



City of Colleyville Zoning Board of Adjustment Agenda

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

Tuesday, February 11, 2014

City Council Chambers

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

**CALL TO ORDER
PLEDGE OF ALLEGIANCE**

1. APPROVAL OF MINUTES

January 14, 2014

2. CONTINUED PUBLIC HEARING AGENDA ITEM

- 2a** Request for a variance to the fence requirements in Section 3.26 in the Land Development Code on Tract 5B02, Abstract 294, of the Robert C. Chowning Survey, located at 5810 Pool Road, Case VC13-013

3. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards February 7, 2014 by 5:00 p.m.

Taci Wrisley
Planning and Zoning Assitant

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
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Tuesday, January 14, 2014

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 January 14, 2014 at 7:00 p.m.

Roll Call

Present: Board members Mike Patino (Alternate 2), Jason Elms, Mark Collier, Mike Leathers, Judson Orlando, and Dee McNosky

Absent: Board member Larry Kainer (Alternate 1)

Staff Present: Ron Ruthven, Mary Elliott, and Taci Wrisley

1. APPROVAL OF MINUTES

Board member Elms moved to approve the October 8, 2013 meeting minutes as written. Board member Collier seconded.

The motion carried by the following vote:

Aye: 6 – Patino, Elms, Leathers, Collier, Orlando, and McNosky

2. PUBLIC HEARING AGENDA ITEMS

- 2a** Request for a variance to the fence requirements in Section 3.26 in the Land Development Code on Tract 5B02, Abstract 294, of the Robert C. Chowning Survey, located at 5810 Pool Road, Case VC13-013

Mary Elliott presented the case and briefed the Board.

The public hearing was opened at 7:08 p.m.

William Stearman, applicant, came forward and briefed the Board.

Larry Fox, 2604 Highland Park Court, came forward and spoke in support of the case.

Chris Wietzer, 2605 Highland Meadow Drive, came forward and spoke in support of the case.

Board member Leathers questioned Mr. Stearman regarding whether the property was a residence and when was the property purchased. Mr. Stearman replied yes, this property is a residence and it was purchased in July of last year.

Board member Collier questioned Mr. Stearman regarding the specifics of the variance. Mr. Stearman replied they are requesting a variance to not have a 40 foot fence setback and for the fence materials.

Board member Leathers questioned Mr. Stearman regarding if the variance was granted would the gate be setback 40 feet? Mr. Stearman replied yes.

Board member Patino questioned Mr. Wietzer regarding how long his fence on the adjoined property had been there. Mr. Wietzer replied since the early nineties.

Board member McNoskey questioned Mr. Stearman regarding whether his fence would be in-line with the other fences on the adjacent properties. Mr. Stearman replied yes.

Board member Leathers questioned Mr. Stearman regarding if any consideration had been given to building a fence that would meet the code. Mr. Stearman replied their main desire to building the proposed fence is to diminish noise.

Board member Orlando questioned Mr. Stearman regarding his decision to use the material that was being proposed. Mr. Stearman replied the material is more durable and will withstand time and the elements.

Mr. Wietzer came forward and expressed his thoughts on the materials that were proposed for the fence.

Board member Elms questioned Mr. Stearman regarding whether any thought had been given to using other concepts for noise abatement, such as live screening. Mr. Stearman replied they would like a maintenance free screening.

Board member Collier questioned staff regarding whether the properties in the exhibits all had been granted variances. Ron

Ruthven explained the differences in the fences that were used as exhibits.

Board member McNoskey questioned staff regarding whether there was a precedent set for fences along Pool Road and Glade Road with regards to solid construction and height. Ron Ruthven replied with code changes, in recent years, had led to fewer cases for fence variances. He further explained homeowners were choosing to plant living screenings for more privacy or to set their homes further back from the roadway.

Board member Collier questioned staff regarding the gate on the adjacent subdivision and whether it met code. Ron Ruthven replied yes, because the rest of the fence is made of wrought iron, the fence and gate was not more than 25 percent solid construction.

There being no one else wishing to speak, the public hearing was closed at 7:27 p.m.

Discussion occurred between staff and the Board regarding the fence materials of adjacent properties.

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

Larry Fox, 2604 Highland Park Court, came forward and described the layout of his subdivision, directly to the South of the subject property.

There being no one else wishing to speak, the public hearing was closed at 7:30 p.m.

Board member McNoskey stated she understood the request and the need for noise abatement along roads such as Pool Road.

Board member Elms stated while there was not a hardship with this request, he believed that a variance could be granted due to keeping the aesthetics along Pool Road.

Board member Orlando questioned staff regarding whether the Board could make conditions if the variance was granted. Ron Ruthven replied yes.

Board member McNoskey questioned Mr. Stearman regarding if he would accept conditions if granted the waiver with regards to columns or matching adjacent subdivision's fence aesthetics. Mr. Stearman called his builder, Todd Sternfeld, to come forward and show an

example of the fence they were proposing.

Board member Leathers questions Mr. Sternfeld regarding whether it was possible to create larger columns with the type of fence they were proposing. Mr. Sternfeld replied yes.

Discussion continued between the Board and Mr. Sternfeld regarding the possibility of adding columns to the fence and adding landscaping.

Board member Orlando made a motion to continue Case VC13-013 to the February 11, 2014 meeting in order give the applicant time to submit detailed color renderings of the proposed fence. Board member Leathers seconded.

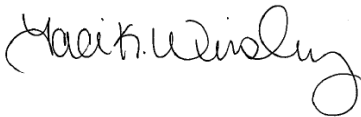
The motion to continue Case VC13-013 to the February 11, 2014 meeting in order give the applicant time to submit detailed color renderings of the proposed fence carried by the following vote:

Aye: 5 – Leathers, Elms, Collier, Orlando, and McNoskey

3. ADJOURNMENT

The meeting adjourned at 8:00 p.m.

Minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on February 11, 2014 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 2a	Agenda Date 02/11/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a variance to the fence requirements in Section 3.26 in the Land Development Code on Tract 5B02, Abstract 294, of the Robert C. Chowning Survey, located at 5810 Pool Road, Case VC13-013

Explanation

Update. On January 14, 2014, the Zoning Board of Adjustment approved a motion to continue Case VC13-013 to the February 11, 2014 meeting in order to give the applicant time to submit detailed color renderings of the proposed fence. The requested exhibit is attached to the briefing along with an exhibit showing a panoramic view of the subject property from Pool Road.

