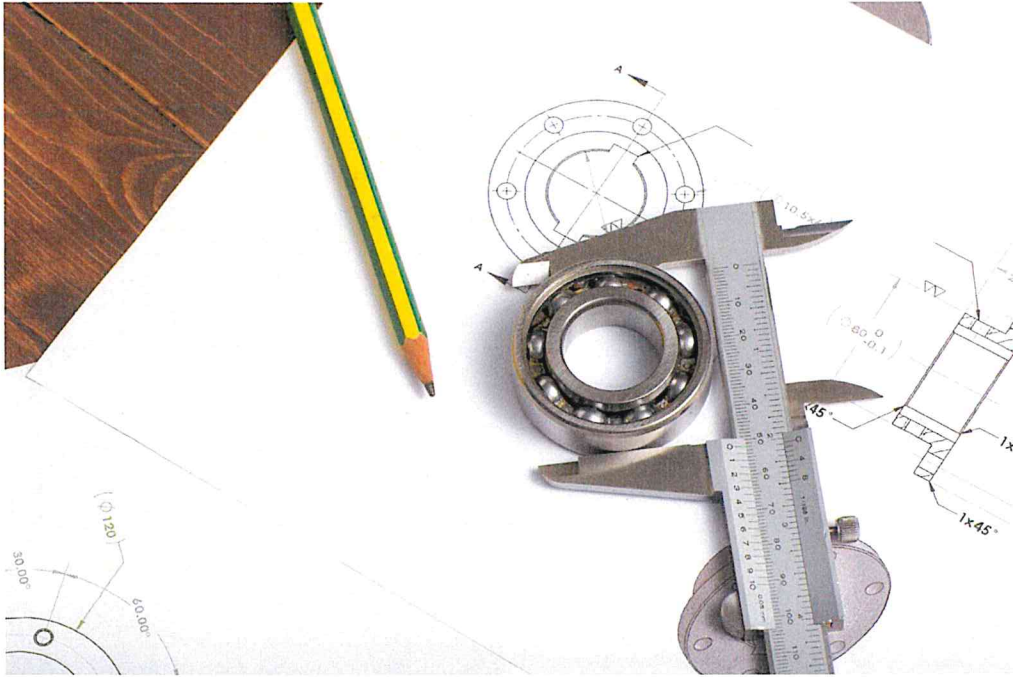




BOARD OF ADJUSTMENT
MEETING PACKET
SEPTEMBER 13, 2021

CITY OF

KEENE



BOARD OF ADJUSTMENT SEPTEMBER 13, 2021
1000 N OLD BETSY ROAD
6:00 PM

AGENDA

- I. CALL TO ORDER - Secretary
- II. Action Items:
 - a. Discuss and make a motion regarding the minutes from the July 19, 2021, meeting.
 - b. Discuss and make a motion regarding the minutes from the July 19, 2021, work session.
 - c. Conduct a Public Hearing:
 - Consider, discuss, and hear citizens remarks on a variance request from Gilberto Gomez regarding the required lot width in Single Family-2 zoning. The properties legal description is Tract 14C of Abstract 727, W.J. Robertson Survey. This requirement can be found in Chapter 157 Zoning, Subsection 157.098 Appendix "A" Area, setback and height and coverage regulations.
- III. Take action from public hearing.
- IV. Adjournment

Should you need assistance, please contact the City Secretary's office at 817/641-3336 x 105 at least 48 hours prior to the meeting and every effort will be made to accommodate your needs.

I, *Cheryl McClain*, do hereby certify that this Agenda for the September 13, 2021 Board of Adjustment meeting is a true and correct copy which has been posted on Wednesday, September 8, 2021 at 9:00 AM in a place convenient and readily accessible to the public at all times.

**MINUTES of the
KEENE BOARD OF ADJUSTMENTS
MONDAY, JULY 19, 2021**

PRESENT: Wanda Smith, Nick Chesney, Karl Wright, Dannie Bass & Cody Thornton

- I. CALLED TO ORDER:** Building Development Director Cheryl McClain called the meeting to order at 6:01 pm

II. ACTION ITEMS:

a. Nominate Chairperson

Member K. Wright made a motion to nominate Nick Chesney as the Chairperson for the fiscal year 2021-2022 for the Board of Adjustments. Member C. Thornton seconded the motion.

Motion carried 3-0-0

b. Nominations for Vice Chair

Member K. Wright made a motion to nominate Cody Thornton as the Vice Chair for the fiscal year 2021-2022 for the Board of Adjustments. Member D. Bass seconded the motion.

Motion carried 3-0-0

Member W. Smith joined the meeting

c. Conduct a Public Hearing:

Consider and hear citizens remarks on a variance request from Eduardo Dominquez regarding the required lot width in Single Family 1 zoning. The property is located at the end of Hill Top Road, whose legal description is lot 1, block 44 of the original town of Keene. This requirement can be found in Chapter 157 Zoning, Subsection 157.083 Appendix "A" Area, set back and height and coverage regulations.

Building Development Director Cheryl McClain stated that the applicant withdrew his variance request.

Public Hearing started at: 6:04 pm

No citizen spoke due to variance request withdrawn.

Public Hearing closed at 6:05 pm

III. TAKE ACTION FROM PUBLIC HEARING:

No action taken

IV. ADJOURNMENT: Motion made by Member D. Bass to adjourn at 6:06.

By: _____
Nick Chesney, Board Chairman

Attest: _____
Diane Helms, City Secretary

**MINUTES of the
KEENE BOARD OF ADJUSTMENTS
MONDAY, JULY 19, 2021
WORKSHOP**

PRESENT: Wanda Smith, Nick Chesney, Karl Wright, Danniele Bass & Cody Thornton

- I. CALLED TO ORDER:** Chairperson N. Chesney called the meeting to order at 6:07 pm
- II. WORK SESSION:** Staff to discuss with members the purpose and responsibilities of the board.

Building Development Director C. McClain explained to the board what the purpose and the responsibility of the board were. She gave a written list of reasons that the board could use to approve or deny the variance request.

She also explained that this board was a quasi-judicial board. That if the applicant was not in agreement with the board's decision, the next recourse for the applicate was to take the request to district court.

- III. ADJOURNMENT:** Adjourn at 6:20.

By: _____
Nick Chesney, Board Chairman

Attest: _____
Diane Helms, City Secretary



Application number: 21-00341-01

Request for Variance Application

Application Requirements:

The applicant is required to submit sufficient information that will describe and justify the request. (see attachment) The applicant has the burden of proof for establishing whether or not the conditions for granting a variance are met. Incomplete applications will not be accepted. A current tax certificate must be attached with this application.

This application shall be submitted along with the \$250.00 non-refundable filing fee per request.

Property Information: (please attach some type of map showing the property)

Property legal description: _____ Address (if applicable) _____

Applicant Name: Gilberto Gomez Company _____

Address: 220 Pioneer Dr Keene TX 76089 - Email _____

Phone number: 469-496-8914

Applicant is the (check one) ☒ Owner ☐ Agent* for Owner ☐ Tenant

Current zoning of property: _____

List reason you are requesting a variance from the city code include a copy of said code, include the hardship – use separate page if needed. (the more descriptive, the better)

Signature of applicant <u>Gilberto Gomez</u>	Date:
Signature of Property Owner (if different) <u>Sumner Oyster</u>	Date:
A notarized letter must be submitted if owner is different than the applicant	

