



City of Colleyville Zoning Board of Adjustment Agenda

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

Tuesday, April 10, 2018

City Council Chambers

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

1. SWEARING IN OF NEWLY APPOINTED MEMBERS

Frank Carroll - Place 4
Scott McCombs - Alternate 1

2. ELECTION OF OFFICERS

- 2a** Chairperson
- 2b** Vice-Chairperson

3. APPROVAL OF MINUTES

January 9, 2018

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Request for a variance to certain provisions of Section 3.26, Fences, Free Standing Walls, and Screening Materials on Lot 5, Block 1, of the Blackberry Farm Addition, located at 111 W. McDonwell School Road, Case VC18-001

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards April 6, 2018 by 5:00 p.m.

Araceli Botello
Planning Technician

A quorum of the Colleyville City Council or any other Board, Commission, or Committee 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
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Tuesday, January 9, 2018

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 January 9, 2018 at 7:00 p.m.

Roll Call

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

Staff Present: Felix Landry and Araceli Botello

1. APPROVAL OF MINUTES

Board member Maynard made a motion to approve the December 12, 2017 minutes. Board member Vallario seconded.

The motion to approve carried by the following vote:

Aye: 5 – Vallario, Kamerman, Maynard, McNosky, and Allee
Nay: 0

2. PUBLIC HEARING AGENDA ITEMS

- 2a** Request for a variance to certain provisions of Section 3.29-Parking Requirements of the Land Development Code, specifically a variance to the minimum number of off-street parking spaces on Tract 3C01A, Abstract 936, in the Absalom J Lott Survey, located at 6607 Colleyville Boulevard, Case VC17-013

Felix Landry presented the case and briefed the Board.

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

The applicant, David Coley, 8116 Chamizal Drive, Fort Worth, came forward and briefed the board. He indicated only about 1,800 square

feet will be used for general office with the remaining area to house the dogs.

Board Member Maynard questioned the applicant if he is the tenant of the building. The applicant replied that he is not the tenant.

Board Member Maynard questioned staff regarding the tenant of the subject property. The tenant, Christine Goeyvaerts, 6607 Colleyville Blvd, came forward and verified that she is the tenant.

There being no one else wishing to speak, the public hearing was closed at 7:09 p.m.

Board member Maynard made a motion to approve Case VC17-013 with the condition that the variance is granted to the current tenant, Christine Goeyvaerts, and terminates with a change of tenant. Board member Kamerman seconded.

The motion to approve case VC17-013 was carried by the following vote:

Aye: 4 – Kamerman, Maynard, McNosky, and Allee

Nay: 1 – Vallario

3. ADJOURNMENT

The meeting adjourned at 7:10 p.m.

Minutes were written and prepared by:



Araceli Botello
Planning Technician

The meeting minutes were approved on _____, 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 4a	Agenda Date 04/10/2018	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a variance to certain provisions of Section 3.26, Fences, Free Standing Walls, and Screening Materials on Lot 5, Block 1, of the Blackberry Farm Addition, located at 111 W. McDonwell School Road, Case VC18-001

Explanation

Michael Wood, the applicant, has submitted a variance request for 111 McDonwell School Road West, described as Lot 5, Block 1, of the Blackberry Farm addition, being approximately 4.58 acres, and zoned RE Single Family "Estate" Residential. The request is to allow for the construction of a 100% solid fence at the front yard of the property in lieu of a 25% solid fence as required by LDC.

Existing Conditions/Background: The subject property resides on the south side of McDonwell School Road West, just west of Westcoat Drive. The subject property has an existing single family residence with RE single family zoning.

Requested Variance: The applicant requests a variance to allow 100% solid construction of a masonry wall within the front yard setback in lieu of the 25% solid construction maximum described in the ordinance.

