proceedings under the Property Tax Code at any time during the preceding three years;
- an individual who has engaged in the business of representing property owners for compensation in proceedings under the Property Tax Code in Tarrant County at any time during the preceding three years;
- an individual who is related by blood or marriage to an individual who is engaged in the business of appraising property for compensation for use in proceedings under the Property Tax Code or of representing property owners for compensation in proceedings under the Property Tax Code in Tarrant County, if the relationship is within the first or second degrees of consanguinity and affinity;
- an individual who owns property on which delinquent taxes have been owed to a taxing unit for more than 60 days after the date the individual knew or should have known of the delinquency unless the delinquent taxes, penalty, and interest are being paid under an installment plan or a suit to collect the delinquent taxes is deferred or abated.

As required by Section 6.03 of the Property Tax Code, the Chief Appraiser of the Tarrant Appraisal District has calculated the number of votes for each school district, city, and county entity entitled to participate in the appointment process. Based on the calculations, the City of Colleyville will have 17 votes.

This item provides for City Council to make a nomination of candidate(s) for the TAD Board of Directors for the ensuing two-year term.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Resolution R-21-4657

RESOLUTION R-21-4657

A RESOLUTION NOMINATING CANDIDATES FOR THE TARRANT APPRAISAL DISTRICT BOARD OF DIRECTORS

WHEREAS, the City of Colleyville contracts with the Tarrant Appraisal District (TAD) for setting property valuations; and

WHEREAS, the City of Colleyville is entitled to nominate one candidate for each of the five positions on the Tarrant Appraisal District Board of Directors; and

WHEREAS, the terms of the TAD Board of Directors expire December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the City of Colleyville nominates the following to serve on the Tarrant Appraisal District Board of Directors:

- Rich DeOtte
- Gary Losada

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 6 AYES, 0 NAYS ON THIS THE 4TH DAY OF OCTOBER 2021.

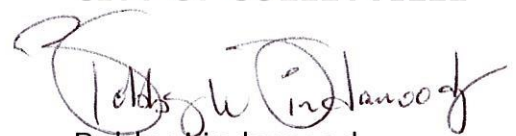
Mayor Richard Newton	<u>Abs</u>	Mayor Pro Tem Bobby Lindamood	<u>Aye</u>
Place 1, Tammy Nakamura	<u>Aye</u>	Place 3, Kathy Wheat	<u>Aye</u>
Place 4, George Dodson	<u>Aye</u>	Place 5, Chuck Kelley	<u>Aye</u>
Place 6, Callie Rigney	<u>Aye</u>		

ATTEST:



Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE



Bobby Lindamood
Mayor Pro Tem



CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 5a

Agenda Date 10/4/2023

Number Ordinance O-23-2262

Type Ordinance

Department Community Development

Title

Consideration of a Rezoning from AG Agricultural to R-20 Single Family Residential for Tract 2B09B, Abstract 439, CC Doss Survey, located at 5209 Pool Road, Case ZC23-020

Explanation

First Reading and Public Hearing

Theodis Simmons, the applicant, has submitted a request for a zoning change on Tract 2B09B, Abstract 439, CC Doss Survey, being approximately 0.61 acres, and zoned AG Agricultural. The purpose is to rezone from the AG Agricultural district to the R-20 Single Family Residential district. The purpose is for a new single-family home to be built.

Existing Conditions/Background: The subject property, 5209 Pool Road, has AG Agricultural zoning. It is located on the east side of Pool Road and north of the intersection with Pool Road. The subject property has a single-family residence which will be demolished.

Proposed Zoning: Request – The applicant requests to rezone the property from AG to the R-20 district. The minimum standards for the R-20 zoning district are as follows:

Minimum Lot Size	20,000 square feet
Minimum Lot Width	100 feet
Minimum Lot Depth	125 feet
Front Building Line	40 feet
Side Building Line	30 feet
Rear Building Line	10 feet
Max. Lot Coverage	30%
Max. Impervious Coverage	60%

Analysis: The current size of the property does comply with all the minimum standards of the R-20 Single Family Residential zoning.

Plat Status: The property is unplatted and will need to be platted for building permits.

DRC Review: The DRC reviewed the request during their August 22nd, 2023 meeting and determined the application was complete.

Drainage: NA

Surrounding Development: The property to the north is zoned AG Agricultural and has single-family residential development. The properties to the east, west, and south are zoned R-20 and contain single-family residential development. The City's Fire Station #2 exists across Pool Road.

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.

Staff Recommendation: Staff recommends approval of the request.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the request at their September 11, 2023 meeting by a vote of 5-0.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Survey
5. Zoning Exhibit
6. Notification Map
7. Notification List
8. Notification Letter
9. Ordinance O-23-2262

Aerial Map

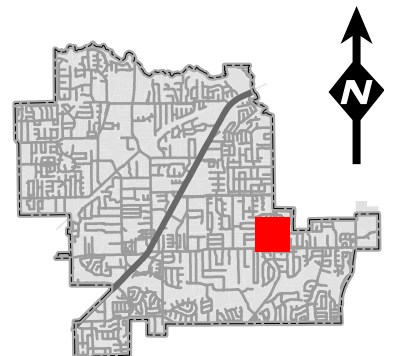


ZC23-020

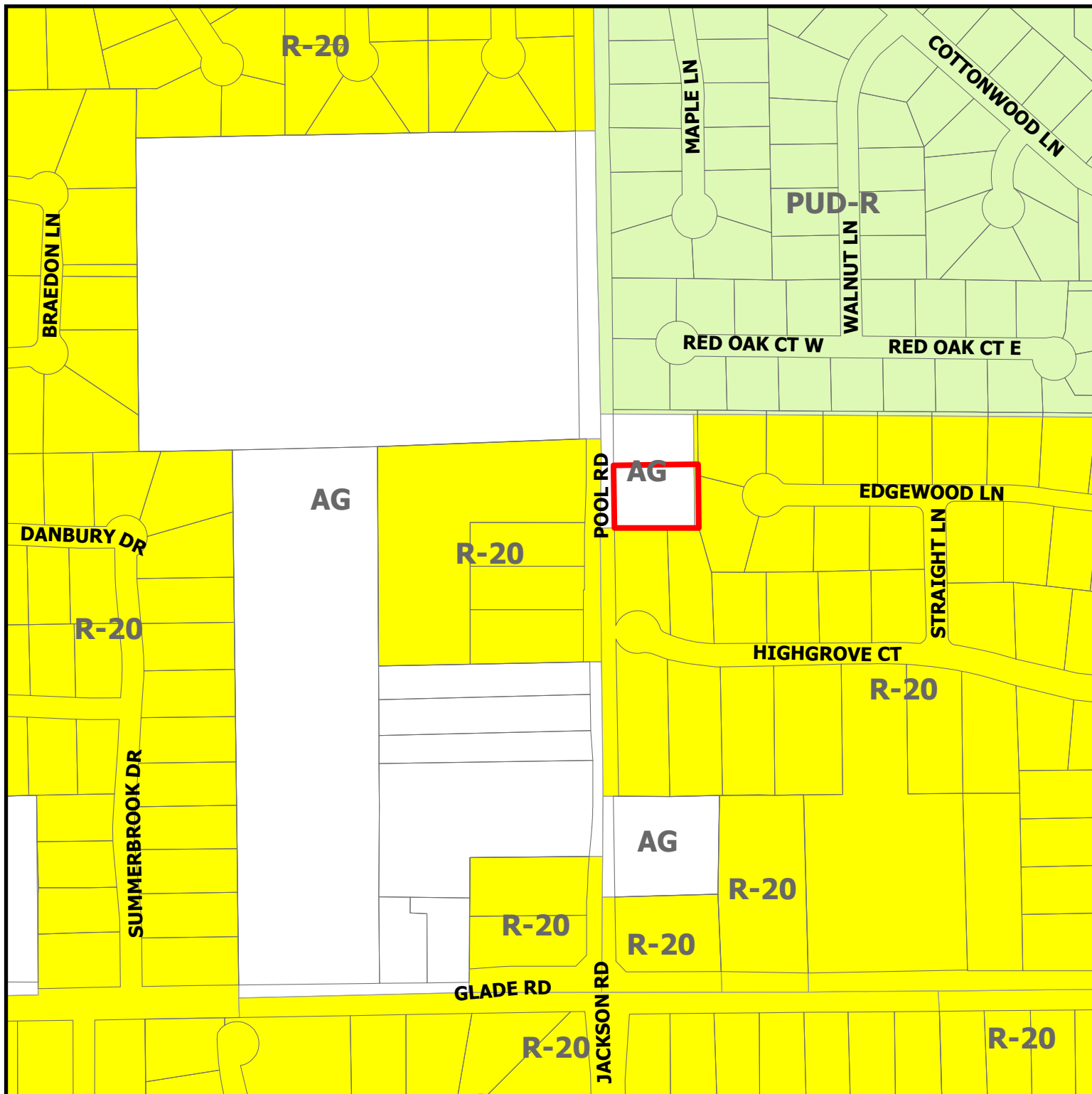
5209 Pool Rd

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

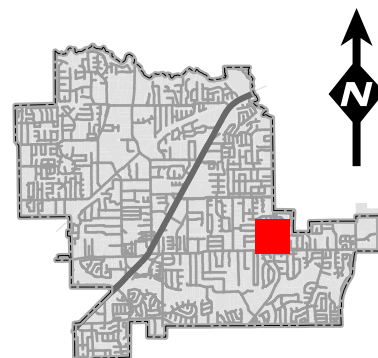


ZC23-020

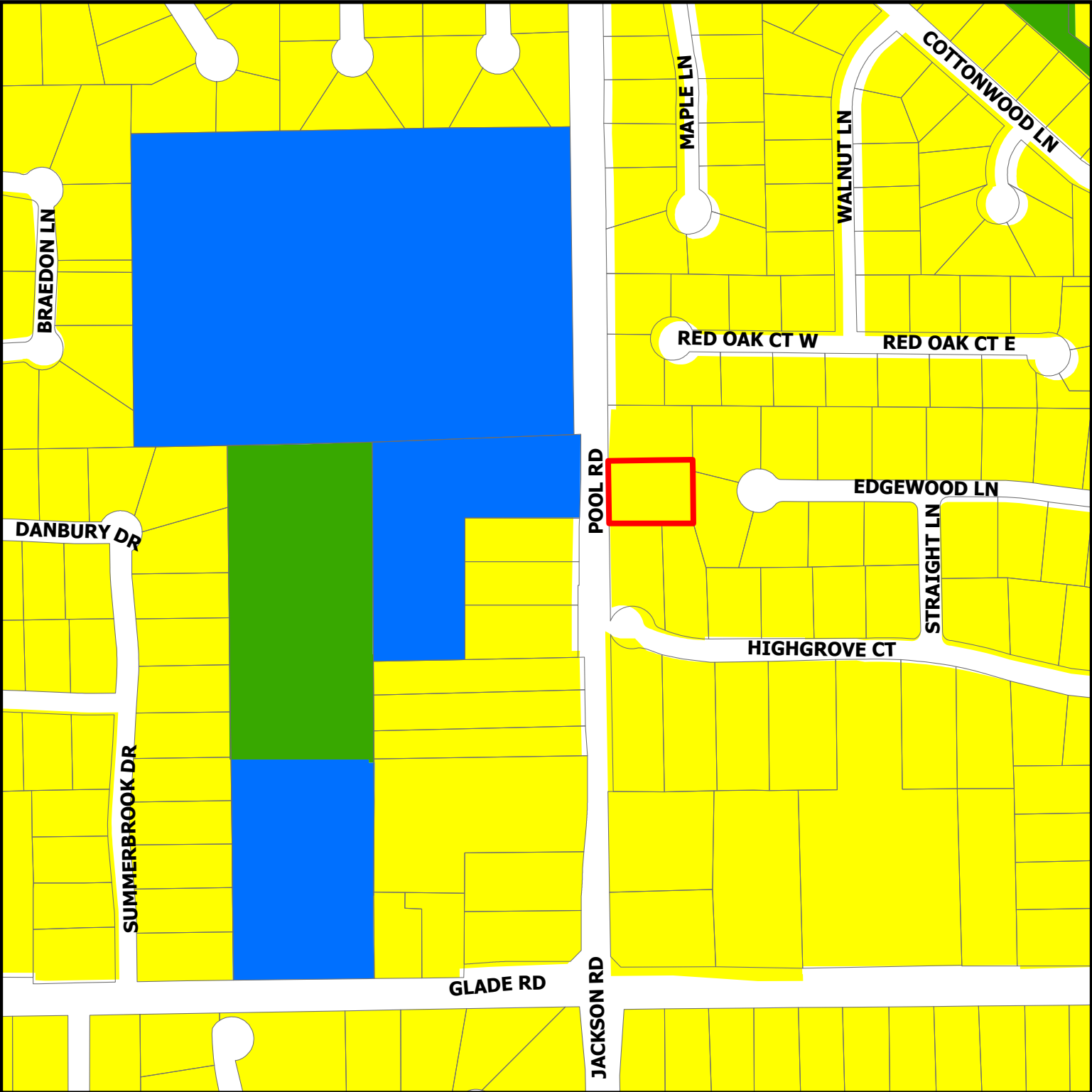
5209 Pool Rd

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



Future Land Use Map

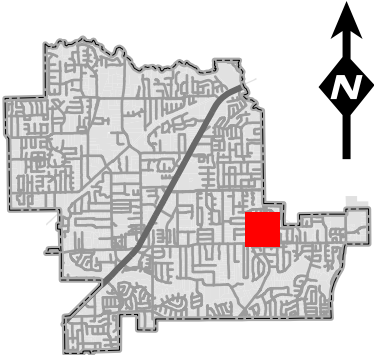


ZC23-020

5209 Pool Rd

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.

-  Residential
-  Institutional
-  Open Space; Parks
-  Subject Property



SURVEY

ADDRESS: 5209 Pool Road, COLLEYVILLE, Texas.

LEGAL: Being all that certain lot, tract or parcel of land situated in the C.C. DOSS SURVEY, ABSTRACT NO. 439, Tarrant County, Texas, and being the same tract as described in deed to Craig B. Collins, recorded in Volume 10735, Page 2175, of the Deed Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2 inch steel rod in the east right of way line of Pool Road and a curve to the right, having a radius of 665.00 feet, said steel rod being in the east line of a tract of land as described in deed to the City of Colleyville, according to the deed thereof recorded in Volume 10114, Page 2376, of the Deed Records of Tarrant County, Texas, said steel rod being 11.01 feet South 87 degrees 46 minutes 19 seconds East, of the southwest corner of said Collins tract;

THENCE along the east line of said Pool Road, the east line of said City of Colleyville tract, and said curve to the right, an arc length of 3.29 feet, a chord bearing of North 01 degrees 41 minutes 25 seconds East, a chord length of 3.29 feet, and a delta of 00 degrees 17 minutes 00 seconds to a found 1/2 inch steel rod;

THENCE North 01 degrees 49 minutes 55 seconds East, along the east line of said Pool Road, the east line of said City of Colleyville tract, a distance of 102.68 feet to a found 1/2 inch steel rod at the beginning of a curve to the left, having a radius of 735.00 feet, and a delta of 01 degrees 49 minutes 55 seconds;

THENCE continuing along the east line of said Pool Road, the east line of said City of Colleyville tract, and said curve to the left, an arc length of 23.50 feet, a chord bearing of North 00 degrees 54 minutes 57 seconds East, and a chord length of 23.50 feet to a found 1/2 inch steel rod;

THENCE North, a distance of 14.54 feet to a found 1/2 inch steel rod in the north line of said Collins tract;

THENCE South 88 degrees 41 minutes 06 seconds East, departing the east line of said Pool Road, the east line of said City of Colleyville tract, and along the north line of said Collins tract, and passing at 9.98 feet a found 1/2 inch steel rod, and continuing for a total distance of 187.69 feet to a found 1/2 inch steel rod at the northeast corner of said Collins tract and the westerly line of Lot 10, Block 6, Ashmore No. 4 Addition, as recorded in Cabinet A, Slide 1757, Real Property Records, Tarrant County, Texas;

THENCE South 00 degrees 13 minutes 00 seconds West, along the east line of said Collins tract, a distance of 144.00 feet to a found 1/2 inch steel rod and being a westerly corner of Lot 11R, Block 6, Ashmore No. 5 Addition as recorded in Cabinet A, Slide 3935, Real Property Records, Tarrant County, Texas;

THENCE North 88 degrees 41 minutes 35 seconds West, along the south line of said Collins tract, passing the northwest corner of Lot 20, Block 6, said Ashmore No. 5 Addition at 187.26 feet continuing for a total distance of 190.90 feet to the POINT OF BEGINNING and containing 27,208 square feet or 0.625 acre of land, more or less.

Lot 10, Blk. 6
ASHMORE #4 ADD
Cab. A, Slide 1757

Lot 11R, Blk. 6
ASHMORE #5 ADD
Cab. A, Slide 3935

Lot 19, Blk. 6
ASHMORE #5 ADD
Cab. A, Slide 3935

Lot 20, Blk. 6
ASHMORE #5 ADD
Cab. A, Slide 3935



SURVEYOR NOTES:

1. Bearings from PREVIOUS deed.
2. Steel rods found at property corners used for control.
3. Use north property line for directional control.
4. Street right of way dedicated with Vol. 10735, Pg. 2175, D.R.T.C.T.

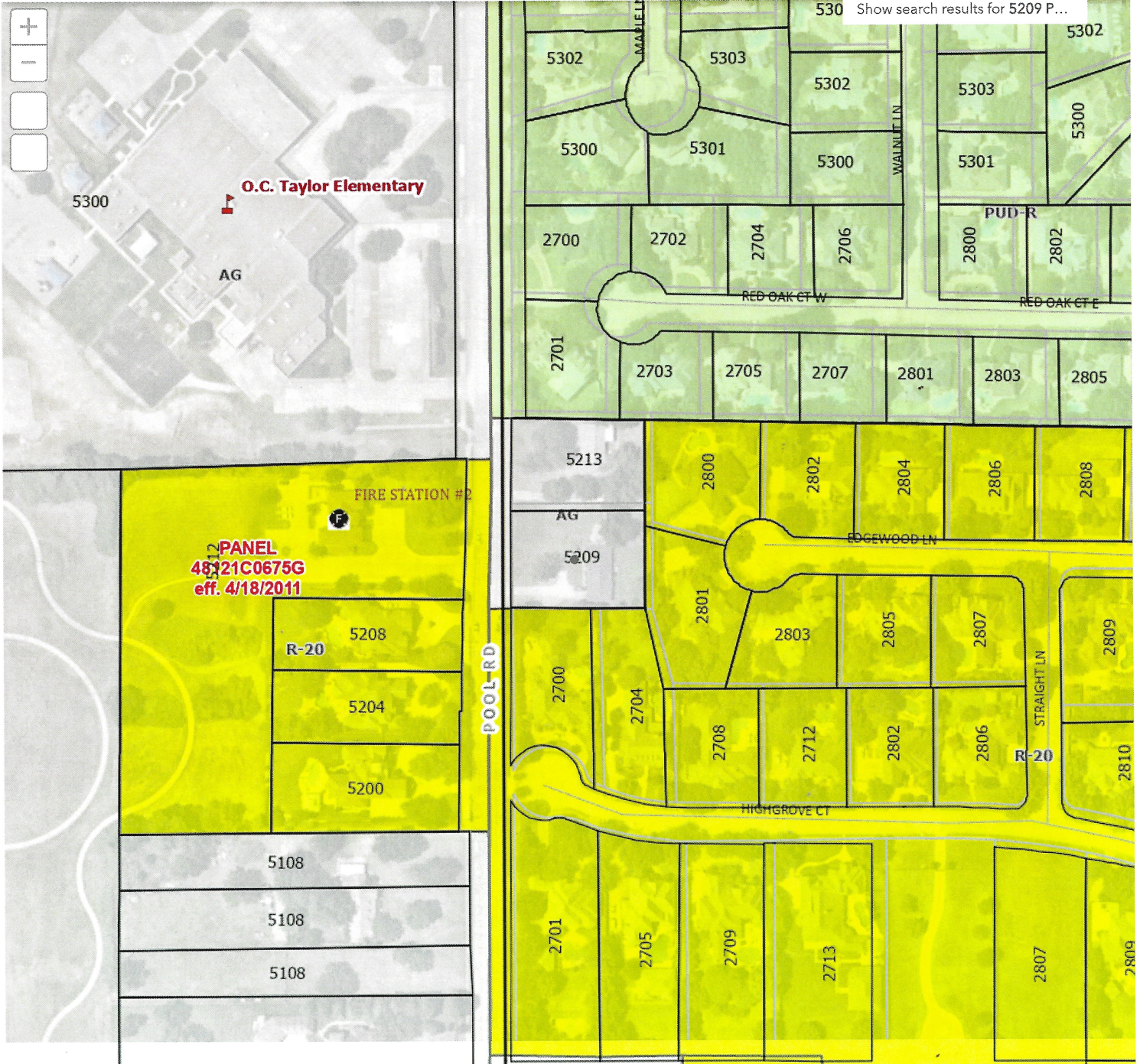
DATE: October 22, 2015
SURVEY NO.: 15-28656
TITLE SEARCH:
First Western Title
G.F.: 15-08565-121
PURCHASER: Madere
SELLER: Bailey
SCALE: 1 inch = 25 feet

LEGEND	
○ G.M. GAS METER	□ W.M. WATER METER
□ CONCRETE	STONE
S.R.F. °	STEEL ROD FOUND
S.R.S. •	STEEL ROD SET CAPPEE T. VOGT
---	PROPERTY LINE
---	WOOD FENCE
---	CHAIN LINK FENCE

TO: Harold J. Madere & Joyce M. Madere; Mid America Mortgage, Inc.; and First Western Title the undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct and that there are no discrepancies, conflicts, encroachments, overlapping of improvements, visible easements or rights of way, except as shown hereon and that said property has access to and from a dedicated roadway. Any reference to the 100 year flood plain or flood hazard zones are an estimate based on data shown on the Flood Insurance Rate Map provided by FEMA and should not be interpreted as a study or determination of the flooding propensities of this property.

Thomas W. Vogt

THOMAS W. VOGT
LAND SURVEYOR
R.P.L.S. No. 1928
4102 Inwood Lane • Colleyville, TX 76034
817.946.1279 • Fax 817.428.8640
office@vogtsurveying.com



5209 POOL ROAD

ZONING EXHIBIT
FOR ZONING CHANGE

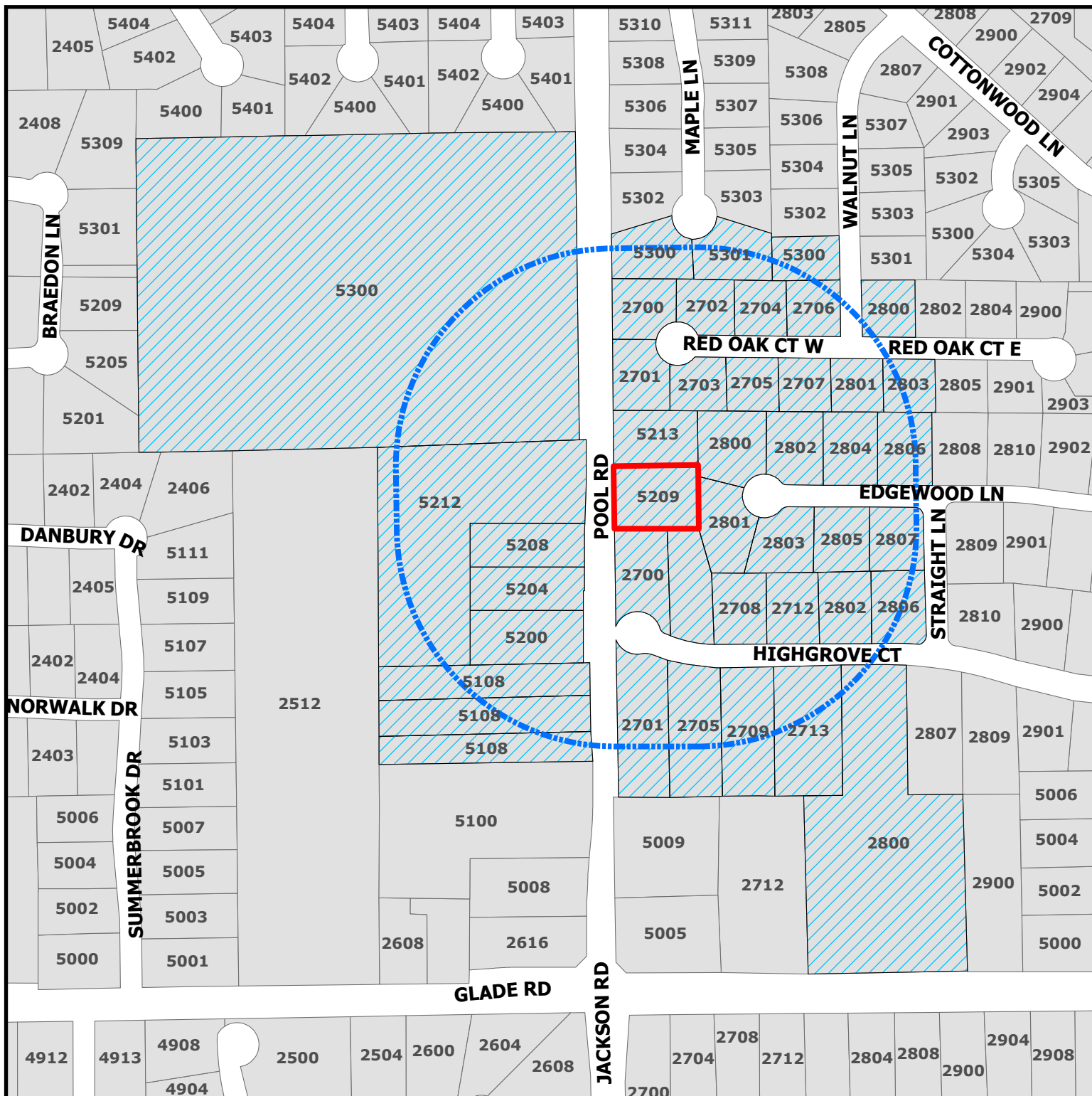
REQUEST FROM AG TO R20



200ft

loading...

Notification Map

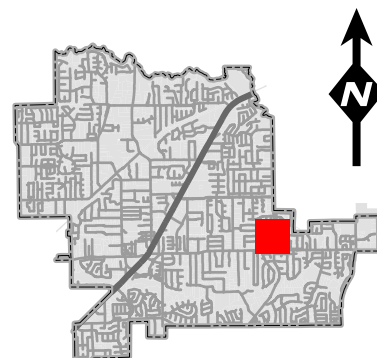


ZC23-020

5209 Pool Rd

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.

-  Parcels to be notified
-  Buffer
-  Subject Property



Owner Name	Owner Address	Owner City	Owner Zip
CARTER, GEORGE	5300 WALNUT LN	COLLEYVILLE, TX	76034
DO, PHUONG N	2700 HIGHGROVE CT	COLLEYVILLE, TX	76034
WEZNIAK, DOUGLAS F	5204 POOL RD	COLLEYVILLE, TX	76034
NEMATI, MEHDI	2704 RED OAK CT W	COLLEYVILLE, TX	76034
MADERE, HAROLD	5209 POOL RD	COLLEYVILLE, TX	76034
FYFFE, JACK B	2708 HIGHGROVE CT	COLLEYVILLE, TX	76034
JOHNSON, ZACHARY S	2713 HIGHGROVE CT	COLLEYVILLE, TX	76034
CONETTA, ANTHONY	2806 EDGEWOOD LN	COLLEYVILLE, TX	76034
FONTENOT, KELLY R	2705 HIGHGROVE CT	COLLEYVILLE, TX	76034
ROUGON, SONDRAM	2705 RED OAK CT W	COLLEYVILLE, TX	76034
MCCORMICK, ROBERT	2220 POOL RD STE 100	GRAPEVINE, TX	76051
FOGLE, RICHARD	2701 HIGHGROVE CT	COLLEYVILLE, TX	76034
DILORETO, FARHAT	2805 EDGEWOOD LN	COLLEYVILLE, TX	76034
DZURA, MICHAEL	2704 HIGHGROVE CT	COLLEYVILLE, TX	76034
FOLKERTSMA, PHILLIP	2800 RED OAK CT E	COLLEYVILLE, TX	76034
HALAI, AKEEL S	2806 HIGHGROVE CT	COLLEYVILLE, TX	76034
YOUNG, STEPHEN R	2706 RED OAK CT W	COLLEYVILLE, TX	76034
SCHLAGER, SEYMOUR	2707 RED OAK CT W	COLLEYVILLE, TX	76034
TENGLER, MARK	2709 HIGHGROVE CT	COLLEYVILLE, TX	76034
MIKULIK, WALTER K	5100 POOL RD	COLLEYVILLE, TX	76034
MERRIL AND COLLEEN LIEB REVOCAB	2804 EDGEWOOD LN	COLLEYVILLE, TX	76034
GREEN, BRITTON B	2807 EDGEWOOD LN	COLLEYVILLE, TX	76034
RAMACHANDRAN, SUNIL	2802 HIGHGROVE CT	COLLEYVILLE, TX	76034
THE ANNIE AND RYAN PEARLMAN FAM	5200 POOL RD	COLLEYVILLE, TX	76034
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034
PETERSON, MARIEL M	5208 POOL RD	COLLEYVILLE, TX	76034
REIMANN, WILLIAM	2712 HIGHGROVE CT	COLLEYVILLE, TX	76034
DUTTON, BRIAN D	2801 RED OAK CT E	COLLEYVILLE, TX	76034
DEACON, WM F	5300 MAPLE LN	COLLEYVILLE, TX	76034
MCHOLT PROPERTIES LP	2700 RED OAK CT W	COLLEYVILLE, TX	76034
HEDTKE, JAN	5301 MAPLE LN	COLLEYVILLE, TX	76034
GRAPEVINE COLLEYVILLE, ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051
BAILEY, JOHN	2801 EDGEWOOD LN	COLLEYVILLE, TX	76034
HENNESSY, BRYAN	2803 RED OAK CT E	COLLEYVILLE, TX	76034
KLUBER, JOHN	2802 EDGEWOOD LN	COLLEYVILLE, TX	76034
BRANDT, JEREMY	2803 EDGEWOOD LN	COLLEYVILLE, TX	76034
GEORGE, WILLIAM O	2703 RED OAK CT W	COLLEYVILLE, TX	76034
MARTIN, C DAVID	2800 EDGEWOOD LN	COLLEYVILLE, TX	76034
THOMPSON, JUSTIN	2702 RED OAK CT W	COLLEYVILLE, TX	76034
FOLGER, WILLIAM P	2701 RED OAK CT W	COLLEYVILLE, TX	76034
SUMMERTREE III	P.O. Box 385	COLLEYVILLE, TX	76034
ARBOR ESTATES	5506 Sycamore Drive	COLLEYVILLE, TX	76034
SUMMERTREE ADDITION	P.O. Box 385	COLLEYVILLE, TX	76034
ASHMORE ADDITION	P.O. Box 1923	COLLEYVILLE, TX	76034
SUMMERTREE II	P.O. Box 385	COLLEYVILLE, TX	76034
SUMMERBROOK ADDN (COLLEYVILLE)	P.O. Box 864	COLLEYVILLE, TX	76034
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051



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:

Planning and Zoning Commission Meeting: Monday, September 11th, 2023 at 7:00 p.m.
City Council Meetings: Wednesday, October 4, 2023 & Tuesday, October 17, 2023 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Rezoning change from AG Agricultural to R-20 for Tract 2B09B, Abstract 439, CC Doss Survey, located at 5209 Pool Road. The request is to rezone to allow a new home to be built.

Zoning Case: ZC23-020

Applicant: Theodis Simmons

Owner: Harold J. and Joyce Madere

Location: 5209 Pool Rd

Property Description: Tract 2B09B, Abstract 439, CC Doss Survey

Present Zoning: AG, Agricultural

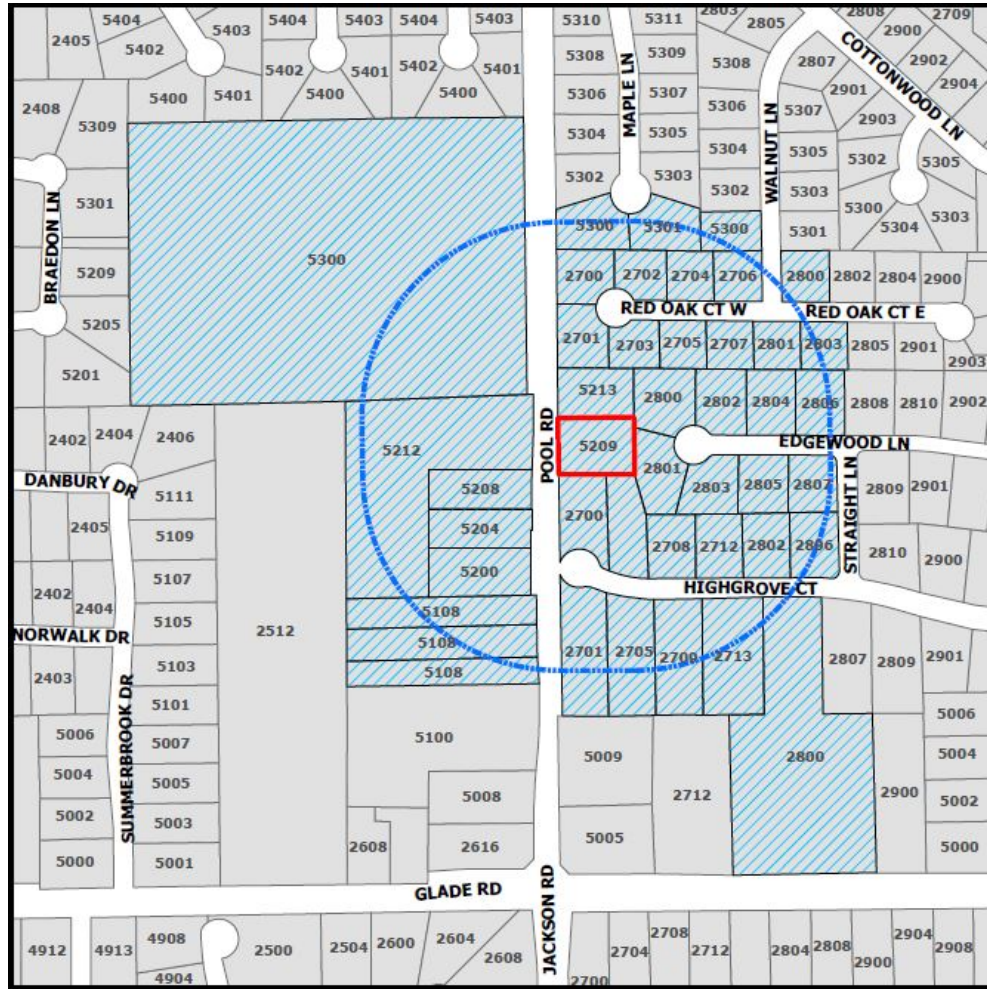
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change 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:

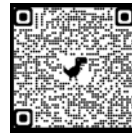
**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

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
Principal Planner
jreyff@colleyville.com

ORDINANCE O-23-2262

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON A PORTION OF 0.61 ACRES BEING, TRACT 2B09B, ABSTRACT 439, CC DOSS SURVEY, LOCATED AT 5209 POOL ROAD, FROM THE AG AGRICULTURAL TO THE R-20 SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning of a portion of the property from AG Agricultural to R-20 Single Family Residential district for Case No. ZC23-020; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a change in the zoning from AG Agricultural to R-20 Single-Family Residential district on 0.61 acres, being Tract 2B09B, Abstract 439, CC Doss Survey, located at 5209 Pool Road as depicted on the attached as Exhibit "A".

- Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 3. THAT the above described tract of land shall be subject to the following conditions:
1. As depicted in the attached Exhibit "A" and Exhibit "B".
- Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of October 2023.

The second reading and public hearing being conducted on the 17th day of October 2023.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, ON THIS THE 17TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

ATTEST: **CITY OF COLLEYVILLE**

Christine Loven, TRMC	Bobby Lindamood
City Secretary	Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A"- Zoning Map

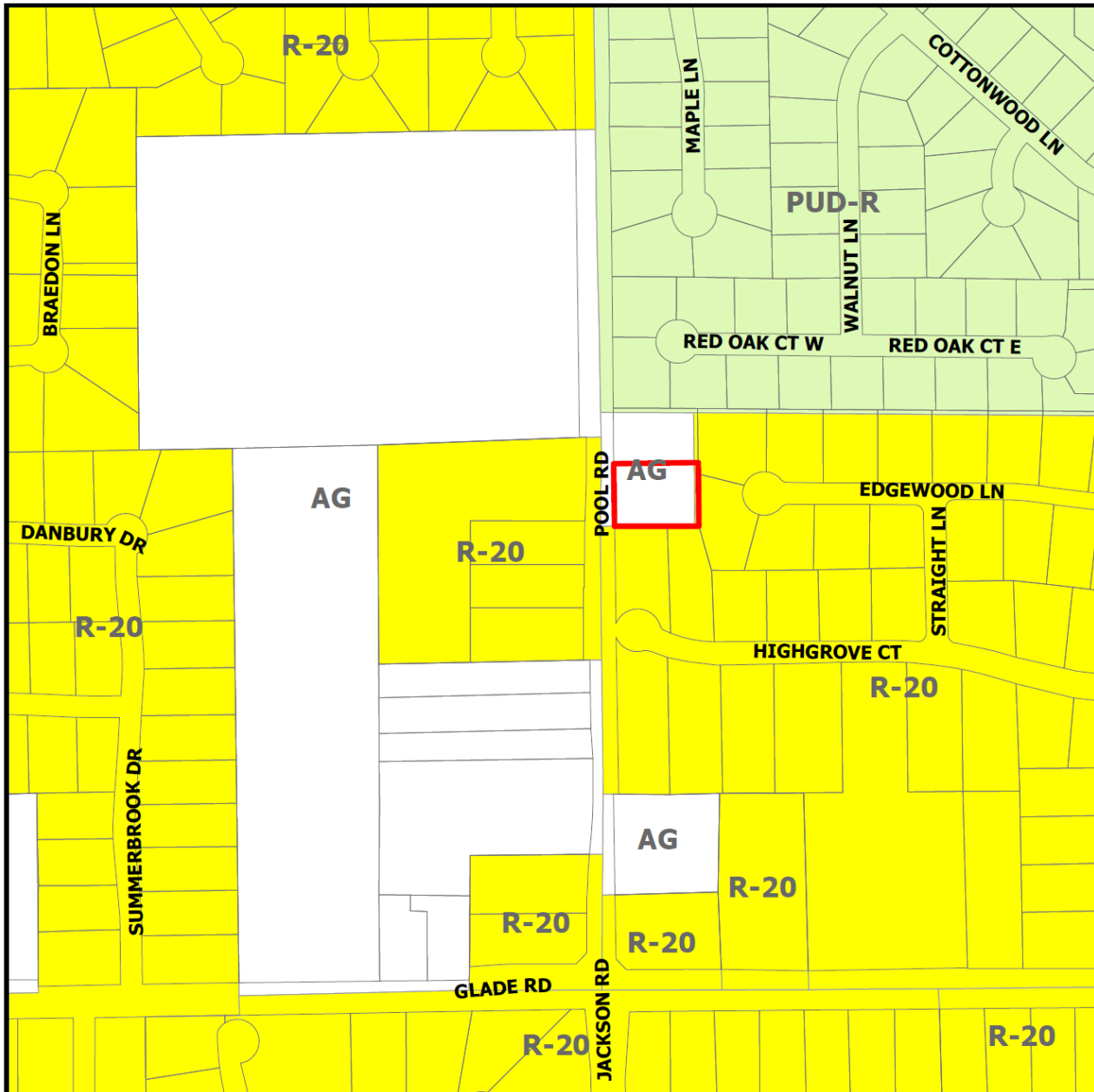
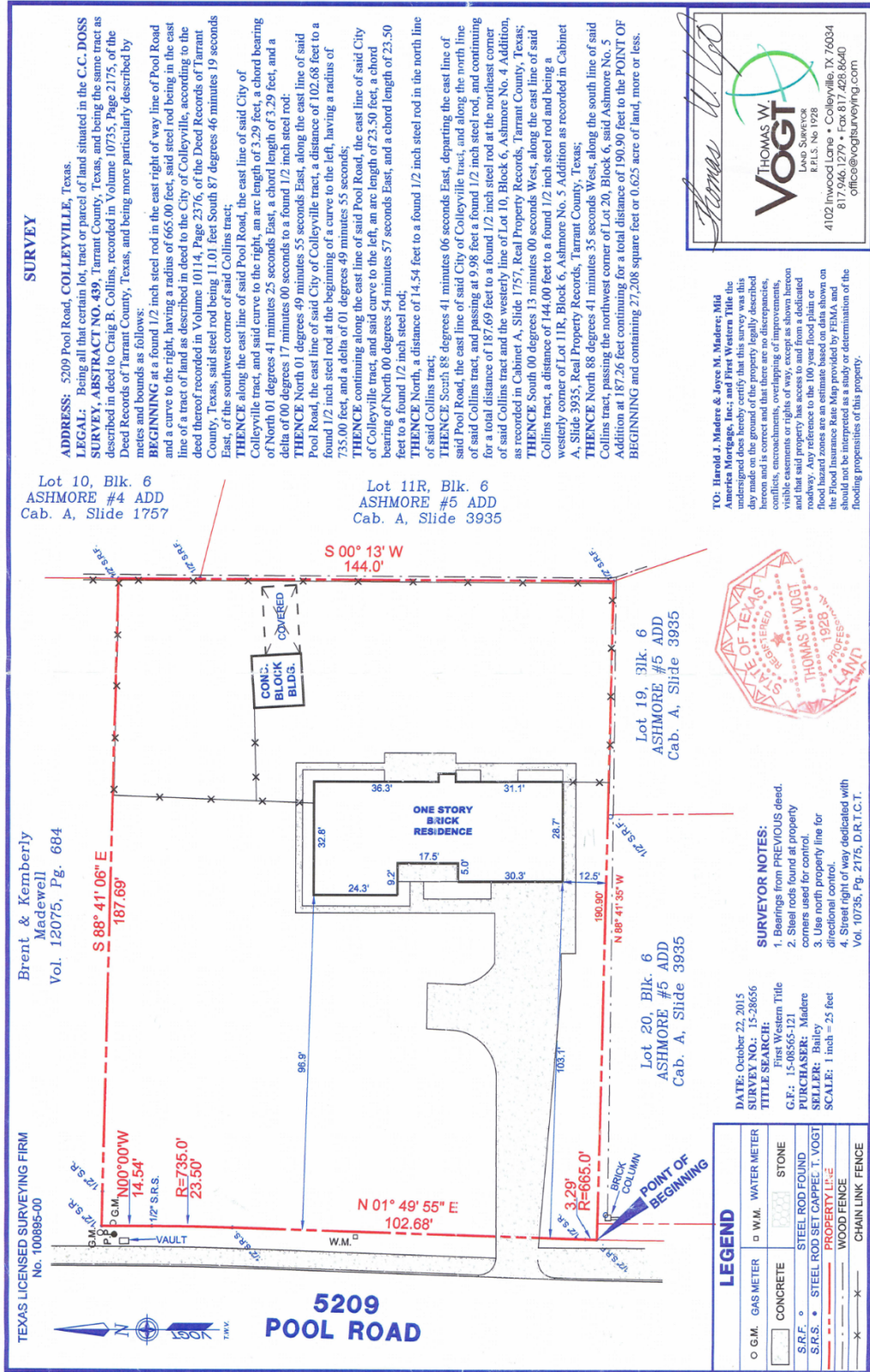


Exhibit "B"- Zoning Exhibit





CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 5b

Agenda Date 10/4/2023

Number Ordinance O-23-2263

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit to allow a fence for Lot 5, Block 5, Woodbriar Estates Addition, located at 3716 Briarhaven Lane, Case ZC23-021

Explanation

First Reading and Public Hearing

Freedom Fence, the applicant, has submitted a request for a Special Use Permit (SUP) to allow a fence to encroach into the street side yard setback on Lot 5, Block 5, Woodbriar Estates Addition, being approximately 0.42 acres, and zoned R-15 Single Family Residential district.

Existing Conditions/Background: The subject property, 3716 Briarhaven Lane, has R-15 zoning and is located in the Woodbriar Estates Subdivision, South of Cheek-Sparger Road. This lot is a corner lot.

SUP Request: The applicant is requesting approval of a SUP to allow for an opaque wood fence 8-feet in height to encroach into the street side yard setback. The proposed fence is requested to be placed approximately on the property line.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

1. Front Yards: No fence or freestanding wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall be located beyond the front façade of the primary residential structure.

a. The primary fencing material shall be of wrought iron, pre-formed concrete, poured in place concrete, concrete masonry unit (CMU), brick, approved wood rail construction, a combination thereof or other similar material approved by the City Building Official. All poured in place concrete and CMU shall contain an architectural finish.

d. Exceptions to front yard requirement: Lots containing a minimum of 40,000 square feet, and subdivisions, shall be allowed to construct a perimeter fence within the front yard setback. Said fencing shall be no greater than eight (8) feet in

height and shall have no greater than twenty-five (25) percent opaque construction within the front yard. Allowed construction materials shall be the same as paragraph "1.a" above. This exception shall not apply to properties zoned as a PUD district.

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or freestanding wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply. A decorative wall or fence (which is defined as any wall or fence not greater than thirty inches in height and not greater than twenty-five percent opaque construction) within a required street side yard shall not be placed less than three feet (3') from the side property line, and shall not be subject to the provisions of the preceding paragraph."

Regulation "1" above applies in this case for the opaque wood material on the proposed fence. Street side fencing, when allowed, must be a non-opaque material such as wrought iron. Regulation "2" above applies in this case for the proposed location of the fence. The current fence in the proposed location does not conform to the Land Development Code. The LDC provides the opportunity to request an SUP to deviate from the requirements.

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: Any request for a residential fence which differs from the Land Development Code shall only be authorized after approval of a Special Use Permit by the City Council. The applicant is proposing a wood fence 8-feet in height with a motorized iron gate to extend into the street side yard setback and located on the property line.

Plat Status: The property is platted as Lot 5, Block 5, Woodbriar Estates Addition.

DRC Review: The DRC met on August 22, 2023.

Drainage: NA

Surrounding Development: The properties to the north, south, east, and west are zoned R-15 and contain single-family residential development.

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.

Staff Recommendation: Staff recommends denial of the requested SUP as it does not meet the technical requirements of the Land Development Code.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the request at their September 11, 2023 meeting by a vote of 4-1.

