



City of Colleyville Sign Board of Appeals Agenda

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

Tuesday, May 8, 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. APPROVAL OF MINUTES

April 11, 2017

3. PUBLIC HEARING AGENDA ITEMS

- 3a** Request for a variance to the provisions of Section 7-150, Permanent Freestanding Signs – Sign Classification and Regulations of the Land Development Code, specifically the minimum setback requirements, on Lot 2, Block 1, of the SW Colleyville Office Park Addition, located at 607 Cheek Sparger Road, Case SC18-001

4. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, May 4, 2018 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 Sign Board of Appeals Minutes

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100 Main Street
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817. 503.1000
www.colleyville.com

Tuesday, April 11, 2017

City Council Chambers

Call to Order

The Sign Board of Appeals meeting of the City of Colleyville was called to order by Board member McNosky on May 11, 2017 at 8:00 p.m.

Roll Call

Present: Board members Dee Kamerman, Richard Vallario, Wayne Maynard, Dee McNosky, Raymond Allee, Kimberly Holt, Alternate 1, and Michael Deakin, Alternate 2

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

1. APPROVAL OF MINUTES

Board member Maynard made a motion to approve the March 14, 2017 minutes. Board member Allee seconded.

The motion to approve the March 14, 2017 minutes carried by the following vote:

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

2. PUBLIC HEARING AGENDA ITEMS

- 2a** Request for a variance to the provisions of Section 7-150, Permanent Freestanding Signs – Sign Classification and Regulations of the Land Development Code, specifically the construction design and maximum height, on Lot 1R and 2R, Block 1, of the C-D Subdivision, located at 6513 and 6515 Colleyville Boulevard, Case SC17-001

Board member Kamerman stated a need to abstain from the item and recused herself from the meeting. Staff noted that Board member Kimberly Holt would step as an alternate.

Shane Pace presented the case and briefed the Board.

The public hearing was opened at 8:18 p.m.

The applicant, Ken Green, 2900 Sherwood Lane, came forward and briefed the Board.

Kenneth Lecroy, 2804 Summertree Lane, came forward and spoke in support of the case.

Steven Bush, 6709 Carriage Lane, came forward and spoke in support of the case.

Mark Cooke, 6710 Carriage Lane, came forward and spoke in support of the case.

Board member Allee referred to photos provided by the applicant and questioned the applicant if there is a restriction for the sign to be placed to the right of the proposed location, between the drainage wall and Colleyville Boulevard. The applicant replied 'no'. The applicant added that a line-of-sight, or an unobstructed line-of-sight, was required by the Texas Department of Transportation.

There being no one else wishing to speak, the public hearing was closed at 8:24 p.m.

Board member Maynard made a motion to approve Case SC17-001. Board member Vallario seconded.

The motion to approve Case SC17-001 was carried by the following vote:

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

3. ADJOURNMENT

The meeting adjourned at 8:28 p.m.

The minutes were written and prepared by:

Araceli Botello
Planning Technician

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



City of Colleyville Sign Board of Appeals Agenda Briefing

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

Agenda Number 3a	Agenda Date 05/08/2018	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a variance to the provisions of Section 7-150, Permanent Freestanding Signs – Sign Classification and Regulations of the Land Development Code, specifically the minimum setback requirements, on Lot 2, Block 1, of the SW Colleyville Office Park Addition, located at 607 Cheek Sparger Road, Case SC18-001

Explanation

Lynn Bural, the applicant, has submitted a request for a Sign Variance for Lot 2, Block 1, of the SW Colleyville Office Addition, located at 607 Cheek-Sparger Road, being approximately 0.4337 acres, and zoned CC-1 Village Retail. The request is to allow for the construction of an electronic message sign that will encroach into the required 8 foot front property line setback along Cheek-Sparger Road.

Existing Conditions/Background: The subject property is generally located on the south side of Cheek-Sparger Road, just east of Brown Trail. It is zoned CC-1 Village Retail district and is currently platted.