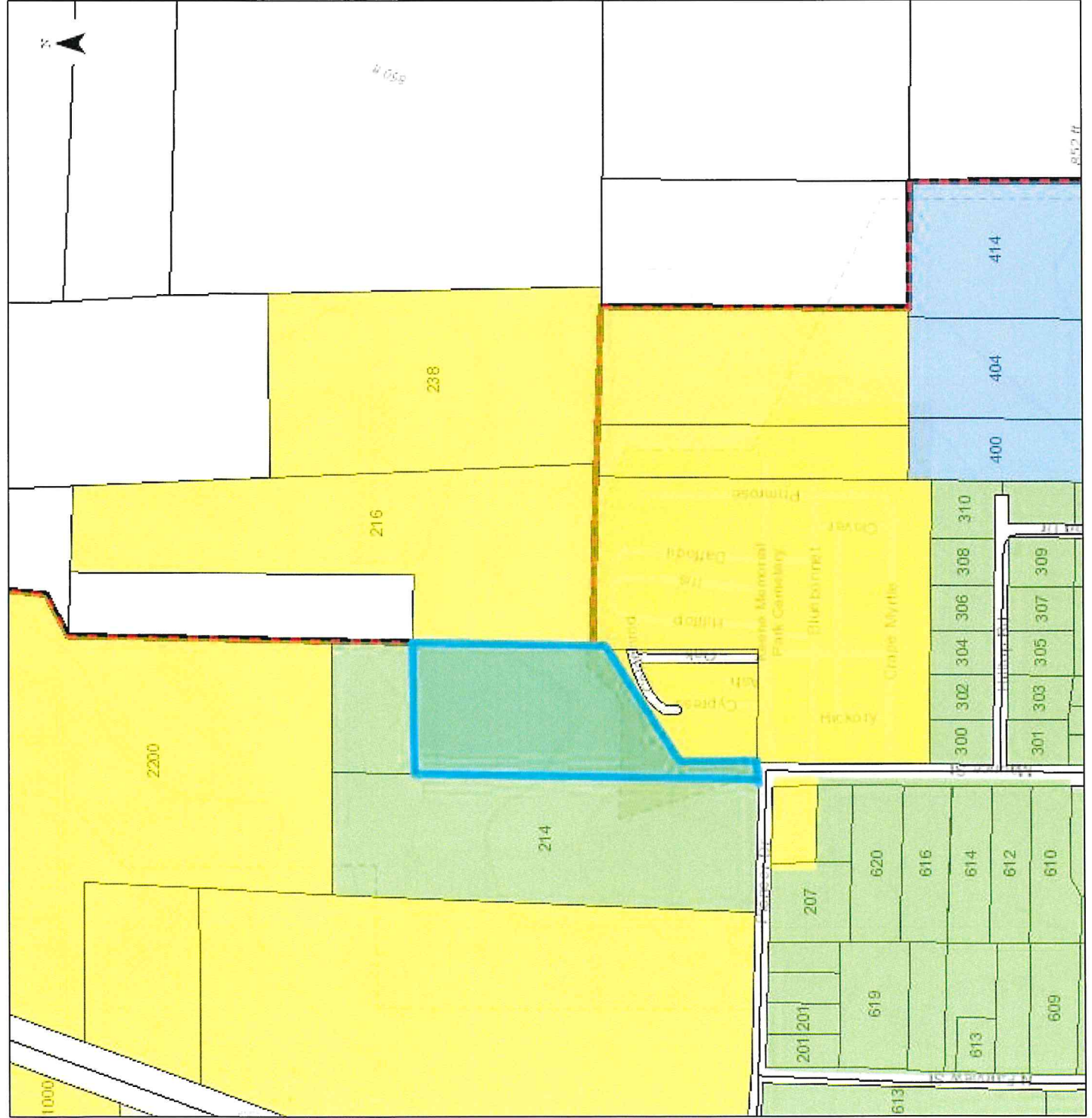
TO WHOM IT MAY CONCERN:

I GILBERT S. GOMEZ DOB: 02/04/1974 AM REQUESTING A VARIANCE ON THIS SAID LOT ADDRESSED 220 PIONEER DR. KEENE TX 76059. I AM REQUESTING A VARIANCE DUE TO MY ENTRANCE DRIVE WAY NOT BEING 60 FT WIDE, DUE TO THE LOT NEXT TO MINE, HAVE DIFFERENT OWNERS. SO I HAVE NO WAY OF MAKING THIS SAID ADDRESS 220 PIONEER ENTRANCE ANY WIDER. MY ENTERANCE DRIVE WAY IS 42.25 WIDE. PLEASE IF YOU HAVE ANY QUESTIONS DO NOT HESITATE IN CALLING ME OR MY SPOUSE EILEEN BERNAL DOB 06/21/1980. AT 469-496-8914.

THANKS

A handwritten signature in cursive script, reading "Gilbert S. Gomez", written over a horizontal line.

SIGNATURE



Map

Legend

Zoning

- SF-E
- SF-1
- SF-2
- SF-3
- Public
- T-F
- M-F
- MH-1
- C-1
- C-2
- C-3
- M-1
- RV
- Agri

- Streets
- City Limits
- ETJ
- Parcels
- Citations

Exhibit "A"

Projection: WGS_1984_Web_Mercator_Auxiliary_Spheroid
0 0.06 0.12 Miles
1: 4,514

Copyright/Disclaimer

This map has been prepared for informational purposes only. Jacob & Martin Ltd. accepts no responsibility for erroneous measurements or computations that may be made through use of any information contained in this map.

