



City of Colleyville Zoning Board of Adjustment Agenda

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

Tuesday, October 8, 2013

City Council Chambers

**7:00 PM
CITY COUNCIL CHAMBERS
THIRD FLOOR**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. SWEARING IN OF NEWLY APPOINTED MEMBERS

Dee McNosky, Place 4
Mark Collier, Place 5

2. ELECTION OF OFFICERS

Chairman
Vice-Chairman
Recording Secretary

3. APPROVAL OF MINUTES

September 10, 2013

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Request for a variance to the rear yard setback requirements of the Land Development Code on Lot 17, Block 1 of the Clairemont Addition, located at 912 Chateau Court, case VC13-012.

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards October 4, 2013 by 5:00 p.m.

Taci Wrisley
Planning and Zoning Assistant

A quorum of the Colleyville City Council may be in attendance at this meeting.

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

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



City of Colleyville Zoning Board of Adjustment Minutes

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

Tuesday, September 10, 2013

City Council Chambers

Call to Order

The Sign Board of Appeals meeting of the City of Colleyville was called to order by Board member McNosky on September 10, 2013 at 7:00 p.m.

Roll Call

Present: Board members Mike Patino (Alternate 2), Mike Leathers, Mark Collier, Larry Kainer (Alternate 1), and Dee McNosky

Absent: Board members Jason Elms and Judson Orlando

Staff Present: Ron Ruthven and Taci Wrisley

1. SWEARING IN OF NEWLY APPOINTED MEMBER

Taci Wrisley swore in newly appointed member, Mike Patino as Alternate 2.

2. APPROVAL OF MINUTES

Board member Collier moved to approve the August 14, 2013 meeting minutes as written. Board member Leathers seconded.

The motion to approve as written carried by the following vote:

Aye: 5 – Patino, Leathers, Collier, Kainer, and McNosky

3. PUBLIC HEARING AGENDA ITEMS

3a Request for a variance to the rear yard setback requirements of the Land Development Code on Lot 55, of the Pecan Park Estates Addition, located at 6201 Ponderosa Street, case VC13-011.

Ron Ruthven presented the case and briefed the Board.

Brian Claffey, the applicant and property owner, came forward and briefed the Board.

The public hearing was opened at 7:06 p.m.

There being no one wishing to speak, the public hearing was closed at 7:07 p.m.

Board member Leathers made a motion to approve case VC13-011. Board member Kainer seconded.

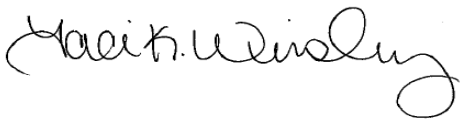
The motion to approve case VC13-011 carried with the following vote:

Aye: 5 – Patino, Leathers, Collier, Kainer, and McNosky

4. ADJOURNMENT

The meeting was adjourned at 7:07 p.m.

Minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on October 8, 2013 by a vote of _____.



City of Colleyville Zoning Board of Adjustment Agenda Briefing

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

Agenda Number 4a	Agenda Date 10/08/2013	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a variance to the rear yard setback requirements of the Land Development Code on Lot 17, Block 1 of the Clairemont Addition, located at 912 Chateau Court, case VC13-012.

Explanation

John Kleiser, applicant and homeowner, is requesting a variance to construct an addition to the existing home located at 912 Chateau Court.

Variance Request. The applicant is proposing to construct a 252 square foot covered patio addition to the rear of the home. According to the attached site plan, the proposed addition would be located 15 feet from the rear property line, which would encroach into the required 25 foot rear yard setback by ten feet. The property is zoned R20-Single Family Residential zoning district. The R20 district requires a minimum 25 foot rear yard setback.

According to the applicant, the request constitutes a hardship given the irregular shape of the lot.

Public Notification. Staff mailed notices to 16 property owners within 200 feet of the subject property. Notice was published in the Fort Worth Star Telegram as required by state law and the Land Development Code. Staff has received one letter of support regarding this request.

Summary. The applicant claims a hardship based on the irregular shape of the lot. However, similar shaped lots exist in the neighborhood and the lot meets the minimum lot depth requirements of the R20 zoning district (125 feet) at 150 feet. The lot also meets all of the other lot dimension requirements of the R20 zoning district. Therefore, staff does not recognize any hardship with regard to this request.