Ordinance – Section 3.26.E.1.D Schedule of District Regulations states that lots containing a minimum of 40,000 square feet, and subdivisions, shall be allowed to construct a perimeter fence within the front yard setback. Said fencing shall be no greater than eight feet in height and shall have no greater than twenty-five (25) percent solid construction within the front yard.

Chapter 1 (General Provisions) of the Land Development Code authorizes the Zoning Board of Adjustment to grant variances to the minimum 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 applicant states the desire to construct a fence which matches other front yard solid wall fencing currently existing in the immediate area and for the sake of noise reduction and privacy. While existing walls in the area have a legal non-conforming status, the property does not contain any unique characteristics which would justify a variance from our current regulations.

The property owner has two options which could achieve the desired privacy and noise reduction which do not require a variance. First, the property owner could construct an ornamental fence with 25% solid construction with an accompanying landscape buffer along the property line. Second, the property owner could construct a solid wall/fence at the 40 foot front yard setback. The residential structure has a 200 foot setback which should easily accommodate a solid wall fence at the 40 foot setback line. The City of Colleyville Land Development Code allows either option by right.

If the Zoning Board of Adjustment approves the requested variance, the applicant shall 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 projects.

Surrounding Development: The subject property resides in an area with a mix of large and smaller lot single family residences. A fire station, church, and McPherson Park reside to north along McDonwell School Road. Zoning to the north of McDonwell School Road consists primarily of PUD-R residential zoning. To the south of McDonwell School road, and immediately surrounding the subject property, the zoning consists primarily of RE Single Family “Estate” Residential district. Further away from the subject property the zoning varies with R-10, R-20, R-30, AG, and PUD-R districts.

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. Keller 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 recommends denial of the request for variance based on the following findings:

1. The subject property does not differ from other parcels of land in the same district by restricted area, shape or slope so that it cannot develop without the variance.
2. No hardship has been identified beyond a self-created, personal, or financial hardship.
3. If granted, this variance allows a development privilege not permitted by the Land Development Code to other parcels of land with RE zoning.

