

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW THE PROPERTY OWNER TO RESIDE IN THE EXISTING 1,120 SQUARE-FOOT HOME FOR THE PURPOSE OF LIVING IN AND OVERSEEING CONSTRUCTION OF A 4,889 SQUARE-FOOT PERMANENT RESIDENCE, ON APPROXIMATELY 3.1 ACRES OF LAND, 400 FEET EAST OF THE BOURLAND ROAD AND LAVENA STREET INTERSECTION, LEGALLY DESCRIBED AS LOT 1, BLOCK A OF THE BIRD ABODE ADDITION, ZONED SINGLE-FAMILY 36,000 MINIMUM SQUARE-FOOT LOTS (SF-36) AND ADDRESSED 529 LAVENA STREET IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Will Ann Brewer, Applicant/Owner, has submitted a Specific Use Permit (SUP) application to reside in an existing mobile home during construction of a new permanent residence on the same lot; and

WHEREAS an SUP is required to reside in a temporary dwelling on-site; and

WHEREAS, the City's Planning and Zoning Commission and the City Council, in accordance with the Charter of the City of Keller, State Law, and the ordinances of the City of Keller, have given the required notices and have held the required public hearings regarding the SUP application described in this ordinance; and

WHEREAS, the City Council is of the opinion the SUP request 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 a approving a Specific Use Permit (SUP) to allow the property owner to reside in the existing 1,120 square-foot home for the purpose of living in and overseeing construction of a 4,889 square-foot permanent residence, on approximately 3.1 acres of land, 400 feet east of the Bourland Road and Lavena Street intersection, legally described as Lot 1, Block A of the Bird Abode addition, zoned Single-Family 36,000 minimum square-foot lots (SF-36) and addressed 529 Lavena Street with the following condition:

1. The mobile home shall be removed from the premises or demolished no later than three months after the home's expected completion on April 16, 2026. The mobile home shall be demolished or removed no later than July 16, 2026.

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 ___ to ___ on this the 16th day of July 2024.

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