

From: [Warren Dewey](#)
To: [Planning](#)
Cc: [Warren Dewey](#)
Subject: Case: ZC21-0005
Date: Tuesday, October 19, 2021 1:40:57 AM
Attachments:

Warren and Deborah Lloyd Dewey
8537 Grand View Drive
North Richland Hills, TX 76182-8445

To Whom It May Concern

In early June of this year, a Mr. Rajabali, a NRH engineer, came to my address at 8537 Grand View Drive to observe the ongoing situation that has plagued my wife and I for the past 4 years. This was not the first visit by a city official. Here is my situation, as presented to Mr. Rajabali, without any possible remedy from him nor anyone before him. It seems the problem has always been there since my drainage problems began.

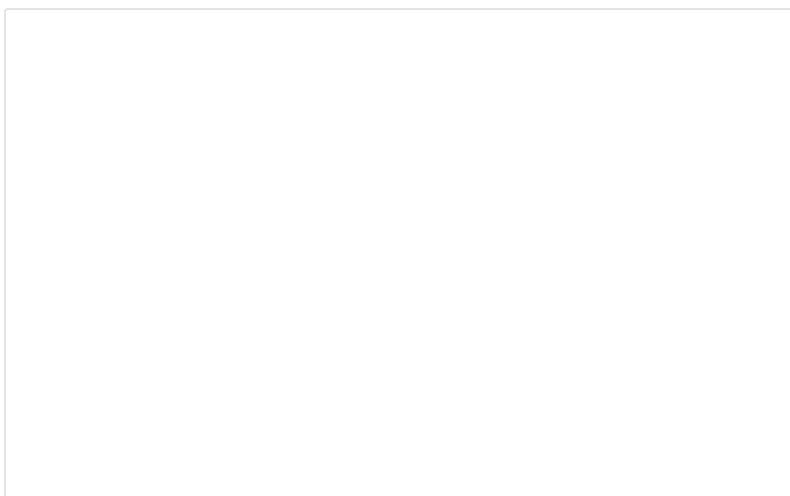
Having been the original homeowners of this property since April 2000, I knew there was something that changed with my neighbor's property behind me. Case# ZC21-0005 is a request for a special-use permit. It is regarding the existing construction of an 1,801 sf building which was completed without a permit. The construction of this building began in stages, about 3 or 4 years ago. This is an exact parallel to the beginning of drainage issues for myself and my next door neighbor at 8533 Grand View Drive. I am convinced that the construction of this building caused a diversion of an enormous volume of water to drain onto our properties, including my neighbor at 8541 Grand View Drive.

To be brief, I had drainage work done by two different contractors between March and August of this year. In February/March of this year Texas Foundation Experts did corrective drainage, and concrete work. The total for corrective drainage was \$14,360.00. In late August, further corrective drainage work and cosmetic

landscaping were completed by Mid-Cities Landscaping. \$2000.00 was the total cost for drainage work. I have provided an invoice for \$2000.00 of the \$6,400.00 paid. The invoices I have from Mid-Cities Landscaping do not itemize the drainage work completed. I can draw an exact location where the new drains are and can not underestimate their importance and functionality.

Here is a dropbox link with 3 videos during a moderate, but lengthy rainstorm. These 3 videos were taken immediately after the major drainage work in February/March, earlier this year. It was a determining factor to have more drainage work done later.

[8537 Grand View Drive NRH](#)



I also have videos before the corrective drainage work was done and with torrential rainstorms from April 2020.

My most serious concern has been during heavy downpours. In one of the videos, it shows a volume of water likened to an open fire hydrant. This was streaming directly (10 inches away) onto my electrical transformer, in the southwest corner of my property. I dug a trench around the transformer to reroute the water to my drains. However, the volume of water is so great that the 6" PVC pipes can not handle this much water in a heavy rain. The diagram provided shows proper installation of collection boxes from the back of my property to the street. Incidentally, when I asked Mr. Rajabali about this safety concern, his response was, "You can call Encore, but good luck getting them to answer. I can't even get through". That was comforting to know. Why was that put back on me to take care of? It's all in the job description, I guess. I do work for Tarrant County and can't seem to understand that mindset. I hope that is why he does not work for you anymore.

I closing, I have raised concerns with the City of North Richland Hills on 3 separate occasions, with appointments over the past four years and finally just gave up.

No thanks from me, but have a nice day.

Warren Dewey

7612 Shady Grove Zoning Change Request

Zoning Meeting: October 21, 2021

Council Meeting: November 8, 2021

8525 Grand View Dr. and 8529 Grand View Dr.

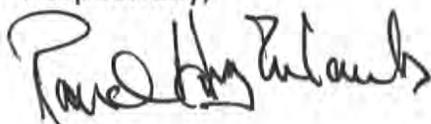
The owners of the 8525 Grand View (Jerry and Sharyn Webb) and the owners of 8529 (Scott and Tracey Maze) are not able to attend this meeting. The HOA is presenting information and photographs on their behalf, regarding issues that both properties have had since the structure at 7612 Shady Grove was built. Both properties are East of 7612 Shady Grove, and their back yards align with the Shady Grove property. (See attached Map 2.)

The grassy dividing line between 8525 and 8529 Grand View Dr., that runs parallel with their two driveways, has constant water draining from West to East from 7612 Shady Grove. The pictures show the green roof of the structure at 7612 Shady Grove, and the water pour-off location near public sidewalk and street.

8529 Grand View Dr. has an additional problem of continuous standing water inside their detached garage, at the back of their property, and directly behind 7612 Shady Grove's West boundary and fence line.

The prior owners of 8529 Grand View Dr., Scott and Gina Wells, sold their home to the Maze family in 2013. At the time of sale, the above problems did not exist. The problems began after the structure at 7612 Shady Grove was built in the years after that, which, either by its existence or the manner in which it was placed on the property, caused these drainage issues.

Respectfully,



Rand Huzenlaub, President
Shady Oaks II HOA

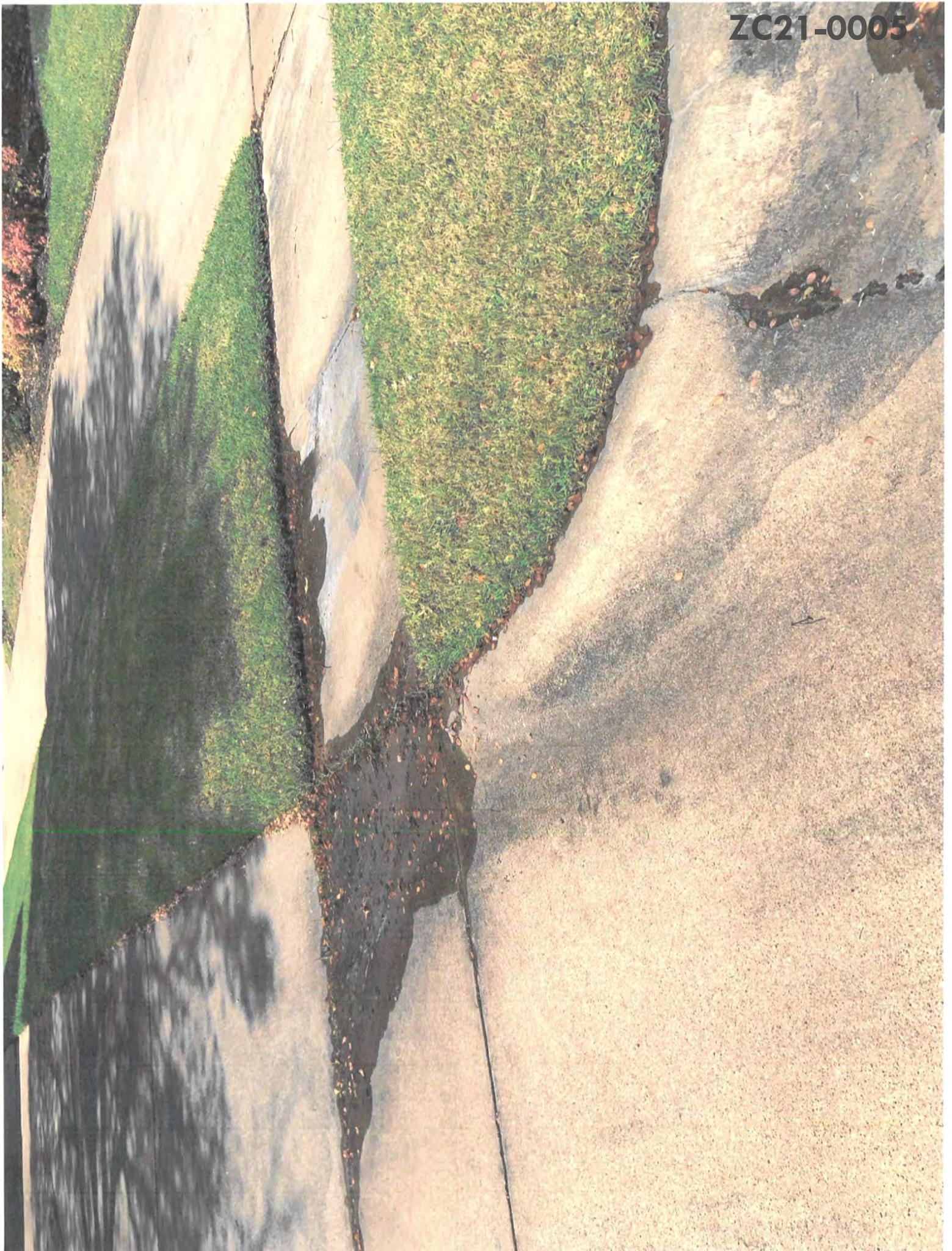


8525
GRAND VIEW

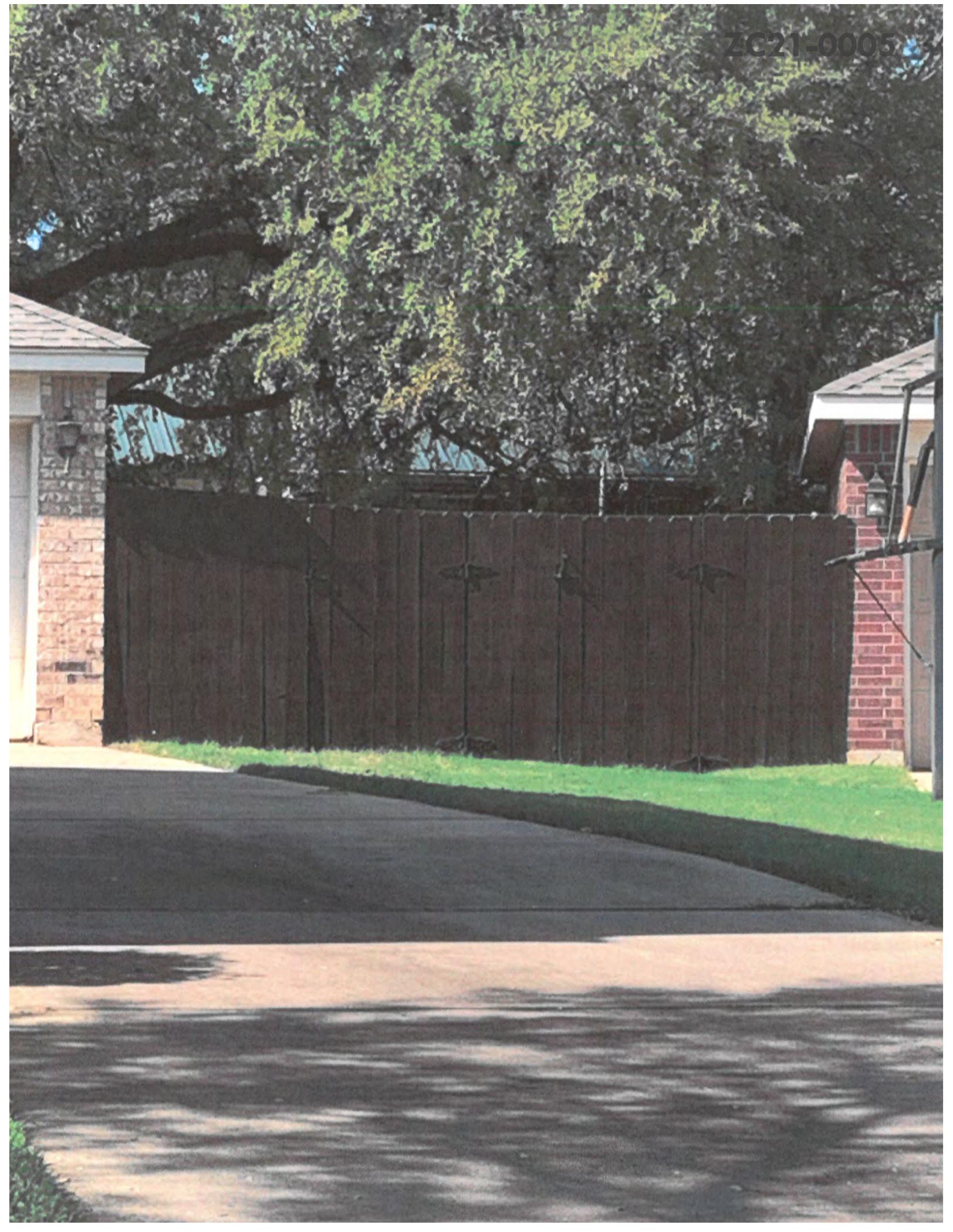
8529
Grand View

ZC21-0005

ZC21-0005



ZC21-0005



October 21st, 2021

To The City of NORTH RICHLAND HILLS, In Reference to Public Hearing Notice
CASE:ZC21-0005,

We are attending this meeting in opposition of the requested "permit for a permanent accessory building at 7612 shady Grove Road.

We have been residing at 8541 Grand view Dr, NRH, TX 76182 since 2001.

Over the past several years we have had increasing amounts of drainage and flooding issues in our backyard. This was not evident when we initially moved in. Due to the increased flooding problems, we have had to install a French-drainage system in May 2021.

At the recommendation of a Structural Engineer, we had to have foundation work done at the same time frame as the drainage system installation. Along the way, we also have had to replace the backyard sod.

Thank You,

Yours Sincerely,

The Pathmans

 , 

Home Tel 817-788-2115



CCM ENGINEERING
 2570 FM 407 STE. 209
 HIGHLAND VILLAGE, TX 75077
 972.691.6633
 TBPE FIRM #605

June 28, 2021 Revised
 March 26, 2021

Bale Pathman
 [REDACTED]

RE: Level B Foundation Evaluation
8541 Grand View Dr
North Richland Hills, Texas

To Bale Pathman,

Per your request, our office inspected the above referenced single-family foundation on March 25, 2021. This existing two-story house is constructed of wood framing with brick veneer and wood exterior supported by a concrete slab foundation. All exposed portions of this foundation were visually inspected from the interior and exterior. For the purpose of this report, the house faces generally east.

The purpose of this evaluation was to evaluate the performance of the foundation. Elements of concern are safety, function, durability and habitability. Inadequate foundation performance may result from inadequate strength or insufficient stiffness. The visible indications of distress noted during this evaluation include the following:

EXTERIOR

- Brick cracks:
 - North:** 1/16" over/under study window.
 - South:** 1/8" over garage door, 1/8" separation expansion joint under kitchen window.
 - East:** None noted.
 - West:** 1/8" over patio door, 3/16" separation over master bath window.
- Separation between garage frame and brick:
 - West:** 3/16"
 - East:** 1/16"
- Separation between windows or door jambs and bricks:
 - 3/16" entry window, 1/8" bedroom 2 window, 1/16" living room window, 1/8" study window, 1/8" nook window, 1/8" patio door.

INTERIOR

- Sheetrock cracks:
 - Utility:** Over kitchen.
 - Entry:** Ceiling.
 - Kitchen:** Tile, over utility.
 - Family Room:** Over window, north & east walls, over fireplace.
 - Dining Room:** Over door.
 - Bedroom 2:** Ceiling.
 - Bedroom 1:** Over closet.

March 26, 2021

Page Three

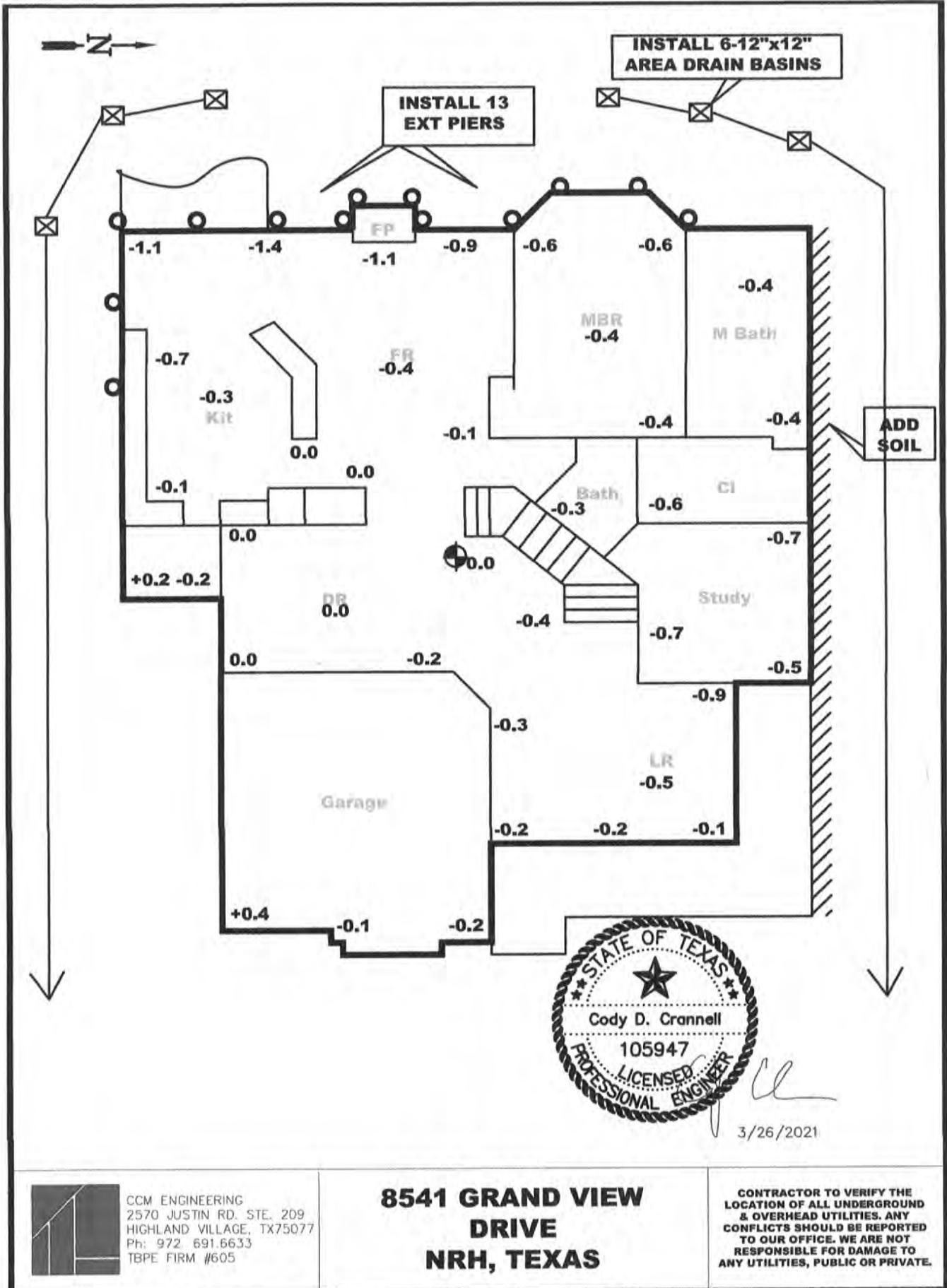
**RE: Foundation Evaluation
8541 Grand View Dr
North Richland Hills, Texas**

Foundation movement can be caused by seasonal variations in the moisture content of the soil. A consistent foundation water program should be implemented on all structures to minimize foundation movements. During dry seasons of the year, soil should be watered evenly. During wet seasons of the year, water should flow away from the foundation at all times.

Limitations of Liability: This structural evaluation was conducted in accordance with generally accepted practices and procedures. The evaluation of the site was limited in scope to a visual examination of the exposed interior and exterior finishes on the structure and of the adjacent ground surfaces. Destructive analysis of the foundation was not performed during this evaluation. Recommendations, if any, are intended to be the most cost effective and practical solution to common foundation problems. Installation of piers around a part of the foundation is intended to reinforce the areas which appear to have deflected since construction of the home. Underpinning will not improve the performance of the foundation in non-underpinned areas. Most homes are not constructed with the ability to perform as a structurally suspended slab; therefore, installed piers will not prevent adjacent exterior or interior walls from settling. Further analysis may be performed if desired by the homeowner; our office will assist with any additional analysis desired by the homeowner. Extensive repairs may be necessary to fully reinforce the home according to accepted building codes. This option is available to the homeowner; however, it is standard practice to only repair areas which have failed and make additional repairs as necessary. Soil borings may also provide additional information regarding underlying soil conditions. This information is not provided, nor is required for a level B evaluation. If further evaluation is desired, the homeowner may obtain soil data from a geotechnical testing facility and provide it to this office. Locations of existing piers if any are approximate and locations were provided by others. This report does not guarantee the quality or exact locations of any existing structural repairs. The behavior of the subject foundation and soil area was taken into consideration up to the evaluation date. The results stated in this report are based on the information provided to the engineer and on the conditions observed at this time of evaluation. Other problems may become evident as the seasons and climatic conditions change. Such problems or the advent of additional information may be reason to revise the report. Not all defects are noted in this report.

No foundation warranty is expressed or implied by this report, and no warranty is expressed or implied about the future condition of the foundation systems.

This report is consistent with a Level B evaluation as described by the American Society of Civil Engineers, Texas Section, in the "Guidelines for the Evaluation and Repair of Residential Foundations, Version 2."



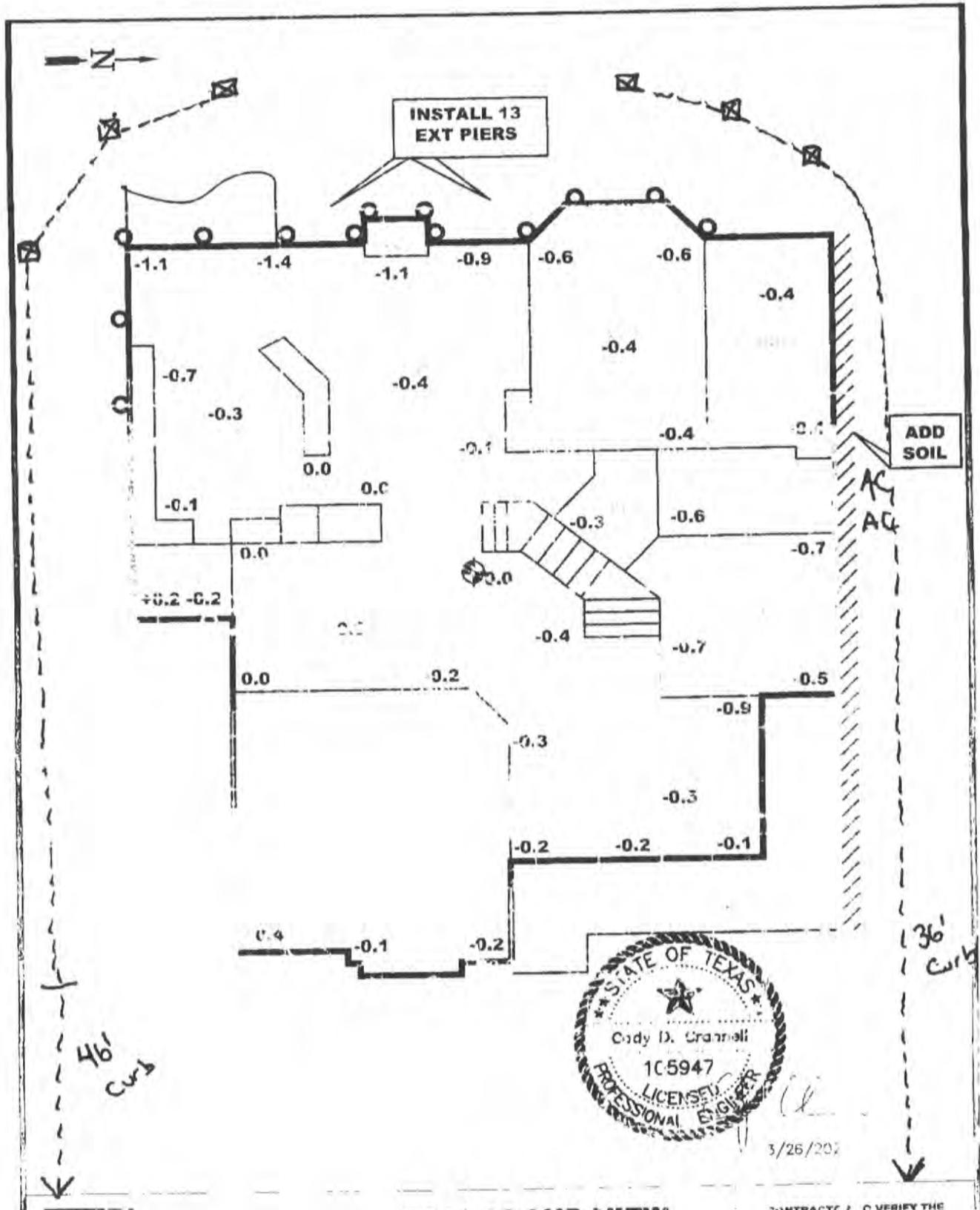
CCM ENGINEERING
2570 JUSTIN RD. STE. 209
HIGHLAND VILLAGE, TX75077
Ph: 972 691.6633
TBPE FIRM #605

**8541 GRAND VIEW
DRIVE
NRH, TEXAS**

CONTRACTOR TO VERIFY THE
LOCATION OF ALL UNDERGROUND
& OVERHEAD UTILITIES. ANY
CONFLICTS SHOULD BE REPORTED
TO OUR OFFICE. WE ARE NOT
RESPONSIBLE FOR DAMAGE TO
ANY UTILITIES, PUBLIC OR PRIVATE.

8541 Grand View, N R H

Drainage Attd





APPLICATION FOR A RESIDENTIAL FOUNDATION REPAIR PERMIT

(PLEASE PRINT OR TYPE ALL INFORMATION)

City of North Richland Hills
Building Inspections
4301 City Point Dr.
North Richland Hills, TX 76180
Office: (817) 427-6330
Fax: (817) 427-6303
Email: nrhpi@nrhtx.com

PART 1. PROPERTY INFORMATION
 Address 8541 Grand View Ste # Lot Block Subdivision
 Tract (attach metes & bounds description) Zoning

PART 2. PROPERTY OWNER INFORMATION:
 Company Name
 Agent/Inspector Pa Pathman
 Mail Address 8541 Grand View
 City, State ZIP North Richland Hills Tx 76182
 Telephone (817) 5295431
 Facsimile ()

PART 3. CONTRACTOR
 Company Name NTX Foundation Repair
 Agent Bret Taylor
 Mail Address 202 Margaret
 City, State ZIP Ft. Worth Tx 76189
 Telephone (214) 4447031
 Facsimile ()

NOTE: Submit 2 sets as applicable: site plan, floor plan, engineer's repair design, and any support documentation. **** A final engineer's acceptance report must be provided at the job site upon final inspection. This report must be sealed and clearly state that a duly authorized representative of the firm physically visited the site and has confirmed compliance with the engineered plans.**

PART 6. Number of piers: 1

PART 7. DESCRIPTION OF WORK
Install 11 concrete piers per CCM Eng. Report

PART 8. Estimate Fair Market Value of Construction \$8,350.00

PART 9: SUBCONTRACTORS (if required)	Registered	Validation
Electrical <u> </u>	<u> </u>	<u> </u>
Mechanical <u> </u>	<u> </u>	<u> </u>
Plumbing <u> </u>	<u> </u>	<u> </u>
Irrigation <u> </u>	<u> </u>	<u> </u>
Concrete <u> </u>	<u> </u>	<u> </u>

Please indicate if the property owner is applying for a pier per inspection: Yes No Owner's Initials BP
(applications cannot be accepted if this process is not used)

NOTICE: This permit, decisions and any other work or construction authorized is not to be exercised within 90 days, or if construction or work is suspended or abandoned for a period of 90 days or any time after work is commenced.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work shall be controlled and enforced as herein provided. The issuance of this permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or other activities in construction. The issuance of a permit neither exempts nor modifies any code, ordinance, regulation, or other applicable laws or rules that are specifically noted.

Signature of Applicant [Signature] Date 09-10-21

NOTE: If application is denied, do you want construction plans placed in "archive"? Yes No

OFFICE USE ONLY

Application # 0000 / Date Paid / Date Approved By
 CSA: Building Permit Fee: \$
 TP ck
 Control # / / TOTAL \$

ZC21-0005

10/21/21, 12:28 PM

20211021_121805.jpg



ZC21-0005

10/21/21, 5:47 PM

20211021_121524.jpg



20211021_121524.jpg



7612 Shady Grove Zoning Change Request

Zoning Meeting: October 21, 2021

Council Meeting: November 8, 2021

POSITION STATEMENT by SHADY OAKS II HOA

Specifics Regarding the Zoning Change @ 7612 Shady Grove

This is a retroactive request for the unpermitted structure built a few years ago at this address. As a result of that building, some of the adjoining neighbors to the East of this property, along the 8500 block of Grand View Dr., have had and still have a significant number of costly problems that have plagued them since that structure was built.

HOW THE STRUCTURE at 7612 Shady Grove AFFECTS SHADY OAKS II HOA RESIDENTS

7612 Shady Grove is owned by Lisa and Daniel Ham. They are requesting a Zoning change to cover an "un-permitted" 1800 sq ft structure they built on their 1.13 acre lot a few years ago. This lot already had a 3,000 sq ft + home, garage and other structure. (See attached map.) Their land strip was originally part of a larger land mass (McKee Land Holdings,) bounded by Davis Ln on the West, Shady Grove on the North, and backs up to 11 homes on Grand View to the East and 6 homes on Shady Oaks to the South. McKee Land Holdings is managed by Mary M. McGilvray.

The Ham Family is related to the McKee/McGilvray families. Mary M. McGilvray still lives at 8432 Davis Ln, and also has ownership of 7602 Shady Grove. (See attached map.) 7600 and 7610 Shady Grove are undeveloped property belonging to the McKee Land Holdings, managed by Mary McGilvray. If you pull up her property on www.tad.org, you find that all 4 properties (8432 Davis Ln and 7600, 7602, 7610 Shady Grove) are listed under her name.

As an HOA, anything that adversely affects individual homeowners also adversely affects the entire neighborhood. The 8500 block of Grand View is a major entrance of our subdivision of 127 homes. The values of the affected homes on the west side of 8500 Grand View also affect the entire neighborhood. Anyone wanting to sell their home on that side of the street would have to disclose the issues caused by 7612 Shady Grove, should conditions stay the same.

PROBLEMS AND CONCERNS of Affected Residents:

The problems of residents along the 8500 block of Grand View include, but are not limited to:

- Past and present drainage issues from the 7612 Shady Grove property onto their property that has caused past and/or currently needed foundation issues and repairs;
- unsightly views from their homes onto the unfinished status of the building;
- an open West side of the building which holds all manner of equipment;
- the collection of water on the property;
- the constant presence of snakes, rats, etc coming from the property.

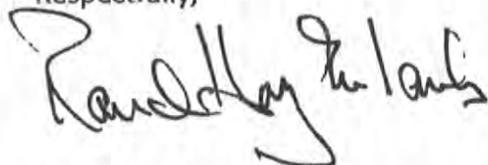
The concerns of residents along 8500 block of Grand View and Shady Oaks II Home Owner's Association include, but are not limited to:

- If the city of NRH allows this Zoning change and permit, the property will continue to cause the same problems for residents along 8500 Grand View;
- Simply asking them to finish the building (closing off the east side) and bringing the structure up to code, will not solve the drainage and other issues;
- The knowledge of these problems adversely affects the value of the homes involved; and
- While asking that it be torn down may seem extreme, the problems created over the years have cost some residents thousands of dollars, with no end in sight to future damages as a result of this unpermitted structure built at 7612 Shady Grove, NRH, Tx.

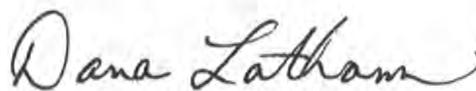
SUMMARY:

Shady Oaks II HOA **OPPOSES** the approval of the Zoning Change Request for 7612 Shady Grove. The structure needs to be up to code, brought to completion and drainage issues solved, OR torn down with drainage corrected that adversely affects neighbors along the West side of 8500 block Grand View Dr., North Richland Hills, Texas 76182.

Respectfully,



Rand Huzenlaub, President



Dana Latham, Secretary

Reference Tex. Water Code 11.086

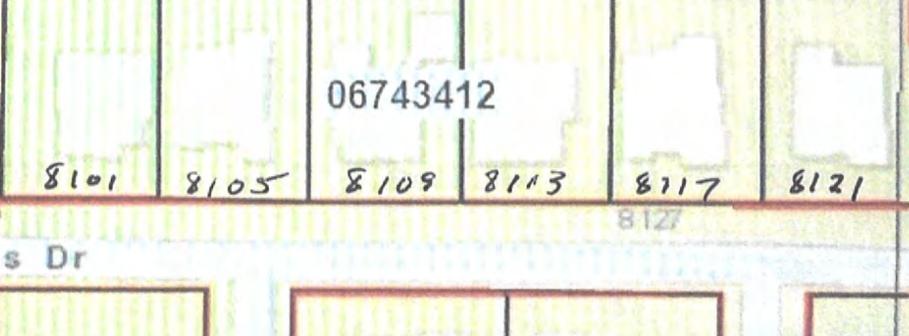
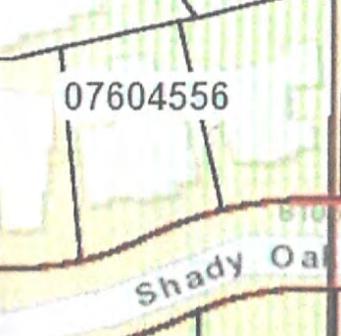
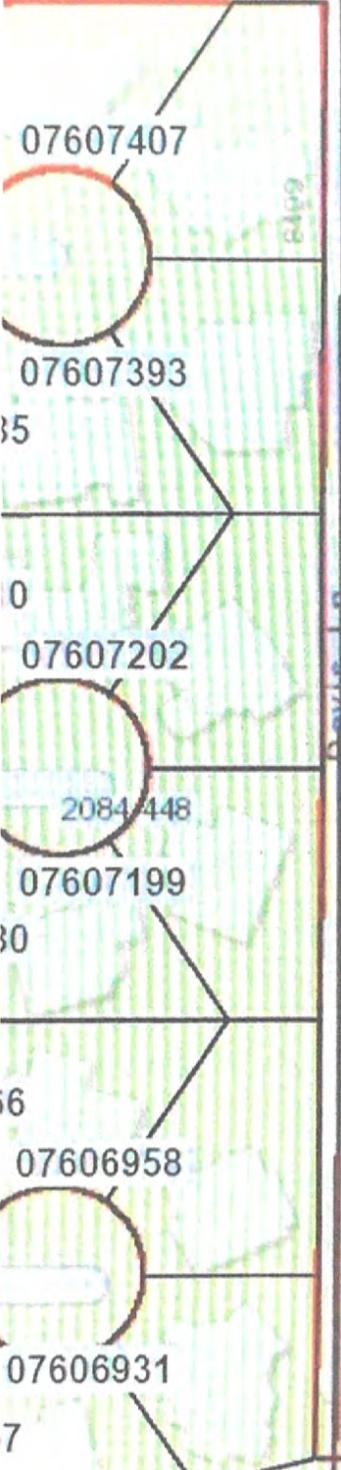
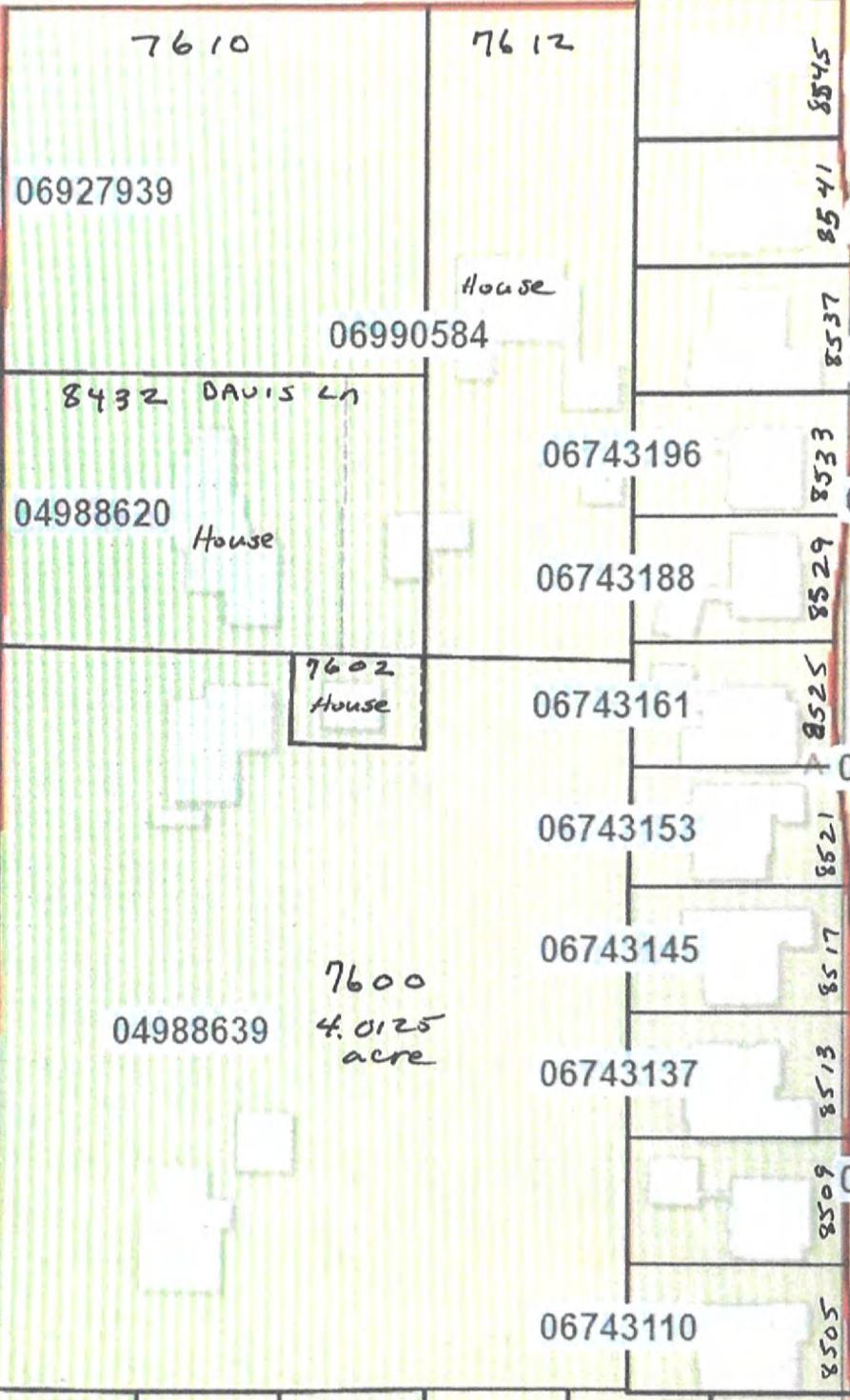
04089782

MAP ①

ZC21-0005

4137042

Shady Grove Rd



Grand View Dr

7610
06927939

7612
House
06990584

06743234
8545

06743226
8541

06743218
8537

A-1209 2084-448
04988620
8432 House
DAVIS Ln

EXISTING
1800±
structure
ZONING Change
Request

06743196
8533

06743188
8529

41681770
760Z

06743161
8525

06743153
8521

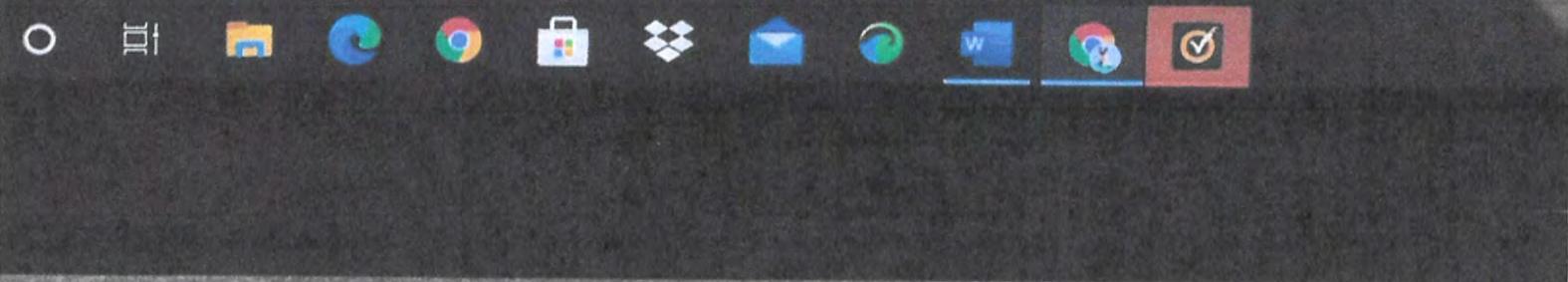
7600

06743145
8517

04988639

City of Keller, Tarrant County College, E

All rights reserved



From: [Lynn Wilson](#)
To: [Planning](#)
Cc:
Subject: Response to ZC21-0005 Email 1 of 2
Date: Thursday, October 21, 2021 8:45:42 AM

Impact to 8533 Grand View Drive

P&Z Meeting with City of NRH to discuss retroactive permitting for large structure behind 7612 Shady Grove:

Drainage

- Garage foundation stabilized 11/2016 with five piers on right side and wrapping the back right corner. Garage sinking on right side. When it rains, water flows heavily from property behind somewhat diagonally toward right side of my property toward the Deweys. \$2775
- Since structure built, water flows heavily in the same direction but now also all along the back of my fence toward the entire rear of garage, toward center of backyard and along far left fence.
- Remedies include: 1. Two french drains installed, one paralleling left fence going to the street and another along back of garage directing water around right side of garage toward street 2. Drainage rock paralleling most of left fence. \$3k approx.
- Garage has flooded 3-4 times in the last 2 years when water penetrates through the weep holes along back wall of garage. Garage has now shifted and is awaiting an updated evaluation from foundation company. \$ tbd.

Unightly Conditions

- The east side of the structure remains open allowing neighbors to see all the menagerie of items and other junk stored in and about the structure. This is impacting the value of our homes with a view like this.
- The porch overhang is supported by tree limbs rather than a stone column, etc. There has been a pile of stone laying around this for over a year.
- Work occurs in phases and is rarely completed. Huge mess back there.
- Weeds have now grown to over 12' in height just behind the back left corner of my fence - good news is it blocks most of this view; however, it's tall weeds which encourages more rats and moles. When these die in winter and the trees lose their leaves, the view of this property is absolutely deplorable. There are several sheds that are unkept, basins that collect water are laying around, and a thick accumulation of leaves on the ground all along the back side of our properties that are not blown off. The leaf accumulation contributes to the drainage issues. The lack of basic property maintenance is staggering.
- Efforts I've made since moving there in 2003 include replacing the fence with a wide cedar plank fence, capped, 8' along at the back of the property to block as much of the view as possible, rot boards along the back to help the issue with drainage. The snake problem is

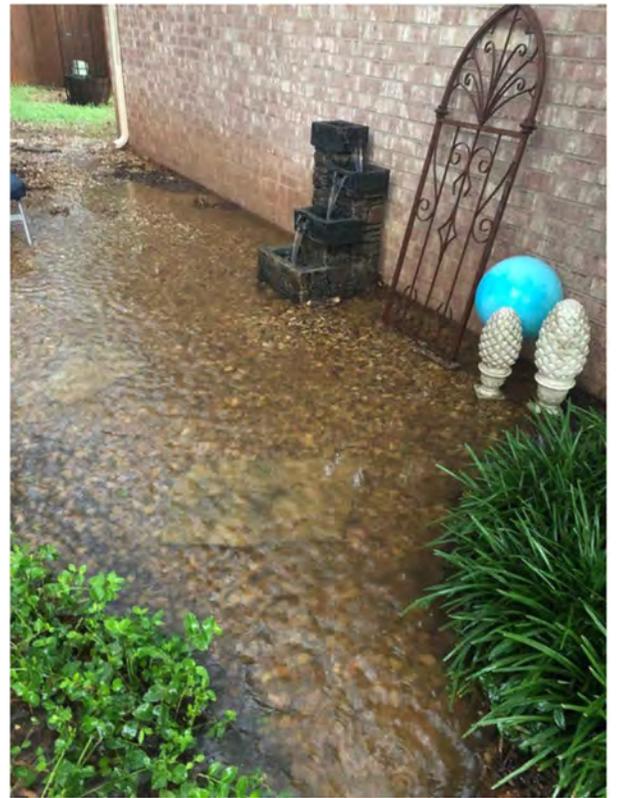
much improved since installing this fence.

Please see attached photos and videos that I've taken over the last few years that showcase the view and drainage issues. Please note I may need to email the video separately due to file size.

Should the structure remain, we strongly suggest the city require the east wall of the structure to be finished/enclosed, like a normal building; the overhang be supported by stone columns rather than tree limbs, the installation of proper drainage systems that don't negatively impact residents on Grand View, and weed and leaf cleanup/removal. Should this not be possible, the city should enforce other permanent remedies.







Thank you for your consideration,
Lynn Wilson and David Spoon

