



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, September 12, 2016

City Council Chambers

**PRE COMMISSION MEETING
6:15 P.M.
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

**LEGAL BRIEFING BY CITY ATTORNEY REGARDING PLANNING, ZONING,
PLATTING, AND LAND USE**

**REVIEW OF REGULAR AGENDA ITEMS AND DISCUSSION OF PREVIOUS
MEETING MINUTES**

**DISCUSSION OF ITEMS TO BE PLACED ON FUTURE AGENDAS AND
UPDATES ON DEVELOPMENT TRENDS, PROGRESS AND CITY COUNCIL
ACTIONS ON PAST AGENDA ITEMS**

**EXECUTIVE SESSION – In accordance with Texas Government Code
Chapter 551, Subchapter D, Section 551.071 – Legal – Consultation with
attorney on legal issues raised by public hearing or action items on the
agenda**

**7:00 P.M. - REGULAR MEETING
CALL TO ORDER AND ROLL
INVOCATION: Commissioner Wheelwright
PLEDGE OF ALLEGIANCE**

1. APPROVAL OF MINUTES

August 8, 2016

**2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA**

3. CONSENT AGENDA ITEMS

- 3a** Consideration of a final plat on Abstract 1154, of the R.H McEwing Survey, located at 8080 Precinct Line Road, Case PC16-005

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Consideration of a Special Use Permit for an Accessory Building larger than permitted on Lot 3, Block 1, Hidden Acres Addition, located at 1212 Holly Lane, Case ZC16-012
- 4b** Consideration of a zoning change from the AG Agricultural district to the R-40 Single Family Residential district on Lot 2, Block 1, Morrison Addition, located at 7201 Pleasant Run Road, Case ZC16-014
- 4c** Consideration of an amendment to the PUD- R Planned Unit Development-Residential district on Lots 1-9, 10X, 11X, 12X, Block 1, Carmel Place Estates, located at 1301 Glade Road, Case ZC16-015
- 4d** Consideration of a zoning change from the R-40 Single Family Residential district to the R-30 Single Family Residential district on Lot 1R, Block 1, O. Martin Subdivision, located at 5601 Montclair Drive, Case ZC16-017

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, September 9, 2016 by 5:00 p.m.

Araceli Botello
Planning Technician

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 Planning and Zoning Commission Minutes

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Monday, August 8, 2016

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on August 8, 2016, at 7:23 p.m.

Roll Call

Present: Commissioners Carel Tornes, David Wheelwright, Jason Elms, Jim Gotcher, Don Davis, Jeff Byerly, and David Phelps

Staff Present: Shane Pace, Ben Bryner, Rob McKeown, Araceli Botello, Caleb Tandy, Oscar Chavez, Chief Brian Riley, and Mathew Boyle (City Attorney)

1. APPROVAL OF MINUTES

Commissioner Davis made a motion to approve the July 11, 2016 minutes as written. Commissioner Tornes seconded.

The motion to approve the July 11, 2016 minutes as written carried by the following vote:

Aye: 7 – Tornes, Wheelwright, Elms, Gotcher, Davis, Phelps, and Byerly

2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

There were no citizen comments/presentations regarding items not on the agenda.

3. PUBLIC HEARING AGENDA ITEMS

3a Consideration of a Special Use Permit for Food Packaging and Manufacturing on Lot 8R, Block 1, of the Industrial Park Addition, located at 1904 Industrial Boulevard, Case ZC16-010

Shane Pace presented the case and briefed the Commission.

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

The applicant, Todd White, 1904 Industrial Boulevard, came forward and briefed the Commission.

There being no others present wishing to speak, the public hearing was closed at 7:39 p.m.

Commissioner Phelps made a motion to approve case ZC16-010 with the following conditions: 1) Adding the suite #103 to the draft ordinance. Commissioner Wheelwright seconded.

The motion to approve case ZC16-010 with the following conditions: 1) Adding the suite #103 to the draft ordinance, carried by the following vote:

Aye: 7- Tornes, Wheelwright, Elms, Gotcher, Davis, Phelps, and Byerly

- 3b** Consideration of a waiver to certain provisions of Section 5.9 (Minimum Tree Preservation Requirements) of the Land Development Code on Lot 4, Block 2, and Lot 3, Block 1, of the St. Andrews Addition, located at 6004 and 5812 St. Andrews Court, Case GC16-006

Shane Pace presented the case and briefed the Commission.

The public hearing was opened at 7:40 p.m.

The applicant, Dustin Austin, 700 W. Hardwood Road, came forward and briefed the Commission.

There being no others present wishing to speak, the public hearing was closed at 7:53 p.m.

Chairman Byerly reopened the public hearing at 7:55pm.

The property owners, Jeff and Vicky Sanders, 1916 Fair Field Drive, Grapevine, came forward and briefed the Commission.

The property owner, Trudy Casteleiro, 2626 Hidden Ridge Drive, Arlington, came forward and briefed the Commission.

There being no others present wishing to speak, the public hearing was closed at 8:01 p.m.

Commissioner Tornes made a motion to deny case GC16-006. Commissioner Elms seconded.

The motion to deny case GC16-006, carried by the following vote:

Aye: 6- Tornos, Wheelwright, Elms, Gotcher, Davis, and Byerly

Nay: 1- Phelps

4. ADJOURNMENT

The meeting adjourned at 8:06 p.m.

The minutes were written and prepared by:



Araceli Botello
Planning Technician

The meeting minutes were approved on _____, 2016 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
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Agenda Number 3a	Agenda Date 09/12/2016	Number
Type Regular Agenda Items		
Department Community Development		

Title

Consideration of a final plat on Abstract 1154, of the R.H McEwing Survey, located at 8080 Precinct Line Road, Case PC16-005

Explanation

Tim Curlee of Classic Concepts Development, the applicant, requests approval of a Final Plat for the Lavaca Trail Addition on approximately 3.78 acres, located at 8080 Precinct Line Road. The applicant proposes to subdivide one unplatted lot into three commercial lots.

Existing Conditions/Background: The subject property is zoned Planned Unit Development-Commercial (PUD-C), Ordinance O-00-1255, and is generally located south of Lavaca Trail and east of Precinct Line Road.

The final plat up for consideration will create Lots 4-6, Block 2 of the Lavaca Trail Addition. The applicant has submitted the final plat to meet the requirements of the governing ordinance. The subject property is currently undeveloped. However, the applicant has submitted a site plan for the proposed Lot 4, which is currently under review. The site plan indicates the intent to construct one commercial building on Lot 4.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached location map:

<i>PUDC - Planned Unit Development-Commercial (Commercial Buildings)</i>	<i>PUDC - Planned Unit Development-Commercial (Commercial Buildings)</i>	<i>PUDC - Planned Unit Development-Commercial (Commercial Buildings)</i>
<i>PUDC - Planned Unit Development-Commercial (Commercial Buildings)</i>	Subject Property <i>PUDC - Planned Unit Development-Commercial (Undeveloped)</i>	<i>R-40 - Single Family Residential (Single Family Home)</i>
<i>CC2 - Shopping Center District (Commercial Building)</i>	<i>R-40 - Single Family Residential (Undeveloped)</i>	<i>R-40 - Single Family Residential (Undeveloped)</i>

Lot Dimensions and Setbacks: Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the PUD-C zoning regulations require the following standards:

Minimum Lot Area: 7,200 square feet

Minimum Lot Width: 70 feet

Minimum Lot Depth: 115 feet

Minimum Front Yard Setback: 40 feet

Minimum Side Yard Setbacks: 10 feet

Minimum Rear Yard Setback: 25 feet (where abutting residential zoning or land use)

Maximum Lot Coverage: 50 percent

As submitted, the proposed plat meets all of the requirements of the Land Development Code.

Fees: Park Land Dedication fees are required, in the amount of \$800 per acre for non-residential development, when applicable. Park Land Dedication fees are due prior to filing the plat for record. Impact Fees are also required per Chapter 13 (Impact Fees) of the Land Development Code and are due prior to the issuance of a Building Permit.

Tree Preservation: The proposed subdivision must comply with Chapter 5 (Tree Preservation) of the Land Development Code. Where any tree is slated for removal, no site grading, dirt disturbance or new construction may occur on the property until a Tree Removal Permit has been issued that is associated with an approved Tree Preservation Plan.

In addition to the requirements for submittal of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the minimum existing protected tree canopy coverage.

Staff has received a preliminary tree survey and it appears the project is in compliance with the Land Development Code.

Drainage and Stormwater Runoff: As required by the Land Development Code, preliminary drainage plans have been submitted with the proposed plat. Water and sanitary sewer services are available to the property. The developer is responsible for the extension of any water and/or sewer service lines to the lots as part of the development process, if applicable.

A substantial portion of the subject property falls within the 100-year Floodplain. Restriction language has been included on the plat and all future development will be required to comply with these restrictions.

Public Notification: Notification of property owners is not required for the approval of a final plat. However, notices were published on the City's website and the agenda was posted in advance of the meeting for public review per standard procedure and the

Texas Local Government Code.

Staff Recommendation: The proposed final plat meets the requirements of the Land Development Code, therefore staff recommends approval.

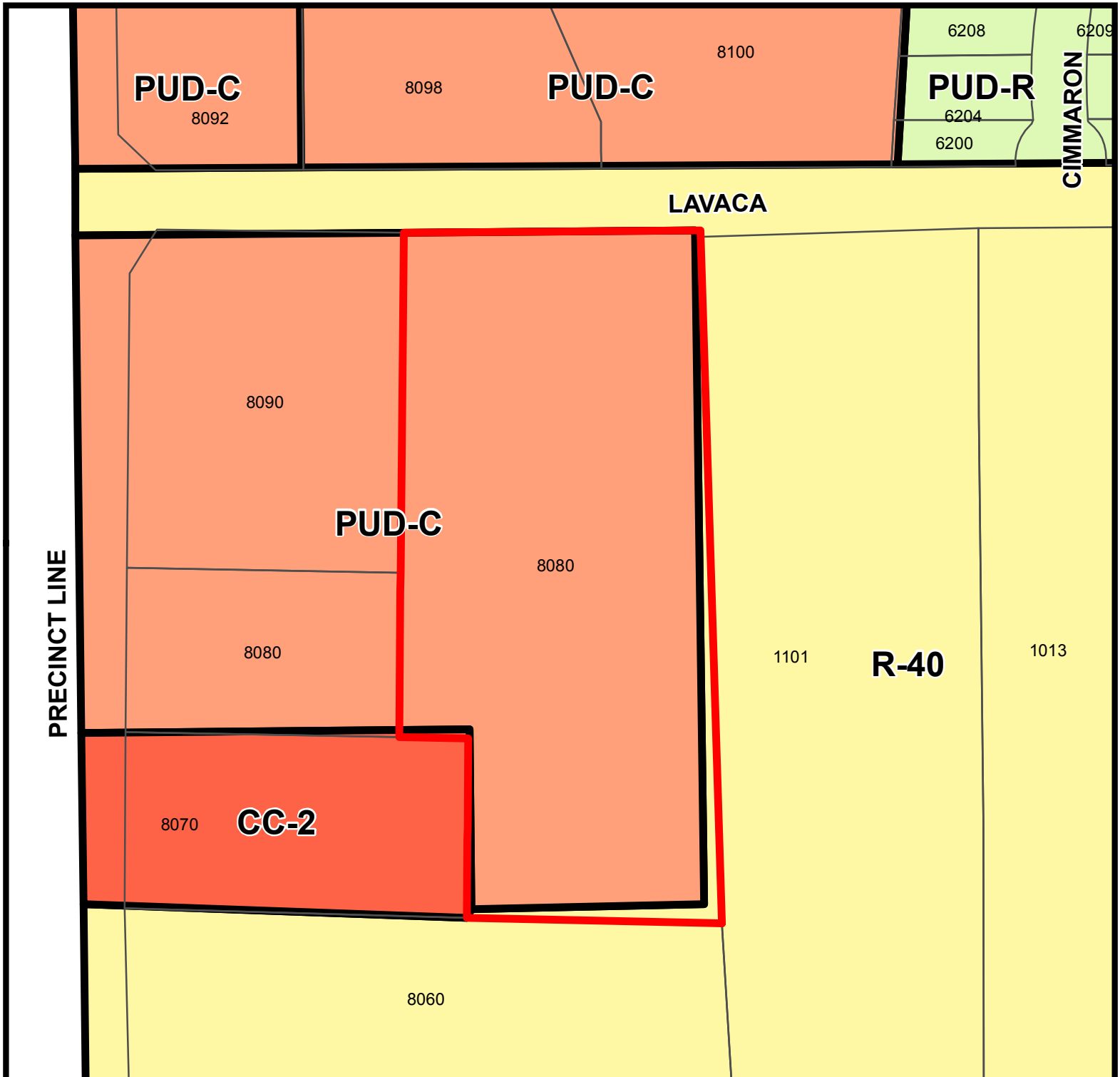
Recommendation

Approve

Attachments

1. Zoning Map
2. Aerial Map
3. Plat Exhibit
4. Existing Ordinance

ZONING MAP



PC16-005

8080 PRECINCT LINE ROAD

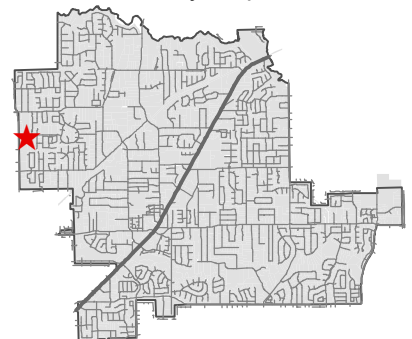
Legend

 Subject Property



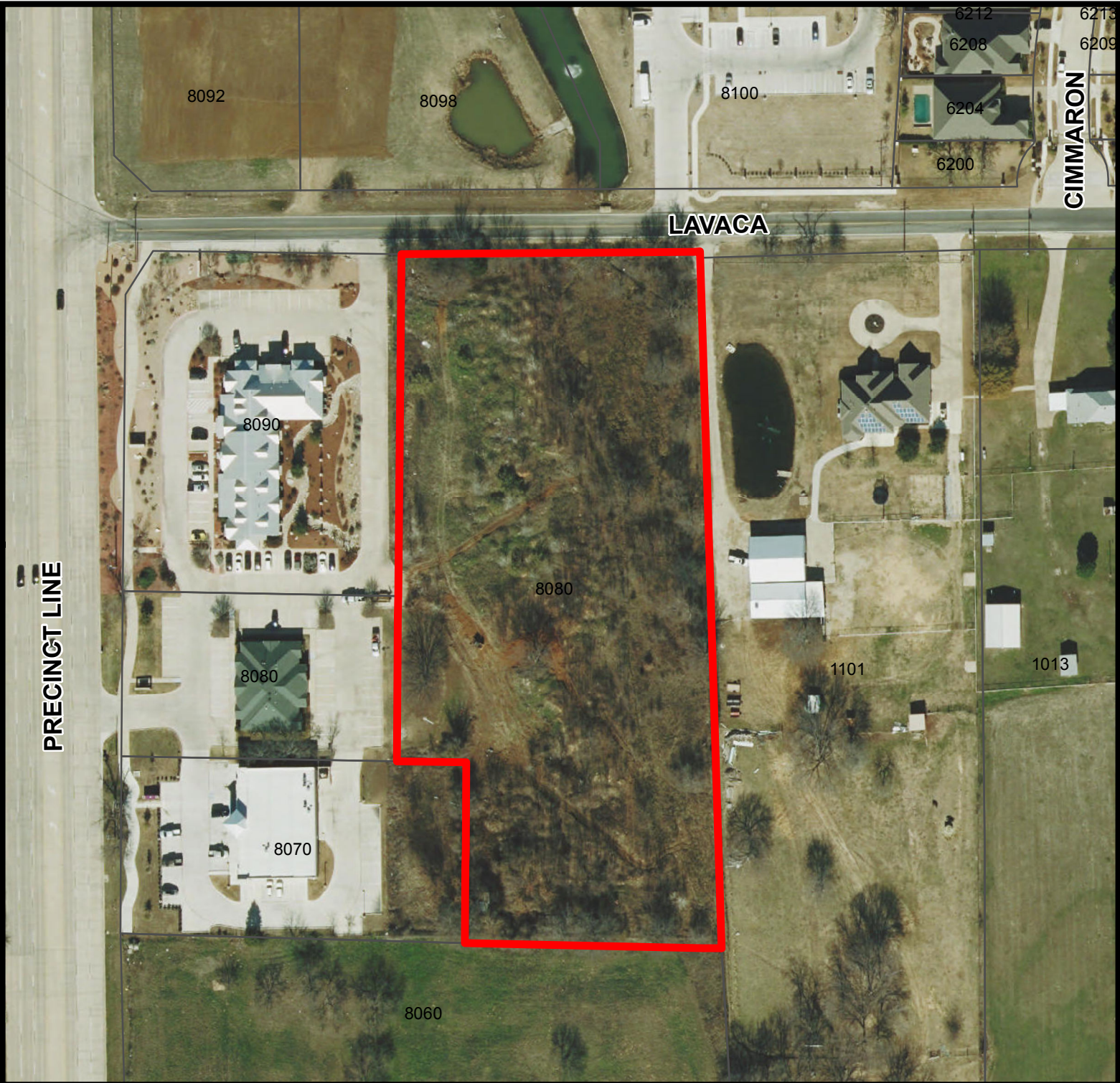
1 inch = 125 feet

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

AERIAL MAP



1 inch = 125 feet

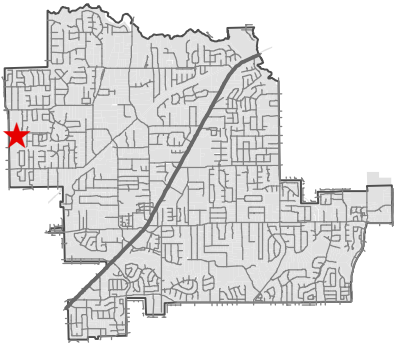
PC16-005

8080 PRECINCT LINE ROAD

Legend

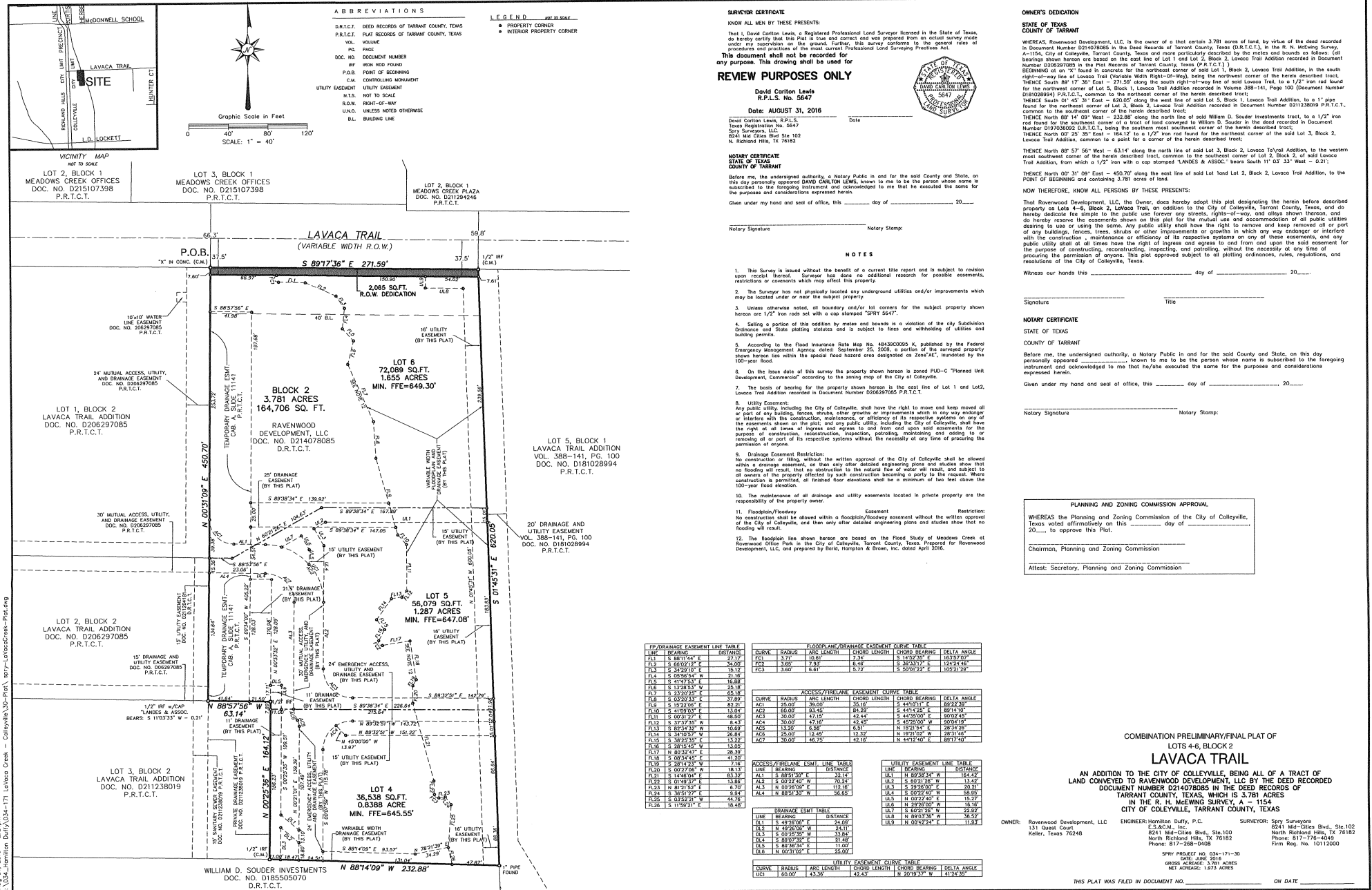
 Subject Property

Vicinity Map



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Plat Exhibit



Existing Ordinance

ORDINANCE O-00-1255

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 6.335 ACRES INCLUDING 5.419 ACRES OF TRACT 1J AND 0.919 ACRES TRACT 1H, BOTH OF ABSTRACT 1154 OF THE R.H. McEWING SURVEY, FROM THE R40 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE PUD-C (PLANNED UNIT DEVELOPMENT-COMMERCIAL) DISTRICT; PROVIDING FOR A PENALTY FOR VIOLATIONS AND AUTHORIZING PUBLICATION

WHEREAS, an application for a zoning change was filed by Doug Henderson representing Kipp Whitman under Case No. Z-00-070; and

WHEREAS, the City of Colleyville has complied with the notification requirements of the Texas Local Government Code and the Colleyville Land Development Code; and

WHEREAS, the Planning and Zoning Commission has held public hearing and made recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning amendment is in the best interests of the City of Colleyville.

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

Sec. 1. THAT the Master Plan, the Land Development Code of the City of Colleyville, Texas, and the Official Zoning Map are hereby amended insofar as they relate to certain land located in Colleyville, Texas, as shown on the attached Zoning Map, Exhibit "A", and described by metes and bounds, as contained on the attached Exhibit "B," by changing the zoning of said property from the R40 (Single Family Residential) district to the PUD-C (Planned Unit Development-Commercial) district, and including any other conditions and restrictions imposed and approved by the City Council, which are incorporated herein.

Sec. 2. THAT this PUD-C shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-C is for the development of retail, office and service type uses.

Existing Ordinance

Ordinance O-00-1255

Page 2 of 4

- b. This property shall be subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this ordinance.
- c. Parking associated with each use may be constructed on any lot in the subdivision, provided that all of the provisions of Section 3.29.B – “Off-Street Parking Requirements” of the Colleyville Land Development Code are met.

2. SITE PLAN AND PLATTING

- a. Prior to the issuance of any development permits within this PUD-C and as a condition to the development of the subject property, the developer shall obtain approval of a preliminary plat and final plat of the property in accordance with the procedures and requirements of the Colleyville Land Development Code.
- b. The subdivision plat shall be generally consistent with the Site Plan attached as Exhibit “C”, which shall be considered conceptual only. The actual street and lot arrangement may differ from that shown on Exhibit “C”, to accommodate topographic, drainage or other conditions. In approving the preliminary and final plat, the approving body shall exercise complete discretion over roadway design, lot size, lot shape, building lines, set-back lines, open space, and all other aspects of the plat; provided, the approving body shall not approve anything inconsistent with the other conditions of this ordinance.
- c. At final platting, a joint access easement of 30 feet wide shall be provided to connect all lots to a public right-of-way. An agreement permitting vehicle access across all lots shall be noted on the Final Plat.
- d. There shall be a landscaped buffer strip a minimum of 40 feet in width along Precinct Line Road and a minimum of 20 feet in width along LaVaca Trail. The only paved areas permitted within the landscaped buffer strip shall be sidewalks and access drives.
- e. Building line setbacks shall be 40 feet along Precinct Line Road and 20 feet along LaVaca Trail. Side and rear building setbacks shall be 20 feet from all other perimeter lot lines.

Existing Ordinance

Ordinance O-00-1255

Page 3 of 4

- f. A maximum of two (2) access drives will be permitted along the Precinct Line Road frontage. Spacing between such drives will be a minimum of 150 feet, centerline to centerline. No drive entrance shall be closer than 150 feet to the south line of LaVaca Trail.

3. PERMITTED USES

- a. All commercial and office uses allowed in the CC1-Village Retail and CC2-Shopping Center zoning districts shall be permitted in this PUD-C.

4. OPEN SPACE, LANDSCAPING & SCREENING

- a. A six foot (6') photinia hedge shall be required along the southern property line of Lots 3 and 8 and along the western line of Lot 8 as indicated on the attached Exhibit "C". This hedge must be in place prior to the issuance of a building permit for each respective lot.
- b. Each lot shall be landscaped in accordance with the landscaping standards contained in the Colleyville Land Development Code.

5. DESIGN SCORES AND SITE PLAN APPROVALS

- a. All buildings shall meet a minimum building design score of 35 points, in accordance with Chapter 6 of the Land Development Code.
- b. Before a building permit may be issued, the Site Plan Application including all building elevation drawings, must be approved by the Development Review Committee (DRC) and the City Council.

Sec. 3. THAT any person, firm or corporation violating any of the provisions of this ordinance as read together with the Land Development Code of the City of Colleyville shall be guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 4. THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternate method of publication provided by law.

Existing Ordinance

Ordinance O-00-1255

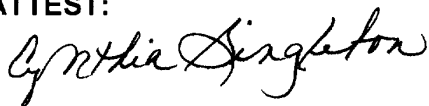
Page 4 of 4

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 8th day of December, 2000.

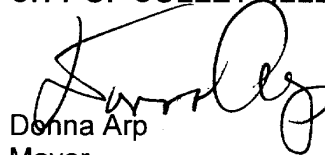
The second reading and public hearing being conducted on the 21st day of December, 2000.

ATTEST:



Cynthia Singleton
City Secretary

CITY OF COLLEYVILLE:



Donna Arp
Mayor

APPROVED AS TO FORM AND LEGALITY:

Ross T. Foster
City Attorney

Reconsidered and amended as follows on the 20th day of February, 2001.

1. THAT Section 5.a., Design Scores and Site Plan Approvals, shall be amended in its entirety to read as follows:
 - a. All buildings shall meet a minimum building design score of 30 points, in accordance with Chapter 6 of the Land Development Code.
2. THAT Section 5.b., Design Scores and Site Plan Approvals, shall be deleted.
3. THAT, a special use permit for alcoholic beverage sales for on-premise consumption as an accessory use to a restaurant shall be permitted.

Existing Ordinance

Ordinance O-00-1255

Page 4 of 4

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 8th day of November 2000.

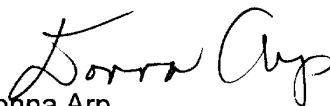
The second reading and public hearing being conducted on the 21st day of November 2000. Tabled by Council November 21 and December 5, 2000.
Approved by Council December 19, 2000.

ATTEST:



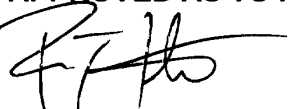
Cynthia Singleton
City Secretary

CITY OF COLLEYVILLE:



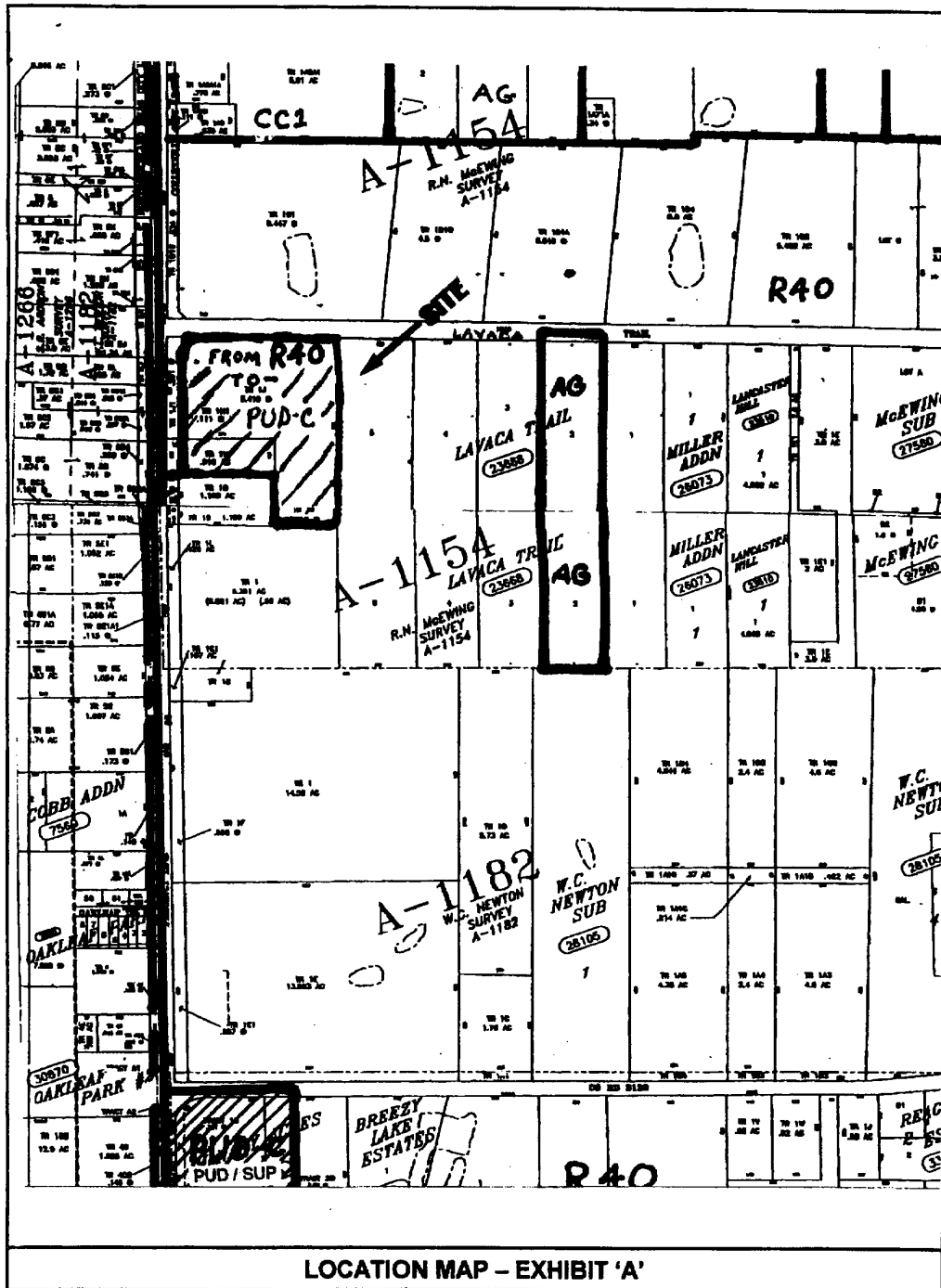
Donna Arp
Mayor

APPROVED AS TO FORM AND LEGALITY:



Ross T. Foster
City Attorney

Existing Ordinance



Existing Ordinance

DESCRIPTION OF PROPOSED LA VACA TRAIL, BLOCK 2

A part of the R.H. McEWING SURVEY, Abstract No. 1154, situated in the City of Colleyville Tarrant County, Texas; and embracing all of the 5-418/1000 acres Tract described in the deed to Lavaca Trail, LLP recorded in volume 13952, page 52 of the Deed Records of Tarrant County, Texas and all of the 0-917/1000 of an acre tract described in the deed to Lavaca Trail, LLP recorded in volume 14221, page 73 of the said Deed Records and described by metes and bounds as follows.

Beginning at a 1/2" iron found for the northeast corner of the said 5-418/1000 acres Tract and the northwest corner of Lot 5 Block 1 LAVACA TRAIL ADDITION, an addition to the City of Colleyville as said Lot 5 appears upon the plat thereof recorded in volume 388-114, page 100 of the said Deed Records and in the south right-of-way of Lavaca Trail (a 60' public right-of-way).

Thence south 1 degrees-50 minutes-east, along the east line of said 5-418/1000 acres Tract and the west line of said Lot 5, a distance of 619-02/100 feet to a 1" pipe found for the southeast corner of said 5-418/1000 acres Tract in the west line of said Lot 5 and the northeast corner of the 7-251/1000 acres Tract described in the deed to William D. Souder Investments recorded in volume 8061, page 1452 of the said Deed Records.

Thence north 88 degrees-11 minutes-50 seconds west, along the south line of said 5-418/1000 acres Tract and the north line of said 7-251/1000 acres Tract, 232-78/100 feet to a 1/2" iron found for the most southerly southwest corner of said 5-418/1000 acres Tract and the southeast corner of the 1-17/100 acres Tract described in the deed to William D. Souder recorded in volume 12686, page 795 of the said Deed Records.

Thence north no degrees-27 minutes-09 seconds east, along the west line of said 5-418/1000 acres Tract and the east line of said 1-17/100 acres Tract 164-12/100 feet to a 1/2" iron found for the southeast corner said 0-917/1000 acres tract.

