

AGENDA
CITY OF GRAPEVINE
BRIEFING SESSION
BUILDING BOARD OF APPEALS
MONDAY EVENING, OCTOBER 8, 2018 AT 6:00 P.M.
PLANNING & ZONING CONFERENCE ROOM, 2ND FLOOR
200 SOUTH MAIN STREET
GRAPEVINE, TEXAS

I. CALL TO ORDER

II. BRIEFING SESSION

A. Building Board of Appeals to conduct a briefing session to discuss items scheduled to be heard in the October 8, 2018, public hearing.

III. ADJOURNMENT

IF YOU PLAN TO ATTEND THIS PUBLIC MEETING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENT AT THE MEETING, PLEASE CONTACT THE DEVELOPMENT SERVICES OFFICES AT 817-410-3158. 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 REGULAR BUILDING BOARD OF APPEALS MEETING AGENDA WAS PREPARED AND POSTED ON THIS THE 1ST DAY OF OCTOBER 2018 AT 5:00 P.M.


DON DIXSON
ASSISTANT BUILDING OFFICIAL

AGENDA
CITY OF GRAPEVINE
BUILDING BOARD OF APPEALS MEETING
MONDAY, OCTOBER 8, 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. PUBLIC HEARING

- A. Building Board of Appeals to conduct a public hearing relative to Case BBA18-08 submitted by Jason Drew for property located at 221 Austin Street and consideration of same.

III. MINUTES

Building Board of Appeals to consider the minutes of the May 14, 2018 and September 17, 2018, Briefing Sessions and Public Hearings.

IV. ADJOURNMENT

IF YOU PLAN TO ATTEND THIS PUBLIC MEETING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENT AT THE MEETING, PLEASE CONTACT THE DEVELOPMENT SERVICES OFFICES AT (817) 410-3158. 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 REGULAR BUILDING BOARD OF APPEALS MEETING AGENDA WAS PREPARED AND POSTED ON THIS THE 1ST DAY OF OCTOBER, 2018, AT 5:00 P.M.


DON DIXSON
ASSISTANT BUILDING OFFICIAL

MEMORANDUM

BUILDING INSPECTIONS

MEMO TO: BUILDING BOARD OF APPEALS

FROM: SCOTT WILLIAMS, DIRECTOR DEVELOPMENT SERVICES \ BUILDING OFFICIAL
DON DIXSON, ASSISTANT BUILDING OFFICIAL OF DEVELOPMENT SERVICES

SUBJECT: BUILDING BOARD OF APPEALS CASE #BBA18-08
221 AUSTIN STREET

MEETING DATE: OCTOBER 8, 2018

RECOMMENDATION:

Staff recommends the Building Board of Appeals **Deny** the following request to City of Grapevine Code of Ordinances, Chapter 7, Article IV, Fences, for property addressed as 221 Austin Street, legally described as Lot 1R, Block 103, College Heights Addition:

Section 7-128, Fences, Reverse frontage corner lot requirements. On all reverse frontage corner lots it shall be unlawful to construct a fence within the required side yard area that is adjacent to a front yard area at a distance closer than 15 feet to the side property line or at a height greater than six-feet (6').

