



City of Colleyville Zoning Board of Adjustment Agenda

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

Tuesday, September 8, 2015

City Council Chambers

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. APPROVAL OF MINUTES

July 14, 2015

2. PUBLIC HEARING AGENDA ITEMS

- 2a** Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 3, Block 2, of the Glenhope Addition, located at 6613 Glenhope Circle North, VC15-007
- 2b** Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 7, Block A, of the Westmont Addition, located at 101 Bartram Lane, VC15-008
- 2c** Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 31, Block A, of the Somerset Manor Addition, located at 1100 Rhett Drive, VC15-009
- 2d** Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 30, Block A, of the Somerset Manor Addition, located at 1105 Guthrie Drive, VC15-010
- 2e** Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 14, Block B, of the Somerset Manor Addition, located at 7021 Avery Lane, VC15-011

3. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards September 4, 2015 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
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817. 503.1000
www.colleyville.com

Tuesday, July 14, 2015

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 July 14, 2015 at 7:00 p.m.

Roll Call

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

Absent: Board members Larry Kainer (Alternate 1), and Mike Leathers

Staff Present: Patia Boomsma and Taci Wrisley

1. APPROVAL OF MINUTES

Board member Elms 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 – Elms, Collier, Kamerman, Orlando, and McNosky

2. PUBLIC HEARING AGENDA ITEMS

- 2a** Request for a variance to the lot coverage requirements by buildings in Chapter 3 – Land Use of the Land Development Code on Lot 4, Block 1, of the St. Andrews Estates Addition, located at 5900 St. Andrews Court, Case VC15-003

Patia Boomsma presented the case and briefed the Board.

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

Bryon Reid, the builder, came forward and briefed the Board.

Mary Reap, the future homeowner, came forward and spoke in support.

Louie Ocana, the president of the building company, came forward and spoke in support.

Board member Elms questioned Mr. Reid regarding whether a different layout for the new home was considered versus asking for a variance. He added he did not believe there was a hardship for this case. Mr. Reid replied they would have considered a different layout, however, the current layout was designed based on the idea of having trees for privacy and shade.

Board member McNosky stated she understood the builder would have designed a different layout if there were no trees prior to construction. She further stated the City of Colleyville has requirements for tree removal and proper procedure had to have been taken for the trees on the property to the west to have been removed.

Discussion continued regarding the lot and the removal of trees.

Board member McNosky questioned staff regarding whether the patio was figured in with the lot coverage calculation. Patia Boomsma replied the patio is flatwork and is not included.

Board member Collier questioned staff regarding which developments in the city were allowed fifty percent lot coverage. Patia Boomsma replied the developments that are allowed up to fifty percent lot coverage are in Planned Unit Development (PUD) areas, where lots are considerably smaller in size.

There being no one else wishing to speak, the public hearing was closed at 7:24 p.m.

Board member Elms made a motion to deny Case VC15-003. Board member Orlando seconded.

The motion to deny Case VC15-003 carried by the following vote:

Aye: 5 – Elms, Collier, Kamerman, Orlando, and McNosky

- 2b** Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 1R, Block 2, of the Ratliff Addition, located at 5320 Pleasant Run Road, Case VC15-005

Patia Boomsma presented the case and briefed the Board.

The public hearing was opened at 7:28 p.m.

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

Board member Orlando questioned staff regarding whether there were fence requirements for screening between commercial uses. Patia Boomsma replied no.

Board member Orlando questioned Mr. Belue regarding whether there was an existing footer for a fence. Mr. Belue replied yes.

Board member Orlando questioned Mr. Belue what was to the north of the subject property. Mr. Belue replied residences and a homeowner's association detention pond.

Board member Kamerman questioned Mr. Belue regarding whether the tree they were attempting to protect would be boxed in the same way it currently is. Mr. Belue replied yes but they would be creating a little more room for the tree.

Discussion occurred regarding the current conditions along the property line.

Board member Orlando stated he had concerns regarding drainage from 805 Regina Court. Patia Boomsma stated the city had codes regarding drainage requirements that would not allow for someone create more drainage on someone else's property.

Board member Elms made a motion to approve Case VC15-005 with the following conditions: 1) the existing six foot fence be removed 2) an eight foot fence be constructed using the existing footers and 3) the builder shall replace any damaged landscaping. Board member Collier seconded.

Board member Orlando questioned Mr. Belue regarding whether he would be willing to continue the curb the existing length of the property. Mr. Belue replied the more excavating that is done, the more damage the tree will endure.

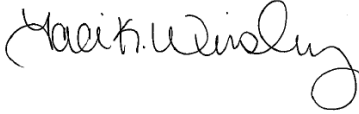
The motion to approve Case VC15-005 with the following conditions: 1) the existing six foot fence be removed 2) an eight foot fence be constructed using the existing footers and 3) the builder shall replace any damaged landscaping carried by the following vote:

Aye: 5 – Elms, Collier, Kamerman, Orlando, and McNosky

3. ADJOURNMENT

The meeting adjourned at 7:38 p.m.

Minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on September 8, 2015 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 09/08/2015	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 3, Block 2, of the Glenhope Addition, located at 6613 Glenhope Circle North, Case VC15-007

Explanation

The applicant, Paul Carrocci, is requesting a variance to the requirements for fences in the Land Development Code, located at 6613 Glenhope Circle North.

Existing Conditions and Zoning. The subject property is zoned "R20" – Single Family Residential District and has an existing single family home. It is surrounded by R20 zoning to the north, west, and south, and to the east is the City of Grapevine, and all surrounding properties are developed with single family residential homes. There is currently no fence on the subject property. The owner states that the house was constructed in 1984, and the previous owner never installed a fence.

Proposed Development. The applicant is proposing to install a fence on the subject property to enclose the residential yard. The applicant is requesting a variance because the proposed fence location does not meet the requirements of the Land Development Code.

Land Development Code. Section 3.26 E(2) states:

"E. Fence and Free Standing Wall Setback Requirements

...

2. Corner Side Yards: Except where allowed elsewhere in this chapter, fences and walls within a required side yard adjacent to a street right of way shall meet the following setback standards:

A privacy fence or wall (which shall be defined as any fence or wall greater than thirty inches (30") in height or greater than 25 percent opaque construction) within a required street side yard shall be subject to whichever of the following provisions a) through d) shall yield the greatest setback:

- a. If the subject lot has a street side yard which faces a dwelling front or lot front across the side street, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the property line, except on any

lot having either a required side yard less than fifteen (15') feet or an existing primary structure setback less than fifteen (15') feet, then the fence or wall may be constructed with the same setback as the primary structure; or

b. If the subject lot backs to the rear of another residential lot, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the side property line; or

c. If the subject lot backs to the side of another residential lot, the side yard privacy fence or wall shall be located not closer to the side property line than the required front setback of the adjoining lot; or..."

The existing home fronts on Pool Road but takes access off of Glenhope Circle North, and the subject lot backs to the side of another residential lot to the west (so it falls under letter "c" above). The proposed fence is proposed to be up to six feet tall. The applicant has stated that it will either be wrought iron or wrought iron with wood paneling. The applicant is not requesting a variance to the proposed materials so it would need to be wrought iron, of those two options.

The proposed fence would be considered a privacy fence or wall under the above stated provisions and would therefore be required to be set back a minimum of 30 feet from Glenhope Circle North, which is the front yard setback minimum in the governing zoning district.

Requested Variance. The applicant is requesting to install the proposed fence approximately 7.5 feet from the northern property line versus the required fence setback in this instance of 30 feet.

Public Notification. Staff mailed notices to 11 property owners within 200 feet of the site, in addition to courtesy notices to the applicant, Grapevine-Colleyville ISD, and the City of Grapevine (to the east of the subject property), and no responses have been received as of the time of this writing.

Summary. Staff recognizes that the subject property has unique characteristics, in terms of fronting on Pool Road and taking access off of Glenhope Circle North, in addition to an existing retaining wall. Due to the established streetscape along Glenhope Circle North (see Photo Exhibit provided by applicant, attached) and the adjacent established residential home to the west that has no fence within the front yard, Staff has assessed that a more appropriate location of the proposed fence would be on top of the existing retaining wall line, where the fence would be within the 30-foot setback. This compromise approach would still require a variance to the same requirement, but the fence would be set back farther and would correlate to the existing site features and disturb the existing mature tree line less than the proposed location.

Recommendation

Approve as recommended by Staff.

Attachments

1. Location and Zoning Map
2. Aerial Map
3. Public Notification Map
4. Public Notification Mailing List
5. Application (3 Pages)
6. Site Plan by Applicant
7. Photo Exhibit by Applicant (20 Pages)

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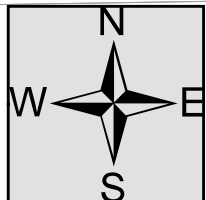
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City of
Grapevine

Subject Property





GLENHOPE CIR N

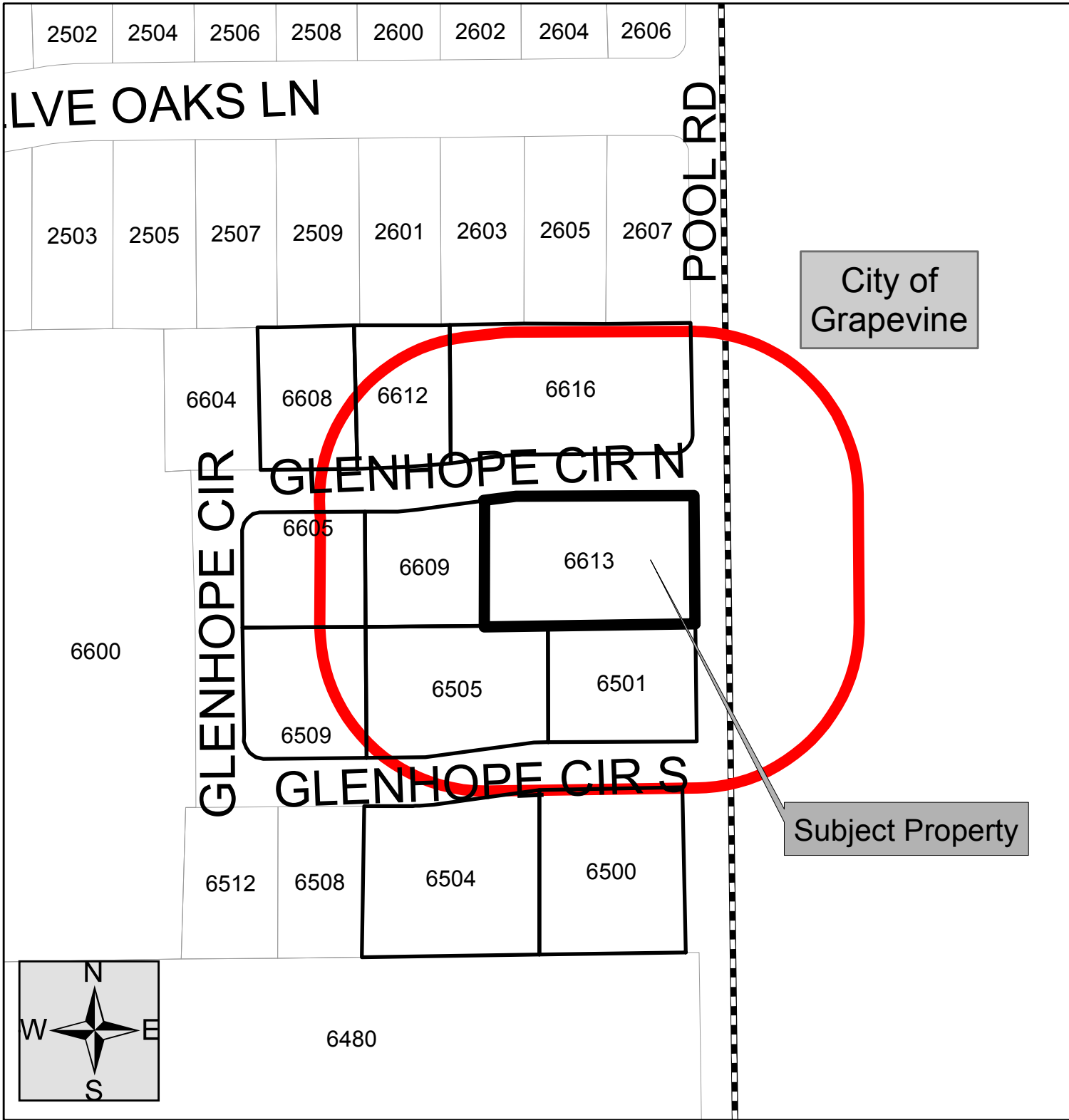
POOL RD

GLENHOPE CIR S

City of
Grapevine

Subject Property





Case VC15-007
6613 Glenhope Circle North

City of
Grapevine

Legend

-  Subject Property
-  Properties within 200 feet
-  Parcels
-  City Limit

Subject Property



Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
MORRIS, MELINDA WRIGHT	6616 GLENHOPE CIR N	COLLEYVILLE	TEXAS	76034	6613 GLENHOPE CIR N
STARK, SHAUN	6608 GLENHOPE CIR N	COLLEYVILLE	TEXAS	76034	6608 GLENHOPE CIR N
CLENDINNING, BEN	6505 GLENHOPE CIR S	COLLEYVILLE	TEXAS	76034	6505 GLENHOPE CIR S
MORRIS, MELINDA WRIGHT	6616 GLENHOPE CIR N	COLLEYVILLE	TEXAS	76034	6616 GLENHOPE CIR N
RAWLINGS, RICHARD L	6509 GLENHOPE CIR S	COLLEYVILLE	TEXAS	76034	6509 GLENHOPE CIR S
SEAWRIGHT, HAROLD K	6609 GLENHOPE CIR N	COLLEYVILLE	TEXAS	76034	6609 GLENHOPE CIR N
MEGELLAS, JAMES ARTHUR	6612 GLENHOPE CIR N	COLLEYVILLE	TEXAS	76034	6612 GLENHOPE CIR N
HAMILTON, ARTHUR L	6500 GLENHOPE CIR S	COLLEYVILLE	TEXAS	76034	6500 GLENHOPE CIR S
MCMELLON, J'ANNA	6605 GLENHOPE CIR N	COLLEYVILLE	TEXAS	76034	6605 GLENHOPE CIR N
SHELTON, B KEITH	6504 GLENHOPE CIR S	COLLEYVILLE	TEXAS	76034	6504 GLENHOPE CIR S
ZUREIKAT, AIMAN	6501 GLENHOPE CIR S	COLLEYVILLE	TEXAS	76034	6501 GLENHOPE CIR S
CITY OF GRAPEVINE, PLANNING DEPT	PO BOX 95104	GRAPEVINE	TEXAS	76099	COURTESY NOTICE
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE	TEXAS	76051	STATE LAW
PAUL CARROCCI	6613 GLENHOPE CIR N	COLLEYVILLE	TEXAS	76034	APPLICANT

Public hearing notices were mailed Friday,
August 21, 2015 by Taci Wrisley

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: _____

Project Address (Location): _____

Legal Description: _____

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

Existing Zoning: _____ Proposed Zoning: _____

Existing Use: _____ Proposed Use: _____

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: Paul Carrocci Company: _____

Address: 4613 Glenhope Circle N Tel: 817-851-4844 Fax: _____

City: Colleyville State: TX ZIP: 76034 Email: plainsoccer@yahoo.com

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

Property Owner: Paul Carrocci Company: _____

Address: 4613 Glenhope Circle N Tel: 817-851-4844 Fax: _____

City: Colleyville State: TX ZIP: 76034 Email: plainsoccer@yahoo.com

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

SIGNATURE OF APPLICANT (SIGN AND PRINT OR TYPE NAME)

SIGNATURE: Paul Carrocci Date: 06/29/15

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

SIGNATURE: [Signature]
(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.

For Departmental Use Only

Case #: VC15-007

Total Fee(s): \$175.00

Receipt #: R19371

Date Submitted: 7/2/2015

Accepted By: T. Winsley

Public Hearing Date: 8/11/15

RECEIVED

JUL 02 2015

Per

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. See attach

2. Do similar conditions exist in the area? Explain. See attach

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

4. Is there any way to do what you want without this request? See attach

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 [Signature] Date 6-29-15

RECEIVED

JUL 02 2015

Per

1. Completely describe the variance that you are requesting.
 - a. My house located at 6613 Glenhope Circle N is in need of a fence to enclose the property. With my current build lines facing the north side of the property, the fence will need a variance of seven feet from the sidewalk, so I can enclose a four foot retaining wall for safety and security.
2. Do similar conditions exist in the area? Explain.
 - a. Yes, similar conditions exists at a minimum of three homes in the Glenhope community. When you look at two of the corner houses in our neighborhood, there are two houses that have built their fence less than two feet from the sidewalk. There is a third home in the neighborhood has their pool equipment and fence within the thirty feet build line.
3. Describe how the unique conditions or circumstances do not result from your actions.
 - a. This house was built in 1984. The other houses in this neighborhood were built in the late 1990's. There was never a fence put up from the previous owner. We do not know why. If we were to build the fence to code, it would leave an abundance of open and unusable area of land.
4. Is there any way to do what you want without this request?
 - a. We would be able to build a fence without this request, however it would not be pleasing to the eye, which would make the neighborhood look ununiformed. Our home is sits at a lower level ground compared to all other houses in the neighborhood. Being able to build this fence would provide a safe environment for our future kids, our dog, and our community. If we were only approved to build a thirty inch fence, one could just jump the retaining wall into our home or just step over the fence at any given time.

RECEIVED

JUL 02 2015

Per



Looking west, showing the
retaining wall we are trying
to get fenced in.



Facing East showing
the retaining wall to
be fenced in



Facing East at
South border of
property showing
existing fencing



Existing conditions of
a variance within a
30 foot buildline



~~SHADAN~~
~~SHADAN~~

Sidewalk view of where
we would like to
build fence



Front door facing West



Looking south down the
back of the property



Looking North at the back
of the property



Looking West at
the South border
of the property



Looking west at
the South border
of the property:
alternate angle



City of Colleyville Zoning Board of Adjustment Agenda Briefing

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

Agenda Number 2b	Agenda Date 09/08/2015	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 7, Block A, of the Westmont Addition, located at 101 Bartram Lane, Case VC15-008

Explanation

The applicant, Ryan Panno, is requesting a variance to the requirements for fences in the Land Development Code, located at 101 Bartram Lane.