William Stearman, Trustee for Maciley Real Estate Trust, is requesting a variance to the fence requirements found in Section 3.26 of the Land Development Code for property located at 5810 Pool Road, located on the west side of Pool Road, south of Highland Meadow Drive.

Front Yard Setback. The property is currently zoned Planned Unit Development-Residential (PUD-R) and includes a single family residence. The zoning ordinance also allows a commercial equestrian boarding stable, riding school, equine ranching, and children's birthday parties. According to the ordinance, all building setbacks shall be in accordance with the AG-Agricultural zoning district, which requires a forty (40) foot front yard setback.

Variance Request. The variance request is for an eight (8) foot tall, free standing wall, constructed by Superior Concrete. The proposed wall would be one-hundred (100%) percent solid construction, and would be located on the front property line. The proposed gate would also be located on the front property line. At this time, the material(s) and location for the proposed gate have not been provided by the applicant.

Fences are subject to the requirements of the Land Development Code, Chapter 3, Section 3.26, "Fences, Free Standing Walls and Screening Materials." The following are the specific variances requested by the applicant:

(1) According to Section 3.26.E.1.a, "Front Yards," no fence or free standing wall

greater than thirty (30) inches in height and no greater than twenty-five (25) percent solid construction shall extend into the required yard on which the primary structure faces.

(2) According to Section 3.26.E.1.c, "Gate setback," any gate shall be set back a sufficient distance from the property line to allow vehicle queuing space in order to maintain safety and to prevent backup along the street pavement.

Staff recommends that the gates be moved back a minimum of ten (10) feet in order for vehicles to queue without blocking traffic on Pool Road.

Statement of Planning Objectives. The applicant provided a letter to the Zoning Board of Adjustment (attached), which outlines the reasons for their request as follows:

(1) *Noise Abatement.* The applicant has provided a Sound Transmission Loss Test from Superior Concrete (attached). The test shows that the proposed eight (8) foot tall, solid wall will reduce the road noise from Pool Road.

(2) *Security.* This past year, someone stole peaches from their peach tree. The existing metal wire livestock fence allows complete visual view of the property.

(3) *Aesthetics.* The applicant maintains that a Superior Concrete fence will require less maintenance and be more attractive than a wrought iron fence.

Public Notification. Staff mailed notices to twenty-four (24) property owners within 200 feet of the site. Notice was published in the Fort Worth Star Telegram as required by state law and the Land Development Code. Staff has received no correspondence regarding this request.

Summary. Staff does not recognize a hardship with regard to this request. If the request is denied, the applicant will be allowed to build a free standing wall, thirty (30) inches in height with twenty-five (25) percent solid construction in the front yard setback. The gate will need to be set back a sufficient distance from the front property line to allow vehicle queuing space. Both free standing wall and gate will require a building permit.

Recommendation

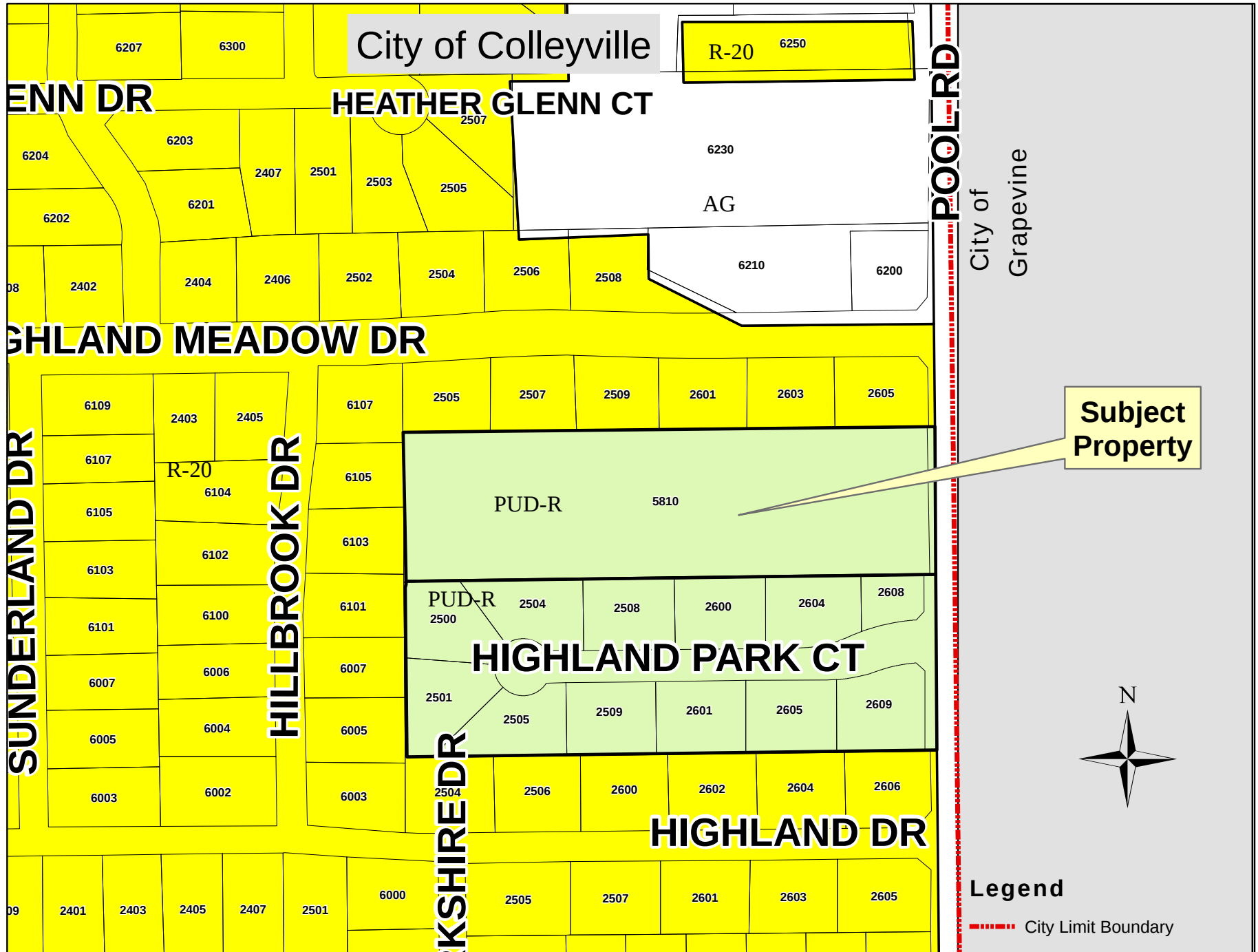
Denial

Attachments

1. Location and Zoning Map
2. Aerial

3. Buffer Map
4. Notification List
5. Fence Design Exhibit
6. Color Rendering-30 ft
7. Color Rendering-20 ft
8. Panoramic Views
9. O-99-1183
10. Statement of Planning Objectives
11. Fence Example 1
12. Fence Example 2
13. Sound Transmission Loss Test
14. Sound Transmission Loss Test-Page 4

