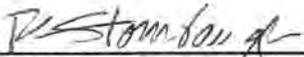


AGENDA
CITY OF GRAPEVINE
BRIEFING SESSION
BOARD OF ZONING ADJUSTMENT
MONDAY, AUGUST 6, 2018, 6:00 P.M.
PLANNING AND ZONING CONFERENCE ROOM
SECOND FLOOR – CITY HALL
200 SOUTH MAIN STREET
GRAPEVINE, TEXAS 76051

- I. CALL TO ORDER
- II. BRIEFING SESSION
 - A. Conduct Oaths of Office for new and reappointed Board Members.
 - B. Elect a Chairman, Vice-Chairman and Secretary.
 - C. Board of Zoning Adjustment to conduct a briefing session to discuss items scheduled to be heard in the August 6, 2018 public hearing.
- III. ADJOURNMENT

IF YOU PLAN TO ATTEND THIS PUBLIC MEETING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AT THE MEETING, PLEASE CONTACT THE OFFICE OF DEVELOPMENT SERVICES AT (817) 410-3158 AT LEAST 24 HOURS IN ADVANCE. REASONABLE ACCOMMODATIONS WILL BE MADE TO ASSIST YOUR NEEDS.

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551.001 et seq. ACTS OF THE 1993 TEXAS LEGISLATURE, THE BOARD OF ZONING ADJUSTMENT BRIEFING SESSION AGENDA WAS PREPARED AND POSTED ON THIS THE 3RD DAY OF AUGUST 2018 AT 5:00 P.M.



RON STOMBAUGH
ASSISTANT DIRECTOR, DEVELOPMENT
SERVICES

AGENDA
CITY OF GRAPEVINE
BOARD OF ZONING ADJUSTMENT MEETING
MONDAY, AUGUST 6, 2018, 6:15 P.M.
CITY HALL COUNCIL CHAMBERS, 2ND FLOOR
SECOND FLOOR – CITY HALL
200 SOUTH MAIN STREET
GRAPEVINE, TEXAS 76051

- I. CALL TO ORDER
- II. ROLL CALL
- III. NEW BUSINESS
 - A. Board of Zoning Adjustment to conduct a public hearing relative to Board of Zoning Adjustment Case BZA18-06 submitted by D L Rogers, for property located at 306 East Dallas Road and consideration of same.
 - B. Board of Zoning Adjustment to conduct a public hearing relative to Board of Zoning Adjustment Case BZA18-07 submitted by David Dee Stout, for property located at 1333 South Pine Street and consideration of same.
- IV. Board of Zoning Adjustment to consider the minutes of the June 4, 2018 meeting and take any necessary action.
- V. ADJOURNMENT

IF YOU PLAN TO ATTEND THIS PUBLIC HEARING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AT THE MEETING, PLEASE CONTACT THE OFFICE OF DEVELOPMENT SERVICES AT (817) 410-3158 AT LEAST 24 HOURS IN ADVANCE. REASONABLE ACCOMMODATIONS WILL BE MADE TO ASSIST YOUR NEEDS.

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551.001 et seq. ACTS OF THE 1993 TEXAS LEGISLATURE, THE BOARD OF ZONING ADJUSTMENT MEETING AGENDA WAS PREPARED AND POSTED ON THIS THE 3RD DAY OF AUGUST 2018 AT 5:00 P.M.



RON STOMBAUGH
ASSISTANT DIRECTOR, DEVELOPMENT
SERVICES

MEMORANDUM

DEVELOPMENT SERVICES

MEMO TO: BOARD OF ZONING ADJUSTMENT

FROM: SCOTT WILLIAMS, DIRECTOR DEVELOPMENT SERVICES \ BUILDING OFFICIAL
RON STOMBAUGH, ASSISTANT DIRECTOR OF DEVELOPMENT SERVICES
ALBERT L. TRIPLETT JR, PLANNER II

SUBJECT: BOARD OF ZONING ADJUSTMENT CASE #BZA18-06
306 E. DALLAS ROAD

MEETING DATE: **MONDAY, AUGUST 6, 2018**

RECOMMENDATION:

Staff recommends the Board of Zoning Adjustment approve the following special exception to the Grapevine Comprehensive Zoning Ordinance 82-73 for property located at 306 E. Dallas Road, proposed to be platted as Block 1, Lot 1, Darrell Estates as follows:

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 is requesting a special exception to allow the non-residential structure to be developed as shown on the site plan.

SPECIAL CONDITION:

Staff finds that a special condition does exist for the applicant's special exception request. Specifically, the zoning ordinance, as currently written, does not support the development of the lot as shown on the site plan. The subject site is a parcel of property located within the Dallas Road corridor design study which is currently being written with the intent to establish use and design guidelines for this unique portion of the city. Strict adherence to the zoning ordinance for the subject property will run counter to the design guidelines relative to density, coverage, and setbacks.

BACKGROUND INFORMATION:

With the advent of TexRail, and the construction of the city's rail stop/hotel/parking garage located at the northeast corner of Dallas Road and South Main Street currently underway, it is recognized that the development nature of the Dallas Road corridor will undergo significant change in the immediate future as a response to this new transportation option. A study of this corridor is currently in process which began in earnest in January of this year. Based on established concepts relative to "transit oriented development," the study will eventually lead to development guidelines for the corridor relative to uses permitted, and specific regulations pertaining to height, density, setbacks, parking as well as specific

regulations relative to the actual design of structures. The property owner, Mr. Rogers, has graciously withheld development of the property at our request while we continue to make progress on the Dallas Road corridor design guidelines however, it is the applicant's goal to begin construction as reasonably soon as possible. With this in mind, the special exception request will allow the property to be developed within the spirit and intent of the new design guidelines which will be adopted at some point in the near future. Development of the property under the current standards would lead to the creation of a property that would negatively detract from those developed in the immediate and surrounding area under the new guidelines.

JUN 19 2018

18-2477

BZA 18-06

CITY OF GRAPEVINE BOARD OF ZONING ADJUSTMENT APPLICATION

1. APPLICANT:

NAME: D. L. Rogers Corp.

ADDRESS: 1225 S. Main St., Suite 300

CITY/STATE: Grapevine, TX ZIP: 76051

HOME: _____ WORK: 817-527-7820 MOBILE: _____

FAX: _____ E-MAIL: _____

2. PROPERTY OWNER(S):

NAME: D. L. Rogers Corp.

ADDRESS: 1225 S. Main St., Suite 300

CITY/STATE: Grapevine, TX ZIP: 76051

HOME: _____ WORK: 817-527-7820 FAX: _____

3. LEGAL DESCRIPTION (SUBJECT PROPERTY):

STREET ADDRESS, LOT, BLOCK AND SUBDIVISION NAME OF THE SUBJECT PROPERTY:
(Please attach Survey of the Subject Property)

ADDRESS: 306 E. Dallas Road

LOT: 1 BLOCK: 1 SUB-DIVISION: Darrell Estates

4. LIST THE PERTINENT SECTION(S) OF THE ZONING ORDINANCE AND INDICATE THE SPECIFIC VARIANCE AMOUNTS BEING REQUESTED. IF NECESSARY USE A SEPARATE SHEET:

Special Exception relative to Section 43.E.3 Nonconforming Uses and Structures to allow the non-residential structure to be developed as shown on the site plan.

5. STATE THE GROUNDS FOR THE REQUEST AND DETAIL ANY SPECIAL CONDITIONS WHICH CAUSE HARDSHIPS THAT IN YOUR OPINION JUSTIFY THE VARIANCE(S) OR SPECIAL EXCEPTION(S) YOU ARE REQUESTING. EXAMPLES OF SPECIAL CONDITIONS ARE: HILLS, VALLEYS, CREEKS, POWER POLES, ELEVATIONS, IRREGULAR LOT OR TRACT SHAPES, ETC. THE BOARD OF ZONING ADJUSTMENT MUST DETERMINE A SPECIAL CONDITION OR CONDITIONS EXIST(S) BEFORE MAKING A MOTION TO APPROVE A REQUEST. IF IT IS DETERMINED THAT NO SPECIAL CONDITION EXISTS, THE MOTION MUST BE TO DENY THE REQUEST.

