

MINUTES
ZONING BOARD OF ADJUSTMENT
February 18, 2026

Call to Order

The Zoning Board of Adjustment of the City of Katy, Texas, convened in special session on Wednesday, February 18, 2026, at 1:00 p.m. in Council Chambers, Katy City Hall, 901 Avenue C, Katy, Texas. Diane Walker, presided.

Members and City Staff Present:

Diane Walker, Vice Chairwoman
Jennifer Schneider, Member
Johnston Dietz, Alternate Member
Chris Garcia, Alternate Member
Bridgette Begle, City Attorney
Ian Clowes, Community Development Director
Rachel Lazo, City Planner
Christian Zepeda, Assistant Planner
Veronica Garcia, Administrative Assistant

Members Absent:

David Minze, Chairman

Public Comments

All were given the opportunity to be heard and the following spoke:

Ben Crowell, 5323 Inwood Drive: addressed concerns regarding the business located behind his home on 5th Street. He stated that the business has been a nuisance since it opened. He referenced noise complaints over the past two years; noted that dust from the site frequently settles on his vehicles and air vents; and a light from the business that shines directly into his home. He stated that he has attempted to discuss these issues with the business owners but has not been successful. He expressed his desire to prevent the business from expanding any closer to his property.

Consider Approval of Special Meeting Minutes

Motion was made by Chris Garcia, Alternate Member, seconded by Johnston Dietz, Alternate Member, approving the special meeting minutes, which included:

- January 29, 2025, Special Meeting Minutes
- February 19, 2025, Special Meeting Minutes

All voted Aye, and the motion carried.

**Hearing on Docket No. 2026-01 – 5350 E 5th Street (“C-1” Commercial District)
Katy 5th Business Park LLC, Applicant & Property Owner**

Christian Zepeda, Assistant Planner, gave a presentation regarding the request for a variance to the platted front setback of twenty-five (25) feet for an existing structure located at 5350 E 5th Street. He stated staff believe the encroachment does not negatively impact the surrounding properties and recommends approval of the requested Variance. Johnston Dietz, Alternate Member, asked if the approval of plats and survey reviews are conducted internally by City Staff or through contracted services. Zepeda responded that the reviews are done internally.

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**Hearing on Docket No. 2026-01 – 5350 E 5th Street (“C-1” Commercial District)
Katy 5th Business Park LLC, Applicant & Property Owner (cont’d)**

Dietz expressed interest in understanding the review process, noting that there seems to have been errors made by the City in the past, that resulted in Zoning Board of Adjustment (BOA) action. He asked whether there is a specific set of criteria that must be met and verified. Zepeda stated that staff has changed the review process over the past year and a half. Since that time, Planning staff have been added to the review process, which has helped alleviate the possibility of errors. He stated the Planning Department reviews projects for compliance with Zoning Ordinances, and the Building Department review projects for compliance with Internal Code Council (ICC) Codes. Dietz asked if there is a process for staff members working in the field to highlight issues during construction. Zepeda affirmed that there is such a process. Diane Walker, Vice Chairwoman, asked whether approval of the variance would allow the applicant to add on to the front of the building. Zepeda stated that approval of this item only grants the existing encroachment of eight (8) inches into the front of the property and any future improvements will be subject to the standard review and permitting process including compliance with setbacks. Jennifer Schneider, Member, asked what will happen if the request is not approved. Rachel Lazo, City Planner, stated that since it is an existing structure, it will remain as a nonconforming property. That will typically affect financing when trying to sell or purchase the property, at which point you may see additional requests, or they would need to work with the Building Department to remove the portion of the building that is encroaching and physically comply with the setback requirements. Neil Sinclair, Applicant, stated the survey was done in 2022 and was approved by the City. He explained that the bank would not refinance unless the variance was obtained. Sinclair addressed comments previously made by Ben Crowell, Public Comment Speaker, regarding noise, dust, and bright lights. He clarified that those concerns refer to a different building located next to the property which is located at 5346 E 5th Street. He stated the property currently under review is vacant and does not have electricity. Walker opened the Public Hearing at 1:11 p.m. All were given the opportunity to be heard and there were no comments from the public. Walker closed the Public Hearing at 1:11 p.m. A motion was made by Johnston Dietz, Alternate Member, seconded by Chris Garcia, Alternate Member, to approve the request for a variance of seven-tenths (0.7) of a foot or approximately eight (8) inches into the platted front setback of twenty-five (25) feet, for an existing structure located at 5350 E 5th Street. All voted Aye, and the motion carried.

Adjournment

With no further business to consider, the Board adjourned at 1:12 p.m.

DAVID MINZE, CHAIRMAN



David Minze, Chairman

ATTEST:



Rachel Lazo, City Planner