



City of Colleyville Zoning Board of Adjustment Agenda

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

Wednesday, July 12, 2017

City Council Chambers

**7:00 PM
CITY COUNCIL CHAMBERS
THIRD FLOOR
CALL TO ORDER
PLEDGE OF ALLEGIANCE**

1. APPROVAL OF MINUTES

May 9, 2017

2. PUBLIC HEARING AGENDA ITEMS

2a Request for a variance to Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically the front yard setback requirement on Lot 2R3, Block A, of the West Industrial Addition, located at 6707 Colleyville Boulevard, Case VC17-006

3. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, July 7, 2017 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 Zoning Board of Adjustment Minutes

City Hall
100 Main Street
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817. 503.1000
www.colleyville.com

Tuesday, May 9, 2017

City Council Chambers

CALL TO ORDER

The Zoning Board of Adjustment meeting of the City of Colleyville was called to order by Board member McNosky on May 9, 2017 at 7:02 p.m.

Roll Call

Present: Board members Richard Vallario, Dee Kamerman, Dee McNosky, Raymond Allee, Wayne Maynard, and Michael Deakin

Absent: Board member Kimberly Holt

Staff Present: Ben Bryner, Shane Pace, Amy Shelley, and Araceli Botello

1. APPROVAL OF MINUTES

Board member Maynard made a motion to approve the April 11, 2017 minutes. Board member Allee seconded.

The motion to approve carried by the following vote:

Aye: 5 – Kamerman, Allee, Maynard, Vallario, and McNosky

2. PUBLIC HEARING AGENDA ITEMS

2a Request for a variance to Section 3.24.G, Schedule of District Regulation of the Land Development Code, specifically the lot coverage and side yard setback requirements on Lot 26, Block 1, of the Community Home Addition, located at 1609 Cherry Lane, Case VC17-004

Shane Pace presented the case and briefed the Board.

The applicant, Colin Travis, 4701 Jim Mitchell Trail West, came forward and briefed the board.

The public hearing was opened at 7:21 p.m.

Brian Hickey, 5100 Chelsea Drive, came forward and spoke in opposition to the case.

Andrew Silvester, 1802 Industrial Boulevard, came forward and spoke in opposition to the case.

Nancy Rogers, 1612 Cherry Lane, came forward and spoke in opposition to the case.

Kathleen Hennessey, 5013 Stonebridge Drive, came forward and spoke in opposition to the case.

Dean Phillips, 1604 Cherry Lane, came forward and spoke in opposition to the case.

Stan Perry, 5111 Rose Street, came forward and spoke in support to the case.

Board member Allee questioned applicant regarding combining lots 26 and 27 and building one home on the property. The applicant responded that he has not considered that as a viable option because he does not want to look after an acre of land.

Board member McNosky questioned the applicant regarding the type of easements on the property. The applicant responded that there are utility easements all around the perimeter of the property.

Board member Kamerman questioned staff regarding the side yard setbacks for the R-20 and R-40 zoning districts. Staff responded that the R-20 zoning has a 10 foot side yard setback and the R-40 zoning district has a 15 foot side yard setback requirement.

Discussion continued regarding side yard setbacks.

Board member Kamerman questioned the applicant regarding the use of cement and how it impacts the lot coverage area. The applicant responded that his understanding is the cement slab covering the porch, house, or garage counts. Staff verified this as accurate. Anything additional for driveway or uncovered patio areas would not count toward the lot coverage area calculation.

Discussion continued regarding the allowed lot coverage.

Board member McNosky questioned staff regarding the maintenance

of Cherry Lane. Staff responded that Cherry Lane is a city street right-of-way and the city maintains all public city streets. Staff added that the property is already platted, therefore the applicant is not required to make improvements to the street.

Discussion continued regarding street maintenance.

Board member Maynard questioned staff if the existing main structure is sitting at 10 feet from the lot line. Staff responded that he could not confirm, but he was provided the information by the applicant. The applicant responded that he had a survey to confirm the distance of the main structure from the lot line at 10 feet.

Nancy Rogers, 1612 Cherry Lane, came forward and spoke in opposition to the case.

There being no one else wishing to speak, the public hearing was closed at 8:12 p.m.

Board member Vallario noted that all concerns brought forth before the Board are valid, but do not address the proposed variance.

Board member Vallario made a motion to approve Case VC17-004. Board member Allee seconded.

The motion to approve Case VC17-004 carried by the following vote:

Aye: 5 – Kameron, Allee, Maynard, Vallario, and McNosky

3. ADJOURNMENT

The meeting adjourned at 7:57 p.m.

Minutes were written and prepared by:



**Araceli Botello
Planning Technician**

The meeting minutes were approved on _____ 2017, by a vote of _____.



City of Colleyville Zoning Board of Adjustment Agenda Briefing

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

Agenda Number 2a	Agenda Date 07/12/2017	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a variance to Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically the front yard setback requirement on Lot 2R3, Block A, of the West Industrial Addition, located at 6707 Colleyville Boulevard, Case VC17-006

Explanation

Ramzi Gillespie with Lani Properties, the owner and applicant, is requesting approval of a variance to allow a proposed new canopy on the front (west) façade of the existing commercial building to encroach 23 feet into the required 40 foot front yard setback along the western property line.

Existing Conditions/Background: The subject property is generally located on the east side of Colleyville Boulevard across from the intersection of Tennison Parkway. The property is platted as Lot 2R3, Block A, West Industrial Addition and it is currently developed with a commercial business, a specialized auto parts store. The subject property is zoned ML Light Manufacturing district.

Requested Variance: The applicant is requesting a variance to allow a proposed commercial office building to encroach 23 feet into the required 40 foot front yard setback, or approximately 17 feet from the eastern property line. The applicant contends that when the building was constructed, a 30 foot front building line was required. However, the building has always encroached into the front yard setback. Additionally, the applicant states that the current Colleyville Boulevard reconstruction project has taken land for additional right-of-way to accommodate the road widening. Staff has verified that 5 feet has been acquired by TxDOT for the project.

Ordinance – Section 3.24.G Schedule of District Regulations requires a minimum 40 foot front yard setback for the ML Light Manufacturing district.

Chapter 1 (General Provisions) of the Land Development Code authorizes the Zoning Board of Adjustment to grant variances to the minimum setback standards set forth in Chapter 3 (Land Use):

“...where the literal enforcement of the provisions of the ordinance would result in an unnecessary hardship, and where such variance is necessary to permit a specific parcel of land which differs from other parcels of land in the same district

by being of such restricted area, shape or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of the standards established by this ordinance shall not be granted to relieve a self-created or personal hardship, nor for financial reason only, nor shall such modification be granted to permit any person a privilege in developing a parcel of land not permitted by this ordinance to other parcels of land in the district.”

Analysis – The subject property was platted prior to 1991. At this time, a 30 foot front setback was included on the plat. The Land Development Code requires a specified front building setback for all properties platted within the City of Colleyville. The intent of this requirement is to create consistency with the alignment of buildings along a street frontage, preserve lines of sight along corridors, provide space for public and private utilities, and to generally allow for a cohesive look and feel for development. The subject property is unique because the lot was platted prior to the current requirement and has existed for many years at the existing setback. Commercial lots platted in a similar fashion to the subject property must adhere to the required building setbacks or request a variance to this provision. The variance request up for consideration is an example of an instance when the existing buildings were constructed prior to the current standard and the buildings would not be allowed to improve unless relief is granted.

The applicant has identified that the lot is long and slender shaped with only 90 feet of frontage which adds to the unique characteristics of the property. Additionally, the street is at an angle in relation to the remainder of the property giving the lot a peculiar shape.

The applicant contends that the variance request would permit the owner to enhance the front façade by allowing a new canopy at the entrance. The proposed front canopy will extend 5 feet out from the front wall. The proposed canopy would be in keeping with the shade structure elements referenced in the City’s Commercial Design Standards and would be a major aesthetic enhancement.

Finally, should the variance request be approved the applicant will be required to submit appropriate plans for review prior to issuance of a building permit. The plan review will verify compliance with all Land Development Code requirements related to such expansions to commercial buildings.

Surrounding Development: The properties to the north is zoned CC-2 Shopping Center district and developed with Crème de la Crème day care facility. The properties to the east, west, and south are zoned ML Light Manufacturing and developed with various commercial buildings similar to the applicant’s building.

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: Staff does not feel that the applicant has completely presented a hardship on the subject property as defined in the Land Development Code. Staff recommends denial of the request for technical non-compliance. If the Board is inclined to approve the variance, staff recommend tying the approval to the proposed entrance canopy only.

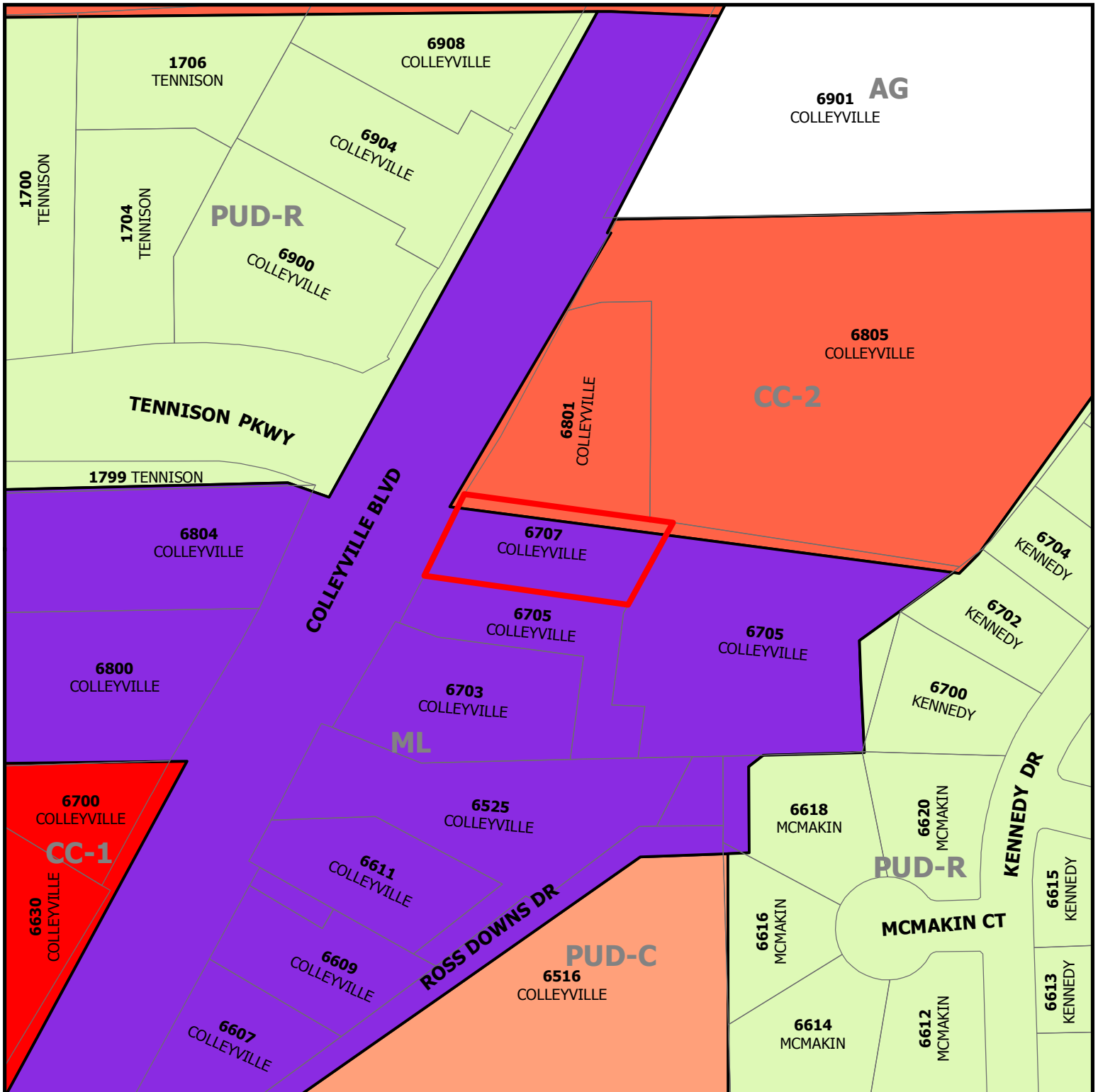
Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Statement of Planning Objectives
4. Site Plan
5. Notification Map
6. Notification List


Zoning Map

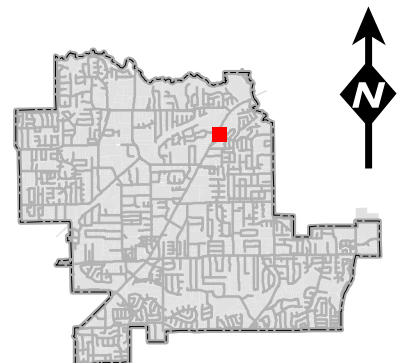


ZC17-006

6707 Colleyville Boulevard

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.

 Subject Property



Statement of Planning Objectives

Statement of Planning Objectives

Project Name: Auto Ricambi
Project Address: 6707 Colleyville Blvd.
Legal Description: Lot 2R, in Block A of West Addition, Volume 388-172, page 65
Applicant: Ramzi Gillespie with Lani Properties

Lani Properties (Owner) requests a zoning variance to the 40'-0" front yard setback of the 0.402 acre lot located at 6707 Colleyville Boulevard in order to install a new canopy on the front (west) façade of the existing building. Special conditions and circumstances do not result from the actions of the applicant, as the additional TXDOT right of way already taken along Colleyville Boulevard has rendered the existing warehouse building in violation of the 40'-0" front yard setback. By virtue of the existing building already penetrating this setback, the Owner would like to obtain permission to install a new canopy thus improving the aesthetics of the one-story structure.

Statement of Planning Objectives



P.O. Box 15577
Fort Worth, TX 76119
817.478.1765
cfarchitects.com

June 19, 2017

Mr. Ben Bryner
City of Colleyville
Community Development Department
100 Main Street
Colleyville, Texas 76034

**Re: VC17-006, Variance Request
6707 Colleyville Blvd.**

Dear Mr. Bryner:

Callahan & Freeman has received the DRC comments in reference to the variance request on the front setback encroachment regarding the building located at 6707 Colleyville Boulevard. In response to the staff written comments we received and our follow up telephone conversation, we would like to provide the following additional information on this variance request.

The existing building is an older building which extends beyond the front setback line. Additional right-of-way was also taken along the front for the improvements and widening of Colleyville Boulevard. The lot is long and slender shaped with only 90' frontage width, adding to the unique characteristics of the property. In addition, the street is at an angle in relation to the remainder of the property giving the lot a peculiar shape. We feel these existing conditions constitute a hardship whereby we are requesting this variance.

The Owner would like to enhance the front of the building by adding a new canopy at the entrance. The new canopy would extend 5' out from the front wall of the existing building which would place it beyond the front setback line. The new canopy feature would be in keeping with the shade structure elements referenced in the City's Commercial Design Standards. The front façade of this building is very visible from the key intersection of Colleyville Boulevard and Tension Parkway and we feel this new front canopy would be a major aesthetic enhancement.

We appreciate your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Frank W. Callahan', with a long horizontal flourish extending to the right.

Frank W. Callahan AIA
Callahan & Freeman Architects
(on behalf of applicant Ramzi Gillespie)

Site Plan

PRELIMINARY DESIGN FOR:

AUTO RICAMBI

6707 COLLEVILLE BOULEVARD
COLLEYVILLE, TEXAS



PROPOSED NEW CANOPY

ZONING VARIANCE
SITE PLAN
SCALE: 1" = 10'-0"
0.420 ACRES



Callahan & Freeman
ARCHITECTS
P.C.
P.O. BOX 15580
FORT WORTH, TEXAS 76113
F: 817-732-1317
A: 817-732-1316
www.callahanandfreeman.com

Speed Fab-Crete
DESIGN-BUILD GENERAL CONTRACTOR
P.O. BOX 15580
FORT WORTH, TEXAS 76113
F: 817-732-1317
A: 817-732-1316
www.callahanandfreeman.com

The Design-Build Team

PRELIMINARY DESIGN FOR:
AUTO RICAMBI
COLLEYVILLE, TEXAS

PRELIMINARY
NOT FOR REGULATORY APPROVAL
DATE: 05/02/2017
REVISIONS:
DRAWN BY: SB
JOB NO: 50268

DATE: 05/02/2017
REVISIONS:

SHEET NO.
1
OF SHEETS

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
HART, NEIL J	6703 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	6703 COLLEYVILLE BLVD
COLLEYVILLE CREME DE LA CREME	8400 E PRENTICE AVE STE 1320	GREENWOOD VILLAGE, CO	80111	6801 COLLEYVILLE BLVD
ANDERSON, GARY D	6618 MCMAKIN CT	COLLEYVILLE, TX	76034	6618 MCMAKIN CT
MONTEERRA HOME OWNER'S ASSOC	6707 BRENTWOOD STR RD	FORT WORTH, TX	76112	1799 TENNISON PKWY
LANI PROPERTIES LLC	3317 STONECREST DR	GRAPEVINE, TX	76051	6707 COLLEYVILLE BLVD
HART, NEIL	1600 GLADE RD	COLLEYVILLE, TX	76034	6525 COLLEYVILLE BLVD
HART, NEIL	1600 GLADE RD	COLLEYVILLE, TX	76034	6525 COLLEYVILLE BLVD
NORMAN CLAY PROPERTIES LLC	6705 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	6705 COLLEYVILLE BLVD
STRATEGERY REAL ESTATE HOLDING	1817 LAKESHORE CT	MCKINNEY, TX	75070	6800 COLLEYVILLE BLVD
FELLER-DAVIS ENTERPRISES LLC	3300 SPRING VALLEY DR	BEDFORD, TX	76021	6900 COLLEYVILLE BLVD
LONE STAR COLLISON LTD	6804 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	6804 COLLEYVILLE BLVD
TX14 COLLEYVILLE LLC	1521 WESTBRANCH DR STE 100	MC LEAN, VA	22102	6805 COLLEYVILLE BLVD
DANCO PROPERTIES LLC	6804 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6705 COLLEYVILLE BLVD
MONTEERRA ADDITION	6811 MILTON DR	COLLEYVILLE, TX	76034	COURTESY NOTICE
ROSS DOWNS ESTATES	4113 GATEWAY DRIVE #100	COLLEYVILLE, TX	76034	COURTESY NOTICE
GILLESPIE, RAMZI	3317 STONECREST DRIVE	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE COLLEYVILLE ISD	3051 IRA WOOD AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Notices of Withdrawn Case were mailed
 Tuesday, June 27, 2017 by Araceli
 Botello