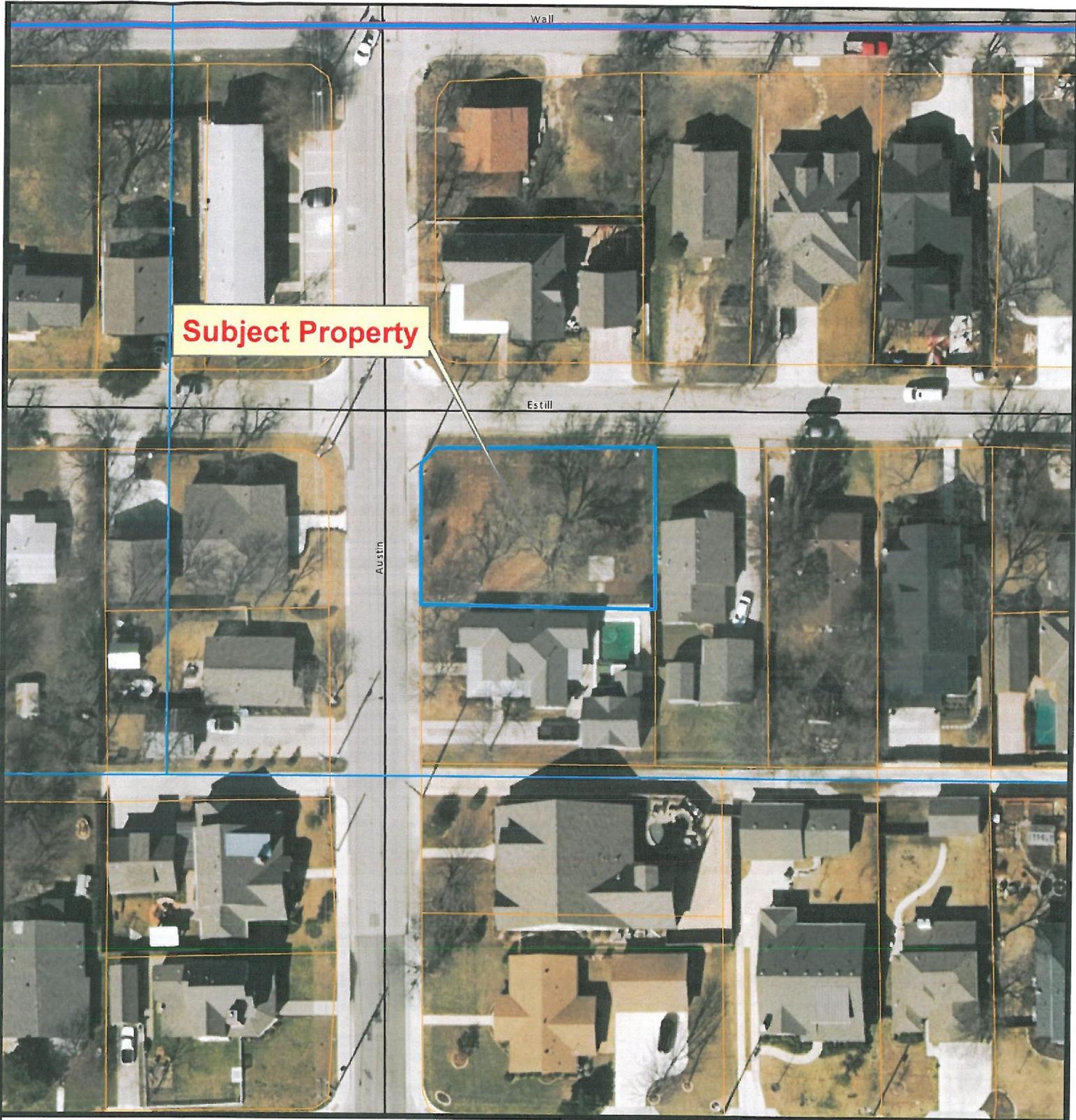
The applicant is requesting to construct a six-foot (6') tall solid wood fence on the north property line in the required side yard on a reverse frontage lot. The lot is located within an R-7.5 zoning district.

SPECIAL CONDITION:

There is no special condition for the request for a six-foot (6') tall wood fence along the north property line of 221 Austin Street. The adjacent lot to the east addressed as 614 Estill Street has a 30 foot front yard measured from the face of the single family dwelling to the edge of the street paving.

BACKGROUND INFORMATION:

The subject property is zoned R-7.5. The lot is approximately 7,000 square feet in area and is a reverse frontage lot. The lot was formerly a vacant lot and currently has an active building permit for a new two-story single family residence.

