



Zoning Board of Adjustment Agenda

Tuesday, March 31, 2026
6:30 PM

City Hall, Council Chambers -
141 W. Renfro
Burleson, TX 76028

1. **CALL TO ORDER**

2. **CITIZEN APPEARANCES**

Each person in attendance who desires to speak to the Zoning Board of Adjustment (ZBA) on an item NOT posted on the agenda, shall speak during this section.

A speaker card must be filled out and turned in to the Secretary prior to addressing the ZBA. Each speaker will be allowed three (3) minutes.

Please note that the ZBA may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the ZBA from deliberating or taking action on an item not listed on the agenda. The ZBA may, however, receive your comments on the unlisted item, ask clarifying questions, respond with facts, and explain policy.

Each person in attendance who desires to speak to the ZBA on an item posted on the agenda, shall speak when the item is called forward for consideration.

3. **CONSENT AGENDA**

A. Consider and take possible action on the minutes from the December 18, 2025 Zoning Board of Adjustment meeting. *(Staff Contact: Monica Solko, Deputy City Secretary)*

4. **ZBA REPORTS AND DISCUSSION ITEMS**

A. 725 Wyche CT (Case 25-343): Hold a public hearing and consider and take possible action on a variance to Appendix B, Zoning Regulations; Section 132-115; accessory building and structure yard regulations; to allow an accessory structure (carport) in the front yard. *(Staff Contact: Tony D. McIlwain, Development Services Director)*

5. **ZBA REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS**

6. **ADJOURN**

Staff Contact:

Monica Solko
Deputy City Secretary
(817) 426-9682

CERTIFICATE

I hereby certify that the above agenda was posted on this the **19th of March 2026, by 5:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

ACCESSIBILITY STATEMENT

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.

Zoning Board of Adjustment

DEPARTMENT: City Secretary’s Office
FROM: Monica Solko, Deputy City Secretary
MEETING: March 31, 2026

SUBJECT:

Consider and take possible action on the minutes from the December 18, 2025 Zoning Board of Adjustment meeting. *(Staff Contact: Monica Solko, Deputy City Secretary)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 <p>High Performing City Organization Providing Exceptional, People Focused Services</p>	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The Zoning Board of Adjustment duly and legally met on December 18, 2025 for a regular meeting.

RECOMMENDATION:

Board may approve the minutes as presented or approve with amendments.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

Monica Solko, TRMC
Deputy City Secretary
msolko@burlesontx.com
817-426-9682

ZONING BOARD OF ADJUSTMENT
DECEMBER 18, 2025
DRAFT MINUTES

Members Present

Lindsay French, Place 1
 Antony Cognasi, Place 2
 Jessica Lowe, Place 3, Chair
 Shenee Simon, Place 4

Brent Molen, Place 6, Vice Chair
 Chris Valtierra, Place 7
 Beth Lytner, Place 8

Members Absent

James Chandler, Place 5

Jennifer Kleiber, Place 9

Staff

Tony McIlwain, Director of Development Services
 Michelle McCullough, City Engineer/Floodplain Administrator
 Monica Solko, Deputy City Secretary
 Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER – 6:00 PM

Chair Jessica Lowe called the meeting to order. **Time: 6:22 PM**

2. CITIZEN APPEARANCE

- None.

3. GENERAL

A. Administer oath of office and statement of officer to newly appointed and reappointed members. (Staff presenter: Monica Solko, Deputy City Secretary).

Monica Solko, Deputy City Secretary, administered oaths of office to the board members.

B. Nominate and elect a chairperson and vice chairperson for the FY 2025-2026 term. (Staff presenter: Monica Solko, Deputy City Secretary)

Monica Solko, Deputy City Secretary, spoke on the importance of electing a chair and vice chair to the board members.

Motion made by Lindsay French seconded by Beth Lytner to nominate Jessica Lowe for chair.

Motion passes 7-0, with James Chandler and Jennifer Kleiber absent.

Motion made by Shenee Simon seconded by Antony Cognasi to nominate Brent Molen for vice-chair.

Motion passes 7-0, with James Chandler and Jennifer Kleiber absent.

C. Minutes from February 23, 2023 Zoning Board of Adjustment meeting. (Staff Contact: Monica Solko, Deputy City Secretary)

Monica Solko, Deputy City Secretary, presented the minutes to the board members.

