

AGENDA
CITY OF GRAPEVINE
BOARD OF ZONING ADJUSTMENT MEETING
MONDAY, JULY 6, 2020, 6:00 P.M.
CITY HALL COUNCIL CHAMBERS, 2ND FLOOR
SECOND FLOOR – CITY HALL
200 SOUTH MAIN STREET
GRAPEVINE, TEXAS 76051

In accordance with Orders of the Office of the Governor of the State of Texas, the Grapevine Board of Zoning Adjustment will conduct the meeting scheduled at 6:00 pm on July 6, 2020 in the Council Chambers at 200 South Main Street, by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). The Board Members of Board of Zoning Adjustment may attend this meeting in person.

There will be no public access to the location described above.

This supplemental written notice, the meeting agenda, and the agenda packet are posted online at www.grapevintexas.gov.

The public toll-free dial-in number to participate in the telephonic meeting is 1-210-469-4097. The audio conference PIN is 446 503 601#.

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. Starting at 5:00 pm on Sunday, July 5, citizens can submit a Citizen Appearance request form from the City’s website at <https://www.grapevintexas.gov/89/Agendas-Minutes>. During the meeting, the names of those that have submitted a form will be called on to speak in the order the forms were received. The deadline to submit request will be 5:00 pm on Monday July 6, 2020.

A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

1. Call to Order
2. Roll Call

BRIEFING SESSION

3. Board of Zoning Adjustment to conduct a briefing session to discuss items scheduled to be heard in the July 6, 2020 public hearing.

CITIZEN COMMENTS

4. Any person who is not scheduled on the agenda may address the Board under Citizen Comments or on any other agenda item by completing a Citizen Appearance Request form with the staff. A member of the public may address the Board regarding an item on the agenda either before or during the Board's consideration of the item, upon being recognized by the Chairman or upon the consent of the Board. In accordance with the Texas Open Meetings Act, the Board is restricted in discussing or taking action during Citizen Comments.

PUBLIC HEARING

5. Board of Zoning Adjustment to conduct a public hearing relative to Board of Zoning Adjustment Case BZA20-04 submitted by Anne Lapkin for property located at 904 West Texas Street and consideration of same.

NEW BUSINESS

6. Board of Zoning Adjustment to consider the minutes of the May 4, 2020 meeting and take any necessary action.

ADJOURNMENT

In accordance with the Open Meetings Law, Texas Government Code, Chapter 551, I hereby certify that the above agenda was posted on the official bulletin boards at Grapevine City Hall, 200 South Main Street and on the City's website on June 29, 2020 by 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 #BZA20-04
904 WEST TEXAS STREET

MEETING DATE: **MONDAY, JULY 6, 2020**

RECOMMENDATION:

Staff recommends the Board of Zoning Adjustment **approve** the following variance and special exception to the Grapevine Comprehensive Zoning Ordinance 82-73 for property located at 904 West Texas Street, Tract 9R03U, A. Foster Survey, Abstract No. 518 as follows:

Section 15.G.4., “R-7.5” Single Family District, Area Regulations requires a minimum lot width of sixty-five feet (65’). The applicant is requesting a variance of five-foot (5’) and if approved by the Board, would allow a lot width of sixty-feet (60’) for an existing lot.

