

Date: 11/07/2022

The City Council of Keller, Texas

P.O. Box 770  
Keller, TX 76244

**Sub: Case No. P-22-0021**

Dear Council Members,

On behalf of the homeowners on Sendero Drive (Sendero Estates), we are writing in protest to the above case no., P-22-0021. We have great concerns over the specific location, overall value and continued expansion that Mr. and Mrs. Doug Hinds have executed. Understandably, it is their property. However, it is the use and placement of their structures that concern us. It is our belief that this new structure is unknown to us, in its placement and its value. From what Mr. Hinds texted to us, and based on their request of variances, it appears that this construction will be approximately the same size as the home of his daughter, Rachel Von Plonski, on Lot 1, Block 1 of Raymond Ellis Addition. In addition, it will be directly, and closely, located directly behind the de Groot and Devillier homes, respectively. With this to consider, we would like the Council to reject the Hinds's current proposal, due to the following concerns:

We are not aware of the appraised value of the home that is requested to be built. As our current market values have increased dramatically, and we will eventually pay full taxes on these amounts (+3% each year), we would like to protect these values, comparable to our homes and those around us. Currently, the Hinds are paying AG tax rating (\$9598- Exhibit 2) due to their bee hives that were located directly behind my property. (After many requests from us and our neighbors, I believe the Hinds may have relocated these hives.) However, the Hinds' daughter, located at Lot 1, Block 1 of Raymond Ellis Addition, pays approximately \$7807/year in taxes (See Exhibit 1), with an assessed value of \$407,000; this is much lower than the homes around us. The average tax bill in our area is approximately \$13,000-\$21,000 per home. We were not approached by the Hinds or the city of Keller regarding this home being built; but, because of the request for variance, we have been notified this time. If there is to be another home built on the Hinds compound, we would respectfully prefer the value to be comparable to our homes and the homes in our area.

With regard to location, we reject the proposed request for waiver, and ask that the new build, if comparable to current homes in our area, be located on the property located between Mr. Doug Hinds and Mrs. Rachel Von Plonski (See Exhibit 3). If the home is comparable in size to Mrs. Von Plonski, then the rear or front of the home will look directly into our backyards. Moreover, if the house is the same or smaller, then it will be lower in value than the \$407,000 Von Plonski home, thereby creating a home within the compound that will be in extremely close proximity to our planned subdivision, our homes, and compromising our privacy, our open views and our home values.

As much as we would like to be able to quote every code we believe is applicable to our protest, we hope that Keller codes 5.02, 5.03, 5.11 and 5.13 adequately support our position. Please see attached (Exhibit 4) for your quick reference. Not only do we feel that building on this "odd-shaped" lot would impose on our privacy and natural views, but we also contend that such a close proximity to our fence lines could also pose a hazard for utilities and most importantly, the fire department. As stated in 5.13, the Council can waive the building standards under "hardship." However, it is our position that there is a significant amount of land available for Mr. and Mrs. Hinds' daughter (#2) to build her home. Please see Exhibit #5. This is what we believe to be a more suitable location. This location allows everyone to be happy:

1. Daughter now has a home on the family compound as per the Hinds' intentions.
2. A driveway can connect all 3 homes, entering and exiting on their property, at their entrance, where their mailboxes are located.
3. The entrance that blocks the Becker's driveway can be eliminated, thereby returning the property rightfully belonging to Sendero Estates (5.03).
4. 1101, 1105 and 1109 Sendero Drive can maintain their unobstructed "Texas Sky" views from their back patios, and so can the Hinds' and family.

We hope the City Council will carefully consider our protest and take prompt action to solve our problem. We believe further drawing and plat review is necessary. We support our city and its ordinances, and consider them to be fair and just as intended by those who put them in place.

Thank you.

Kindest regards,

Cheney de Groot

On behalf of the residents at 1101, 1105 and 1109 Sendero Drive, Keller, Tx.

Matthew and Carolyn Becker (1101)

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Matthew Becker

Carolyn Becker

Signature Pages attached for 1109 and 1105 Sendero Drive owners, Devillier and de Groot.

Contact: Cheney T. de Groot, Treasurer, Sendero Estates HOA (864) 275-2306

Email: [REDACTED]

# Devillier Signatures

1109 Sendero Dr

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We hope the City Council will look into our complaints and take prompt action to solve our problem.

Thank you.

