

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

The Board of Zoning Adjustment for the City of Grapevine, Texas, met on Monday evening, January 8, 2018, at 6:00 P.M. in the Planning and Zoning Conference Room, 2<sup>nd</sup> Floor, 200 South Main Street, Grapevine, Texas, for a Briefing Session with the following members present to wit:

Debbie Holt	Chairman
Ken White	Vice-Chairman
Tracey Dierolf	Secretary
John Sheppard	Member
D Todd Parrish	Alternate

constituting a quorum with Member George Dalton absent. Also present was City Council Representative Sharron Spencer, City Attorney, Matthew Boyle, and the following City Staff:

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

CALL TO ORDER

Chairman Debbie 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

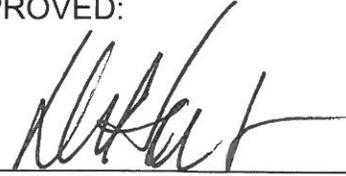
With no further discussion, Ken White made a motion to adjourn. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes:	Holt, White, Dierolf, Sheppard, Parrish
Nays:	None
Absent:	Dalton

The Briefing Session was adjourned at approximately 6:05 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 5TH DAY OF FEBRUARY 2018.

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, January 8, 2018 at 6:15 P.M., in the Council Chambers, 2<sup>nd</sup> Floor, 200 South Main Street, Grapevine, Texas with the following members present:

Debbie Holt	Chairman
Ken White	Vice-Chairman
Tracey Dierolf	Secretary
John Sheppard	Member
D Todd Parrish	Alternate

constituting a quorum with Member George Dalton absent. Also present was City Council Representative Sharron Spencer, City Attorney, Matthew Boyle, 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 6:15 P.M.

PUBLIC HEARING

**BOARD OF ZONING ADJUSTMENT CASE BZA17-04, MARK PEEPLES, 3547 RED BIRD LANE**

The first item for the Board of Zoning Adjustment to consider was BZA17-04 submitted by Mark Peeples for property located at 3547 Red Bird Lane, proposed to be platted as Lot 1, Block A, Grapevine Lake Estates.

Mr. Stombaugh explained that Staff found during the review process that the special exception requested for the subject site was not needed due to the approval of BZA86-19 on April 3, 1986, allowing for two (2) variances—a rear yard encroachment and a front yard encroachment for an existing residential structure.

With no questions for Mr. Stombaugh, 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, Dierolf, Sheppard, Parrish
Nays:	None
Absent:	Dalton

Ken White made a motion to Withdraw BZA17-04. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

**BOARD OF ZONING ADJUSTMENT CASE BZA17-14, TODD MURPHY, 927 SOUTH CHURCH STREET**

Next for the Board of Zoning Adjustment to consider was BZA17-14 submitted by Todd Murphy for property located at 927 South Church Street legally described as Tract 20, William D. Tate Avenue.

**Section 27.F.2., “PO” Professional Office District, Density Regulations, requires a minimum lot size of 10,000 square feet.** The applicant requested a variance allowing a lot size of 8,913 square feet for an existing lot.

**Section 27.G.1., “PO” Professional office District, Area Regulations, requires a minimum lot width of eighty-feet (80’).** The applicant requested a variance allowing a lot width of sixty-three feet (63’) for an existing lot.

**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 non-residential structure to remain as developed in addition to site improvements as shown on the site plan.

Mr. Stombaugh explained that Staff found that special conditions existed for the variances and special exception requested. Specifically, the site was an existing developed lot, and the existing structure was built in 1936 prior to the rezoning of the site in the 1984 City Rezoning. Platted and developed lots existed adjacent to the subject site, eliminating the possibility to expand the site to meet the area and width requirements.

Mr. Stombaugh stated that the proposed site improvements necessitated the variances requested to address the current lot width and lot size, and a special exception requested to address the existing structure within the required front yard. The existing structure was proposed to be used for general office space. Site improvements included the conversion of the existing dwelling into office space and seven (7) off-street parking spaces.

With no questions for Mr. Stombaugh, Todd Murphy of 1229 South Pine Street, Grapevine, Texas, took the Oath of Truth; he gave a brief presentation to the Board and requested favorable consideration of his request and offered to answer any questions of the Board.