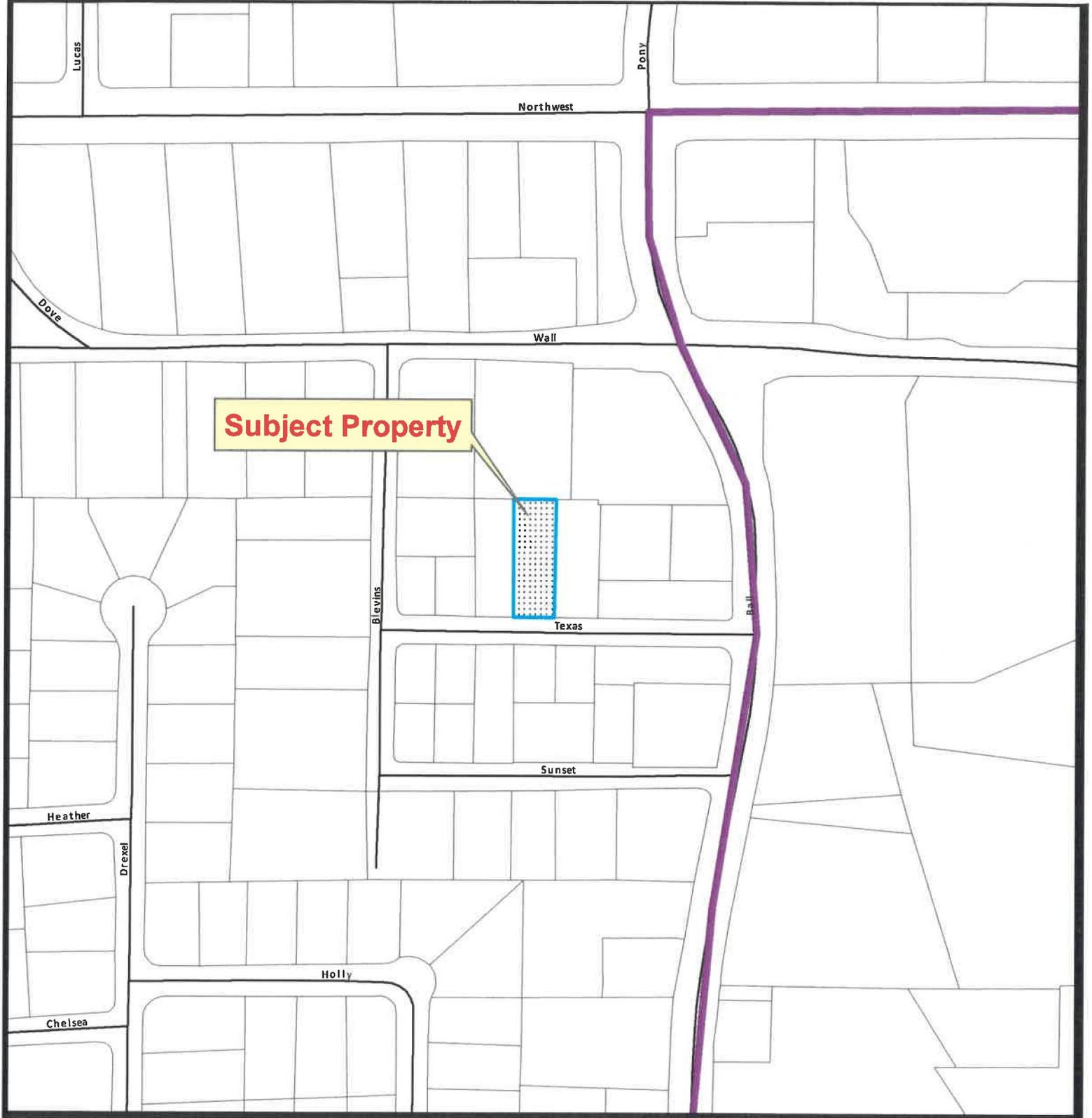
Section 43.E.3, Nonconforming Uses and Structures allows the Board of Zoning Adjustment to approve the remodeling and/or enlargement of a nonconforming use. The applicant is requesting a special exception to allow the existing residential structure to remain as developed along with an expansion as shown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

SPECIAL CONDITION:

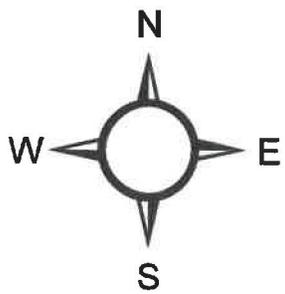
Staff finds that special conditions exist for the requested variance and special exception. Specifically, developed property exists to the east and west eliminating the possibility of expanding the lot to meet the width requirements. According to Tarrant Appraisal District records, the existing dwelling was built in 1950 predating the City’s first zoning ordinance adopted in 1955. The proposed expansion does not exacerbate the existing side yards adjacent to the east and west property lines respectively of approximately six-feet (6’) and five-feet (5’) and the front yard setback adjacent to the south property line of approximately ten-feet (10’).

BACKGROUND INFORMATION:

The applicant intends to expand the existing dwelling from approximately 1,849-s.f. to approximately 2,824-s.f. by adding 1,118-s.f. of living space in the rear yard adjacent to the west and north property lines, replacement of both the existing front porch and carport with a 92-s.f. front porch and a 429-s.f. attached carport with tandem parking spaces. An unenclosed 113-s.f. covered patio is proposed adjacent to the north elevation in the rear yard. The application was submitted by property owner Anne Lapkin.



Subject Property



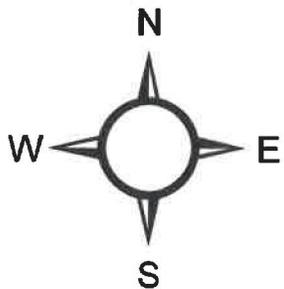
BZA20-04
904 WEST TEXAS STREET

1 inch = 200 feet

Subject Property



Texas



BZA20-04
904 WEST TEXAS STREET

1 inch = 60 feet

JUN 01 2020

BZA 20-04

20-1969

CITY OF GRAPEVINE BOARD OF ZONING ADJUSTMENT APPLICATION

1. APPLICANT:

NAME: ANNE LAPKIN
 ADDRESS: 904 W sunset
 CITY/STATE: Grapevine TX ZIP: 76051
 HOME: _____ WORK: _____ MOBILE: 914 844 1424
 FAX: _____ E-MAIL: anne.lapkin@gmail.com

