

MINUTES OF THE REGULAR
MEETING ZONING BOARD OF
ADJUSTMENT
August 2, 2021

A. CALL TO ORDER

A pre-meeting meeting of the City of Keller Zoning Board of Adjustment was called to order at 6:30PM by Chairperson Gilpin. The following members were present:

Chairperson Matthew Gilpin

Bonnie Bueter

Michael McClement

Bill Schlegel

Gregory Will- Alternate

Board Members Rodger Ehrlish and Robin Burrill were absent.

Staff present was Matthew Cyr, Planner I; Patricia Sinel, Planner III; and Amy Botcher, Planning Technician.

B. ADMINISTRATIVE COMMENTS

No questions or comments.

C. DISCUSS AND REVIEW AGENDA ITEMS

1. Approval of Minutes from March 8, 2021.

No questions or comments.

2. Variance request to utilize wood material to replace a legal-nonconforming fence in lieu of the required open style fencing.

Planner Cyr gave a brief description of the item.

Board Member Will stated there were wood fences in this neighborhood.

Board Member Bueter reminded the Board of a previous case that was approved allowing a resident to add wood slats to the iron fence for privacy.

Board Members McClement, Will and Bueter agreed the shape of the lot made this property an exception.

Chairperson Gilpin explained his concern that the item may not be a hardship.

Board Member Bueter responded the applicants concern of not being able to let his dogs outside was a burden on the use of his property.

Chairperson Gilpin stated there were materials to put along the fence to help keep the animals inside.

Board Member Schlegel responded the open fence area was large on that particular shape of a lot and prevented privacy.

Planner Cyr also confirmed with the Board that "Persons to be Heard" should continue to be

kept out of the agenda.

The Board unanimously agreed.

Planner Cyr asked to confirm the Pledges would continue to be recited.

The Board unanimously agreed.

Planner Cyr questioned the preference of the Board on receiving their packets for meetings.

The Board unanimously agreed it was not a concern for them and Staff could continue to send as previously done.

C. ADJOURN

Chairperson Gilpin adjourned at 6:56PM.

Regular Meeting 7:00 P.M.

A. CALL TO ORDER- Chairperson

A regular meeting of the City of Keller Zoning Board of Adjustment was called to order by Chairperson Gilpin at 7:00 PM.

B. PLEDGE OF ALLEGIANCE

Board Member McClement led the Pledge of Allegiance to the United States Flag and the

Pledge to the Texas Flag.

C. NEW BUSINESS

1. Consider approving the minutes from March 8, 2021.

There were no questions or comments.

Board Member Schlegel moved to approve the minutes as written. Board Member Will seconded, and the motion carried unanimously.

2. [PUBLIC HEARING: Consider an application requesting a variance to Section 8.11 \(C\) of the Unified Development Code \(UDC\). The Applicant is requesting a variance to utilize wood materials to replace a legal-nonconforming fence in lieu of the required open style fencing. The property is approximately on 0.45-acres, situated south of Farm View Trail, legally described as Lot 12, Block E of Harmonson Farms, zoned Planned Development Single-Family Mixed-Density \(PD-SF-MD\), and addressed as 913 Pimlico Drive. Ralph Davis, Applicant/Owner. \(ZBA-21-0002\)](#)

Planner Cyr stated the Applicant was requesting a variance to the fencing materials (open style) to continue utilizing wood materials on the south and east portion of the property as the applicant owns a corner lot with a pool. He said on January 5, 2021, City Council approved Unified Development Code (UDC) amendments to revise residential fence location regulations.

He said per UDC Section 8.11 (C), the location of fences adjacent to a street on corner lots shall be as follows: Open-style fences (including front and side yards when adjacent to a street) may be located four feet (4') inside of the property line; If a side or rear fence for a

property is located in front of the main structure of an adjacent property: 1)The fence may be solid up to the front corner of the main structure of the adjacent property and 2)The fence must be open-style from the front of the main structure of the adjacent property up to the four foot (4') setback from the property line.

Planner Cyr stated Staff supported the request. The lot was unique and considered “irregular” and did not face the cul-de-sac like the neighboring lots. If the lot shape and the orientation of the house was built to mimic the other neighboring properties, the Applicant would not be required to request a variance.

Chairperson Gilpin asked if the Applicant had anything to add.

Ralph Davis, applicant, stated the open fencing due to his lot location and size would not allow for privacy.

Chairperson Gilpin opened the public hearing.

Board Member Bueter moved to close the public hearing. Board Member Will seconded, and the motion carried unanimously.

Board Member Schlegel stated the lot was an exception due to the shape.

Board Member Bueter agreed and noted the lack of privacy due to the property opening to the street instead of the cul-de-sac.

Board Member McClement stated the unique nature of the lot would not set a precedence for the neighborhood.

Board Member Will added the purpose of the ordinance was to protect the vision path of the

adjacent neighbors. He added due to the shape of the property, it was not a concern. Chairperson Gilpin agreed.

Board Member Bueter moved to approve Item C (2). Board Member Schlegel seconded, and the motion carried unanimously.

E. ADJOURN

Board Member Will moved to adjourn at 7:16PM. Board Member Bueter seconded the motion. The motion passed unanimously.