



City of Colleyville Zoning Board of Adjustment Agenda

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

Wednesday, August 9, 2017

City Council Chambers

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

1. APPROVAL OF MINUTES

July 12, 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 an encroachment into the rear yard setback, on Lot 13R, Block C, of the Heron Pond Addition, located at 5605 Heron Drive East, Case VC17-008

3. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, August 4, 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

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Wednesday, July 12, 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 July 12, 2017 at 7:00 p.m.

Roll Call

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

Absent: Board member Dee Kamerman

Staff Present: Ben Bryner and Araceli Botello

1. APPROVAL OF MINUTES

Board member Maynard made a motion to approve the May 9, 2017 minutes. Board member Vallario seconded.

The motion to approve carried by the following vote:

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

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

Ben Bryner presented the case and briefed the Board.

The architect, Frank Callahan, 6486 Woodstock Road, Fort Worth, came forward and briefed the board.

The applicant, Ramzi Gillispie, 3317 Stonecrest Drive, Grapevine, came forward and briefed the board.

The public hearing was opened at 7:16 p.m.

Board member Maynard questioned the applicant regarding the length of the canopy. The applicant responded that that canopy would be 50-60 percent of the façade of the building. He added the canopy would cover the entry way. Board member Maynard asked the applicant if he had a designed for the canopy. The applicant responded that he did not have a design.

Discussion continued regarding the length of the canopy.

There being no one else wishing to speak, the public hearing was closed at 7:18 p.m.

Board member McNosky opened discussion regarding the proposed development and improvements at the northern gateway of the Colleyville Boulevard Corridor.

Board member Maynard questioned staff regarding granting the variance for the canopy and limiting the size and location of the canopy. Staff responded that the board can limit the size and location of the canopy, and can instruct staff to confirm that the addition conforms to the required size and location of the canopy as approved by the board.

Discussion continued regarding the parameters of the canopy.

Board member Maynard made a motion to approve Case VC17-006 as requested with conditions that the canopy does not extend more than 5 feet from the face of the building and does not extend more than 6 feet from either side of the front opening area. Board member Allee seconded.

The motion to approve Case VC17-006 carried by the following vote:

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

3. ADJOURNMENT

The meeting adjourned at 7:26 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 08/09/2017	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 an encroachment into the rear yard setback, on Lot 13R, Block C, of the Heron Pond Addition, located at 5605 Heron Drive East, Case VC17-008

Explanation

Kevin Armstrong of Pioneer Stone Art, the applicant representing the owners Joe & Betty Armstrong, is requesting approval of a variance to allow a proposed new covered patio on the rear of the existing residential home to encroach approximately 14 feet into the required 30 foot rear yard setback.

Existing Conditions/Background: The subject property is generally located on the east side of Heron Pond E. adjacent to the Reatta Place subdivision. The property is platted as Lot 13R, Block C, Heron Pond Addition and it is currently developed with a single-family home. The subject property is zoned PUD-R Planned Unit Development – Residential district.

Requested Variance: When the home was built, an uncovered patio was constructed extending beyond the footprint of the home and into the required rear yard. The desire now is to cover the patio area. The applicant is requesting a variance to allow a covered patio to encroach approximately 14 feet into the required 30 foot rear yard setback, or approximately 16 feet from the eastern property line.

Ordinance – Section 3.24.G Schedule of District Regulations requires a minimum 25 foot rear yard setback unless an ordinance approving a planned unit development for the property in question specifies a different rear yard setback. The governing PUD-R Ordinance (O-13-1894) requires a minimum 30 foot rear yard setback.

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) within the following guidelines:

“...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 zoned in 2013. As part of the approved ordinance, a 30 foot rear setback was required. Although the patio cover is an open design, it is attached to the home and thus must comply with the rear setback as determined by the Land Development Code. If the patio cover was detached, the structure would be in compliance and a variance would not need to be sought. However, the applicant desires to attach the patio cover with no separation from the house.

Surrounding Development: The properties to the north, south, and west are zoned PUD-R Planned Unit Development – Residential district and part of the Heron Pond subdivision. The properties to the east are also zoned PUD-R Planned Unit Development – Residential and part of the adjacent Reatta Place subdivision.

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 observed the following about the subject property and the request for variance:

1. Subject property has similar size, dimension, and slope characteristics as other properties under the same development regulations
2. Subject property has commensurate development potential as other properties subject to the same development regulations
3. If approved, this variance grants a development privilege unavailable to other properties under the same development regulations
4. No hardship beyond a self-created, personal, or financial character has been identified to justify the requested variance.

Staff recommends denial for the requested variance based on the above stated reasons.

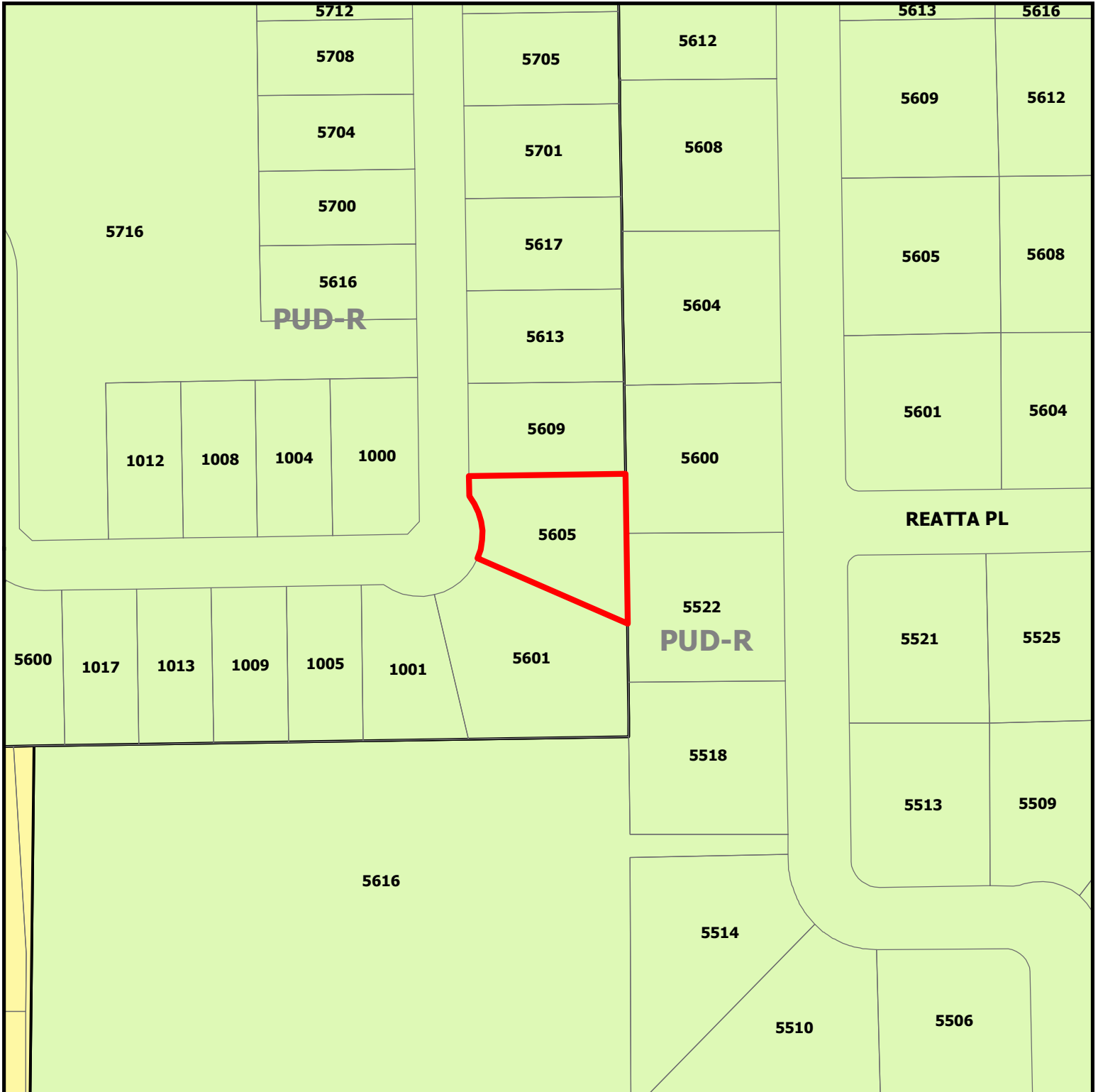
Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Statement of Planning Objectives
4. Site Plan
5. Floor Plan
6. Photos by Applicant
7. Building Elevations
8. Architectural Renderings
9. Notification Map
10. Notification List
11. Letter of Opposition


Zoning Map

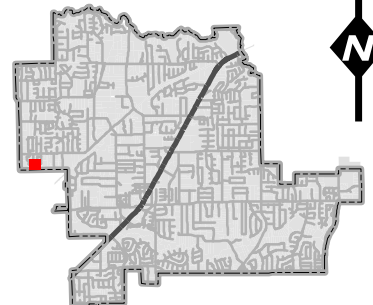


VC17-008

5505 Heron Drive East

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

To: Zoning Board of Adjustments/appeals

From: Kevin Armstrong (Pioneer Stone Art) for
Joe and Betty Adkins

Re: 5605 Heron Dr. East Variance Request

On behalf of my clients, Joe and Betty adkins, we respectfully request a variance for covering the builder installed patio at 5605 Heron Dr. East (Lot 13R) with an attached Cedar roof structure. We have been denied a building permit due to our request that the cedar roof structure be attached to the existing dwelling, on the basis that the structure now becomes a part of the existing dwelling and encroaches on the required 30' setback.

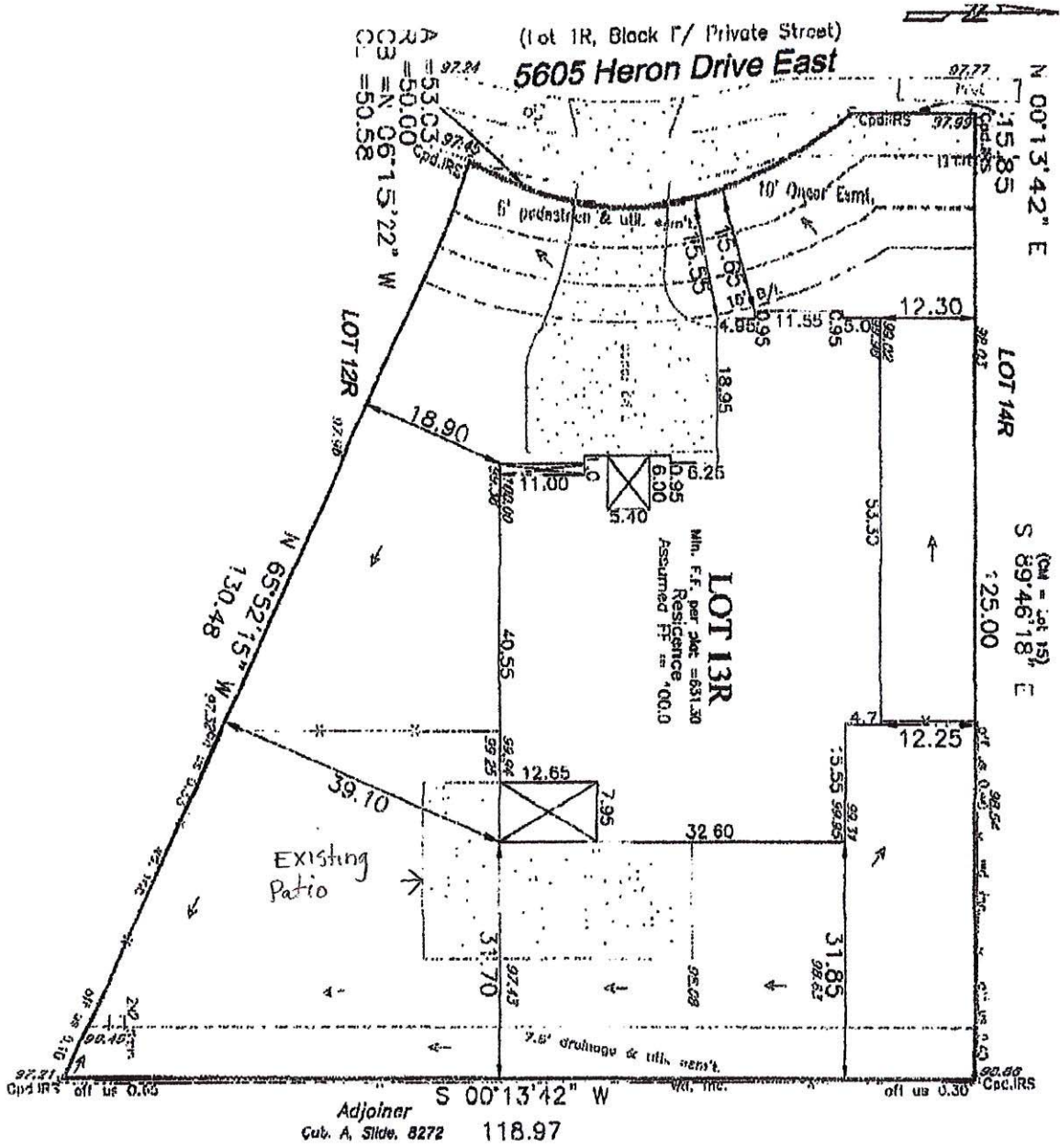
Joe and Betty were told by the builder/developer that the patio could be tied into the house and covered with a cedar roof structure. The builder/HOA has approved our design. The existing patio, and proposed roof/pergola structures do not encroach into building easements. The proposed cedar structure is not enclosed and should not be consider part of the dwelling. Please review the pictures that I have attached of the existing patio, and the overall design. The plan does include a pergola off to the right of the roof structure thus reducing the square footage of the roof structure. Placing the structure 1 foot away from the house will not provide protection from inclement weather, making the new patio useless for entertaining. We request that this issue be resolved informally, so as to not further extend the permit delay. Please call Kevin Armstrong (Pioneer Stone Art) if you need further action.