2. PROPERTY OWNER(S):

NAME: ANNE LAPKIN
 ADDRESS: 904 W sunset
 CITY/STATE: Grapevine TX ZIP: 76051
 HOME: 914 844 1424 WORK: _____ 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: 904 W Texas, Grapevine TX 76051
 LOT: _____ BLOCK: _____ SUB-DIVISION: _____
FOSTER, A. HEIRS ABSTRACT #518 TRACT

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

Sec. 15. - R-7.5 part G requires front yard depth of 30 ft. - existing footprint is 17 feet from the street. Same section calls for side yard of 6 ft. Existing structure is 5ft 7 1/2 in. Section calls for lot width of 65 ft. lot is 60' wide

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.

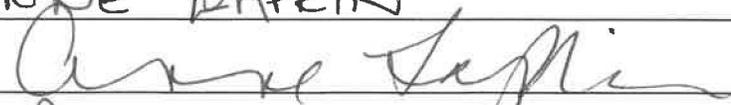
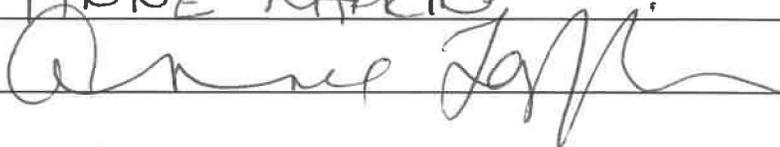
We wish to maintain ~~and~~ the existing house footprint and extend it, in order to preserve the magnificent oak tree located in the southeast quadrant of the property.

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.

The house has been on the property since the 1950s prior to the current zoning orders regarding setbacks.

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) ANNE LARKIN
APPLICANT SIGNATURE 
OWNER (PRINT) ANNE LARKIN
OWNER SIGNATURE 

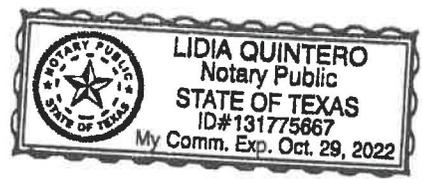
The State of Texas

County of Tarrant

Before me Anne Lapkin on this day personally appeared June 1, 2020 known to me (or proved to me on the oath of Drivers License (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 1 day of June, A.D. 2020.

SEAL



[Signature]
Notary Signature

The State of Tex

County of _____

Before me _____ on this day personally appeared _____ known to me (or proved to me on the oath of _____ (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 _____ day of _____, A.D. _____.

SEAL

Notary Signature

5. **Maximum Impervious Area:** The combined area occupied by all buildings, structures, off-street parking and paved areas shall not exceed sixty (60) percent of the total lot area.
6. **Minimum Floor Area:** The minimum square footage of a dwelling unit shall be not less than twelve hundred (1,200) square feet of floor area.

G. AREA REGULATIONS:

The following minimum standards shall be required:

1. **Depth of front yard, feet – 30**

A minimum of fifty (50) percent of the area of the lot within the required front yard setback shall be a landscaped area.

2. **Depth of rear yard, feet - 25**
3. **Width of side yard on each side, feet - 6**

4. **Width of lot, feet - 65**

Except reverse frontage lots shall be a minimum of ninety-five (95) feet in width.

5. **Depth of lot, feet - 100**
6. **DISTANCE BETWEEN BUILDINGS:** The minimum distance between principal or accessory buildings on adjacent lots shall be not less than twelve (12) feet.
7. **Only one single-family detached dwelling shall be permitted on each lot or lot of record, as the case may be.**

H. RESERVED

I. HEIGHT REGULATIONS:

The following maximum height regulations shall be observed:

1. **Height of principal structure, two (2) stories not to exceed thirty-five (35) feet.**
2. **Height of accessory structure, one (1) story not to exceed sixteen (16) feet.**

replacement cost of the structure, on the date of the damage, the right to operate such nonconforming use shall terminate.

- f. The right to maintain or operate a nonconforming use may be 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.

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The Board of Zoning Adjustment for the City of Grapevine, Texas, met on Monday evening, May 4, 2020, at 6:00 P.M. in the Council Chambers, 2nd Floor, 200 South Main Street, Grapevine, Texas for a Briefing Session with the following members present to wit:

Tracey Dierolf	Chairman
John Sheppard	Vice-Chairman
Ben Johnson	Secretary
George Dalton	Member
Doug Anderson	Member
Johnathan Gaspard	Alternate
John Borley	Alternate

constituting a quorum. With Board Member Johnathan Gaspard participating by telephone using the number and meeting ID that were posted on the Agenda. 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 Tracey Dierolf called the Briefing Session of the Board of Zoning Adjustment to order at approximately 6:00P.M.