The reason for request is in response to a request from City that property owner (Darrell Rogers) change a previously-approved design concept to comply with the City's planned Dallas Road Corridor redevelopment. The City asked that DLR representatives meet with the design team associated with the new TEX Rail Station & Hotel project now under construction. The City's design team, headed by Craig Melde of Architexas, asked that the DLR building be shifted to the front of the site placing parking in the rear as well as moving to the side property line which was necessary to provide access to the new parking location at the rear. The design of the building has also been changed at the request of the City's design team to match the more historical context associated with the surrounding redevelopment

6. EXPLAIN ANY UNIQUE CIRCUMSTANCES, IF APPLICABLE, NOT CONSIDERED BY THE ZONING ORDINANCE. EXAMPLES: (1) IF THE GRAPEVINE CITY COUNCIL APPROVED A PLAT PRIOR TO PRESENT ZONING ORDINANCE REQUIREMENTS; OR (2) THE ORDINANCE WAS AMENDED OR A POLICY CHANGE WAS ADOPTED AFTER INITIATION OF THE PLANS CHECK PROCESS FOR A BUILDING PERMIT OR OTHER PHASE OF THE DEVELOPMENT PROCESS.

7. ATTACH A DETAILED DIAGRAM OF THE SITE DRAWN TO SCALE, AND ANY OTHER DRAWINGS OR PHOTOGRAPHS NECESSARY TO HELP EXPLAIN THE CASE TO THE BOARD. SHOW ON THE DIAGRAM ALL EASEMENTS, BUILDING LINES, ENCROACHMENTS, AND THE VARIANCE(S) REQUESTED. THE REQUESTED VARIANCE(S) SHOULD BE QUANTIFIED BY AN APPROPRIATE MEASUREMENT (DISTANCE, PERCENTAGE, ETC.)

THE DEVELOPMENT SERVICES STAFF WILL DETERMINE THE AGENDA FOR EACH OF THE PUBLIC HEARING DATES. BASED ON THE SIZE OF THE AGENDA, YOUR APPLICATION MAY BE RESCHEDULED TO A LATER DATE.

APPLICANT (PRINT) Darrell L. Rogers / D.L. Rogers Corp.
APPLICANT SIGNATURE *[Signature]*
OWNER (PRINT) Darrell L. Rogers / D.L. Rogers Corp.
OWNER SIGNATURE *[Signature]*

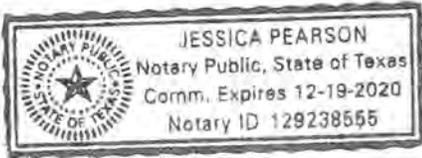
The State of Texas

County of Tarrant

Before me Jessica Pearson on this day personally appeared Darrell Rogers known to me (or proved to me on the oath of _____ or through _____ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 18 day of June, A.D. 2018.

SEAL



Jessica Pearson
Notary Signature

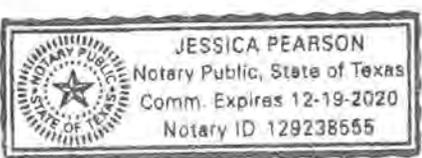
The State of Texas

County of Tarrant

Before me Jessica Pearson on this day personally appeared Darrell Rogers known to me (or proved to me on the oath of _____ or through _____ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 18 day of June, A.D. 2018.

SEAL



Jessica Pearson
Notary Signature

5

GU

1 2.644 @

ST

KIND

6B

Dallas

PO
SHIA BUSINESS PARK
38447

1
717 @ **1**

TR 30A
.59 AC

LI

TR 33A

HILLTOP ADDN
18480

1R1
1.129 @
1

TR 29
1.24 AC

MXU

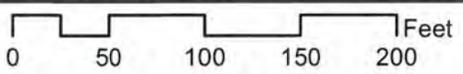
1R1

1

M & H
24524J

2

HILLTOP
18480
7
8



BZA18-06
306 East Dallas Road

Date Prepared: 7/23/2018

This data has been compiled by the City of Grapevine IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



BZA18-06
306 East Dallas Road

Date Prepared: 7/23/2018

This data has been compiled by the City of Grapevine IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.

terminated by the Board of Adjustment in accordance with provisions of Section 67A of this Ordinance.

E. CHANGING NONCONFORMING USES:

1. Any nonconforming use may be changed to a conforming use, and once such change is made, the use shall not thereafter be changed back to a nonconforming use.
2. The Board of Adjustment may grant a change of use from one nonconforming use to another nonconforming use provided such change is to a use permitted in a zoning district where the original nonconforming use would be permitted, or provided that such change is to a use permitted in a more restrictive classification. However, such change of use and occupancy shall not tend to prolong the life of a nonconforming use. Upon review of the facts in accordance with Section 67A, the Board of Adjustment may establish a specific period of time for the return of the occupancy to a conforming use.
3. The Board of Adjustment may approve the remodeling or enlargement of a nonconforming use when such an enlargement would not tend to prolong the life of the nonconforming use. Upon review of the facts, the Board of Adjustment may establish a specific period of time for the return of the occupancy to a conforming use.

F. LIMITATIONS ON CHANGING NONCONFORMING USES: No nonconforming use shall be changed to another nonconforming use, which requires more off-street parking spaces or off-street loading space than the original nonconforming use, unless additional off-street parking and loading space is provided so as to comply with the requirements of Sections 55 and 56.

The number of dwelling units or rooms in a nonconforming residential use shall not be increased so as to exceed the number of dwelling units or rooms existing on the effective date of this Ordinance.

No nonconforming use may be expanded or increased beyond the lot or tract upon which such nonconforming use is located as of the effective date of this ordinance except to provide off-street loading or off-street parking space upon approval of the Board of Adjustment.

All nonconforming uses being expanded under the provisions of this Ordinance shall comply with the other applicable provisions of this Ordinance.

G. TERMINATION OF NONCONFORMING STRUCTURES:

1. In the event of damage or destruction of a nonconforming structure to the

SITE DATA:
 Occupancy classification: --
 Occupancy group: Mixed Use
 Type of construction: Type: II B - Fully Sprinklered
 Sprinklered: Yes
 Total Lot Area: 25,398 s.f.
 Total Building Footprint (Lot Coverage): 11,920 s.f. (46.9%)
 Total Spaces Provided: 15 spaces

No.	Issued for / Revisions:	Date
-	Issued for Site Plan Appr.	3-21-18
-	revised	6-19-18

Not submitted
for regulatory
review or
approval

D. L. Rogers Corp.
Corporate Annex
 306 East Dallas Road Grapevine, TX 76051

Owner:
 D. L. Rogers Corp.
 5013 Davis Blvd.
 North Richland Hills, Texas
 76180
 817-428-2077

Architect:

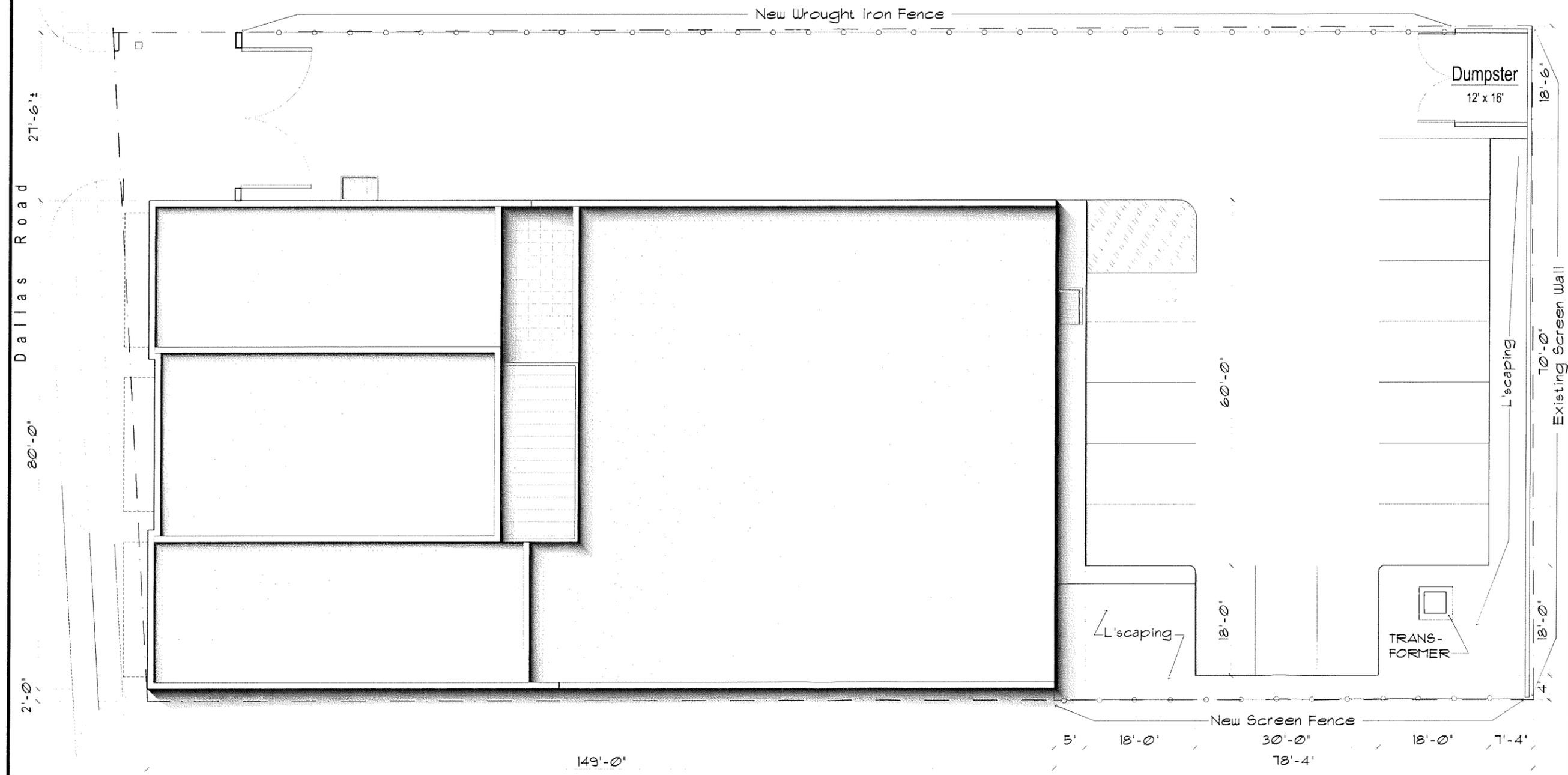
DESIGN GROUP, Inc
 TIME: Inc. Registration # 011 2197
 P. O. Box 10000 Dallas, TX 75210
 817-428-2077 Fax

NOTICE OF CONFIDENTIALITY AND COPYRIGHT: THESE DRAWINGS AND ALL INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF DESIGN GROUP, INC. AND ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE ARCHITECT'S CONTRACT. ANY REPRODUCTION OR USE OF THESE DRAWINGS WITHOUT THE WRITTEN CONSENT OF DESIGN GROUP, INC. IS STRICTLY PROHIBITED. ANY VIOLATION OF THESE TERMS SHALL BE SUBJECT TO LEGAL ACTION AND PENALTY.

Drawn by: STAFF
 Checked by: D.M.

Project No.: 216102

Sheet Name
 Site Plan
 Sheet No.
A0.1



1 PROPOSED SITE PLAN

SCALE: 1/8" = 1'-0"

MEMORANDUM

DEVELOPMENT SERVICES

MEMO TO: BOARD OF ZONING ADJUSTMENT

FROM: SCOTT WILLIAMS, DIRECTOR DEVELOPMENT SERVICES \ BUILDING OFFICIAL
RON STOMBAUGH, ASSISTANT DIRECTOR DEVELOPMENT SERVICES
ALBERT L. TRIPLETT JR, PLANNER II

SUBJECT: BOARD OF ZONING ADJUSTMENT CASE #BZA18-07
1333 PINE STREET

MEETING DATE: **MONDAY, AUGUST 6, 2018**

RECOMMENDATION:

Staff recommends the Board of Zoning Adjustment **deny** the following special exception to Grapevine Comprehensive Zoning Ordinance 82-73 for property located at 1333 Pine Street, platted as Lot 6, Block 5, Sky Harbor Addition as follows:

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 is requesting a special exception to allow the existing residential structure to remain as developed including vehicular parking within the required front yard as shown on the plot plan "A".

Staff recommends the Board of Zoning Adjustment **approve** the following special exception request to Grapevine Comprehensive Zoning Ordinance 82-73 for property located at 1333 Pine Street, platted as Lot 6, Block 5, Sky Harbor Addition as follows:

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.

Staff is requesting a special exception to allow the existing residential structure to remain as developed with vehicular parking to be relocated on the subject site and not within the required yard as shown on plot plan "B".

SPECIAL CONDITION:

Staff finds no special condition exists to allow the vehicular parking to remain within the required front yard. Staff does however find a special condition does exist for vehicular parking to be relocated on the subject site and not within the required front yard. Specifically, the subject site is an existing developed lot, and the existing structure was built in 1956 prior to the rezoning of the subject site in the 1984 City Rezoning to "R-7.5" Single Family District. The site is noncompliant with the current Zoning Ordinance (82-73) relative to off street parking to not be located in the front yard. Plot plan "B" depicts adequate width

street parking spaces not within the front yard.

BACKGROUND INFORMATION:

The subject site is currently zoned "R-7.5" Single Family District. The property owner purchased the property in 2018 intending to update and remodel the dwelling. Subsequent to purchasing the property the owner became aware that a garage converted to living space did not receive the appropriate permits from the city for the conversion. The application was submitted by David Dee Stout on behalf of property owners Kevin and Kari Perkins.

BZA18-07

CITY OF GRAPEVINE BOARD OF ZONING ADJUSTMENT APPLICATION

JUL 02 2018

1. **APPLICANT:**

NAME: David Dee Stout, Project Mgr., Texas Select Builders

ADDRESS: 26102 Allenford Ct.

CITY/STATE: Katy, TEXAS ZIP: 77494

HOME: _____ WORK: ^{Jim Johnson} (832) 704-3239 MOBILE: (817) 501-1015

FAX: (832) 704-3239 E-MAIL: [REDACTED]

2. **PROPERTY OWNER(S):**

** Please note: David Stout will be out of the country 7/5/18 - 7/30/18. Please contact Jim Johnson*

NAME: Kevin and Kari Perkins

ADDRESS: 2161 Wedgewood

CITY/STATE: Grapevine, TEXAS ZIP: 76051

HOME: ^{Mobile:} (214) 418-6215 WORK: ^{mobile} (214) 207-3182 FAX: _____

3. **LEGAL DESCRIPTION (SUBJECT PROPERTY):**

STREET ADDRESS, LOT, BLOCK AND SUBDIVISION NAME OF THE SUBJECT PROPERTY:
(Please attach Survey of the Subject Property)

ADDRESS: 1333 S. Pine Street, Grapevine, TX 76051

LOT: 6 BLOCK: 5 SUB-DIVISION: Sky Harbor Addition

4. LIST THE PERTINENT SECTION(S) OF THE ZONING ORDINANCE AND INDICATE THE SPECIFIC VARIANCE AMOUNTS BEING REQUESTED. IF NECESSARY USE A SEPARATE SHEET:

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. Off street parking not within the required yard is not available.

