

AGENDA
CITY OF GRAPEVINE
BRIEFING SESSION
BOARD OF ZONING ADJUSTMENT
MONDAY, DECEMBER 2, 2019, 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. Board of Zoning Adjustment to conduct a briefing session to discuss items scheduled to be heard in the December 2, 2019 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 26TH DAY OF NOVEMBER 2019 AT 5:00 P.M.



RON STOMBAUGH
ASSISTANT DIRECTOR, DEVELOPMENT
SERVICES

AGENDA
CITY OF GRAPEVINE
BOARD OF ZONING ADJUSTMENT MEETING
MONDAY, DECEMBER 2, 2019, 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. PUBLIC HEARING

A. Board of Zoning Adjustment to conduct a public hearing relative to Board of Zoning Adjustment Case BZA19-11 submitted by Fernando Hernandez for property located at 1326 West Wall Street and consideration of same.

IV. NEW BUSINESS

Board of Zoning to consider 2020 Meeting Agenda Schedule, and take any necessary action.

V. Board of Zoning Adjustment to consider the minutes of the November 4, 2019 meeting and take any necessary action.

VI. 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 26TH DAY OF NOVEMBER 2019 AT 5:00 P.M.



RON STOMBAUGH
ASSISTANT DIRECTOR, 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 #BZA19-11
1326 WEST WALL STREET

MEETING DATE: **MONDAY, DECEMBER 2, 2019**

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 1326 West Wall Street, platted as Lot 1R, Block 1, Bowles 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 for the construction of a detached carport to be located in the front one-half of the lot and if approved by the Board would allow a detached carport in the front one-half of the lot.

SPECIAL CONDITION:

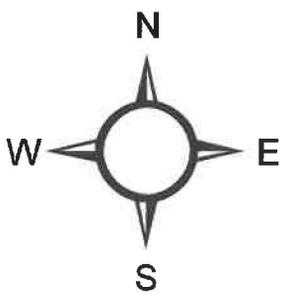
Staff finds that a special condition does exist for the requested special exception request. Specifically, the subject lot is an atypical lot, and placement of a detached carport in the rear one-half of the lot is impractical relative to the location of the dwelling unit and an existing detached garage. Additionally, almost one-half of the site contains an existing drainage easement for Farris Branch.

BACKGROUND INFORMATION:

Prior to a 2017 replat the subject site and the adjacent lot to the east were on the same property. The existing detached garage and two storage buildings on the subject site were accessory to a dwelling which existed prior to the replat. The subject site is currently developed with a single family residential dwelling, a detached garage and two storage buildings. With this request the applicant is proposing to construct a 500 square foot detached carport within the front one-half of the subject site, east of the existing dwelling. The dwelling is approximately 174 feet west of the front property line adjacent to West Wall Street. The proposed carport meets the setback requirement of 10-feet from all buildings on the lot and the side yard setback of six feet. The application was submitted by Fernando Hernandez representing property owner Daniel Shipman.