Requested Variance: The applicant is requesting a variance to allow for the construction of a monument sign within the front setback along Cheek-Sparger Road and the side setback from the property line to the east

Ordinance – Section 7.150, Permanent Freestanding Signs – Sign Classification and Regulations of the Land Development Code establishes regulations for general business signs or “monument signs”:

“A. General Business Signs –...All general business signs shall be subject to the following additional regulations:

1. Construction Design: All general business signs shall be designed and constructed as a monument sign as defined in this Land Development Code.

...

d. Minimum Setback: Eight feet (8') from an abutting street right-of-way. Thirty feet (30') from any side or rear property line adjacent to another property.

...

Chapter 1 (General Provisions) of the Land Development Code authorizes the Sign Board of Appeals to grant variances to the requirements of Chapter 7 – Signs given the following considerations:

"...In considering a request for a variance, the Sign Board of Appeals shall consider, among other things, the degree of variance, the reason for the variance requested, the location of the variance request, the duration of the requested variance, the effect on public safety, the protection of neighborhood property, the degree of hardship or injustice involved, and the effects of the variance on the general plan of regulation of signs within the City."

Analysis – The proposed sign does not comply with the setback requirements for a monument sign. The regulations of a monument sign in Chapter 7 of the Land Development Code explicitly describe an 8 foot front setback and 30 foot setback from side property lines. The proposed sign does not comply with the regulations.

The applicant references a sign, for O'Brien Business center, just to the east which encroaches into the setback. This sign applied for a variance during construction in 2006. The Board of Adjustment denied the application for variance. The applicant appealed the Board of Adjustment's decision to the City Council which granted the variance. The existing variance does not confer any special rights to the subject property nor should it influence this request.

The existing sign might achieve better visibility from the east by adjusting the existing landscaping. Visibility from the west does not appear to have any obstructions. The existing sign currently encroaches into the site visibility triangle; however, the City does not have the power to require the owner to move the sign. Existing non-conformities do not create or justify a hardship.

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

Staff Recommendation: Based on current regulations staff does not recommend approval 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 signage without the variance.
2. No hardship has been identified beyond a self-created, personal, or financial hardship.
3. This variance, if granted, would provide a development opportunity not available to other properties in the City with the same zoning designation.

Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Sign Exhibit

Aerial Map

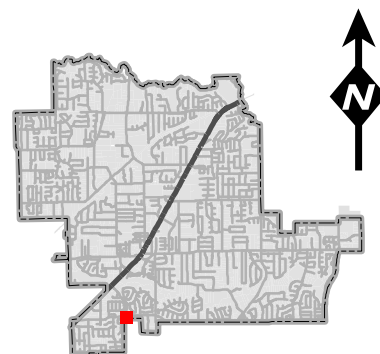


SC18-001

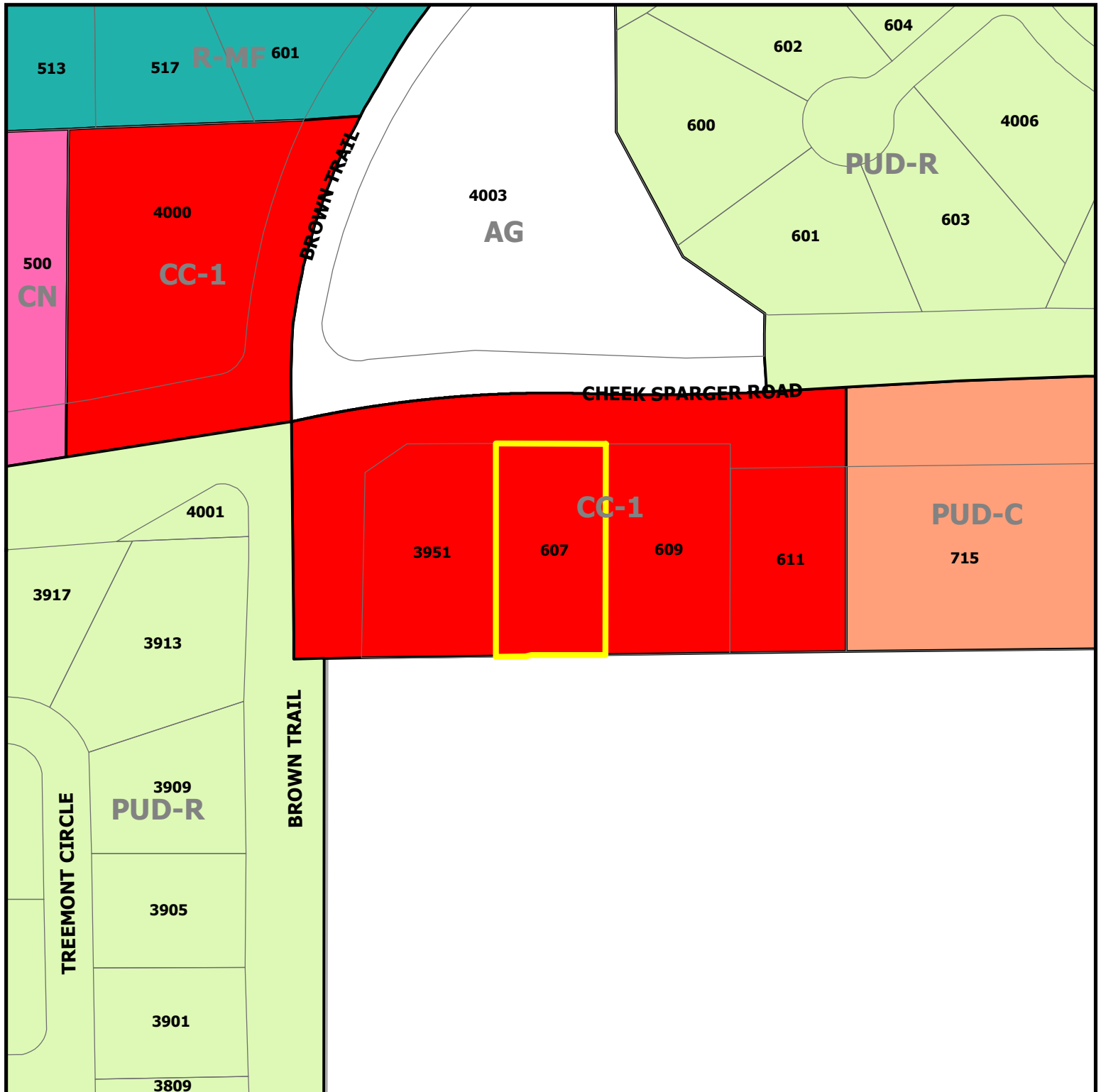
607 Cheek-Sparger Road

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



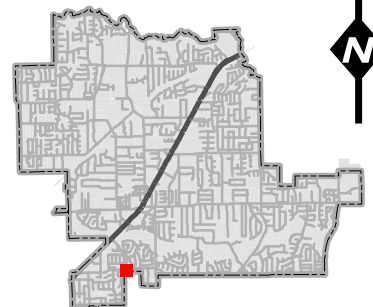
Zoning Map



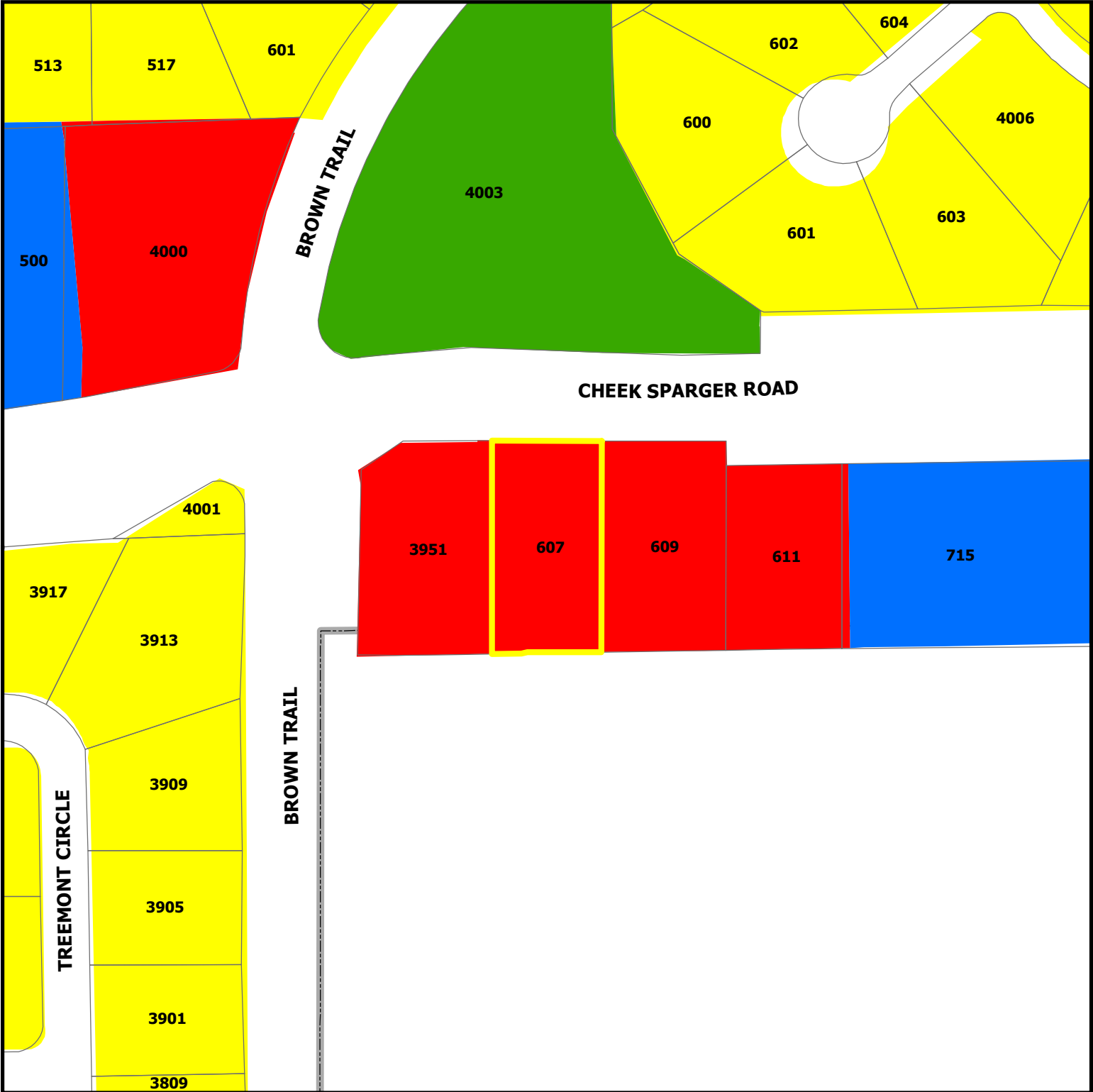
SC18-001
607 Cheek-Sparger Road

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 Subject Property



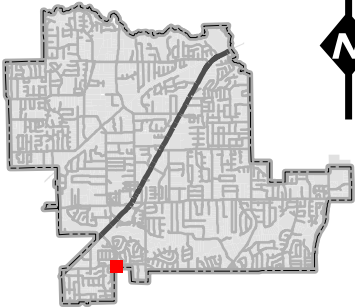
Future Land Use Map



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SC18-001 607 Cheek-Sparger Road

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



Statement of Planning Objectives



HERITAGE RETIREMENT ADVISORS, LLC
A REGISTERED INVESTMENT ADVISORY FIRM

1109 Cheek Sparger Rd Suite 150
Colleyville, TX 76034

MAIN 817 503 0100
FAX 817 622 8081
TOLL FREE 877 503 0122

info@heritage-retirement.com
HERITAGE-RETIREMENT.COM

Dear City of Colleyville representatives,

I would like to submit a hardship request to allow for the movement of the monument in front of 607 Cheek Sparger Road in Colleyville.

The sign in this monument cannot be clearly seen from the west, due to the shrubs that are planted in front of the monument. The shrubs block the view of the lower half of the sign of anyone on the east side of the monument. Parked cars on the front row of the parking lot can also partially block the view of this monument.

Also, the monument is currently in the visibility triangle, as I understand it per current city of Colleyville code.

This building stayed vacant for more than 10 months previous to my purchase of this property on December 15th of 2017. My contention is that the poor visibility of the monument contributed to the lack of interest in the building.

I am requesting for a new positioning similar to the O'Brien Business Center monument, located approximately 150 feet east of our building. This sign has been positioned so that parked cars and any shrubbery would not impede the view of the monument.

Thank you for your time,

Greg Hutto

Hutto Retirement Advisors

Owner of 607 Cheek Sparger Road, Colleyville, TX

RETIREMENT LIBERTY

Draftsman: JPH Land
Revision:
Revision:

CHEEK-SPARGER ROAD
FARABE WITH R.O.P.
(AS SHOWN ON CABINET A, SLIDE 1034, P.R.T.C.T.)

CITY OF COLLEYVILLE
RIGHT OF WAY DEDICATION
VOL. 1962, PG. 17
VOL. 1962, PG. 172
D.E.T.C.T.

CITY OF COLLEYVILLE
RIGHT OF WAY DEDICATION
VOL. 1962, PG. 170
VOL. 1962, PG. 169
D.E.T.C.T.

LEGEND OF SYMBOLS
Legend of symbols used in this survey. The identification is subject to interpretation; verification may be required.
NOTE: Some items may not appear in this survey. The identification is subject to interpretation; verification may be required.
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NOTE: Some items may not appear in this survey. The identification is subject to interpretation; verification may be required.

TITLE COMMITMENT NOTES:
This survey was performed with the benefit of a title commitment provided by Fidelity National Title Insurance Company, GF No. 1742098-BLDF, effective October 15, 2017, and issued October 26, 2017. Complete copies of the record description of the property, any record encumbrances affecting the property, the record easements or servitudes and covenants affecting the property ("Record Documents"), documents of record referred to in the Record Documents, and any other documents containing desired information affecting the property being surveyed and to which the survey shall make reference were not provided to this surveyor for notation on the survey except for those items listed within Schedule B of said commitment. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey. The following Schedule B items were addressed according to the Minimum Standard Detail Requirements for ALTA/NSPS Land Title Survey Section 6(c)(i).

SURVEYOR'S NOTES:
1. There are a total of 26 parking spaces of which 1 is marked handicapped.

RECORDED DESCRIPTION:
Lot 2, Block 1, Southwest Colleyville Office Park, an addition to the City of Colleyville of Tarrant County, Texas, according to the plat thereof recorded under Cabinet A, Slide 1034, Plat Records of Tarrant County, Texas.

To: Gregory L. Hutto
Capital One, N.A.
Woodvale Ltd.
Fidelity National Title Insurance Company
This is to certify that this map or plan and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 8, & 9 of Table A thereof. The field work was completed on November 21, 2017.