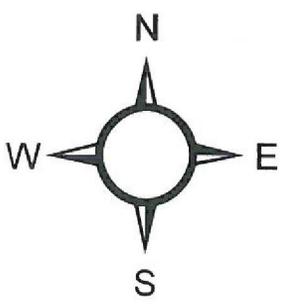


Subject Property

Wall

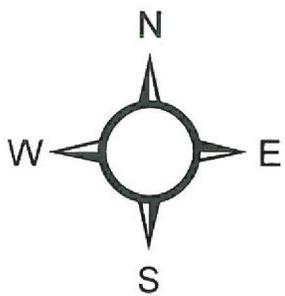
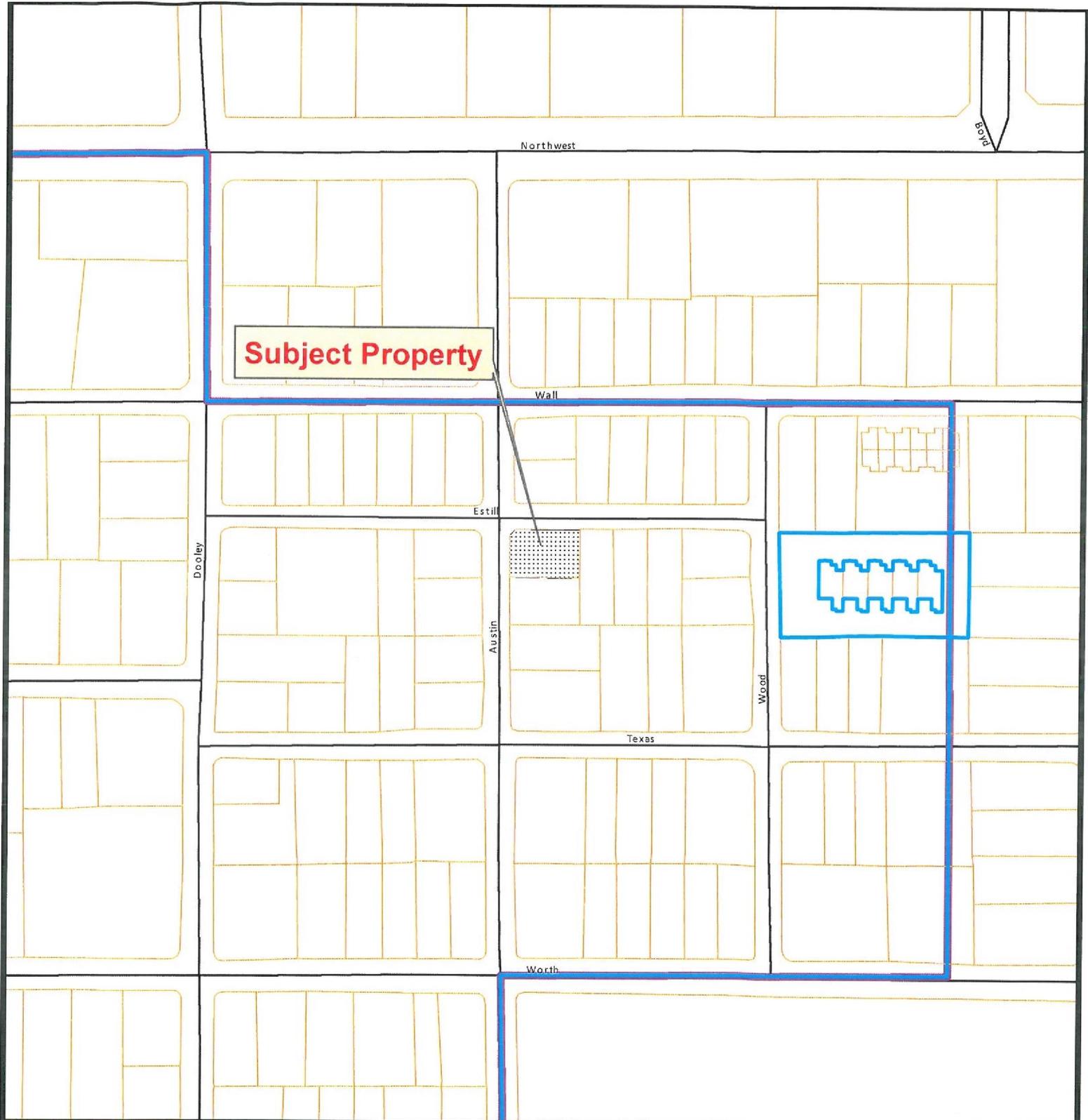
Estill