Existing Conditions and Zoning. The subject property is zoned "PUDR" – Planned Unit Development Residential District (Ordinance No. O-98-1106) and has an existing single family home within the Westmont Addition that was recently constructed. It is surrounded by the same PUDR zoning on all sides, and the surrounding properties to the north, east, and south are developed with single family residential homes. The property to the west is a City park, McPherson Park. There is currently no fence on the subject property.

Proposed Development. The applicant is proposing to install a fence on the subject property to enclose the residential yard. The applicant is requesting a variance because the proposed location of the fence does not meet the requirements of the Land Development Code.

Land Development Code. Section 3.26 E(2) states:

"E. Fence and Free Standing Wall Setback Requirements

...

2. Corner Side Yards: Except where allowed elsewhere in this chapter, fences and walls within a required side yard adjacent to a street right of way shall meet the following setback standards:

A privacy fence or wall (which shall be defined as any fence or wall greater than thirty inches (30") in height or greater than 25 percent opaque construction) within a required street side yard shall be subject to whichever of the following provisions a) through d) shall yield the greatest setback:

- a. If the subject lot has a street side yard which faces a dwelling front or lot front across the side street, the side yard privacy fence or wall shall be

located not less than fifteen feet (15') from the property line, except on any lot having either a required side yard less than fifteen (15') feet or an existing primary structure setback less than fifteen (15') feet, then the fence or wall may be constructed with the same setback as the primary structure; or

b. If the subject lot backs to the rear of another residential lot, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the side property line; or

c. If the subject lot backs to the side of another residential lot, the side yard privacy fence or wall shall be located not closer to the side property line than the required front setback of the adjoining lot; or..."

The existing home fronts on Bartram Road, and the subject lot backs to the rear of another residential lot to the south (so it falls under letter "b" above). This requirement's interpretation is illustrated by the attached exhibit ("LDC Requirement Illustration") created by staff for reference. The proposed fence is six feet tall and tubular galvanized steel (similar to wrought iron).

Requested Variance. The applicant is requesting to install a fence along the south side of the subject property, approximately seven feet, six inches from the rear property line, and a portion of the west side of the subject property, approximately 11 feet from the western side property line. The portion of the fence that is along the western side of the subject property is required to be set back 15 feet from the western property line where the fence is not within the rear yard. Instead of the required 15-foot setback, the applicant is proposing to provide the fence 11 feet from the western property line (see attached Site Plan exhibit).

Public Notification. Staff mailed notices to 14 property owners within 200 feet of the site, in addition to courtesy notices to the applicant and Keller ISD, and no responses have been received as of the time of this writing.

Summary. Although no hardship as defined by the Land Development Code has been demonstrated by the applicant, Staff recognizes that at least one other fence in the subject property's neighborhood, the fence associated with the residential lot that backs to the subject property, has been permitted to be installed in a similar configuration (see attached Street View Image exhibit). Since the proposed fence location and configuration are consistent with adjacent fence configurations, and the fence location should not adversely affect the neighboring properties or the subdivision as a whole, Staff recommends approval of the proposed variance request.

Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Aerial Map
3. Public Notification Map
4. Public Notification List
5. Application (2 Pages)
6. Site Plan by Applicant
7. Fence Detail by Applicant
8. Landscape Plan by Applicant
9. LDC Requirement Illustration

Subject Property

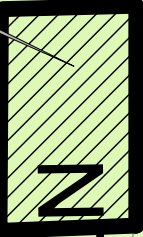
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PUD-R

BARTRAM LN

LEOPOLD LN



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MUIR LN

WELLER LN

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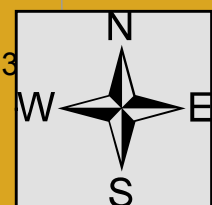
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Subject Property

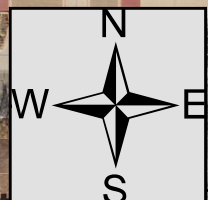
BARTRAM LN

LEOPOLD LN

WELLER LN

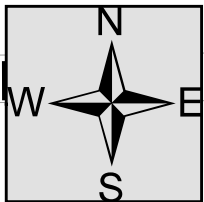
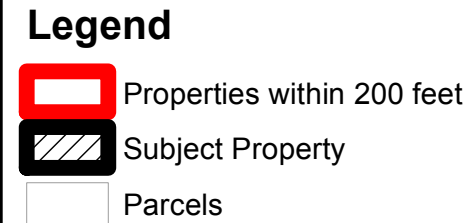
MUIR LN

MCDONWELL SCHOOL RD



QUILLIN

101 Bartram Lane



Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
WEIKEL, ALLEN F	112 MUIR LN	COLLEYVILLE	TEXAS	76034	112 MUIR LN
LARSON, MICHAEL J	6704 HILLIER CT	COLLEYVILLE	TEXAS	76034	6704 HILLIER CT
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE	TEXAS	76034	240 MCDONWELL SCHOOL RD W
MELOTAKIS, DONNA S	105 BARTRAM LN	COLLEYVILLE	TEXAS	76034	105 BARTRAM LN
KORKMAS, FREDERICK J EST	108 MUIR LN	COLLEYVILLE	TEXAS	76034	108 MUIR LN
MCCARTHY, JULIE K	104 MUIR LN	COLLEYVILLE	TEXAS	76034	104 MUIR LN
NAGAO, BLAINE	239 FM 66	ITASCA	TEXAS	76055	113 BARTRAM LN
GARY PANNO INC	PO BOX 715	COLLEYVILLE	TEXAS	76034	101 BARTRAM LN
SNOW, MARNEY	6700 HILLIER CT	COLLEYVILLE	TEXAS	76034	6700 HILLIER CT
HORN, JOHN P	110 BARTRAM LN	COLLEYVILLE	TEXAS	76034	110 BARTRAM LN
BIEN, LARRY S	100 MUIR LN	COLLEYVILLE	TEXAS	76034	100 MUIR LN
WESTMONT MAINTENANCE ASSOC INC	204 S MAIN ST STE 300	KELLER	TEXAS	76248	101 MUIR LN
SWANSON, JAMES	109 BARTRAM LN	COLLEYVILLE	TEXAS	76034	109 BARTRAM LN
WHITFILL, JOHANNA	106 BARTRAM LN	COLLEYVILLE	TEXAS	76034	106 BARTRAM LN
KELLER ISD	350 KELLER PARKWAY	KELLER	TEXAS	76248	STATE LAW
RYAN PANNO	PO BOX 217	COLLEYVILLE	TEXAS	76034	APPLICANT

Public hearing notices were mailed Friday,
August 21, 2015 by Taci Wrisley

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: 101 Bartram Lane

Project Address (Location): 101 Bartram Lane

Legal Description: Lot 7, Block A Westmont Addition

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

Existing Zoning: _____ Proposed Zoning: _____

Existing Use: _____ Proposed Use: _____

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: RYAN PANNO Company: RYAN HOMES

Address: PO Box 217 Tel: 817-296-9636 Fax: _____

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

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

Property Owner: GARY PANNO, INC. Company: _____

Address: PO Box 715 Tel: 817-808-1331 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: [Signature] Date: 8/3/2015

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

SIGNATURE: [Signature]
(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 #: VC15-008

Total Fee(s): \$175

Receipt #: R19584

Date Submitted: 8/4/15

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. We are requesting a variance to the side yard fence setback minimum distance of 15' to 11'0".
2. Do similar conditions exist in the area? Explain. Yes, the existing homes on the corner lots of Muir Lane and Bartram Lane about the sidewalk on the side yard fence.
3. Describe how the unique conditions or circumstances do not result from your actions. The existing homes on the other corner lots of Muir Lane & Bartram Lane already exist with this fencing condition. This variance request is made in conjunction with the Westmont HOA in order to achieve a uniform look on these similar lots.
4. Is there any way to do what you want without this request? No.

Acknowledgments

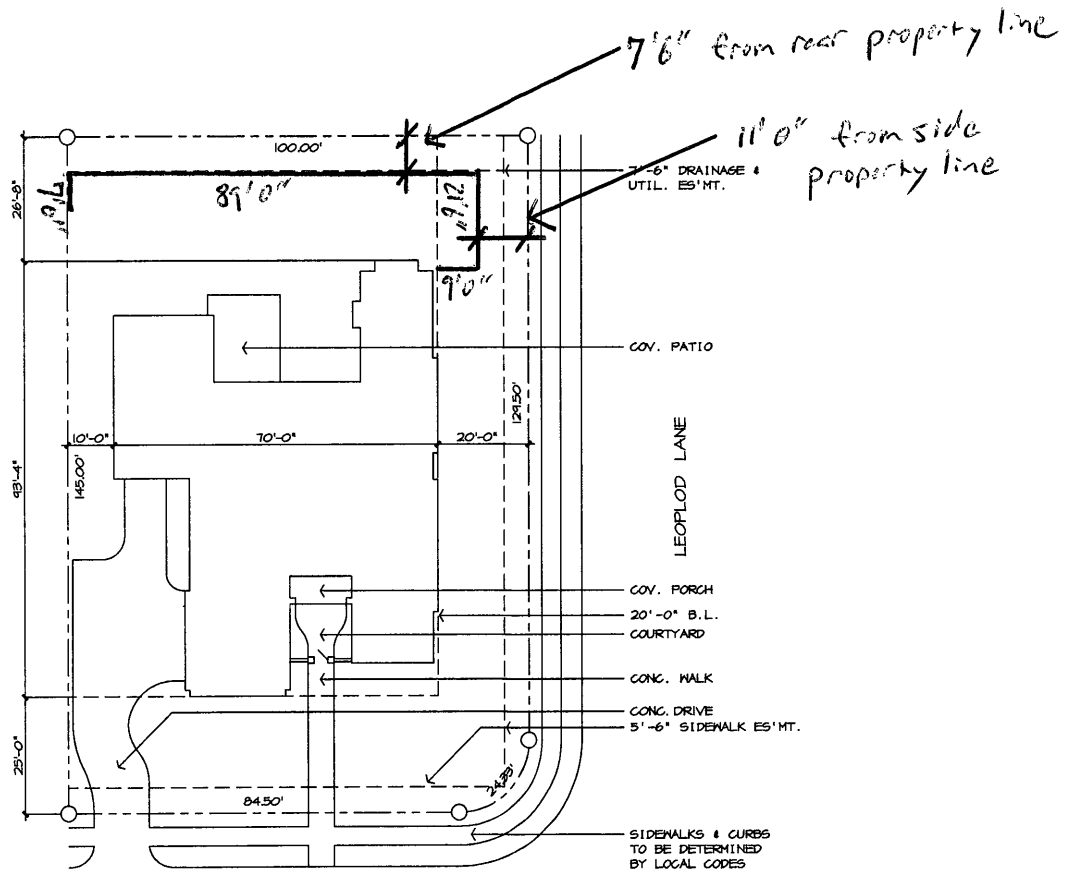
I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Zoning Board of Adjustment hearing.

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.

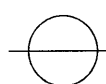
I reserve the right to withdraw this proposal at any time upon written request filed with the Community Development Department, and such withdrawal shall immediately stop all proceedings. I understand the filing fee is not refundable upon withdrawal of the proposal after public notice.

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 RP Date 8/3/2015



101 BARTRAM LANE

 PLOT PLAN

SCALE: 1" = 20'-0"

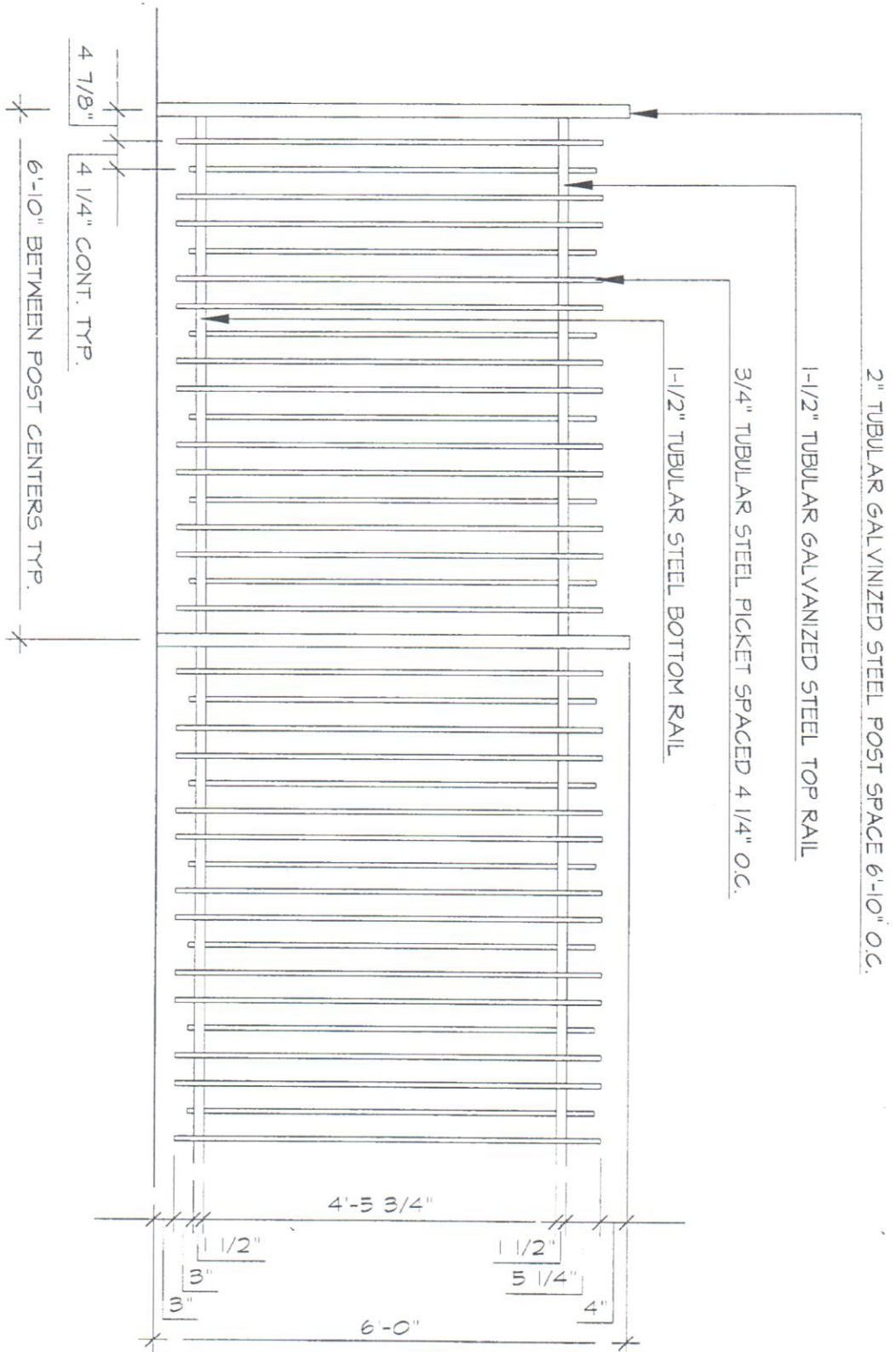
BUILDER

RYAN HOMES

LOT 7

BLOCK A

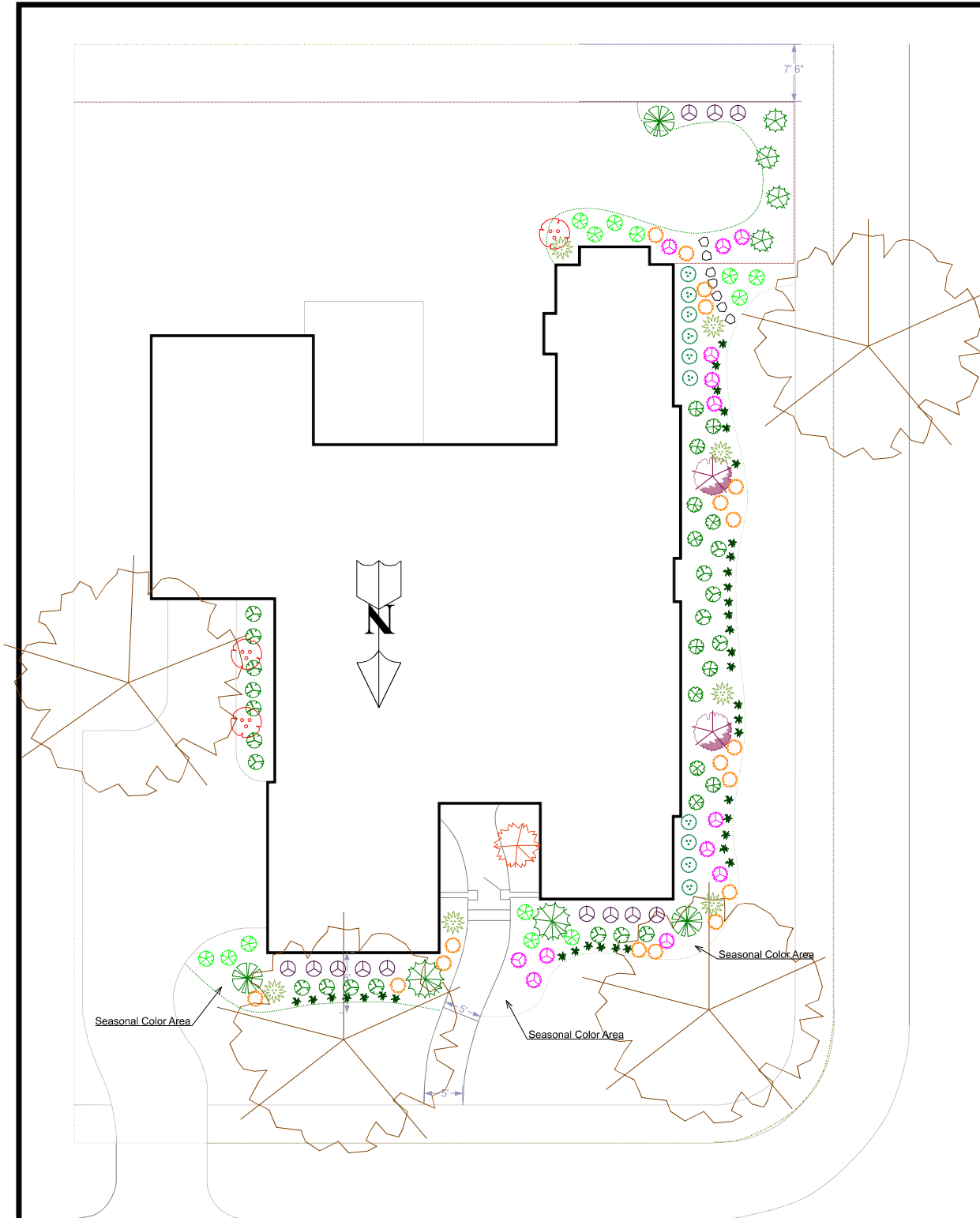
ORDINANCE 0-98-1106
EXHIBIT "G"