Motion made by Beth Lytner seconded by Brent Molen to accept the minutes.

Motion passes 7-0, with James Chandler and Jennifer Kleiber absent.

4. ZBA REPORTS AND DISCUSSION ITEMS

A. Hold a public hearing and consider and take possible action on an appeal to the Floodplain Administrator's interpretation and administration of Burleson Code of Ordinances, Chapter 42 Floods and a variance to the permit procedure. (Staff Presenter: Michelle McCullough, City Engineer/ Floodplain Administrator)

Michelle McCullough, City Engineer/Floodplain Administrator, presented the item to the board. Board members discussed several topics including appraisal values, floodplain regulations, the City of Burleson's requirements in relation to FEMA minimum standards, and work being performed without required permits.

Chair Jessica Lowe opened the public hearing. **Time: 6:45 p.m.**

Phillip Jones, applicant, 300 E. Miller, addressed the board regarding improvements.

Chair Jessica Lowe closed the public hearing. **Time: 7:09 p.m.**

Motion made by Lindsay French and seconded by Beth Lytner to deny appeal.

Motion to deny passes 6-1, with Shenee Simon voting against and James Chandler and Jennifer Kleiber absent.

- B. 725 Wyche Ct (Case 25-343): Hold a public hearing and consider an appeal of staff's determination regarding the placement of an accessory structure (carport) in the front yard located at 725 Wyche Ct. (Staff Contact: Lidon Pearce, Principal Planner) - REMOVED**

Tony McIlwain, Development Services Director, announced that the applicant has removed the item.

5. ZBA REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- Board Training.

6. ADJOURN

There being no further business Chair Jessica Lowe adjourned the meeting.

Time: 7:23 p.m.

Monica Solko
Deputy City Secretary

Zoning Board of Adjustment

DEPARTMENT: Development Services
FROM: Tony D. McIlwain, Development Services Director
MEETING: March 31, 2026

SUBJECT:

725 Wyche CT (Case 25-343): Hold a public hearing and consider and take possible action on a variance to Appendix B, Zoning Regulations; Section 132-115; accessory building and structure yard regulations; to allow an accessory structure (carport) in the front yard. (Staff Contact: Tony D. McIlwain, Development Services Director)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 <p>Dynamic & Preferred City Through Managed Growth</p>	<p>2.2 Promote sustainable residential and commercial development through strategic and long-term planning</p>

SUMMARY:

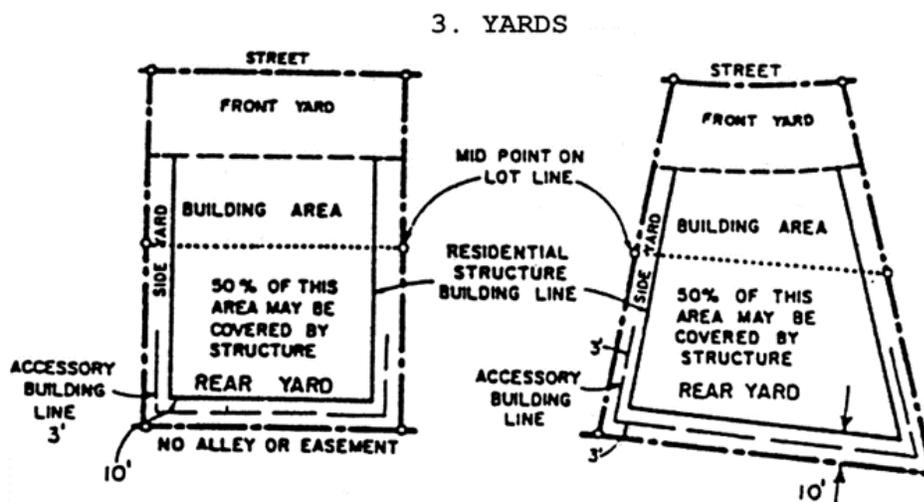
Ms. Hopson is submitting this variance request to allow an existing accessory structure (carport) to remain in place. On September 8, 2025, Code Compliance received a 3-1-1 call regarding a carport being constructed without proper permits. Following a re-inspection of the premises, staff issued a notice of violation on September 19, 2025. On October 6, 2025, a building permit application was submitted for an accessory structure (carport). On October 13, 2025, the permit was denied based on the staff's interpretation and findings listed below.