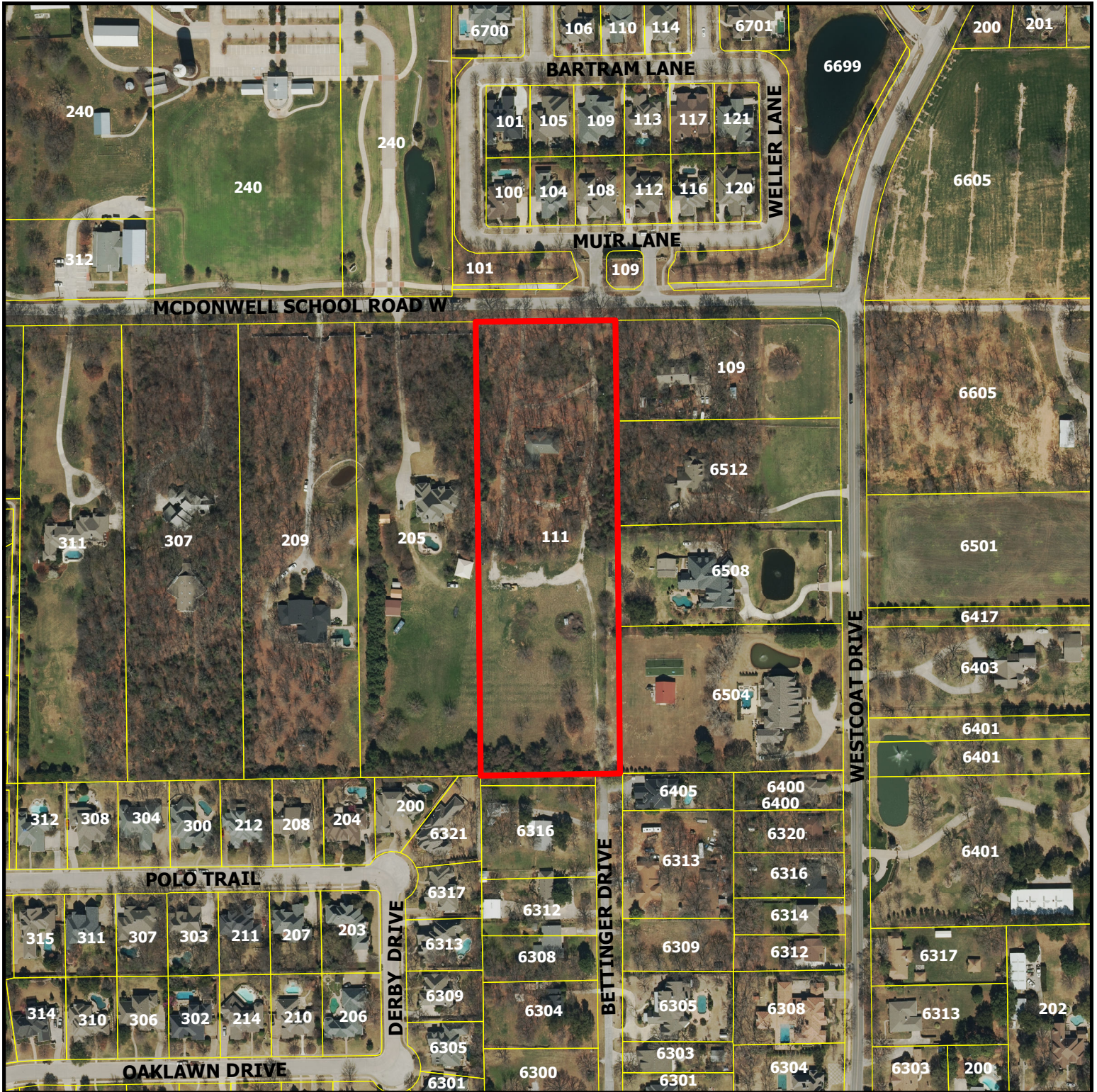
Recommendation

Denial

Attachments

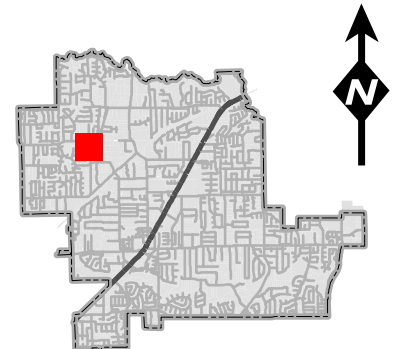
1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Notification Map
7. Notification List

Aerial Map




VC18-001

111 W. McDonwell School Road



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

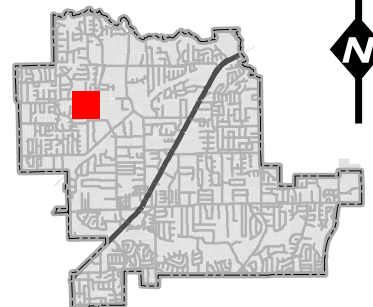
Future Land Use Map



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VC18-001
111 W. McDonwell School Road

- Subject Property
- Residential
- Institutional
- Open Space; Parks



Statement of Planning Objectives

STATEMENT OF PLANNING OBJECTIVES

Property Address: 111 W. McDonwell School Road
Colleyville, Texas
Block 1, Lot 5 Blackberry Farm

Zoning: RE (single family "estate" residential)

Owner: Colleen Bailey
111 W. McDonwell School Road
Colleyville, Texas 76034
972-795-8266

Builder: Micheal Wood
Providence Homes Inc.
6812 Wren Lane
North Richland Hills, Texas 76182
817-480-9503

Variance Request for: Fence and Freestanding Wall Setback Requirements
Section 3.26 E.1.d

Description: Variance request to have a 100% solid construction wall in the front yard in lieu of the 25% solid construction wall as stated by the ordinance