5. STATE THE GROUNDS FOR THE REQUEST AND DETAIL ANY SPECIAL CONDITIONS WHICH CAUSE HARDSHIPS THAT IN YOUR OPINION JUSTIFY THE VARIANCE(S) OR SPECIAL EXCEPTION(S) YOU ARE REQUESTING. EXAMPLES OF SPECIAL CONDITIONS ARE: HILLS, VALLEYS, CREEKS, POWER POLES, ELEVATIONS, IRREGULAR LOT OR TRACT SHAPES, ETC. THE BOARD OF ZONING ADJUSTMENT MUST DETERMINE A SPECIAL CONDITION OR CONDITIONS EXIST(S) BEFORE MAKING A MOTION TO APPROVE A REQUEST. IF IT IS DETERMINED THAT NO SPECIAL CONDITION EXISTS, THE MOTION MUST BE TO DENY THE REQUEST.

Kevin and Kari Perkins purchased the home located at 1333 S. Pine Street on or about June 1, 2018 and enlisted the services of Texas Select Builders, LLC to refurbish and remodel the interior of the home and enhance the exterior, but not increase the dimensions of the structure itself. Unbeknownst to the Perkinses, a modification to enclose the single car garage, which had been done at an unknown time by a previous owner, had not been properly permitted by the City of Grapevine. The house was built, according to the Tarrant Appraisal District, in 1956, and the square footage listed with the District was 1,522 (which is calculated by including the garage modification), leading the Perkinses to believe that all previous adjustments to the home in regard to the former garage, had been properly permitted.

The Perkinses plan to spend approximately \$117,000 to renovate the home, which will involve totally replacing all electrical systems and plumbing, including all water and drain lines. Only when application for a building permit was submitted by David Stout, project manager for Texas Select Builders, LLC, did the parties become aware of any prior permitting violations. The Building Inspections and Permit Department advised that not only was the garage not permitted but that current Zoning Ordinances require parking spaces for 2 vehicles behind the 30 foot building setback line.

As mentioned above, the house was built in 1956 and most homes in that period, in the type neighborhood as Sky Harbor Addition, had only single car garages. The house was built approximately 30'4" from the street, in accordance with requirements at that time. (See exhibit 1 – survey prepared on 5/21/2018). The survey shows a double car width driveway on the north side of the lot, capable of providing adequate space for 2 cars to park off-street. However, the 35 foot depth of the front yard places the cars within the 30 foot building line, but with considerable room between the cars and the curb – approximately 20 additional feet (see exhibit 2).

The solution at first glance appears to build a driveway along the side of the house, as has been done by some of the houses in the neighborhood as modernization and rehabilitation has taken place. However, numerous factors create an almost impossible situation.

- A. The house is located 12 feet from the south property line, and if a concrete driveway were installed, passengers would have only inches on each side of the car for egress.

- B. A gas meter protruding 2 feet is located approximately 6 feet from the front (southwest) corner of the house within the area, prohibiting safe use of the driveway (see exhibit 3). Moving the gas meter further down the area or around into the back yard is not feasible, because, according to Atmos Energy, the meter must be available for inspection at any time, and not behind a locked gate. In addition, the meter cannot be relocated anywhere near the rear (southeast) corner of the house, because of window placement on that corner (see exhibit 4).
 - C. Along the south fence line are 6 trees which belong to the neighbor (see exhibits 5 and 6). While the trees do not appear be of species addressed in Ordinance Section 52 H.1.(f) – Tree Preservation, they certainly provide shade for the homes and in any event, belong to the neighbors to the south. Any excavation in preparation to pouring a concrete driveway in that narrow strip would inevitably damage the root system and likely kill the 6 trees. Neil Sperry, note expert on Texas plant life, states that “Regardless of the tree species and the type and depth of the soil it’s growing in, 90 percent of almost any tree’s roots are in the top foot of soil.” He continues, “Don’t add soil on top of the existing grade, or you’ll suffocate their roots. Even two or three inches of soil could cause harm.” Even if it were possible to pour the slab on grade, without excavation the trees would likely die.
6. EXPLAIN ANY UNIQUE CIRCUMSTANCES, IF APPLICABLE, NOT CONSIDERED BY THE ZONING ORDINANCE. EXAMPLES: (1) IF THE GRAPEVINE CITY COUNCIL APPROVED A PLAT PRIOR TO PRESENT ZONING ORDINANCE REQUIREMENTS; OR (2) THE ORDINANCE WAS AMENDED OR A POLICY CHANGE WAS ADOPTED AFTER INITIATION OF THE PLANS CHECK PROCESS FOR A BUILDING PERMIT OR OTHER PHASE OF THE DEVELOPMENT PROCESS.

While merely expense, even a considerable expense, might not usually qualify as a “hardship,” we believe that a very workable solution is for the Board of Zoning Adjustment to grant a variance, which will simply allow the Perkinses to maintain the driveway in its existing location. The cost of excavating the side of the house, moving the gas meter, pouring a 65 foot concrete driveway and removing the existing off-street driveway will cost well in excess of \$15,000 and will likely kill 6 of the neighbors’ trees, exposing the Perkinses to financial liability.

Clearly, the neighborhood is in a positive state of transition. The house was built in 1956, when families commonly had only one car. Ordinance Sections 15 and 56, while both sensible and necessary for positive and controlled growth of Grapevine, were not in effect when the house was built. The spirit and intent of the Ordinances will be maintained in granting the requested variance.

Parked cars will still be a considerable distance from the street. The house directly across the street to the west has almost this exact arrangement, and, judging from the appearance of the concrete, seems to be a fairly recent addition (see exhibit 7).

7. ATTACH A DETAILED DIAGRAM OF THE SITE DRAWN TO SCALE, AND ANY OTHER DRAWINGS OR PHOTOGRAPHS NECESSARY TO HELP EXPLAIN THE CASE TO THE BOARD. SHOW ON THE DIAGRAM ALL EASEMENTS, BUILDING LINES, ENCROACHMENTS, AND THE VARIANCE(S) REQUESTED. THE REQUESTED VARIANCE(S) SHOULD BE QUANTIFIED BY AN APPROPRIATE MEASUREMENT (DISTANCE, PERCENTAGE, ETC.

PLEASE NOTE THAT 2 PROPOSED SITE PLANS ARE SUBMITTED –

“PLAN A” REQUESTS ZONE ADJUSTMENT TO ALLOW EXISTING OFF STREET PAKING TO REMAIN

“PLAN B” IS SUBMITTED, IN HE EVENT THAT “PLAN A” IS DENIED, SO THAT REMODELING MAY COMMENCE. WE DO NOT BELIEVE IT IS A VIABLE PLAN, AND WE ARE VERY CONCERNED THAT THE NEIGHBOR’S TREES WILL DIE.

See attached EXHIBITS 1-7.

THE DEVELOPMENT SERVICES STAFF WILL DETERMINE THE AGENDA FOR EACH OF THE PUBLIC HEARING DATES. BASED ON THE SIZE OF THE AGENDA, YOUR APPLICATION MAY BE RESCHEDULED TO A LATER DATE.

APPLICANT (PRINT) David Dee Stout, Project Manager, Texas Select Builders, LLC

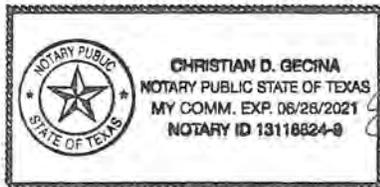
APPLICANT SIGNATURE *David Dee Stout*

OWNER (PRINT) Kari K Perkins

OWNER SIGNATURE *Kari Perkins*

The State of Texas County of Tarrant Before me
Christian D Gecina on this day personally appeared
David Dee Stout known to me (or proved to me on the oath of
n/a or through TX DL (description of
identity card or other document) to be the person whose name is subscribed to the foregoing
instrument and acknowledged to me that he executed the same for the purposes and consideration
therein expressed. Given under my hand and seal of office this 2nd day of
July, A.D. 2018.