Recommendation

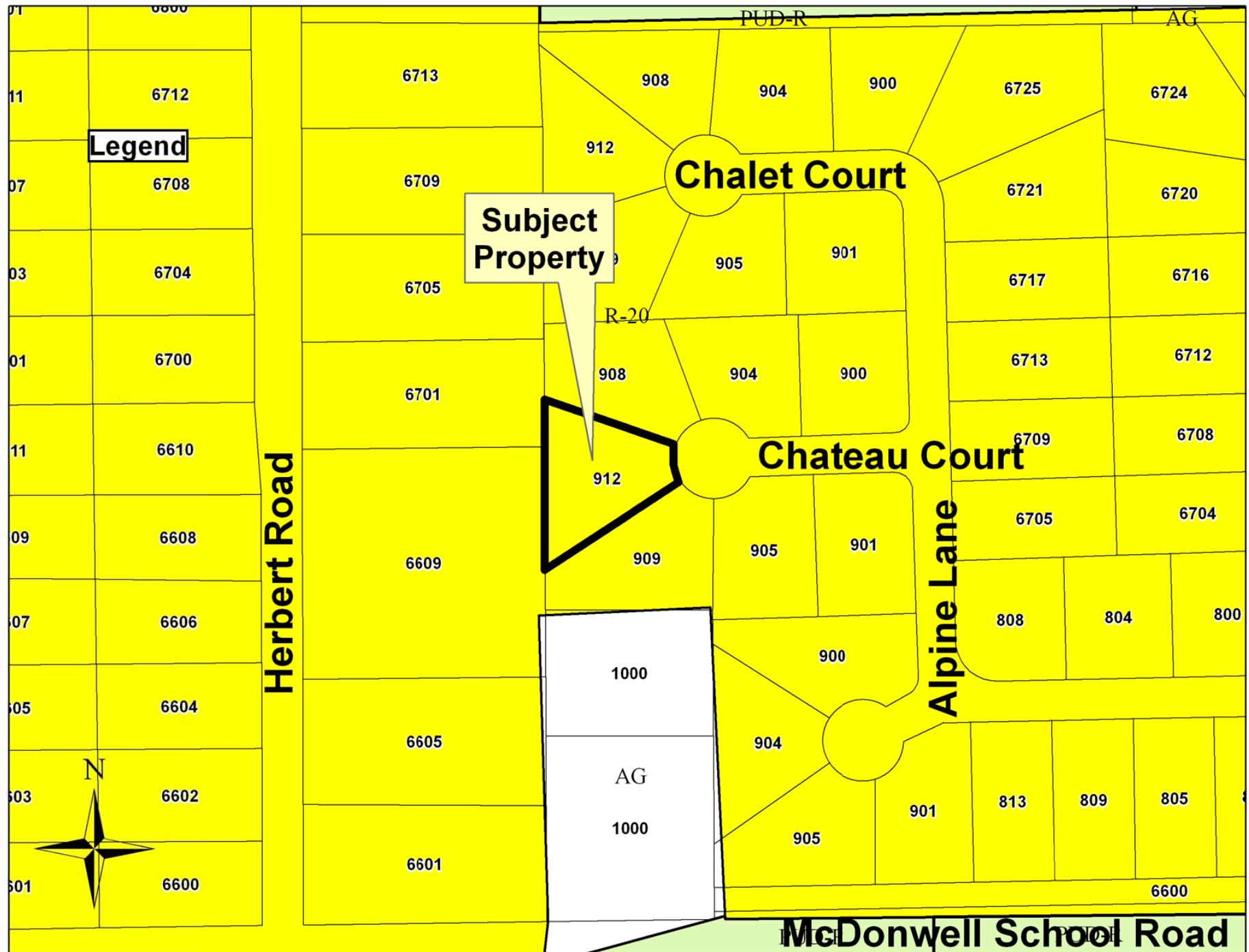
Denial

Attachments