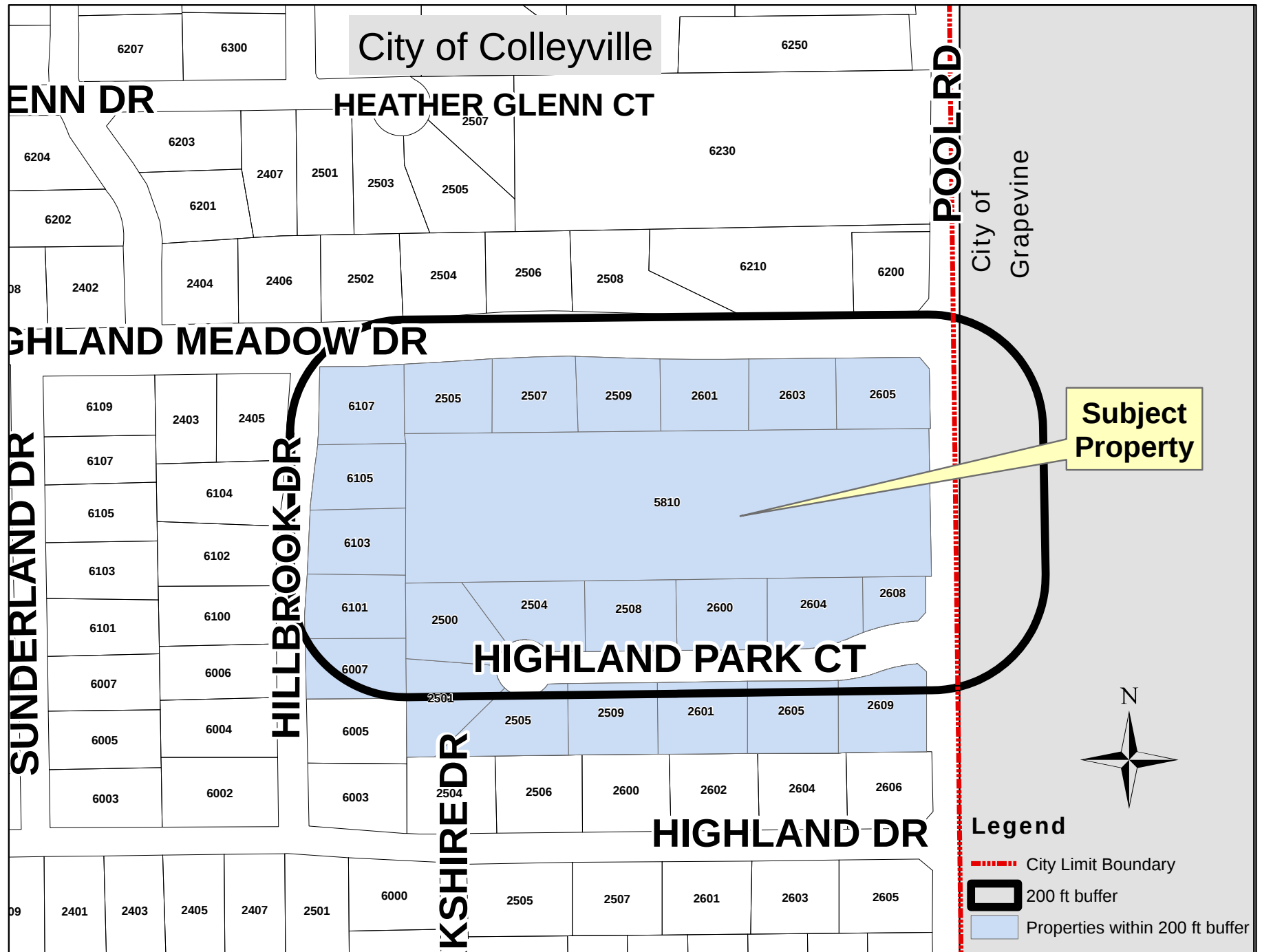
Location and Zoning Map



Aerial



Buffer Map

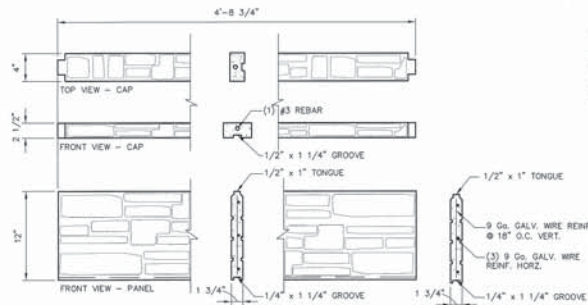


Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Luevano, Javier A	2507 Highland Meadow Dr	Colleyville	Texas	76034	2507 Highland Meadow Dr
Henry, E Euel Etux Denise J	2509 Highland Meadow Dr	Colleyville	Texas	76034	2509 Highland Meadow Dr
Weitzer, Christopher P	2605 Highland Meadow Dr	Colleyville	Texas	76034	2605 Highland Meadow Dr
Madison, Angie	2603 Highland Meadow Dr	Colleyville	Texas	76034	2603 Highland Meadow Dr
Spriggs, James A Etux Carolyn	2505 Highland Meadow Dr	Colleyville	Texas	76034	2505 Highland Meadow Dr
Huffman, Robert F Jr	2601 Highland Meadow Dr	Colleyville	Texas	76034	2601 Highland Meadow Dr
Chukwu, Anthony N	6107 Hillbrook Dr	Colleyville	Texas	76034	6107 Hillbrook Dr
Maciley Real Estate Trust	2220 Pool Rd Ste 101	Grapevine	Texas	76051	5810 Pool Rd
Ziolkowski, Ronald J Etux Mary	6105 Hillbrook Dr	Colleyville	Texas	76034	6105 Hillbrook Dr
Schook, John C	PO Box 2814	Frisco	Texas	75034	6103 Hillbrook Dr
Dumas, Adam R Etux Sheryl	6007 Hillbrook Dr	Colleyville	Texas	76034	6007 Hillbrook Dr
Foster, Michael Jr Etux Rexann	1160 Adams Ln	Southlake	Texas	76092	2501 Highland Park Ct
Highland Park Dev Company Ltd	2601 Highland Park Ct	Southlake	Texas	76034	2609 Highland Park Ct
Hill, Dennis J Etux Lori A	6101 Hillbrook Dr	Southlake	Texas	76034	6101 Hillbrook Dr
Highland Park Hoa Inc	PO Box 1497	Southlake	Texas	76034	2608 Highland Park Ct
Highland Park Dev Company Ltd	2601 Highland Park Ct	Southlake	Texas	76034	2604 Highland Park Ct
Franklin, D Brent & Jennifer	3217 Wild Oak Trl	Grapevine	Texas	76051	2600 Highland Park Ct