Austin



BBA18-08
221 AUSTIN STREET

1 inch = 60 feet



BBA18-08
221 AUSTIN STREET

1 inch = 200 feet

CITY OF GRAPEVINE
BUILDING BOARD OF APPEALS



APPLICANT

NAME: Copper Street Homes
ADDRESS: PO Box 1025
CITY Grapevine STATE Tx ZIP 76099
PHONE NO: Home: _____ Office: 512/203-0708

PROPERTY OWNER(S)

NAME: Nicholas & Courtney Gesualdi
ADDRESS: 221 Austin St.
CITY Grapevine STATE Tx ZIP 76051
PHONE NO: Home: 469/879-2678 Office: _____

ADDRESS AND LEGAL DESCRIPTION OF PROPERTY FOR WHICH APPEAL IS REQUESTED:

221 Austin St. ; Grapevine, Tx 76051
Lot 1R, Block 104 of College Heights Addition

SPECIFIC NATURE OF APPEAL:

Requesting variance for fence from 15' setback to 10' setback.

STATE JUSTIFICATION FOR THE APPEAL AND EXPLAIN HOW A HARDSHIP WOULD BE CREATED IF THE APPEAL IS NOT GRANTED. EXPLAIN HOW YOUR SITUATION IS PECULIAR TO THE CIRCUMSTANCES CONTEMPLATED BY THE ORDINANCE AND ATTACH DRAWINGS NECESSARY TO HELP EXPLAIN THE CASE TO THE BOARD. (YOU DO NOT NEED TO ATTACH THE SAME DRAWINGS AS ATTACHED TO YOUR APPLICATION FOR A BUILDING PERMIT AS THE BUILDING OFFICIAL WILL PROVIDE THE BOARD WITH THOSE RECORDS).

A typical reverse frontage lot is 95' wide. This particular lot is only 70' wide. We adhered to every typical setback rulings, which made it very difficult to design a residence for this lot. We are requesting this variance to allow for a larger, more useful private yard.

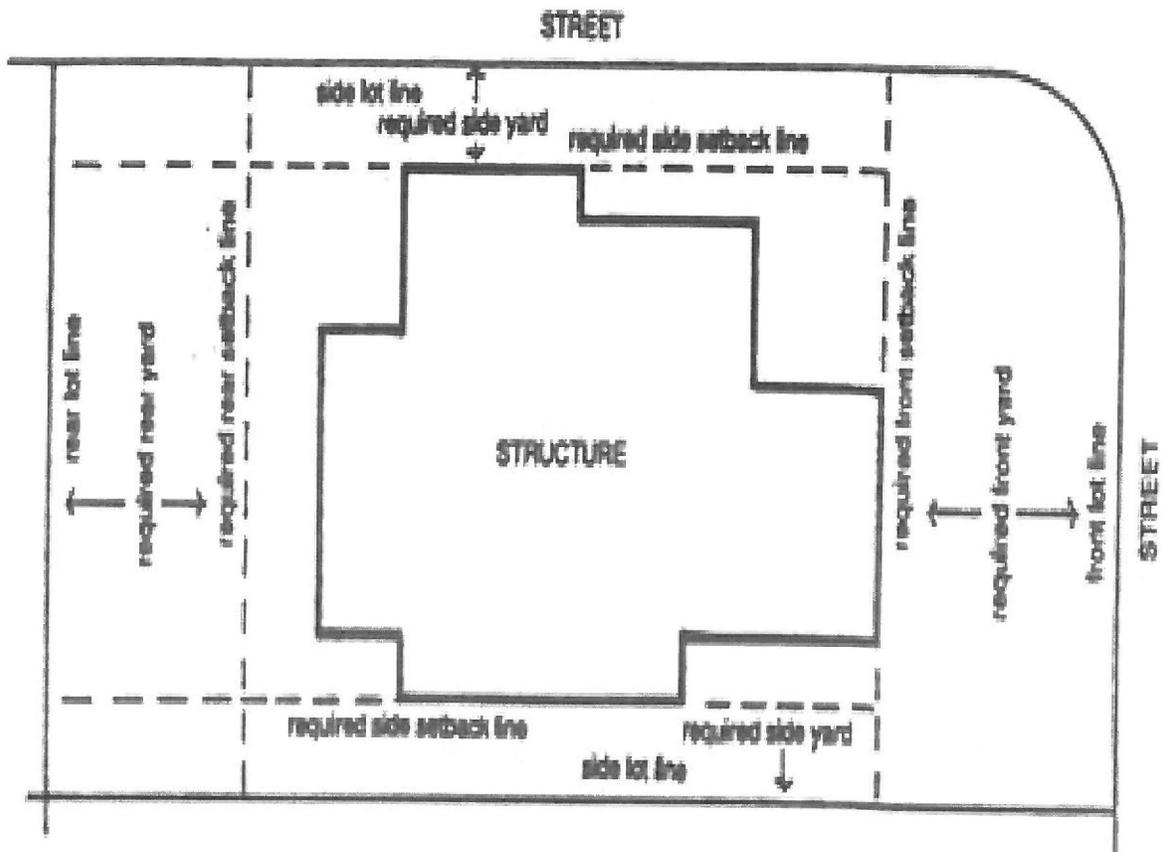
APPLICANTS ARE REQUESTED TO ATTEND MEETING

Jason Drew
APPLICANT (print or type)

Courtney Gesualdi
OWNER (print or type)

[Signature]
APPLICANT'S SIGNATURE

Courtney Gesualdi
OWNER'S SIGNATURE



Examples of Yard and Setback Definitions: Front Lot Line, Rear Lot Line, Side Lot Line, Required Front Setback Line, Required Rear Setback Line, Required Side Setback Line, Required Front Yard, Required Rear Yard, Required Side Yard.

**GRAPEVINE TX CODE OF ORDINANCES
ARTICVLE IV – FENCES**

Sec. 7-124. - Encroachment on public property.

No fence, guy wires, braces or any post of such fence shall be constructed upon or caused to protrude over property that the city or the general public has dominion and control over, owns, or has an easement over, under, around or through, except upon utility easements which are permitted to be fenced.

Sec. 7-125. - Rear yard requirements.

It shall be unlawful to erect a fence at a height exceeding eight feet in any rear yard or along any rear yard lot line.

Sec. 7-126. - Side yard requirements.

It shall be unlawful to erect a fence at a height exceeding eight feet in any side yard or along any side yard lot line.

Sec. 7-127. - Front yard requirements.

(a) Corner lots: It shall be unlawful to erect a fence in the required front yard building setback area or the established front yard area, whichever area is greater in depth, on any corner lot, except along the interior lot line in accordance with subsection (b).

(b) Interior lots:

- (1) It shall be unlawful to erect a fence, hedge or vines over 36 inches in height in the required front yard area or the established front yard area, whichever area is greater in depth, on any interior lot.
- (2) It shall be unlawful to erect a fence, hedge or vines in the required front yard area or the established front yard area, whichever area is greater in depth, on any interior lot that does not have at least 50 percent through vision.
- (3) It shall be unlawful to maintain a fence, hedge or vines in the required front yard area or an established front yard area, whichever area is greater in depth, of an interior lot in a manner that does not permit at least 50 percent through vision.
- (4) For the purpose of this section, "established front yard area" shall mean an open, unoccupied space on a lot facing a street and extending across the front of a lot between the side yard lines and extending from the abutting street to a principal building or structure. The phrase "required front yard" shall have the meaning ascribed to it in the Grapevine Zoning Ordinance No. 82-73.

Sec. 7-128. - Reverse frontage corner lots requirements.

On all reverse frontage corner lots it shall be unlawful to construct a fence within the required side yard area that is adjacent to a front yard area at a distance closer than 15 feet to the side property line or at a height greater than eight feet.

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The Building Board of Appeals for the City of Grapevine, Texas, met on Monday evening, May 14, 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:

Joe Lipscomb	Chairman
Jerrold Sklar	Vice-Chairman
Clint Hallman	Member
Paul Biesiadny	Member
Paul Coventry	Member
Shea Kirkman	Member
Neal Cooper	Alternate

constituting a quorum with Member Kosse Maykus absent. Also present were City Council Representative, Chris Coy and the following City Staff:

Scott Williams	Development Services Director / Building Official
Don Dixson	Assistant Building Official
Connie Cook	Development Services Assistant

CALL TO ORDER

Chairman Joe Lipscomb called the Briefing Session of the Building Board of Appeals to order at approximately 6:00 P.M.

NEW BUSINESS

Scott Williams briefed the Building Board of Appeals regarding the item scheduled to be heard in the regular public hearing.

ADJOURNMENT

With no further discussion, the meeting was adjourned at approximately 6:08 P.M.

PASSED AND APPROVED BY THE BUILDING BOARD OF APPEALS OF THE CITY OF GRAPEVINE, TEXAS, ON THE 8TH DAY OF OCTOBER, 2018.

APPROVED:

CHAIRMAN

SECRETARY

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The Building Board of Appeals for the City of Grapevine, Texas, met in regular session, Monday evening, May 14, 2018, at 6:15 p.m., in the City Council Chambers, 2nd Floor, 200 South Main Street, Grapevine, Texas with the following members present:

Joe Lipscomb	Chairman
Jerrold Sklar	Vice-Chairman
Clint Hallman	Member
Paul Biesiadny	Member
Paul Coventry	Member
Shea Kirkman	Member
Neal Cooper	Alternate

constituting a quorum with Member Kosse Maykus absent. Also present were City Council Representative, Chris Coy and the following City Staff:

Scott Williams	Development Services Director / Building Official
Don Dixon	Assistant Building Official
Connie Cook	Development Services Assistant

CALL TO ORDER

Chairman Joe Lipscomb called the Public Hearing to order at approximately 6:15 p.m.

PUBLIC HEARING

**BUILDING BOARD OF APPEALS TO CONSIDER BUILDING BOARD OF APPEALS
CASE BBA18-04, 3922 W T PARR ROAD**

The Building Board of Appeals considered BBA18-04 submitted by property owner David Little for property located at 424 Ball Street, legally described as Lot 1, Block 1, C.M. Grove Addition. The request was to Grapevine Code of Ordinances, Chapter 7, Article IV, Fences:

Section 7-127, Fences, Front Yard Requirements, requires fences constructed in a required or established front yard to be 36 inches or less in height, and have at least 50 percent through vision, and on properties zoned R-20 Single Family District with a lot size in excess of 50,000 square feet may be a maximum of 48 inches in height, and have at least 50 percent through vision.

Mr. Williams explained that Mr. Little had applied for a variance prior to the adoption of the amendments to the fence ordinance. The original variance requested was for a four-foot (4') tall fence, more than 50% open, with five-foot (5') columns. Following the adoption of the amendments, Mr. Little reduced the columns to four-feet (4'), so no variance would be required. However, it was discovered the subject lot was 43,650

square feet, which was below the 50,000 square foot threshold established by Council on May 1, 2018.

With no questions for Mr. Williams, David Little of 3922 W T Parr Road, Grapevine, Texas, addressed the Board; 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. Little, City Council Representative, Chris Coy addressed the Board; he explained Council’s conclusion of the amendments and the stipulation of 50,000 square feet or higher. He stated that Council did not want all R-20 zoned properties to be allowed to have a four-foot (4’) fence in the front yard, but he did not feel that the 50,000 square foot threshold needed to be particularly binding.

With no questions for Mr. Coy, and no additional speakers, Paul Coventry made a motion to close the public hearing. Clint Hallman seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry, Kirkman, Cooper
Nays: None
Absent: Maykus

Shea Kirkman made a motion that a special condition existed. Specifically, this was a large, R-20 zoned property, with a large lot to the south, and lots to the north that abutted the subject property with their rear lot lines that created a solid fence that ran the length of the side property line of the subject property. Jerrold Sklar seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry, Kirkman, Cooper
Nays: None
Absent: Maykus

Jerrold Sklar made a motion to approve the variance to Section 7-127, Fences, Front Yard Requirements, allowing a four-foot (4’) wrought iron fence along the front property line as well as the south property line with more than 50% through vision within the required and established front yard and a sixty-inch (60”) wrought iron electric gate with four-foot (4’) masonry columns, on a lot zoned R-20, with a lot size of 43,650 square feet within the required and established front yard as shown on the site plan. Clint Hallman seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry, Kirkman, Cooper
Nays: None
Absent: Maykus

MINUTES

Next for the Board to consider was the minutes of the March 19, 2018, Briefing Session and Public Hearing.

Jerrold Sklar made a motion to accept the minutes of the March 19, 2018, Briefing Session and Public Hearing. Clint Hallman seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry, Kirkman, Cooper
Nays: None
Absent: Maykus

ADJOURNMENT

With no further discussion, Shea Kirkman made a motion to adjourn. Neal Cooper seconded the motion, which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry, Kirkman, Cooper
Nays: None
Absent: Maykus

The meeting was adjourned at approximately 6:26 p.m.

PASSED AND APPROVED BY THE BUILDING BOARD OF APPEALS OF THE CITY OF GRAPEVINE, TEXAS, ON THE 8TH DAY OF OCTOBER 2018.

APPROVED:

CHAIRMAN

SECRETARY

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The Building Board of Appeals for the City of Grapevine, Texas, met on Monday evening, September 17, 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:

Joe Lipscomb	Chairman
Jerrold Sklar	Vice-Chairman
Clint Hallman	Member
Paul Biesiadny	Member
Paul Coventry	Member
Kosse Maykus	Member

constituting a quorum with Shea Kirkman and Neal Cooper absent. Also present were City Council Representative, Chris Coy and the following City Staff:

Scott Williams	Development Services Director / Building Official
Don Dixon	Assistant Building Official
Susan Batte	Planning Technician

ITEM 1. CALL TO ORDER

Chairman Joe Lipscomb called the Briefing Session of the Building Board of Appeals to order at approximately 6:00 P.M.

ITEM II. ELECTION OF OFFICERS

No action taken.

ITEM III. BREIFING SESSION

Scott Williams briefed the Building Board of Appeals regarding the item scheduled to be heard in the regular public hearing.

ITEM IV. ADJOURNMENT

With no further discussion, the meeting was adjourned at approximately 6:11 P.M.

PASSED AND APPROVED BY THE BUILDING BOARD OF APPEALS OF THE CITY OF GRAPEVINE, TEXAS, ON THE 8TH DAY OF OCTOBER, 2018.

APPROVED:

CHAIRMAN

SECRETARY

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The Building Board of Appeals for the City of Grapevine, Texas, met in regular session, Monday evening, September 17, 2018, at 6:15 p.m., in the City Council Chambers, 2nd Floor, 200 South Main Street, Grapevine, Texas with the following members present:

Joe Lipscomb	Chairman
Jerrold Sklar	Vice-Chairman
Clint Hallman	Member
Paul Biesiadny	Member
Paul Coventry	Member
Kosse Maykus	Member

constituting a quorum with Shea Kirkman and Neal Cooper absent. Also present were City Council Representative, Chris Coy and the following City Staff:

Scott Williams	Development Services Director / Building Official
Don Dixon	Assistant Building Official
Susan Batte	Planning Technician

CALL TO ORDER

Chairman Joe Lipscomb called the Public Hearing to order at approximately 6:15 p.m.

PUBLIC HEARING

BUILDING BOARD OF APPEALS CASE BBA18-06, 365 EAST HUDGINS STREET

The Building Board of Appeals considered BBA18-06 submitted by David Cox for property located at 365 East Hudgins Street and platted as Lot 4R, Block 22, City of Grapevine.

The request was to Grapevine Code of Ordinances, Chapter 7, Article IV, Fences:

Section 7-127, Fences, Front Yard Requirements, requires fences constructed in a required or established front yard to be 36 inches or less in height, and have at least 50 percent through vision.

Mr. Williams explained that Mr. Cox had applied for a variance to allow a six foot tall wrought iron and eight foot tall solid wood fence in the required and established front yards. Staff recommended approval of the eight foot tall, solid wood fence along the west property line, and deny the balance of the request.

Mr. Cox explained that the request was for safety and privacy issues. Being near the train and downtown area they frequently have tourist cutting through the property.

With no further questions and no additional speakers, Paul Coventry made a motion to close the public hearing. Jerrold Sklar seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry and Maykus
Nays: None
Absent: Kirkman and Cooper

Discussion was held regarding visibility of the wood fence coming all the way to the property line. The Board felt it was set back from the street far enough.

Jerrold Sklar made a motion to approve the variance to Section 7-127, Fences, Front Yard Requirements, allowing an eight foot tall, solid wood fence along the west property line as submitted. Clint Hallman seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry and Maykus
Nays: None
Absent: Kirkman and Cooper

Jerrold Sklar made a motion that a special condition existed for the south and east side of the property. Clint Hallman seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry and Maykus
Nays: None
Absent: Kirkman and Cooper

Jerrold Sklar made a motion to approve the variance to Section 7-127, Fences, Front Yard Requirements, allowing a six foot tall wrought iron on the south and an eight foot tall solid wood fence on the east in the required and established front yards as submitted. Clint Hallman seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry and Maykus
Nays: None
Absent: Kirkman and Cooper

BUILDING BOARD OF APPEALS CASE BBA18-07, 322 EAST COLLEGE STREET

The Building Board of Appeals considered BBA18-07 submitted by David Cox for property located at 322 East College Street and platted as Lot 2R, Block 22, City of Grapevine.

The request was to Grapevine Code of Ordinances, Chapter 7, Article IV, Fences:

Section 7-127, Fences, Front Yard Requirements, requires fences constructed in a required or established front yard to be 36 inches or less in height, and have at least 50 percent through vision.

Mr. Williams explained that Mr. Cox had applied for a variance to allow an eight foot tall solid wood fence in the required and established front yards. Staff recommended approval of the eight foot tall to screen the subject residential property from an adjacent non-residential use.

Mr. Cox gave a brief presentation of his request.

With no further questions and no additional speakers, Kosse Maykus made a motion to close the public hearing. Paul Coventry seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry and Maykus
Nays: None
Absent: Kirkman and Cooper

Kosse Maykus made a motion that a special condition existed. Clint Hallman seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry and Maykus
Nays: None
Absent: Kirkman and Cooper

Jerrold Sklar made a motion to approve the variance to Section 7-127, Fences, Front Yard Requirements, allowing an eight foot solid wood fence as submitted. Clint Hallman seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry and Maykus
Nays: None
Absent: Kirkman and Cooper

MINUTES

Next for the Board to consider was the minutes of the May 14, 2018, Briefing Session and Public Hearing.

Jerrold Sklar made a motion to table the minutes of the May 14, 2018, Briefing Session and Public Hearing to the next meeting. Paul Coventry seconded the motion which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry and Maykus

Nays: None
Absent: Kirkman and Cooper

ADJOURNMENT

With no further discussion, Jerrold Sklar made a motion to adjourn. Clint Hallman seconded the motion, which prevailed by the following vote:

Ayes: Lipscomb, Sklar, Hallman, Biesiadny, Coventry and Maykus
Nays: None
Absent: Kirkman and Cooper

The meeting was adjourned at approximately 6:53 p.m.

PASSED AND APPROVED BY THE BUILDING BOARD OF APPEALS OF THE CITY OF GRAPEVINE, TEXAS, ON THE 8TH DAY OF OCTOBER 2018.

APPROVED:

CHAIRMAN

SECRETARY