With no questions for Mr. Murphy, 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, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

Ken White made a motion that a special condition existed for the requested special exception and variances. Specifically, the site was an existing developed lot, and the existing structure was built in 1936 prior to the rezoning of the site in the 1984 City Rezoning. Platted and developed lots existed adjacent to the subject site, eliminating the possibility to expand the site to meet the area and width requirements. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

Ken White then made a motion to grant the following variances to "PO" Professional Office District, Area Regulations: Section 27.F.2., allowing a lot size of 8,913 square feet for an existing lot; and a motion with regard to Section 27.G.1., allowing a lot width of 63-feet for an existing lot; and a motion to grant a special exception with regard to Section 43.E.3., Nonconforming Uses and Structures allowing the existing non-residential structure to remain as developed in addition to site improvements as shown on the site plan. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

### **BOARD OF ZONING ADJUSTMENT CASE BZA17-15, DAVID KLEMPIN, 428 EAST WALL STREET**

Next for the Board of Zoning Adjustment to consider was BZA17-15 submitted by David Klempin for property located at 428 East Wall Street platted as Lot 6R, G.E. Hurst Subdivision.

**Section 15.G.1, "R-7.5" Single Family District, Area Regulations requires a minimum front yard setback of 30-feet.** The applicant requested a variance of 14-feet requesting a variance of 14-feet allowing a front yard depth of 16-feet for an existing lot to the north along East Wall Street.

**Section 15.G.4., "R-7.5" Single Family District, Area Regulations requires a minimum lot width of 95-feet for a reverse frontage lot.** The applicant requested a variance of 23-feet, allowing a lot width of 72-feet for an existing lot.

Mr. Stombaugh explained that Staff found a special condition existed for the variances requested. Specifically, the subject site was an existing lot that was originally platted in 1948 predating the City's first zoning ordinance enacted in 1955. Additionally, developed, platted property existed to the south and west along with dedicated street right-of-way (Wall Street, Dooley Street) to the north and east which prohibited any possible expansion of the lot.

Mr. Stombaugh stated that the subject property was currently owned by the Grapevine Township Revitalization Project. An existing 1903 constructed home previously located in Southlake had been donated to the Grapevine Township Revitalization Project and was subsequently moved to the subject property in December 2017 due to time restraints of the land it resided upon being prepared for commercial development.

With no questions for Mr. Stombaugh, Paul W. McCallum, Convention and Visitors Bureau Director, of 636 South Main Street, Grapevine, Texas, took the Oath of Truth; he provided background information to the Board regarding the development of the Grapevine Township Revitalization Project (GTRP) and background information in regards to obtaining the subject structure. He also explained why Staff had been unable to proceed with the submittal to the Board of Zoning Adjustment prior to relocating the structure onto the property. He requested favorable consideration of his request and offered to answer any questions of the Board.

With no questions for Mr. McCallum, property owners John Michael Franks of 412 East Wall Street, Larry Lyons of 408 East Wall Street, Norman Barfield of 420 East Wall Street and David Eubank of 405 East Texas Street, Grapevine, Texas, took the Oath of Truth. Each property owner explained to the Board their objections to the request regarding the placement of the structure on the lot and the overall size of the structure being too large for the lot. They stated that special treatment had been given and objected to rules being overlooked, whereas they were all required to abide by the Historic Preservation Department and City rules when their homes were constructed. They expressed their concerns regarding foundation, siding and electrical in reference to building codes, orientation of the house on the property, sewer easements and curbing and paving of East Wall Street. Concerns were discussed regarding the timing of the case being presented around holidays and ample notification had not been given, discussion was held regarding tabling the case. Several homeowners expressed their appreciation for the historical issues Mr. McCallum had discussed, however, felt the structure was not compliant with codes and requested the Board deny the request.

John Sheppard asked Mr. Franks if the orientation of the house on the property were different would it make a difference. Mr. Franks stated that he would not have an objection if the Wall Street side were 30-feet like other properties on the south side of the street.

Mr. Barfield requested the Board table the motion, he suggested that all homeowners, Historic Preservation and city staff meet together and see if something could be worked out.

John Sheppard asked Mr. Barfield, how many days would be needed if a motion were made to table the case. Mr. Barfield stated he thought all could be done in thirty days.

With no more testimonies and no further questions, Assistant City Attorney, Matthew Boyle addressed the Board. He stated he was not there to speak for or against the case. He was there in the capacity as Assistant City Attorney and not offering any factual testimony. He explained that there were two (2) different bodies represented relative to the Board of Zoning case presented. One Board was Historic Preservation Commission and the other was Board of Zoning Adjustment. Mr. Boyle explained the jurisdictions, differences and responsibilities of each. Mr. Boyle stated that the lot could

not be developed without a variance and fell into the Boards prerogative to consider the variances requested, he further explained that there had been a precedence for the requested variances. On March 7, 2005 for 308 Ruth Street (southwest corner of East Texas Street and Ruth Street) for lot width (25-foot variance to the 95-foot lot width requirement for a reverse frontage lot) and to the front yard setback (15-foot variance along East Texas Street).