A

EXHIBIT G

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



SHEET DESCRIPTION:

101 Bartram Ln

PROJECT:

Ryan Homes

REVISIONS:
8/11/15
8/17/15

DATE:
3/30/15

JOB NUMBER:
330101

DRAWN BY:
Casey Haun

CHECKED BY:
John Smith

SCALE:
1" = 20'

SHEET:
1 of 1

Growing Green LLC
1721 E Southlake Blvd
Ste. 200
Southlake, TX 76092

Landscape

Quantity	Symbol	Description	Part Number
----------	--------	-------------	-------------

Annuals-Perennials

18		Daylily, Stella de Oro Each	
----	---	-----------------------------	--

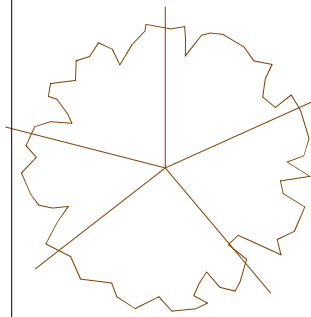
Ornamental

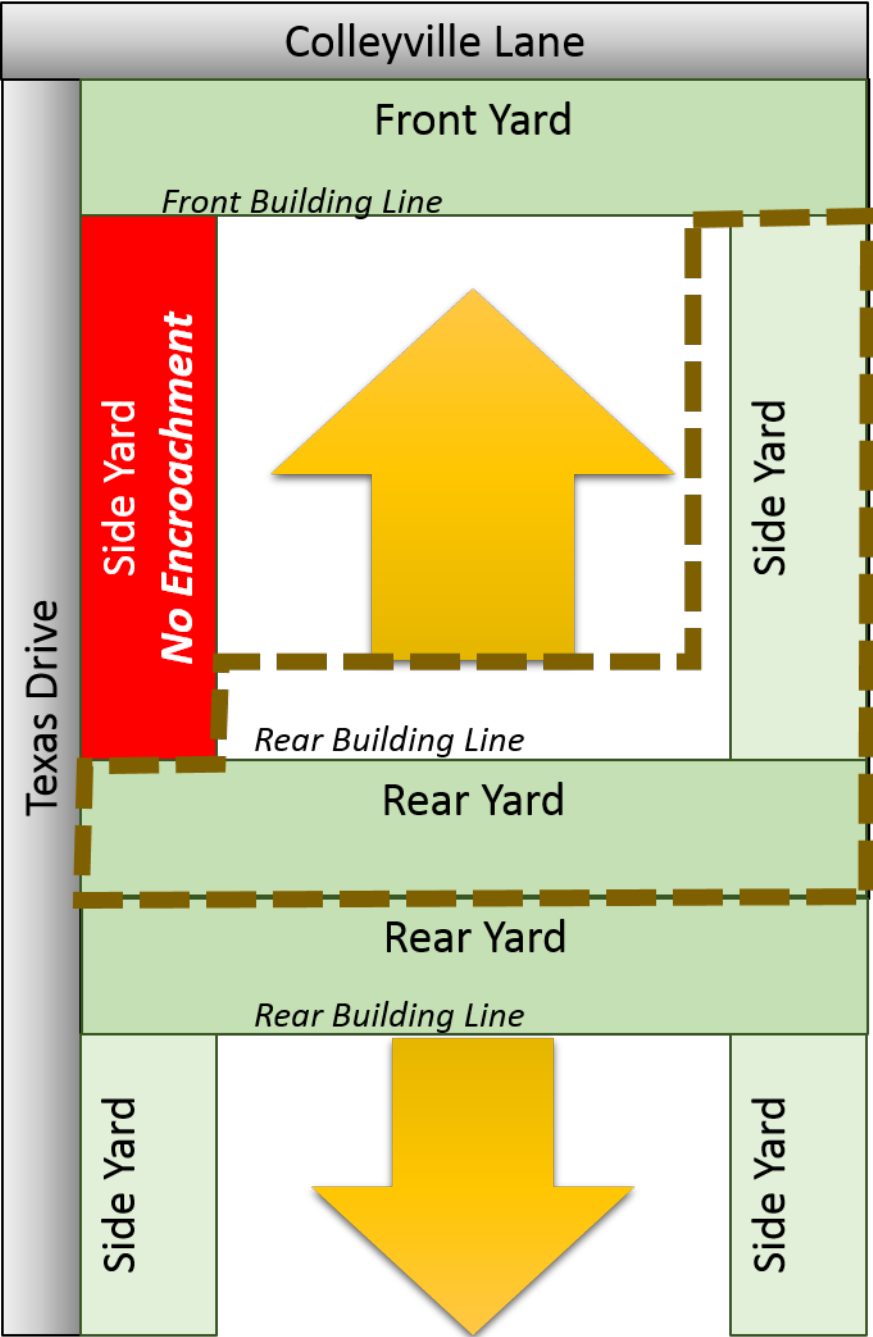
3		Crepe Myrte 30gal.	
2		Holly 'Nellie R' Stevens' 30gal.	
4		Holly 'Oakland' 30gal.	
1		Japanese Maple 'Bloodgood' 30gal.	
3		Magnolia 'Little Gem' 30gal.	
2		Red Bud 'Forest Pansy' 30gal.	

Shrubs

12		Azalia 5gal.	
10		Boxwood 5gal.	
19		Indian Hawthorn 'Clara' 5gal.	
36		Liriope 4"	
7		Miscanthus grass 5gal.	
13		Nandina 'Nana' 5gal.	
12		Plum Delight 5gal.	
13		Spirea 'Anthony Waters' 5gal.	

Trees

4		Oak 'Red' 3"	
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City of Colleyville Zoning Board of Adjustment Agenda Briefing

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

Agenda Number 2c	Agenda Date 09/08/2015	Number
Type Public Hearing Agenda Items		
Department Zoning Board of Adjustment		

Title

Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 31, Block A, of the Somerset Manor Addition, located at 1100 Rhett Drive, Case VC15-009

Explanation

The applicant, Ashley Williams with Kimley-Horn and Associates, Inc., is requesting a variance to the requirements for fences in the Land Development Code, located at 1100 Rhett Drive (Lot 31, Block A of the Somerset Manor Addition). The proposed fence variance is one of three fence variances being considered concurrently for the same subdivision.

Existing Conditions and Zoning. The subject property is zoned "PUDR" – Planned Unit Development Residential District (Ordinance No. O-08-1672) and has an existing single family home under construction within the Somerset Manor Addition. It is surrounded by the same PUDR zoning on all sides, and all surrounding properties are developed with single family residential homes (future construction, under construction, or completed).

Proposed Development. The applicant is proposing to install a fence on the subject property to enclose the residential yard. The applicant is requesting a variance because the proposed location of the fence does not meet the requirements of the Land Development Code.

Land Development Code. Section 3.26 E(2) states:

"E. Fence and Free Standing Wall Setback Requirements

...

2. Corner Side Yards: Except where allowed elsewhere in this chapter, fences and walls within a required side yard adjacent to a street right of way shall meet the following setback standards:

A privacy fence or wall (which shall be defined as any fence or wall greater than thirty inches (30") in height or greater than 25 percent opaque construction) within a required street side yard shall be subject to whichever of the following provisions a) through d) shall yield the greatest setback:

- a. If the subject lot has a street side yard which faces a dwelling front or lot front across the side street, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the property line, except on any lot having either a required side yard less than fifteen (15') feet or an existing primary structure setback less than fifteen (15') feet, then the fence or wall may be constructed with the same setback as the primary structure; or
- b. If the subject lot backs to the rear of another residential lot, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the side property line; or
- c. If the subject lot backs to the side of another residential lot, the side yard privacy fence or wall shall be located not closer to the side property line than the required front setback of the adjoining lot; or..."

The existing home fronts on Rhett Drive, and the subject lot backs to the rear of another residential lot to the north (so it falls under letter "b" above). This requirement's interpretation is illustrated by the attached exhibit ("LDC Requirement Illustration") created by staff for reference. The proposed fence is eight feet tall and cedar board-on-board material.

Requested Variance. The applicant is requesting to install a fence along the west, north, and east sides of the subject property. The portion of the fence that is along the eastern side of the subject property, adjacent to Benjamin Way, is required to be set back 15 feet from the western property line where the fence is not within the rear yard. Instead of the required 15-foot setback, the applicant is proposing to provide the fence three feet from the eastern property line (see attached Site Plan exhibit). There is no retaining wall on the eastern side of the lot contributing to the variance request.

Public Notification. Staff mailed notices to four property owners within 200 feet of the site, in addition to courtesy notices to the applicant, Keller ISD, and City of Keller, and no responses have been received as of the time of this writing.

Summary. No hardship as defined by the Land Development Code has been demonstrated by the applicant, and no unique site characteristics have been described. As such, staff recommends denial of the proposed fence variance.

Recommendation

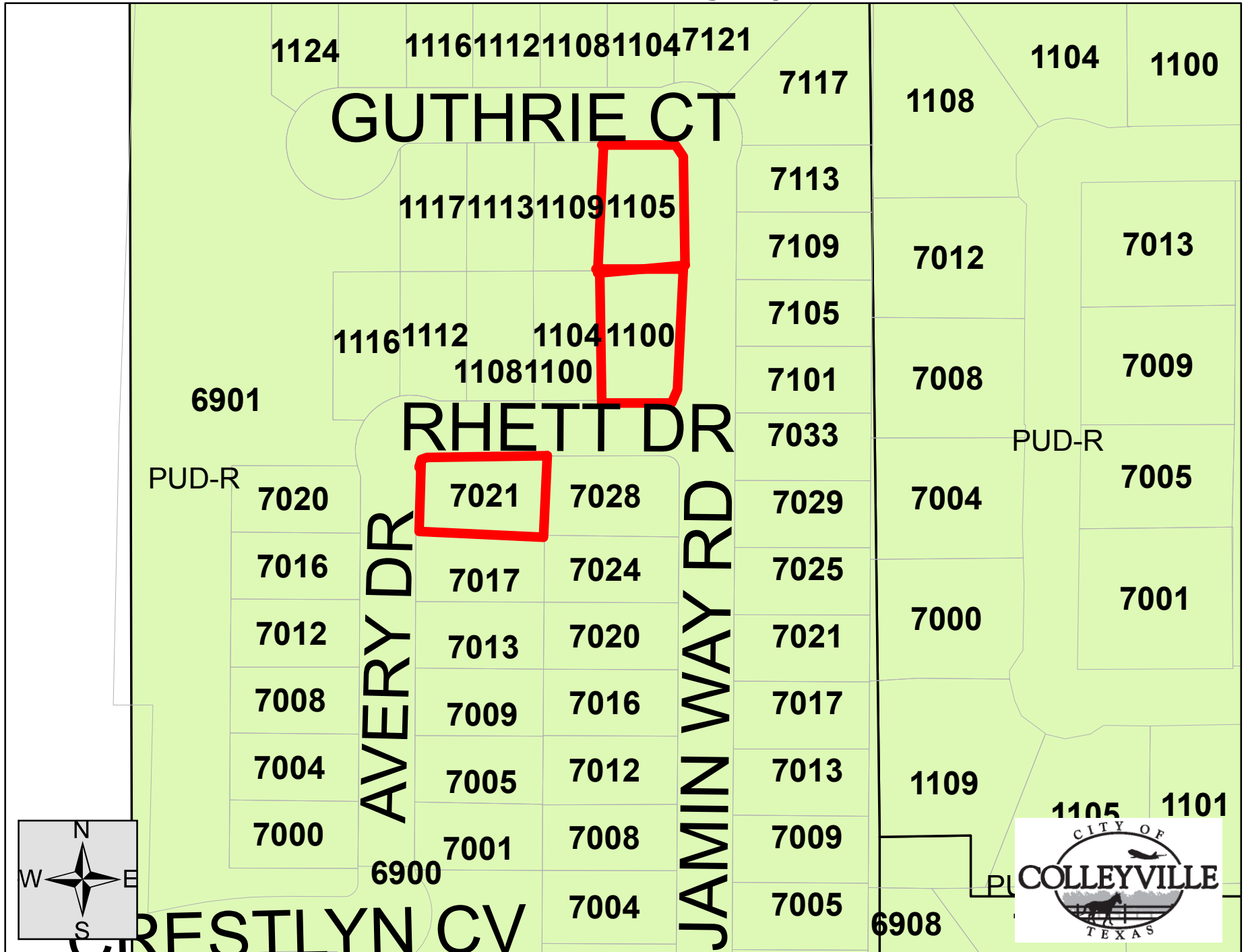
Denial

Attachments

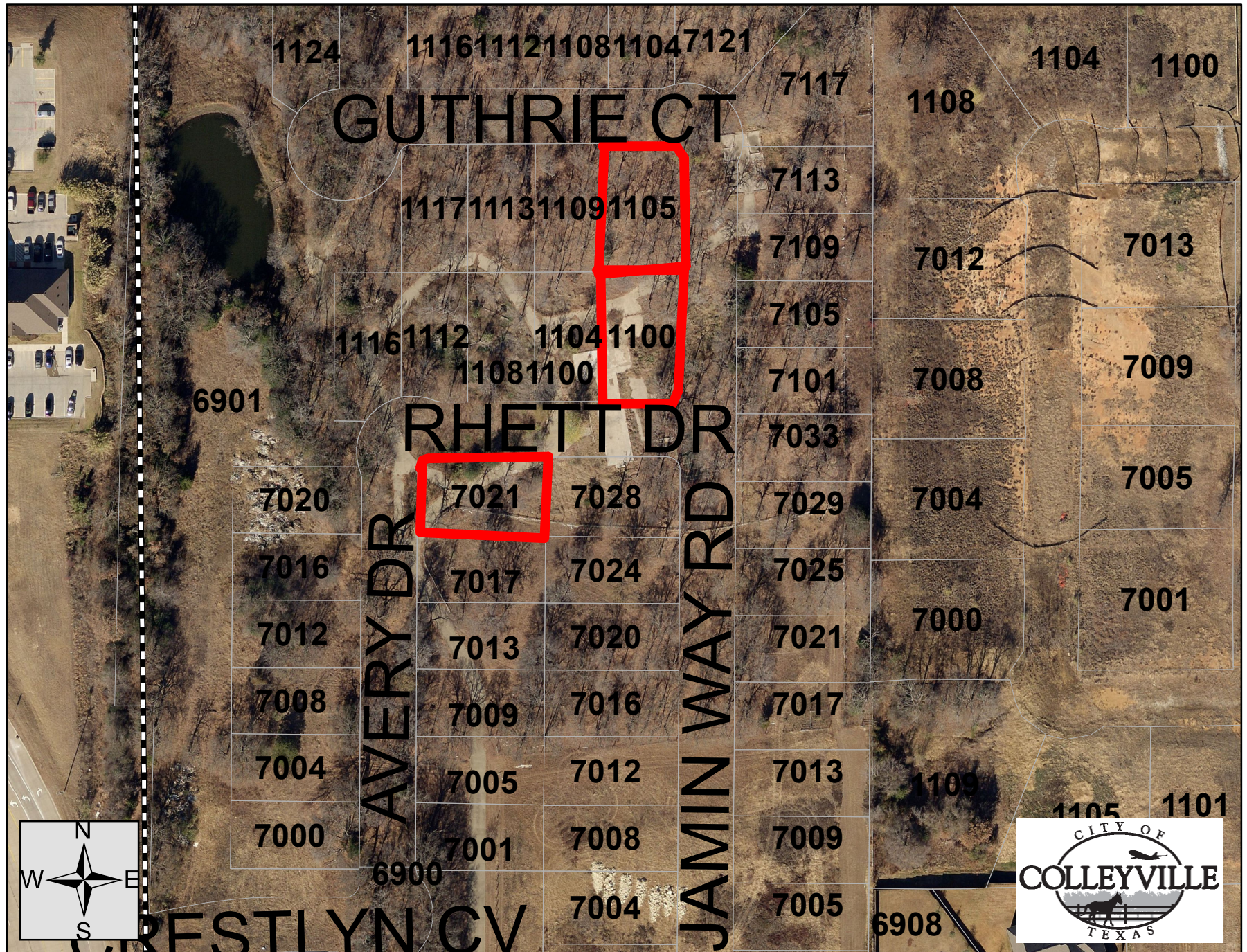
1. Location and Zoning Map
2. Aerial Map
3. Public Notification Map

4. Public Notification List
5. Application (2 Pages)
6. Site Plan by Applicant
7. Plat Exhibit by Applicant
8. Photo Exhibit by Applicant (4 Pages)
9. LDC Requirement Illustration