Weese, Dennis J Etux Rachel E	2508 Highland Park Ct	Colleyville	Texas	76034	2508 Highland Park Ct
Hickerson, John T Etux Kathy J	2504 Highland Park Ct	Colleyville	Texas	76034	2504 Highland Park Ct
Highland Park Dev Company Ltd	2601 Highland Park Ct	Colleyville	Texas	76034	2500 Highland Park Ct
Mohan, Ponnaiah Etux Sarala	2605 Highland Park Ct	Colleyville	Texas	76034	2605 Highland Park Ct
Stewart, Larry R Etux Connie A	2601 Highland Park Ct	Colleyville	Texas	76034	2601 Highland Park Ct
Buskey, Michael & Patti	2509 Highland Park Ct	Colleyville	Texas	76034	2509 Highland Park Ct
Kramer, Jeffry I Etux Janice	2505 Highland Park Ct	Colleyville	Texas	76034	2505 Highland Park Ct
Highland Meadows	PO Box 662	Colleyville	Texas	76034	Courtesy Notice
Grapevine-Colleyville ISD	3051 Ira E. Woods Avenue	Grapevine	Texas	76051	Courtesy Notice
Bill Stearman, Applicant	5810 Pool Road	Colleyville	Texas	76051	Applicant

Public hearing notices were mailed
Friday, December 27, 2013 by Taci Wrisley

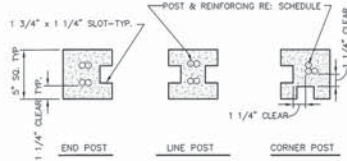
Fence Design Exhibit



DETAILS — PANEL & CAP

SCALE 1 1/2" = 1'-0"

NOTE: RABBIT PANEL JOINT MAY BE
SUBSTITUTED IN PLACE OF JOINT SHOWN.

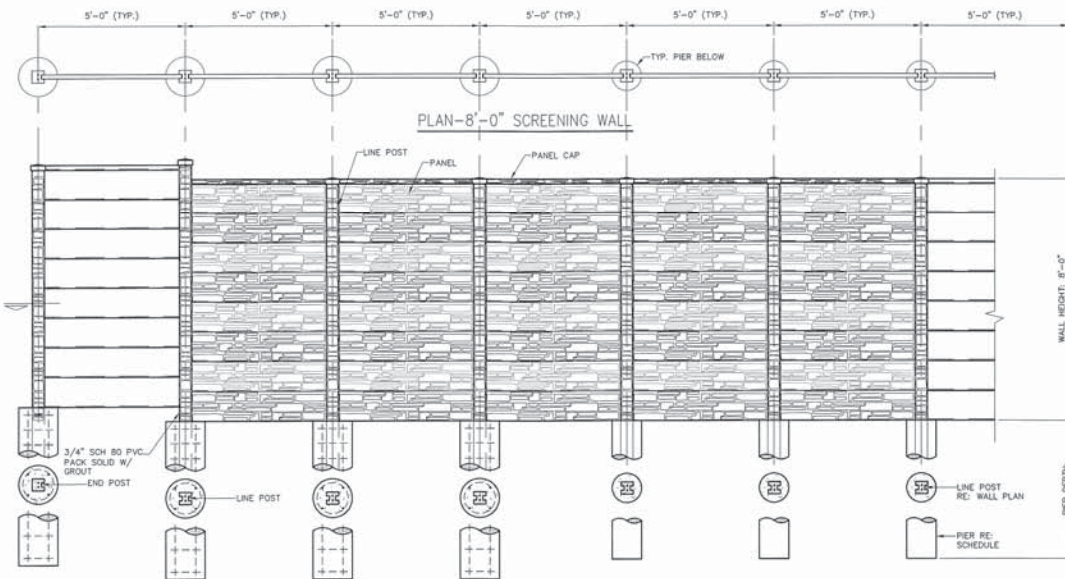


SECTIONS POST

SCALE 2" = 1'-0"

POST & PIER SCHEDULE FOR 8'-0" WALL						
POST/PIER#	POST			PIER		
	SIZE	REINFORC. PLAN FACE	DIA.	DEPTH	REINFORCING	
1	5" x 5"	(2) #5's	16"	6'-0"	(4) #4 REBAR w/ #3 TIES @ 8" O.C.	
2	5" x 5"	(2) #5's	16"	5'-0"	(4) #4 REBAR w/ #3 TIES @ 8" O.C.	
3	5" x 5"	(2) #5's	16"	5'-0"	(4) #4 REBAR w/ #3 TIES @ 8" O.C.	
4	5" x 5"	(2) #5's	16"	5'-0"	(4) #4 REBAR w/ #3 TIES @ 8" O.C.	
5	5" x 5"	(1) #5's	12"	5'-6"		
6 AND BEYOND	5" x 5"	(1) #5's	12"	5'-6"		