Basis for Request: This property was purchased with an existing house which was later demolished to clear space for a new two story single family residence to be constructed on this site. The two adjacent properties directly to the west of the subject property have existing 100% solid construction 8 ft. tall fences in the front yard area (see pictures provided). Both fence walls are on the property line and in the designated front yard zone. The Owner is requesting a variance to the current ordinance so that a 100% solid construction fence can be constructed inside the property line and within the front yard area of the subject property to (1) match the existing conditions of the neighboring fences and (2) be a continuation of the neighboring fences. Constructing either (a) a 100% solid construction fence set back 40 ft. or (b) a fence with no greater than 25% solid construction fence at the property line would not be in conformity with the existing fences at this location. Other 100% solid construction fences can also be found on both sides of McDonwell School Road.

Due to the heavy and concentrated traffic on McDonwell School Road, the Owner is requesting a variance to allow the 100% solid construction fence within the front yard zone to increase privacy and provide sound control from

Statement of Planning Objectives

the traffic in order to achieve the same benefits that the adjacent properties receive from the existing 100% solid construction walls.

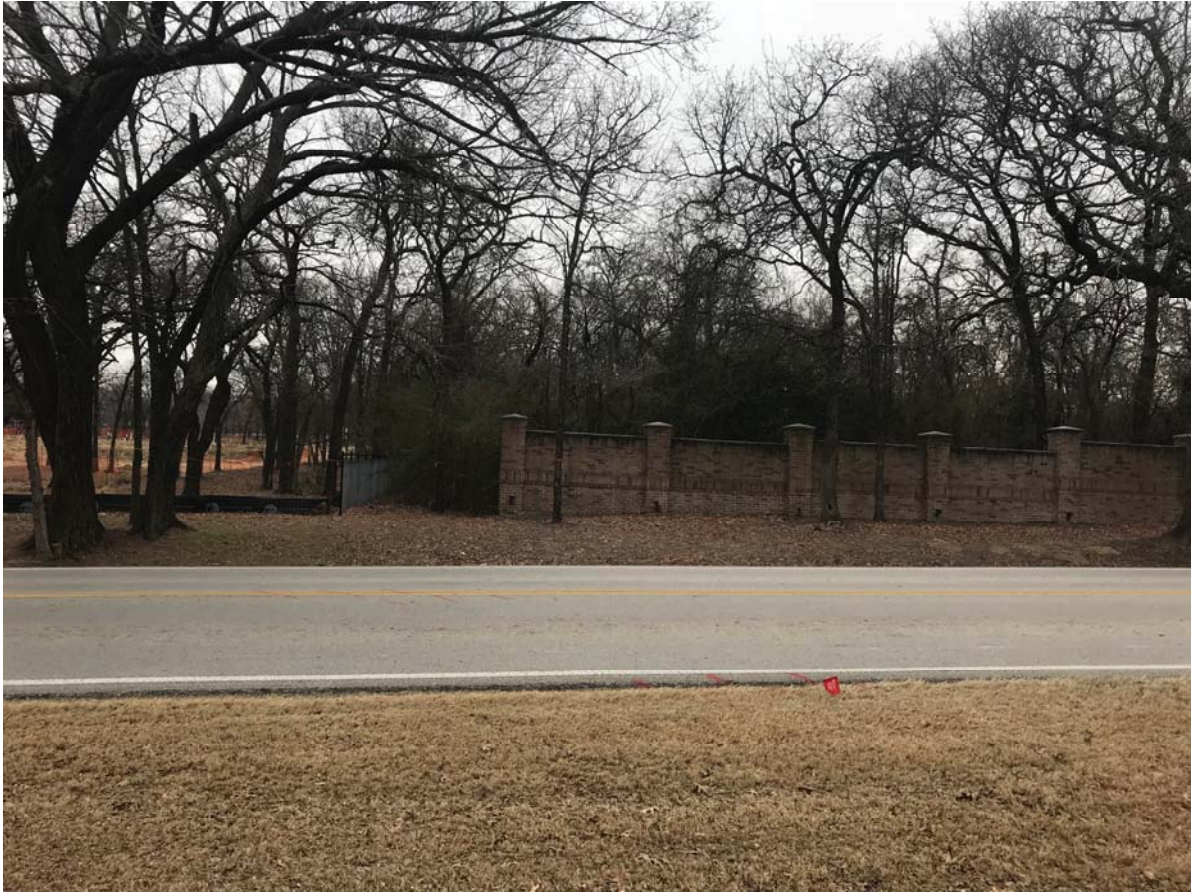
The Owner understands that this variance, if granted, only applies to the front fence location and not to any other fences to be located on the property. The Owner also acknowledges that the fence design will comply with all structural, design and material requirements as set forth in the ordinance.

