



City of Colleyville Zoning Board of Adjustment Agenda

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

Wednesday, August 13, 2014

City Council Chambers

7:00 PM
CITY COUNCIL CHAMBERS
THIRD FLOOR

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. APPROVAL OF MINUTES

June 10, 2014

2. PUBLIC HEARING AGENDA ITEMS

- 2a** Request for a variance to the side yard and rear yard setback requirements of Chapter 3 – Land Use of the Land Development Code on Lot 10A, Block 1, of the Westcoat Place Addition, located at 6213 Westcoat Drive, Case VC14-008

3. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards August 8, 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

Tuesday, June 10, 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 June 10, 2014 at 7:00 p.m.

Roll Call

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

Absent: Board member Mike Patino (Alternate 2) and Jason Elms

Staff Present: Ron Ruthven and Taci Wrisley

1. APPROVAL OF MINUTES

Board member Orlando made a motion to approve the minutes as written. Board member Collier seconded.

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

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

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

Ron Ruthven presented the case and briefed the Board.

The public hearing was opened at 7:05 p.m.

Gary Panno, the applicant, came forward and briefed the Board.

Board member McNosky questioned the applicant regarding if the

objective of the request was to gain approval to build closer to the property line given the narrow width of the lot. Mr. Panno replied correct.

Board member Orlando questioned staff regarding whether the proposed structure would encroach upon the required separation between residential structures if the variance was approved. Ron Ruthven replied no.

Discussion continued regarding separation requirements for residential structures.

Ron Ruthven explained to the Board that a swing garage is preferred on L. D. Lockett Road because it is on the Master Thoroughfare Plan and is very busy regarding traffic. He further explained this would allow the resident to exit the property safely.

Board member McNosky questioned Mr. Panno regarding whether he had disclosed to his plans to the surrounding neighbors. Mr. Panno replied yes.

Discussion continued regarding Mr. Panno's conversations with the surrounding neighbors.

Board member McNosky questioned Mr. Panno regarding the secondary structures on the property. Mr. Panno replied they would be removed.

Discussion continued regarding secondary structure requirements.

There being no one else wishing to speak, the public hearing was closed at 7:12 p.m.

Board member Leathers made a motion to approve Case VC14-007. Board member Kainer seconded.

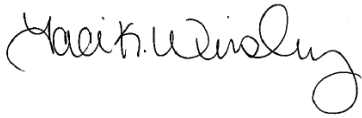
The motion to approve Case VC14-007 carried by the following vote:

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

3. ADJOURNMENT

The meeting adjourned at 7:13 p.m.

Minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on July 8, 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 08/13/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a variance to the side yard and rear yard setback requirements and lot coverage requirements of Chapter 3 – Land Use of the Land Development Code on Lot 10A, Block 1, of the Westcoat Place Addition, located at 6213 Westcoat Drive, Case VC14-008

Explanation

Mark Cameron, the property owner, is requesting variances to reduce the side and rear yard setback requirements and lot coverage requirements on Lot 10A, Block 1, Westcoat Place located at 6213 Westcoat Drive. The corner lot is oriented toward Westcoat Drive with the north side yard along White Drive. The requested variances would reduce the required 15 foot side yard setbacks to 10 feet on both sides of the lot. The applicant also requests to reduce the required rear yard setback of 25 feet to 20 feet. The applicant states the variances are required in order to construct a new single family residence and associated amenities. Given the existence of an established front yard setback within the street yard along the south side of White Drive, staff recommends that the side yard setback along the north side of the property not be reduced with additional space granted to the rear setback waiver instead..

Regarding lot coverage, the applicant requests a variance to the maximum lot coverage requirement of 20 percent for the R40 zoning district. Lot coverage includes the total area of the building footprint (under roof) as a percentage of the total square footage of the property.

Existing Conditions. The lot presently contains an approximately 1,400 square foot single family residence which will be removed in order to construct a new single family residence.