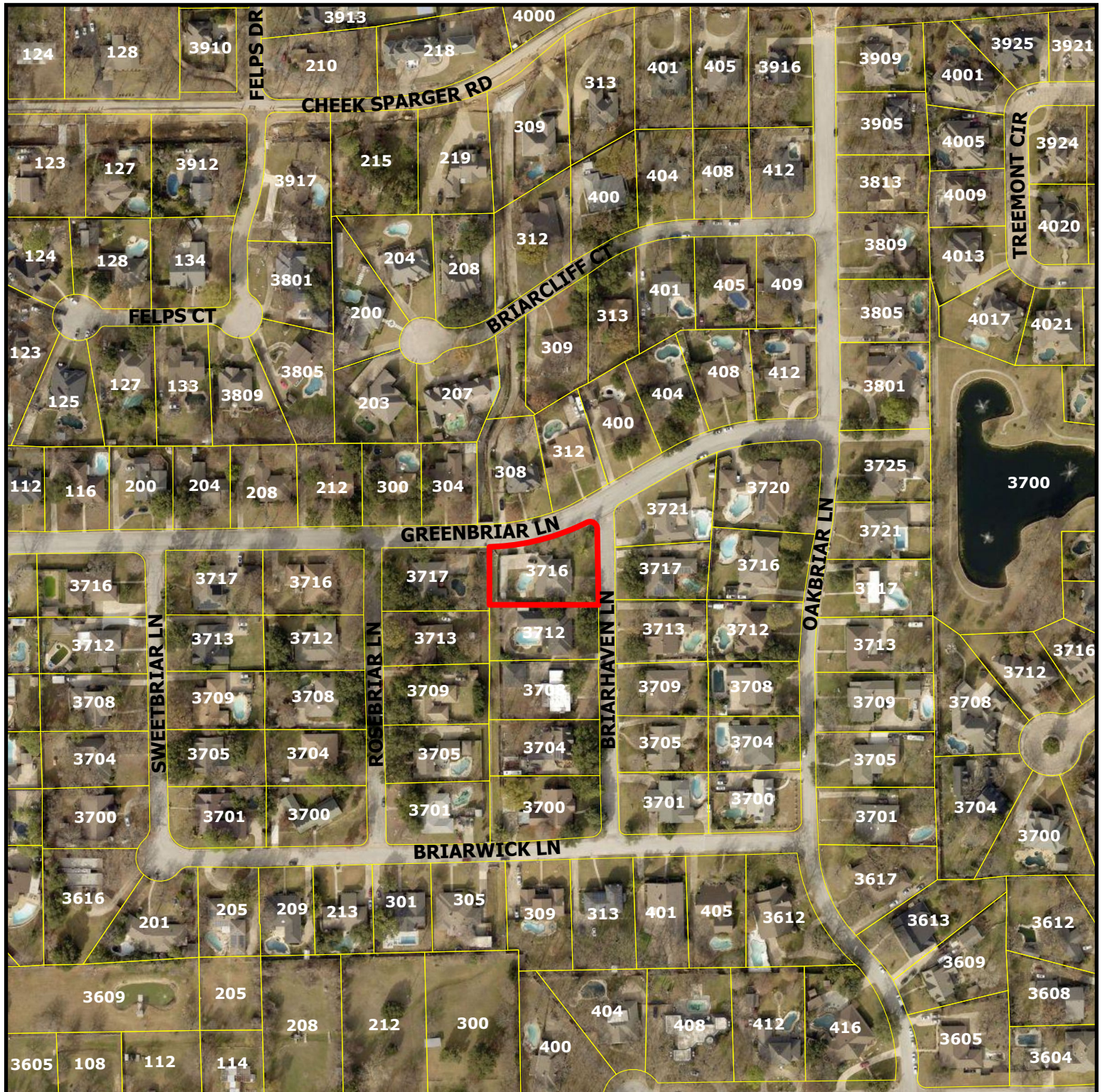
Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Photos provided by Applicant
7. Notification Map
8. Notification List
9. Notification Letter
10. Ordinance O-23-2263

Aerial Map

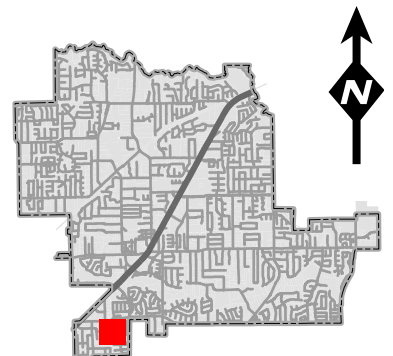


ZC23-021

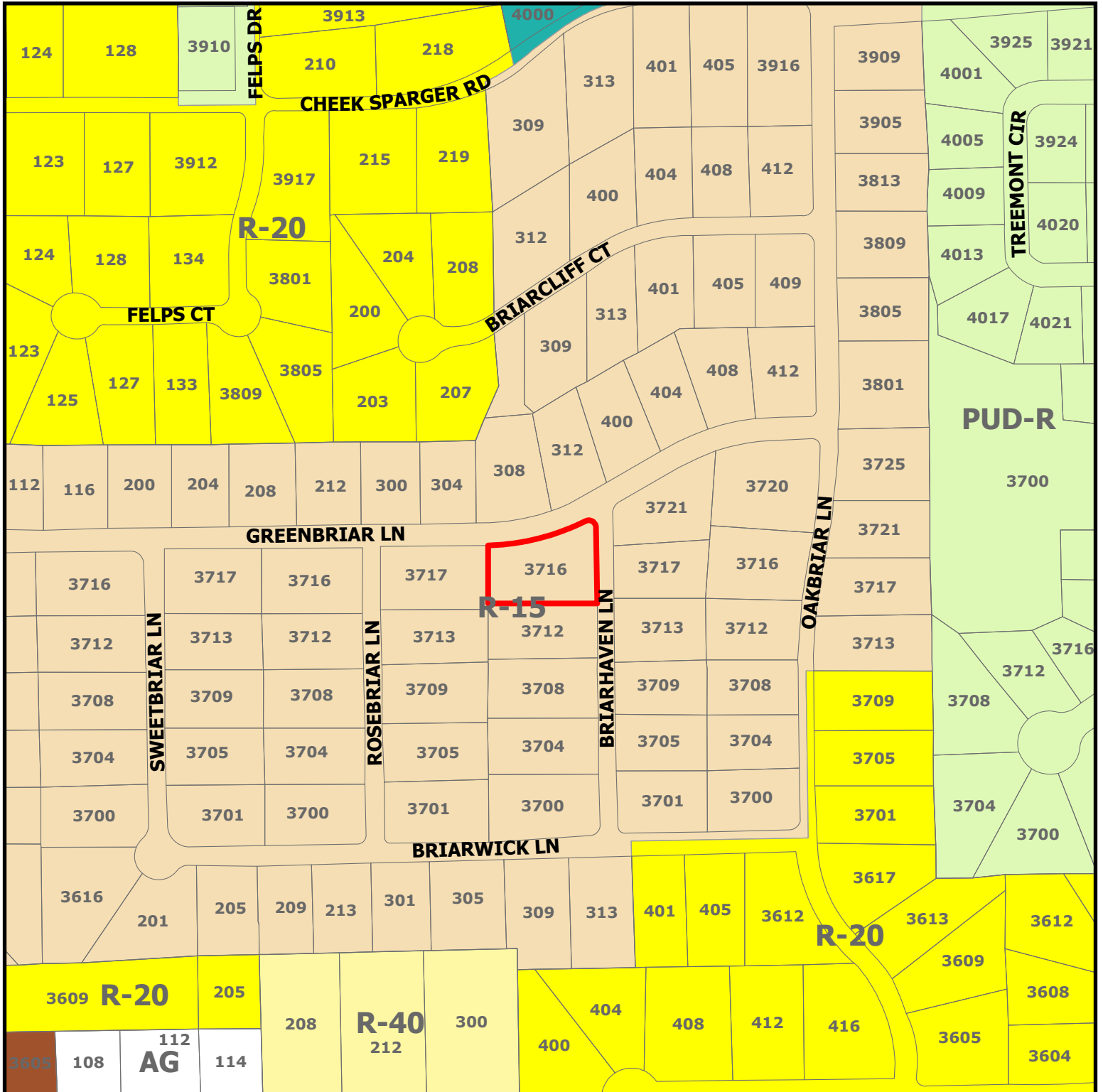
3716 Briarhaven Ln

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



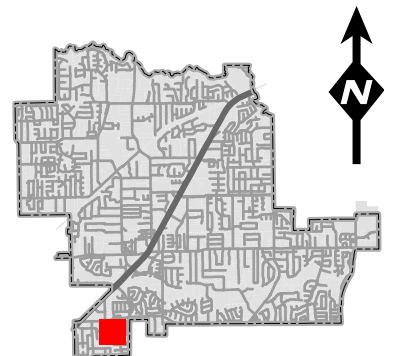
Zoning Map



ZC23-021

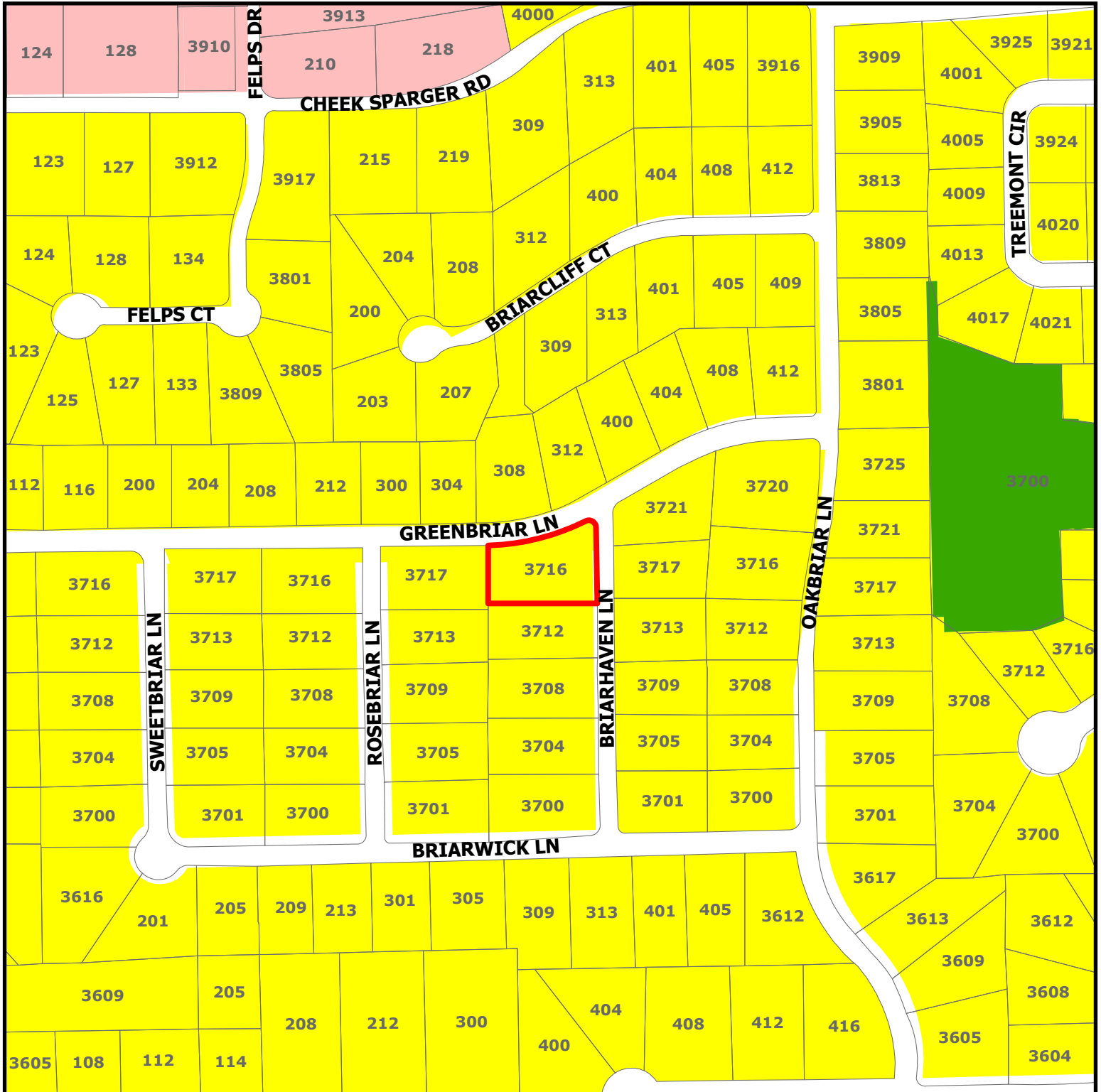
3716 Briarhaven Ln

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.

Future Land Use Map

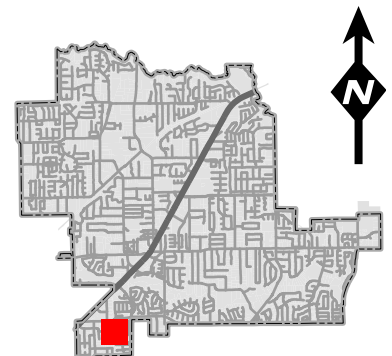


DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances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

ZC23-021

3716 Briarhaven Ln

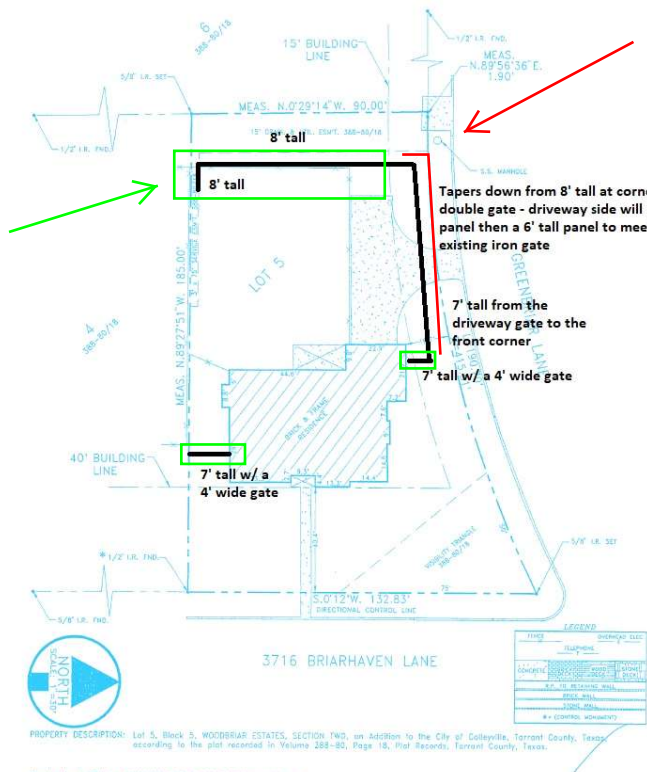
-  Residential
 Colleyville Blvd Corridor
 Open Space; Parks
 Subject Property



Statement of Planning Objectives

Submitted by: Freedom Fence TX owner and Colleyville Resident Zach Stewart on behalf of 3716 Briarhaven owner Maury Contreras and Chelsee Barragan

We are requesting a SUP for the corner lot located at 3716 Briarhaven to install a wooden privacy fence. The homeowner is trying to provide privacy for themselves and their children while swimming in the pool without being visible from the street. The current fence is a non opaque older painted hardy board / concrete siding made into a fence and is not as aesthetically appealing as the desired replacement fence. It has been non-opaque along with all other corner lots in this neighborhood. The proposed replacement fence is going to be a gorgeous stained western red cedar board on board cap and trim fence that will improve the overall look of the property by removing the existing deteriorating concrete board fence. Attached reference photos for neighboring lots as well as appearance of the new fence.



Waiting on SUP process, installing fence where code allows. Front section will need SUP for opaque regulation, green sections are good to build as of 7.19.23

All materials will be a prestained western red cedar. Fence spec'd is board on board with cap and trim and galvanized posts boxed in.

8' sections will be 6' on center posts set 3' deep in concrete

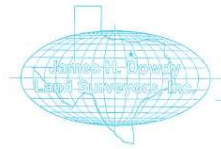
7 and 6' sections will be 8' on center posts set minimum of 2' deep in concrete

PROPERTY DESCRIPTION: Lot 5, Block 5, WOODBRIAR ESTATES, SECTION TWO, an Addition to the City of Colleyville, Tarrant County, Texas, according to the plat recorded in Volume 288-80, Page 18, Plat Records, Tarrant County, Texas.

REFERENCE NO: 52983
LENDER: PHH MORTGAGE
TITLE CO: ALAMO TITLE
PURCHASER: LYNNESS G/F OF 00264011 KS
DATE: 7-11-27

SURVEYOR'S CERTIFICATION

The undersigned Registered Professional Land Surveyor certifies to purchaser Lender and Title Company as noted that: (A) this plat of survey and the property description and facts herein are a true representation to each party of the true and actual on-the-ground survey; (B) such survey was conducted by the surveyor or under his supervision; (C) there are no other encroachments, conflicts, shortages in area or boundary line, except as shown; (D) the property has access to a public street unless otherwise noted; (E) the final document based on the most recent data available to the surveyor, and while this survey was done the property was to be in a special flood hazard area, all areas may be subject to some degree of flooding, for more information contact your local flood plain administrator or the Federal Emergency Management Agency; (F) reflects easements affecting the property, evidence of which is visible on the grounds or of which the surveyor has been notified.



Roland Rodriguez
ROLAND RODRIGUEZ, R.L.S., No. 4887
6550 MANHATTAN BLVD., SUITE 310
FORT WORTH, TEXAS 76120
(817) 429-9838





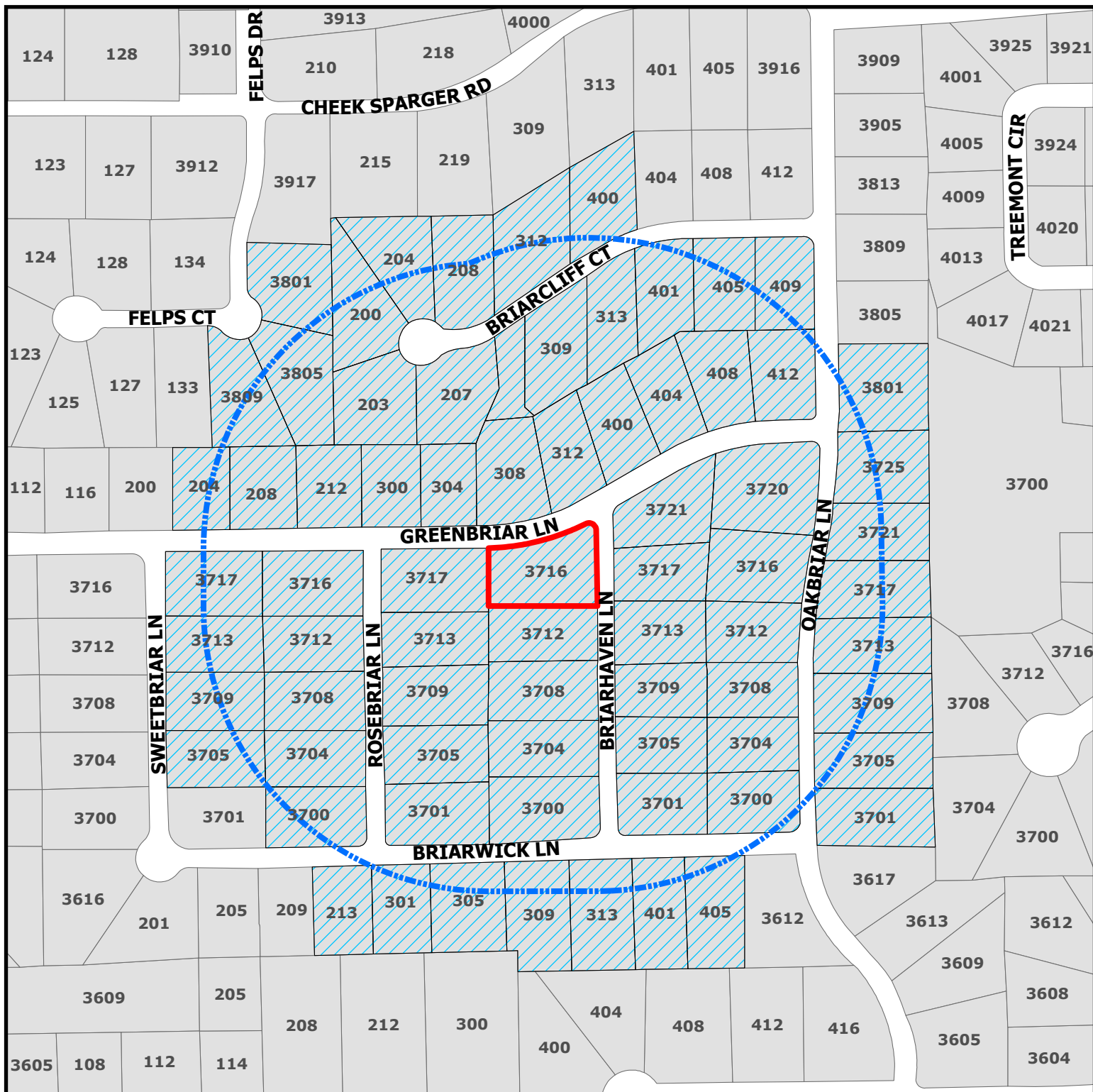
OBJECTS IN MIRROR ARE CLOSER
THAN THEY APPEAR







Notification Map

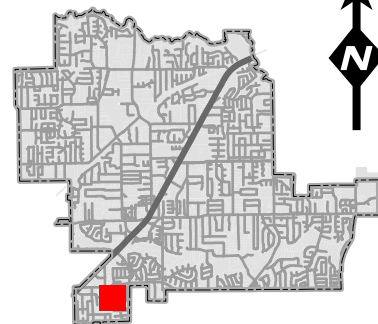


ZC23-021

3716 Briarhaven Ln

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.

-  Parcels to be notified
-  Buffer
-  Subject Property



Owner Name	Owner Address	Owner City	Owner Zip
MCLP PROPERTY SOLUTIONS, LLC	13201 S BERENDO AVE	GARDENA, CA	90247
HURST EULESS BEDFORD ISD	1849 CENTRAL DR	BEDFORD, TX	76022
MARX, ANDRIES	200 BRIARCLIFF CT	COLLEYVILLE, TX	76034
BASHAM, FRANCINE C	203 BRIARCLIFF CT	COLLEYVILLE, TX	76034
LANDON, STEVEN F	204 BRIARCLIFF CT	COLLEYVILLE, TX	76034
WATSON, MARY HANNAH	204 GREENBRIAR LN	COLLEYVILLE, TX	76034
LACEY, EDWARD	208 BRIARCLIFF CT	COLLEYVILLE, TX	76034
GRAMLING, M S	208 GREENBRIAR LN	COLLEYVILLE, TX	76034
HALCOMB, RANDY	212 GREENBRIAR LN	COLLEYVILLE, TX	76034
SCHRAEDER, ROBERT	213 BRIARWICK LN	COLLEYVILLE, TX	76034
SWAIN, THERESA	301 BRAIRWICK LN	COLLEYVILLE, TX	76034
BRANCH, SONDR A GAIL	304 GREENBRIAR LN	COLLEYVILLE, TX	76034
REEVES, DAVID A	305 BRIARWICK LN	COLLEYVILLE, TX	76034
DENYER, STUART	308 GREENBRIAR LN	COLLEYVILLE, TX	76034
CEKUTA, CHRISTOPHER	309 BRIARCLIFF CT	COLLEYVILLE, TX	76034
KUNEY HAZEL MAY REVOCABLE LIVIN	309 BRIARWICK LN	COLLEYVILLE, TX	76034
KLAMT, LYNN RAY	312 BRIARCLIFF CT	COLLEYVILLE, TX	76034
JOHNSON, MORGAN	312 GREENBRIAR LN	COLLEYVILLE, TX	76034
EVANS, JON R	313 BRIARCLIFF CT	COLLEYVILLE, TX	76034
ODOMORE, FRIDAY	313 BRIARWICK LN	COLLEYVILLE, TX	76034
CAMPBELL, CANDACE	3601 SAN BAR LN	COLLEYVILLE, TX	76034
WARREN, MARY EST	3700 BRIARHAVEN LN	COLLEYVILLE, TX	76034
GRIFFITH, CARL D	3700 OAKBRIAR LN	COLLEYVILLE, TX	76034
ALLRED, JON G	3700 ROSEBRIAR LN	COLLEYVILLE, TX	76034
WOODBRIAR ESTATES ADDITION	3700 Sweetbriar	COLLEYVILLE, TX	76034
WOODBRIAR NORTH ADDITION	3700 Sweetbriar	COLLEYVILLE, TX	76034
ALTSCHUL, DANIEL	3701 BRIARHAVEN LN	COLLEYVILLE, TX	76034
CUSICK, LAURANCE A	3701 OAKBRIAR LN	COLLEYVILLE, TX	76034
HODGES, CHEVI	3701 ROSEBRIAR LN	COLLEYVILLE, TX	76034
WOLFE, JAMES D	3704 BRIARHAVEN LN	COLLEYVILLE, TX	76034
RIZKAL, SAM P	3704 OAKBRIAR LN	COLLEYVILLE, TX	76034
DUGGAN, RICHARD L	3704 ROSEBRIAR LN	COLLEYVILLE, TX	76034
BENNETT, JERRY LEE	3705 BRIARHAVEN LN	COLLEYVILLE, TX	76034
ZAK, GARY	3705 OAKBRIAR LN	COLLEYVILLE, TX	76034
SIDES, MICHAEL	3705 ROSEBRIAR LN	COLLEYVILLE, TX	76034
BROWN, MICHELLE	3705 SWEETBRIAR LN	COLLEYVILLE, TX	76034
PRIEST, WILLIAM	3708 BRAIRHAVEN LN	COLLEYVILLE, TX	76034
AKSENTOWITZ, J	3708 OAKBRIAR LN	COLLEYVILLE, TX	76034
TAMAYO, JESSE F	3708 ROSEBRIAR LN	COLLEYVILLE, TX	76034
HOLLOWAY, LENDON	3709 BRIARHAVEN LN	COLLEYVILLE, TX	76034
HASKELL, NORMAN E	3709 OAKBRIAR LN	COLLEYVILLE, TX	76034
MATHIS, CECIL S	3709 ROSEBRIAR LN	COLLEYVILLE, TX	76034
MURPHY, JAMES F	3709 SWEETBRIAR LN	COLLEYVILLE, TX	76034
GOODSON, TONI	3712 BRIARHAVEN LN	COLLEYVILLE, TX	76034
SZAKIN, PETER T	3712 OAKBRIAR LN	COLLEYVILLE, TX	76034
POWELL, ROBERT L	3712 ROSEBRIAR LN	COLLEYVILLE, TX	76034
LYNCH, VICKI	3713 BRIARHAVEN LN	COLLEYVILLE, TX	76034
LACKEY FAMILY TRUST	3713 OAKBRIAR LN	COLLEYVILLE, TX	76034
BELLEFEUILLE, PHIL	3713 ROSEBRIAR LN	COLLEYVILLE, TX	76034
HENDERSON, BROOKE	3713 SWEETBRIAR LN	COLLEYVILLE, TX	76034
CONTRERAS, MAURICA	3716 BRIARHAVEN LN	COLLEYVILLE, TX	76034
DASHNER, MELVIN L	3716 OAKBRIAR LN	COLLEYVILLE, TX	76034
WITT, ROBERT W	3716 ROSEBRIAR LN	COLLEYVILLE, TX	76034
MONTAGUE, JEFFREY	3717 BRIARHAVEN LN	COLLEYVILLE, TX	76034
TUPPER, KARLY	3717 OAKBRIAR LN	COLLEYVILLE, TX	76034
WATTS, JENNINGS R	3717 ROSEBRIAR LN	COLLEYVILLE, TX	76034
INGERSOLL, MICHAEL	3717 SWEETBRIAR LN	COLLEYVILLE, TX	76034
GARMAN, DONALD J	3720 OAKBRIAR LN	COLLEYVILLE, TX	76034
ROBERTS, SHONNA K	3721 BRIARHAVEN LN	COLLEYVILLE, TX	76034
WARMERDAM, BRADLEY	3721 OAKBRIAR LN	COLLEYVILLE, TX	76034
MARINO, ROBERT A	3725 OAKBRIAR LN	COLLEYVILLE, TX	76034
MORIARTY, KENNETH	3801 FELPS CT	COLLEYVILLE, TX	76034
BARTLETT, DEL W	3805 FELPS CT	COLLEYVILLE, TX	76034
BRIAN AND SUZANNE DUNN REVOCABL	3809 FELPS CT	COLLEYVILLE, TX	76034
KELLEY, ANN	400 BRIARCLIFF CT	COLLEYVILLE, TX	76034
BUDRI, TAMEEM	400 GREENBRIAR LN	COLLEYVILLE, TX	76034
BAUGUS, MITCHELL	401 BRIARCLIFF CT	COLLEYVILLE, TX	76034
WOODS OF COLLEYVILLE ADDN, THE	4024 Treemont Circle	COLLEYVILLE, TX	76034
JONES, DAN W	404 GREENBRIAR LN	COLLEYVILLE, TX	76034
THE ROTH FAMILY LIVING TRUST	405 BRIARCLIFF CT	COLLEYVILLE, TX	76034
BOBBY RAY AND CHERYL VIRGINIA C	405 BRIARWICK LN	COLLEYVILLE, TX	76034
TABORSKY, ANNA	408 GREENBRIAR LN	COLLEYVILLE, TX	76034
WALKER, RANCE LEE ANN	409 BRIARCLIFF CT	COLLEYVILLE, TX	76034
OPENDOOR PROPERTY TRUST I	410 N SCOTTSDALE RD STE 1600	TEMPE, AZ	85281
BRIDLEWOOD ESTATES	4110 Coachman	COLLEYVILLE, TX	76034
HINSON, DANA Y	412 GREENBRIAR LN	COLLEYVILLE, TX	76034
NORTHEAST CONSTR CO INC	5137 DAVIS BLVD	NORTH RICHLAND HILLS, TX	76180
GALLEGOS, ELVIS	7207 MONTICELLO PKWY	COLLEYVILLE, TX	76034



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:

Planning and Zoning Commission Meeting: Monday, September 11, 2023 at 7:00 p.m.

City Council Meetings: Tuesday, October 4, 2023 & October 17, 2023 at 7:00 p.m.

3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a fence on Lot 5, Block 5, Woodbriar Estates Addition. The request is for a wood fence to be located within the street side yard setback.

Zoning Case: ZC23-021

Applicant: Freedom Fence

Owner: Maurica Ann Contreras Revocable Trust

Location: 3716 Briarhaven Ln

Property Description: Lot 5, Block 5, Woodbriar Estates Addition

Present Zoning: R-15, Single Family Residential

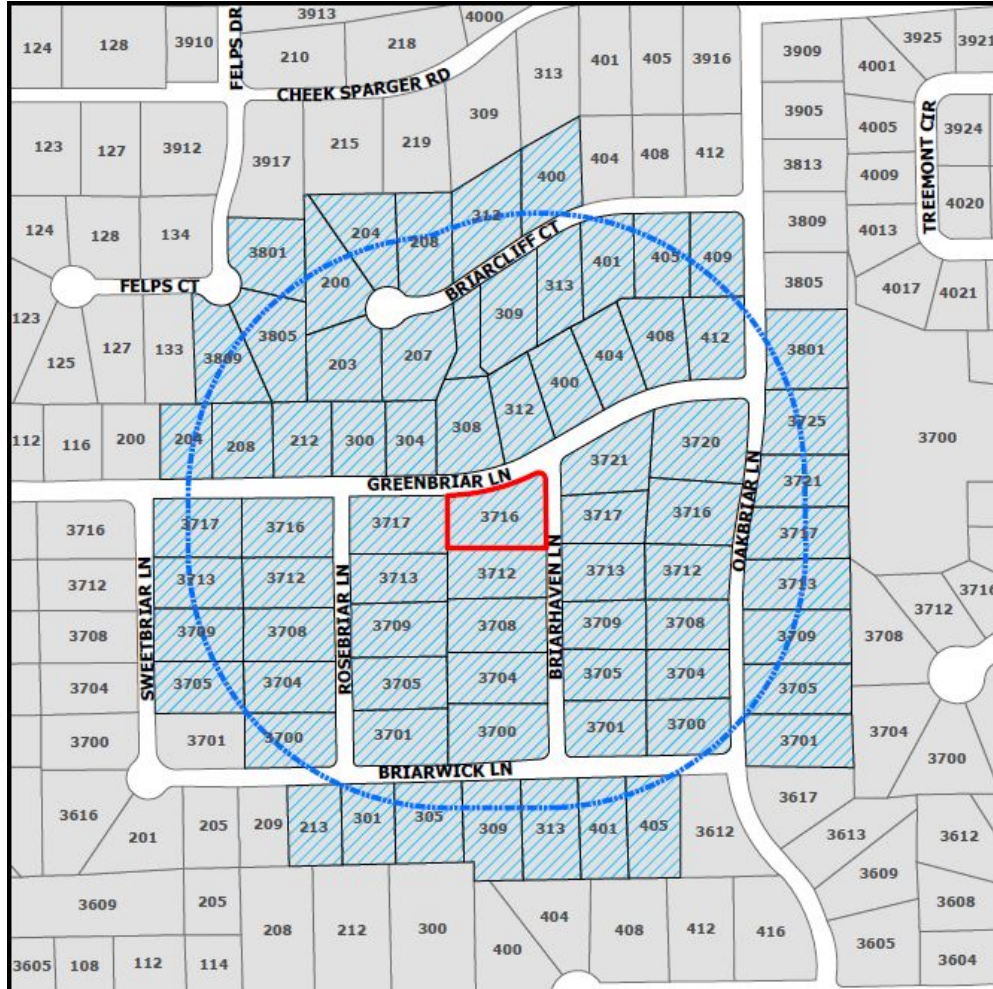
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change 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:

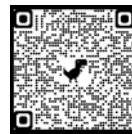
**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

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
Principal Planner
jreyff@colleyville.com

ORDINANCE O-23-2263

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.42 ACRES, ON LOT 5, BLOCK 5, WOODBRIAR ESTATES ADDITION BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR A FENCE TO BE LOCATED WITHIN THE STREET SIDE YARD SETBACK; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit to allow for a fence to be located within the street side yard setback under Case No. ZC23-021; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

- Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a fence to be located within the street side yard setback on 0.42 acres, on Lot 5, Block 5, Woodbriar Estates Addition, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

a. The Special Use Permit shall apply to a wood fence 8-feet in height with a motorized iron gate to extend into the street side yard setback.

b. It shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".

c. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of October 2023.

The second reading and public hearing being conducted on the 17th day of October 2023.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood
Brandi Elder, Place 1
Scotty Richardson, Place 3
Chuck Kelley, Place 5

_____	Mayor Pro Tem Callie Rigney	_____
_____	George Bond, Place 2	_____
_____	Ben Graves, Place 4	_____

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

The map displays a residential area with various lots and streets. The streets shown are Felps Dr, Cheek Sparger Rd, Briarcliff Ct, Greenbriar Ln, Sweetbriar Ln, Rosebriar Ln, Briarhaven Ln, Briarwick Ln, Oakbriar Ln, and Treemont Cir. The lots are numbered, and the zoning district for each lot is indicated. A red rectangle highlights a specific lot at the intersection of Greenbriar Ln and Briarhaven Ln, which is zoned R-15.

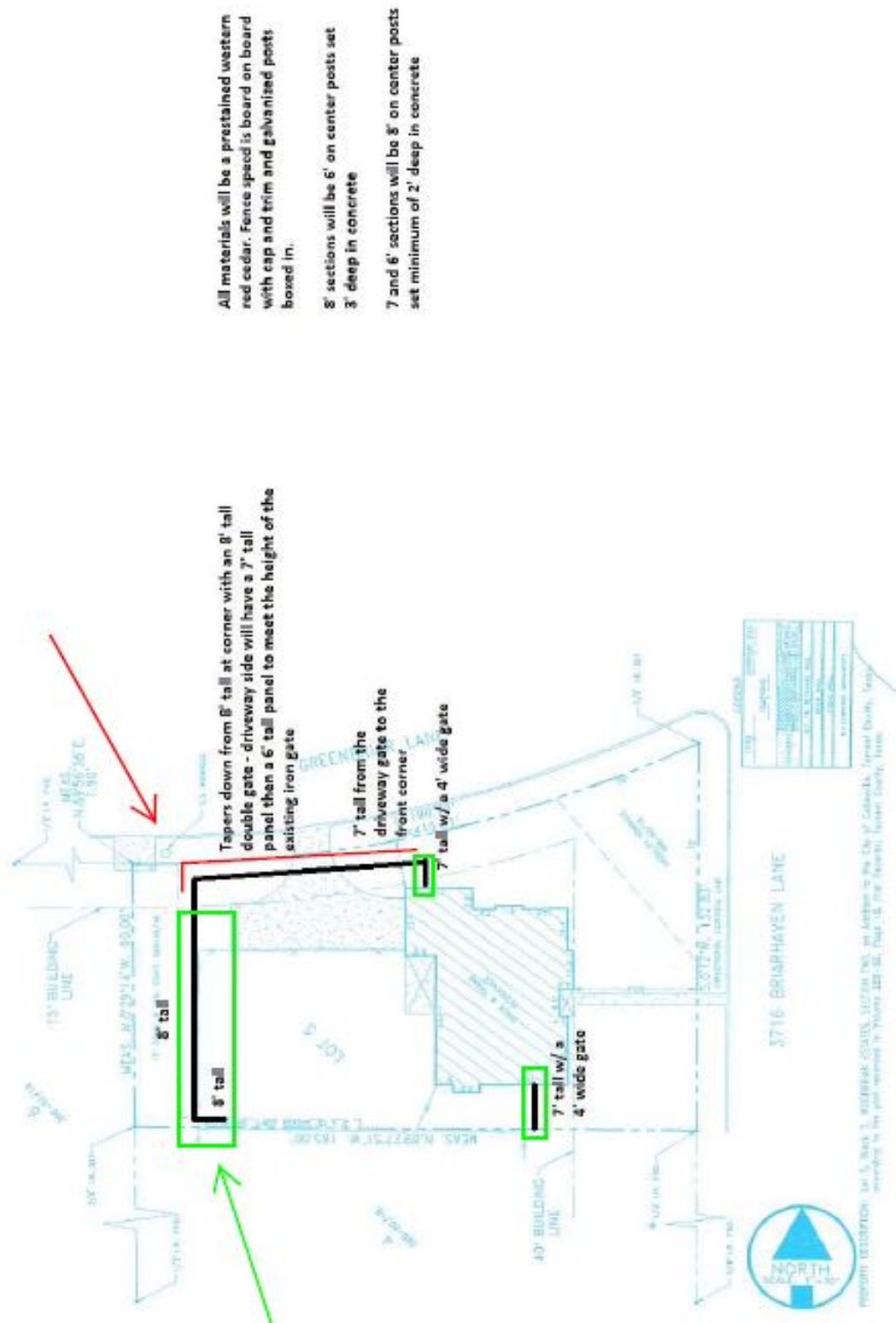
Legend:

- R-20:** Residential Single-Family
- R-40:** Residential Single-Family
- AG:** Agriculture
- PUD-R:** Planned Unit Development - Residential

Map Details:

- Streets:** Felps Dr, Cheek Sparger Rd, Briarcliff Ct, Greenbriar Ln, Sweetbriar Ln, Rosebriar Ln, Briarhaven Ln, Briarwick Ln, Oakbriar Ln, Treemont Cir.
- Lots:** Numerous lots are shown, each with a unique number.
- Zoning Districts:** R-20, R-40, AG, and PUD-R are indicated on the map.
- Highlighted Lot:** A red rectangle highlights a lot at the intersection of Greenbriar Ln and Briarhaven Ln, which is zoned R-15.

Exhibit "B" – Site Plan



Similar Fencing Exhibits





CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 5c

Agenda Date 10/4/2023

Number Ordinance O-23-2264

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit to allow for a fence for Lot 1, Block 1, Naler Addition, located at 6101 Waller Lane, Case ZC23-022

Explanation

First Reading and Public Hearing

Mike Besgrove, the applicant, has submitted a request for a Special Use Permit (SUP) to allow an opaque wood fence to be located within the front yard setback along the front property line on Lot 1, Block 1, of the Naler Addition, being approximately 1.27 acres, and zoned R-40 Single Family Residential district.

Existing Conditions/Background: The subject property, 6101 Waller Lane, has R-40 zoning and is located on the east side of Pleasant Run Road at the intersection of Waller Lane and Cooks Lane.

SUP Request: The applicant is requesting approval of an SUP to allow for a wood fence 6-feet in height to be placed approximately on the property line.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

1. Front Yards: No fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall be located beyond the front façade of the primary residential structure.

a. The primary fencing material shall be of wrought iron, pre-formed concrete, poured in place concrete, concrete masonry unit (CMU), brick, approved wood rail construction, a combination thereof or other similar material approved by the City Building Official. All poured in place concrete and CMU shall contain an architectural finish.

d. Exceptions to front yard requirement: Lots containing a minimum of 40,000 square feet, and subdivisions, shall be allowed to construct a perimeter fence within the front yard setback. Said fencing shall be no greater than eight (8) feet in

height and shall have no greater than twenty-five (25) percent opaque construction within the front yard. Allowed construction materials shall be the same as paragraph "1.a" above. This exception shall not apply to properties zoned as a PUD district."

Regulation "1.d" above applies in this case requiring that a fence allowed within the front yard setback be no more than 25% opaque. This lot does meet the exception due to size, but the applicant wishes for an opaque wood fence instead of the allowed non-opaque fence, such as wrought iron. The Land Development Code provides the opportunity to request an SUP to deviate from the requirements.

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: The applicant is proposing an opaque wood fence 6-feet in height in lieu of a fence that is no more than 25% opaque. The proposed fence is requested to be placed approximately on the property line. The lot size is 55,500 square feet.

Plat Status: The property is platted as Lot 1, Block 1, of the Naler Addition.

DRC Review: The DRC met on August 22, 2023.

Drainage: NA

Surrounding Development: The properties to the north and east are R-20 Single Family Residential. The property to the south is zoned AG Agricultural and contains a single-family home. The property to the west is zoned R-40 and contains a single-family home.

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.

Staff Recommendation: Staff recommends denial of the requested SUP as it does not meet the technical requirements of the Land Development Code.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the request with the added condition, that the fence stops at the carport, at their September 11, 2023 meeting by a vote of 5-0.

Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use
4. Statement of Planning Objectives
5. Plat
6. Notification Map
7. Notification List
8. Notification Letter
9. Ordinance O-23-2264

Aerial Map

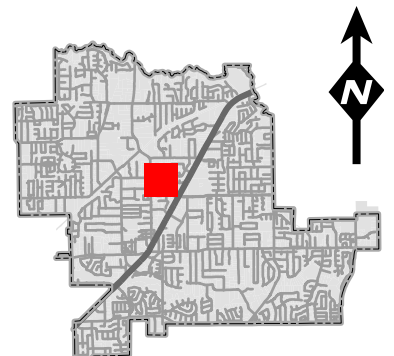


ZC23-022

6101 Waller Ln



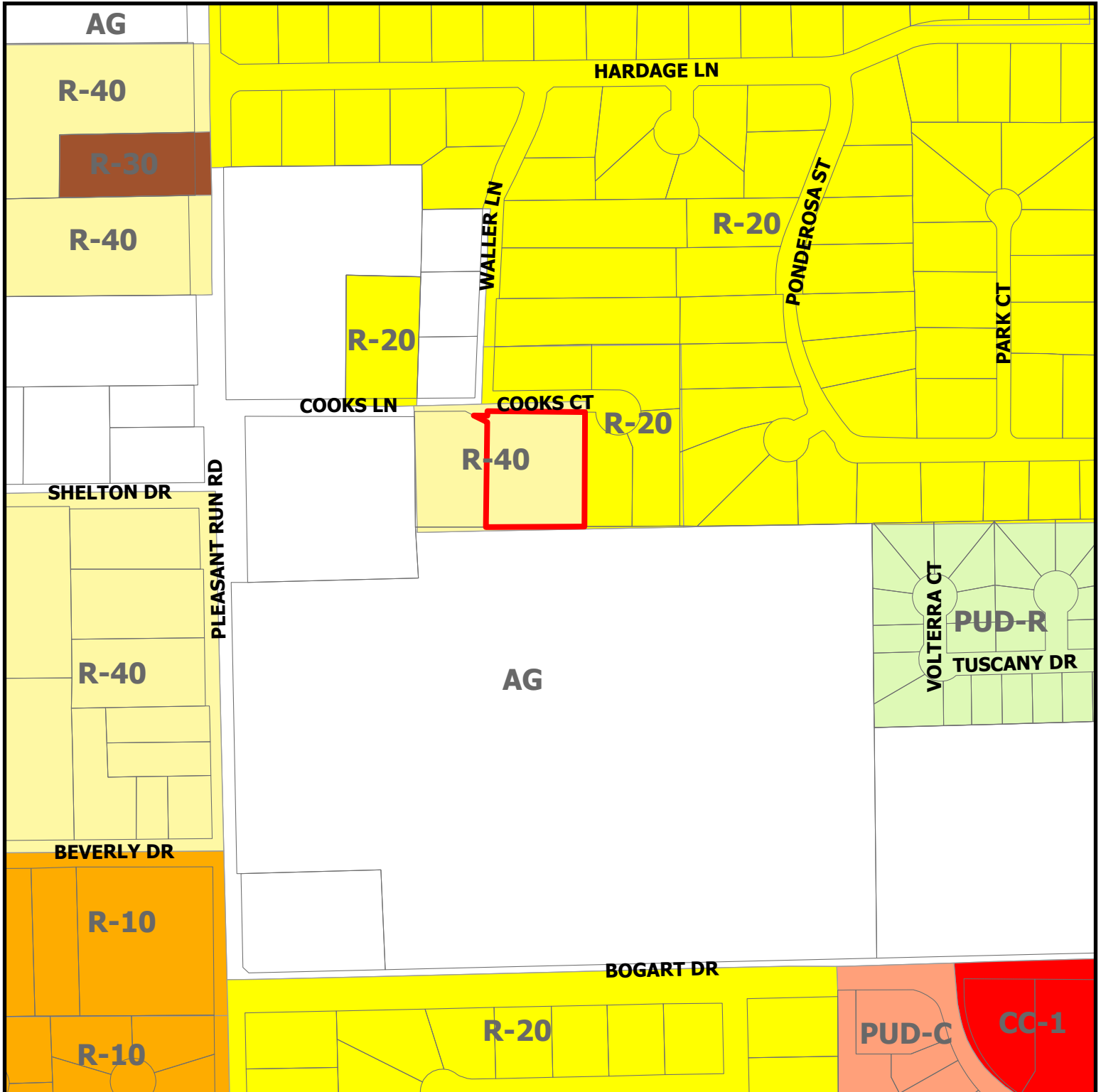
Subject Property



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

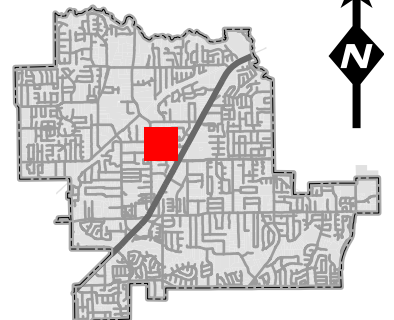


ZC23-022

6101 Waller Ln

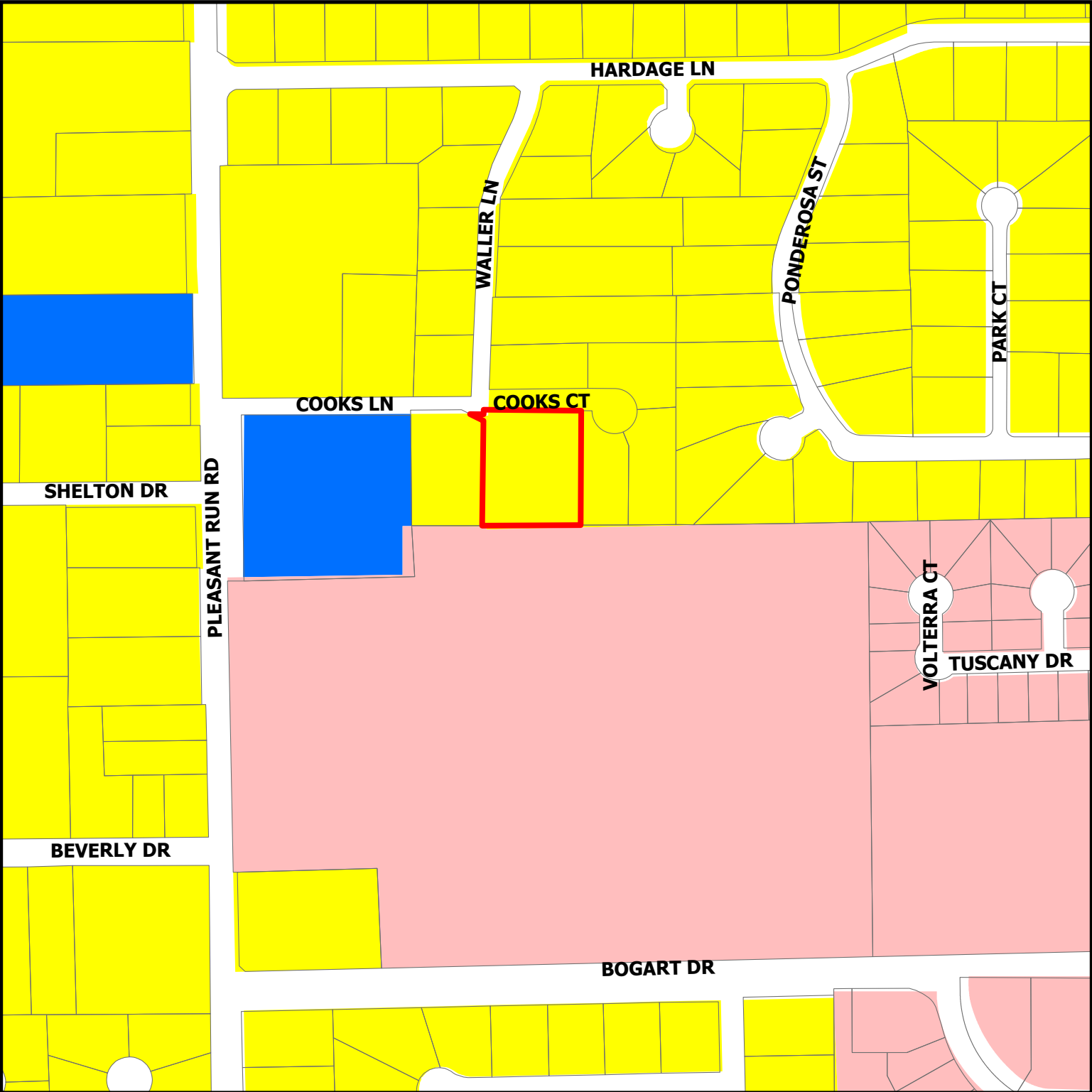


Subject Property



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.

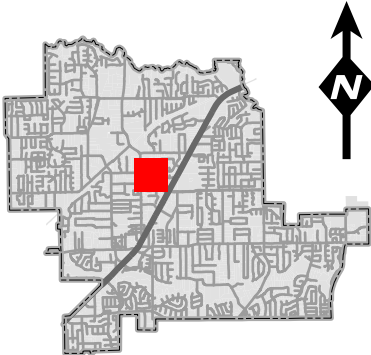
Future Land Use Map



ZC23-022

6101 Waller Ln

-  Residential
-  Institutional
-  Colleyville Blvd Corridor
-  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.

Mike Besgrove, 6101 Waller Ln

Statement of planning objectives

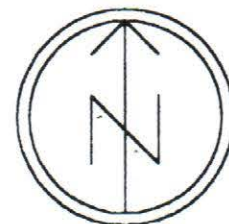
Request to replace current fence with privacy fence. Primary bedroom is on North side of house within 25 feet of Cooks Court; Lack of any privacy from street whatsoever – front, side yard and back yard; Street and Construction noise (as early as 5:30a in mid-July when contractor was loading a skid steer on to a trailer); Car headlights up and down the road at all hours; Back yard is exposed to Cooks Court. Cooks Court is not a “frontage” road to our address at 6101 Waller Lane; rather, it is a side street to our property. The proposed fence would have the required 40’ setback on the property’s north side.

We respectfully request this variance be approved, as we believe a 6’ cedar fence will greatly enhance our entitlement to quiet enjoyment of our home.

PLOT PLAN

EVANGELINE M. MALIN
TRUSTEE
VOL. 13257, P. 131

L. D. LONG
VOLUME 2759, PAGE 582



SCALE: 1" = 50'

COOKS
LANE

WALLER
LANE

1/2" ROD

S 63°39' E
55.80'

HATCHED AREA DENOTES RIGHT-
OF-WAY DEDICATED PER PLAT.

JAY BARTLEY McMEANS,
ET UX
VOL. 11923, P. 796

ANDREW J. CALDWELL SURVEY,
ABSTRACT NO. 331

NANCY B. LOONEY SURVEY,
ABSTRACT NO. 937

S 89°43'57" W 266.80'

METAL
CARPORT
24' X 24'

Proposed Fence
Replacement

Mike Besgrove
6101 Waller Ln.
Colleyville Tx. 76034
817-832-4180

LOT
BLOCK 1

6' Cedar board
Steel post
Good side faces 6101 Waller

Contractor -
RSA Construction/Remodeling
682-553-1273

WOOD BARN
8.1' X 12.1'

WOOD BARN

NORTH

SOUTH

7.5' DRAINAGE AND UTILITY EASEMENT

40' BUILDING LINE

16' DRAINAGE AND UTILITY EASEMENT

N 89°43'57" E

216.80'

1/2" ROD

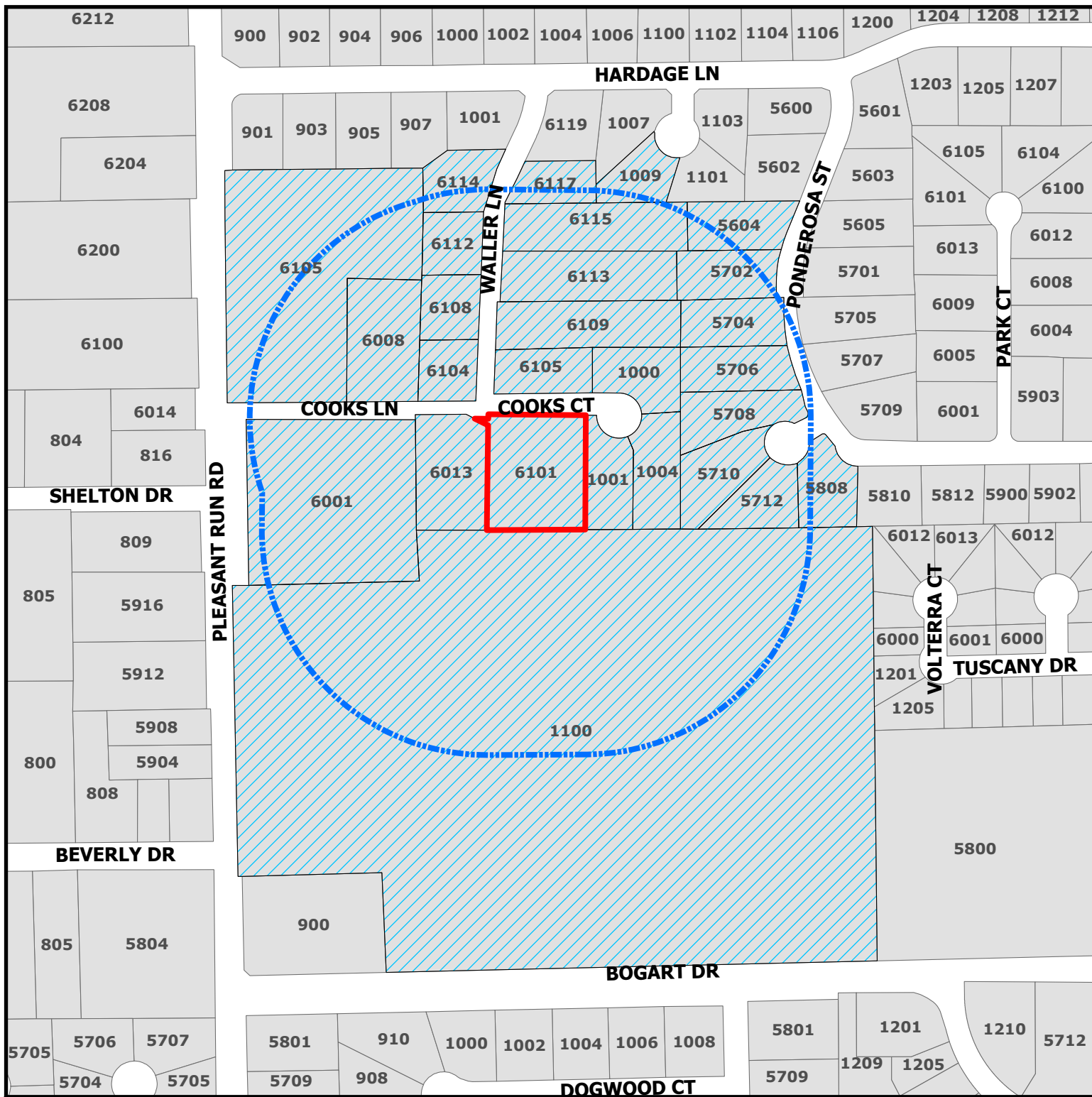
GRAPEVINE I. S. D.
VOLUME 4896, PAGE 47

No Part of the subject property lies within the 100 year flood plain.

Flood Zone X Community 430530 Panel 0133-H Eff. Date 8-2-95

I hereby certify that this sketch of survey of the above described property is true and correct to the best of my

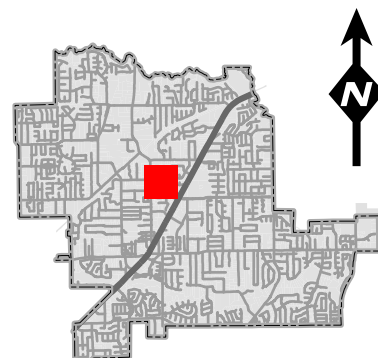
Notification Map



ZC23-022

6101 Waller Ln

-  Parcels to be notified
-  Buffer
-  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.

Owner Name	Owner Address	Owner City	Owner Zip
ENGLERT, EVELYN H	6114 WALLER LN	COLLEYVILLE, TX	76034
SHELLY BILLUPS FAMILY TRUST	5704 PONDEROSA ST	COLLEYVILLE, TX	76034
SLINEY, PAMELA M	6008 COOKS LN	COLLEYVILLE, TX	76034
MCMEANS, JAY B	6013 COOKS LN	COLLEYVILLE, TX	76034
SHIPP, JORDAN	1004 COOKS CT	COLLEYVILLE, TX	76034
NALER, DEE ANN	6101 WALLER LN	COLLEYVILLE, TX	76034
BROOKS, MARCELA	6112 WALLER LN	COLLEYVILLE, TX	76034
HEDGES, B D	6104 WALLER LN	COLLEYVILLE, TX	76034
ZIOBER, ALVIN	6109 WALLER LN	COLLEYVILLE, TX	76034
BARBER, JAMES T	1009 HARDAGE CIR	COLLEYVILLE, TX	76034
MALIN, DAVID	6117 WALLER LN	COLLEYVILLE, TX	76034
GAVLAK, KEVIN	925 S MAIN ST UNIT 3302	GRAPEVINE, TX	76051
MILLER, TODD	6113 WALLER LN	COLLEYVILLE, TX	76034
PLEASANT RUN BAPTIST CHURCH	6005 PLEASANT RUN RD	COLLEYVILLE, TX	76034
STEENWYK, CHAD	5706 PONDEROSA ST	COLLEYVILLE, TX	76034
WAI, SHELBY	6115 WALLER LN	COLLEYVILLE, TX	76034
SRP SUB LLC	1717 MAIN ST SUITE 2000	DALLAS, TX	75201
PHILLIPS, JAMES	5808 PONDEROSA ST	COLLEYVILLE, TX	76034
COULTER, MONA COOK	6105 PLEASANT RUN RD	COLLEYVILLE, TX	76034
GRAPEVINE, ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051
GROVES, DAVID	5702 PONDEROSA ST	COLLEYVILLE, TX	76034
FISHER LIVING TRUST	5710 PONDEROSA CT	COLLEYVILLE, TX	76034
SOUTHALL, RICHARD	5708 PONDEROSA CT	COLLEYVILLE, TX	76034
MURARI FAMILY REVOCABLE LIVING	3819 ROOSEVELT DR	IRVING, TX	75063
JUSTICE, ANTHONY	5975 INDIGO SKY DR	FRISCO, TX	75036
HENDRIX, NOELANI	1001 COOKS CT	COLLEYVILLE, TX	76034
HIDDEN OAKS ESTATES		COLLEYVILLE, TX	76034
TUSCANY-COLLEYVILLE	1217 Tuscany Drive	COLLEYVILLE, TX	76034
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051



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:

Planning and Zoning Commission Meeting: Monday, September 11th, 2023 at 7:00 p.m.
City Council Meetings: Wednesday, October 4, 2023 & Tuesday, October 17, 2023 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a non-compliant fence on Lot 1, Block 1, of the Naler Addition. The request is for an opaque wood fence to be located within the front yard setback.

Zoning Case: ZC23-022

Applicant: Mike Besgrove

Owner: Mike and Dee Ann Naler

Location: 6101 Waller Ln

Property Description: Lot 1, Block 1, of the Naler Addition

Present Zoning: R-40, Single Family Residential

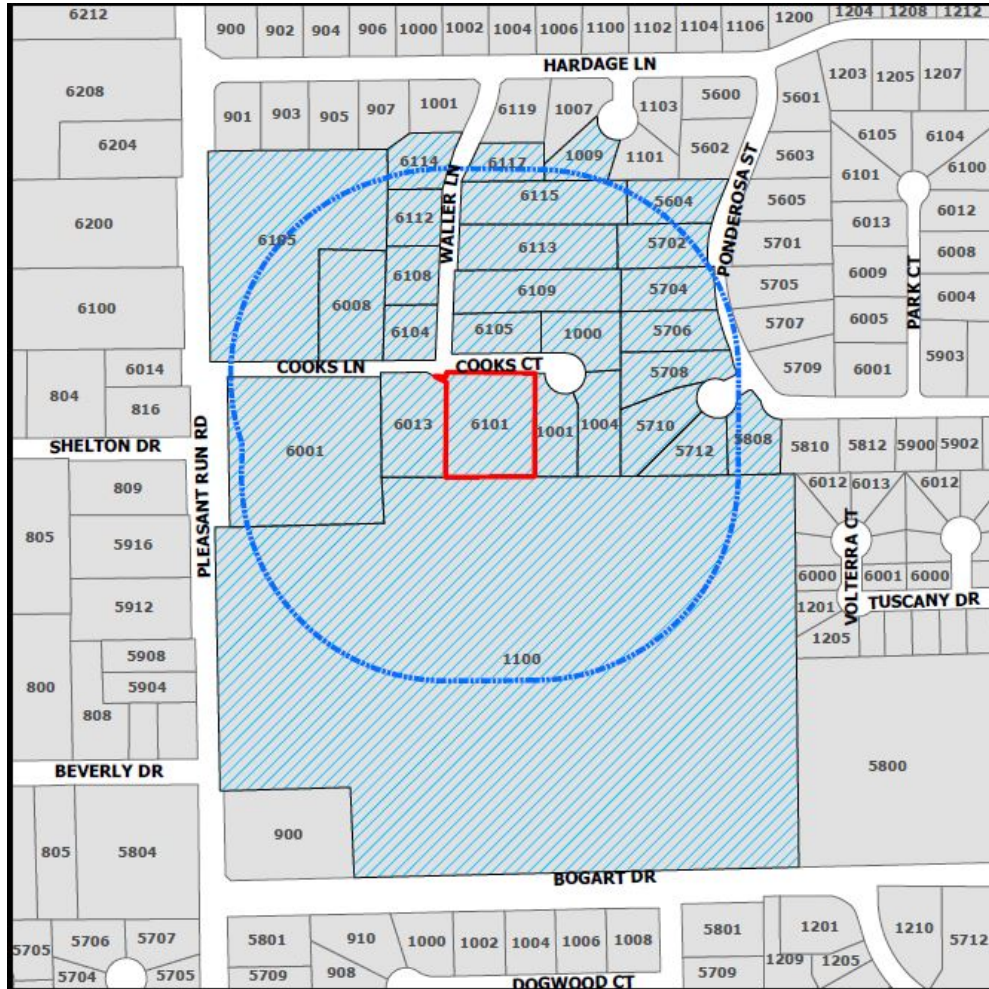
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change 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:

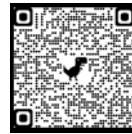
**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

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
Principal Planner
jreyff@colleyville.com

ORDINANCE O-23-2264

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.27 ACRES, ON LOT 1, BLOCK 1, OF THE NALER ADDITION BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR AN OPAQUE WOOD FENCE TO BE LOCATED WITHIN THE FRONT YARD SETBACK; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit to allow for An opaque fence to be located within the front yard setback under Case No. ZC23-022; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for an opaque fence to be located within the front yard setback on 1.27 acres, on Lot 1, Block 1, of the Naler Addition, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to a wood fence 6-feet in height within the front yard setback and be located along the front property line.
- b. The fence shall extend no further to the west then the west edge of the carport as shown by the red line in the attached Exhibit "B".
- c. It shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".
- d. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of October 2023.

The second reading and public hearing being conducted on the 17th day of October 2023.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

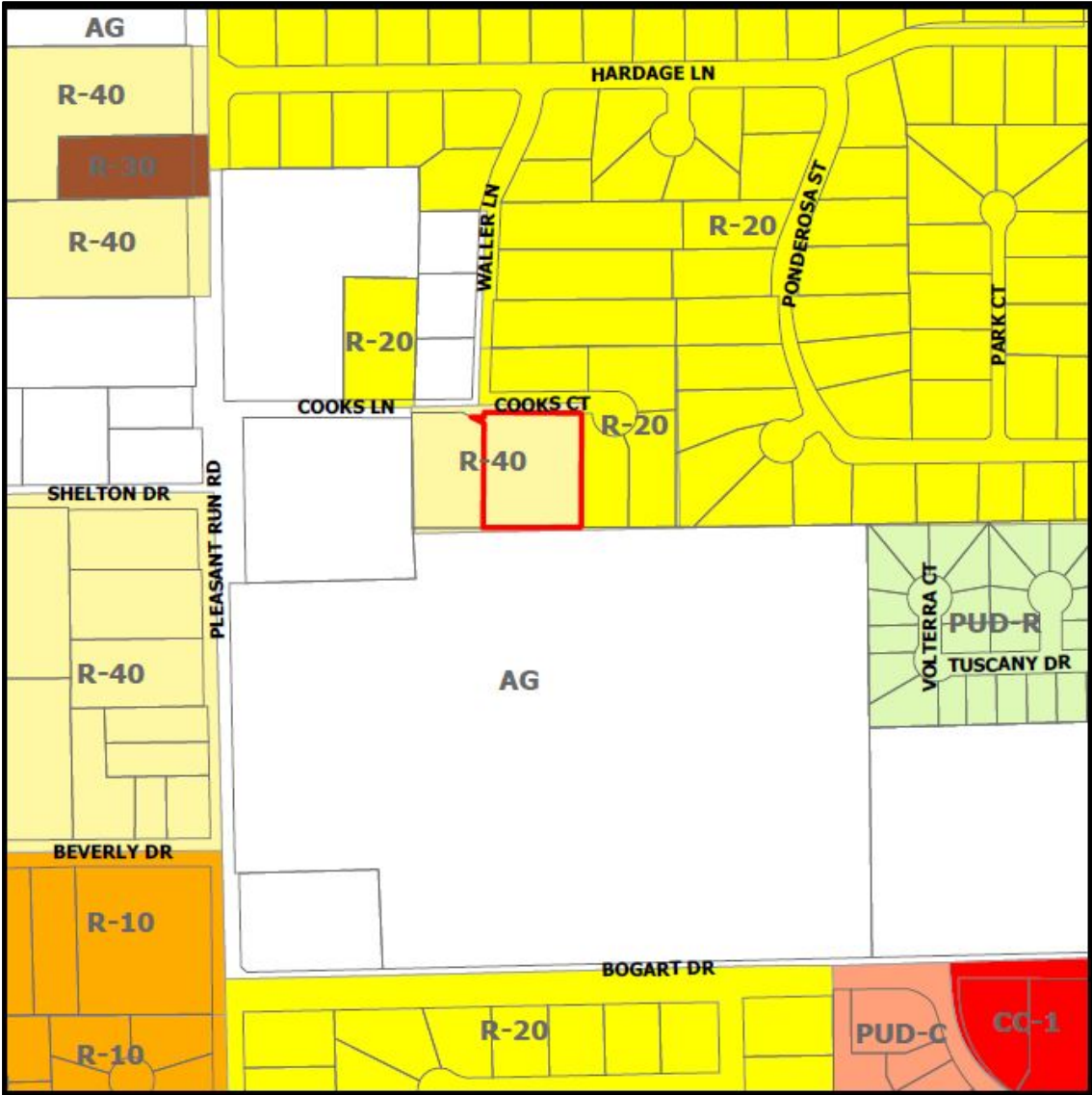
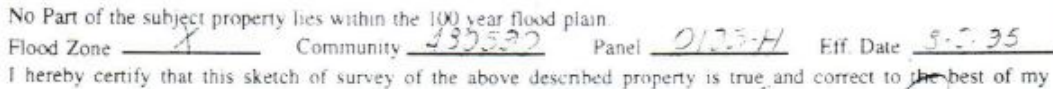


Exhibit "B" – Site Plan





CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 5d

Agenda Date 10/4/2023

Number Ordinance O-23-2265

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit to allow for a fence for Lot 4, Block C, Legacy North, located at 703 Marie Drive, Case ZC23-023

Explanation

First Reading and Public Hearing

Kensington Homes, the applicant, has submitted a request for a Special Use Permit (SUP) to allow a fence to extend into the street side yard setback on Lot 4, Block C, Legacy North Addition, being approximately 0.46 acres, and zoned PUD-R Planned Unit Development Residential district.

Existing Conditions/Background: The subject property, 703 Marie Drive, has PUD-R zoning and is located on the west side of Sawyer Drive, south of Marie Street. The subject property has a new single-family residence.

SUP Request: The applicant is requesting approval of an SUP to allow for an iron fence 6-feet in height to extend into the street side yard setback. The proposed fence is requested to be placed approximately 15-feet from the property line.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

1. Front Yards: No fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall be located beyond the front façade of the primary residential structure.

a. The primary fencing material shall be of wrought iron, pre-formed concrete, poured in place concrete, concrete masonry unit (CMU), brick, approved wood rail construction, a combination thereof or other similar material approved by the City Building Official. All poured in place concrete and CMU shall contain an architectural finish.

d. Exceptions to front yard requirement: Lots containing a minimum of 40,000 square feet, and subdivisions, shall be allowed to construct a perimeter fence

within the front yard setback. Said fencing shall be no greater than eight (8) feet in height and shall have no greater than twenty-five (25) percent opaque construction within the front yard. Allowed construction materials shall be the same as paragraph "1.a" above. This exception shall not apply to properties zoned as a PUD district.

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply."

Regulation "2" above applies in this case requiring that no fence be allowed to extend into the required street side yard. The Land Development Code provides the opportunity to request an SUP to deviate from the requirements.

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: The applicant is proposing an iron fence 6-feet in height to extend into the required street side yard setback. The proposed fence is requested to be placed approximately 15-feet from the property line.

Plat Status: The property is platted as Lot 4, Block C, Legacy North Addition.

DRC Review: The DRC met on August 21, 2023.

Drainage: NA

Surrounding Development: The properties to the north, south, east, and west are zoned PUD-R and contain single-family residential development.

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.

Staff Recommendation: Staff recommends denial of the requested SUP as it does not meet the technical requirements of the Land Development Code.

Planning and Zoning Recommendation: The Planning and Zoning Commission recommended approval of the request at their September 11, 2023 meeting by a vote of 4-1.

Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Photos provided by Applicant
7. Notification Map
8. Notification List
9. Notification Letter
10. Ordinance O-23-2265

Aerial Map

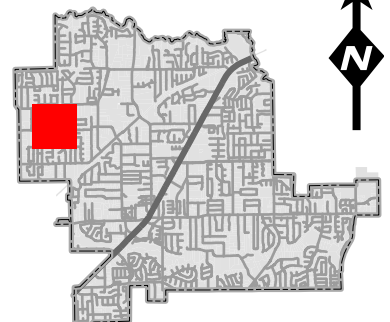


ZC23-023

703 Marie Dr



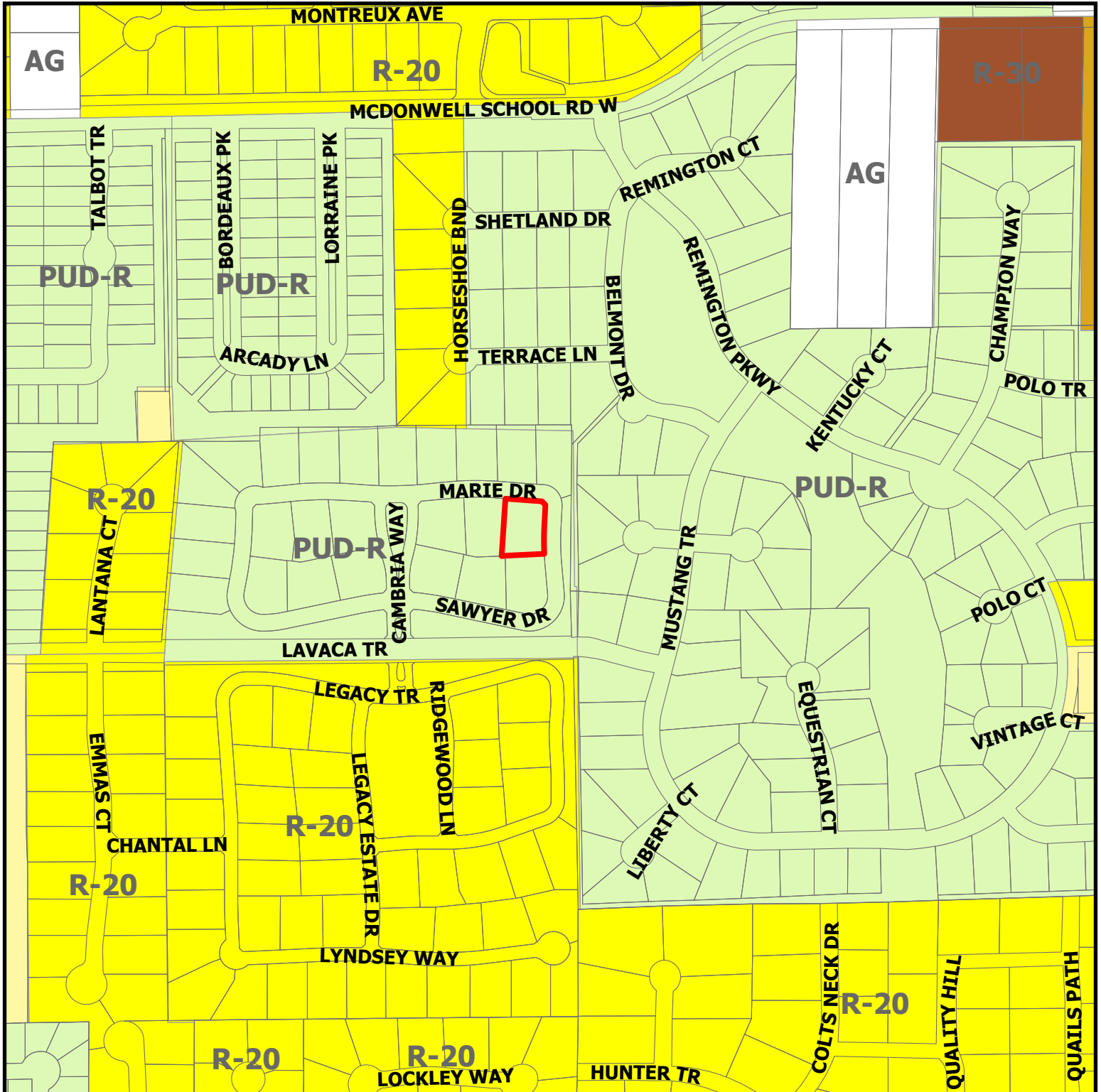
Subject Property



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

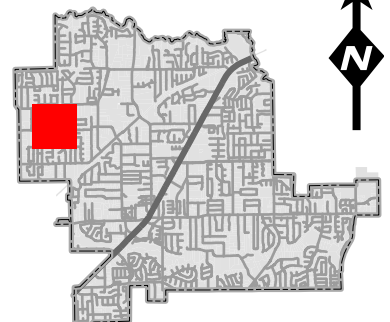


ZC23-023

703 Marie Dr

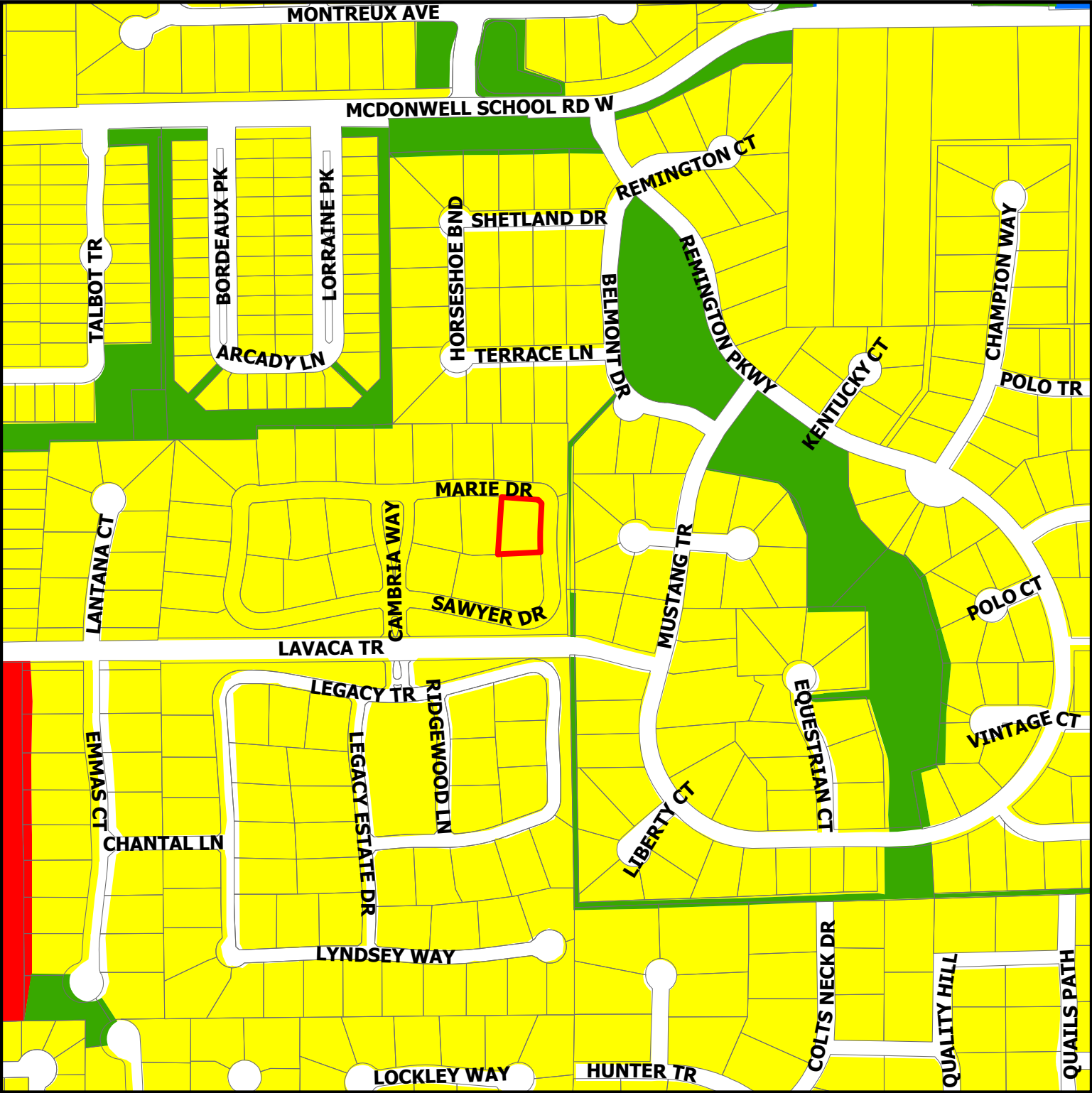


Subject Property



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.

Future Land Use Map

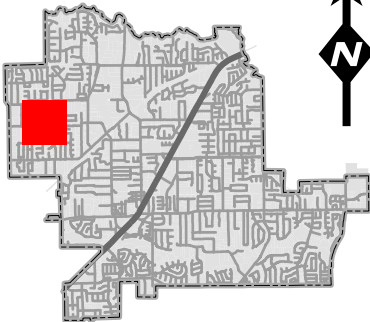


ZC23-023

703 Marie Dr

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.

- | | | | |
|---|---------------|---|-------------------|
|  | Residential |  | Open Space; Parks |
|  | Commercial |  | Subject Property |
|  | Institutional | | |



From: [Ben Bryner](#)
To: [Jackie Reyff](#); [Kristopher Potts](#); [Scott Hammons](#)
Subject: FW: 703 Marie Fencing Information for Consideration
Date: Friday, August 11, 2023 11:04:00 AM
Attachments: [IMG_7523.mov](#)

[For one of the fence SUP submittals...](#)

From: Laura Miller
Sent: Friday, August 11, 2023 10:51 AM
To: Ben Bryner <BBryner@colleyville.com>
Subject: 703 Marie Fencing Information for Consideration

Good morning Mr. Brynar,

My name is Laura Miller, the homeowner at 703 Marie Drive in Colleyville. I'm writing regarding the discrepancy over the location of our iron fence.

In July of 2022, Kosse, the developer, encouraged me to find a corner lot on the original side of Legacy to see how far the fence was. I visited 6201 Ridgewood in the original Legacy and measured their fence at 21 feet. I gave this information to Nick and Kosse and was told 19 feet would be where our fence should go. I am aware 6201 was built in 2016- which is prior to the change in 2019 where they made the requirement 30 feet. We were never made aware of this 30 foot requirement until this week. However, our neighborhoods are connected by name and I believe they should be cohesive in design and opportunity. Attached is my screen shot on July 11 at their house.

I did also want to add we are in a unique situation where my neighbor has faced her house a different way than the rest of the neighborhood. So our home faces North, and her home faces East. It was approved by the developer, but nevertheless a little unique. In order to not have a straight view of her driveway and garage, I would ask that you consider allowing our fence to stay where it is currently located. If we are to move our iron fence 11 feet in, we would also be moving that amount the wooden fence that is blocking her driveway from view from my master bedroom and back yard. In addition, the Willowtree home in our neighborhood that is having this same fence location issue does not have a home facing the wrong direction near them. So I ask that you please look at our property as an individual decision. I've attached an aerial view of our unique situation.

The last thing we ask to be considered is that corner lots are typically more expensive than a regular lot. In our case this is very true. It feels strange to pay more and get less useable space because of the 30 foot regulations. In addition, a regular lot does not have fence limitations, allowing them to use their entire lot and giving them a larger safe back yard space to fence in and keep their children safe from the road. We have a two year old and four year old that would live outside if we allowed them. Our fenced in back yard is

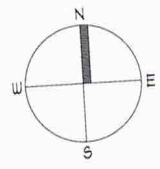
a safe space for them to play and explore.

I'm sorry the fence was not constructed properly in the beginning, I did everything in my power to ask the right questions and get the information I needed from people I trusted to ask the right sources. This is the first home we have built, and we have learned a LOT, good, bad and ugly if we ever choose to build again.

I appreciate your consideration in the unique matter, and thank you very much for your time. If you need additional information, photos or prefer to converse in person or by phone, please don't hesitate to contact me.

Thank you,
Laura Miller

 WROUGHT IRON
 WOOD



SAWYER DRIVE



103 MARIE DRIVE

AREAS	
HOUSE FOOT PRINT	6003*
LOT	20010*
COVERAGE	30.00%



Distinctive Dwellings
Dwell in the possibilities

www.DistinctiveDwellings.net
t. 817 481 1249

PLOT PLAN

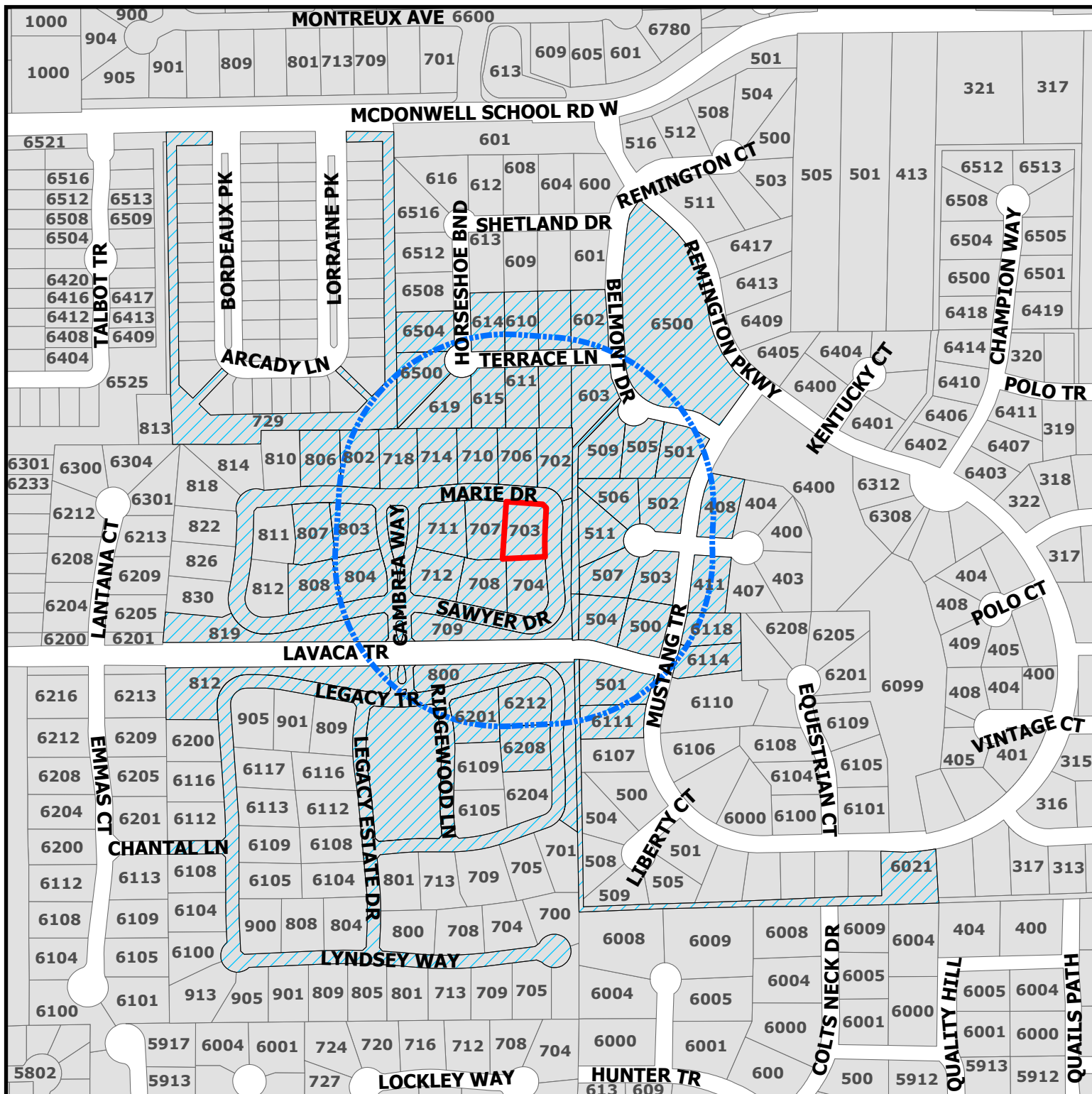
1"=30'
 LOT 4 BLK C
 LEGACY NORTH
 COLLEYVILLE, TEXAS
 KENSINGTON C.H.
 MILLER RESIDENCE
 REV 11-16-21

* Builder/Owner to verify and check all aspects of this site and plot plan prior to any construction JOB # 202143

202143



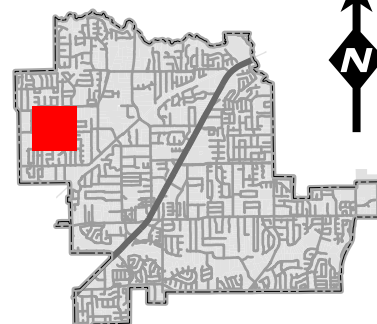
Notification Map



ZC23-023

703 Marie Dr

-  Parcels to be notified
-  Buffer
-  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.

Owner Name	Owner Address	Owner City	Owner Zip
TBNR PROPERTIES LLC	1143 S MAIN ST	GRAPEVINE, TX	76051
SOUTHERN PLACES LLC	1330 N WHITE CHAPEL BLVD SUITE	SOUTHLAKE, TX	76092
KELLER ISD	350 KELLER PKWY	KELLER, TX	76248
ROZYCKI, MICHAEL	408 COUNTRY PL	COLLEYVILLE, TX	76034
SLICKER, ROBERT M	411 COUNTRY PL	COLLEYVILLE, TX	76034
AKINMURELE OLADOTUN	430 E UNIVERSITY DR	PORTALES, NM	88130
PATEL, RUPAL	44252 HUNTER PL	FREMONT, CA	94539
HALL, CHARLES ONEIL	500 LAVACA TR	COLLEYVILLE, TX	76034
GLAZE, LARRY	501 BELMONT DR	COLLEYVILLE, TX	76034
RASMUSSEN, JASON	501 LAVACA TR	COLLEYVILLE, TX	76034
CRAWFORD, SCOTT	502 MUSTANG CT	COLLEYVILLE, TX	76034
LAMBERTH, GEORGE	503 MUSTANG CT	COLLEYVILLE, TX	76034
GUERRA, ROBERT	503 TERRACE LN	COLLEYVILLE, TX	76034
LANDIS, ROBIN L	505 BELMONT DR	COLLEYVILLE, TX	76034
MANER, JOLENE C	506 MUSTANG CT	COLLEYVILLE, TX	76034
PEEK, EDWARD ALLEN	507 MUSTANG CT	COLLEYVILLE, TX	76034
ANDERSON, GREGORY L	509 BELMONT DR	COLLEYVILLE, TX	76034
COCHRAN, JERRY W	511 MUSTANG CT	COLLEYVILLE, TX	76034
REMINGTON PARK ADDITION	5751 Kroger Drive	KELLER ,TX	76244
SCHAAF, KATHRINE	602 TERRACE LN	COLLEYVILLE, TX	76034
OAKLEY, THOMAS	603 TERRACE LN	COLLEYVILLE, TX	76034
LEGACY NORTH COLLEYVILLE LLC	604 E NORTHWEST HWY STE 102	GRAPEVINE, TX	76051
BROWN, DAVID S	606 TERRACE LN	COLLEYVILLE, TX	76034
GARDNER, THOMAS J	607 TERRACE LN	COLLEYVILLE, TX	76034
KERKERING, KENNETH	610 TERRACE LN	COLLEYVILLE, TX	76034
BOUTON, TERRY L	611 TERRACE LN	COLLEYVILLE, TX	76034
KELEHER, PETE	6111 MUSTANG TRL	COLLEYVILLE, TX	76034
SWEENEY, MATTHEW	6114 MUSTANG TR	COLLEYVILLE, TX	76034
YARBROUGH, JOHN D	6118 MUSTANG TR	COLLEYVILLE, TX	76034
BOLTON, VICTOR	614 TERRACE LN	COLLEYVILLE, TX	76034
BURTON, BARRY L	615 TERRACE LN	COLLEYVILLE, TX	76034
WILLIAM J AND SHELLEY R CONN FA	619 TERRACE LN	COLLEYVILLE, TX	76034
COMMONWEALTH VICTORY TRUST	6201 RIDGEWOOD LN	COLLEYVILLE, TX	76034
CRENSHAW, BARBARA	6208 LEGACY TRL	COLLEYVILLE, TX	76034
MEYERS, KEVIN	6212 LEGACY TRL	COLLEYVILLE, TX	76034
WIRDZEK, TODD	6500 HORSESHOE BEND	COLLEYVILLE, TX	76034
HALLETT, CHARLES E	6504 HORSESHOE BND	COLLEYVILLE, TX	76034
BROADWAY, CATHY	702 MARIE DR	COLLEYVILLE, TX	76034
MENTAVLOS, MICHAEL	704 SAWYER DR	COLLEYVILLE, TX	76034
MOWDY, FLOYD DANIEL	706 MARIE DR	COLLEYVILLE, TX	76034
FRENCH BEARS REVOCABLE TRUST	710 MARIE DR	COLLEYVILLE, TX	76034
TRAINOR, KAREN	712 SAWYER DR	COLLEYVILLE, TX	76034
JOAN C HUEY REVOCABLE LIVING TR	718 MARIE DR	COLLEYVILLE, TX	76034
YUHAN, JOHN	729 GRAPEVINE HWY #171	HURST, TX	76054
GARFF, WHITNEY F	806 MARIE DR	COLLEYVILLE, TX	76034
GENZER, STEPHEN	808 SAWYER DR	COLLEYVILLE, TX	76034
MILLER, KENNETH	8228 FENWICK DR	NORTH RICHLAND HILLS, TX	76182
LAIRD, JOHN	8356 SADDLEBROOK DR	NORTH RICHLAND HILLS, TX	76182
ROSEWOOD VILLAS	P.O. Box 463	COLLEYVILLE ,TX	76034
THE LEGACY	PO Box #51555	DENTON ,TX	76206
JBH IRREVOCABLE ASSET TRUST	PO BOX 171195	ARLINGTON, TX	76003
CHIP ROOP IRREVOCABLE LIVING TR	PO BOX 2947	PIKEVILLE, KY	41502
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEYVILLE, TX	76034
LEGACY AT COLLEYVILLE LLC THE	PO BOX 92747	SOUTHLAKE, TX	76092
REM PARK H A INC	PO BOX 935	KELLER, TX	76248



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:

Planning and Zoning Commission Meeting: Monday, September 11th, 2023 at 7:00 p.m.
City Council Meetings: Wednesday, October 4, 2023 & Tuesday, October 17, 2023 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a fence on Lot 4, Block C, Legacy North Addition. The request is for a wrought-iron fence to be located within the street side yard setback.

Zoning Case: ZC23-023

Applicant: Kensington Homes

Owner: Laura and Kenneth Miller

Location: 703 Marie Dr

Property Description: Lot 4, Block C, Legacy North Addition

Present Zoning: PUD-R, Planned Unit Development Residential

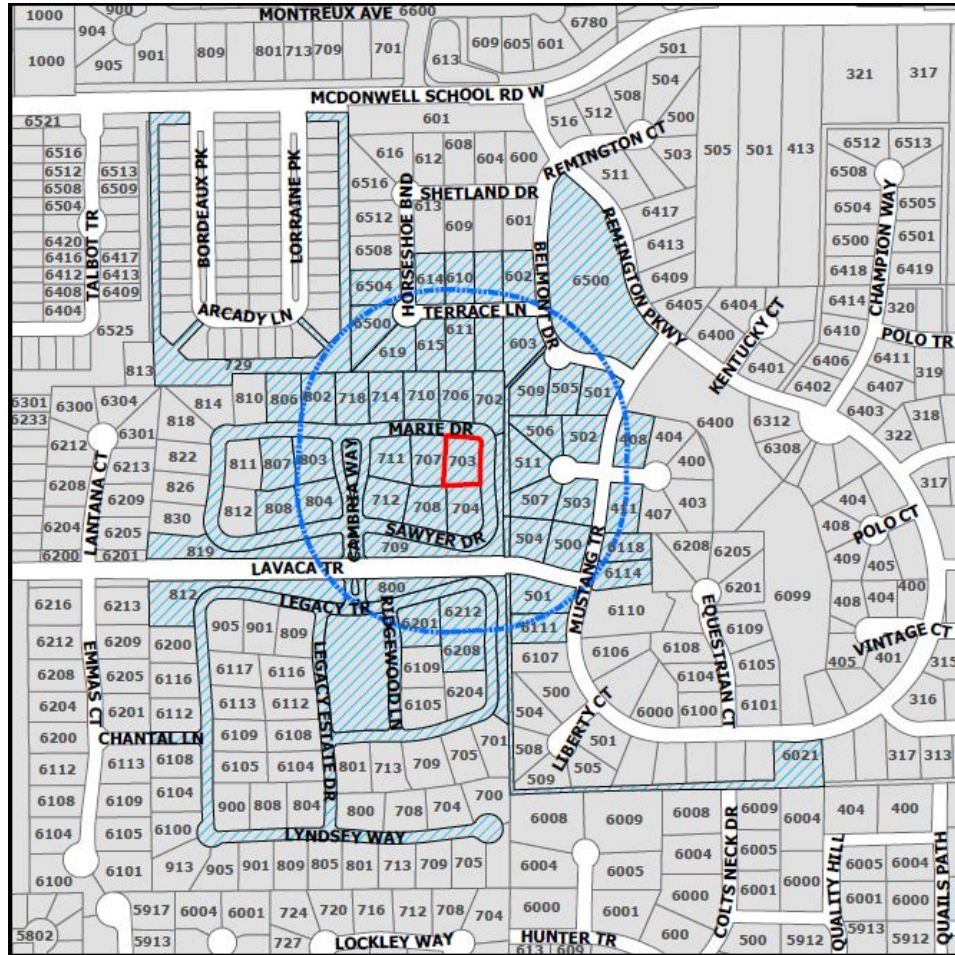
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change 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**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

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
Principal Planner
jreyff@colleyville.com

ORDINANCE O-23-2265

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.46 ACRES, ON LOT 4, BLOCK C, LEGACY NORTH ADDITION BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR A FENCE BEYOND THE FRONT BUILD LINE OF THE PRIMARY DWELLING; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit to allow for a fence beyond the front façade of the primary dwelling under Case No. ZC23-023; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a fence to be located beyond the front façade of the primary dwelling on 0.46 acres, on Lot 4, Block C, Legacy North Addition, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to an iron fence 6 feet in height to extend beyond the front façade of the house.
- b. It shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".
- c. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of October 2023.