Pictures:



Subject property:
111 W McDonwell School Road

Statement of Planning Objectives



Adjacent property to the west:
205 W McDonwell School Road

Adjoining 100% solid construction fence

Statement of Planning Objectives



Adjacent property to the west:
205 W McDonwell School Road

100% solid construction fence and
Entry gate structure

Statement of Planning Objectives



Both adjacent properties to the west:
209 W McDonwell School Road

Continuity of 100% solid construction fences at the property line

Statement of Planning Objectives



Second adjacent property to the west:
209 W McDonwell School Road

100% solid construction fence and entry structure

Statement of Planning Objectives

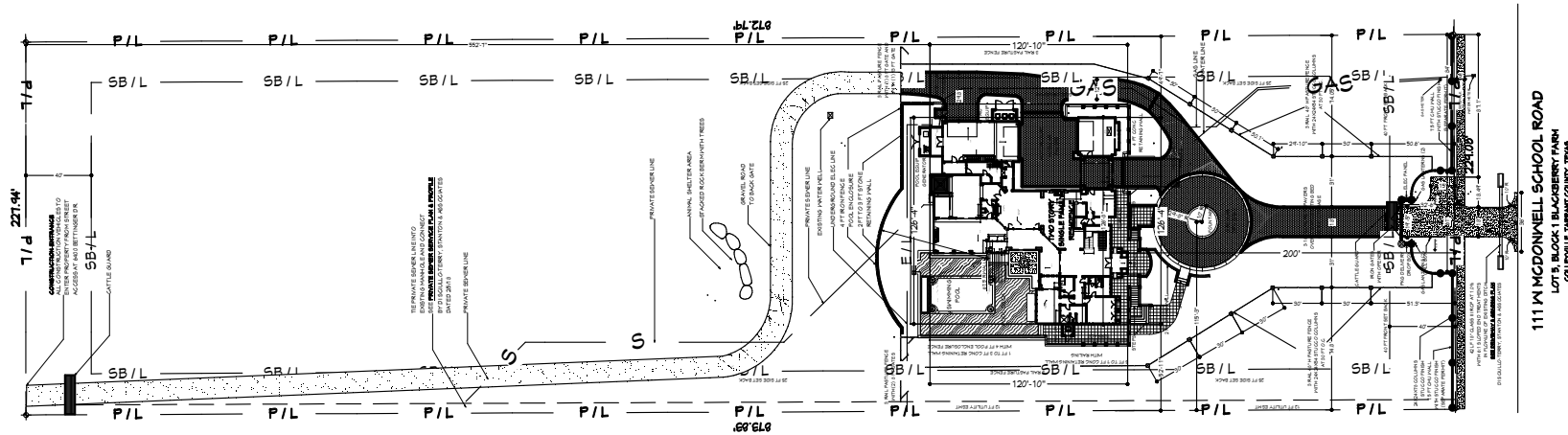
Summary:



Variance request to construct a 100% solid construction fence at 111 W McDonwell School Road to:

1. Provide continuity to the existing 100% solid construction fencing
2. Provide privacy and sound control from excessive traffic on McDonwell School Road