Thence north 88 degrees-56 minutes-22 seconds west, along the common line of said 0-917/1000 acres tract and said 1-17/100 acres tract, 313-09/100 feet to the southwest corner of said 0-917/1000 acres tract in the east line of a 0-111/1000 of an acre tract described in the deed to the State of Texas recorded in volume 12045, page 1892 of the said Deed Records.

Thence north no degrees-31 minutes-09 seconds east, along the common line of said 0-917/1000 acres tract and said 0-111/1000 of an acre tract 127-09/100 feet to a 5/85" iron recorded for the northwest corner of said 0-917/1000 of an acre tract, the northeast corner of said 0-111/0000 acres tract and the southwest corner of said 5-418/1000 acres tract and the southeast corner of a 0-291/1000 of an acre tract described in the deed to the State of Texas recorded in volume 12016, page 1036 of the said Deed Records.

Thence in the east right-of-way of Precinct Line Road (a variable width public right-of-way).

Thence north no degrees-31 minutes-09 seconds east, along the common line of said 5-418/1000 acres tract and said 0-291/1000 of an acre Tract, 281-99/100 feet to a concrete right-of-way monument found.

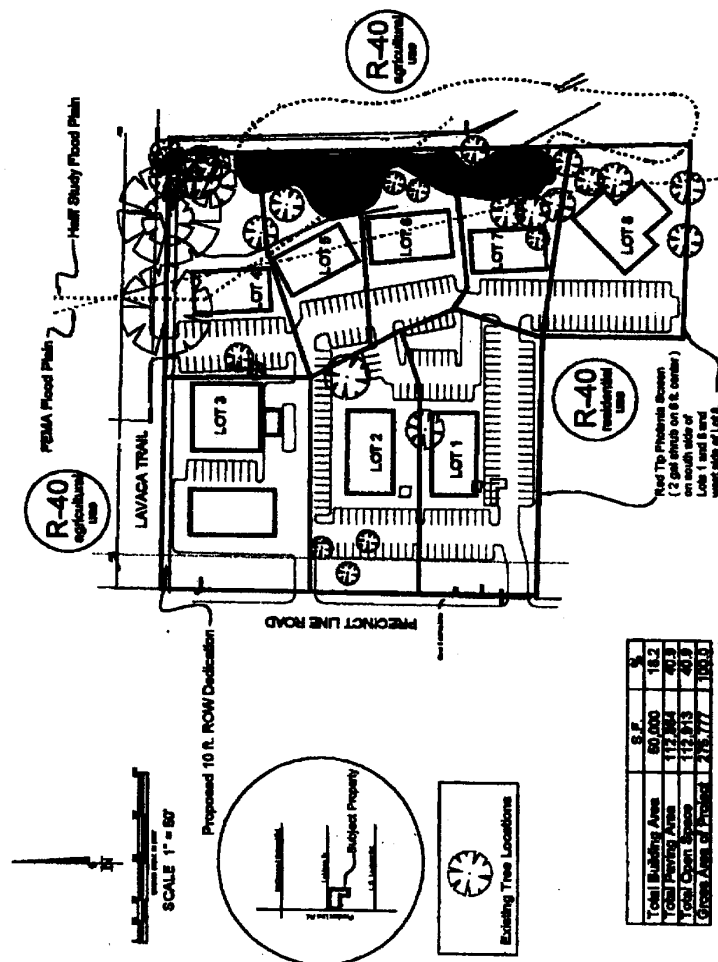
Thence north 32 degrees-36 minutes-41 seconds east, along the easterly right-of-way of said Precinct Line Road, 47-03/100 feet to a concrete right-of-way monument found for the northerly northwest corner of said 5-418/1000 acres tract in the south right-of-way of said Lavaca Trail.

Thence south 89 degrees-10 minutes-10 seconds east, along the north line of said 5-418/1000 acres Tract and the south right-of-way of said Lavaca Trail, 495-61/100 feet to the place of beginning and containing 6-335/1000 acres.

The basis for bearings is the east line of said 5-418/1000 acres Tract per deed call.

LEGAL DESCRIPTION – EXHIBIT 'B'

ZONING PROPOSAL – LOT LAYOUT - EXHIBIT 'C'



	S.F.	%
Total Building Area	50,000	18.2
Total Parking Area	112,364	40.9
Total Open Space	112,313	40.9
Gross Area of Project	274,777	100.0

	Gross Area S.F.	Proposed Bldg S.F.	Paving S.F.	Open Space S.F.
Lot 1	48,343	6,000	31,367	11,856
Lot 2	37,416	6,000	20,481	10,877
Lot 3	43,794	6,000	28,374	9,380
Lot 4	34,151	6,000	7,881	20,650
Lot 5	38,748	6,000	8,254	15,822
Lot 6	24,226	6,000	8,816	13,314
Lot 7	54,888	6,000	2,678	35,110
Lot 8	51,838	6,000	2,678	35,110

[illegible]

LA VACA TRAIL

**ZONING EXHIBIT
for
ZONING CHANGE REQUEST
from R-40 to PUD-C**

ABOUT THE AUTHOR

McEwing Survey
Abstract 1154
Cokeville, Tarrant County, Texas

OWNER / DEVELOPER
LA VACA TRAIL, LLC
2105 HAINWOOD ROAD
SUITE 218
BEDFORD, TX 76021
817-471-9800
ATTN: KIPP WHITMAN

**SITE PLANNING BY
DOUG HENDERSON, MCP
STRATEGIC RESOURCES GROUP
3002 LAKE CHAMPLAIN
ARLINGTON, TX 76010
917-518-7038**



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4a	Agenda Date 09/12/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a Special Use Permit for an Accessory Building larger than permitted on Lot 3, Block 1, Hidden Acres Addition, located at 1212 Holly Lane, Case ZC16-012

Explanation

Ed and Joan Palluth, the applicants, have submitted a request for a Special Use Permit (SUP) to construct a 1,120 square foot accessory building (garage/storage building) at 1212 Holly Lane. The SUP is being requested because the total square footage for all accessory buildings on the subject property will exceed the maximum square footage allowed.

Existing Conditions/Background: The subject property is zoned RE - Single Family "Estate" Residential district and generally located on the south side of Holly Lane and north of John McCain Road. The subject property is a platted lot of the Hidden Acres Addition and currently developed with one single family home and one 1,466 square foot accessory building.

Proposed Special Use Permit Request:

Request – The applicant is requesting approval of a Special Use Permit to allow for the construction of a second accessory building. The proposed building will cause the cumulative total square footage for all accessory buildings to exceed the amount permitted.

Ordinance – Section 3.27 Accessory Buildings and Residential Carport Regulations of the Land Development Code establishes the maximum size and number of accessory buildings permitted on a residential lot:

"2. Maximum Size and Number of Buildings:

- 1. The maximum number of accessory buildings allowed per lot shall be three (3) buildings. In addition, the combined square footage of all accessory buildings shall not exceed the maximum square footage specified in the following table.*

Maximum Square Footage of all Accessory Buildings				
Lot Size	Under .5 ac	.5– .99 ac.	1 – 2.99 ac.	3+ ac.
Total s. f.	750 s. f.	1,000 s. f.	1,750 s. f.	2,500 s. f.

1. *For the purpose of this Section, the size of an accessory building shall be the square footage of the building footprint.*
2. *An application to exceed the total square footage shown in the above table may be approved as a Special Use Permit (SUP)."*

Analysis – The proposed accessory structure does not comply with the following provisions of the Land Development Code:

1. Section 3.27(A)2 – Maximum Size and Number of Buildings:

For lots ranging from one acre to 2.99 acres in size, the maximum size allowed for all accessory buildings on the site is 1,750 square feet. The subject property is 2.35 acres and currently contains one 1,466 square foot accessory building. The proposal up for consideration requests to construct a second accessory building, 1,120 square feet in size. The total for both accessory buildings will be 2,586 square feet. This total exceeds the maximum 1,750 square footage allowed by 836 square feet.

The applicant plans to construct the accessory building on the rear portion of the property, approximately 148 feet from the front property line, 146 feet from the rear property line, and 38 feet from the eastern side property line. The accessory building will be located entirely behind the primary residence and access will be provided via a new extension to the existing gravel driveway. The proposed height is 12 feet to the highest roof ridge. The proposed accessory structure complies with the RE district's required 25 foot and 40 foot side and rear yard setbacks, respectively.

The proposed accessory building complies with all other requirements of Section 3.27. The site plan, floor plan and elevations have been included as attachments for your review.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached location map:

RE-Single Family "Estate" Residential (Single Family Home)	RE-Single Family "Estate" Residential (Single Family Home)	RE-Single Family "Estate" Residential (Single Family Home)
RE-Single Family "Estate" Residential (Single Family Home)	<i>Subject Property</i> RE-Single Family "Estate" Residential (Single Family Home)	RE-Single Family "Estate" Residential (Single Family Home)
R-20 Single Family Residential (St. Mary's Coptic Orthodox Church)	AG Agricultural (Single Family Home)	R-40 Single Family Residential (Single Family Home)

Public Notification: Staff mailed notices to all property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: The applicant proposes to construct a detached accessory building which will exceed the total combined square footage allowed by the Land Development Code. Given the size of the subject property (2.35 acres), proposed location, limited height, and distance from adjacent property lines, the accessory building should not adversely impact the surrounding properties. Staff recommends approval of the Special Use Permit.

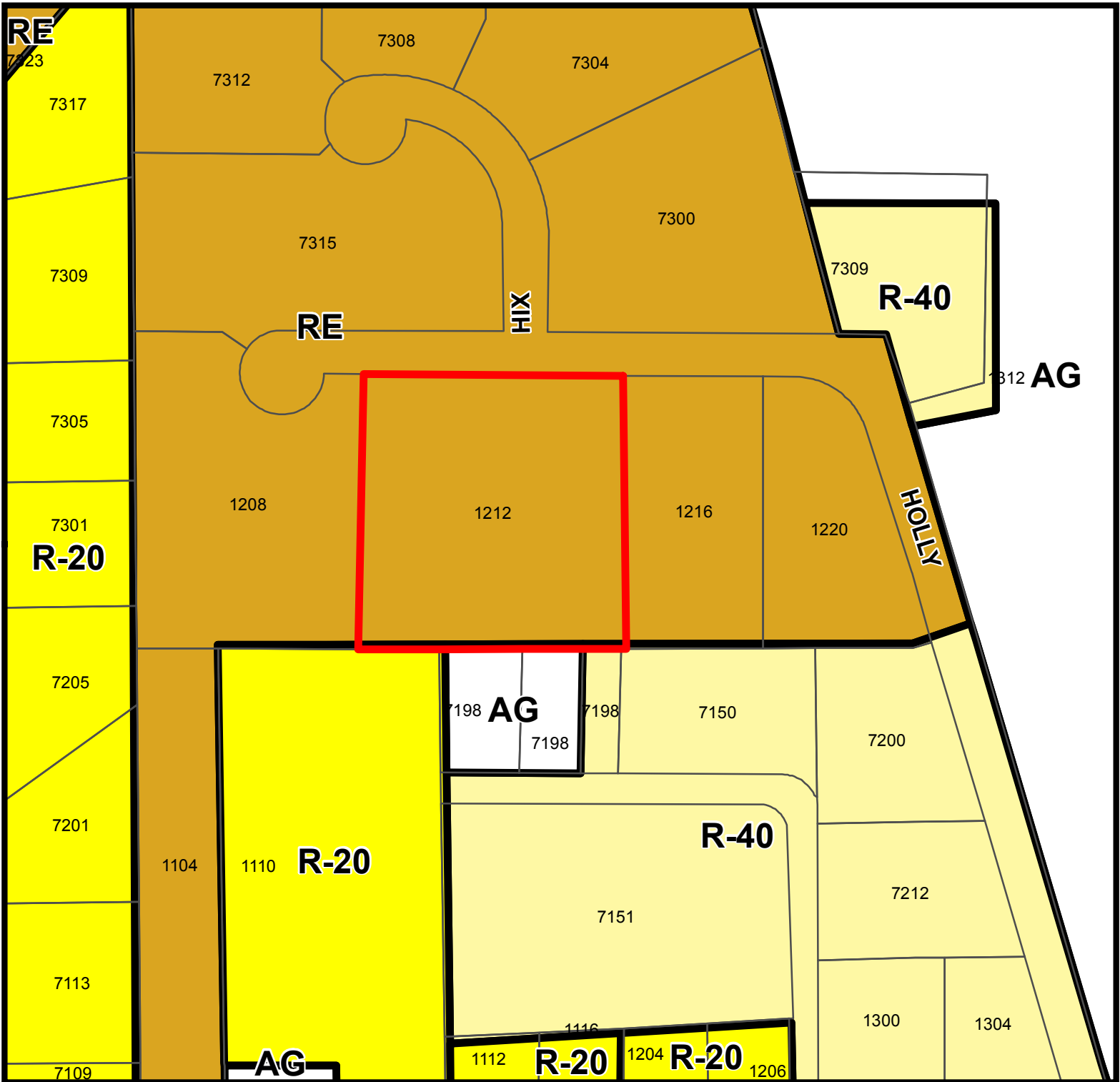
Recommendation

Approve

Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Building Elevations
7. Notification Map
8. Notification List
9. Draft Ordinance

ZONING MAP



ZC16-012

1212 HOLLY LANE

Legend

Subject Property



1 inch = 167 feet

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

AERIAL MAP



ZC16-012

1212 HOLLY LANE

Legend

 Subject Property



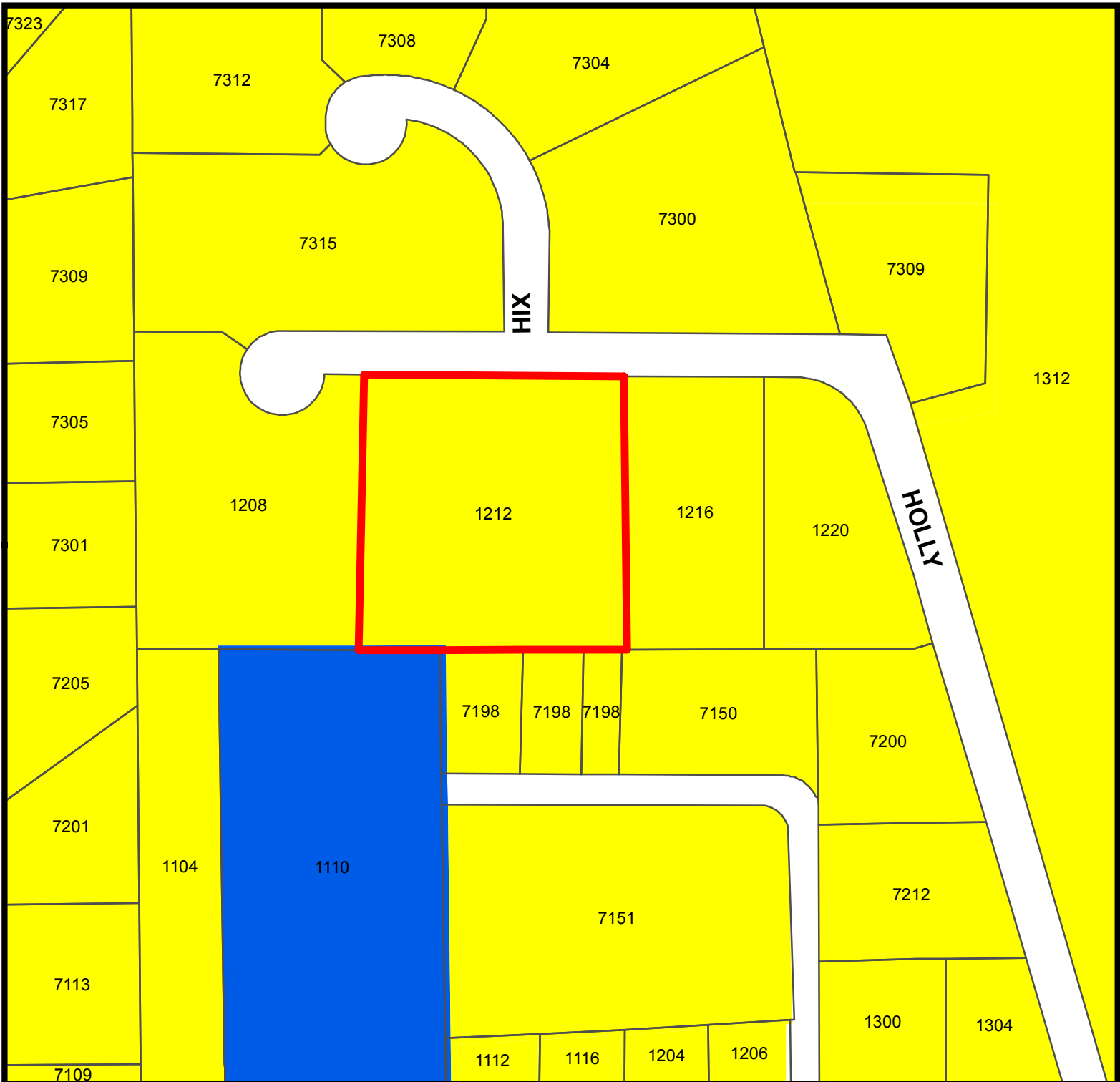
1 inch = 167 feet

Vicinity Map



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FUTURE LAND USE MAP



ZC16-012

1212 HOLLY LANE

Legend

- | | | | |
|---|------------------|---|---------------------------|
|  | Subject Property |  | INSTITUTIONAL |
|  | RESIDENTIAL |  | PARKS/ OPEN SPACE |
|  | COMMERCIAL |  | COLLEYVILLE BLVD CORRIDOR |



1 inch = 167 feet

Vicinity Map



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Statement of Planning Objectives

August 19, 2016

To Whom it May Concern:

We are requesting a Special Use Permit to build a garage/storage building on our property at 1212 Holly Lane, Colleyville (Legal Address: Hidden Acres Addition Block 1 Lot 3). We are requesting this variance since the proposed garage would put us in excess of the allowable square footage for accessory buildings.

Our property currently has one accessory building of 1466 sq feet that was built as a guest house. The additional building will be constructed on a pre-existing foundation and will be 1120 sq feet and put us 836 sq feet over the allowable amount. All required building setbacks and city code will be met.

The questions raised by the DRC committee concerning confusion of site plan/survey and access to new structure are addressed with attached revised site plan. The new site plan is much clearer and includes the access to the building from the existing driveway. In addition as stated before, no trees will be removed for the construction of this building and no drip line of any tree will be infringed upon.

Please consider our request for this variance.

Sincerely

A handwritten signature in black ink, appearing to read "Edward Palluth", written over a horizontal line.

Edward Palluth
Joan Palluth

Statement of Planning Objectives

July 25, 2016

To Whom it May Concern:

We are requesting a Special Use Permit to build a garage/storage building on our property at 1212 Holly Lane, Colleyville (Legal Address: Hidden Acres Addition Block 1 Lot 3). We are requesting this variance since the proposed garage would put us in excess of the allowable square footage for accessory buildings. Our property currently has one accessory building of 1466 sq feet that was built as a guest house. The additional building will be 1120 sq feet and put us 836 sq feet over the allowable amount.

When we purchased our home on March 30, 2016, two large concrete slabs (60' x 16') were pre existing. From our understanding the slabs were originally aviaries for exotic birds. One of the slabs was converted by a previous owner into a type of sports court with a basketball hoop and fence. The other large slab has been unused. The slab is situated in front of the guest house and is setback 110' from front, 60' from left, 215' from right and 155' from rear of property. No other storage building or shed exists on the property.

Rather than have a very large, unusable slab of concrete on our property, we would like to build a 2 car garage with additional space for storage on it. The building will blend in with the current landscape and other homes in the area. We will not need to remove or infringe upon any existing trees in completing the building.

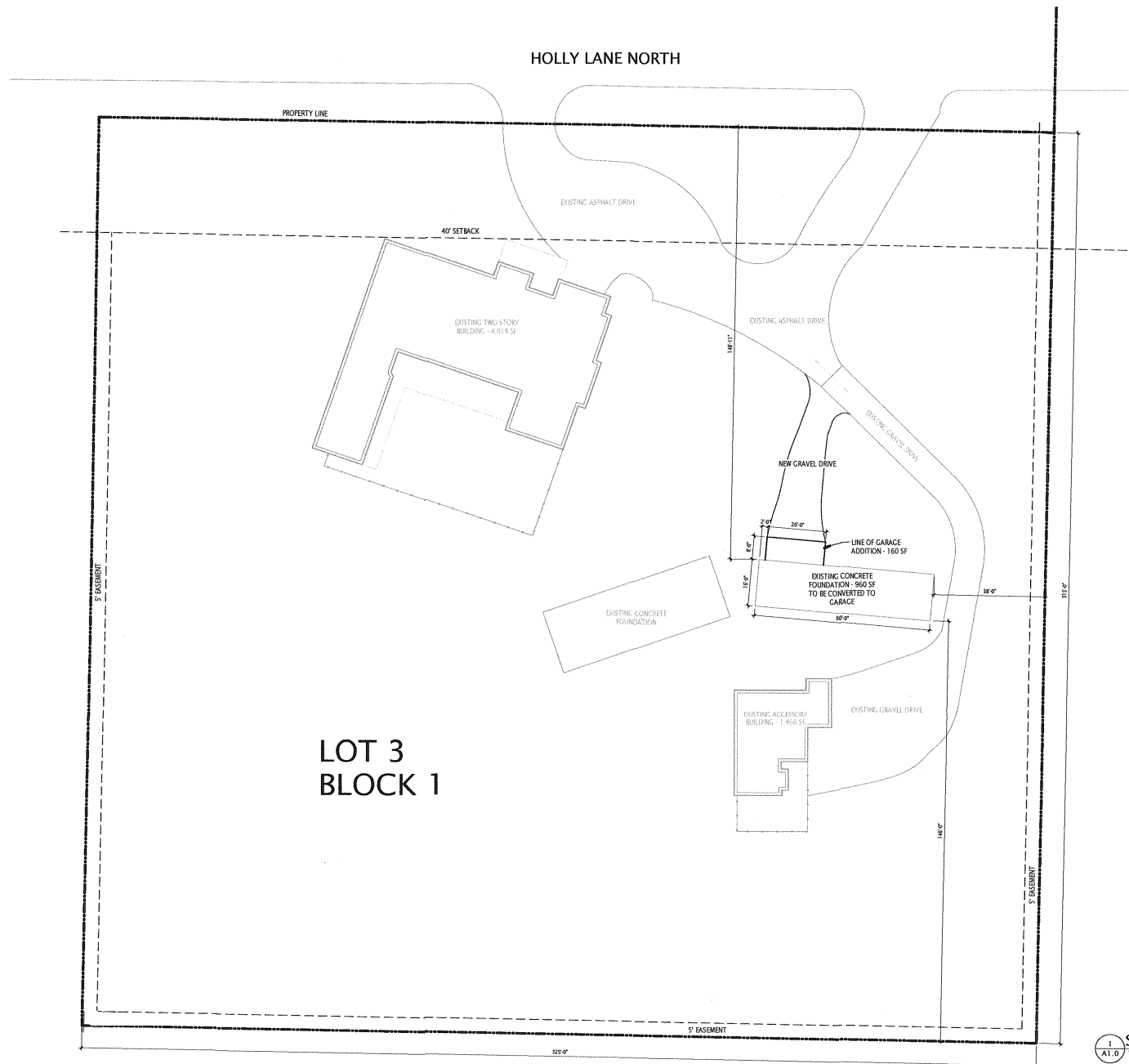
Please consider our request for this variance.

Sincerely



Edward Palluth
Joan Palluth

Site Plan



FOR REFERENCE ONLY



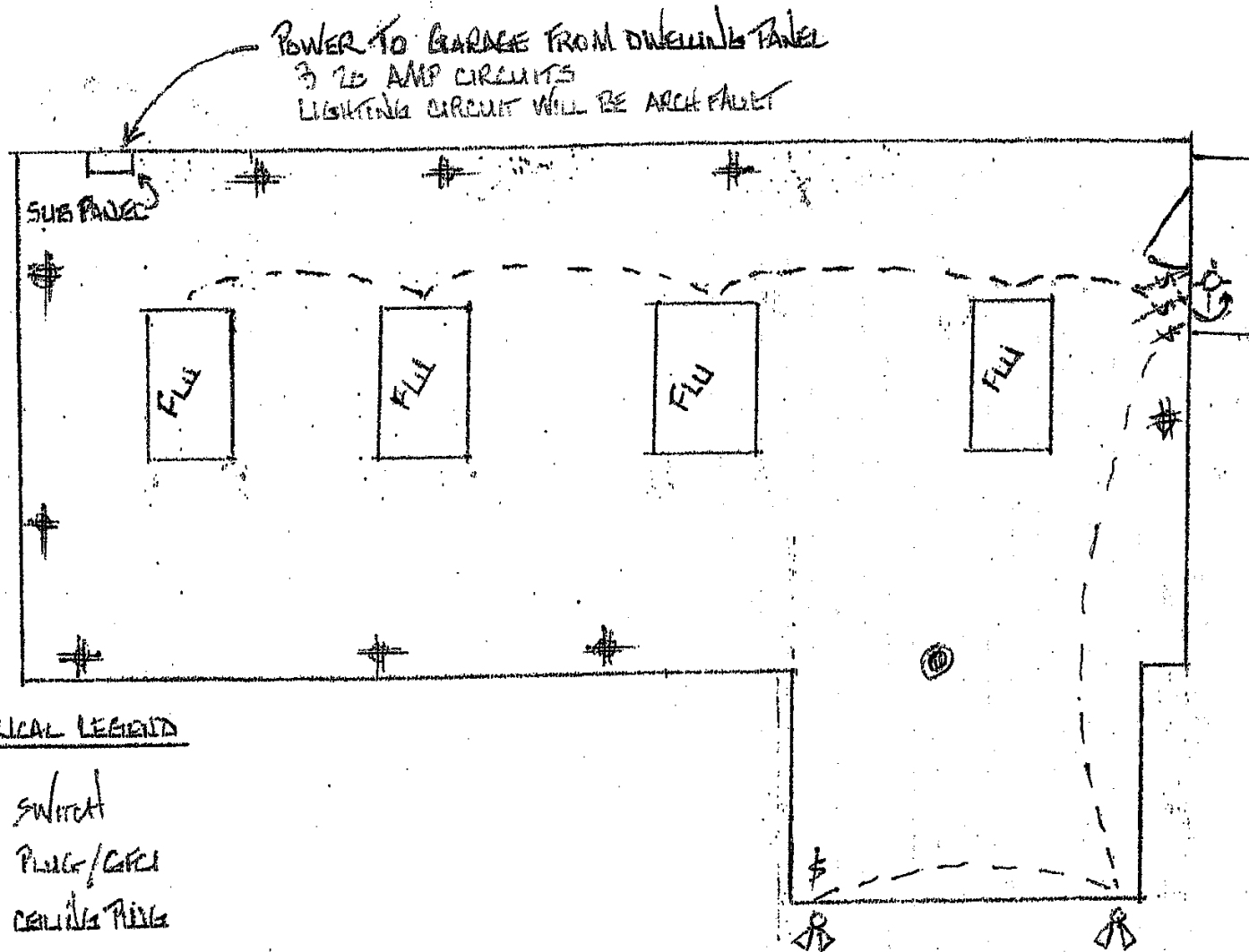
GARAGE ADDITION

EDWARD AND JOAN PALLUTH

1212 Holly Lane, Colleyville, TX 76034
OWNER PROJECT NO.:
GSBS PROJECT NO.: 000.001
ISSUED DATE: 08.18.2016
SITE PLAN

SITE PLAN
1/16" = 1'-0"

Building Elevations

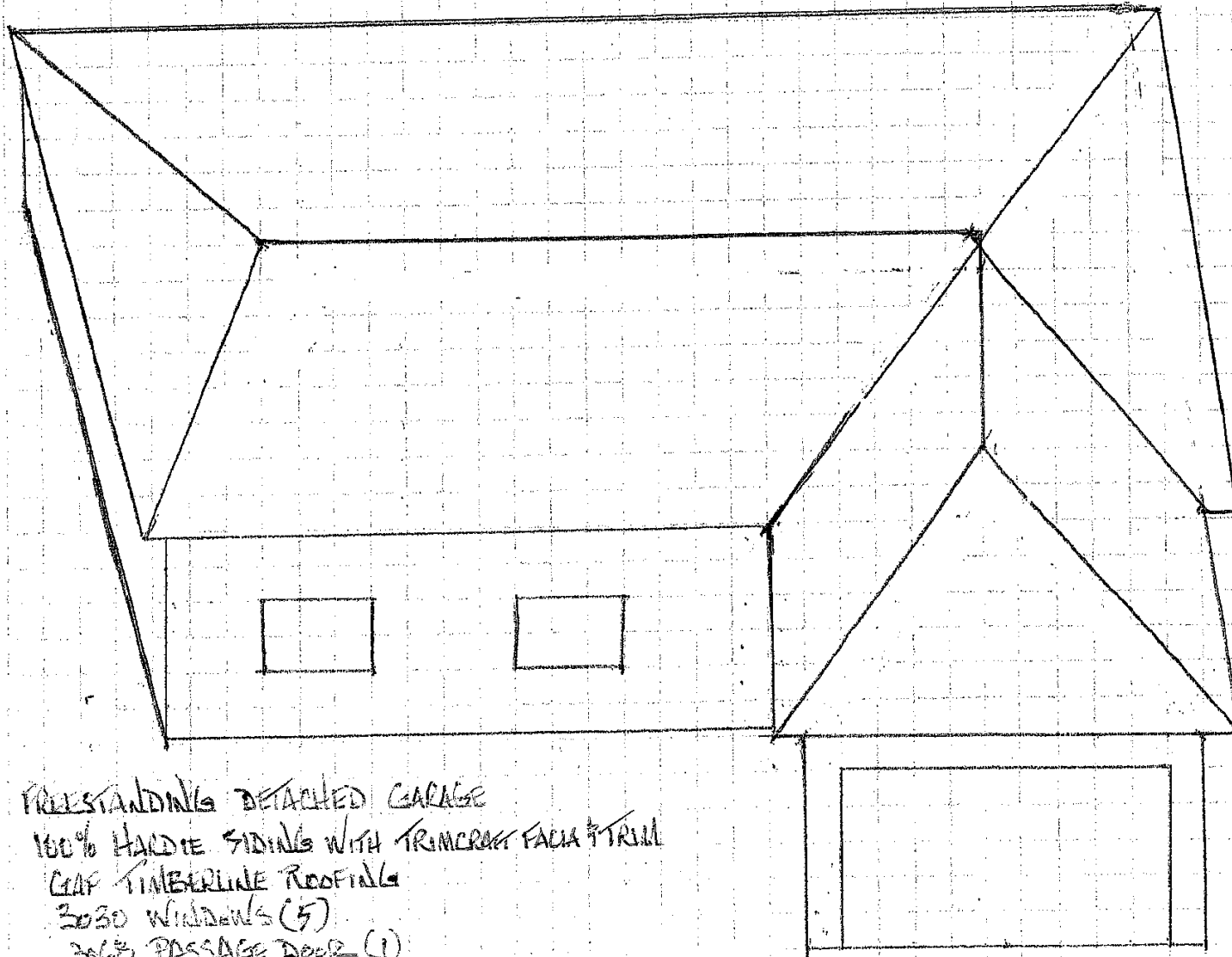


ELECTRICAL LEAD

- \$ SWITCH
- ~~+~~ PLUG/GFCI
- ⊙ CEILING FAN
- FU FLUORESCENT
- ⊙ LIGHT FIXTURE
- ⊙ DOUBLE HEAD FLOOD FIXTURE

Building Elevations

ALL EXTERIOR WALLS WRAPPED WITH DSB SHEATHING



PRESTANDING DETACHED GARAGE

100% HARDIE SIDING WITH TRIMCRACK FACIA & TRIM

GAF TIMBERLINE ROOFING

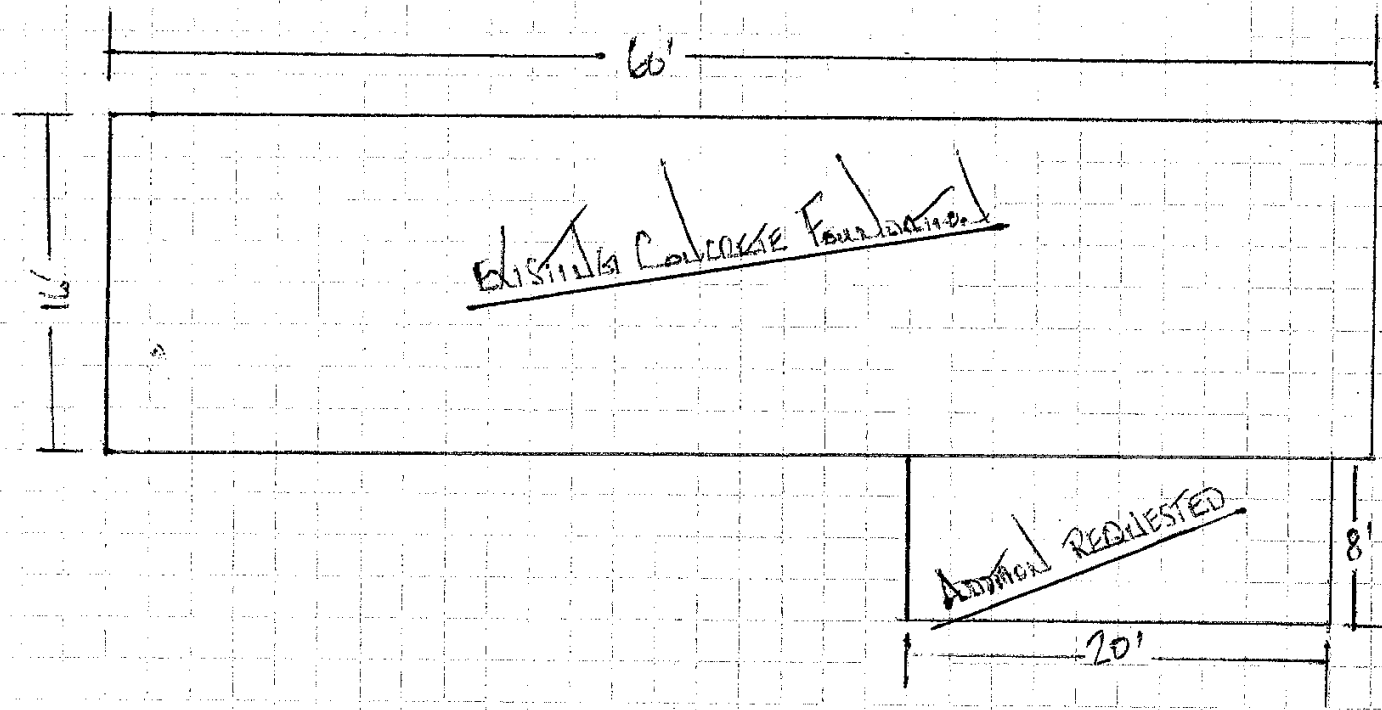
2030 WINDOWS (5)