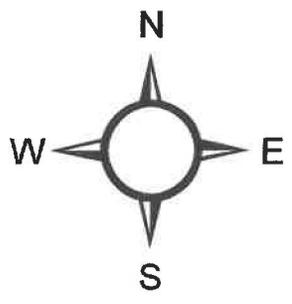
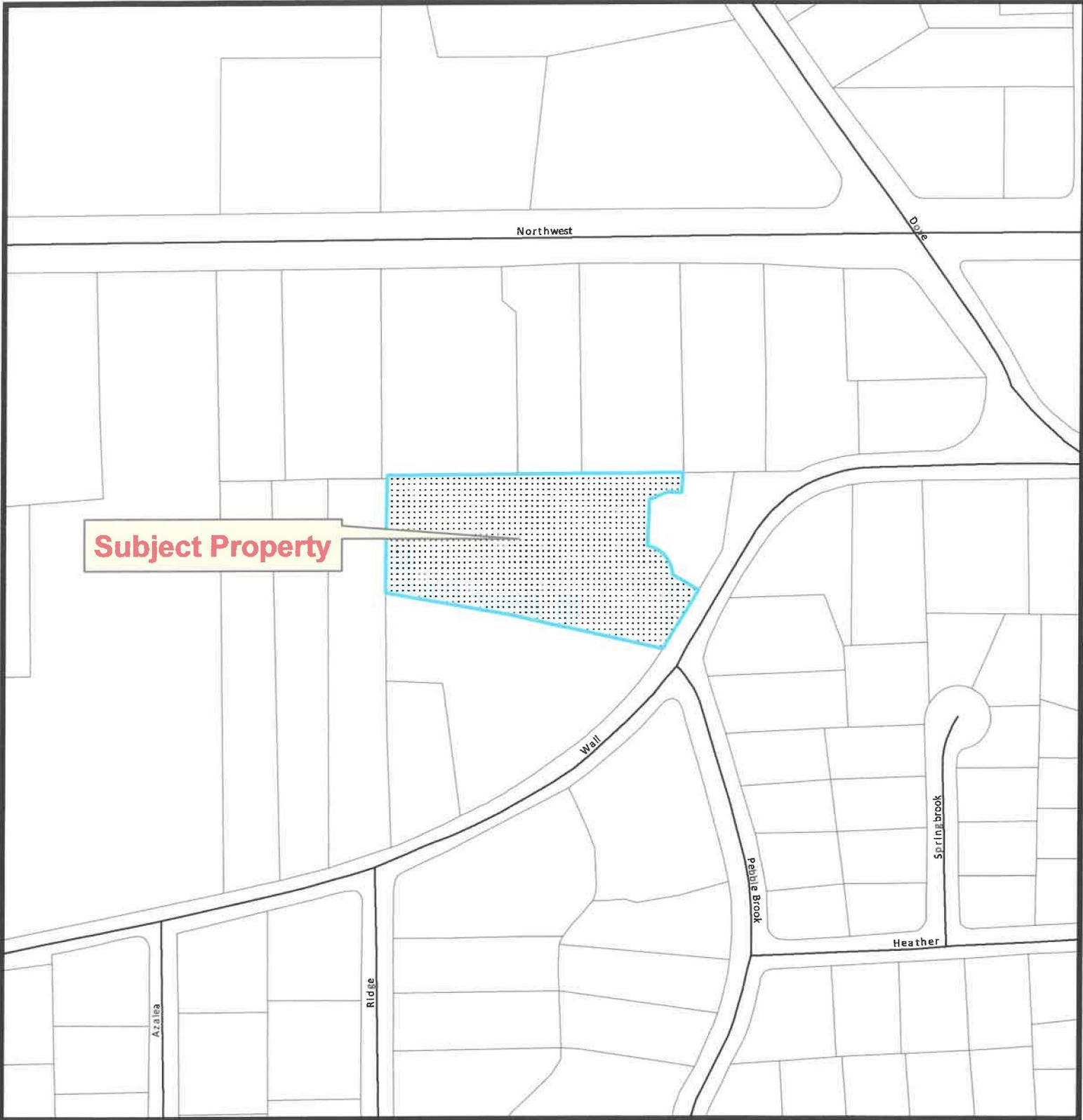


Subject Property



BZA19-11
1326 WEST WALL STREET

1 inch = 100 feet



BZA19-11
1326 WEST WALL STREET

1 inch = 200 feet

OCT 25 2019

BZA 19-11

19-4316

CITY OF GRAPEVINE BOARD OF ZONING ADJUSTMENT APPLICATION

1. **APPLICANT:**

NAME: Fernando Hernandez - Texas Pride Remodeling -

ADDRESS: 6800 Arapaho Road

CITY/STATE: Dallas, TX ZIP: 75248

HOME: _____ WORK: _____ MOBILE: 469-251-9374

FAX: _____ E-MAIL: fernando@shipman-fire.com

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

NAME: Daniel Shipman

ADDRESS: 1326 W. Wall Street

CITY/STATE: Grapevine, TX ZIP: 76051

HOME: 972-689-1419 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: 1326 W. Wall Street Grapevine, TX 76051

LOT: 1 BLOCK: 1 SUB-DIVISION: Bowles 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.

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 accessory structure (Detached Car Port) cannot be located at the back half of the lot, because there is no street access. The only entry point to the lot is at the front half of the lot. The Car port will be built close to the side of the house, which is 50 feet away from the street, making proposed car port barely visible. Will be mostly concealed by trees.

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.

There is no access to back lot available, thus Car port must be built in an area of the lot that is accessible.

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.)

I have attached an image of the only available entrance to lot, proposed location of car port, and detailed plans.

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) Fernando Hernandez

APPLICANT SIGNATURE Fernando Hernandez

OWNER (PRINT) Daniel Shipman

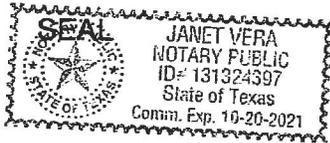
OWNER SIGNATURE D Shipman

The State of Texas

County of Tarrant

Before me Janet Vera on this day personally appeared Fernando Hernandez known to me (or proved to me on the oath of Drivers License - TX (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 24 day of October, A.D. 2019.