SEAL

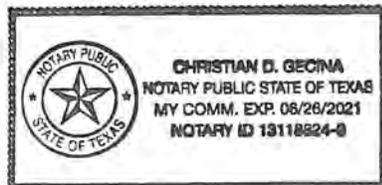


Notary Signature

[Handwritten Signature]

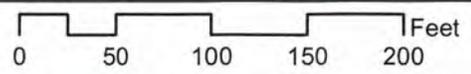
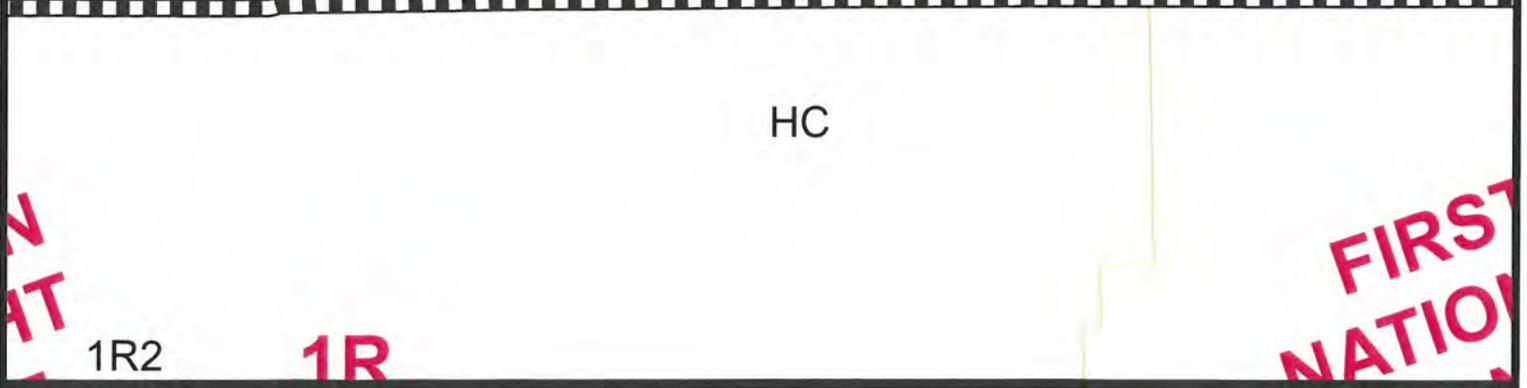
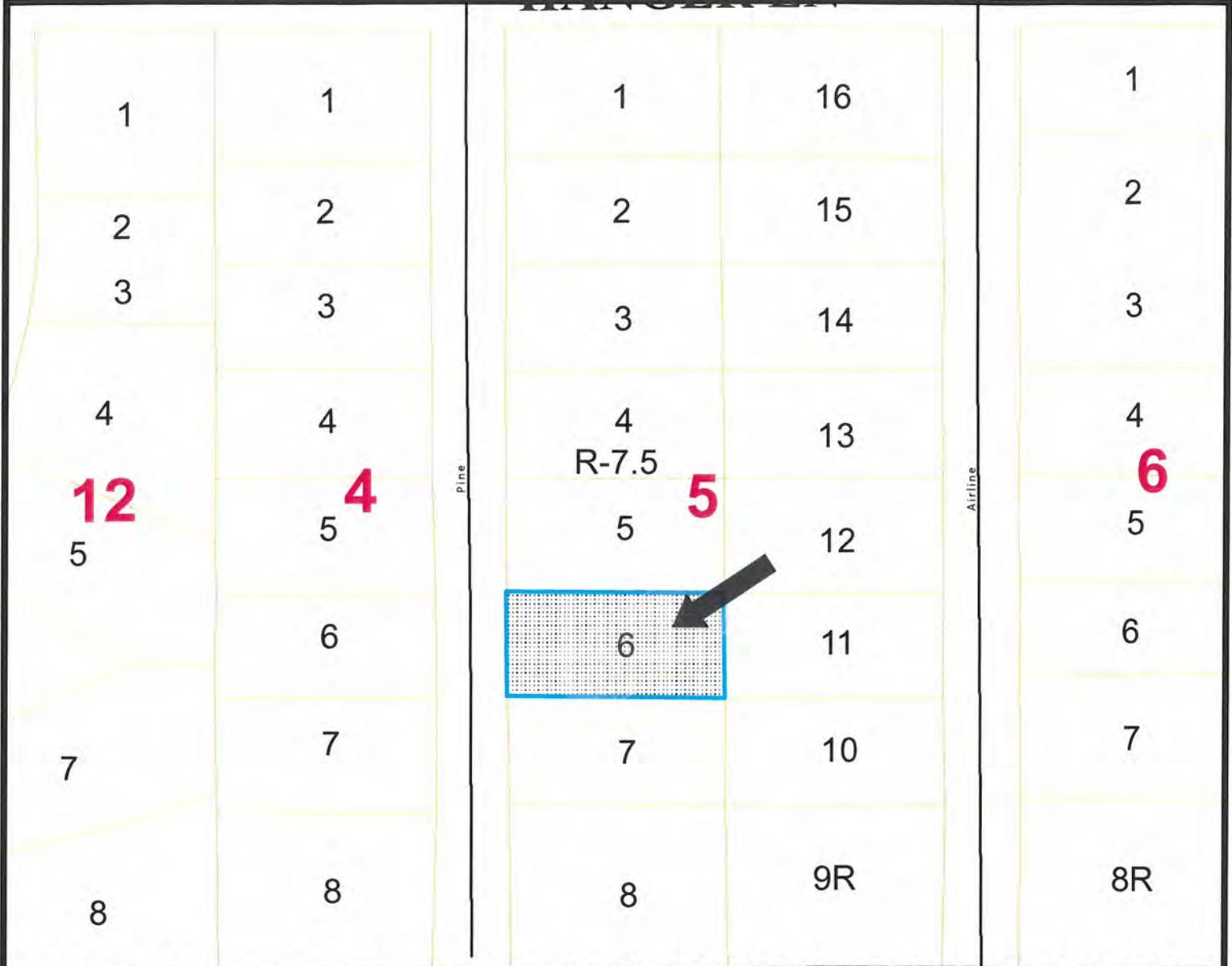
The State of Texas County of Tarrant Before me
Christian D Gecina on this day personally appeared
Kari K Perkins known to me (or proved to me on the oath of
n/a or through TX DL (description of
identity card or other document) to be the person whose name is subscribed to the foregoing
instrument and acknowledged to me that he executed the same for the purposes and consideration
therein expressed. Given under my hand and seal of office this 2nd day of
July, A.D. 2018.

SEAL



Notary Signature

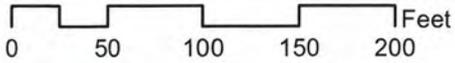
[Handwritten Signature]



BZA18-07
1333 Pine Street

Date Prepared: 7/23/2018

This data has been compiled by the City of Grapevine IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



BZA18-07
1333 Pine Street

Date Prepared: 7/23/2018

This data has been compiled by the City of Grapevine IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.

terminated by the Board of Adjustment in accordance with provisions of Section 67A of this Ordinance.

E. CHANGING NONCONFORMING USES:

1. Any nonconforming use may be changed to a conforming use, and once such change is made, the use shall not thereafter be changed back to a nonconforming use.
2. The Board of Adjustment may grant a change of use from one nonconforming use to another nonconforming use provided such change is to a use permitted in a zoning district where the original nonconforming use would be permitted, or provided that such change is to a use permitted in a more restrictive classification. However, such change of use and occupancy shall not tend to prolong the life of a nonconforming use. Upon review of the facts in accordance with Section 67A, the Board of Adjustment may establish a specific period of time for the return of the occupancy to a conforming use.
3. The Board of Adjustment may approve the remodeling or enlargement of a nonconforming use when such an enlargement would not tend to prolong the life of the nonconforming use. Upon review of the facts, the Board of Adjustment may establish a specific period of time for the return of the occupancy to a conforming use.

F. LIMITATIONS ON CHANGING NONCONFORMING USES: No nonconforming use shall be changed to another nonconforming use, which requires more off-street parking spaces or off-street loading space than the original nonconforming use, unless additional off-street parking and loading space is provided so as to comply with the requirements of Sections 55 and 56.

The number of dwelling units or rooms in a nonconforming residential use shall not be increased so as to exceed the number of dwelling units or rooms existing on the effective date of this Ordinance.