The second reading and public hearing being conducted on the 17th day of October 2023.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

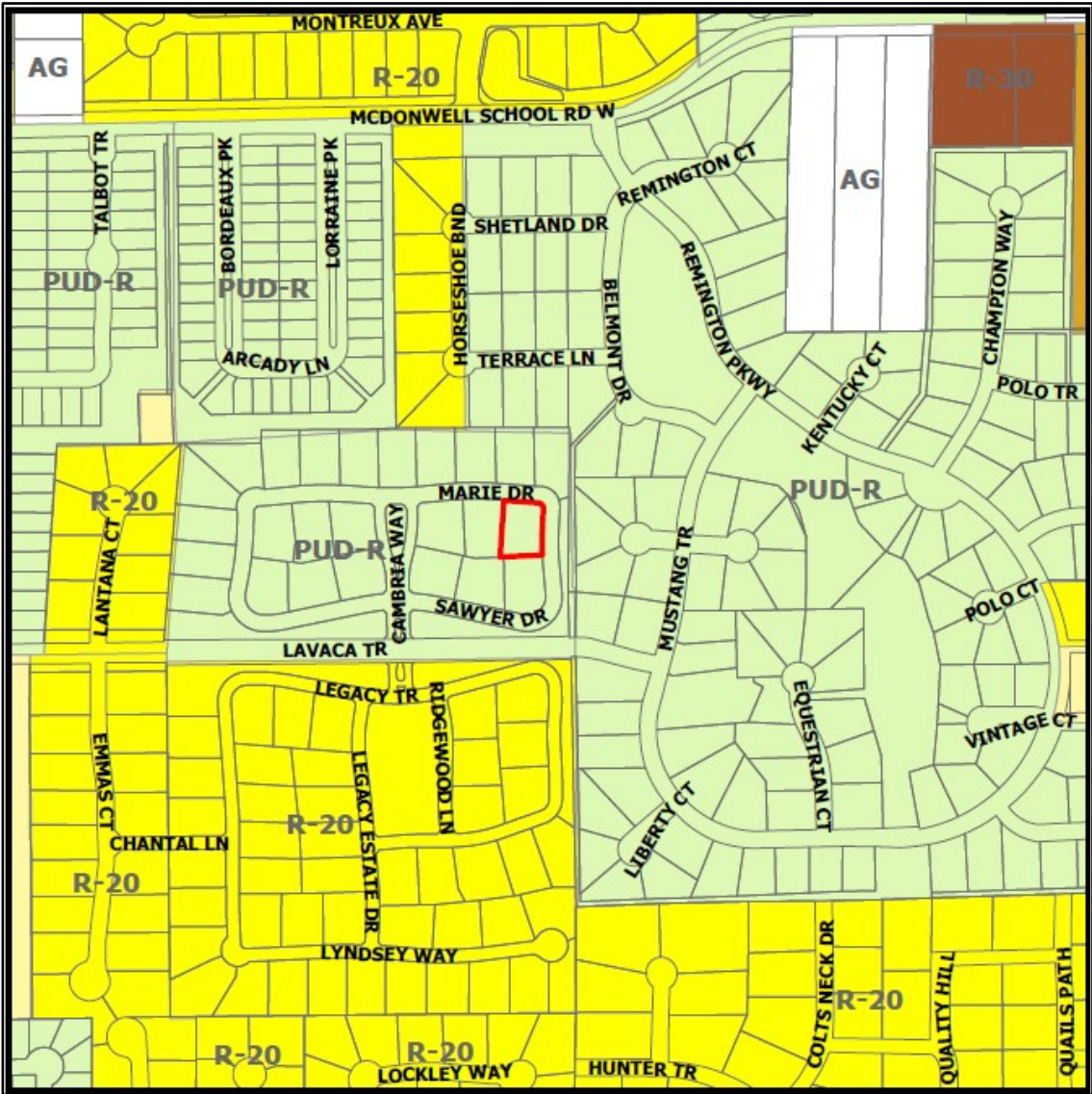
ATTEST: **CITY OF COLLEYVILLE**

Christine Loven, TRMC	Bobby Lindamood
City Secretary	Mayor

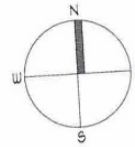
APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map



 WROUGHT IRON
 WOOD



703 MARIE DRIVE

AREA	
HOUSE FOOT PRINT	6003#
LOT	20010#
COVERAGE	30.00%



Distinctive Dwellings

Dwell in the possibilities

www.DistinctiveDwellings.net

£ 817 481 1249

PLOT PLAN

1"=30'
LOT 4 BLK C
LEGACY NORTH
COLLEYVILLE, TEXAS
KENSINGTON C.H.
MILLER RESIDENCE
REV 11-16-21

* Builder/Owner to verify and check all aspects of this site and plot plan prior to any construction JOB # 202143



CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 5e

Agenda Date 10/4/2023

Number Ordinance O-23-2266

Type Ordinance

Department Community Development

Title

Request to appeal the decision by the Planning and Zoning Commission for the consideration of a Special Use Permit to allow for a fence and an accessory building for Lot 1, Block B, Legacy North, located at 812 Sawyer Drive, Case ZC23-024

Explanation

First Reading and Public Hearing

The Planning and Zoning Commission recommended denial at their September 11, 2023 meeting by a vote of 4-1. When the Planning and Zoning Commission makes a recommendation of denial, a favorable vote of three-fourths (3/4) of all members of the City Council is required for approval of the request.

Jody Alumbaugh, the applicant, has submitted a request for a Special Use Permit (SUP) to allow a fence and patio cover to extend into the street side yard setback on Lot 4, Block C, Legacy North Addition, being approximately 0.46 acres, and zoned PUD-R Planned Unit Development Residential district.

Existing Conditions/Background: The subject property, 812 Sawyer Drive has PUD-R zoning and is located on the north side of Sawyer Drive west of Marie Street. The subject property has a new single-family residence.

SUP Request: The applicant is requesting approval of a Special Use Permit for a fence and patio cover to extend into the street side yard setback. The proposed fence is requested to be placed approximately 10-feet from the property line. The patio cover is proposed to be located just inside the proposed fence.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply."

Ordinance - Section 3.27 Accessory Buildings and Residential Carport Regulations of the Land Development Code establishes the maximum size and location of accessory buildings to be permitted by staff on a residential lot:

"A. Accessory Buildings Located in Residential Zoning Districts

3. Setbacks:

d. Detached accessory buildings – A detached accessory building shall comply with the setback lines established for the applicable zoning district, unless the accessory building is located totally behind the rear of the principal building, then it shall not be placed closer than five (5) feet to any side or rear lot line."

Regulation "2" above applies in this case requiring that no fence be allowed to extend into the street side yard setback.

Regulation "3.d" above applies in this case requiring that no accessory building be allowed to extend into the street side yard setback. The applicant proposes a patio cover to be located just within the proposed fence area.

Special Use Permit Provision: Any request for a building permit for a fence/wall and accessory building which does not meet the criteria in those Sections shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: The applicant is proposing a fence and patio cover structure to extend into the side yard setback. The lot size is 20,000 square feet in size.

Plat Status: The property is platted as Lot 1, Block B, Legacy North Addition.

DRC Review: The DRC met on August 21, 2023.

Drainage: NA

Surrounding Development: The properties to the north, south, east, and west are zoned PUD-R and contain single-family residential development.

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.

Staff Recommendation: Staff recommends denial of the requested SUP as it does not meet the technical requirements of the Land Development Code.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended denial of the request at their September 11, 2023 meeting by a vote of 4-1.

Recommendation

Denial

Attachments

1. Request to Appeal
2. Aerial Map
3. Zoning Map
4. Future Land Use
5. Zoning Exhibit
6. Floor Plan
7. Renderings
8. Notification
9. Notification List
10. Notification Letter
11. Letters Received
12. Ordinance O-23-2266

From: [Mike Farley](#)
To: [Jackie Reyff](#)
Cc: [Ben Bryner](#); [Scott Hammons](#); [Kristopher Potts](#)
Subject: RE: 812 Sawyer Stovall Residence
Date: Tuesday, September 12, 2023 10:08:40 AM

Good Morning
Thank you for the information.
We would like to appeal this case to the City Council.
Thanks
Mike Farley

From: Jackie Reyff <JReyff@colleyville.com>
Sent: Tuesday, September 12, 2023 9:26 AM
To: Mike Farley
Cc: Ben Bryner <BBryner@colleyville.com>; Scott Hammons <SHammons@colleyville.com>; Kristopher Potts <KPotts@colleyville.com>
Subject: RE: 812 Sawyer Stovall Residence

Morning Mr. Farley,

I've attached the list for the property owners within 500 feet. If your client wanted to he could appeal the case to City Council. We would need to be notified, an email would suffice, within 10 days. Supermajority or 6 out of 7 votes by the City Council would be necessary to approve the request.

If you have any further questions, I may be reached by phone or email.

Jackie

Jacquelyn Reyff, AICP
Planning Manager



817.503.1056

Integrity ~ Communication ~ Excellence ~ Transparency



ATTENTION ALL PUBLIC OFFICIALS: A "Reply to All" of this e-mail could lead to violations of the Texas Open Meeting Act. Please reply only to the sender.

From: Mike Farley

Sent: Tuesday, September 12, 2023 8:08 AM

To: Jackie Reyff <JReyff@colleyville.com>

Subject: 812 Sawyer Stovall Residence

Good Morning

Trying to figure out the best way to proceed for my client after last night meeting about their dream final home.

Is it possible for me to get the list of addresses that the letter was sent out to?

Any recommendations?

Thanks

Mike Farley

Aerial Map



ZC23-024

812 Sawyer Dr

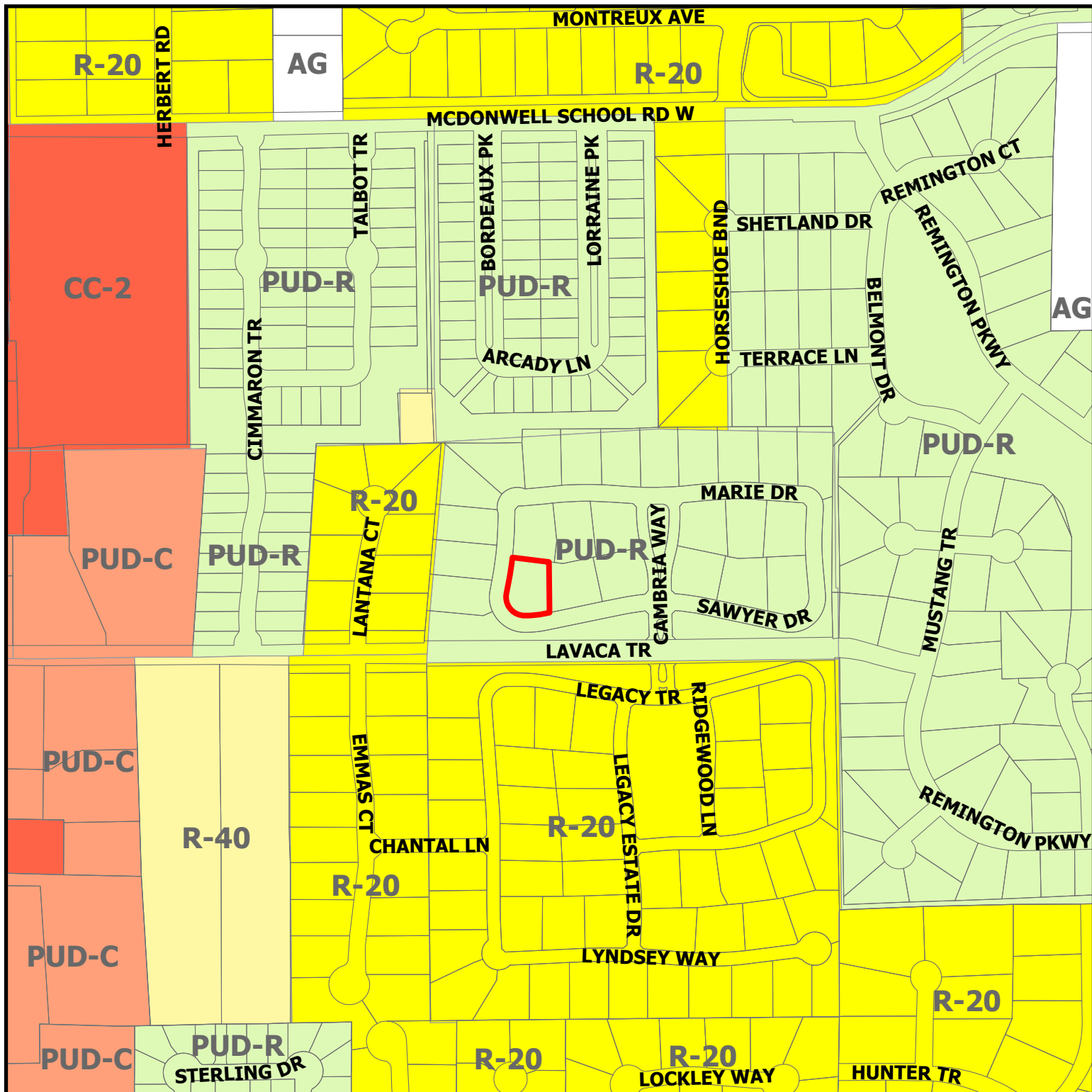


Subject Property



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



ZC23-024

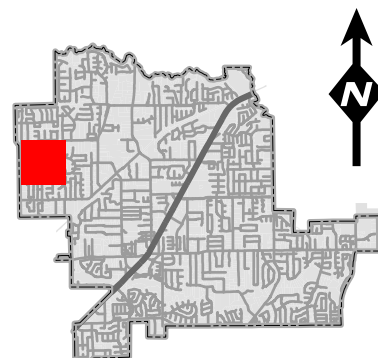
812 Sawyer Dr

DISCLAIMER:

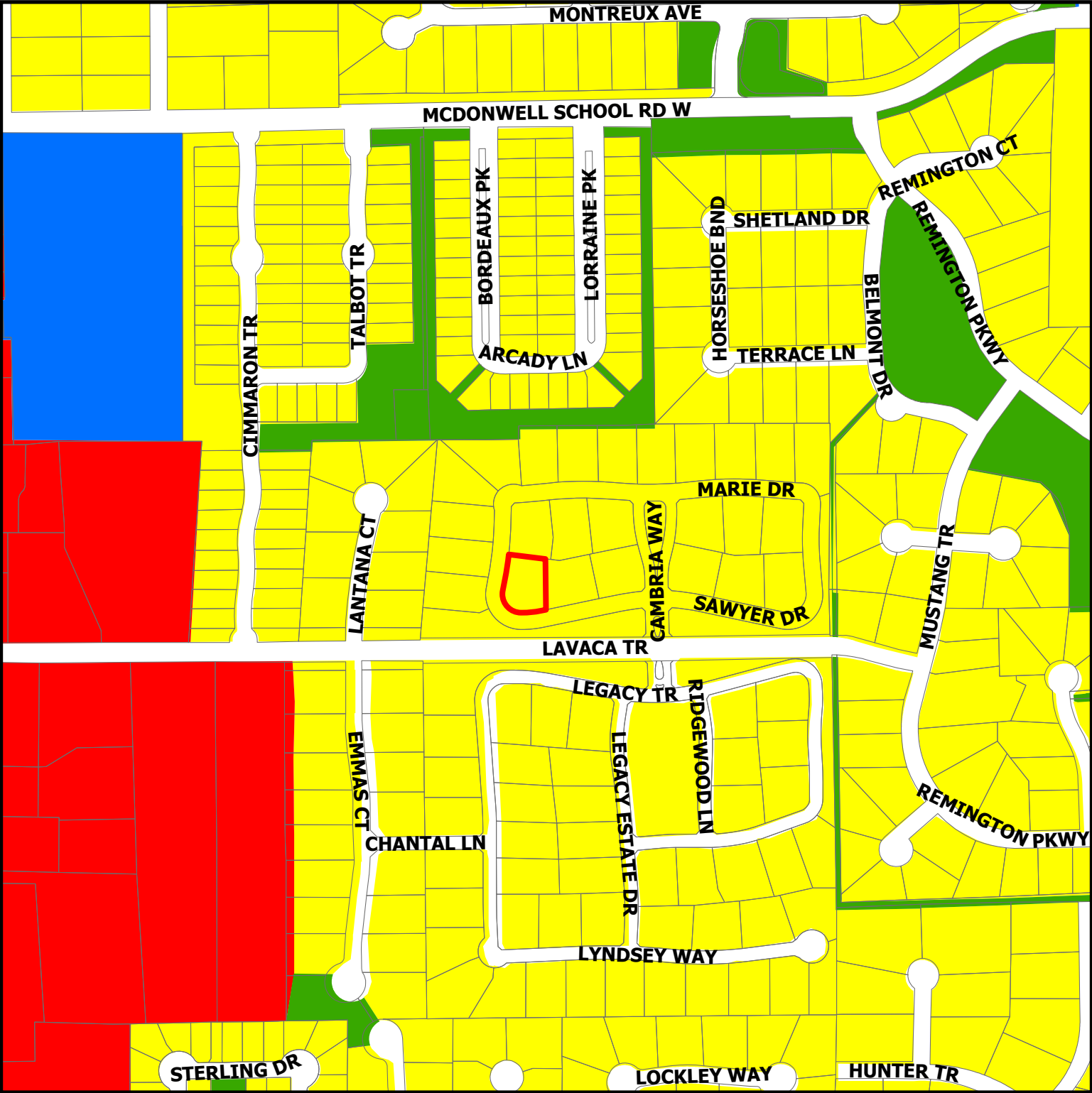
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which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



Subject Property



Future Land Use Map

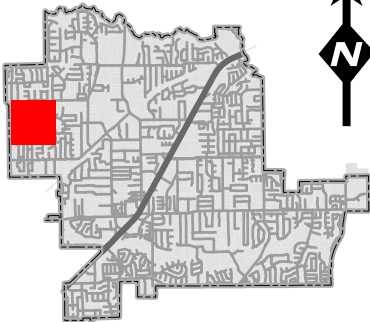


ZC23-024

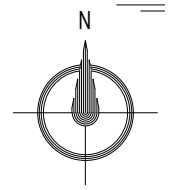
812 Sawyer Dr

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.

- | | | | |
|---|---------------|---|-------------------|
|  | Residential |  | Open Space; Parks |
|  | Commercial |  | Subject Property |
|  | Institutional | | |



SCALE: $\frac{1}{8}" = 1'-0"$



CHECK LIST	Y/N/NA
SITE ITEMS	
GAS METER/STUB	NO
PROPANE TANK	NO
ELECTRIC METER/STUB	NO
WATER MTR/STUB/H	NO
RPZ LOCATION	NO
SEWER/SEPTIC CO'S	NO
SEPTIC SYSTEM	NO
UTILITY RUNS	YES
ACCESS - SPCL NOTES	YES
PE LOCATION/PICTURE	YES
PE L. W/DOW/DIMS	YES
PLUMBING RUNS	YES
EX. GRADES - ID "0"	YES
PATIODR DOW THRESHOLD	NO
EXISTS SITE DRAINAGE	NO
DRAIN TERMINATION	NO
CREATE SWALE	NO
DOWNSPOUTS	NO
CHECKED SETBACKS	YES
LAYOUT DIMENSIONS	NO
RETAINING WALLS	NO
REMOVALS	NO
LANDSCAPE BY OTHERS	NO

POOL/SPA ITEMS	
POOL/SPA/OTH	BOTH
CONTRACTED LW	YES
ALL DEPTHS	YES
NEG. EDGE DEFINED	N/A
SKIMMER/LEVELER	YES
SPA JETS	YES
POOL/SPA/FTN LIGHTS	YES
STEP/WALL/L.S LIGHTS	N/A
TRANSFORMERS	YES
IN-FLOOR VALVES	YES
ANTENNA	YES
COOL POOLS/ANCHORS	YES
GAME SETS/ANCHORS	NO
HANDRAILS	NO
JUMP APPARATUS	NO
SLIDES	NO
RAISED/DROP BEAMS	YES
POOL COLUMNS	NO
STEPS/BENCHES	YES
STOOLS-TABLES	NO
WATER FEATURES	YES
GROTTO	NO
FIRE FEATURES	YES
DECK/STEPS DEFINED	YES
DECK/PLANTER DRAINS	YES
FRENCH/BOX DRAINS	NO
PIECES - EXT-GNEW	YES
PIER/CAPS/VOID BOXES	NO
OVER DIG	NO
SUMP PUMP	NO

ODL ITEMS	
CABANA/ARBOR/EQUINOX	YES
CONTRACTED SIZE(S)	YES
RECESSED/RAISED	YES
COLUMNS	NO
WALLS	NO
LIGHTS	YES
OUTLETS	NO
CEILING FAN	YES
H2O/SEWER FIXTURES	NO
EJECTOR PUMP	NO
APPLIANCES	NO
FINISHED SLAB/CAPPED	YES
ROOF PITCH	YES
EXISTING TIE-IN	NO

[illegible]

POOL SPECIFICATIONS:		
PERIMETER: 116'	AREA: 644 sq.ft.	GALLONS: 16,975
HEATER: Y	P-TRAP: N	DIG LINE: 116'-0"
SPA SPECIFICATIONS:		
PERIMETER: 32'	AREA: 64 sq.ft.	GALLONS: 1,039

STEP & BENCH DATA:		
<u>POOL STEPS:</u> 10'	<u>BENCHES:</u> 32'	<u>BEACH ENTRY:</u> 0'
<u>SUN BENCH:</u> 12'	<u>STEP OUTS:</u> 3'	<u>STOOLS:</u> 0

CUSTOMER: _____
CUSTOMER: _____
SALESPERSON: _____
DATE: _____

CUSTOMER: _____
CUSTOMER: _____
SALESPERSON: _____
DATE: _____

CLAYFEY POOLS
A PASSIONATE COMMITMENT
TO EXCELLENCE SINCE 1987

1023 DROWILLOW AVE.
SOUTHLAKE, TEXAS
76092

(817) 421-2670 FAX
(817) 406-5130 PHONE
P.O. BOX 92278

THE SIOVALL RESIDENCE
812 SAWYER DRIVE
COLLEYVILLE / TEXAS

00-00-0000
SALES CONTACT
MIKE FARLEY
DRAFTED BY:
MAEGAN KING

VERSION: A1

SD1

1. THESE CONSTRUCTION DOCUMENTS ARE INTENDED TO MEET ALL APPLICABLE CODES AND ORDINANCES. CONTRACTOR TO COMPLY WITH ALL LOCAL CODES, ORDINANCES AND DEED RESTRICTIONS. CONTRACTOR SHALL ALSO REQUIRE ALL SUBCONTRACTORS TO COMPLY WITH THESE REGULATIONS.
2. ANY DISCREPANCIES IN CONSTRUCTION DOCUMENTS OR NONCOMPLIANCE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO ANY WORK BEING PERFORMED OR MATERIALS BEING ORDERED.
3. BUILDER ACCEPTS FULL RESPONSIBILITY FOR CHECKING PLANS TO ASSURE CONFORMITY TO CURRENT LOCAL BUILDING CODES. SHOULD ANY CHANGES BE MADE TO THESE PLANS BY BUILDER OR HIS REPRESENTATIVES WITHOUT CONTACTING THE ARCHITECT, THE BUILDER WILL ACCEPT FULL LIABILITY FOR ANYVEDD.
4. ARCHITECTS ARE GOVERNED BY THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS. (512)588-1363.
5. WHILE THESE DRAWINGS ARE INTENDED TO SHOW SAME, THE ARCHITECT IS NOT RESPONSIBLE FOR GOVERNING AUTHORITY INTERPRETATIONS WHERE THESE INTERPRETATIONS CONFLICT WITH THESE DRAWINGS 4/OR SPECS.
6. PORTIONS OF THIS WORK MAY NOT HAVE BEEN DRAWN BY A REGISTERED ARCHITECT.
7. THESE DRAWINGS/SPECS ARE INSTRUMENTS OF SERVICE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT WHETHER THE PROJECT IS EXECUTED OR NOT. THESE DRAWINGS SHALL NOT BE USED BY THE CLIENT FOR OTHER PROJECTS. FOR ADDITIONS TO THIS PROJECT, OR FOR CORRECTION OF THIS PROJECT BY OTHERS WITHOUT PERMISSION OF THIS ARCHITECT.
8. THESE DOCUMENTS DO NOT SHOW TYPICAL DETAILING 4/OR WATERPROOFING.
9. THESE DOCUMENTS DO NOT SPECIFY ACTUAL PRODUCT OR MANUFACTURER SELECTIONS. CONTRACTOR ACCEPTS FULL RESPONSIBILITY FOR APPROPRIATE AND PROPER DETAILING FOR AND BETWEEN ALL ACTUAL PRODUCTS/MATERIALS SELECTED WHEN INSTALLED.
10. ALL COMPONENTS MATERIALS, ASSEMBLIES AND FINISHES TO BE CONSTRUCTED AND INSTALLED PER MANUFACTURER'S RECOMMENDATIONS, CODE REQUIREMENTS AND REGULATED BUILDING PRACTICES.
11. ARCHITECT IS NOT RESPONSIBLE FOR MEANS AND METHODS OF CONSTRUCTION WHICH ARE NOT DETAILED IN THESE CONSTRUCTION DOCUMENTS. CONTRACTOR WILL BE RESPONSIBLE FOR ALL ASPECTS OF CONSTRUCTION INCLUDING BUT NOT LIMITED TO ALL WATER AND DAMP PROOFING, LOAD CONNECTIONS AND MECHANIC, ELECTRICAL AND PLUMBING SYSTEMS.
12. ALL MATERIALS AND LABOR TO BE GUARANTEED FOR ONE YEAR FROM THE DATE OF FINAL PAYMENT, IN ADDITION TO ALL WARRANTIES THAT ARE STANDARD TO THE INDUSTRY. CONTRACTOR TO PROVIDE (SUPPLY AND INSTALL) ALL EQUIPMENT, LABOR SERVICES, AND MATERIALS REQUIRED FOR THE COMPLETE AND PROVED INSTALLATION OF THE SYSTEMS CALLED FOR.
13. THESE DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. THE CONTRACTOR IS RESPONSIBLE FOR INITIATING, MAINTAINING AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS NECESSARY FOR CONSTRUCTION WORK.
14. ALL DIMENSIONS TO BE VERIFIED IN THE FIELD. REPORT ANY AND ALL DISCREPANCIES, ERRORS OR OMISSIONS TO THE ARCHITECT PRIOR TO COMMENCING WORK AND/OR ORDERING MATERIALS. MINOR DEVIATIONS SUBJECT TO CONSTRUCTION REQUIREMENTS AND FIELD CONDITIONS, CAN BE EXPECTED.
15. UNDER NO CIRCUMSTANCES SHALL ANY DIMENSION BE SCALED FROM THESE DRAWINGS. ANY CRUCIAL DIMENSION NOT GIVEN SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
16. ALL DIMENSIONS AND LOCATION OF PLAN ARE TO THE STRUCTURAL FACE OF WALL AND DO NOT INCLUDE WALL FINISHES OR FURRING.
17. THE CONTRACTOR SHALL GIVE NOTICE TO ALL AUTHORIZED INSPECTORS, SUPERINTENDENTS OR PERSONS IN CHARGE OF UTILITIES AFFECTED BY HIS OPERATIONS PRIOR TO COMMENCING WORK.
18. THE CONTRACTOR IS TO FILE FOR, AND SECURE ALL APPROVALS, PERMITS, TESTS, INSPECTIONS AND CERTIFICATES OF COMPLIANCE AS REQUIRED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ASSURING THAT ALL PERMITS NECESSARY TO LEGALLY PERFORM THE WORK HAVE BEEN OBTAINED PRIOR TO COMMENCING CONSTRUCTION.
19. VERIFY EXISTING CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION START.
20. IN CASE OF DISCREPANCIES OR CONFLICTS ON THE DRAWINGS AND THE EXISTING CONDITIONS, CONTACT THE ARCHITECT OR OWNER'S BEFORE PROCEEDING WITH THE WORK.
21. CONTRACTOR SHALL CLEAN UP CONSTRUCTION AREAS AFFECTED BY DAILY WORK AND MAINTAIN A CLEAN AND SAFE WORK AREA AT ALL TIMES. REMOVE MATERIALS TO APPROVED DUMP SITES ONLY.



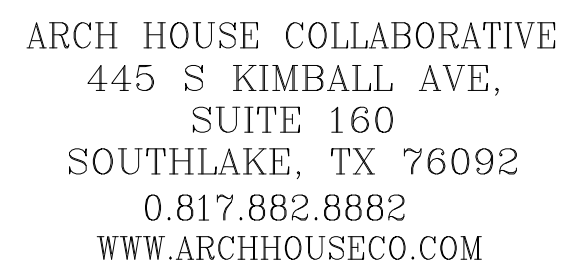
- 20 BUILDER TO RESURFULATE TOPO/FINISH GRADE TO PROVIDE PROPER DRAINAGE OF SURFACE WATER AWAY FROM BUILDING AS REQ'D.
- 20 FINAL LOCATION OF PROPOSED RESIDENCE TO BE DETERMINED BY BUILDER.
- 30 EXPOSED FOUNDATION TO BE MINIMUM OF 8" AND A MAXIMUM OF 24" ABOVE FINISHED GRADE OR PER SUBDIVISION REQUIREMENTS. UNDERPIN ALL EXPOSED FOUNDATIONS.
- 40 THERE ARE NO STORM SEWER INLETS WITHIN THE LOT FRONTAGE OR 10'-0" BEYOND THE SIDE PROPERTY LINES.
- 50 UTILITY LINE LOCATIONS ARE APPROXIMATE- GENERAL CONTRACTOR TO FIELD VERIFY FOR EXACT LOCATIONS.
- 60 VERIFY METER AND UTILITY SERVICE LOCATIONS PRIOR TO INSTALLATION.
- 70 EROSION CONTROL BARRIERS TO BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- 80 STABILIZED TEMPORARY CONSTRUCTION DRIVEWAY TO BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- 90 CONFIRM ALL DRIVEWAY, WALKWAY AND PVC LAYOUTS/LOCATIONS PRIOR TO COMMENCING WORK.
- 100 PROVIDE CONTROL AND EXPANSION JOINTS AS REQUIRED ON CONCRETE DRIVES, WALKS AND PATIOS.
- 110 ALL EXTERIOR HVAC EQUIPMENT TO BE SCREENED PER CITY REQUIREMENTS, DEED RESTRICTIONS OF SUBDIVISION OR NEIGHBORHOOD ASSOCIATION.
- 120 GARAGE RECEPTACLES TO BE STORED IN GARAGE OR SCREENED FROM VIEW AND ANIMAL ACCESS.
- 130 LOCATION OF MAILBOX AND EXTERIOR DRIVEWAY LIGHT(S) TO BE VERIFIED PRIOR TO INSTALLATION.
- 140 ALL CONSTRUCTION MATERIALS AND WASTE TO BE STORED ON SITE DURING CONSTRUCTION.
- 150 LANDSCAPE PLANS TO BE PROVIDED BY OTHERS AND PERMIT FOR SAME TO BE OBTAINED SEPARATELY FROM THESE PLANS.
- 160 NO EXISTING TREES TO BE REMOVED OR DISTURBED WITHOUT OWNER'S APPROVAL.
- 170 ALL STUMPS AND ROOTS SHALL BE REMOVED FROM THE SOIL TO A DEPTH OF 12" BELOW THE SURFACE OF THE GROUND IN THE AREA OF THE BUILDING.
- 180 CONTRACTOR SHALL CLEAN UP AREAS AFFECTED BY DAILY WORK AND REMOVE DEBRIS AND MATERIALS FROM THE SITE UPON COMPLETION OF THE WORK.

LEGAL DESCRIPTION:
LOT 1, BLOCK B
812 SAUTER DRIVE
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

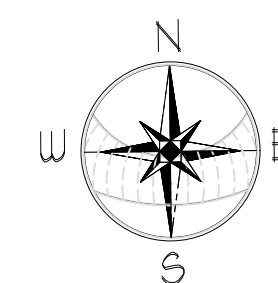
NOTE: REFER TO CIVIL GRADING PLANS FOR PROPOSED GRADING AND DRAINAGE INFORMATION.

NOTE: REFER TO LANDSCAPE ARCHITECT'S PLANS FOR PROPOSED LANDSCAPE WALLS & PAVING INFORMATION.

STOVALL RESIDENCE
LOT 1, BLOCK B
812 SAWYER DRIVE
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS



Copyright, ARCH HOUSE COLLABORATIVE, LLC. 2023



① SITE PLAN
SCALE: 1" = 20' - 0"

■■■■■ ■■■■■ ■■■■■ ■■■■■ ■■■■■ ■■■■■ ■■■■■

A3





Designed by
Erynn Small
4/3/2023

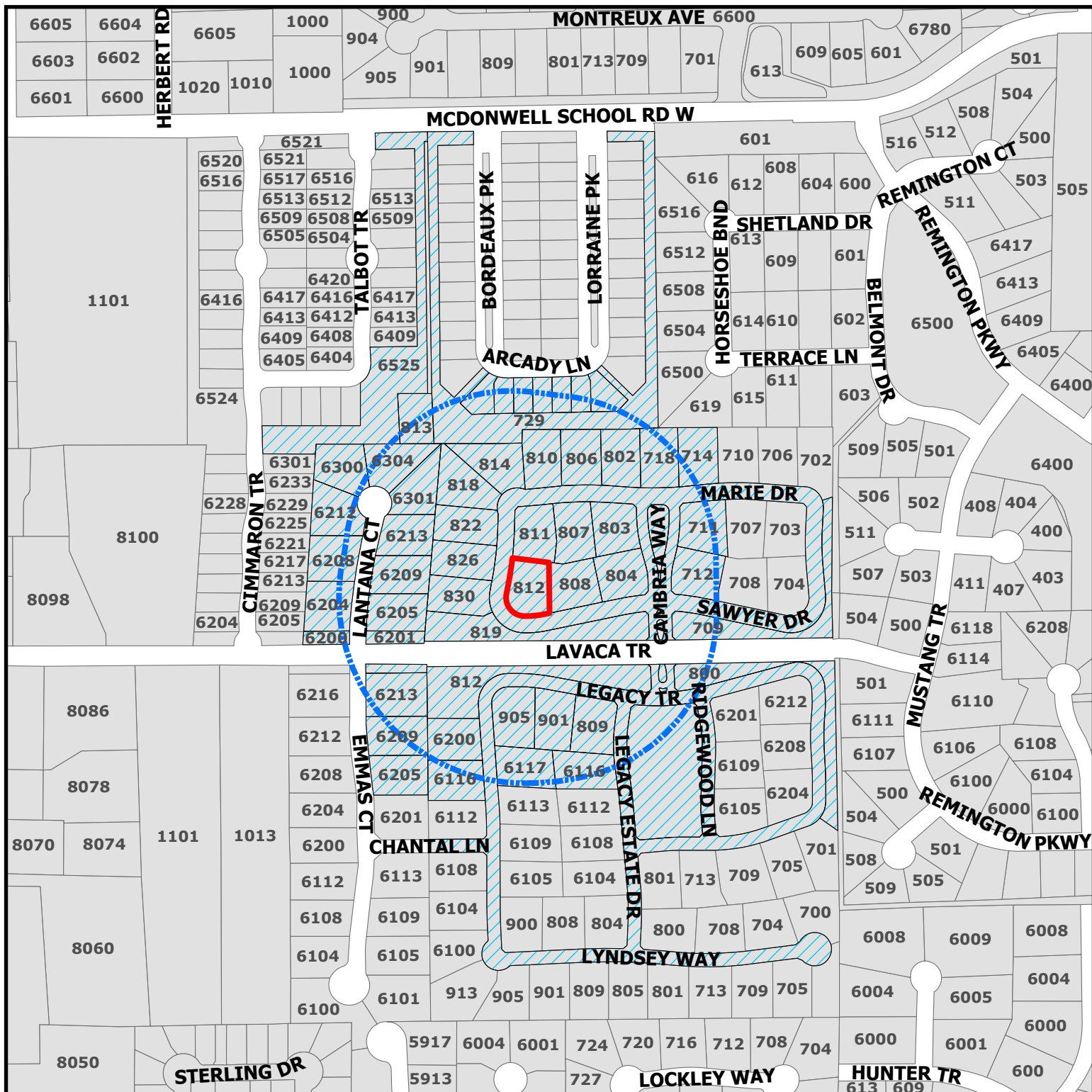




Downloaded by
Dustin Shwartz, 4/3/2023
172.16.17.107



Notification Map

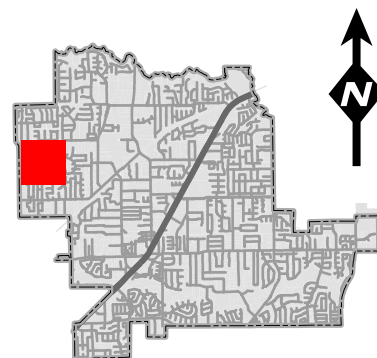


ZC23-024

812 Sawyer Dr

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.

-  Parcels to be notified
-  Buffer
-  Subject Property



Owner Name	Owner Address	Owner City	Owner Zip
VILLAS OF COLLEYVILLE HOA LLC	1108 W PIONEER PKWY	ARLINGTON, TX	76013
OFF COURSE LLC	1330 N WHITE CHAPEL BLVD STE 20	SOUTHLAKE, TX	76092
LAVACA PARC HOMEOWNERS ASSC	1540 KELLER PKWY STE 108-151	KELLER, TX	76248
GARRETT, COY E	1600 W ABRAM	ARLINGTON, TX	76013
L T ESTATES HOA INC	17319 SAN PEDRO STE 300	SAN ANTONIO, TX	78232
MORTON, JOHN	2409 REMUDA CT	SOUTHLAKE, TX	76092
STALLINGS FAMILY LIMITED PARTNE	2600 E SOUTHLAKE BLVD SUITE 120	SOUTHLAKE, TX	76092
KELLER ISD	350 KELLER PKWY	KELLER, TX	76248
ANAND, KAPIL	3804 HEATHER MEADOWS DR	FORT WORTH, TX	76244
AKINMURELE OLADOTUN	430 E UNIVERSITY DR	PORTALES, NM	88130
PATEL, RUPAL	44252 HUNTER PL	FREMONT, CA	94539
GUERRA, ROBERT	503 TERRACE LN	COLLEYVILLE, TX	76034
REMINGTON PARK ADDITION	5751 Kroger Drive	KELLER, TX	76244
KM PROPERTIES INCORPORATED	604 E NORTHWEST HWY #102	GRAPEVINE, TX	76051
LEGACY NORTH COLLEYVILLE LLC	604 E NORTHWEST HWY STE 102	GRAPEVINE, TX	76051
MOORE, DAVID	6116 LEGACY ESTATES DR	COLLEYVILLE, TX	76034
CAPPS FAMILY TRUST	6116 LEGACY TRL	COLLEYVILLE, TX	76034
KELLY, MATTHEW	6117 LEGACY TRL	COLLEYVILLE, TX	76034
FORD, DOUGLAS	6200 LEGACY TRL	COLLEYVILLE, TX	76034
CHANDLER, CHARLOTTE	6205 EMMAS CT	COLLEYVILLE, TX	76034
TARVER, RUSSELL	6205 LANTANA CT	COLLEYVILLE, TX	76034
HOPKINS FAMILY REVOCABLE TRUST	6208 LANTANA CT	COLLEYVILLE, TX	76034
GEORGE, ANISH	6209 EMMAS CT	COLLEYVILLE, TX	76034
NIXON, MARK	6209 LANTANA CT	COLLEYVILLE, TX	76034
HUCKINS, BRUCE	6212 LANTANA CT	COLLEYVILLE, TX	76034
PHINNEY, JASON	6213 EMMAS CT	COLLEYVILLE, TX	76034
PRAKASH, ANA	6213 LANTANA CT	COLLEYVILLE, TX	76034
LANE, THOMAS M	6300 LANTANA CT	COLLEYVILLE, TX	76034
DYNIOWSKI, JOSH	6301 LATANA CT	COLLEYVILLE, TX	76034
MATHEW, ARUN	6304 LANTANA CT	COLLEYVILLE, TX	76034
HSU, LISA L W	6725 SHINNECOCK HILLS DR	MCKINNEY, TX	75070
SCHEEF, CRAIG	701 ARCADY LN	COLLEYVILLE, TX	76034
STOVALL, DANITA	7024 BENJAMIN WAY	COLLEYVILLE, TX	76034
DERGANC, CHRISTOPHER	705 ARCADY LN	COLLEYVILLE, TX	76034
TRAINOR, KAREN	712 SAWYER DR	COLLEYVILLE, TX	76034
ROUILLIER, NORMAN	713 ARCADY LN	COLLEYVILLE, TX	76034
EVANS, DAVID	717 ARCADY LN	COLLEYVILLE, TX	76034
JOAN C HUEY REVOCABLE LIVING TR	718 MARIE DR	COLLEYVILLE, TX	76034
KLEIN, DONALD W	721 ARCADY LN	COLLEYVILLE, TX	76034
DURBIN, RICHARD G	725 ARCADY LN	COLLEYVILLE, TX	76034
GARFF, WHITNEY F	806 MARIE DR	COLLEYVILLE, TX	76034
GENZER, STEPHEN	808 SAWYER DR	COLLEYVILLE, TX	76034
CHUNG, KRAMER	809 LEGACY TRL	COLLEYVILLE, TX	76034
GATHWAL, KRISHNA	822 MARIE DR	COLLEYVILLE, TX	76034
LAIRD, JOHN	8356 SADDLEBROOK DR	NORTH RICHLAND HILLS, TX	76182
VILLAS OF COLLEYVILLE	9001 Airport Freeway Suite 450	NORTH RICHLAND HILLS ,TX	76180
SCHNIEGENBERG, GREGORY	901 LEGACY TRL	COLLEYVILLE, TX	76034
LAINE, RURI	905 LEGACY TRL	COLLEYVILLE, TX	76034
WINSTAR CONTRACTORS LP	9728 CAMP BOWIE BLVD	FORT WORTH, TX	76116
ROSEWOOD VILLAS	P.O. Box 463	COLLEYVILLE ,TX	76034
THE LEGACY	PO Box #51555	DENTON, TX	76206
JBH IRREVOCABLE ASSET TRUST	PO BOX 171195	ARLINGTON, TX	76003
CHIP ROOP IRREVOCABLE LIVING TR	PO BOX 2947	PIKEVILLE, KY	41502
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEYVILLE, TX	76034
GTP ACQUISITION PARTNERS II	PO BOX 723597	ATLANTA, GA	31139
LEGACY AT COLLEYVILLE LLC THE	PO BOX 92747	SOUTHLAKE, TX	76092
LEGACY AT COLLEYVILLE LLC THE	PO BOX 92747	SOUTHLAKE, TX	76092
LAVACA TRAIL ESTATES		COLLEYVILLE ,TX	76034



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:

Planning and Zoning Commission Meeting: Monday, September 11th, 2023 at 7:00 p.m.
City Council Meetings: Wednesday, October 4, 2023 & Tuesday, October 17, 2023 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a non-compliant fence and an accessory building on Lot 1, Block B, Legacy North Addition. The request is for a wrought-iron fence and patio cover to extend into the street side yard setback.

Zoning Case: ZC23-024

Applicant: Jody Alumbaugh

Owner: Stovall Danita Kay, Stovall Bryan Lee

Location: 812 Sawyer Dr

Property Description: Lot 1, Block B, Legacy North Addition

Present Zoning: PUD-R, Planned Unit Development Residential

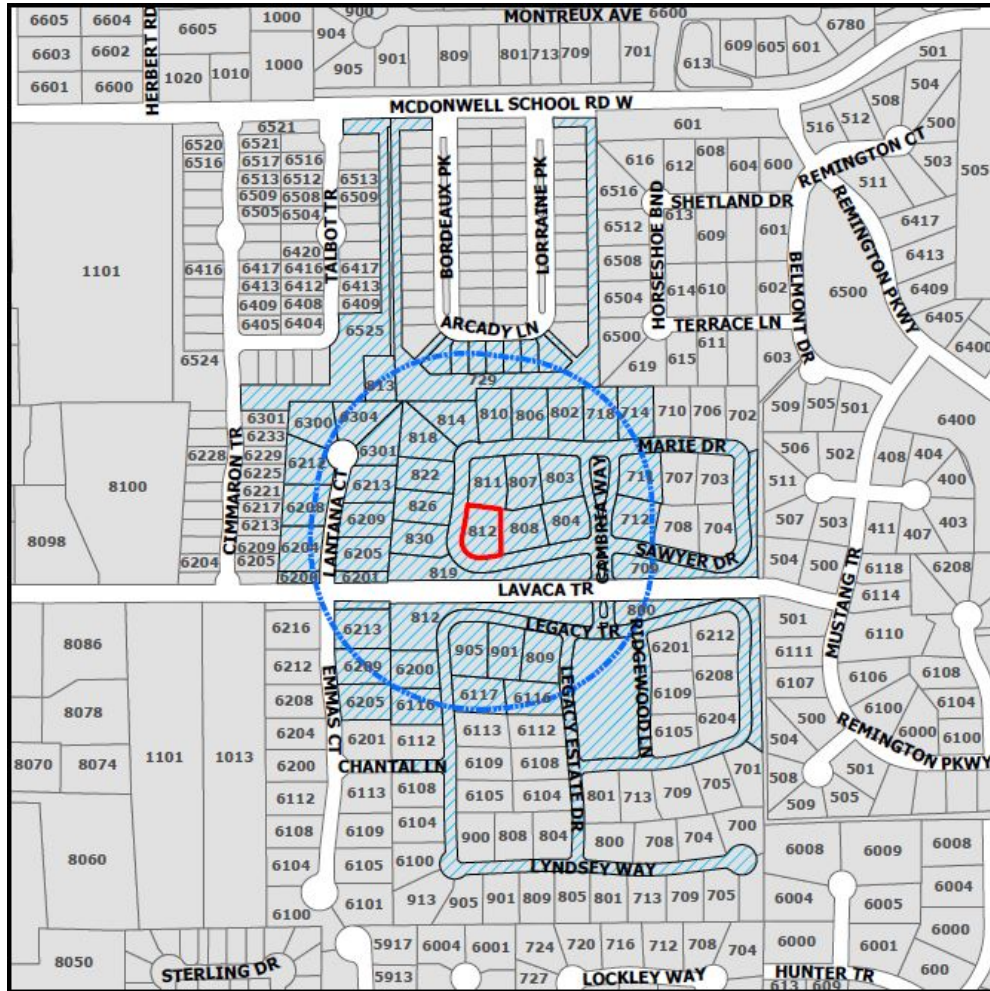
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change 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:

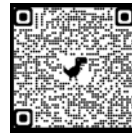
**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

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
Principal Planner
jreyff@colleyville.com

STEVE & JOELL GENZER

808 Sawyer Drive

Colleyville, TX 76034 |

September 7, 2023

Dear Ben,

We wanted to send this letter to support our future neighbors in the upcoming meeting regarding the fence permit variance for 812 Sawyer, Colleyville, TX 76034.

We live next door to 812 Sawyer and have already met the new owners building the home. We support their request for the fence variance and believe their backyard plans will only increase the value of their home and the neighborhood. We understand they enjoy entertaining and look forward to being invited to their home as well as having them over to our place. We believe Legacy North is a unique neighborhood and look forward to a very family and neighbor friendly culture.

Please feel free to contact me with any questions.

Sincerely,

Steve and Joell Genzer

From: [Ben Bryner](#)
To: [Jackie Reyff](#); [Kristopher Potts](#); [Scott Hammons](#)
Subject: FW: 812 Sawyer Fence Variance Request
Date: Friday, September 8, 2023 9:12:49 AM

From: Danita Stovall <>
Sent: Friday, September 8, 2023 9:11 AM
To: Ben Bryner <BBryner@colleyville.com>
Cc: Bryan Stovall <>; Travis Franks <>; Jody Alumbaugh <>
Subject: 812 Sawyer Fence Variance Request

Ben,

We wanted to send this letter in preparation for the upcoming meeting regarding our fence permit variance request for 812 Sawyer in Colleyville.

We are well into the construction of our new home in Legacy North in Colleyville. We relocated from Houston over 15 years ago and were fortunate to settle in the Colleyville community. We are very much looking forward to completing our home and spending much time entertaining and enjoying the outdoor area. Bryan and I have been married for 33 years, have no children and enjoy spending our time traveling, entertaining friends and lots of outdoor activities. We put a lot of time and effort working with our architect and builder to design a plan that is perfect for our lifestyle. A key component of that is the outdoor living and pool area.

We respectfully request the consideration of our request for the fence variance. Since our plans were approved by the architectural control committee back in January before we broke ground and there is no mention of the fence limitation in the CCR's, we truly had no idea our plans could present an issue. If we had been aware, quite honestly, we likely would have not started the project, as the back yard is such an important part of our vision. We also believe our plans will only increase the value of the property and neighborhood. We will also be submitting supporting documentation from fellow Legacy North neighbors.

Sincerely,

Danita Stovall

From: [Ben Bryner](#)
To: [Jackie Reyff](#); [Kristopher Potts](#); [Scott Hammons](#)
Subject: FW: Legacy North Fence Variance Support
Date: Thursday, September 7, 2023 4:25:01 PM
Attachments: [image003.png](#)

From: Eason Maykus
Sent: Thursday, September 7, 2023 4:18 PM
To: Ben Bryner <BBryner@colleyville.com>
Subject: Legacy North Fence Variance Support

Ben,

I support 812 Sawyer, Colleyville's fence variance request. This will allow maximization of the backyard. As the A.R.C. for the community this was approved and is supported by Legacy North's architectural review committee. Please allow the new Colleyville resident this variance to enjoy their backyard and outdoor living spaces.

Thank You,

Eason Maykus



MAYKUS HOMES
& neighborhoods



ORDINANCE O-23-2266

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.46 ACRES, ON LOT 1, BLOCK B, LEGACY NORTH ADDITION BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR A FENCE AND A PATIO COVER TO EXTEND INTO THE STREET SIDE YARD SETBACK; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit to allow for a fence and patio cover to extend into the street side yard setback under Case No. ZC23-024; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit to allow for a fence and a patio cover to extend into the street side yard setback on 0.46 acres, on Lot 1, Block B, Legacy North Addition, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall allow for a fence and patio cover to extend into the street side yard setback.
- b. It shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".
- c. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of October 2023.