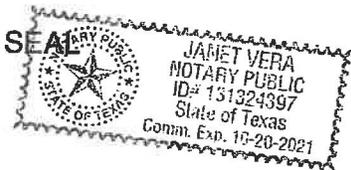
[Signature]
Notary Signature

The State of Texas

County of Tarrant

Before me Janet Vera on this day personally appeared Daniel Shipman known to me (or proved to me on the oath of Drivers License - TX (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 24 day of October, A.D. 2019.



[Signature]
Notary Signature

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.

2020
CITY OF GRAPEVINE
BOARD OF ZONING ADJUSTMENTS
MEETING AGENDA SCHEDULE

MEETING DATES	FILING DEADLINE First Monday of the month
January 6, 2020	December 2, 2019
February 3, 2020	January 6, 2020
March 2, 2020	February 3, 2020
April 6, 2020	March 2, 2020
May 4, 2020	April 6, 2020
June 1, 2020	May 4, 2020
July 6, 2020	June 1, 2020
August 3, 2020	July 6, 2020
September 14, 2020 <small>2nd Monday due to Holiday on 2nd</small>	August 3, 2020
October 5, 2020	September 7, 2020
November 2, 2020	October 5, 2020
December 7, 2020	November 2, 2020
January 4, 2021	December 7, 2020

**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.**

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The Board of Zoning Adjustment for the City of Grapevine, Texas, met on Monday evening, November 4, 2019, 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:

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

constituting a quorum, with Alternate Jonathan Gaspard 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 Tracey Dierolf called the Briefing Session of the Board of Zoning Adjustment to order at approximately 6:00P.M.

NEW BUSINESS

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

ADJOURNMENT

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

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

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 2ND DAY OF DECEMBER 2019.

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, November 4, 2019, 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
Doug Anderson	Member
George Dalton	Member
John Borley	Alternate

constituting a quorum, with Alternate Jonathan Gaspard 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 Tracey Dierolf called the Public Hearing Session of the Board of Zoning Adjustment to order at approximately 6:16 P.M.

PUBLIC HEARING

BOARD OF ZONING ADJUSTMENT CASE BZA19-09, MARK BEATTY, 306 E. DALLAS ROAD

The first item for the Board of Zoning Adjustment to consider was BZA19-09 submitted by Mark Beatty for property located at 306 East Dallas Road, Tract 30A, William Dooley Survey, A-422.

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 for one projecting wall sign, to be placed on the subject structure as shown on the building elevations.

Mr. Stombaugh explained that staff found a special condition existed for the requested special exception. Specifically, the zoning ordinance, as currently written, did not support the placement a projecting wall sign at this location relative to the current zoning of the subject property. Given the approved layout of the site, there was no

location to place a sign on site that would meet the current sign standard regulations other than on the structure. The property located within the Dallas Road Transit District Overlay, received a special exception from the Board of Zoning Adjustment at the August 6, 2018 meeting which approved a site design/layout developed in the spirit of the transit district guidelines that were in development at that time; strict adherence to the zoning ordinance for the subject property would have been in conflict with the Transit District Overlay design guidelines relative to density, coverage, setbacks and the placement of off-street parking.

With no questions for Mr. Stombaugh, Mark Beatty, of 1225 South Main 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. Beatty and no additional speakers, George Dalton made a motion to close the public hearing. John Sheppard seconded the motion which prevailed by the following vote:

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

Doug Anderson made a motion that a special condition existed for the requested special exception. Specifically, the zoning ordinance, as currently written, did not support the placement a projecting wall sign at this location relative to the current zoning of the subject property. Given the approved layout of the site, there was no location to place a sign on site that would meet the current sign standard regulations other than on the structure. The property located within the Dallas Road Transit District Overlay, received a special exception from the Board of Zoning Adjustment at the August 6, 2018 meeting which approved a site design/layout developed in the spirit of the transit district guidelines that were in development at that time; strict adherence to the zoning ordinance for the subject property would have been in conflict with the Transit District Overlay design guidelines relative to density, coverage, setbacks and the placement of off-street parking. George Dalton seconded the motion which prevailed by the following vote:

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

Doug Anderson then made a motion to grant the following special exception with regard to Section 43.E.3, Nonconforming Uses and Structures allowing for one projecting wall sign to be placed on the subject structure as shown on the building elevations. George Dalton seconded the motion which prevailed by the following vote:

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

MINUTES

Next the Board of Zoning Adjustment considered the minutes of the October 14, 2019, Briefing Session and Public Hearing.