No nonconforming use may be expanded or increased beyond the lot or tract upon which such nonconforming use is located as of the effective date of this ordinance except to provide off-street loading or off-street parking space upon approval of the Board of Adjustment.

All nonconforming uses being expanded under the provisions of this Ordinance shall comply with the other applicable provisions of this Ordinance.

G. TERMINATION OF NONCONFORMING STRUCTURES:

1. In the event of damage or destruction of a nonconforming structure to the

PROPOSED "PLAN A" REQUEST – NO CHANGES

1333 S. PINE STREET, GRAPEVINE, TEXAS

DESCRIPTION: LOT 6 BLOCK 5, SKY HARBOR ADDITION

LOT AREA	9,800 SF	MAX IMPERVIOUS COVERAGE ALLOWED (60%)	5,880 SF
EXISTING BUILDING COVERAGE	1522 SF	EXISTING DRIVEWAY, SIDEWALK, PORCH	630 SF
COVERED DECK	200 SF	EXISTING BACKYARD PAD	138 SF
SHED	192 SF	TOTAL EXISTING CONCRETE COVERAGE	768 SF
TOTAL BUILDING COVERAGE	2130 SF	PROPOSED TOTAL CONCRETE COVERAGE	768 SF
TOTAL IMPERVIOUS COVERAGE (27%)			2898 SF

OWNERS:

KEVIN and KARI PERKINS

1333 S. PINE STREET

GRAPEVINE, TEXAS

CONTACT NO. (214)207-3182

DRAWN BY:

DAVID STOUT

4735 OAK CLUB DRIVE

ARLINGTON, TEXAS

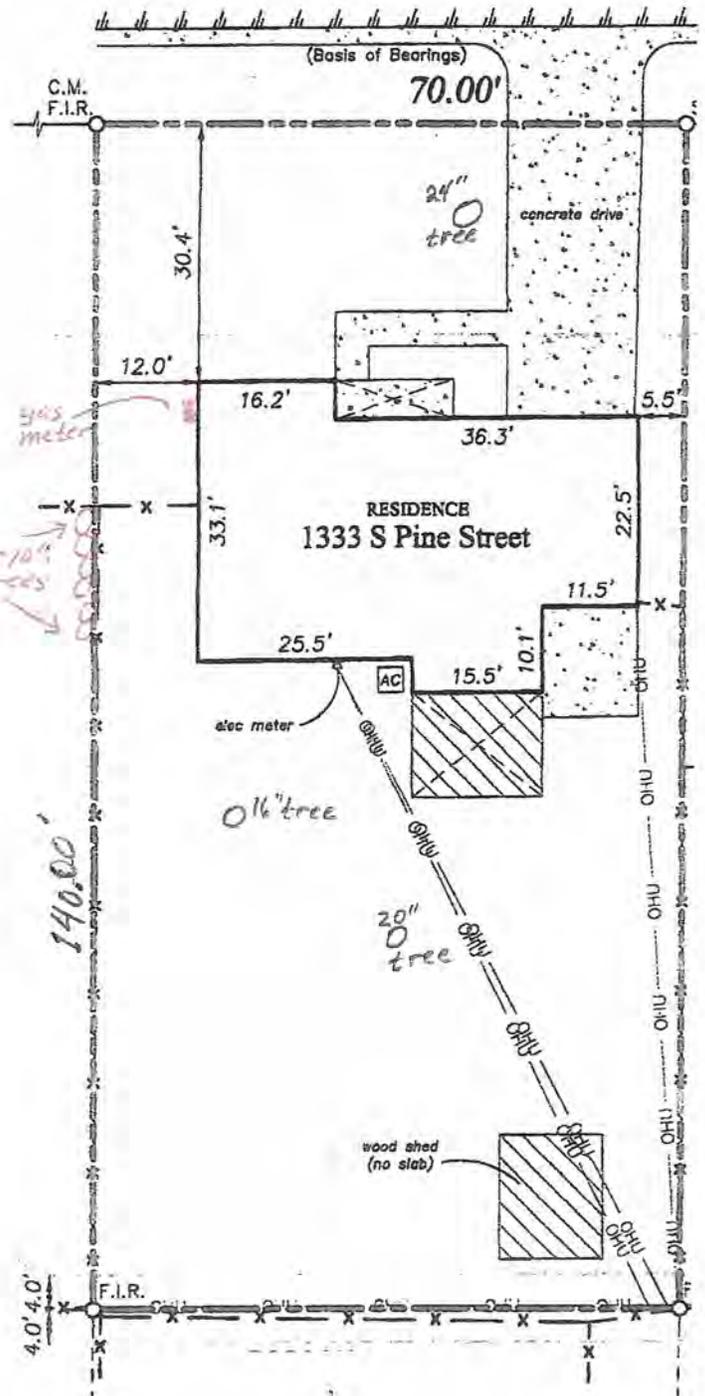
CONTACT NO. (817)501-1015

And JIM JOHNSON

CONTACT NO. (832)704-3239

June 29, 2018

APPLICATION FOR BOARD OF
ZONING ADJUSTMENT



SITE PLAN "A"

ALTERNATIVE PROPOSED "PLAN B" REQUEST

1333 S. PINE STREET, GRAPEVINE, TEXAS

DESCRIPTION: LOT 6 BLOCK 5, SKY HARBOR ADDITION

LOT AREA	9,800 SF	MAX IMPERVIOUS COVERAGE ALLOWED (60%)	5,880 SF
EXISTING BUILDING COVERAGE	1522 SF	EXISTING DRIVEWAY, SIDEWALK, PORCH	630 SF
COVERED DECK	200 SF	EXISTING BACKYARD PAD	138 SF
SHED	192 SF	TOTAL EXISTING CONCRETE COVERAGE	768 SF
TOTAL BUILDING COVERAGE	2130 SF	PROPOSED TOTAL CONCRETE COVERAGE	918 SF
		TOTAL IMPERVIOUS COVERAGE (30%)	3048 SF

OWNERS:

KEVIN and KARI PERKINS

1333 S. PINE STREET

GRAPEVINE, TEXAS

CONTACT NO. (214)207-3182

DRAWN BY:

DAVID STOUT

4735 OAK CLUB DRIVE

ARLINGTON, TEXAS

CONTACT NO. (817)501-1015

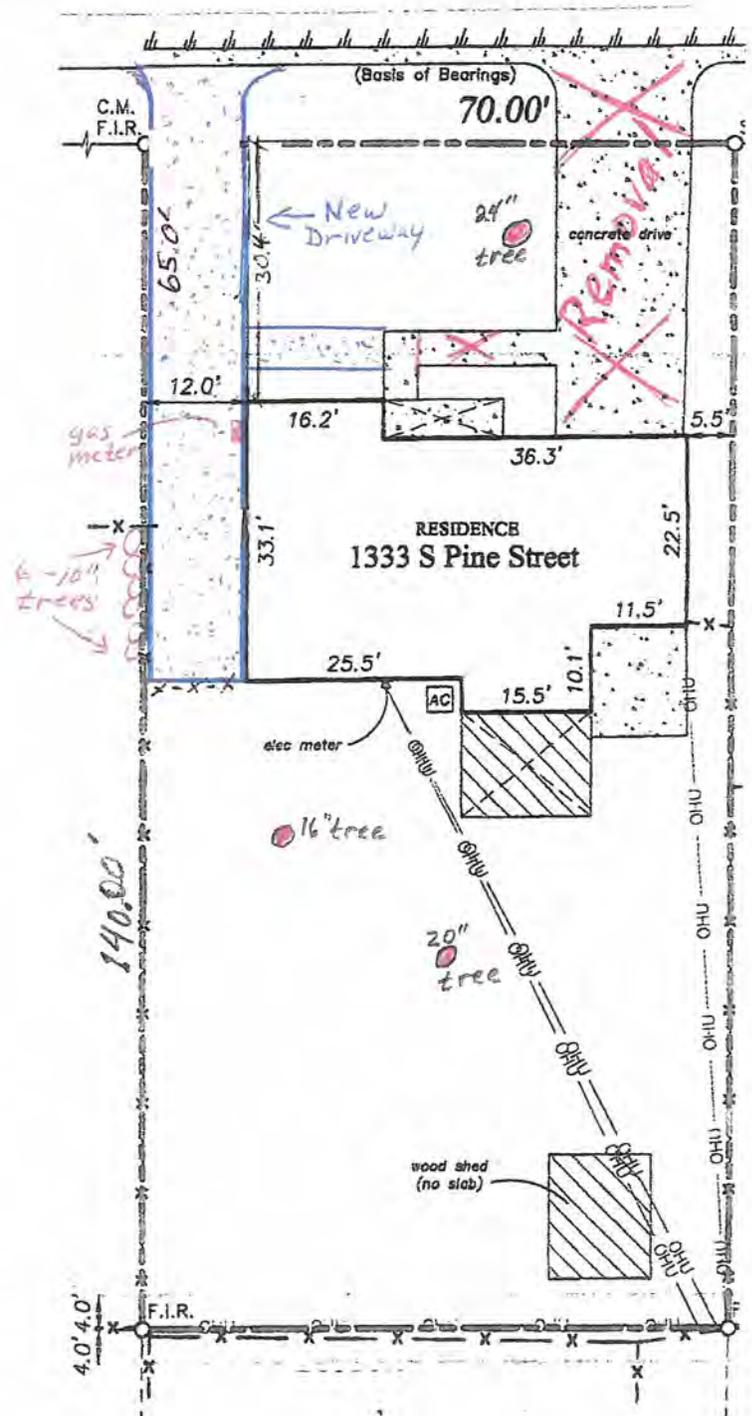
And JIM JOHNSON

CONTACT NO. (832)704-3239

June 29, 2018

APPLICATION FOR BOARD OF
ZONING ADJUSTMENT

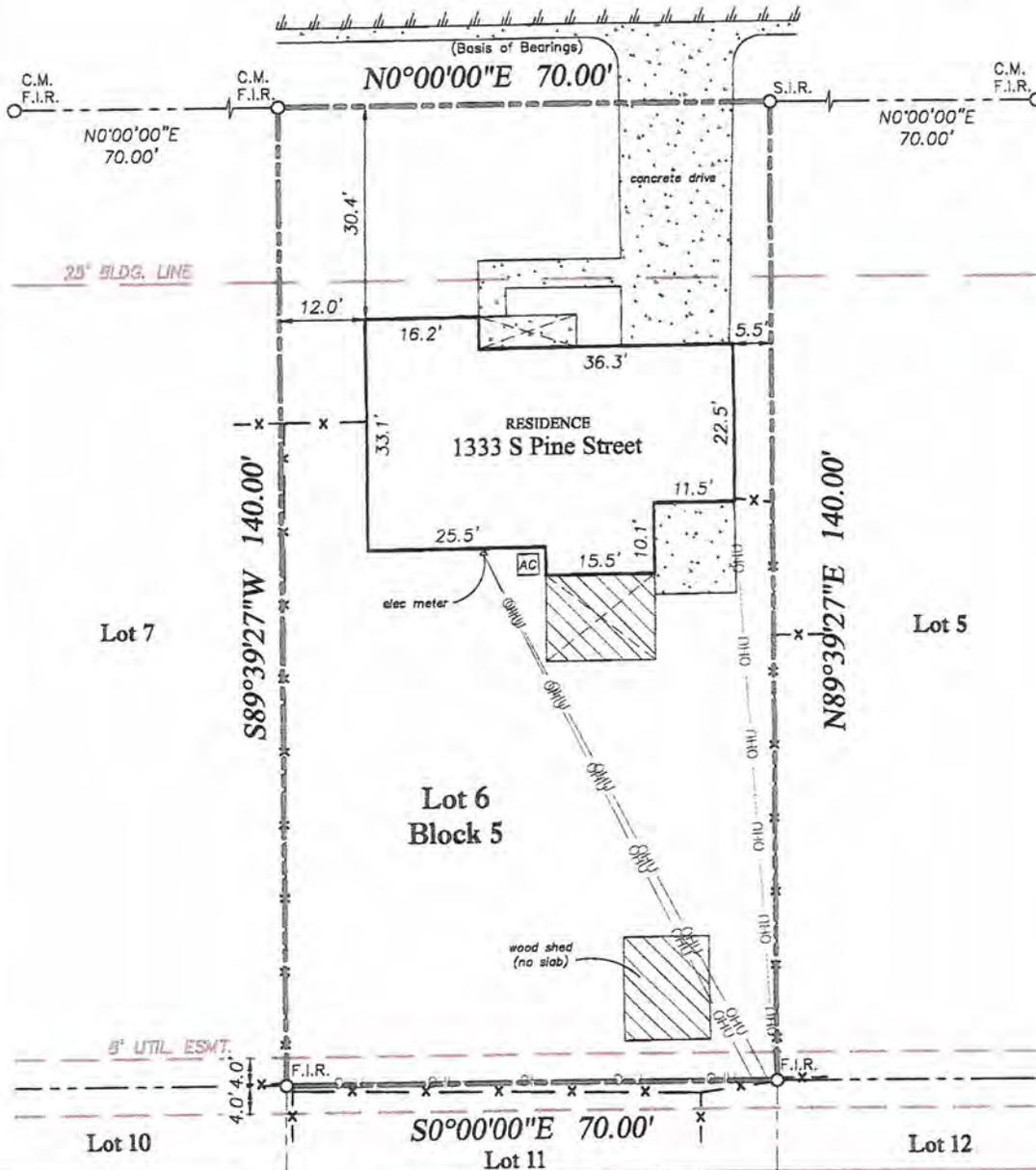
SITE PLAN "B"
ALTERNATIVE



1333 S Pine Street

(50' ROW)

S PINE STREET



PROPERTY DESCRIPTION: Being Lot 6, Block 5 of Sky Harbor Addition, Section B, an Addition to the City of Grapevine, Tarrant County, Texas, according to the Plat thereof recorded in Volume 388-Q, Page 129, Plat Records, Tarrant County, Texas.

The undersigned have/has received and reviewed a copy of this survey.	Date:	05/21/2018
	ASC No.	A-0514181582
	P.C. / Tech	B.G. / R.G.
	Client	Lawyers Title
	G.F. No.	LT-2066-200066180074-CM

LEGEND - C.M.= Controlling Monument; F.I.R.= Found Iron Rod; F.I.P.= Found Iron Pipe; F.C.P.= Fence Corner Post. OHE=Overhead Electric. S.I.R.= Set Iron Rods 1/2" diameter with yellow cap stamped "Arthur Surveying Company". All found iron rods are 1/2" diameter unless otherwise noted. — x — (fence/ & post) — OHU — (overhead utility)

FLOOD NOTE: It is my opinion that the property described hereon is not within the 100-year flood zone area according to the Federal Emergency Management Agency Flood Insurance Rate Map Community-Panel No. 480598 0115 K, present Effective Date of map September 25, 2009, herein property situated within Zone "X" (Unshaded).

Date: _____



1333 S Pine Street
Grapevine, Texas

SURVEYORS CERTIFICATION:
The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and to the best of my knowledge, there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon. Corner noted as set will be set at a later date. The bearings shown hereon are based on the above referenced recorded map of plat unless otherwise noted.

