



City of Colleyville Zoning Board of Adjustment Agenda

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

Tuesday, June 10, 2014

City Council Chambers

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

**CALL TO ORDER
PLEDGE OF ALLEGIANCE**

1. APPROVAL OF MINUTES

May 14, 2014

2. PUBLIC HEARING AGENDA ITEMS

- 2a** Request for a variance to the side yard setback requirements of Chapter 3 – Land Use of the Land Development Code on Lot 34B, Block 1, of the Westcoat Place Addition, located at 6012 W. L. D. Lockett Road, Case VC14-007

3. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards June 6, 2014 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

Wednesday, May 14, 2014

City Council Chambers

Call to Order

The Zoning Board of Adjustment meeting of the City of Colleyville was called to order by Board member McNosky on May 14, 2014 at 7:04 p.m.

Roll Call

Present: Board members Jason Elms, Mark Collier, Judson Orlando, and Dee McNosky

Absent: Board member Mike Patino (Alternate 2), Larry Kainer (Alternate 1), and Mike Leathers

Staff Present: Ron Ruthven and Taci Wrisley

1. APPROVAL OF MINUTES

Board member Elms moved to approve the April 8, 2014 meeting minutes as written. Board member Collier seconded.

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

Aye: 4 –Elms, Collier, Orlando, and McNosky

2. PUBLIC HEARING AGENDA ITEMS

- 2a** Request for a variance to the rear yard setback requirements and to the lot coverage requirements by buildings in Chapter 3 – Land Use of the Land Development Code on Lot 12, Block B, of the Covington Addition, located at 719 Tappen Shire, Case VC14-005

Ron Ruthven presented the case and briefed the Board.

The public hearing was opened at 7:12 p.m.

Matt Von Wellsheim, the property owner, came forward and briefed the Board.

LouAnn Kleiman, 6017 Sherston Glen, on behalf of the Homeowner Association, came forward and spoke in opposition of this case.

Steve Ediger, 724 Tappen Shire, came forward and spoke in support of this case.

Andrew Mittag, 715 Tappen Shire, came forward and spoke in support of this case.

Two (2) people wished to record their support but did not wish to speak: Sheryl Milligan, 720 Tappen Shire and Misty Stone, 716 Tappen Shire.

Board member Elms questioned Mr. Von Wellsheim regarding the existing amenities and what was being proposed. Mr. Von Wellsheim replied the outdoor kitchen is existing and he is proposing to add a cover over the existing outdoor kitchen and living area.

Board member Collier questioned Mr. Von Wellsheim regarding whether the pool was existing as well. Mr. Von Wellsheim replied correct.

Board member Elms stated based on when the property owners purchased the home and the time staff made a determination on the true definition of lot coverage, he personally feels this creates a hardship. He further explained the configuration of the lot creates a hardship as well.

Discussion occurred between staff and the Board members regarding attached and detached structures and placement possibilities for the proposed structure.

Discussion occurred between the Board and Mr. Von Wellsheim regarding the concerns of the neighbor directly to the South and who also shares a rear property line with the applicant.

Board member Elms questioned staff regarding lot coverage. Ron Ruthven explained the importance of lot coverage restrictions based on the vision for Colleyville's future in the 1960s.

There being no one else wishing to speak, the public hearing was closed at 7:56 p.m.

Board member Elms made a motion to approve Case VC14-005. Board member Collier seconded.

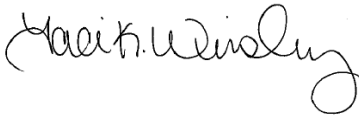
The motion to approve Case VC14-005 carried by the following vote:

Aye: 4 – Elms, Collier, Orlando, and McNosky

3. ADJOURNMENT

The meeting adjourned at 7:59 p.m.

Minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on June 10, 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 06/10/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for avariance to the side yard setback requirements of Chapter 3 – Land Use of the Land DevelopmentCode on Lot 34B, Block 1, of the Westcoat Place Addition, located at 6012 W. L. D. Lockett Road, Case VC14-007

Explanation

Gary and Lisa Panno, the property owners, are requesting a variance to the side yard setback requirements. The requested variance would reduce the required side yard setbacks of 15 feet to 12 feet from the left side and eight (8) feet from the right side. The applicants state the variance is required in order to construct a new single family residence. The applicant is requesting to place the home up to eight (8) from the east property line because the garage will be a swing garage that faces away from the street. Therefore, more space is needed on the west side of the lot to accommodate the garage.

Existing Conditions. The lot presently contains a 1,200 square foot single family residence which will be removed in order to construct a 2,316 square foot single family residence as the applicant's personal residence.

Zoning. The property is zoned R40-Single Family Residential and is recognized as a lot of record and is, therefore, exempt from the lot dimension requirements of the R40 zoning district. The lot measures approximately 297 feet in length and 81 feet in width and contains approximately 0.5 acres.

Section 3.7 – Non-conforming Uses, Lots and Buildings, Section B. Non-Conforming Lots of Record, of the Land Development Code states, "Variance of yard requirements shall be obtained only through action of the Zoning Board of Adjustment.

The designated zoning of this property is in an R40-Single Family Residential district and the established building line setbacks and lot size requirements are as follows:

Front Yard: 40 feet

Side Yard: 15 feet

Rear Yard: 25 feet

Minimum width in feet: 150 feet

Minimum depth in feet: 150 feet

Public Notification. Staff mailed notices to seven (7) property owners within 200 feet of the site. As of this writing, staff has received one (1) letter of support from the neighbor to the East.

Summary. The Land Development Code specifically outlines the side yard as well as the building line setbacks for each zoning district. However, the situation involved with this variance is unique given the non-conforming nature of the minimum lot width requirement for R40 lots described above. The Land Development Code defines a hardship as a condition applied to a property such that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. All residential zoning districts in the City, with the exception of PUD zoning categories, require a minimum lot width of 100 feet. Given the lot width of 81 feet for the subject property, which is also classified as a lot of record, a hardship exists in this case.

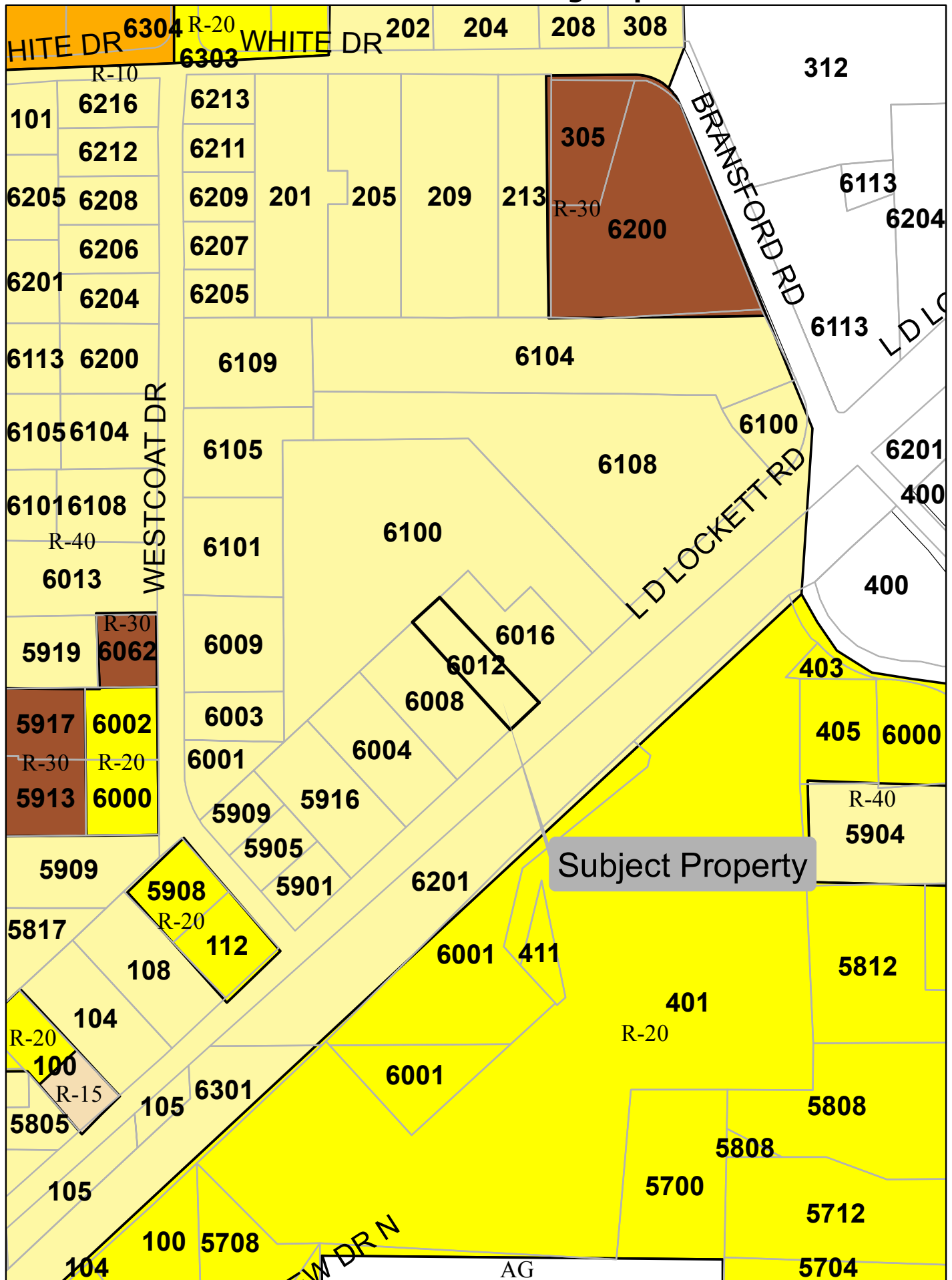
Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Aerial
3. Notification List
4. Letter of Support
5. Proposed Floor Plan
6. Site Plan

