

CITY OF KELLER ZONING BOARD OF ADJUSTMENT (ZBA)

Variance Appeal – Filed Under Protest

Property: 536 Bancroft Road, Keller TX 76248

Applicant: Carlos Velez Conty

Case No.: 2508-0551

Date: October 28, 2025

Filed Under Protest pursuant to Texas Local Government Code §211.009(b)

This appeal is filed under protest to preserve rights under Texas Local Government Code §211.009(b) due to unresolved administrative requests directed to the City of Keller Building Services. Enforcement is acknowledged as on hold pending ZBA review. The Applicant seeks interpretation and variance recognizing a 36–40 ft setback from pavement on an unimproved collector frontage as functionally equivalent to the 50-ft standard on improved arterials.

Executive Summary & Protest Declaration

The Applicant respectfully submits this appeal under protest due to the City's ongoing failure to provide essential administrative clarifications, including:

1. The effective ordinance dates and enforcement authority of UDC §9.07(K)(3)(c);
2. The measurement standard used on unimproved collector roadways;
3. The coordination record with the Fire Marshal under NFPA 1141 / IFC D105.1; and
4. Documentation of prior permits and approvals for comparable fences on Bancroft Road.

These records have been requested repeatedly through Building Services and a formal Public Information Act filing to the City Secretary. As of October 28, 2025, no substantive response has been received.

Accordingly, the Applicant files this minimal appeal to ensure compliance with statutory deadlines while reserving the right to **supplement this packet** upon receipt of the requested information from Building Services.

The Applicant requests that the ZBA docket this matter for the next available meeting and that City staff produce the pending documents necessary for a complete record and fair hearing.

Respectfully submitted,

Carlos Velez Conty

Owner, 536 Bancroft Road, Keller TX 76248

Email: cvelezconty@gmail.com

Date: October 28, 2025