



City of Keller
Planning & Zoning Commission
Meeting Minutes

Keller Town Hall
1100 Bear Creek Parkway
Keller, TX 76248
817-743-4000
www.cityofkeller.com

Tuesday, January 25, 2022

PLANNING AND ZONING COMMISSION DINNER 5:00 P.M.

PRE-MEETING BRIEFING 5:30 P.M.

A. CALL TO ORDER - Chairperson Ponder

Commissioner Ponder called the pre-meeting to order at 5:34 p.m.

B. WORK SESSION

1. [North Main Street Corridor Overlay discussion.](#)

C. ADMINISTRATIVE COMMENTS

1. [Reschedule of the March 22, 2022, Planning and Zoning Commission meeting to March 29, 2022.](#)
2. [Briefing regarding City Council Action on January 18, 2022.](#)
3. [Discussion regarding in-person Planning and Zoning Commission meetings.](#)

Ms. Smithers explained that City Council plans to reschedule the City Council meeting during Spring Break (March 15) to March 22, resulting in the Planning & Zoning Commission meeting being rescheduled to March 29.

Ms. Smithers reviewed City Council action on January 18, 2022.

Chairperson Ponder initiated a discussion on future in-person or virtual meetings. Commissioner Thompson commented that he felt meeting in person provides the most transparency for the public. Commissioner Alvarado expressed concerns about technical issues and that with City Council meeting in person the Commission should as well while being as respectful as possible to all.

D. DISCUSS AND REVIEW AGENDA ITEMS

E. ADJOURN

Meeting went into Recess

Meeting Reconvened

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Chairperson Ponder

Chairperson Ponder called the meeting to order at 7:16 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. PERSONS TO BE HEARD

This is a time for the public to address the Board/Commission on any subject. However, the Texas Open Meetings Act prohibits the Board/Commission from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to City Staff for research and possible future action.

Jeff Avery addressed the Commission and spoke in favor of the variances requested in items E-1, E-2 and E-3, in support of the applicant.

D. OLD BUSINESS

1. [PUBLIC HEARING: Consider a request for a Specific Use Permit \(SUP\) for a commercial horse stable on 2.96-acre tract on a property located on the east side of Norma Lane, approximately 215 feet northeast from the intersection of Norma Lane and Johnson Road, at 608 Norma Lane, legally described as Lot 2A and 3D, Block 2 of Harvels Addition and zoned Single-Family 36,000 square-foot lot size or greater \(SF-36\). Brian Morovitz, Owner/Applicant. \(SUP-21-0041\)](#)

Ms. Smithers gave a presentation on the SUP requested for 608 Norma Lane.

The applicant apologized to the Commission for his absence at the last meeting.

Commissioner Apke asked the applicant to confirm that he would not board more than 2 horses at a time. The applicant stated he would not board more than 2 beyond his own horses.

Commissioner Thompson asked the applicant about the entrance to his property and expressed concern about possible drainage issues; the Commissioner asked if the applicant might consider laying gravel down.

Commissioner Sagar commended the applicant for following the correct process for an SUP.

Commissioner Will questioned the applicant about any disturbance the activities on the property might cause neighboring property owners.

Commissioner Osgood asked staff about any liability the city might assume

Commissioner Thompson requested to add a condition to require the applicant to add gravel.

Commissioner Alvarado

Commissioner Sagar

A motion was made by Vice Chairperson Ralph Osgood, seconded by Commissioner Paul Alvarado, to close the public hearing PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) for a commercial horse stable on 2.96-acre tract on a property located on the east side of Norma Lane, approximately 215 feet northeast from the intersection of Norma Lane and Johnson Road, at 608 Norma Lane, legally described as Lot 2A and 3D, Block 2 of Harvels Addition and zoned Single-Family 36,000 square-foot lot size or greater (SF-36). Brian Morovitz, Owner/Applicant. (SUP-21-0041) The motion carried by the following vote:

A motion was made by Commissioner Tom Thompson, seconded by Commissioner Robert Apke, to approve PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) for a commercial horse stable on 2.96-acre tract on a property located on the east side of Norma Lane, approximately 215 feet northeast from the intersection of Norma Lane and Johnson Road, at 608 Norma Lane, legally described as Lot 2A and 3D, Block 2 of Harvels Addition and zoned Single-Family 36,000 square-foot lot size or greater (SF-36). Brian Morovitz, Owner/Applicant. (SUP-21-0041) The motion carried by the following vote:

E. NEW BUSINESS

1. [Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 30 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater \(SF-36\), and addressed as 1852 Highland Drive East. Binod Aryal, Numbns, LLC, Owner. Mukesh Goyal, Applicant. \(UDC-21-0011\)](#)

Ms. Smithers gave a presentation on the front yard setback variance requested for 1852 Highland Drive East.

The applicant addressed the Commission.

Commissioner Thompson asked the applicant if the property would be used as his own home, which the applicant said he was, and that he was serving as his own builder.

Ms. Smithers clarified that the property addressed in Item E-2 was actually the applicant's home.

Commissioner Alvarado stated he was in support of the proposed variance because it was the appropriate proportion size for the subject property.

Commissioner Sagar stated she felt there was no legal basis or hardship to justify the variance

Commissioner Brymer stated his views from the last meeting where the Commission considered a similar request had not changed and that he could not support the request.

Commissioner Apke

Commissioner Brensinger

A motion was made by Commissioner Paul Alvarado, seconded by Vice Chairperson Ralph Osgood, to approve Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 30 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1852 Highland Drive East. Binod Aryal, Numbns, LLC, Owner. Mukesh Goyal, Applicant. (UDC-21-0011). The motion failed by the following vote:

2. [Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 28 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater \(SF-36\), and addressed as 1844 Highland Drive East. Mukesh Goyal, Applicant/Owner. \(UDC-21-0012\)](#)

A motion was made by Commissioner Paul Alvarado, seconded by Vice Chairperson Ralph Osgood, to approve Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 28 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1844 Highland Drive East. Mukesh Goyal, Applicant/Owner. (UDC-21-0012). The motion failed by the following vote:

3. [Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 25 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater \(SF-36\), and addressed as 1832 Highland Drive East. Ritesh Suneja, Rits Capital Inc., Owner. Mukesh Goyal, Applicant. \(UDC-21-0013\)](#)

A motion was made by Commissioner Paul Alvarado, seconded by Vice

Chairperson Ralph Osgood, to recommend for approval Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 25 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1832 Highland Drive East. Ritesh Suneja, Rits Capital Inc., Owner. Mukesh Goyal, Applicant. (UDC-21-0013). The motion failed by the following vote:

F. ADJOURN

Rollcall

1. [Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 30 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater \(SF-36\), and addressed as 1852 Highland Drive East. Binod Aryal, Numbns, LLC, Owner. Mukesh Goyal, Applicant. \(UDC-21-0011\)](#)

A motion was made by Commissioner Leslie Sagar, seconded by Commissioner Tom Thompson, to deny Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 30 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1852 Highland Drive East. Binod Aryal, Numbns, LLC, Owner. Mukesh Goyal, Applicant. (UDC-21-0011) The motion carried by the following vote:

2. [Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 28 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater \(SF-36\), and addressed as 1844 Highland Drive East. Mukesh Goyal, Applicant/Owner. \(UDC-21-0012\)](#)

A motion was made by Commissioner Tom Thompson, seconded by Commissioner Leslie Sagar, to recommend for denial Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 28 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1844 Highland Drive East. Mukesh Goyal, Applicant/Owner. (UDC-21-0012) The motion carried by the following vote:

3. [Consider one variance request to one lot in the Highland Terrace Mobile Home Park to](#)

decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 25 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1832 Highland Drive East. Ritesh Suneja, Rits Capital Inc., Owner. Mukesh Goyal, Applicant. (UDC-21-0013)

A motion was made by Commissioner Tom Thompson, seconded by Commissioner Robert Apke, to recommend for denial Consider one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 25 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1832 Highland Drive East. Ritesh Suneja, Rits Capital Inc., Owner. Mukesh Goyal, Applicant. (UDC-21-0013) The motion carried by the following vote:

Chairperson

Staff Liaison