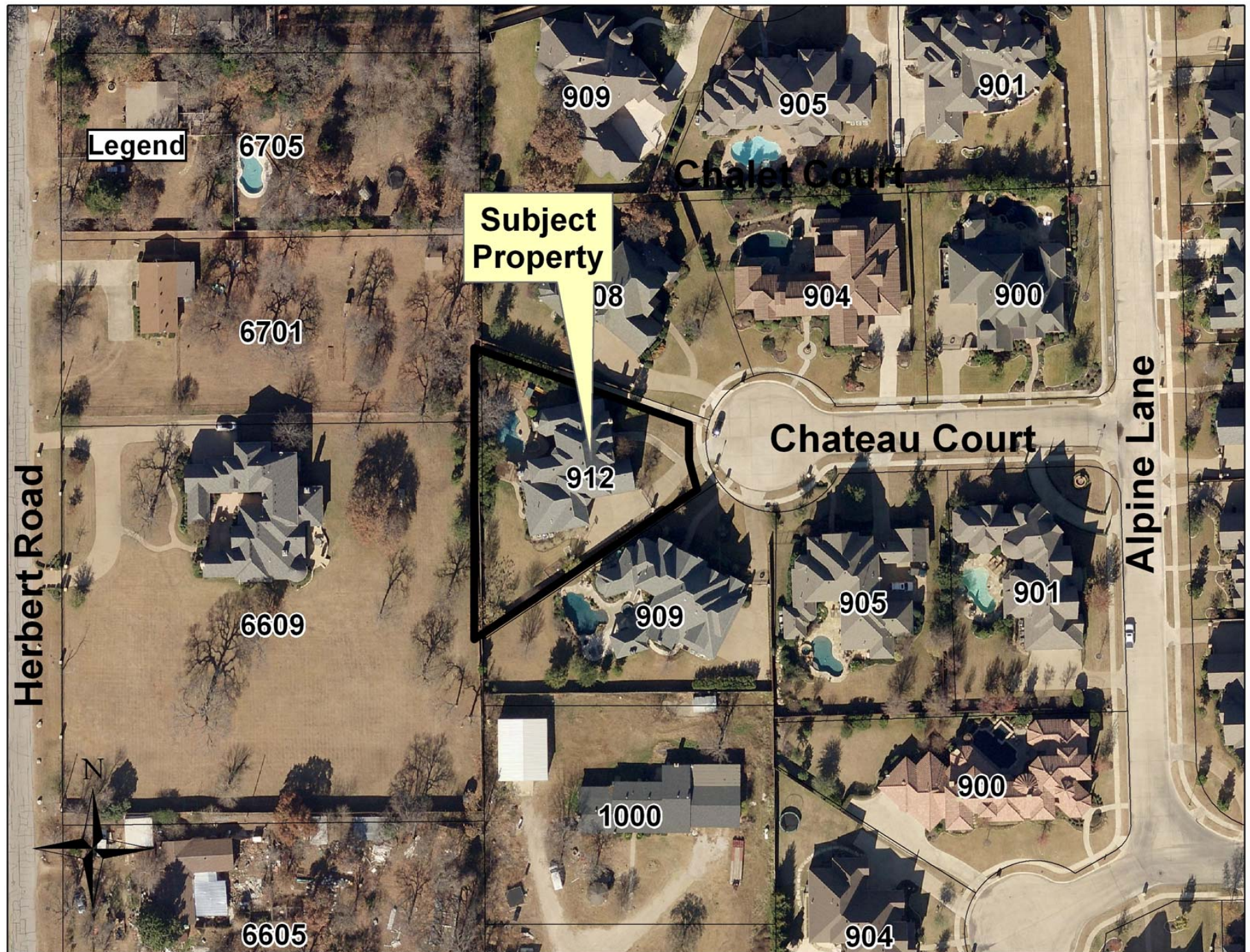
1. Location and Zoning Map
2. Aerial
3. Buffer Map