Jewel Chadd
Registered Professional
Land Surveyor No. 5734
jewel@jph.com
December 1, 2017

VICINITY MAP
NOT TO SCALE

ALTA/NSPS LAND TITLE SURVEY
0.434 OF AN ACRE
BEING ALL OF
LOT 2, BLOCK 1
SOUTHWEST COLLEYVILLE OFFICE PARK
CABINET A, SLIDE 1034
P.R.T.C.T.
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS
ADDRESS: 607 CHEEK-SPARGER ROAD (POSTED)

BROWN TRAIL
NADIANA WOODLAND
(AS SHOWN ON CABINET A, SLIDE 1034, P.R.T.C.T.)

PHJ Job Drawing No. (see below)
2017.200.007 Cheek-Sparger Rd., Colleyville - ALTA.dwg
© 2017 PHJ Land Surveying, Inc. - All Rights Reserved
407 Bluebonnet Drive, Suite C Keller, Texas 76248
Telephone (817) 431-4971 www.jphlandsurveying.com
TBPLS Firm #10019500 /10194073 /10193867
DWG/Austin | Alblino

This survey was performed with the benefit of a title commitment provided by Fidelity National Title Insurance Company, GF No. 1742098-RJDF, effective October 15, 2017, and issued October 26, 2017. Complete copies of the record description of the property, any record encumbrances benefiting the property, the record easements or servitudes and covenants affecting the property ("Record Documents"), documents and instruments recorded against the property, and all documents containing detailed appropriate information affecting the property being surveyed and to which the survey shall make reference were not provided to this surveyor for notation on the survey except for those items listed within **Schedule B of said commitment**. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey.

The following Schedule B items were addressed according to the Minimum Standard Detail Requirements for ALTA/NSPS Land Survey Section 6(c)(i).

SURVEYOR'S NOTES:

1. There are a total of 26 parking spaces of which 1 is marked handicapped.

RECORDED DESCRIPTION:

Lot 2, Block 1, Southwest Colleyville Office Park, an addition to the City of Colleyville of Tarrant County, Texas, according to the plat thereof recorded under Cabinet A, Slide 10334, Plat Records of Tarrant County, Texas.

To: Gregory L. Hutto

Capital One, N.A.

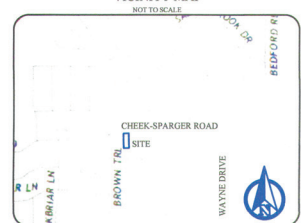
Woodvale Ltd.

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Jewel Chadd
Registered Professional
Land Surveyor No. 5754
jewel@jphls.com
December 1, 2017

VICINITY MAP



ALTA/NSPS LAND TITLE SURVEY
0.434 OF AN ACRE
BEING ALL OF
LOT 2, BLOCK I
SOUTHWEST COLLEYVILLE OFFICE PARK
CABINET A, SLIDE 10334
P.17 C.T.
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

ADDRESS: 607 CHEEK-SPARGER ROAD (POSTED)

Sign Exhibit



View from East

All Star Signs DFW	817-329-1945	Created For Heritage Tax Advisors, LLC Greg Hutto - 817-503-0100	Date : 3/15/2018	Drawn by : DF	Drawing number:
	5104 Chelsea, Colleyville, TX 76034				
THIS DESIGN REMAINS OUR EXCLUSIVE PROPERTY and CANNOT BE DUPLICATED WITHOUT WRITTEN CONSENT		Address 607 Cheek Sparger Rd., Ste. 150 Colleyville, TX 76034	Revised :	TESC 18798	Salesman : LB

Sign Exhibit



View from West

All Star Signs DFW	817-329-1945	Created For	Heritage Tax Advisors, LLC Greg Hutto - 817-503-0100	Date :	3/15/2018	Drawn by :	DF	Drawing number:
	5104 Chelsea, Colleyville, TX 76034							
THIS DESIGN REMAINS OUR EXCLUSIVE PROPERTY and CANNOT BE DUPLICATED WITHOUT WRITTEN CONSENT			Address	607 Cheek Sparger Rd., Ste. 150 Colleyville, TX 76034	Revised :	TESC 18798	Salesman :	LB