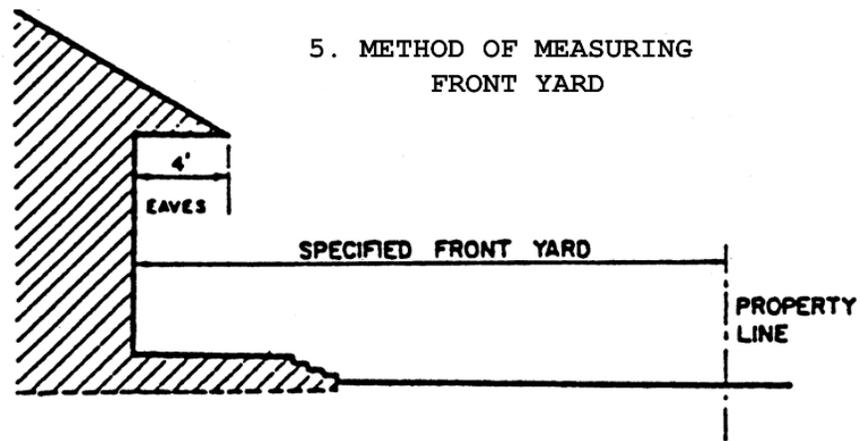
STAFF INTERPERTATION AND FINDINGS:

The structure has been found to be non-conforming by staff based on the following findings:

- *Detached accessory buildings shall be located in the area defined as the rear yard of the lot. Sec 132-115(a), Appendix B, Code of Ordinances.*

- The location of the detached carport is within the front yard of the property as measured by Illustration 5 from Appendix 17-100, Code of Ordinances, and not the rear yard as shown in Illustration 3 from Appendix 17-100, Code of Ordinances.
- A Front and Rear Yard are defined in Section 50-105, Appendix B, Code of Ordinances as:
 - **Yard, Front.** A yard adjoining a public street extending across the front of a lot between the side lot lines and from the main building to the front lot or street line with the minimum horizontal distance between the street line and the main building line as specified for the distance in which it is located.
 - **Yard, Rear.** A yard, extending across the rear of a lot between the side lot lines, having a depth between the building and the rear lot line as specified in the district in which the lot is situated.
- The SF10 zoning regulations, Section 56-120, Appendix B, Code of Ordinances requires the following:
 - Depth of front yard: 25 feet minimum
 - The closest point of the detached carport to the property line is approximately 15 feet.





Approximate location of carport shown in red above

Staff discussed various options with Ms. Hopson, to include the variance process. She has opted to submit her request for consideration.

Burleson Code of Ordinances Section 11-115 articulates the Powers of the board.

(a) The board of adjustment has the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this ordinance as amended.

(2) To hear and decide variances and special exceptions to the terms and of this ordinance as required under the ordinance.

(3) To authorize, upon appeal in specific cases, such variance from the terms of this ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

(4) Permit the reconstruction, extension or enlargement of a building occupied by a nonconforming use on the lot or tract occupied by the building, and the addition of off-street parking or off-street loading to a nonconforming use.

(b) In exercising the its powers the board may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

(c) The board may permit such variance or modifications of the height, yard, area, coverage and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape or slope that it cannot be appropriately developed without such modification. In exercising its power to grant a variance in accordance with this ordinance, the board of adjustment shall make findings and show in its minutes that:

(1) There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district.

(2) That a variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed, under the ordinance, by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.

(3) That the granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the land use plan and will not adversely affect any other feature of the comprehensive plan of the city.

(4) That the variance, if granted, will not be materially detrimental to the public welfare or the use, enjoyment, or value of property in the vicinity.

(d) The board may require the discontinuance of nonconforming uses of land or buildings under any plan whereby the full value of the buildings and facilities can be amortized within definite period of time, taking into consideration the general character of the neighborhood and the necessity of all property to conform to the regulations of this ordinance. All actions to discontinue a nonconforming use of land or structure shall be taken with due regard to the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of the property. The board shall, from time to time, on its own motion or upon cause presented by interested property owners, inquire into the existence, continuation or maintenance of any nonconforming use within the city.