4. Notification List
5. Letter of Support
6. Application
7. Exhibit
8. Site Plan

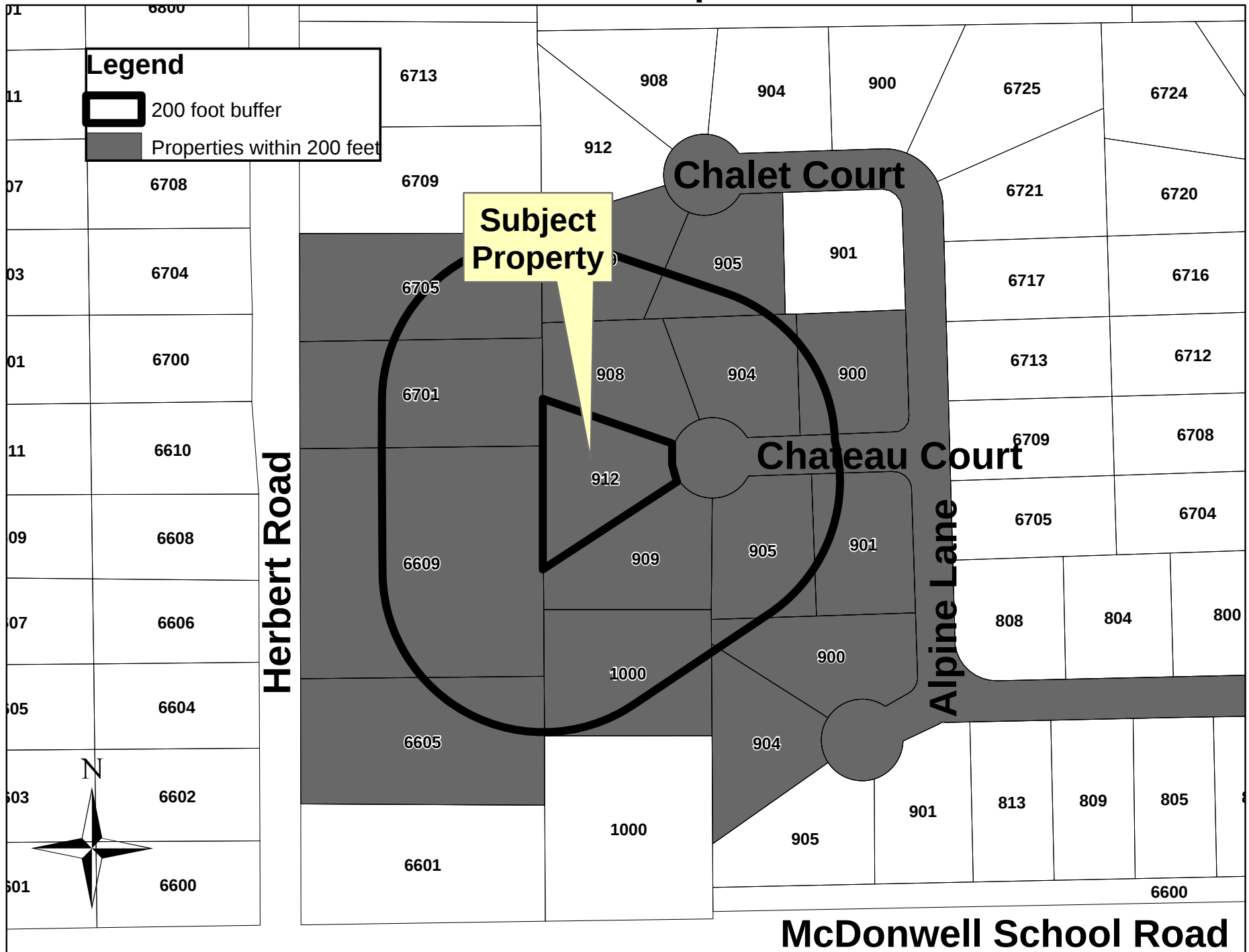
Location and Zoning Map



Aerial



Buffer Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Podsednik, Scott Etux Lisa	6613 Herbert Rd	Colleyville	Texas	76034	6609 Herbert Rd
Clairemont Ha Inc	8528 Davis Blvd Ste 134	North Richland Hills	Texas	76180	6600 St Moritz Pkwy
McNutt, Ray Etux Brandy	6705 Herbert Rd	Colleyville	Texas	76034	6705 Herbert Rd
Stiefel, Dustin Etux Wendy	909 Chalet Ct	Colleyville	Texas	76034	909 Chalet Ct
Ishak, Ashraf Z Etux Irene N	104 W Ld Lockett Rd	Colleyville	Texas	76034	1000 McDonwell School Rd W
Dearing, Julia F	6701 Herbert Rd	Colleyville	Texas	76034	6701 Herbert Rd
Bridges, Barbara	901 Chateau Ct	Colleyville	Texas	76034	901 Chateau Ct
Roberts, Wyman Etux Lorene	904 Chateau Ct	Colleyville	Texas	76034	904 Chateau Ct
Fagan, Gary L Etux Jackie	905 Chateau Ct	Colleyville	Texas	76034	905 Chateau Ct
Stanley, Jason Etux Teresa	909 Chateau Ct	Colleyville	Texas	76034	909 Chateau Ct
Ward, Timothy & Carol Co Trust	908 Chateau Ct	Colleyville	Texas	76034	908 Chateau Ct
Tennant, William & Karen	900 Montreux Ave	Colleyville	Texas	76034	900 Montreux Ave
May, William E Jr & Gloria	900 Chateau Ct	Colleyville	Texas	76034	900 Chateau Ct
Anderson, Jeffrey Etux	905 Chalet Ct	Colleyville	Texas	76034	905 Chalet Ct
Jordan, Gerald Etux Natalie	904 Montreux Ave	Colleyville	Texas	76034	904 Montreux Ave
Schlieman, Albert Etux Norma	6605 Herbert Rd	Colleyville	Texas	76034	6605 Herbert Rd
Kleiser, John Etux Susan, applicant	912 Chateau Ct	Colleyville	Texas	76034	Applicant

Public Hearing notices were mailed
Friday, Sept. 20, 2013 by Taci Wrisley

Letter of Support

From: [REDACTED]
To: [Taci Wrisley](#)
Cc: [REDACTED]
Subject: Case Number: VC13-012
Date: Monday, September 30, 2013 4:24:08 PM

Dear Ms. Wrisley,

My wife and I reside at 908 Chateau Court. We have received Notice of Public Hearing for the above referenced case number requesting a variance regarding the rear yard setback requirements at 912 Chateau Court. We have no objection to this request.