John Sheppard made a motion to accept the minutes of the October 14, 2019, Briefing Session. Ben Johnson seconded the motion which prevailed by the following vote:

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

Ben Johnson made a motion to accept the minutes of the October 14, 2019, Public Hearing. John Sheppard seconded the motion which prevailed by the following vote:

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

ADJOURNMENT

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

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

The meeting was adjourned at approximately 6:23 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 2ND DAY OF DECEMBER 2019.

APPROVED:

CHAIRMAN

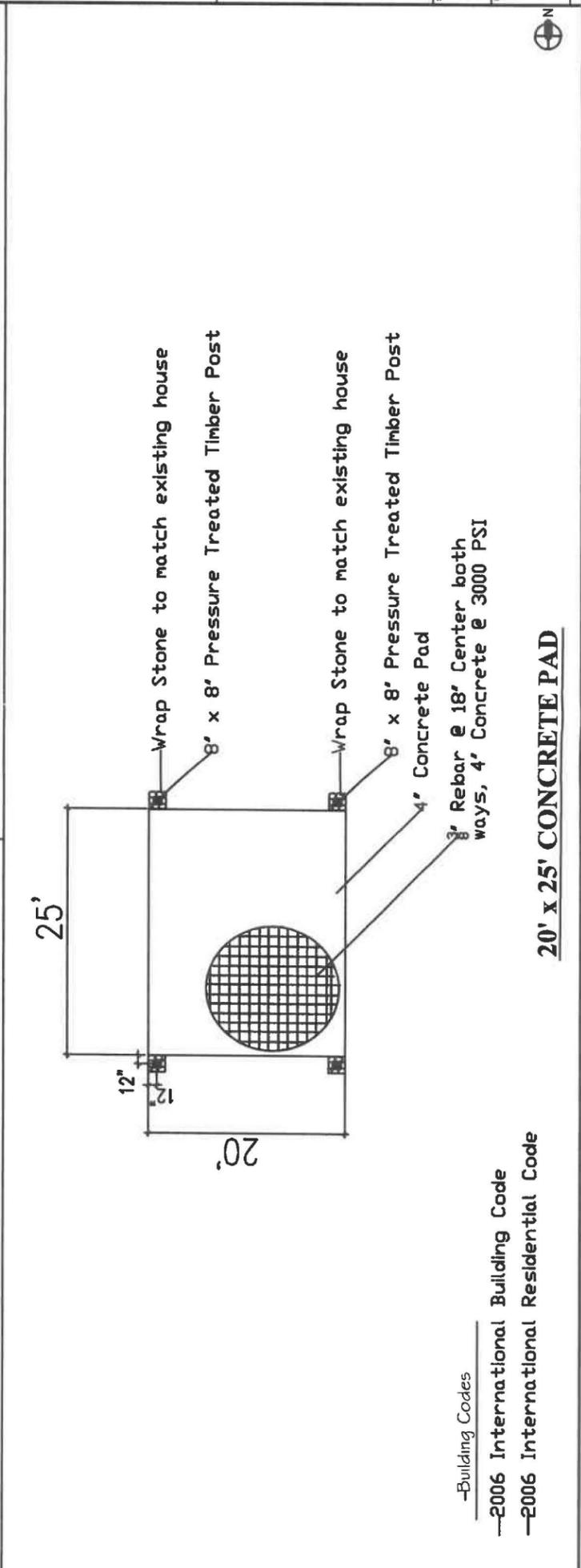
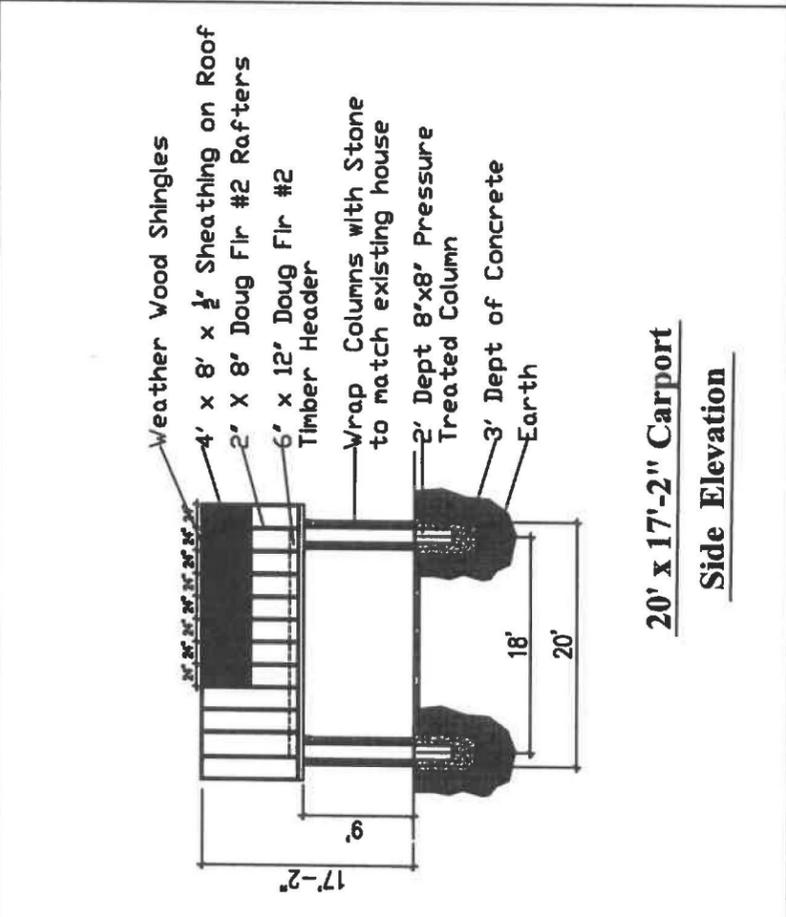
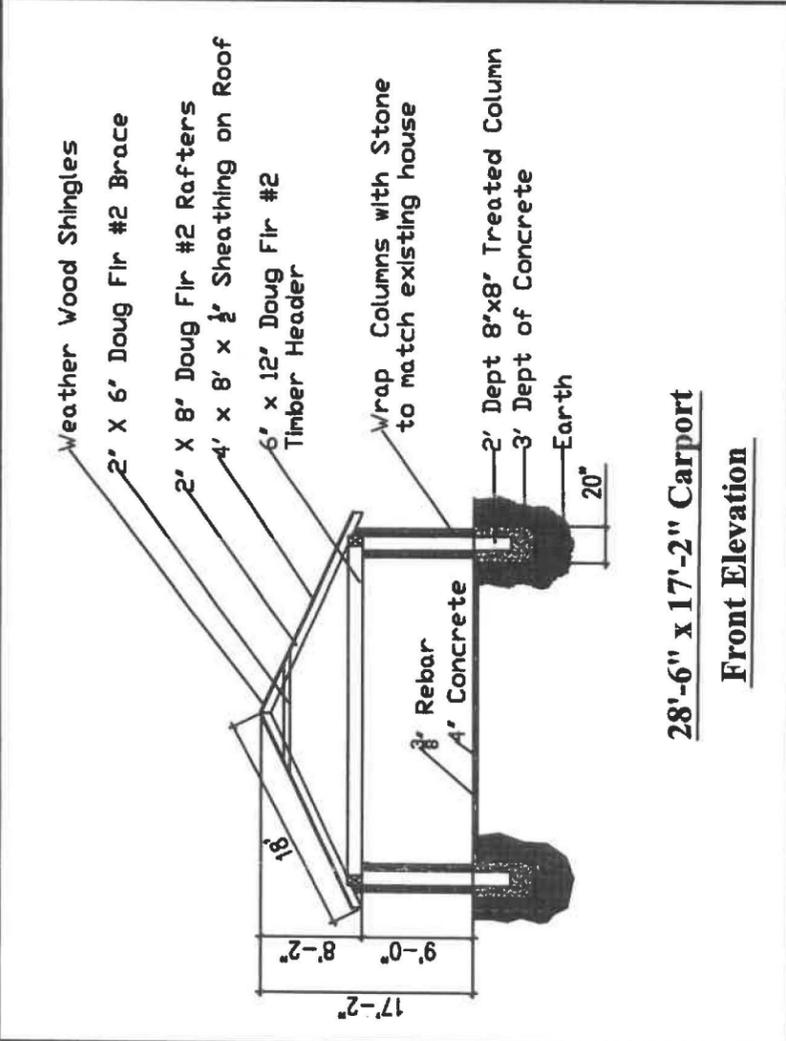
SECRETARY

Sissel Engineering Services
 1110 Ridde Road West, Rockwall, Texas 75087
 Texas License #F-2119

Shipma Property
 1326 West Wall Street
 Grapevine, Texas



SCALE: $\frac{3}{8}'' = 1' FL$
 SHEET TITLE: CARPORT PLAN
 SHEET NUMBER: **A1**



-Building Codes
 -2006 International Building Code
 -2006 International Residential Code

