



City of Colleyville Zoning Board of Adjustment Agenda

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

Tuesday, July 14, 2020

City Council Chambers

WORKSESSION 6:30 P.M. EXECUTIVE CONFERENCE ROOM THIRD FLOOR

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

Legal briefing by City Attorney regarding planning, zoning, platting, and land use

REGULAR MEETING 7:00 P.M. CITY COUNCIL CHAMBERS

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. APPROVAL OF MINUTES

October 8, 2019 Zoning Board of Adjustment

2. PUBLIC HEARING AGENDA ITEMS

- 2a** Request for an Appeal concerning interpretation or administration of a regulation of the Land Development Code, specifically appealing to allow infant swim lessons as a home occupation on Lot 2R, Block 2, of the Woodbriar Estates Addition, located at 417 Woodbriar Court, Case VC20-002

3. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards July 10, 2020 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 Agenda Briefing

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

Agenda Number**Agenda Date** 7/14/2020**Type** Approval of Minutes**Department** Community Development

Title

October 8, 2019 Zoning Board of Adjustment

Attachments

1. 10.08.2019 - ZBA Minutes



City of Colleyville Zoning Board of Adjustment Minutes

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

Tuesday, October 8, 2019

City Council Chambers

CALL TO ORDER

The Zoning Board of Adjustment meeting of the City of Colleyville was called to order by Board member Carroll on October 8, 2019 at 7:00 p.m.

Roll Call

Present: Board members Sayeda Syed, Dee Kamerman, Frank Carroll, Richard Vallario, Dan Shadle, and Michael Deakin

Staff Present: Jacquelyn Reyff and Araceli Botello

1. APPROVAL OF MINUTES

1a April 10, 2018

Board member Vallario made a motion to approve the April 10 2018 minutes. Board member Kamerman seconded.

The motion was carried by the following vote:

Aye: 5 – Syed, Vallario, Kamerman, Shadle, and Carroll

Nay: 0

1b August 15, 2018

Board member Shadle made a motion to approve the August 15, 2018 minutes. Board member Kamerman seconded.

The motion was carried by the following vote:

Aye: 5 – Syed, Vallario, Kamerman, Shadle, and Carroll

Nay: 0

1c October 9, 2018

Board member Kamerman made a motion to approve the

October 9, 2018 minutes. Board member Vallario seconded.

The motion was carried by the following vote:

Aye: 5 – Syed, Vallario, Kamerman, Shadle, and Carroll

Nay: 0

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 maximum lot coverage requirements, on Lot 10, Block B, of the Leyton Grove Addition, located at 2411 Hawthorne Avenue, Case VC19-003

Jacquelyn Reyff presented the case and briefed the Board.

The applicant, Tom Pritchett, 1218 Camino Lago, Irving, TX, came forward and briefed the Board. Mr. Pritchett addressed questions of the Board regarding the type of pool, existing structures, setbacks, maximum lot coverage for accessory structures, proposed square foot of the accessory structure, hardship of the request, meeting the current requirements for accessory structure.

The public hearing was opened at 7:18 p.m.

Patricia Morgan, 2308 Hawthorne Avenue, came forward before the board and spoke in opposition to the case. Mrs. Morgan addressed concerns regarding the applicant meeting code and regulations, exceeding impervious lot coverage, building without permits or approval from the City.

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

The applicant, Tom Pritchett, 1218 Camino Lago, Irving, TX, came forward at the request of the Chair. Chair Carroll explained to the Applicant regarding the Board's power and limitations on granting variances. The Chair further explained to the applicant that a variance is granted based on hardship, therefore the Board has not heard from the Applicant what is the hardship for his request and would like to hear further explanation from the applicant in order to consider his request. The Applicant explained to the Board that his hardship is based on the property being a corner and having two front yards making it compact, the setbacks are wider on those (front yard)

sides, the requirement of the 30 percent maximum lot coverage regulation is restrictive for the use of the property, impacts the aesthetics of the property and the request is only for 2 percent increase.

**Board member Vallario a motion to deny Case VC19-003.
Board member Syed seconded.**

The motion was carried by the following vote:

Aye: 5 – Syed, Vallario, Kamerman, Shadle, and Carroll

Nay: 0

3. ADJOURNMENT

The meeting adjourned at 7:28 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, 76034
colleyville.com

Agenda Number 2a	Agenda Date 7/14/2020	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for an Appeal concerning interpretation or administration of a regulation of the Land Development Code, specifically appealing to allow infant swim lessons as a home occupation on Lot 2R, Block 2, of the Woodbriar Estates Addition, located at 417 Woodbriar Court, Case VC20-002

Explanation

Paul F. Wieneski, on behalf of Jennifer DeLaCruz, the applicant, has submitted a request for an Appeal concerning interpretation or administration of a regulation of the Land Development Code, specifically appealing to allow infant swim lessons as a home occupation use on Lot 2R, Block 2, of the Woodbriar Estates Addition, located at 417 Woodbriar Court, Case VC20-002.

Existing Conditions/Background: The subject property, 417 Woodbriar Ct, resides on the south side of Woodbriar Court and west of the intersection with Oakbriar Lane. The subject property has R-20 zoning and is currently developed with a single family home, an accessory building, and a pool. The R-20 Single-Family residential zoning allows for home occupation uses with conditions as described per Chapter 3 of the Colleyville Land Development Code.

History: On May 11 2020, the applicant received a code violation notice from the City's Code Enforcement Officer for violation of the home occupation use of the Land Development Code.

May 12, 2020, the applicant contacted Community Development Staff about the violation notice.

May 13, 2020, Community Development Staff responded to the applicant and provided a copy of the Home Occupation Use code section from the Land Development Code to the applicant for her review.

May 27, 2020, Community Development Staff confirmed that the use of infant swim lessons at 417 Woodbriar was in violation and informed the applicant of this determination.

June 9, 2020, The City received an appeal of the City's interpretation or administration of a regulation to allow infant swim lessons as a home occupation use.

Requested Appeal: The applicant is requesting an appeal concerning interpretation or administration of a regulation to allow infant swim lessons as a home occupation use.

The relevant Chapters and Sections from the Land Development Code are included below.

Ordinance- Chapter 2- Definitions-

Home Occupation. Any use customarily conducted entirely within a dwelling, provided that such use is carried on solely by residents of the dwelling, is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character of the dwelling, and shows no external evidence of such use. Section 3.24.B which generally states: No person other than members of the family residing on the premises shall be engaged in such occupation.

Ordinance-Chapter 3- Land Use, Section 3.12 R-20 – Single Family Residential District E. Permitted Accessory Uses

E. Permitted Accessory Uses – Subject to the provisions of Section 3.28 - Supplementary District Regulations, accessory buildings, structures, and uses customarily incidental to the “permitted principal uses” are allowed, including but not limited to the following: 1. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses. 2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. Such pool(s) may be located in a required side or rear yard, but not forward of the primary dwelling on the lot, and shall not be located closer than five (5') feet to any side or rear property line.

A person commits an offense if that person maintains a public nuisance as determined under this section. Each and every day such nuisance continues shall constitute a separate and distinct offense.

Ordinance – Chapter 3- Land Use, Section 3.24. Schedule of Permitted Principal Uses and Schedule of Permitted Uses C. Special Land Use Standards

Table 3.24.B- - Schedule of Permitted Principal Uses																	
Land Use Classification	Residential District									Non-Residential Districts					Special Land Use Standards or Section Ref.	Parking Group	
	A G	R E	R 4 0	R3 0	R 2 0	R 1 5	R D	R M F	M H	C P O O	C N	C C 1	C C 2	C C 3			M L
A. RESIDENTIAL ACCOMODATION USES																	
Single Family Detached Dwelling	P	P	P	P	P	P	P	P	P							6	3
B. ACCESSORY USES																	
Home Occupations Uses	P	P	P	P	P	P	P	P	P							6	n.a.

6. Home Occupation Uses:

- a. No person other than members of the family residing on the premises shall be engaged in such occupation;
- b. The use of the dwelling unit or accessory building for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
- c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one (1) square foot in area, non-illuminated, and mounted flat against the wall of the principal building.
- d. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street on a driveway or other hard surface all weather area;

- e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses of any adjacent or nearby site occupant. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- f. Home occupation uses and activities shall be limited to the following: seamstress; accounting; bookkeeping and tax services; notary public; insurance and real estate; small-scale production of cosmetics and household sundries; private educational, music and dance tutoring; arts, crafts and home hobby shops; garage, yard and patio sales of short temporary duration; mail order brokerage; and other similar activities --- but excluding medical and law offices, auto repair, beauty shops, pet grooming services, kennels and other such activities.
- g. If a home occupation is deemed to become a nuisance as described in 'e' above, the Administrative Official may halt the use of the home occupation.

Surrounding Development: The properties to the north, east and west are zoned R-20 Single Family Residential district. The property to the south is zoned R-15 Single Family Residential district. All adjacent properties are developed with single family homes.

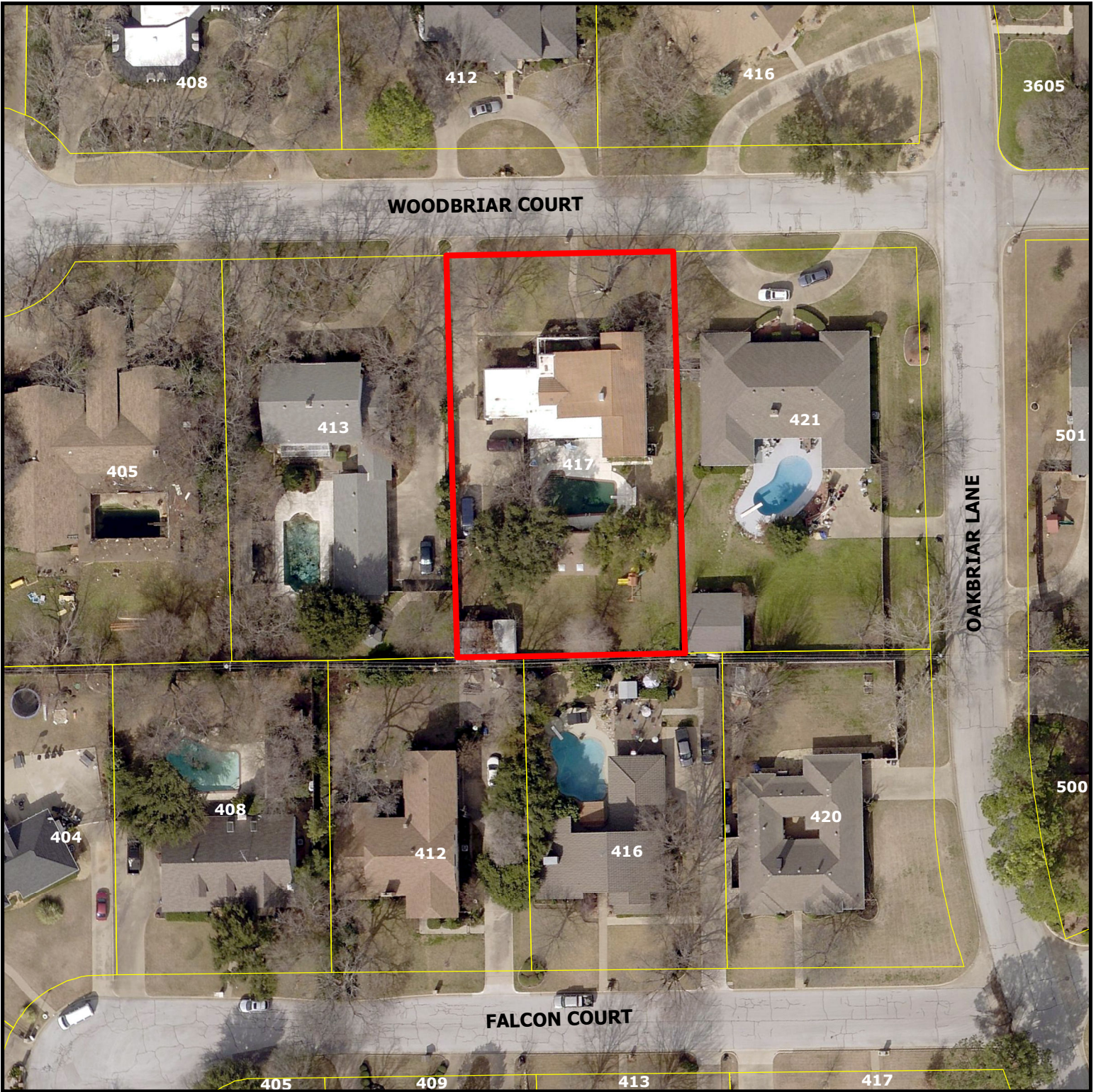
Recommendation

None

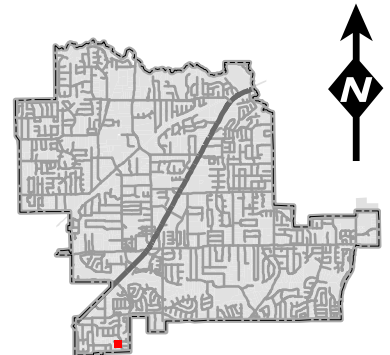
Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Code Violation Notice to Property Owner
5. Property Owner's Response to Code Violation Notice
6. Community Development Response to Code Violation Notice
7. Determination from City Manager
8. Property Owner's Appeal Letter
9. Statement of Planning Objectives
10. Notification Map
11. Notification List
12. Property Owner Notification
13. Letters of Support
14. Letter of Opposition


Aerial Map



ZC20-002
417 Woodbriar Court



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

Code Violation Notice to Property Owner



Monday, May 11, 2020

DELACRUZ, RANDOLPH
417 WOODBRIAR ST
COLLEYVILLE, TX 76034

Case Number: CE2005-0003
Property Description: 417 WOODBRIAR CT

OFFICIAL NOTICE OF CODE VIOLATION

You are hereby given official notice of violation of the home occupation use of the Land Development Code.

Swimming lesions are not a permitted business on residential properties. Your sign is also not permitted please remove it.

Chapter 2 of the Land Development Code generally states: Home Occupation. Any use customarily conducted entirely within a dwelling, provided that such use is carried on solely by residents of the dwelling, is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character of the dwelling, and shows no external evidence of such use.

Section 3.24.B which generally states: No person other than members of the family residing on the premises shall be engaged in such occupation.

Section 3.12

E. Permitted Accessory Uses – Subject to the provisions of Section 3.28 - Supplementary District Regulations, accessory buildings, structures, and uses customarily incidental to the “permitted principal uses” are allowed, including but not limited to the following: 1. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses. 2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided **that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business.** Such pool(s) may be located in a required side or rear yard, but not forward of the primary dwelling on the lot, and shall not be located closer than five (5’) feet to any side or rear property line.

A person commits an offense if that person maintains a public nuisance as determined under this section. Each and every day such nuisance continues shall constitute a separate and distinct offense.

Please be advised that failure to abate this violation within ten (10) days after the date this notice is received may result in citations for each separate offense.

Sec. 1-6. General penalty for violations of Code; Abatement of Nuisances generally states:

(a) Whenever in this Code or in any ordinance or police regulation of the city, an act is prohibited or is made or declared to be unlawful, an offense or a misdemeanor, or wherever in such Code or any ordinance to do any act is declared to be unlawful, the violation of any such provision of this Code or any such ordinance or police regulation shall be punished by a fine not to exceed \$2,000.00 for violations of provisions that govern fire safety, zoning or public health and sanitation, including dumping of refuse, and violations of all other provisions shall be punished by a fine not to exceed \$500.00. Each day that any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

The City of Colleyville will appreciate your prompt attention to this matter.

Thank you for your cooperation,

Kim Roby
Code Enforcement Officer
City of Colleyville
(817) 503-1036

Property Owner's Response to Code Violation Notice

From: [Jennifer DeLaCruz](#)
To: [Jackie Reyff](#)
Subject: Colleyville Infant Aquatics code violation
Date: Wednesday, May 13, 2020 8:40:36 AM

Attachment available until Jun 11, 2020

Hi Jacquelyn,

My name is Jennifer DeLaCruz. My friend Rob McKeown talked to you today after I reached out to him for help and he suggested I email you in regard to the code violation letter I received yesterday. He said you would be able to email me some information that may help. I teach survival swim lessons to children ages 6 months to 6 years (and some older, even the occasional adult). I have been teaching these lessons for 13 years (11 years in my home in Bedford). When I looked up home businesses in Colleyville I saw that you could teach private educational lessons but I didn't see the part where it could not involve your pool. If we had known that we would not have purchased this house. It was not my intention to violate code. But we love it here and would like to stay.

If there is any way we can discuss options for me to continue teaching I would greatly appreciate it. This is a business and of course it contributes to our family. But I am passionate about saving lives. My own daughter fell into my mothers pool when she was 20 months old. She was one of the lucky ones as she is now 16. That's how I got involved in teaching. Drowning is the number 1 cause of death in children under the age of 4. I have taught many children over the years, many of my families being from Colleyville. I can provide any references to my character and business that you would like. I believe this is a contribution to the health and safety of Colleyville and surrounding cities. I really would like to continue this with the city's blessing. Rob told me that the issue was a complaint with cars on the street. We are open to whatever we can do to solve this problem including adding a circle drive in our front if this meets with the standards/codes of the city. Any other suggestions you have to making this work would be greatly appreciated.

As I only got the letter from the mail yesterday morning and the deadline to respond was 10 days (the 15th) I have notified my current clients that unless we can resolve this I will have to teach from either a client's home or my mothers pool in North Ft Worth beginning Monday. I cannot do that long term so I will have to retire if this is not resolvable. I truly hope that is not the case as I have June completely booked and half of July that I would have to cancel. And I truly love what I do. I look forward to your response.

I've also attached a video of my second youngest over the years so you can see what I do. (sending through mail drop so hopefully it works) Thank you so much for your time.

[Click to Download](#)

Elizabeth.MOV
140.4 MB

Property Owner's Response to Code Violation Notice




Jennifer DeLaCruz

www.infantaquatics.com

469-878-3979

Community Development's Response to Code Violation Letter

From: Jackie Reyff
To: "Jennifer DeLaCruz"
Cc: Robert McKeown; Ben Brainer; Ky Roby
Subject: RE: Colleyville Infant Aquatics code violation
Date: Wednesday, May 13, 2020 8:49:00 AM
Attachments: 

Morning Jennifer,

We've been in contact with both Rob and Ky and Ky should be giving you a call sometime today. From our perspective, the issue has been parking and as long as the parking is off the street and in your driveway that should put you back into compliance with the City's Land Development Code. Here is the specific language for Home Occupation Uses:

6. Home Occupation Uses:

- a. No person other than members of the family residing on the premises shall be engaged in such occupation;
- b. The use of the dwelling unit or accessory building for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
- c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one (1) square foot in area, non-illuminated, and mounted flat against the wall of the principal building.
- d. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street on a driveway or other hard surface all weather area;
- e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses of any adjacent or nearby site occupant. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- f. Home occupation uses and activities shall be limited to the following: seamstress; accounting; bookkeeping and tax services; notary public; insurance and real estate; small-scale production of cosmetics and household sundries; private educational, music and dance tutoring; arts, crafts and home hobby shops; garage, yard and patio sales of short temporary duration; mail order brokerage; and other similar activities --- but excluding medical and law offices, auto repair, beauty shops, pet grooming services, kennels and other such activities.
- g. If a home occupation is deemed to become a nuisance as described in 'e' above, the Administrative Official may halt the use of the home occupation.

If you have any further questions, I may be reached by phone or email.

Best Regards,

Jackie
Jacquelyn Reyff, AICP
Principal Planner



817.503.1056

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ATTENTION ALL PUBLIC OFFICIALS: A "Reply to All" of this e-mail could lead to violations of the Texas Open Meeting Act. Please reply only to the sender.

From: Jennifer DeLaCruz
Sent: Tuesday, May 12, 2020 9:07 PM
To: Jackie Reyff
Subject: Colleyville Infant Aquatics code violation

Hi Jacquelyn,

Attachment available until Jun 11, 2020

My name is Jennifer DeLaCruz. My friend Rob McKeown talked to you today after I reached out to him for help and he suggested I email you in regard to the code violation letter I received yesterday. He said you would be able to email me some information that may help. I teach survival swim lessons to children ages 6 months to 6 years (and some older, even the occasional adult). I have been teaching these lessons for 13 years (11 years in my home in Bedford). When I looked up home businesses in Colleyville I saw that you could teach private educational lessons but I didn't see the part where it could not involve your pool. If we had known that we would not have purchased this house. It was not my intention to violate code. But we love it here and would like to stay.

If there is any way we can discuss options for me to continue teaching I would greatly appreciate it. This is a business and of course it contributes to our family. But I am passionate about saving lives. My own daughter fell into my mothers pool when she was 20 months old. She was one of the lucky ones as she is now 16. That's how I got involved in teaching. Drowning is the number 1 cause of death in children under the age of 4. I have taught many children over the years, many of my families being from Colleyville. I can provide any references to my character and business that you would like. I believe this is a contribution to the health and safety of Colleyville and surrounding cities. I really would like to continue this with the city's blessing. Rob told me that the issue was a complaint with cars on the street. We are open to whatever we can do to solve this problem including adding a circle drive in our front if this meets with the standards/codes of the city. Any other suggestions you have to making this work would be greatly appreciated.

As I only got the letter from the mail yesterday morning and the deadline to respond was 10 days (the 15th) I have notified my current clients that unless we can resolve this I will have to teach from either a client's home or my mothers pool in North Ft Worth beginning Monday. I cannot do that long term so I will have to retire if this is not resolvable. I truly hope that is not the case as I have June completely booked and half of July that I would have to cancel. And I truly love what I do. I look forward to your response.

Community Development's Response to Code Violation Letter

I've also attached a video of my second youngest over the years so you can see what I do. (sending through mail drop so hopefully it works) Thank you so much for your time.

[Click to Download](#)

Elizabeth.MOV
140.4 MB

Jennifer DeLaCruz
www.infantaquatics.com
469-878-3979

Determination from City Manager

From: Jerry Ducay <JDucay@colleyville.com>

Sent: Wednesday, May 27, 2020 4:02 PM

To: Ky Roby <kroby@colleyville.com>

Cc: Dara Nelson <dnelson@colleyville.com>; Mark Wood <MWood@colleyville.com>; Ben Bryner <BBryner@colleyville.com>

Subject: RE: RE~SEND to Newton on 26 May 2020~RE 417 Woodbriar Ct [2nd reply to Bryner]

Ky:

As you outlined in the notice, this “business” use is a violation of the home occupancy regulations. I have shared that opinion with Ben.

Jerry Ducay
City Manager
City of Colleyville
100 Main Street
Colleyville, Texas 76034
817-503-1116 (office)
817-312-2030 (cell)



817.503.1200

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ATTENTION ALL PUBLIC OFFICIALS: A “Reply to All” of this e-mail could lead to violations of the Texas Open Meeting Act. Please reply only to the sender.

Property Owner's Appeal Letter

PAUL F. WIENESKIE
Attorney at Law
Bailey & Galien
1300 Summit Ave., Ste 650
Fort Worth, TX 76102
Ph. 817-276-6000

board certified, civil appellate law
texas board of legal specialization

June 6, 2020

Ben Bryner, AICP
Community Development Director
City of Colleyville, TX
via email

Re: 417 Woodbriar Ct.; Randy and Jennifer DeLaCruz

Dear Mr. Bryner:

I have been retained by Randy and Jennifer DeLaCruz in connection with the Notice you emailed to Jennifer on May 27, 2020, alleging that her use of her private residential pool to teach survival swimming lessons is violating the traffic and noise regulations for home occupations.

The purpose of this correspondence is to formally appeal that determination and to request a hearing of the appeal by the Colleyville Zoning Board of Adjustment.

Transmitted herewith is an appeal letter from Jennifer DeLaCruz with more detail on her and her aquatic survival training for small children. You can see from that letter that any traffic issues have been and are being addressed.

Please notify me of the date, time and format for the ZBA hearing (in-person, virtual, etc.). Please also feel free to contact me with any questions.

Sincerely,

/s/ Paul F. Wieneskie
Paul F. Wieneskie

cc: Jennifer DeLaCruz

Jerry Ducay, City Manager

Statement of Planning Objectives

June 4, 2020

ATTN:City Council

ATTN:City Manager

Please consider this letter my formal appeal of the determination made by Ben Bryner sent by email on May 27th 2020 concerning Colleyville Infant Aquatics. I am including all information I think is relevant to this appeal.

History

I am a trained aquatic survival specialist and have been training infants and children for the last 13 years how to survive aquatic accidents. I went through the training after my own daughter fell in my mother's pool when she was 20 months old. There were 8 adults around the pool and NOT ONE OF US saw her enter the pool. Fortunately she was seen under water and rescued in time by my sister. But the image of her little body submerged and struggling with only the crown of her head above water will NEVER be erased from my memory. The realization of how quickly this happens prompted me to seek something beyond typical swim lessons. I found survival lessons in Dallas and drove 45 minutes each way 4 days a week for her to learn to survive. This instructor also taught from her backyard pool. I was so impressed with what my daughter learned I went through the training to be an instructor myself so I could bring this incredible training to my area.

We moved to Colleyville in August of 2017. It was not ever my desire to intentionally violate any city code. I was completely unaware such code existed. As I taught for 11 years from my backyard pool in Bedford with no problems it did not even occur to me that it would be an issue here. We found a house that we loved and as MANY clients over the years have been from Colleyville we felt this was the perfect location for our family and to continue teaching these lifesaving skills during the summer months.

Our first full summer living here (2018) our neighbor, Barbara Reynolds (413 Woodbriar Ct), expressed her displeasure to one of my clients about parking in front of her house. After my client shared her experience I went to my neighbor the next morning to talk to her. She then expressed her displeasure with me and even said that her husband was a lawyer and she would hate if someone called the city on me. (This comment made me wonder if I was doing

Statement of Planning Objectives

something wrong. So after our conversation I searched city ordinances and could only find information about providing educational lessons from home and I figured water survival instruction qualified. I never saw anything about additional traffic or not being able to use residential pools for business). We continued talking and by the end of the conversation it seemed to be resolved and we worked to have everyone park in the driveway. I followed up with her the rest of the summer and the summer of 2019 to see if she had any other concerns with parking. She told me no, that everything was fine.

May 11, 2020, after only one week of lessons we received notice of a code violation in the mail. I was shocked. After inquiring, we learned that it was a **parking complaint** from our neighbor and I was told through email by Jackie Reyff (5/18/20) and by phone with Ky Roby that it was a parking issue and that if we solved that problem it would put us back into compliance. I asked about the pool not being allowed to “be operated as a business” and they said that was meant to mean it shouldn’t be rented out to others for use. The email included the “Home Occupation Uses” and that section did not include the prohibition of the pool as a business. I also asked on the phone about the traffic (*d* under home occupation) and he said as long as they were in the driveway it shouldn’t be a problem.

May 17, 2020. I delivered a letter to all neighbors on my street and the two behind us explaining my business, the complaint to the city, and apologizing for any inconvenience up to this point. (letter available upon request) I then outlined what we were doing to mitigate the issue of parking (marked spaces in my back driveway, notified new clients MULTIPLE times with parking instructions, and plans to get estimates for a circle drive. To date we have had two estimates and a third is scheduled for this weekend). I received several positive responses back from these neighbors offering their driveway if needed and expressing their support.

May 22, 2020, received an email from Ben Bryner saying he was revisiting my home occupation use as there were some “gray areas” that needed to be clarified with the City Managers Office. Again, made calls to inquire. My husband was told that code enforcement was a reactionary entity and that as long as there was a complaint, code must be enforced. The email said, “The use is violating the **traffic and noise regulations** for home occupations per the complaint received by our Code Enforcement Officer. This means that the use is not in compliance and therefore must be ceased **until the complaint is removed/resolved.**” Mr. Bryner repeated this to my husband on the phone on 5/28/20. My husband was told that if the complaint went away, the violation went away. My husband asked about the gray areas mentioned in the email and was told that it really was a black and white issue, written in the

Statement of Planning Objectives

code, that pools were not to be used as a business. So it seems although the email said the use must cease due to a noise and traffic violation the use of the pool seems to be the bigger issue, not the traffic.

Please understand that I really do appreciate the help given by the different city officials we have spoken to. Everyone has been very helpful, kind, and supportive on the phone. But I do feel that the process thus far has been very unclear and difficult to navigate from the perspective of citizens truly trying to do the right thing.

Colleyville Infant Aquatics Information

Who: Jennifer DeLaCruz (only instructor)

What: Drowning prevention program providing the Infant Aquatics Swim-Float-Swim & Self-Rescue training for children 6 months and older. I am part of a worldwide network of instructors trained in the Infant Aquatic Survival method. www.infantaquatics.com

When: Seasonal— May to August (on occasion extending into September)

Where: Until recently, my backyard pool 417 Woodbriar Ct, Colleyville

Why: Colleyville (and surrounding cities in Tarrant County) are family oriented cities with many residential swimming pools.

- Drowning is the leading cause of accidental death in children ages 1-4.
- Drowning is silent.
- Texas had the deadliest rate of child pool and spa drownings in 2019 for children ages 15 and under, with 34 media-reported fatal child drownings in pools and spas in Texas compared to 23 in Florida, 19 in California, 14 in Ohio and 13 in Arizona. (<https://www.kvue.com/article/life/texas-deadliest-child-drowning-rate-2019/269-37628bcc-13b9-4d2b-8cb2-7fea291f98d6>)
- According to Fort Worth Drowning Prevention Coalition (<https://fwdpc.org>):
 - **Texas is #1** for pool drowning deaths

Statement of Planning Objectives

- **Tarrant County is top 3** in Texas for total and per capita pediatric drowning deaths
- Swim lessons are proven to reduce the risk of drowning by up to 88%, INCLUDING for children ages 1-4. (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4151293/>)
- In an updated policy on drowning, the American Academy of Pediatrics states: "High-quality swim lessons provide more experiential training, including swimming in clothes, falling in, and practicing self-rescue." (<https://pediatrics.aappublications.org/content/143/5/e20190850>) (This is what I do)

Details on Survival Swim Method

These are NOT typical swim lessons. They are far more effective. In order to achieve this effectiveness they are not run in the same manner as typical swim lessons.

This method takes weeks, not years. Lessons are one on one. I have ONE child in the water with me at a time. They are ten minutes in duration, 4 times a week, Monday through Thursday. I do occasionally offer a make up lesson on a Friday or Saturday if a lesson is cancelled due to weather or illness. Survival skills are typically learned within 4-6 weeks. Children come back as "refreshers" to brush up their skills the following summer if they have been out of the water all winter.

I teach 4.5 hours a day, three hours in the morning and 1.5 hours in the afternoon/evening. Other instructors teach almost twice these hours, **many from their own pool**.

These lessons are in high demand so in order to reach as many children as possible I schedule 5-6 children an hour. This does not mean there are always 5-6 cars in and out every hour as often times 2 or 3 siblings are signed up in back to back lessons. I typically have no more than 3 parent/child/family groups on my property at a time.

Final Notes

I have made every attempt to do what was asked as these issues have arisen. We have asked for an extension and have been denied. This determination affects not only my family. Just yesterday we were made aware that the timeline to appeal will likely last the entire summer,

Statement of Planning Objectives

with the first meeting not even happening until July 16th. I have more than half of my summer already booked and deposits paid. And I am receiving daily requests for more children to get on my schedule. For example, two inquiries on 6/3/20 and seven inquiries on 6/4/20. Due to this determination and the new timeline I was given yesterday I have to decline and tell them I cannot help their child learn to survive this summer. **This is devastating to me especially in a time as we are currently in with the Covid situation and many families spending much more time at home this summer.** I have been considering other pool options but I cannot guarantee that a pool will be available to me the entire summer. Even if it were, and as much as I want to help these children, bouncing around from pool to pool is not an option for my family. I was willing to do this temporarily when we were told I would likely be able to appear before the council in 2 weeks. I have many teaching tools that help me in survival training which will be very difficult to tote to different locations. Not to mention the extra time away from my family. I have 6 children with the youngest having special needs. This breaks my heart that I am unable to provide this necessary service to the families that need them. I implore you, if there is any other way to speed up this timeline or provide an extension so I can continue to provide these lifesaving skills to the children in our community and surrounding areas, please let me know.

Thank you,

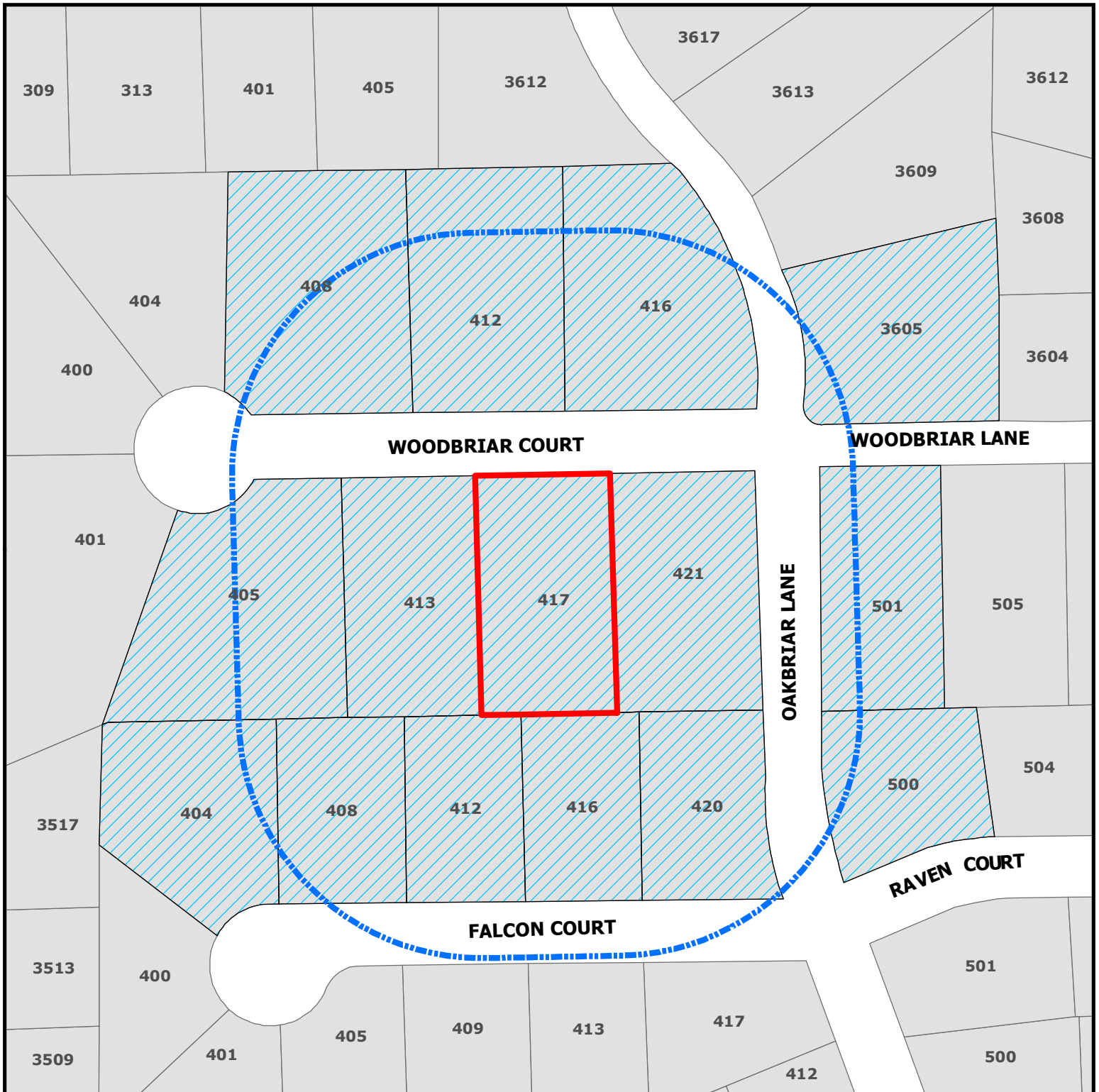
Jennifer DeLaCruz

www.infantaquatics.com

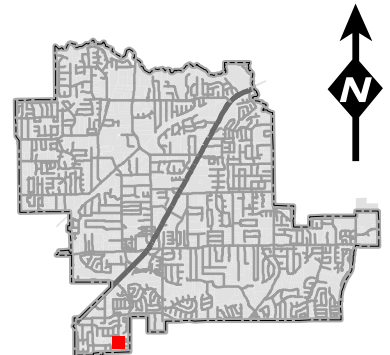
facebook.com/colleyvilleinfantaquatics

469-878-3979




Notification Map



VC20-002 417 Woodbriar Court



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
-  200ft Buffer
-  Properties within 200ft

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6500 COLLEYVILLE BLVD
3 J GREEN LIMITED PARTNERSHIP	6620 COLLEYVILLE BLVD STE 100	COLLEYVILLE, TX	76034	6508 COLLEYVILLE BLVD
7 MOON INVESTMENT INC	7009 COLE CT	COLLEYVILLE, TX	76034	6312 COLLEYVILLE BLVD
ADDITIONAL SELF STORAGE LP	2964 LBJ FRWY STE 400	DALLAS, TX	75234	1801 INDUSTRIAL BLVD
AMERICA'S STORAGE	4311 OAK LAWN AVE STE 360	DALLAS, TX	75219	6509 COLLEYVILLE BLVD
BITTICK, EDWARD D	6405 KINGSTON	COLLEYVILLE, TX	76034	6405 KINGSTON DR
BOULEVARD ANIMAL HOSPITAL PC	6413 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	6413 COLLEYVILLE BLVD
BOWDEN, GERALD W	850 AVENIDA SERENA	MARBLE FALLS, TX	78654	6516 COLLEYVILLE BLVD
BOYLES, MARTIN	6505 PONDEROSA LN	COLLEYVILLE, TX	76034	6505 PONDEROSA LN
BRASHEAR, H C	5616 BELFAST LN	NORTH RICHLAND HILLS, TX	76180	6400 KINGSTON DR
CANNADAY, JOHN W EST	6413 KINGSTON	COLLEYVILLE, TX	76034	6413 KINGSTON DR
CAVINS, ANDREW	6513 PONDEROSA LN	COLLEYVILLE, TX	76034	6513 PONDEROSA LN
CROCKER, RHONDA	6500 KINGSTON	COLLEYVILLE, TX	76034	6500 KINGSTON DR
DACY, TIMOTHY LANCE	5705 MORLAIX CT	COLLEYVILLE, TX	76034	6516 KINGSTON DR
DIMITROV, LACHEZAR P	6509 KINGSTON	COLLEYVILLE, TX	76034	6509 KINGSTON DR
DOUGLAS, SCOTT E	6308 KINGSTON	COLLEYVILLE, TX	76034	6308 KINGSTON DR
FENNEMA, SEAN	6513 KINGSTON DR	COLLEYVILLE, TX	76034	6513 KINGSTON DR
FISH, ROBERT	6401 KINGSTON	COLLEYVILLE, TX	76034	6401 KINGSTON DR
FLIPPIN, LINDA M	6405 PONDEROSA LN	COLLEYVILLE, TX	76034	6405 PONDEROSA LN
FRANKLIN, THOMAS C	6413 PONDEROSA LN	COLLEYVILLE, TX	76034	6413 PONDEROSA LN
GABLE, STEPHAN D	6412 KINGSTON	COLLEYVILLE, TX	76034	6412 KINGSTON DR
GARRETT, KENNETH	6517 KINGSTON	COLLEYVILLE, TX	76034	6517 KINGSTON DR
GLASS, THOMAS	6304 KINGSTON	COLLEYVILLE, TX	76034	6304 KINGSTON DR
HANZELKA, JOSEPH R	6508 KINGSTON	COLLEYVILLE, TX	76034	6508 KINGSTON DR
HILDRETH, BRADLEY E	6409 KINGSTON	COLLEYVILLE, TX	76034	6409 KINGSTON DR
INGRAM, BEVERLY	212 STRATFORD CT	HURST, TX	76054	6409 COLLEYVILLE BLVD
JOHNSON, WHITNEY	6401 PONDEROSA LN	COLLEYVILLE, TX	76034	6401 PONDEROSA LN
LACZNY, WILLIAM G	6408 KINGSTON	COLLEYVILLE, TX	76034	6408 KINGSTON DR
LORD, M'LINDA	6301 KINGSTON DR	COLLEYVILLE, TX	76034	6301 KINGSTON DR
MALONE, DERRICK L	6115 GARCIA LN	FORT WORTH, TX	76140	6301 COLLEYVILLE BLVD
MCCAIN, NORMA	PO BOX 92185	SOUTHLAKE, TX	76092	1516 MCCAIN LN
MOELLER, KARLA S	6501 PONDEROSA LN	COLLEYVILLE, TX	76034	6501 PONDEROSA LN
PHETTEPLACE, NATHAN	6404 KINGSTON	COLLEYVILLE, TX	76034	6404 KINGSTON DR
PULLEN, TIMOTHY B	6501 KINGSTON	COLLEYVILLE, TX	76034	6501 KINGSTON DR
REYNOLDS, DOUGLAS	6417 KINGSTON	COLLEYVILLE, TX	76034	6417 KINGSTON DR
RICHARDSON, BOBANNE	6409 PONDEROSA LN	COLLEYVILLE, TX	76034	6409 PONDEROSA LN
RICHFIELD PROPERTIES INC	2140 E SOUTHLAKE BLVD SUITE L-	SOUTHLAKE, TX	76092	6407 COLLEYVILLE BLVD
RYAN, GERALD CASEY	6509 PONDEROSA LN	COLLEYVILLE, TX	76034	6509 PONDEROSA LN
SANDERS, BAILEY	6305 KINGSTON	COLLEYVILLE, TX	76034	6305 KINGSTON DR
SHEARS, THOMAS T TR EST	PO BOX 33349	FORT WORTH, TX	76162	6504 KINGSTON DR
SIMS, REX A	6505 KINGSTON	COLLEYVILLE, TX	76034	6505 KINGSTON DR
SMITH, CHARLES L	6417 PONDEROSA LN	COLLEYVILLE, TX	76034	6417 PONDEROSA LN
SNEED, FRANK	6309 KINGSTON	COLLEYVILLE, TX	76034	6309 KINGSTON DR
THOMAS, MATHEW	6416 KINGSTON ST	COLLEYVILLE, TX	76034	6416 KINGSTON DR
TIERNEY, THOMAS A	1709 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1709 INDUSTRIAL BLVD
TIERNEY, TOM	1709 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	6400 COLLEYVILLE BLVD
TONDRE, ZACHARY	6512 KINGSTON DR	COLLEYVILLE, TX	76034	6512 KINGSTON DR
TRES ROSAS LTD	6516 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6526 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6420 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6424 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6412 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6408 COLLEYVILLE BLVD
YARD ART P&F LTD	1223 CRESTSIDE DR STE 100	COPPELL, TX	75019	6407 COLLEYVILLE BLVD
				6504 COLLEYVILLE BLVD
MONTERRA ADDITION	6811 MILTON DR	COLLEYVILLE, TX	76034	COURTESY NOTICE
VILLAS AT OAK POINTE, THE	2555 SW GRAPEVINE PARKWAY, SUITE 300	GRAPEVINE, TX	76051	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
BROWN, STEPHEN	5801 TENNYSON PARKWAY, SUITE 150	PLANO, TX	75024	APPLICANT

Public hearing notices were mailed on June 26, 2020



NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

The City of Colleyville has scheduled a public hearings concerning the below referenced request on the following dates and location:

**Zoning Board of Adjustment Meeting: Tuesday, July 14, 2020 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas**

Request: Request for an Appeal concerning interpretation or administration of a regulation for certain provisions of Section 3.24.C, Schedule of Permitted Uses, specifically for Home Occupations Uses. The purpose is to appeal the administrative decision that private infant swimming lessons is not an approved home occupation which would allow for the use of a private residential pool as a home occupation to teach swimming lessons to infants.

Zoning Case: VC20-002

Applicant: Paul Wieneskie

Owner: Randy and Jennifer DeLaCruz

Location: 417 Woodbriar Court

Property Description: Lot 2R, Block 2, of the Woodbriar Estates Addition

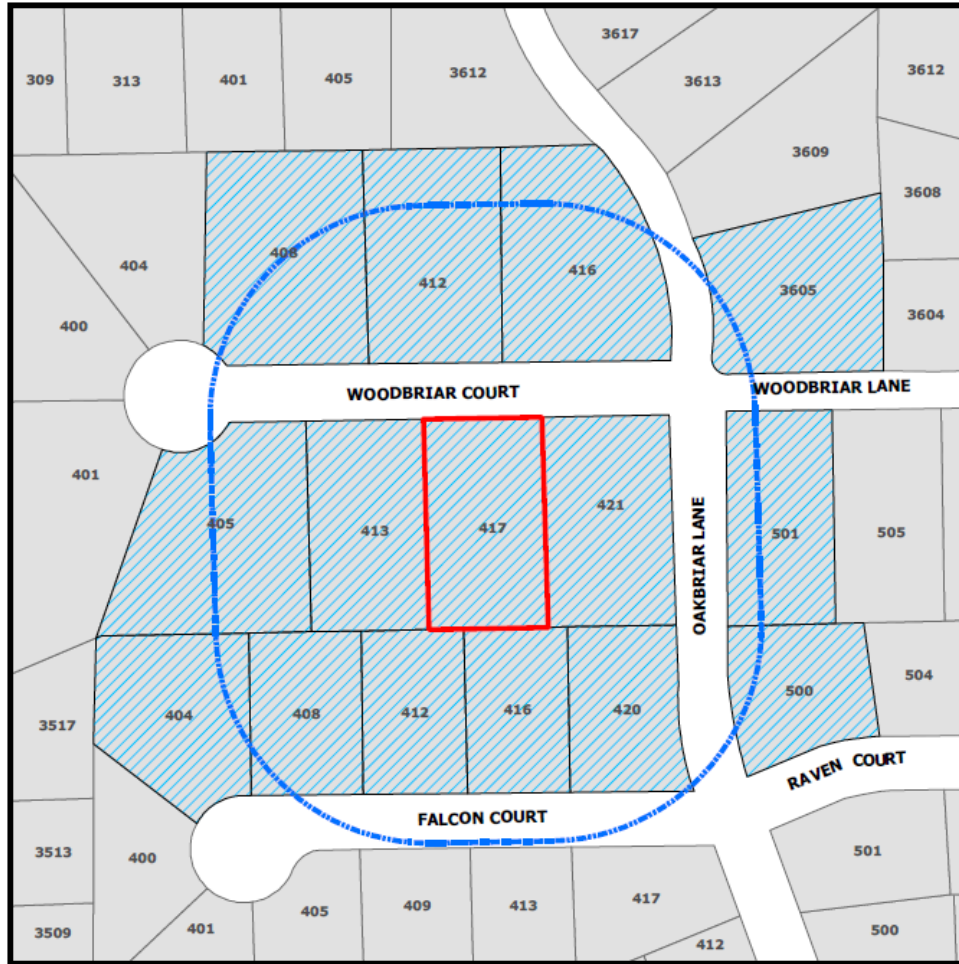
Present Zoning: R-20 Single Family Residential

This notice has been sent as a courtesy to all owners of real property within 200 feet of the request as such ownership appears on the last approved City tax roll. Action by the Zoning Board of Adjustment serves as a final action on the request. The City Council cannot review or overturn decisions of the Board. The decisions of the Board can only be appealed to District Court.

All interested persons are encouraged to attend the public hearing and express their opinions on the appeal request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

NOTICE OF PUBLIC HEARING



The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map:

<https://www.colleyville.com/government/departments-a-1/community-development/active-development-cases>

For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

Letter of Support

From: [Janis Lizardi](#)
To: [Jackie Reyff](#)
Cc: [Jennifer DeLaCruz](#)
Subject: Fwd: <http://www.infantaquatics.com/>
Date: Friday, July 3, 2020 4:34:03 PM

Sent from my iPhone

Begin forwarded message:

From: Janis Lizardi
Date: June 6, 2020 at 5:11:49 PM CDT
To: CKelley@colleyville.com
Cc: Jennifer DeLaCruz
Subject: RE: <http://www.infantaquatics.com/>

Dear Chuck

I have been a customer of Jennifer De La Cruz at <http://www.infantaquatics.com/> for 3 years. I live in Colleyville and do not have a pool but frequently go to lakes. When my daughter was over 1 year old, she lost fear of water and jumped in the lake. No warning. I immediately know I needed her to know how to survive if she fell in the water. Lakes and pools are dangerous as is but worse if the kid lacks the necessary swimming skills.

My baby was too little and I did not feel comfortable or had the time to go to club classes and really needed the 1:1 attention at a reasonable cost and with someone caring. Also was looking for a pool that meet my needs as far as safety cleanliness and attention to detail. Jennifer was the answer. I know she had requested in the past to park in her parking area behind her house. This is very private. And also requested that we do not park in front of other homes. I could see she was being respectful to her neighbors. Her service is a necessity In Our community. It is not nearly a sport. She teaches a survival skill. I wish to continue to attend her classes and I hope that my City of Colleyville can consider her petition.

Respectfully

Janis Lizardi
4907 Queensbury Way E, Colleyville
817-501-4723

P.S. several years ago in lake Granbury on a holiday weekend my husband went jet skiing and did not come back for hours. I was a little mad. When he returned he explained he was searching for a kid that was fishing and fell in the water. Days later the boy was found dead. He drowned. This should not happen to any kid and any parent.

Letter of Support

From: [Niki Berry](#)
To: [Jackie Reyff](#)
Subject: Support Letter for Infant Aquatics - Jennifer DeLaCruz
Date: Friday, July 3, 2020 5:23:44 PM

Hello Jacquelyn Reyff,

I wanted to reach out to help support Infant Aquatics taught by Jennifer DeLaCruz. I am a Grapevine resident who first found out about Infant Aquatics through a friend whose children attended. I previously took my son as an infant to a larger swim school but was not impressed with the outcome. They relied on parents and flotation devices that did not leave me feeling like my child was any safer around water than before the classes. Seeing my friend's children swim independently and safely at a very young age was impressive, and I knew that was exactly what I wanted for my son and now also my daughter. It is such an important skill to be able to not only swim but know how to not drown in a pool. I can't even express how grateful I am to Jennifer for teaching my son that very skill. A skill that he wasn't learning at a traditional swim school. My son is now three, loves swimming, and is very safe and confident doing just that. My daughter just turned one while finishing her first lessons with Jennifer at the beginning of the summer. It is really amazing to see her quickly go into a float now when she's in the water without having someone or something to hold on to. Infant Aquatics is so important to my family, because we know our kids are so much safer than before lessons with Jennifer. The entire purpose of the business of Infant Aquatics is the safety of children. These lessons have the potential to save the lives of children and likely already have. That's a business worth keeping.

Best regards,
Niki Berry

Letter of Support

From: [Ambreen Sohail khakwani](#)
To: [Jackie Reyff](#)
Subject: Jennifer's swim lessons
Date: Friday, July 3, 2020 9:32:56 PM

Sent from my iPhone

Begin forwarded message:

From: Ambreen Sohail khakwani
Date: June 6, 2020 at 5:42:20 PM CDT
To: CKelley@colleyville.com
Subject: Jennifer's swim lessons

Hope you're safe and navigating well through 2020!!

I'm writing to you in support of Jennifer. I learnt of her through a friend and later enrolled my daughter who was 3 at that point for a 10-minute lesson(yeah, that's the length of each class!!). My daughter had previously tried lessons as young as 6 months at Elmer and later at lifetime but nothing seemed to work for her and her fear of water just didn't seem to disappear. Until we enrolled at Jennifer's. 10 minutes seems like a joke where the entire time spent driving to and back is more but I can't even begin to explain how I saw my girl love start to love water in just 3 days!! Jennifer loves what she does but of course that doesn't matter. What matters is she's good at it and delivers what is an important life skill.

Let me also add the very trivial fact that a lot of businesses are operated from home. With the start of Covid, a lot of professionals were forced to work from home so why should a business be discriminated? If Colleyville has a code, then let's go ahead and push out everyone operating from home. Until then, let's not be unfair to a business which is operating very fairly and has never created any parking issues because she never NEVER overlaps clients. There is just no way she can do that anyways!!

I understand rules and codes must be followed but it's easier getting away with saying that's how it'll always be than making an actual change!

Regards
Ambreen Khakwani
Sephora's mom

Sent from my iPhone

Letter of Support

From: [Dana Noon](#)
To: [Jackie Reyff](#)
Subject: Infant Aquatics Support Letter
Date: Saturday, July 4, 2020 12:19:56 AM

12 years ago, We lived in a home with a pool when our first daughter was born. That summer three separate child drownings happened in our community, and after losing sleep... We sold our house in fear of the pool in our backyard while mourning for those families who had tragically lost their babies. Last summer, we looked at our three-year-old daughter and contemplated putting a pool but we knew there had to be a better option than typical swim schools. There had to be an option that would literally save a life... That is when we found infant aquatics!

Our daughter walked in the first day in total fear of the water and ended a few weeks later being able to swim and float and swim while having the confidence to do this. We now own a pool that was in April, and have completed a refresher course for our four-year-old daughter Genevieve. After completing her refresh courses this summer, she is now more confident in the water and I am able to sleep better as a parent. The one on one attention that is provided during these lessons is priceless in building rapport and confidence. And at the end of this... My mama heart will know that we have done our very best to prepare our daughter and to continue to prepare her for the pool in our backyard.

I ask you to please allow her to continue to help saving the lives of our most precious children... Equipping them with life-saving skills they need and deserve done in an environment that is welcoming and feels like home to a child. If you have any other questions I would be happy to answer them. My phone number is [817-658-7604](tel:817-658-7604). We currently drive in all the way from Roanoke and then we stay in Colleyville to eat lunch and run errands after a lesson... As I'm sure many of her clients do helping to support the town of Colleyville!

Sent from my iPhone

Letter of Support

From: [Brianna Salyer](#)
To: [Jackie Reyff](#)
Subject: In Support of Jennifer DeLaCruz with Infant Aquatics
Date: Saturday, July 4, 2020 7:33:07 AM

Dear Ms. Reyff,

I am writing this email in support of Jennifer DeLaCruz with Infant Aquatics. We are a family of 7 & all 5 of our children (ages 3-11) have taken swim lessons with Mrs. DeLaCruz for the last 10 years (our children begin taking lessons at 12 months & continue through 4-5 years of age).

Prior to taking lessons with Jennifer, our oldest took swim lessons at our neighborhood swim pool & it paled in comparison to the instruction she received with Jennifer. Similarly, many of our friends' & family's children have taken traditional swim lessons at various pools in the area & many times it is ineffective in teaching their children to swim, but rather just serves to acclimate their children to water.

Similar to many children in Texas, our children are around open water all summer long (& even at many other times of the year since pools are not winterized in this area) & I can not imagine our children not having these invaluable water safety skills in order to prevent potentially life threatening drowning from taking place.

Our hope & prayer is that Jennifer DeLaCruz will be able to continue to provide her invaluable services to our community.

Sincerely,

Brianna Salyer
[\(817\) 513-5880](tel:(817)513-5880)

Letter of Support

From: [Lindsey Quinn](#)
To: [Jackie Reyff](#)
Cc: [Jennifer DeLaCruz](#)
Subject: Fwd: Infant Aquatics Swimming Lessons
Date: Saturday, July 4, 2020 8:46:54 AM

Lindsey Quinn

Begin forwarded message:

From: Lindsey Quinn
Date: June 15, 2020 at 8:41:00 PM CDT
To: CKelley@colleyville.com
Subject: Infant Aquatics Swimming Lessons

Dear Councilman Kelly,

Both of my children have taken swimming lessons from Jennifer DeLaCruz at her home in Colleyville. My son is special needs with autism, sensory processing disorder and motor skill delays. He had previously taken private lessons and semi private lessons at the REC. It wasn't until he got with Jennifer that everything clicked and he actually learned to swim. She incorporated information from his occupational therapist and it was amazing to see his transformation. She did in three weeks what others hadn't in the past seven years.

My infant daughter started with her at a year old and was able to safely make it across the pool all by herself. I have been an ER nurse for seventeen years and the worst part about every summer is the number of drowning cases we see. Mrs. DeLaCruz provides an invaluable service to our community. She is wonderful with the kids and parents. She teaches us techniques to help re-enforce the children's skills as well.

Please reconsider allowing her to continue to teach from her home. The safety of our community's children definitely outweighs the minor burden of extra cars parked in the driveway or street.

Thank you for your consideration.

Lindsey Quinn

Letter of Support

From: [Allie Brown](#)
To: [Jackie Reyff](#)
Subject: Fwd: Colleyville Infant Aquatics
Date: Saturday, July 4, 2020 11:34:05 AM

Sent from my iPhone

Begin forwarded message:

From: Allie Brown
Date: June 2, 2020 at 2:31:53 PM MDT
To: Ckelley@colleyville.com

Dear Colleyvill City Council Member Chuck,

I am a parent of two children (3 and 1 years old) and have been taking lessons with Jennifer DeLaCruz (Infant Aquatics) for a year now to teach my kids the swim float swim life saving technique. I have an inground pool on my property and am in need of these life saving lessons in order to prepare my children in the unfortunate event that they were to get outside and fall into the pool without my knowledge.

My husband and I would greatly appreciate the Colleyville City Council take into consideration the many like us who depend on Jennifer and her imperative teaching skills for the many mid-cities residents who rely on her services. Not only does Jennifer teach in a quiet environment which is easy for my children to learn in (no distractions), but her pool is a salt water, heated pool that my kids thrive in because their eyes and skin don't have chemical irritation and they aren't cold in the early months of the year. It is always a quiet area and honestly the first time I drove to her house for a lesson, I had to make sure the house number was correct because her business sign was small and I didn't see any cars out front. It seemed like just another house on the block.

Please keep Jennifer in business in her home! We don't know what we'd do without her.

--

Allison Brown, PT, DPT

Letter of Support

From: [Michael Noyd](#)

Sent: Monday, July 6, 2020 8:00 AM

To: [Jackie Reyff](#)

Subject: Infant Aquatics (Jennifer DeLaCruz) - Code Complaint

Good morning Jacquelyn Reyff,

My name is Michael Noyd and I am a parent to two of Jennifer's students at Infant Aquatics in Colleyville. My son, Charlie, will be turning four this month and is in his fourth year of lessons with Jennifer. My daughter, Kate, will be turning two this month and is in her second year of lessons. My son, Jack, is only two months old, and I hope he will be able to take lessons with her next summer.

We do not live in Colleyville, but drive over from Fort Worth, Monday-Thursday, for our scheduled lessons for four to six weeks every summer. Water safety was a major concern for my wife, as it is a leading cause of death for toddlers, however there are only a few individuals who can offer the training and education that Jennifer can. Hence why we are more than willing to make the one hour round trip drive. If Jennifer is not able to teach lessons I am not sure what other alternative my family can make in teaching my children this important skill. Furthermore, by coming to her home in Colleyville, our economic footprint extends beyond her home. We buy gas, lunch and sometimes groceries at businesses in Colleyville as we are in the area regularly for these lessons. Beyond the life-saving skill that Jennifer is teaching young children, she is providing a great service to many residents in Colleyville.

I hope that you consider allowing her to continue lessons from her home. From her home she is able to teach more students, allowing more children to learn this essential skill and causing more people to visit and shop in Colleyville.

Please feel free to contact me if you have any follow-up questions or if I can be of further assistance. Infant Aquatics is so important to me and my family and we hope it can remain.

Kind regards,
Michael Noyd, CPA

Letter of Opposition

I am Barbara Reynolds. I live at 413 Woodbriar Court, Colleyville. We have lived at this address since 1995.

July 6, 2020

Subject of statement: Problems with our neighbor at 417 Woodbriar Court, Colleyville, Jennifer De La Cruz, conducting a business in her backyard.

I cannot attend a meeting in person, so I am submitting this statement. Because of my age and health problems, my doctor told me to stay home and avoid contact with other people as much as possible because of the Corona virus. I haven't been to a grocery store since March 3rd.

My doctor recently repeated this advice in a video visit. Early in March I saw Jennifer De La Cruz and told her I was following the doctor's advice. On May 11th Randy De La Cruz approached me on his bike in front of my mailbox. He was not wearing a mask and did not keep 6ft. away. He began talking about the issues of the swimming lessons. I was trapped and politely listened to him, but I was not happy about what he did. Not long after, Jennifer left a phone message saying we had to have a chat; she would come over to my house and come in and sit down for a chat. My daughter and her husband haven't even come into our house since March. Randy and Jennifer De La Cruz are so obsessed with getting their way they are thoughtless and have no consideration for anyone else.

Simply put, having customers coming and going is very disruptive to the normal situation on our street, and especially to my husband and me as the nearest neighbors. Just the noise: babies screaming, car doors slamming, car engines starting, over and over and over and over again.

For the record, we have never complained about their children (I've helped catch their chickens when they were out and running around on our property). We have never complained about their friends and family when they have parked in front of our house. We have never complained about get-togethers at their house. The only problems have been with the business.

Recently, Jennifer and the younger children have been rude when we've been in our yard, so, we haven't responded to them.

Thank you for your consideration.

Barbara Reynolds