Sincerely,

Tim and Carol Ward

[REDACTED]

Community Development Services Application

City of Colleyville
100 Main Street
Colleyville TX 76034
817.503.1050

APPLICATION TYPE

PLEASE CHECK THE APPROPRIATE BOX BELOW.

- | | | |
|---|---|---|
| ☐ Zoning Change | ☐ Preliminary Plat | ☒ Zoning Variance (ZBA) |
| ☐ Special Use Permit | ☐ Final Plat | ☐ Sign Variance (SBA) |
| ☐ Planned Unit Development | ☐ Minor Plat | ☐ Sidewalk / General Waiver |
| ☐ Site & Landscape Plan | ☐ Amended Plat | ☐ Interpretation Appeal |

PROPERTY INFORMATION

Project Name: KLEISER RESIDENCE

Project Address (Location): 912 CHATEAU DRIVE, COLLEYVILLE, TX

Legal Description: LOT 17, BLOCK 1, CLAIRE MONT, PHASE 2

Proposed Number of Lots: 1 Gross Acres: _____ Neighborhood District: _____

Existing Zoning: R20 Proposed Zoning: VARIANCE

Existing Use: RESIDENTIAL Proposed Use: RESIDENTIAL

Application Requirements: The applicant is required to submit sufficient information that describes and justifies the proposal. See appropriate checklist and fee schedule for minimum requirements. Incomplete applications will not be processed.

APPLICANT - OWNER INFORMATION

Applicant: JOHN KLEISER Company: _____

Address: 912 CHATEAU CT. Tel: (817) 454-4707 Fax: _____

City: Colleyville State: TX ZIP: 76034 Email: _____

Applicant's Status: (check one) ☒ Owner ☐ Representative ☐ Tenant ☐ Prospective Buyer

Property Owner: JOHN KLEISER Company: _____

Address: 912 CHATEAU CT. Tel: 817 454-4707 Fax: _____

City: Colleyville State: TX ZIP: 76034 Email: _____

Ownership Status: (check one) ☒ Individual ☐ Trust ☐ Partnership ☐ Corporation

SIGNATURE OF APPLICANT (SIGN AND PRINT OR TYPE NAME)

SIGNATURE: John F. Kleiser

Date: 9/4/13

SIGNATURE OF PROPERTY OWNER (SIGN AND PRINT OR TYPE NAME)

SIGNATURE: John F. Kleiser

(Letter of authorization required if signature is other than property owner)

The property owner must sign the application or submit a notarized letter of authorization.