RECOMMENDATION:

Barring any opposition from the public, staff has no objection to the variance being granted.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

[City of Burleson, TX ZONING DISTRICTS](#)

FISCAL IMPACT:

None.

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817-426-9684



Variance Case 25-343

PRESENTED TO ZBOA- 3.31.2026

DEVELOPMENT SERVICES

Variance – 725 Wyche Court

Location:

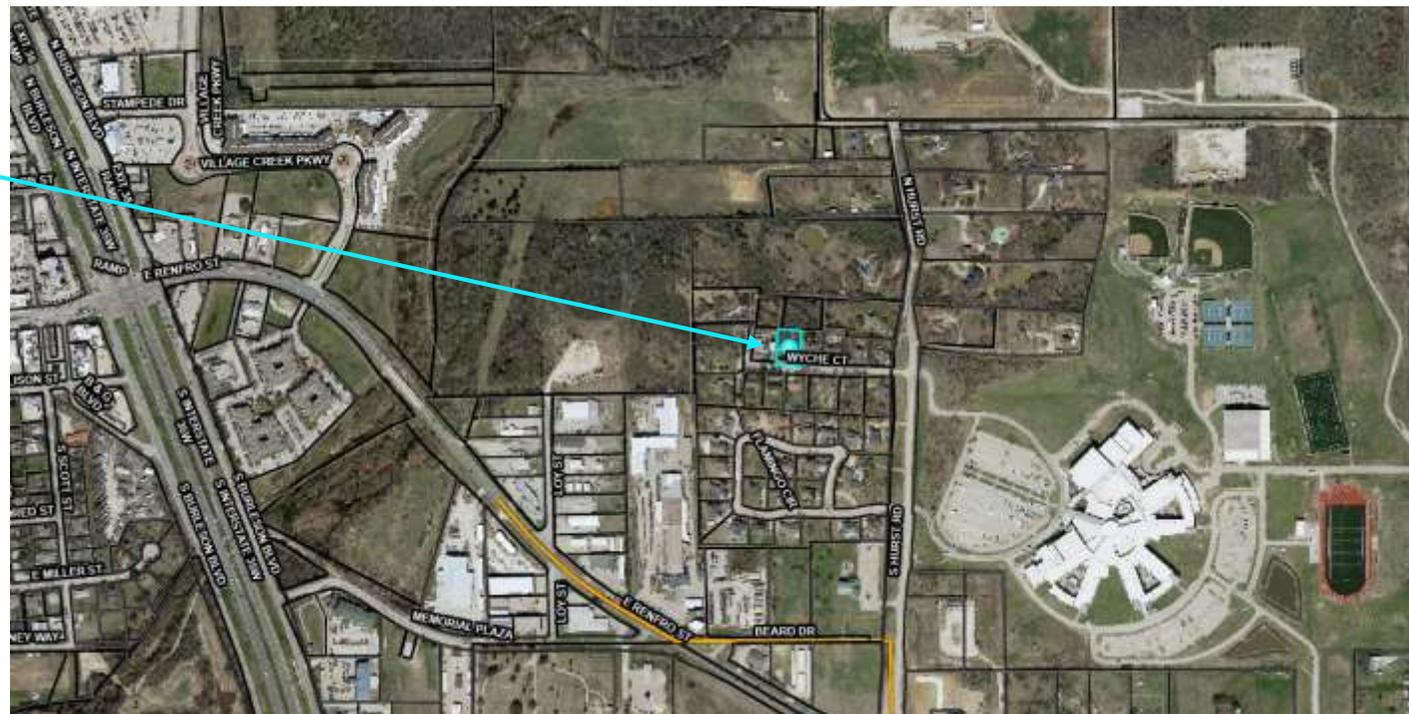
- 725 Wyche Court

Applicant:

- Dana Hopson

Item for consideration:

- Consider a variance to Appendix B, Zoning Regulations; Section 132-115; accessory building and structure yard regulations; to allow an existing accessory structure (carport) to remain in the front yard.



Site History

- September 8, 2025: Code Compliance received a 3-1-1 call regarding a carport being constructed without a permit.
- September 19, 2025: A notice of violation (NOV) was issued to Ms. Hopson.
- October 6, 2025: Building permit application was submitted for the carport.
- October 13, 2025: Staff denied the permit based on its interpretation and findings of Section 132-115(a), Appendix B, Code of Ordinances.
- November 24, 2025: Ms. Hopson applied for a variance.