2060 PASSAGE DOOR (1)

12'x7' STEEL GARAGE DOOR

ALL INTERIOR SHEETROCK & TEXTURED W/ 1/2" TEXT PAINT

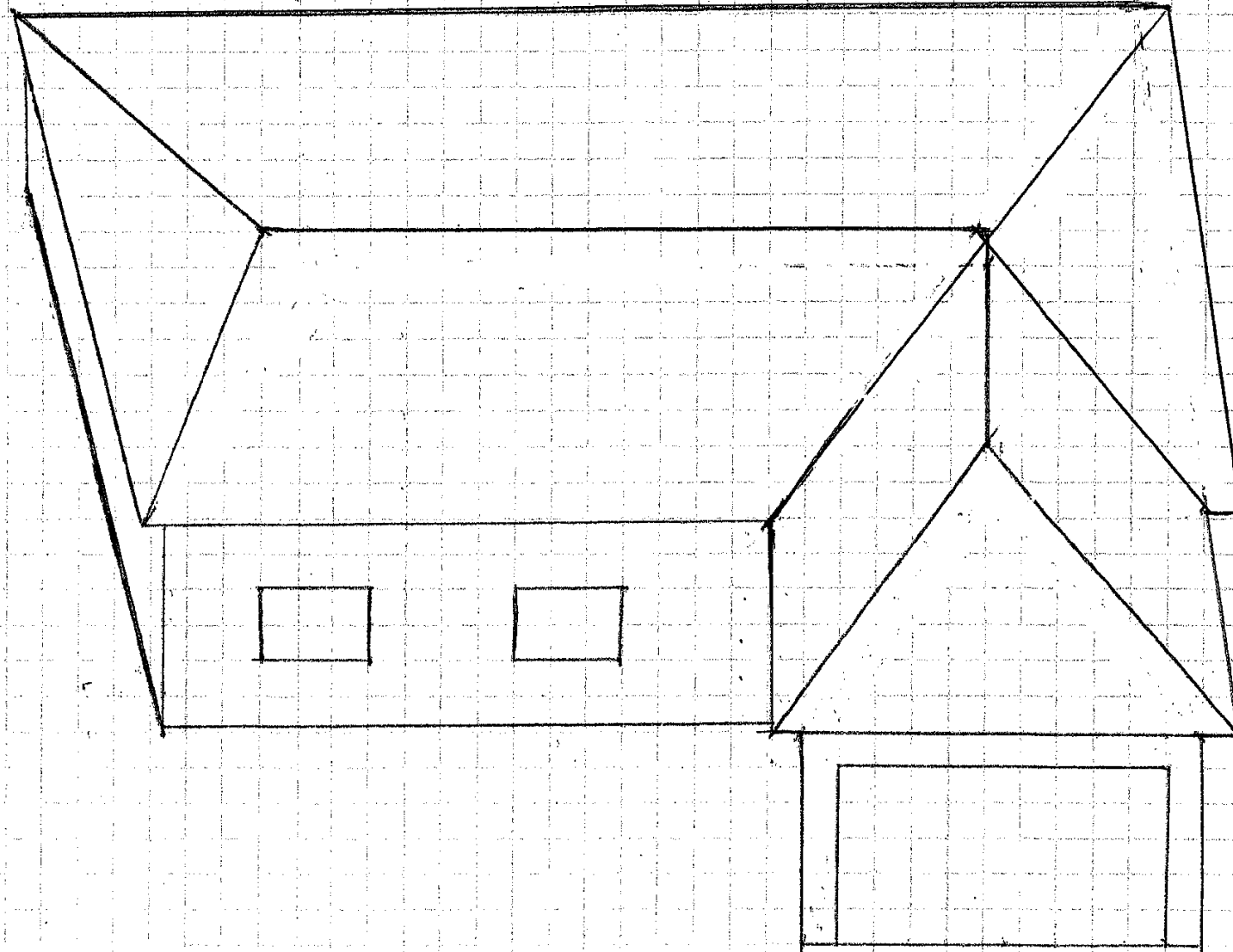
Building Elevations



PERMIT APPLICATION FOR 8' X 20' CONCRETE ADDITION TO EXISTING FOUNDATION
EXISTING FOUNDATION IS FREE STANDING AND NOT ATTACHED TO DWELLING
ADDITION WILL BE PER CITY SPECIFICATIONS OR ENGINEER SPECIFICATIONS

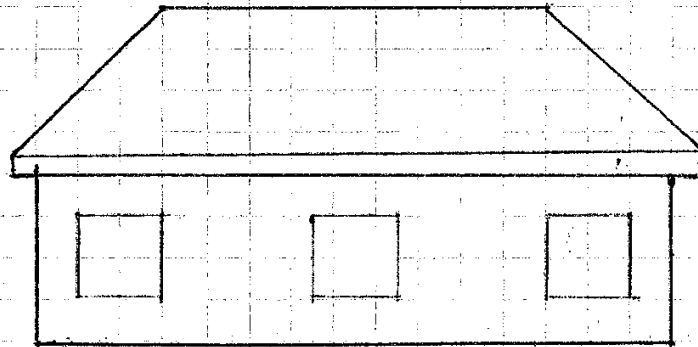
Building Elevations

ELEVATION

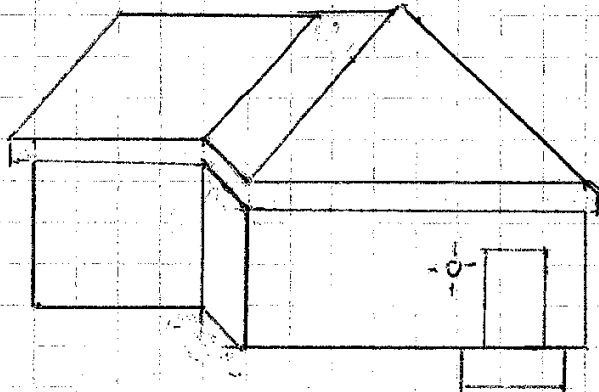


Building Elevations

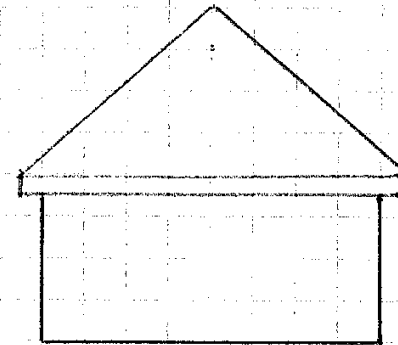
REAR ELEVATION



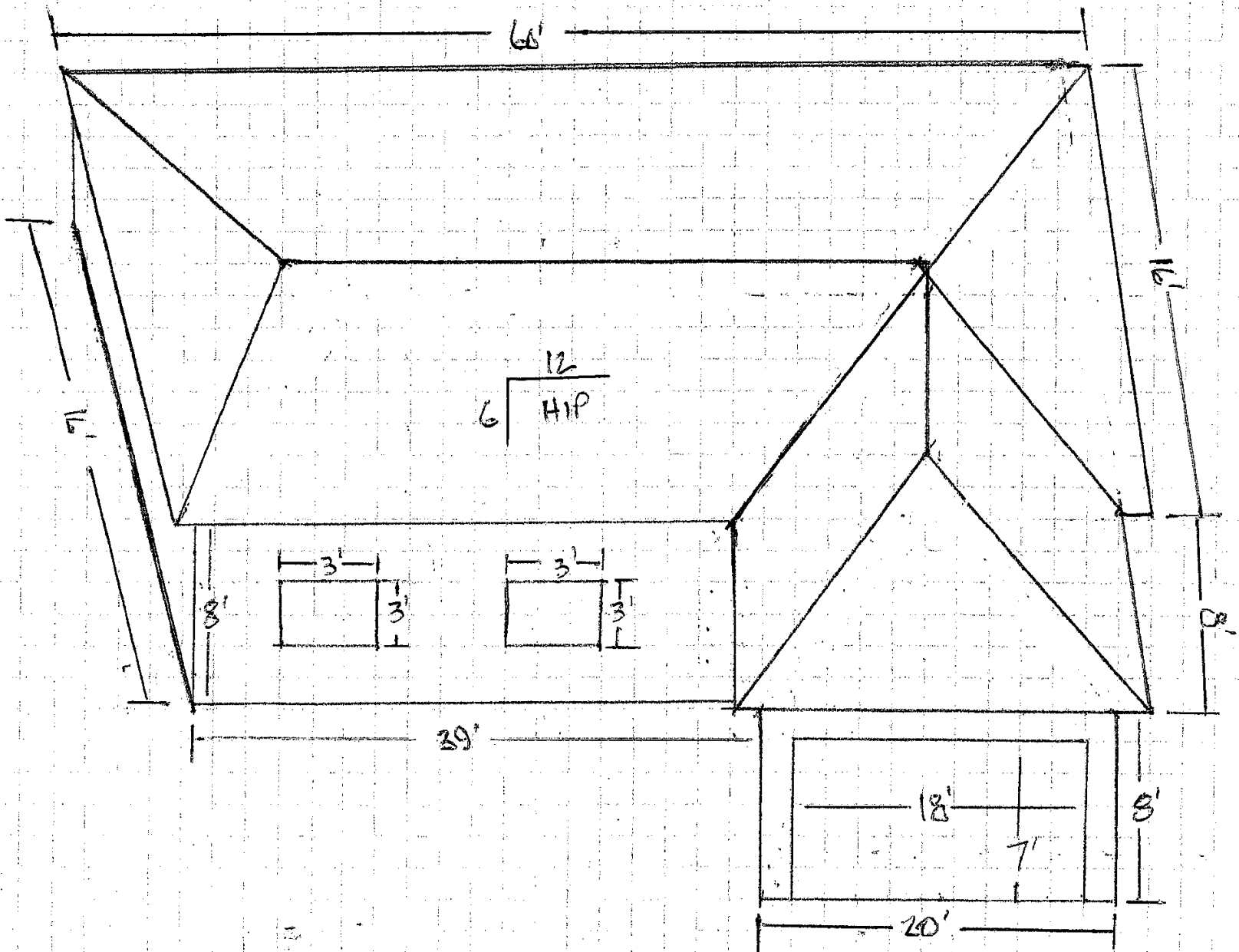
RIGHT SIDE ELEVATION



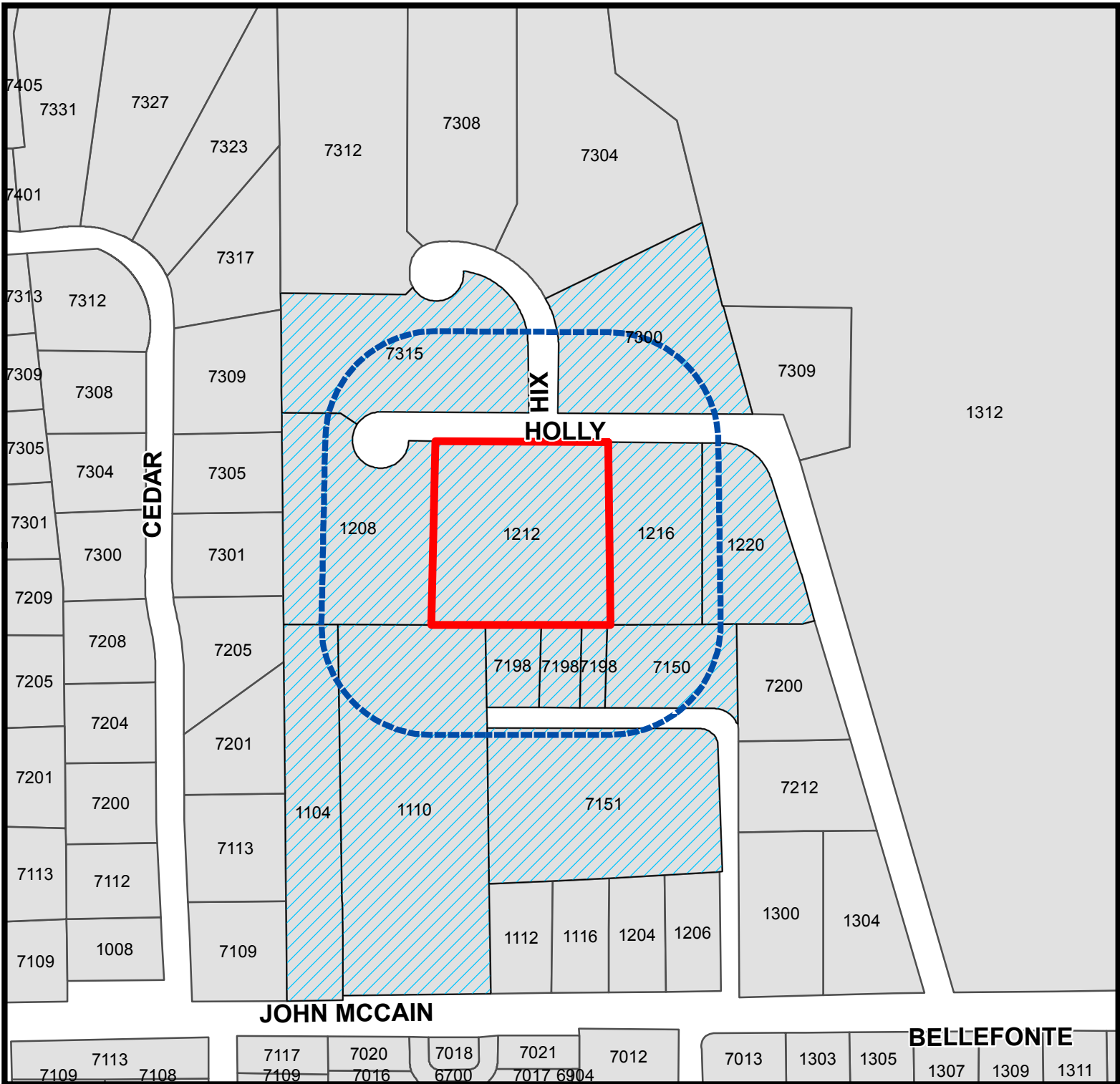
LEFT SIDE ELEVATION



Building Elevations



NOTIFICATION MAP



ZC16-012

1212 HOLLY LANE



1 inch = 250 feet



Subject Property

200 ft Buffer

Properties within 200ft

Vicinity Map



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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
KAUFFMAN, KURT H	1208 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7198 EVANS RD
KAUFFMAN, KURT H	1208 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7198 EVANS RD
WASHINGTON, DAVID	7300 HIX CT	COLLEYVILLE, TX	76034	7300 HIX CT
KAUFFMAN, KURT H	1208 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7198 EVANS RD
ST MARY'S COPTIC ORTHODOX CH	1110 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	1110 JOHN MCCAIN RD
KAUFFMAN, KURT H	1208 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7150 EVANS RD
UNIQUE LANDSCAPING DESIGN &	7111 COLLYVILLE BLVD # TX	COLLEYVILLE, TX	76034	7151 EVANS RD
EKSTAM, CHRISTOPHER L	7315 HIX CT	COLLEYVILLE, TX	76034	7315 HIX CT
PERONE, JOHN A	1216 HOLLY LN	COLLEYVILLE, TX	76034	1220 HOLLY LN N
NEWTON, RICHARD W	1208 HOLLY LN	COLLEYVILLE, TX	76034	1208 HOLLY LN N
KIRKHUFF, JEFFREY K	1212 HOLLY LN	COLLEYVILLE, TX	76034	1212 HOLLY LN N
PERONE, JOHN A	1216 HOLLY LN	COLLEYVILLE, TX	76034	1216 HOLLY LN N
GENCO, FRANK R	1104 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	1104 JOHN MCCAIN RD

CALDWELL'S CREEK HOA	P.O. BOX 682	COLLEYVILLE, TX	76034	COURTESY NOTICE
SHALIMAR HOA	6916 SHALINAR COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
WARWIC PARC HOA	4113 GATEWAY DR, STE 100	COLLEYVILLE, TX	76035	COURTESY NOTICE
EDWARD PALLUTH	1212 HOLLY LN	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Friday, July 22, 2016 by Araceli
Botello

ORDINANCE O-16-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING OF LOT 3, BLOCK 1, OF THE HIDDEN ACRES ADDITION, LOCATED AT 1212 HOLLY LANE, BY AUTHORIZING A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit for and accessory building under Case No. ZC16-012; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices

by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for an Accessory Building on Lot 3, Block 1, of the Hidden Acres Addition, located at 1212 Holly Lane, as depicted on the attached as Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the construction of an accessory building.
- b. The accessory building shall not exceed 1,120 square feet in size.
- c. The accessory building may not be used as an accessory dwelling unit.
- d. All requirements of the Land Development Code shall be met, except where amended herein.

- Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of October 2016.

The second reading and public hearing being conducted on the 18th day of October 2016.

PASSED AND APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 18TH DAY OF OCTOBER 2016.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map

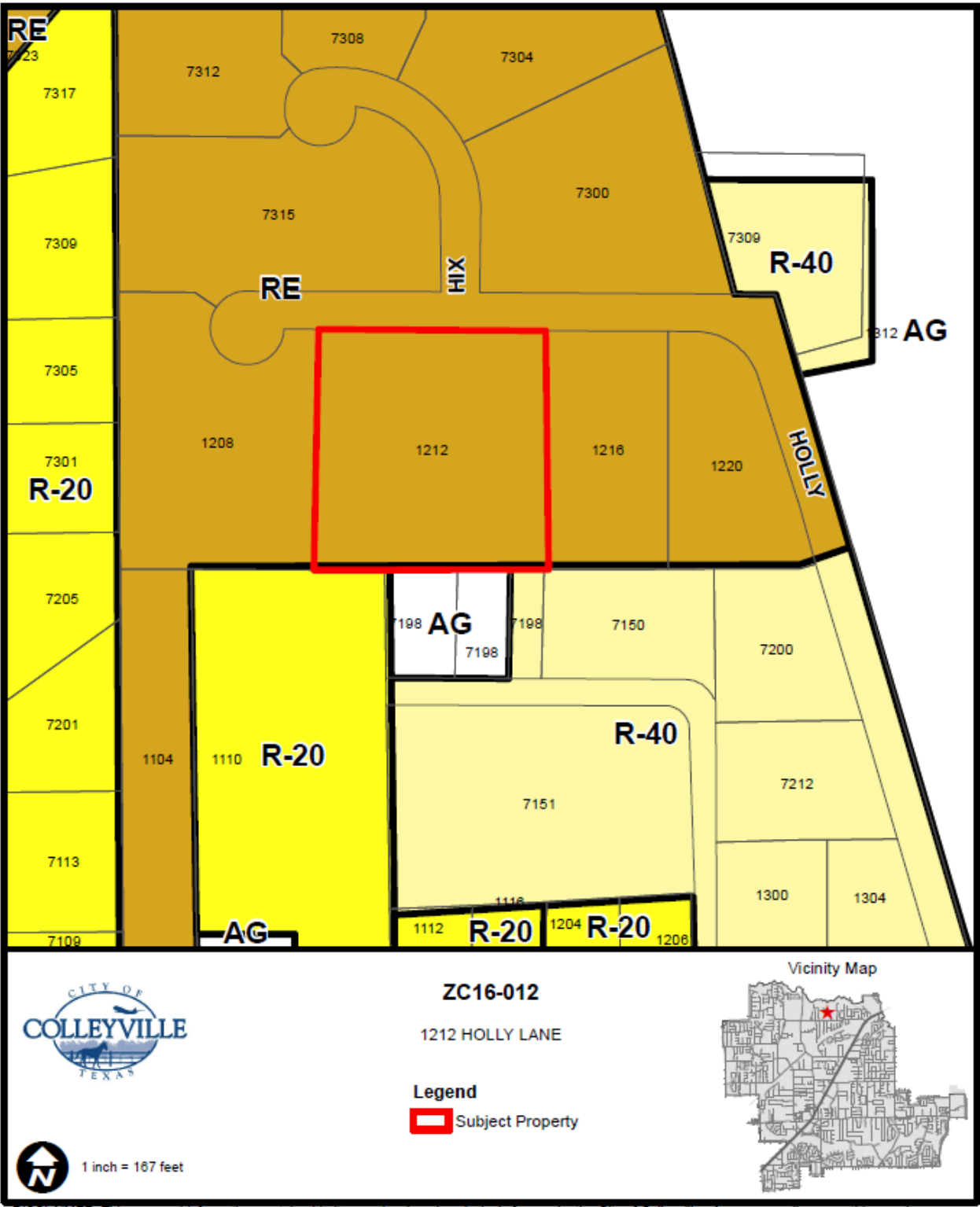
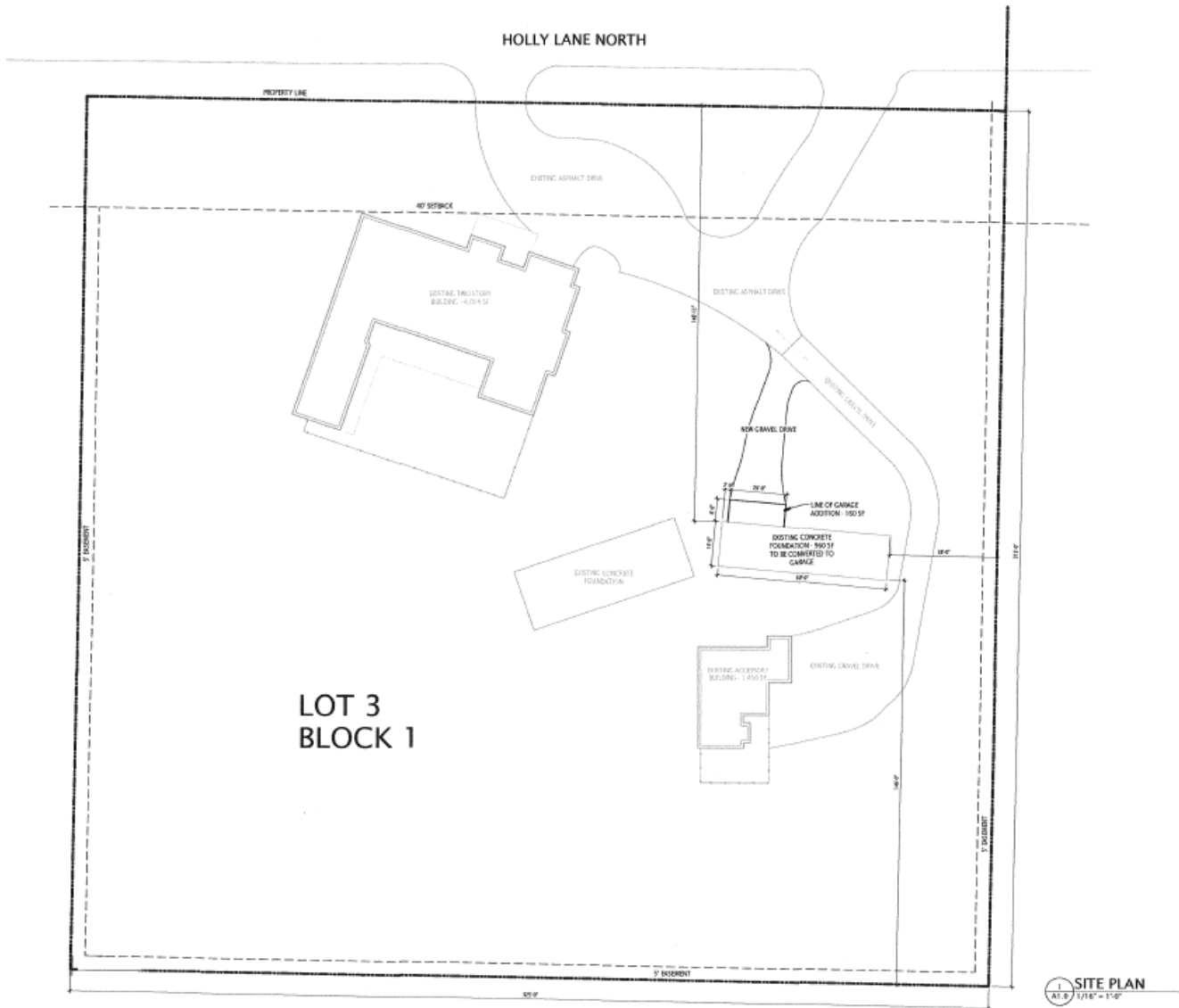


Exhibit “B” – Site Plan





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4b	Agenda Date 09/12/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from the AG Agricultural district to the R-40 Single Family Residential district on Lot 2, Block 1, Morris Addition, located at 7201 Pleasant Run Road, Case ZC16-014

Explanation

Waguhi Guirguis, the applicant, has submitted a request to rezone approximately 6.48 acres, located at 7201 Pleasant Run Road, from the AG Agricultural district to the R-40 Single Family Residential district. The applicant is seeking a zoning change in order to subdivide the subject property into three lots for future residential development.

Existing Conditions/Background: The subject property is currently a platted lot of the Morris Addition. A subsequent replat will be required if the applicant wishes to subdivide the property, should the rezoning request be approved.

Proposed Zoning Change:

Request – The applicant is requesting a zoning change from the AG Agricultural district to the R-40 Single Family Residential district to subdivide a single lot into three individual lots. The applicant has indicated the intent to preserve the existing home and construct two new single family homes.

Ordinance – Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the R-40 zoning regulations require the following standards:

Minimum Lot Area: 40,000 square feet
Minimum Lot Width: 150 feet
Minimum Lot Depth: 150 feet
Minimum Front Yard Setback: 40 feet
Minimum Side Yard Setbacks: 15 feet
Minimum Rear Yard Setback: 25 feet
Maximum Lot Coverage: 20 percent

The applicant has provided a zoning exhibit which is conceptual in nature and not up for consideration as part of the zoning request. However, the conceptual exhibit proposes three lots 1.805 acres, 1.800 acres, and 2.875 acres in size respectively. This conceptual plan appears to meet the R-40 zoning district's minimum lot area of 40,000 square feet and other standards as listed above. Chapter 3 (Land Use) of the Land

Development Code identifies the purpose and intent of the R-40 zoning district as primarily oriented toward low-density residential purposes and open space uses. Additionally, it states the principal uses shall be moderately low-density detached single family homes.

Analysis – Although the zoning designations for the majority of the adjacent properties are AG Agricultural, the proposed conceptual zoning exhibit maintains large estate lots which are generally consistent with the development pattern in the area.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached location map:

AG Agricultural District (Single Family Home)	AG Agricultural District (Single Family Home)	AG Agricultural District (Single Family Home)
R-40 Single Family Residential (Single Family Home)	<i>Subject Property</i> AG Agricultural District (Single Family Home)	AG Agricultural District (Single Family Home)
R-40 Single Family Residential (Single Family Home)	AG Agricultural District (Single Family Home)	AG Agricultural District (Single Family Home)

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single family residential uses. The proposed rezoning request does not seek to change the use on the subject property from single family residential uses. The comprehensive plan's Residential Density Policy states that the maximum density of each residential project shall be 1.8 dwelling units per acre. The proposed density is 0.46 dwelling units per acre. The requested zoning change is consistent with the comprehensive plan.

Fees: Park Land Dedication fees are required in the amount of \$1,802 per residential lot. Park Land Dedication fees are due prior to filing the plat for record. Impact Fees are also required per Chapter 13 (Impact Fees) of the Land Development Code and are due prior to the issuance of a Building Permit.

Tree Preservation: Any future subdivision of the subject property must comply with Chapter 5 (Tree Preservation) of the Land Development Code. Where any tree is slated for removal, no site grading, dirt disturbance or new construction may occur on the property until a Tree Removal Permit has been issued that is associated with an approved Tree Preservation Plan.

In addition to the requirements for submittal of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the minimum existing protected tree canopy coverage as required in Chapter 5.

Public Notification: Staff mailed notices to all property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: The proposed zoning change is consistent with the City's comprehensive plan. Although the requested R-40 District is not the same as the surrounding AG Agricultural district designations, the R-40 District is generally consistent with the surrounding properties and development pattern. Staff recommends approval of the proposed rezoning request.