Rev: 5/10

For Departmental Use Only

Case #: VC13-012

Total Fee(s): \$125.00

Receipt #: B14826

Date Submitted: 09/04/2013

Accepted By: [Signature]

Public Hearing Date: _____

VARIANCE OR APPEAL APPLICATION

City of Colleyville
100 Main Street
Colleyville TX 76034
817.503.1050

REQUEST INFORMATION

Please answer the following questions as completely as possible. Failure to outline fully the situation by answering these questions could cause unnecessary delay in evaluating your appeal. Additional pages may be attached if necessary.

Have you applied for a building permit? ☐ Yes ☒ No

Have you filed an appeal or petition on this property before? ☒ No ☐ Yes

1. Completely describe the variance you are requesting. *Building Dept. Shows 25' REAR property SETBACK IF BUILDING ATTACHED, REQUESTING 15' SETBACK DUE TO IRREGULAR SHAPED LOT. (SEE LETTER OF REQUEST W/ APPLICATION)*

2. Do similar conditions exist in the area? Explain. *MOST CITIES HAVE IRREGULAR SHAPED LOTS, AND APPROVE VARIANCES BASED ON FACT OF LOT SIZE & SHAPE.*

3. Describe how the unique conditions or circumstances do not result from your actions.

HOME OWNER DID NOT DESIGN LOT SIZE OR SHAPE, NOR DID HE APPLY ACROSS THE BOARD 25' SETBACK, IF ATTACHED, TO ALL LOTS IN ZONE, MOST LOTS IN THIS AREA ARE LARGER IN THE REAR OF PROPERTY

4. Is there any way to do what you want without this request? *No, the best design for the LOT, NEIGHBORHOOD, NEIGHBORS WOULD BE TO ALLOW THE COVERED PATIO to be BUILT w/ A 15' SETBACK, thus, ALLOWING A 10' VARIANCE FROM THE CURRENT 25' REAR SETBACK*

Acknowledgments

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Zoning Board of Adjustment hearing.

I understand that in the event that I am not present or represented at the public hearing, the Board shall have the power to dismiss this proposal either at the call of the case or after the hearing, and that such dismissal shall constitute a denial.

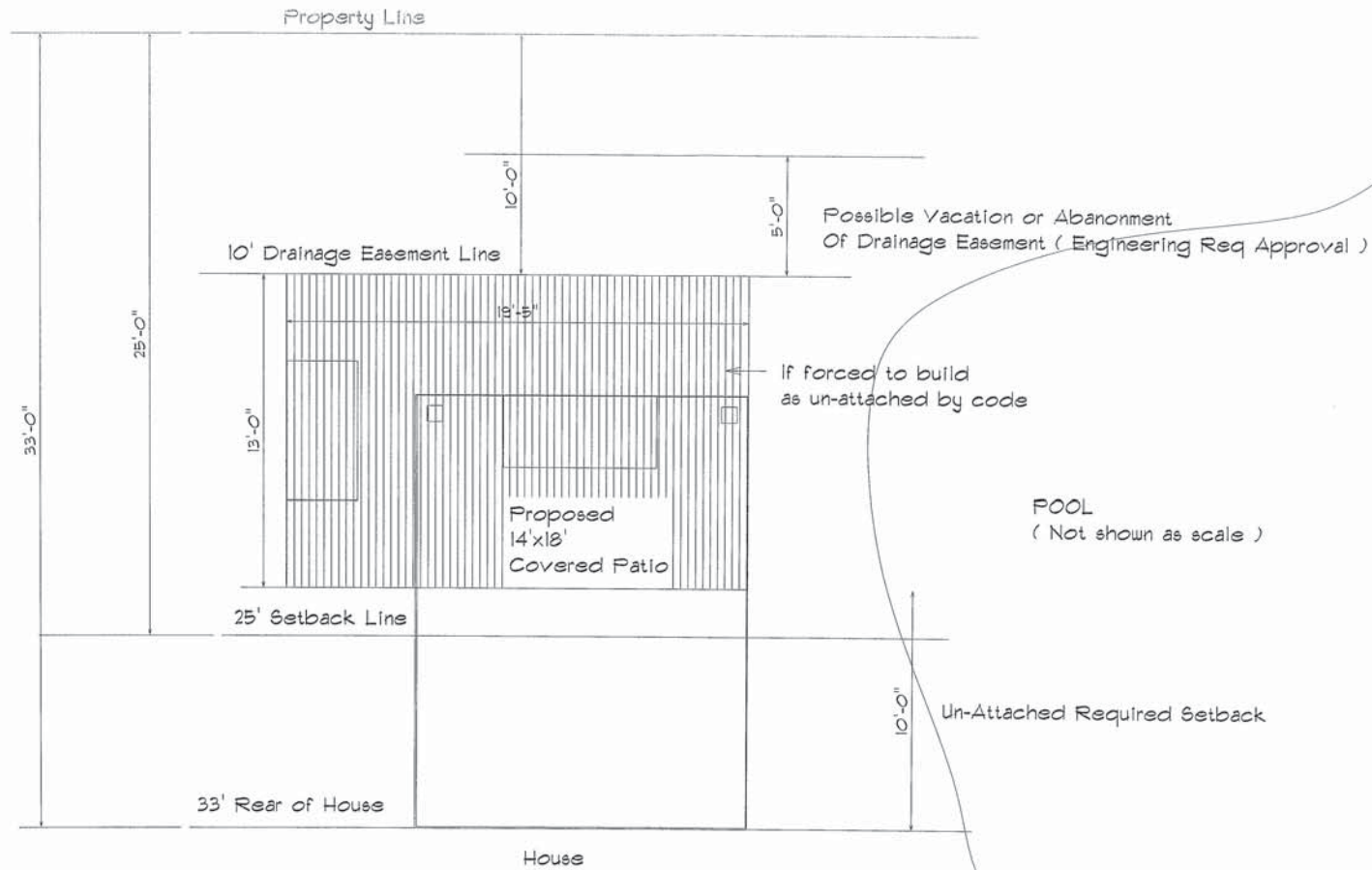
I reserve the right to withdraw this proposal at any time upon written request filed with the Community Development Department, and such withdrawal shall immediately stop all proceedings. I understand the filing fee is not refundable upon withdrawal of the proposal after public notice.