F#2448



PROPERTY DESCRIPTION**3.50 ACRES**

BEING A TRACT OF LAND LOCATED IN THE W. J. ROBERTSON SURVEY, ABSTRACT NO. 727, JOHNSON COUNTY, TEXAS AND BEING ALL OF A CALLED 3.50 ACRE TRACT OF LAND DESCRIBED AS "TRACT 1" IN A DEED RECORDED IN VOLUME 3803, PAGE 796, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS (O.P.R.J.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH A CAP STAMPED "TRANS TEXAS SURVEYING" SET FOR THE NORTHWEST CORNER OF SAID 3.50 ACRE TRACT AND THE SOUTHWEST CORNER OF A CALLED 3.50 ACRE TRACT OF LAND DESCRIBED AS "TRACT 2" IN SAID VOLUME 3803, PAGE 796, O.P.R.J.C.T. AND BEING IN THE EAST LINE OF A CALLED 6.00 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 2227, PAGE 244, O.P.R.J.C.T., FROM WHICH A 1/2" IRON ROD FOUND BEARS, N 00°00'39" E, A DISTANCE OF 184.86 FEET;

THENCE, N 89°10'45" E, WITH THE COMMON LINE BETWEEN SAID "TRACT 1" AND SAID "TRACT 2", A DISTANCE OF 282.17 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "RECER & FOX" FOUND FOR THE NORTHEAST CORNER OF SAID "TRACT 1" AND THE SOUTHEAST CORNER OF SAID "TRACT 2" AND BEING IN THE WEST LINE OF A CALLED 7.00 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 2012-28406, O.P.R.J.C.T.;

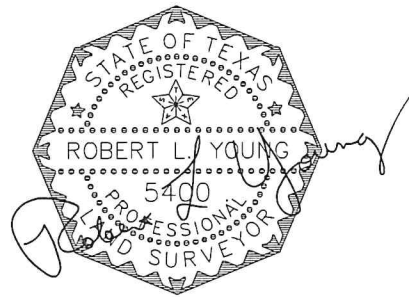
THENCE, S 00°03'09" W, A DISTANCE OF 412.93 FEET TO A 1/2" IRON ROD FOUND FOR AN EASTERLY ELL CORNER OF SAID 3.50 ACRE "TRACT 1" AND BEING THE SOUTHWEST CORNER OF SAID 7.00 ACRE TRACT, THE NORTHWEST CORNER OF A CALLED 14.87 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 4068, PAGE 733, O.P.R.J.C.T. AND BEING THE NORTHEAST CORNER OF A CALLED 1.057 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 1767, PAGE 952, O.P.R.J.C.T.;

THENCE, S 56°30'41" W, A DISTANCE OF 305.46 FEET TO A 1/2" IRON ROD FOUND FOR AN ELL CORNER OF SAID 3.50 ACRE TRACT AND SAID 1.057 ACRE TRACT;

THENCE, S 00°29'05" E, WITH THE EAST LINE OF SAID 3.50 ACRE TRACT, AT A DISTANCE OF 177.79 FEET, PASSING A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 1.057 ACRE TRACT AND BEING A WESTERLY NORTHWEST CORNER OF SAID 14.87 ACRE TRACT, CONTINUING IN ALL A TOTAL DISTANCE OF 191.94 FEET TO AN "X" CUT SET IN CONCRETE IN THE WEST LINE OF SAID 14.87 ACRE TRACT AND IN THE EAST LINE OF MAURICE STREET FOR THE SOUTHEAST CORNER OF SAID 3.50 ACRE TRACT;

THENCE, N 87°53'37" W, A DISTANCE OF 42.25 FEET TO A COTTON SPINDLE SET IN ASPHALT IN PIONEER DRIVE FOR THE SOUTHWEST CORNER OF SAID 3.50 ACRE TRACT AND THE SOUTHEAST CORNER OF SAID 6.00 ACRE TRACT;

THENCE, N 01°00'39" E, WITH THE WEST LINE OF SAID 3.50 ACRE TRACT AND WITH THE EAST LINE OF SAID 6.00 ACRE TRACT, AT A DISTANCE OF 30.00 FEET, PASSING A 5/8" IRON ROD WITH A CAP STAMPED "TRANS TEXAS SURVEYING" SET IN THE NORTH LINE OF SAID PIONEER DRIVE, CONTINUING IN ALL A TOTAL DISTANCE OF 767.93 FEET TO THE **PLACE OF BEGINNING AND CONTAINING 3.50 ACRES OF LAND**, AS SURVEYED ON THE GROUND ON JUNE 25, 2021, UNDER THE SUPERVISION OF ROBERT L. YOUNG, R.P.L.S. NO. 5400. ALL BEARINGS RECITED HEREIN ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NA2011). SEE THE ACCOMPANYING SURVEY MAP ATTACHED HERETO AND MADE A PART HEREOF.