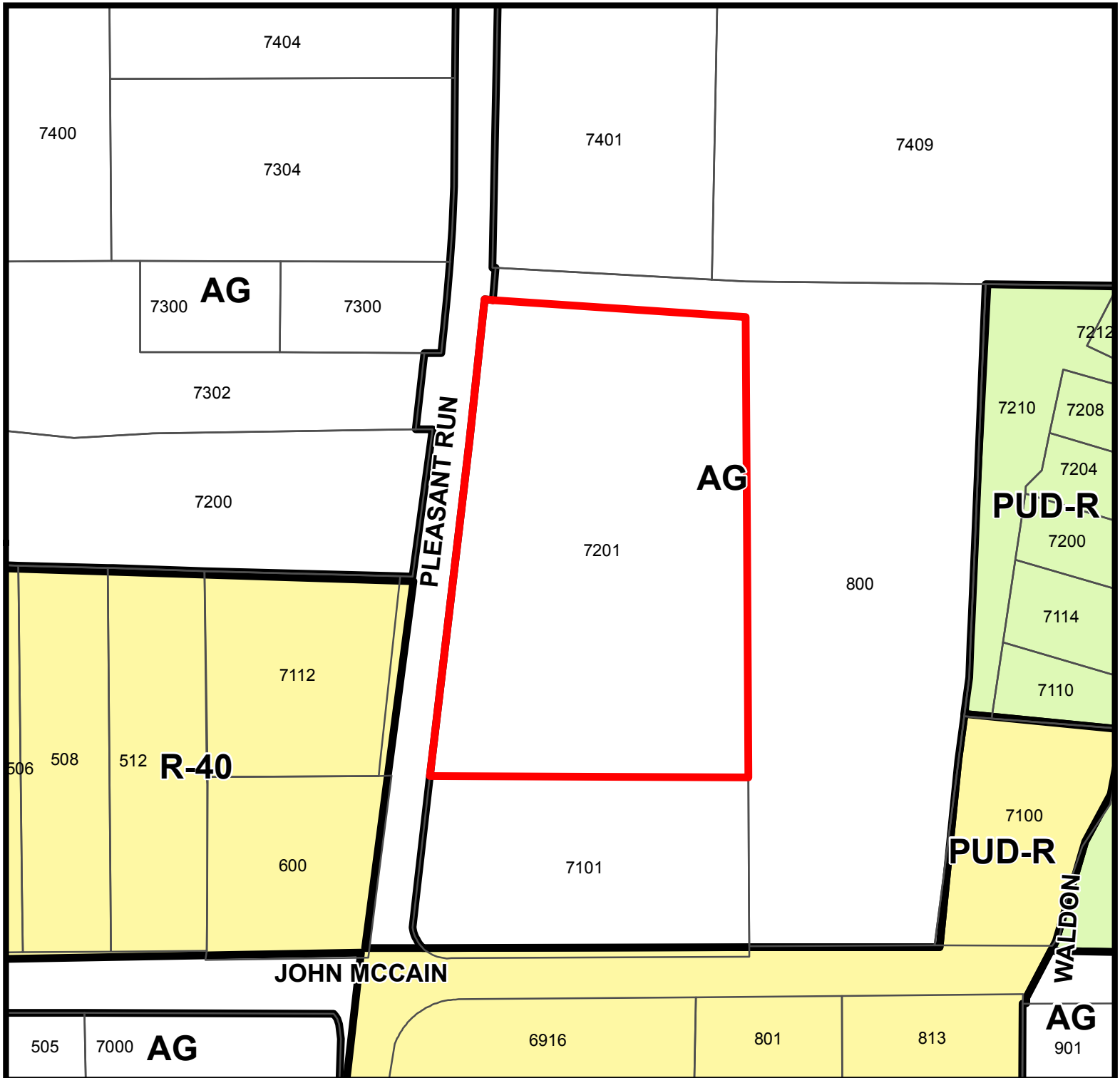
Recommendation

Approve

Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Existing Plat
6. Conceptual Zoning Exhibit
7. Notification Map
8. Notification List
9. Draft Ordinance

ZONING MAP



ZC16-014

7201 PLEASANT RUN RD

Legend

 Subject Property



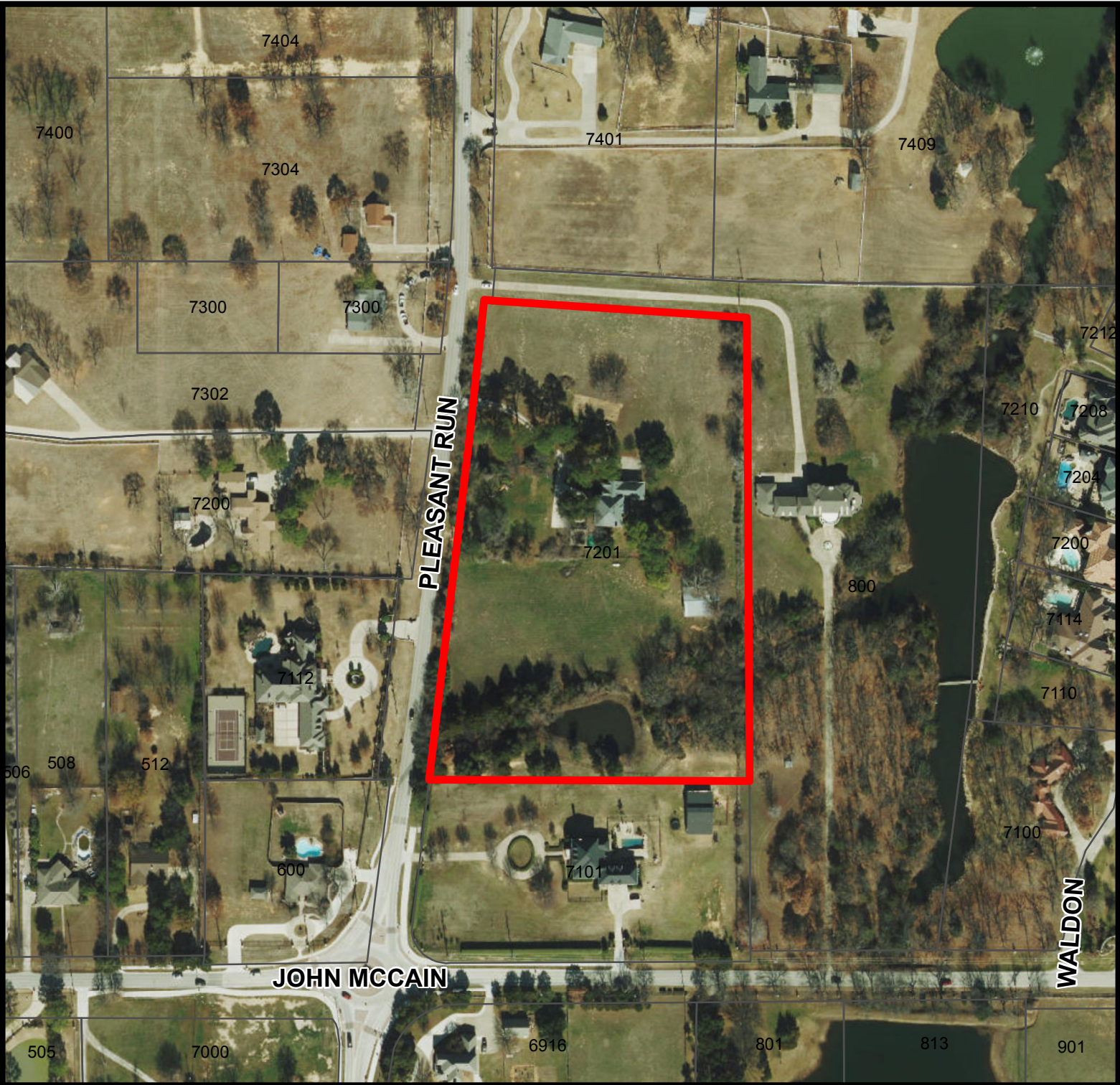
1 inch = 208 feet

Vicinity Map



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AERIAL MAP



ZC16-014

7201 PLEASANT RUN RD

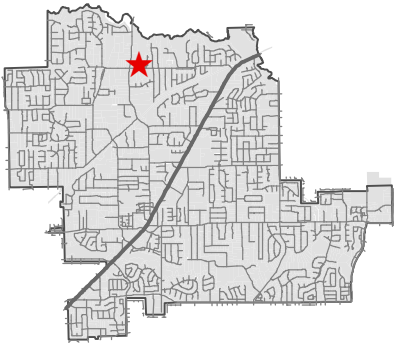
Legend

 Subject Property



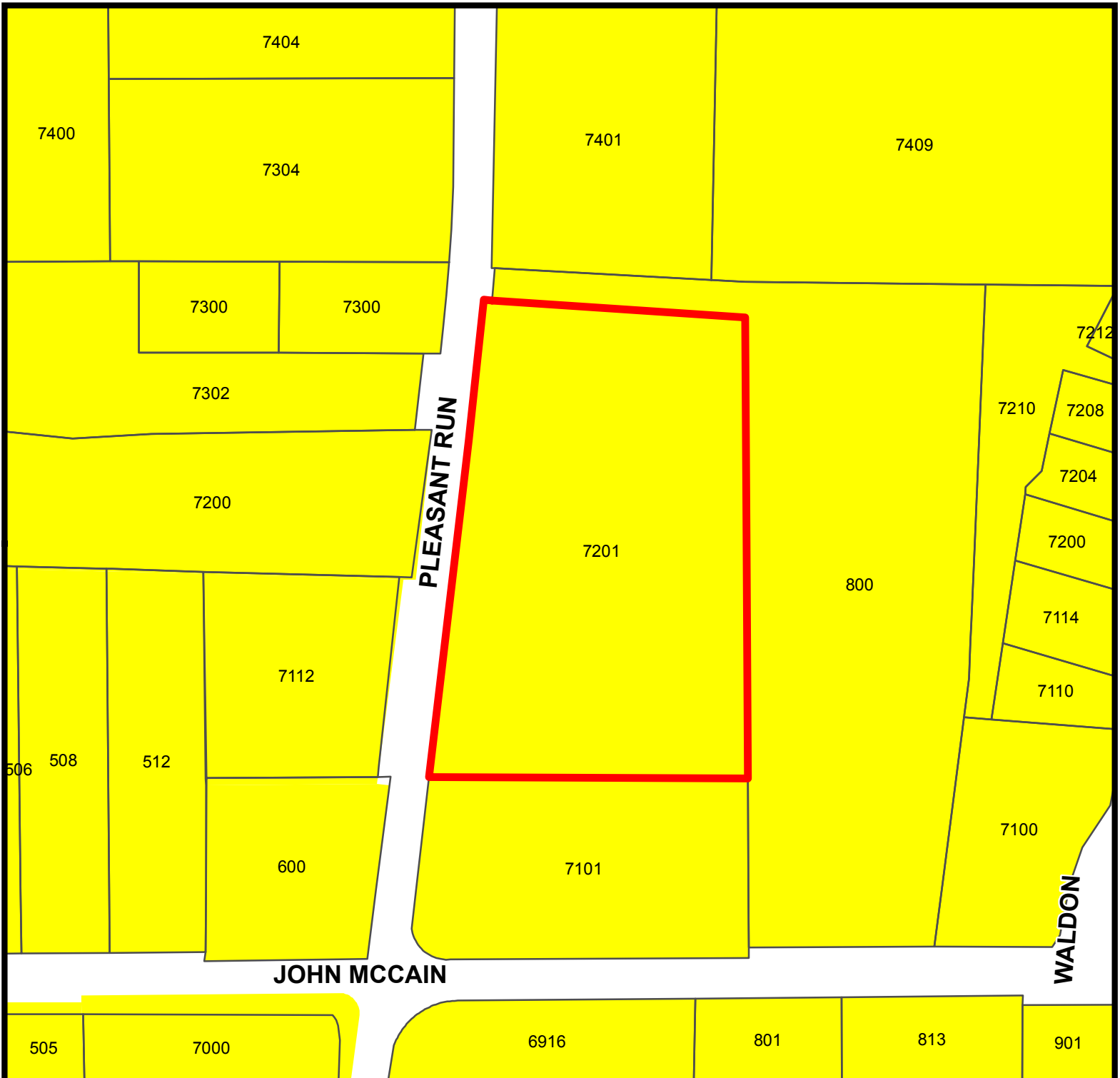
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FUTURE LAND USE MAP



ZC16-014

7201 PLEASANT RUN RD

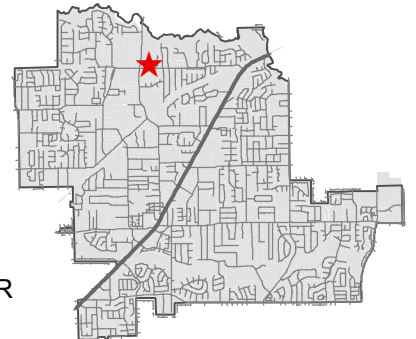
Legend

- | | | | |
|---|------------------|---|---------------------------|
|  | Subject Property |  | INSTITUTIONAL |
|  | RESIDENTIAL |  | PARKS/ OPEN SPACE |
|  | COMMERCIAL |  | COLLEYVILLE BLVD CORRIDOR |



1 inch = 208 feet

Vicinity Map



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Statement of Planning Objectives of Morris Addition for

7201 Pleasant Run Lot 2, Block 1 Morris Addition
Rezoning Request from AG and R-40



Statement of Planning Objectives

**Statement of Planning Objectives
of
Morris Addition
for
7201 Pleasant Run Road Lot 2, Block 1 Morris Addition

Rezoning Request from AG and R-40

Colleyville, Texas 76034**

INTRODUCTION

Mr. Stephen Morris being the property owner and Mr. Waguih Guirguis applicant (Prospective Buyer), hereby requests the property described herein to be rezoned from AG and R-40. The 6.48-acre tract will be re-platted into three (3) lot single-family residential lots with a minimum area of 1 acre each.

The Statement of Planning Objectives to the City of Colleyville will document and provide information in three areas:

1. Review of the existing site with its current ownership, and use, and review of surrounding conditions such as, adjacent zoning, land uses, etc;
2. Description of the proposed re-plat concept for the requested R-40;

PROJECT LOCATION AND DESCRIPTION

7201 Pleasant Run Road is an existing platted lot (Lot 2, Block 1) that is located in the **Morris Addition**, which is situated on the east side of Pleasant Run Road, approximately one tenth of mile of John McCain Road in the City of Colleyville, Tarrant County, Texas.

The property is bordered to the south by one (1) single family residential lots at the corner of Pleasant Run Road and John McCain Road, which is zoned AG. The property is bordered to the north and east by one (1) lot, which is zoned AG. The properties to the west on the west side of Pleasant Run Road are zoned R-40 and AG.

OWNERSHIP

The property is currently owned by:

Mr. Stephen Morris who resides at 7201 Pleasant Run Road.

Statement of Planning Objectives

PROPOSED SITE ZONING AND LAND USE

The proposed zoning classification for the 6.48 acres is “R-40”. The proposed land use for 7201 Pleasant Run Road Lot 2, Block 1 of **Morris Addition** is for single-family, detached residential units with a maximum density of 0.46 units per acre or approximately 3 residential lots.

DEVELOPMENT CONCEPT

The development concept of 7201 Pleasant Run Road Lot 2, Block 1 of **Morris Addition** is to subdivide this property into large lots that will preserve the integrity of the existing surrounding land use and property zoning with R-40 type lots in the immediate area.

DEVELOPMENT STANDARD

The development standards set forth for 7201 Pleasant Run Road Lot 2, Block 1 of **Morris Addition** will meet zoning district standards for R-40 per the City of Colleyville, Texas Land Development Code.

DRAINAGE

7201 Pleasant Run Road Lot 2, Block 1 of **Morris Addition** naturally drains from west to east and from south to north.

The property is not impacted by any FEMA floodplain or floodway designation and will not require a flood study or submittal of any applications to FEMA. The existing pond will be retained and will be maintained on the southern lot.

WATER DISTRIBUTION SYSTEM

There is an existing water line within the right-of-way of Pleasant Run Road on the east side of the right-of-way that runs along the entire frontage of 7201 Pleasant Run Road Lot 2, Block 1 of **Morris Addition**.

SANITARY SEWER SYSTEM

7201 Pleasant Run Road Lot 2, Block 1 of **Morris Addition** will sewer to an existing 8-inch line within Pleasant Run Road right-of-way.

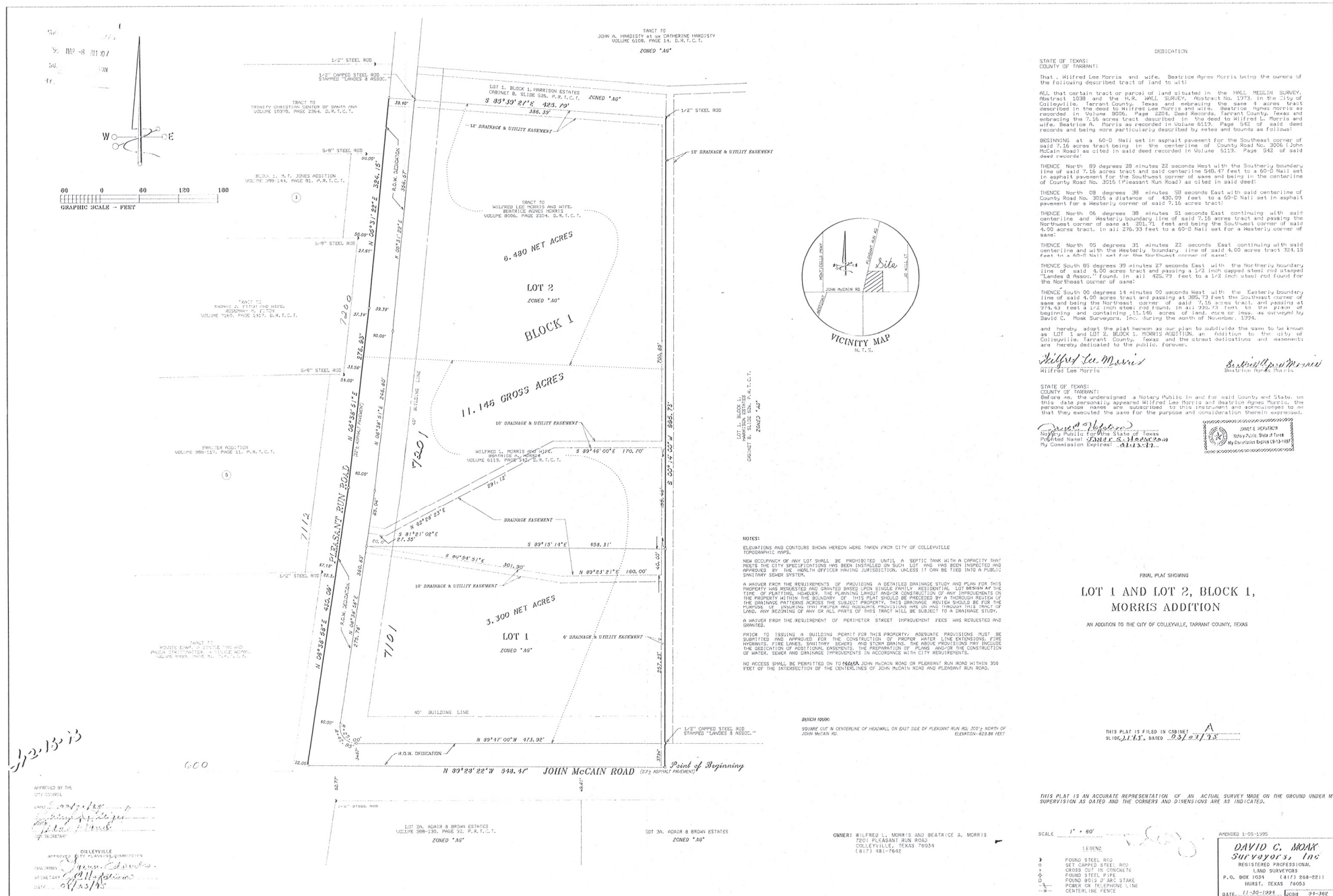
SUMMARY

This rezoning will allow for the re-platting 7201 Pleasant Run Road Lot 2, Block 1 of **Morris Addition** to provide three (3) large lots with an overall density of 0.46 lots/acre. The estimated home values built these new lots is expected to be between \$1,000,000 and \$3,000,000 range.

Statement of Planning Objectives

We feel that this re-zoning and re-platting will be an attractive addition to this area of Colleyville. We respectfully request the City of Colleyville Planning and Zoning Commission and City Council to consider and approve a change in zoning from AG and R-40.

Existing Plat



Conceptual Zoning Exhibit



LEGAL DESCRIPTION

BEING 6.480 ACRE TRACT OF LAND LOCATED IN HALL MEDLIN SURVEY, ABSTRACT NO. 1038, TARRANT COUNTY, TEXAS, AND BEING LOT 2, BLOCK 1, OF MORRIS ADDITION, AN ADDITION TO THE CITY OF COLLEVILLE, TARRANT COUNTY, TEXAS AS RECORDED IN CABINET A, SLIDE 2145, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND AS CONVEYED TO STEPHEN MORRIS BY DEED RECORDED IN INSTRUMENT NUMBER D21126717, REAL PROPERTY RECORDS, TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 2, IN EAST RIGHT-OF-WAY LINE OF PLEASANT RUN ROAD (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 85 DEGREES, 39 MINUTES, 27 SECONDS EAST, 386.39 FEET WITH THE COMMON LINE OF SAID LOT 2, AND LOT 1, BLOCK 1, HARRISON ESTATES, AS RECORDED IN CABINET B, SLIDE 526, OF SAID PLAT RECORDS, TO A 1/2 INCH IRON FOUND FOR THE NORTHEAST CORNER OF SAID LOT2;

THENCE SOUTH 00 DEGREES, 14 MINUTES, 00 SECONDS WEST, 660.85 FEET WITH THE EAST LINE OF SAID LOT 2, AND THE WEST LINE OF SAID LOT 1, TO THE SOUTH EAST CORNER OF SAID LOT 1, AND THE NORTHEAST CORNER OF LOT 2, BLOCK 1, OF SAID MORRIS ADDITION IN THE WEST LINE OF SAID LOT 1, HARRISON ESTATE;

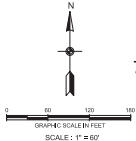
THENCE NORTH 89 DEGREES, 15 MINUTES, 14 SECONDS WEST, 458.31 FEET WITH THE COMMON LINE OF LOT 1, AND LOT 2, OF SAID MORRIS ADDITION TO A 1/2 INCH IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF SAID PLEASANT RUN ROAD;

THENCE NORTH 08 DEGREES, 38 MINUTES, 58 SECONDS EAST, 85.04 FEET WITH THE WEST LINE OF SAID LOT 2;

THENCE NORTH 06 DEGREES, 38 MINUTES, 51 SECONDS EAST, 246.80 FEET WITH THE WEST LINE OF SAID LOT 2;

THENCE NORTH 05 DEGREES 31 MINUTES, 22 SECONDS EAST, 356.57 FEET WITH THE COMMON LINE OF SAID LOT 2, AND SAID PLEASANT RUN ROAD TO THE PLACE OF BEGINNING AND CONTAINING 282,271 SQUARE FEET OR 6.480 ACRES OF LAND, MORE OR LESS.

ACCORDING TO FEMA MAP NO. 48439C0099K, ZONE X, DATED 9-25-2009, THE ABOVE LOT DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN, AT THIS TIME.



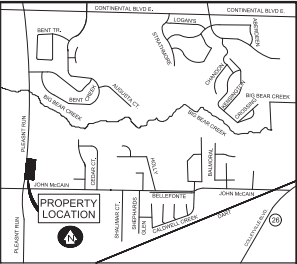
ZONING EXHIBIT
FOR ZONING CHANGE
FROM AG TO R-40
LOT 2 OF BLOCK 1
OF THE
MORRIS ADDITION
IN
CITY OF COLLEVILLE
TARRANT COUNTY, TEXAS
BEING 6.48 ACRES OF LAND

PREPARED AUGUST 2016

ENGINEER/SURVEYOR
A.N.A. CONSULTANTS, L.L.C.
5000 THOMPSON ROAD
COLLEVILLE, TEXAS 76034
TEL (817) 335-9900
FAX (817) 335-9955
F.R.N.1003090

DEVELOPER
WAGUIH GURGUIS
75 MAIN STREET SUITE 100
COLLEVILLE, TX 76034

OWNER
STEPHEN MORRIS
7201 PLEASANT RUN ROAD
COLLEVILLE, TEXAS 76034



A.N.A. CONSULTANTS, L.L.C.
SURVEYORS and ENGINEERS
1500 W. MAIN STREET, SUITE 100
COLLEVILLE, TEXAS 76034
TEL: 817.335.9900 Fax: 817.335.9955
E-MAIL: info@anna-llc.com
TYPE & FIRM NO.: 10030900

ENGINEERS & SURVEYORS

NO.	REVISION DESCRIPTIONS	DATE
1		

DRAWING DATE:	DRAWN BY:	CHECKED BY:	SUBMITAL NO.:
08-12-2016	MAA	CEP	1

ZONING EXHIBIT A

MORRIS ADDITION

7201 PLEASANT RUN ROAD

LOT 2, BLOCK 1

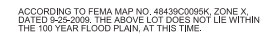
A.N.A. PROJECT NO.:
16-0450

DRAWING NO.:
15-000X

SHEET NO.:
1

2:00 PM
8/10/2016
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2:18:35 PM
8/10/2016

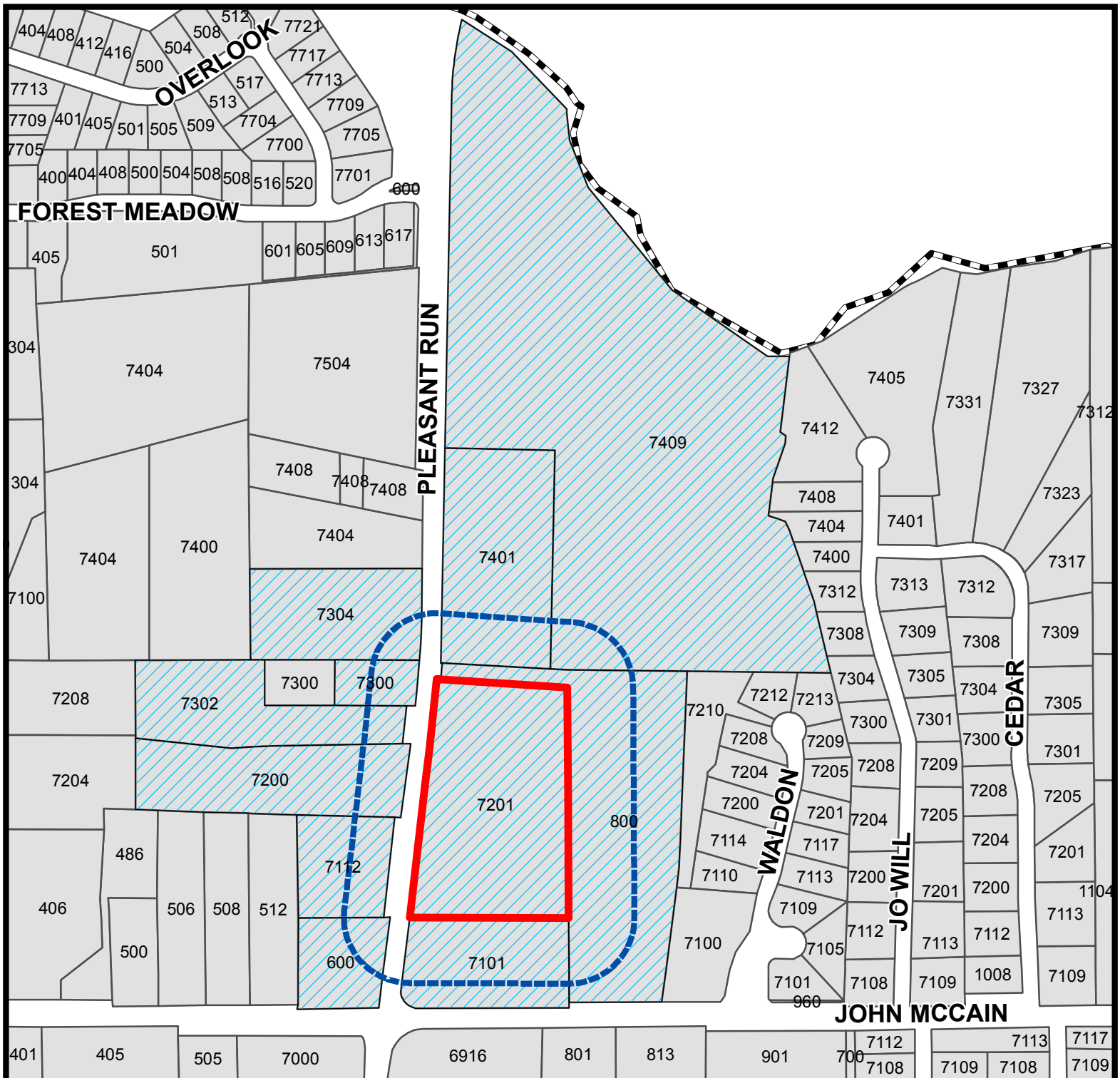


PREPARED AUGUST 2016

OWNER
STEPHEN MORRIS
7201 PLEASANT RUN ROAD
COLLEYVILLE, TEXAS 76034

A.N.A. PROJECT NO.:	16-0450
CASE NO.:	15-0XXX
SHEET No.:	2

NOTIFICATION MAP



ZC16-014

7201 PLEASANT RUN ROAD



1 inch = 417 feet

-  Subject Property
 200ft Buffer
 Properties within 200ft

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
TRINITY CHRIS CTR SANTA ANA	2442 MICHELLE DR	TUSTIN, CA	92780	7304 PLEASANT RUN RD
TRINITY CHRIS CTR SANTA ANA	2442 MICHELLE DR	TUSTIN, CA	92780	7300 PLEASANT RUN RD
TRINITY CH CENTER OF SANTA ANA	2442 MICHELLE DR	TUSTIN, CA	92780	7200 PLEASANT RUN RD
TRINITY CHRIS CTR SANTA ANA	PO BOX A	SANTA ANA, CA	92711	7302 PLEASANT RUN RD
MILLER, DOUGLAS L	7112 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7112 PLEASANT RUN RD
TRINITY CHRISTIAN CENTER INC	2442 MICHELLE DR	TUSTIN, CA	92780	7401 PLEASANT RUN RD
MORRIS, STEPHEN	7201 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7201 PLEASANT RUN RD
GOIN, DONALD W	7101 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7101 PLEASANT RUN RD
HARRISON, CYNTHIA	800 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	800 JOHN MCCAIN RD
MITCHELL, EDWARD	600 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	600 JOHN MCCAIN RD
TRINITY CHRISTIAN CENTER INC	2442 MICHELLE DR	TUSTIN, CA	92780	7409 PLEASANT RUN RD

WILLIAMSBURG ESTATE HOA	7113 WALDON COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
GUIRGUIS, WAGUIH	75 MAIN STREET	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Friday, August 26, 2016 by Araceli
Botello

ORDINANCE O-16-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 6.48 ACRES, LOT 2, BLOCK 1, OF THE MORRIS ADDITION, LOCATED AT 7201 PLEasant RUN ROAD, FROM THE AG AGRICULTURAL ZONING DISTRICT TO THE R-40-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC16-014; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; and to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance

Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 6.48 acres Lot 2, Block 1 of the Morriss Addition, located at 7201 Pleasant Run Road from the AG Agricultural zoning district to the R-40-Single Family Residential zoning district, as depicted in the attached Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 6. THAT in addition to and accumulative of all other penalties, the

City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of October 2016.

The second reading and public hearing being conducted on the 18th day of October 2016.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18TH DAY OF OCTOBER 2016.

Mayor Richard Newton	_____ Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____ Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____ Place 6, Mike Taylor	_____
Place 4, Jody Short	_____	

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A"- Zoning Map

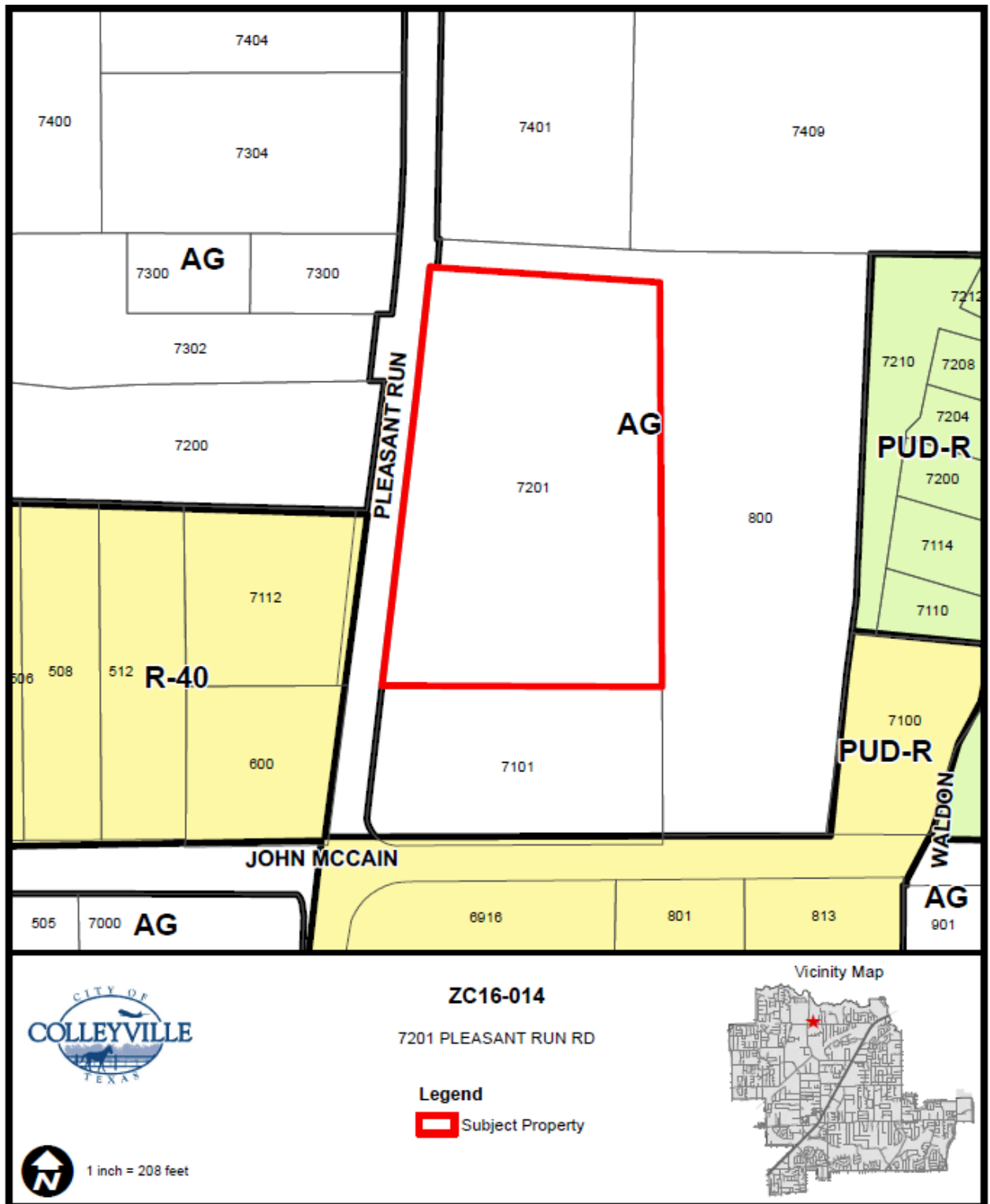


Exhibit “B”- Metes & Bounds Description

LEGAL DESCRIPTION

BEING 6.480 ACRE TRACT OF LAND LOCATED IN HALL MEDLIN SURVEY, ABSTRACT NO. 1038, TARRANT COUNTY, TEXAS, AND BEING LOT 2, BLOCK 1, OF MORRIS ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS AS RECORDED IN CABINET A, SLIDE 2145, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND AS CONVEYED TO STEPHEN MORRIS BY DEED RECORDED IN INSTRUMENT NUMBER D211236717, REAL PROPERTY RECORDS, TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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THENCE SOUTH 00 DEGREES, 14 MINUTES, 00 SECONDS WEST, 660.85 FEET WITH THE EAST LINE OF SAID LOT 2, AND THE WEST LINE OF SAID LOT 1, TO THE SOUTH EAST CORNER OF SAID LOT 1, AND THE NORTHEAST CORNER OF LOT 2, BLOCK 1, OF SAID MORRIS ADDITION IN THE WEST LINE OF SAID LOT 1, HARRISON ESTATE;

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City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4c	Agenda Date 09/12/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of an amendment to the PUD- R Planned Unit Development-Residential district on Lots 1-9, 10X, 11X, 12X, Block 1, Carmel Place Estates, located at 1301 Glade Road, Case ZC16-015

Explanation

Russell Slovak, the applicant, has submitted a request to amend the PUD-R (Planned Unit Development Residential) zoning on approximately 6.42 acres, known as Carmel Place Estates. As requested, the amendment would revise the Front Building Line from 30 feet to 20 feet on three lots within the subdivision. The intent of the amendment is to provide a greater buildable area on three lots which are encumbered by floodplain. The applicant is not requesting any additional amendments to the PUD-R ordinance.

Existing Conditions: The subject property is currently platted as the Carmel Place Estates Addition and generally located south of Glade Road and west of Bluebonnet Drive. The subject property consists of nine residential lots, and three open space lots.

Zoning: The subject property is currently zoned PUD-R (Planned Unit Development Residential). The subject property was rezoned from the AG (Agricultural) district to PUD-R in February of 2008 by Ordinance O-08-1659 (attached for reference).

Statement of Planning Objectives: The applicant submitted a Statement of Planning Objectives which is attached for your review. Included in the Statement of Planning Objectives, the applicant describes the existing floodplain on the subject property and the reduction in buildable area on Lots 7, 8, and 9 caused by this natural feature. The applicant further describes the desire to reduce the building setback on the aforementioned lots to allow for a greater buildable area.

Proposed Zoning Change:

Request - The applicant is requesting to amend the existing PUD-R to allow a revision to the front building line for Lots 7, 8, and 9. The applicant requests to reduce the front building line from the required 30 feet to 20 feet. The applicant has not requested any additional amendments to the PUD-R ordinance.

Ordinance - Per Section 4 (Residential Lot Requirements and Setbacks) of Ordinance O-08-1659 the subject property is subject to the following standards:

Single-family detached residential lot requirements and setbacks shall comply with the following provisions. Building line setbacks established by Exhibit "C", shall control where such building line setback is different from the following requirements.