Site Plan



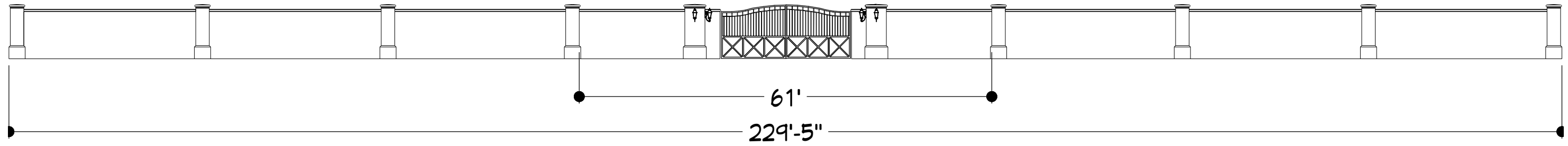
01 SITE PLAN

SCALE: 1" = 100'-0"

Bailey Residence

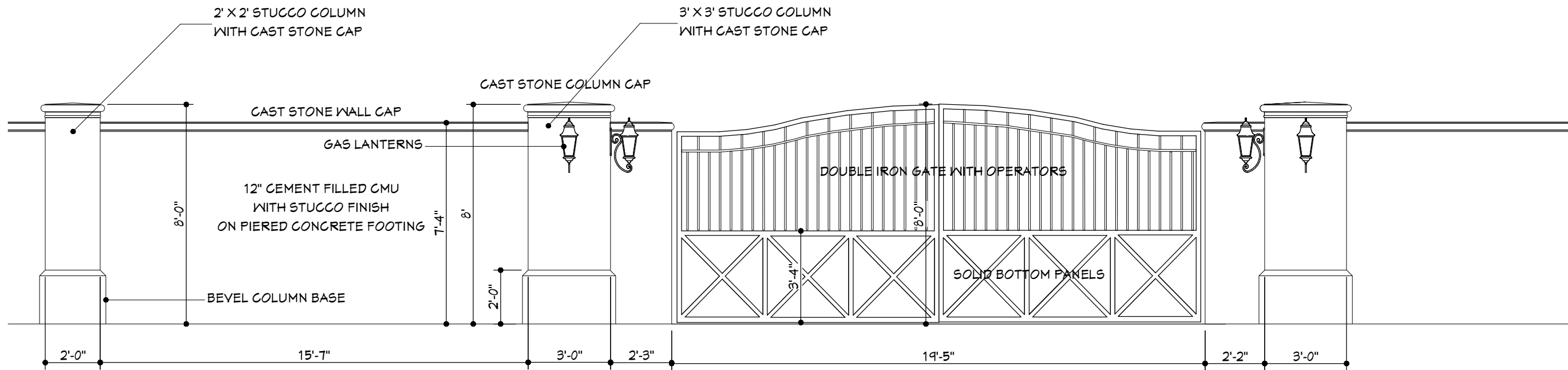
111 W McDonwell School Rd.
Colleyville, Texas

Site Plan



03 PROPOSED FENCE WALL

SCALE: 1/4" = 1'-0"



Owner:
Colleen Bailey
111 W. McDonwell School Rd.
Colleyville, Texas

Builder:
Micheal Wood
Providence Homes, Inc.
P. O. Box 822428
North Richland Hills, Texas 76182
817-451-5197
817-480-9503

Interior Designer:
Stephanie Nix
Deleo & Fletcher Design
1703 E. Levee St.
Dallas, Texas 75207
214-231-6260
214-783-3300