I understand that if the request is approved, I must obtain a building permit from the City before any work is started on the property, and that the Board's action does not constitute the approval of a building permit.

Applicant's Initials

JK Date *9/4/13*

Zoning Exhibit



Randy Council Plan

PHONE:
FAX:

PAGE:

DRAWN BY:

SCALE: 1" = 50'

DATE: Thursday, August 29, 2013

Plan Set



SOFTPLAN
ARCHITECTURAL DESIGN SOFTWARE

PHONE:
FAX:

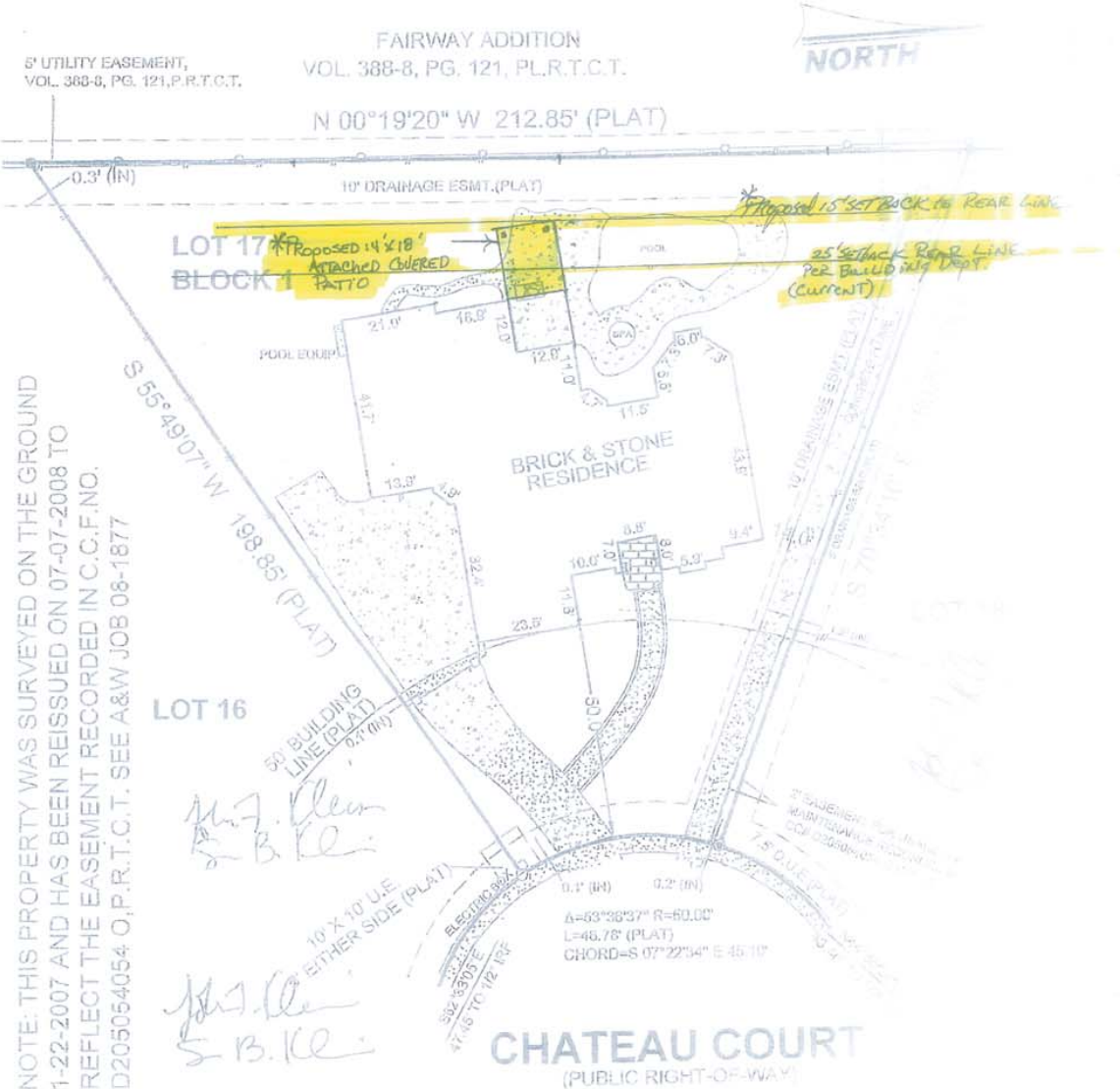
Site Plan

SURVEY PLAT

This is to certify that I have made a careful and accurate survey, on the ground, of property located in CHATEAU COURT: Lot 17, Block 1, Clairemont, Phase 2, an Addition in Colleyville, Texas, according to Plat recorded in Cabinet A, Slide 9189, Plat Records, Tarrant County, Texas.

According to Community-Panel No. 48438C 019511 of the Federal Emergency Management Agency Flood Insurance Rate Map Flood Hazard Boundary Map Dated August 2, 1996 the property shown hereon is not located in Zone "A" (Area of Special Flood Hazard Plain). The property is in Zone "X".