1. Minimum Lot Size 20,000 square feet.
2. Minimum Lot Width 100 feet, except for cul-de-sac lots which shall be a minimum 83 feet wide.
3. Front Building Line 30 feet
4. Side Building Line 10 feet.
5. Rear Building Line 25 feet.

Analysis - The typical course of action for relocating a building line is to request a variance from the Zoning Board of Adjustment. However, since the subject property is zoned PUD-R and the ordinance is prescriptive in nature only City Council may approve a modification to a provision of the governing ordinance.

The governing PUD-R (Ordinance O-08-1659) is specific in regards to the front building line. Section 4.c establishes the requirement for a 30 foot front building line for all residential lots. This provision is further codified in "Exhibit C" of the governing ordinance which shows a 30 foot front building line along the front of each of the nine residential lots. The applicant contends that Lots 7, 8, and 9, which are located on the cul-de-sac, are too encumbered by floodplain to build the size of home desired by prospective homeowners. Staff agrees that the lots have an unusually limited buildable area which may pose a hardship. Additionally, staff believes that a reduced building line will not adversely impact the neighborhood. Since the three lots are located on a cul-de-sac the reduced building lines should not be highly noticeable.

The subject property is unique in that it has a significant amount of floodplain covering a large portion of each residential lot. The City's Engineering department reviewed the proposal and associated engineering reports at the time of approval and verified that the residential lots were developable. City staff further confirmed the feasibility of the project in the course of reviewing the subdivision plat. Although Lots 7, 8, and 9 have a limited buildable area it is feasible to construct a home on each lot. The applicant's request is due to the desire to construct homes larger than the available buildable area.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached zoning and aerial maps:

PUD-R Planned Unit Development – Residential (<i>Riverwalk at Colleyville</i>)	PUD-R Planned Unit Development – Residential (<i>Bridges at Riverwalk</i>)	PUD-R Planned Unit Development – Residential (<i>The Preservation</i>)
R-20 Single Family Residential (Single Family Homes)	Subject Property PUD-R Planned Unit Development – Residential <i>O-08-1659</i>	AG Agricultural District (Single Family Home)
R-20 Single Family Residential (Single Family Homes)	R-20 Single Family Residential (Single Family Homes)	AG Agricultural District (Single Family Home)

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single family residential uses. The proposed amendment does not seek to change the use on the subject property from single family residential uses.

Public Notification: Staff mailed notices to all property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, staff has received one letter of opposition for this request. The current percentage of property owners within 200 feet in opposition is 3.21 percent.

Staff Recommendation: The requested PUD-R amendment will provide additional flexibility for the developer on the subject property with no apparent adverse impacts on the subdivision or adjacent properties. The request seeks to provide relief to a natural hardship on the subject property. Staff recommends approval of the request.

Recommendation

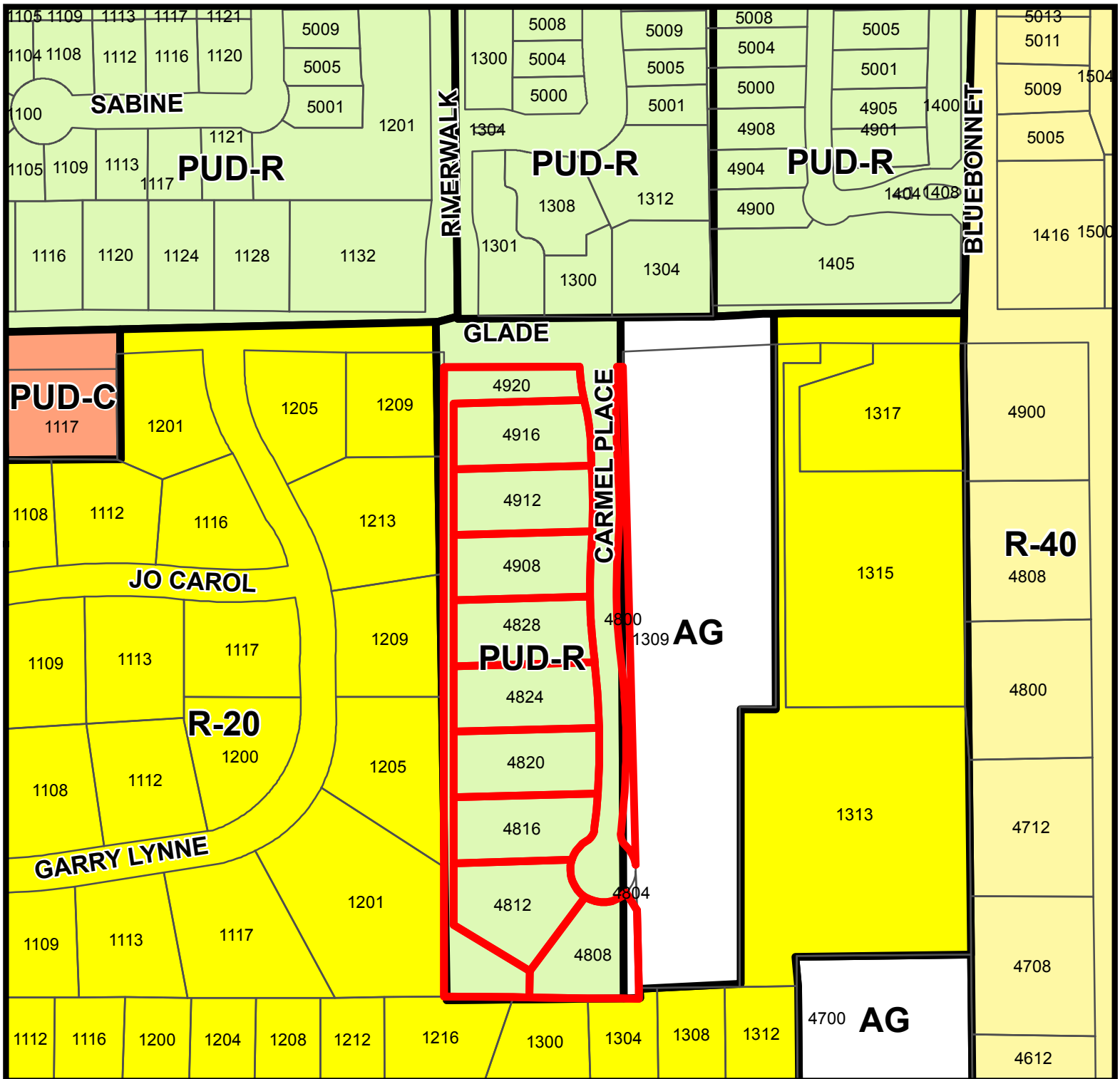
Approve

Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Approved Plat
6. Zoning Exhibit
7. Existing Ordinance
8. Opposition Map
9. Letter of Opposition
10. Notification Map

11. Notification List
12. Draft Ordinance

ZONING MAP



ZC16-015

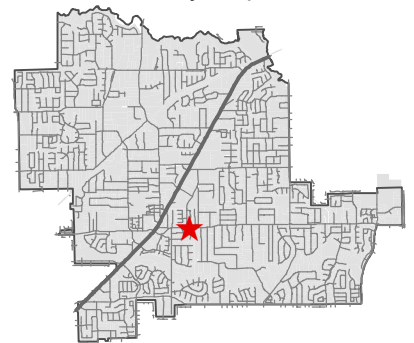
4920, 4916, 4912, 4908, 4828,
4824, 4820, 4816, 4812, 4808,
4804, AND 4800 CARMEL PLACE

 Subject Property



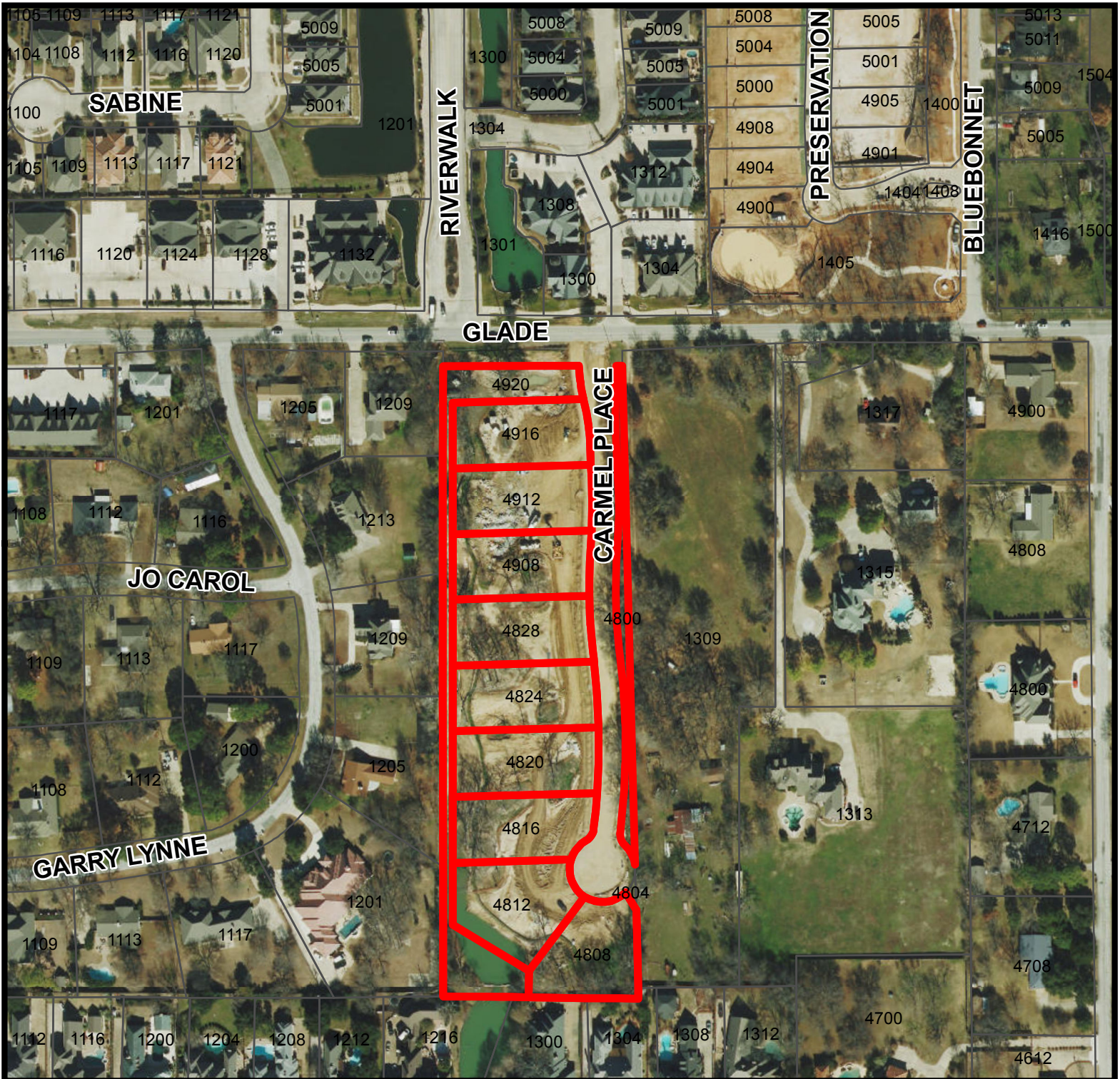
1 inch = 208 feet

Vicinity Map



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AERIAL MAP



ZC16-015

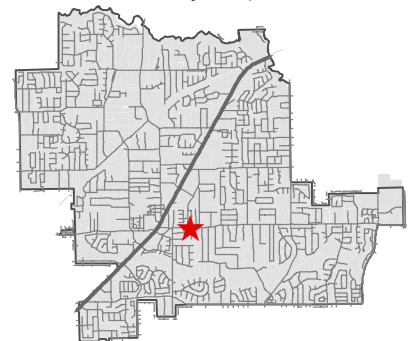
4920, 4916, 4912, 4908, 4828,
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 Subject Property



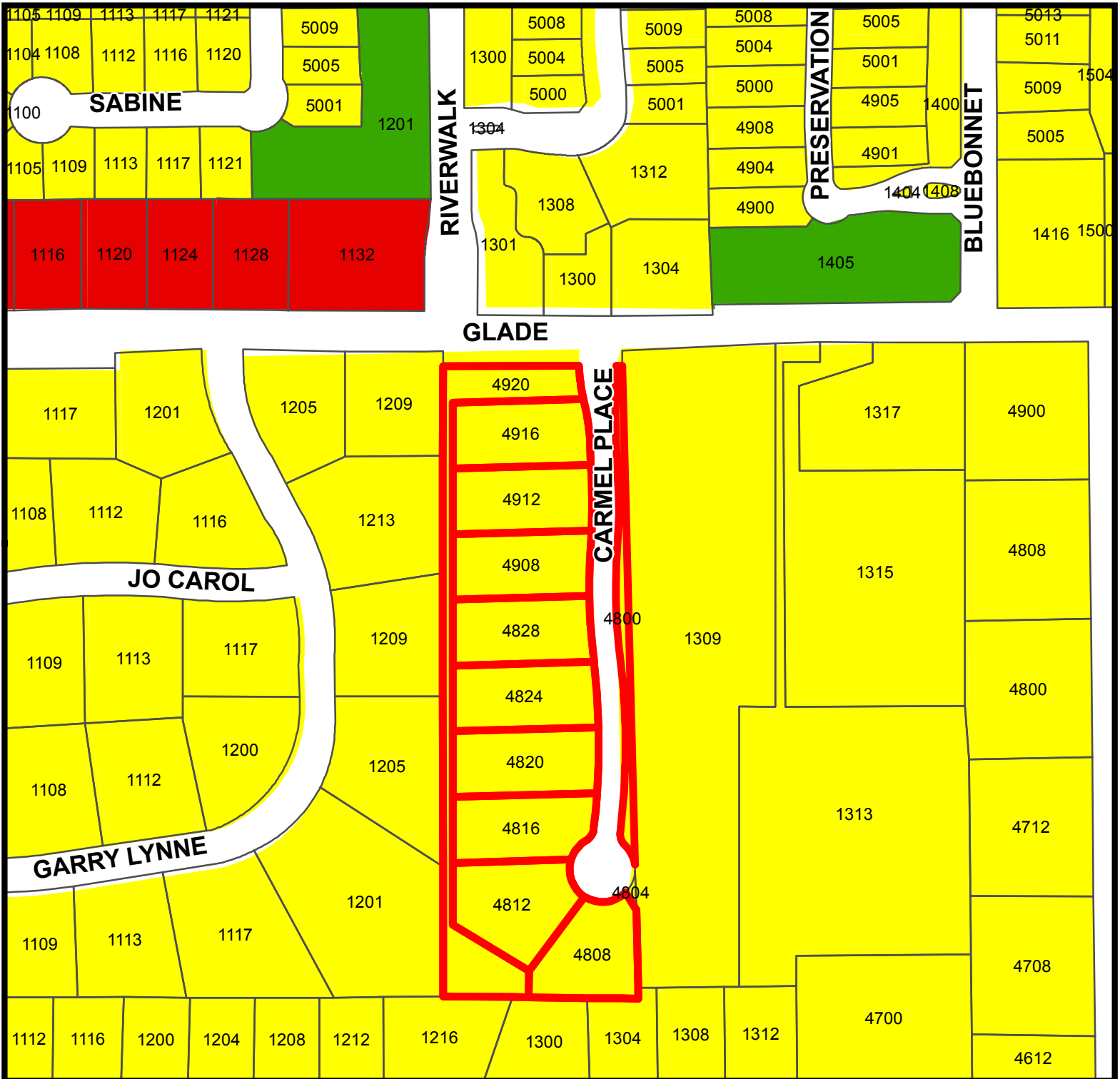
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FUTURE LAND USE MAP



ZC16-015

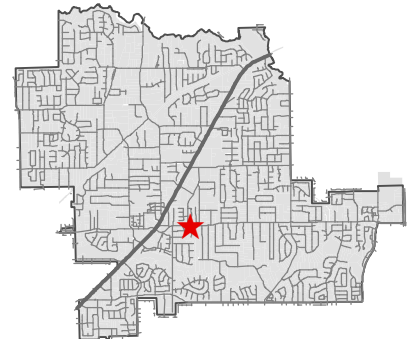
4920, 4916, 4912, 4908, 4828,
4824, 4820, 4816, 4812, 4808,
4804, AND 4800 CARMEL PLACE

- | | |
|------------------|---------------------------|
| Subject Property | INSTITUTIONAL |
| RESIDENTIAL | PARKS/ OPEN SPACE |
| COMMERCIAL | COLLEYVILLE BLVD CORRIDOR |



1 inch = 208 feet

Vicinity Map



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Statement of Planning Objectives

STATEMENT OF PLANNING OBJECTIVES

Zoning Application Attachment

CARMEL PLACE ESTATES

Existing Zoning: PUDR (Ordinance O-08-1659)

Carmel Place Estates is an existing single-family development that was just constructed earlier this year. It was originally zoned in 2008 as a PUD.

The floodplain along the west side of the property generally increases in width from north to south, and the single-loaded street along the east side ends with a cul-de-sac at the south end of the site. As a result of this combination Lots 7, 8 & 9, which front on the cul-de-sac, are not as deep as the other 6 lots. This is particularly true as it relates to the "buildable" portion of the lots, between the 30' building setback at the front and the floodplain/drainage easement at the rear. Add some existing trees to the mix, in particular locations, and they just compound the problem.

We've had multiple builders and individuals express interest in this development. They have typically been drawn to the cul-de-sac lots as they are quieter and more remote, plus they have the added benefit of being in close proximity to the pond at the south end of the site. However, after a more detailed look we often hear concerns about the amount of buildable area, particularly around the cul-de-sac.

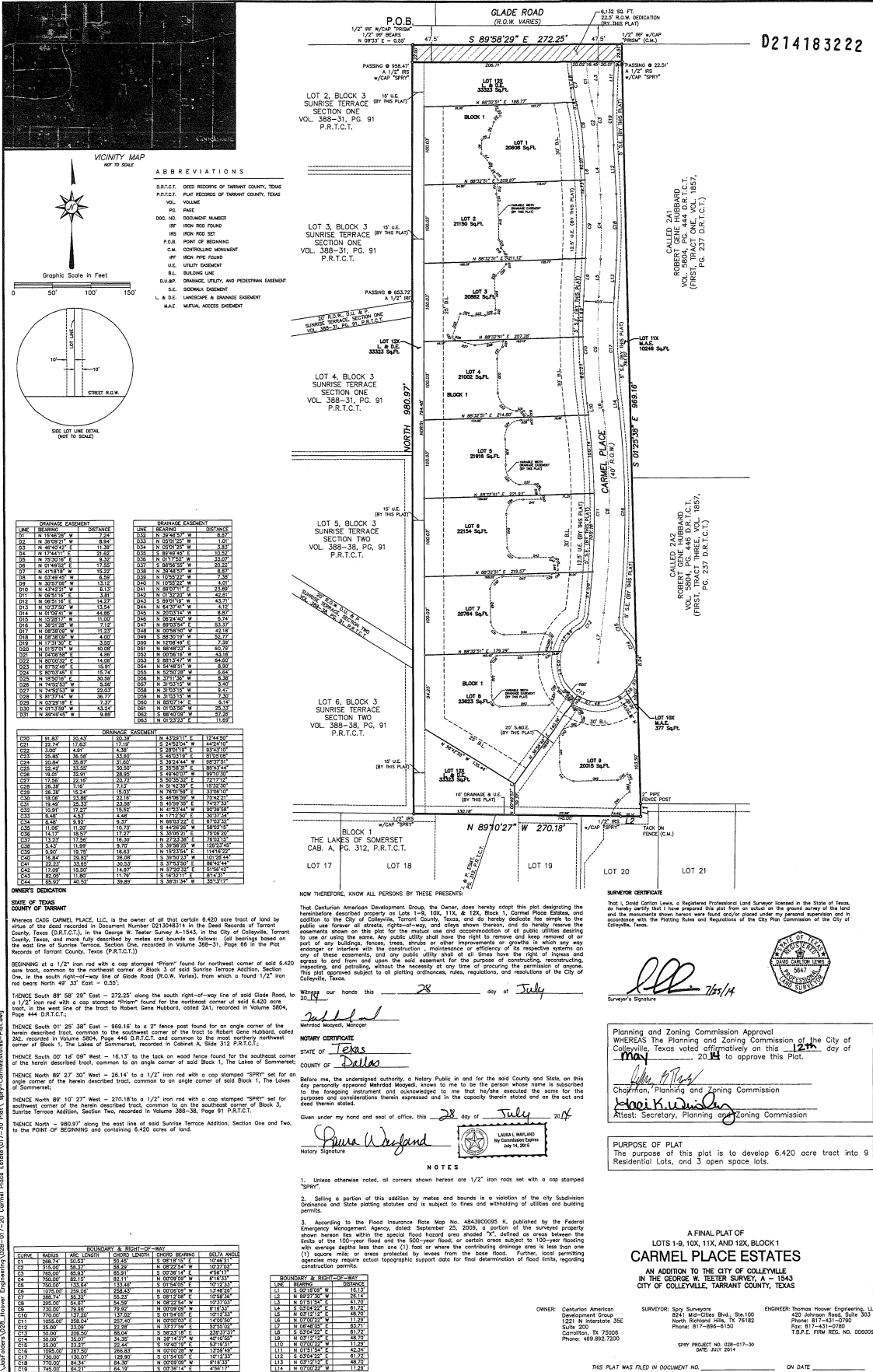
We approached city staff about the possibility of getting a variance on the 3 cul-de-sac lots that would reduce the front building setback from 30' to 20', essentially adding 10' of buildable area across the front of those lots. While staff understood the situation and were generally supportive of the request, they explained that variances can only be granted in straight zoning districts and being that we have a PUD in Carmel Place, variances are not allowed. Thus we understand that the only way to revise that front setback is to amend the current PUD.

Reducing the front building setback from 30' to 20' on Lots 7, 8 & 9 is the ONLY change that we are requesting in regard to the current PUD and thus the ONLY reason behind this proposed zoning case.

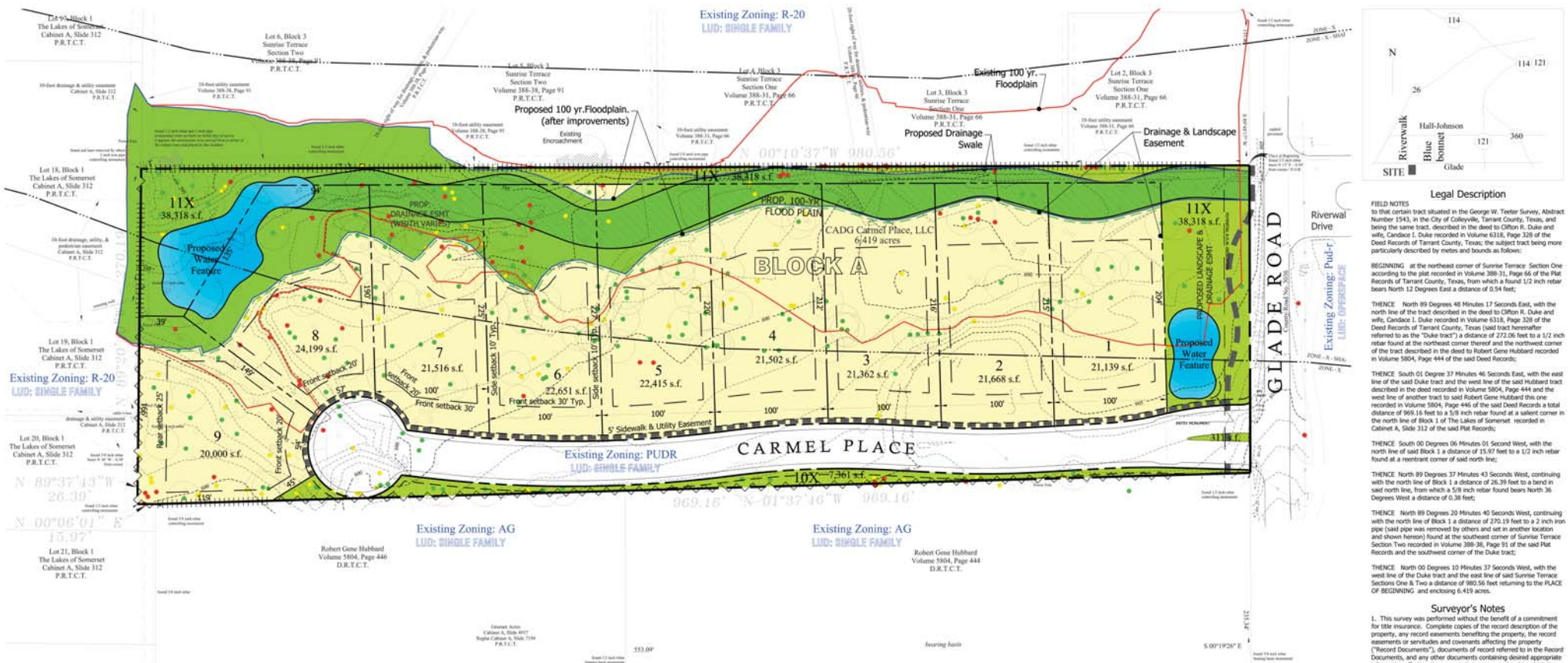
The front setback reduction on 3 lots will provide for larger homes with higher appraised values resulting in additional tax dollars for the city and other taxing entities. Another positive result of the proposed zoning change that was brought up by staff is that the visual line of homes will be more consistent as you approach the end of the street now that the last couple of homes won't be pushed back as far.

Approved Plat

D214183222



Zoning Exhibit



Area Summary		Gross Area	Net of Proposed Glade Road R.O.W. Dedication
Residential Lots	70.25%	4.51 ac.	71.81% 4.51 ac.
Right-of-Way	13.24%	0.85 ac.	13.22% 0.83 ac.
Open Space	16.51%	1.06 ac.	14.97% 0.94 ac.
Gross Acreage	100.00%	6.42 ac.	100.00% 6.28 ac.
Site Data			
Gross Acreage		6.42 ac.	6.28 ac.
Density		1.40 du/ac.	1.43 du/ac.
Lot Summary			
Single Family Residential Lots		9	9
Common Areas		3	3
L.U.D./Zoning			
Existing Zoning:	PUDR		PUDR
Proposed Zoning:	PUDR		PUDR
Ponds			
Total Pond Area (within Open Space)	15.09%	0.16 ac.	17.02% 0.16 ac.
Total Open Space Area	100.00%	1.06 ac.	100.00% 0.94 ac.

Zoning Exhibit for
Zoning Change Request
From PUDR to PUDR
Zoning Case # _____

Carmel Place Estates

Colleyville, Texas

Legend

- Area of Drainage Channel.
Proposed Drainage Swale.
Proposed 100 yr. Floodplain.
Proposed 100 yr. Floodplain resulting from
Drainage Improvement.
Drainage & Landscape Easement.
Existing 100 yr. Floodplain Limit.

Tree Legend

- Existing Tree 3"-11"
- Existing Tree 12"-17"
- Existing Tree 18" & larger

Legend

- 6' Ornamental Iron Fence
Retain or Improve Existing Fence
4' Sidewalk
5' Sidewalk

SAGE GROUP, INC.
1130 N. CARROLL AVENUE
SOUTHLAKE, TEXAS 76089
TEL. 817-424-2626

APPLICANT:
Name: Centurion American
Attn. Russell Slovak
Address: 1800 Valley View Ln.
Suite 300
Farmers Branch, TX 75234
Phone # 817 368-3330

PLANNER:
Name: Sage Group Inc.
Attn: Curtis Young
Address: 1130 N. Carroll Ave
Suite 200
Southlake, TX 76092
Phone # 817 424-2626

ENGINEER:
Name: Thomas Hoover Engineering, LLC
Address: 1361 W. Eules Blvd.
Suite 99
Eules, TX 76040
tom_hoover.theng@yahoo.com
Phone # 817 571-7574

SURVEYOR:
Name: Spry Surveyors
Address: 8241 Mid-Cities Blvd.
Suite 100
North Richland Hills, TX 76182
Phone # 817 776-4049

OWNER:
Name: CADG Carmel Place, LLC
Address: 1800 Valley View Ln.
Suite 300
Farmers Branch, TX 75234
Phone # 469 892-7200



Existing Ordinance

ORDINANCE O-08-1659

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 6.4 ACRES OUT OF THE GEORGE W. TEETER SURVEY LOCATED AT 1301 GLADE ROAD, FROM THE AG-AGRICULTURAL ZONING DISTRICT TO THE PUDR-PLANNED UNIT DEVELOPMENT RESIDENTIAL ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. Z-08-002; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

Existing Ordinance

Ordinance O-08-1659

Page 2 of 5

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 6.4 acres out of the George W. Teeter Survey located at 1301 Glade Road, from the AG-Agricultural zoning district to the PUDR-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A", labeled Location and Zoning Map and is described in the attached Exhibit "B", labeled Legal Description.
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUDR is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 1.4 dwelling units per acre.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan, labeled as Exhibit "C", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "C" to accommodate topographic, drainage or other conditions.
- b. The developer shall submit and receive approval from the City a Preliminary and Final Plat in accordance with the requirements of the Land Development Code prior to development of this PUDR.

Existing Ordinance

Ordinance O-08-1659

Page 3 of 5

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions. Building line setbacks established by Exhibit "C", shall control where such building line setback is different from the following requirements.

- | | |
|------------------------|---|
| a. Minimum Lot Size | 20,000 square feet. |
| b. Minimum Lot Width | 100 feet, except for cul-de-sac lots which shall be a minimum 83 feet wide. |
| c. Front Building Line | 30 feet. |
| d. Side Building Line | 10 feet. |
| e. Rear Building Line | 25 feet. |

5. OPEN SPACE

- a. This development shall provide not less than 14.97% common open space, which shall generally be configured as shown on Exhibit "C". All open space areas shall be landscaped and maintained by the Homeowner's Association.
- b. All amenities within the open space areas shall be maintained by the Homeowner's Association.
- c. Landscaping and tree preservation along Glade Road shall conform to the specifications and depictions shown on the attached Exhibit "D" labeled Entry Landscape Plan.

6. SCREENING

- a. All lots backing to open space areas shall contain fencing that consists of decorative metal and/or masonry.
- b. A six (6) foot wrought-iron fence shall be constructed along the entire western property line of the development and shall be maintained by the homeowner's association.

7. SIDEWALKS AND PATHWAYS

- a. Sidewalks shall be required along both sides of the new street and along Glade Road.

Existing Ordinance

Ordinance O-08-1659

Page 4 of 5

8. ARCHITECTURAL FEATURES

- a. Driveways and Private Walkways – All shall be of a washed aggregate or stamped finished concrete.
- b. Masonry Requirement – 100% brick, stone or real stucco. No Finishing System (EIFS) or artificial stucco material shall be permitted.
- c. Garage Standard – Minimum of a three car garage with wood, architecturally enhanced doors.
- d. Roof Pitch and Roof Materials – All prominent pitched roofs shall be not less than a 10:12 pitch. Materials shall consist of 40 pound architectural dimension shingles, slate, tile or standing seam metal.
- e. Windows – All windows shall be insulated glass with a “low-e” specification. No aluminum windows shall be permitted.

9. OTHER

- a. All homes constructed in the development shall be installed with a fire suppression sprinkler system approved by the Fire Marshal.
- b. The street serving this development shall contain a minimum of 40 feet of right-of-way width and a minimum of 31 feet of pavement width, measured from curb-back to curb-back.
- c. Upon platting, a minimum five-foot sidewalk and utility easement shall be located along both sides of the new street serving the development.
- d. A minimum of two (2) three-inch caliper trees shall be planted within the front yard of each lot by the homebuilder upon construction of a new home.
- e. Within 60 days of the certificate of occupancy being issued, all lots must be fully irrigated.
- f. A sign identifying the development shall be built at the southwest corner of the entry to the subdivision as shown on the attached Exhibit “D” labeled Entry Landscape Plan. The sign shall meet the requirements of the Land Development Code and shall not be located within any street right-of-way.
- g. A masonry, or stone, retaining wall shall be constructed, and, where applicable, replace any existing retaining wall structure or material along the creek prior to the acceptance of final public improvements by the Engineering department. The wall shall be approved by, and meet the specifications of, the Engineering department and shall be maintained by the homeowner’s association.

Existing Ordinance

Ordinance O-08-1659

Page 5 of 5

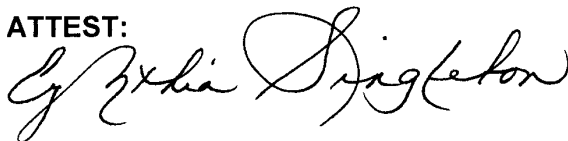
- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of February 2008.

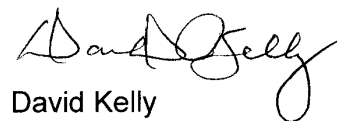
The second reading and public hearing being conducted on the 19th day of February 2008.