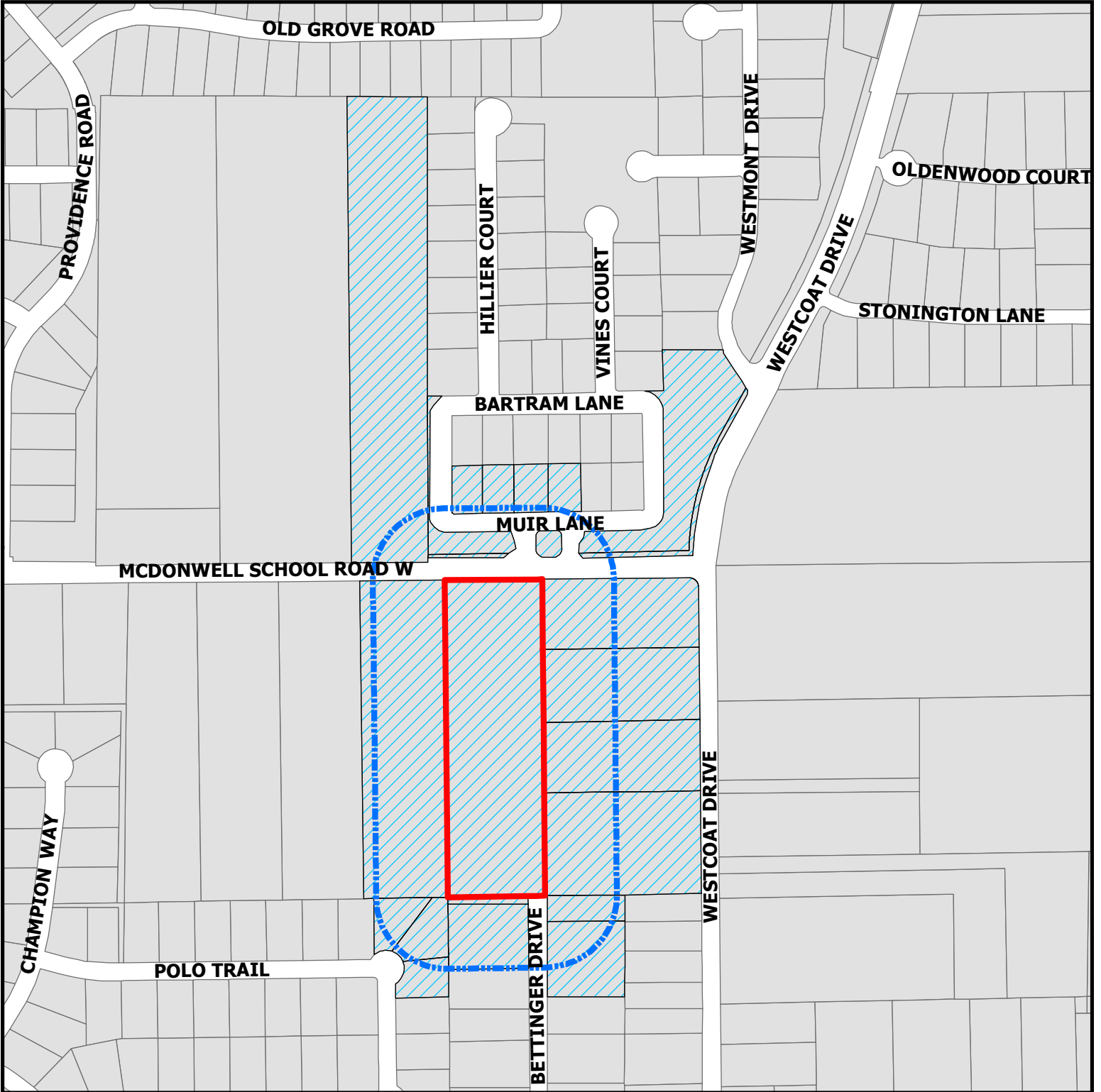
04 PROPOSED FENCE WALL AND ENTRY GATE

SCALE: 1/4" = 1'-0"