This survey was performed exclusively for the parties in connection with the G.F. Number shown hereon and is deemed for a specific purpose. The survey remains the property of the Surveyor. Unauthorized reuse is not permitted without the expressed written permission of the Surveyor. This survey is an original work protected by United States Copyright law and international treaties. All rights reserved. Do not publish. 08/08



CHATEAU COURT
(PUBLIC RIGHT-OF-WAY)

LEGEND

1/2" IR FOUND	X-FOUND	UTILITY POLE	OHU- OVERHEAD UTILITY LINE	WOOD FENCE
1/2" IR SET	X-SET	WATER METER	GATED WIRE FENCE	BUILDING LINE
600 NAIL FOUND	PK NAIL FOUND	GAS METER	IRON FENCE	EASEMENT
600 NAIL SET	PK NAIL SET	A.G. PAD	CHAIN LINK FENCE	BOUNDARY

To North American Title Company in connection with the transaction described in GF No. TX06764460. The survey shown hereon is a correct and accurate representation of the property, lines and dimensions are shown, and, EXCEPT AS SHOWN, there are no visible and apparent easements, encroachments or protrusions on the ground.

SCALE 1" = 30'
DATE 01/22/2007
JOB NO. 07-0138, 08-1877
DRAWN BY 002

A & W
Professional Land Surveyors
Mesquite, Texas
Licensed by State

SCOTT PHILLIP ANDERSON
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4888
A & W SURVEYORS, INC.
P.O. BOX 570029, MESQUITE, TX, 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

