



ZONING BOARD OF ADJUSTMENT (ZBA) APPLICATION

SECTION 1. APPLICANT/OWNER INFORMATION

Please Print or Type

Applicant: Donita Rothburn
Street Address: 816 Gallant Fox Trail
City: Keller State: TX Zip: 76248
Telephone: 619-838-1940 Fax: _____ E-mail: bbe1940@cox.net
Applicant's Status: (Check One) Owner Tenant Authorized Agent Prospective Buyer

Property Owner must sign the application or submit a notarized letter of authorization.

Owner: Donita Rothburn
Street Address: 816 Gallant Fox Trail
City: Keller State: TX Zip: 76248
Telephone: 619-838-1940 Fax: _____ E-mail: bbe1940@cox.net

Donita Rothburn
Signature of Applicant
Date: 9/20/2021

Donita Rothburn Donita Rothburn
Signature of Owner Printed Name of Owner
Date: _____

SECTION 2. PROPERTY INFORMATION

Address of Request: 816 Gallant Fox Trail
Legal Lot(s): 2006 Block(s): 10 Subdivision Name: Gean Estates

- A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss, nor shall it permit any person a privilege in developing a parcel of land not permitted by this Code to other parcels of land in the particular zoning district. No variance may be granted which results in undue hardship on another parcel of land.
- The applicant bears the burden of proof in establishing the facts justifying a variance.
- Provide exhibits that will help provide justification of this variance request.

Application fee: \$200



SECTION 3. VARIANCE REQUEST INFORMATION

(All sections must be completed.)

State the section of the Unified Development Code or describe the regulation for which you are requesting a variance: Per sections 1.05, 2.07 & 8.02

City of Keller Unified Development Code

Describe how your request will differ from the requirement(s) of the Code:

I am requesting the fence for the north side of the property be placed directly behind the retaining wall & not set back 4 ft from the sidewalk. The retaining wall is not 4 feet from the sidewalk on the north side of lot 2006 Bladed

Describe how the situation causing the hardship or difficulty is neither self-imposed nor generally effecting all or most properties in the same zoning district:

This situation is neither self-imposed nor effecting other properties. The retaining wall was placed less than 4 feet from the sidewalk before I purchased the property & before the house was built. By the Developer, who graded the lots & then transferred the lots to the builder who built the house I bought. The Developer put in the retaining wall. The retaining wall was not put in by me or the builder of the home. This is located on the north side of the house facing the street. There are no other properties affected by this situation.

Explain how the variance requested will not injure the use of adjacent property:

There are neighbors directly behind me to the west. This does not affect their property.
The north side of the lot faces the street & sidewalk

Explain how the granting of the variance will be in harmony with the spirit and purpose of the regulation:

The fence will be 8 feet from the ground along the entire length of the retaining wall & be placed directly behind the retaining wall.
It will be aesthetically pleasing & prevent creation of a potentially hazardous or harmful situation

Describe how literal enforcement of the regulation will create an unnecessary hardship or practical difficulty in the development of this property:

Setting the ^{concrete} wall 4 feet from the sidewalk creates a hazardous ditch between the fence & retaining wall a potential hazard for injuries & related liability