District Regulations	A	SE-E	SF-1	SF-2	SF-3	2F	MF	MH-1	MH-2-Park	Com-1	Com-2	Com-3	M-1
Maximum height	35'	35'	35'	35'	35'	16'	35'	16'	16'	30'	50'		
Side yard set back	15'	15'	7.5'	7.5'	7.5'	7.5'	15'	7.5'	B	5'	A	A	A
Rear yard set back	30'	30'	25'	20'	20'	20'	20'	20'	B	40'	A	A	A
Front yard set back	35'	35'	30'	30'	30'	30'	30'	30'	B	30'	A	A	A
Minimum lot area	87,120	43,560	16,000	10,000	7,000	6,000	10,500	10,000	B	6,000	A	A	A
Minimum lot width	100'	100'	100'	75'	60'	60'	70'	100'	B	60'	A	A	A
Minimum lot depth	200'	200'	100'	100'	100'	90'	150'	75'	B	100'	A	A	A
Minimum % of Green space	15%	15%	15%	15%	15%	20%	See § 157.201 (B)	15%	B	See commercial landscape	See commercial landscape	See commercial landscape	See commercial landscape
Minimum living sq footage	1,800	1,800	1,500	1,500	1,250	1,200	See 88 157,200	1,500	1,500	N/A	N/A	N/A	N/A

Ref 156.068

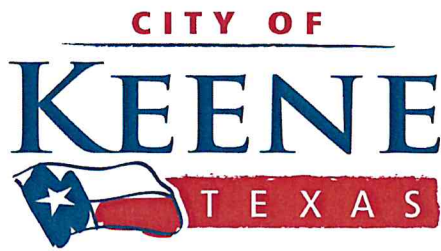
PUBLIC NOTICE

The Board of Adjustment for the City of Keene will be conducting a public hearing on Monday, September 13, 2021, to hear, discuss and act on the following item:

A variance request from Gilberto Gomez regarding the required lot width in Single Family-2 zoning. The properties legal description is Tract 14C of Abstract 727, of the W.J. Robertson Survey. This requirement can be found in Chapter 157 Zoning, Subsection 157.098 Appendix "A" Area, setback and height and coverage regulations.

This public hearing will be held in the Council Chambers located at 1000 N. Old Betsy Road., Cleburne, Texas 76031.

Anyone interested in this matter are encouraged to attend the meeting to voice their support and/or opposition on this matter.



P.O. Box 637, Keene TX 76059 *1000 N. Old Betsy Rd. Cleburne, TX 76031 * 817-641-3336

August 30, 2021

Dear Property Owner:

The City of Keene's Board of Adjustment will be conducting a public hearing on Monday, September 13, 2021 at 6:00 pm to hear, discuss and take action on the following item:

- A variance request from Gilberto Gomez regarding the required lot width in Single Family-2 zoning. The properties legal description is Tract 14C of Abstract 727, of the W.J. Robertson Survey. This requirement can be found in Chapter 157 Zoning, Subsection 157.098 Appendix "A" Area, setback and height and coverage regulations.

This public hearing will be held in the Council Chambers located at 1000 N. Old Betsy Rd., Cleburne, Texas 76031.

You are receiving this letter in accordance to the Texas Local Government Code and you are shown to be the owner of property within 200' of the property requesting a change in zoning, you are being notified of the public hearings and are invited to attend the meetings to voice your support or opposition to this request.