NEW BUSINESS

Albert Triplett briefed the Board of Zoning Adjustment regarding the item scheduled to be heard in the regular public hearing.

ADJOURNMENT

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

Ayes: Dierolf, Sheppard, Johnson, Dalton, Anderson, Gaspard, Borley
Nays: None
Absent: None

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 6H DAY OF JULY 2020.

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, May 4, 2020, at 6:15 P.M., in the Council Chambers, 2nd Floor, 200 South Main Street, Grapevine, Texas with the following members present:

Tracey Dierolf	Chairman
John Sheppard	Vice-Chairman
Ben Johnson	Secretary
George Dalton	Member
Doug Anderson	Member

constituting a quorum. With Board Member Johnathan Gaspard participating by telephone using the number and meeting ID that were posted on the Agenda. 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 Tracey Dierolf called the Public Hearing Session of the Board of Zoning Adjustment to order at approximately 6:15 P.M.

CITIZEN COMMENTS

There was no one wishing to speak during citizen comments.

PUBLIC HEARING

BOARD OF ZONING ADJUSTMENT CASE BZA20-03, SAM MESSINA, 948 MEADOWBROOK DRIVE

The first item for the Board of Zoning Adjustment to consider was BZA20-03 submitted by Sam Messina for property located at 948 Meadowbrook Drive, Lot 16A, Block E, Brookhollow Estates.

Section 42.C.3, Supplementary District Regulations, Accessory Buildings requires accessory buildings in a residential district be located on the rear one-half of the lot and at least 10-feet from any dwelling or building. The applicant requested a special exception allowing construction of an accessory structure to be used as a garage to be located in the front one-half of the lot as shown on the plot plan.

Mr. Triplett explained that staff found a special condition existed for the requested special exception. Specifically, requiring placement of a detached garage in the rear yard was impractical because of the location of the dwelling and due to an existing flowage easement throughout most of the rear yard.

Mr. Triplett stated that the existing dwelling was constructed in 1969 and a plat approved in December 2019 expanded the subject site from approximately 8,030 square feet to 2.76 acres. All other ordinance requirements would be met for the 800 square foot detached garage.

With no questions for Mr. Triplett, Sam Messina of 948 Meadowbrook Drive, Grapevine, Texas, participating by telephone using the number and meeting ID that were posted on the Agenda, 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. Messina and no additional speakers, Ben Johnson made a motion to close the public hearing. Doug Anderson seconded the motion which prevailed by the following vote:

Ayes: Dierolf, Sheppard, Johnson, Dalton, Anderson
Nays: None
Absent: None

Doug Anderson made a motion that a special condition existed for the requested special exception. Specifically, the placement of the detached garage in the rear yard was impractical due to the location of the existing residential structure as well as a flowage easement that was present throughout most of the rear yard. George Dalton seconded the motion which prevailed by the following vote:

Ayes: Dierolf, Sheppard, Johnson, Dalton, Anderson
Nays: None
Absent: None

Doug Anderson then made a motion to grant the following special exception with regard to Section 42.C.3, Supplementary District Regulations, Accessory Buildings required accessory buildings in a residential district be located on the rear one-half of the lot and at least 10-feet from any dwelling or building. Relative to BZA20-03, for property addressed at 948 Meadowbrook Drive, platted at Lot 16A, Block E, Brookhollow Estates, Second Addition, allowing construction of an accessory structure to be located in the front one-half of the lot as shown on the plot plan. John Sheppard seconded the motion which prevailed by the following vote:

Ayes: Dierolf, Sheppard, Johnson, Dalton, Anderson
Nays: None
Absent: None

MINUTES

Next the Board of Zoning Adjustment considered the minutes of the April 6, 2020, Briefing Session and Public Hearing.

John Sheppard made a motion to accept the minutes of the April 6, 2020, Briefing Session. George Dalton seconded the motion which prevailed by the following vote:

Ayes: Dierolf, Sheppard, Johnson, Dalton, Anderson
Nays: None
Absent: None

John Sheppard made a motion to accept the minutes of the April 6, 2020, Public Hearing. Ben Johnson seconded the motion which prevailed by the following vote:

Ayes: Dierolf, Sheppard, Johnson, Dalton, Anderson
Nays: None
Absent: None

ADJOURNMENT

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

Ayes: Dierolf, Sheppard, Johnson, Dalton, Anderson
Nays: None
Absent: None

The meeting was adjourned at approximately 6:26 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 6TH DAY OF JULY 2020.

APPROVED:

CHAIRMAN

SECRETARY