ATTEST:



Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



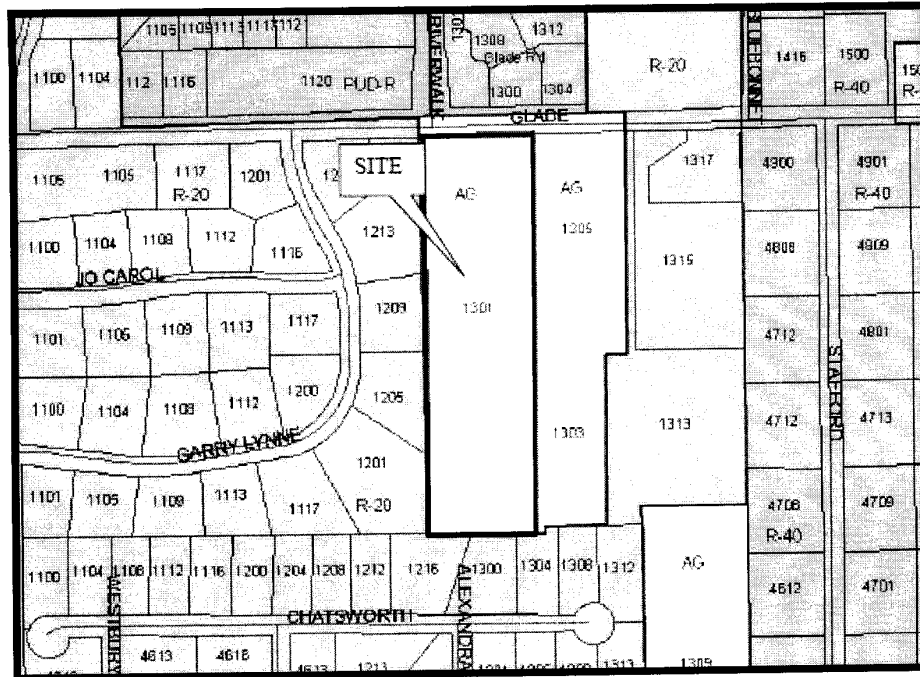
David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

EXHIBIT "A"- Location and Zoning Map



Existing Ordinance

EXHIBIT "B"-Legal Description

Carmel Place Estates
Colleyville, Texas

FIELD NOTES

to that certain tract situated in the George W. Teeter Survey, Abstract Number 1543, in the City of Colleyville, Tarrant County, Texas, and being the same tract, described in the deed to Clifton R. Duke and wife, Candace J. Duke recorded in Volume 6318, Page 328 of the Deed Records of Tarrant County, Texas; the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of Sunrise Terrace Section One according to the plat recorded in Volume 388-31, Page 66 of the Plat Records of Tarrant County, Texas, from which a found 1/2 inch rebar bears North 12 Degrees East a distance of 0.54 feet;

THENCE North 89 Degrees 48 Minutes 17 Seconds East, with the north line of the tract described in the deed to Clifton R. Duke and wife, Candace J. Duke recorded in Volume 6318, Page 328 of the Deed Records of Tarrant County, Texas (said tract hereinafter referred to as the "Duke tract") a distance of 272.06 feet to a 1/2 inch rebar found at the northeast corner thereof and the northwest corner of the tract described in the deed to Robert Gene Hubbard recorded in Volume 5804, Page 444 of the said Deed Records;

THENCE South 01 Degree 37 Minutes 46 Seconds East, with the east line of the said Duke tract and the west line of the said Hubbard tract described in the deed recorded in Volume 5804, Page 444 and the west line of another tract to said Robert Gene Hubbard this one recorded in Volume 5804, Page 446 of the said Deed Records a total distance of 969.16 feet to a 5/8 inch rebar found at a salient corner in the north line of Block 1 of The Lakes of Somerset recorded in Cabinet A, Slide 312 of the said Plat Records;

THENCE South 00 Degrees 06 Minutes 01 Second West, with the north line of said Block 1 a distance of 15.97 feet to a 1/2 inch rebar found at a reentrant corner of said north line;

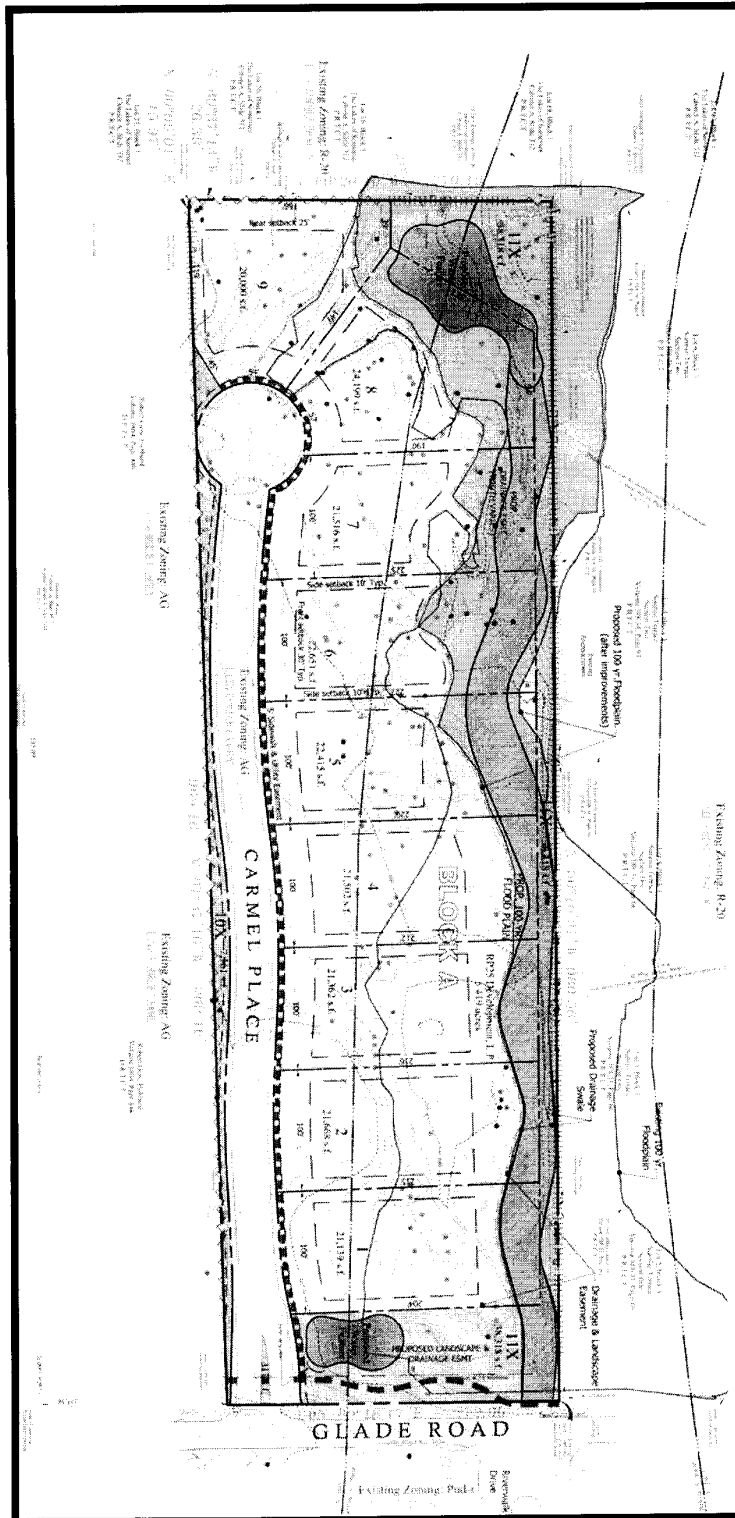
THENCE North 89 Degrees 37 Minutes 43 Seconds West, continuing with the north line of Block 1 a distance of 26.39 feet to a bend in said north line, from which a 5/8 inch rebar found bears North 36 Degrees West a distance of 0.38 feet;

THENCE North 89 Degrees 20 Minutes 40 Seconds West, continuing with the north line of Block 1 a distance of 270.19 feet to a 2 inch iron pipe (said pipe was removed by others and set in another location and shown herein) found at the southeast corner of Sunrise Terrace Section Two recorded in Volume 388-38, Page 91 of the said Plat Records and the southwest corner of the Duke tract;

THENCE North 00 Degrees 10 Minutes 37 Seconds West, with the west line of the Duke tract and the east line of said Sunrise Terrace Sections One & Two a distance of 980.56 feet returning to the PLACE OF BEGINNING and enclosing 6.419 acres.

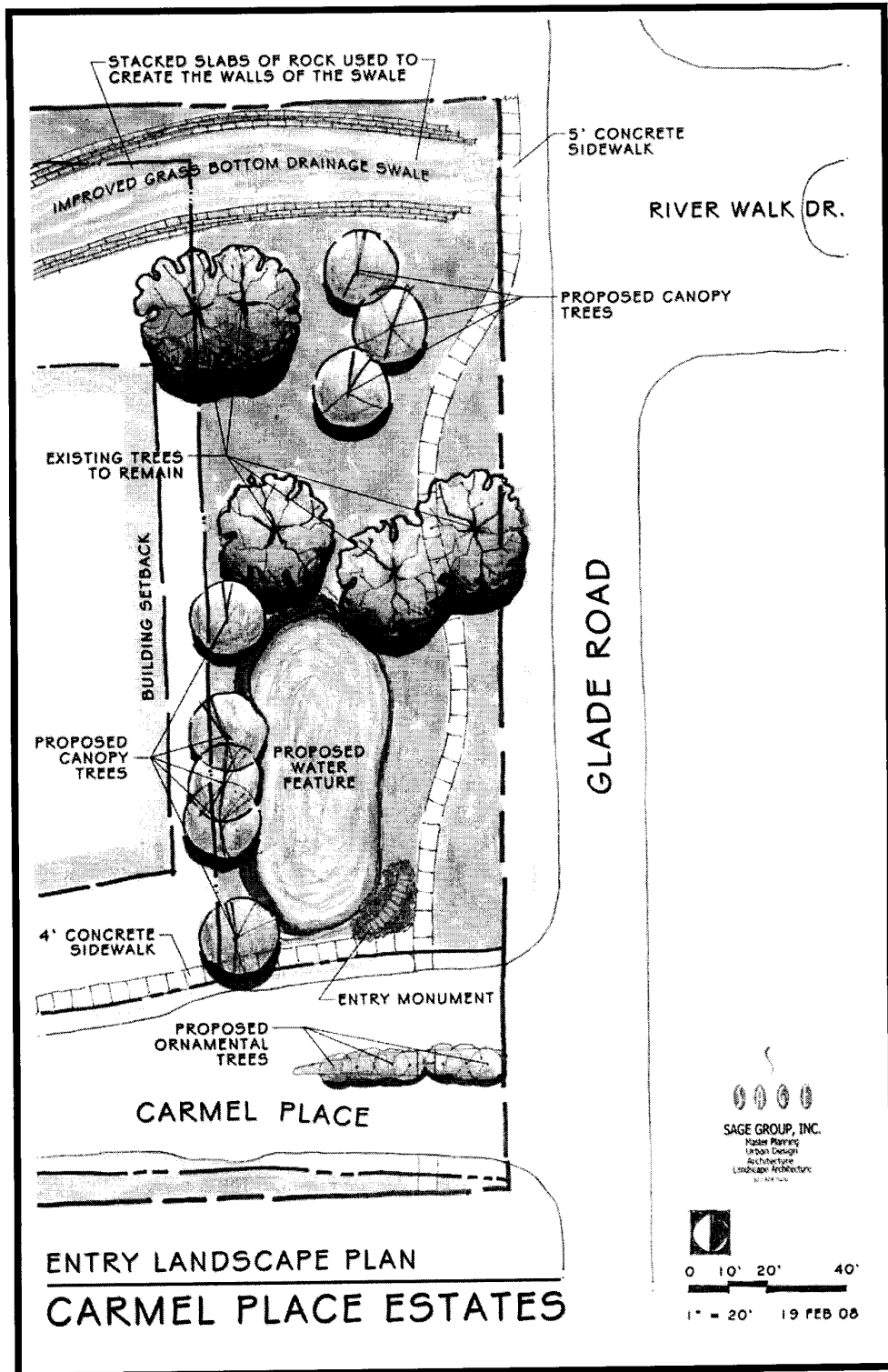
Existing Ordinance

EXHIBIT "C"- Conceptual Site Plan

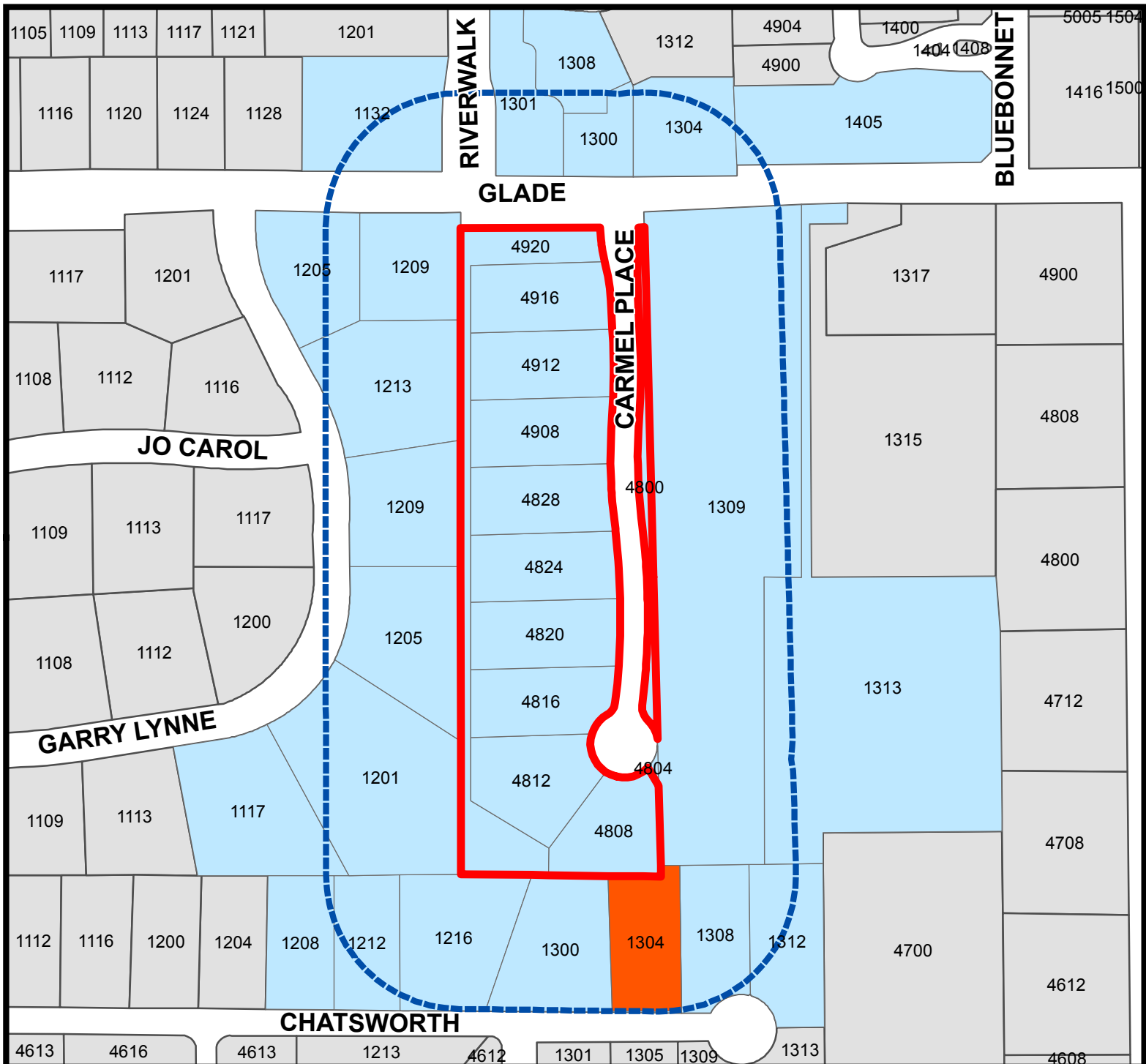


Existing Ordinance

EXHIBIT "D"- Entry Landscape Plan



OPPOSITION MAP



ZC16-015

4920, 4916, 4912, 4908, 4828,
4824, 4820, 4816, 4812, 4808,
4804, AND 4800 CARMEL PLACE



1 inch = 208 feet

- Parcels Opposed
- Parcels within 200ft
- Subject Properties
- Opposition Area

Total Land Area in Buffer (Includes R.O.W): 661508 Sq Ft /15.18 Total Acres
Total Land Area Opposed (within 200 ft Notice Area): 21267 Sq Ft/ 0.48 Total Acres
Percent of Land Opposed (within the 200 ft. Notice Area): 3.21%

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Letter of Opposition

September 6, 2016

To the City of Colleyville Planning and Zoning Commission:

Ref: Zoning case number ZC16-015

I have being very disappointed the way different developers have being dealing with this project.

My main concern is the privacy of my home of 20 years.

As you know these new lots are higher than my home and it looks like these new homes are going to be two story buildings.

As you can see enclosed communication dated March 3.2008 with original developer Clearwater Development I was promised a wall of high trees at my property line to protect my privacy which was my condition to approve the original plan.

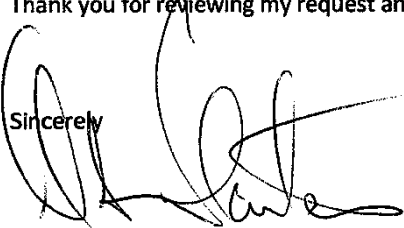
After new developer Centurion American Development Group refused to honor the original promise I asked my lawyer contact them June 25.2014, letter enclosed.

Their response dated July 3.2014 enclosed where they refuse to do anything.

In case Planning and Zoning Commission is going to approve this new plan I am requesting that the developer is going to honor the original promise and addition to that build a privacy wall which is at least 10 feet high.

Thank you for reviewing my request and protecting current property owners.

Sincerely

A handwritten signature in black ink, appearing to read 'Osmo Hautanen', written over the word 'Sincerely'.

Osmo Hautanen

1304 Chatsworth Court East

Colleyville, TX 76034

Cell: 214 435 6800

Letter of Opposition



July 3, 2014

Mr. Chris W. Stenholm
4000 W. Vickery Boulevard, Suite A
Fort Worth, Texas 76107

Via Email
Via Certified Mail RRR 7013 1710 0001 7266 1726

RE: Osmo Hautanen, 1304 Chatsworth Court East, Colleyville, Texas 76034

Mr. Stenholm:

I am in receipt of your correspondence dated June 26, 2014 as it pertains to the above-referenced matter. Unfortunately, Centurion American's ("Centurion") position on this matter is different than your client's.

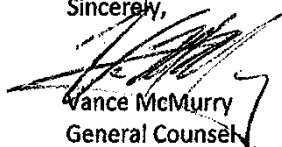
When Centurion acquired the Development property at 1301 Glade Road in Colleyville ("Property") there was no documentation or notice provided of any agreement with Mr. Hautanen and the previous owner regarding the requirement to plant any trees related to your client's property. Centurion is not a party to that agreement with the previous land owner or Mr. Hautanen, and when the title policy was issued, there was nothing in the property records as to such agreement or any such obligation to plant trees at the time Centurion acquired the Property.

Furthermore, you have attached emails between the former owner and your client from over six years ago, which is beyond the applicable statute of limitations period (March 2008) that simply involved a discussion about planting trees and which never cites an agreement follow through, much less a contractual obligation involving an exchange of consideration. Even if the previous owner had a contract with Mr. Hautanen to plant such trees, Centurion was not a party to that agreement and such an agreement is invalid and unenforceable against Centurion.

Finally, your client claims Mr. Rowan verbally agreed to plant trees, between his property and Centurion's Property, and if such is true, such an offer would not rise to a contractual obligation, especially with the lack of an exchange of consideration, which is as you know, a criteria for a contractual obligation.

Thus, Centurion's position is that it is under no obligation to plant any trees related to Mr. Hautanen's property. In the event your client has an actual written agreement that was agreed to or assigned to Centurion or other evidence, which demonstrates an actual binding agreement between Centurion and Mr. Hautanen, feel free to forward that to me and we may reconsider our position.

Sincerely,



Vance McMurry
General Counsel



CENTURION AMERICAN • DEVELOPMENT GROUP

1221 IH 36E, SUITE 200 • CARROLLTON, TX 75006 • (O) 469.892.7200 • (F) 469.892.7201

Letter of Opposition

June 25, 2014

**Via Fax: (469) 892-7201 and
CMRRR 7014 0150 0001 6333 2136**

Vance McMurry
General Counsel
Centurion American Development Group
1221 N. IH 35E
Suite 200
Carrollton, TX 75006

**Via Email:
and CMRRR 7014 0150 0001 6333 2143**

Stephen Tome
Clearwater Development
400 Gypsum Creek Road
Gypsum, CO 81637

Re: Osmo Hautanen
1304 Chatsworth Court East
Colleyville, TX 76034

Gentlemen:

We represent Osmo Hautanen, owner of the referenced property (the "Hautanen Residence"). Lot 9 of Carmel Place Estates (the "Development"), which Development is situated at 1304 Glade Road, Colleyville, Texas, backs up to the Hautanen Residence. In connection with obtaining local approvals necessary for the Development project to proceed, and to remove neighborhood objection, Clearwater Development ("Clearwater") agreed that a row of Nellie R. Stevens holly trees would be purchased and planted by Clearwater along the back fence line of the Hautanen Residence to provide a privacy barrier. Clearwater's agreement is

Letter of Opposition

Centurion American Development Group and Clearwater Development
Re: Osmo Hautanen Property
June 25, 2014
Page 2

memorialized by the enclosed email chain. As you can see, the trees were to be planted on Mr. Hautanen's property at the time construction work on the Development started.

We further understand that Centurion American Development Group ("Centurion") subsequently acquired the Development and began development in 2014. Mr. Hautanen then had several discussions and email exchanges (see enclosures) with Chase Rowan of Centurion regarding this issue and, on June 10, 2014, Mr. Rowan orally agreed that the trees would be planted. On June 19, 2014, Mr. Rowan apparently reneged on the agreement.

We are writing both Clearwater and Centurion (i) to demand that the agreement originally made by Clearwater, and subsequently ratified by Centurion, be honored and (ii) because Mr. Hautanen was not privy to the details of the sale transaction between Clearwater and Centurion. We understand that at least 20 trees will be required, and the trees should be at least 6 feet tall. The trees should be promptly purchased, delivered and planted in a professional manner on Mr. Hautanen's property as he directs.

We assume that this dispute is simply the result of a miscommunication or misunderstanding, considering the passage of time and change of ownership of the Development. We further assume you share our interest in resolving this matter as amicably and expeditiously as possible, particularly in light of the cost of purchasing and planting the subject trees. Mr. Hautanen simply desires that the agreement made to secure his cooperation with the Development be honored.

We respectfully request a response by **Wednesday, July 2, 2014, at 5:00 p.m.**

Thank you for your prompt attention to this matter.

Sincerely,

Chris W. Stenholm

CWS:skm
Enclosures

cc Osmo Hautanen

Letter of Opposition

Page 1 of 6

Print

From:
Sent: Thursday, June 19, 2014 12:25
To: Chase Rowan
Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Chase
This is very different what we agreed on the phone?
I will give to my lawyer and let him deal with it.
What is the name and contact information of your lawyer?
Osmo

From: Chase Rowan
Sent: Thursday, June 19, 2014 12:18
To: Osmo
Subject: RE: 1301 Glade Rd (Carmel Place Estates)

Osmo,
I spoke to our attorney about this, and he says that unless you have an Agreement with the previous developer that was Recorded, this (email) agreement is solely between you and that developer and in no way does the previous agreement run with the land. You're more than welcome to plant trees on your property, and that is what I recommend you do. I wish I could help you, but my hands are tied. Let me know if you have any questions.

Thanks,

Chase Rowan
Project Manager
Centurion American Development Group
1221 N. IH 35E Suite 200
Carrollton, Texas 75006



From:
Sent: Wednesday, June 18, 2014 7:25 PM
To: Chase Rowan
Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Chase
I am asking you one more time to confirm our phone discussion after sending you multiple e-mails as you can see below as well as voice-mail.
If it was your plan to do what you told me on our last call please confirm it my e-mail.
I will wait until end of business tomorrow your response.
Osmo

6/19/2014

Letter of Opposition

Page 2 of 6

Print

From: _____
Sent: Monday, June 16, 2014 08:54
To: _____
Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Chase
Please confirm our phone conversation last week regarding the trees.
Thank you
Osma

From: _____
Sent: Friday, June 13, 2014 14:34
To: _____
Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Chase
I am still waiting your e-mail confirmation for our discussion earlier this week.
Osma

From: _____
Sent: Wednesday, June 11, 2014 09:42
To: _____
Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Chase
Thank you for your call yesterday.
I appreciate your taking care of the trees.
Please just confirm by e-mail your agreement to take of things Oct-Nov 2014.
Thank you very much.
Osma

From: _____
Sent: Monday, June 9, 2014 16:00
To: _____
Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Letter of Opposition

Page 3 of 6

Print

Chase

I am still waiting for your response my e-mail below.

Osmo

From:

Sent: Friday, June 6, 2014 08:30

To:

Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Chase

I assume you have had enough time to study the e-mail to let me know how you want to proceed.

Regards

Osmo

From:

Sent: Tuesday, June 3, 2014 12:45

To:

Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Chase

Please let me know how you want to deal with my situation.

As I indicated in my mail yesterday I would like to get it done next two weeks

Regards

Osmo

From:

Sent: Monday, June 2, 2014 10:12

To:

Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Chase

Thank you for your call last Thursday.

I will be in NY next two days and back in Dallas Wednesday.

I will be traveling to Europe around the 20th of June for six weeks and my expectation is that we can take care of my issues prior of my departure.

Thank you.

Osmo

Letter of Opposition

Page 4 of 6

Print

From:

Sent: Wednesday, May 28, 2014 17:16

To:

Subject: Fw: 1301 Glade Rd (Carmel Place Estates)

Dear Chase

I got your name from Stacy at the Planning and Zoning office at the city of Colleyville.

She asked me to contact you regarding issues discussed in e-mails below.

As you know the development work has started behind my property and nobody has contacted me how to deal with the privacy of my property as promised when the original zoning took place.

Please give me a call at your earliest convenience.

Osmo Hautanen

1304 Chatsworth Court East

Colleyville TX 76034

Cell: 214 435 6800

On Thursday, March 6, 2008 10:02 PM,

wrote:

Thank you.

Send me a e-mail or call me when you are ready to do it.

Osmo

-----Original Message-----

From: Stephen Tome

Date: Thu, 6 Mar 2008 20:00:33

Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Hello Osmo,

My apologize for not getting back to you sooner. We will probably be doing the work around the same time we start working on the development. I will need to coordinate with you on the timing as we get a little closer to the date.

Stephen Tome

----- Original Message -----

From:

To:

Sent: Wednesday, March 5, 2008 11:06:23 AM

Subject: Fw: 1301 Glade Rd (Carmel Place Estates)

Stephen

Please confirm that you got this mail and timing when you want to get this job done.

Thank you.

Osmo

-----Original Message-----

From:

Date: Tue, 4 Mar 2008 21:33:26

To: "Stephen Tome"

Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Stephen

We would like to have these trees on our side of the fence.

<https://us-mg205.mail.yahoo.com/neo/launch?partner=sbc&rand=alu9aoe2jpj6g>

6/19/2014

When are you planning to take care of this?

Regards

Osmo

-----Original Message-----

From: Stephen Tome <

Date: Mon, 3 Mar 2008 18:24:25

To:

Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Osmo,

I think the best solution for every one will be with planting Holly trees along the fence line. We can plant the trees on your side of the fence, if it will make you more comfortable with the solution.
Let me know your thoughts.

Regards,

Stephen Tome

----- Original Message -----

From:

To: Stephen Tome <

Sent: Monday, March 3, 2008 5:57:38 PM

Subject: Re: 1301 Glade Rd (Carmel Place Estates)

Stephen

Thank you for your feedback.

What can you do with the fence?

Regards

Osmo

-----Original Message-----

From: Stephen Tome <

>>

Date: Mon, 3 Mar 2008 15:08:01

To:

Subject: 1301 Glade Rd (Carmel Place Estates)

Hello Osmo,

I wanted to thank you for the opportunity to visit with you last week. I have been working with the Sage Group, our site planners to see what we could do with Lot 9 (the one that backs up to your property) with regards to your privacy.

We tried looking at several things included as you proposed limiting the home built on lot 9 to just one story. That created some unique problems, in order to get the square footage necessary, the home would have to sit on a very large foot print, thus bringing the house back very close to the back boundary line, into some of the larger trees that we would like to preserve both for aesthetic reasons and for privacy including noise.

Understanding your concern for privacy, we have an alternative solution. We will plant Nellie R Stevens Holly along the back fence line where Lot 9 backs up to your property. These trees will grow very quickly to a height of at least 12 to 18 feet and are green year round. Thus, creating a natural barrier between the two properties and giving you some of the privacy you have come to enjoy in your back yard. Here is a link that better describes these trees:

http://landscaping.about.com/od/evergreenshrubsbushes1/p/nellie_stevens.htm <http://landscaping.about.com/od/evergreenshrubsbushes1/p/nellie_stevens.htm>

<http://landscaping.about.com/od/evergreenshrubsbushes1/p/nellie_stevens.htm>

<http://landscaping.about.com/od/evergreenshrubsbushes1/p/nellie_stevens.htm>

<http://landscaping.about.com/od/evergreenshrubsbushes1/p/nellie_stevens.htm>

>

Our intention in doing this development has always been to be good neighbors with the neighbors around us, and when ever possible we will accommodate the needs and desires of our neighbors.

Regards,

Stephen Tome

Clearwater Development

(817) 800 - 3552 (C)

Never miss a thing. Make Yahoo your homepage.

<http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs<http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs>

<http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs<http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs>

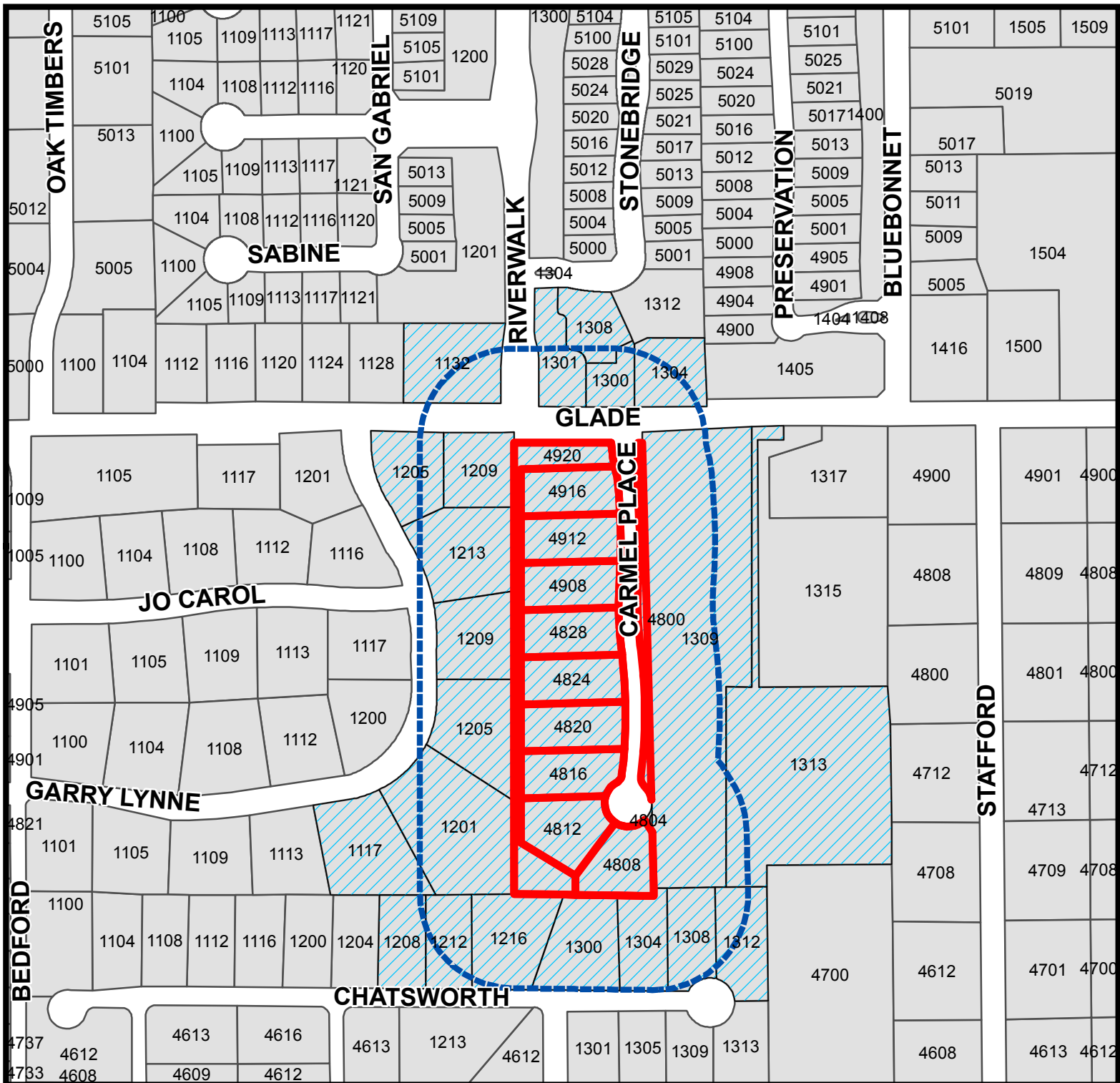
<http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs>

Never miss a thing. Make Yahoo your homepage.