ARTHUR LAND SURVEYING
220 Elm St., # 200 - Lewisville, TX 75057
Ph. 972.221.9439 - TFRN# 10063600
www.arthursurveying.com Established 1976



Lawyers Title
CATHY MILLER TEAM
3360 Long Prairie Road, Ste. 200
Flower Mound, Texas 75022
Ph: 972.221.3521
Fax: 972.355.0151



Exhibit 2. Existing Driveway



Exhibit 3. Gas Meter viewing east on south of plot

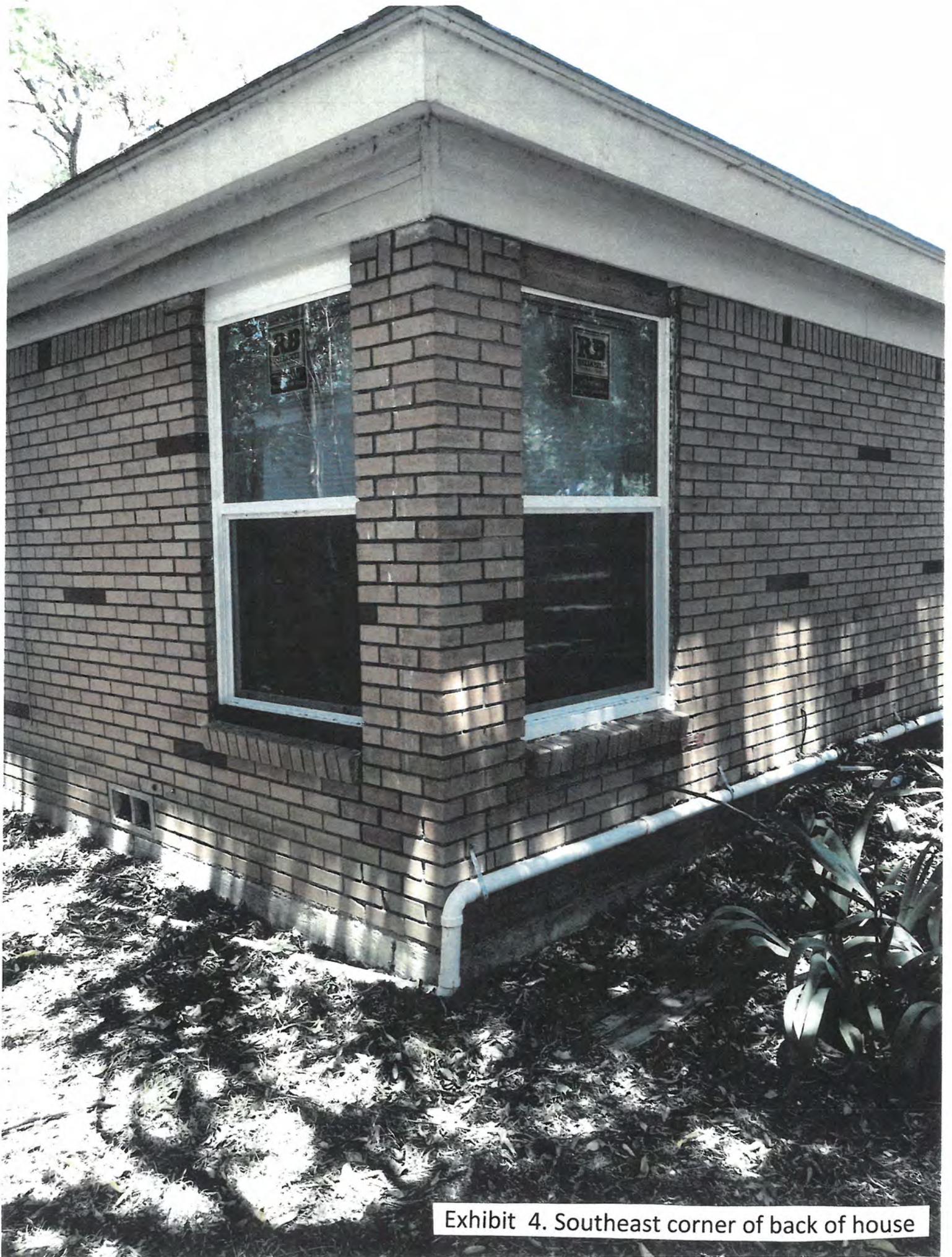


Exhibit 4. Southeast corner of back of house



Exhibit 5. South area viewing east along neighbor's property line



Exhibit 6. South area viewing west along neighbor's property line



Exhibit 7. 1334 S. Pine Street, suggesting recent zoning adjustment

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The Board of Zoning Adjustment for the City of Grapevine, Texas, met on Monday evening, June 4, 2018, 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	Vice-Chairman
George Dalton	Member
John Sheppard	Member
D Todd Parrish	Alternate

constituting a quorum with Secretary Tracey Dierolf absent. Also present was City Council Representative Sharron Rogers 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 item scheduled to be heard in the regular public hearing.

ADJOURNMENT

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

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

The Briefing Session was adjourned at approximately 6:10 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 6TH DAY OF AUGUST 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, June 4, 2018 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	Vice-Chairman
George Dalton	Member
John Sheppard	Member
D Todd Parrish	Alternate

constituting a quorum with Secretary Tracey Dierolf absent. Also present was City Council Representative Sharron Rogers 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 BZA18-05, CRYSTAL VASQUEZ, 3220
TIMBERLINE DRIVE**

The first item for the Board of Zoning Adjustment to consider was BZA18-05 submitted by Crystal Vasquez for property located at 3220 Timberline Drive, platted as Lot 1, Block 1, Timberline Education.

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 a special condition existed for the special exception requested. Specifically, the subject site was an existing lot developed as the Timberline Elementary School and the existing non-residential structure and site was in complete compliance under the established guidelines at the time (Ord. 70-10). Developed in 1981, the site was now noncompliant with the current zoning ordinance (82-73) primarily relative to front yard setback and landscaping requirements.

Mr. Stombaugh stated that the property was currently zoned "GU" Government Use District, the structure constructed in 1981 encroached approximately eleven (11') feet

into the required front yard setback. Parking also encroached approximately 19 feet and nine (9') feet along Timberline Drive, respectively to the north and south of the main school structure.

With no questions for Mr. Stombaugh, Paul Hanes with Pacheco Koch, 6100 Western Place, Ft. Worth, Texas, representing Grapevine Colleyville Independent School District, took the Oath of Truth; he gave a brief presentation and offered to answer any questions of the Board.

Ken White asked if the security of the building had been addressed as part of the improvements. Tim Hawkins with Huckabee Architects, 801 Cherry Street, Ft. Worth, Texas, took the Oath of Truth; he stated that the security of the building had been addressed on a recently completed project. This phase was for the drive-way, parking lot and playground.

With no questions for Mr. Hanes or Mr. Hawkins 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, Sheppard, Parrish
Nays: None
Absent: Dierolf

Chairman Holt announced that one (1) letter had been received.

Ken White made a motion that a special condition existed for the requested special exception. Specifically, the subject site was an existing lot developed as the Timberline Elementary School and the existing non-residential structure and site was in complete compliance under the established guidelines at the time (Ord. 70-10). Developed in 1981, the site was now noncompliant with the current zoning ordinance (82-73) primarily relative to front yard setback and landscaping requirements. John Sheppard seconded the motion which prevailed by the following vote:

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

Ken White then made a motion to grant the following 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. George Dalton seconded the motion which prevailed by the following vote:

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

Ken White made a motion to consider a motion to reopen the public hearing to allow additional speakers. George Dalton seconded the motion which prevailed by the following vote:

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

Property owner, Edward Laketek, 2410 Briarwood Drive, Grapevine, Texas, took the Oath of Truth; he expressed his concerns regarding the buffer area between him and the school. He was advised to contact the school district. With no further questions, Jim Hause, 3108 Stone Creek Lane, Grapevine, Texas, took the Oath of Truth; he expressed concerns regarding the traffic on Stone Creek Lane and the safety of the children. With no questions for Mr. Hause, a third citizen expressed concerns regarding the safety of the children and the illegal vehicle parking on Stone Creek Lane, with no additional speakers, John Sheppard made a motion to re-close the public hearing. Ken White seconded the motion which prevailed by the following vote:

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

MINUTES

Next the Board of Zoning Adjustment considered the minutes of the April 2, 2018, Briefing Session and Public Hearing.

Ken White made a motion to accept the minutes of the April 2, 2018, Briefing Session. George Dalton seconded the motion.

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

Ken White made a motion to accept the minutes of the April 2, 2018, Public Hearing. John Sheppard seconded the motion which prevailed by the following vote:

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

ADJOURNMENT

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

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

The meeting was adjourned at approximately 6:38 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 6TH DAY OF AUGUST 2018.

APPROVED:

CHAIRMAN

SECRETARY