**Bailey
Residence**




111 W McDonwell School Rd.
Colleyville, Texas

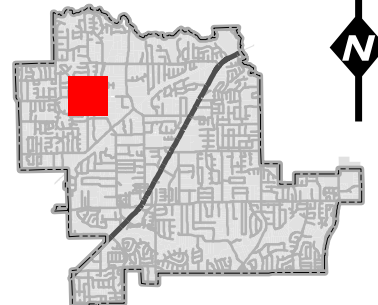
Notification Map



VC18-001

111 W. McDonwell School Road

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



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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
LANGHAM, KEVIN	6405 BETTINGER DR	COLLEYVILLE, TX	76034	6405 BETTINGER DR
CLINE, BOBBIE L	6316 BETTINGER DR	COLLEYVILLE, TX	76034	6316 BETTINGER DR
MERRIFIELD, JOHN	6321 DERBY DR	COLLEYVILLE, TX	76034	6321 DERBY DR
BARRETT, MICHAEL	6317 DERBY DR	COLLEYVILLE, TX	76034	6317 DERBY DR
MONTEFINESE, AMY	200 POLO TR	COLLEYVILLE, TX	76034	200 POLO TR
MCCARTHY, JULIE K	104 MUIR LN	COLLEYVILLE, TX	76034	104 MUIR LN
BRASWELL, DAN W	6512 WESTCOAT DR	COLLEYVILLE, TX	76034	6512 WESTCOAT DR
BRUNDAGE, JEFFREY	6508 WESTCOAT DR	COLLEYVILLE, TX	76034	6508 WESTCOAT DR
HARRIS, MICKEY A	109 W MCDONWELL SCHOOL RD	COLLEYVILLE, TX	76034	109 MCDONWELL SCHOOL RD W
BIEN, LARRY S	100 MUIR LN	COLLEYVILLE, TX	76034	100 MUIR LN
MERCER, LEE	6504 WESTCOAT DR	COLLEYVILLE, TX	76034	6504 WESTCOAT DR
BLOCKER, DOROTHY J	6313 BETTINGER DR	COLLEYVILLE, TX	76034	6313 BETTINGER DR
MOSS, WILLIAM H	205 W MCDONWELL SCHOOL RD	COLLEYVILLE, TX	76034	205 MCDONWELL SCHOOL RD W
WESTMONT MAINTENANCE ASSC	5751 KROGER DR STE 203	KELLER, TX	76244	101 MUIR LN
KUZMICH, COLLEEN	111 W MCDONWELL SCHOOL RD	COLLEYVILLE, TX	76034	111 MCDONWELL SCHOOL RD W
WESTMONT MAINTENANCE ASSC	204 S MAIN ST STE 300	KELLER, TX	76248	6699 WELLER LN
KORKMAS, FREDERICK J EST	108 MUIR LN	COLLEYVILLE, TX	76034	108 MUIR LN
SCHARFFENBERGER, STUART	112 MURI LN	COLLEYVILLE, TX	76034	112 MUIR LN
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	240 MCDONWELL SCHOOL RD W
WESTMONT MAINTENANCE ASSC	204 S MAIN ST STE 300	KELLER, TX	76248	109 MUIR LN
BETTINGER, FRANK N	3720 STADIUM DR	FORT WORTH, TX	76109	6320 BETTINGER DR
WESTMONT MAINTENANCE ASSC	204 S MAIN ST STE 300	KELLER, TX	76248	101 MUIR LN
WESTMONT MAINTENANCE ASSC	5751 KROGER DR STE 203	KELLER, TX	76244	6600 WESTCOAT DR
REMINGTON PARK ADDITION	5751 KROGER DRIVE	KELLER, TX	76244	COURTESY NOTICE
WESTMONT ADDITION	5751 KROGER DRIVE	KELLER, TX	76244	COURTESY NOTICE
KELLER ISD	350 KELLER PARKWAY	KELLER, TX	76248	STATE REQUIRED
WOOD, MICHEAL	P.O. BOX 822428	NORTH RICHLAND HILLS, TX	76182	APPLICANT