Debbie Holt asked Mr. Boyle for clarification in reference to the size of the property and size of structure adding to the need for a variance. Mr. Boyle stated that the 23-feet was inherent to the property in itself.

John Sheppard asked Mr. Boyle if the property at 308 East Texas Street and the current Board of Zoning case were similar because they had been vacant lots and homes brought in. Mr. Boyle stated he was making a comparison to the specific properties, dimensions of those properties and the applicability of the zoning ordinance to those lot dimensions.

Debbie Holt recapped what Mr. Boyle had stated and asked if the Historic Preservation Commission would be able to work with the neighbors concerned. Mr. Boyle stated that a Certificate of Appropriateness had been applied for and granted.

With no further questions for Mr. Boyle, Paul W. McCallum, readdressed the Board regarding updates to the subject property. Mr. McCallum clarified that all aluminum siding would be removed, windows would be replaced and the foundation would be engineered.

Debbie Holt asked Mr. McCallum if neighbors could sit down and discuss concerns. Mr. McCallum stated they could visit with either David Klempin or himself, a Certificate of Appropriateness had been approved and certain design guidelines had to be followed, however if they would like to give input, obtain specific details or obtain further information they could discuss it with them.

With no further questions for Paul W. McCallum, Ron Stombaugh, readdressed the Board and clarified lot dimensions of the subject property.

With no questions for Ron Stombaugh, Norman Barfield, readdressed the Board regarding his concerns and requested the Board table the case for 30 days.

With no questions for, Norman Barfield, property owner Katie Roberts of 208 South Dooley Street, Grapevine, Texas, took the Oath of Truth; she explained that she owned an historic home that had been moved into the city. She requested the Board consider the smaller homes on the South Dooley side regarding the six-foot (6') side yard between the subject house and the existing residence, she stated if the structure were moved further back off the front property line it would make the side yard even tighter.

With no questions for, Katie Roberts, Neal Cooper of 404 East Wall Street, Grapevine, Texas, took the Oath of Truth; he explained it had been his experience that utilities and sewer easements were not always known or properly identified. He stated that this particular sewer line ran through lots one to five and a plat from 1948 had an unusual turn right at the subject lot. He expressed his concern that with the tight placement of

structure a sewer easement may coincide with the location of a garage or house. He further stated that sewer easement locations were not covered under a Certificate of Appropriateness.

Debbie Holt asked Mr. Cooper what would happen if construction started and found the sewer line incorrectly located. Mr. Cooper explained the process he had been required to follow.

John Sheppard asked Paul McCallum if the structure had been added onto. Mr. McCallum stated for the most part it was original.

With no further questions for Paul McCallum, 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, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

Discussion was held regarding public notification and tabling of the case. Debbie Holt asked Ron Stombaugh if the case had been advertised, Mr. Stombaugh stated that it had been advertised like all cases, 15 days prior to the public hearing and personal property notices were sent ten (10) days prior to the public hearing.

Debbie Holt asked Ron Stombaugh if the house could remain on the property for an additional 30 days, Mr. Stombaugh stated there would not be any problem.

Matthew Boyle re-addressed the Board, he explained, if the Board intended to table this case, the most efficient way would be to re-open the public hearing and make a motion to continue the public hearing in this case to the Boards February 5th regularly scheduled meeting, this eliminated having to re-advertise, republish and all members in attendance and public would know when to return.

John Sheppard made a motion to consider a motion to reopen the public hearing on this case BZA17-15 and continue the public hearing to the Boards February 5, 2018 meeting. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

John Sheppard made a motion to close the public hearing. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

## MINUTES

Next the Board of Zoning Adjustment considered the minutes of the November 6, 2017, Briefing Session, Public Hearing and Work Session.

Tracey Dierolf made a motion to accept the minutes of the November 6, 2017, Briefing Session. John Sheppard seconded the motion.

Ayes: Holt, White, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

Tracey Dierolf made a motion to accept the minutes of the November 6, 2017, Public Hearing. Ken White seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

Tracey Dierolf made a motion to accept the minutes of the November 6, 2017, Work Session. Ken White seconded the motion which prevailed by the following vote:

Ayes: Holt, White, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

#### ADJOURNMENT

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

Ayes: Holt, White, Dierolf, Sheppard, Parrish  
Nays: None  
Absent: Dalton

The meeting was adjourned at approximately 7:36 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 5TH DAY OF FEBRUARY 2018.

APPROVED:

  
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CHAIRMAN  
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SECRETARY