



# **City of Colleyville Planning and Zoning Commission Agenda**

City Hall  
100 Main Street  
Colleyville, Texas 76034  
817. 503.1000  
[www.colleyville.com](http://www.colleyville.com)

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Monday, October 10, 2016

City Council Chambers

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**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 Elms  
PLEDGE OF ALLEGIANCE**

- 1. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON  
THE AGENDA**
- 2. APPROVAL OF MINUTES**  
September 12, 2016
- 3. PUBLIC HEARING AGENDA ITEMS**

- 3a** Consideration of a replat on Lots 16 (South ½) & 17R, Block 1, of the Bettinger Place Addition, located at 6309 Bettinger Drive, Case PC16-010
- 3b** Consideration of a Special Use Permit for an Accessory Building larger than permitted on Lot 9, Block 2, of the Briarwood-Colleyville Addition, located at 6001 Quality Hill Road, Case ZC16-013
- 3c** Consideration of an amendment to the PUD- R Planned Unit Development-Residential district to amend the front building line on Lots 1-9, Block 1, of the Carmel Place Estates Addition, located at 4916, 4912, 4908, 4828, 4824, 4820, 4816, 4812 and 4808 Carmel Place, Case ZC16-015
- 3d** Consideration of a zoning change from the AG-Agricultural district to the R-20 Single Family Residential district on Abstract 1756 of the A T Young Survey, Tract 1A01B, located at 216 W. Glade Road, Case ZC16-016

#### **4. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards Friday, October 7, 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

City Hall  
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Monday, September 12, 2016

City Council Chambers

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## CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by the Chairman Byerly on September 12, 2016, at 7:00p.m.

### Roll Call

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

**Absent:** Commissioner Carel Tornes

**Staff Present:** Shane Pace, Ben Bryner, Oscar Chavez, Rob McKeown, Chief Brian Riley, Araceli Botello, and Matthew Butler (City Attorney)

### 1. APPROVAL OF MINUTES

**Commissioner Phelps made a motion to approve the August 8, 2016 minutes as written. Commissioner Davis seconded.**

**The motion to approve the August 8, 2016 minutes as written carried by the following vote:**

**Aye: 6** – 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. 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

**Commissioner Phelps made a motion to approve Case PC16-005. Commissioner Gotcher seconded.**

**The motion to approve carried by the following vote:**

**Aye: 6** – Wheelwright, Elms, Gotcher, Davis, Phelps, and Byerly

**4. PUBLIC HEARING AGENDA ITEMS**

**Chairman Byerly requested to move agenda item 4c to the beginning of the agenda for the evening due to applicant's request to table the item. There were no objections to this request.**

- 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 ZC16-014

**Chairman Byerly made a motion to continue Case ZC16-014 to the October 10, 2016 Planning and Zoning Commission meeting. Commissioner Gotcher seconded.**

**The motion to continue Case ZC16-014 to the October 10, 2016 Planning and Zoning Commission meeting carried by the following vote:**

**Aye: 6** – Wheelwright, Elms, Gotcher, Davis, Phelps, and Byerly

- 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

Shane Pace presented the case and briefed the Commission.

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

The applicant, Ed Palluth, 1212 Holly Lane, came forward and briefed the Commission.

John Perone, 1216 and 1220 Holly Lane, came forward and spoke in support of this case.

There being no others present wishing to speak, the public hearing was closed at 7:15 p.m.



**Commissioner Davis made a motion to approve Case ZC16-012. Commissioner Gotcher seconded.**

**The motion to approve Case ZC16-012 carried by the following vote:**

**Aye: 6** – Wheelwright, Elms, Gotcher, Davis, Phelps, and Byerly

- 4b** 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

Shane Pace presented the case and briefed the Commission.

The public hearing was opened at 7:20 p.m.

The applicant's representative, Mark Assaad, 5000 Thompson Terrance, came forward and briefed the Commission.

The following people wished to record their support but did not wish to speak:

Support:

Stephen Morris, 7201 Pleasant Run Road  
Waguhi Guirguis, 7204 Waldon Court

There being no others present wishing to speak, the public hearing was closed at 7:23 p.m.

**Commissioner Phelps made a motion to approve the Case ZC16-014. Commissioner Wheelwright seconded.**

**The motion to approve Case ZC16-014 carried by the following vote:**

**Aye: 6** – Wheelwright, Elms, Gotcher, Davis, Phelps, and Byerly

- 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

Shane Pace presented the case and briefed the Commission.

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

The architect, Roger "Skip" Blake, 1202 S. White Chapel Boulevard, Southlake, came forward and briefed the Commission.

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

**Commissioner Gotcher made a motion to approve Case ZC16-017. Commissioner Davis seconded.**

**The motion to approve Case ZC16-017 carried by the following vote:**

**Aye: 6** – Wheelwright, Elms, Gotcher, Davis, Phelps, and Byerly

## **5. ADJOURNMENT**

The meeting adjourned at 7:30 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

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 3a                 | <b>Agenda Date</b> 10/10/2016 | <b>Number</b> |
| <b>Type</b> Public Hearing Agenda Items |                               |               |
| <b>Department</b> Community Development |                               |               |

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## Title

Consideration of a replat on Lots 16 (South ½) & 17R, Block 1, of the Bettinger Place Addition, located at 6309 Bettinger Drive, Case PC16-010

## Explanation

Douglas and Peggy Finely, the property owners, request approval of a replat for the Bettinger Place Addition on approximately 0.50 acres. The applicant proposes to combine Lot 17 plus the south half of Lot 16 to the north to construct one new single family home.

**Existing Conditions/Background:** The subject property is zoned R-10 Single Family Residential district and is generally located on the east side of Bettinger Drive, east of Westcoat Drive and north of White Drive.

The subject property is currently undeveloped. One single family residence with accessory structures was demolished in August 2015. The applicant has indicated intent to construct one single family home on the subject property.

The R-10 zoning designation was deleted from the Land Development Code on December 3, 1974, by Ordinance O-74-189. At this time any properties zoned R-10 transitioned into a legal non-conforming status. Unless and until a rezoning request is submitted on the subject property it may retain the legal non-conforming status, as long as it meets the requirements of the R-10 district as listed below. It should be noted, that the majority of the Bettinger Place subdivision has developed in a manner commensurate to the R-20 district. The replat up for consideration, proposes to combine one and one-half lots for a total gross area of 22,003 square feet.

**Lot Dimensions and Setbacks:** The subject property is zoned R-10 Single Family Residential district. Per the zoning ordinance in place in 1974, the R-10 zoning regulations require the following standards:

Minimum Lot Area: 10,000 square feet  
Minimum Lot Width: 75 feet  
Minimum Lot Depth: 100 feet  
Minimum Front Yard Setback: 30 feet  
Minimum Side Yard Setbacks: 8 feet  
Minimum Rear Yard Setback: 25 feet

Maximum Lot Coverage: 30 percent

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

**Surrounding Development:** The properties to the north, south, east, and west are zoned R-10 Single Family Residential district and developed with single family homes.

**Fees:** Park Land Dedication Fees are required prior to filing the plat for record, in the amount of \$1,802 per residential lot. 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 if more than one residence is constructed in the future after the demolition of the structures currently on the subject property.

**Tree Preservation:** The proposed subdivision must comply with Chapter 5 (Tree Preservation) of the Land Development Code. A Tree Removal Permit and associated Tree Preservation Plan must be approved prior to the removal of any tree, prior to site grading or dirt disturbance, or prior to new construction on the subject property.

In addition to the requirements for approval of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the required percentage of existing protected tree canopy coverage as specified in Chapter 5, unless or until the Planning and Zoning Commission formally grants a waiver to the required preservation.

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

**Sidewalks:** A minimum five-foot wide sidewalk is required along Bettinger Road with the construction of any residential structure.

**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 sewer service lines to the individual lot as part of the development process.

**Public Notification:** Staff mailed notices to all property owners within 200 feet of the subject property. Notice was published in the Fort Worth Star-Telegram as required by State law and the Land Development Code. Staff has received no correspondence to date.

**Staff Recommendation:** The proposed replat meets the requirements of the Land Development Code, staff recommends approval.

**Recommendation**

Approve

**Attachments**

1. Aerial Map
2. Zoning Map
3. Plat Exhibit
4. Notification Map
5. Notification List



# AERIAL MAP



**PC16-010**

6309 BETTINGER DRIVE

 Subject Property



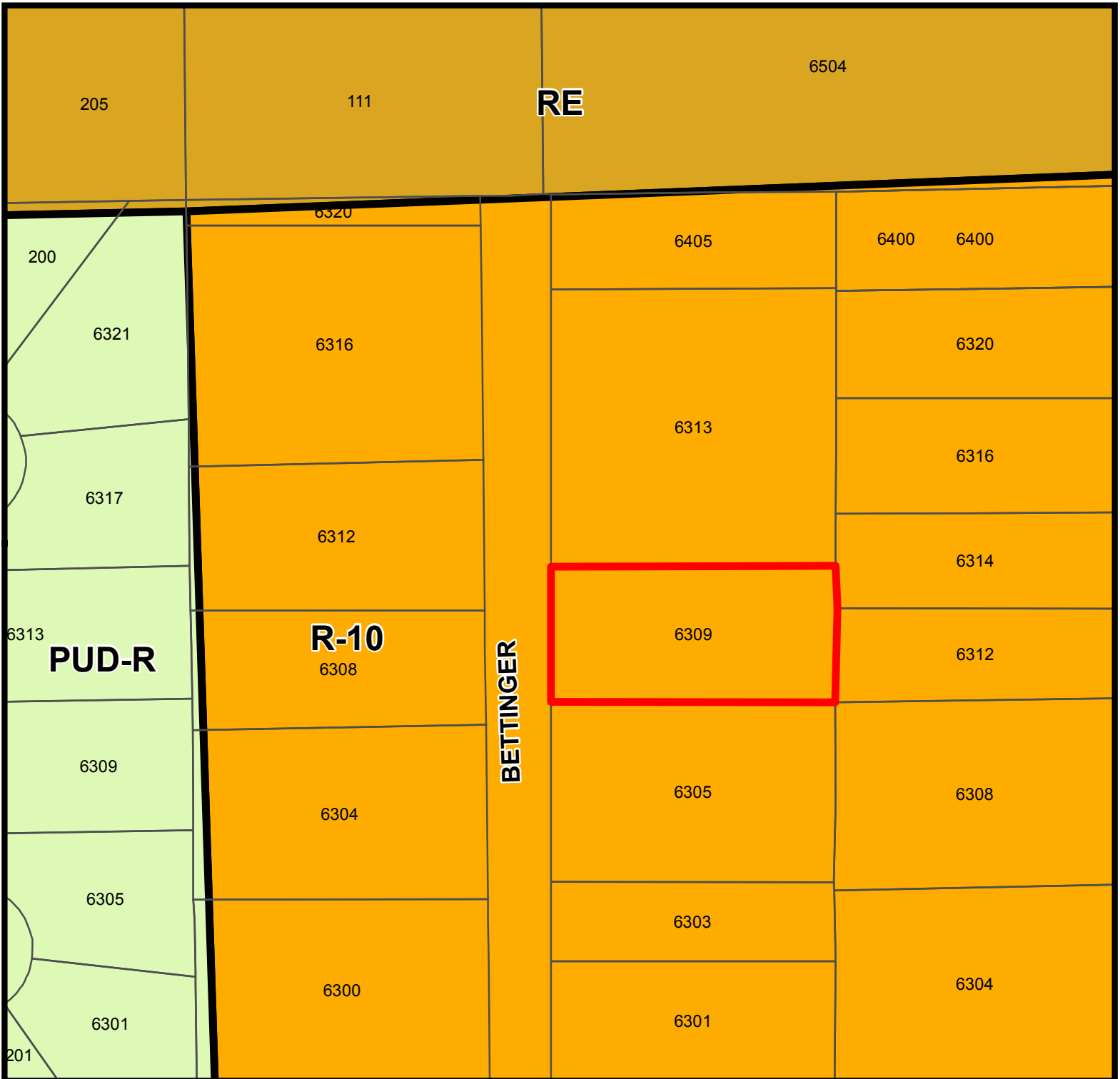
1 inch = 104 feet

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.

# ZONING MAP



**PC16-010**

6309 BETTINGER DRIVE

 Subject Property



1 inch = 104 feet

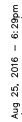
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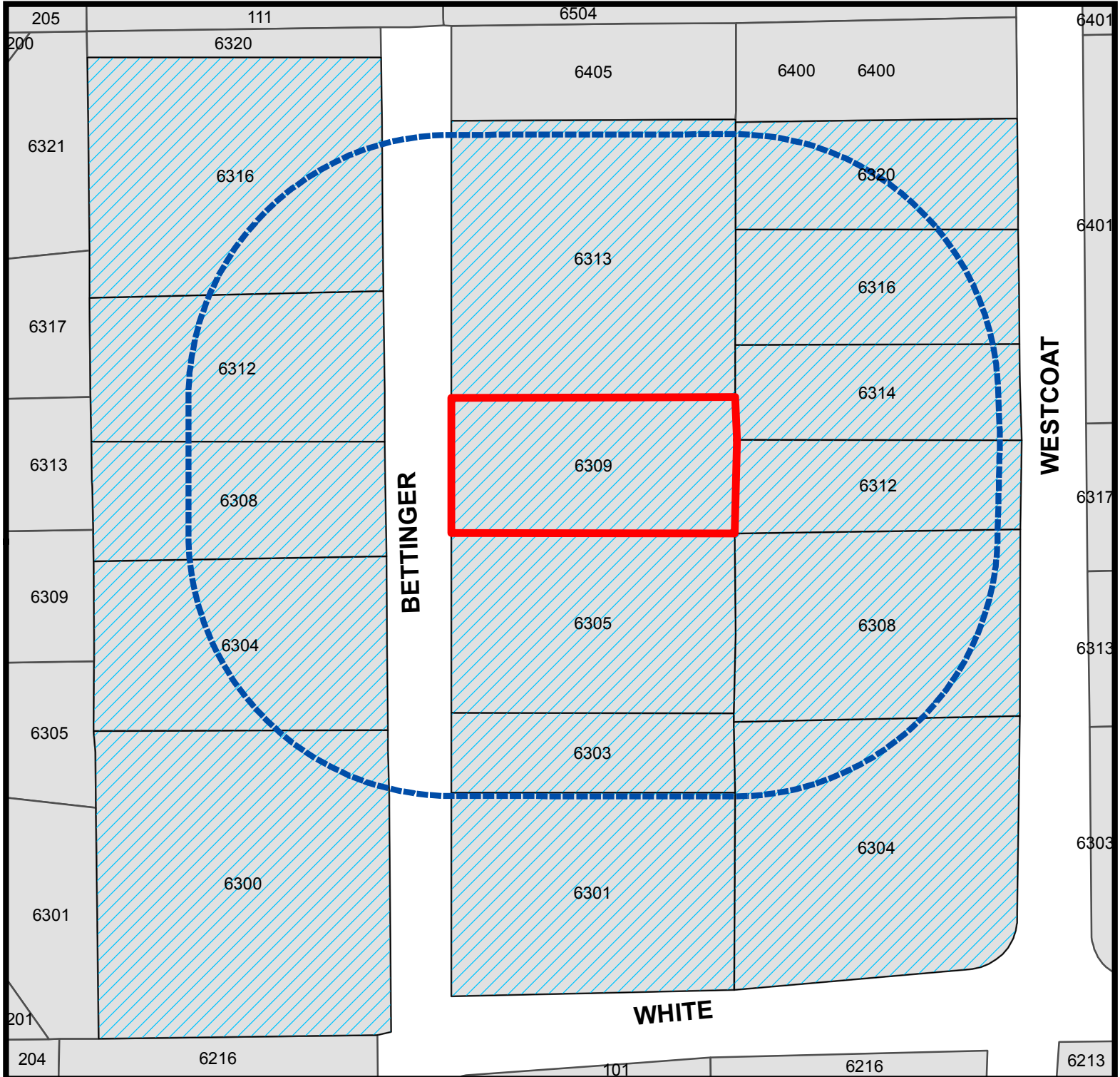


Aug 25, 2016 - 6:29pm  
S:\034\_Hamilton Duffy\034-184 6309 Bettinger Rd - Colleyville\30-Plat\ spry-6309 Bettinger-Plat.dwg





## NOTIFICATION MAP



**PC16-010**

6309 BETTINGER DRIVE

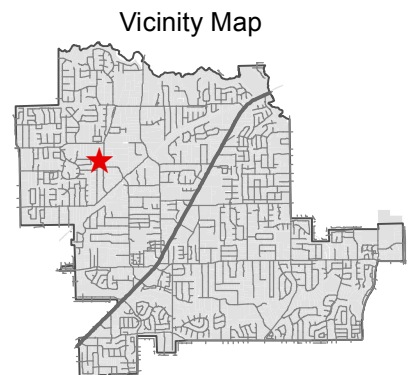


1 inch = 104 feet



## Subject Property

Buffer within 200ft

 Properties within 200ft

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# Notification List

| Owner Name           | Owner Address      | Owner City      | Owner Zip | Situs Address     |
|----------------------|--------------------|-----------------|-----------|-------------------|
| CHLAD, JASON R       | 6312 BETTINGER DR  | COLLEYVILLE, TX | 76034     | 6312 BETTINGER DR |
| CLINE, BOBBIE L      | 6316 BETTINGER DR  | COLLEYVILLE, TX | 76034     | 6316 BETTINGER DR |
| LAFORNARA, LEWIS     | 6305 BETTINGER DR  | COLLEYVILLE, TX | 76034     | 6305 BETTINGER DR |
| HOFMANN, NANCY C     | 6400 WESTCOAT DR   | COLLEYVILLE, TX | 76034     | 6400 WESTCOAT DR  |
| CEPAK, BENNETT       | 6301 BETTINGER DR  | COLLEYVILLE, TX | 76034     | 6301 BETTINGER DR |
| FINLEY, PEGGY        | 1701 MCCAIN RD     | COLLEYVILLE, TX | 76034     | 6309 BETTINGER DR |
| ROBERTS, CORY        | 6314 WESTCOAT DR   | COLLEYVILLE, TX | 76034     | 6314 WESTCOAT DR  |
| DOODY, KEVIN J       | 1109 SOMERSET BLVD | COLLEYVILLE, TX | 76034     | 6312 WESTCOAT DR  |
| CALHOON, CHRISTOPHER | 6308 WESTCOAT DR   | COLLEYVILLE, TX | 76034     | 6308 WESTCOAT DR  |
| BLOCKER, DOROTHY J   | 6313 BETTINGER DR  | COLLEYVILLE, TX | 76034     | 6313 BETTINGER DR |
| COPENHAVER, PAUL D   | 6300 BETTINGER DR  | COLLEYVILLE, TX | 76034     | 6300 BETTINGER DR |
| JOHNSON, CRYSTAL     | 6308 BETTINGER DR  | COLLEYVILLE, TX | 76034     | 6308 BETTINGER DR |
| TURNER, JOSEPH       | 6316 WESTCOAT DR   | COLLEYVILLE, TX | 76034     | 6316 WESTCOAT DR  |
| WALTON, KIMBERLY A   | 6320 WESTCOAT DR   | COLLEYVILLE, TX | 76034     | 6320 WESTCOAT DR  |
| POTTER, CAMERON      | 6304 BETTINGER DR  | COLLEYVILLE, TX | 76034     | 6304 BETTINGER DR |
| NORTON, JOHN J       | 6304 WESTCOAT DR   | COLLEYVILLE, TX | 76034     | 6304 WESTCOAT DR  |
| COMIER, JAMES        | 6303 BETTINGER DR  | COLLEYVILLE, TX | 76035     | 6303 BETTINGER DR |

|                           |                                |                   |       |                    |
|---------------------------|--------------------------------|-------------------|-------|--------------------|
| REMINGTON PARK HOA        | 5751 KROGER DRIVE              | KELLER, TX        | 76244 | COURTESY NOTICE    |
| MATT HIBBIT               | 8241 MID CITIES BLVD, SUITE102 | NORTH RICHLAND HI | 76182 | APPLICANT          |
| KELLER ISD                | 350 KELLER PARKWAY             | KELLER, TX        | 76248 | STATE LAW REQUIRED |
| GRAPEVINE-COLLEYVILLE ISD | 3051 IRA WOODS AVE E           | GRAPEVINE, TX     | 76051 | STATE LAW REQUIRED |

Public hearing notices were mailed  
Friday, September 23, 2016 by Araceli  
Botello



# City of Colleyville Planning and Zoning Commission Agenda Briefing

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 3b                 | <b>Agenda Date</b> 10/10/2016 | <b>Number</b> |
| <b>Type</b> Public Hearing Agenda Items |                               |               |
| <b>Department</b> Community Development |                               |               |

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## Title

Consideration of a Special Use Permit for an Accessory Building larger than permitted on Lot 9, Block 2, of the Briarwood-Colleyville Addition, located at 6001 Quality Hill Road, Case ZC16-013

## Explanation

Michael Meierhofer, the applicant, has submitted a request for a Special Use Permit (SUP) to construct an approximately 1,966 square foot accessory building at 6001 Quality Hill Road. The SUP is being requested because the total square footage of the accessory building will exceed the maximum square footage allowed.