The second reading and public hearing being conducted on the 17th day of October 2023.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

ATTEST:

CITY OF COLLEYVILLE

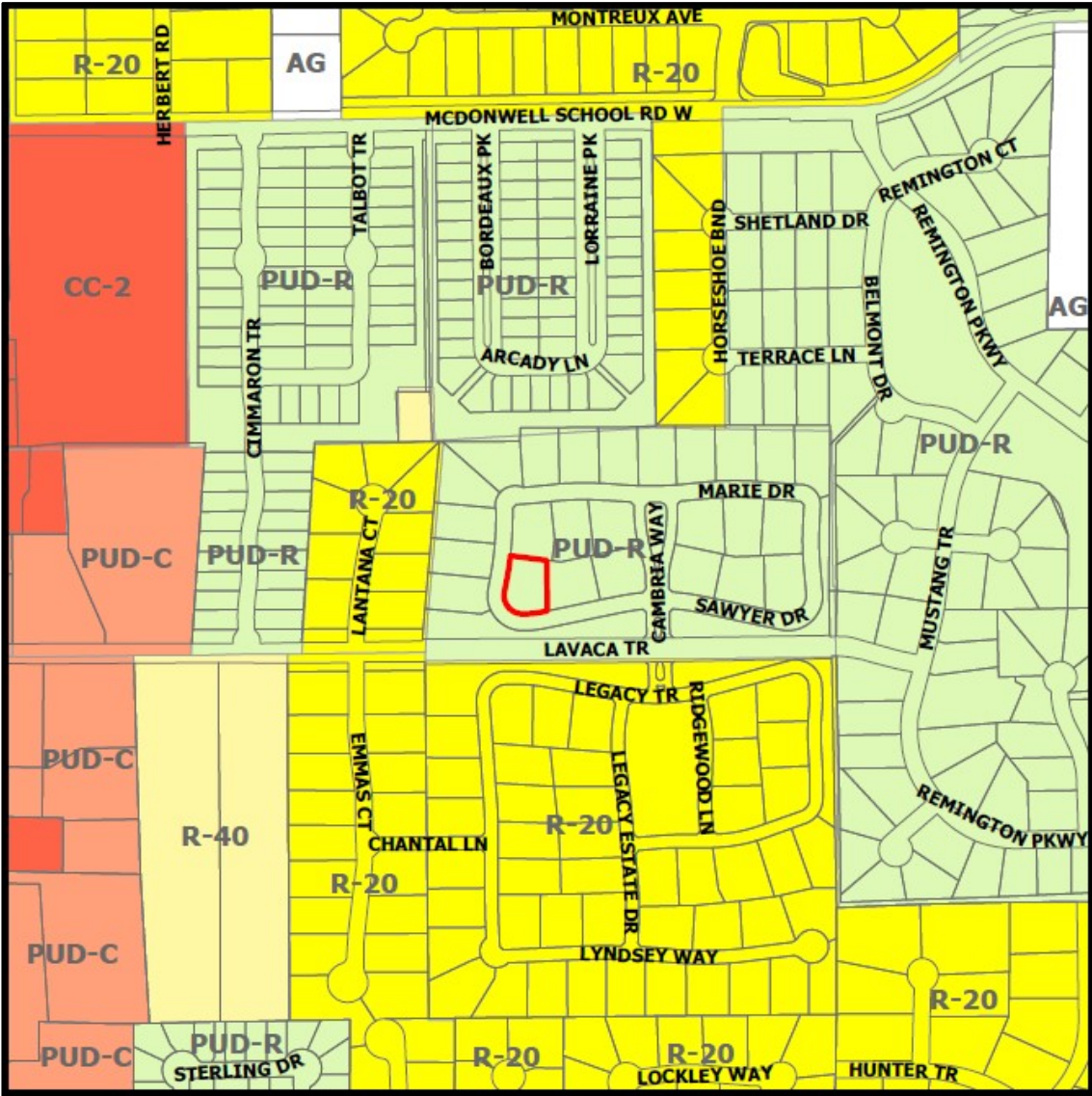
Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map



[illegible]



CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 5f

Agenda Date 10/4/2023

Number Ordinance O-23-2267

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit to allow for a Veterinarian Clinic for a for Lot 1, Block A, 170 Players Addition, located at 3825 Glade Road, Suite 130, Case ZC23-026

Explanation

First Reading and Public Hearing

Chris Dietrich, the applicant, has submitted a request for a Special Use Permit (SUP) to allow for Veterinary Clinic services at 3825 Glade Road, Suite 130. The subject property is zoned Planned Unit Development – Residential district. A Veterinary Clinic business is only allowed in commercial districts with the approval of an SUP.

Existing Conditions/Background: The subject property is currently known as Creekside Commercial North and is developed as a retail shopping center with commercial retail uses. The Veterinary Clinic received a Special Use Permit in 2021 to operate in Suite 140. The proposed use would be for the Clinic to expand into Suite 130 for truBond Veterinary Center.

Surrounding Development: The properties to the east and south are zoned PUD-R Planned Unit Development - Residential and are improved with retail commercial uses and single-family homes. The property to the east is zoned R-30 and developed as St. Mary's Orthodox Church.

Proposed Business: Per the attached Statement of Planning Objectives, the proposed name of the business is "truBond Veterinary Center" and is an operating veterinary business. There will be no outdoor kennels, no vacation boarding services, and no pet daycare services. They will offer spa-style pet grooming services. They will also install sound-proof walls.

Ordinance – Chapter 3 (Land Use) of the Land Development Code identifies the purpose of a Special Use Permit as:

"The purpose of a Special Use Permit is to allow a use not normally allowed in a zoning district, which could be of benefit in a particular case to the general welfare, provided adequate development standards and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood."

Analysis: The Special Use Permit request up for consideration is consistent with the

land uses located on the subject property and the governing zoning district.

Plat Status: The property is platted as Lot 1, Block A, 170 Players Addition.

DRC Review: The DRC reviewed the request during their August 22, 2023 meeting and determined the application was complete.

Drainage: NA

Hours of Operation: According to the statement of planning objectives, the hours of operation of the business will be:

- 8:00 a.m. to 6:00 p.m. Monday-Friday
- 9:00 a.m. to 5:00 p.m. Saturday
- Closed on Sundays

Parking: The Land Development Code does prescribe a specific number of parking spaces for the proposed land use of one space per 300 s.f. Utilizing this ratio, 14 parking spaces will be required for the proposed use. Sufficient parking exists within the Creekside Commercial North development for the proposed expanded use.

Comprehensive Plan: The City's Comprehensive Plan, *Destination Colleyville*, identifies the subject property for commercial development. The proposed SUP does not conflict with any portion of the comprehensive plan.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1000 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.

Staff Recommendation: Staff recommends approval of the Special Use Permit. The proposed zoning change is generally consistent with the City's comprehensive plan. Additionally, the request is consistent with the land uses located on the subject property and the governing zoning district.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the request at their September 11, 2023 meeting by a vote of 5-0.

Recommendation

Approve

Attachments

1. Aerial Map

2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Floor Plan
7. Notification Map
8. Notification List
9. Notification Letter
10. Ordinance O-23-2267

Aerial Map

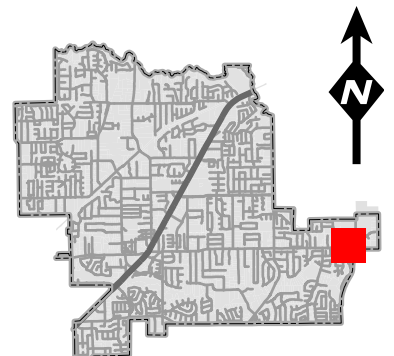


ZC23-026

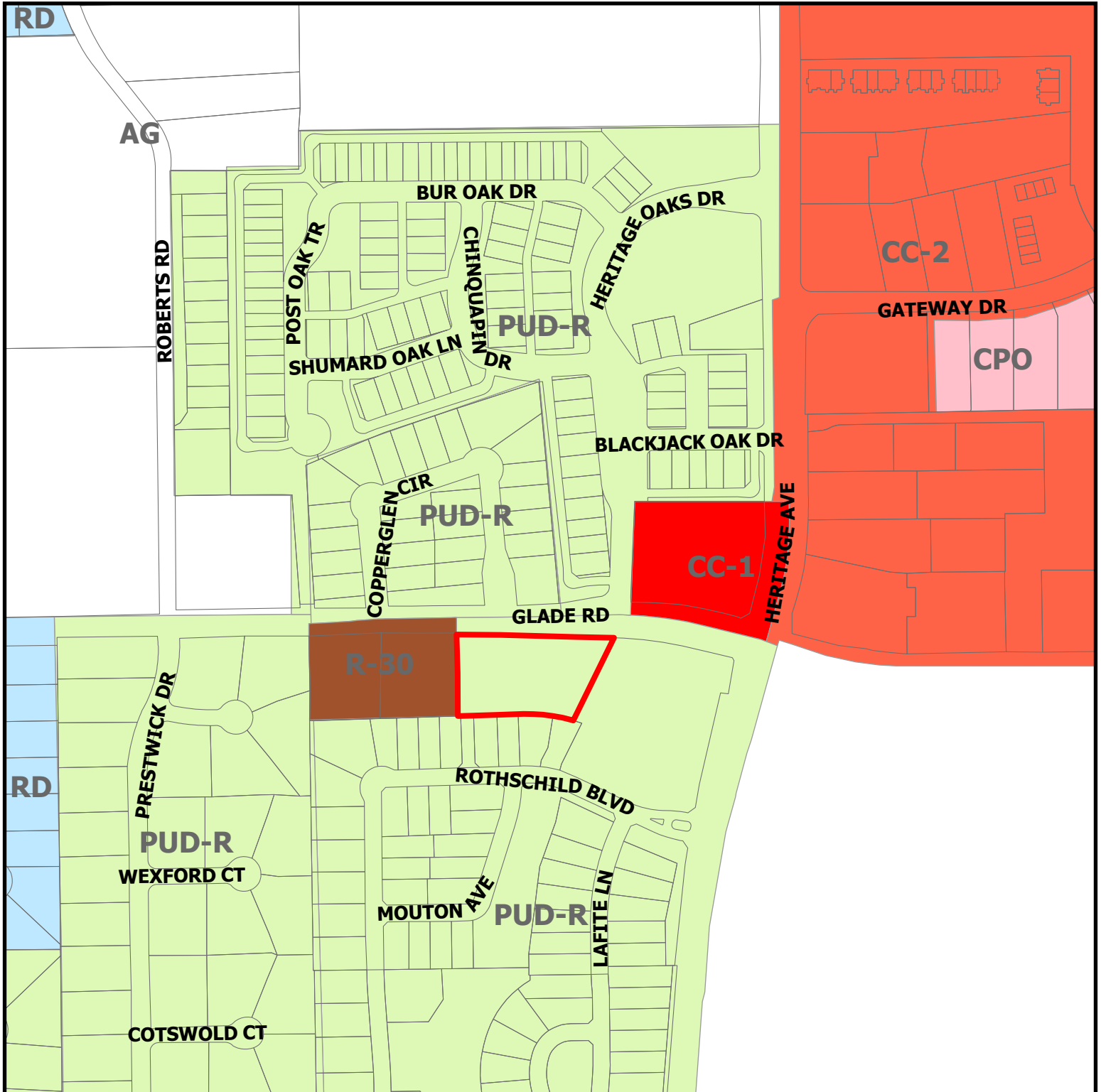
3809 Glade Rd

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

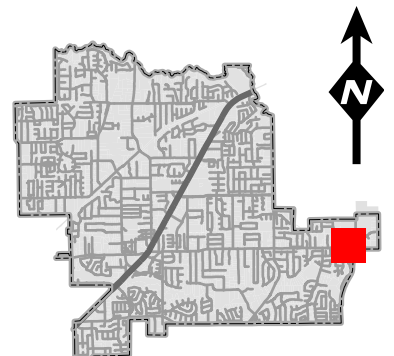


ZC23-026

3809 Glade Rd

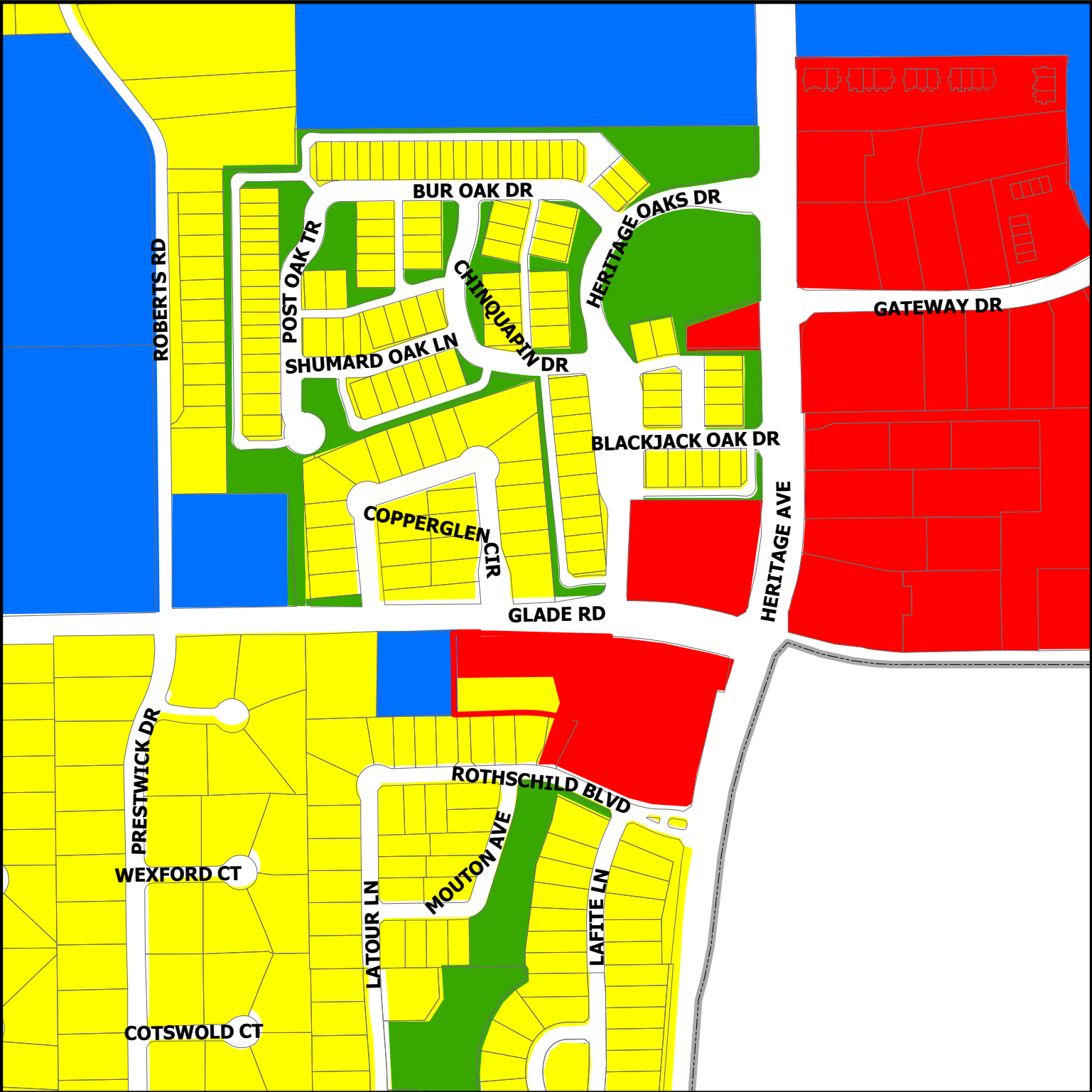


Subject Property



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.

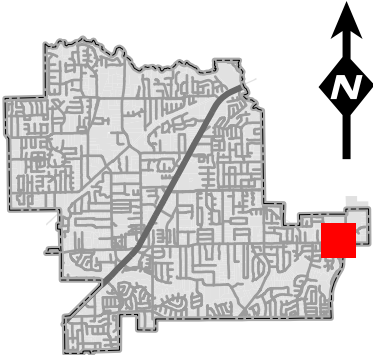
Future Land Use Map



ZC23-026
3809 Glade Rd

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.

- | | |
|---|---|
|  Residential |  Open Space; Parks |
|  Commercial |  Subject Property |
|  Institutional | |



Statement of Planning Objectives - truBOND Veterinary Center Expansion

My name is Dr. Chris Dietrich, and I'm the owner of truBOND Veterinary Center. We opened truBOND Veterinary Center in 2021 and we have been overwhelmed by the incredible response we received from our clients. The veterinary center has grown from 1 doctor practicing 6 days a week (myself) to a 3 doctor practice, with a 4th doctor to start in October, in less 2 years. We currently employ a total of 22 employees including 2 pet groomers, and we have over 3,000 clients and have helped almost 4,000 patients. Our grooming services are currently booked out completely for over 1 month with many on the waiting list.

We've earned a reputation for excellent customer service, compassionate and high quality care, and dedication to educating our clients on their pets needs. We currently have a 5-star rating on Google with 134 reviews and have been voted Neighborhood Favorite in 2022 and 2023 on Nextdoor. Our facebook page has almost 750 followers with 19K views of our highest viewed "reel". We've also had very little turnover in our team with only 6 terminated employees with most of these due to life changes (new career, school, moving). One of our technicians has been accepted to veterinary school and one is waiting to hear back regarding Medical School applications. We hosted a 4th year extern from the Texas A&M College of Veterinary Medicine are currently helping one of technicians complete her Licensed Veterinary Technician training.

We are expanding our facility to accommodate continued client/patient growth, and the addition of more doctors and team members. This expansion will allow the addition of exam rooms, a dedicated dental suite, and expansion of our treatment, surgery, and grooming areas.

One of things we've enjoyed most is being active members in the local community. We've had the pleasure to serve as mentor to 8 students in the GCISD non-paid Vet Assisting internship program for the 2021-2022 and 2022-2023 academic years. Two of these students joined our team part-time while they complete their college education. We've sponsored many local sports programs including Colleyville Heritage High School Football, Baseball, Soccer, Cheer, and Wrestling, and we are an Annual Sponsor to Heritage Elementary School. We participated in Career Day at OC Taylor Elementary School. We also have sponsored both the Colleyville Police and Fire Departments. Recently we've formed a non-profit organization, The truBOND Gold Foundation, and looking forward to offering more ways of giving back to the communities we serve.

It's been our honor and privilege to serve the community we live in and we are looking forward to many more years of dedicated service. Thank you for your consideration of our special use permit.

Thank you,

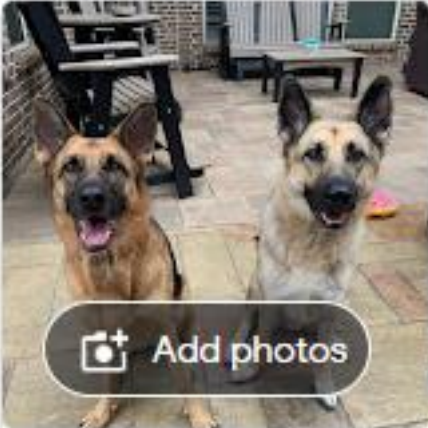
A handwritten signature in black ink, appearing to read "Chris Dietrich DVM".

Chris Dietrich, DVM
truBOND Veterinary Center, Owner

Home: 4807 Meandering Way, Colleyville, TX 76034

Mobile: 817-713-4790

Chris.dietrich@trubondvet.com





WORK (truBOND Veterinary Center)

[Website](#) [Directions](#) [Saved](#) [Call](#)

5.0 ★★★★★ 134 Google reviews

Veterinarian in Colleyville, Texas

 You manage this Business Profile 

Address: 3825 Glade Rd Suite 140, Colleyville, TX 76034

Hours: Open · Closes 6 PM ▼

Phone: (817) 527-1595



Laura Ballam

3 reviews

★★★★★ a day ago **NEW**

True pet lovers, explain everything clearly and no pressure at all! We've found our new vet!





Lane Cox

7 reviews



★★★★★ a week ago

NEW

Truly cannot say enough good things. They are fantastic. All of our pets come here for care. Across each of our pets we have done just about everything from annual care, allergy ear infections, to end of life care. You can tell that everyone here truly cares about your pet and wants what is best for them. They truly take the time to talk with you to develop a treatment plan, and explain everything from the cause of the problems to how the treatment works. They are so great that all of our dogs are excited when they get to go to the vet! Your pets are in the best hands here and I never hesitate to recommend them.



Jstubby68

3 reviews · 3 photos



★★★★★ 2 weeks ago

NEW

I took my cat here to truBOND Veterinary Center for treatment. I was very impressed with the look and design of the clinic. Very modern, sleek, stylish and well laid out. As wonderful as the building was, the doctor and staff were even more impressive!! I felt welcomed and my business appreciated. They took great care of my cat-MissYuki. They were kind and gentle when they dealt with her. She was seen by Dr. Dietrich. He explained everything thoroughly in easy to understand terms regarding her care and treatment. Not being a scientist or medical professional, I appreciated that!

In summary, I am very happy with my decision to take my beloved cat here. I feel she is receiving top notch care from doctors and staff that genuinely care about the wellbeing of animals.



Fletcher Sanders

4 reviews



★★★★★ 3 weeks ago

NEW

Another amazing experience at truBOND. Cat, Mittens, did not want to go to the vet and fought me every step of the way. When I finally got her to truBOND she was as calm and cool as a cucumber. Either they put tranquilizer in the air or the techs really know what they are doing. Everything went smoothly. Amazing !



Julimar Guerra

2 reviews



★★★★★ 2 months ago

As a first time dog owner I was very particular on where I wanted to take my dog, and the staff at truBOND were nothing but AMAZING. They loved on my boy like he was their own. Dr.Dietrich was super helpful and explained everything easily for me to understand! I appreciate y'all! And I know Choko will always be in good hands!



672 likes + 740 followers

[Contact us](#)

👍 Liked

 Message

[Posts](#) [About](#) [Mentions](#) [Reviews](#) [Services](#) [Reels](#) [More ▾](#)

Switch Now

We are here for anyone that loves their pet and wants the best for them.

Page · Veterinarian

3025 Glade Rd #140, Colleyville, TX, United States, Texas

☎ (817) 527-1595

✉ info@trubondvet.com

 trubandvet.com

Promote Website

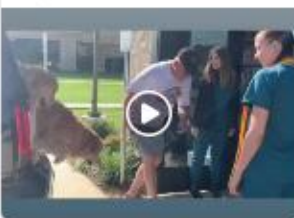
 Open now

★ Rating - 5.0 (24 Reviews)

 Offers free Wi-Fi

truBOND Veterinary Center
July 23, 2022

Best Day Ever! See what happens when 11 Goldens get the Golden Standard of Care, all at once.



Posts

truBOND Veterinary Center
25h · 🌐

It's National Back to School Month, and that means pet parents may be noticing signs of separation anxiety in their furry friends! Not sure how to deal with your pet's anxiety? Give our veterinarian team a call! <https://trubondvet.com/>

#Colleyvillevet #Colleyvilleveterinarian #Colleyvilletexasvet #texasvet #Colleyvillegroomer
#Colleyvilletexasgroomer #Veterinariantexas #texasgroomer #tribond

Photos

[See all photos](#)



NATIONAL BACK-TO-SCHOOL MONTH



truBAND
WITH HUNTER CRYSTAL

SYMPTOMS OF SEPARATION ANXIETY



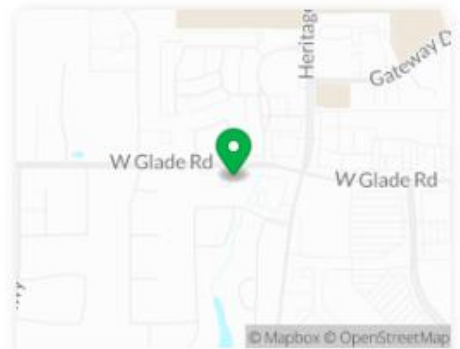
Nextdoor App:

nextdoor

Sign in

Join

Texas > Colleyville > truBOND Veterinary Center



Colleyville, TX

🕒 Open until 6:00 PM

 info@trubondvet.com

 trubondvet.com

truBOND Veterinary Center

 16

Veterinarian

Dog groomer

 Fave

 Message

 [Call](#)

Awards

[See all](#)

Neighborhood
Fave



Neighborhood
Fave

FILE: X:\Projects\2017\17-316 CREEKSIDE COMMERCIAL - NORTH\Drawings\CD\Working Drawings\CD SP 17-316.dwg
USER: JAL Date: 05/13/2019 Time: 10:05:00 AM

DEVELOPER
MONTAGE DEVELOPMENT, LLC
151 PLAYERS CIRCLE, SUITE 200
SOUTHLAKE, TX 76092
817.944.4980 PH

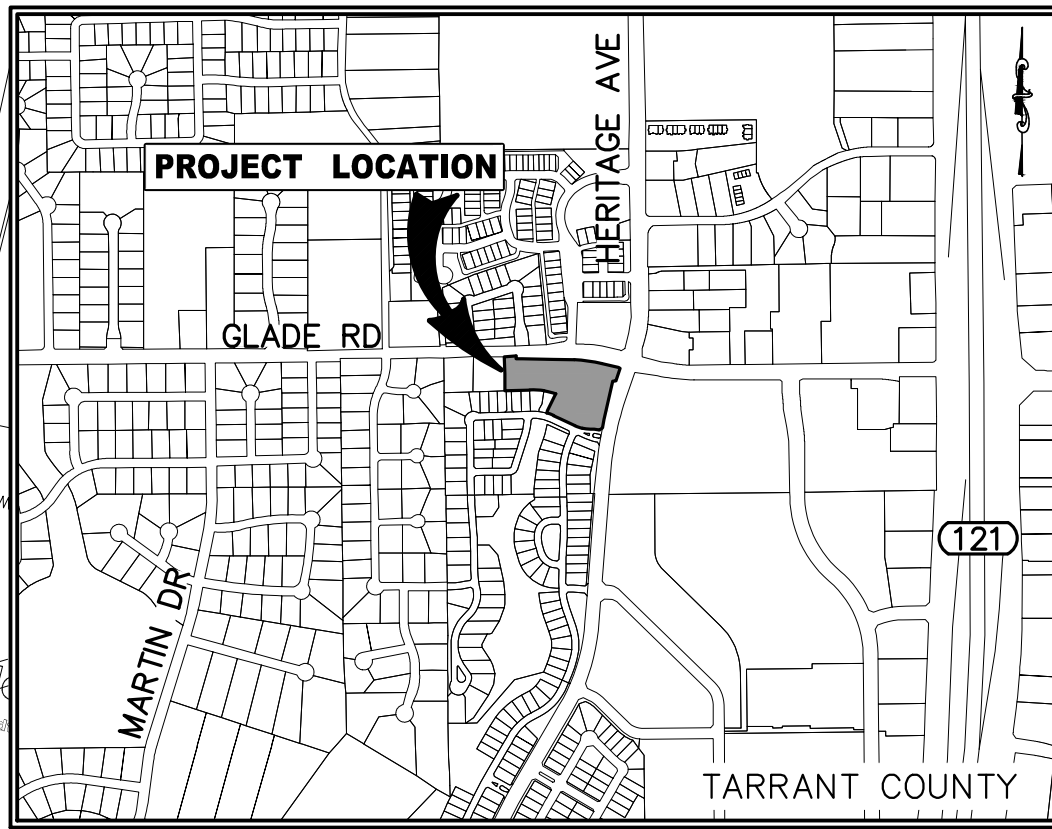
ENGINEER
HPcivil Engineering, LLC
5339 ALPHA ROAD, SUITE 300
DALLAS, TEXAS 75240
972.701.9636 PH
972.701.9639 FAX
JASON T. PYKA, P.E.

ARCHITECT
BLAKE ARCHITECTS
1202 S. WHITE CHAPEL RD.
SOUTHLAKE, TEXAS 76092
817.488.9397 PH

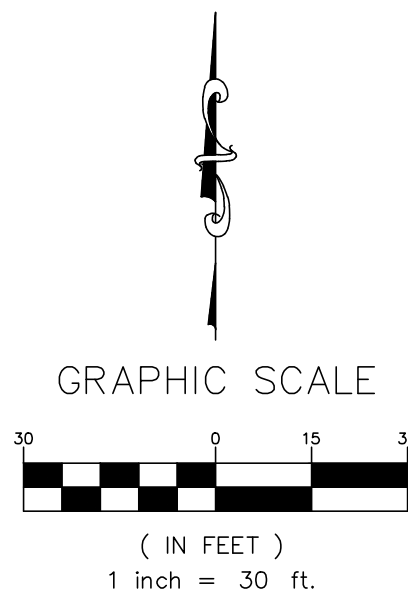
SURVEYOR
REALSEAL OF TEXAS, LLC
P.O. BOX 1006
GODLEY, TEXAS 76044
817.937.2655 PH
JEREMY LUKE DEAL, R.P.L.S.

LEGEND			
	PROPOSED FIRELANE		PROP. GABION MATRESS
	ACCESSIBLE CROSSWALK		BARRIER FREE RAMP-BFR
	ACCESSIBLE ROUTE	• □	PROP. LIGHT POLE 1-FIXTURE
	PROPOSED RETAINING WALL	□ • □	PROP. LIGHT POLE 2-FIXTURES
	SETBACK LINE: BUILDING LINE & L/S BUFFER		PROP. TRANSFORMER PAD
	PROP. EASEMENT LINE	⚡ F.H.	PROP. FIRE HYDRANT
	PROP. SAWCUT LINE	⚡ FDC	PROP. FIRE DEPT. CONNECTION
	EX. EASEMENT LINE		PROP. WATER METER AND VAULT
	PROP. SANITARY SEWER LINE		PROP. WATER METER
	PROP. WATER LINE	⚡ WV	PROP. WATER VALVE
	EX. WATER LINE	⚡ DCO	PROP. SEWER DOUBLE CLEANOUT
	EX. SANITARY SEWER LINE	• CO	PROP. SEWER SINGLE CLEANOUT
	EX. STORM LINE	⊙ SSMH	PROP. SEWER MANHOLE
	PROP. PROPERTY LINE		PROP. GREASE TRAP
	PROPERTY LINE OFF-SITE	—	PROP. SIGN
		G.I.	PROP. GRATE INLET
		J.B.	PROP. JUNCTION BOX
		C.I.	CURB INLET
		Ⓟ	PARKING COUNT
		M.E.A.P.U.E.	MUTUAL & EMERGENCY ACCESS AND PUBLIC UTILITY EASEMENT
			PROP. ELEVATED WALKWAY (SEE NOTES)

CITY OF COLLEYVILLE ACCEPTABLE
HAMMERHEAD FIRE LANE CONFIGURATION
(LAND DEVELOPMENT CODE, PG 14-8)



VICINITY MAP
(NOT TO SCALE)



NOTES

- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- REFER TO SHEET C01 FOR GENERAL NOTES AND LEGEND.
- REFER TO ARCHITECTURAL AND STRUCTURAL PLANS FOR BUILDING, DUMPSTER ENCLOSURE AND DETACHED GARAGE FOUNDATION LAYOUT AND DESIGN.
- REFER TO LANDSCAPE PLANS FOR FENCE AND HARDSCAPE LAYOUT AND DESIGN.
- ALL DRIVEWAY APPROACHES, FIRE HYDRANTS, AND FIRE LANES ARE REQUIRED TO BE INSTALLED PRIOR TO CONSTRUCTION ABOVE THE FOUNDATION.
- ALL LIGHTS SHALL BE SHIELDED FROM ANY RESIDENTIAL USES.
- ELEVATED SIDEWALK/WALKWAY BEHIND BUILDING 2 TO BE DESIGNED BY A LICENSED ENGINEER PROFICIENT IN STRUCTURAL ENGINEERING DESIGN PRIOR TO INSTALLATION. SIDEWALK TO COMPLY WITH ALL ADA REQUIREMENTS.

SITE DATA SUMMARY TABLE

ZONING	PUD-R
PROPOSED LAND USE	RESTAURANT / RETAIL
LOT AREA	170,890.32 SF / 3.92 AC
BUILDING AREA	
BLDG. A:	19,600 SF
BLDG. B:	9,500 SF
BUILDING HEIGHT	30'-0" (1 STORY)
LANDSCAPE AREA REQUIRED: MINIMUM 20% SITE	34,181 SF / 0.78 AC
PARKING REQUIRED	
RESTAURANT - 1 SP / 100 SF	78 SPACES
RETAIL - 1 SP / 200 SF	107 SPACES
TOTAL:	185 SPACES
TOTAL PARKING PROVIDED	191 SPACES

BENCHMARKS

BM-1: 2" BRASS DISC IN TOP OF CURB AT SOUTH END OF MEDIAN IN CENTERLINE OF MARTIN STREET LOCATED 23' EAST OF WEST BACK OF CURB. ALSO LOCATED 52' NORTH OF ST. ALBANS FROM THE CENTERLINE.

NORTHING=7,006,375.864'
EASTING=2,394,116.655'
(ELEVATION=587.18')

BM-2: 2" BRASS DISC IN THE SOUTHWEST CORNER OF A CONCRETE PAD IN THE SOUTHWEST QUADRANT OF GLADE ROAD AND HERITAGE ROAD. LOCATED 9' SOUTHWEST OF A TRAFFIC LIGHT POLE, 65' WEST OF THE CENTERLINE OF HERITAGE ROAD AND 42.5' SOUTH OF GLADE ROAD.

NORTHING=7,006,498.192'
EASTING=2,396,465.156'
(ELEVATION=584.76')

BM-3: 2" BRASS DISC ON EAST BACK OF CURB OF WINEWOOD COURT, LOCATED 6' SOUTH OF THE POINT OF CURVATURE IN THE CUL-DE-SAC 46.4' NORTHEAST OF THE RADIUS POINT.

NORTHING=7,004,542.182'
EASTING=2,395,257.402'
(ELEVATION=576.69')

CREEKSIDE COMMERCIAL - NORTH LOT 1 AND 2, BLOCK A

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

HPcivil engineering, LLC.

5339 ALPHA ROAD, SUITE 300 DALLAS, TEXAS 75240
972.701.9636 • 972.701.9639 FAX
TX REGISTERED ENGINEERING FIRM F-12600
www.hpcivileng.com



SHEET TITLE

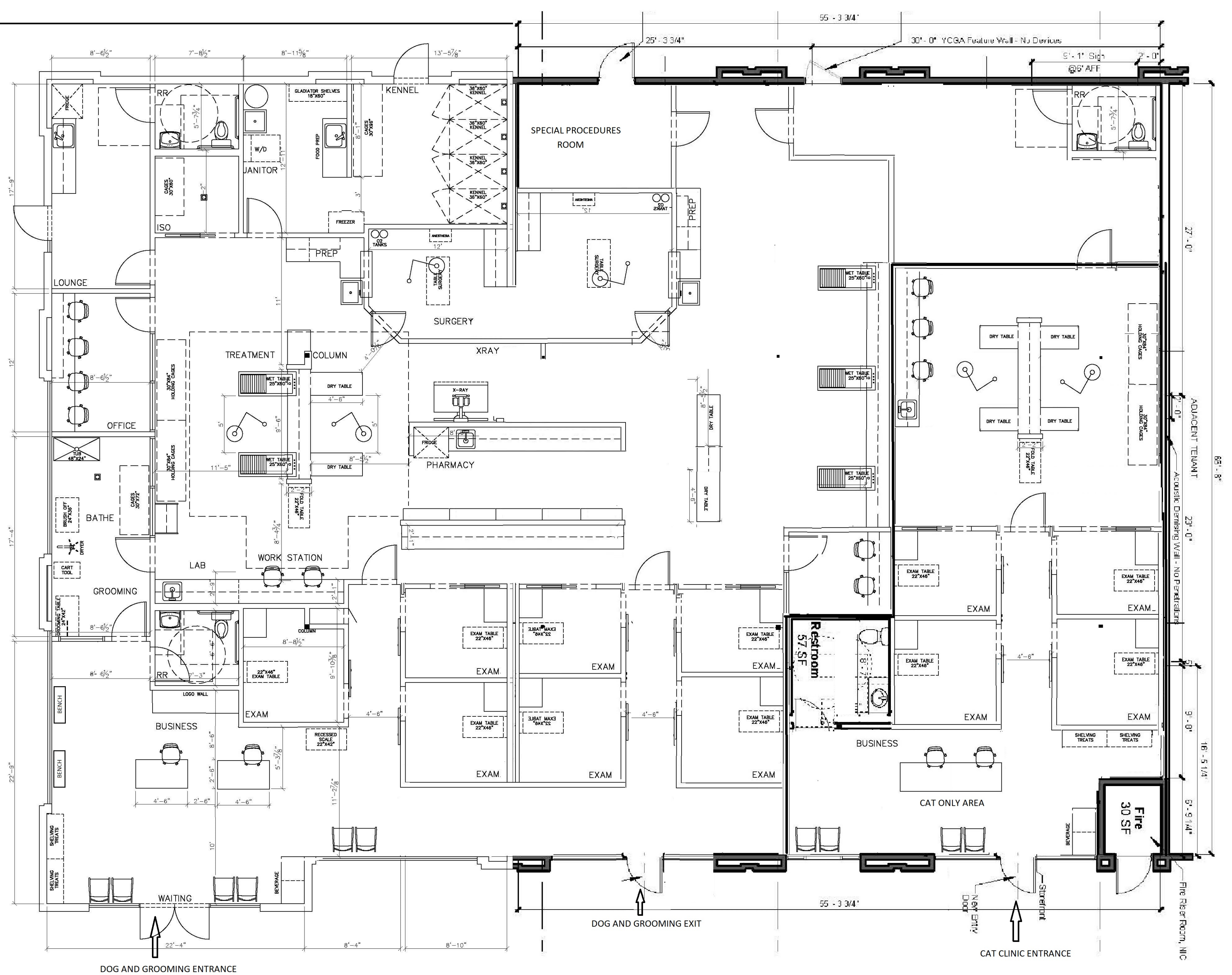
SITE PLAN

SHEET NO.

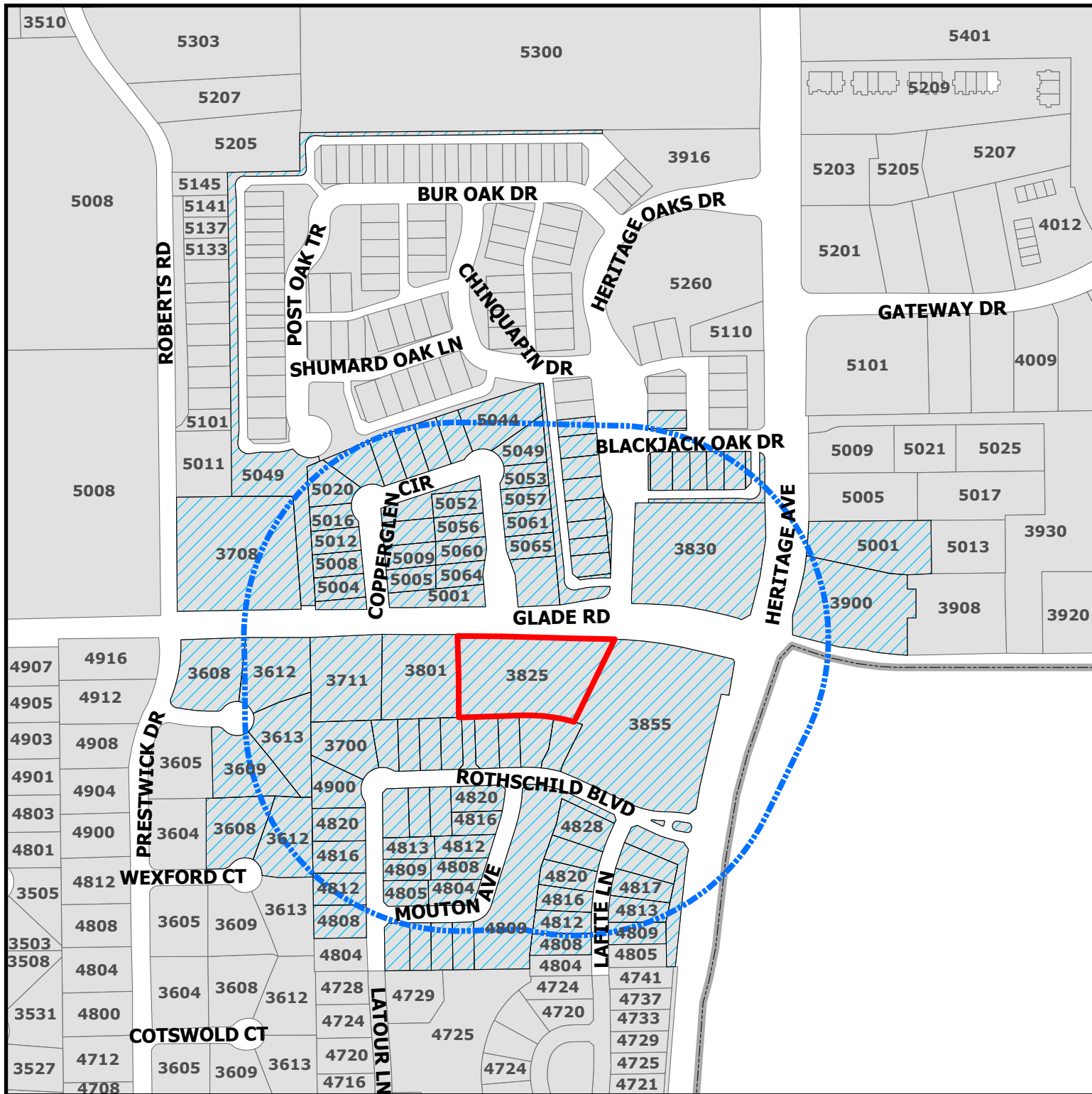
C0.4

HPCE #17-316

Engineer of Record: JAL		
Drawn by: AA		
Date Plotted: 5/16/2019		
Issue for Pricing / Bidding:		
Issue for Permit Application:		
Issue for Construction:		
REVISIONS		
#	DATE	COMMENTS
1	05/13/2019	PHASING PLAN



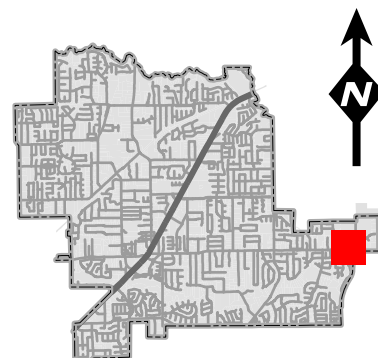
Notification Map



ZC23-026

3809 Glade Rd

-  Parcels to be notified
-  Buffer
-  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.

Owner Name	Owner Address	Owner City	Owner Zip
ALLICK, SUZETTE	3913 BLACKJACK OAK DR	COLLEYVILLE, TX	76034
VOTAW, ROBERT B	5032 HERITAGE OAKS DR	COLLEYVILLE, TX	76034
FROST, HOWARD M	5009 COPPERGLEN CIR	COLLEYVILLE, TX	76034
BRADFORD TRUST	5005 COPPERGLEN CIR	COLLEYVILLE, TX	76034
SHA, CHANG	5056 HERITAGE OAKS DR	COLLEYVILLE, TX	76034
COPPERGLEN HOA INC	PO BOX 1901	COLLEYVILLE, TX	76034
MCCASKEY, SANFORD	5004 COPPERGLEN CIR	COLLEYVILLE, TX	76034
COLLEYVILLE ASSOC HERITAGE OAK	4760 PRESTON RD STE 244-238	FRISCO, TX	75034
COPPERGLEN HOA INC	PO BOX 1901	COLLEYVILLE, TX	76034
LUCAS, TAMA	5060 HERITAGE OAKS DR	COLLEYVILLE, TX	76034
GREENWAY GLADE PARTNERS LP	2808 FAIRMOUNT ST STE 100	DALLAS, TX	75201
KUEN I TANG TRUST	5008 COPPERGLEN CIR	COLLEYVILLE, TX	76034
RECTOR, BEVERLY	5060 COPPERGLEN CIR	COLLEYVILLE, TX	76034
SZABO, STEVE	5040 COPPERGLEN CIR	COLLEYVILLE, TX	76034
COPPERGLEN HOA INC	PO BOX 1901	COLLEYVILLE, TX	76034
ALI, AHMED	3917 BLACKJACK OAK DR	COLLEYVILLE, TX	76034
MAI, NGAN	5024 COPPERGLEN CIR	COLLEYVILLE, TX	76034
WITTE, DAN	5036 COPPERGLEN CIR	COLLEYVILLE, TX	76034
BENDER, JEFFERY	5020 COPPERGLEN CIR	COLLEYVILLE, TX	76034
SUBLETT, DELORES C	3608 WEXFORD CT	COLLEYVILLE, TX	76034
COLLEYVILLE ASSOC HERITAGE OAK	4760 PRESTON RD STE 244-238	FRISCO, TX	75034
BRYANT, ROSIE	5064 COPPERGLEN CIR	COLLEYVILLE, TX	76034
PLEASANT GLADE BAPTIST CHURCH	3708 GLADE RD	COLLEYVILLE, TX	76034
BIBEAU, GUY R	5052 COPPERGLEN CIR	COLLEYVILLE, TX	76034
MILLER, DEBRA	5028 HERITAGE OAKS DR	COLLEYVILLE, TX	76034
TUTTLE, TODD E	5044 HERITAGE OAKS DR	COLLEYVILLE, TX	76034
PITTS, WALLACE J	3612 AMBERLEY CT	COLLEYVILLE, TX	76034
O'SHELL, HOWARD C	5012 COPPERGLEN CIR	COLLEYVILLE, TX	76034
MINDIOLA, JUAN C	3925 BLACKJACK OAK DR	COLLEYVILLE, TX	76034
COLLEYVILLE ASSOC HERITAGE OAK	4760 PRESTON RD STE 244-238	FRISCO, TX	75034
RODRIGUEZ, SARA	5032 COPPERGLEN CIR	COLLEYVILLE, TX	76034
GIBSON, DARWIN	5028 COPPERGLEN CIR	COLLEYVILLE, TX	76034
NAGUBOINA, RAMESH	3929 BLACKJACK OAK DR	COLLEYVILLE, TX	76034
SANDOVAL, ALEXANDER	5036 HERITAGE OAKS DR	COLLEYVILLE, TX	76034
WEAKLEY, JERRY	5016 COPPERGLEN CIR	COLLEYVILLE, TX	76034
WANG, JULIE	5065 COPPERGLEN CIR	COLLEYVILLE, TX	76034
BHAIDANI, SALIM	4437 LAFITE LN	COLLEYVILLE, TX	76034
ROSSO, PATRICK	3933 BLACKJACK OAK DR	COLLEYVILLE, TX	76034
POLAKALA, REKHA	5048 HERITAGE OAKS DR	COLLEYVILLE, TX	76034
SHARP, LINDA CAROLYN	5061 COPPERGLEN CIR	COLLEYVILLE, TX	76034
HOLDER, JAMES	5053 COPPERGLEN CIR	COLLEYVILLE, TX	76034
BHAT, PREVEEN KUMAR	5052 HERITAGE OAKS DR	COLLEYVILLE, TX	76034
MDC-HERITAGE OAKS ESTATES LTD	545 E JOHN CARPENTER FWY	IRVING, TX	75062
SOHN, TAESIK	3608 AMBERLEY CT	COLLEYVILLE, TX	76034
PIRANI, SALIMA	5013 COPPERGLEN CIR	COLLEYVILLE, TX	76034
COMER, CLARENCE	5056 COPPERGLEN CIR	COLLEYVILLE, TX	76034
BRACEVILLE LLC	2501 KENSINGTON PL	COLLEYVILLE, TX	76034
SCOTT, LARRY P	PO BOX 1159	DEERFIELD, IL	60015
MDC-HERITAGE OAKS ESTATES LTD	545 E JOHN CARPENTER FWY	IRVING, TX	75062
COPPERGLEN HOA INC	PO BOX 1901	COLLEYVILLE, TX	76034
JEANS, COURNTEY	5049 COPPERGLEN CIR	COLLEYVILLE, TX	76034
COPPERGLEN HOA INC	PO BOX 1901	COLLEYVILLE, TX	76034
COLLEYVILLE ASSOC HERITAGE OAK	4760 PRESTON RD STE 244-238	FRISCO, TX	75034
WARD, IRVING	5057 COPPERGLEN CIR	COLLEYVILLE, TX	76034
COLLEYVILLE ASSOC HERITAGE OAK	4760 PRESTON RD STE 244-238	FRISCO, TX	75034
SAINT MARY'S ROMANIAN ORTH CH	3801 GLADE RD	COLLEYVILLE, TX	76034
HASAN, AARESH	3713 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
CREEKSIDE AT COLLEYVILLE HOA IN	106 N DENTON TAP RD # 210-375	COPPELL, TX	75019
MAGAN, KRISHAN	4817 LAFITE LN	COLLEYVILLE, TX	76034
ROY, MATHEW	4820 MOUTON AVE	COLLEYVILLE, TX	76034
JAYARAM, SHANKAR	4820 LAFITE LN	COLLEYVILLE, TX	76034
CHARANIA, AMEEN	4828 LAFITE LN	COLLEYVILLE, TX	76034
SIDDIQUI, IRMAN	3713 MOUTON AVE	COLLEYVILLE, TX	76034
NGUYEN, LISA HONG	4809 LATOUR LN	COLLEYVILLE, TX	76034
PURDY, JULIE	4808 LAFITE LN	COLLEYVILLE, TX	76034
KRUSH, ANDREW	4808 MOUTON AVE	COLLEYVILLE, TX	76034
PALMER, STACY	3712 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
MALLICK, HIMANSU	4809 LAFITE LN	COLLEYVILLE, TX	76034
CREEKSIDE AT COLLEYVILLE HOA IN	106 N DENTON TAP RD # 210-375	COPPELL, TX	75019
SAMANT, VIPUL	4805 LATOUR LN	COLLEYVILLE, TX	76034
NAGABHUSHAN, MEGHNA	3709 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
PATEL, CHANDRAKALA	2520 NE 28TH ST	FORT WORTH, TX	76106
SHI, LILI	3732 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
GUPTA, PRATEEK	4813 LAFITE LN	COLLEYVILLE, TX	76034
PATEL, PREMAL	4816 LATOUR LN	COLLEYVILLE, TX	76034
PRESSON, ERIC W	3717 MOUTON AVE	COLLEYVILLE, TX	76034
BAHA INVESTMENTS LLC	10620 TREENA ST STE 230	SAN DIEGO, CA	92131
HOUGHTON, JUSTIN	3728 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
MARTINS VERAS FAMILY REVOCABLE	3705 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
BESSE, DANIEL	4900 LATOUR LN	COLLEYVILLE, TX	76034
THAKUR, AJAY	4824 LAFITE LN	COLLEYVILLE, TX	76034
UEBELE, ROBERT	4808 LATOUR LN	COLLEYVILLE, TX	76034
CREEKSIDE AT COLLEYVILLE HOA IN	106 N DENTON TAP RD # 210-375	COPPELL, TX	75019
BRUENNIG LIVING TRUST	4816 MOUTON AVE	COLLEYVILLE, TX	76034
THE MOHAMED FAMILY TRUST	3704 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
RAMIREDDY, CHANDRASEKHAR	3709 MOUTON AVE	COLLEYVILLE, TX	76034
WINSTEAD, SCOTT	4812 LAFITE LN	COLLEYVILLE, TX	76034
HUNTINGTON BEACH PROPERTIES LLC	151 PLAYERS CIR	SOUTHLAKE, TX	76092
CORDELL, ELLEN A	4804 MOUTON AVE	COLLEYVILLE, TX	76034
GUO, JINGHUA	3708 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
LAKHANI, SAHANAWAZ	4813 LATOUR LN	COLLEYVILLE, TX	76034
SAINT MARY'S ROMANIAN ORTH CH	3801 GLADE RD	COLLEYVILLE, TX	76034
COLLINS FAMILY TRUST	4820 LATOUR LN	COLLEYVILLE, TX	76034
NEO, ALAN	4812 LATOUR LN	COLLEYVILLE, TX	76034
RASHID, KARIM	4812 MOUTON AVE	COLLEYVILLE, TX	76034
BENAVIDES, GABRIEL	4816 LAFITE LN	COLLEYVILLE, TX	76034
THIRUVEEDULA, THIRUMALESWARA	3705 MOUTON AVE	COLLEYVILLE, TX	76034
ALAGARSAMY, LAKKUREDDI	3724 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
ACOSTA, JOHNNY	3716 ROTHSCHILD BLVD	COLLEYVILLE, TX	76034
PATEL, SAGAR	4821 LAFITE LN	COLLEYVILLE, TX	76034
TRAN, TAM THI	3613 AMBERLEY CT	COLLEYVILLE, TX	76034
SHADMAN FAMILY REVOCABLE TRUST	3612 WEXFORD CT	COLLEYVILLE, TX	76034
CROWLEY, BRIAN	3609 AMBERLEY CT	COLLEYVILLE, TX	76034
CREEKSIDE AT COLLEYVILLE HOA IN	106 N DENTON TAP RD # 210-375	COPPELL, TX	75019
COPPERGLEN ADDITION	P.O. Box 323	COLLEYVILLE ,TX	76034
WOODLAND HILLS (COLLEYVILLE)	4100 Oxford Court	COLLEYVILLE ,TX	76034
CREEKSIDE	106 N Denton Tap Rd # 210-375	COPPELL ,TX	75019
PRESTWICK PARK SOUTH	3605 Cotswold Court	COLLEYVILLE ,TX	76034
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051

NOTICE 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:

Planning and Zoning Commission Meeting: Monday, September 11th, 2023 at 7:00 p.m.
City Council Meetings: Wednesday, October 4, 2023 & Tuesday, October 17, 2023 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit to allow for a veterinary clinic on Lot 1, Block A, of the Players Addition. The request is for TruBond Veterinary Clinic to expand into an additional suite.

