



# City of Keller

## Zoning Board of Adjustment

### Meeting Minutes

Keller Town Hall  
1100 Bear Creek Parkway  
Keller, TX 76248  
817-743-4000  
[www.cityofkeller.com](http://www.cityofkeller.com)

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Monday, August 1, 2022

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#### PRE-MEETING BRIEFING 5:30 P.M.

#### **A. CALL TO ORDER**

Chairperson Gilpin started the meeting at 5:34 p.m.

The following Board Members were present:

Chairperson Matthew Gilpin

John Birt

Bill Schlegel

Michael McClement

Staff present: Building Official Payne Randell, Assistant Director of Community Development Sarah Hensley.

#### **B. DISCUSS AND REVIEW AGENDA ITEMS**

The Board members discussed processes for when a structure is built without a permit. Building Official Randell confirmed the structure was built without a permit, and that neither the property owner nor the contractor applied for a permit.

The Board asked about any complaints received by staff. Mr. Randell said he had spoken to one property owner with concerns about the structure.

Board Member Birt asked who enforces the decision made by the ZBA. Mr. Randell explained that Building Services pursues the permit side; if the applicant does not apply for the appropriate permit(s), then Code Compliance will open a case.

#### **C. ADJOURN**

Chairperson Gilpin adjourned the pre-meeting at 6:00 p.m.

#### REGULAR MEETING 6:00 P.M.

#### **A. CALL TO ORDER**

Chairperson Gilpin called the meeting to order at 7:00 p.m.

#### **B. PLEDGE OF ALLEGIANCE**

1. Pledge to the United States Flag
2. Pledge to the Texas Flag - "Honor the Texas Flag: I pledge allegiance to Thee, Texas, one State under God, one and indivisible."

## C. NEW BUSINESS

1. PUBLIC HEARING: Consider an application requesting a variance to Section 8.03 (4)(b) (3) of the Unified Development Code (UDC), relating to the rear setback for an accessory building, to allow a 12' rear setback in lieu of the required 15' rear setback, on approximately 0.55-acres, legally described as Lot 11 of Oak Dale Addition, zoned Single-Family 36,000 square-foot minimum lots (SF-36) and addressed as 1313 Shady Lane South. Ashley Boone Snow, Applicant/Owner. (ZBA-22-0003)

Building Official Randell gave a presentation related to the variance requested for an accessory building to allow a 12' rear setback in lieu of the required 15' setback.

The applicant, Ashley Snow, addressed the Board and reviewed the dimensions of the accessory structure. She also mentioned she had spoken to the resident at 1308 Willis Lane, who is directly east of the subject property, and he expressed no concerns about the structure. She stated she understood this was a self-created hardship but that they were concerned with the cost of having to move the building.

Board Member Schlegel asked the applicant what was in the space prior to the new structure being built; Ms. Snow said another shed had been there.

Board Member Birt asked if a building this size would require a permit; Mr. Randell replied that any structure over 120 square-feet requires a permit, and that staff would have given a plan review explaining the setbacks during the permitting process.

Mr. Randell explained the process of taking the process of using an averaging calculation to determine

Chairperson Gilpin opened the public hearing.

Lesley Boone, resident at 1309 Shady Lane South, addressed the Board and gave some history of the neighborhood, and stated she has not concerns about the building.

Joe Snyder, 1320 Shady Lane South property owner, addressed the Board and stated he supported the variance because it gives the applicant more space to store vehicles.

The applicant stated that the location of the structure was not affecting anyone else, that it was not in the way of any utilities, and is not visible from Willis Lane to the east.

Board Member Birt asked the applicant what the distance was from the existing pond to the structure; she said it was about 15'.

Board Member Schlegel made a motion to close the public hearing; Board Member Birt seconded, and the motion carried unanimously.

Chairperson Gilpin summarized the case and stated he felt like the hardship was self-imposed and that he attributed it to possible confusion for the applicant.

Board Member Schlegel asked if it was possible the plat was incorrect; Mr. Randell stated the city could require a form board survey to confirm.

Board Member McClement made a motion to deny, seconded by Board Member Birt, and the motion carried unanimously.

**D. ADJOURN**

The meeting adjourned at 7:38 p.m.

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Chairperson

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Staff Liaison