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Cheney de Groot

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Matthew and Carolyn Becker (1101)

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Matthew Becker

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Carolyn Becker

Robert and Cheney de Groot (1105)

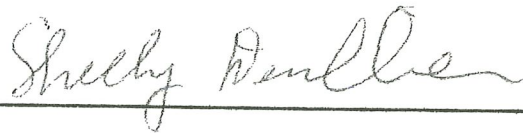
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Robert J. de Groot

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Cheney T. de Groot

Britton and Shelly Devillier (1109)



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Britton Devillier

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Shelly Devillier

Contact Info.-Cheney de Groot, HOA Treasurer (864)275-2306

Robert and Cheney de Groot (1109)

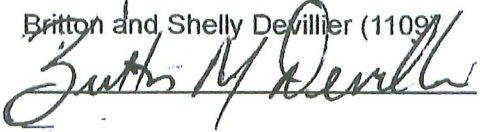
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Robert J. de Groot

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Cheney T. de Groot

Britton and Shelly Devillier (1109)



Britton Devillier

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Shelly Devillier

Contact Info.-Cheney de Groot, HOA Treasurer

(864)275-2306

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With regard to location, we reject the proposed waiver, and request that the new build, if comparable to current homes in our area, be located on the property located between Mr. Doug Hinds and Mrs. Rachel Von Plonski (See Exhibit 3). If the home is comparable in size to Mrs. Von Plonski, then the rear or front of the home will look directly into our backyards. Moreover, if the house is the same or smaller, then it will be lower in value than the \$407,000 Von Plonski home, thereby creating a compound in extremely close proximity to our planned subdivision, and compromising our privacy, our open views and our home values.

We hope the City Council will look into our complaints and take prompt action to solve our problem.

Thank you.

Kindest regards,

Cheney de Groot

On behalf of the residents at 1101, 1105 and 1109 Sendero Drive, Keller, Tx.

Matthew and Carolyn Becker (1101)

\_\_\_\_\_  
Matthew Becker

  
Carolyn Becker

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Matthew Becker

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Carolyn Becker

Robert and Cheney de Groot (1105)

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Robert J. de Groot

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Cheney T. de Groot

Britton and Shelly Devillier (1109)

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Britton Devillier

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Shelly Devillier

Contact Info.-Cheney de Groot, HOA Treasurer (864)275-2306

# de Groot Signature Page

Rather than cram the house on the back side of our fence lines, we're proposing that the new build (if not contrary to current property values), be located adjacent to Mr. Hines and his #1 daughter's house. In doing so, the families can link their driveways, and exit at the entrance where their mailboxes are located.

In doing so, Mr and Mrs. Doug Hines will no longer need to access Sendero Dr., where he originally got approval through the city without Sendero Estates approval. We eventually agreed that it was conducive for him to use our access, since his driveway to his exit would be excessive. With the new build, he can access his own exit, and we can seal off that "street." The sole purpose of that street was for pond access and Mr and Mrs Becker's driveway. We cannot use our own property now, because it will block Mr. and Mrs. Hines access. The Hines' do not contribute to our HOA, nor do they pay full taxes (AG). Because we pay to maintain these areas at our expense, we would like to close off that entrance after Mr. Hines access his own entrance/exit on Village Trail.



X Robert J. de Groot



X Cheney T. de Groot

EXHIBIT 1

VON PLONSKI RACHEL AND VON PLONSKI JOSHUA  
1243 VILLAGE TR, KELLER

Property ID: 05747856

Owner ID: M3522202

Geo ID: 12625-1-1

## Taxes

Two major components of your property tax calculation are Exemptions and Tax Rates which are both determined by your Taxing Units (School District, County, City, etc.). **These are NOT determined by the Appraisal District or Tax Office.**

**Taxes Due**= (Taxable Value \* Tax Rate) / 100

**Taxable Value**= Assessed Value – Exemptions

\* Exemptions might include Homestead, Over65, Disabled Person, Disabled Veteran, etc.

Taxing Unit	Last Year's Taxes (2021)	No New Revenue Taxes (2022)	Voter-Approval Taxes (2022)	Proposed Taxes (2022)	Adopted Taxes (2022)	Difference Between No New Revenue and Proposed (2022)
CITY OF KELLER	\$1,169.200.395000	\$1,173.070.360279	\$1,325.490.407090			
KELLER ISD	\$4,636.801.344000	\$4,454.651.213800	\$4,810.641.310800	\$4,671.541.272900	\$4,671.541.272900	\$216.900.059100
TARRANT COUNTY	\$847.300.229000	\$851.980.209332	\$947.470.232794	\$911.680.224000		\$59.700.014668
TARRANT COUNTY COLLEGE	\$481.630.130170	\$491.180.120682	\$594.480.146064	\$529.790.130170		\$38.620.009488
TARRANT COUNTY HOSPITAL	\$830.390.224429	\$836.350.205492	\$1,006.070.247191	\$913.430.224429	\$913.430.224429	\$77.070.018937
<b>Total</b>	<b>\$7,965.32</b>	<b>\$7,807.22</b>	<b>\$8,684.14</b>	<b>\$7,026.44</b>	<b>\$5,584.97</b>	<b>\$392.29</b>