Location and Zoning Map



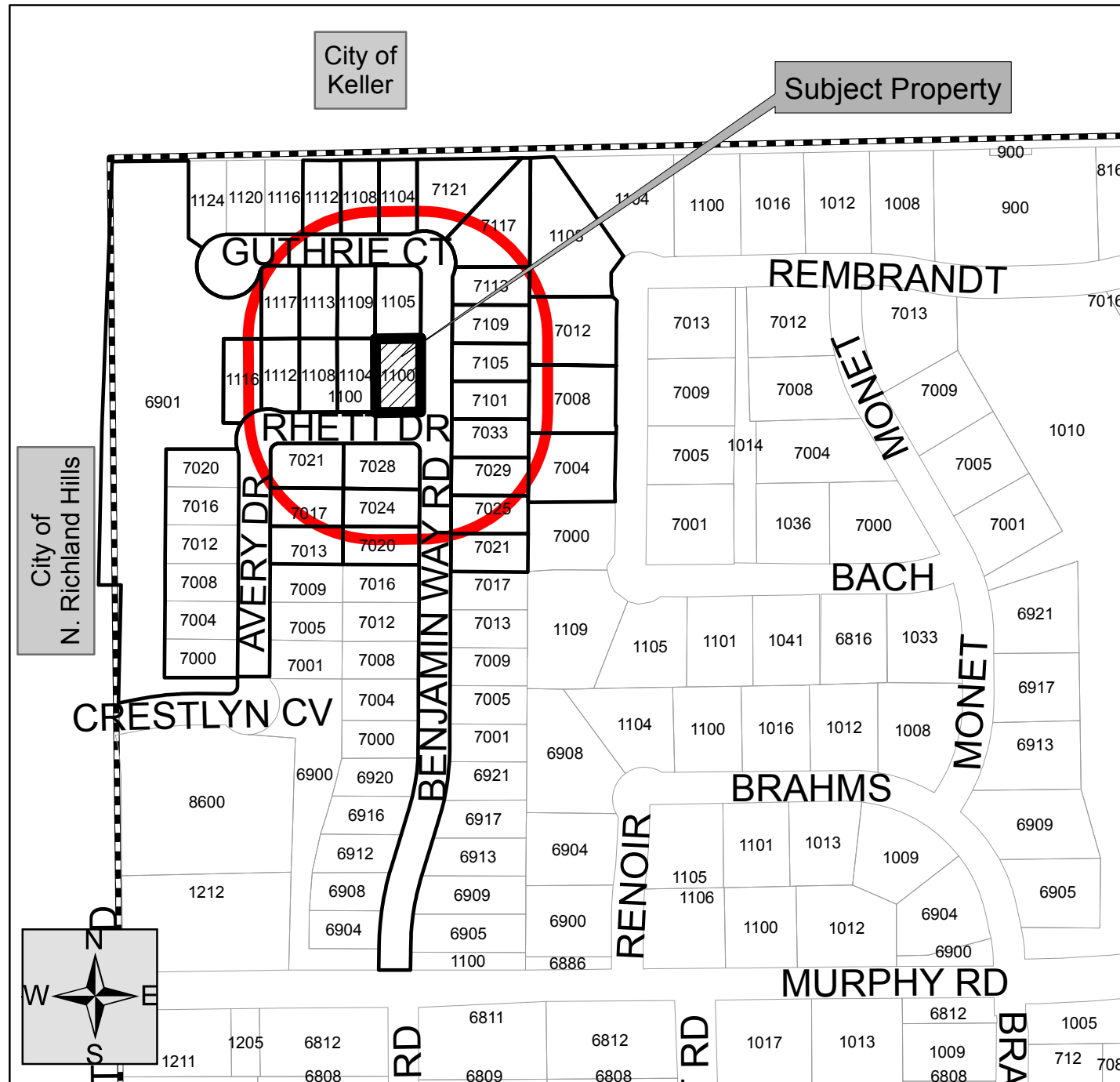
Aerial Map



Public Notification Map

Case VC15-009

1100 Rhett Drive



Legend

-  Properties within 200 feet
-  Subject Property
-  Parcels
-  City Limit



Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
LENNAR HOMES TEXAS LAND & CONS	1707 MARKET PL STE 280	IRVING	TEXAS	75063	1117 GUTHRIE CT
GUTHRIE, ROGER	759 BANDIT TR	KELLER	TEXAS	76248	1112 GUTHRIE CT
WINDSOR HOMES CUMBERLAND LLC	8214 WESTCHESTER DR STE 710	DALLAS	TEXAS	75225	7020 BENJAMIN WAY
TOLL DALLAS TX LLC	250 GIBRALTAR RD	HORSHAM	PENNSYLVANIA	19044	7004 BACH RD
KELLER ISD	350 KELLER PARKWAY	KELLER	TEXAS	76248	STATE LAW
CITY OF KELLER	PO BOX 770	KELLER	TEXAS	76244	COURTESY NOTICE
ASHLEY WILLIAMS	5750 GENESIS COURT, STE 200	FRISCO	TEXAS	75034	APPLICANT

Public hearing notices were mailed
Friday, August 21, 2015 by Taci
Wrisley

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: Somerset Manor
Project Address (Location): 1100 RHETT DR
Legal Description: SOMERSET MANOR BLK A LOT 31
Proposed Number of Lots: 1 Gross Acres: 8,050 SF Neighborhood District: 6
Existing Zoning: SF 0-08-1672 Proposed Zoning: N/A
Existing Use: SF 0-08-1672 Proposed Use: N/A

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: Ashley Williams Company: Kimley-Horn and Associates, Inc.
Address: 5750 Genesis Court, Ste. 200 Tel: 972-335-3580 Fax: 972-335-3779
City: Frisco State: TX ZIP: 75034 Email: ashley.williams@kimley-horn.com
Applicant's Status: (check one) ☐ Owner ☒ Representative ☐ Tenant ☐ Prospective Buyer

Property Owner: Alicia Schwarze Company: Village Builders
Address: 1707 Market Place Blvd. Tel: _____ Fax: _____
City: Irving State: TX ZIP: 75063 Email: _____
Ownership Status: (check one) ☐ Individual ☐ Trust ☐ Partnership ☒ Corporation

SIGNATURE OF APPLICANT (SIGN AND PRINT OR TYPE NAME)

SIGNATURE: Ashley Williams Date: 3/7/2015

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

SIGNATURE: Alicia Schwarze
(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.

For Departmental Use Only

Case #: _____

Total Fee(s): _____

Receipt #: _____

Date Submitted: _____

Accepted By: _____

Public Hearing Date: _____

Rev: 5/10

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. Per the Land Development Code (Chapter 3, Section 3.26, Subsection E, Part 2), the corner lot side yards are required to have a 15' setback for privacy fencing. We are requesting a variance to build a proposed 8' Cedar board-on-board fence along rear 35' of the side yard, 3 feet inside existing side property line.
2. Do similar conditions exist in the area? Explain. There are a total of 4 lots within Somerset Manor impacted by this requirement in the Land Development Code.
3. Describe how the unique conditions or circumstances do not result from your actions. During the development of the subdivision, some lots required a retaining wall along the rear and side property line due to existing topography. Allowing the future homeowner to construct the fence on the property line allows for consistency within the neighborhood.
4. Is there any way to do what you want without this request? No, at this time, we are not aware of a solution that does not result in the home owner losing privacy, height of fence, and/or usable backyard.

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.

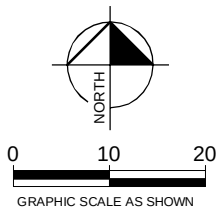
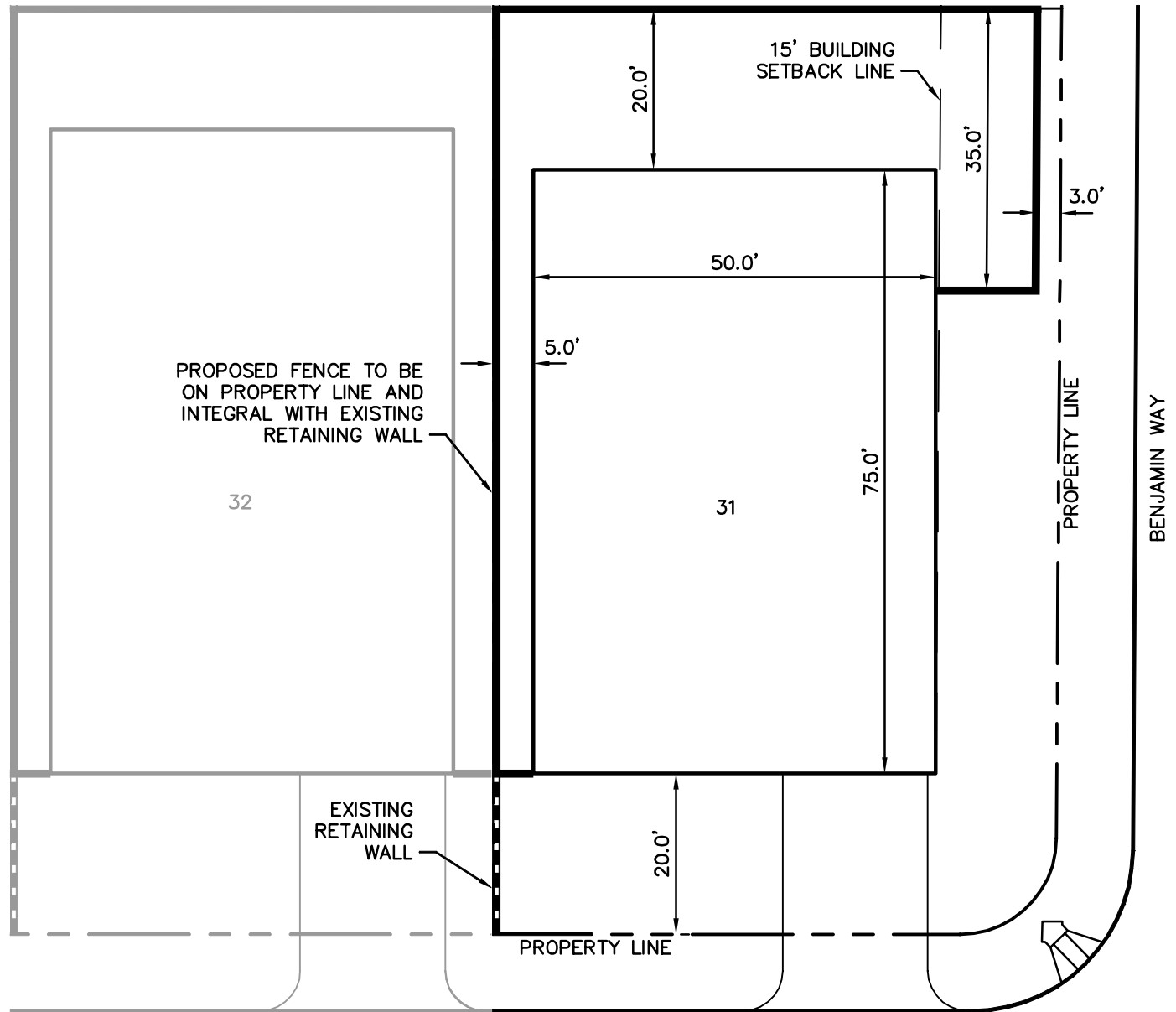
I reserve the right to withdraw this proposal at any time upon written request filed with the Community Development Department, and such withdrawal shall immediately stop all proceedings. I understand the filing fee is not refundable upon withdrawal of the proposal after public notice.

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 AW Date 8/7/2015

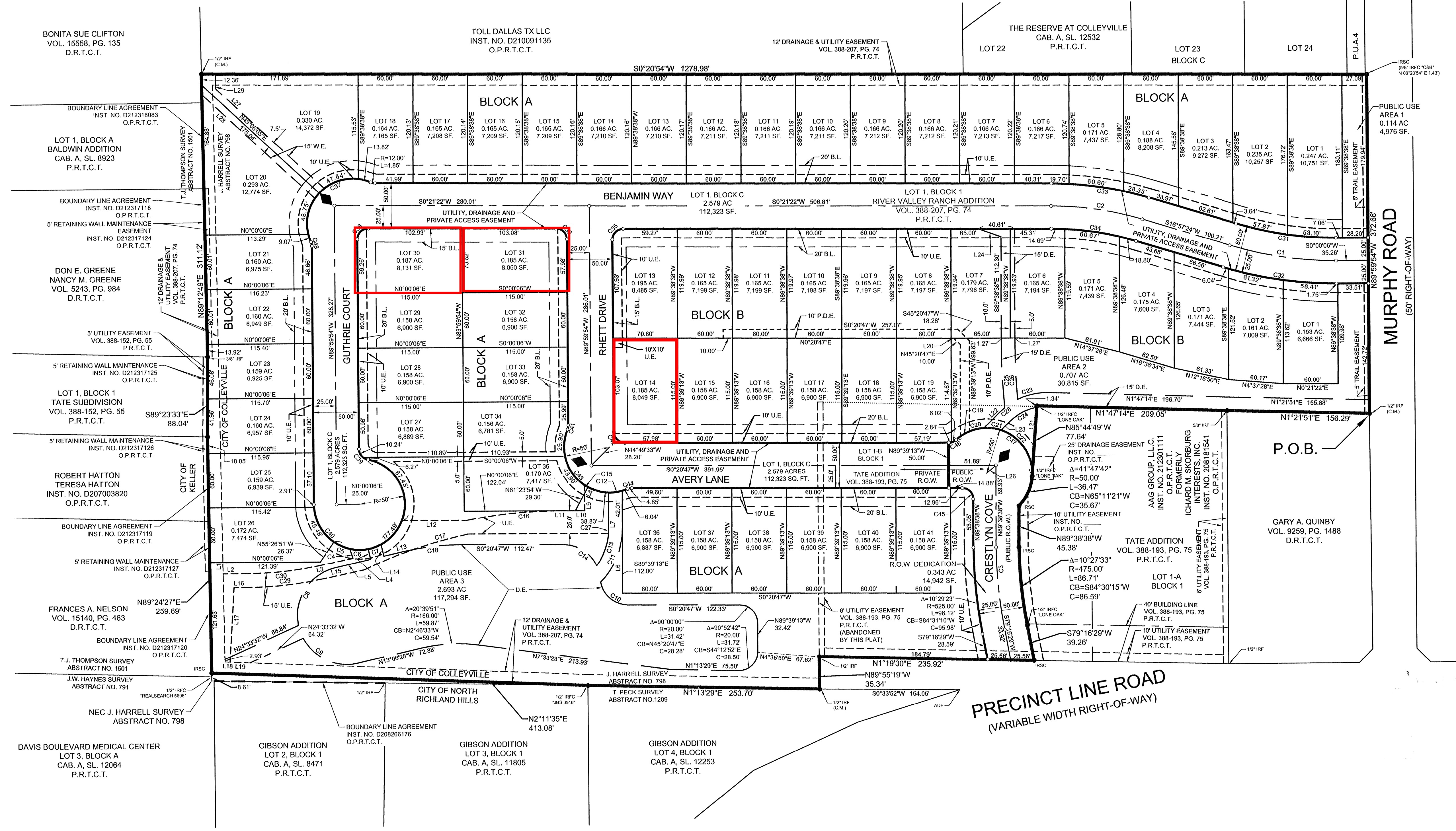
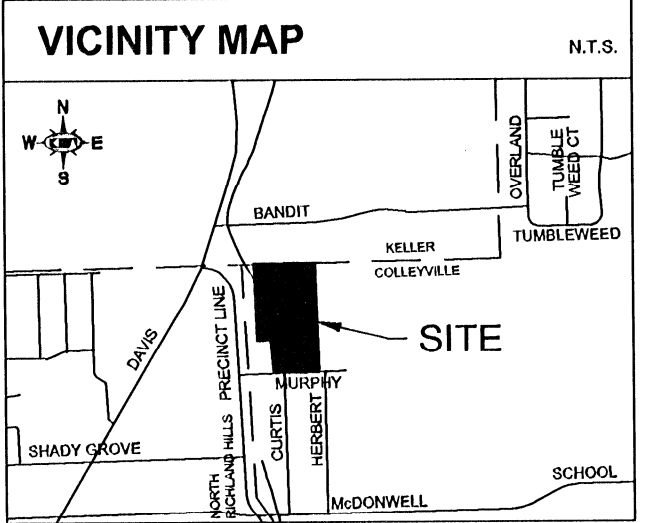
PROPOSED VARIANCE

8' CEDAR BOARD ON
BOARD FENCE LOCATED
3' INSIDE THE
PROPERTY LINE ON
SIDE YARDS ADJACENT
TO STREETS FOR 35'
OF THE REAR YARD



BLOCK A, LOT 31 FENCE
VARIANCE EXHIBIT

Kimley»Horn



CURVE TABLE					LINE TABLE		
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	BEARING
C1	16°57'18"	400.00'	118.37'	S08°28'45"W	117.94'	L1	N89°13'41"E
C2	16°36'02"	350.00'	101.41'	S08°39'23"E	101.05'	L2	S00°00'00"E
C3	10°28'30"	500.00'	91.41'	S04°30'44"W	91.28'	L3	S11°51'22"E
C4	1°13'58"	507.50'	10.92'	S72°31'20"W	10.92'	L4	N76°53'32"E
C5	21°51'43"	50.00'	19.08'	S23°37'18"W	18.96'	L5	S13°05'28"E
C6	23°11'01"	50.00'	20.23'	S01°05'56"W	20.09'	L6	S89°39'13"E
C7	17°21'06"	50.00'	15.14'	S19°10'07"E	15.08'	L7	N89°39'13"W
C8	88°19'59"	54.00'	83.25'	N57°16'27"W	75.25'	L8	S61°23'54"E
C9	75°38'09"	54.00'	71.29'	S24°42'37"W	66.22'	L9	N89°59'54"W
C10	80°13'09"	30.00'	42.00'	S40°27'22"W	38.68'	L10	N00°00'00"E
C11	44°45'08"	82.50'	64.44'	S67°16'39"E	62.81'	L11	N00°00'00"E
C12	17°24'20"	50.00'	15.19'	S07°11'49"E	15.13'	L12	N00°00'00"E
C13	38°17'01"	67.50'	42.75'	S71°30'42"E	42.03'	L13	S19°08'28"E
C14	64°37'01"	40.00'	45.11'	N32°39'22"E	42.76'	L14	N76°53'32"E
C15	4°46'01"	50.00'	4.16'	S30°59'07"W	4.16'	L15	S11°51'22"E
C16	11°23'35"	507.50'	100.91'	N05°41'47"W	100.75'	L16	N00°00'00"E
C17	14°01'21"	492.50'	120.53'	N18°41'33"W	120.23'	L17	N86°30'21"W
C18	13°27'15"	274.00'	64.34'	N08°22'50"W	64.19'	L18	N02°16'03"E
C19	13°06'16"	50.00'	11.44'	N28°27'28"W	11.41'	L19	N02°16'03"E
C20	18°46'44"	50.00'	16.39'	N12°30'54"W	16.32'	L20	N00°20'47"E
C21	21°46'01"	50.00'	19.00'	N07°45'30"E	18.88'	L21	S85°44'49"E
C22	75°16'16"	50.00'	65.69'	N56°16'38"E	61.06'	L22	S44°50'36"E
C23	27°40'14"	72.50'	35.01'	N12°02'53"W	34.67'	L23	S44°50'36"E
C24	34°13'43"	57.50'	34.35'	N27°43'45"W	33.84'	L24	N19°31'20"E
C25	5°41'43"	757.50'	75.30'	S87°30'30"W	75.27'	L25	S40°43'53"E
C26	5°05'52"	742.50'	66.06'	S87°48'26"W	66.04'	L26	S44°50'36"E
C27	3°55'15"	67.50'	4.62'	S87°41'35"E	4.62'	L27	S43°06'05"W
C28	5°33'37"	72.50'	7.04'	N42°03'48"W	7.03'	L28	N89°39'08"W
C29	11°51'22"	407.50'	84.32'	S05°55'41"E	84.17'	L29	N89°39'08"W
C30	11°51'22"	392.50'	81.22'	S05°55'41"E	81.07'		
C31	16°57'18"	375.00'	110.97'	S08°28'45"W	110.57'		
C32	16°57'18"	425.00'	125.77'	S08°28'45"W	125.31'		
C33	16°36'02"	375.00'	108.65'	N08°39'23"E	108.27'		
C34	16°36'02"	325.00'	94.16'	N08°39'23"E	93.84'		
C35	90°21'16"	12.00'	18.92'	N44°49'16"W	17.02'		
C36	89°38'44"	12.00'	18.78'	N45°10'44"E	16.92'		
C37	136°41'28"	50.00'	119.29'	N44°49'16"W	92.94'		
C38	90°21'16"	12.00'	18.92'	N44°49'16"W	17.02'		
C39	78°50'24"	12.00'	16.51'	S50°34'54"W	15.24'		
C40	258°50'24"	50.00'	225.88'	S39°25'06"E	77.25'		
C41	23°10'05"	12.00'	4.85'	S78°24'52"E	4.82'		
C42	89°39'15"	12.00'	18.78'	S45°10'27"W	16.92'		
C43	135°59'20"	50.00'	118.67'	S45°10'27"W	92.72'		
C44	23°10'05"	12.00'	4.85'	N11°14'15"W	4.82'		
C45	90°03'35"	12.00'	18.85'	N45°21'05"E	16.97'		
C46	42°19'36"	12.00'	8.86'	S20°49'01"E	8.66'		
C47	135°53'35"	50.00'	118.59'	N25°5'59"E	92.68'		
C48	23°10'05"	12.00'	4.85'	N78°25'04"E	4.82'		

PRECINCT LINE ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)

LEGEND	
BOUNDARY	---
BUILDING SETBACK	---
DRAINAGE EASEMENT	---
EXISTING EASEMENT	---
PRIVATE DRAINAGE EASEMENT	---
UTILITY EASEMENT	---
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
P.D.E.	PRIVATE DRAINAGE EASEMENT
D.D.E.	DRAINAGE AND DETENTION EASEMENT
W.E.	WATER EASEMENT
P.O.B.	POINT OF BEGINNING
VOL.	VOLUME
PG.	PAGE
AC.	ACRES
SF.	SQUARE FEET
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY TEXAS
D.R.T.C.T.	DEED RECORDS OF TARRANT COUNTY TEXAS
P.R.T.C.T.	PLAT RECORDS OF TARRANT COUNTY TEXAS

NOTES:

The bearing system of this survey is based on a bearing of North 89°59'54" West, for the north right-of-way line of Murphy Drive according to the plat of River Valley Ranch Addition, an addition to the City of Colleyville, Texas according to the plat recorded in Volume 388-207, Page 74, Official Public Records of Tarrant County, Texas.