Street View

Existing permitted carport.

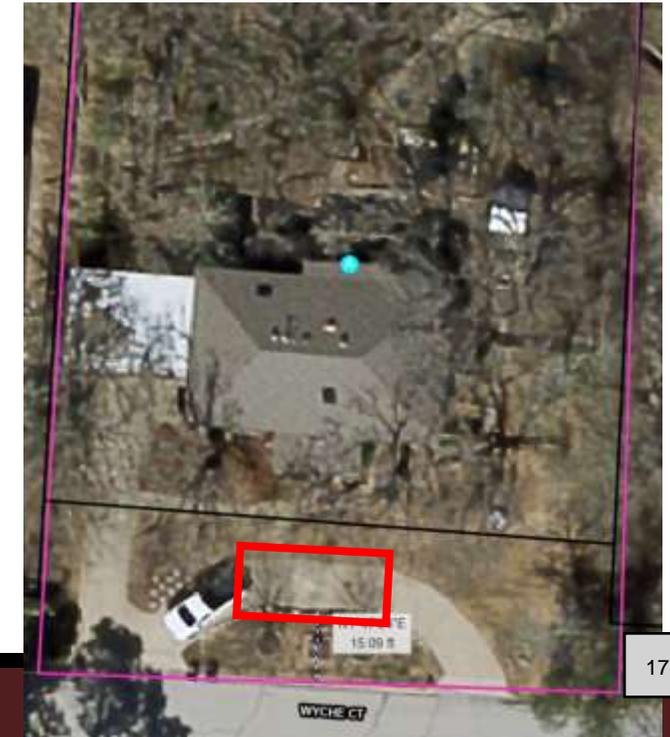
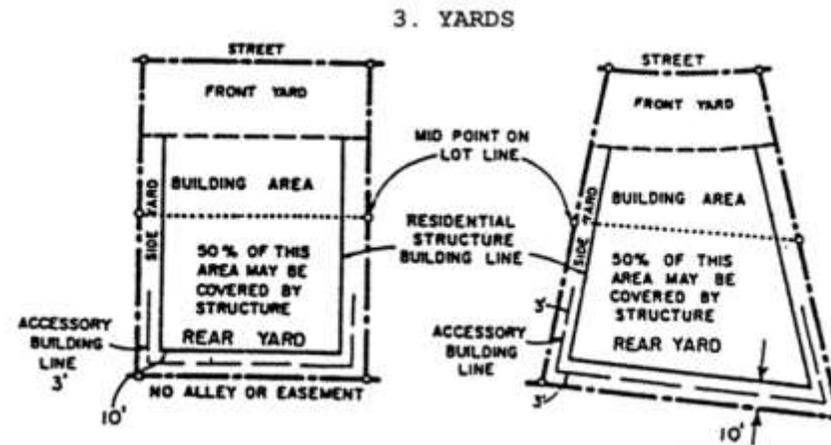
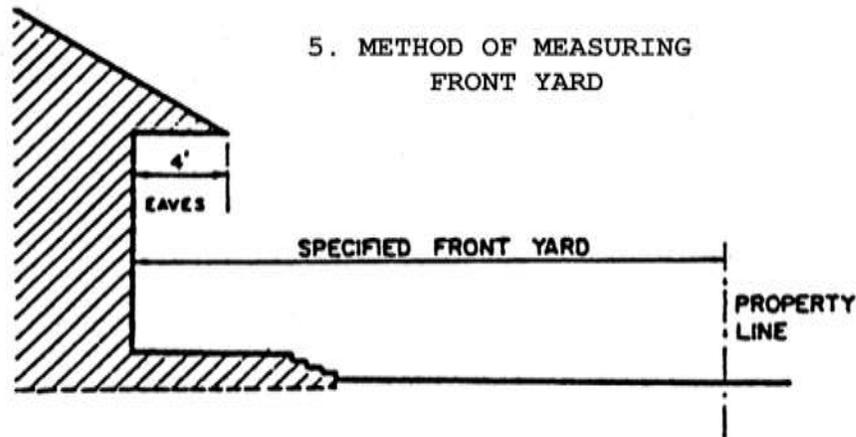


Variance requested for existing non-permitted carport.