Zoning. The property is zoned R-40 Single Family Residential and is recognized as a lot of record and is, therefore, exempt from the lot dimension requirements of the R-40 zoning district. The lot measures approximately 142 feet in depth and 99 feet in width, and contains approximately 0.33 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 R-40 Single Family Residential district and the established building line setbacks, lot coverage and lot size requirements are as follows:

Front Yard: 40 feet
Side Yard: 15 feet
Rear Yard: 25 feet
Minimum lot size: 40,000 square feet
Minimum width in feet: 150 feet
Minimum depth in feet: 150 feet
Maximum lot coverage: 20 percent

Public Notification. Staff mailed notices to twelve (12) property owners within 200 feet of the site. As of this writing, staff has received no correspondence.

Summary. The Land Development Code specifically outlines the side and rear yard building line setbacks as well as lot coverage for each zoning district. However, the situation involved with this variance is unique given the extreme non-conforming nature of the minimum lot depth, width and size requirements for R-40 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. Given that the lot depth of 142 feet, lot width of 99 feet and lot size of 14,375 square feet do not meet the minimum R-40 zoning district requirements, and that the subject property is classified as a lot of record, a hardship exists.

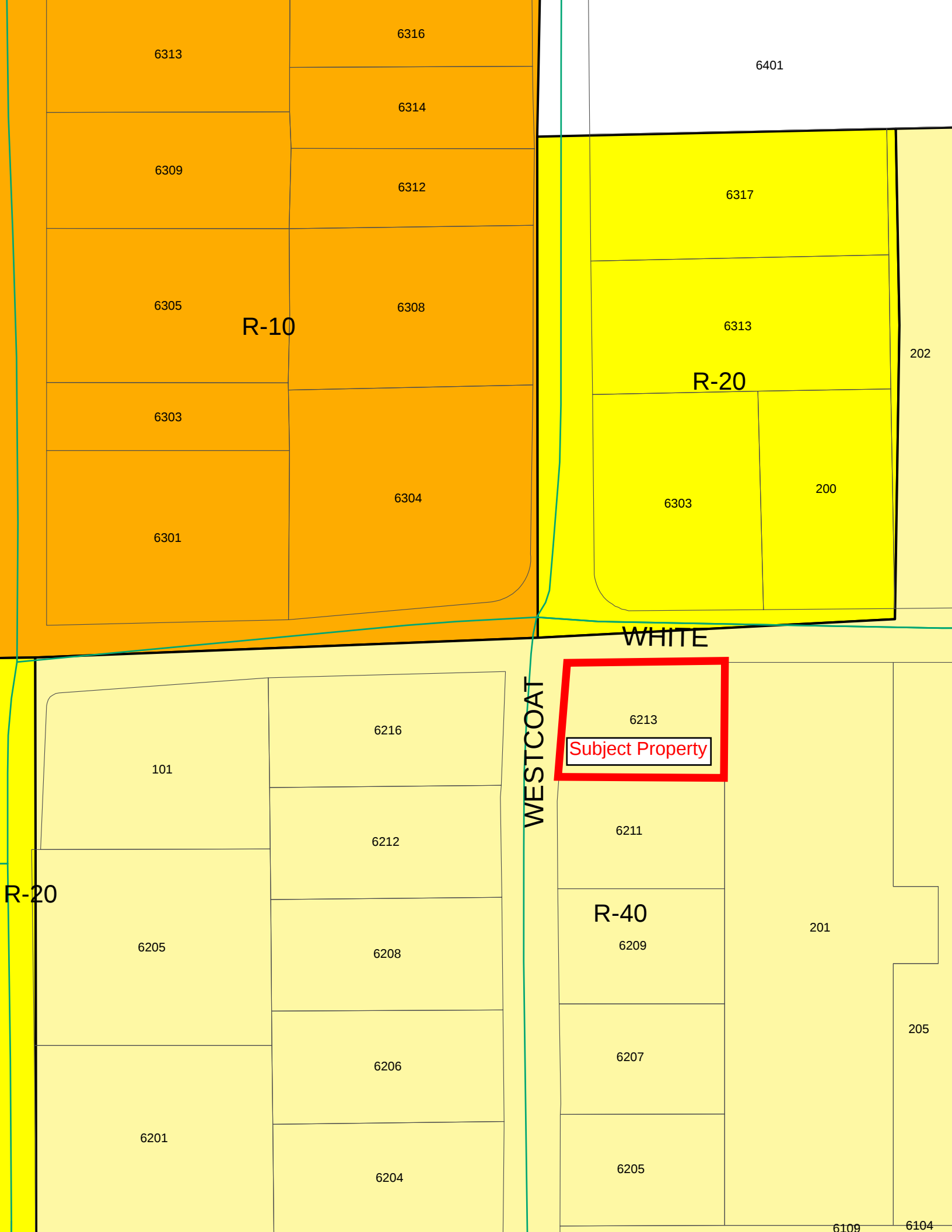
Recommendation

Approval with the following conditions:

The side yard setback along the north side of the property shall not be reduced.

