

ORDINANCE NO. 2043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING THREE SPECIFIC USE PERMITS (SUPS) TO ALLOW THE PROPERTY OWNER TO RESIDE IN THE EXISTING 2,466 SQUARE-FOOT HOME FOR THE PURPOSE OF LIVING AND OVERSEEING CONSTRUCTION OF A PERMANENT RESIDENCE, AND TO CONSTRUCT A 2,000 SQUARE-FOOT ACCESSORY STRUCTURE, LOTS LEGALLY DESCRIBED AS A PORTION OF TRACT 1D01, 1C AND 1C01 OF THE WILLIAM H SLAUGHTER SURVEY, BEING APPROXIMATELY 5.69-ACRES, LOCATED AT THE NORTHWEST CORNER OF BARBARA LANE AND RUFÉ SNOW DRIVE, ZONED SINGLE-FAMILY 36,000 SQUARE-FOOT LOTS OR GREATER (SF-36) AND ADDRESSED AS 901 BARBARA LANE, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Sean Alibrando, Applicants/Owners, submitted an application to the City of Keller for three Specific Use Permits (SUPs): a 2,000 square-foot accessory structure to be utilized for agricultural purposes, all accessory buildings exceeding 50% of the main home, and the Owners to reside in the 2,466 square-foot existing home while a new home is being constructed (SUP-21-0033); and

WHEREAS, all accessory buildings over 1,200 square-feet require an SUP; and

WHEREAS, an SUP is required for all accessory buildings that exceed 50% of the main structure; and

WHEREAS, an SUP is required to reside in the 2,466 square-foot existing home while a new home is being constructed; and

WHEREAS, the 2,000 square-foot accessory structure is to be utilized for agricultural purposes such as supplies, shelter for animals (llamas, goats, and chickens), tractor, and tractor attachments; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission (Commission) was sent to real property owners within three-hundred feet (300') of the property herein described at least ten (10) days before such hearing; and

WHEREAS, the Commission held a public hearing on October 12, 2021 where no one spoke in favor or in opposition, and the Commission recommended approval by a vote of 7-0 with two modifications regarding the SUP length to be 18 months and the existing home to be demolished by 90 days of receiving the approval for the building final; and

WHEREAS, notice of a public hearing before the City Council was published on October 17, 2021, in the Fort Worth Star-Telegram, a newspaper of general circulation in Keller, at least fifteen (15) days before such hearing; and

WHEREAS, the City Council held a public hearing on November 2, 2021, to consider the three Specific Use Permits (SUPs); and

WHEREAS, the City Council is of the opinion that the Specific Use Permits herein effectuated furthers the purpose of zoning as set forth in the Unified Development Code and is in the best interest of the citizens of the City of Keller;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS:

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, in accordance with the Unified Development Code, the City Council of the City of Keller, Texas hereby authorizes approval of three Specific Use Permits (SUPs) to allow the property owner to reside in the existing 2,466 square-foot home for the purpose of living and overseeing construction of a permanent residence, and to construct a 2,000 square-foot accessory structure, lots legally described as a portion of Tract 1D01, 1C and 1C01 of the William H Slaughter Survey, being approximately 5.69-acres, located at the northwest corner of Barbara Lane and Rufe Snow Drive, zoned Single-Family 36,000 square-foot lots or greater (SF-36) and addressed as 901 Barbara Lane, in the City of Keller, Tarrant County, Texas, and incorporated herein, as if fully set forth, is approved with the following conditions:

1. The removal of the existing 2,466 square-foot main structure shall be within three months of the building final of the new main structure.
2. The Specific Use Permit allowing the applicant to reside in the existing main structure while the new main structure is being built shall expire within 18 months of this approval date.

Section 3: THAT, any person, firm, or corporation violating any of the provisions of this Ordinance, as read together with the Unified Development Code and accompanying map thereto, shall be guilty of a misdemeanor and upon final conviction therefore shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such hereunder.

Section 4: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 7 to 0 on this the 2nd day of November, 2021.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney