

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The Board of Zoning Adjustment for the City of Grapevine, Texas, met on Monday evening, April 4, 2016 at 6:00 P.M. in the Planning and Zoning Conference Room, 2nd Floor, 200 South Main Street, Grapevine, Texas, for a Briefing Session with the following members present to wit:

Debbie Holt	Chairman
Ken White	Secretary
George Dalton	Member
Mike Morris	Member
Tracey Dierolf	Alternate

constituting a quorum with Vice-Chairman Robert Rainwater absent. Also present were City Council Representative Sharron Spencer and the following City Staff:

Ron Stombaugh	Development Services Assistant Director
Albert Triplett	Planner II
Connie Cook	Development Services Assistant

CALL TO ORDER

Chairman Holt called the Briefing Session of the Board of Zoning Adjustment to order at approximately 6:00 P.M.

NEW BUSINESS

Mr. Stombaugh briefed the Board of Zoning Adjustment regarding the items scheduled to be heard in the regular public hearing.

ADJOURNMENT

With no further discussion, George Dalton made a motion to adjourn. Mike Morris seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dalton, Morris, Dierolf
Nays: None
Absent: Rainwater

The Briefing Session was adjourned at approximately 6:18 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 2ND DAY OF MAY 2016.

APPROVED:



CHAIRMAN



SECRETARY

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The Board of Zoning Adjustment for the City of Grapevine, Texas, met in regular session, Monday evening, April 4, 2016 at 6:15 P.M., in the Council Chambers, 2nd Floor, 200 South Main Street, Grapevine, Texas with the following members present:

Debbie Holt	Chairman
Ken White	Secretary
George Dalton	Member
Mike Morris	Member
Tracey Dierolf	Alternate

constituting a quorum with Vice-Chairman Robert Rainwater absent. Also present were City Council Representative Sharron Spencer and the following City Staff:

Ron Stombaugh	Development Services Assistant Director
Albert Triplett	Planner II
Connie Cook	Development Services Assistant

CALL TO ORDER

Chairman Holt called the Public Hearing Session of the Board of Zoning Adjustment to order at approximately 6:20 P.M.

PUBLIC HEARING

BOARD OF ZONING ADJUSTMENT CASE BZA16-07, GARY PEARSON, 316 TURNER ROAD

The first item for the Board of Zoning Adjustment to consider was BZA16-07 submitted by Gary Pearson for property located at 316 Turner Road, proposed to be platted as Lot 1, Block 1, Pearson Addition.

Section 16.F.2, "R-5.0" Zero-Lot-Line District, Density Requirements, requires a minimum lot size of 5,000 square feet. The applicant requested a variance of 600-feet, allowing a lot size of 4,400 square feet.

Section 16.G.5, "R-5.0" Zero-Lot-Line District, Area Regulations requires a minimum lot depth of 100-feet. The applicant requested a variance of eighteen (18') feet, allowing a lot depth of 82-feet.

Mr. Stombaugh explained that Staff found no special conditions existed for the requested variances. Although currently unplatted, tax records indicated the property had been improperly subdivided by deed and not by plat. The improper subdivision of the property if allowed to develop, would result in the subject property as well as the property to the south becoming nonconforming relative to the "R-5.0" Zero Lot Line District standards. Mr. Stombaugh further stated that despite the efforts of the applicant to mitigate the level of nonconformity of the two proposed lots, variances were still

required which were self-imposed.

With no questions for Mr. Stombaugh, Gary Pearson, representing property owner Rosemary Alexander of 4105 Rocky Bend Court, Corinth, Texas, took the Oath of Truth; he explained to the Board the history of the property. He stated that the property had been two tracts of land since 1963 by deed. He requested favorable consideration of the request and offered to answer any questions of the Board.

With no questions for Mr. Pearson, property owner Rosemary Alexander of 4602 Branchview Court, Arlington, Texas, took the Oath of Truth; she gave a brief presentation and requested favorable consideration of the request and offered to answer any questions of the Board.

With no questions for Ms. Alexander, Ms. Evelyn Chivers representing property owner Nona Chivers of 12237 Big Rock Drive, Rhome, Texas. She explained that she was power of attorney for her mother Nona Chivers and was there on her mother's behalf. She stated that Habitat for Humanity rebuilt the house in 2003 and thought the property was conforming to current codes. Ms. Chivers stated that she was confused regarding flag lot and platting and requested clarification. She explained that access to the property had always been from Turner Road and was concerned that access would be cut off. Mr. Stombaugh addressed Ms. Chivers concerns.

Ken White asked Ms. Chivers if her mother still lived at this address, she stated that she did.

George Dalton asked if her mother owned the vacant property to the east, she stated that she did not.

Debbie Holt asked Ms. Chivers if her mother was aware that someone else owned the front lot. She stated, that all her life she had been told that her father owned the property and that in 2003 Habitat for Humanity also stated that all the property belonged to Herman Chivers.

Ron Stombaugh explained to the Board that the home at 318 Turner Road had caught fire in 1999, and was damaged beyond 60 percent. Property owners were required to come before the Board of Zoning Adjustment due to a Multi-Family zoning designation on the property. A special exception was granted to reconstruct the residence.

With no further questions for Ms. Chivers and no additional speakers, Ken White made a motion to close the public hearing. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dalton, Morris, Dierolf
Nays: None
Absent: Rainwater

Ken White made a motion that no special condition existed for the requested variances George Dalton seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dalton, Morris, Dierolf
Nays: None
Absent: Rainwater

BOARD OF ZONING ADJUSTMENT CASE BZA16-08, GARY PEARSON, 318 TURNER ROAD

The next item for the Board of Zoning Adjustment to consider was BZA16-08 submitted by Gary Pearson for property located at 318 Turner Road, proposed to be platted as Lot 2, Block 1, Pearson Addition.

Section 43.E.3, Nonconforming Uses and Structures allows the Board of Zoning Adjustment to approve the remodeling and/or enlargement of a nonconforming use. The applicant requested a special exception allowing the existing residential structure to remain as developed along with an expansion as shown on the plot plan.

Section 12, “Definitions” #222, Lot, Flag, prohibits a flag lot from being established in the “R-5.0” Zero-Lot-Line District. The applicant requested a variance, allowing the platting and development of a flag lot on the subject property.

Section 12, “Definitions” #448a, Width of Lot, requires width of a front property line to be no less than twenty (20’) feet. The applicant requested a variance of eight (8’) feet, allowing an ingress/egress easement of twelve (12’) feet to provide appropriate access to and principal frontage for the subject property.

Mr. Stombaugh explained that Staff found no special conditions existed for the requested variances. Although currently unplatted, tax records indicated the property had been improperly subdivided by deed and not by plat. The improper subdivision of the property if allowed to develop, would result in the subject property as well as the property to the south becoming nonconforming relative to the “R-5.0” Zero Lot Line District standards. Mr. Stombaugh further stated that despite efforts of applicant to mitigate the level of nonconformity of the two proposed lots, variances were still required which were self-imposed.

Mr. Stombaugh further stated that in 2006 the zoning ordinance was amended that eliminated the development of flag lots within single family zoning districts in an effort that improved property values, minimized density, and reduced perceived negative impact on neighborhood aesthetics.

With no questions for Mr. Stombaugh, Gary Pearson, readdressed the Board concerning 318 Turner Road. He stated that since 316 Turner Road was denied that 318 Turner could not be approved, he stated that the property would be deadlocked with no legal access to the property and stated that it should be addressed.

Mr. Stombaugh addressed Mr. Pearson’s comment regarding access to 318 Turner Road. Although the property did not have officially platted access to the property, there was access to the property, it would not be allowed to be shut off or isolated, there was a concept called prescriptive rights. Since access to this property had been granted and allowed for numerous years it was basically a matter of right now.

With no questions for Mr. Pearson and no additional speakers, Ken White made a motion to close the public hearing. George Dalton seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dalton, Morris, Dierolf
Nays: None
Absent: Rainwater

Ken White made a motion that no special condition existed for the requested variances George Dalton seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dalton, Morris, Dierolf
Nays: None
Absent: Rainwater

MINUTES

Next the Board of Zoning Adjustment considered the minutes of the March 7, 2016, Briefing Session and Public Hearing.

Ken White made a motion to accept the minutes of the March 7, 2016 Briefing Session. George Dalton seconded the motion.

Ayes: Holt, White, Dalton, Morris
Nays: None
Absent: Rainwater

Ken White made a motion to accept the minutes of the March 7, 2016 Public Hearing. Mike Morris seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dalton, Morris
Nays: None
Absent: Rainwater

ADJOURNMENT

With no further discussion, George Dalton made a motion to adjourn. Tracey Dierolf seconded the motion, which prevailed by the following vote:

Ayes: Holt, White, Dalton, Morris
Nays: None
Absent: Rainwater

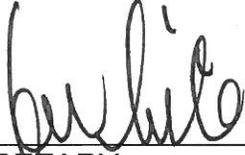
The meeting was adjourned at approximately 6:43 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 2ND DAY OF MAY 2016.

APPROVED:



CHAIRMAN



SECRETARY