Sincerely,



Kevin Armstrong

Site Plan



Pioneer Stone Frt

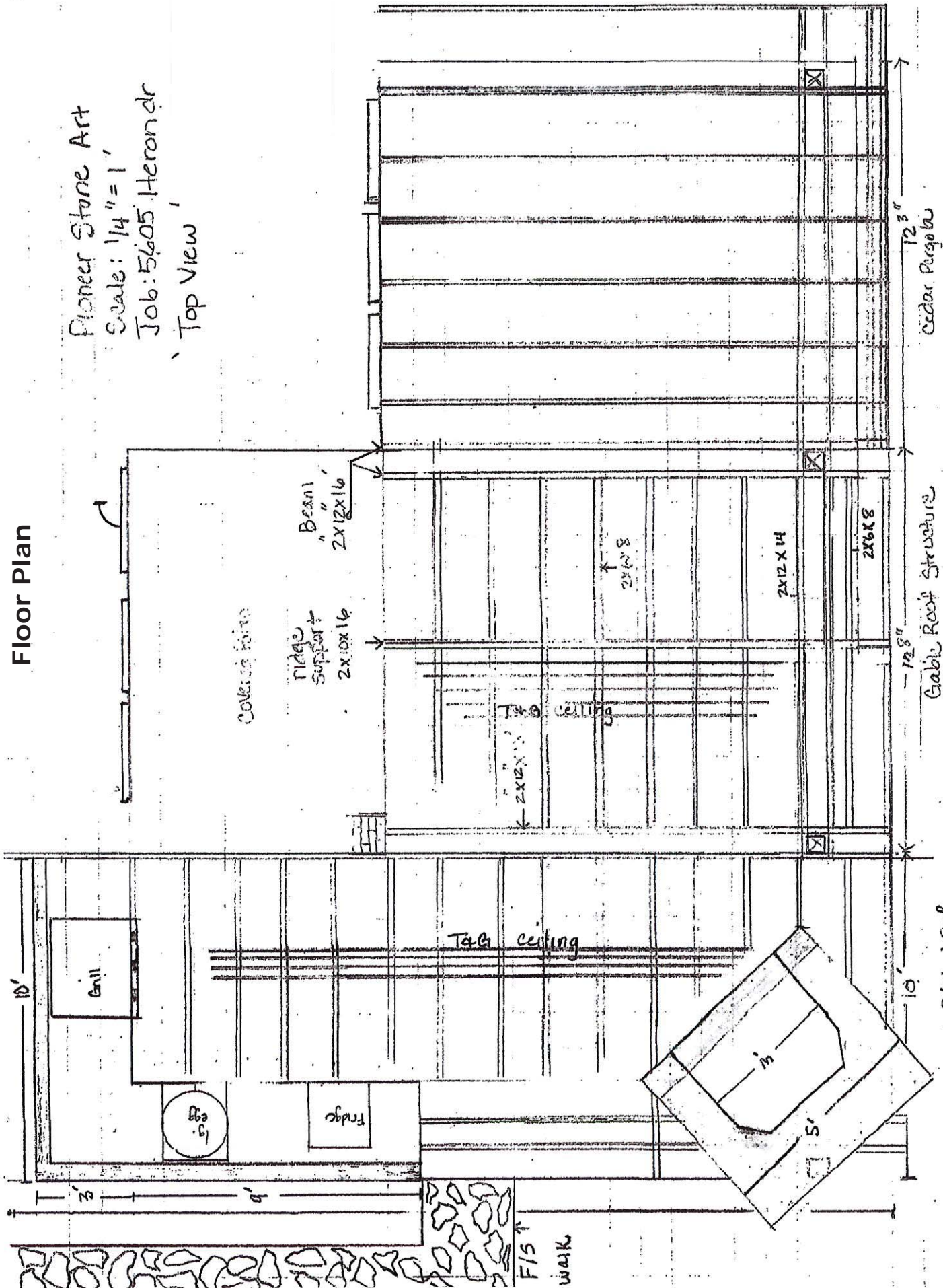
Job: Adkins

Survey

1/8 = 2.88'

Floor Plan

Pioneer Stone Art
Scale: 1/4" = 1'
Job: 5605 Heron dr
Top View



Photos Provided by Applicant

Existing patio builder installed



RECEIVED
JUL 12 2017
CITY OF COLLEYSVILLE
BY COMMUNITY DEV. DEPT



Photos Provided by Applicant

Existing Patio
builder installed



RECEIVED

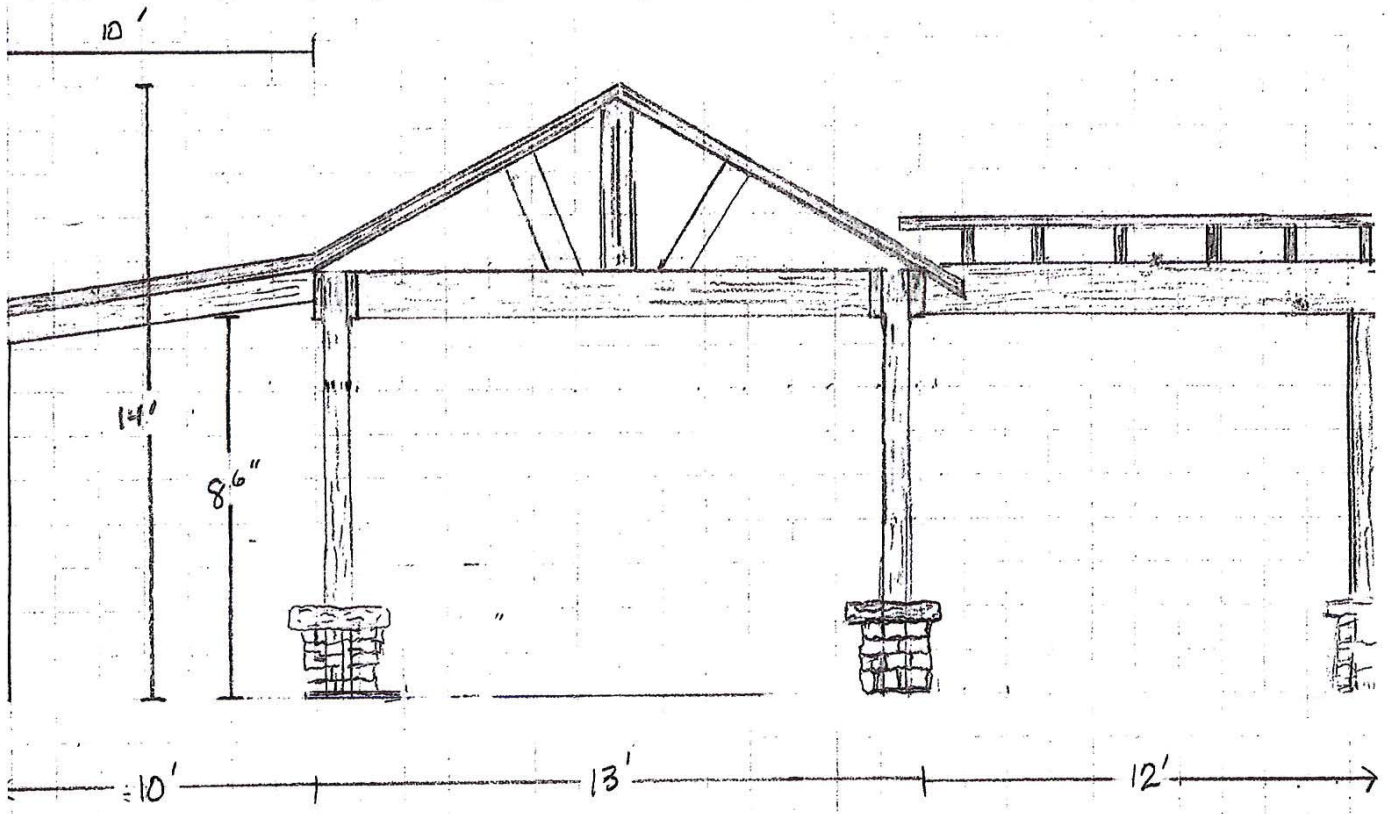
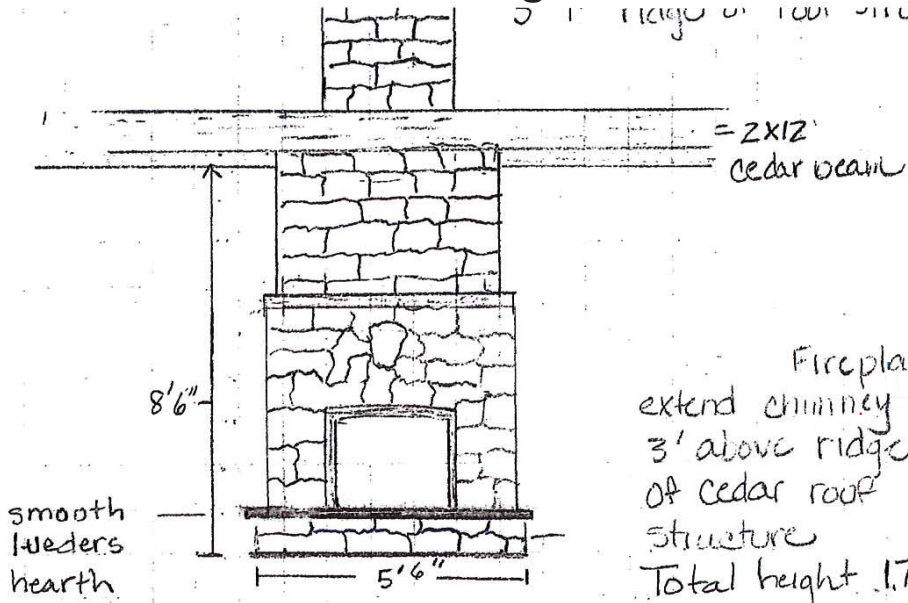
JUL 12 2017

CITY OF COLLEYSVILLE
BY COMMUNITY DEV

Paula D. Dine

Building Elevations

5' ridge of roof structure



Pioneer Stone Art
Job: Adkins
Scale: 1/4" = 1'
Front View

Architectural Renderings



(/joomla30/)

[Home \(/joomla30/index.php\)](#) [Outdoor Kitchens \(/joomla30/index.php/kitchens\)](#) [Grills \(/joomla30/index.php/grills\)](#)

[Flagstone Patios \(/joomla30/index.php/patios\)](#) [Shade Covers \(/joomla30/index.php/shade-covers\)](#) [Gallery \(/joomla30/index.php/gallery\)](#)

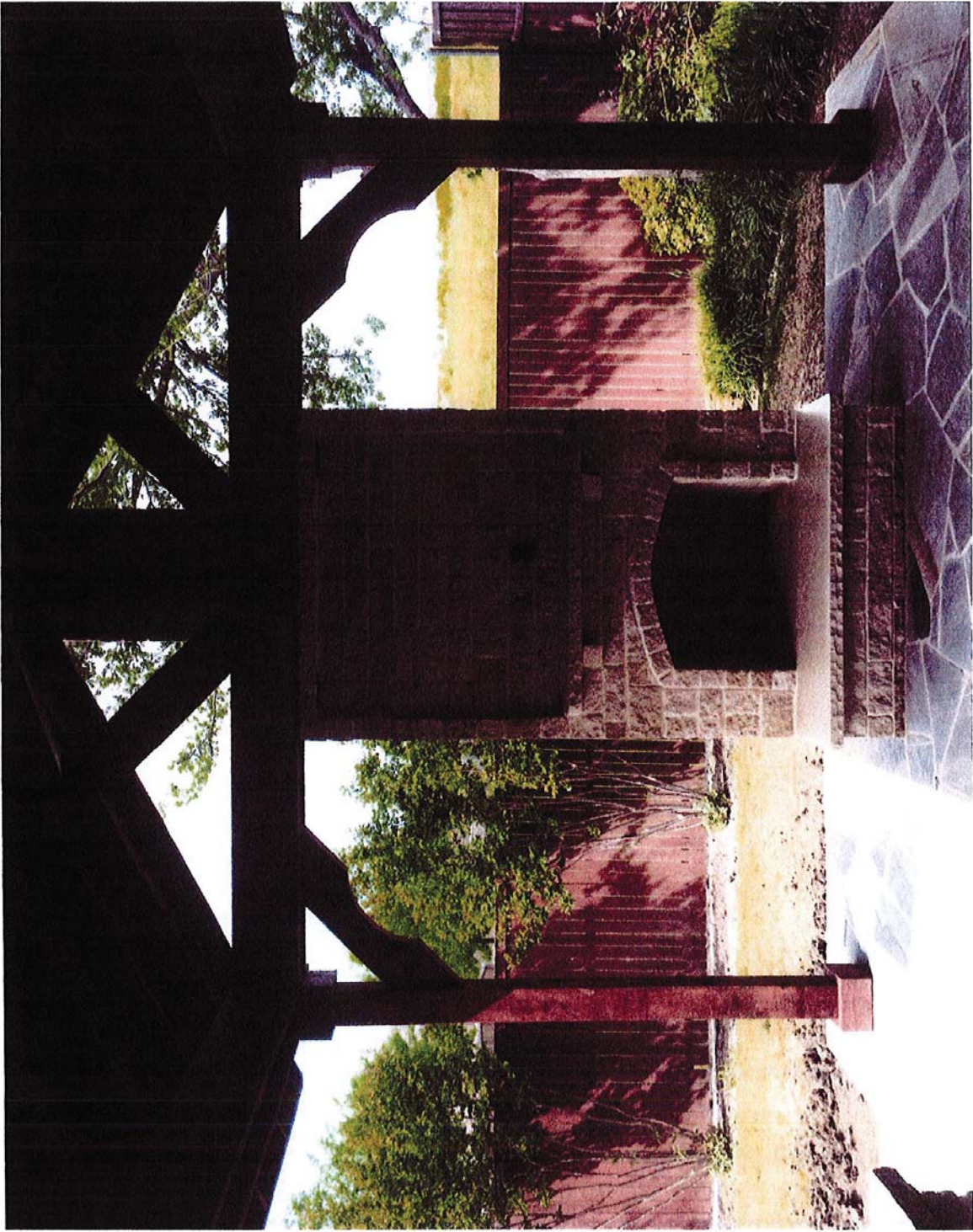
[About Us \(/joomla30/index.php/about-us\)](#) [Contact Us \(/joomla30/index.php/contact-us\)](#) [Newsletter Archive \(/joomla30/index.php/newsletter-archive\)](#)



[Next > \(/joomla30/index.php/gallery/gallery-2\)](#)

Architectural Renderings

fireplace root structure example



showing the structure and the roof (3' x 4' x 10' x 10')

Architectural Renderings

Example Koot 116 into house (Grapevine) 2011 KENNETH



Roof structure bearing into house. Framing Simpson ties replace brick

Architectural Renderings

example gable roof structure



under gable roof structure

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
ALEMAN, KARLA M	1000 HERON DR E	COLLEYVILLE, TX	76034	1000 HERON DR E
LEWIS, RONNIE	1001 HERON DR E	COLLEYVILLE, TX	76034	1001 HERON DR E
BADDERS, NOLAN	5601 TEXAS TR	COLLEYVILLE, TX	76034	5601 TEXAS TR
FREEMAN, LOU ANN	5518 TEXAS TR	COLLEYVILLE, TX	76034	5518 TEXAS TR
WENGER, JONATHAN	5522 TEXAS TRL	COLLEYVILLE, TX	76034	5522 TEXAS TR
K HOVNANIAN DFW HERON POND LLC	5808 W PLANO PKWY	PLANO, TX	75093	1005 HERON DR E
IARVE, ENDEL	5521 REATTA PL	COLLEYVILLE, TX	76034	5521 REATTA PL
ADKINS, JOE	5605 HERON DR E	COLLEYVILLE, TX	76034	5605 HERON DR E
LOCKARD, DANIEL	1004 HERON DR E	COLLEYVILLE, TX	76034	1004 HERON DR E
MEIERS, MATTHEW	5613 HERON DR E	COLLEYVILLE, TX	76034	5613 HERON DR E
DWIGHT, CURTIS D	1009 HERON DR E	COLLEYVILLE, TX	76034	1009 HERON DR E
CALLAHAN, RICHARD J	5600 TEXAS TR	COLLEYVILLE, TX	76034	5600 TEXAS TR
NINK, KATHLEEN M	5609 HERON DR E	COLLEYVILLE, TX	76034	5609 HERON DR E
NELSON, MICHAEL	5700 HERON DR	COLLEYVILLE, TX	76034	5700 HERON DR
FOLLIS, BRAD W	5608 TEXAS TR	COLLEYVILLE, TX	76034	5608 TEXAS TR
UPTON, JARROD	5604 TEXAS TR	COLLEYVILLE, TX	76034	5604 TEXAS TR
GRAVLEY, ARTHUR	5601 HERON DR E	COLLEYVILLE, TX	76034	5601 HERON DR E
COLLEYVILLE HERON POND HOA	1723 E SOUTHLAKE BLVD STE 120	SOUTHLAKE, TX	76092	5716 HERON DR W
K HOVNANIAN DFW HERON POND LLC	5808 W PLANO PKWY	PLANO, TX	75093	5616 HERON DR E
KUNTZ, ROBIN	1008 HERON DR E	COLLEYVILLE, TX	76034	1008 HERON DR E
BENSON, WILLIAM	5513 TEXAS TRL	COLLEYVILLE, TX	76034	5513 TEXAS TR
COTTINGAME, DONALD W	5514 TEXAS TR	COLLEYVILLE, TX	76034	5514 TEXAS TR
REATTA PLACE HMOWNERS ASSOC	5506 TEXAS TR	COLLEYVILLE, TX	76034	5616 TEXAS TR
K HOVNANIAN DFW HERON POND LLC	5808 W PLANO PKWY	PLANO, TX	75093	5617 HERON DR E
REATTA PLACE	5522 TEXAS TRAIL	COLLEYVILLE, TX	76034	COURTESY NOTICE
ARMSTRONG, KEVIN	P.O. BOX 172007	ARLINGTON, TX	76003	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed Friday,
July 21, 2017 by Araceli Botello

Letter of Opposition

Araceli Botello

Subject: FW: ((Spam::Alert)) VC17-008

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

From: RICHARD CALLAHAN [mailto:]

Sent: Monday, July 24, 2017 5:14 PM

To: Ben Bryner < >

Subject: ((Spam::Alert)) VC17-008

Importance: Low

I wish to express my opposition to the variance noted above. The proposed addition would create a permanent structure that would be 15 from my fence line and above my fence height. I do not object to the structure extending from the house to the south as long as it meets the original setbacks.

Rich Callahan 5600 Texas trail