The City will maintain water and sanitary sewer lines located in the utility, drainage, and private access easement dedicated to the City by this plat.

◆ Denotes street name change.

Fire Protection is required for Lots 15-30, Block A.

All streets are required to be installed and accepted prior to construction above any foundation with the exception of Lots 1-2, Block A and Lots 1-2, Block B.

All lot corners will be monumented with a 5/8" iron rod with plastic cap stamped "KHA" upon completion of street construction.

Front yard set back may be reduced to a 15' Building Line when utilizing a Swing Garage.

OWNER:
LENNAR HOMES
1707 MARKET PLACE BLVD.
IRVING, TEXAS 75063
PH: 469.578.5206
CONTACT: DAVID AUGHINBAUGH

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH: 972.770.1300
CONTACT: JAMIE PLOETZNER
jamie.ploetznier@kimley-horn.com

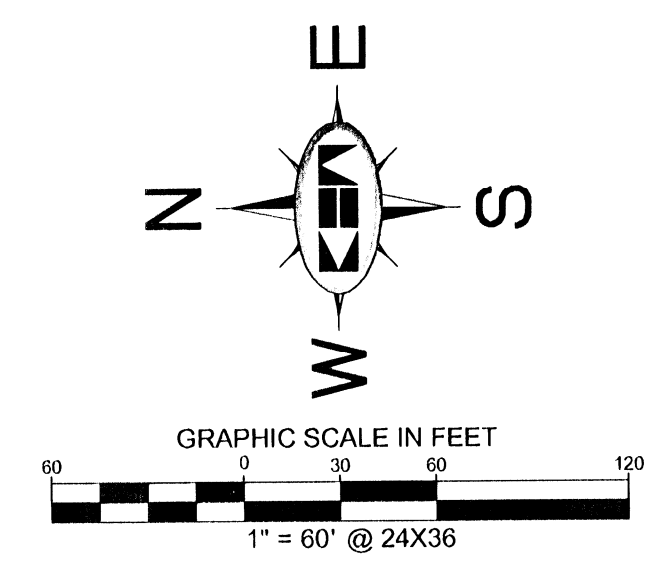
SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH: 972.770.1300
DANA BROWN
dana.brown@kimley-horn.com

FINAL PLAT
SOMERSET MANOR
BEING A REPLAT OF PART OF LOT 1, BLOCK 1
RIVER VALLEY RANCH ADDITION
AND
PART OF LOT 1-B, BLOCK 1
TATE ADDITION
AND BEING 16.845 ACRES
J. HARRELL SURVEY
ABSTRACT NO. 798
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS



**Kimley-Horn
and Associates, Inc.**
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
Tel. No. (972) 770-1300
Fax No. (972) 239-3620

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SRD	DAB	FEB. 2013	063451006	1 OF 2



Alternative Fence Options



Alternative Fence Options

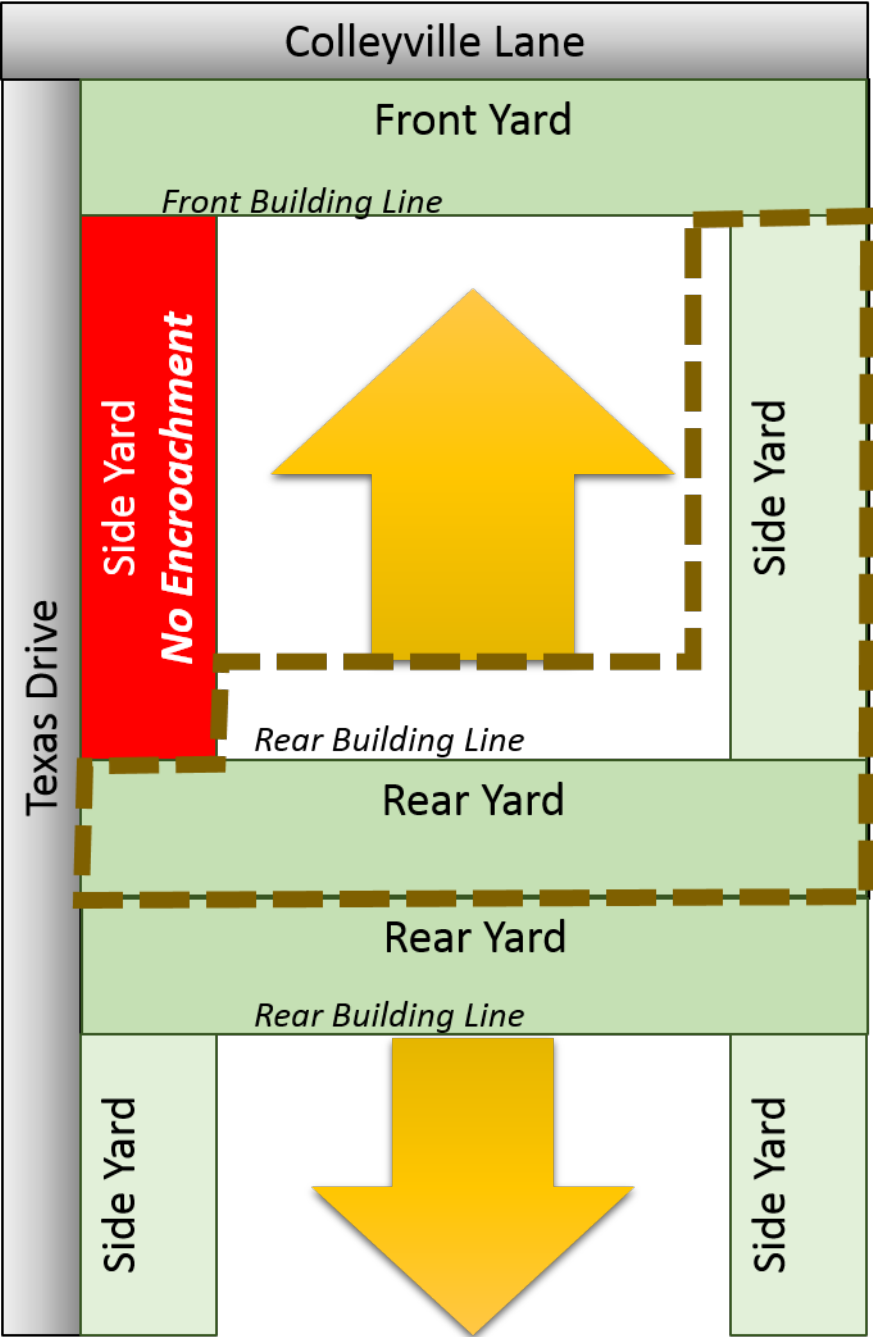


Alternative Fence Options



Alternative Fence Options







City of Colleyville Zoning Board of Adjustment Agenda Briefing

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

Agenda Number 2d	Agenda Date 09/08/2015	Number
Type Public Hearing Agenda Items		
Department Zoning Board of Adjustment		

Title

Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 30, Block A, of the Somerset Manor Addition, located at 1105 Guthrie Drive, Case VC15-010

Explanation

The applicant, Ashley Williams with Kimley-Horn and Associates, Inc., is requesting a variance to the requirements for fences in the Land Development Code, located at 1105 Guthrie Court (Lot 30, Block A of the Somerset Manor Addition). The proposed fence variance is one of three fence variances being considered concurrently for the same subdivision.

Existing Conditions and Zoning. The subject property is zoned "PUDR" – Planned Unit Development Residential District (Ordinance No. O-08-1672) and has an existing single family home within the Somerset Manor Addition. It is surrounded by the same PUDR zoning on all sides, and all surrounding properties are developed with single family residential homes (future construction, under construction, or completed).

Proposed Development. The applicant is proposing to install a fence on the subject property to enclose the residential yard. The applicant is requesting a variance because the proposed location of the fence does not meet the requirements of the Land Development Code.

Land Development Code. Section 3.26 E(2) states:

"E. Fence and Free Standing Wall Setback Requirements

...

2. Corner Side Yards: Except where allowed elsewhere in this chapter, fences and walls within a required side yard adjacent to a street right of way shall meet the following setback standards:

A privacy fence or wall (which shall be defined as any fence or wall greater than thirty inches (30") in height or greater than 25 percent opaque construction) within a required street side yard shall be subject to whichever of the following provisions a) through d) shall yield the greatest setback:

a. If the subject lot has a street side yard which faces a dwelling front or lot

front across the side street, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the property line, except on any lot having either a required side yard less than fifteen (15') feet or an existing primary structure setback less than fifteen (15') feet, then the fence or wall may be constructed with the same setback as the primary structure; or

b. If the subject lot backs to the rear of another residential lot, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the side property line; or

c. If the subject lot backs to the side of another residential lot, the side yard privacy fence or wall shall be located not closer to the side property line than the required front setback of the adjoining lot; or..."

The existing home fronts on Guthrie Court, and the subject lot backs to the rear of another residential lot to the south (so it falls under letter "b" above). This requirement's interpretation is illustrated by the attached exhibit ("LDC Requirement Illustration") created by staff for reference. The proposed fence is eight feet tall and cedar board-on-board material.

Requested Variance. The applicant is requesting to install a fence along the west, south, and east sides of the subject property. The portion of the fence that is along the eastern side of the subject property, adjacent to Benjamin Way, is required to be set back 15 feet from the western property line where the fence is not within the rear yard. Instead of the required 15-foot setback, the applicant is proposing to provide the fence three feet from the eastern property line (see attached Site Plan exhibit). There is no retaining wall on the eastern side of the lot contributing to the variance request.

Public Notification. Staff mailed notices to three property owners within 200 feet of the site, in addition to courtesy notices to the applicant, Keller ISD, and City of Keller, and no responses have been received as of the time of this writing.

Summary. No hardship as defined by the Land Development Code has been demonstrated by the applicant, and no unique site characteristics have been described. As such, staff recommends denial of the proposed fence variance.

Recommendation

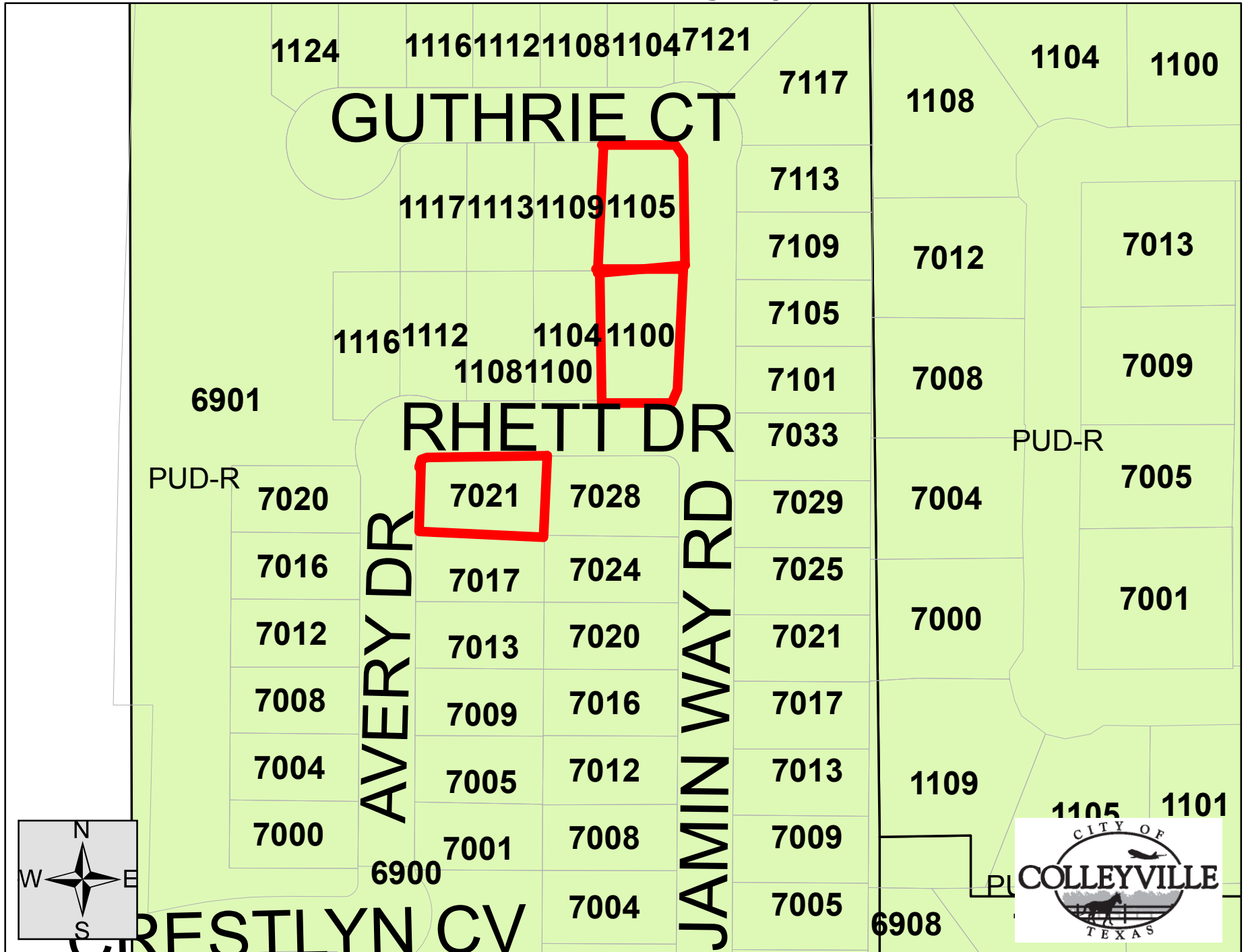
Denial

Attachments

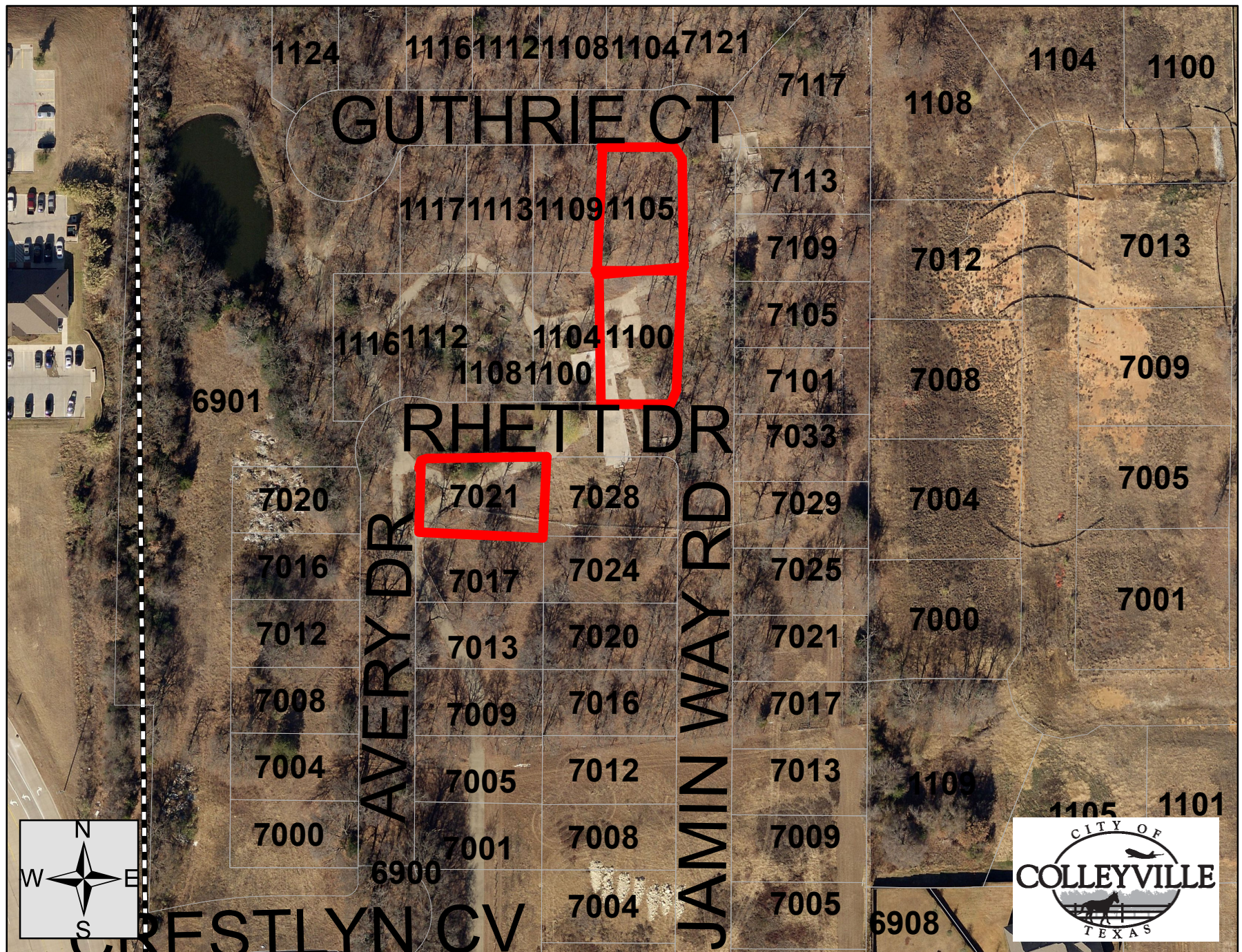
1. Location and Zoning Map
2. Aerial Map
3. Public Notification Map
4. Public Notification List