NOTE: PIER SCHEDULE AND POST SIZE ARE TYP. FOR EACH WALL END



ELEVATION-8'-0" SCREENING WALL

SCALE 1/2" = 1'-0"



SECTION - SCREENING WALL

SCALE 1/2" = 1'-0"

SPECIFICATIONS AND NOTES:

General

1. This project has been designed in accordance with the International Building Code, 2006 Edition.
2. Wind Loads:
- | | |
|------------------------|--------|
| Basic Wind Speed..... | 90 mph |
| Exposure Category..... | B' |
| Category..... | I |
| Importance Factor..... | 0.87 |

3. Product to be manufactured by a NFPA Certified Plant.
Manufacturer: Superior Concrete Products
1203 Balder Drive
Eulless, Texas 76040
Phone No.: (817) 577-9255
Fax No.: (817) 281-0194

4. Screening Wall is to be constructed entirely on the project property.
5. Should drainage be required, the bottom panel shall be raised 2'-4" above grade by means of a concrete filled "Schedule 80 PVC Pipe" placed in the groove of the respective posts.
6. Integral panel color to be "Buff" Post, panel caps & post caps to be "White Portland".

Concrete

1. **Concrete Materials**
 - a. Concrete shall be normal weight concrete having sand and gravel or crushed stone aggregates, mixed with ASTM-C150, Type I or Type II Portland Cement to meet the minimum compressive strength as follows:
 - pavement & grade: 5000 psi at 28 days
 - footings & piles: 5000 psi at 28 days
 - sidewalks & non-structural: 5000 psi at 28 days
 - b. Water used for concrete shall be clean water and free from injurious amounts of oils, acids, alkalies, organic or other deleterious substances.
 - c. All concrete permanently exposed to the weather shall contain an air-entraining admixture resulting in 5 to 8% entrained air or as recommended by the manufacturer.
2. **Concrete Workmanship**
 - a. Fresh poured concrete shall be tamped into place by steel rammer, sliding tools or mechanical vibrator, until concrete is thoroughly compact and without void.
 - b. Make excavations for footings to undisturbed soil or to the depth noted on the drawings. Leave the bottom bearing surface smooth and level. If footings excavations are made deeper than intended, only concrete shall be used for fill. Remove all loose material from excavations prior to concrete pour.

Reinforcements

1. Reinforcing Materials:
 - a. Deformed type bars shall conform to ASTM-A 615, Grade 60, placed as shown on the drawings.
 - b. Steel Reinforcing bars shall meet U.S. Steel wire, ASTM-A 615, Type 1 or 2, 60,000 psi min. Tensile.
 - c. All ties and stirrups shall conform to the requirements of ASTM-A 615, grade 40.
2. Reinforcing Workmanship:
 - a. Reinforcement steel shall be fabricated in accordance with the CSI Standard Details. Reinforcing bars shall be cold-bent. Use of heat to bend reinforcement steel shall be cause for rejection.
 - b. Reinforcement steel, bars and wire fabric shall be thoroughly cleaned before placing and again before the concrete is placed, shall be accurately positioned and secured in place. Provide standard bar chairs for all beam steel. No bars or porous materials may be used to support the steel in the ground.
 - c. Install all reinforcement with the following clearances between reinforcing steel and face of concrete:
 - i. Footing, pier, or beam bottom: 3"
 - ii. Earth-filled area: 4"
 - iii. Formed footing, pier or beam sides, exposed: 1"
 - iv. Formed exposed to weather: 1 1/2", joints 1 1/4"
 - d. Splices within continuous unobstructed reinforcing steel shall have a minimum lap of 36 bar diameters.

Soile

- a. Footing size is based on the following minimum soil properties:
- Soil Compaction: 90% Std. Proctor
Bearing Capacity: 1,500 psf
Frictional Resistance: 250 psf
Lateral Bearing: 100 psf/ft of depth

NOTE:
THE WALL SHALL BE
STEPPED ACCORDING
TO CHANGES IN GRADE

H & A ENGINEERS, INC.



731 EL BANCO, CORPUSCANA, TEXAS 75108 Metro 817/268-8521
TYPE FIRM REGISTRATION NUMBER F-763 903-841-0427
© COPYRIGHT 2013 H & A Engineers, Inc.

REVISIONS

PRECAST SCREENING WALL
STEARMAN MARTIAL TRUST
5810 POOL ROAD
COLLEYVILLE, TEXAS 76051

SUPERIOR-LEDGESTONE™
Manufactured By
SUPERIOR CONCRETE PRODUCTS
1203 RAIDER DRIVE EULESS TX 76040
1 (800) 942-9255 (817) 277-9255

DATE: 10-14-13
DRAWN: L.A.C.
STEARMAN TRUST 8

SHEET 1
OF 1 SHEET(S)

Color Rendering-30 ft



5810 POOL ROAD
COLLEYVILLE, TX



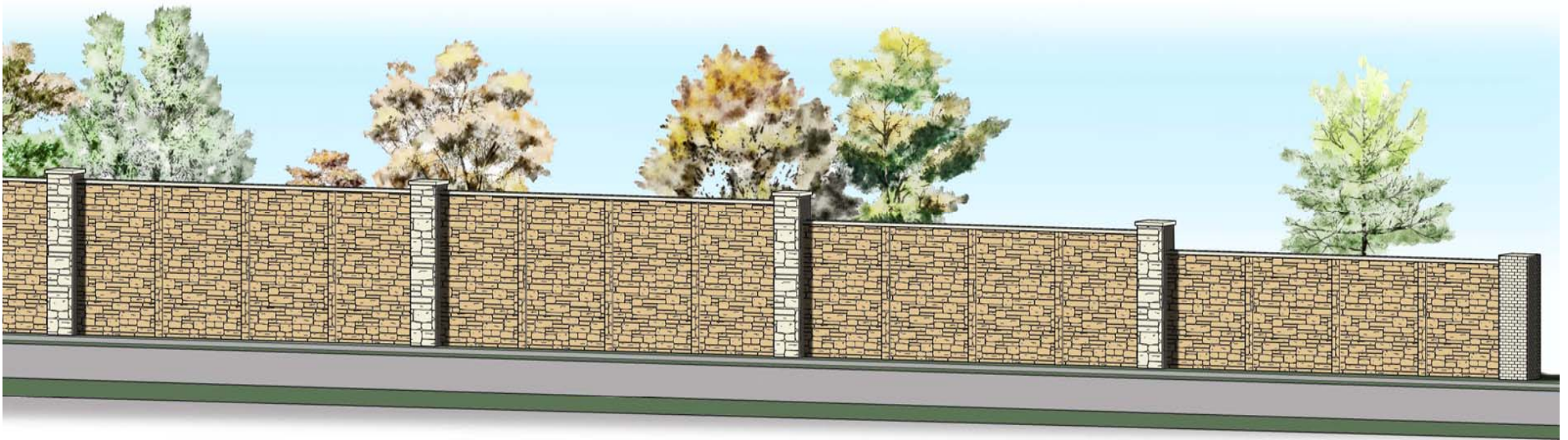
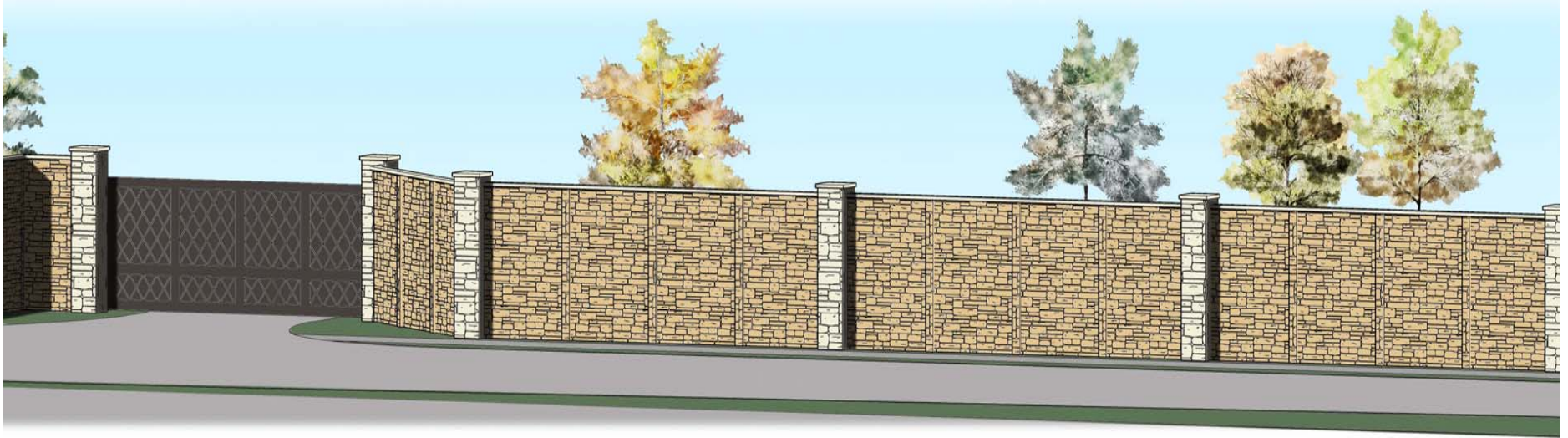
M. J. WRIGHT & ASSOCIATES, INC.
8233 MID-CITIES BOULEVARD STE. A, NRH TX 76182
OFFICE: 817/268-5555 MJW@MJWRIGHT.COM
FAX: 817/268-5558 WWW.MJWRIGHT.COM



Todd Sternfeld
CEO
Office: (817) 277-9255
Fax: (817) 261-0194
Email: tsternfeld@concretefen.com

FENCES • SOUND BARRIERS
WWW.CONCRETEFENCE.COM

Color Rendering-20 ft



5810 POOL ROAD
COLLEYVILLE, TX



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WWW.CONCRETEFEN

Panoramic Views



ORDINANCE O-99-1183

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 5.666 ACRES OUT OF THE R. CHOWNING SURVEY, A-294, FROM THE R20 (SINGLE FAMILY RESIDENTIAL) TO THE PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) DISTRICT; PROVIDING FOR A PENALTY FOR VIOLATIONS AND AUTHORIZING PUBLICATION:

WHEREAS, an application for a zoning change was filed by Beth Joseph on July 27, under Case No. Z-99-054; and

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing; and

WHEREAS, notices were posted on the subject land as provided by the zoning ordinance; and

WHEREAS, public hearings to change the zoning and the Master Plan on the property herein described were held before the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation; and,

WHEREAS, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville.

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

Sec. 1. THAT, the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B), by changing the zoning of said property from the R20 district to the PUD-R district, together with all site plans which are conceptual in nature, supporting documents, and other conditions and restrictions

imposed and approved by the Council which are incorporated herein by reference; and subject to the following conditions:

A. LAND USE

1. The following land uses shall be permitted within this Planned Unit Development:
 - a. All Agricultural uses, with the exception of swine farming
 - b. Single family residence
 - c. Commercial equestrian boarding stable, riding school, equine ranching, and children's birthday parties
 - d. Commercial activity on the property shall be limited to the hours of 10:00 a.m to 5:00 p.m. Monday through Saturday and noon to 5:00 p.m. on Sundays
 - e. That one weekday per week, one pony class shall be allowed until 7:00 p.m.

B. LOT REQUIREMENTS AND SETBACKS

1. The minimum lot size shall be three (3) acres.
2. All building setbacks shall be in accordance with the AG Agriculture district.

C. GENERAL REQUIREMENTS

1. Commercial advertising signs shall be prohibited on this property, except one directional/information sign not to exceed six (6) square feet in area.
2. A screening fence will be constructed within 90 days of approval on the south property line beginning approximately 275 feet from the Pool Road property line (the entrance gate to the residential yard) and will extend 295 feet (to the western edge of the barn) and the fence will be continuously maintained in good repair so long as commercial activity is conducted on the property.

Sec. 2. THAT, any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 3. THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternate method of publication provided by law.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the _____ day of _____, 1999.

The second reading and public hearing being conducted on the _____ day of _____, 1999.

ATTEST:

CITY OF COLLEYVILLE:

Jean Harris, CMC
City Secretary

Donna Arp
Mayor

APPROVED AS TO FORM AND LEGALITY:

Ross T. Foster
City Attorney

Statement of Planning Objectives

Stearman Marital Trust
William Stearman, Trustee
5810 Pool Road
Colleyville, Texas

Zoning Board of Adjustment
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Dear Zoning Board of Adjustment,

This proposal letter is to request and substantiate the grant of a Variance for the property located at 5810 Pool Road, Colleyville, Texas. We are requesting a solid construction fence for the perimeter that fronts Pool Road, as well as 30' x 8' going West on the South and North property lines, to match the new Superior-Ledgestone Precast Concrete Fence that was permitted on 11/11/13 for the remaining wall presently being installed in December 2013. We would like to outline for you our reasons for this request.

- 1) Noise abatement. Pool Road is a four lane divided road that is a major through-fare in Colleyville. There is substantial road noise that can be heard all the way to the back perimeter of the property at all times of the day. Superior Concrete, the producer of the fence we would like to install, has testing to support that their fence product will greatly reduce the noise levels exposure on the property. We want to create a very peaceful environment to enjoy the multiple species of birds and other wildlife. See Exhibit A – Subdivision Fence Permit Building 1310-147. Site plan approved on 11/01/13 (Acoustic report)
- 2) Security. Again, the property fronts a very busy road. Not having a solid construction fence allows passers by complete visual access to the property. As we know, not everyone has good intentions and we have already been victims of theft. Sometime over this past Labor Day weekend, someone entered the property without permission and stole every peach on our lone peach tree. The criminals had to utilize a ladder or similar to reach the high peaches. The current fence is a metal wire livestock fence which allows complete visual view of the property and is not 8 feet tall. We did file a report with the Colleyville Police Department once we realized the crime later that week. Officer Bonham #197 took and filed the report, case no. 13CPOS7771. See Exhibit B. (Peach tree pictures)
- 3) Aesthetics. The precast concrete fence manufactured by Superior Concrete will never require maintenance. It will look as good in 20 years as it does when installed. Wrought iron fencing, while attractive, is maintenance intensive and if not maintained, will detract visually from not only our

Statement of Planning Objectives

property, but the entire neighborhood and city. The fencing we want to install actually costs more than wrought iron, but we feel it offers a much greater value for everyone due to its enduring beauty and durability. Several subdivisions in and around Colleyville, and even city properties utilize Superior Concrete precast fencing. In fact, that is what led us to learn about it and fall in love with it. See Exhibit C. (The best fence around homes)

We feel that if you grant the Variance, it will be a win-win for all parties involved.

Sincerely,



William Stearman, Trustee





Sound Transmission Loss Test

ACOUSTIC SYSTEMS ACOUSTICAL RESEARCH FACILITY OFFICIAL LABORATORY REPORT AS-TL1543



ERNEST BUTLER, M.D., Chairman
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Subject: Sound Transmission Loss Test

Date: October 7, 1999

Contents: Transmission Loss Data, One-third Octave Bands
Transmission Loss Data, Octave Bands
Sound Transmission Class Rating
Outdoor / Indoor Transmission Class Rating

on

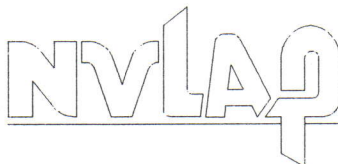
SUPERIOR-BRICK™ Without Vulkem 116 Sealant Applied Between Joints

for

Superior Concrete Products

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Sound Transmission Loss Test

INTRODUCTION

The Transmission Loss of a partition in a specified frequency band is defined as ten times the common logarithm of the airborne sound power incident on the partition to the sound power transmitted by the partition and radiated on the other side. The quantity so obtained is expressed in decibels.

APPLICABLE STANDARDS

ASTM E 90-97, "Standard Method for Laboratory Measurement of Airborne Sound
Transmission Loss of Building Partitions"

ASTM E 413-87, "Classification for Sound Insulation Rating"

ASTM E 1332-90, "Classification for Determination of Outdoor-Indoor Transmission Class"

SPECIMEN DESCRIPTION

The test specimen was precast concrete sound barrier consisting of three (3) vertical posts and sixteen (16) horizontal panels whose overall plan dimensions were 2438 mm in width by 2438 mm in length *[96 by 96 inches]*. The test specimen was designed, manufactured submitted for test, and designated "SUPERIOR-BRICK™ Without Vulkem 116 Sealant Applied Between Joints" by Superior Concrete Products of Euless, TX. Posts and panels were manufactured in accordance with NPCA (National Precast Concrete Association) quality assurance procedures and verified by certificate. Each test specimen component was constructed of fully cured concrete having a nominal compression strength of 31000 kPa *[4500 psi]*. Vertical posts were of the dimension 127 mm in length by 127 mm in width by 2438 mm in height *[5 by 5 by 96 inches]* and were reinforced with a quantity of two (2) - #5 vertical rebar. Concrete horizontal panels used three (3) horizontal stand galvanized wire mesh and were of the dimension 304.8 mm in height by 44.5 mm maximum thickness *[12 by 1-3/4 inches]*. To accommodate the laboratory test frame, eight (8) concrete horizontal panels were of the length 1442 mm *[56-3/4 inches]* with the remaining eight (8) panels having a length of 718 mm *[28-1/4 inches]*.

The weight of the test specimen was 713 kg *[1572 pounds]*.

TEST SPECIMEN MOUNTING

The specimen was mounted in the 2440 mm by 2440 mm transmission loss test opening. The face of the specimen was sealed to the edge of the test aperture with metal battens and dense mastic. The calculated transmission loss of the test specimen was adjusted to account for sound power transmitted through facility boundaries.

DESCRIPTION OF TEST

Two (2) loudspeakers in a 200 cubic meter reverberation chamber, designated as the "Source Room", produced broadband pink noise. A 254 cubic meter reverberation chamber, designated as the "Receive Room", is coupled to the Source Room through the transmission loss opening. The steady-state space-time average sound pressure levels in the Source and Receive Room were determined using rotating microphone booms and a Norsonic NI-830 Dual Channel Real Time Analyzer. Sound absorption in the Receive Room was determined by reverberation time measurements. The precision of the resulting calculated Sound Transmission Loss varies with frequency band and is included in the Data Table that follows. The test was performed in accordance with ASTM E90-97 except where discussed. This test took place at ACOUSTIC SYSTEMS ACOUSTICAL RESEARCH FACILITY, Austin, Texas, on October 7, 1999.