Zoning Case: ZC23-026

Applicant: Chris Dietrich

Owner: Chris Dietrich

Location: 3809 Glade Rd

Property Description: Lot 1, Block A, Players Addition

Present Zoning: PUD-R, Planned Unit Development Residential

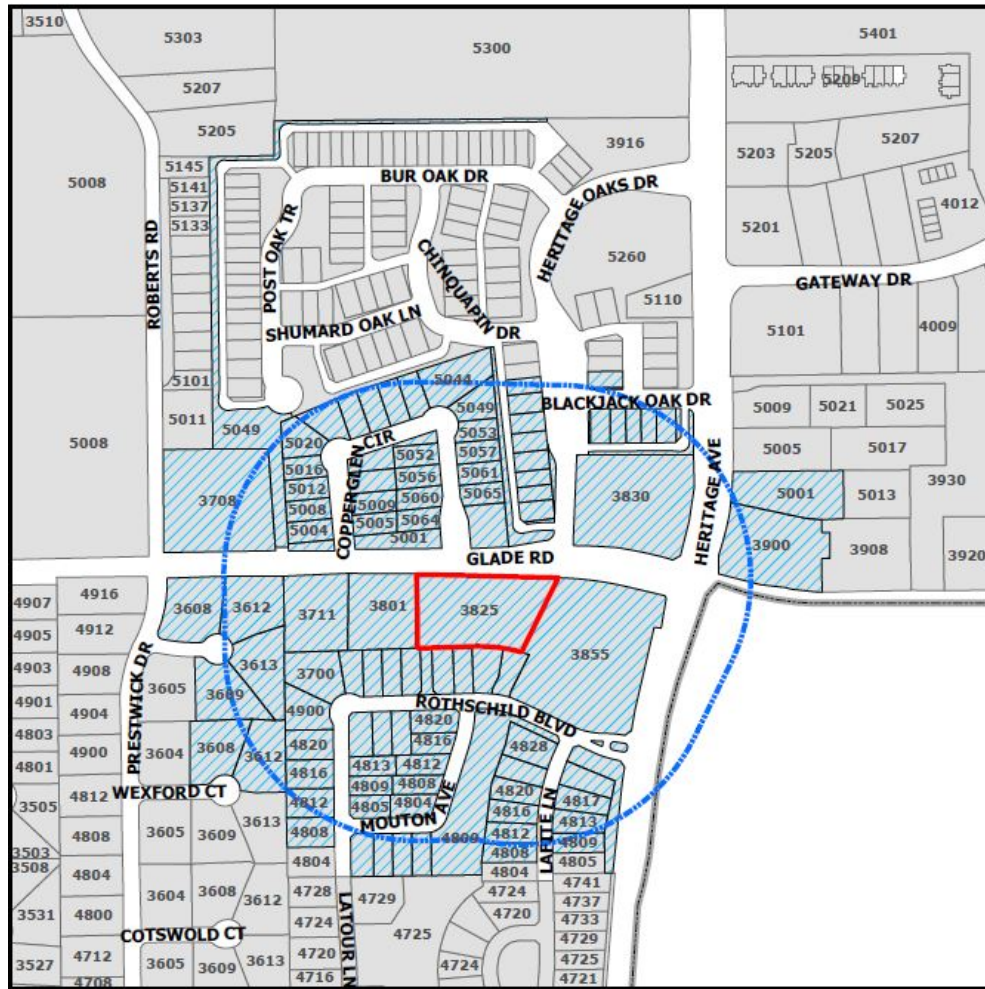
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change 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:

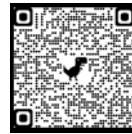
Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

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
Principal Planner
jreyff@colleyville.com

ORDINANCE O-23-2267

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 1.35 ACRES, BEING LOT 1, BLOCK A, 170 PLAYERS ADDITION, LOCATED AT 3825 GLADE ROAD, SUITE 130, BY AUTHORIZING A SPECIAL USE PERMIT FOR VETERINARY CLINIC SERVICES FOR THE BUSINESS KNOWN AS TRUBOND VETERINARY CENTER; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit for a veterinary clinic services business Case No. ZC23-026; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a Veterinary Clinic on 1.35 acres, being Lot 1, Block A, of the 170 Players Addition, located at 3825 Glade Road, Suite 130, for the business known as

truBond Veterinary Center, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the Veterinary Clinic business only.
- b. The name of the business authorized for Veterinary Clinic by this Special Use Permit shall be called "truBond Veterinary Center".
- c. The hours of operation are: Monday – Friday 8:00 a.m. – 6:00 p.m.; Saturday 9:00 a.m.- 5:00 p.m.; and Closed on Sundays.
- d. The entire business must be conducted within a soundproofed building. Noise and odors created by activities within the building shall not be discernible beyond the property line.
- e. No animals shall be kept outside the building.
- f. The clinic shall be for outpatient services only.
- g. The Special Use Permit shall automatically expire upon the abandonment of the business, change in use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.
- h. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or

unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

- Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of October 2023.

The second reading and public hearing being conducted on the 17th day of October 2023.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

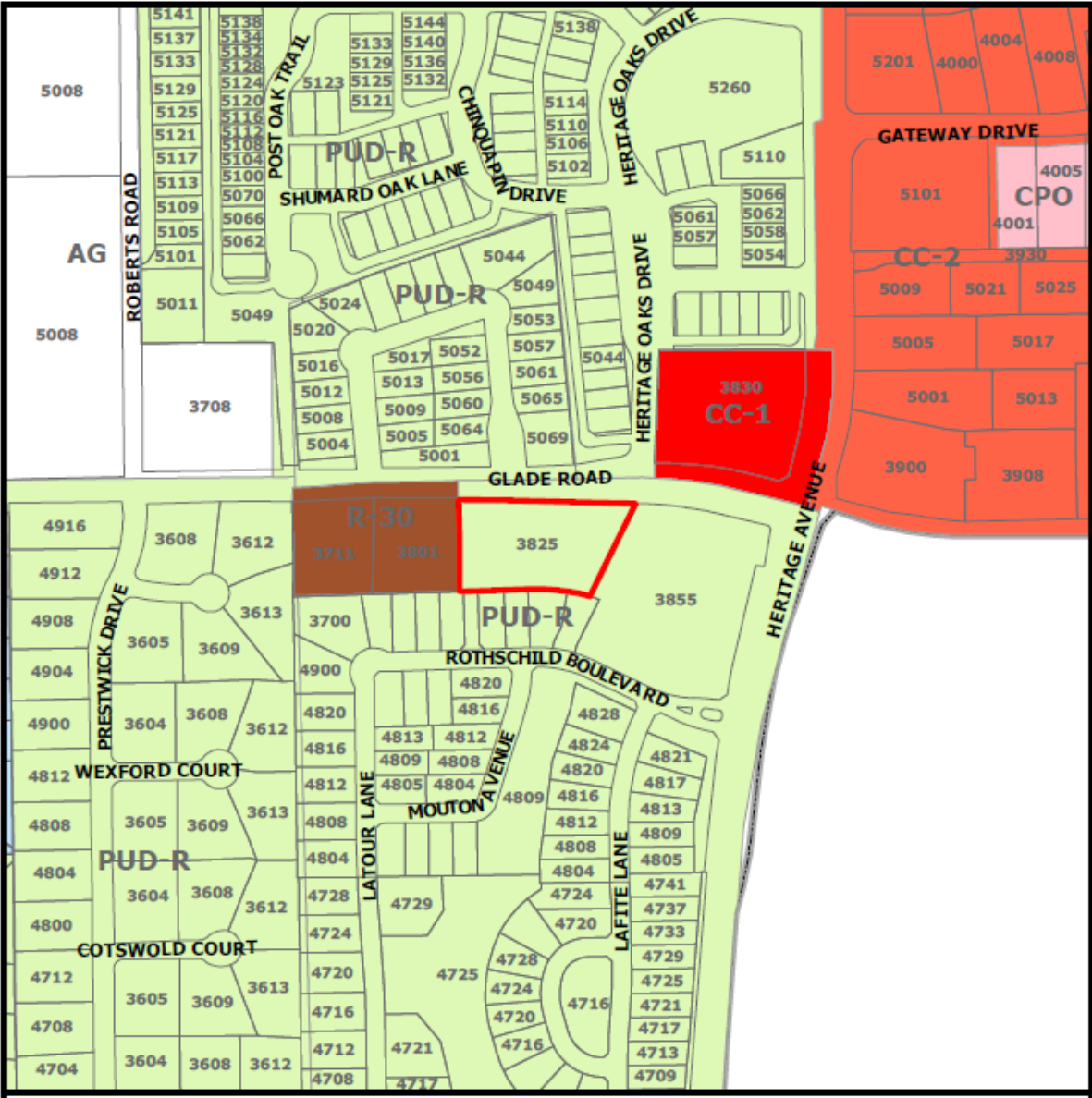
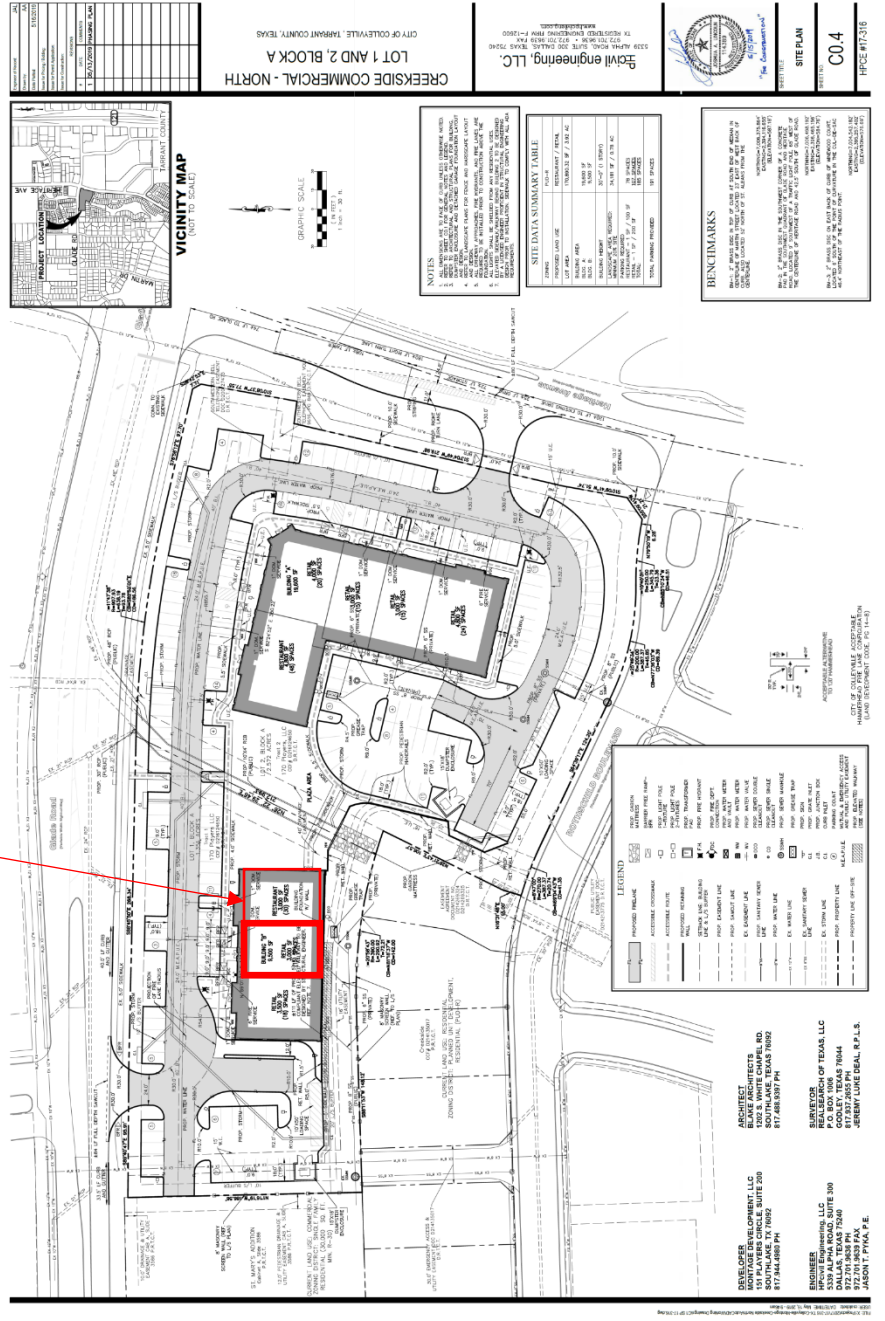


Exhibit "B" – Site Plan Exhibits





CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 5g

Agenda Date 10/4/2023

Number Ordinance O-23-2268

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit to allow for a fence for Tract 3K & TR 3Y, Abstract 211, BBB & C RY Survey, located at 509 West LD Lockett Road, Case ZC23-027

Explanation

First Reading and Public Hearing

Cory Watson, the applicant, has submitted a request for a Special Use Permit (SUP) to allow an opaque wood fence to be located within the street side yard setback on Tract 3K & TR 3Y, BBB & C RY Survey, Abstract 211, being approximately 1.69 acres, and zoned R-40 Single Family Residential district.

Existing Conditions/Background: The subject property, 509 W. LD Lockett Road, has R-40 zoning and is located on the south side of W. LD Lockett at the intersection with Regan Road.

SUP Request: The applicant is requesting approval of an SUP to allow for a wood fence 6-feet in height to be placed within the street side yard setback and be non-opaque.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

1. Front Yards: No fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall be located beyond the front façade of the primary residential structure.

a. The primary fencing material shall be of wrought iron, pre-formed concrete, poured in place concrete, concrete masonry unit (CMU), brick, approved wood rail construction, a combination thereof or other similar material approved by the City Building Official. All poured in place concrete and CMU shall contain an architectural finish.

d. Exceptions to front yard requirement: Lots containing a minimum of 40,000 square feet, and subdivisions, shall be allowed to construct a perimeter fence within the front yard setback. Said fencing shall be no greater than eight (8) feet in

height and shall have no greater than twenty-five (25) percent opaque construction within the front yard. Allowed construction materials shall be the same as paragraph "1.a" above. This exception shall not apply to properties zoned as a PUD district.

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply. A decorative wall or fence (which is defined as any wall or fence not greater than thirty inches in height and not greater than twenty-five percent opaque construction) within a required street side yard shall not be placed less than three feet (3') from the side property line, and shall not be subject to the provisions of the preceding paragraph."

Regulation "2" above applies in this case requiring that a fence allowed within the front yard setback be no more than 25% opaque. This lot does meet the exception due to size, but the applicant wishes for a solid, opaque wood fence instead of the allowed non-opaque fence, such as wrought iron. The Land Development Code provides the opportunity to request an SUP to deviate from the requirements.

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: The applicant is proposing a solid, opaque wood fence 6-feet in height in lieu of a fence that is no more than 25% opaque. The lot size is 73,485 square feet.

Plat Status: The property is unplatted as BBB & C RY Survey Abstract 211 Tract 3K & TR 3Y. The applicant is currently in the process of platting.

DRC Review: The DRC met on August 22, 2023.

Drainage: NA

Surrounding Development: The properties to the north are zoned R-20 Single Family Residential and improved with single-family homes. The properties to the south, east and west are zoned R-40 Single Family Residential and are improved with single-family 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.

Staff Recommendation: Staff recommends denial of the requested SUP as it does not meet the technical requirements of the Land Development Code.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the request at their September 11, 2023 meeting by a vote of 5-0.

Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Photos provided by Applicant
7. Notification Map
8. Notification List
9. Notification Letter
10. Ordinance O-23-2268

Aerial Map

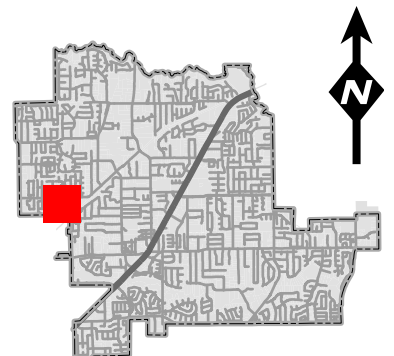


ZC23-027

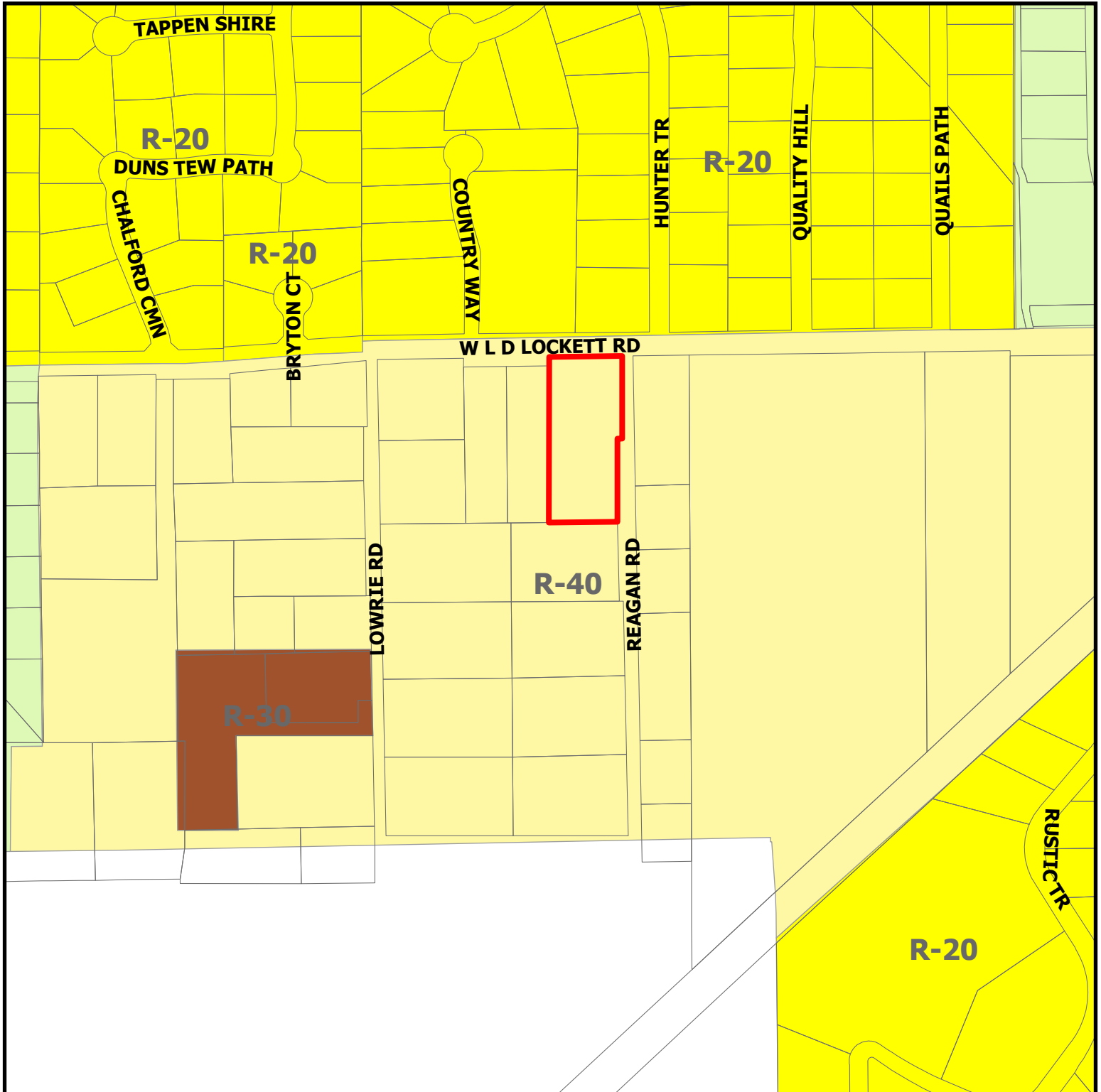
509 L D Lockett

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



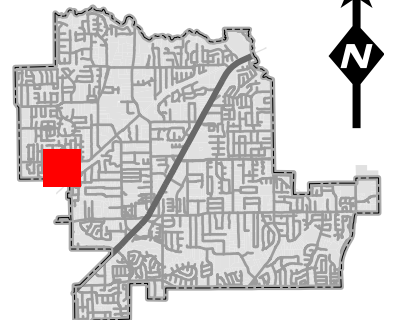
Zoning Map



ZC23-027

509 L D Lockett

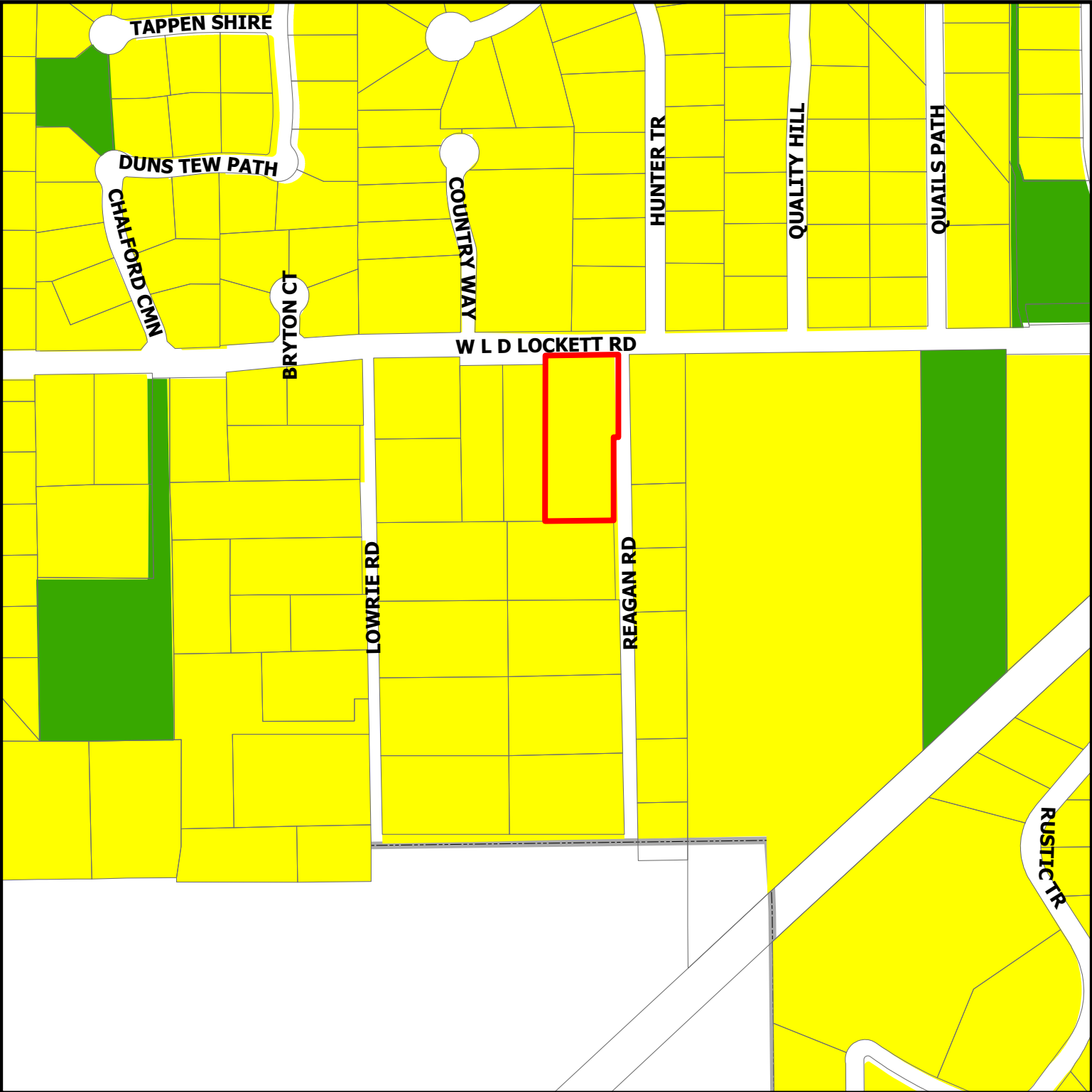
 Subject Property



DISCLAIMER:

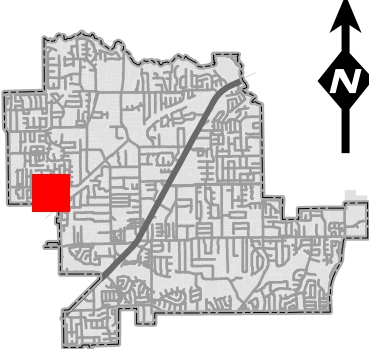
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which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

Future Land Use Map



ZC23-027
509 L D Lockett

-  Residential
-  Open Space; Parks
-  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.

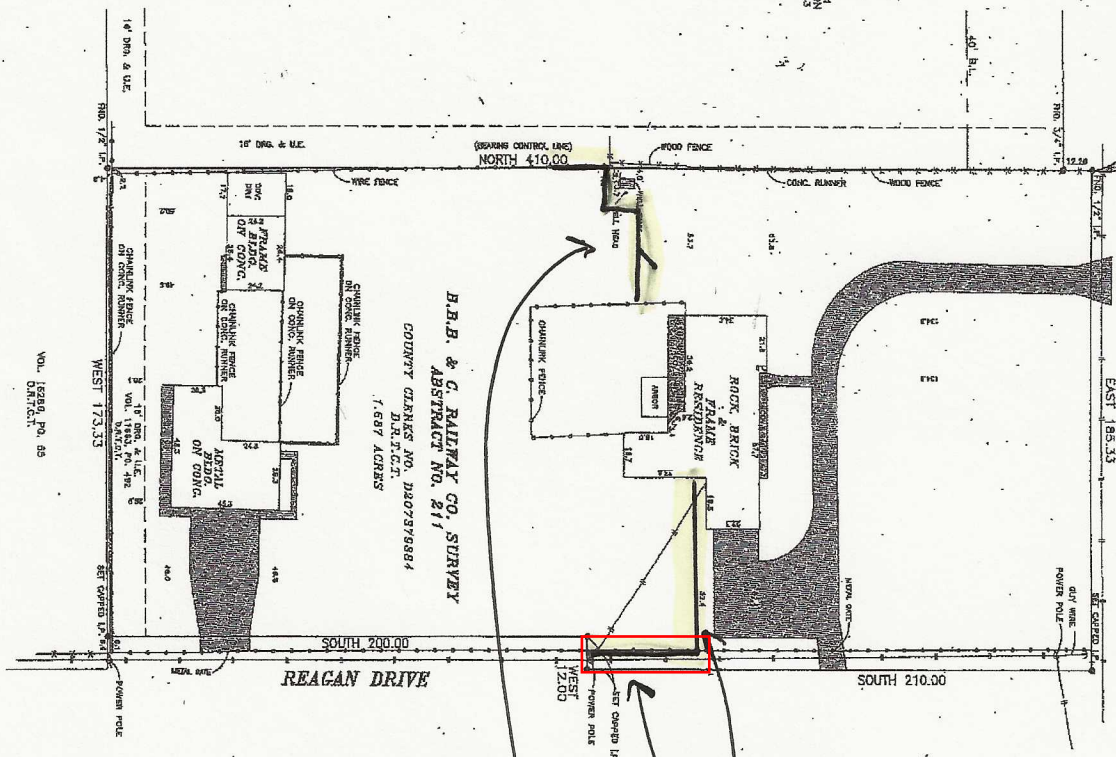
STATEMENT OF PLANNING OBJECTIVES

We're replacing a portion of an existing wooden fence with wooden slats; we're keeping the existing poles and runners. We're adding new wooden fence returns to keep our dogs in.

509 W. L.D. LOCKETT ROAD

EAST 185.33

LOT 1, BLOCK 1
KUHLMAN ADDITION
CAB. A, SLD, 873
P.R.T.O.T.



B.B.B. & C. RAILWAY CO. SURVEY
ABSTRACT NO. 211
COUNTY CLERKS NO. D207376884
D.R.T.C.T.
1.687 ACRES

VOL. 15289, P.O. 53
D.A.T.C.T.

7395-40

[illegible]

6' CEILING BOARD ON BOARD
TOPCAP, TAILING, ME-STANDS
ME-DIUM GROUND
(1) 4X6 GATE

CP 50
+ 72

FIRST WESTERN TITLE CO. - OF NO. 14-08490-22

[illegible]

LEGEND

●	IRON PIN
○	IRON NUT
△	BOIS D'ARC ROD
□	CONCRETE TIE ROD
—	PISTON
—	POWER LINE
—	TELEPHONE LINE
—	CABLE TELEVISION
—	CONCRETE PAVING
—	ASPHALT PAVING

VEGETATION REMOVAL

14-1104

DATE:01--06--15

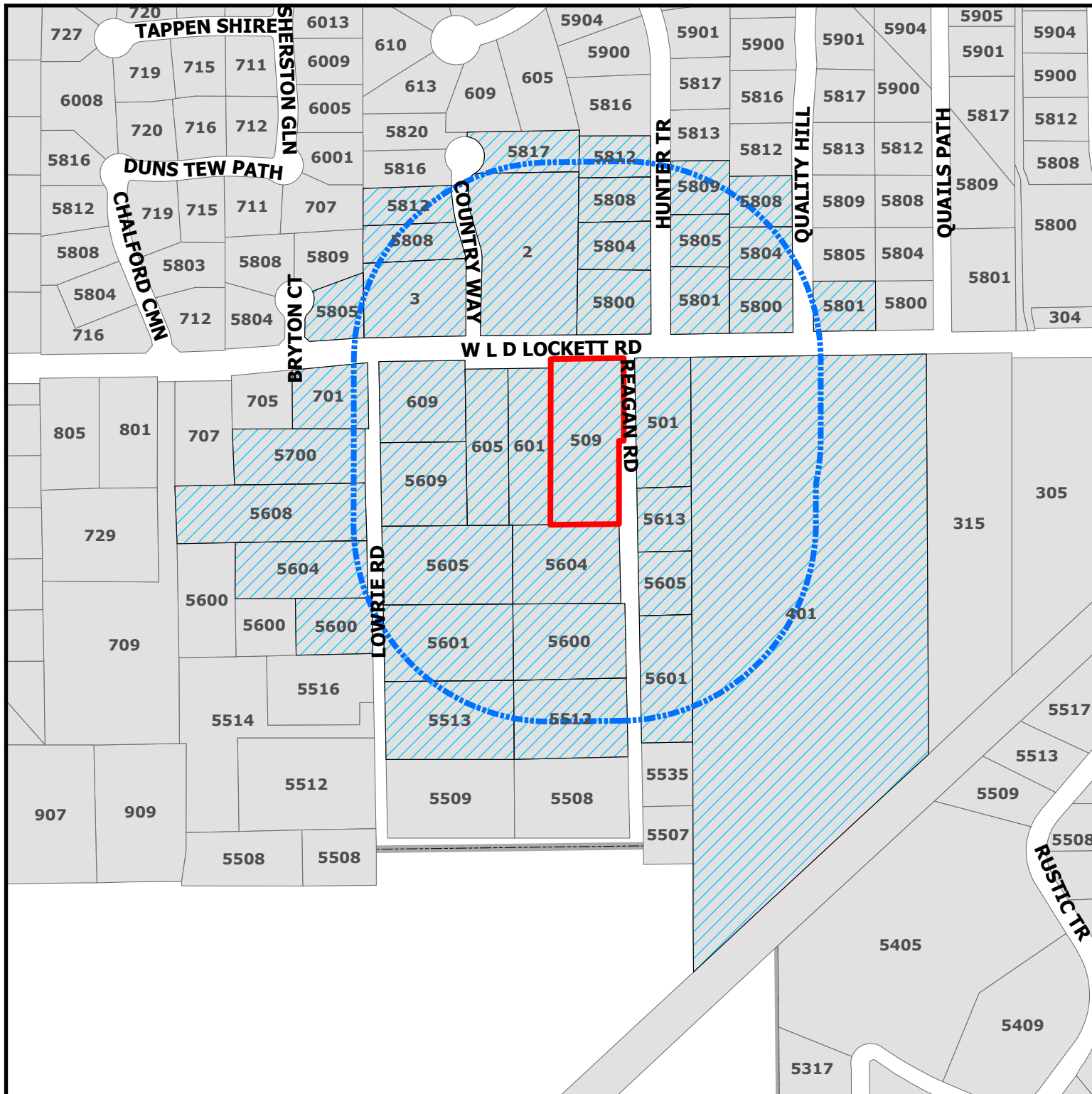
LOYD BRANSON SURVEYORS INC.
CHARLES B. HOOKS, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
1028 NORTH SYLVANIA AVENUE
FT. WORTH, TEXAS 76111
(817). 534-3477







Notification Map

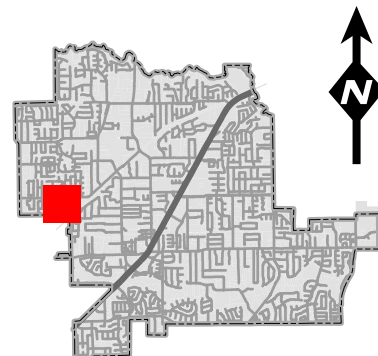


ZC23-027

509 L D Lockett

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.

-  Parcels to be notified
-  Buffer
-  Subject Property



Owner Name	Owner Address	Owner City	Owner Zip
TERSIGNI, LUCILLE	1718 PEREGRINO WAY	SAN JOSE, CA	95125
TOMERLIN, MARTHA	2 COUNTRY WAY	COLLEYVILLE, TX	76034
MOBLEY, KENNETH	3 COUNTRY WAY	COLLEYVILLE, TX	76034
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051
DOODY, KEVIN J	401 W LD LOCKETT RD	COLLEYVILLE, TX	76034
DELGADO, TIMOTHY	501 W L D LOCKETT RD	COLLEYVILLE, TX	76034
WATSON, CORY	509 W D LOCKET RD	COLLEYVILLE, TX	76034
SANCHEZ, JUAN	5512 REGAN RD	COLLEYVILLE, TX	76034
JUSTISS, LISA	5513 LOWRIE RD	COLLEYVILLE, TX	76034
GIBSON, SCOTT C	5600 REAGAN RD	COLLEYVILLE, TX	76034
MCINTOSH, JOSEPH	5601 LOWRIE RD	COLLEYVILLE, TX	76034
HEDDEN, J MICHAEL	5601 REAGAN RD	COLLEYVILLE, TX	76034
MCCANN, ROBERT E	5604 LOWRIE RD	COLLEYVILLE, TX	76034
FINLEY, DOUGLAS	5604 REAGAN RD	COLLEYVILLE, TX	76034
RADTKE, ROBERT	5605 REAGAN RD	COLLEYVILLE, TX	76034
DULANEY, NANCY	5608 LOWERIE RD	COLLEYVILLE, TX	76034
BIASATTI, DORIS M	5609 LOWRIE RD	COLLEYVILLE, TX	76034
VANDER ARK, ROBERT	5613 REAGAN RD	COLLEYVILLE, TX	76034
REMINGTON PARK ADDITION	5750 KROGER DR	KELLER ,TX	76244
COVINGTON ADDITION	5751 KROGER DR	KELLER ,TX	76034
MILITANO, JENNIFER	5800 HUNTER TR	COLLEYVILLE, TX	76034
MILLER, VICTOR A	5800 QUALITY HILL RD	COLLEYVILLE, TX	76034
TICE, VIRGINIA B	5801 HUNTER TR	COLLEYVILLE, TX	76034
SAILER, RAYMOND	5801 QUALITY HILL RD	COLLEYVILLE, TX	76034
WALLACE, C J	5804 HUNTER TR	COLLEYVILLE, TX	76034
GRAFF, MASON R	5804 QUALITY HILL RD	COLLEYVILLE, TX	76034
COOK BOATMAN LIVING TRUST	5805 BRYTON CIR	COLLEYVILLE, TX	76034
KIM, JESSICA	5805 HUNTER TRL	COLLEYVILLE, TX	76034
SILVESTRI, MARIO	5808 COUNTRY WAY	COLLEYVILLE, TX	76034
SEARLE, CHERYL W	5808 HUNTER TR	COLLEYVILLE, TX	76034
MILNE REGAN BRUCE	5808 QUALITY HILL RD	COLLEYVILLE, TX	76034
MARAKI, DANE	5809 HUNTER TRL	COLLEYVILLE, TX	76034
PYRON, THOMAS S	5812 COUNTRY WAY	COLLEYVILLE, TX	76034
MCHUGH, JESSE	5812 HUNTER TRL	COLLEYVILLE, TX	76034
MCKENZIE, DAVID	605 W LD LOCKETT RD	COLLEYVILLE, TX	76034
FLEISCHER, LAWRENCE	609 W LD LOCKETT RD	COLLEYVILLE, TX	76034
CATHOLIC DIOCESE OF FT WORTH	800 W LOOP 820 S	FORT WORTH, TX	76108
MCM CUSTOM HOMES LLC	8101 MONTPELIER WAY	COLLEYVILLE, TX	76034



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:

Planning and Zoning Commission Meeting: Monday, September 11th, 2023 at 7:00 p.m.
City Council Meetings: Wednesday, October 4, 2023 & Tuesday, October 17, 2023 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit to allow for a fence for Tract 3K & TR 3Y, Abstract 211, BBB & C RY Survey, located at 509 W. LD Lockett Road. The request is for an opaque fence located within the street side yard setback.

Zoning Case: ZC23-027

Applicant: Cory Watson

Owner: Cory Watson

Location: 509 W. LD Lockett Rd

Property Description: BBB & C RY SURVEY Abstract 211 Tract 3K & TR 3Y

Present Zoning: R-40, Single Family Residential

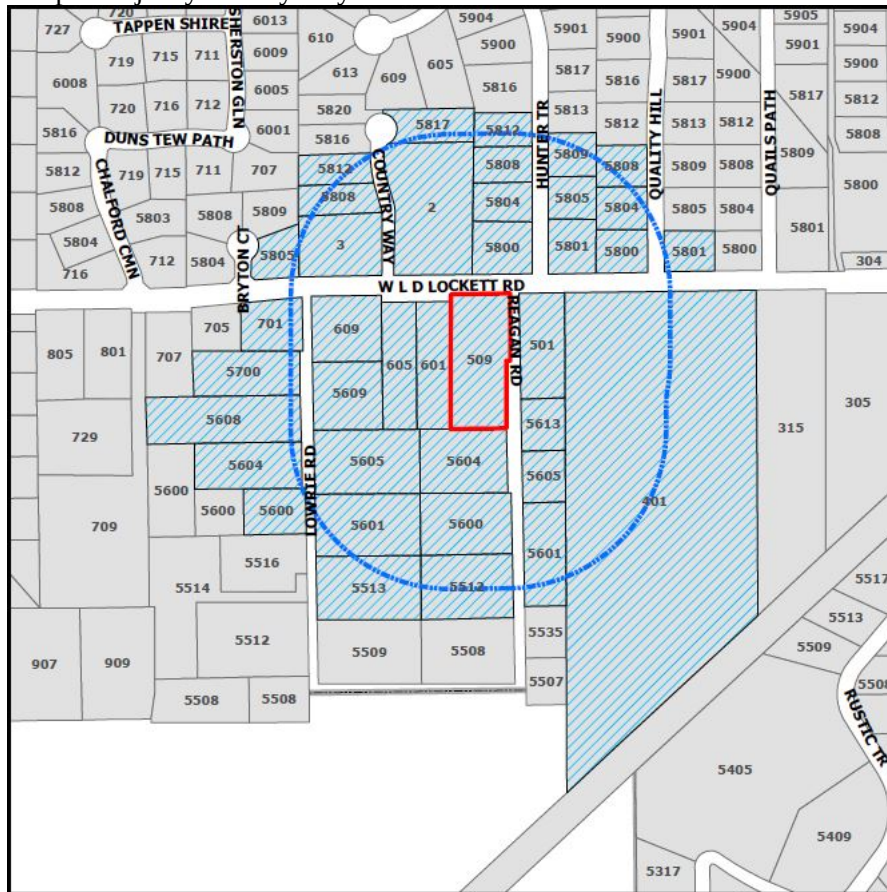
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change 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:

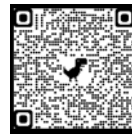
Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

NOTICE OF PUBLIC HEARING

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.



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
Principal Planner
jreyff@colleyville.com

ORDINANCE O-23-2268

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.69 ACRES, ON BBB & C RY SURVEY ABSTRACT 211 TRACT 3K & TR 3Y BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR A SOLID, OPAQUE FENCE WITHIN THE STREET SIDE YARD SETBACK AN LOCATED ALONG THE PROPERTY LINE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit to allow for a solid, opaque fence within the street side yard setback an located along the property line under Case No. ZC23-027; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit to allow for a solid, opaque fence within the street side yard setback an located along the property line on 1.69 acres, on BBB & C RY Survey Abstract

211 Tract 3K & TR 3Y, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to a wooden fence, 6 feet in height within the street side yard setback and be located along the side property line.
- b. It shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".
- c. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of October 2023.