5. Application (2 Pages)
6. Site Plan by Applicant
7. Plat Exhibit by Applicant
8. Photo Exhibit by Applicant (4 Pages)
9. LDC Requirement Illustration

Location and Zoning Map



Aerial Map



Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
LENNAR HOMES TEXAS LAND & CONS	1707 MARKET PL STE 280	IRVING	TEXAS	75063	1117 GUTHRIE CT
GUTHRIE, ROGER	759 BANDIT TR	KELLER	TEXAS	76248	1112 GUTHRIE CT
TOLL DALLAS TX LLC	250 GIBRALTAR RD	HORSHAM	PENNSYLVANIA	19044	7008 BACH RD
KELLER ISD	350 KELLER PARKWAY	KELLER	TEXAS	76248	STATE LAW
CITY OF KELLER	PO BOX 770	KELLER	TEXAS	76244	COURTESY NOTICE
ASHLEY WILLIAMS	5750 GENESIS COURT, STE 200	FRISCO	TEXAS	75034	APPLICANT

Public hearing notices were mailed Friday,
August 21, 2015 by Taci Wrisley

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: Somerset Manor
Project Address (Location): 1105 GUTHRIE CT
Legal Description: SOMERSET MANOR BLOCK A LOT 30
Proposed Number of Lots: 1 Gross Acres: 8,131 SF Neighborhood District: 6
Existing Zoning: SF 0-08-1672 Proposed Zoning: N/A
Existing Use: SF 0-08-1672 Proposed Use: N/A

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: Ashley Williams Company: Kimley-Horn and Associates, Inc.
Address: 5750 Genesis Court, Ste. 200 Tel: 972-335-3580 Fax: 972-335-3779
City: Frisco State: TX ZIP: 75034 Email: ashley.williams@kimley-horn.com
Applicant's Status: (check one) ☐ Owner ☒ Representative ☐ Tenant ☐ Prospective Buyer

Property Owner: MOHIT PATEL Company: _____
Address: 1105 Guthrie Court Tel: (805) 789-1642 Fax: _____
City: COLLEYVILLE State: TX ZIP: 76034 Email: mohit727@gmail.com
Ownership Status: (check one) ☒ Individual ☐ Trust ☐ Partnership ☐ Corporation

SIGNATURE OF APPLICANT (SIGN AND PRINT OR TYPE NAME)

SIGNATURE: Ashley Williams Date: 8/7/2015

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

SIGNATURE: M Patel X MOHIT PATEL
(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 #: _____

Total Fee(s): _____

Receipt #: _____

Date Submitted: _____

Accepted By: _____

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. Per the Land Development Code (Chapter 3, Section 3.26, Subsection E, Part 2), the corner lot side yards are required to have a 15' setback for privacy fencing. We are requesting a variance to build a proposed 8' Cedar board-on-board fence along rear 35' of the side yard, 3 feet inside existing side property line.
2. Do similar conditions exist in the area? Explain. There are a total of 4 lots within Somerset Manor impacted by this requirement in the Land Development Code.
3. Describe how the unique conditions or circumstances do not result from your actions. During the development of the subdivision, some lots required a retaining wall along the rear and side property line due to existing topography. Allowing the future homeowner to construct the fence on the property line allows for consistency within the neighborhood.
4. Is there any way to do what you want without this request? No, at this time, we are not aware of a solution that does not result in the home owner losing privacy, height of fence, and/or usable backyard.

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.

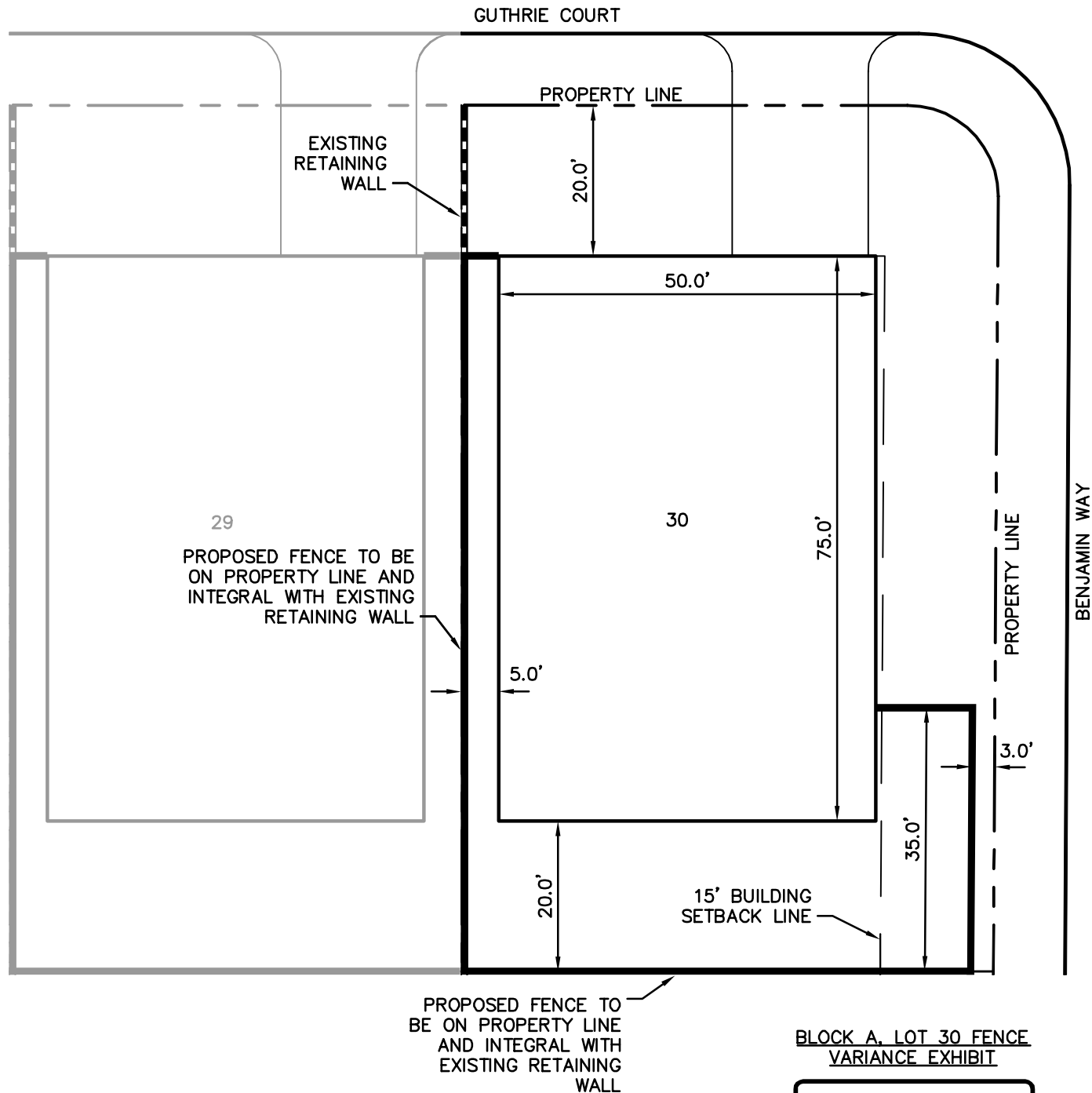
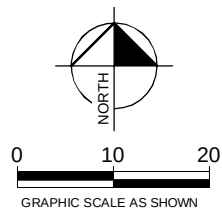
I reserve the right to withdraw this proposal at any time upon written request filed with the Community Development Department, and such withdrawal shall immediately stop all proceedings. I understand the filing fee is not refundable upon withdrawal of the proposal after public notice.

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 AW Date 8/7/2015

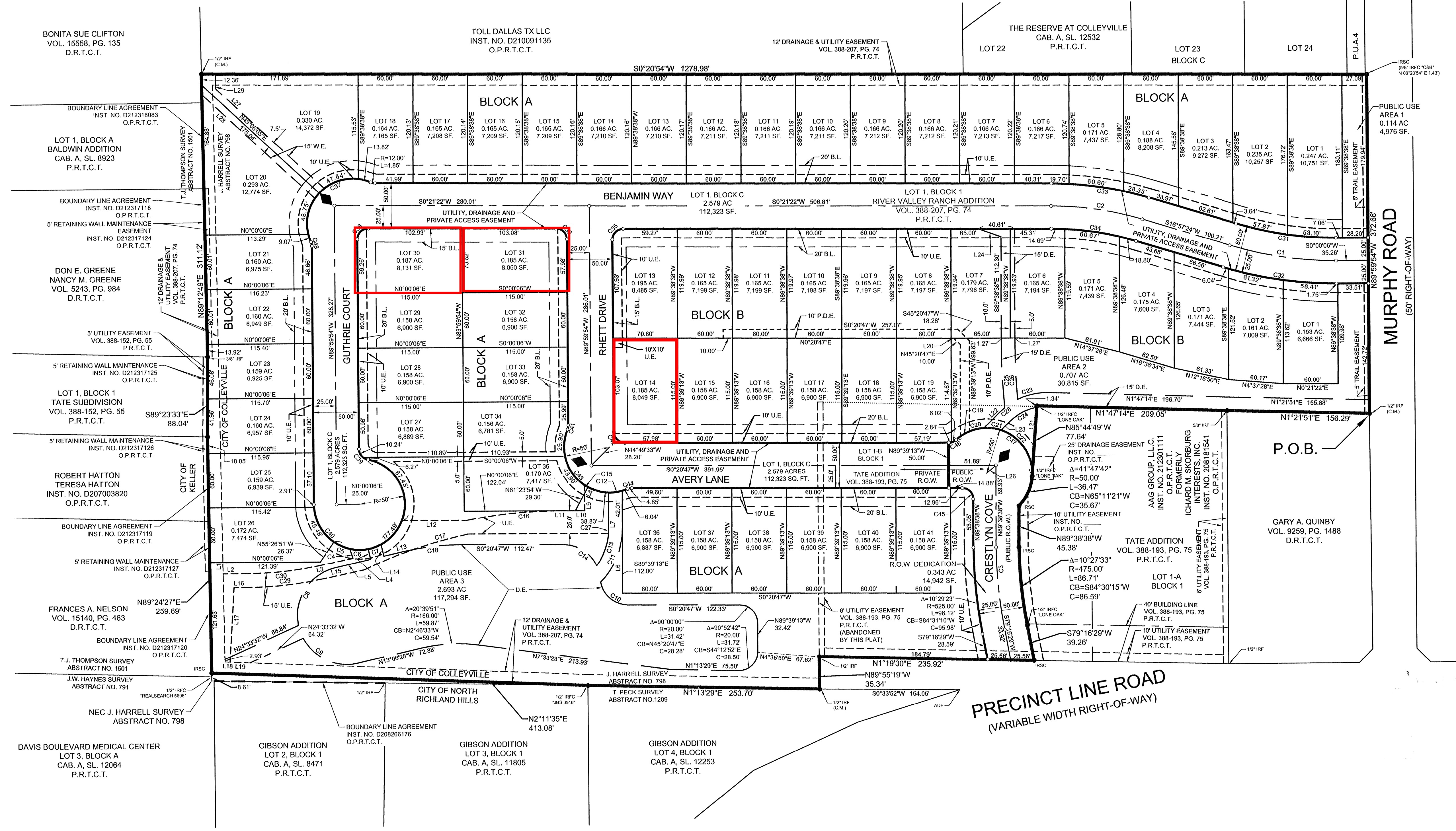
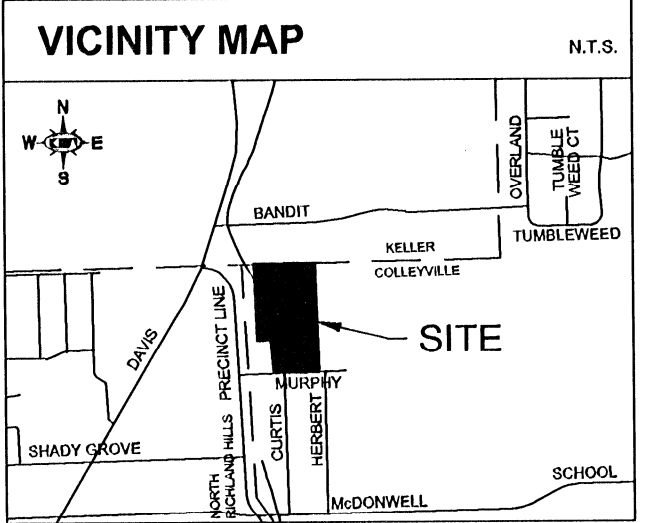
PROPOSED VARIANCE

8' CEDAR BOARD ON
BOARD FENCE LOCATED
3' INSIDE THE
PROPERTY LINE ON
SIDE YARDS ADJACENT
TO STREETS FOR 35'
OF THE REAR YARD

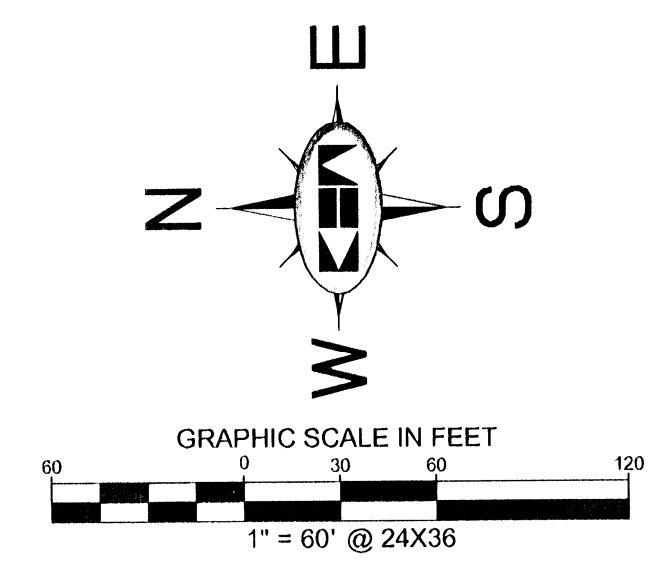


BLOCK A, LOT 30 FENCE
VARIANCE EXHIBIT

Kimley»Horn



CURVE TABLE					LINE TABLE		
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	BEARING
C1	16°57'18"	400.00'	118.37'	S08°28'45"W	117.94'	L1	N89°13'41"E
C2	16°36'02"	350.00'	101.41'	S08°39'23"E	101.05'	L2	S00°00'00"E
C3	10°28'30"	500.00'	91.41'	S04°30'44"W	91.28'	L3	S11°51'22"E
C4	1°13'58"	507.50'	10.92'	S72°31'20"W	10.92'	L4	N76°53'32"E
C5	21°51'43"	50.00'	19.08'	S23°37'18"W	18.96'	L5	S13°05'28"E
C6	23°11'01"	50.00'	20.23'	S01°05'56"W	20.09'	L6	S89°39'13"E
C7	17°21'06"	50.00'	15.14'	S19°10'07"E	15.08'	L7	N89°39'13"W
C8	88°19'59"	54.00'	83.25'	N57°16'27"W	75.25'	L8	S61°23'54"E
C9	75°38'09"	54.00'	71.29'	S24°42'37"W	66.22'	L9	N89°59'54"W
C10	80°13'09"	30.00'	42.00'	S40°27'22"W	38.68'	L10	N00°00'00"E
C11	44°45'08"	82.50'	64.44'	S67°16'39"E	62.81'	L11	N00°00'00"E
C12	17°24'20"	50.00'	15.19'	S07°11'49"E	15.13'	L12	N00°00'00"E
C13	38°17'01"	67.50'	42.75'	S71°30'42"E	42.03'	L13	S19°08'28"E
C14	64°37'01"	40.00'	45.11'	N32°39'22"E	42.76'	L14	N76°53'32"E
C15	4°46'01"	50.00'	4.16'	S30°59'07"W	4.16'	L15	S11°51'22"E
C16	11°23'35"	507.50'	100.91'	N05°41'47"W	100.75'	L16	N00°00'00"E
C17	14°01'21"	492.50'	120.53'	N18°41'33"W	120.23'	L17	N86°30'21"W
C18	13°27'15"	274.00'	64.34'	N08°22'50"W	64.19'	L18	N02°16'03"E
C19	13°06'16"	50.00'	11.44'	N28°27'28"W	11.41'	L19	N02°16'03"E
C20	18°46'44"	50.00'	16.39'	N12°30'54"W	16.32'	L20	N00°20'47"E
C21	21°46'01"	50.00'	19.00'	N07°45'30"E	18.88'	L21	S85°44'49"E
C22	75°16'16"	50.00'	65.69'	N56°16'38"E	61.06'	L22	S44°50'36"E
C23	27°40'14"	72.50'	35.01'	N12°02'53"W	34.67'	L23	S44°50'36"E
C24	34°13'43"	57.50'	34.35'	N27°43'45"W	33.84'	L24	N19°31'20"E
C25	5°41'43"	757.50'	75.30'	S87°30'30"W	75.27'	L25	S40°43'53"E
C26	5°05'52"	742.50'	66.06'	S87°48'26"W	66.04'	L26	S44°50'36"E
C27	3°55'15"	67.50'	4.62'	S87°41'35"E	4.62'	L27	S43°06'05"W
C28	5°33'37"	72.50'	7.04'	N42°03'48"W	7.03'	L28	N89°39'08"W
C29	11°51'22"	407.50'	84.32'	S05°55'41"E	84.17'	L29	N89°39'08"W
C30	11°51'22"	392.50'	81.22'	S05°55'41"E	81.07'		
C31	16°57'18"	375.00'	110.97'	S08°28'45"W	110.57'		
C32	16°57'18"	425.00'	125.77'	S08°28'45"W	125.31'		
C33	16°36'02"	375.00'	108.65'	N08°39'23"E	108.27'		
C34	16°36'02"	325.00'	94.16'	N08°39'23"E	93.84'		
C35	90°21'16"	12.00'	18.92'	N44°49'16"W	17.02'		
C36	89°38'44"	12.00'	18.78'	N45°10'44"E	16.92'		
C37	136°41'28"	50.00'	119.29'	N44°49'16"W	92.94'		
C38	90°21'16"	12.00'	18.92'	N44°49'16"W	17.02'		
C39	78°50'24"	12.00'	16.51'	S50°34'54"W	15.24'		
C40	268°50'24"	50.00'	225.88'	S39°25'06"E	77.25'		
C41	23°10'05"	12.00'	4.85'	S78°24'52"E	4.82'		
C42	89°39'15"	12.00'	18.78'	S45°10'27"W	16.92'		
C43	135°59'20"	50.00'	118.67'	S45°10'27"W	92.72'		
C44	23°10'05"	12.00'	4.85'	N11°14'15"W	4.82'		
C45	90°03'35"	12.00'	18.85'	N45°21'05"E	16.97'		
C46	42°19'36"	12.00'	8.86'	S20°49'01"E	8.66'		
C47	135°53'35"	50.00'	118.59'	N25°5'59"E	92.68'		
C48	23°10'05"	12.00'	4.85'	N78°25'04"E	4.82'		



NOTES:

The bearing system of this survey is based on a bearing of North 89°59'54" West, for the north right-of-way line of Murphy Drive according to the plat of River Valley Ranch Addition, an addition to the City of Colleyville, Texas according to the plat recorded in Volume 388-207, Page 74, Official Public Records of Tarrant County, Texas.