Location and Zoning Map



Aerial



6108

6100

6016

6012

6008

6004

5916

5901

6201

6001

401

411

L.D. LOCKETT RD

Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
2 HORSE LTD	6105 WESTCOAT DR	COLLEYVILLE	TEXAS	76034	006100 L D LOCKETT RD
PANNO, RYAN & CHRISTIE A	6016 LD LOCKETT RD	COLLEYVILLE	TEXAS	76034	006016 L D LOCKETT RD
DIXON, DONALD A ETUX ANGELA P	PO BOX 55	BOYD	TEXAS	76023	006012 L D LOCKETT RD
BRANUM, MARY ANN	3412 TEXAS TRL	HURST	TEXAS	76054	006008 L D LOCKETT RD
PACE, JOHN C ETUX DIANE J	6004 LD LOCKETT RD	COLLEYVILLE	TEXAS	76034	006004 L D LOCKETT RD
ONCOR ELECTRIC DELIVERY CO LLC	PO BOX 219071	DALLAS	TEXAS	75221	006001 L D LOCKETT RD
REGIONAL RAIL ROW CO	PO BOX 660163	DALLAS	TEXAS	75266	006201 L D LOCKETT RD
GARY AND LISA PANNO, APPLICANT	5307 MAPLE LANE	COLLEYVILLE	TEXAS	76034	Applicant