Attachments

1. Zoning and Location Map
2. Aerial
3. Notification Map
4. Variance Request Exhibit
5. Variance Application



6313

6316

6401

6314

6309

6312

6317

6305

R-10

6308

6313

R-20

6303

6304

200

6301

6303

202

WHITE

WESTCOAT

6213

Subject Property

101

6216

6212

6211

R-40

6205

6208

6209

201

6206

6207

205

6201

6204

6205

6109

6104

R-20

Aerial



Notification Map



Case VC14-008 - 6213 Westcoat Drive

Legend



Properties within 200 Feet



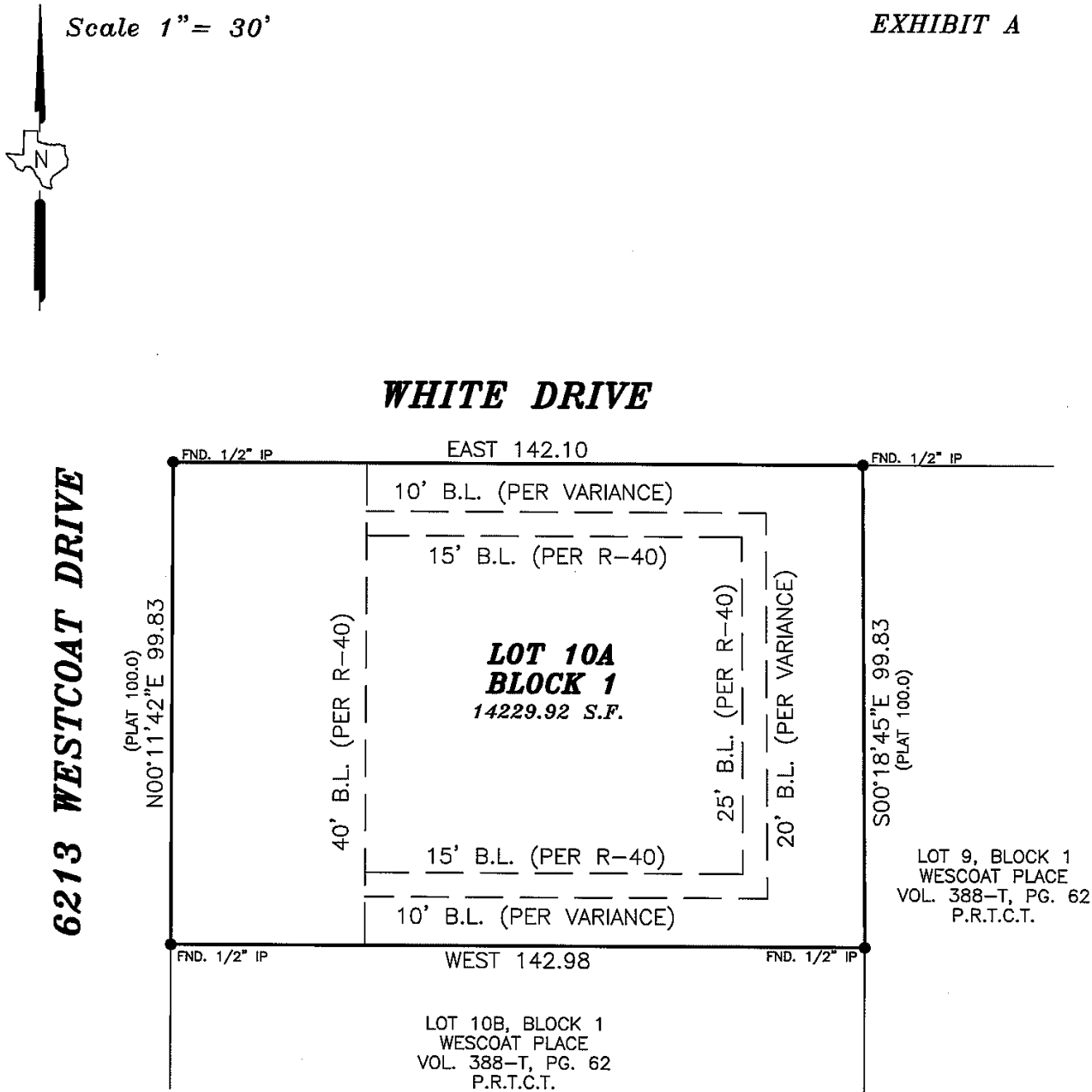
Parcels



Variance Request Exhibit

Scale 1" = 30'

EXHIBIT A



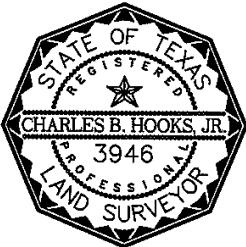
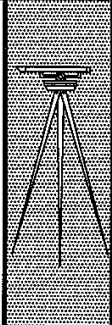
**EXHIBIT A
BUILDING LINE VARIANCE REQUEST**

LOT 10A, BLOCK 1, WESCOAT PLACE, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-T, PAGE 62, MAP/PLAT RECORDS, TARRANT COUNTY, TEXAS

LEGEND:

TF

- IRON PIN
- IRON PIPE
- △ BOIS D'ARC STAKE
- CONCRETE MONUMENT
- x-x- FENCE
- //-- POWER LINE
- T-T- TELEPHONE LINE
- CATV- CABLE TELEVISION
- CONCRETE PAVING
- ASPHALT PAVING



LOYD BRANSOM SURVEYORS INC.
CHARLES B. HOOKS, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
1028 NORTH SYLVANIA AVENUE
FT. WORTH, TEXAS 76111
(817) 834-3477

Charles B. Hooks, Jr.

14-466A

DATE: 06-10-14

Variance Application

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. I AM REQUESTING THE REAR AND SIDE SET BACKS BE ADJUSTED BY 5' EACH, TO A 20' REAR SET BACK AND 10' SIDE.

SEE ATTACHED SURVEY.

2. Do similar conditions exist in the area? Explain. YES, SEVERAL SMALLER LOTS, OF 14K SQ FT HAVE R4D ZONING.

3. Describe how the unique conditions or circumstances do not result from your actions. THE R4D ZONING REQUIRES SET BACKS OF 40' FRONT, 25' REAR AND 15' SIDES.

4. Is there any way to do what you want without this request? NO, THE CURRENT ZONING RESTRICTIONS ON THIS 14K SQ FT LOT PROHIBITS THE HOUSE SIZE AND FUTURE/POTENTIAL POOL AND SWING SET.

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 MJC Date 6.6.14