<http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs<http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs> >

Never miss a thing. Make Yahoo your homepage. <http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs>

NOTIFICATION MAP



ZC16-015

4920, 4916, 4912, 4908, 4828,
4824, 4820, 4816, 4812, 4808,
4804, AND 4800 CARMEL PLACE



1 inch = 292 feet

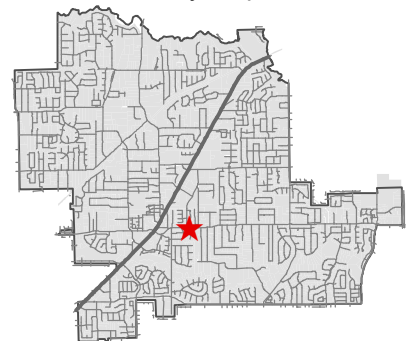


Subject Property

200 ft Buffer

Properties within 200ft

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
ARCLAND INVESTMENTS LLC	1300 GLADE RD	COLLEYVILLE, TX	76034	1300 GLADE RD
MAUNEY, KEITH	1216 CHATSWORTH DR	COLLEYVILLE, TX	76034	1216 CHATSWORTH DR
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4916 CARMEL PL
SMITH, DENIS J	1308 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1308 CHATSWORTH CT E
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4908 CARMEL PL
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4816 CARMEL PL
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4828 CARMEL PL
KING FISHER LTD	1132 GLADE RD	COLLEYVILLE, TX	76034	1132 GLADE RD
SWINDELL, MITCHELL	1212 CHATSWORTH DR	COLLEYVILLE, TX	76034	1212 CHATSWORTH DR
LOGAN, EMORY M	1313 GLADE RD	COLLEYVILLE, TX	76034	1313 GLADE RD
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1209 GLADE RD
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4804 CARMEL PL
HAUTANEN, OSMO A	1304 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1304 CHATSWORTH CT E
EMLER LIVING TRUST	1300 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1300 CHATSWORTH CT E
HUBBARD, ROBERT GENE	PO BOX 494	COLLEYVILLE, TX	76034	1309 GLADE RD
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4912 CARMEL PL
COLLINS, MICHAEL	1208 CHATSWORTH DR	COLLEYVILLE, TX	76034	1208 CHATSWORTH DR
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4808 CARMEL PL
IDOL INVESTMENTS LLC	1124 TRIPLE CROWN CT	BARTONVILLE, TX	76226	1304 GLADE RD # 300
SNYDER, JOHN	1701 ROYAL LN #1202	DALLAS, TX	75229	4812 CARMEL PL
FOUNTAINS AT RIVERWALK OFFICE	704 KENT CT	SOUTHLAKE, TX	76092	1301 STONEBRIDGE DR
GRAY, DOUGLAS M	1201 GARRY LYNNE DR	COLLEYVILLE, TX	76034	1201 GARRY LYNNE DR
GRISSE, TERENCE R	3505 MEADOWLARK LN	COLLEYVILLE, TX	76034	1205 GLADE RD
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4800 CARMEL PL
WHITTEN, LINDA	1209 GARRY LYNNE DR	COLLEYVILLE, TX	76034	1205 GARRY LYNNE DR
HSV RETREAT LLC	5132 POST OAK TR	COLLEYVILLE, TX	76034	1308 GLADE RD # 200
ROACH, ALISHA	1312 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1312 CHATSWORTH CT E
RODGERS, CONRAD B	1213 GARRY LYNNE DR	COLLEYVILLE, TX	76034	1213 GARRY LYNNE DR
NEAL, JANIS CAROL TR	1117 GARRY LYNNE DR	COLLEYVILLE, TX	76034	1117 GARRY LYNNE DR
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4920 CARMEL PL
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4820 CARMEL PL
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4824 CARMEL PL
WHITTEN, HAROLD	1209 GARRY LYNNE DR	COLLEYVILLE, TX	76034	1209 GARRY LYNNE DR
THE BRIDGES AT RIVERWALK HOA	PO BOX 1183	COLLEYVILLE, TX	76034	COURTESY NOTICE
RIVERWALK AT COLLEYVILLE HOA	P.O. BOX 1031	COLLEYVILLE, TX	76034	COURTESY NOTICE
LAKES OF SOMERSET HOA	1104 CHATSWORTH CT WEST	COLLEYVILLE, TX	76034	COURTESY NOTICE
SLOVAK, RUSSELL	1800 VALLEY VIEW LN,STE 300	FARMERS BRANCH, TX	75234	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Friday, August 26, 2016 by Araceli
Botello

ORDINANCE O-16-XXXX

AN ORDINANCE AMENDING ORDINANCE O-08-1659 CONDITIONS; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance O-08-1659 on February 19, 2008 to grant a rezoning request from the AG-Agricultural district to the PUDR-Planned Unit Development Residential district on 6.4 acres located at 1301 Glade Road, under Case Z-08-002; and

WHEREAS, the applicant has requested an amendment to Ordinance O-08-1659 to amend Section 4.c to allow for a 20 foot building line on Lots 7,8, and 9 under Case ZC16-015; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; and to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 6.48 acres, Lots 1-9, 10X, 11X, 12X, Block 1, of the Carmel Place Estates, located at 4920, 4916, 4912, 4908, 4828, 4824, 4820, 4816, 4812, 4808, 4804, and 4800 Carmel Place, from the PUD-R Planned Unit Development-Residential Zoning District to the PUD-R Planned Unit Development-Residential Zoning District, as depicted in the attached Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUDR is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 1.4 dwelling units per acre.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan, labeled as Exhibit "C", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "C" to accommodate topographic, drainage or other conditions.
- b. The developer shall submit and receive approval from the City a Preliminary and Final Plat in accordance with the requirements of the Land Development Code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions. Building line setbacks established by Exhibit "C", shall control where such building line setback is different from the following requirements.

- | | |
|------------------------|---|
| a. Minimum Lot Size | 20,000 square feet. |
| b. Minimum Lot Width | 100 feet, except for cul-de-sac lots which shall be a minimum 83 feet wide. |
| c. Front Building Line | 30 feet, except for lots 7,8,9 which shall be 20 feet. |
| d. Side Building Line | 10 feet. |
| e. Rear Building Line | 25 feet. |

5. OPEN SPACE

- a. This development shall provide not less than 14.97% common open space, which shall generally be configured as shown on Exhibit "C". All open space areas shall be landscaped and maintained by the Homeowner's Association.
- b. All amenities within the open space areas shall be maintained

by the Homeowner's Association.

- c. Landscaping and tree preservation along Glade Road shall conform to the specifications and depictions shown on the attached Exhibit "D" labeled Entry Landscape Plan.

6. SCREENING

- a. All lots backing to open space areas shall contain fencing that consists of decorative metal and/or masonry.
- b. A six (6) foot wrought-iron fence shall be constructed along the entire western property line of the development and shall be maintained by the homeowner's association.

7. SIDEWALKS AND PATHWAYS

- a. Sidewalks shall be required along both sides of the new street and along Glade Road.

8. ARCHITECTURAL FEATURES

- a. Driveways and Private Walkways – All shall be of a washed aggregate or stamped finished concrete.
- b. Masonry Requirement – 100% brick, stone or real stucco. No Finishing System (EIFS) or artificial stucco material shall be permitted.
- c. Garage Standard – Minimum of a three car garage with wood, architecturally enhanced doors.
- d. Roof Pitch and Roof Materials – All prominent pitched roofs shall be not less than a 10:12 pitch. Materials shall consist of 40 pound architectural dimension shingles, slate, tile or standing seam metal.
- e. Windows – All windows shall be insulated glass with a "low-e" specification. No aluminum windows shall be permitted.

9. OTHER

- a. All homes constructed in the development shall be installed with a fire suppression sprinkler system approved by the Fire Marshal.
- b. The street serving this development shall contain a minimum

of 40 feet of right-of-way width and a minimum of 31 feet of pavement width, measured from curb-back to curb-back.

- c. Upon platting, a minimum five-foot sidewalk and utility easement shall be located along both sides of the new street serving the development.
- d. A minimum of two (2) three-inch caliper trees shall be planted within the front yard of each lot by the homebuilder upon construction of a new home.
- e. Within 60 days of the certificate of occupancy being issued, all lots must be fully irrigated.
- f. A sign identifying the development shall be built at the southwest corner of the entry to the subdivision as shown on the attached Exhibit "D" labeled Entry Landscape Plan. The sign shall meet the requirements of the Land Development Code and shall not be located within any street right-of-way.
- g. A masonry, or stone, retaining wall shall be constructed, and, where applicable, replace any existing retaining wall structure or material along the creek prior to the acceptance of final public improvements by the Engineering department. The wall shall be approved by, and meet the specifications of, the Engineering department and shall be maintained by the homeowner's association.

Sec. 4. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this

ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of October 2016.

The second reading and public hearing being conducted on the 18th day of October 2016.

PASSED AND APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 18TH DAY OF OCTOBER 2016.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

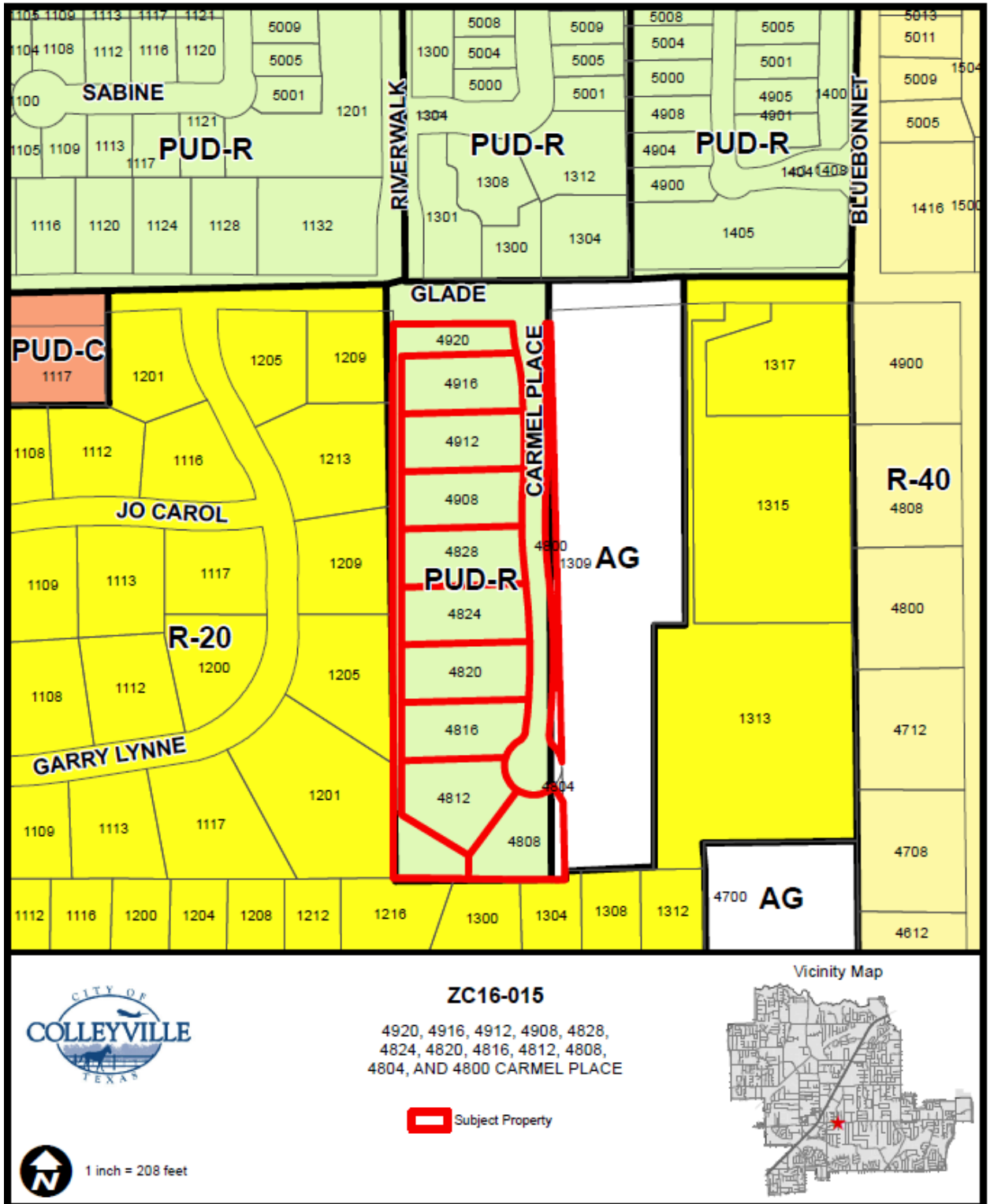
Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A"- Zoning Map



Block A

Lot 11 38,118 s.f.

Lot 10 24,199 s.f.

Lot 9 20,000 s.f.

Lot 8 24,199 s.f.

Lot 7 21,516 s.f.

Lot 6 27,651 s.f.

Lot 5 22,415 s.f.

Lot 4 21,502 s.f.

Lot 3 21,362 s.f.

Lot 2 21,668 s.f.

Lot 1 21,139 s.f.

Proposed 100 yr Floodplain

Proposed 100 yr Floodplain (after improvements)

Proposed Landscape & Drainage Easement

Existing Zoning: AG

Existing Zoning: PUDR

Existing Zoning: OPENSOURCE

Block A

Block B

Block C

Block D

Block E

Block F

Block G

Block H

Block I

Block J

Block K

Block L

Block M

Block N

Block O

Block P

Block Q

Block R

Block S

Block T

Block U

Block V

Block W

Block X

Block Y

Block Z

Block AA

Block AB

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Block CC

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Block CE

Block CF

Block CG

Block CH

Block CI

Block CJ

Block CK

Block CL

Block CM

Block CN

Block CO

Block CP

Block CQ

Block CR

Block CS

Block CT

Block CU

Block CV

Block CW

Block CX

Block CY

Block CZ

Block DA

Block DB

Block DC

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Block DE

Block DF

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Block DH

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Block EJ

Block EK

Block EL

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Block IA

Block IB

Block IC

Block ID

Block IE

Block IF

Block IG

Block IH

Block II

Block IJ

Block IK

Block IL

Block IM

Block IN

Block IO

Block IP

Block IQ

Block IR

Block IS

Block IT

Block IU

Block IV

Block IW

Block IX

Block IY

Block IZ

Block JA

Block JB

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Block JD

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Block KD

Block KE

Block KF

Block KG

Block KH

Block KI

Block KJ

Block KK

Block KL



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4d	Agenda Date 09/12/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from the R-40 Single Family Residential district to the R-30 Single Family Residential district on Lot 1R, Block 1, O. Martin Subdivision, located at 5601 Montclair Drive, Case ZC16-017

Explanation

Roger "Skip" Blake, the applicant, has submitted a request to rezone approximately 0.84 acres located at 5601 Montclair Drive from the R-40 Single Family Residential district to the R-30-Single Family Residential district. The applicant is seeking a zoning change to allow for an increase in lot coverage and to address noncompliant zoning issues with the R-40 district on the subject property.

Existing Conditions/Background: The subject property is a platted lot of the O. Martin Subdivision and is zoned R-40 Single Family Residential District. The subject property is generally located on the east side of Montclair Drive and south of Hall Johnson Road. The subject property is currently developed with one single family residential home which is proposed to be demolished.

The applicant requested a variance to the maximum lot coverage for the R-40 zoning district at the August 9, 2016 Zoning Board of Adjustment (ZBA) meeting. The maximum lot coverage allowed in the R-40 district is 20%. The request was to allow for a lot coverage of 25%. The ZBA denied the request and further recommended rezoning the subject property to R-30 to resolve all noncompliant zoning issues.

The subject property was replatted in 2012 combining two lots into one lot, and abandoning the remaining right-of-way for Ruth Road. The right-of-way abandonment as part of the replat was approved by City Council on October 1, 2012 by Resolution R-12-3544.

At the time of plat approval, the Planning and Zoning Commission granted two waivers to the requirements of the R-40 district:

1. Waiver to the front building setback (40 feet required, 30 feet provided).
2. Minimum lot width (150 feet required, 137.6 feet provided).

In addition to the waiver to the front building setback, the subject property does not comply with the following provision of the R-40 district:

1. Minimum lot area (40,000 square feet required, 36,008 square feet provided).

Proposed Zoning Change:

Request – The applicant is requesting a zoning change from the R-40 Single Family Residential district to the R-30 Single Family Residential district to allow for an increase in lot coverage and to resolve noncompliance with the current R-40 zoning designation. Based on the current zoning district regulations, the subject property does not meet the minimum requirements for lot width and lot area.

Ordinance – Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the R-30 zoning regulations require the following standards:

Minimum Lot Area: 30,000 square feet
Minimum Lot Width: 125 feet
Minimum Lot Depth: 125 feet
Minimum Front Yard Setback: 35 feet
Minimum Side Yard Setbacks: 10 feet
Minimum Rear Yard Setback: 25 feet
Maximum Lot Coverage: 25 percent

The applicant has provided a zoning exhibit which is conceptual in nature and not up for consideration as part of the zoning request. However, the conceptual exhibit proposes one lot 36,016 square feet in size. This conceptual plan appears to meet the R-30 zoning district's minimum lot area of 30,000 square feet and other standards as listed above. Chapter 3 (Land Use) of the Land Development Code identifies the purpose and intent of the R-30 zoning district as primarily oriented toward low-density residential purposes and open space uses. Additionally, it states the principal uses shall be moderately low-density detached single family homes.

Analysis – The zoning designations for the properties to the north, east, & west are R-20 and the property to the south is zoned R-40. Although the R-30 district as requested would be different than the surrounding zoning designations, it appears generally consistent with the development pattern in the area. Additionally, the subject property meets the minimum requirements of the R-30 district. Should the request be approved, the subject property will be in compliance with all zoning regulations. As previously state, the ZBA recommended rezoning the property to the R-30 district to resolve all outstanding noncompliant issues on the subject property. Staff concurs with this recommendation.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached location map:

R-20 Single Family Residential (Single Family Home)	R-20Single Family Residential (Single Family Home)	R-20 Single Family Residential (Single Family Home)
R-20 Single Family Residential (Single Family Home)	<i>Subject Property</i> R-40 Single Family Residential (Single Family Home)	R-20 Single Family Residential (Single Family Home)
R-20 Single Family Residential (Single Family Home)	R-40 Single Family Residential (Single Family Home)	R-40 Single Family Residential (Single Family Home)

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single family residential uses. The proposed rezoning request does not seek to change the use on the subject property from single family residential uses. The comprehensive plan's Residential Density Policy states that the maximum density of each residential project shall be 1.8 dwelling units per acre. The proposed density is 1.20 dwelling units per acre. The requested zoning change is consistent with the comprehensive plan.

Fees: Park Land Dedication fees are not required for this request since a single family home currently exists on the subject property. Impact Fees may also be required per Chapter 13 (Impact Fees) of the Land Development Code and will be due prior to the issuance of a Building Permit.

Tree Preservation: Any future development of the subject property must comply with Chapter 5 (Tree Preservation) of the Land Development Code. Where any tree is slated for removal, no site grading, dirt disturbance or new construction may occur on the property until a Tree Removal Permit has been issued that is associated with an approved Tree Preservation Plan.

In addition to the requirements for submittal of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the minimum existing protected tree canopy coverage as required in Chapter 5.

Public Notification: Staff mailed notices to all property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: The proposed zoning change is consistent with the City's comprehensive plan. Although the requested R-30 District differs from R-20 and R-40

zoning designations, the R-30 district is generally consistent with the surrounding properties and development pattern. Staff recommends approval of the proposed rezoning request.

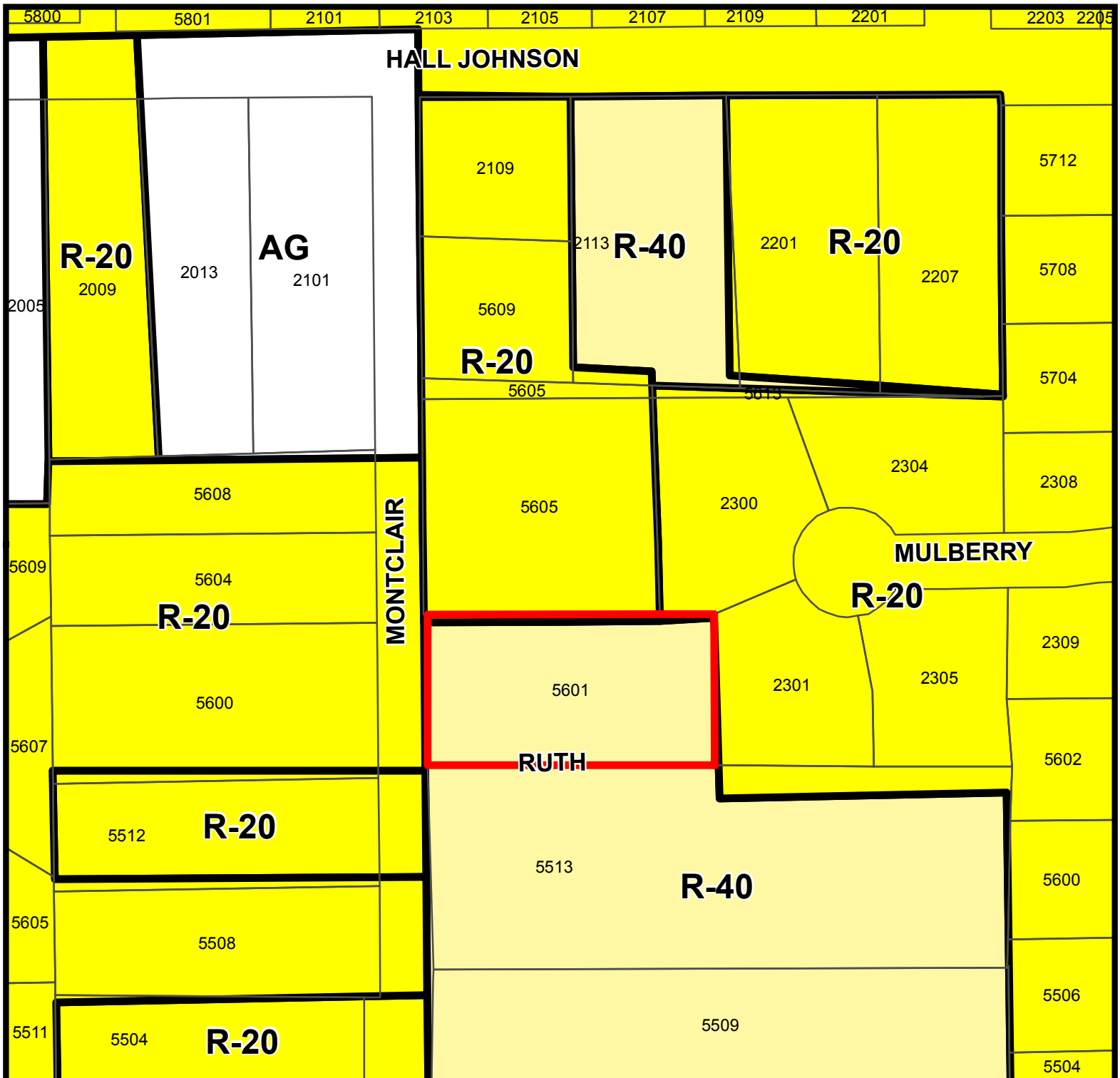
Recommendation

Approve

Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Conceptual Zoning Exhibit
6. Approved Plat
7. Right-of-Way Abandonment
8. Notification Map
9. Notification List
10. Draft Ordinance

ZONING MAP



ZC16-017

5601 MONTCLAIR DRIVE

Legend

Subject Property



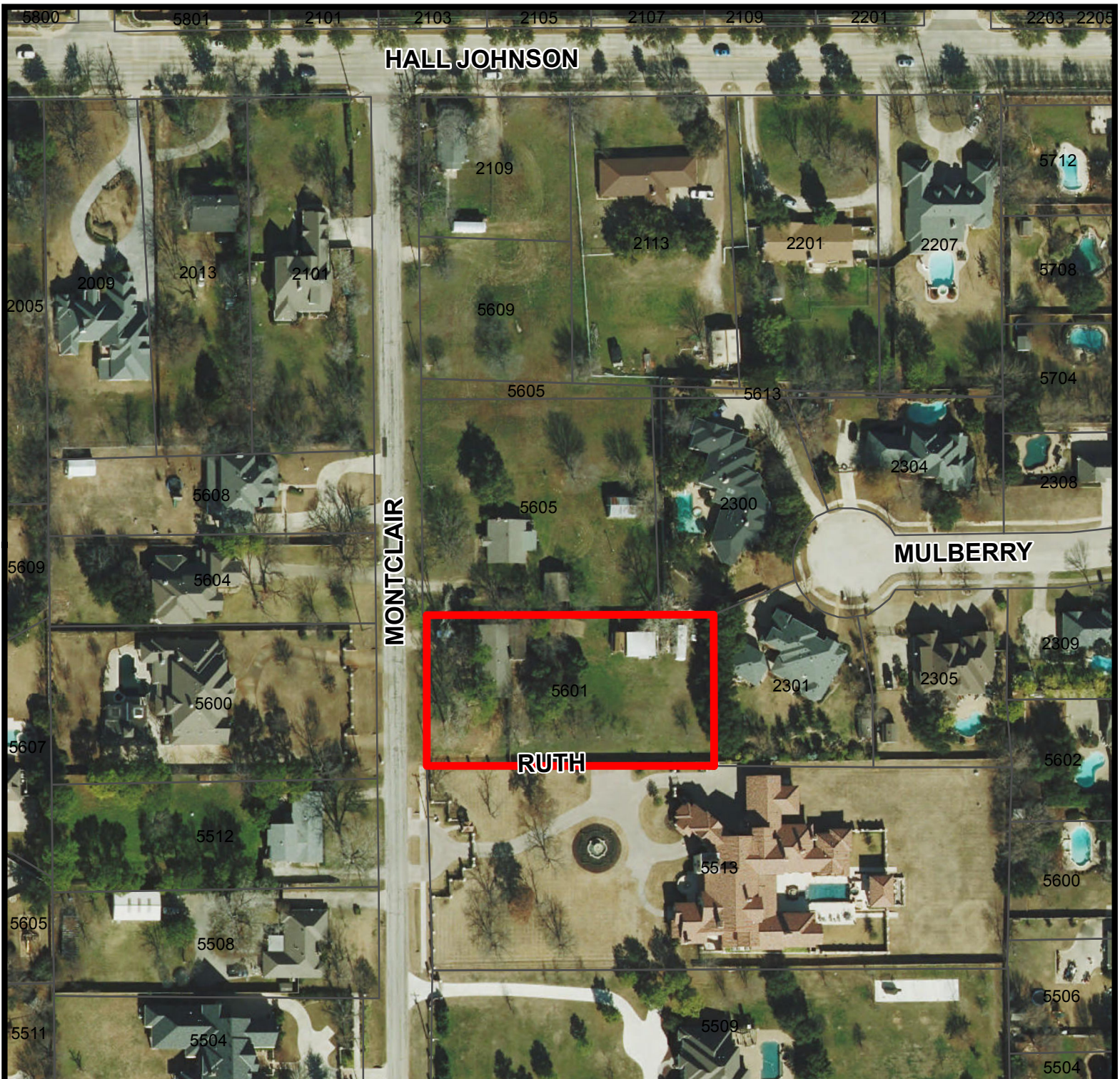
1 inch = 125 feet

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

AERIAL MAP



ZC16-017

5601 MONTCLAIR DRIVE

Legend

 Subject_Property

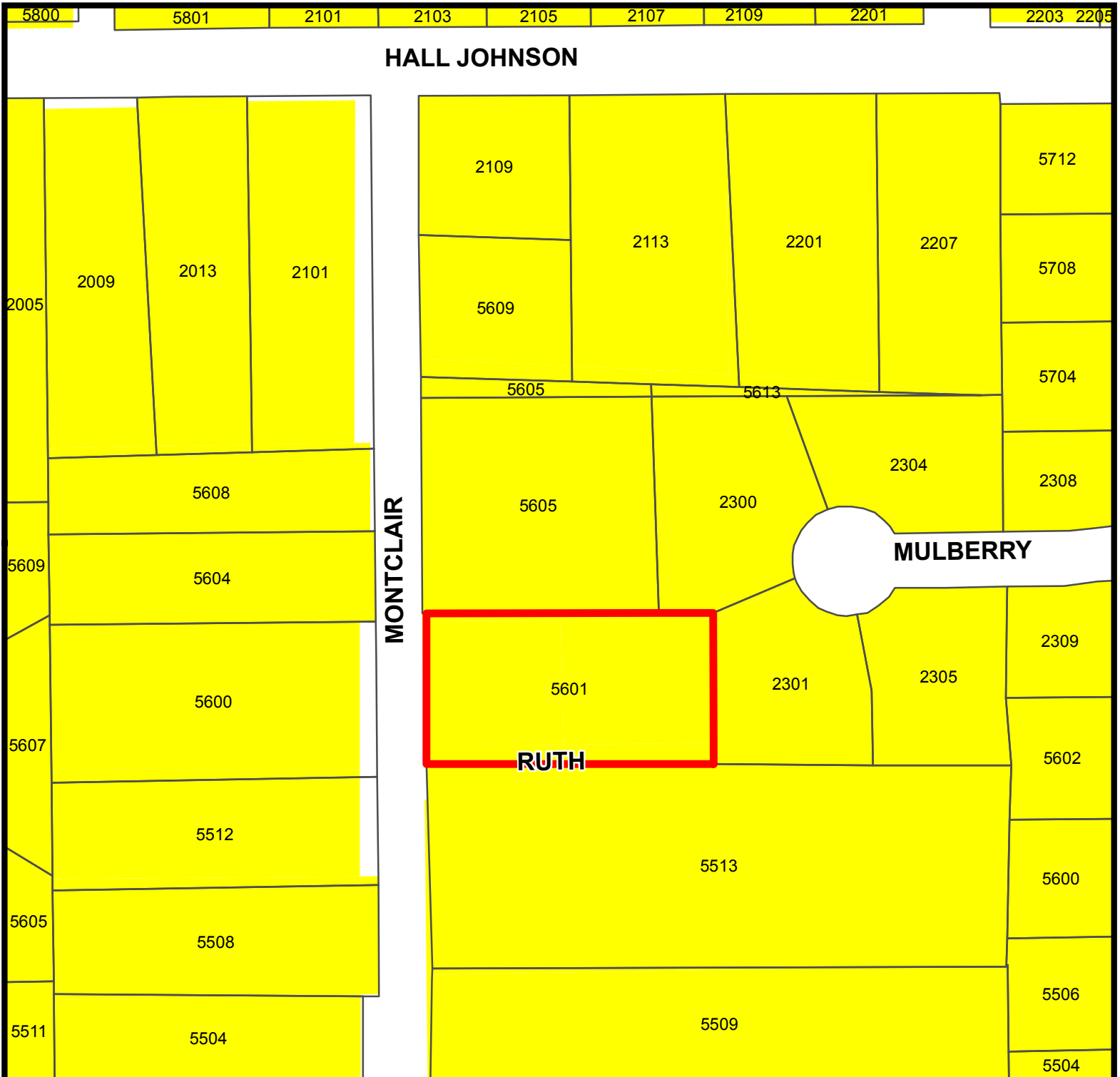
Vicinity Map



1 inch = 125 feet

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FUTURE LAND USE MAP



ZC16-017

5601 MONTCLAIR DRIVE

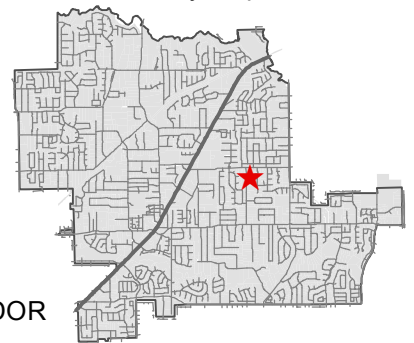
Legend

- Subject Property
- RESIDENTIAL
- COMMERCIAL
- INSTITUTIONAL
- PARKS/ OPEN SPACE
- COLLEYVILLE BLVD CORRIDOR



1 inch = 125 feet

Vicinity Map



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Statement of Planning Objectives



August 22, 2016

City of Colleyville
100 Main Street
Colleyville, Texas 76034

Ref: Zoning Change Request for
5601 Montclair Drive, Colleyville, Texas

Dear City:

5601 Montclair Drive, Lot 1R, Block 1, of the O. Martin Subdivision was originally zoned as a non-conforming R-40 Lot that did not meet the required regulations of an R-40 Lot Zoning. This Lot **DOES** meet the requirements of an R-30 Lot Zoning. Re-zoning of this Lot to R-30 will give it the appropriate Zoning classification to transition from the adjacent Lot to the south that is R-40 zoning to the adjacent Lot to the North which is (less restrictive) R-20 zoning.

Section 3.24.G – Schedule of District Regulations requires as follows:

Lot Size: 36,015 s.f.: R-40 requires 40,000 s.f. minimum area. **This Lot does not meet this requirement.** R-30 requires 30,000 s.f. minimum area, **This Lot does meet this requirement.**

Minimum Lot Width: R-40 requires 150 foot width, **This Lot does not meet this requirement.** R-30 requires 125 foot width, **This Lot with a width of 137.60 meets this requirement.**

Minimum setback/yard Requirements: All R-30 requirements shall be met. 35 foot front building line, 10 foot side yard building lines and 25 foot rear building lines.

Maximum Lot Coverage: R-30 requirement of a maximum coverage allowed of 25% of the area of the Lot shall be met.

Sincerely, 
Roger (Skip) Blake, Architect

Conceptual Zoning Exhibit

PROPERTY DESCRIPTION

Address: 5601 Montclair Drive, Being Lot 1R, in Block 1, of O. Martin Subdivision, an Addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Clerk's File No. D213003961, of the Plat Records, of Tarrant County, Texas.



Roome
Land Surveying

2000 Avenue G, Suite 810

Plano, Texas 75074

Phone (972) 423-4372 / Fax (972) 423-7523

www.roomesurveying.com / Firm No. 10013100

Note: 1) Tree species should be verified by a licensed arborist
2) Benchmark= Colleyville Mon. No. 85.
Elev.=623.47

BLOCK 2 - ARBOR ESTATES III
CABINET A, SLIDE 2357, P.R.T.C.T.
ZONING R-20

S00°13'17"W 137.80'

ZONING R-20

ROBERT AND NANCY JACKSON
VOL. 11996, PG. 412, D.R.T.C.T.

ZONING R-20

LOT 1R

LOT 1R1, BLOCK 1, FISHER ADDITION
INST. NO. D211181840, P.R.T.C.T.

ZONING R-40

ZONING EXHIBIT FOR ZONING CHANGE
REQUEST FROM R-40 TO R-30.