Sound Transmission Loss Test

TRANSMISSION LOSS DATA

The Sound Transmission Loss of the test specimen at the preferred one-third octave band center frequencies is tabulated below and then presented graphically. Octave-band Transmission Loss values are calculated as described in Section 12.4 of ASTM E90-97.

Superior Concrete Products SUPERIOR-BRICK™ Without Vulkem 116 Sealant Applied Between Joints

1/3 Octave Band Center Freq. (Hz)	Transmission Loss (dB)	Uncertainty (+/- dB)	Notes	Octave Band TL (dB)	STC Deficiencies
50	16		[d][g]		
63	16		[g]	15	
80	14	2.2	[g]		
100	12	1.8			
125	16	2.5		14	
160	16	1.6			
200	17	0.7			
250	18	0.9		18	
315	21	0.6			
400	22	0.6			
500	22	0.5		22	
630	23	0.4			
800	22	0.4			
1000	20	0.4		19	
1250	16	0.3			3
1600	13	0.2			6
2000	13	0.3		14	6
2500	14	0.3			5
3150	14	0.2			5
4000	15	0.2		15	4
5000	15	0.3			
6300	15	0.4			
8000	15	0.5		15	
10000	14	0.8			
STC	15				
OITC	17				

Note: Reverberation times are calculated based on the first 15 dB of decay including an initial 5 dB drop. Acoustic Systems maintains in its files quality assurance documentation indicating the result magnitude and uncertainty are consistent with calculation methods of Section 11.4.1 of ASTM E 90-97. [a]: Receive room SPL corrected for background noise; [b]: Receive room SPL too close to ambient. Correction of 2 dB applied and result represents lower bound for TL in this band; [c]: Correction made for flanking transmission; [d]: Transmission Loss of specimen too close to facility limit. No facility correction applied and result represents lower bound for TL in this band; [e]: Transmission Loss of specimen too close to filler wall. Result represents lower bound for TL in this band; [f]: Insufficient precision to meet requirements of Section A.2.2 of ASTM E 90-97; [g] An insufficient number of statistically independent samples are available in the band to determine precision.

During the test, environmental conditions in the Receive Room were 25.2C with 82.5% relative humidity. Conditions in the Source Room were 25.2C with 61% relative humidity. The precision values [±] tabulated above represent 95% probability that the true mean value lies within the stated range.

Respectfully Submitted,

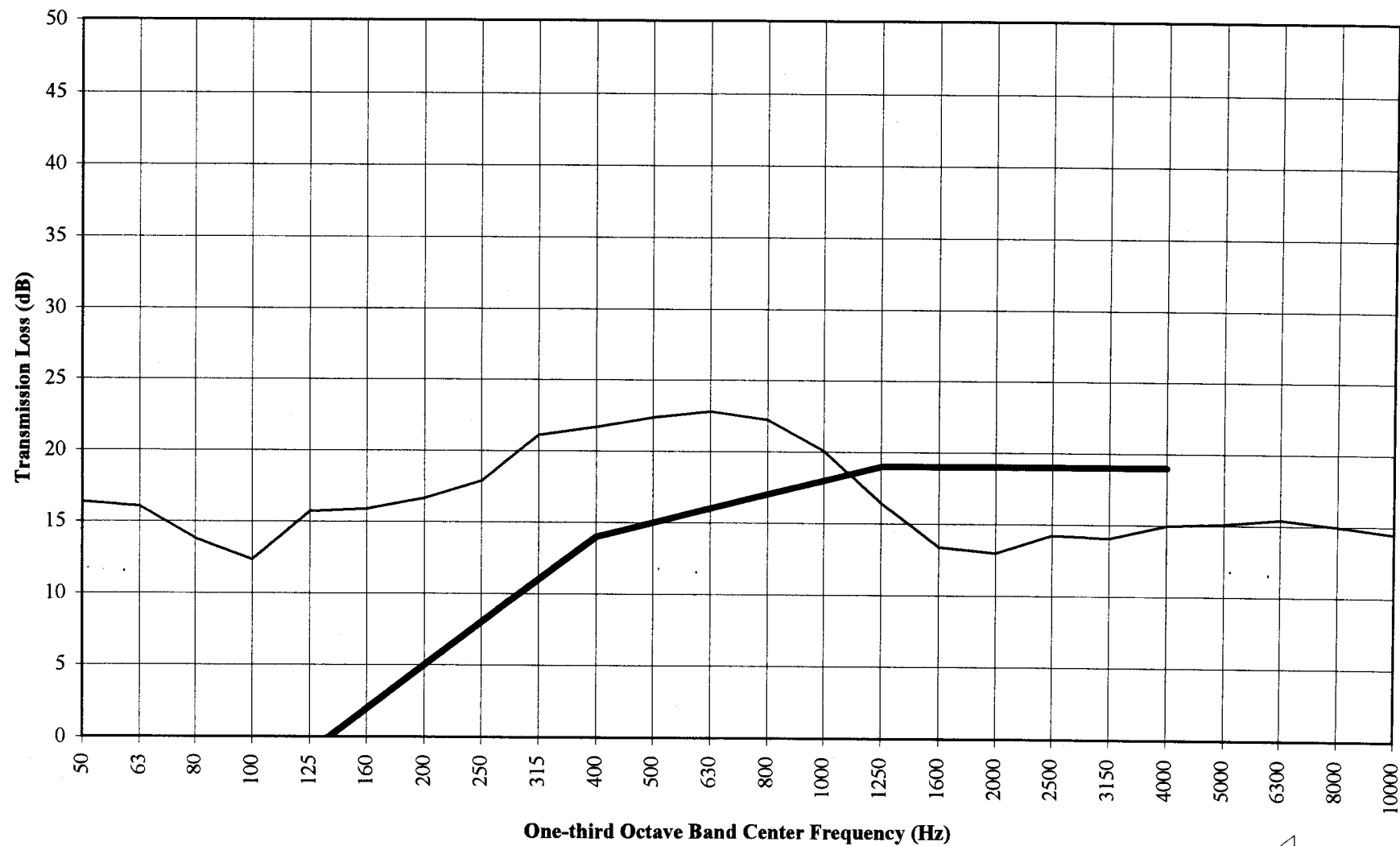


Michael C. Black

Laboratory Technical Director

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AS-TL1543; STC 15 OITC 17



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