EXHIBIT 2

HINDS DOUGLAS W AND HINDS COLLEEN

VILLAGE TR, KELLER

Property ID: 42443073

Owner ID: M834096

Geo ID: 18570-A-1

Taxing Unit	Last Year's Taxes (2021)	No New Revenue Taxes (2022)	Voter-Approval Taxes (2022)	Proposed Taxes (2022)	Adopted Taxes (2022)	Difference Between No New Revenue and Proposed (2022)
CITY OF KELLER	\$1,997.120.395000	\$2,004.300.360279	\$2,004.300.407090			
KELLER ISD	\$8,027.311.344000	\$8,027.311.213800	\$8,027.311.310800	\$8,027.311.272900	\$8,027.311.272900	\$0.000.059100
TARRANT COUNTY	\$1,322.100.229000	\$1,322.100.209332	\$1,322.100.232794	\$1,322.100.224000		\$0.000.014668
TARRANT COUNTY COLLEGE	\$735.460.130170	\$735.460.120682	\$735.460.146064	\$735.460.130170		\$0.000.009488
TARRANT COUNTY HOSPITAL	\$1,418.390.224429	\$1,438.850.205492	\$1,730.830.247191	\$1,571.450.224429	\$1,571.450.224429	\$132.600.018937
<b>Total</b>	<b>\$13,500.38</b>	<b>\$13,528.02</b>	<b>\$13,820.00</b>	<b>\$11,656.32</b>	<b>\$9,598.76</b>	<b>\$132.60</b>


\* Your taxes in **Blue** are limited due to a Property Tax Freeze you qualified for


# Untitled Map


Sendero Drive & Hines' Property

*Exhibit 3*

## Legend

 1105 Sendero Dr

 Doug Hines's House

 Doug's Daughter's House #1

 Bee Hives

de Groot House  
 1105 Sendero Dr

*62x112*

Google Earth

200 ft



# Exhibit 4

[https://library.municode.com/tx/keller/codes/code\\_of\\_ordinances?nodemd=PTIIIUNDECO\\_ARTFIVESUDEIMRE\\_S5.02GREXLACLPE](https://library.municode.com/tx/keller/codes/code_of_ordinances?nodemd=PTIIIUNDECO_ARTFIVESUDEIMRE_S5.02GREXLACLPE)

## C. Section 5.02

*Property Owners Association Required.* A mandatory property owners association shall be established for all subdivisions developed with private streets. The association shall own the private streets and be responsible for maintaining the streets and all applicable appurtenances to City maintenance standards. The association documents shall reflect that the City may use the reserve funds or assess the lot owners for street repair if the streets are not continually maintained to City standards. The association documents shall be reviewed and approved by the City and City Attorney at the time of submittal of the preliminary site evaluation and be filed concurrently with the final plat.

## D. Access Restrictions.

1. The entrances to all private streets shall be marked with a sign stating that it is a private street. An access control gate, guardhouse or other means of restricting access to private streets may be constructed. Gates must be located on private property a minimum of fifty feet (50') from the right-of-way line with entrance gates that swing in, away from the right-of-way of the intersecting street, or side-to-side on a pulley, but cannot swing out toward the right-of-way. All gates and drives shall accommodate government and utility personnel, U.S. Postal Service, solid waste collection, residents, guests, deliveries, etc., without impeding traffic movement on public thoroughfares. If the PID or HOA fails to maintain reliable access as required to provide city services, the City may enter the subdivision and remove any gate or device that is a barrier to access at the sole expense of the PID or association. The PID or HOA documents shall contain provisions in conformity with this paragraph that may not be amended without the written consent of the City.

2. The location and design of each entrance or exit shall accommodate peak travel times. Adequate stacking distance, not less than a total of a hundred feet (100'), shall be provided to allow for any delay in gate(s) opening. The gate(s) must setback from the public right-of-way for a minimum distance of fifty feet (50') with a turn-around provided for vehicles denied access to be able to exit onto a public street in a forward manner before getting to the gate. If an overhead barrier is used, it must have a minimum vertical clearance of sixteen feet (16') in height above the road surface. A construction detail in accordance with the above parameters shall be provided with construction plans, prior to submission of the final plat, for review and approval by the City.

### **5.03 Streets and Thoroughfares**

3. Minor residential streets shall be so laid out that their use by through traffic will be discouraged, and access is provided to adjacent subdivisions.

4. Direct residential driveway access onto all thoroughfares as shown on the Thoroughfare Plan is prohibited unless specifically approved by a Planned Development Zoning District. Where a subdivision contains an existing or proposed thoroughfare, or where a thoroughfare is the only access point to a residential lot, the City may require marginal access streets, reverse frontage, deep lots, rear service alleys, or such treatment as may be necessary for adequate protection to residential properties and to afford separation of through and local traffic.

#### *B. Responsibility for Adequacy of Streets and Thoroughfares, Right-of-Way Dedication and Construction.*

1. The developer is responsible for the dedication of the right-of-way and construction of all street(s) within the development including all thoroughfares as shown on the Thoroughfare Plan, additional lanes as determined by a TIA, and one-half of the street(s) that abuts the development or the proportionate cost of constructing one-half (1/2) of the street that abuts the development. Any off-site street required, by the platting process, to provide adequate access to the development shall be the entire responsibility of the developer. These provisions shall apply in all cases including where there is an existing sub-standard street.

### **5.11 Easements**

No lot shall be platted less than one hundred feet (100') in depth except as approved as part of a Planned Development (PD) ordinance or in cases where an irregular-shaped tract is platted into lots and a remnant piece of property has sufficient area to plat one or more lots. In this case, the Planning and Zoning Commission may approve a waiver of the width and depth requirement, if needed, to prevent a hardship.

### **Section 5.13 - Lots**

A. Lots shall comply with the minimum requirements of the established zoning district and with the minimum standards of this Code.

B. Each residential lot shall front on a dedicated public/private street right-of-way or an approved recorded paved public/private access easement (see Section 5.04 Private Street Developments). Each lot shall meet the minimum required lot width at the front building

setback line and for the entire depth of the property from the front property line to the rear property line. The minimum width of access easements for all platted/replatted lots, from the date of the adoption of this Code shall be sixty feet (60'). All access easements shall be listed as a public/private access/public drainage/utility easement. The paving standards for the access easements shall be in accordance with the Design Standards and Technical Construction Standards of this UDC (Section [5.23](#)). Fire Department access shall be provided to all lots as required per the adopted Fire Code. The minimum width of pavement for an access easement shall be twenty-four feet (24'). Access easements that serve more than three (3) lots shall comply with the requirements established in Section 5.04 - Private Street Developments. Access easements shall be owned and maintained by the homeowners, PID or Home Owners Association (HOA) when applicable.

C. For Irregular-shaped lots, the lot width at the front and rear building setback lines can be averaged; however, the lot width at the front building setback line and at the frontage of the public/private street right-of-way or public/private access easement shall not be less than required by the particular zoning district or per Section 8.15(A)(4) Supplementary Regulations (concerning cul-de-sacs). The rear width shall be sufficient to provide access for all necessary utilities. Lots that front on a cul-de-sac shall have a minimum of fifty feet (50') frontage along the dedicated public/private street right-of-way or public/private access easement.

D. No lot shall be platted less than one hundred feet (100') in depth except as approved as part of a Planned Development (PD) ordinance or in cases where an irregular-shaped tract is platted into lots and a remnant piece of property has sufficient area to plat one or more lots. In this case, the Planning and Zoning Commission may approve a waiver of the width and depth requirement, if needed, to prevent a hardship.

E. Side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan.

## **Keller City Requirements for Residential Building Permit:**

### **Q. What needs to be submitted to obtain a residential building permit?**

For new construction or additions/alterations, the following listed items (no larger than 24"x36") need to be submitted with the application:

- two (2) Site Plans,
- two (2) Floor Plans,
- two (2) Engineered Foundation Plans with Engineer's letters,
- two (2) Tree Surveys,
- two (2) Grading Plans, and
- two (2) Prescriptive Energy Forms.

### **Q. What is required on my grading plan for a specific site?**

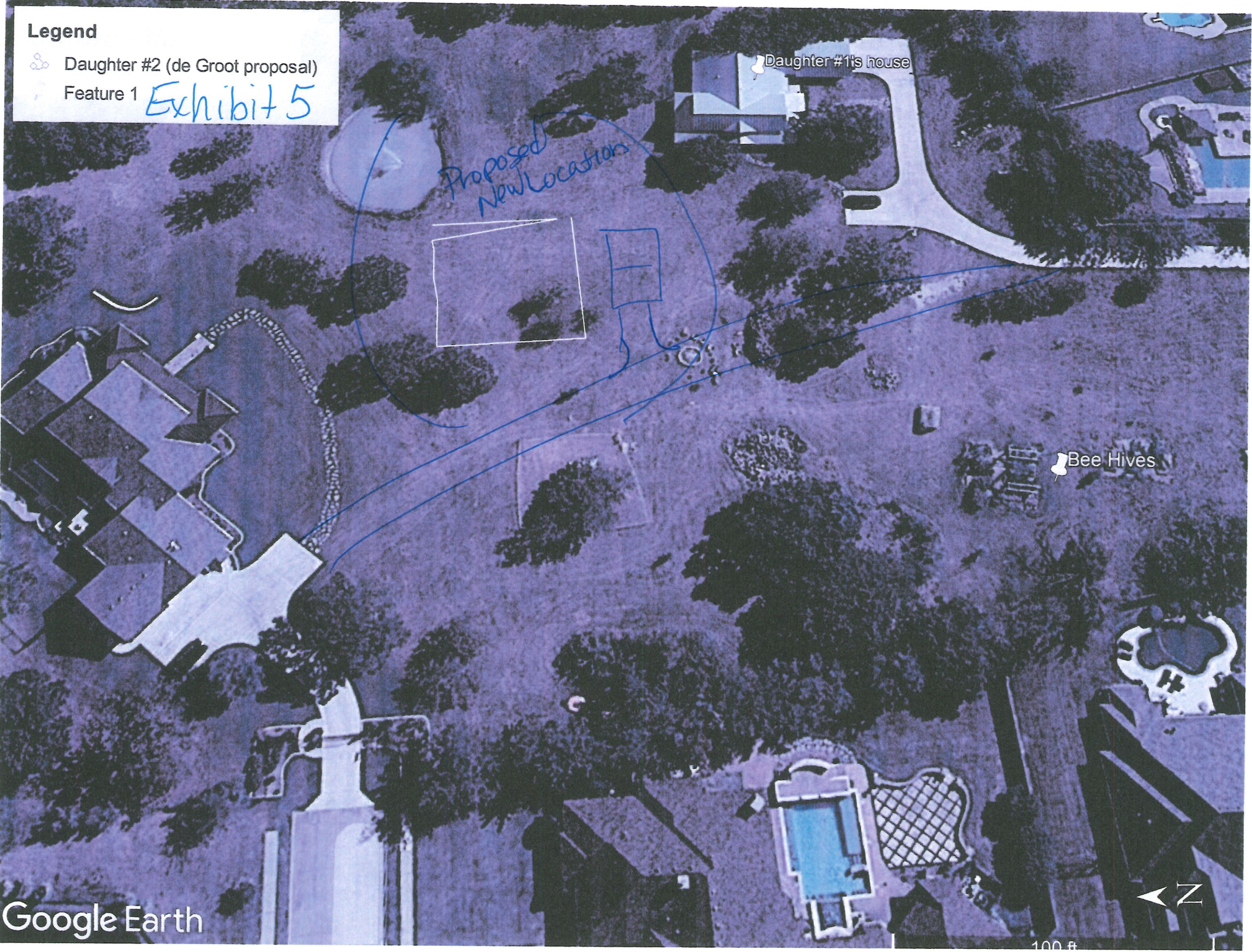
The information required on the plan submitted by the builder is as follows:

1. Boundary of lot including dimensions.
2. Right-of-Way (ROW) line clearly labeled.
3. All easements shown and labeled with size and type (i.e. 5'-0" drainage and utility easement).
4. Building line labeled and dimensioned.
5. Finished Floor Elevation (FFE).
6. Elevations at the property corners.
7. Location of swales (if swales have been designed by the developer's engineer include depth, slope, side slope and top width).
8. Retaining walls of all heights - include length of wall, distance from property line, height at each and at bends.
9. Flow arrows indicating direction of flow for all areas on lot.
10. Location of floodplain, if applicable.
11. Footprint of house and driveway with dimensions.
12. Proposed culvert size (minimum 18") and type if bar ditch road and/or culvert required in right-of-way.
13. North arrow and scale (minimum 1"=20').
14. Lot, block, subdivision name and address.
15. Tree survey and wall permit application (wall 3'-0" or greater from bottom of foundation to top of wall) shall be provided separately.
16. Any other structures, including fences, hike and bike trail, existing flume, channel, etc.

**Legend**

⊗ Daughter #2 (de Groot proposal)

⊗ Feature 1 *Exhibit 5*



Google Earth

100 ft