The second reading and public hearing being conducted on the 17th day of October 2023.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

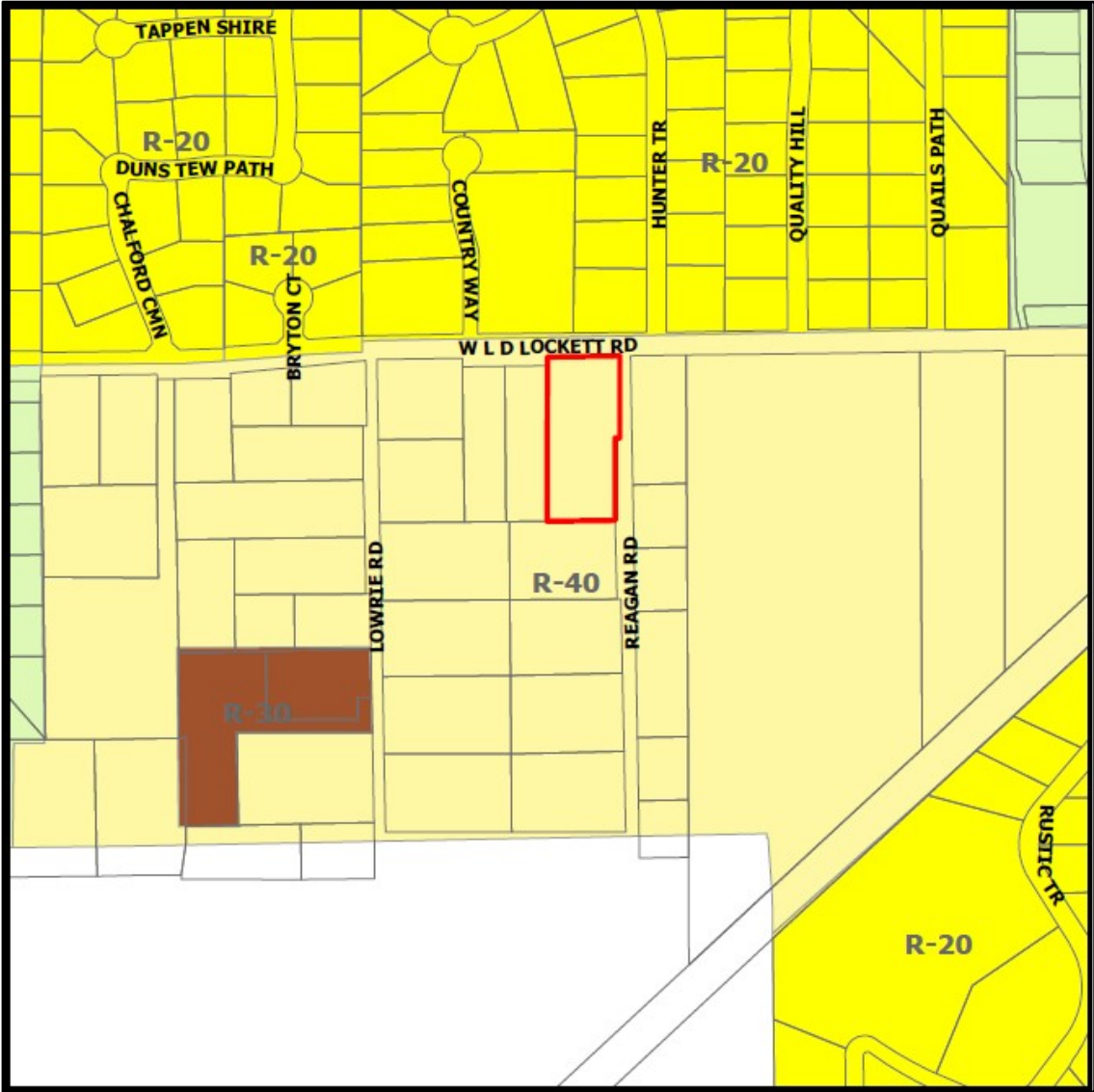
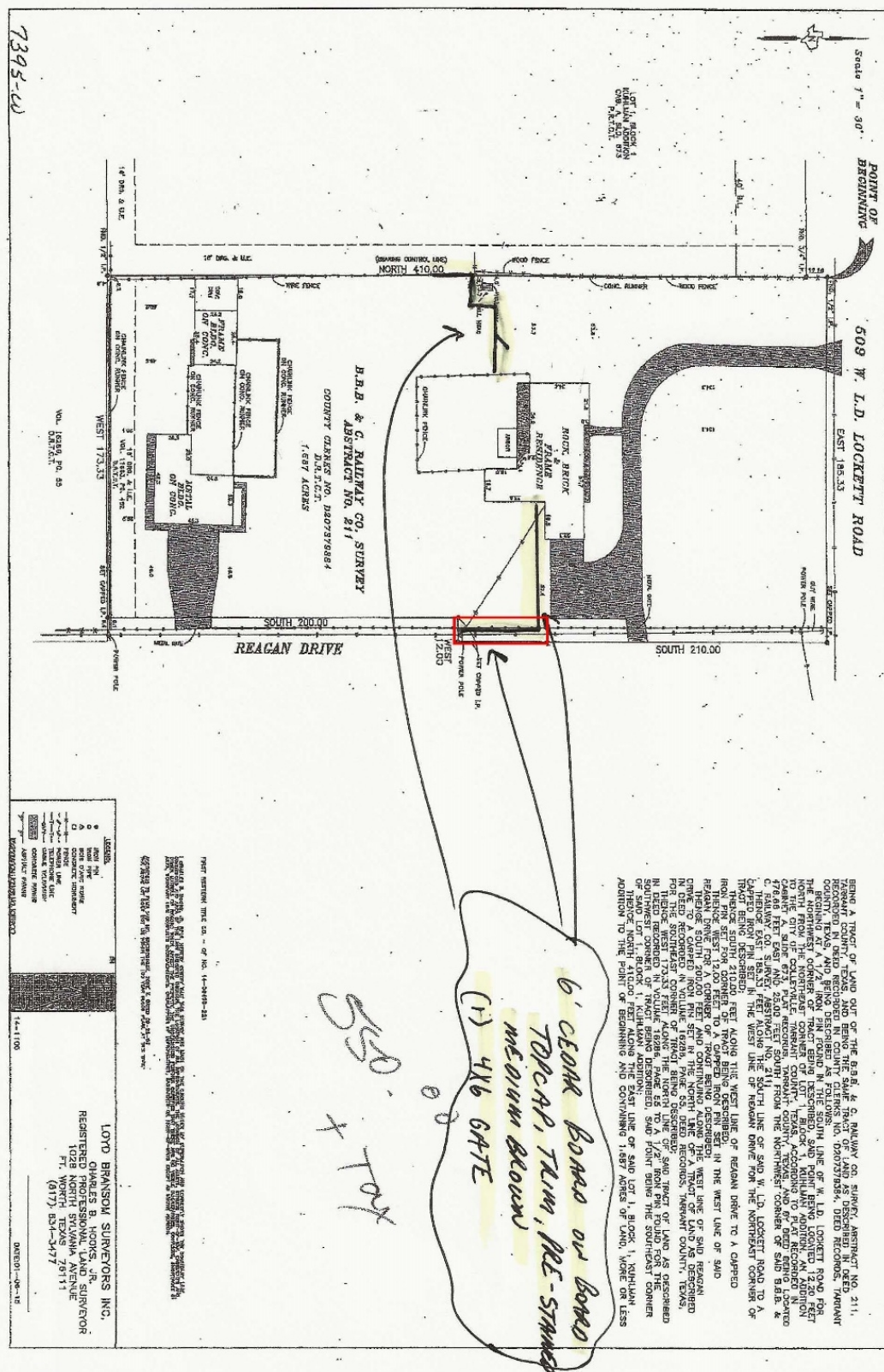


Exhibit "B" – Site Plan





CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 6a	Agenda Date 10/4/2023	Number Resolution R-23-4883
Type Resolution		
Department Community Development		

Title

Consideration of a variance to lot size, lot coverage, and side yard setbacks for lot 27, Community Home Addition, located at 1611 Cherry Lane, Case VC23-004

Explanation

Reading and Public Hearing

Colin and Janice Travis, the applicants, have submitted a request for variances to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically for the lot size (area and width), lot coverage, and side yard setbacks in the R-40 Single Family Residential district. The request is to allow for the lot area of 27,355 square feet, lot width of 105 feet, lot coverage of 29.1%, and 10-foot side yards.

Existing Conditions/Background: The subject property, 1611 Cherry Lane, resides at the end of Cherry Lane near the intersection with Rose Street and has R-40 zoning. The existing lot area is 27,355 sq. ft., not the required 40,000 sq. ft. The lot width is 105 ft., not the required 150 ft. This is an existing platted lot, which is not developed.

Requested Variance: The applicant is requesting a variance to the lot size (area and width), lot coverage, and side yard setbacks to allow for a single-family home to be constructed. The existing R-40 zoning requires a minimum of 40,000 sq. ft. for the lot area, 150 ft. for lot width, 20% maximum lot coverage, and 15 ft. side yard setbacks when developed with a single-family residential use. The variance would allow for the existing lot area of 27,355 sq. ft. and lot width of 105 ft. along with a 29.1% lot coverage and 10 ft. side yard setbacks.

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

The minimum standards for the R-40 zoning district are as follows:

Minimum Lot Size	40,000 square feet	27,355 s.f.
Minimum Lot Width	150 feet	105 ft.
Minimum Lot Depth	150 feet	
Front Building Line	40 feet	
Side Building Line	15 feet	10 ft.
Rear Building Line	25 feet	
Max. Lot Coverage	20%	29.1%

Max. Impervious Coverage 50%

Plat Status: The property is currently platted as Lot 27, County Home Addition.

DRC Review: The Development Review Committee (DRC) reviewed the request at their August 21, 2023 meeting, did not offer any comments, and scheduled the request for the City Council meeting on October 4, 2023.

Drainage: There is approximately 21.2 offsite drainage from the north and west currently being conveyed through this property. This development will be required to convey this offsite drainage under fully developed conditions through this development and into the existing wye inlet located south of this property.

Analysis: The subject property is requesting to have a variance to the lot size (area and width), lot coverage and side yard setbacks. The property is zoned R-40 and the lot size is not in compliance. When developed with a single-family residential use, the lot shall comply with the R-40 zoning district standards. A variance to the lot size (area and width), lot coverage and side yard setbacks would allow the ability to apply for and receive the necessary building permit to build a new single-family home.

Surrounding Development: The properties to the north, south, and west are zoned R-40 Single Family Residential district and are improved with single-family residential homes. The properties to the east are zoned R-20 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.

Staff Recommendation: Staff is neutral on the requested variances.

Financial Impact

There is no financial impact to the City.

Recommendation

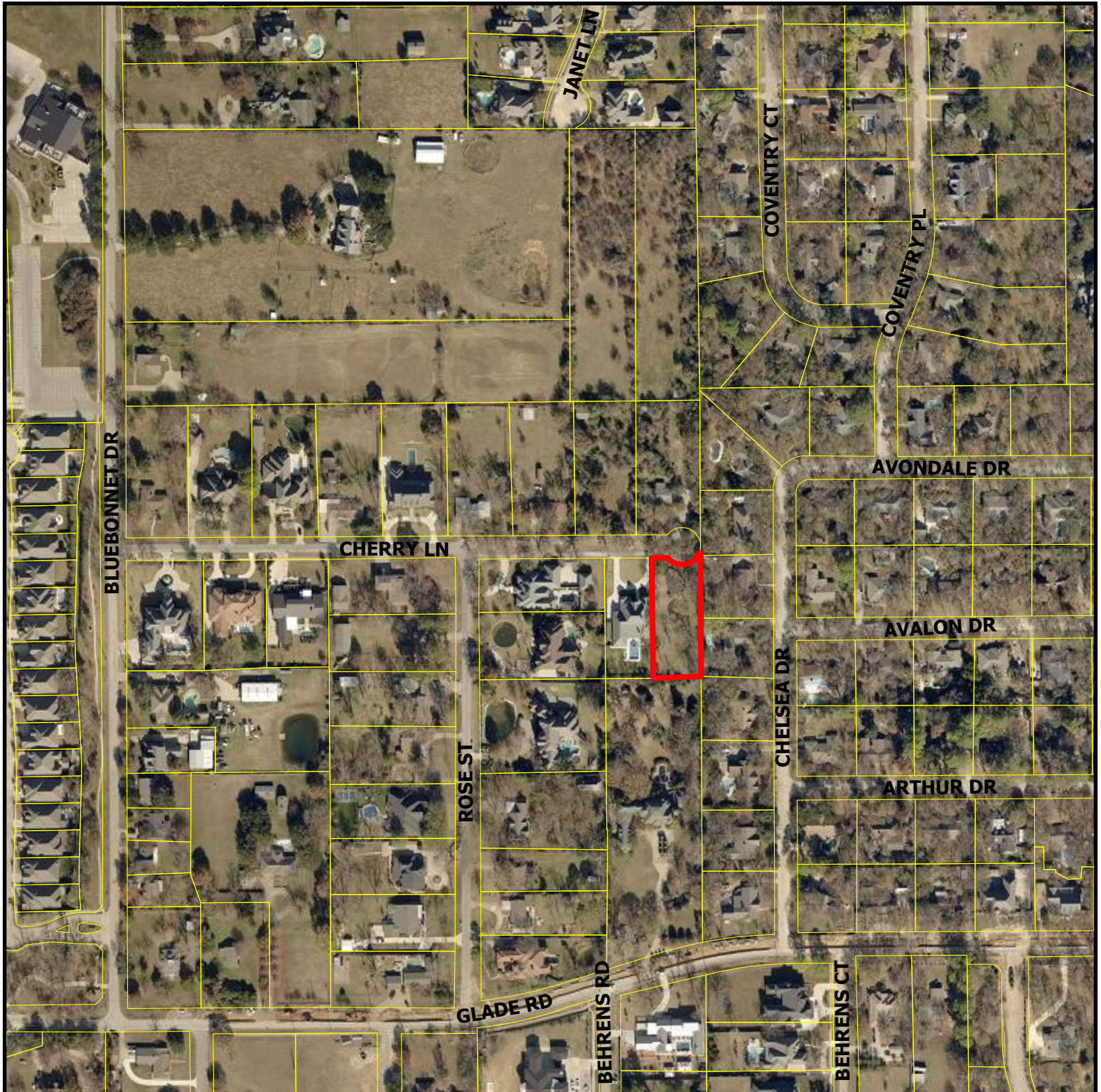
None

Attachments

1. Aerial
2. Zoning
3. Future Land Use
4. Statement of Planning Objectives
5. Original Plat

6. Plat
7. Site Plan
8. Lot Size Exhibit
9. Elevation Exhibit
10. Land Development Code Information
11. Notification Map
12. Notification List
13. Notification Letter
14. Letters Received
15. Resolution R-23-4883

Aerial Map

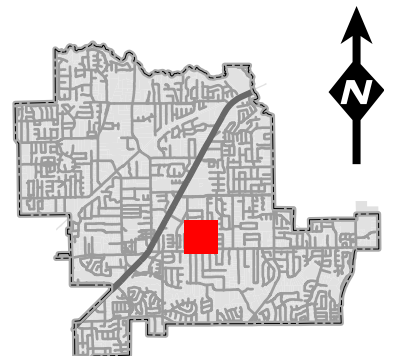


VC23-004

1611 Cherry Ln

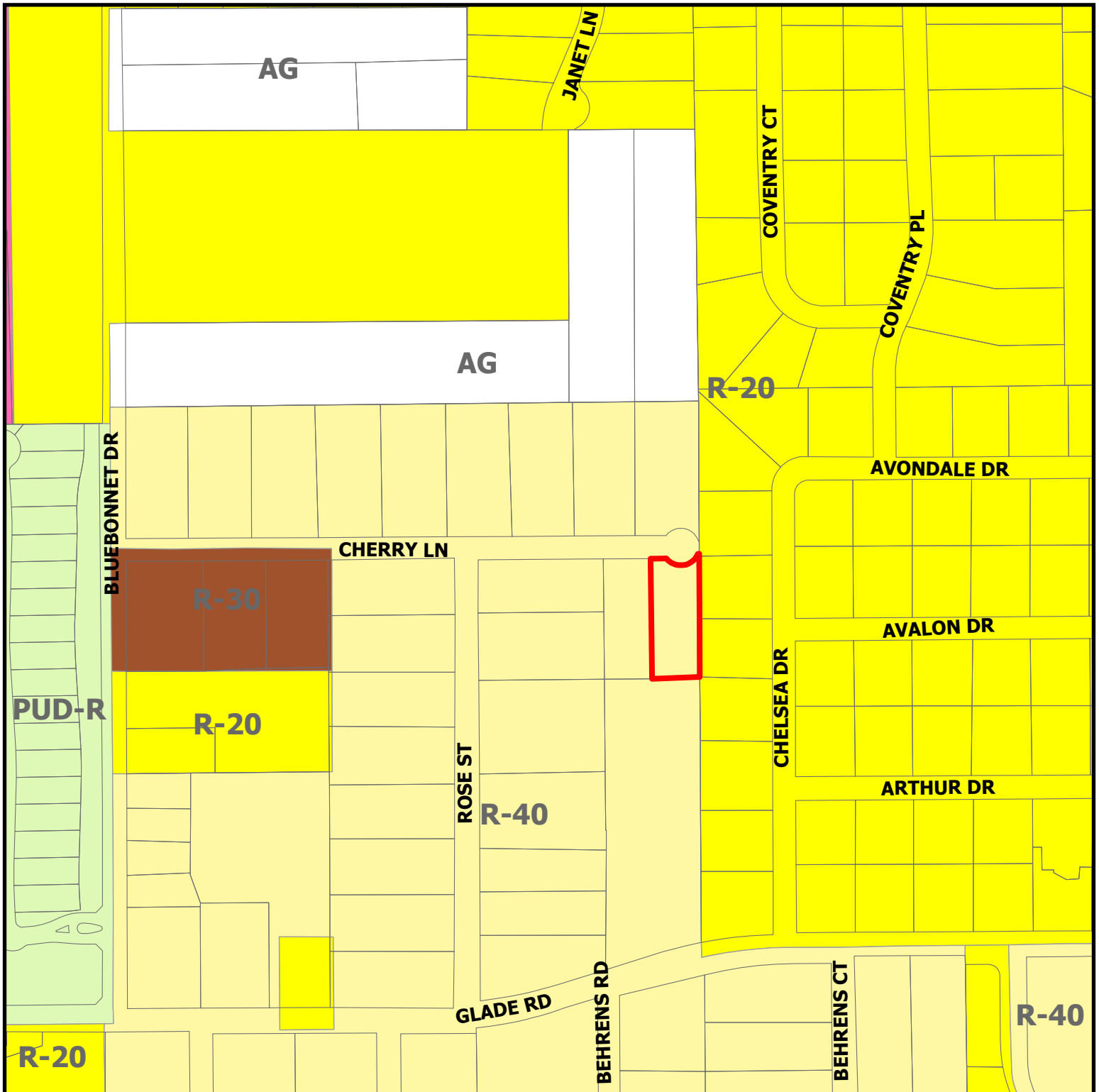


Subject Property



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

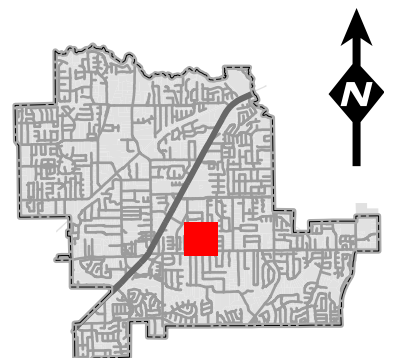


VC23-004

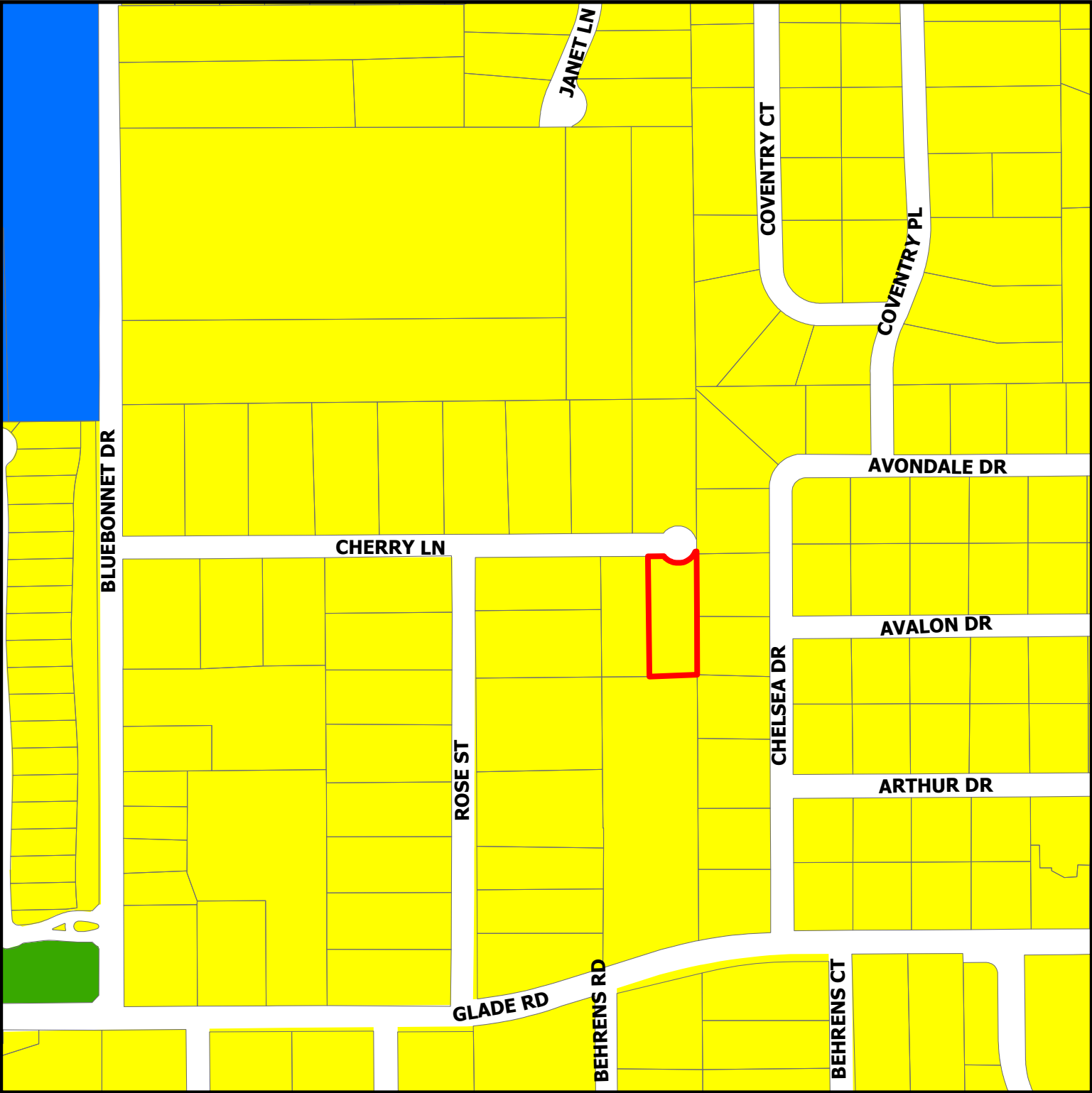
1611 Cherry Ln

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



Future Land Use Map

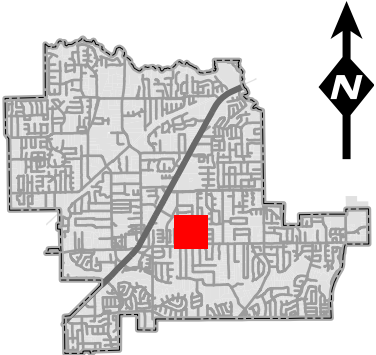


VC23-004

1611 Cherry Ln

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.

-  Residential
-  Institutional
-  Open Space; Parks
-  Subject Property



August 9, 2023

Re: 1611 Cherry Lane, Colleyville 76034

Lot 27 - Community Home Addition

We would like to request a variance for 1611 Cherry Lane, Colleyville.

The City of Colleyville has advised us that a re-zoning application would not be approved, despite the fact that this lot should be zoned R20 due to the size.

In 1952 this lot was platted as it stands today. The size of the lot is approximately 27,355 sq ft. In the 1970's, Colleyville zoned the lot as R40, which requires a minimum lot size of 40,000 sq. ft. For this reason, we are requesting the following variances:

- (1) the east side setback of 10 ft, instead of the required 15 ft.
- (2) the west side setback of 10 ft, instead of the required 15 ft
- (3) lot coverage of 29 % from 20% required for R40 size lot.

This property differs from other properties in the area due to the limited size of the lot.

Special conditions and circumstances exist which differ from other structures in the area and the same district. This is a hardship as we are not allowed to build the house that we want, the lot coverage and set backs are calculated on a lot that is 30 % larger than the lot in question, 1611 Cherry Lane.

Example:

R20 side yard setback 10 ft.

R40 side yard setback 15 ft.

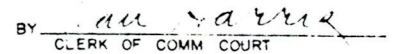
R20 Maximum Lot coverage of 30% of 27,355 sq ft = 8206 sq ft of under roof which includes all garages, patios, porch, outdoor kitchen.

R40 Maximum Lot coverage of 20% of 27,355 sq ft= 5471 sq ft of under roof which includes all garages, patios, porch, outdoor kitchen.

We ask that you consider approving the variances.

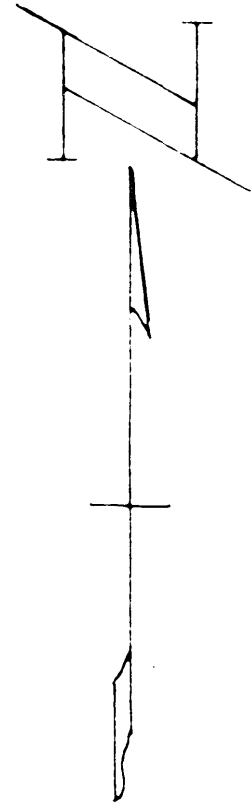
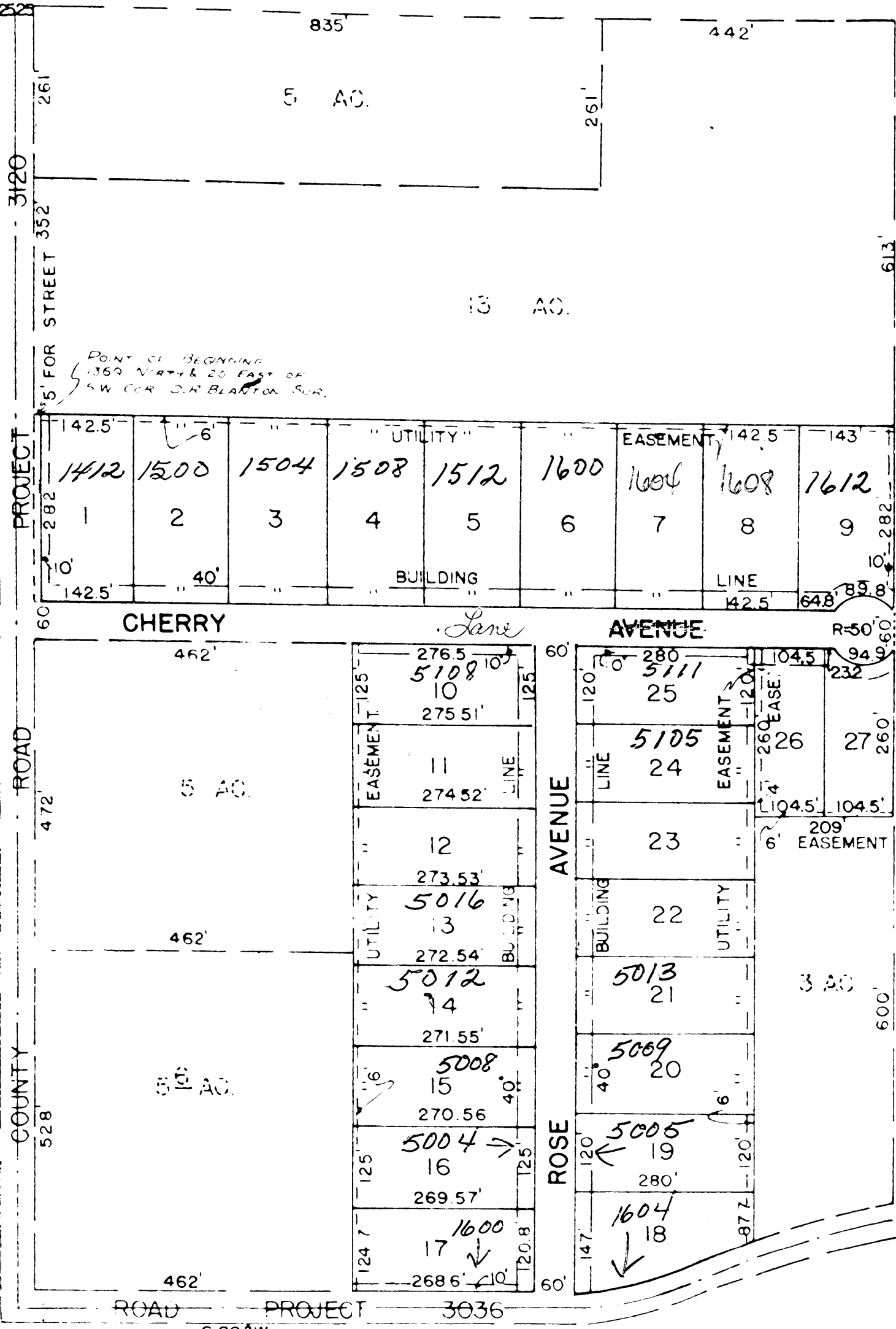
Sincerely,

Colin and Janice Travis



Flat Record Volume
588 R
Page 415
Sheet 147 1752

M. J. LOONEY SURVEY



SCALE: 1" = 200'

APPROVED _____ 1952

GRAPEVINE, TEXAS

BY Walter H. Hite
MAYOR

BY Melvin (Mel) Faulk
SECRETARY

AUTHORIZED BY ORDER OF THE
COMMISSIONERS COURT OF
TARRANT COUNTY, TEXAS.

THIS 24th DAY OF May 1952

MELVIN (MEL) FAULK
COUNTY CLERK

BY Frank H. Payne & Assoc
CLERK OF COMM COURT

G.W. TEETER SURVEY

PLAT SHOWING

LOTS 1-27

COMMUNITY HOME ADDITION

TO

GRAPEVINE, TARRANT COUNTY, TEXAS

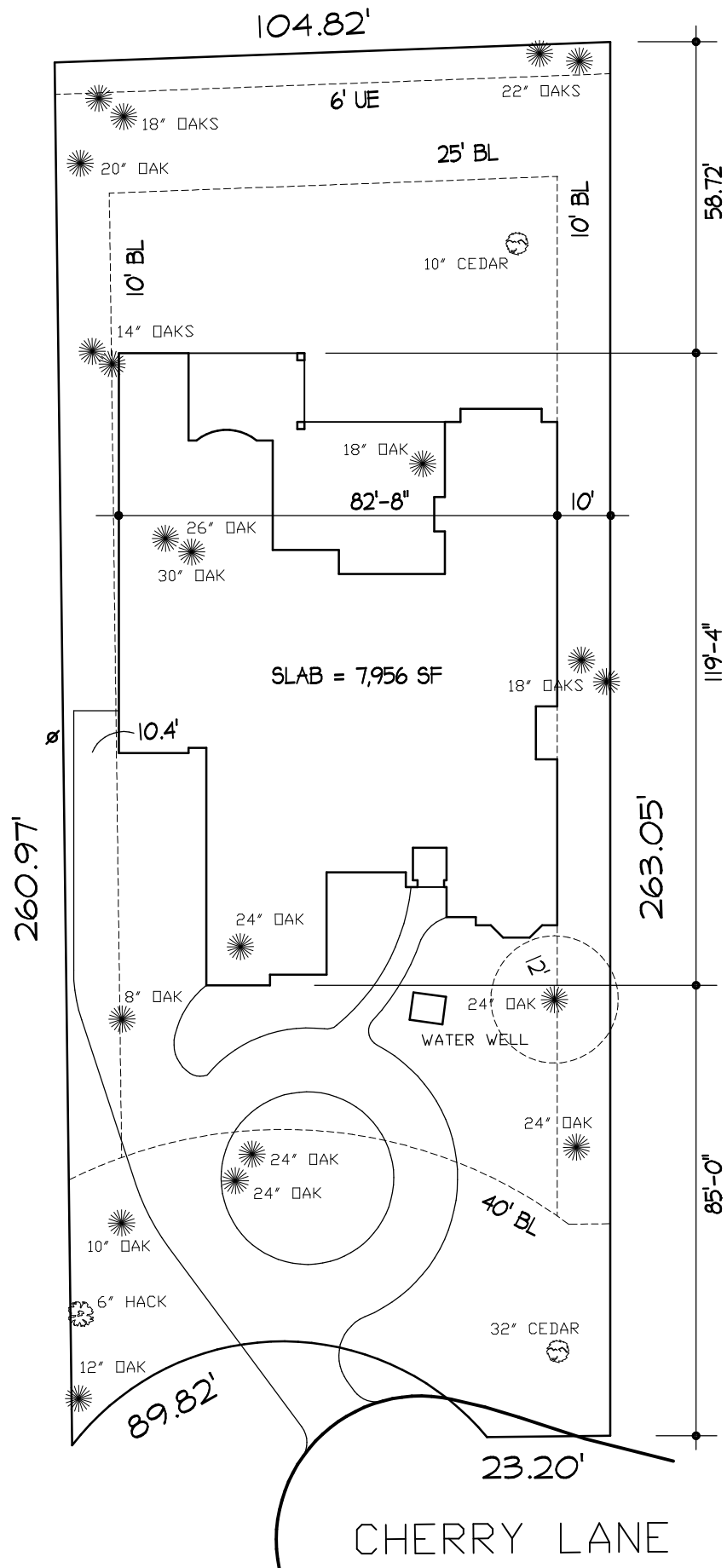
SURVEYED APRIL, 1952

BY

FRANK H. PAYNE & ASSOC
CIVIL ENGINEERS



Plat Record Volume
388-R
page 110
recorded 1952



PLOT PLAN

SCALE: 1"=20'

LOT 27
COMMUNITY HOME ADD'N
COLLEYVILLE, TEXAS

NORTH

LOT = 27,355 SF
SLAB = 7,956 SF
COVERAGE = 29.1%

Lot Size for surrounding area in R40 district

1.	Lot 1	40,616
2.	Lot 2	41,566
3.	Lot 3	42,706
4.	Lot 4	42,634
5.	Lot 5	42,814
6.	Lot 6	42,109
7.	Lot 7	41,889
8.	Lot 8	40,795
9.	Lot 9	41,843
10.	Lot 10	33,871
11.	Lot 11	35,063
12.	Lot 12	33,146
13.	Lot 13	35,089
14.	Lot 14	32,798
15.	Lot 15	33,776
16.	Lot 16	34,048
17.	Lot 17	33,392
18.	Lot 18	32,557
19.	Lot 19	27,428
20.	Lot 20	26,436
21.	Lot 21	47,794
22.	Lot 22 & 23 combined 57,978	
23.	Lot 24	42,000
24.	Lot 25	33,032
25.	Lot 26	27,566
26.	Lot 27	27,355

Of 27 Lots in "Community Home Addition" platted in 1952, only 11 have the R-40 District Minimum requirement of 40,000 sq. ft. the other 16 are less than the minimum requirement.



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

(See District Regulations Notes following Section 3.24.F for explanation of letters in charts)

Zoning Districts		Minimum Lot Size Requirements				Max. Lot Size	Minimum Yard Requirements**			Max. Building Height		Max. Lot Coverage	Max. Impervious Coverage
		Area (sq. ft.)		Min. Width in feet	Min. Depth in feet		Front/Street ROW Side (feet)	Internal Side (feet)	Rear (feet)	Stories	Feet		
		Per Family	Total										
Classification													
AG	Agricultural	130,680	130,680	200	300	n.a.	40'	25'	40'	2.5	35'	20%	50%
RE	S.F. "Estate" Residential	80,000	80,000	200	300	n.a.	40'	25'	40'	2.5	35'	20%	50%
R-40	Single Family Residential	40,000	40,000	150'	150'	n.a.	40'	15'	25'	2.5	35'	20%	50%
R-30	Single Family Residential	30,000	30,000	125'	125'	n.a.	35'	10'	25'	2.5	35'	25%	55%
R-20	Single Family Residential	20,000	20,000	100'	125'	n.a.	30'	10'	25'	2.5	35'	30%	60%
R-15	Single Family Residential	15,000	15,000	100'	125'	n.a.	30'	10'	25'	2.5	35'	30%	60%
R-D	Two Family Residential	4,000	8,000	70'	115'	n.a.	25'	10'	25'	2.5	30'	50%	60%
R-MF	Multi-Family Residential (zoned after June 16, 1961)	2,700	18,000	70'	115'	n.a.	25'	10'	25'	2.0	30'	50%	80%
R-MF	Multi-Family Residential (zoned before June 16, 1961)	1,500	10,000	70'	115'	n.a.	25'	10'	25'	3.0	30'	75%	80%
MH	Mobile Home (Minimum size of mobile home park - 40 spaces)	20,000	20,000	100'	125'	n.a.	30'	10'	25'	2.5	30'	30%	40%
C-PO	Professional Office Commercial	n.a.	7,200	100'	120'	1 acre	40'	15' (B/C)	10' (C/D)	2.0	35'	40%	80%
CN	Neighborhood Commercial	n.a.	10,000	100'	120'	1 acre	40'	15' (B/C)	10' (C/D)	2.0	35'	40%	80%
CC1	Village Retail	n.a.	15,000	150'	120'	5 acres	40' (A)	15' (B/C)	10' (C/D)	2.0	35'	50%	80%
CC2	Shopping Center	n.a.	20,000	150'	120'	none	40' (A)	15' (B/C)	10' (C/D)	2.0	35'	60%	80%
CC3	Highway Commercial	n.a.	10,000	150'	120'	none	40'	15' (B/C)	10' (C/D)	2.0	35'	70%	80%
ML	Light Manufacturing	n.a.	10,000	100'	120'	none	40'	15' (B/C)	10' (C/D)	2.0	35'	60%	80%

* All regulations may vary when above districts are used as a base district for a PUD.

** All required building lines shall adhere to the minimum yard requirement of the applicable zoning district for the property per Section 3.24.6- Schedule of District Regulations regardless of any setbacks shown on a plat unless a documented plat waiver has been approved.

Notification Map



VC23-004

1611 Cherry Ln



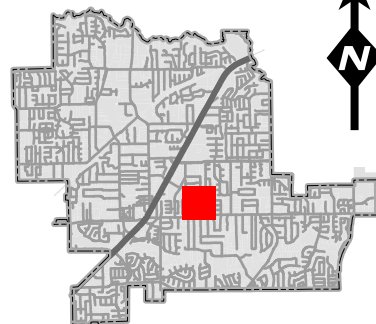
Parcels to be notified



Buffer



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.

OBJECTID	Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
55	MONTCLAIR PARC ADDITION	1108 W. Pioneer Parkway	ARLINGTON ,TX	76013	COURTESY NOTICE
33	STEWART, LARRY	1509 CHERRY LN	COLLEYVILLE, TX	76034	5016 ROSE ST
27	WOODCOCK, DAVID	1512 CHERRY LN	COLLEYVILLE, TX	76034	1512 CHERRY LN
17	DAMERON, RAY	1600 CHERRY LN	COLLEYVILLE, TX	76034	1600 CHERRY LN
36	TRAVIS, COLIN	1609 CHERRY LN	COLLEYVILLE, TX	76034	1609 CHERRY LN
4	ROGERS, NANCY	1612 CHERRY LN	COLLEYVILLE, TX	76034	1608 CHERRY LN
37	DUCIC, YADRANKO	1700 GLADE RD	COLLEYVILLE, TX	76034	1700 GLADE RD
49	PARKER, TIMOTHY	1704 ARTHUR DR	COLLEYVILLE, TX	76034	1704 ARTHUR DR
3	DAVIS, RICHARD J	1704 AVALON DR	COLLEYVILLE, TX	76034	1704 AVALON DR
39	DUNN, MARC P	1704 AVONDALE DR	COLLEYVILLE, TX	76034	1704 AVONDALE DR
46	STANLEY, REBECCA S	1704 GLADE RD	COLLEYVILLE, TX	76034	1704 GLADE RD
18	MILNER, WALTER J	1705 ARTHUR DR	COLLEYVILLE, TX	76034	1705 ARTHUR DR
45	CASILIO JOELLEN TR	1705 AVALON DR	COLLEYVILLE, TX	76034	1705 AVALON DR
42	LEPORI, WILLIS R	1705 AVONDALE DR	COLLEYVILLE, TX	76034	1705 AVONDALE DR
23	SPENCER, DANIEL	1708 ARTHUR DR	COLLEYVILLE, TX	76034	1708 ARTHUR DR
22	GILSTRAP, JEFF	1708 AVALON DR	COLLEYVILLE, TX	76034	1708 AVALON DR
10	KLINE, ALAN	1708 AVONDALE DR	COLLEYVILLE, TX	76034	1708 AVONDALE DR
5	BROWN, KATHARINE M	1709 ARTHUR DR	COLLEYVILLE, TX	76034	1709 ARTHUR DR
16	CARR, DONNA M	1709 AVALON DR	COLLEYVILLE, TX	76034	1709 AVALON DR
40	MARSHALL, M A	1709 AVONDALE DR	COLLEYVILLE, TX	76034	1709 AVONDALE DR
26	WALKER, BRYAN	1712 AVALON DR	COLLEYVILLE, TX	76034	1712 AVALON DR
41	STOWE, STEPHEN	1713 AVALON DR	COLLEYVILLE, TX	76034	1713 AVALON DR
34	MARCH, JAMES H	1713 AVONDALE DR	COLLEYVILLE, TX	76034	1713 AVONDALE DR
52	CHELSEA PARK ADDITION	1816 Avondale Drive	COLLEYVILLE ,TX	76034	COURTESY NOTICE
11	FATCAT II LLC	2140 E SOUTHLAKE BLVD STE L-675	SOUTHLAKE, TX	76092	5208 COVENTRY CT
56	GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
32	ABBOTT, LARRY	4700 JIM MITCHELL TR E	COLLEYVILLE, TX	76034	1712 ARTHUR DR
13	OLENGUE, INNOCENT	5000 CHELSEA DR	COLLEYVILLE, TX	76034	5000 CHELSEA DR
25	HOOKS, DURAN	5004 CHELSEA DR	COLLEYVILLE, TX	76034	5004 CHELSEA DR
29	BACA, CHAD	5005 ROSE ST	COLLEYVILLE, TX	76034	5005 ROSE ST
43	MANGHAM, WEBSTER M	5008 CHELSEA DR	COLLEYVILLE, TX	76034	5008 CHELSEA DR
1	HARRINGTON, D NEAL	5012 CHELSEA DR	COLLEYVILLE, TX	76034	5012 CHELSEA DR
9	WILLIAMS, LACI	5012 ROSE ST	COLLEYVILLE, TX	76034	5012 ROSE ST
2	WINTERS, DAN L	5013 ROSE ST	COLLEYVILLE, TX	76034	5013 ROSE ST
24	KING, MARY	5016 CHELSEA DR	COLLEYVILLE, TX	76034	5016 CHELSEA DR
31	HICKEY, BRIAN DOUGLAS	5100 CHELSEA DR	COLLEYVILLE, TX	76034	5100 CHELSEA DR
19	STEWART, CONNIE	5100 ROSE ST	COLLEYVILLE, TX	76034	5100 ROSE ST
20	FORDYCE, MARK	5101 ROSE ST	COLLEYVILLE, TX	76034	5101 ROSE ST
30	BURAL, EARL	5104 CHELSEA DR	COLLEYVILLE, TX	76034	5104 CHELSEA DR
47	CLARK, HARRY P	5104 ROSE ST	COLLEYVILLE, TX	76034	5104 ROSE ST
8	HERRON, DAVID	5105 ROSE ST	COLLEYVILLE, TX	76034	5105 ROSE ST
21	MILLER, TRACY S	5108 CHELSEA DR	COLLEYVILLE, TX	76034	5108 CHELSEA DR
44	COURON, SUSAN	5108 ROSE ST	COLLEYVILLE, TX	76034	5108 ROSE ST
14	PERRY, STAN	5111 ROSE ST	COLLEYVILLE, TX	76034	5111 ROSE ST
6	TEW, TERESA A	5117 COVENTRY PL	COLLEYVILLE, TX	76034	5117 COVENTRY PL
28	DOSSANI, ANWAR A	520 E NORTHWEST HWY STE 100	GRAPEVINE, TX	76051	5209 BLUEBONNET DR
48	HARGROVE, BELINDA	5200 COVENTRY CT	COLLEYVILLE, TX	76034	5200 COVENTRY CT
50	APTE, SHIREESH	5204 COVENTRY CT	COLLEYVILLE, TX	76034	5204 COVENTRY CT
53	CRANBROOK ESTATES	P.O. Box 372	COLLEYVILLE ,TX	76034	COURTESY NOTICE
54	KINGSWOOD ESTATES-COLLEYVILLE	P.O. Box 978	COLLEYVILLE ,TX	76034	COURTESY NOTICE
15	STEWART, LARRY R	PO BOX 1497	COLLEYVILLE, TX	76034	5009 ROSE ST
7	PHILLIPS, DEAN F	PO BOX 210445	BEDFORD, TX	76095	1604 CHERRY LN



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:

**City Council Meeting: Tuesday, September 19, at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas**

Request: Consideration of a variance for the required lot size, lot coverage, and side yard setbacks. The area and width of the lot do not comply with the minimums standards for the R-40 district. The request will allow for the construction of a new single family home.

Zoning Case: VC23-004

Applicant: Colin and Janice Travis

Owner: Colin and Janice Travis

Location: 1611 Cherry Lane

Property Description: Lot 27, Community Home Addition

Present Zoning: R-40, Single Family Residential

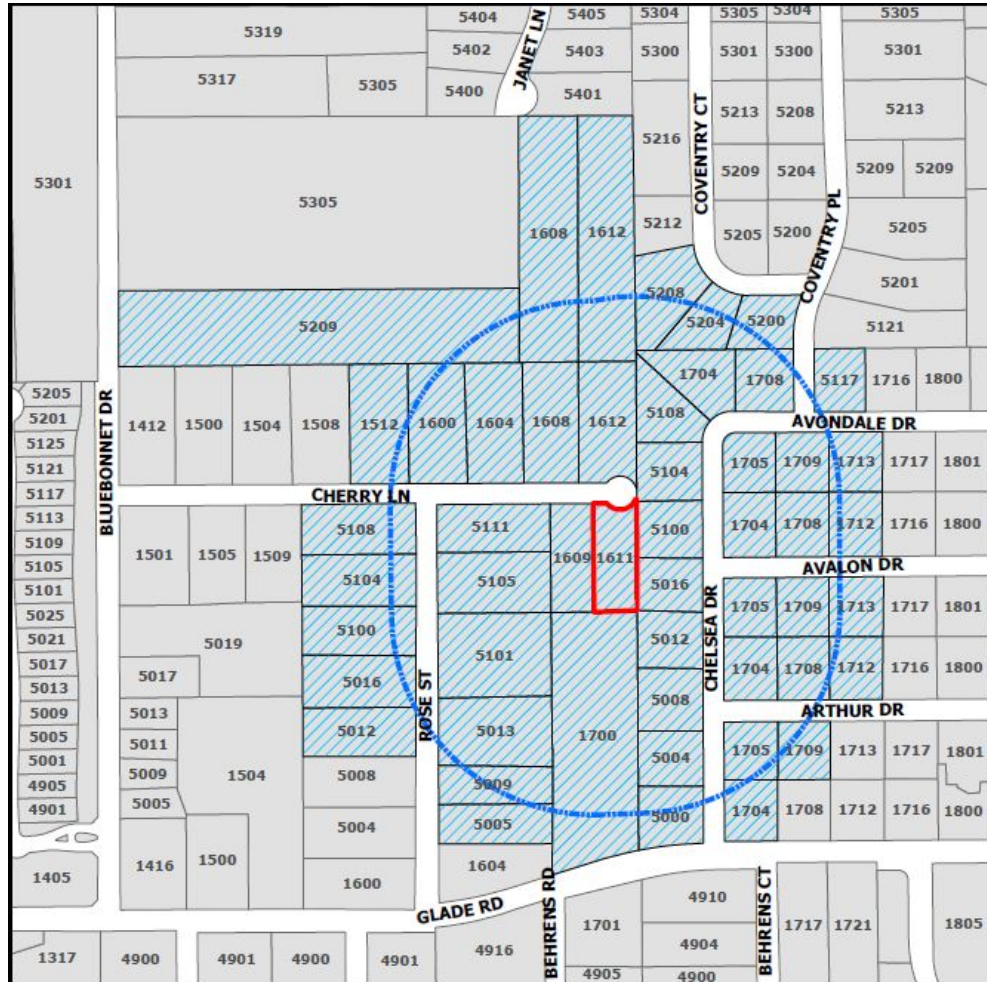
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change 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:

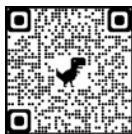
**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

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
Principal Planner
jreyff@colleyville.com

ZONING CASE VC23-004

1611 CHERRY LANE

LOT 27, COMMUNITY HOME ADDITION

I protest the changes requested. The owners knew of the restrictions when it was purchased, and benefit from a less dense neighborhood.

Dan Winters

DAN WINTERS

5013 ROSE ST.

Colleyville, Tx 76034

September 12, 2023

Community Development Department
City of Colleyville

In regard to the following:

Zoning Case VC23-004
1611 Cherry Lane
Lot 27, Community Home Addition

My wife, Carol, and I have lived at 5111 Rose St, Colleyville, for the past 12 plus years. We attended the City Council meetings several years ago when the Traveses requested a similar variance for the lot at 1609 Cherry Lane where they currently live, and we spoke in favor of approval at that time. It is our opinion that the Council acted appropriately and granted that request. The reason we say appropriately is that the lot sizes at 1609 and 1611 Cherry Lane are considerably smaller than the lot description for R-40 zoning. In fact, we think a majority of the lots in this neighborhood are not a full acre, which is typical of R-40. I know our lot is smaller as well.

It is our understanding that the Traveses are requesting a larger percentage of building size to lot size and a 10 ft. set-back on the west side only of lot 27. We also understand that their request is in line with the typical requirements for lots of this size. We received a variance when we built our house for a 10 ft. set-back on one side. We cannot see why the Council would not grant the same variance on this lot as was granted on the previous lot. We can tell you that the house which the Traveses built at 1609 is very attractive and fits into the neighborhood quite nicely. Many of us who are getting older want to live in single story homes, and this creates a need for a larger building size to lot size ratio.

We would urge you to approve this request.

Sincerely,


Stan & Carol Perry

From: [Brian Hickey](#)
To: [Jackie Reyff](#)
Subject: VC23-004
Date: Tuesday, September 26, 2023 1:32:29 PM

Ms. Reyff,

I am writing regarding the zoning case noted above.

I live directly east of and next to the subject lot. I have lived here over 18 years.

The Travis's requested and received the same variance for their current lot, and the results were fantastic.

The property they built is beautiful, and the setback deltas are not noticeable at all.

Based on the proposed renderings of the home to be built, I am sure it will be just as nice.

As such, I have no issue with their request for a variance and support their request.

Should you have any questions, please contact me at your convenience.

