

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 1, 2021, 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:

Ben Johnson	Chairman
Doug Anderson	Vice-Chairman
George Dalton	Secretary
John Sheppard	Member
John Borley	Member
Jonathan Gaspard	Alternate
Andrew Muras	Alternate

constituting a quorum. Also present was City Council Representatives Sharron Rogers and Leon Leal, City Attorney, Matthew Boyle and the following City Staff:

Erica Marohnic	Planning Services Director
Albert Triplett	Planner II
Connie Cook	Development Services Assistant
Natasha Gale	Planning Technician

ITEM 1. CALL TO ORDER

Chairman Johnson called the Briefing Session of the Board of Zoning Adjustment to order at approximately 6:00 P.M.

ITEM 2. ROLL CALL

BRIEFING SESSION

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

City Attorney, Matthew Boyle conducted briefing of legal aspects of Building Board of Appeals.

ADJOURNMENT OF BRIEFING SESSION

With no further discussion, Jonathan Gaspard made a motion to adjourn the Briefing Session. George Dalton seconded the motion which prevailed by the following vote:

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

The Briefing Session 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 6TH DAY OF DECEMBER 2021.

APPROVED:


CHAIRMAN


SECRETARY

N. Gale

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Erica Marohnic	Planning Services Director
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Natasha Gale	Planning Technician

ITEM 1. CALL TO ORDER

Chairman Johnson called the Briefing Session of the Board of Zoning Adjustment to order at approximately 6:24 p.m.

ITEM 2. ROLL CALL

Public Hearing

ITEM 1. CALL TO ORDER

Chairman Ben Johnson called the Public Hearing of the Board of Zoning Adjustment to order at approximately 6:25 p.m.

ITEM 2. ROLL CALL

ITEM 3. CITIZEN COMMENTS

There was no one wishing to speak during citizen comments.

NEW BUSINESS

ITEM 4: BOARD OF ZONING ADJUSTMENT CASE BZA21-10, FABIEN GOURY, 326 EAST TEXAS STREET

The first item for the Board of Zoning Adjustment to consider was BZA21-10 submitted by Fabien Goury for property located at 326 East Texas Street, legally described as Tract 63B, of the William Dooley Survey, Abstract 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.

Mr. Triplett explained that the applicant requested that BZA21-10 be continued to the December 6, 2021 Board of Zoning Adjustment meeting.

City Attorney, Matthew Boyle addressed the Board, he explained that the applicant had requested a continuance to the December 6, 2021 Board meeting and at that time Staff would give a full case presentation. However, there were interested members of the public present and interested in discussing the case they could be allowed to do so by leaving the Public Hearing open and continuing the case and Public Hearing to the December 6, 2021 meeting.

With no questions for Mr. Triplett, David Smith of 504 W. College Street, Grapevine, Texas, took the Oath of Truth; he expressed his and surrounding neighbors' concerns if the property were granted approval. He requested the Board deny the request.

Doug Anderson asked Staff if they could explain the limits of the Boards authority.

Mr. Triplett explained that the special exception requested was to increase the height of two cottages referred to as cottages one and two by three-feet. Mr. Anderson, asked if Staff could clarify what the Board could not rule on such as code, violations or exterior conditions that the Board was only to consider the increase to height.

City Attorney, Matthew Boyle addressed the Board, he explained the case being presented to the Board was a special exception for cottages one and two increasing the height by three-feet, and explained the differences between a variance request and special exception. He stated that both cottages were currently non-conforming structures and non-conforming uses and were entitled to remain as is, in perpetuity, so long as the value was not destroyed greater than fifty-percent. He went on to explain that the ordinance allowed the property owner to expand and enlarge the non-conforming structures only upon the approval of the Board of Zoning Adjustment. This property was unique because it was vested and was part of the Historical Overlay, which meant no improvements could be made to the structures without approval of a Certificate of Appropriateness by the Grapevine Historical Preservation Commission. The Historical Preservation Commission had approved the Certificate of Appropriateness of all three cottages. In the event that a special exception was granted,

the only manor in which the buildings could be improved was by being consistent with the architecture and aesthetics that had been approved by Historic Preservation Commission. The second hypothetical concern was the cottages being sold off. Any sub-dividing of that lot could only be approved if the remaining lots were consistent with the sub-division ordinance, in this case it was not likely for any of the three cottages being sub-divided off and meet the sub-division ordinance.

With no questions for Mr. Boyle, Don Cohoon of 407 E. Texas Street, Grapevine, Texas, took the Oath of Truth; he expressed his concerns regarding noise issues and has had to call police. He requested the Board deny the request.

With no questions for Mr. Cohoon, Nancy Braden of 403 E. Worth Street, Grapevine, Texas, took the Oath of Truth; she expressed her concerns in regards to increasing the height of the cottages. She requested the Board deny the request.

With no questions for Ms. Braden, City Attorney Matthew Boyle addressed the Board, he stated that if the Board wished to honor the applicant's request that a motion be made to continue the case and public hearing to the December 6, 2021 meeting.

John Shepperd made a motion to continue the case and public hearing to the Board's regular scheduled Board meeting on December 6, 2021. John Borley seconded the motion which prevailed by the following vote:

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

ITEM 5: MINUTES

Next the Board of Zoning Adjustment considered the minutes of the September 13, 2021, Briefing Session and Public Hearing.

John Sheppard made a motion to accept the minutes of the September 13, 2021, Briefing Session as amended. George Dalton seconded the motion which prevailed by the following vote:

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

Doug Anderson made a motion to accept the minutes of the September 13, 2021, Public Hearing. George Dalton seconded the motion which prevailed by the following vote:

Ayes: Johnson, Anderson, Dalton, Sheppard, Borley
Nays: None

Absent: None

ADJOURNMENT

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

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

The meeting was adjourned at approximately 6:56 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 6TH DAY OF DECEMBER 2021.

APPROVED:



CHAIRMAN



SECRETARY

N. Gale