Staff Findings

*Detached accessory buildings shall be located in the area defined as the rear yard of the lot.
Sec 132-115(a), Appendix B, Code of Ordinances.*

The location of the detached carport (shown in red) is within the front yard of the property as measured by Illustration 5 from Appendix 17-100, Code of Ordinances, and not the rear yard as shown in Illustration 3 from Appendix 17-100, Code of Ordinances.



Staff Findings

A Front and Rear Yard are defined in Section 50-105, Appendix B, Code of Ordinances as:

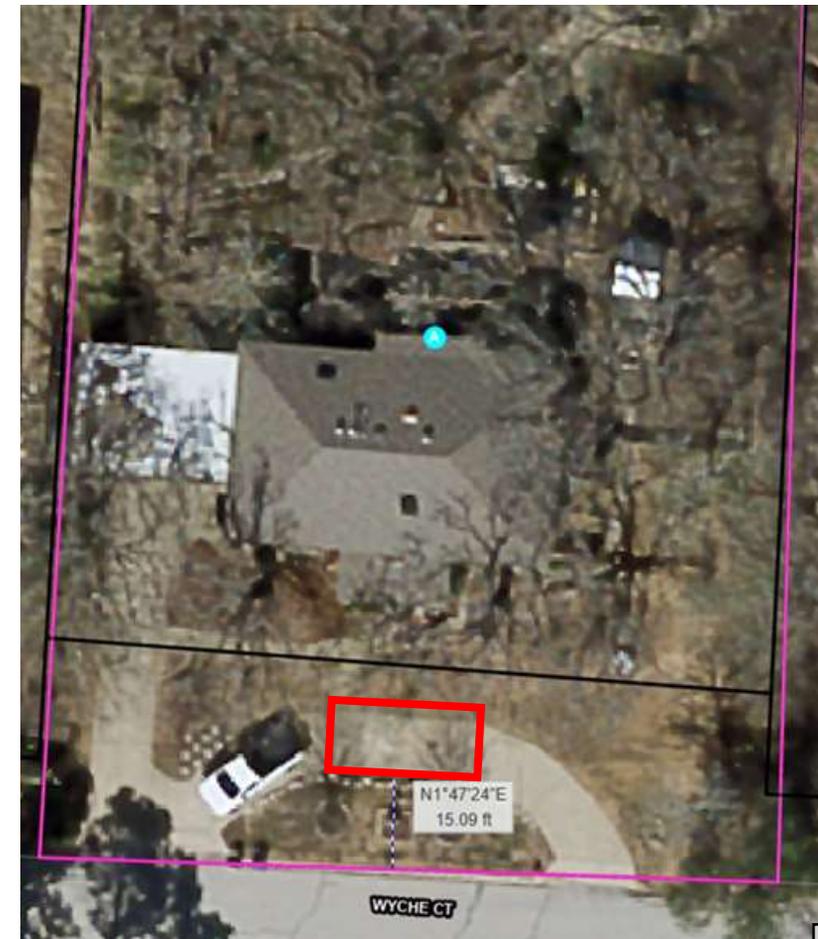
Yard, Front. *A yard adjoining a public street extending across the front of a lot between the side lot lines and from the main building to the front lot or street line with the minimum horizontal distance between the street line and the main building line as specified for the distance in which it is located.*

Yard, Rear. *A yard, extending across the rear of a lot between the side lot lines, having a depth between the building and the rear lot line as specified in the district in which the lot is situated.*

The SF10 zoning regulations, Section 56-120, Appendix B, Code of Ordinances requires the following:

- Depth of front yard: 25 feet minimum

The closet point of the detached carport to the property line is approximately 15 feet. Staff is unable to approve the applicant's request due to staff's interpretation that the accessory structure is non-conforming to Appendix B, Section 132-115(a).



Public Notices

Public notices were mailed to property owners (based on current JCAD records) within 200 feet of subject property.



Options

A dark red circle containing the text "Option 1" in white.

**Option
1**

Concur with staff's findings and interpretations, which would mean the variance request is denied. Structure would be subject to subsequent Code Compliance enforcement.

A dark red circle containing the text "Option 2" in white.

**Option
2**

Authorize a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.

Recommendation

Barring any opposition from the public, staff has no objection to the variance being granted.



Questions / Comments

Tony McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817.426.9684