The City will maintain water and sanitary sewer lines located in the utility, drainage, and private access easement dedicated to the City by this plat.

◆ Denotes street name change.

Fire Protection is required for Lots 15-30, Block A.

All streets are required to be installed and accepted prior to construction above any foundation with the exception of Lots 1-2, Block A and Lots 1-2, Block B.

All lot corners will be monumented with a 5/8" iron rod with plastic cap stamped "KHA" upon completion of street construction.

Front yard set back may be reduced to a 15' Building Line when utilizing a Swing Garage.

LEGEND	
BOUNDARY	—
BUILDING SETBACK	—
DRAINAGE EASEMENT	—
EXISTING EASEMENT	—
PRIVATE DRAINAGE EASEMENT	—
UTILITY EASEMENT	—
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
P.D.E.	PRIVATE DRAINAGE EASEMENT
D.D.E.	DRAINAGE AND DETENTION EASEMENT
W.E.	WATER EASEMENT
P.O.B.	POINT OF BEGINNING
VOL.	VOLUME
PG.	PAGE
AC.	ACRES
SF.	SQUARE FEET
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY TEXAS
D.R.T.C.T.	DEED RECORDS OF TARRANT COUNTY TEXAS
P.R.T.C.T.	PLAT RECORDS OF TARRANT COUNTY TEXAS

OWNER:
LENNAR HOMES
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CONTACT: DAVID AUGHINBAUGH

ENGINEER:
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12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH: 972.770.1300
CONTACT: JAMIE PLOETZNER
jamie.ploetznier@kimley-horn.com

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PH: 972.770.1300
DANA BROWN
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FINAL PLAT
SOMERSET MANOR
BEING A REPLAT OF PART OF LOT 1, BLOCK 1
RIVER VALLEY RANCH ADDITION
AND
PART OF LOT 1-B, BLOCK 1
TATE ADDITION
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J. HARRELL SURVEY
ABSTRACT NO. 798
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS



Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SRD	DAB	FEB. 2013	063451006	1 OF 2

Alternative Fence Options



Alternative Fence Options

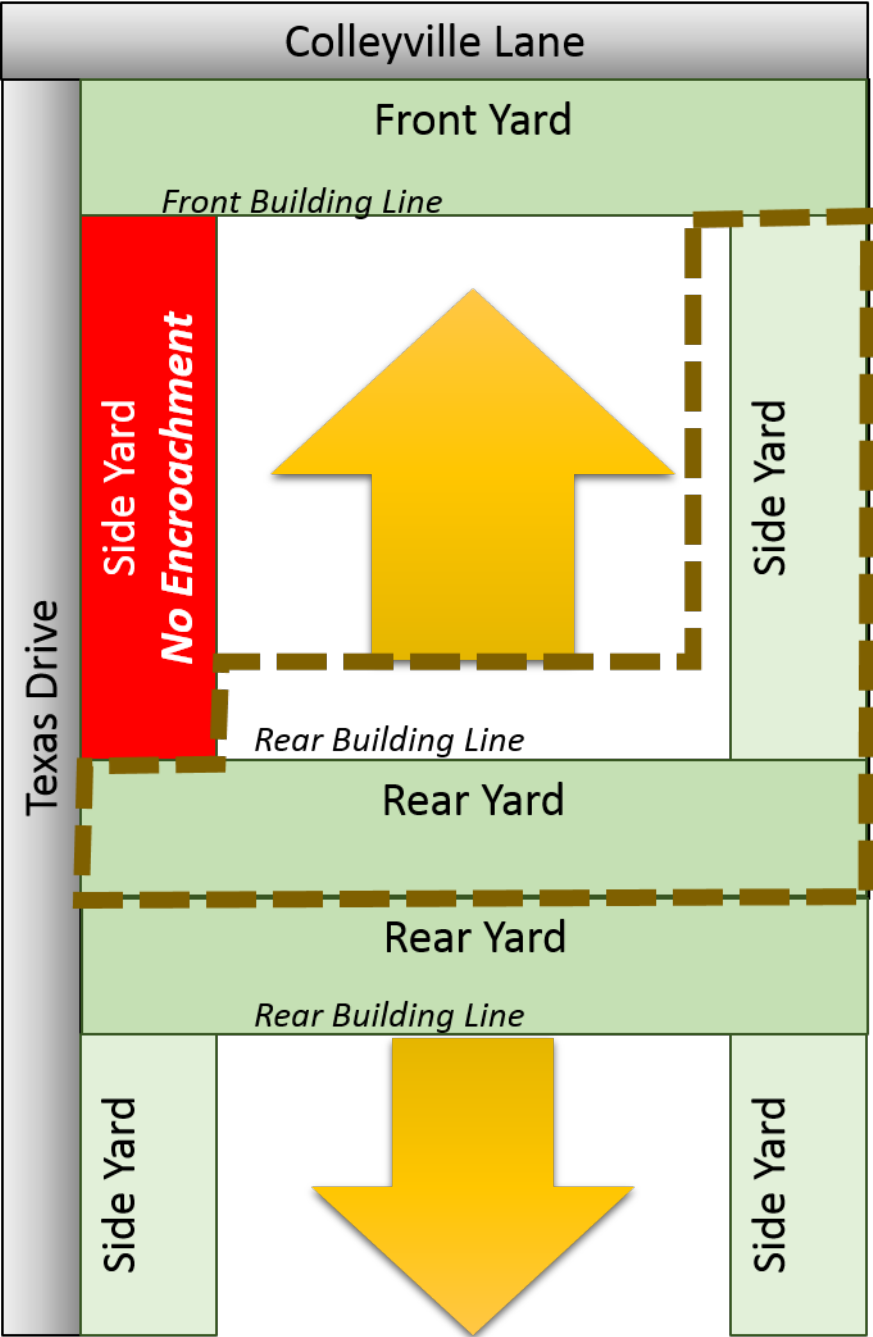


Alternative Fence Options



Alternative Fence Options







City of Colleyville Zoning Board of Adjustment Agenda Briefing

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

Agenda Number 2e	Agenda Date 09/08/2015	Number
Type Public Hearing Agenda Items		
Department Zoning Board of Adjustment		

Title

Request for a variance to certain provisions of Section 3.26 Fences, Free Standing Walls, and Screening Materials of the Land Development Code on Lot 14, Block B, of the Somerset Manor Addition, located at 7021 Avery Lane, Case VC15-011

Explanation

The applicant, Ashley Williams with Kimley-Horn and Associates, Inc., is requesting a variance to the requirements for fences in the Land Development Code, located at 7021 Avery Lane (Lot 14, Block B of the Somerset Manor Addition). The proposed fence variance is one of three fence variances being considered concurrently for the same subdivision.

Existing Conditions and Zoning. The subject property is zoned "PUDR" – Planned Unit Development Residential District (Ordinance No. O-08-1672) and has an existing single family home under construction within the Somerset Manor Addition. It is surrounded by the same PUDR zoning on all sides, and all surrounding properties are developed with single family residential homes (future construction, under construction, or completed).

Proposed Development. The applicant is proposing to install a fence on the subject property to enclose the residential yard. The applicant is requesting a variance because the proposed location of the fence does not meet the requirements of the Land Development Code.

Land Development Code. Section 3.26 E(2) states:

"E. Fence and Free Standing Wall Setback Requirements

...

2. Corner Side Yards: Except where allowed elsewhere in this chapter, fences and walls within a required side yard adjacent to a street right of way shall meet the following setback standards:

A privacy fence or wall (which shall be defined as any fence or wall greater than thirty inches (30") in height or greater than 25 percent opaque construction) within a required street side yard shall be subject to whichever of the following provisions a) through d) shall yield the greatest setback:

- a. If the subject lot has a street side yard which faces a dwelling front or lot front across the side street, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the property line, except on any lot having either a required side yard less than fifteen (15') feet or an existing primary structure setback less than fifteen (15') feet, then the fence or wall may be constructed with the same setback as the primary structure; or
- b. If the subject lot backs to the rear of another residential lot, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the side property line; or
- c. If the subject lot backs to the side of another residential lot, the side yard privacy fence or wall shall be located not closer to the side property line than the required front setback of the adjoining lot; or..."

The existing home fronts on Avery Lane, and the subject lot backs to the rear of another residential lot to the south (so it falls under letter "b" above). This requirement's interpretation is illustrated by the attached exhibit ("LDC Requirement Illustration") created by staff for reference. The proposed fence is eight feet tall and cedar board-on-board material. The fence is proposed to be installed on top of a four-foot retaining wall along Rhett Drive that is all or partially below grade, but the applicant has not stated how that is a hardship necessitating the proposed variance.

Requested Variance. The applicant is requesting to install a fence along the west, south, and east sides of the subject property. The portion of the fence that is along the eastern side of the subject property, adjacent to Benjamin Way, is required to be set back 15 feet from the western property line where the fence is not within the rear yard. Instead of the required 15-foot setback, the applicant is proposing to provide the fence three feet from the eastern property line (see attached Site Plan exhibit).

Public Notification. Staff mailed notices to three property owners within 200 feet of the site, in addition to courtesy notices to the applicant, Keller ISD, and City of Keller, and no responses have been received as of the time of this writing.

Summary. No hardship as defined by the Land Development Code has been demonstrated by the applicant, and no unique site characteristics have been described. As such, staff recommends denial of the proposed fence variance.

Recommendation

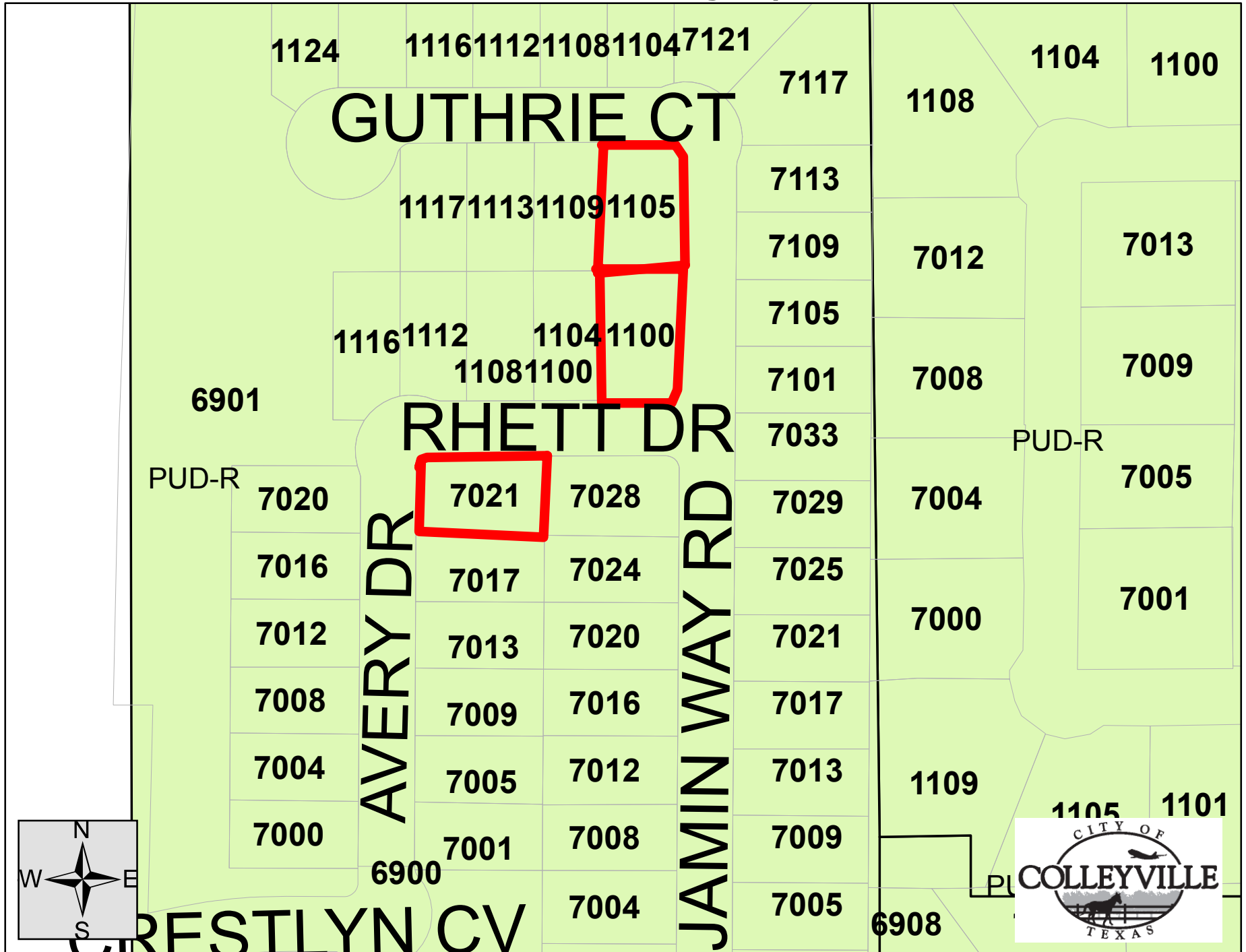
Denial

Attachments

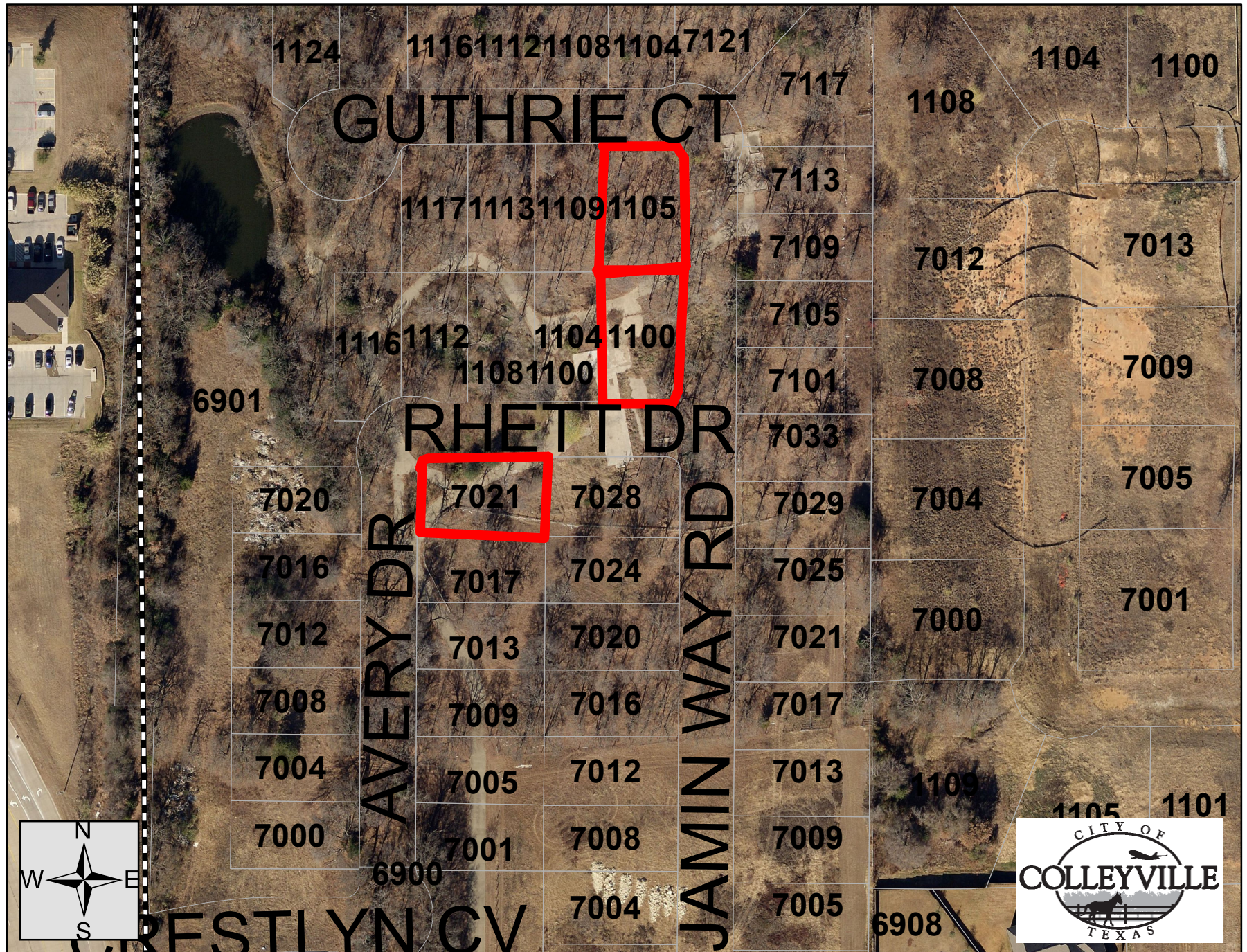
1. Location and Zoning Map
2. Aerial Map
3. Public Notification Map

4. Public Notification List
5. Application (2 Pages)
6. Site Plan by Applicant
7. Plat Exhibit by Applicant
8. Photo Exhibit by Applicant (4 Pages)
9. LDC Requirement Illustration

Location and Zoning Map



Aerial Map



7021 Avery Drive



Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
LENNAR HOMES TEXAS LAND & CONS	1707 MARKET PL STE 280	IRVING	TEXAS	75063	7004 AVERY LN
WINDSOR HOMES CUMBERLAND LLC	8214 WESTCHESTER DR STE 710	DALLAS	TEXAS	75225	7020 BENJAMIN WAY
FURGERSON, DAVID	7016 BENJAMIN WAY	COLLEYVILLE	TEXAS	76034	7016 BENJAMIN WAY
KELLER ISD	350 KELLER PARKWAY	KELLER	TEXAS	76248	STATE LAW
ASHLEY WILLIAMS	5750 GENESIS COURT, STE 200	FRISCO	TEXAS	75034	APPLICANT

Public hearing notices were mailed Friday,
August 21, 2015 by Taci Wrisley

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: Somerset Manor

Project Address (Location): 7021 AVERY LN

Legal Description: SOMERSET MANOR BLK B LOT 14

Proposed Number of Lots: 1 Gross Acres: 8,049 SF Neighborhood District: 6

Existing Zoning: SF 0-08-1672 Proposed Zoning: N/A

Existing Use: SF 0-08-1672 Proposed Use: N/A

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: Ashley Williams Company: Kimley-Horn and Associates, Inc.