SHEET 1 OF 2

NOTES: (1) Source bearing is based on recorded plat unless otherwise noted. (2) (CM) = Controlling monument. (3) Surveyor's signature will appear in red ink on original copies. (4) No part of the subject property lies within a Special Flood Hazard Area inundated by 100-year flood per Map Number 48439C0095K of the F.E.M.A. Flood Insurance Rate Maps for Tarrant County, Texas & Incorporated Area dated September 25, 2009. (Zone X). This statement does not imply that the property and/or structures will be free from flooding or flood damage. On occasion, greater floods can & will occur & flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor. (5) Final grade assumed finished floor elevations are at the brick ledge. (6) Drainage arrows, if shown, were determined by elevations shown hereon. (7) Subject property is affected by any & all notes, details, easements & other matters, that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request.

CERTIFICATION

On the basis of my knowledge, information & belief, I certify to **Providence Title Company**, that as a result of a survey made on the ground to the normal standard of care of Registered Professional Land Surveyors practicing in the State of Texas, I find the plat hereon is true, correct & accurate as to the boundaries of the subject property & if shown, location & type of buildings & visible improvements hereon.

Date: 4/18/2016

Revised: _____

Job No. LB126507

Title commitment/Survey Request File No. 207000218 dated: 4/15/2016



Conceptual Zoning Exhibit

PROPERTY DESCRIPTION

Address: 5601 Montclair Drive, Being Lot 1R, in Block 1, of O. Martin Subdivision, an Addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Clerk's File No. D213003961, of the Plat Records, of Tarrant County, Texas.



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Phone (972) 423-4372 / Fax (972) 423-7523
www.roomesurveying.com / Firm No. 10013100

Note: 1) Tree species should be verified by a licensed arborist
2) Benchmark= Colleyville Mon. No. 85
Elev.=623.47

BLOCK 2 - ARBOR ESTATES III
SUBDIVISION A, SLIDE 2357, P.R.T.C.T.

ZONING R-20
S00°13'17"W 137.80'

ZONING R-20

EXISTING TO BE
REMOVED

ROBERT AND NANCY JACKSON
VOL. 11996, PG. 412, D.R.T.C.T.

ZONING R-20

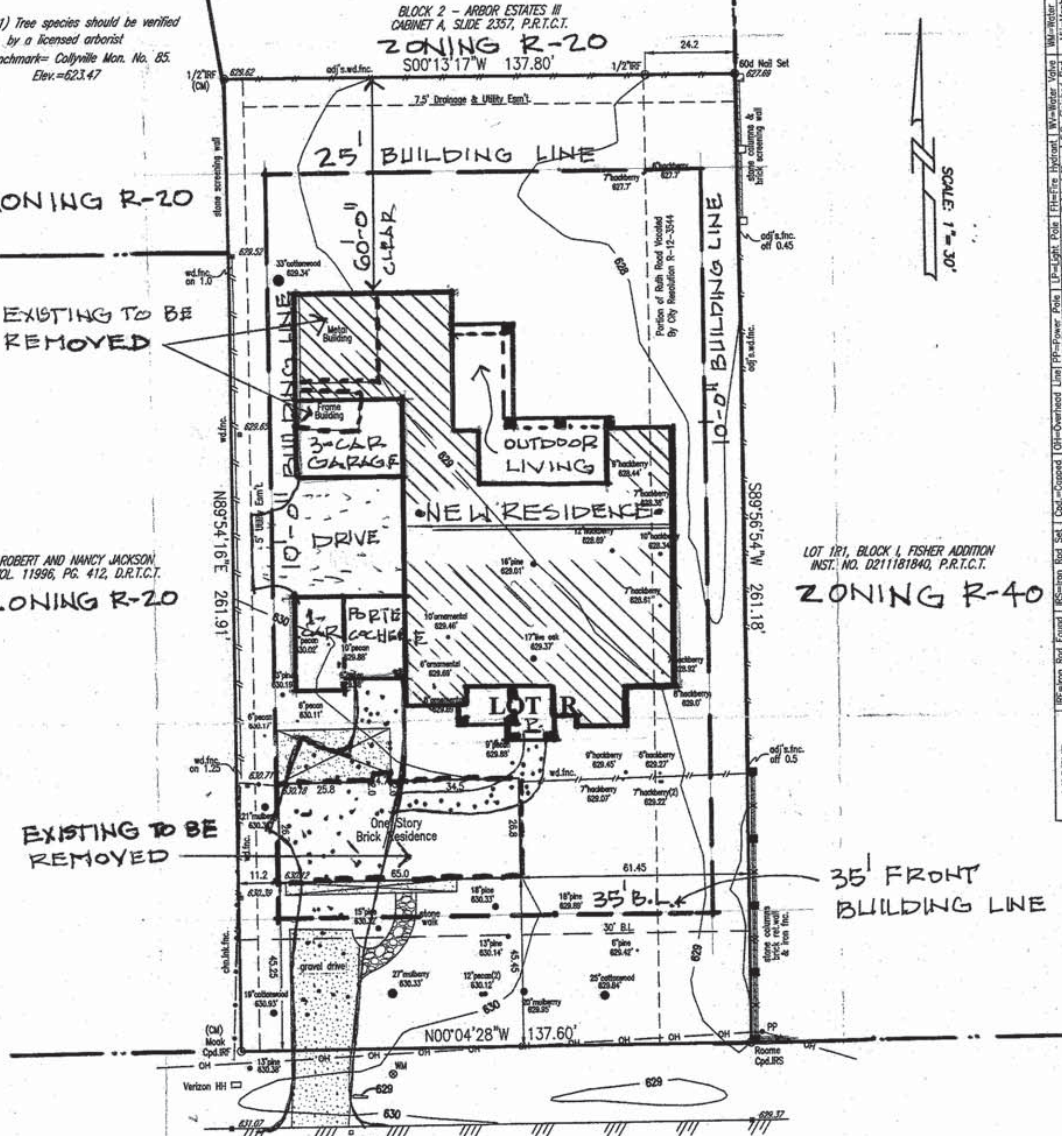
EXISTING TO BE
REMOVED

LOT 1R1, BLOCK 1, FISHER ADDITION
INST. NO. D211181840, P.R.T.C.T.

ZONING R-40

ZONING EXHIBIT FOR ZONING CHANGE
REQUEST FROM R-40 TO R-30.

SHEET 2 OF 2



SITE DATA

Montclair Drive (5601)

GROSS AREA = 36,015 S.F.
MAXIMUM PROPOSED BUILDING AREA ALLOWED (R-30) = 25% (9,003 S.F.)
ACTUAL PROPOSED BUILDING FOOTPRINT (24%) = 8,600 S.F.)
AREA OF PAVING = 3,420 S.F. (9.5%)
AREA OF LANDSCAPE = 23,995 S.F. (66.5%)
1 DWELLING UNIT FOR SINGLE FAMILY

NOTES: (1) Source bearing is based on recorded plat unless otherwise noted. (2) (CM) = Controlling monument. (3) Surveyor's signature will appear in red ink on original copies. (4) No part of the subject property lies within a Special Flood Hazard Area inundated by 100-year flood per Map Number 48439C0095K of the F.E.M.A. Flood Insurance Rate Maps for Tarrant County, Texas & Incorporated Acreage dated September 25, 2009. (Zone X). This statement does not imply that the property and/or structures will be free from flooding or flood damage. On occasion, greater floods can & will occur & flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor. (5) Final grade assumed finished floor elevations are at the brick ledge. (6) Drainage arrows, if shown, were determined by elevations shown hereon. (7) Subject property is affected by any & all notes, details, easements & other matters, that are shown on or as part of the recorded plat and/or as part of a title commitment/survey request.

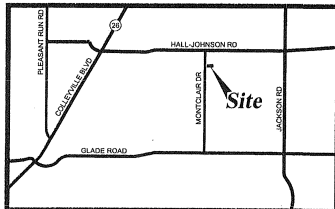
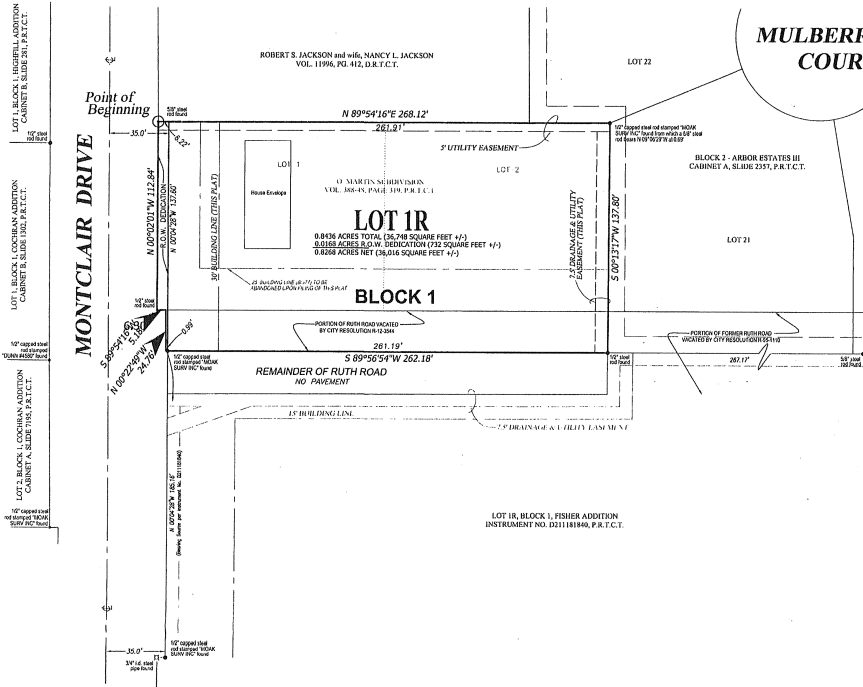
CERTIFICATION

On the basis of my knowledge, information & belief, I certify to Providence Title Company that as a result of a survey made on the ground to the normal standard of care of Registered Professional Land Surveyors practicing in the State of Texas, I find the plat hereon is true, correct & accurate as to the boundaries of the subject property & if shown, location & type of buildings & visible improvements hereon.

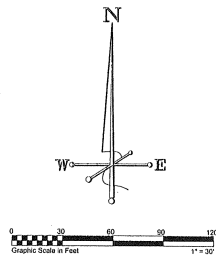
Date: 4/18/2016 Revised: _____ Job No. LB126507
Title commitment/Survey Request File No. 207000218 dated: 4/15/2016



Approved Plat



Vicinity Map



Owners (Lot 1R) / Applicants
Steve & Deborah Pence
5501 Montclair Drive
Colleyville, Texas 76034

STATE OF TEXAS §
COUNTY OF TARRANT §

OWNERS' ACKNOWLEDGEMENT AND DEDICATION

WHEREAS Stephen R. Pence and Deborah K. Pence are the sole owners of the following described tract of land to wit:

ALL that certain tract or parcel of land situated in the S.C.H. WITTEN SURVEY, ABSTRACT NO. 1619 in the City of Colleyville, Tarrant County, Texas and being a portion of Lot 1, and all of Lot 2, O. Martin Subdivision, an Addition to the City of Colleyville, Tarrant County, Texas according to the plat recorded in Volume 388-48, Page 319, Plat Records, Tarrant County, Texas and also including a portion of Ruth Road and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod found for the northwest corner of said Lot 1, being in the apparent easterly right-of-way line of Montclair Drive;

THENCE North 89 degrees 54 minutes 16 seconds East with the northerly boundary line of said O. Martin Addition, 268.02 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the northeast corner of said Lot 2, from which a 5/8 inch steel rod found bears North 09 degrees 06 minutes 29 seconds West, at 0.69 feet;

THENCE South 00 degrees 13 minutes 17 seconds West with the easterly boundary line of said Lot 2, 137.80 feet to a 1/2 inch steel rod found in the center of Ruth Road;

THENCE South 89 degrees 56 minutes 54 seconds West with said center of said Ruth Road, at 261.19 feet passing a 1/2 inch capped steel rod stamped "MOAK SURV INC" found, in all 262.18 feet to the said apparent easterly right-of-way line of Montclair Drive;

THENCE North 00 degrees 22 minutes 49 seconds West with said right-of-way line, 24.76 feet;

THENCE South 89 degrees 54 minutes 16 seconds West, 5.18 feet to a 1/2 inch steel rod found;

THENCE North 00 degrees 02 minutes 01 seconds West continuing with said right-of-way line, 112.84 feet to the PLACE OF BEGINNING and containing 0.8434 acres of land, more or less.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That we, Stephen R. Pence and Deborah K. Pence do hereby adopt this plat designating the hereinabove described property as LOT 1R, BLOCK 1, O. MARTIN SUBDIVISION, an Addition to the City of Colleyville, Tarrant County, Texas and do hereby dedicate fee simple to the public use forever all streets, rights-of-way and alleys shown hereon, and do hereby reserve the easements on this plat for the usual use on accommodation of all public utilities desiring to use or using the same. This plat approved subject to all planning ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

Witness my hand this 4th day of October, 2012

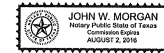
Stephen R. Pence Deborah K. Pence

STATE OF TEXAS §
COUNTY OF TARRANT §

Before me, the undersigned Notary Public in and for said County and State on this day personally appeared Stephen R. Pence and Deborah K. Pence, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 4th day of October, 2012

Notary Public in and for the State of Texas



The Final Plat of Lot 1R, Block 1,
O. MARTIN SUBDIVISION
AN ADDITION TO THE CITY OF
COLLEYVILLE, TARRANT COUNTY, TEXAS
CONSISTING OF TWO LOTS AND BEING 0.8434 ACRES OF LAND OUT OF THE
S.C.H. WITTEN SURVEY, ABSTRACT NO. 1619
AND BEING A REPLAT OF LOTS 1 AND 2, O. MARTIN SUBDIVISION
AN ADDITION TO THE CITY OF COLLEYVILLE, TEXAS ACCORDING TO THE PLAT
RECORDED IN VOLUME 388-48, PAGE 319, PLAT RECORDS, TARRANT COUNTY, TEXAS

I, John W. Morgan, a Registered Professional Land Surveyor of the State of Texas hereby certify that this plat represents a careful and accurate survey made on the ground under my supervision and all required monuments and markers shown actually exist or will be installed in accordance with the provisions of the City of Colleyville Land Development Code and the location, size and type of material are accurately shown on the plat.

John W. Morgan, R.P.L.S. No. 6643

Scale: 1" = 30'

LEGEND:
• FOUND STEEL ROD
• SET CAPPED STEEL ROD
• CEMENT SET IN CONCRETE
• FOUND STEEL PIPE
• FOUND ROSS SPARK STAKE

John W. Morgan, R.P.L.S. No. 6643

Moak Surveyors, Inc.
1105 Clark Street, Suite 100
Colleyville, Texas 76034
Phone: 817-461-1111
www.moaksurveyors.com

REVISED 10-03-2012

Lot 1R, Block 1, O. Martin Subdivision

This Plat Filed by Instrument No. 2012000914, Tarrant County Plat Records, Date 11/4/13

Right-of-Way Abandonment

RESOLUTION R-12-3544

A RESOLUTION AUTHORIZING THE ABANDONMENT OF THE RUTH ROAD RIGHT-OF-WAY

WHEREAS, the property owners located at 5106 and 5513 Montclair Drive have submitted a request to abandon the roadway right-of-way, known as Ruth Road.

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

Sec. 1. THAT the right-of-way abandonment for Ruth Road as depicted in Exhibit "A" and described in Exhibit "B", is hereby approved.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF 7 AYES, 0 NAYS AND 0 ABSTENTIONS
ON THIS THE 1ST DAY OF OCTOBER 2012.

ATTEST:



Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

Right-of-Way Abandonment

EXHIBIT "A"

"THIS SURVEY PLAT IS ACCOMPANIED BY A FIELD NOTE DESCRIPTION WHICH IS MADE A PART OF THIS DOCUMENT"

ALL PROPERTY CORNERS SHOWN HEREON ARE
1/2 INCH CAPPED STEEL RODS STAMPED
"MOAK SURV INC" UNLESS NOTED OTHERWISE



MONTCLAIR DRIVE

ROBERT S. JACKSON and wife, NANCY L. JACKSON
VOL. 11996, PG. 412, D.R.T.C.T.

LOT 1

LOT 2

O. MARTIN SUBDIVISION
VOL. 388-48, PAGE 319, P.R.T.C.T.

LOT 22

BLOCK 2 - ARBOR ESTATES III
CABINET A, SLIDE 2357, P.R.T.C.T.

LOT 21

1/2" steel
rod found

6.30'

N 00°04'28"W

50.15'

N 89°54'16"E 261.32'

Point Of
Beginning

5/8" steel
rod found

1/2" steel
rod found

24.96'

S 00°13'17"W

49.61'

RUTH ROAD
(TO BE ABANDONED)

0.2991 ACRES

NOTE: NO IMPROVEMENTS SHOWN.

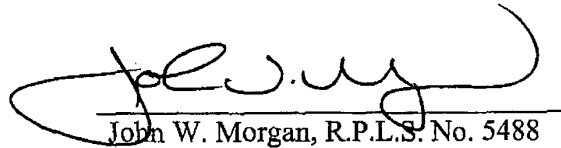
S 89°47'10"W 261.07'

(Bearing Source per Inst. No. D211181840)

LOT 1R, BLOCK 1, FISHER ADDITION
INSTRUMENT NO. D211181840, P.R.T.C.T.

PORTION OF FORMER RUTH ROAD
VACATED BY CITY RESOLUTION R-95-1110

I hereby certify that this plat is an accurate representation of an actual survey made on the ground this date under my supervision of the above described tract and the boundary lines, corners and dimensions shown are as indicated.


John W. Morgan, R.P.L.S. No. 5488

RECEIVED

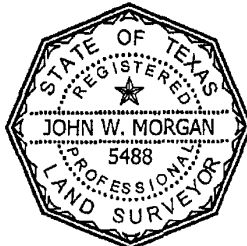
AUG 06 2012

PAGE 1 OF 2

Scale 1" = 50'

LEGEND

- FOUND STEEL ROD
- SET CAPPED STEEL ROD
- ✚ CROSS CUT IN CONCRETE
- ⊕ FOUND STEEL PIPE
- FOUND BOIS D'ARC STAKE



COORDINATE FILE: 10-134

Moak Surveyors, Inc.

LICENSED STATE AND REGISTERED
PROFESSIONAL LAND SURVEYORS

Texas · New Mexico · Arizona · Nevada

1105 Cheek Sparger Road, Colleyville, Texas 76034
Metro 817-288-2211 Fax 817-282-0401

www.moaksurveyors.com

Date 08-02-2012

Job # 12-034AB

Right-of-Way Abandonment

EXHIBIT "B"

"THIS FIELD NOTE DESCRIPTION IS ACCOMPANIED BY A SURVEY PLAT WHICH IS MADE A PART OF THIS DOCUMENT"

Field Note Description For A Right- Of-Way Abandonment of Ruth Road

ALL that certain tract or parcel of land situated in the S.C.H. WITTEN SURVEY, ABSTRACT NO. 1619, Colleyville, Tarrant County, Texas and being a portion of Ruth Road, a public right-of-way in the City of Colleyville, Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod found for the southeast corner of Lot 2, O. Martin Subdivision, an Addition to the City of Colleyville, Tarrant County, Texas according to the plat recorded in Volume 388-48, Page 319, Plat Records, Tarrant County, Texas, being in the northerly right-of-way line of said Ruth Road, also being the northwest corner of the portion of Ruth Road vacated by City of Colleyville Resolution No. R-95-1110;

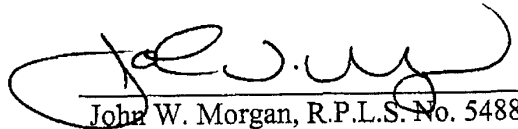
THENCE South 00 degrees 13 minutes 17 seconds West with the westerly boundary line of said vacated road, at 24.96 feet passing a 1/2 inch steel rod found for the most northerly northwest corner of Lot 1R, Block 1, FISHER ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas as recorded in Instrument No. D211181840, of said Plat Records, in all 49.61 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for an inner ell corner of said Lot 1R, also being in the southerly right-of-way line of said Ruth Road;

THENCE South 89 degrees 47 minutes 10 seconds West with the northerly boundary line of said Lot 1R and with the southerly right-of-way line of said Ruth Road, 261.07 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the northeast corner of said Lot 1R, being the intersection of said southerly right-of-way line with the easterly right-of-way line of Montclair Drive;

THENCE North 00 degrees 04 minutes 28 seconds West with said easterly right-of-way line, 50.15 feet to the intersection of said northerly right-of-way line, being in the southerly boundary line of said O. Martin Addition from which a 1/2 inch steel rod found for the southwest corner thereof bears South 89 degrees 54 minutes 16 seconds West, at 6.30 feet;

THENCE North 89 degrees 54 minutes 16 seconds East with said northerly right-of-way line and said southerly boundary line, 261.32 feet to the PLACE OF BEGINNING and containing 0.2991 acres of land, more or less as surveyed by Moak Surveyors, Inc.

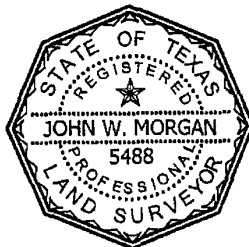
I hereby certify that this plat is an accurate representation of an actual survey made on the ground this date under my supervision of the above described tract and the boundary lines, corners and dimensions shown are as indicated.


John W. Morgan, R.P.L.S. No. 5488

Scale 1" = 50'

LEGEND

- FOUND STEEL ROD
- SET CAPPED STEEL ROD
- + CROSS CUT IN CONCRETE
- ◇ FOUND STEEL PIPE
- FOUND BOIS D'ARC STAKE



COORDINATE FILE: 10-134

RECEIVED

AUG 06 2012

Per PAGE 2 OF 2

Moak Surveyors, Inc.

LICENSED STATE AND REGISTERED
PROFESSIONAL LAND SURVEYORS

Texas · New Mexico · Arizona · Nevada

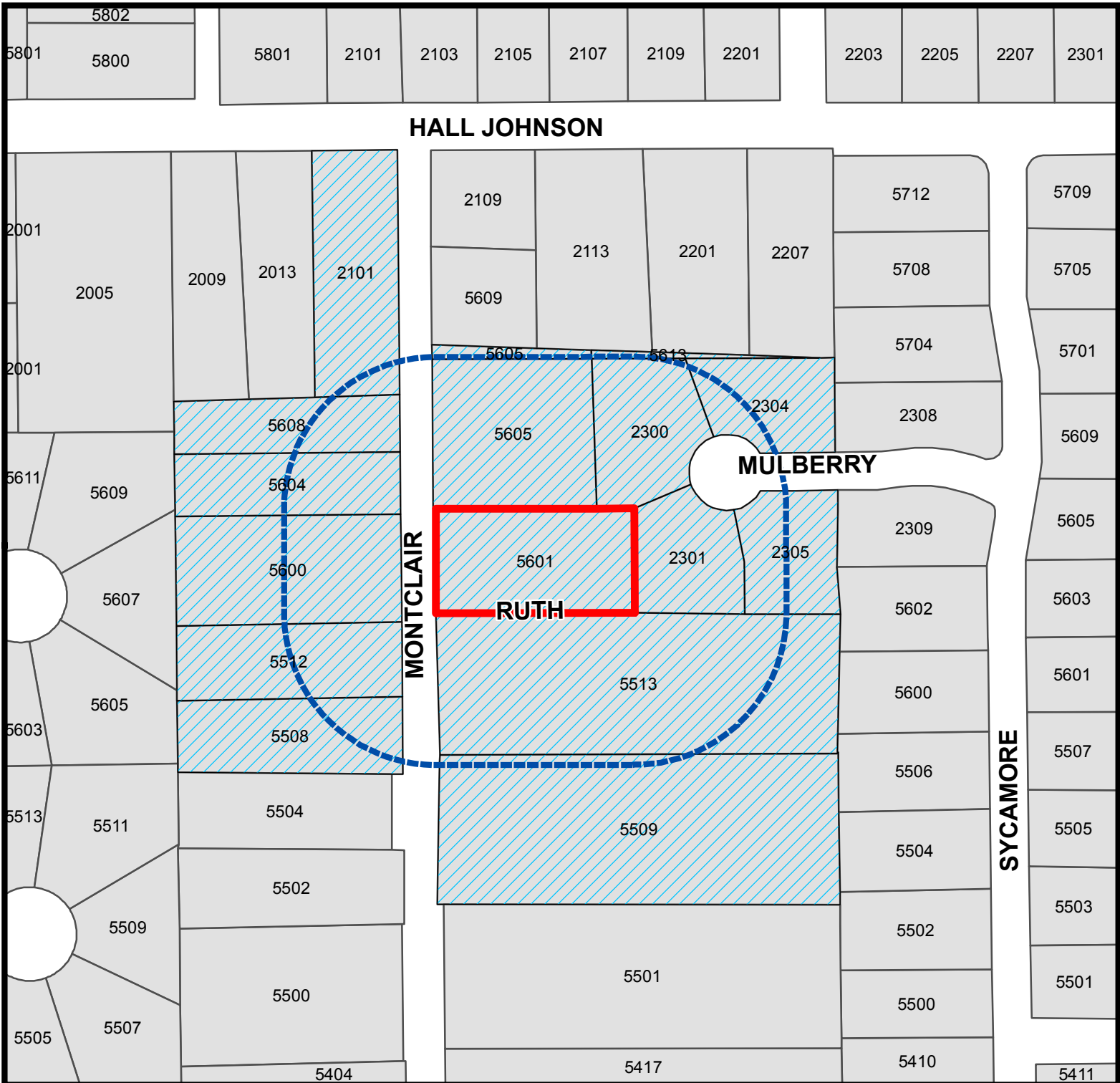
1105 Cheek Sparger Road, Colleyville, Texas 76034
Metro 817-268-2211 Fax 817-282-0401

www.moaksurveyors.com

Date 08-02-2012

Job # 12-034AB

NOTIFICATION MAP



ZC16-017

5601 MONTCLAIR DRIVE

-  Subject Property
-  200ft Buffer
-  Properties within 200ft



1 inch = 181 feet

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
MCCURRY, THOMAS	5110 OLD OAK LN	COLLEYVILLE, TX	76034	5601 MONTCLAIR DR
VOLOSEN, MIRCEA	5604 MONTCLAIR DR	COLLEYVILLE, TX	76034	5604 MONTCLAIR DR
SUEDMEIER, MICHAEL	2301 MULBERRY CT	COLLEYVILLE, TX	76034	2301 MULBERRY CT
HANEY, KENNETH J	2101 HALL JOHNSON RD	COLLEYVILLE, TX	76034	2101 HALL JOHNSON RD
JACKSON, RICHARD	PO BOX 658	COLLEYVILLE, TX	76034	5605 MONTCLAIR DR
MACAULAY, ANDREW	5509 MONTCLAIR DR	COLLEYVILLE, TX	76034	5509 MONTCLAIR DR
BREWSTER, KEITH W	5508 MONTCLAIR DR	COLLEYVILLE, TX	76034	5508 MONTCLAIR DR
PATTERSON, BURTON	5600 MONTCLAIR DR	COLLEYVILLE, TX	76034	5600 MONTCLAIR DR
HICKS, RUSSELL	2304 MULBERRY CT	COLLEYVILLE, TX	76034	2304 MULBERRY CT
COX, LAETITIA R	PO BOX 1785	COLLEYVILLE, TX	76034	5512 MONTCLAIR DR
ENTY, DON	5513 MONTCLAIR DR	COLLEYVILLE, TX	76034	5513 MONTCLAIR DR
TORRES, ARNOLD	5608 MONTCLAIR DR	COLLEYVILLE, TX	76034	5608 MONTCLAIR DR
BURTON, EDITH	5613 MONTCLAIR DR	COLLEYVILLE, TX	76034	5613 MONTCLAIR DR
LEMMON, S CRAIG	2305 MULBERRY CT	COLLEYVILLE, TX	76034	2305 MULBERRY CT
ANTONETTI, ALFREDO	2300 MULBERRY CT	COLLEYVILLE, TX	76034	2300 MULBERRY CT
JACKSON, RICHARD	PO BOX 658	COLLEYVILLE, TX	76034	5605 MONTCLAIR DR

ARBOR ESTATES II HOA	5506 SYCAMORE DR	COLLEYVILLE, TX	76034	COURTESY NOTICE
HIGHLAND MEADOWS	2101 HIGH GATE DR	COLLEYVILLE, TX	76034	COURTESY NOTICE
MONTCLAIR PARK	1108 W. PIONEER PKWY	ARLINGTON, TX	76013	COURTESY NOTICE
MCCURRY, THOMAS	5110 OLD OAK LN	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were
mailed Friday, August 26, 2016
by Araceli Botello

ORDINANCE O-16-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.82 ACRES, LOT 1R, BLOCK 1, OF THE O. MARTIN SUBDIVISION, LOCATED AT 5601 MONTCLAIR DRIVE, FROM THE AG R-40-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE R-30-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC16-017; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; and to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance

Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 0.82 acres Lot 1R, Block 1 of the O. Marin Subdivision, located at 5601 Montclair Drive from the R-40-Single Family Residential zoning district to the R-30-Single Family Residential zoning district, as depicted in the attached Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of October 2016.

The second reading and public hearing being conducted on the 18th day of October 2016.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18TH DAY OF OCTOBER 2016.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A"- Zoning Map

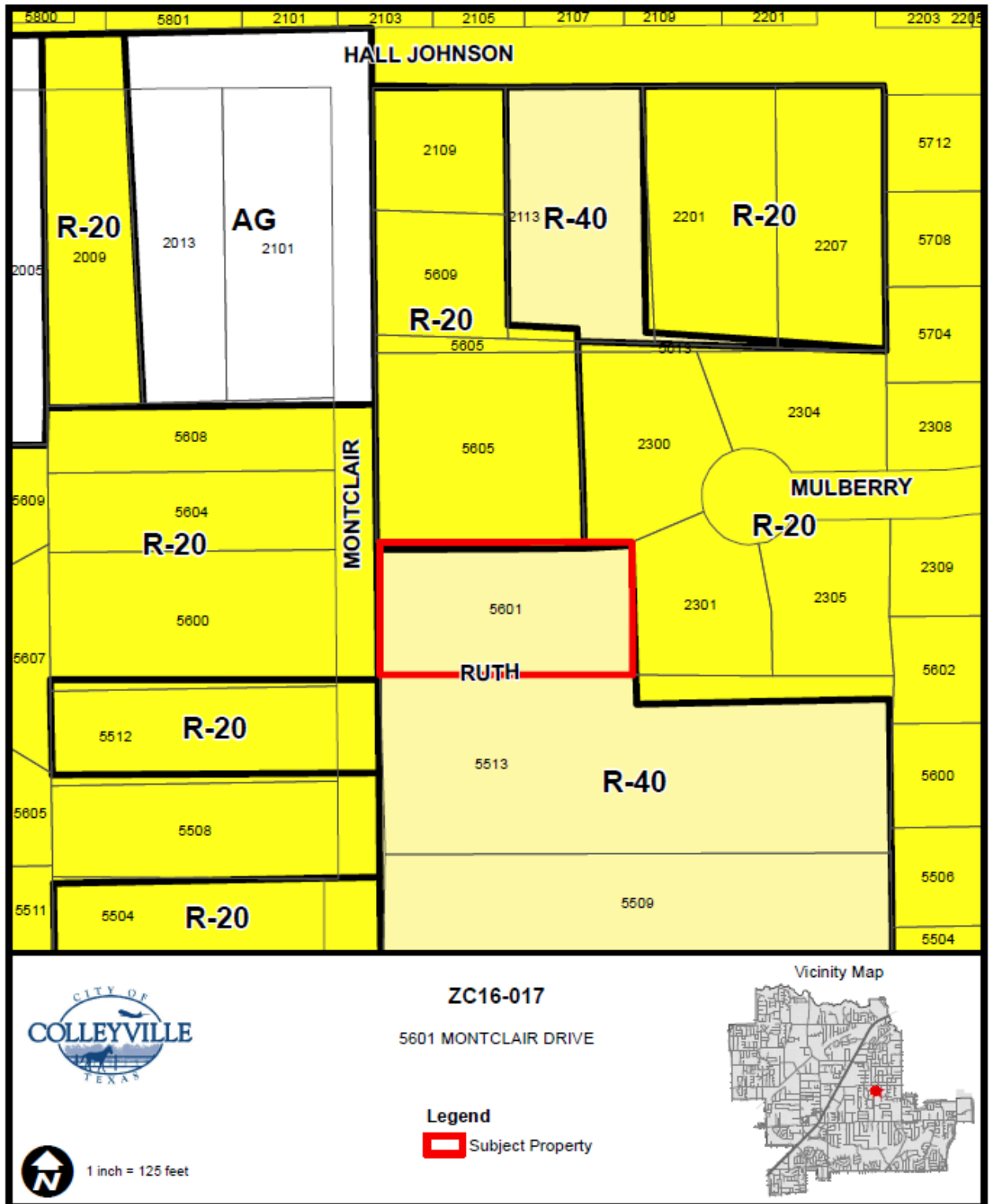


Exhibit “B”- Metes & Bounds Description

5601 Montclair Drive, Being Lot 1R, in Block 1, of the O. Martin Subdivision, an Addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Clerk's File No. d213003961, of the Plat Records. Of Tarrant County, Texas.

Beginning a 1/2 inch iron pin found at the Southwest corner of Lot 1R, Block 1,

Thence North 89 degrees, 54 minutes, 16 seconds East continuing the distance of 261.91 feet to a 1/2 inch iron pin found for northwest corner of Lot 1R, in Block 1,

Thence south 00 degrees, 13 minutes, 17 seconds West continuing the distance of 137.80 feet to a 1/2 inch iron pin found for the Northeast corner of Lot 1R, Block 1,

Thence South 89 degrees, 56 minutes, 54 seconds West continuing the distance of 261.18 feet to a 1/2 inch iron pin found for the Southeast corner of Lot 1R, Block 1,

Thence North 00 degrees, 04 minutes, 28 seconds West continuing the distance of 137.60 feet to the point of beginning 1/2 inch iron pin and containing .827 acres more or less.