**Existing Conditions/Background:** The subject property is zoned R-20 Single Family Residential district and generally located on the east side of Quality Hill Road and north of L.D. Lockett Road. The subject property is a platted lot of the Briarwood Addition and currently developed with one single family home and one 120 square foot accessory building which is proposed to remain.

## Proposed Special Use Permit Request:

*Request* – The applicant is requesting approval of a Special Use Permit to allow for the construction of an accessory building which will exceed the maximum square footage permitted.

The applicant plans to construct a 1,966 square foot accessory building on the rear portion of the property, approximately 10 feet eight inches (10'8") from the rear property line, and seven (7) feet from the southern 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 driveway. The proposed height is 28 feet six inches (28'6") to the highest roof ridge

*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)."*

Section 3.27 Accessory Buildings and Residential Carport Regulations also establishes the maximum height allowed for accessory buildings permitted on a residential lot:

*"4. Maximum Height: No accessory building shall penetrate a vertical height envelope defined as being a point five feet from a side or rear lot line and extending vertically 8 feet to a point, then extending at a 45° angle to the height of the primary building."*

*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 under .5 acre in size, the maximum size allowed for all accessory buildings on the site is 750 square feet. The subject property is 21,518 square feet or 0.49 acres and currently contains one 120 square foot accessory building. The proposal up for consideration requests to construct a second accessory building, 1,966 square feet in size. The total for both accessory buildings will be 2,086 square feet. This total exceeds the maximum 750 square footage allowed by 1,336 square feet.

It should also be noted that the building footprint will be 1,966 square feet. However, based on the building plans submitted, the proposed structure will have approximately 3,000 square feet of floor space between the first and second floors.

2. Section 3.27(A)4 – Maximum Height:

The proposed accessory building penetrates the vertical height envelope at the rear of the property. In essence, this requirement establishes the maximum height of an accessory building in relation to the distance from a property line. To better illustrate this requirement, an accessory building may be located five feet from a side or rear lot line (given it is located completely behind the primary structure) and be a maximum of eight-feet tall. For every one-foot in height that an accessory building exceeds the

eight foot requirement, the building must be moved one-foot farther away from the property line. Alternatively, if the building exceeds the eight-foot height requirement, the roof line may be constructed at an angle not exceeding 45° to the highest point.

The proposed accessory building is located 10 feet, eight inches (10'8") from the rear property line. Based on this location the building can be a maximum of 13 feet, eight inches (13'8") tall. The proposed structure is 28 feet six inches (28'6") tall. Thus exceeding the permitted height by 14 feet, eight inches (14'8").

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

**Surrounding Development:** The surrounding properties to the north, south, east, and west are zoned R-20 Single Family district and developed with single family homes.

**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 and maximum height allowed by the Land Development Code. Given the size, height, and location of the proposed structure along with the degree of noncompliance with Section 3.27 of the Land Development Code, staff recommends denial of the request.

## **Recommendation**

Denial

## **Attachments**

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



# AERIAL MAP



**ZC16-013**

6001 QUALITY HILL ROAD



Subject Property

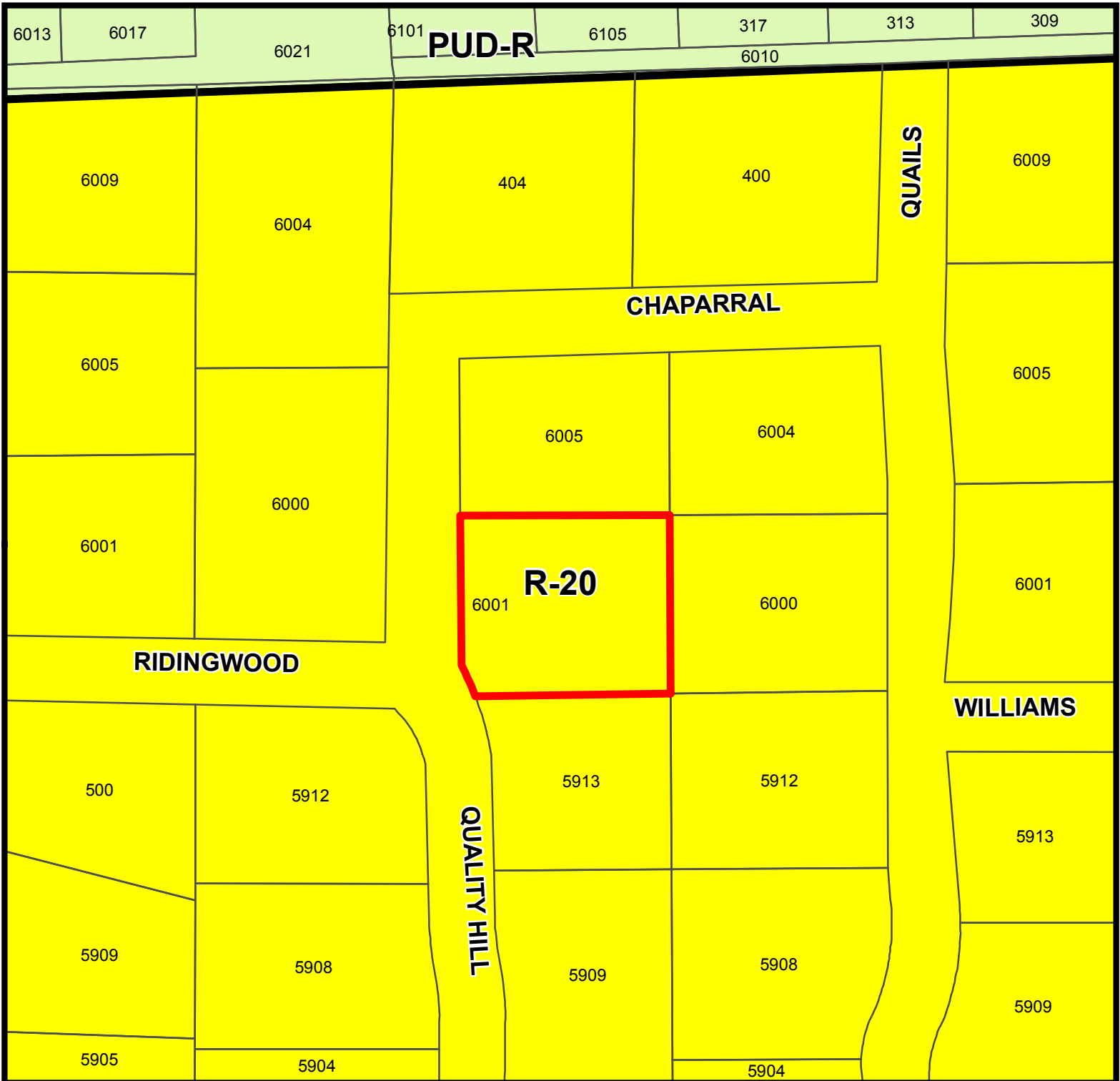
Vicinity Map



1 inch = 104 feet

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# ZONING MAP



**ZC16-013**

6001 QUALITY HILL ROAD

 Subject Property



1 inch = 104 feet

Vicinity Map



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# **Statement of Planning Objectives**

**6001 Quality Hill Rd.**

**Meierhofer Garage/Poolhouse**

**Subject:** ZC16-013, SUP for an Accessory Building

To whom it may concern:

The initial staff comments have been addressed, and the drawings have been revised, with the exception of the maximum height requirements. We are requesting a deviation from the provisions in regards to the height restrictions in the form of a separate written request as required by the city of Colleyville initial staff comments. Along with this letter, we are submitting to the city (4) sets of 24" x 36" revised drawings and site plan, (5) sets of 11" x 17" revised drawings and site plan, a CD containing all plans, the response to the staff comments, and a written request for variance of the height restrictions referenced above. If there are any other items or information needed, please make us aware as soon as possible.

Thank you,

Mike and Angela Meierhofer

**FILE COPY**

RECEIVED

SEP 16 2016

Per .....

# Statement of Planning Objectives

## Request for Variance

6001 Quality Hill Rd.

ZC16-013

To whom it may concern:

We would ask that you please consider waiving the height restrictions of our new proposed garage/poolhouse for the following reasons:

- 1-The new building will not exceed the height of the existing dwelling.
- 2-The new building will add value to the home and the neighborhood.
- 3-There are several existing buildings in the neighborhood that exceed the same restrictions. Some have been built in the recent past.
- 4-The new building is not an additional dwelling.
- 5-The lot is very large, and can accommodate the new building. (<30%)
- 6-We have spent over \$14,000 on design per multiple verbal instructions in person, with preliminary drawings, from a city of Colleyville employee before the process began. This employee is no longer employed at the city. Complete re-design will cost large amounts of additional time and money.

Thank you in advance for your sincere consideration,

Mike and Angela Meierhofer

**FILE COPY**

RECEIVED

SEP 16 2016

Per .....



# Statement of Planning Objectives

## Meierhofer Residence Planning Objective

The plan is to build a detached garage and pool house on our property. The garage will be a two car garage and the pool house will be attached to the garage. It is a two story pool house maximizing square footage. The house will be approximately 1900 square feet. This is an improvement to our home and neighborhood.

There are other homes in our neighborhood that have accessory buildings that exceed the maximum square footage as well. Some were existing and others were built in recent years.

**FILE COPY**

RECEIVED

AUG 05 2016

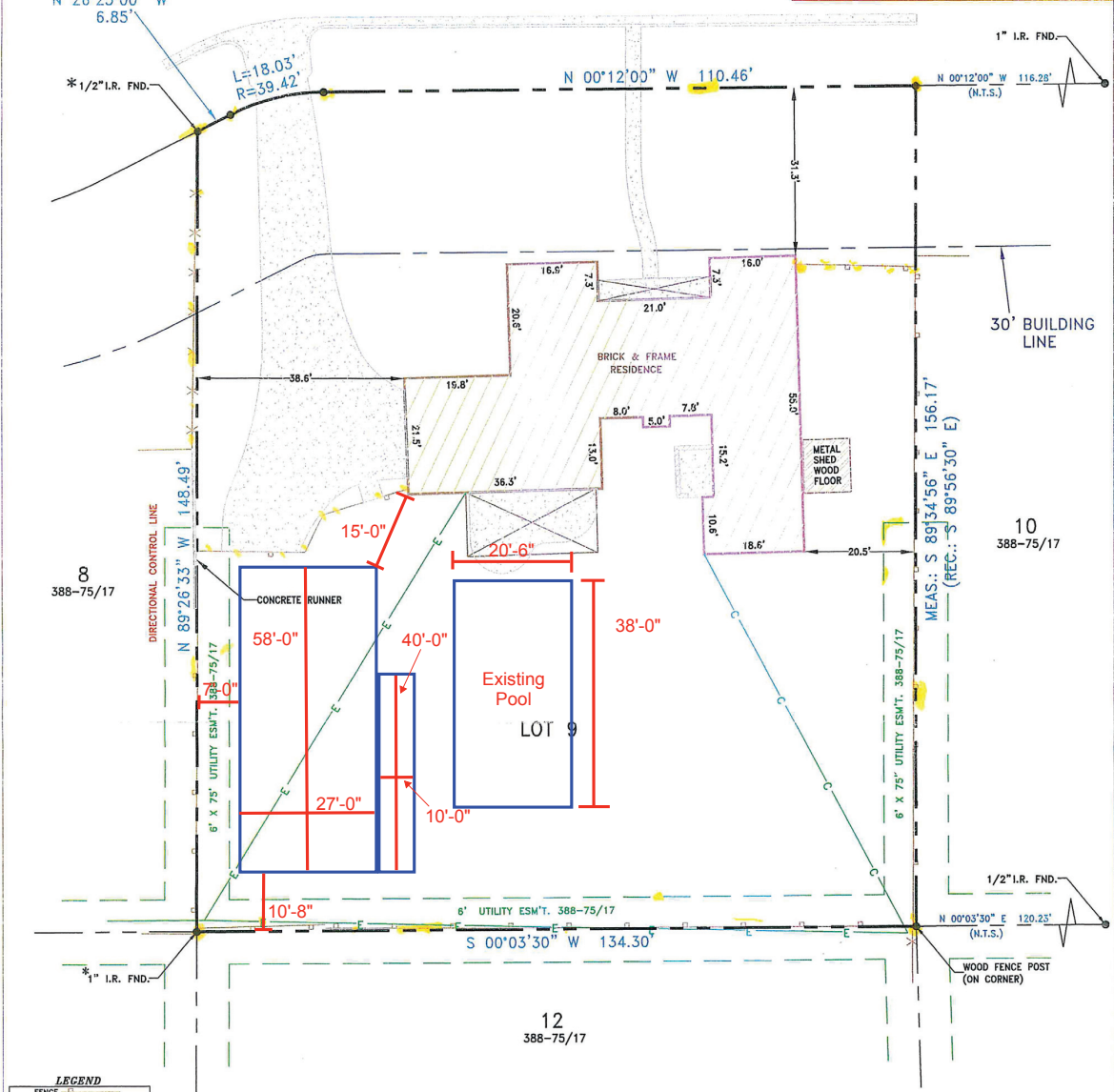
Per .....

# Site Plan

REFERENCE NO: 114824  
TITLE CO: ALAMO TITLE  
LENDER:  
DATE: 11-27-06

CF# 06-3018454  
PURCHASER LANGSTON

6001 QUALITY HILL  
(50' RIGHT-OF-WAY)



**LEGEND**

|          |           |          |
|----------|-----------|----------|
| FENCE    | TELEPHONE | ELECTRIC |
| WOOD     | STONE     | TILE     |
| CONCRETE | BRICK     | ASPHALT  |

NOTE: BASIS OF BEARINGS FOR THIS SURVEY FROM DATA PROVIDED BY THE RECORDED PLAT.

**PROPERTY DESCRIPTION:** Lot 9, Block 2, of Briarwood Addition, an Addition to the City of Colleyville, Tarrant County, Texas, according to the plat recorded in Volume 388-75, Page 17, Plat Records, Tarrant County, Texas.

**SURVEYOR'S STATEMENT:** The undersigned Registered Professional Land Surveyor has prepared this survey for the exclusive use of the herein named purchaser, lender and title company only. The title commitment, referenced by the G.F. number shown hereon, and provided by said title company was relied upon for the preparation of this survey. No other abstracting was performed. The undersigned acknowledges that this survey was conducted by the surveyor or under his supervision on the date shown hereon; this plat of survey and the property description set forth hereon are a true representation of facts found at the time of an actual on-the-ground survey; there are no visible, above ground encroachments, or protrusions, except as shown. The use of this survey by any parties other than those named above for any other purposes shall be at the user's own risk and any loss resulting therefrom shall not be the responsibility of the undersigned. Unauthorized use is not permitted without the express written permission of Dowdy Land Surveyors, Inc.



EUGENE D. ABBEY, R.P.L.S. No. 4886  
DOWDY LAND SURVEYORS, INC.  
6850 MANHATTAN BLVD. SUITE 310  
FORT WORTH, TEXAS 76120  
(817) 429-9898



CHECKED BY: L.A.

DRAWN BY: D.W.

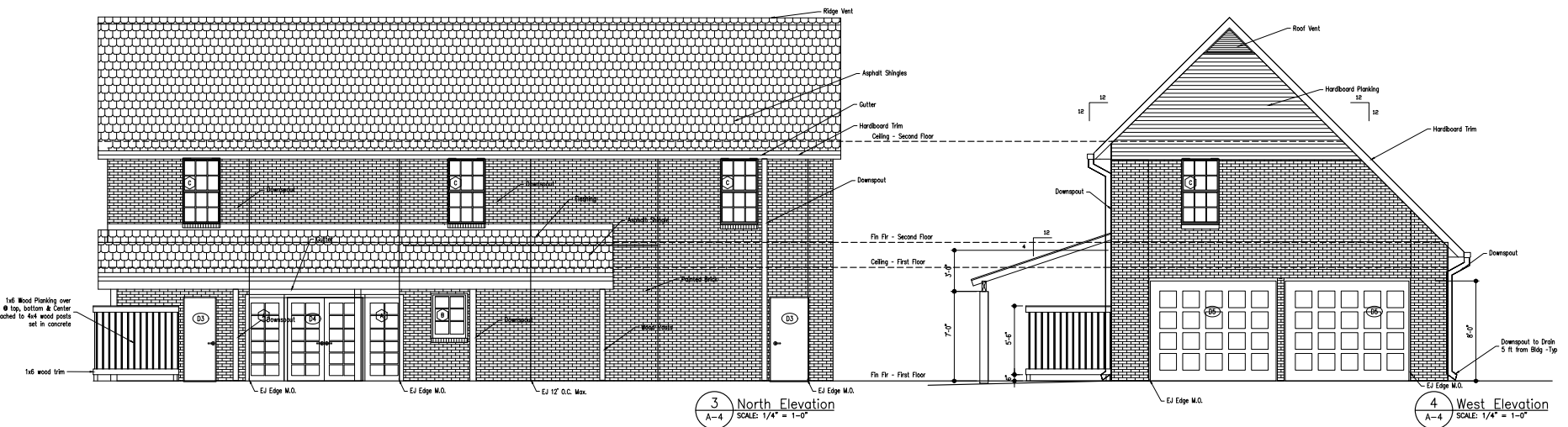
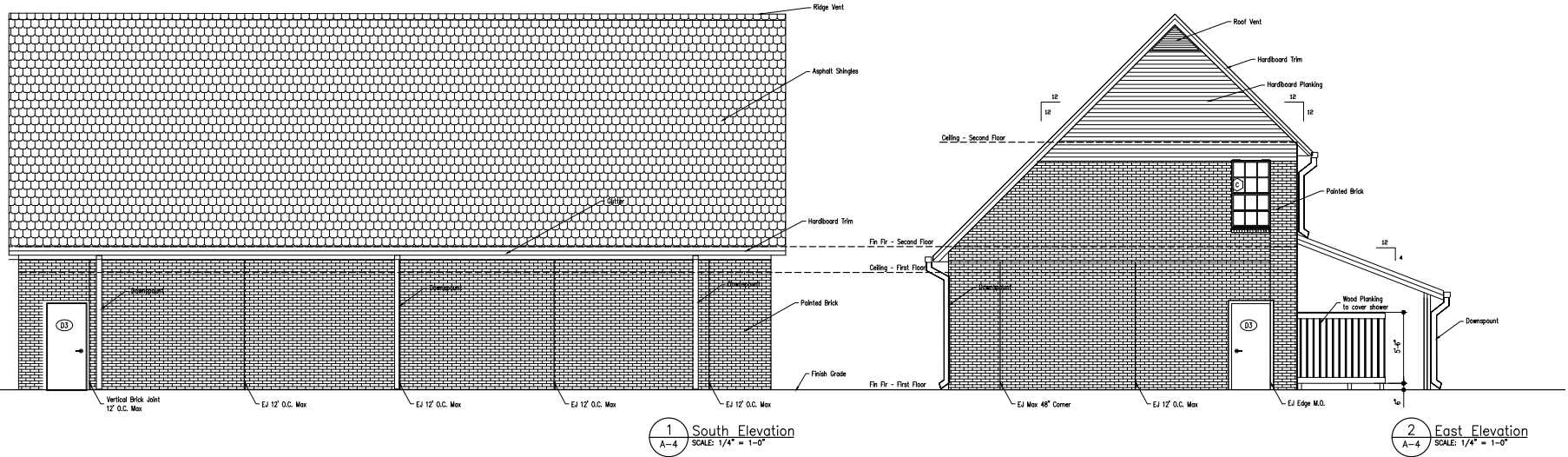
COPYRIGHT © 2006 DOWDY LAND SURVEYORS, INC. ALL RIGHTS RESERVED.

THIS SURVEY IS ONLY VALID WITH AN AUTHORIZED SIGNATURE AND EMBOSSED SEAL.

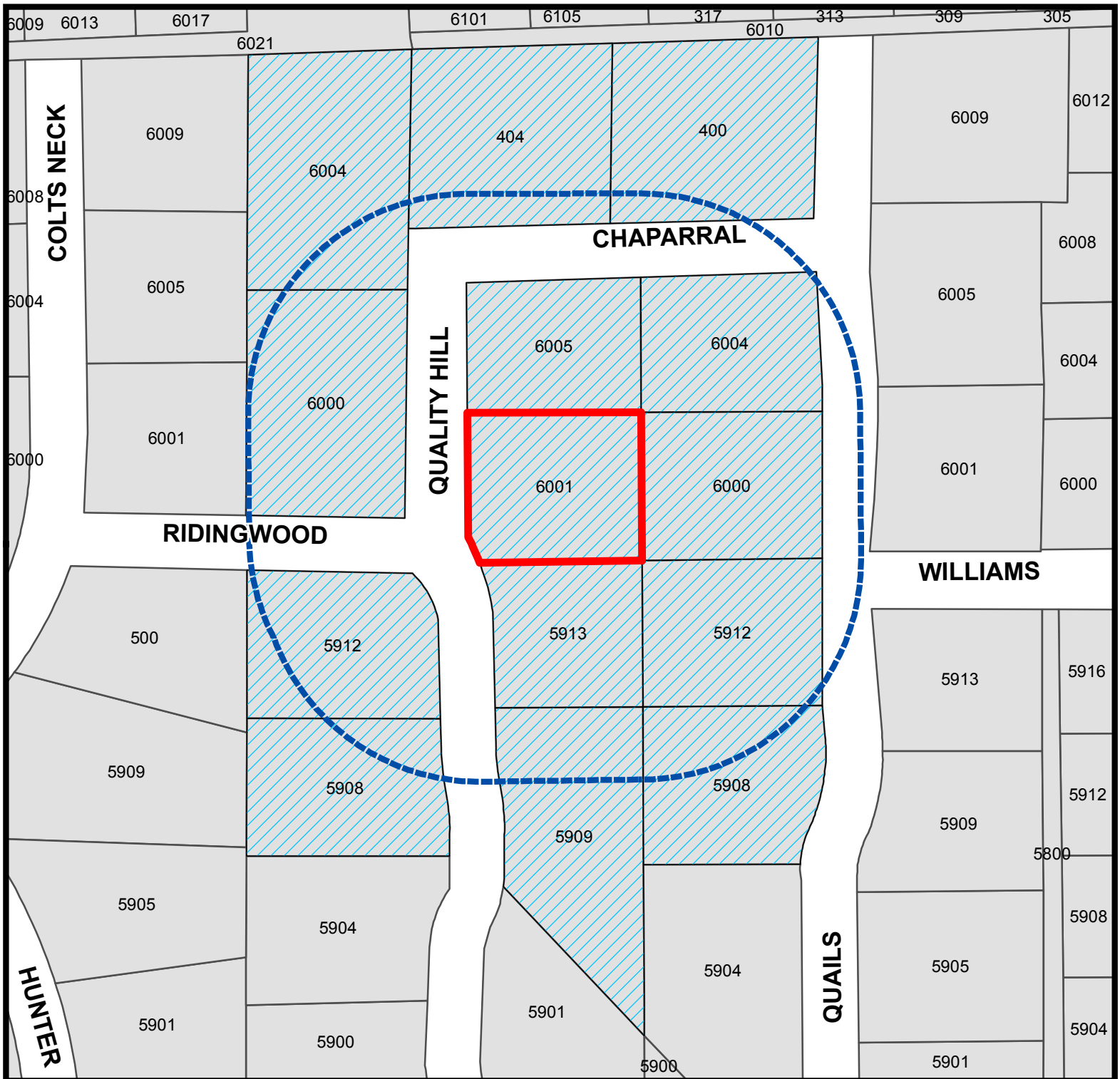


# Elevations

28'-6"  
Per City  
Comments



# NOTIFICATION MAP



**ZC16-013**

6001 QUALITY HILL ROAD

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



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.

## Notification List

| Owner Name                | Owner Address        | Owner City      | Owner Zip | Situs Address        |
|---------------------------|----------------------|-----------------|-----------|----------------------|
| MEIERHOFER, MICHAEL       | 6001 QUALITY HILL RD | COLLEYVILLE, TX | 76034     | 6001 QUALITY HILL RD |
| GEORGE, JAMES P           | 5908 QUALITY HILL RD | COLLEYVILLE, TX | 76034     | 5908 QUALITY HILL RD |
| KIEWEG, KENNETH           | 5912 QUAILS PATH     | COLLEYVILLE, TX | 76034     | 5912 QUAILS PATH     |
| GARVIN, BILLY RAY         | 5908 QUAILS PATH     | COLLEYVILLE, TX | 76034     | 5908 QUAILS PATH     |
| SCHEPPY, EDWIN C          | 400 CHAPARRAL ST     | COLLEYVILLE, TX | 76034     | 400 CHAPARRAL ST     |
| WHITE, DARYL H            | 5909 QUALITY HILL RD | COLLEYVILLE, TX | 76034     | 5909 QUALITY HILL RD |
| FITZPATRICK, ALVIN A      | 404 CHAPARRAL ST     | COLLEYVILLE, TX | 76034     | 404 CHAPARRAL ST     |
| COLLINS, ROBERT           | 5912 QUALITY HILL RD | COLLEYVILLE, TX | 76034     | 5912 QUALITY HILL RD |
| LAND, KELCEY J            | 6004 QUAILS PATH     | COLLEYVILLE, TX | 76034     | 6004 QUAILS PATH     |
| FREEMAN, FREDERICK D      | 5913 QUALITY HILL RD | COLLEYVILLE, TX | 76034     | 5913 QUALITY HILL RD |
| KIDWELL, MARK D EST       | 6005 QUALITY HILL RD | COLLEYVILLE, TX | 76034     | 6005 QUALITY HILL RD |
| USRY, CONRAD MORRIS       | 6000 QUAILS PATH     | COLLEYVILLE, TX | 76034     | 6000 QUAILS PATH     |
| CHWA, RICHARD             | 6000 QUALITY HILL RD | COLLEYVILLE, TX | 76034     | 6000 QUALITY HILL RD |
| ZEBROWSKI, MARK SHAVER    | 6004 QUALITY HILL RD | COLLEYVILLE, TX | 76034     | 6004 QUALITY HILL RD |
| REMINGTON PARK HOA        | 5751 KROGER DRIVE    | KELLER, TX      | 76244     | COURTESY NOTICE      |
| MEIERHOFER, MICHAEL       | 6001 QUALITY HILL RD | COLLEYVILLE, TX | 76034     | APPLICANT            |
| GRAPEVINE-COLLEYVILLE ISD | 3051 IRA WOODS AVE E | GRAPEVINE, TX   | 76051     | STATE LAW REQUIRED   |

Public hearing notices were mailed  
Friday, September 23, 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 9, BLOCK 2, OF THE BRIARWOOD-COLLEYVILLE ADDITION, LOCATED AT 6001 QUALITY HILL ROAD, 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. ZC16-013; 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 9, Block 2, of the Briarwood-Colleyville Addition, located at 6001 Quality Hill Road, 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 1,966 square feet in size.
- c. The accessory building shall not exceed 28'6" in height.
- d. The accessory building shall be consistent with the building elevations as depicted on the attached Exhibit "C"



- e. The accessory building may not be used as an accessory dwelling unit.
- f. 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 1st day of November 2016.

The second reading and public hearing being conducted on the 15th day of November 2016.

PASSED AND APPROVED BY A VOTE OF \_\_\_ AYES, \_\_\_ NAYS, AND \_\_\_ ABSTENTIONS ON THIS THE 15TH DAY OF NOVEMBER 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**

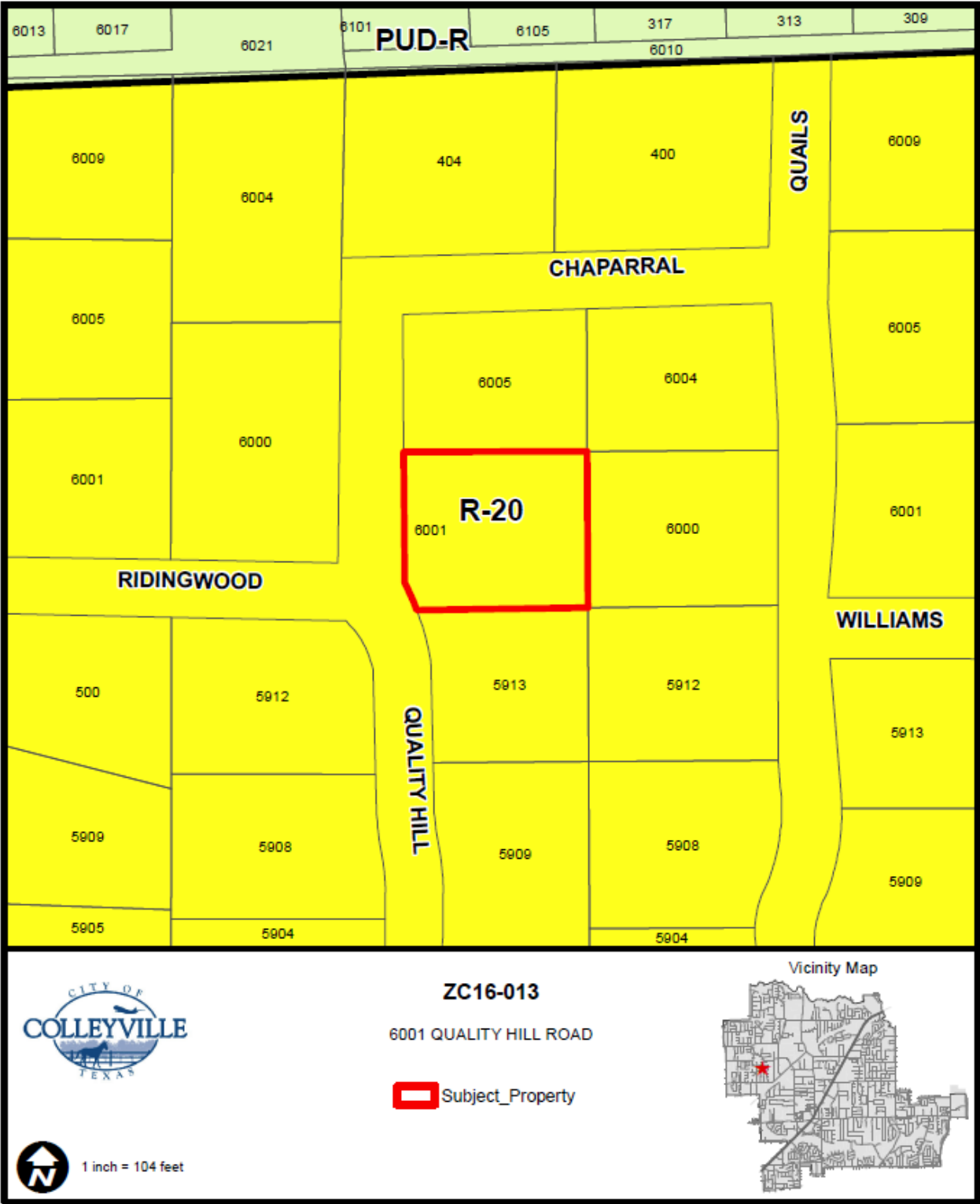
Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

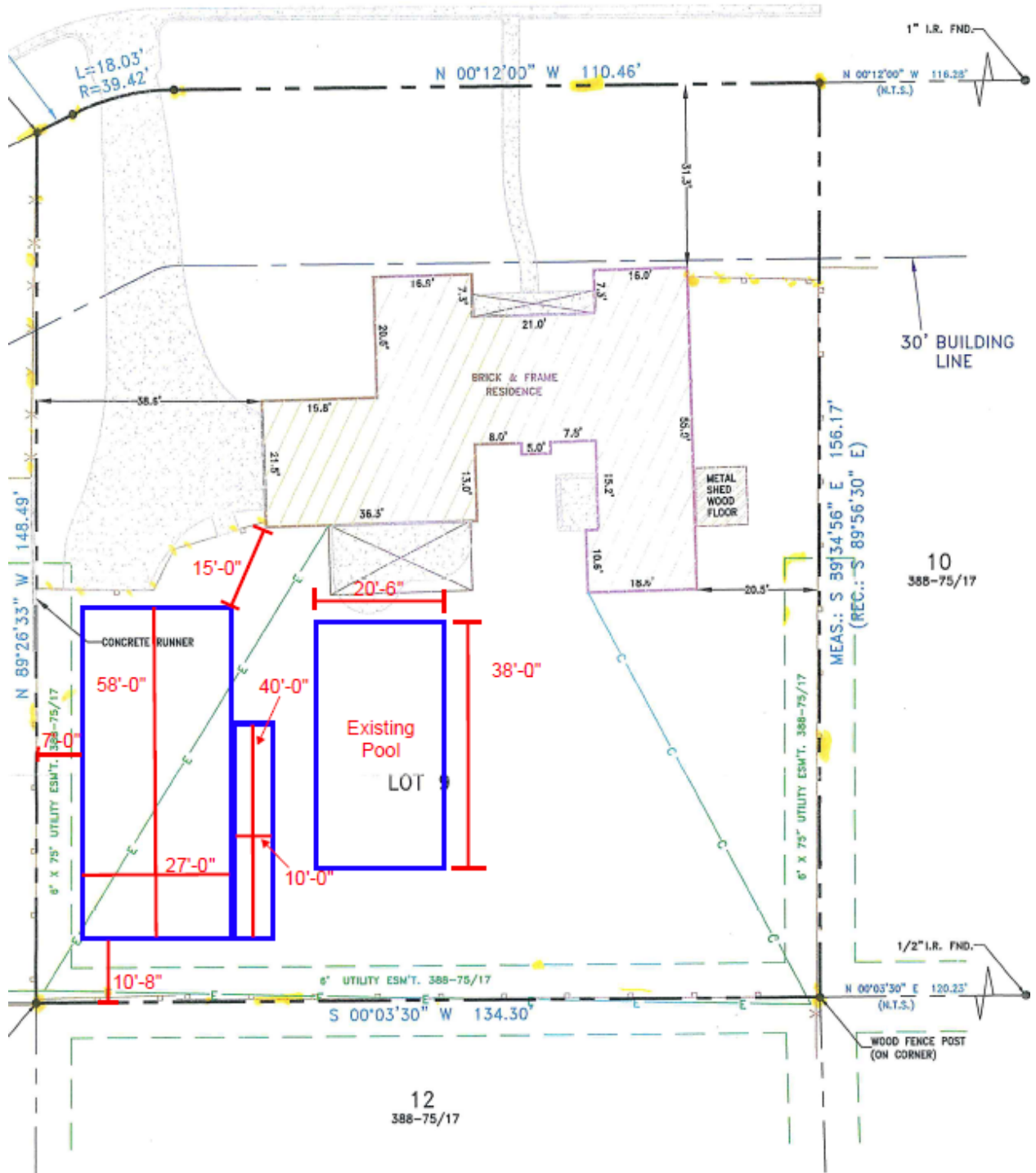
Matthew C. G. Boyle  
City Attorney

Exhibit "A" - Location and Zoning Map

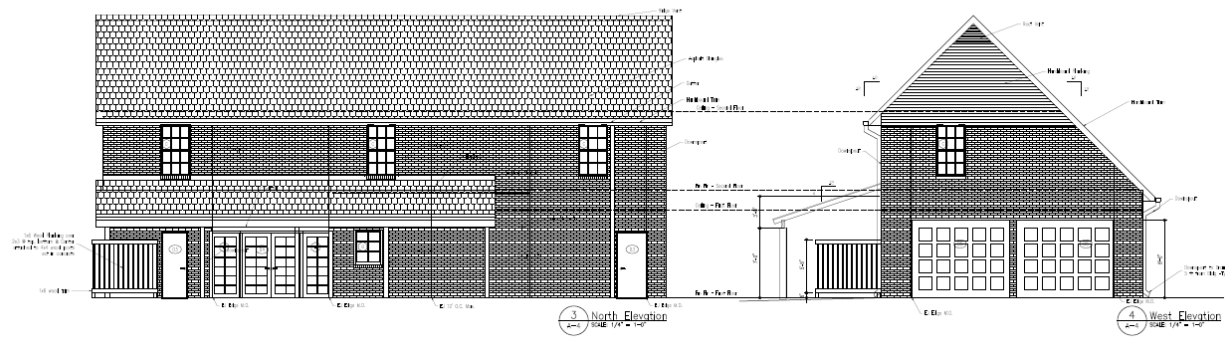
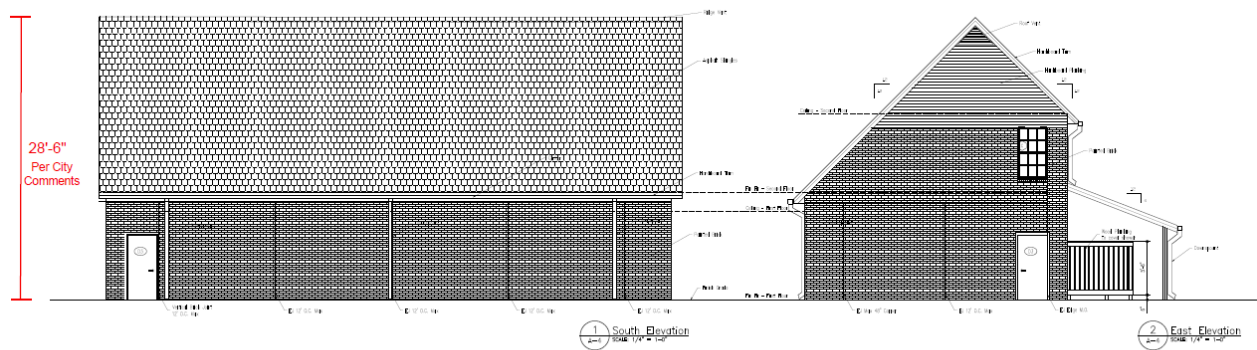


6001 QUALITY HILL  
(50' RIGHT-OF-WAY)

PURCHASER LANGSTON



# Exhibit "C" – Elevations





# City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

---

|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 3c                 | <b>Agenda Date</b> 10/10/2016 | <b>Number</b> |
| <b>Type</b> Public Hearing Agenda Items |                               |               |
| <b>Department</b> Community Development |                               |               |

---

## Title

Consideration of an amendment to the PUD- R Planned Unit Development-Residential district to amend the front building line on Lots 1-9, Block 1, of the Carmel Place Estates Addition, located at 4916, 4912, 4908, 4828, 4824, 4820, 4816, 4812 and 4808 Carmel Place, Case ZC16-015

## Explanation

**Update:** At the September 12, 2016 Planning and Zoning Commission meeting the applicant requested to table this item. The applicant has revised the PUD-R amendment request and all supporting materials. The agenda briefing below reflects the current request up for consideration.

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 all nine residential lots within the subdivision. The intent of the amendment is to provide a greater buildable area for the 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. Included in the Statement of Planning Objectives, the applicant describes the existing floodplain on the subject property and the reduction of buildable area on Lots 1 thru 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 1, 2, 3, 4, 5, 6, 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 each of the nine lots is too encumbered by floodplain to build the size of home desired by prospective homeowners. Staff believes that a reduced building line will not adversely impact the neighborhood. Since all nine lots are located along the same street, 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 the lots 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 properties to the north are zoned PUD-R Planned Unit Development – Residential and are developed with single family homes (Riverwalk at Colleyville, Bridges at Riverwalk, The Preservation). The properties to the south and

east are zoned R-20 Single Family Residential and developed with single family homes. The property to the west is zoned AG Agricultural District and developed with one 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, we have received two letters of opposition for the previous request. The percentage of property owners within 200 feet in opposition of the original request is 7.76 percent. No correspondence has been received for the revised request.

**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**

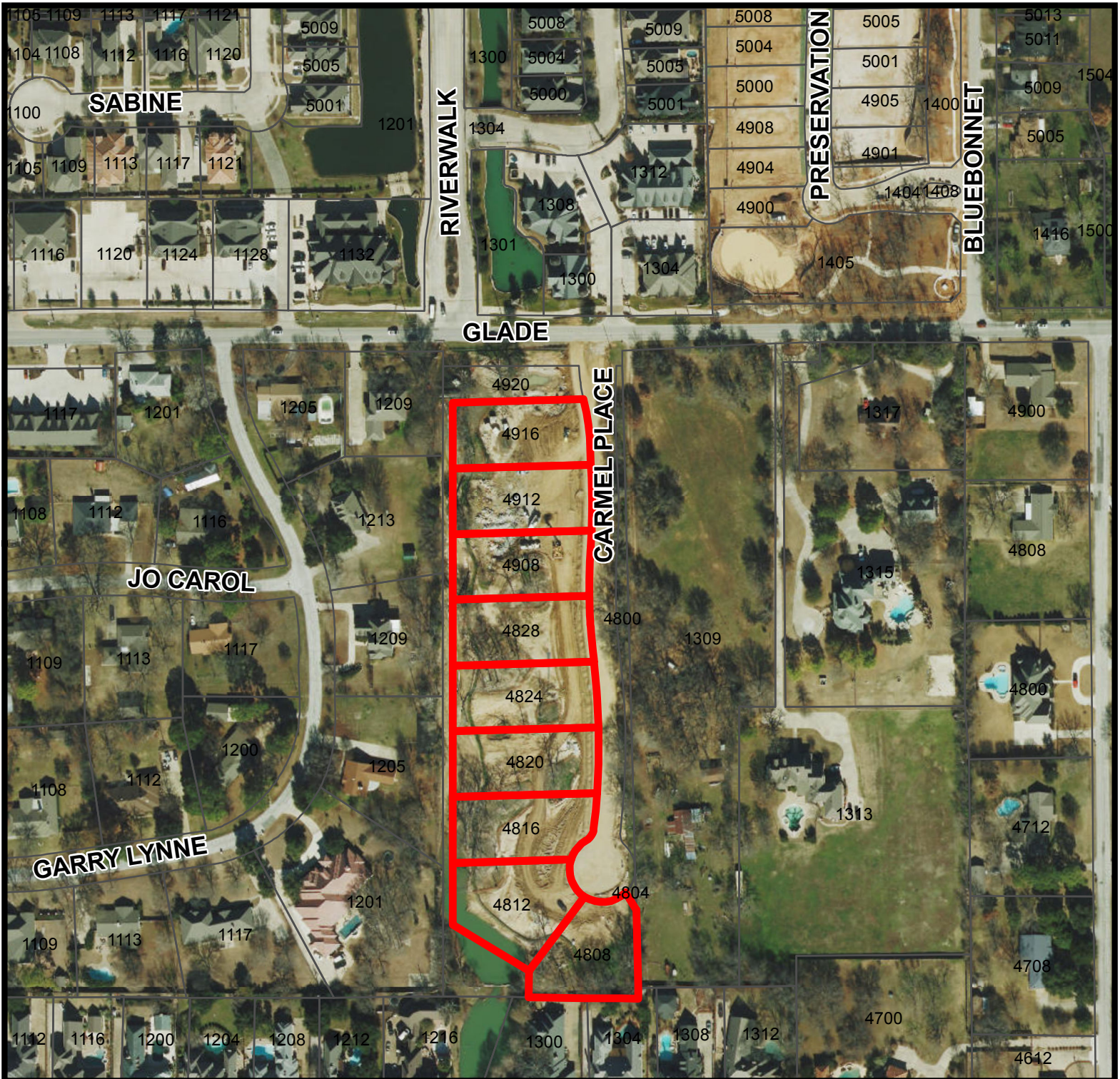
Approve

## **Attachments**

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Request to Table Item - September 12, 2016
7. Approved Plat
8. Entryway Landscape Plan
9. Existing Ordinance O-08-1659
10. Opposition Map
11. Letters of Opposition
12. Notification Map
13. Notification List
14. Draft Ordinance



# AERIAL MAP



**ZC16-015**

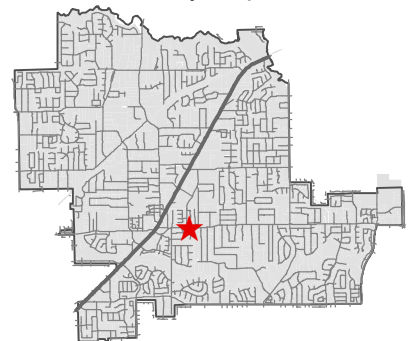
4916, 4912, 4908, 4828,  
4824, 4820, 4816, 4812, AND 4808  
CARMEL PLACE

 Subject Property



1 inch = 208 feet

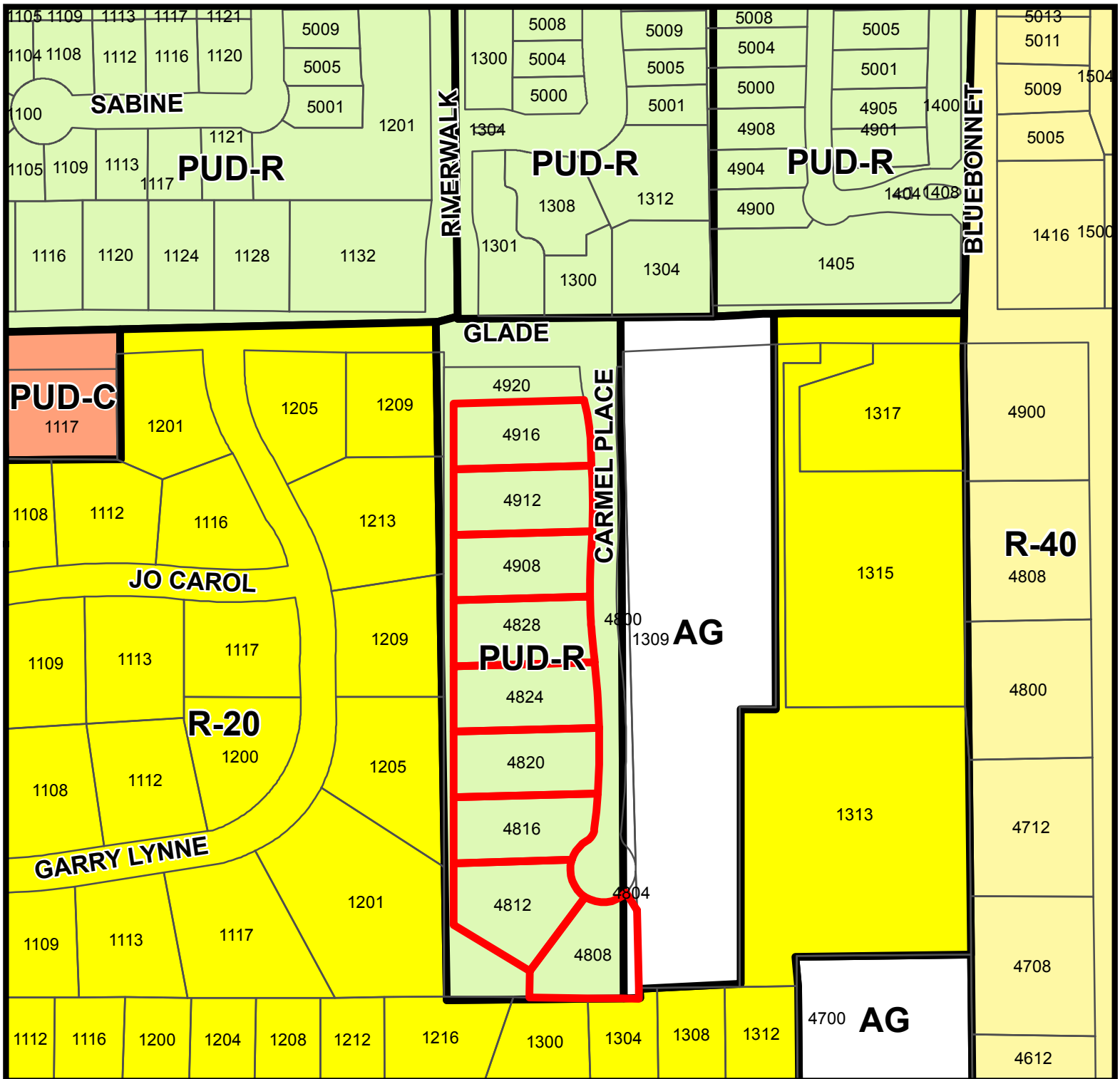
Vicinity Map



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# ZONING MAP



**ZC16-015**

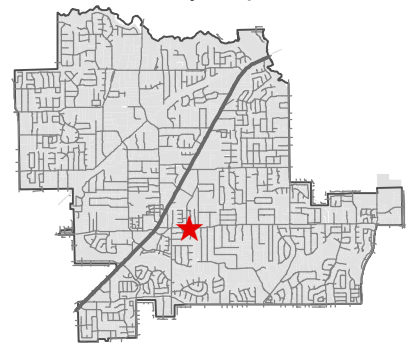
4916, 4912, 4908, 4828,  
4824, 4820, 4816, 4812, AND 4808  
CARMEL PLACE

 Subject Property



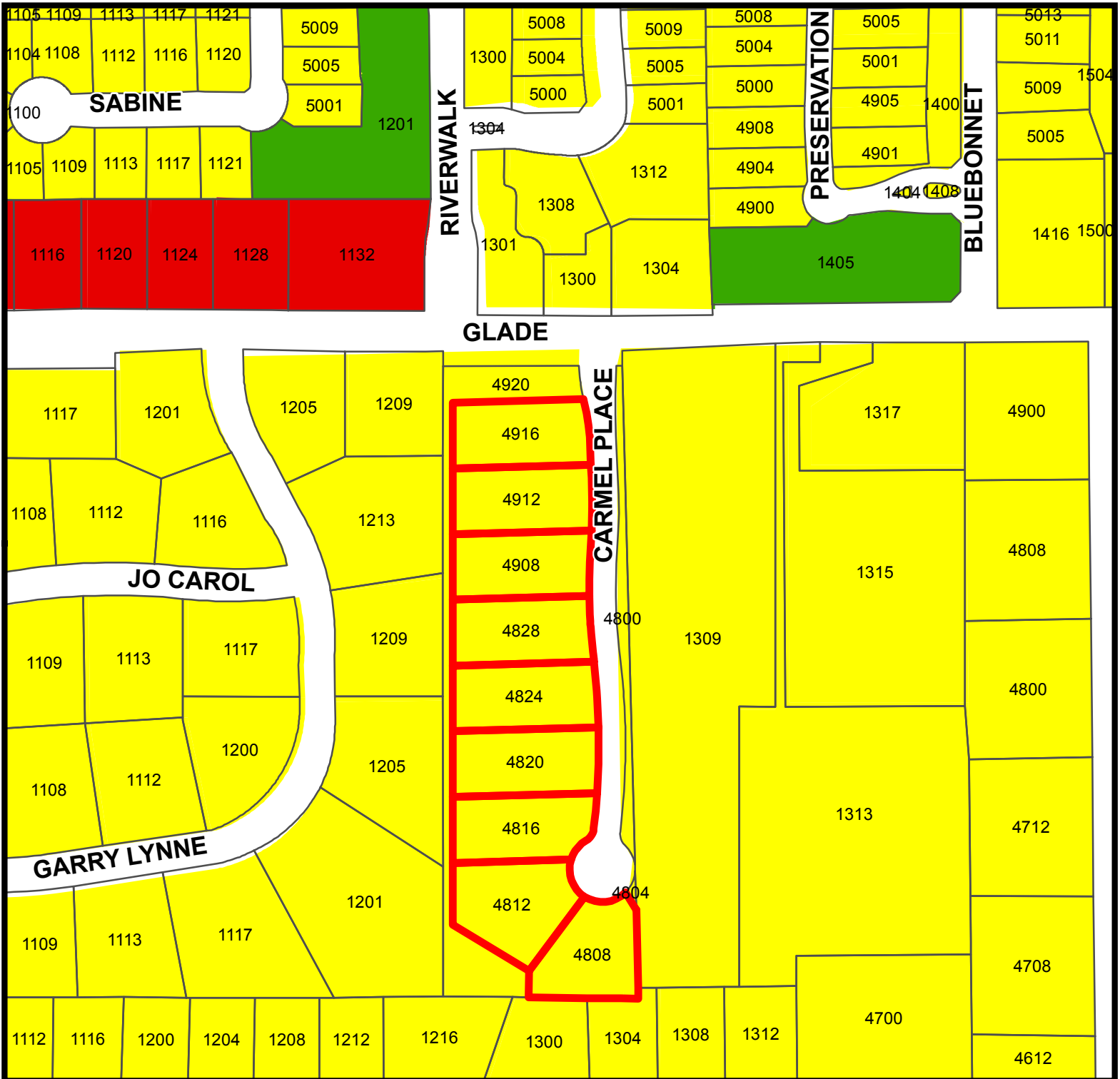
1 inch = 208 feet

Vicinity Map



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# FUTURE LAND USE MAP



## ZC16-015

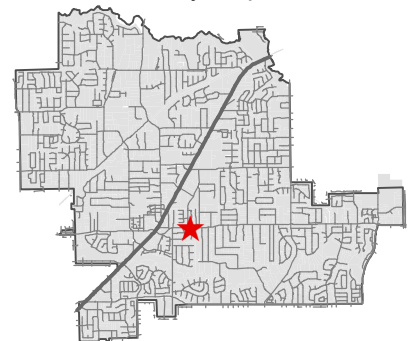
4920, 4916, 4912, 4908, 4828,  
4824, 4820, 4816, 4812, 4808,  
4804, AND 4800 CARMEL PLACE

- |                                                                                                      |                                                                                                               |
|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
|  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: PUD-R (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.

A creek runs through the site along the west property line. Before the property was developed and improvements were made to the creek, much of the site was in the floodplain. After widening much of the creek channel and cleaning out the rest to improve the flow of water the width of the floodplain was reduced, but not to the extent that was initially anticipated. As a result the buildable area of each lot, the area between the 30' building setback in the front and the floodplain line in the rear, was reduced. Add some nice sized existing trees to the mix, some that we were able to save during construction, and they simply compound the problem. While this was very disappointing, there wasn't much we could do about it.

We had multiple builders and individuals express interest in this development throughout the year, however after a more detailed look we kept hearing the same concern time and time again – that the lots really need to have more buildable area in order to fit the kind of home that they wanted to build. We asked our hydrologist about anything else we might be able to do in the creek that would pull the floodplain back and give the home builders some extra room, but he was only able to come up with some rather minor gains and only in certain isolated areas.

We approached city staff about the possibility of getting a variance to reduce the front building setback from 30' to 20', initially just on the 3 cul-de-sac lots which suffered the most from the wider floodplain. This would essentially add 10' of buildable area across the front of the 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 the front setback is to amend the current PUD.

After submitting our request to amend the PUD last month we were approached by another builder who really likes the development and wants to build on all nine lots. He is currently doing his own due diligence in anticipation of putting them under contract, but like those who came before him, he too says that he needs more room in order to fit the kind of product that he feels is needed to sell at the price point he has in mind. He



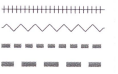
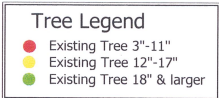
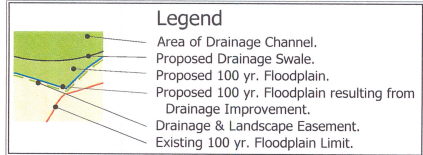
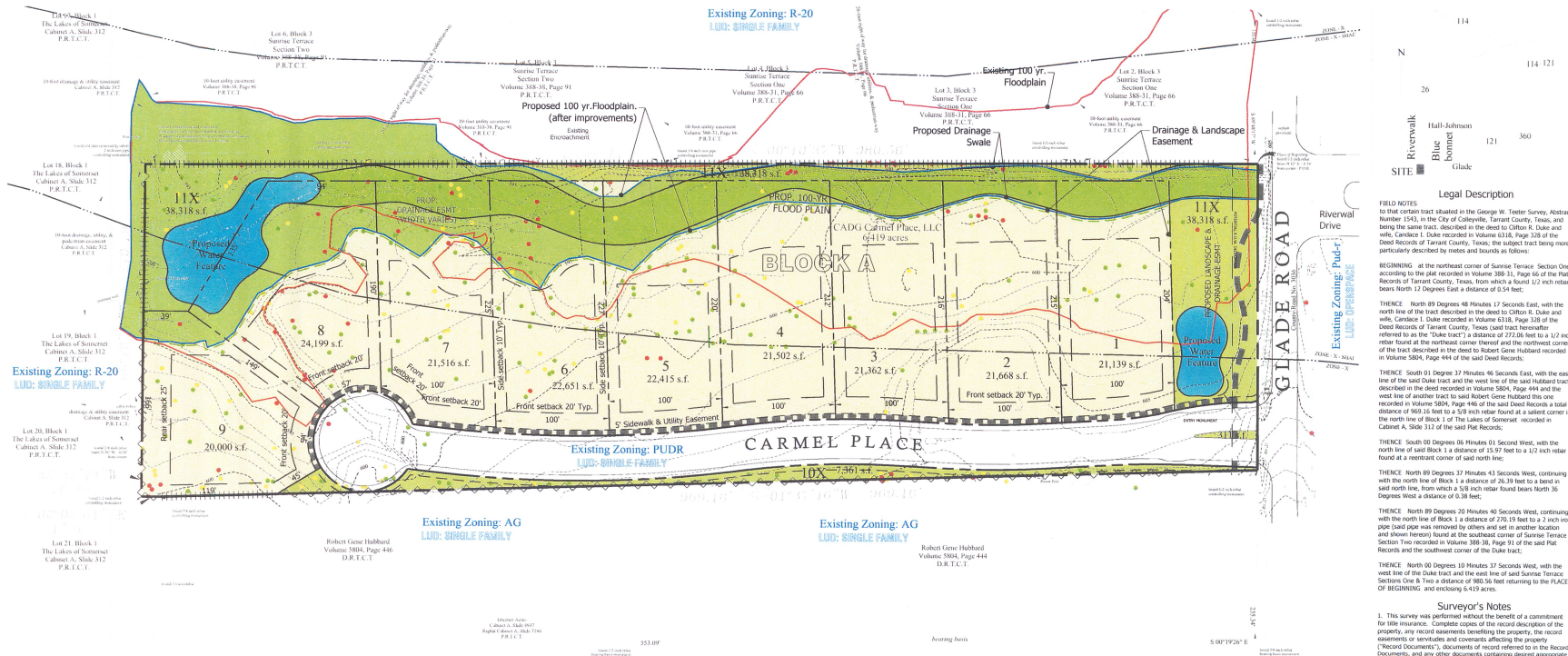
## **Statement of Planning Objectives**

feels that an extra 10' across the front of the lots is sufficient for his needs, so he has requested that we reduce the front building setback from 30' to 20' on all 9 lots instead of trying to continue finding ways to tighten up the floodplain in an effort to gain the needed area in the back of the lots.

This is the ONLY change that we are requesting in regard to the current PUD and thus the SOLE reason behind this proposed zoning case.

This proposed setback reduction will provide for larger homes with higher appraised values, resulting in additional tax dollars for the city and other taxing entities. The larger high-end homes will make for an even nicer neighborhood that we feel will be very complimentary to the City of Colleyville.

Zoning Exhibit



Area Summary, Site Data, Lot Summary, L.U.D./Zoning, Ponds

Legal Description, Surveyor's Notes

20 SEP 16, SAGE GROUP, INC., APPLICANT, PLANNER, ENGINEER, SURVEYOR, OWNER

Carmel Place Estates, Colleyville, Texas

# Request to Table Item

**Shane Pace**

---

**To:** Russell Slovak  
**Subject:** RE: September 12, 2016 - Planning and Zoning Commission Meeting

---

**From:** Russell Slovak [mailto: ]  
**Sent:** Friday, September 9, 2016 12:22 PM  
**To:** Shane Pace <space@colleyville.com>  
**Cc:** Rome Barnes < >  
**Subject:** RE: September 12, 2016 - Planning and Zoning Commission Meeting

Shane,

Please accept our request to table the zoning case on Carmel Place which is currently on the agenda for Monday night's Planning and Zoning Commission meeting. Due to specific requests by the individual who plans to purchase the lots from us, we need to make a change to the siteplan we submitted previously.

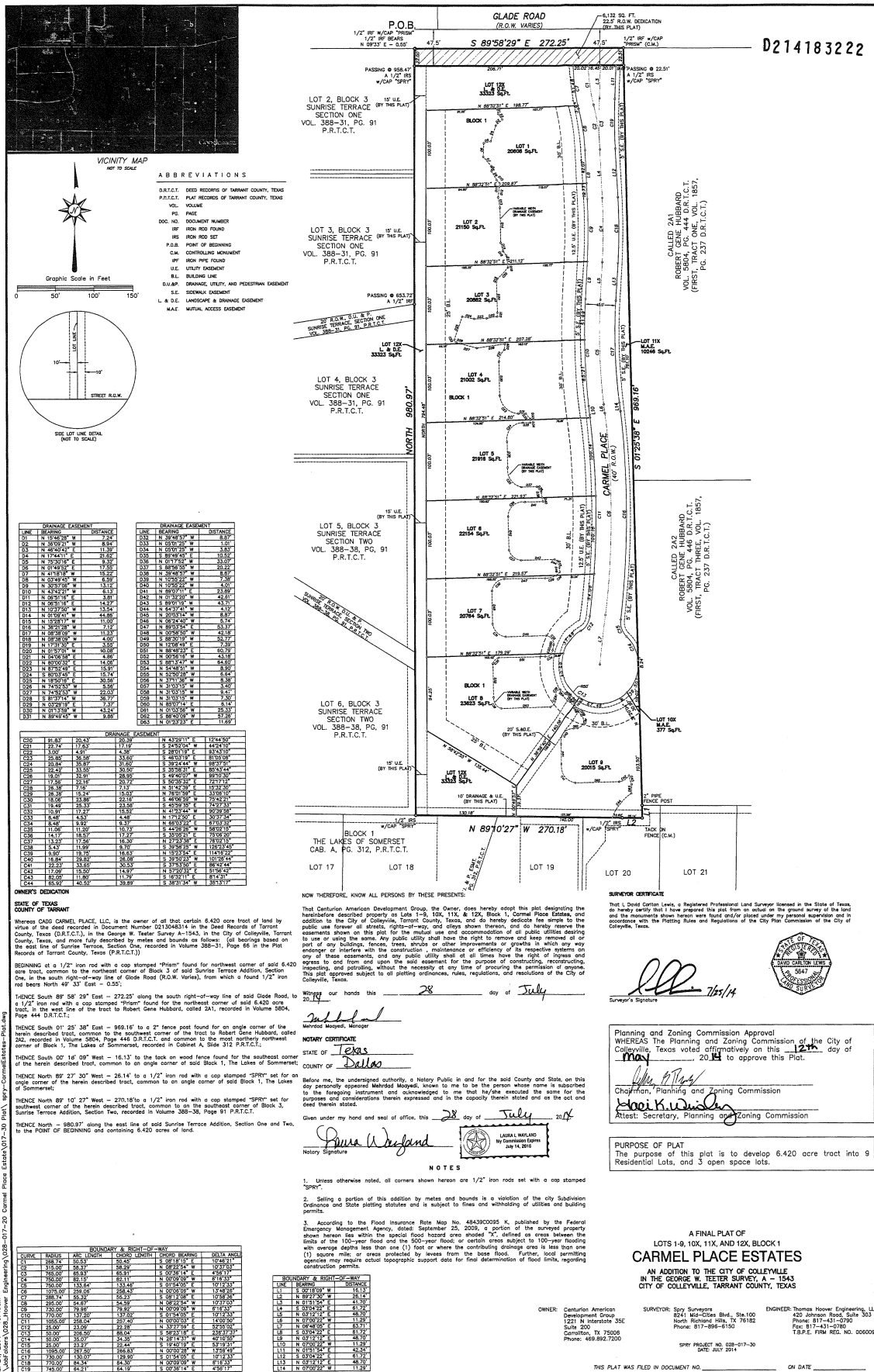
Thank you for your consideration. Feel free to contact me with any questions you may have.

Russell Slovak  
Vice President Engineering



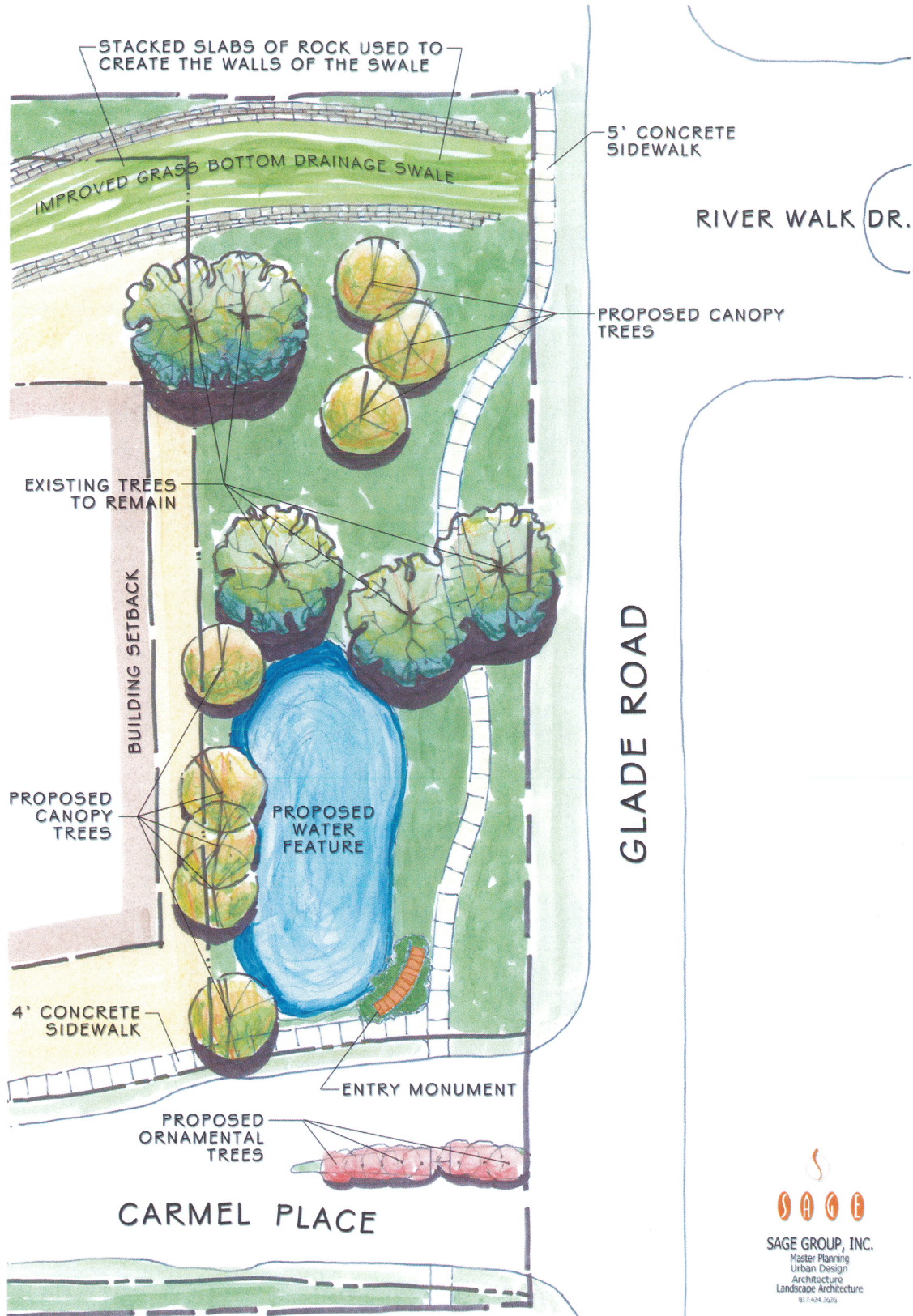
Centurion American Development Group  
1800 Valley View Lane, Suite 300  
Farmers Branch, TX 75234  
(817) 368-3330 (cell)

D214183222





# Entryway Landscape Plan



## ENTRY LANDSCAPE PLAN CARMEL PLACE ESTATES



SAGE GROUP, INC.  
Master Planning  
Urban Design  
Architecture  
Landscape Architecture  
917-424-3625



0 10' 20' 40'

1" = 20' 19 FEB 08

# 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

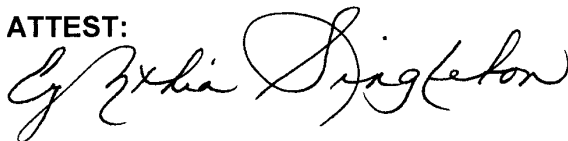
- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions 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 5<sup>th</sup> day of February 2008.

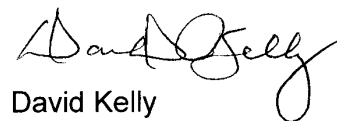
The second reading and public hearing being conducted on the 19<sup>th</sup> day of February 2008.

### ATTEST:



Cynthia Singleton, TRMC, CMC  
City Secretary

### CITY OF COLLEYVILLE



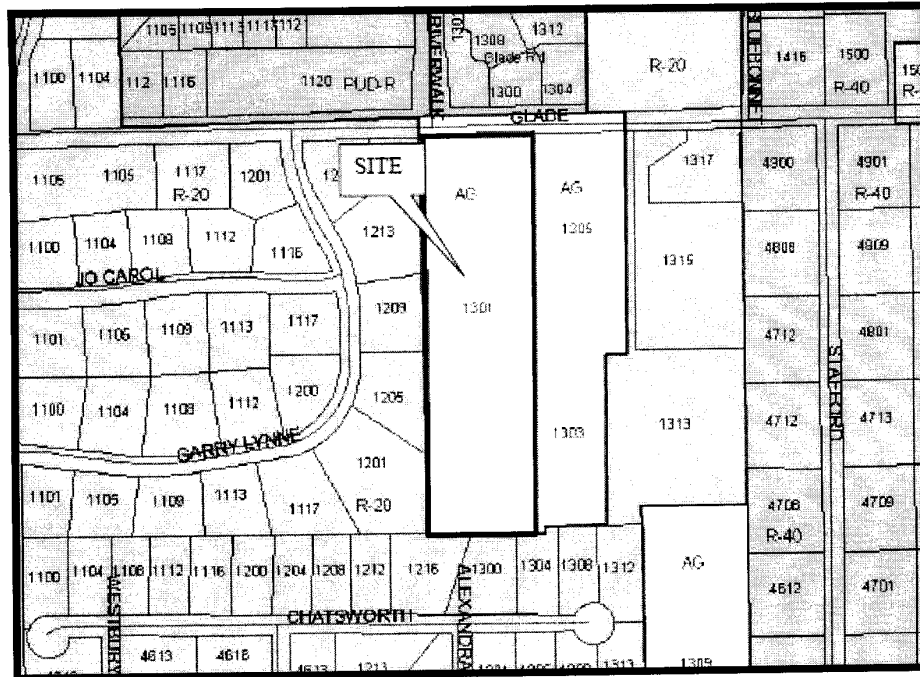
David Kelly  
Mayor

### 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;

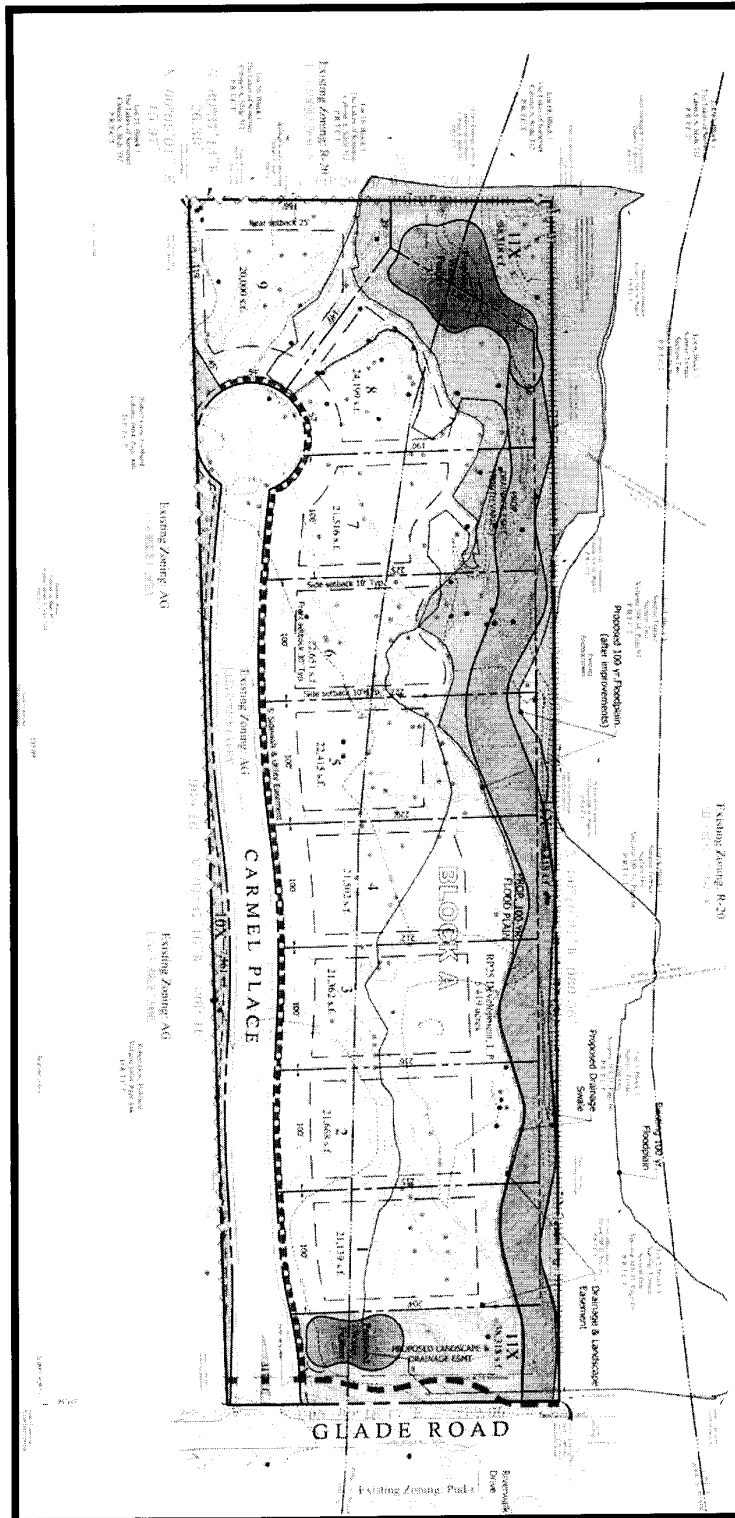
**THENCE** North 89 Degrees 37 Minutes 43 Seconds West, continuing with the north line of Block 1 a distance of 26.39 feet to a bend in said north line, from which a 5/8 inch rebar found bears North 36 Degrees West a distance of 0.38 feet;

**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.

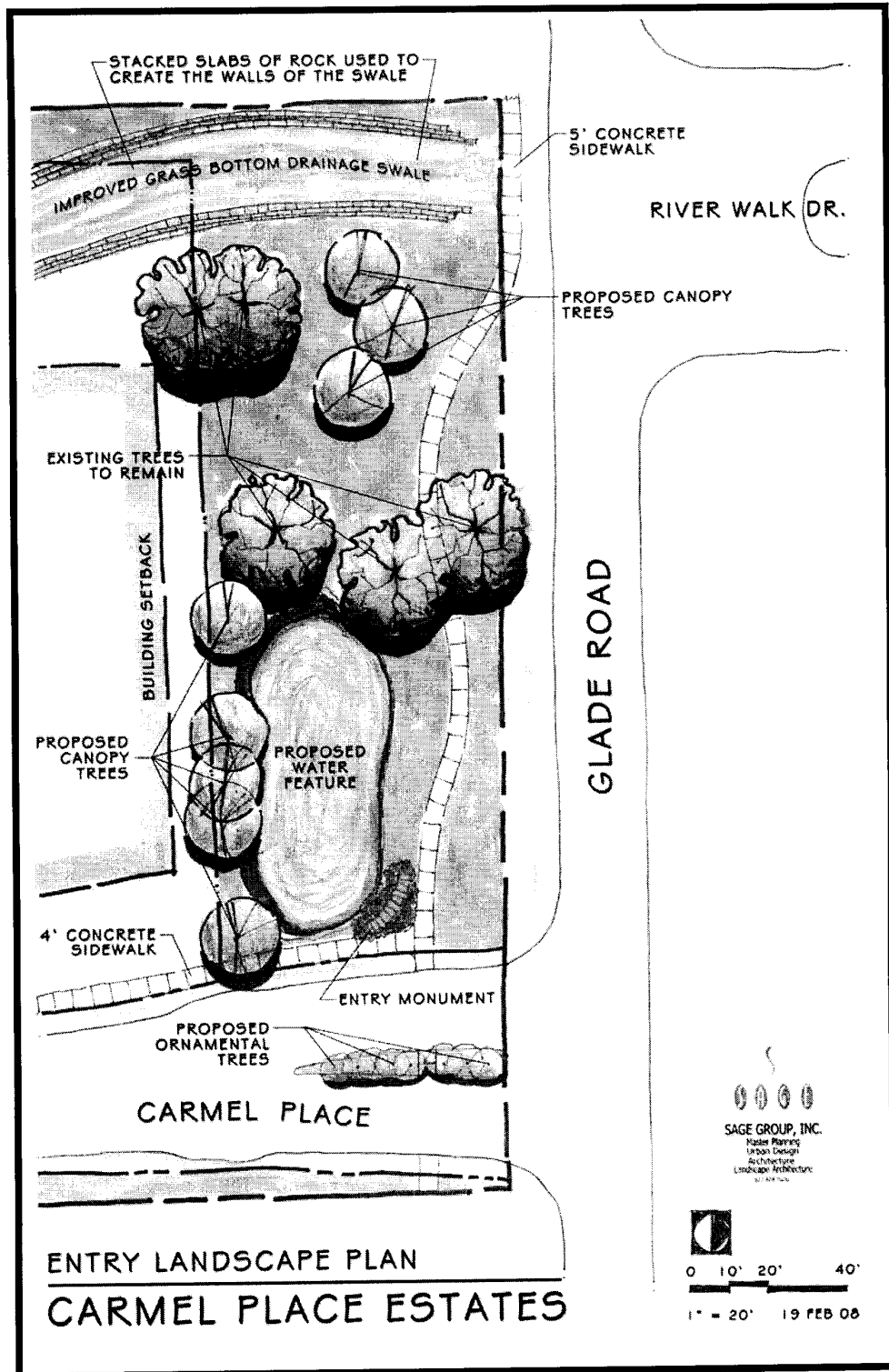
# Existing Ordinance

## EXHIBIT "C"- Conceptual Site Plan

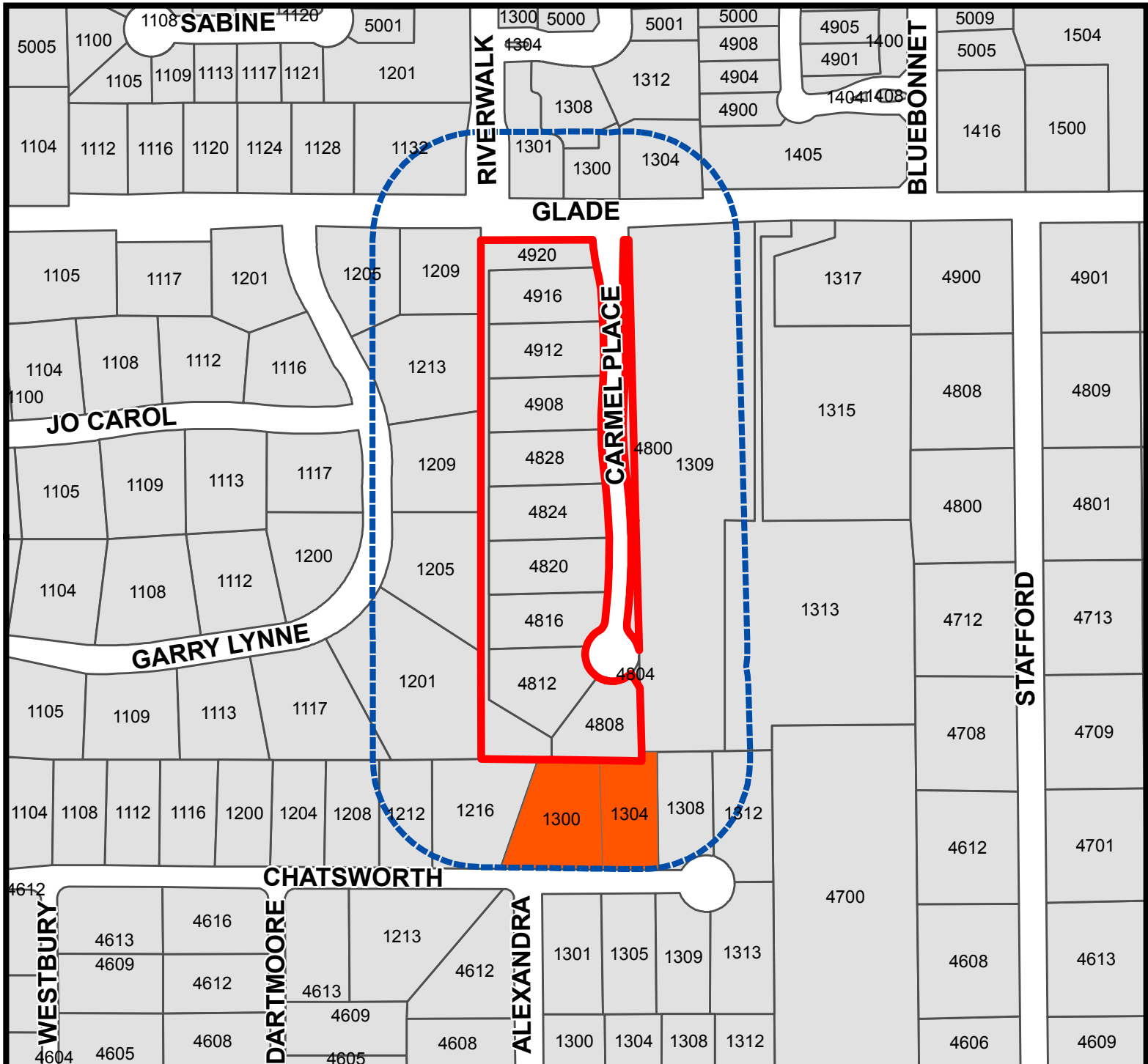


# Existing Ordinance

## 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 = 260 feet

- Parcels Opposed
- 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): 51310 Sq Ft/ 1.17 Total Acres**  
**Percent of Land Opposed (within the 200 ft. Notice Area): 7.76%**

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.

# Letters of Opposition

September 4, 2016

To the City of Colleyville Planning and Zoning Commission:

I recently received communication from the city involving an amendment to the Carmel Place Estates – zoning case number ZC16-015. Unfortunately, my wife and I will be out of town for the September 12<sup>th</sup> Planning and Zoning Meeting. From your communication, it appears that Russell Slovak is asking for an amendment to the planned development we were told about 2 years ago. We have been very disappointed in the pace of this work that has gone on for 18 months. We have gone from an attractive wooded area to months of excavation with ineffective erosion control measures that allowed very significant amounts of silt from freshly excavated ground to pour into our recently dredged pond.

A settlement that we agreed to involved the demolition of the retaining wall at 1216 Chatsworth and an improvement of the dam between the two ponds. After a summer of promises, we have yet to see any work done.

Now, we are asked to approve an amendment which seems to involve a rearrangement of lots and the addition of more lots to Carmel Place Estates. Our concern is that the ground level of the two newly divided lots backing up to 1300 and 1304 Chatsworth is remarkably higher than the Lakes of Somerset homes. When this property was designed for one home we felt there was enough room for the home placement not to invade our privacy. Now with 4808 forced into a more limited space on such high ground, even a one story house will be peering into our yards and back windows. If the P & Z Commission approves this new plan, we ask that Carmel Place Estates be compelled to protect our privacy by building a 10' privacy fence and plant even taller trees to provide a visual barrier between the properties.

Thank you for protecting the current property owners by reviewing the plans of developers. We look forward to the development of quality homes and attractive landscaping of Carmel Place Estates and welcoming them to Colleyville.

Kind Regards,



Dave and Jan Emler

817-944-6960

1300 Chatsworth Court E

RECEIVED  
SEP 09 2016  
Per .....

# Letters 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.

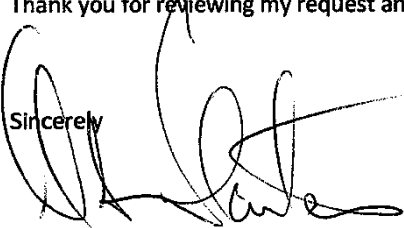
After new developer Centurion American Development Group refused to honor the original promise I asked my lawyer contact them June 25.2014, letter enclosed.

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

E-mail:

Cell: 214 435 6800



# Letters 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.

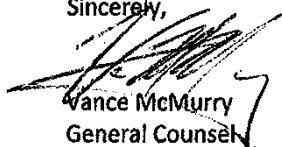
When Centurion acquired the Development property at 1301 Glade Road in Colleyville ("Property") there was no documentation or notice provided of any agreement with Mr. Hautanen and the previous owner regarding the requirement to plant any trees related to your client's property. Centurion is not a party 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

# Letters 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

# Letters 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

# Letters 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:  
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

# Letters 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

Osmo

---

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.

Osmo

---

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.

Osmo

---

From:

Sent: Monday, June 9, 2014 16:00

To:

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

# Letters 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



# Letters 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

To:

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

Print

**When are you planning to take care of this?**

Regards

**Osmo**

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

From: Stephen Tome <

**<mailto:**

» »

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

To

Subject: Re: 1301 Glado 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 <

mailto:

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](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)>  
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<[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](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)

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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/evt=51438/\\*http://www.yahoo.com/r/hs](http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs) >>

▲ 商務印書館出版

# Letters of Opposition

Print

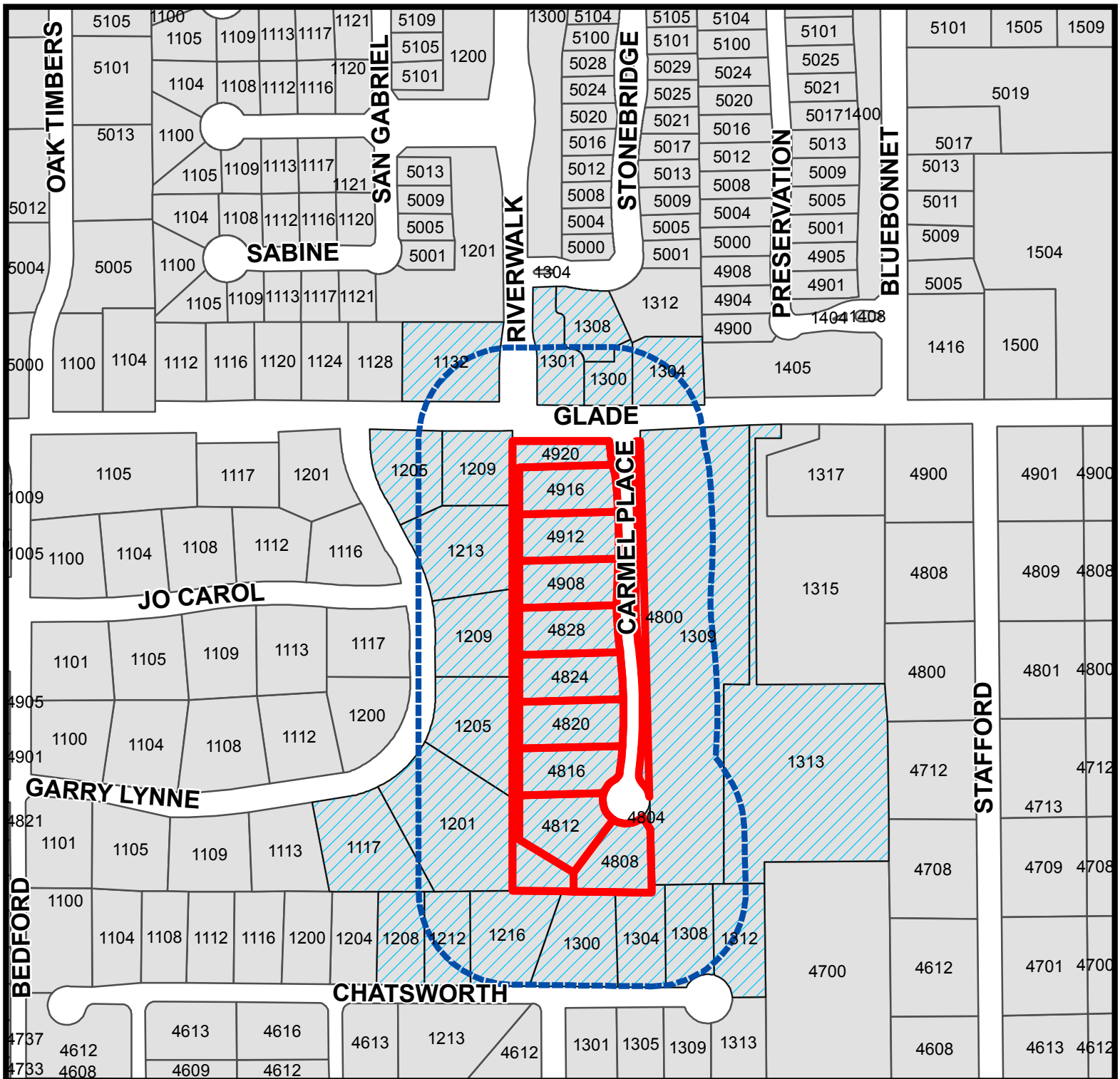
Page 6 of 6

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[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)> >

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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)>

# NOTIFICATION MAP



**ZC16-015**

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



1 inch = 292 feet

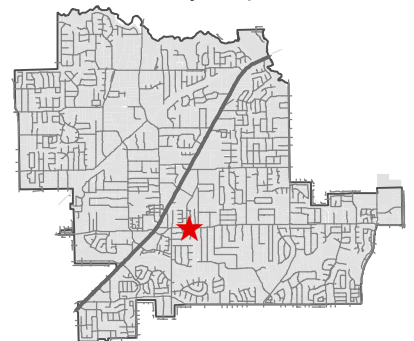


Subject Property

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  |
| GRISIO, 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, September 23, 2016 by Araceli  
Botello

## **ORDINANCE O-16-XXXX**

### **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 1- 9, located at 4916, 4912, 4908, 4828, 4824, 4820, 4816, 4812 and 4808 Carmel Place, 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 Lots 1-9, Block 1, of the Carmel Place Estates, located at 4916, 4912, 4908, 4828, 4824, 4820, 4816, 4812, and 4808 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 following amendments to Ordinance O-08-1659 are hereby authorized:

i. Section 4.c of Ordinance O-08-1659 is hereby amended to revise Front Building Line requirement to 20 feet for all single family residential lots.

ii. Ordinance O-08-1659 hereby remains valid and all provisions of Ordinance O-08-1659 shall remain in full force and effect except where amended herein.



- 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 1st day of November 2016.

The second reading and public hearing being conducted on the 15th day of November 2016.

PASSED AND APPROVED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS ON THIS THE 15TH DAY OF NOVEMBER 2016.

Mayor Richard Newton  
Place 1, Tammy Nakamura  
Place 2, Bobby Lindamood  
Place 4, Jody Short

\_\_\_\_ Mayor Pro Tem Chris Putnam \_\_\_\_\_  
\_\_\_\_ Place 5, Nancy Coplen \_\_\_\_\_  
\_\_\_\_ Place 6, Mike Taylor \_\_\_\_\_  
\_\_\_\_\_

**ATTEST:**

**CITY OF COLLEYVILLE**

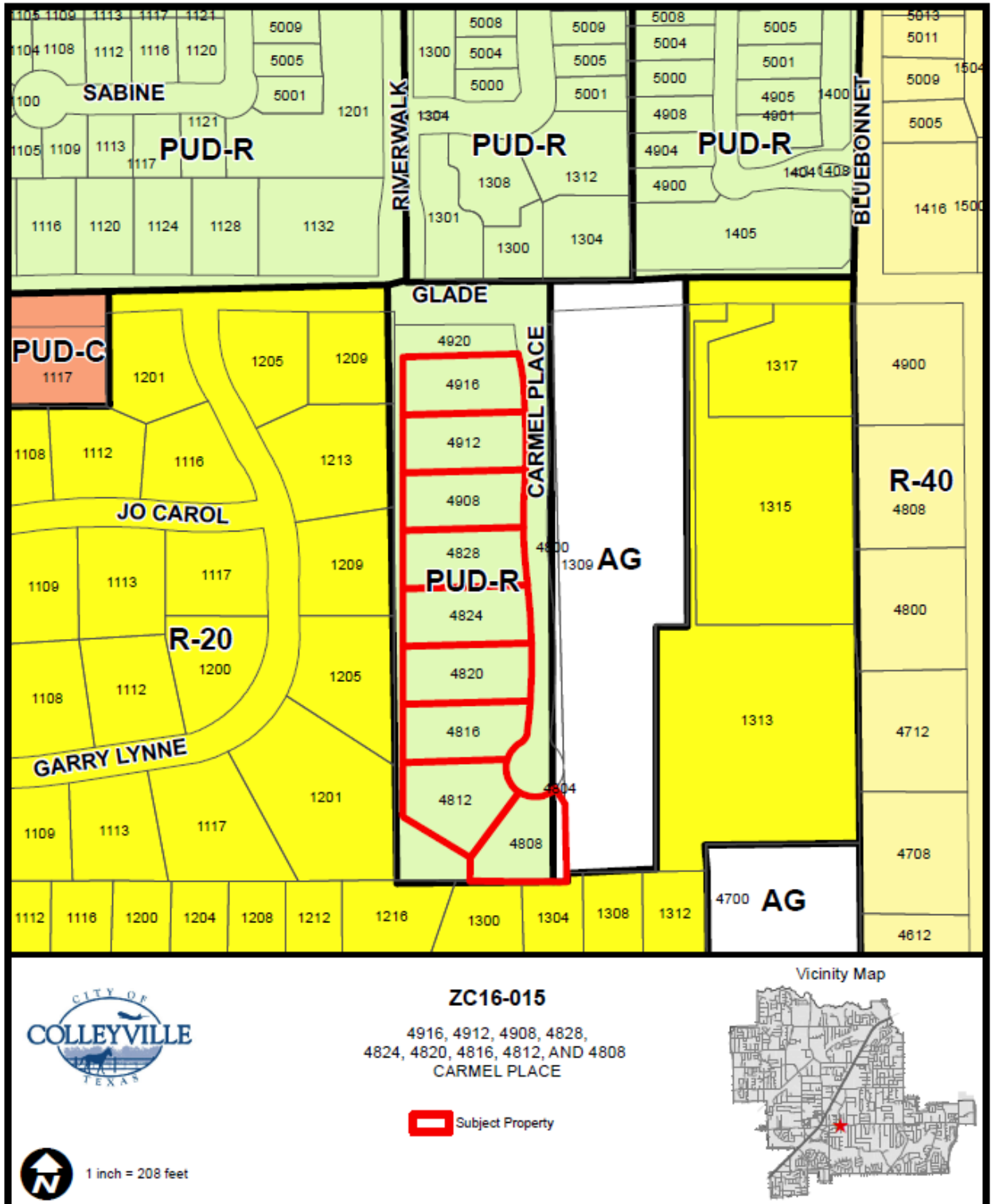
Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor

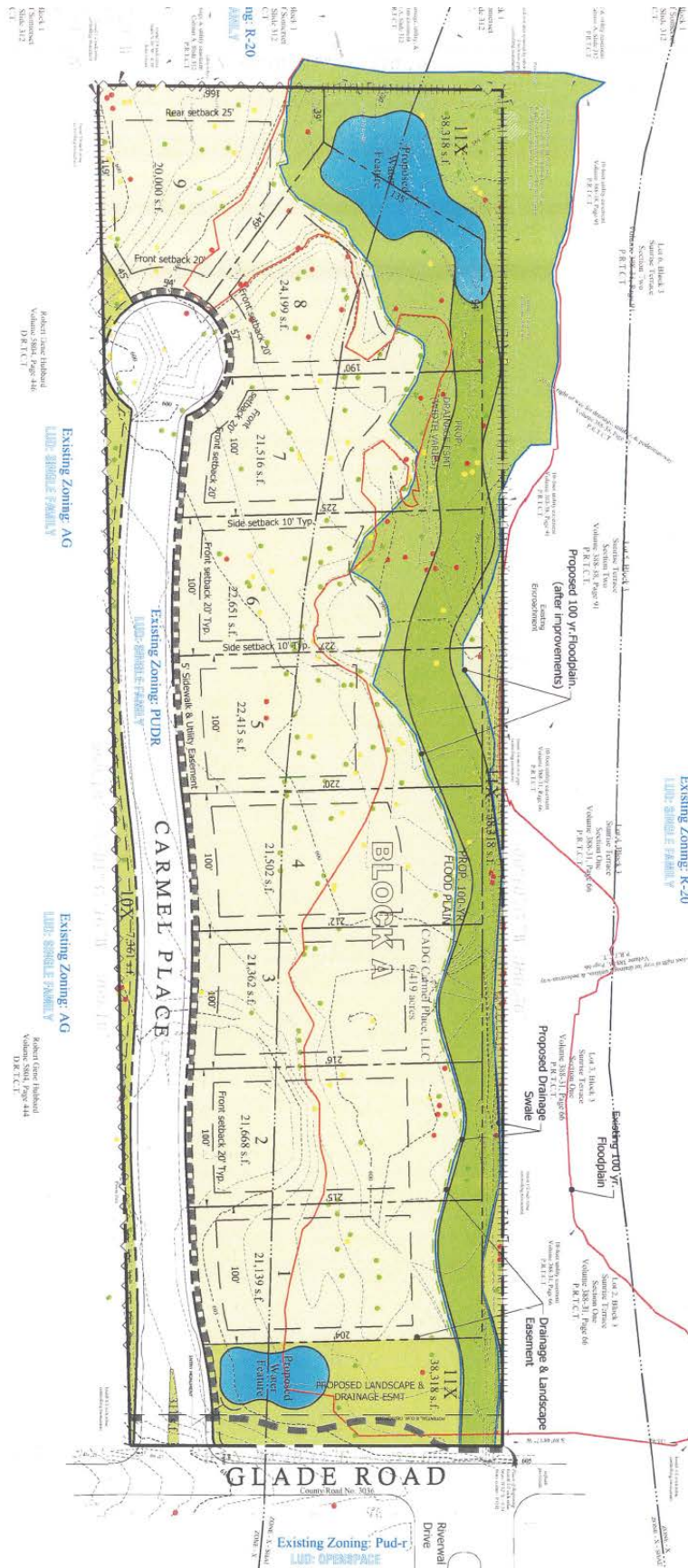
**APPROVED AS TO FORM AND LEGALITY:**

Matthew C. G. Boyle  
City Attorney

## Exhibit "A"- Zoning Map



# Exhibit "B"- Zoning Exhibit





# City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 3d                 | <b>Agenda Date</b> 10/10/2016 | <b>Number</b> |
| <b>Type</b> Public Hearing Agenda Items |                               |               |
| <b>Department</b> Community Development |                               |               |

---

## Title

Consideration of a zoning change from the AG-Agricultural district to the R-20 Single Family Residential district on Abstract 1756 of the A T Young Survey, Tract 1A01B, located at 216 W. Glade Road, Case ZC16-016

## Explanation

**Item Summary:** Hiep Van Nguyen, the applicant, has submitted a request to rezone approximately 1.01 acres, located at 216 West Glade Road, from the AG-Agricultural district to the R-20 Single Family Residential district. The applicant is seeking a zoning change because the subject property is currently unplatted and does not meet the minimum requirements of the AG-Agricultural district. The applicant has indicated the intent to construct one single family home.

**Existing Conditions/Background:** The subject property is currently unplatted and developed with one single family home which is proposed to be demolished. A subsequent minor plat will be required prior to submittal of a building permit, 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-20 Single Family Residential district in order to plat an unplatted tract of land, and construct one single family home.

*Ordinance* – Per section 3.24.G, Schedule of District Regulations in the Land Development Code, the R-20 zoning district regulations require the following standards:

Minimum Lot Area: 20,000 square feet  
Minimum Lot Width: 100 feet  
Minimum Lot Depth: 125 feet  
Minimum Front Yard Setback: 30 feet  
Minimum Side Yard Setbacks: 10 feet  
Minimum Rear Yard Setback: 25 feet  
Maximum Lot Coverage: 30 percent

The applicant has provided a zoning exhibit which is conceptual in nature and not up for consideration as part of the zoning request. The conceptual exhibit proposes one lot

being 1.01 acres in size. This conceptual plan meets the R-20 zoning district's minimum lot area of 20,000 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-20 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 adjacent properties to the north and west are AG-Agricultural district, the properties to the east are zoned R-20 Single Family Residential district and the properties to the south (within the Mill Creek Subdivision) are zoned PUD-R Planned Unit Development Residential district with lot sizes slightly under 20,000 square feet. The proposed conceptual zoning exhibit is generally consistent with the development pattern in the area. It should be noted that the applicant originally submitted a rezoning request for the R-40 Single Family Residential district. However, the lot width of 108 feet along Glade Road does not meet the minimum requirements of the R-40 zoning district. Based on this finding the applicant revised the request to the R-20 zoning district so that the lot will comply with all zoning regulations.

**Surrounding Development:** The properties to the north and west are zoned AG-Agricultural district and developed with single family homes. The properties to the east are zoned R-20 Single Family Residential district and developed with single family homes. The properties to the south are zoned PUD-R Planned Unit Development Residential district and developed with single family homes.

**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 0.98 dwelling units per acre. The requested zoning change is consistent with the comprehensive plan.

**Fees:** Park Land Dedication fees are not required for this property due to the existing structure. Impact Fees may be 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-20 zoning district is not the same as the surrounding zoning designations, the R-20 zoning district is generally consistent with the surrounding properties and development pattern. Staff recommends approval of the proposed rezoning request.

### **Recommendation**

Approve

### **Attachments**

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



AERIAL MAP



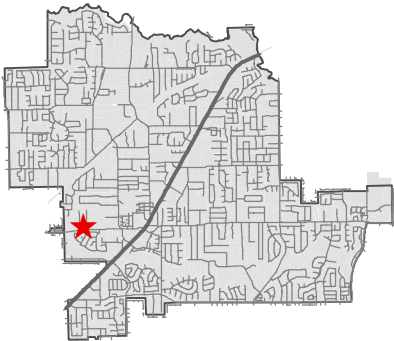
**ZC16-016**

216 W. GLADE ROAD



Subject Property

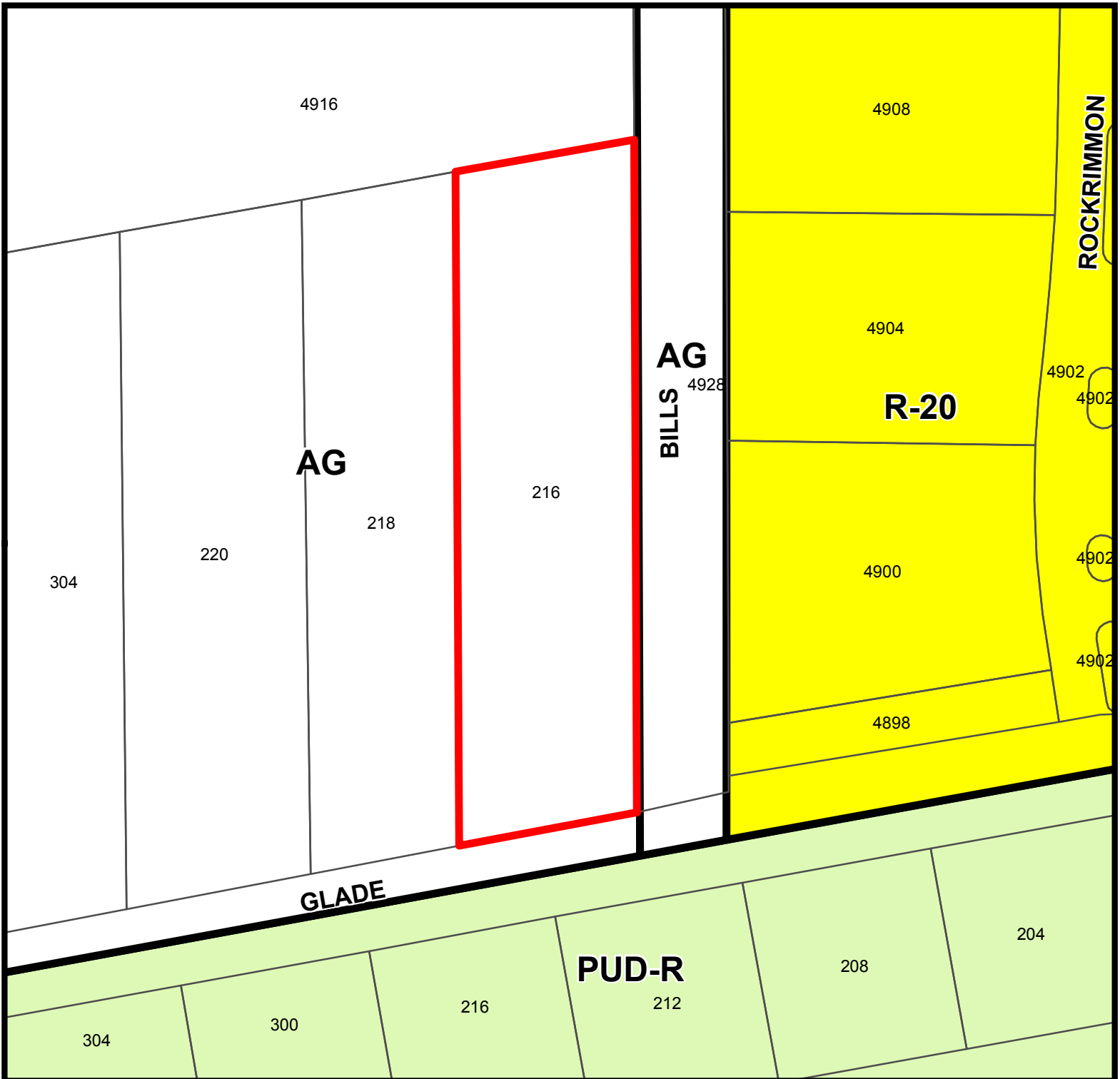
Vicinity Map



1 inch = 83 feet

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# ZONING MAP



**ZC16-016**

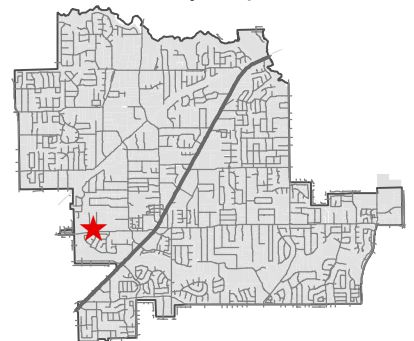
216 W. GLADE ROAD

 Subject Property



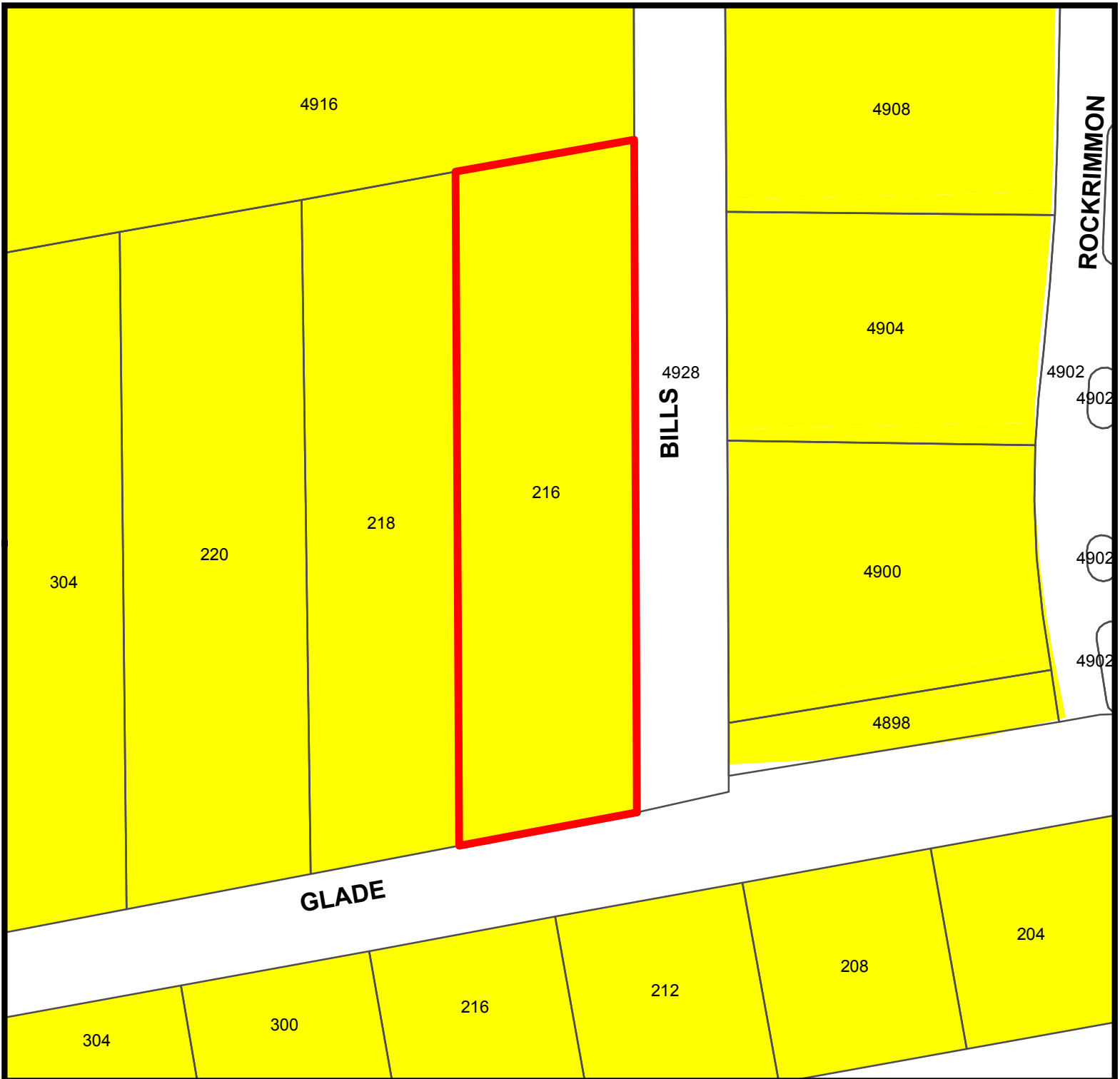
1 inch = 83 feet

Vicinity Map



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# FUTURE LAND USE MAP



**ZC16-016**

216 W. GLADE ROAD



Subject Property



RESIDENTIAL



COMMERCIAL

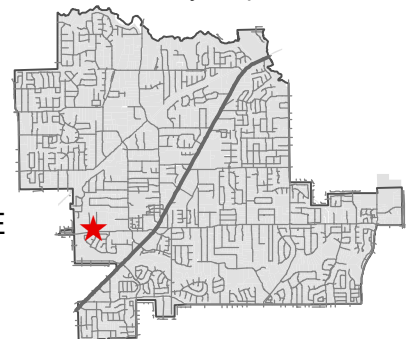


INSTITUTIONAL



PARKS/ OPEN SPACE

Vicinity Map



1 inch = 83 feet

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# Statement of Planning Objectives

Hiep Nguyen  
LG Building & Construction, LLC  
3825 Yucca Ave., #141  
Fort Worth, TX 76111  
September 20<sup>th</sup>, 2016

Zoning & Planning Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034S

**REF: 216 W. GLADE ROAD, COLLEYVILLE, TX 76034**

Dear Sir or Madam:

I am writing this letter asking for your approval of a Zone change request. The subject track of land is located at **216 W. Glade Road, Colleyville, TX 76034**. It is currently not zoned for a residential single home, and I am requesting a zone change to an R-20.

The house to be built will be a modern 4,500 SQ FT. Its exterior will be 80% stucco and 20% masonry. The house will be a beautiful addition to all existing beautiful homes in the city of Colleyville.

Sincerely,



Hiep Nguyen  
LG Building & Construction, LLC  
Project Manager

FIELD NOTE DESCRIPTION:

BEING all that certain lot, tract, or parcel of land situated in the A.T. Young Survey, Abstract Number 1756, situated in the City of Colleyville, Tarrant County, Texas, also being a portion of a tract described by deed to John B. McFadin and Carolyn J. McFadin as recorded under Volume 4493, Page 33, Deed Records of Tarrant County, Texas, (D.R.T.C.T.), said portion being described by deed to Randy Lawrence Ray and Amber Ray Shull as recorded under Instrument Number D208302862, (D.R.T.C.T.).

BEGINNING at a ½ inch iron rod with yellow cap stamped, "Arthur Surveying Company" set for the southeast corner of the herein described tract, said corner also being the southwest corner of a tract of land described by deed to Fred William Westphal, Jr., more commonly known as Bill's Lane, as recorded under Instrument Number D207074101, (D.R.T.C.T.), and being in the north line of West Glade Road;

THENCE South 81 degrees 01 minutes 26 seconds West, with the north line of said West Glade Road, a distance of 108.46 feet to a ½ inch iron rod found for corner, same being the southeast corner of a tract of land described by deed to Luther D. Parvin, Jr. as recorded under Volume 6116, Page 699, (D.R.T.C.T.);

THENCE North 00 degrees 21 minutes 46 seconds East, with the east line of said Parvin tract, a distance of 417.40 feet to a 5/8 inch iron rod found for corner, same being the northeast corner of said Parvin tract, also being in the south line of a tract of land described by deed to Fred William Westphal, Jr. as recorded under Volume 12972, Page 191, (D.R.T.C.T.);

THENCE North 80 degrees 47 minutes 46 seconds East, with the south line of above mentioned Westphal tract (12972-191), a distance of 105.85 feet to a 1 inch iron pipe found for corner, same being the southeast corner of said Westphal tract, also being in the west line of the aforementioned Westphal tract (D207074101) commonly known as Bill's Lane;

THENCE South 00 degrees 00 minutes 00 seconds East, with the west line of said Bill's Lane, a distance of 417.40 feet to the POINT OF BEGINNING and containing 1.013 Acres of land, more or less.

## Conceptual Zoning Exhibit AG to R-20

1.013 acre tract  
out of the  
**A.T. Young Survey, Abstract No. 1756**  
City of Colleyville, Tarrant County, Texas

DRAWN BY: G.C. DATE: 06-02-2016 SCALE: 1"= 30' CHECKED BY: D.L.A. ASC NO.: 1605577

**SURVEYOR'S CERTIFICATION:** The undersigned does hereby certify to Allegiance Title (G.F.# 1660931-02TS), that this survey was this day made on the ground of the property legally described hereon and is correct and to the best of my knowledge, there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon.

**FLOOD NOTE:** It is my opinion that the property described hereon is not within the 100-year flood zone area according to the Federal Emergency Management Agency Flood Insurance Rate Map Community-Panel No. 480590 0095 K, present effective date of map, September 25, 2009, herein property situated within Zone "X" (Unshaded).

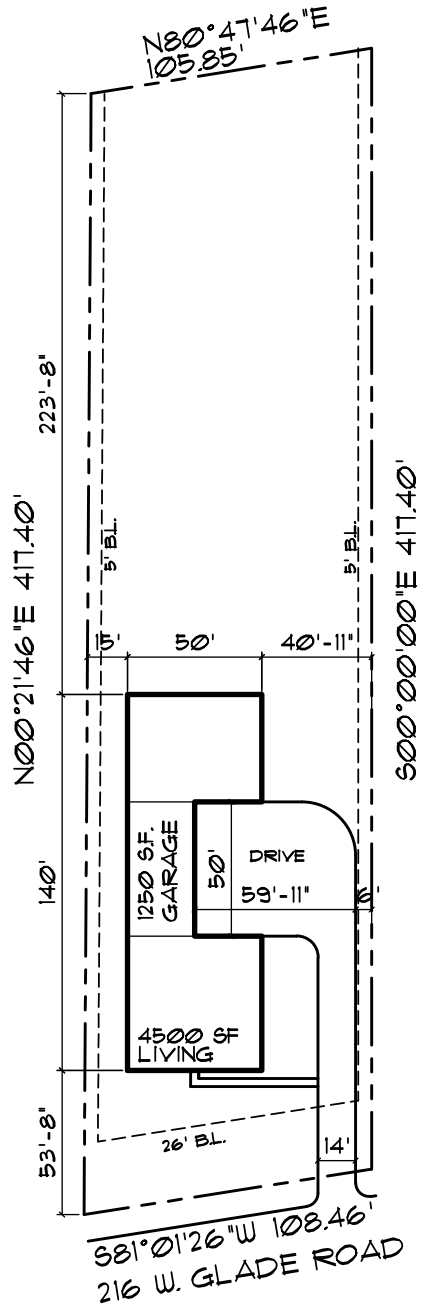
**Arthur Surveying Co.**  
Professional Land Surveyors  
220 Elm St., # 200 - Lewisville, TX 75057  
PH: 972.221.9439 - TFR#: 10063800  
arthurssurveying.com Established 1986

The undersigned has received and reviewed a copy of this survey.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

**Alligance**  
123 W. Main St., Ste. 300  
Grand Prairie, TX  
PH: 972.264-0444  
Fax 972.264-1553

216 W. Glade Road  
Colleyville, Texas

# Proposed Site Plan



## PLOT PLAN

SCALE: 1"=50'

216 W. GLADE ROAD  
COLLEYVILLE  
TARRANT COUNTY  
TEXAS

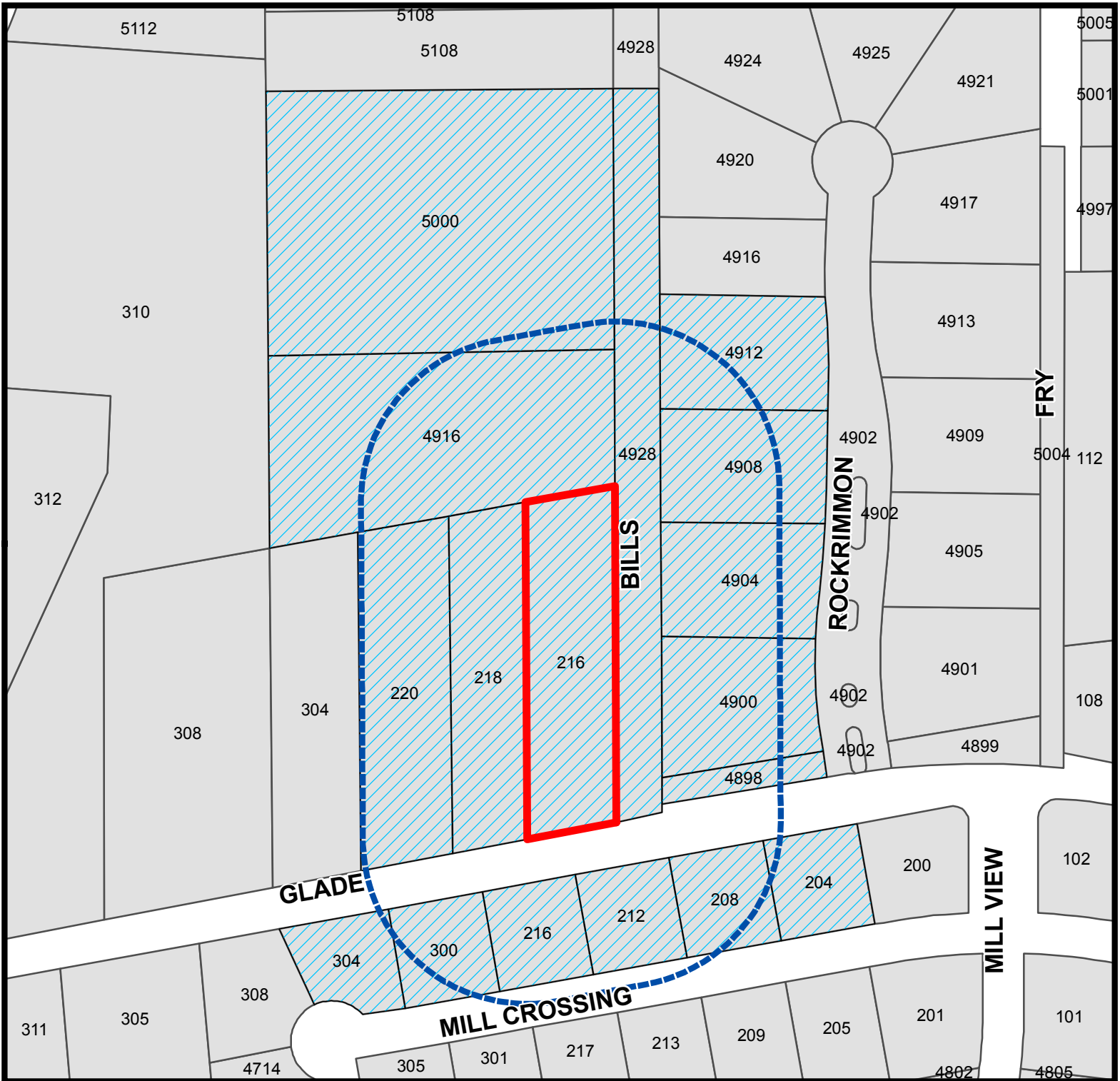
JOB: 5875

DATE: JUL. 7, 2016



THE PLAN FACTORY

# NOTIFICATION MAP



**ZC16-016**

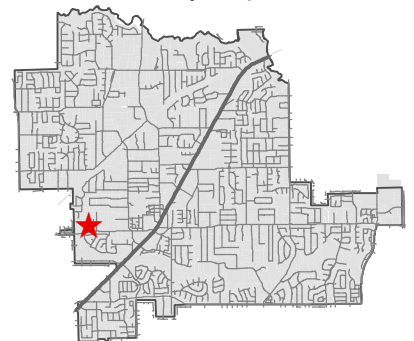
216 W. GLADE ROAD

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



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.



## Notification List

| Owner Name                  | Owner Address       | Owner City      | Owner Zip | Situs Address       |
|-----------------------------|---------------------|-----------------|-----------|---------------------|
| WESTPHAL, FRED W            | PO BOX 53           | COLLEYVILLE, TX | 76034     | 4916 BILLS LN       |
| PARVIN, LUTHER D EST        | 304 W GLADE RD      | COLLEYVILLE, TX | 76034     | 218 W GLADE RD      |
| EDWARDS, GARY M             | 220 W GLADE RD      | COLLEYVILLE, TX | 76034     | 220 W GLADE RD      |
| RAY, RANDY L                | 15056 FM 407        | JUSTIN, TX      | 76247     | 216 W GLADE RD      |
| WESTPHAL, FRED WILLIAM      | PO BOX 53           | COLLEYVILLE, TX | 76034     | 4928 BILLS LN       |
| WESTPHAL, FRED WILLIAM      | PO BOX 53           | COLLEYVILLE, TX | 76034     | 5000 BILLS LN       |
| PROENZA, X WILLIAM          | 204 MILL CROSSING W | COLLEYVILLE, TX | 76034     | 204 MILL CROSSING W |
| HARRIS, BRIAN P             | 208 MILL CROSSING W | COLLEYVILLE, TX | 76034     | 208 MILL CROSSING W |
| LENZ, RUSSELL               | 212 MILL XING W     | COLLEYVILLE, TX | 76034     | 212 MILL CROSSING W |
| REED, AARON J               | 216 MILL CROSSING W | COLLEYVILLE, TX | 76034     | 216 MILL CROSSING W |
| BORDOVSKY, JARED            | 300 MILL XING W     | COLLEYVILLE, TX | 76034     | 300 MILL CROSSING W |
| WILSON, SUSAN V             | 304 MILL XING W     | COLLEYVILLE, TX | 76034     | 304 MILL CROSSING W |
| ROCKRIMMON HOMEOWNERS ASSOC | 708 KENT CT         | SOUTHLAKE, TX   | 76092     | 4898 ROCKRIMMON CT  |
| PARIKH, MAULIK              | 4900 ROCKRIMMON CT  | COLLEYVILLE, TX | 76034     | 4900 ROCKRIMMON CT  |
| BRYSON, TONY                | 4904 ROCKRIMMON CT  | COLLEYVILLE, TX | 76034     | 4904 ROCKRIMMON CT  |
| LI, HAOCHUAN                | 4908 ROCKRIMMON CT  | COLLEYVILLE, TX | 76034     | 4908 ROCKRIMMON CT  |
| WILLIAMS, KERRY             | 4912 ROCKRIMMON CT  | COLLEYVILLE, TX | 76034     | 4912 ROCKRIMMON CT  |

|                           |                        |                 |       |                    |
|---------------------------|------------------------|-----------------|-------|--------------------|
| ROCKRIMMON HOA            | 4925 ROCKRIMMON CT     | COLLEYVILLE, TX | 76034 | COURTESY NOTICE    |
| BRAEMAR HOA               | 2909 CLAIREMON LN.     | EULESS, TX      | 76039 | COURTESY NOTICE    |
| MILL CREEK HOA            | 213 MILL CROSSING WEST | COLLEYVILLE, TX | 76034 | COURTESY NOTICE    |
| HIEP VAN NGUYEN           | 3825 YUCCA AVENUE #141 | FORT WORTH      | 76111 | APPLICANT          |
| GRAPEVINE-COLLEYVILLE ISD | 3051 IRA WOODS AVE E   | GRAPEVINE, TX   | 76051 | STATE LAW REQUIRED |

Public hearing notices were mailed  
Friday, September 23, 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 1.01 ACRES, ABSTRACT 1756 OF THE A T YOUNG SURVEY, TRACT 1A01B, LOCATED AT 216 WEST GLADE ROAD, FROM THE AG AGRICULTURAL ZONING DISTRICT TO THE R-20-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 ZC16-016; 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 1.01 acres, Abstract 1756 of the A T Young Survey, Tract 1A01B, located at 216 West Glade Road from the AG Agricultural zoning district to the R-20-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 1<sup>st</sup> day of November 2016.

The second reading and public hearing being conducted on the 15<sup>th</sup> day of November 2016.

PASSED AND APPROVED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS ON THIS THE 15TH DAY OF NOVEMBER 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**

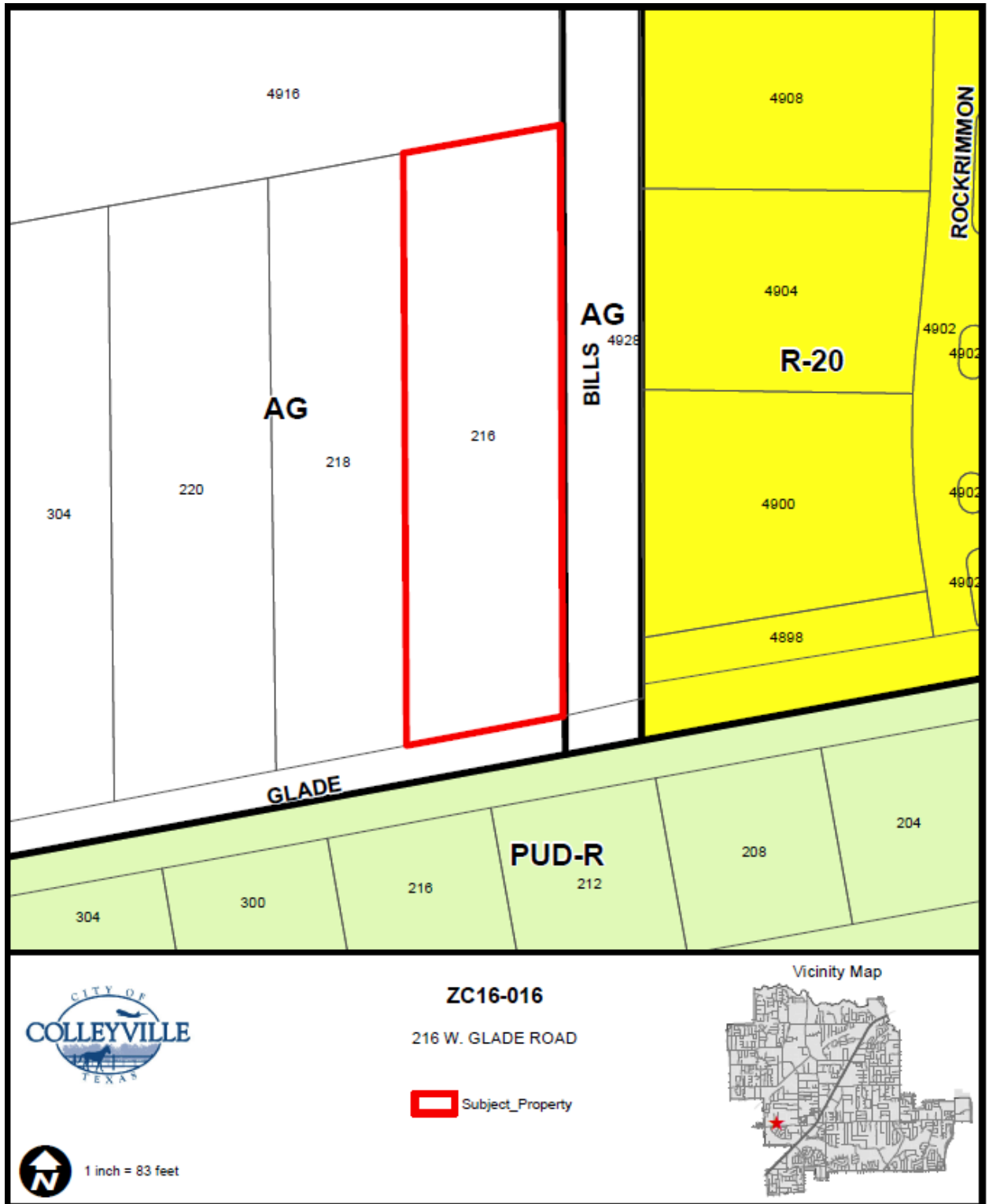
Amy Shelley, TRMC  
City Secretary

Richard Newton  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

Matthew C. G. Boyle  
City Attorney

## Exhibit "A"- Zoning Map



## **Exhibit "B"- Metes & Bounds Description**

### **216 W. GLADE RD., COLLEYVILLE, TX 76034**

BEING all that certain lot, tract, or parcel of land situated in the A.T. Young Survey, Abstract Number 1756, situated in the City of Colleyville, Tarrant County, Texas, also being a portion of a tract described by deed to John B. McFadin and Carolyn J. McFadin as recorded under Volume 4493, Page 33, Deed Records of Tarrant County, Texas, (D.R.T.C.T.), said portion being described by deed to Randy Lawrence Ray and Amber Ray Shull as recorded under Instrument Number D208302862, (D.R.T.C.T.).

BEGINNING at a ½ inch iron rod with yellow cap stamped, "Arthur Surveying Company" set for the southeast corner of the herein described tract, said corner also being the southwest corner of a tract of land described by deed to Fred William Westphal, Jr., more commonly known as Bill's Lane, as recorded under Instrument Number D207074101, (D.R.T.C.T.), and being in the north line of West Glade Road;

THENCE South 81 degrees 01 minutes 26 seconds West, with the north line of said West Glade Road, a distance of 108.46 feet to a ½ inch iron rod found for corner, same being the southeast corner of a tract of land described by deed to Luther D. Parvin, Jr. as recorded under Volume 6116, Page 699, (D.R.T.C.T.);

THENCE North 00 degrees 21 minutes 46 seconds East, with the east line of said Parvin tract, a distance of 417.40 feet to a 5/8 inch iron rod found for corner, same being the northeast corner of said Parvin tract, also being in the south line of a tract of land described by deed to Fred William Westphal, Jr. as recorded under Volume 12972, Page 191, (D.R.T.C.T.);

THENCE North 80 degrees 47 minutes 46 seconds East, with the south line of above mentioned Westphal tract (12972-191), a distance of 105.85 feet to a 1 inch iron pipe found for corner, same being the southeast corner of said Westphal tract, also being in the west line of the aforementioned Westphal tract (D207074101) commonly known as Bill's Lane;

THENCE South 00 degrees 00 minutes 00 seconds East, with the west line of said Bill's Lane, a distance of 417.40 feet to the POINT OF BEGINNING and containing 1.013 Acres of land, more or less.