Address: 5750 Genesis Court, Ste. 200 Tel: 972-335-3580 Fax: 972-335-3779

City: Frisco State: TX ZIP: 75034 Email: ashley.williams@kimley-horn.com

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

Property Owner: Alicia Schwarze Company: Village Builders

Address: 1707 Market Place Blvd. Tel: _____ Fax: _____

City: Irving State: TX ZIP: 75063 Email: _____

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

SIGNATURE OF APPLICANT (SIGN AND PRINT OR TYPE NAME)

SIGNATURE: Ashley Williams Date: 8/7/2015

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

SIGNATURE: Alicia Schwarze
(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 #: _____

Total Fee(s): _____

Receipt #: _____

Date Submitted: _____

Accepted By: _____

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. Per the Land Development Code (Chapter 3, Section 3.26, Subsection E, Part 2), the corner lot side yards are required to have a 15' setback for privacy fencing. We are requesting a variance to build a proposed 8' Cedar board-on-board fence along rear 35' of the side yard as an integral part of the existing retaining wall.

2. Do similar conditions exist in the area? Explain. There are a total of 4 lots within Somerset Manor impacted by this requirement in the Land Development Code.

3. Describe how the unique conditions or circumstances do not result from your actions. During the development of the subdivision, the lot required a retaining wall along the rear and side property line due to existing topography. Allowing the future homeowner to construct the fence on the property line provides a safer solution and solves the potential maintenance issue.

4. Is there any way to do what you want without this request? No, at this time, we are not aware of a solution that does not result in the home owner losing privacy, height of fence, and/or usable backyard.

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 AW Date 8/7/2015

PROPOSED VARIANCE

8' CEDAR BOARD ON BOARD FENCE LOCATED 3' INSIDE THE PROPERTY LINE ON SIDE YARDS ADJACENT TO STREETS FOR 35' OF THE REAR YARD

PROPOSED FENCE TO BE ON PROPERTY LINE AND INTEGRAL WITH EXISTING RETAINING WALL

EXISTING RETAINING WALL

RHETT DRIVE

PROPERTY BOUNDARY

15' BUILDING SETBACK LINE

PROPOSED FENCE TO BE ON PROPERTY LINE AND INTEGRAL WITH EXISTING RETAINING WALL

PROPOSED FENCE LINE

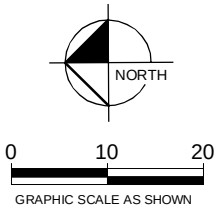
14

15

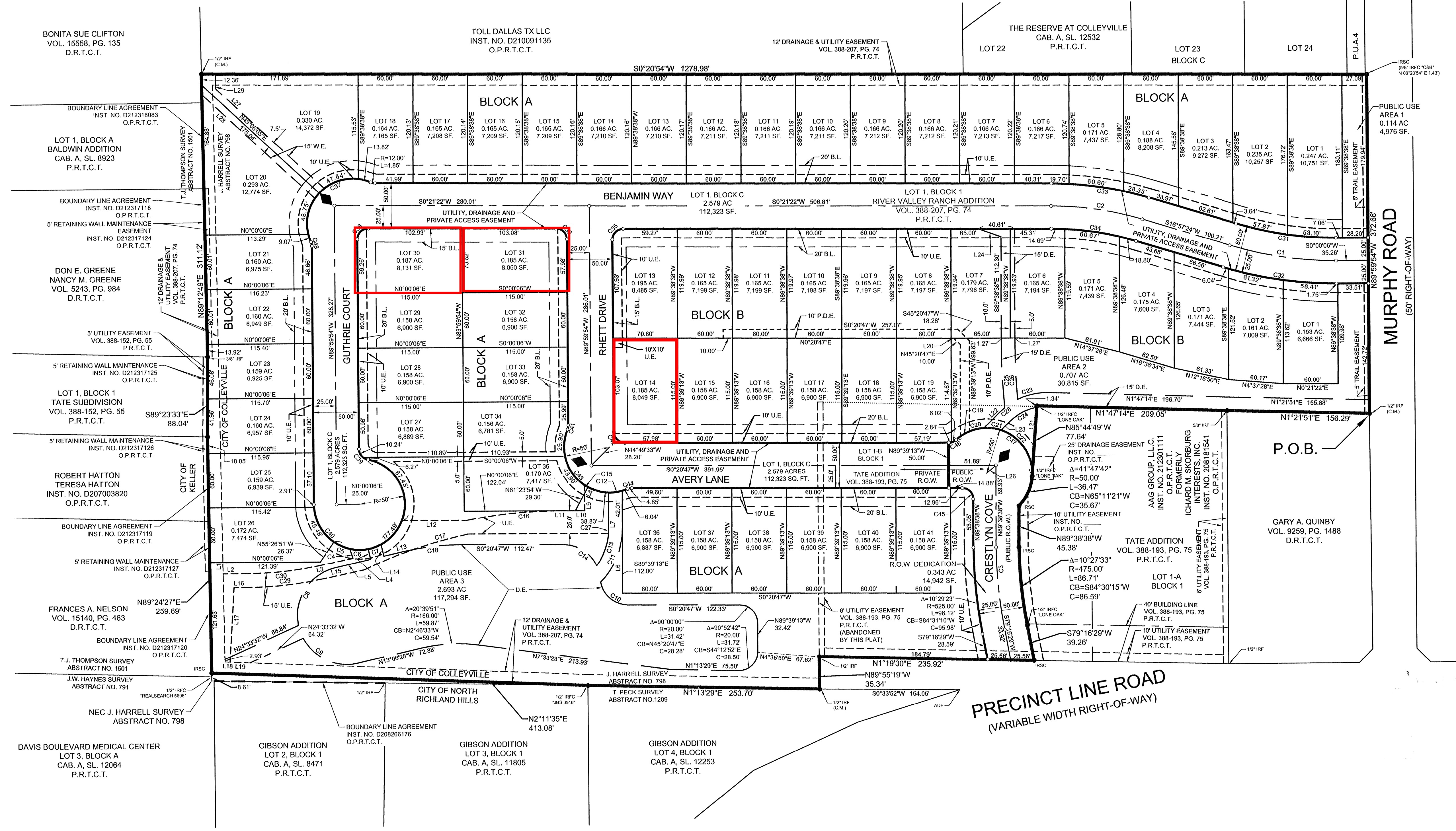
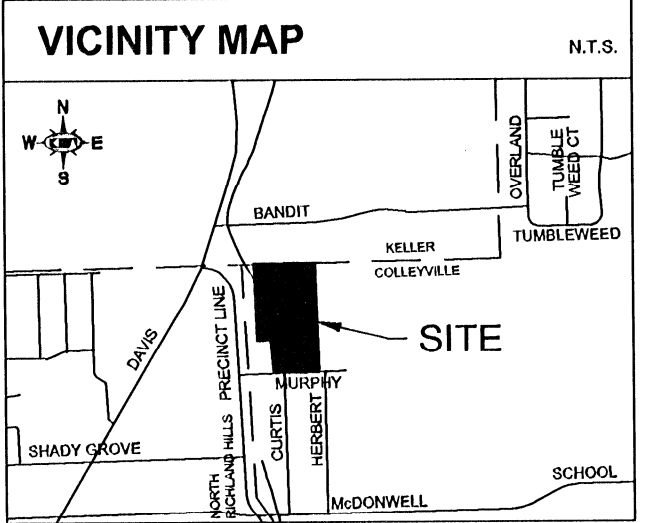
PROPERTY BOUNDARY.

AVERY LANE

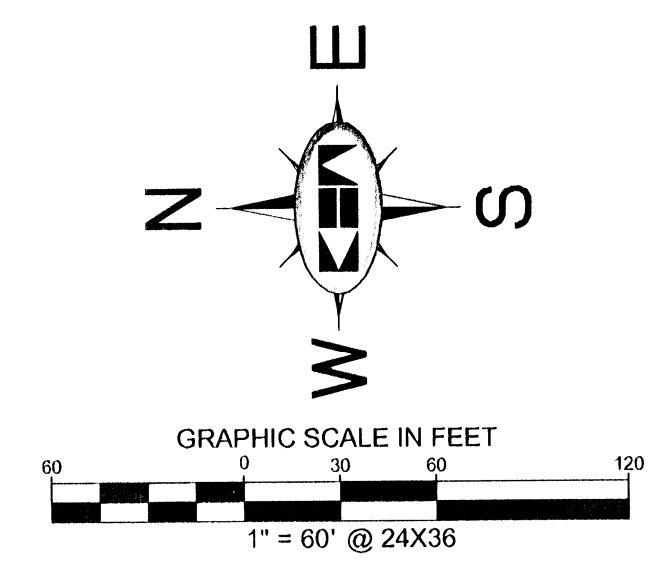
BLOCK B, LOT 14 FENCE
VARIANCE EXHIBIT



Kimley»Horn



CURVE TABLE					LINE TABLE		
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	BEARING
C1	16°57'18"	400.00'	118.37'	S08°28'45"W	117.94'	L1	N89°13'41"E
C2	16°36'02"	350.00'	101.41'	S08°39'23"E	101.05'	L2	S00°00'00"E
C3	10°28'30"	500.00'	91.41'	S04°30'44"W	91.28'	L3	S11°51'22"E
C4	1°13'58"	507.50'	10.92'	S72°31'20"W	10.92'	L4	N76°53'32"E
C5	21°51'43"	50.00'	19.08'	S23°37'18"W	18.96'	L5	S13°06'28"E
C6	23°11'01"	50.00'	20.23'	S01°05'56"W	20.09'	L6	S89°39'13"E
C7	17°21'06"	50.00'	15.14'	S19°10'07"E	15.08'	L7	N89°39'13"W
C8	88°19'59"	54.00'	83.25'	N57°16'27"W	75.25'	L8	S61°23'54"E
C9	75°38'09"	54.00'	71.29'	S24°42'37"W	66.22'	L9	N89°59'54"W
C10	80°13'09"	30.00'	42.00'	S40°27'22"W	38.68'	L10	N00°00'00"E
C11	44°45'08"	82.50'	64.44'	S67°16'39"E	62.81'	L11	N00°00'00"E
C12	17°24'20"	50.00'	15.19'	S07°11'49"E	15.13'	L12	N00°00'00"E
C13	38°17'01"	67.50'	42.75'	S71°30'42"E	42.03'	L13	S19°08'28"E
C14	64°37'01"	40.00'	45.11'	N32°39'22"E	42.76'	L14	N76°53'32"E
C15	4°46'01"	50.00'	4.16'	S30°59'07"W	4.16'	L15	S11°51'22"E
C16	11°23'35"	507.50'	100.91'	N05°41'47"W	100.75'	L16	N00°00'00"E
C17	14°01'21"	492.50'	120.53'	N18°41'33"W	120.23'	L17	N86°30'21"W
C18	13°27'15"	274.00'	64.34'	N08°22'50"W	64.19'	L18	N02°16'03"E
C19	13°06'16"	50.00'	11.44'	N28°27'28"W	11.41'	L19	N02°16'03"E
C20	18°46'44"	50.00'	16.39'	N12°30'54"W	16.32'	L20	N00°20'47"E
C21	21°46'01"	50.00'	19.00'	N07°45'30"E	18.88'	L21	S85°44'49"E
C22	75°16'16"	50.00'	65.69'	N56°16'38"E	61.06'	L22	S44°50'36"E
C23	27°40'14"	72.50'	35.01'	N12°02'53"W	34.67'	L23	S44°50'36"E
C24	34°13'43"	57.50'	34.35'	N27°43'45"W	33.84'	L24	N19°31'20"E
C25	5°41'43"	757.50'	75.30'	S87°30'30"W	75.27'	L25	S40°43'53"E
C26	5°05'52"	742.50'	66.06'	S87°48'26"W	66.04'	L26	S44°50'36"E
C27	3°55'15"	67.50'	4.62'	S87°41'35"E	4.62'	L27	S43°06'05"W
C28	5°33'37"	72.50'	7.04'	N42°03'48"W	7.03'	L28	N89°39'06"W
C29	11°51'22"	407.50'	84.32'	S05°55'41"E	84.17'	L29	N89°39'06"W
C30	11°51'22"	392.50'	81.22'	S05°55'41"E	81.07'		
C31	16°57'18"	375.00'	110.97'	S08°28'45"W	110.57'		
C32	16°57'18"	425.00'	125.77'	S08°28'45"W	125.31'		
C33	16°36'02"	375.00'	108.65'	N08°39'23"E	108.27'		
C34	16°36'02"	325.00'	94.16'	N08°39'23"E	93.84'		
C35	90°21'16"	12.00'	18.92'	N44°49'16"W	17.02'		
C36	89°38'44"	12.00'	18.78'	N45°10'44"E	16.92'		
C37	136°41'28"	50.00'	119.29'	N44°49'16"W	92.94'		
C38	90°21'16"	12.00'	18.92'	N44°49'16"W	17.02'		
C39	78°50'24"	12.00'	16.51'	S50°34'54"W	15.24'		
C40	268°50'24"	50.00'	225.88'	S39°25'06"E	77.25'		
C41	23°10'05"	12.00'	4.85'	S78°24'52"E	4.82'		
C42	89°39'19"	12.00'	18.78'	S45°10'27"W	16.92'		
C43	135°59'20"	50.00'	118.67'	S45°10'27"W	92.72'		
C44	23°10'05"	12.00'	4.85'	N11°14'15"W	4.82'		
C45	90°03'35"	12.00'	18.85'	N45°21'05"E	16.97'		
C46	42°19'36"	12.00'	8.86'	S20°49'01"E	8.66'		
C47	135°53'35"	50.00'	118.59'	N25°5'59"E	92.68'		
C48	23°10'05"	12.00'	4.85'	N78°25'04"E	4.82'		



NOTES:

The bearing system of this survey is based on a bearing of North 89°59'54" West, for the north right-of-way line of Murphy Drive according to the plat of River Valley Ranch Addition, an addition to the City of Colleyville, Texas according to the plat recorded in Volume 388-207, Page 74, Official Public Records of Tarrant County, Texas.

The City will maintain water and sanitary sewer lines located in the utility, drainage, and private access easement dedicated to the City by this plat.

◆ Denotes street name change.

Fire Protection is required for Lots 15-30, Block A.

All streets are required to be installed and accepted prior to construction above any foundation with the exception of Lots 1-2, Block A and Lots 1-2, Block B.

All lot corners will be monumented with a 5/8" iron rod with plastic cap stamped "KHA" upon completion of street construction.

Front yard set back may be reduced to a 15' Building Line when utilizing a Swing Garage.

LEGEND	
BOUNDARY	---
BUILDING SETBACK	---
DRAINAGE EASEMENT	---
EXISTING EASEMENT	---
PRIVATE DRAINAGE EASEMENT	---
UTILITY EASEMENT	---
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
P.D.E.	PRIVATE DRAINAGE EASEMENT
D.D.E.	DRAINAGE AND DETENTION EASEMENT
W.E.	WATER EASEMENT
P.O.B.	POINT OF BEGINNING
VOL.	VOLUME
PG.	PAGE
AC.	ACRES
SF.	SQUARE FEET
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY TEXAS
D.R.T.C.T.	DEED RECORDS OF TARRANT COUNTY TEXAS
P.R.T.C.T.	PLAT RECORDS OF TARRANT COUNTY TEXAS

OWNER:
LENNAR HOMES
1707 MARKET PLACE BLVD.
IRVING, TEXAS 75063
PH: 469.578.5206
CONTACT: DAVID AUGHINBAUGH

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH: 972.770.1300
CONTACT: JAMIE PLOETZNER
jamie.ploetznier@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH: 972.770.1300
DANA BROWN
dana.brown@kimley-horn.com

FINAL PLAT
SOMERSET MANOR
BEING A REPLAT OF PART OF LOT 1, BLOCK 1
RIVER VALLEY RANCH ADDITION
AND
PART OF LOT 1-B, BLOCK 1
TATE ADDITION
AND BEING 16.845 ACRES
J. HARRELL SURVEY
ABSTRACT NO. 798
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS



Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SRD	DAB	FEB. 2013	063451006	1 OF 2

Alternative Fence Options



Alternative Fence Options



Alternative Fence Options



Alternative Fence Options