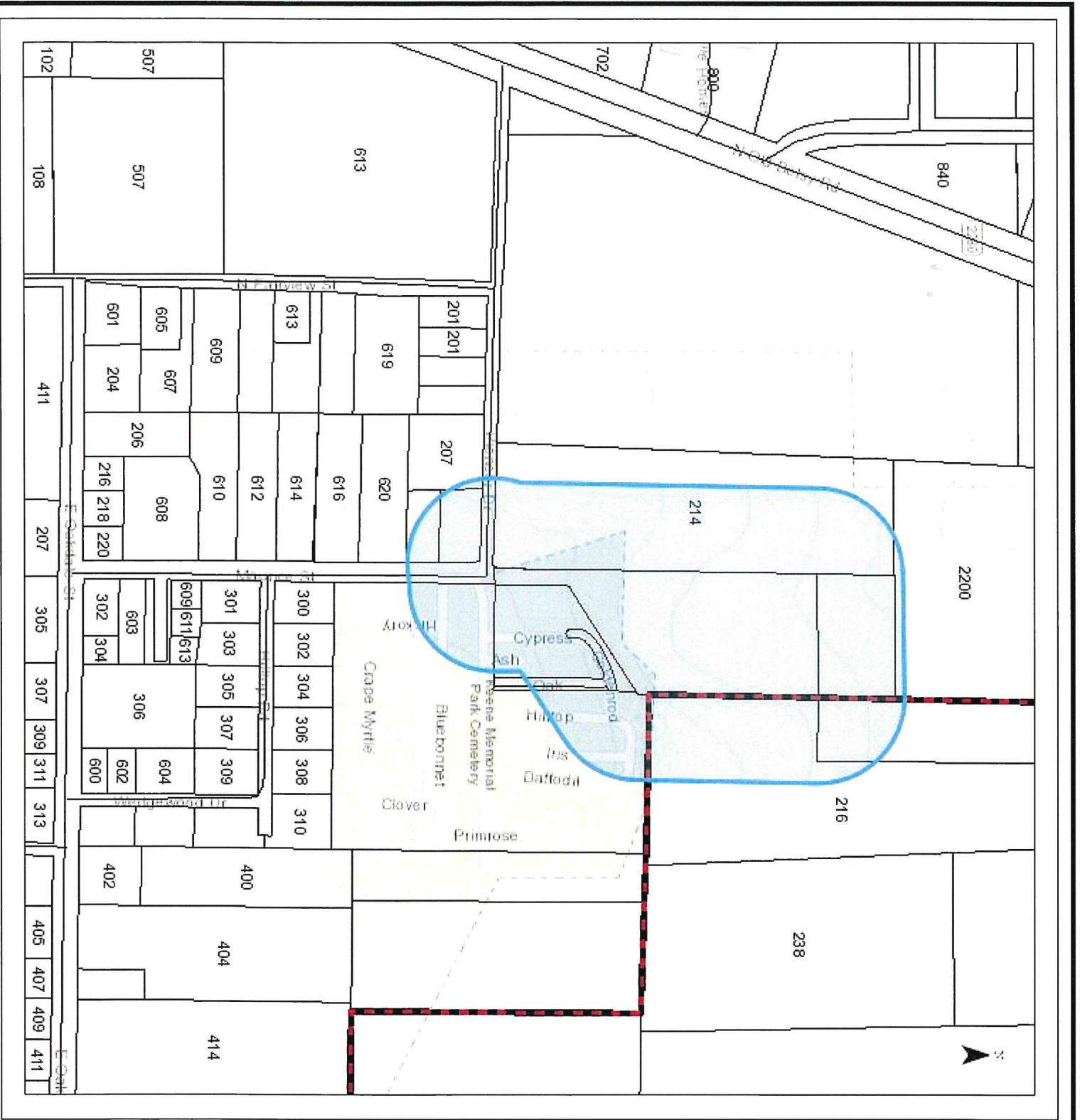
Keene City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations must be made 48 hours prior to these meetings. Please contact the City Secretary's Office.

Sincerely,

Cheryl McClain

Cheryl McClain

Development Services Coordinator



200' Notification Area

Legend

- Streets
- City Limits
- ETJ
- Parcels
- Citations

Projection: WGS_1984_Web_Mercator_Auxiliary_Sphere
0 0.06 0.12 Miles
1 : 4,514

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This map has been prepared for informational purposes only. Jacob & Martin Ltd. accepts no responsibility for erroneous measurements or computations that may be made through use of any information contained in this map

F#2448



✓ ORTEGA SERGIO
800 BARNES AVE CLEBURNE TX

RODERICK DAVID H
214 PIONEER DR KEENE TX 76059

✓ TXDOT
2501 SW LOOP 820 FORT WORTH TX
76133

✓ KEENE COMMUNITY CEMETERY ASS
P O BOX 956 KEENE TX 76059

MAXWELL KRISTOPHER DONALD ET
KATIE M
211 S FAIRVIEW KEENE TX 76059

✓ CITY OF KEENE
~~100 N MOCKINGBIRD LN~~ KEENE TX

✓ KEENE COMMUNITY CEMETERY ASS
P O BOX 956 KEENE TX 76059

✓ KEENE COMMUNITY CEMETERY ASS
P O BOX 956 KEENE TX 76059

✓ ORTEGA SERGIO
800 BARNES AVE CLEBURNE TX

✓ ORTEGA SERGIO
800 BARNES AVE CLEBURNE TX

✓ MOORE MARGARET
216 PIONEER DR KEENE TX 76059