Regards,

Brian Hickey
5100 Chelsea Drive, Colleyville



RESOLUTION R-23-4883

A RESOLUTION APPROVING A REQUEST FOR A VARIANCE TO SECTION 3.24.G, SCHEDULE OF DISTRICT REGULATIONS OF THE LAND DEVELOPMENT CODE, SPECIFICALLY FOR LOT AREA, LOT WIDTH, LOT COVERAGE, AND SIDE YARD SETBACKS, IN THE R-40 SINGLE FAMILY RESIDENTIAL DISTRICT, FOR LOT 27, COMMUNITY HOME ADDITION, LOCATED AT 1611 CHERRY LANE

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

- Sec. 1. THAT the variance to allow for the lot area to be approximately 27,355 square feet, lot width to be 105 feet, lot coverage to be 29.1%, and side yard setbacks of 10 feet with the R-40 Single Family Residential zoning district located at 1611 Cherry Lane (the "Property"), as depicted in Exhibit "A" hereto, is approved.
- Sec. 2. THAT this Resolution shall become effective immediately upon passage; provided that, the variance for the Property shall become effective immediately upon the conditions stated herein being fully satisfied.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ____ AYES, ____ NAYS, ON THIS THE 4TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

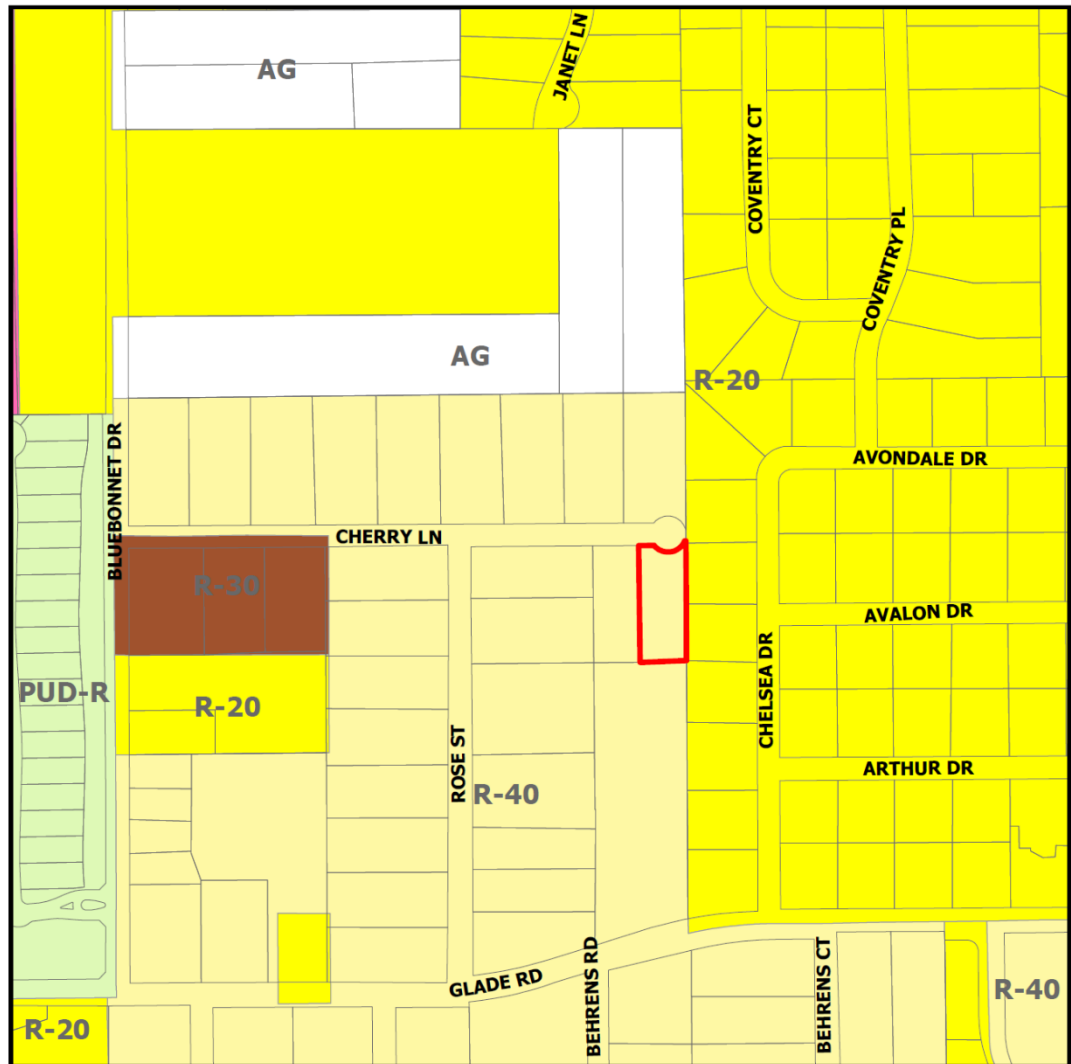
ATTEST:

CITY OF COLLEYVILLE

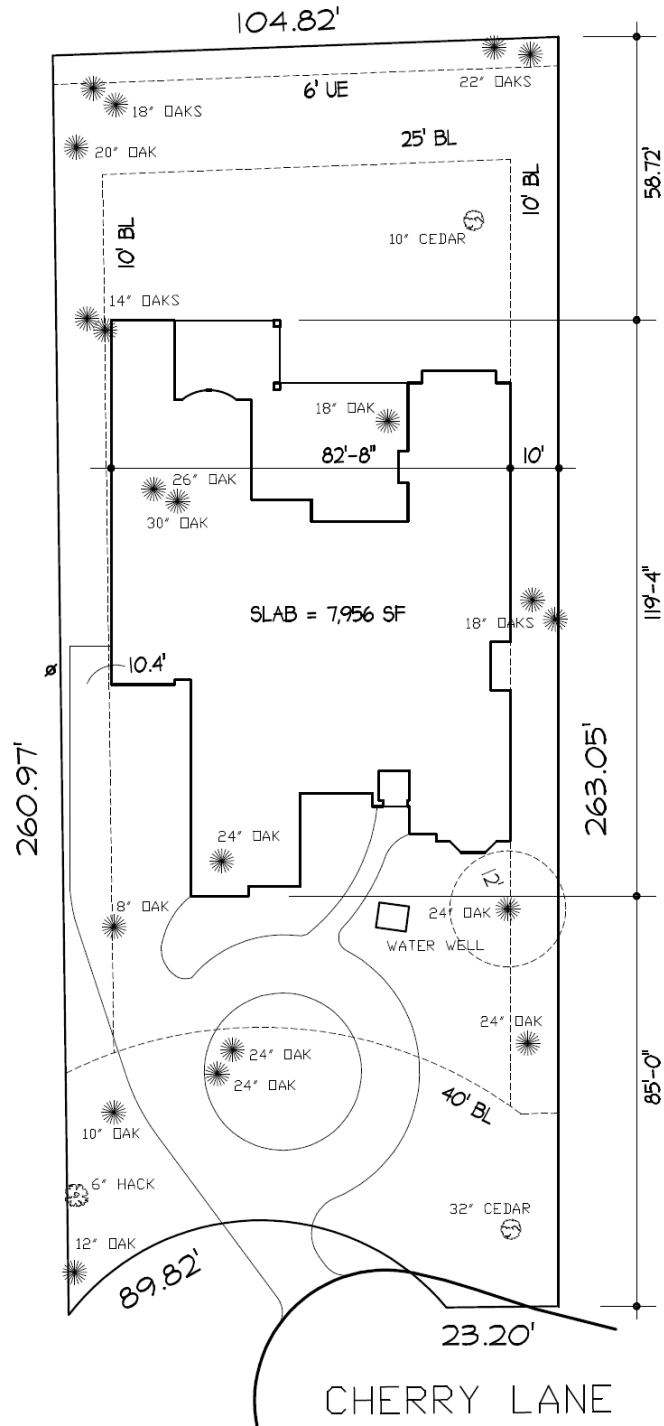
Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor

Attachment "A"



Attachment "B"



PLOT PLAN
 LOT 27
 COMMUNITY HOME ADD'N
 COLLEYVILLE, TEXAS

SCALE: 1"=20'

NORTH

LOT = 27,355 SF
 SLAB = 7,956 SF
 COVERAGE = 29.1%



CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

Agenda Number 6b

Agenda Date 10/4/2023

Number Resolution R-23-4884

Type Resolution

Department Community Development

Title

Consideration of a variance to lot coverage for Lot 34, Block 1, Oak Alley, located at 7220 Oak Alley, Case VC23-005

Explanation

Reading and Public Hearing

Munir and Nadia Malik, the applicants, are requesting a variance to the provisions of the Planned Unit Development Ordinance O-18-2056, specifically for lot coverage. The request is to allow for the lot coverage of 26.2% to allow for a new patio cover of 416 square feet.

Existing Conditions/Background: The subject property, 7220 Oak Alley, resides near the southwestern corner of the intersection of Oak Alley Drive and John McCain Road and has Planned Unit Development - Residential (PUD-R) zoning. The PUD-R Ordinance allows for 25% lot coverage. There is a new single-family home under construction and nearing completion. They plan to improve the rear yard with a pool and patio cover.

Requested Variance: The applicant is requesting a variance to lot coverage to allow for a patio cover to be constructed. The existing PUD-R zoning requires compliance with 25% lot coverage. The variance would allow for a patio cover which would increase the lot coverage to 26.2%.

Plat Status: The property is currently platted as Lot 34, Block 1, Oak Alley Addition.

DRC Review: The Development Review Committee (DRC) reviewed the request at their August 21, 2023 meeting, did not offer any comments, and scheduled the request for the City Council meeting on October 4, 2023.

Drainage: NA

Analysis: The subject property is requesting to have a variance to the lot coverage. The property is zoned PUD-R and a new patio cover would take the lot coverage up to 26.2%. When developed with a single-family residential use, the lot shall comply with the PUD-R zoning district standards. The zoning allows for a maximum lot coverage of 25% of the lot area. A variance to the lot coverage would allow the ability to apply for and receive the necessary building permit to build the patio cover.

Surrounding Development: The properties to the north, south, and east are zoned PUD-R district and are improved with single-family residential homes and Oak Alley community open space. The property to the west is zoned R-40 Single Family Residential district.

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.

Staff Recommendation: Staff recommends denial of the requested variance due to technical non-compliance.

Financial Impact

There is no financial impact to the City.

Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Approved House Site Plan
5. Proposed Site Exhibit - Backyard Improvements
6. Elevation Exhibit
7. Notification Map
8. Notification List
9. Notification Letter
10. Resolution R-23-4884

Aerial Map

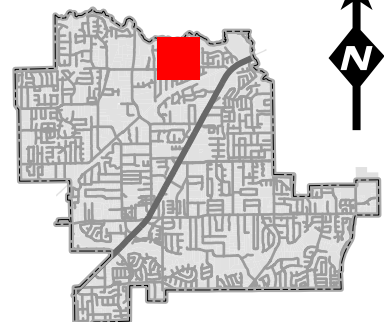


VC23-005

7220 Oak Alley

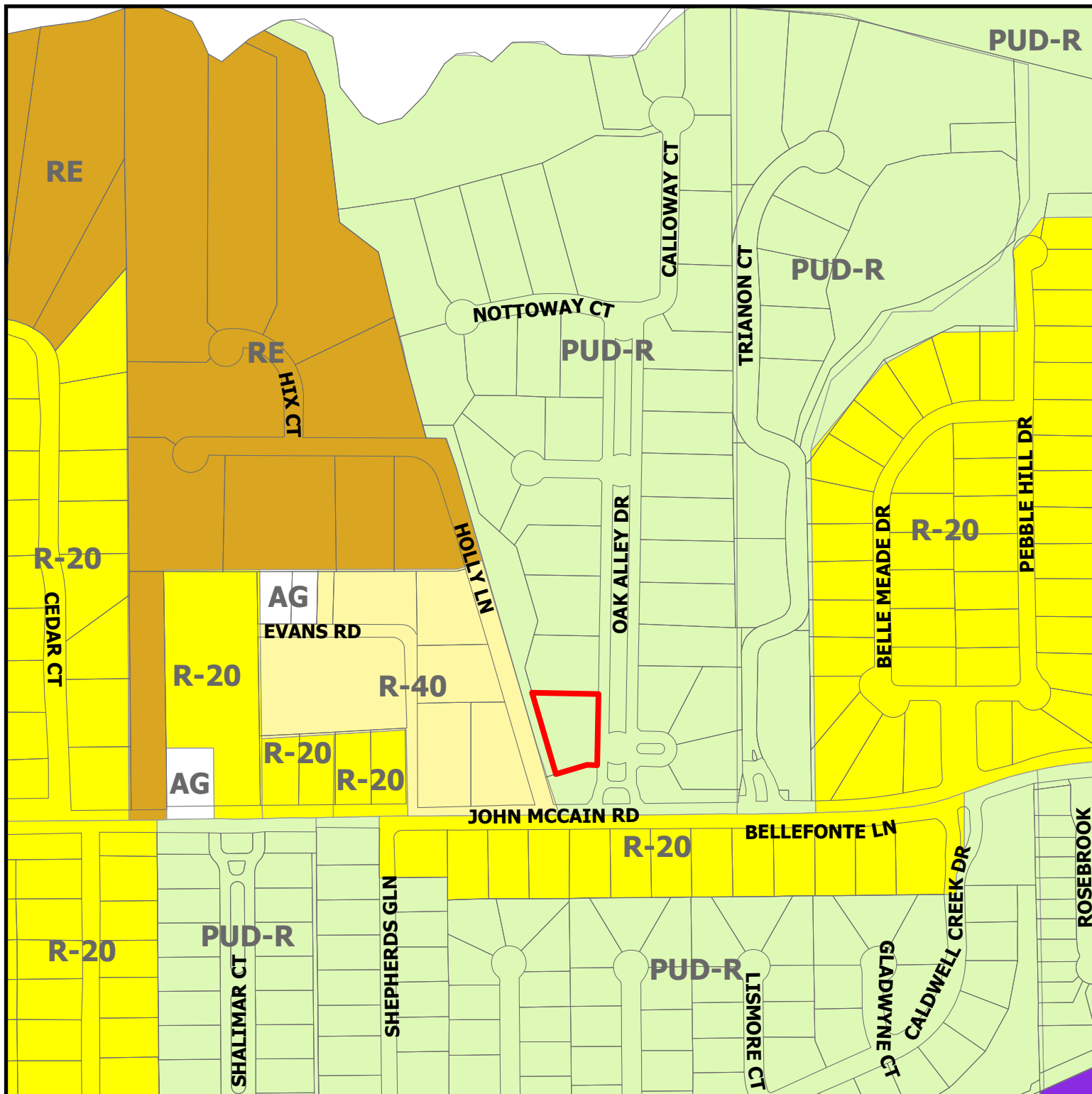


Subject Property



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

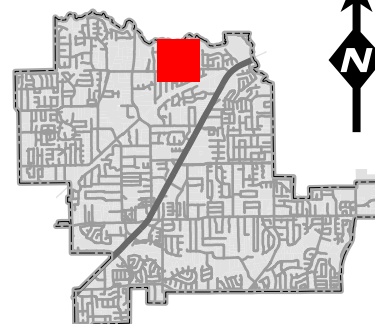


VC23-005

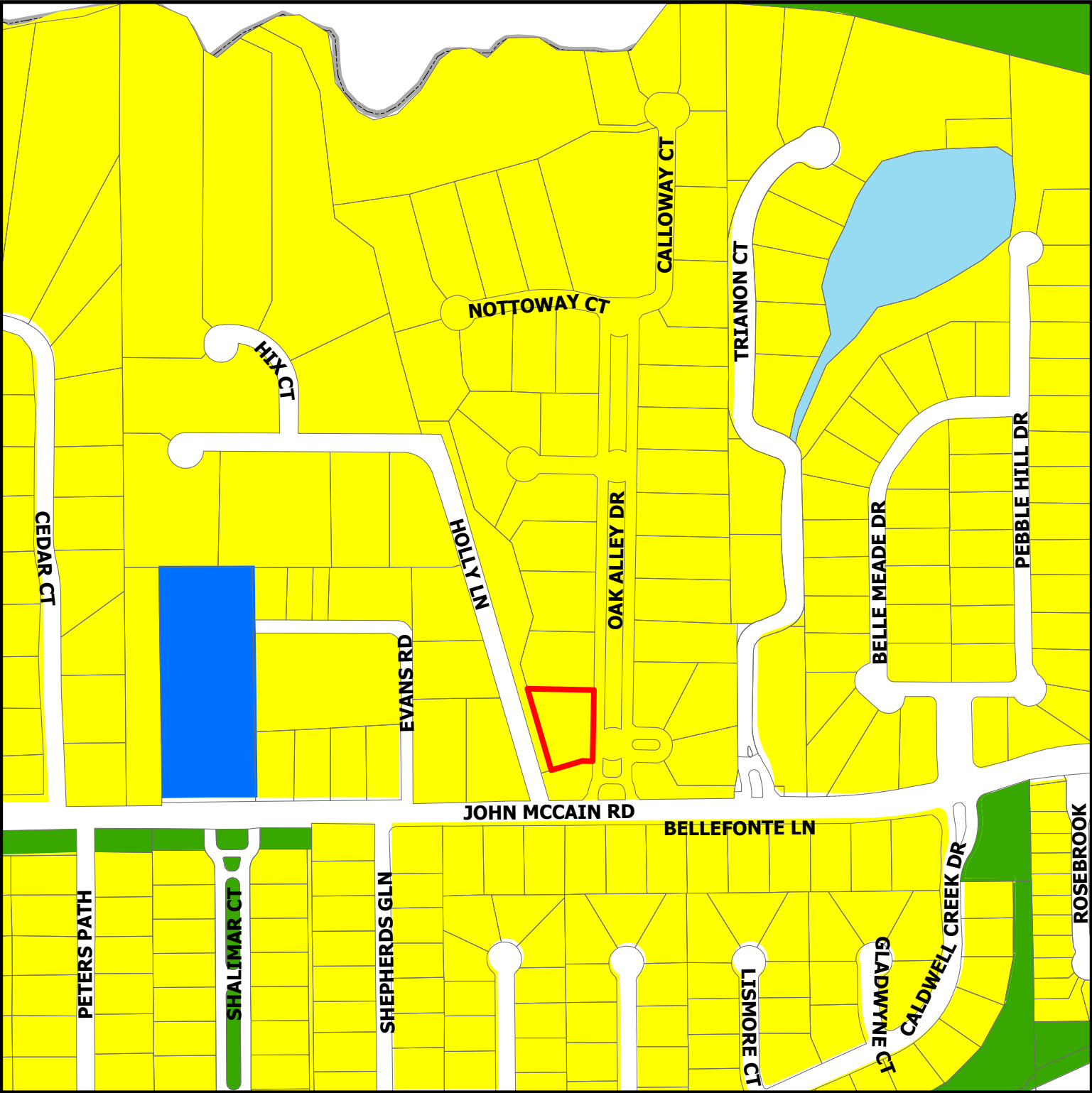
7220 Oak Alley

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



Future Land Use Map



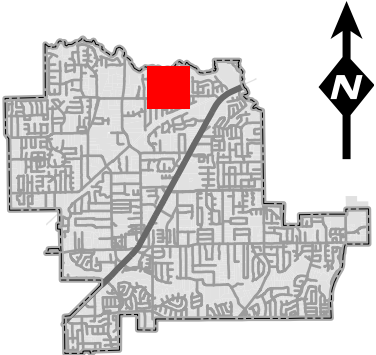
VC23-005

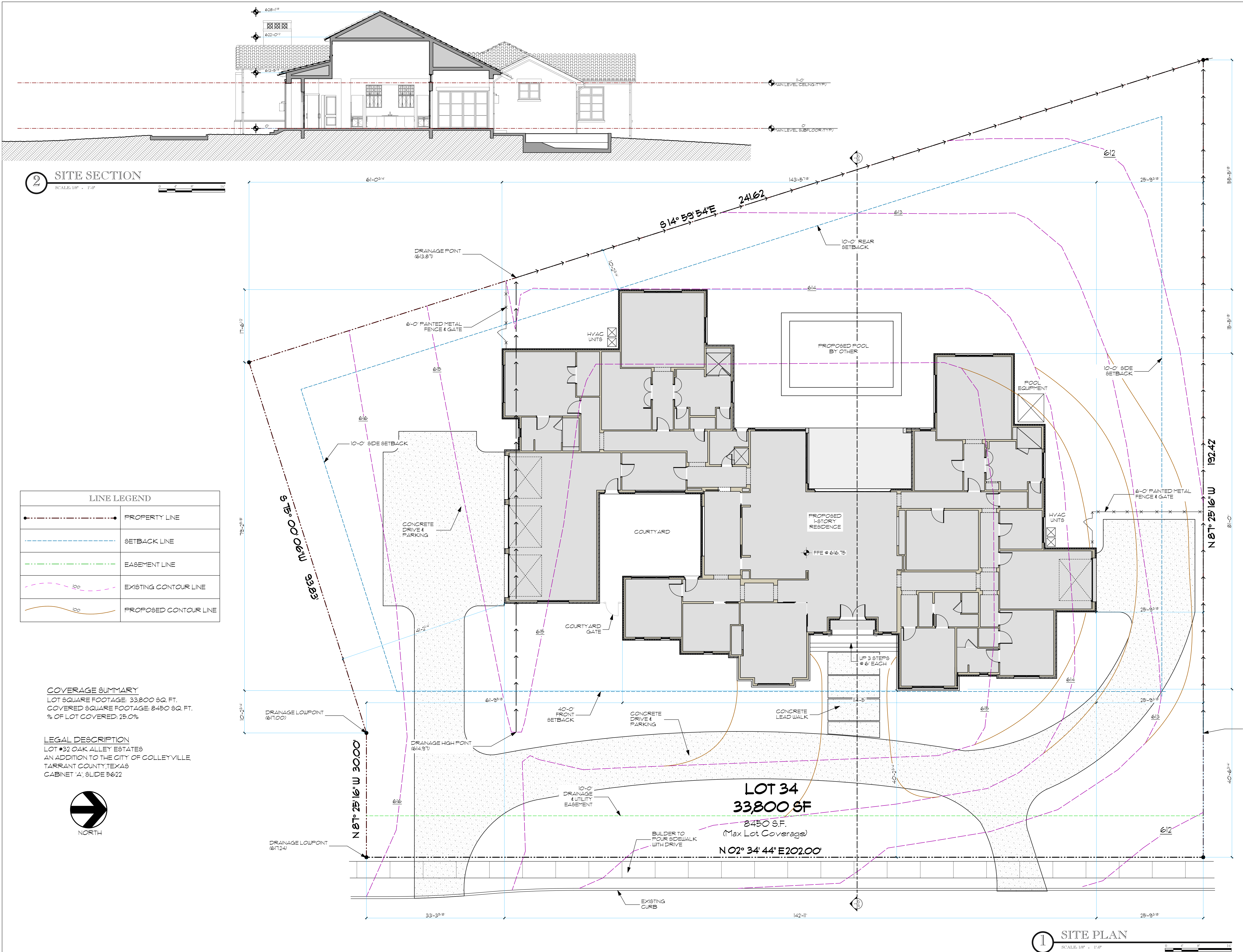
7220 Oak Alley



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.

- | | | | |
|---|-------------------|---|------------------|
|  | Residential |  | Water Body |
|  | Institutional |  | Subject Property |
|  | Open Space; Parks | | |



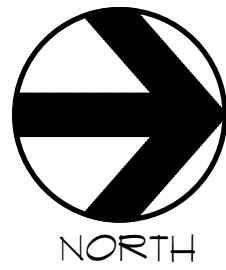


2 SITE SECTION
SCALE: 1/8" = 1'-0"

LINE LEGEND	
	PROPERTY LINE
	SETBACK LINE
	EASEMENT LINE
	EXISTING CONTOUR LINE
	PROPOSED CONTOUR LINE

COVERAGE SUMMARY
LOT SQUARE FOOTAGE: 33,800 SQ. FT.
COVERED SQUARE FOOTAGE: 8,450 SQ. FT.
% OF LOT COVERED: 25.0%

LEGAL DESCRIPTION
LOT #32 OAK ALLEY ESTATES
AN ADDITION TO THE CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS
CABINET 'A', SLIDE 5622



1 SITE PLAN
SCALE: 1/8" = 1'-0"

596 North Kimball
Suite 100
Southlake, Texas 76092
817 • 988 • 988 (OFFICE)
www.HeritageDesignStudio.com
office@HeritageDesignStudio.com



The Malik Residence

Design Version No: Version 8A
7220 Oak Alley Drive
Lot 34
Colleyville, Texas, 76034
Project Status:
Construction Documents

Project No:
2081

For Construction

Dates:
Project Start Date: December 31st 2020
Date Printed: Friday, January 7, 2022
Project Version Number: Version 8A

Internal Information:
CAD File Name: Malik (Oak Alley 154) V8A.dwg
File last saved on: 1/22, 5:59 PM
Designed By: Christopher D. Hough

File Path: C:\Users\joe.Dingman\Heritage\Office\Heritage Data\PROJECTS\ACTIVE PROJECTS\2081 Malik Oak Alley Lot 34\WORKING\ Malik (Oak Alley 154) V8A.dwg

This drawing checked by:

Sheet Number:

A1-01

Sheet Name: SITE PLAN

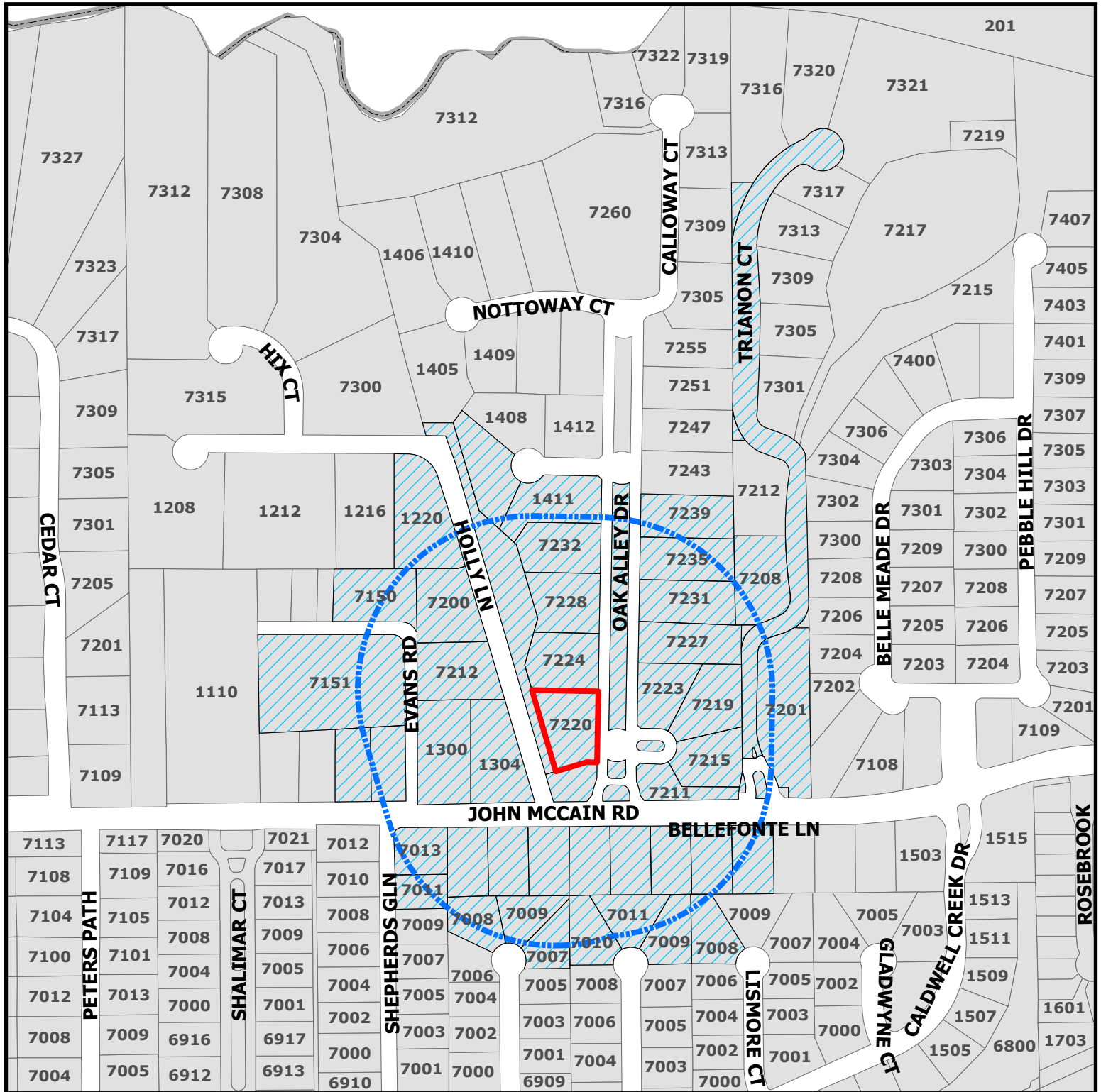








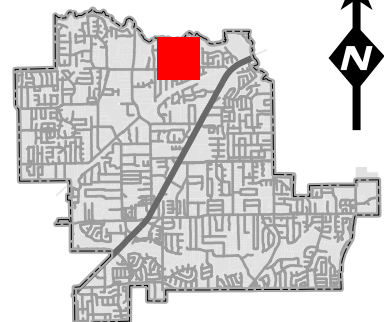
Notification Map



VC23-005

7220 Oak Alley

-  Parcels to be notified
-  Buffer
-  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.

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
MOON, KENNETH W	1305 BELLEFONTE LN	COLLEYVILLE, TX	76034	1305 BELLEFONTE LN
PEARCE, CHARLES A	7212 HOLLY LN	COLLEYVILLE, TX	76034	7212 HOLLY LN
WANG, JEFFREY	1307 BELLEFONTE LN	COLLEYVILLE, TX	76034	1307 BELLEFONTE LN
FEGAN, DENNIS J	1303 BELLEFONTE LN	COLLEYVILLE, TX	76034	1303 BELLEFONTE LN
MEANS, BRADLEY W	7007 WHIPPOORWILL CT	COLLEYVILLE, TX	76034	7007 WHIPPOORWILL CT
TANGLEWOOD ESTATES HOA	7321 TRIANON CT	COLLEYVILLE, TX	76034	7107 TRIANON CT
UPHAM, CLIFTON	1204 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	1204 JOHN MCCAIN RD
PHETTPLACE, NATHAN	7011 SHEPHERDS GLEN	COLLEYVILLE, TX	76034	7011 SHEPHERDS GLEN
DEFEO, RONALD J	7008 WHIPPOORWILL CT	COLLEYVILLE, TX	76034	7008 WHIPPOORWILL CT
FONVILLE, EARL R	1403 BELLEFONTE LN	COLLEYVILLE, TX	76034	1403 BELLEFONTE LN
JONES, DANIEL	7009 ORCHARD HILL CT	COLLEYVILLE, TX	76034	7009 ORCHARD HILL CT
BHAYANI, NIKHIL	1206 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	1206 JOHN MCCAIN RD
TANGLEWOOD ESTATES HOA	7321 TRIANON CT	COLLEYVILLE, TX	76034	7101 JOHN MCCAIN RD
JANE BLUME LIVING TRUST	7008 LISMORE CT	COLLEYVILLE, TX	76034	7008 LISMORE CT
TANGLEWOOD ESTATES MAINTENANCE	7321 TRIANON CT	COLLEYVILLE, TX	76034	7300 TRIANON CT
ST CLAIR, DAVID J	1401 BELLEFONTE LN	COLLEYVILLE, TX	76034	1401 BELLEFONTE LN
THERRIEN, CHRISTOPHER	7013 SHEPHERDS GLN	COLLEYVILLE, TX	76034	7013 SHEPHERDS GLEN
BOTIK, DON	7208 TRIANON CT	COLLEYVILLE, TX	76034	7208 TRIANON CT
COPELAND, JOHN	1309 BELLEFONTE LN	COLLEYVILLE, TX	76034	1309 BELLEFONTE LN
HITSCHMANN, ASHLEIGH	1405 BELLEFONTE LN	COLLEYVILLE, TX	76034	1405 BELLEFONTE LN
PURDY, DONALD	7009 WHIPPOORWILL CT	COLLEYVILLE, TX	76034	7009 WHIPPOORWILL CT
PISTOR, ELISE A	7200 HOLLY LN	COLLEYVILLE, TX	76034	7200 HOLLY LN
HALIBURTON, JAMES	7010 ORCHARD HILL CT	COLLEYVILLE, TX	76034	7010 ORCHARD HILL CT
PERONE, JOHN A	1216 HOLLY LN	COLLEYVILLE, TX	76034	1220 HOLLY LN
URRUTIA, MICHAEL	1311 BELLEFONTE LN	COLLEYVILLE, TX	76034	1311 BELLEFONTE LN
GRANT, RICHARD	1304 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	1304 JOHN MCCAIN RD
ST MARY'S COPTIC ORTHODOX CHURC	1110 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	1300 JOHN MCCAIN RD
PARK, DANIEL	7011 ORCHARD HILL CT	COLLEYVILLE, TX	76034	7011 ORCHARD HILL CT
KAUFFMAN, KURT H	1208 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7150 EVANS RD
HUDSON, LEONARD	7201 TRIANON CT	COLLEYVILLE, TX	76034	7201 TRIANON CT
OAK ALLEY DEVELOPMENT LLC	500 GRAPEVINE HWY STE 224	HURST, TX	76054	7237 HOLLY LN
MALIK, MUNEER	1009 HIGH HAWK TR	EULESS, TX	76039	7220 OAK ALLEY DR
MMK INVESTMENTS LLC	2405 POPLAR CT	KELLER, TX	76262	1407 MANCHESTER CT
MCKINNON, JAMES	207 COLDEN CT	COLLEYVILLE, TX	76034	7228 OAK ALLEY DR
BAKER, BRYAN	52 VILLAGE LN	COLLEYVILLE, TX	76034	7224 OAK ALLEY DR
PROVIDENTIAL LIFESTYLE HOMES LL	624 STONEGLEN DR	KELLER, TX	76248	7223 OAK ALLEY DR
SMITH, NICHOLAS	7219 OAK ALLEY DR	COLLEYVILLE, TX	76034	7219 OAK ALLEY DR
JTM2 INVESTMENTS LLC	7215 OAK ALLEY DR	COLLEYVILLE, TX	76034	7215 OAK ALLEY DR
RADER, MICHAEL	6509 CIMMARON TRL	COLLEYVILLE, TX	76034	7231 OAK ALLEY DR
BONAPARTE, FRANK	1623 MOCKINGBIRD LN	SOUTHLAKE, TX	76092	7235 OAK ALLEY DR
KA HOME CONSTRUCTION INC	2011 E KIRKWOOD BLVD SUITE 110	SOUTHLAKE, TX	76092	7239 OAK ALLEY DR

CALDWELL'S CREEK ADDITION
PEBBLE HILL PLANTATION ESTATES
SHALIMAR ADDITION
GRAPEVINE COLLEYVILLE ISD

P.O. Box 682
P.O. Box 911
6916 Shalimar Court
3051 IRA E WOODS AVE

COLLEYVILLE ,TX 76034
COLLEYVILLE ,TX 76034
COLLEYVILLE ,TX 76034
GRAPEVINE, TX 76051

COURTESY NOTICE
COURTESY NOTICE
COURTESY NOTICE
STATE REQUIRED



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:

**City Council Meeting: Wednesday, October 4, at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas**

Request: Consideration of a variance to the required maximum lot coverage. The request is to allow for the construction of a new patio cover.

Zoning Case: VC23-005

Applicant: Munir and Nadia Malik

Owner: Munir and Nadia Malik

Location: 7220 Oak Alley

Property Description: Lot 34, Block 1, Oak Alley

Present Zoning: PUD-R, Planned Unit Development - 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 tax roll and all homeowners associations within 1000 feet. 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**

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 Active Development Case map.

<https://cocgis.maps.arcgis.com/apps/webappviewer/index.html?id=ffc3ca19f821409ebe0a990a55c203aa>

The map illustrates a residential area with a grid of streets. The subject property, located at 7220, is highlighted with a red rectangle. A blue dashed circle encompasses a larger area around the subject property. The map shows various lot numbers and street names, including Cedar Ct, Hix Ct, Nottoway Ct, Calloway Ct, Trianon Ct, Hollyn Rd, Evans Rd, Oak Alley Dr, John McCain Rd, Bellefonte Ln, Lismore Ct, Gladwyne Ct, Caldwell Creek Dr, Rosebrook, and Pebble Hill Dr. The subject property is situated on Hollyn Rd, between Evans Rd and Oak Alley Dr, and is adjacent to the John McCain Rd. The map also shows a network of streets including Cedar Ct, Hix Ct, Nottoway Ct, Calloway Ct, Trianon Ct, Hollyn Rd, Evans Rd, Oak Alley Dr, John McCain Rd, Bellefonte Ln, Lismore Ct, Gladwyne Ct, Caldwell Creek Dr, Rosebrook, and Pebble Hill Dr. The subject property is located at the intersection of Hollyn Rd and Oak Alley Dr, and is adjacent to the John McCain Rd. The map also shows a network of streets including Cedar Ct, Hix Ct, Nottoway Ct, Calloway Ct, Trianon Ct, Hollyn Rd, Evans Rd, Oak Alley Dr, John McCain Rd, Bellefonte Ln, Lismore Ct, Gladwyne Ct, Caldwell Creek Dr, Rosebrook, and Pebble Hill Dr.

Jacquelyn Reyst

Jacquelyn Reyff
Planning Manager
jreyff@colleyville.com

RESOLUTION R-23-4884

**A RESOLUTION APPROVING A REQUEST FOR A VARIANCE TO THE
PLANNED UNIT DEVELOPMENT RESIDENTIAL REGULATIONS,
SPECIFICALLY LOT COVERAGE, FOR LOT 34, BLOCK 1, OAK ALLEY,
LOCATED AT 7220 OAK ALLEY**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF COLLEYVILLE, TEXAS:**

- Sec. 1. THAT the variance to allow for the construction of a 416 sq.ft. patio cover increasing the lot coverage to 26.2% with the Planned Unit Development – Residential zoning district for the property located at 7220 Oak Alley (the “Property”), as depicted in Exhibit “A” hereto, is approved.
- Sec. 2. THAT this Resolution shall become effective immediately upon passage; provided that, the variance for the Property shall become effective immediately upon the conditions stated herein being fully satisfied.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF ____ AYES, ____ NAYS, ON THIS THE 4TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood	_____	Mayor Pro Tem Callie Rigney	_____
Brandi Elder, Place 1	_____	George Bond, Place 2	_____
Scotty Richardson, Place 3	_____	Ben Graves, Place 4	_____
Chuck Kelley, Place 5	_____		

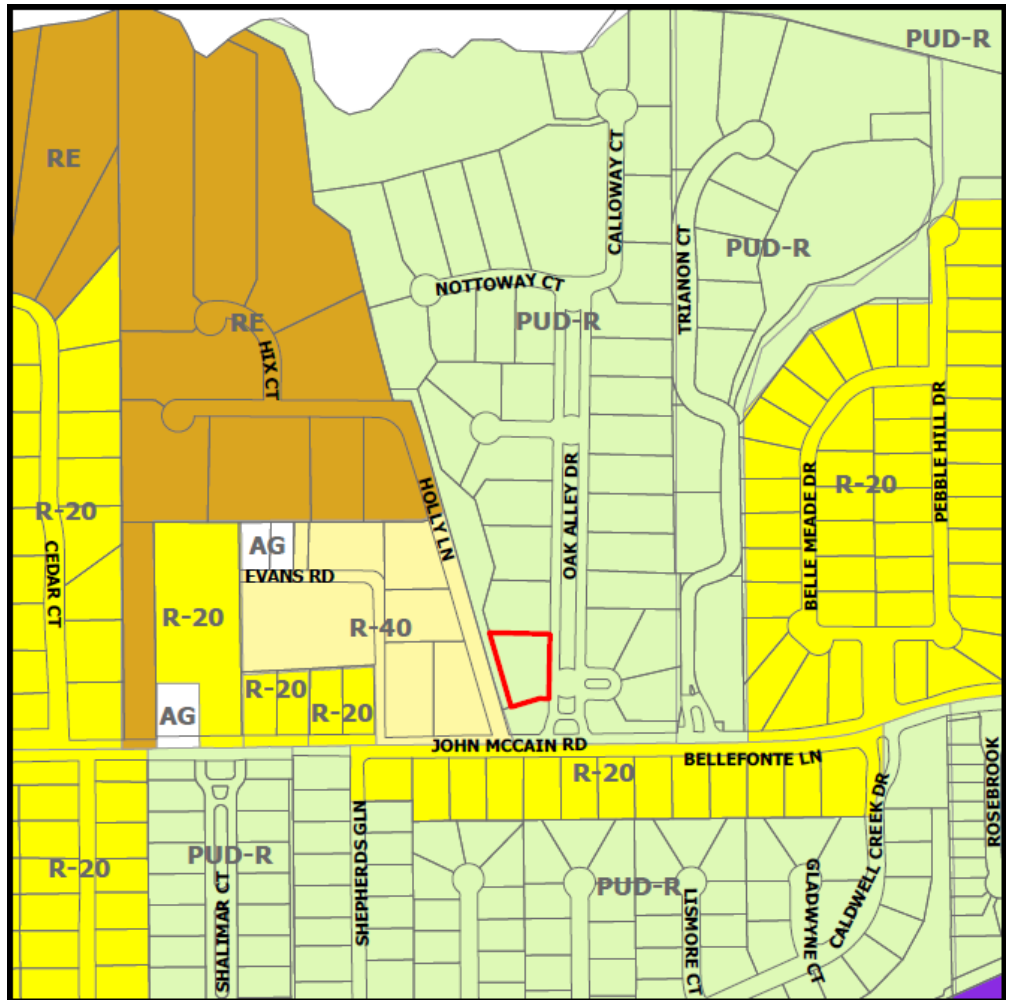
ATTEST:

CITY OF COLLEYVILLE

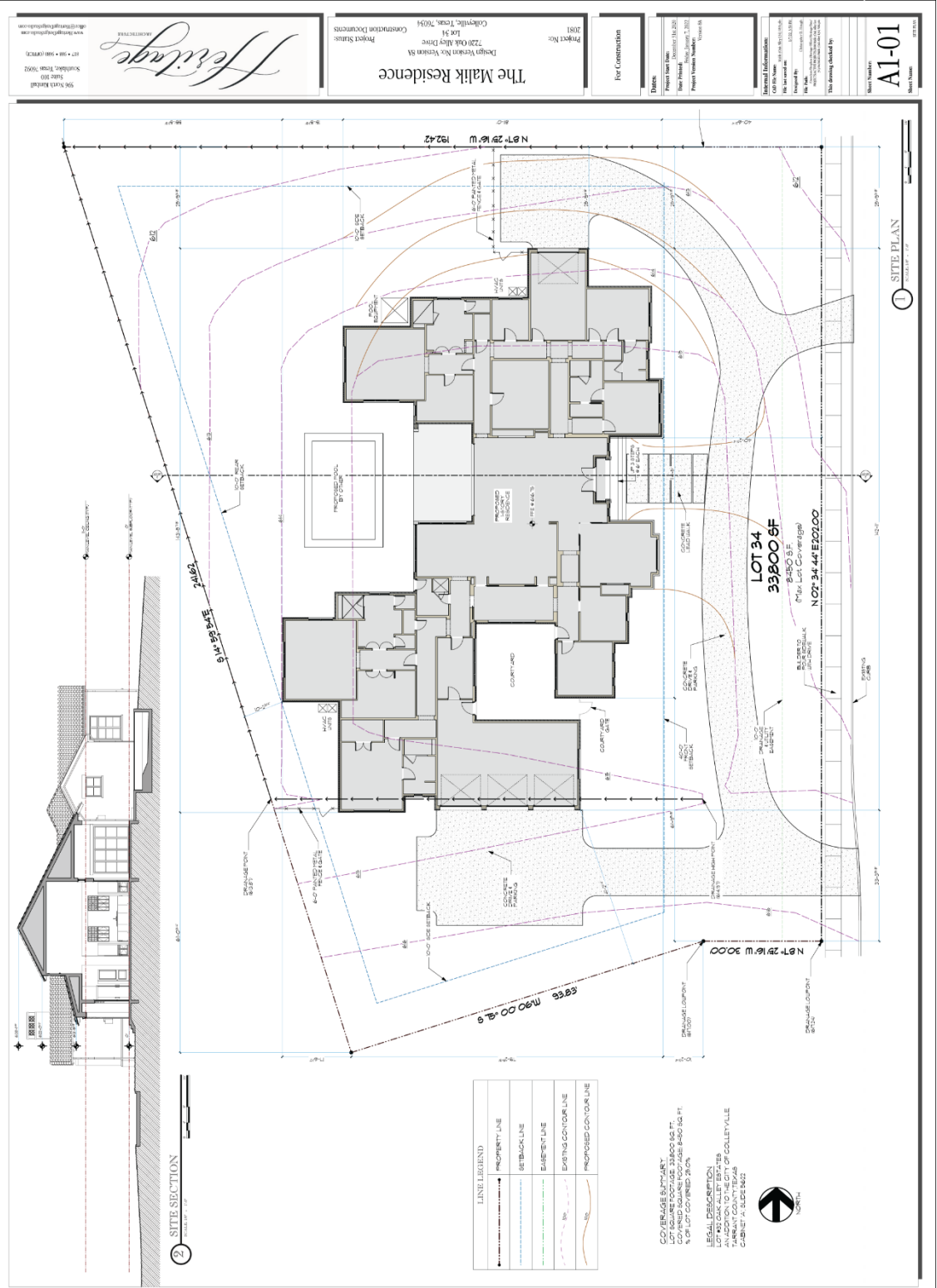
Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor

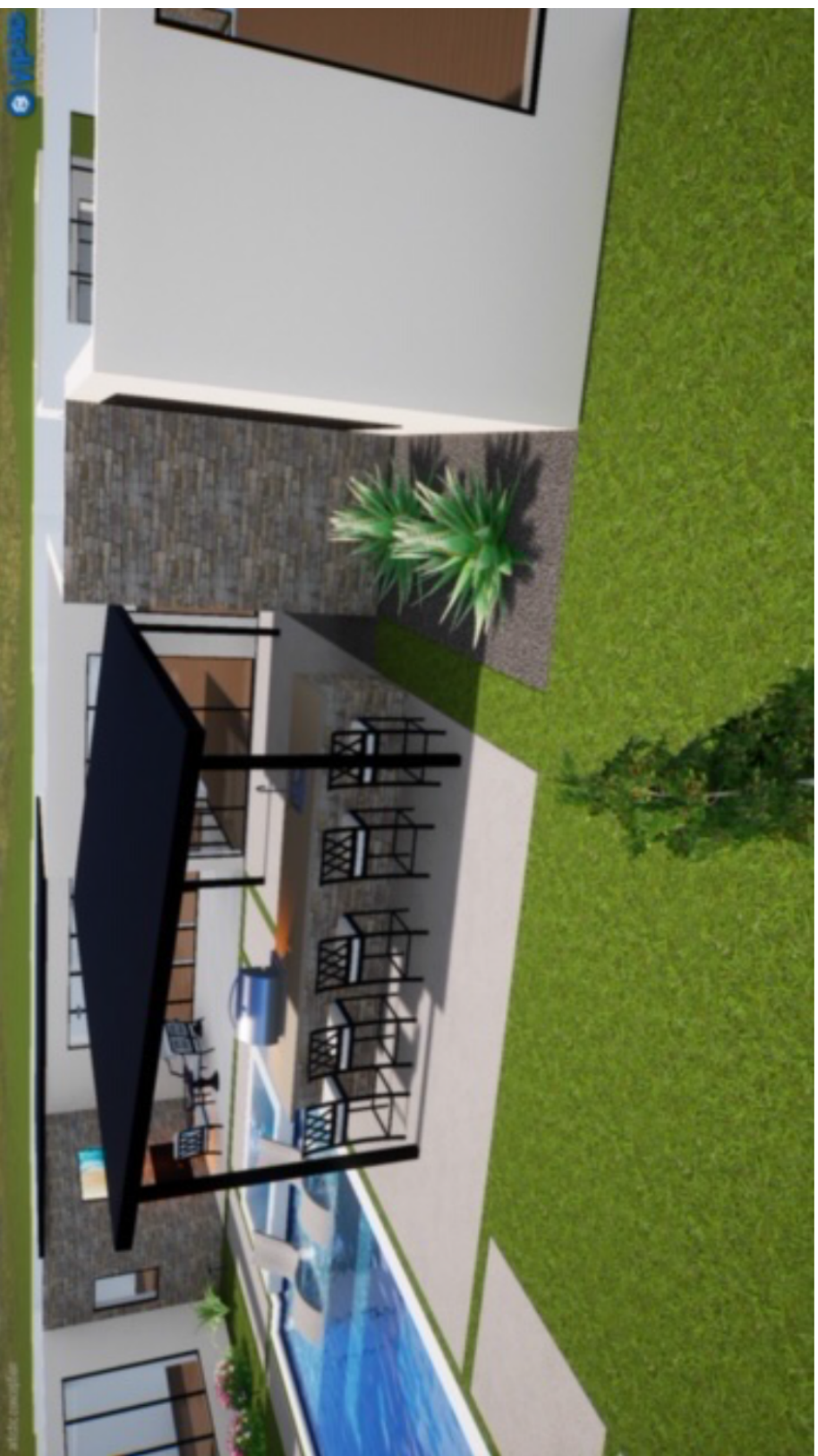
Attachment "A"



Attachment "B"







RESOLUTION R-23-4885

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
OCTOBER 4, 2023**

WHEREAS, City Council has taken action on certain items on the agenda under Business.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 4TH DAY OF OCTOBER 2023.

Mayor Bobby Lindamood _____
Brandi Elder, Place 1 _____
Scotty Richardson, Place 3 _____
Chuck Kelley, Place 5 _____

Mayor Pro Tem Callie Rigney _____
George Bond, Place 2 _____
Ben Graves, Place 4 _____

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor