

**cvelezconty@gmail.com**

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**From:** Carlos Gutierrez <cgutierrez@cityofkeller.com>  
**Sent:** Tuesday, October 14, 2025 5:23 PM  
**To:** cvelezconty@gmail.com; Aaron Rector; slowry@boyle-lowry.com; Building Services; Justin Wilkins  
**Cc:** jorge.reyes@verticalartsdesign.com; City Secretary; Cliff Nevins EXT; Kelly Ballard; Melinda Hernandez; Johnny Reyes; Vicki Chavez; Linda Mumtaz  
**Subject:** RE: Subject: Formal Interpretation Pending / Administrative Hold – Case #2508-0551 (536 Bancroft Rd)  
  
**Flag Status:** Flagged

Good afternoon,

Here is a link for you to register and apply for a Zoning Board of Adjustment (ZBA) variance. All documents are to be uploaded through the citizen self-service portal. I will review for completion and will send an invoice for the ZBA application fee. Once payment has been processed I we will inform you of the next available ZBA date.

<https://cityofkellertx-energogovweb.tylerhost.net/apps/selfservice>

Thank you

**Carlos Gutierrez | Plans Examiner**

City of Keller, Texas

817-743-4115

[www.cityofkeller.com](http://www.cityofkeller.com)



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**From:** cvelezconty@gmail.com <cvelezconty@gmail.com>  
**Sent:** Tuesday, October 14, 2025 4:50 PM  
**To:** Aaron Rector <arector@cityofkeller.com>; slowry@boyle-lowry.com; Building Services <buildingservices@cityofkeller.com>; Justin Wilkins <jwilkins@cityofkeller.com>  
**Cc:** jorge.reyes@verticalartsdesign.com; City Secretary <citysecretary@cityofkeller.com>; Cliff Nevins EXT <cnevins@safebuilt.com>; Kelly Ballard <kballard@cityofkeller.com>; Melinda Hernandez <mhernandez@cityofkeller.com>; Johnny Reyes <jreyes@cityofkeller.com>; Vicki Chavez <vchavez@cityofkeller.com>;

Carlos Gutierrez <cgutierrez@cityofkeller.com>; Linda Mumtaz <lmumtaz@cityofkeller.com>

**Subject:** RE: Subject: Formal Interpretation Pending / Administrative Hold – Case #2508-0551 (536 Bancroft Rd)

Dear Mr. Rector,

Thank you for confirming that enforcement will remain on hold during the ZBA process and that staff will coordinate the posting schedule. I appreciate your cooperation.

For the record, this matter was first discussed with Building Services in 2024. Based on those discussions and the information available at the time, we proceeded in good faith and installed the front fence at approximately **36 ft from the edge of pavement**. I've also remain open to adjusting the alignment to about **40 ft** if the City determines that such a compromise would **satisfy the functional intent of the ordinance** while **maintaining safe access and sight distance**.

It may also be relevant that our **front-porch permit from 2024 has not yet been inspected or closed**, further demonstrating that we have continued working under the City's processes rather than outside them.

Before I finalize the ZBA appeal, I would like to ensure that the record accurately reflects the technical point that remains unresolved. While I understand the City's position that any roadway appearing on the **Major Thoroughfare Plan** qualifies by default as a "thoroughfare," my inquiry concerns **how the 50-foot setback is measured and applied** along sections that **lack curb, sidewalk, or public parkway per code**.

The ordinance and the plan assume an improved cross-section typical of arterials, where roughly 10–15 ft of public right-of-way separates the curb from private property. On **unimproved collector segments such as Bancroft**, the pavement meets the property line directly, **effectively pushing the 50-ft measurement entirely onto private property and doubling its impact**. My intent has only been to clarify whether the same queueing and sight-distance objectives could be achieved through an **equivalent measurement** that accounts for that missing public buffer.

I will proceed with the ZBA filing as advised, but I want to be sure that this distinction—the measurement basis on unimproved versus improved thoroughfare segments and our demonstrated willingness to reach a 40-ft solution—is clearly noted for the Board's review.

Thank you again for your attention and for coordinating staff assistance with the appeal process.

Respectfully,

**Carlos Velez Conty**

Owner – 536 Bancroft Rd, Keller TX 76248

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**From:** Aaron Rector <[arector@cityofkeller.com](mailto:arector@cityofkeller.com)>

**Sent:** Tuesday, October 14, 2025 4:36 PM

**To:** [cvelezconty@gmail.com](mailto:cvelezconty@gmail.com); [slowry@boyle-lowry.com](mailto:slowry@boyle-lowry.com); Building Services <[buildingservices@cityofkeller.com](mailto:buildingservices@cityofkeller.com)>; Justin Wilkins <[jwilkins@cityofkeller.com](mailto:jwilkins@cityofkeller.com)>

**Cc:** [jorge.reyes@verticalartsdesign.com](mailto:jorge.reyes@verticalartsdesign.com); City Secretary <[citysecretary@cityofkeller.com](mailto:citysecretary@cityofkeller.com)>; Cliff Nevins EXT <[cnevins@safebuilt.com](mailto:cnevins@safebuilt.com)>; Kelly Ballard <[kballard@cityofkeller.com](mailto:kballard@cityofkeller.com)>; Melinda Hernandez

<[mhernandez@cityofkeller.com](mailto:mhernandez@cityofkeller.com)>; Johnny Reyes <[jreyes@cityofkeller.com](mailto:jreyes@cityofkeller.com)>; Vicki Chavez <[vchavez@cityofkeller.com](mailto:vchavez@cityofkeller.com)>; Carlos Gutierrez <[cgutierrez@cityofkeller.com](mailto:cgutierrez@cityofkeller.com)>; Linda Mumtaz <[lmumtaz@cityofkeller.com](mailto:lmumtaz@cityofkeller.com)>

**Subject:** RE: Subject: Formal Interpretation Pending / Administrative Hold – Case #2508-0551 (536 Bancroft Rd)

The technical clarification has been provided – for purposes of fences, any road on the major throughfare plan qualifies. A copy of the plan was provided in my prior e-mail showing Bancroft being on the plan.

Your request for ZBA is noted and related enforcement will be on hold as long as you are going through the ZBA process. Since you are wanting to go through ZBA, I will note that the applicant bears the burden of proof in establishing the facts justifying a variance. Staff will coordinate with you on the ZBA process including the next available date that complies with posting requirements.

**Thank you,**

**Aaron Rector, CGFO | City Manager**

P: (817) 743-4001 | F: (817) 743-4191

City of Keller, Texas

P.O. Box 770, Keller, TX 76244

Website: [www.cityofkeller.com](http://www.cityofkeller.com)

Finance: [www.cityofkeller.com/finance](http://www.cityofkeller.com/finance)

*Keller, Texas – Ranked as a top 100 “Best Places to Live” by CNN Money Magazine.*

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**From:** [cvelezconty@gmail.com](mailto:cvelezconty@gmail.com) <[cvelezconty@gmail.com](mailto:cvelezconty@gmail.com)>

**Sent:** Tuesday, October 14, 2025 3:53 PM

**To:** Aaron Rector <[arector@cityofkeller.com](mailto:arector@cityofkeller.com)>; [slowry@boyle-lowry.com](mailto:slowry@boyle-lowry.com); Building Services <[buildingservices@cityofkeller.com](mailto:buildingservices@cityofkeller.com)>; Justin Wilkins <[jwilkins@cityofkeller.com](mailto:jwilkins@cityofkeller.com)>

**Cc:** [jorge.reyes@verticalartsdesign.com](mailto:jorge.reyes@verticalartsdesign.com); City Secretary <[citysecretary@cityofkeller.com](mailto:citysecretary@cityofkeller.com)>; Cliff Nevins EXT <[cnevins@safebuilt.com](mailto:cnevins@safebuilt.com)>; Kelly Ballard <[kballard@cityofkeller.com](mailto:kballard@cityofkeller.com)>; Melinda Hernandez

<[mhernandez@cityofkeller.com](mailto:mhernandez@cityofkeller.com)>; Johnny Reyes <[jreyes@cityofkeller.com](mailto:jreyes@cityofkeller.com)>; Vicki Chavez <[vchavez@cityofkeller.com](mailto:vchavez@cityofkeller.com)>; Carlos Gutierrez <[cgutierrez@cityofkeller.com](mailto:cgutierrez@cityofkeller.com)>; Linda Mumtaz <[lmumtaz@cityofkeller.com](mailto:lmumtaz@cityofkeller.com)>

**Subject:** RE: Subject: Formal Interpretation Pending / Administrative Hold – Case #2508-0551 (536 Bancroft Rd)

**Dear Mr. Rector,**

Thank you for your response and for clarifying the City’s current position. I appreciate your acknowledgment of my right to appeal to the **Zoning Board of Adjustment (ZBA)** and the offer to assist with that process.

For the record, my request has not been to dispute that Bancroft appears on the Major Thoroughfare Plan, rather to obtain a **formal written interpretation** of how the 50-foot “thoroughfare” setback in **UDC §9.07(K)(3)(c)** is to be applied along **collector-level residential frontages** such as 536 Bancroft Rd—particularly where the roadway section is **unimproved and lacks curb, sidewalk, or parkway**. While the plan distinguishes right-of-way widths, the ordinance itself does not specify how measurement should be taken when no curb exists or whether the same queuing standard intended for arterials applies to collectors of this type. **That technical clarification remains unresolved.**

Accordingly, and pursuant to **Texas Local Government Code §§211.009–.011**, **I respectfully request that the City formally hold in abeyance all abatement, citation, and enforcement actions under Case**

**#2508-0551** until the appeal has been filed, heard, and decided by the ZBA. Proceeding with enforcement while an appeal is pending would defeat the due-process protections provided by statute.

I have kept the gate open in good faith and will continue to cooperate fully. Please confirm in writing that the City will **suspend enforcement and abatement** pending completion of the appeal, and advise which staff contact will coordinate submittal of the ZBA application and posting requirements.

Thank you again for your time and consideration.

Respectfully,

**Carlos Velez Conty**

Owner – 536 Bancroft Rd, Keller TX 76248

---

**From:** Aaron Rector <[arector@cityofkeller.com](mailto:arector@cityofkeller.com)>

**Sent:** Tuesday, October 14, 2025 3:41 PM

**To:** [cvelezconty@gmail.com](mailto:cvelezconty@gmail.com); [slowry@boyle-lowry.com](mailto:slowry@boyle-lowry.com); Building Services <[buildingservices@cityofkeller.com](mailto:buildingservices@cityofkeller.com)>; Justin Wilkins <[jwilkins@cityofkeller.com](mailto:jwilkins@cityofkeller.com)>

**Cc:** [jorge.reyes@verticalartsdesign.com](mailto:jorge.reyes@verticalartsdesign.com); City Secretary <[citysecretary@cityofkeller.com](mailto:citysecretary@cityofkeller.com)>; Cliff Nevins EXT <[cnevins@safebuilt.com](mailto:cnevins@safebuilt.com)>; Kelly Ballard <[kballard@cityofkeller.com](mailto:kballard@cityofkeller.com)>; Melinda Hernandez <[mhernandez@cityofkeller.com](mailto:mhernandez@cityofkeller.com)>; Johnny Reyes <[jreyes@cityofkeller.com](mailto:jreyes@cityofkeller.com)>; Vicki Chavez <[vchavez@cityofkeller.com](mailto:vchavez@cityofkeller.com)>; Carlos Gutierrez <[cgutierrez@cityofkeller.com](mailto:cgutierrez@cityofkeller.com)>; Linda Mumtaz <[lmumtaz@cityofkeller.com](mailto:lmumtaz@cityofkeller.com)>

**Subject:** RE: Subject: Formal Interpretation Pending / Administrative Hold – Case #2508-0551 (536 Bancroft Rd)

Good afternoon,

Bancroft is specifically called out in the attached Major Thoroughfare Plan. The roadways shown on the plan are by default thoroughfares and the only distinctions between them is the right of way required for each. The setbacks required of gated driveways only varies between those roads on and not on this map.

You do have the right to appeal the City's decision to the ZBA Board, and staff can guide you through that process. The next available ZBA date is November 3, 2025, however, staff will be notified immediately to meet any required posting dates. I will note that ZBA has reviewed similar cases and upheld the City's ruling on the fences - 1408 Willis Ln (ZBA-20-0012) being a recent example.

Please let me know if you have any other questions or concerns.

**Thank you,**

**Aaron Rector, CGFO | City Manager**

P: (817) 743-4001 | F: (817) 743-4191

City of Keller, Texas

P.O. Box 770, Keller, TX 76244

Website: [www.cityofkeller.com](http://www.cityofkeller.com)

Finance: [www.cityofkeller.com/finance](http://www.cityofkeller.com/finance)

*Keller, Texas – Ranked as a top 100 "Best Places to Live" by CNN Money Magazine.*

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**From:** [cvelezconty@gmail.com](mailto:cvelezconty@gmail.com) <[cvelezconty@gmail.com](mailto:cvelezconty@gmail.com)>

**Sent:** Friday, October 10, 2025 1:33 PM

**To:** [slowry@boyle-lowry.com](mailto:slowry@boyle-lowry.com); Building Services <[buildingservices@cityofkeller.com](mailto:buildingservices@cityofkeller.com)>; Justin Wilkins <[jwilkins@cityofkeller.com](mailto:jwilkins@cityofkeller.com)>

**Cc:** [jorge.reyes@verticalartsdesign.com](mailto:jorge.reyes@verticalartsdesign.com); City Secretary <[citysecretary@cityofkeller.com](mailto:citysecretary@cityofkeller.com)>; Cliff Nevins EXT <[cnevins@safebuilt.com](mailto:cnevins@safebuilt.com)>; Kelly Ballard <[kballard@cityofkeller.com](mailto:kballard@cityofkeller.com)>; Code Compliance <[codecompliance@cityofkeller.com](mailto:codecompliance@cityofkeller.com)>; Johnny Reyes <[jreyes@cityofkeller.com](mailto:jreyes@cityofkeller.com)>; Vicki Chavez <[vchavez@cityofkeller.com](mailto:vchavez@cityofkeller.com)>; Carlos Gutierrez <[cgutierrez@cityofkeller.com](mailto:cgutierrez@cityofkeller.com)>; Linda Mumtaz <[lmumtaz@cityofkeller.com](mailto:lmumtaz@cityofkeller.com)>; Aaron Rector <[arector@cityofkeller.com](mailto:arector@cityofkeller.com)>

**Subject:** Subject: Formal Interpretation Pending / Administrative Hold – Case #2508-0551 (536 Bancroft Rd)

**Dear Mr. Wilkins and Mr. Lowry,**

On **October 8, 2025**, I submitted a written request for a **formal interpretation of UDC §9.07(K)(3)(c)** and a **temporary enforcement hold** concerning **Case #2508-0551 (536 Bancroft Road)**.

Although my engineer, **Jorge Reyes**, has communicated with staff, and I have previously spoken with **Mr. Gutierrez**, we have received only excerpts of the code, not a formal interpretation of my references as required under **Texas Local Government Code §211.009(a)**, which governs disputes concerning the applicability of zoning regulations.

So far, I have only received a response from the **City Secretary**, who has fulfilled **Public Information Request R000448-100925**, confirming that my submissions are being processed through official channels and that I am cooperating in good faith.

This demonstrates that the matter remains under **active administrative review**, and therefore, I am entitled to **full due-process protections** before any enforcement or abatement proceeds.

Accordingly, this correspondence serves as **formal notice** that **enforcement under Case #2508-0551 is administratively suspended** until one of the following occurs:

1. The **Building Official** issues a written interpretation determining whether the 50-ft setback applies to this **SF-36 residential parcel**; or
2. The matter is **formally referred to the Zoning Board of Adjustment (ZBA)** pursuant to **Texas Local Government Code §§211.009–.011**.

Any attempt to continue enforcement or abatement without such interpretation would constitute an **ultra vires act**, outside the lawful authority of an inspector or plan examiner.

Please confirm in writing that **no citation or abatement action will proceed** until the formal interpretation is issued or the ZBA process is initiated.

My engineer, **Jorge Reyes, P.E.**, remains available to coordinate directly with your staff to expedite review and ensure a safe, code-compliant resolution.

If **no written response is received by close of business October 14, 2025**, this notice shall constitute a **formal administrative hold** under **Texas LGC §211.009(b)** pending lawful interpretation or ZBA action.

Respectfully,

**Carlos Velez Conty**

Owner – 536 Bancroft Rd  
Keller, TX 76248

**(CCs are provided for administrative continuity and transparency.)**

**From:** [cvelezconty@gmail.com](mailto:cvelezconty@gmail.com) <[cvelezconty@gmail.com](mailto:cvelezconty@gmail.com)>

**Sent:** Wednesday, October 8, 2025 10:15 PM

**To:** [codecompliance@cityofkeller.com](mailto:codecompliance@cityofkeller.com); [LMumtaz@cityofkeller.com](mailto:LMumtaz@cityofkeller.com); 'Carlos Gutierrez' <[cgutierrez@cityofkeller.com](mailto:cgutierrez@cityofkeller.com)>; [vchavez@cityofkeller.com](mailto:vchavez@cityofkeller.com); [jreyes@cityofkeller.com](mailto:jreyes@cityofkeller.com)

**Cc:** 'JORGE REYES' <[jorge.reyes@verticalartsdesign.com](mailto:jorge.reyes@verticalartsdesign.com)>; [citysecretary@cityofkeller.com](mailto:citysecretary@cityofkeller.com); [cnevins@safebuilt.com](mailto:cnevins@safebuilt.com); [slowry@boyle-lowry.com](mailto:slowry@boyle-lowry.com); [arector@cityofkeller.com](mailto:arector@cityofkeller.com); [kballard@cityofkeller.com](mailto:kballard@cityofkeller.com)

**Subject:** Subject: Clarification Request, Enforcement Hold & Public Information Inquiry – 536 Bancroft Rd (Case #2508-0551)

### **City of Keller – Building Services & Code Compliance**

**Attention:** Johnny Reyes / Carlos Gutierrez

**cc:** City Secretary – Public Information

1100 Bear Creek Parkway

Keller, TX 76248

**Subject:** Clarification, Enforcement Hold & Public Information Request – 536 Bancroft Rd (Case #2508-0551)

**Dear City Officials,**

This correspondence concerns **Case #2508-0551** regarding the Residential Gate located at **536 Bancroft Road** and the interpretation of **UDC §9.07(K)(3)(c)** requiring a 50-foot setback that removes 30% of my driveway for “drive gates adjacent to a thoroughfare.”

We are actively coordinating with our engineer, **Jorge Reyes**, to ensure full compliance. Our intent is not to challenge enforcement but to correct what appears to be a **technical misapplication** of the ordinance as it relates to our property. We respectfully request a temporary enforcement hold while the matter is reviewed.

#### **1. Context and Mapping Basis**

- The parcel at **536 Bancroft Rd** lies entirely within the **SF-36 residential zoning district** and **outside** the right-of-way shown on the City’s **2022 Major Thoroughfare Plan**.
- The Plan designates only the **paved roadway corridor** of Bancroft as a **2-Lane Collector (C2U)**, not the adjoining private lots.
- The violation notice appears to treat our property as if it were *within* the thoroughfare corridor, whereas it merely *fronts* a residential collector.
- Applying §9.07(K)(3)(c) to this frontage extends the ordinance beyond its intended scope, which was designed primarily for higher-capacity arterial corridors.

We request that Planning and Engineering staff formally review whether the 50-ft “thoroughfare” setback applies to a **collector-fronted residential parcel** like ours.

#### **2. Current Site Condition & Functional Limitation**

- The existing fence/gate is located **≈ 36 ft** from the edge of pavement (not 25 ft).
- Relocating it to **50 ft** would reduce usable driveway depth to **≈ 35 ft**, and after accounting for an **≈ 8-ft gate swing**, leave only **≈ 27 ft** of effective working area.
- This shortened run restricts normal vehicle movement, eliminates usable space for a planned carport addition, and reduces available staging for emergency apparatus.
- **Bancroft Road has no sidewalk or parkway buffer** between the pavement and property line; therefore, the 50-ft measurement is taken directly from the roadway edge, imposing a deeper setback than the ordinance contemplates for improved corridors with sidewalks.
- **The 27-ft setback removes approximately 38.6% of the total driveway length—roughly 39% of usable area.** In practical terms, the 50-ft enforcement (reducing effective space to 27 ft remaining) would eliminate nearly **two-fifths of the total driveway**, a significant functional loss and measurable **38% reduction in usable access area.**

- The existing **36-ft position**—and a **proposed 40-ft compromise configuration**—maintain **sight distance, queuing clearance, and unobstructed access** consistent with the ordinance’s safety intent.

### 3. Technical and Safety Code References

- **NFPA 1141 §5.2.3:** Requires a **20 ft × 50 ft working area** in front of structures for fire apparatus. A 50-ft setback leaving ≈ 27 ft of usable depth fails this standard.
- **IFC Appendix D105.1:** Requires aerial apparatus positioning **15–30 ft from the façade**; moving the gate back to 50 ft removes this optimal staging range.
- **NFPA 1 §18.2.3.4.1:** Fire Department access roads must extend to within **50 ft** of at least one exterior door. The existing 36–38 ft alignment satisfies this requirement while maintaining greater operational flexibility.

These standards collectively indicate that relocating to 50 ft would **reduce compliance with adopted fire-access intent** rather than improve it.

### 4. Traffic Classification and Functional Data

Independent counts performed by **Quality Counts LLC (October 2024)** at the **Bourland–Bancroft** and **Mount Gilead–Bancroft** intersections recorded **peak hourly traffic volumes between 400 and 900 vehicles per hour**, consistent with **collector-level** activity, not arterial.

The 50-ft setback rule was developed to provide vehicle queuing and sight-distance protection along arterial corridors with high traffic volumes. Applying it to this low-volume collector frontage is inconsistent with its intended functional purpose.

### 5. Good-Faith Coordination and Prior Guidance

During the 2023 permit cycle, we contacted the Planning Office several times after submitting our construction plans and permit applications, as the delays were preventing us from moving in and holding back our contractors. At that time, **Linda Mumtaz (Building Services)** informed our design consultant, **Angel Sanchez of Vertical Arts**, that the department was experiencing a significant backlog and could not process permits as quickly as usual, even though our plans had been on file for more than a month.

Mr. Sanchez suggested dividing the overall project into phases—beginning with the larger construction elements and addressing the fence later. During these discussions, **Mrs. Mumtaz** mentioned that the City was **not being very strict with fence reviews** at that time due to workload, and the engineers proceeded accordingly, unaware that the **Thoroughfare Plan** classification would later affect the design. Had they known, they would have incorporated that requirement and communicated it to me earlier.

Following this conversation, **Mr. Sanchez** emailed me explaining the cause of the delay and the recommended course of action. The engineers understood that **fence setbacks were being applied with flexibility** under those temporary circumstances.

We relied on that communication in **good faith** and submitted our permits accordingly. Despite having an active permit, **no inspection occurred for over a year**. To date, we are still waiting for an inspector to finalize a permit submitted over a year now for a front porch which further evidences the backlog that affected our project timing. Throughout this period, we have continued to coordinate with staff and our engineers to address all compliance matters **professionally and transparently**.

### 6. Public Information Request (Texas Gov’t Code Ch. 552)

Please provide electronically (PDF or Excel format) for **Bancroft Rd (500–600 block), January 1, 2019 to present:**

1. All **fence/drive-gate permits**: address, parcel number, issue date, scope of work, required setback, and inspection outcome.
2. Any **notices of violation or enforcement actions** issued for fence/gate setbacks along the same corridor.

These records will clarify whether the 50-ft setback has been applied consistently since **Ordinances 1960 (2019)** and **2104 (2022)** amended the UDC and integrated Bancroft into the Major Thoroughfare Plan.

#### Preliminary Observation:

During our due diligence, we have reviewed publicly available imagery and observed that some properties along **Bancroft Road and the surrounding planned thoroughfare corridor** appear to have fence installations or replacements constructed **after the 2019–2022 ordinance amendments** at setback distances notably less than 50 feet.

This includes a mix of **frontages with and without sidewalks or parkway buffers**, which suggests varying interpretations of the measurement point and setback application across the corridor.

We are not presenting this as evidence at this stage, but we respectfully request that these apparent variations be reviewed as part of the City’s permit verification to ensure uniform application of the ordinance.

## 7. Requested City Actions

1. **Acknowledge receipt** of this correspondence and the Public Information Request.
2. **Pause enforcement** under Case #2508-0551 pending formal review and records production.
3. **Provide the requested permit history** electronically.
4. **Confirm inspection scheduling** for the residential addition completed in 2024.
5. **Coordinate a technical meeting** between Building Services, the Fire Marshal, and our engineer to review the proposed **≈ 40-ft configuration** with inward swing and Knox/manual emergency release.

## 8. Personal Note (Context of Intent)

As a U.S. military veteran, aviator, and manufacturing manager, as well as someone who moved the family to Keller seeking stability after a personal loss, I take pride in following procedures, maintaining property standards, and doing things the right way. Please note that our engineers have been in consistent communication with the City's office throughout this process.

My intent in this matter is simply to preserve the safe and functional use of our home while ensuring that the City's code is applied fairly and consistently. To this end, we have cooperated at every step and will continue to do so.

## 9. Closing Statement

Our objective is to ensure a technically sound and equitable application of the City's ordinances. We have consistently engaged with City staff in good faith, submitted professional plans, and maintained compliance throughout. We respectfully request that the City review the mapping and functional classification data, acknowledge the collector-level context of Bancroft Road, and temporarily hold enforcement actions while this clarification is processed.

We appreciate your time and cooperation.

Respectfully,

**Carlos Velez Conty**

Owner – 536 Bancroft Rd  
Keller, TX 76248

cc:

- **Jorge Reyes, P.E.** – Engineer of Record
- **Keller Fire Marshal**
- **Linda Mumtaz** – Building Services
- **Aaron Rector, City Manager**
- **L. Stanton Lowry City Attorney**
- **Kelly Ballard, City Secretary – Public Information**

**Please note:** Supporting exhibits (A–K) are omitted from this transmission to reduce file size. All referenced materials are available upon request or within the City's GIS, permit, and records systems.

(Copies to senior administrative offices are provided solely for record continuity and administrative awareness.)

Coordination will continue directly with Building Services and Engineering to ensure compliance and technical resolution.)

**From:** Carlos Gutierrez <[cgutierrez@cityofkeller.com](mailto:cgutierrez@cityofkeller.com)>

**Sent:** Monday, September 15, 2025 7:20 AM

**To:** [cvelezconty@gmail.com](mailto:cvelezconty@gmail.com)

**Subject:** RE: Inquiry regarding - Permit FENCE-2509-0188

Good morning,

Please see attached Master Thoroughfare Plan. Bancroft is on the thoroughfare plan and would require for you to comply with comments given.

[https://library.municode.com/tx/keller/codes/code\\_of\\_ordinances?nodetid=PTIIIUNDECO\\_ARTNINEDEST\\_S9.07FERESIMITMI2FREZODI](https://library.municode.com/tx/keller/codes/code_of_ordinances?nodetid=PTIIIUNDECO_ARTNINEDEST_S9.07FERESIMITMI2FREZODI)

K. *Requirements for Drive Gates.* Drive gates are permitted as follows:

1. Properties in SF-8.4, SF-10, SF-12, SF-15 zoning districts in side or back yard.
2. Properties in SF-20, SF-25, SF-30, and SF-36 zoning districts fencing is installed in the front yard, side yard, or
3. All drive gates must adhere to the following criteria:
  - a) Swinging drive gates must swing in towards the property and not out towards the street. Sliding gates m
  - b) All drive gates directly adjacent to a public street must be inset a minimum distance of twenty-five (25') fr
  - c) All drive gates directly adjacent to a thoroughfare as shown on the Thoroughfare Plan must be inset for a

Requirements require for gate to be 50' from roads edge.

Thank you.

**From:** Vicki Chavez <[vchavez@cityofkeller.com](mailto:vchavez@cityofkeller.com)> **On Behalf Of** Building Services

**Sent:** Thursday, September 11, 2025 12:01 PM

**To:** Carlos Gutierrez <[cgutierrez@cityofkeller.com](mailto:cgutierrez@cityofkeller.com)>

**Subject:** FW: Inquiry regarding - Permit FENCE-2509-0188

*Vicki Chavez*

Permit Technician

City of Keller

(817)743-4113

1100 Bear Creek Pkwy

Keller, TX 76244

[www.cityofkeller.com](http://www.cityofkeller.com)



Keller Town Hall is open to serve you Mon-Thur 7:30am - 5:30pm

**From:** JORGE REYES <[jorge.reyes@verticalartsdesign.com](mailto:jorge.reyes@verticalartsdesign.com)>

**Sent:** Thursday, September 11, 2025 11:01 AM

**To:** Building Services <[buildingservices@cityofkeller.com](mailto:buildingservices@cityofkeller.com)>

**Cc:** Carlos Velez Conty <[cvelezconty@gmail.com](mailto:cvelezconty@gmail.com)>

**Subject:** Inquiry regarding - Permit FENCE-2509-0188

**Attn:** Carlos Gutierrez

Good morning!