Notices were mailed by Taci Wrisley
Friday, May 23, 2014

Letter of Support

Taci Wrisley

Sent: Monday, June 2, 2014 3:21 PM
To: Taci Wrisley
Subject: 6012 LD Lockett

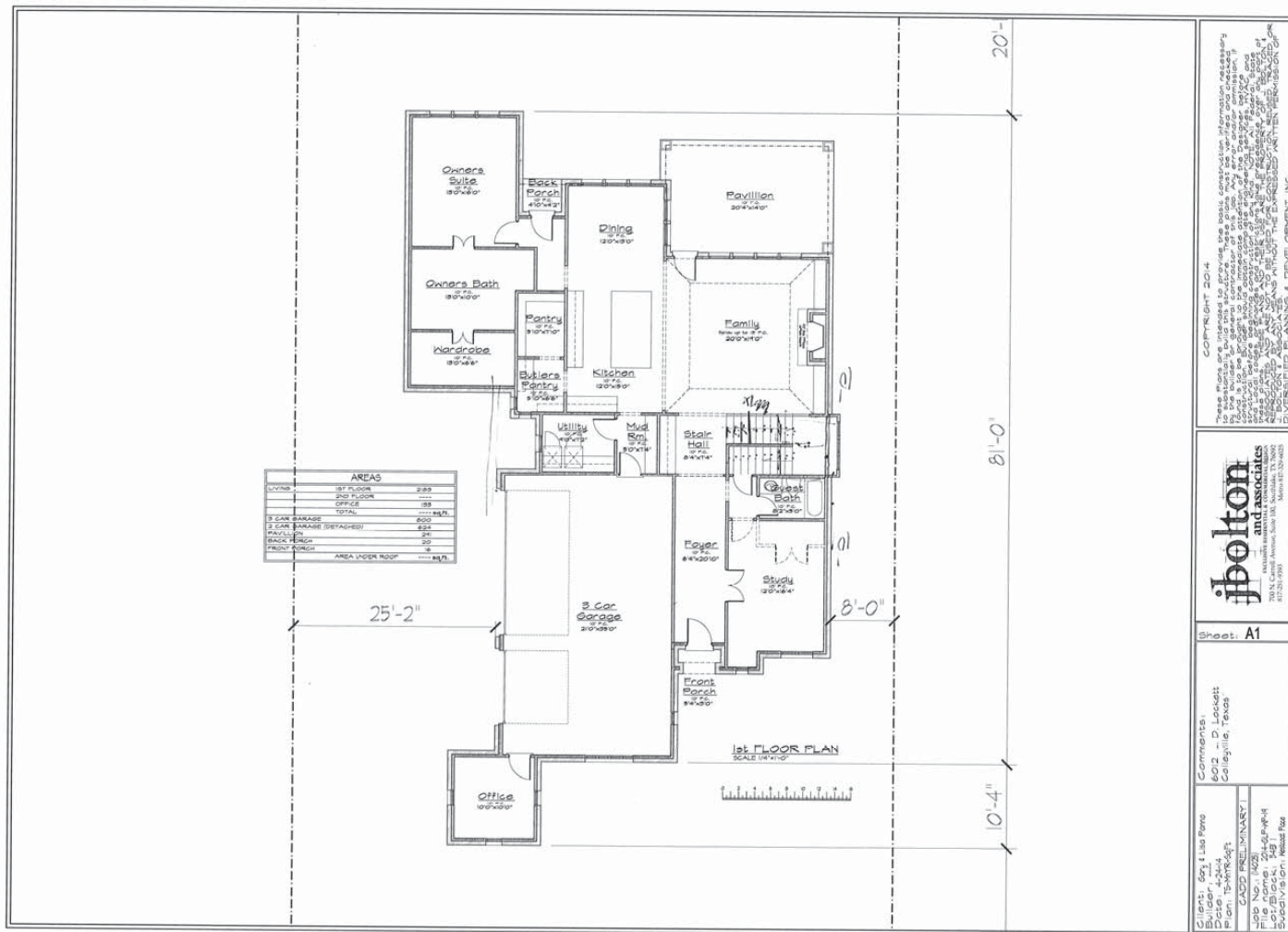
Taci,

I just wanted to express my support of the request for a waiver to the building line requirements that my Gary Panno has submitted for 6012 LD Lockett.

I believe that the requested building lines will allow a house that is properly sized and scaled for a 75' wide lot with R40 zoning to be built on this property. As it currently is zoned I don't think a home could be built to complement the existing homes (mine included at 6016 LD Lockett) in design or style.

Regards,
Ryan Panno
6016 LD Lockett
Colleyville, TX 76034
817-296-9636

Proposed Floor Plan



SITE PLAN
LOT: 34BBLOCK:1
Westcott Place
Colleyville, Texas

ZONED: ----
COMP: KO

0 20' 40' 80'

SCALE: 1"=20.0'

COPYRIGHT 2014

These materials may be used for personal or internal reference only. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without the prior written permission of the copyright owner. For more information, contact the copyright owner.

© 2014 THE PLANNING & DEVELOPMENT, INC.

ibolton
and associates
EXCLUSIVE RESIDENTIAL & COMMERCIAL DESIGN
700 N. Carroll Avenue, Suite 100, Southdale, TN 37692
817-251-4993
Metro 817-329-6025

Client: Gary & Lisa Perry	Comments:
Address: 6012 L. D. Lockett	
City: Dallas	
State: TX 75244	
Phone: 754-MNR-3037	
CADD PRELIMINARY	
Job No.: 14029	
File name: 2006-9-14	
Scale: 1"=20'	
Drawn by: JGP	
Check by: JGP	
DATE: 9/14/06	
DESIGN DIVISION: Newcast Plaza	
Sheet: C1	