

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR A 1,250 SQUARE-FOOT DETACHED GARAGE WITH AN AVERAGE HEIGHT OF APPROXIMATELY 17 FEET, WITH A VARIANCE TO ALLOW THE STRUCTURE TO BE LOCATED IN FRONT OF THE HOME, ON 1.77 ACRES OF LAND, 500 FEET SOUTHEAST OF THE BOURLAND ROAD AND LAVENA STREET INTERSECTION, LEGALLY DESCRIBED AS LOT 1, BLOCK 1 OF THE DIEMAND-MUELLER ADDITION, ZONED SINGLE-FAMILY 36,000 MINIMUM SQUARE-FOOT LOTS (SF-36), AND ADDRESSED 569 LAVENA STREET IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Lisa Diemand and Robert Mueller, Owners, and Pentavia Custom Homes, Applicant, have submitted a Specific Use Permit (SUP) application with a variance for a detached garage on the property at 569 Lavena Street; and

WHEREAS, an SUP is required for an accessory structure that exceeds 1,200 square-feet in size and 15 feet on average in height in the SF-36 Zoning District; and

WHEREAS, a variance is requested to allow the detached garage to be located in front of the home; 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) for a 1,250 square-foot detached garage with an average height of approximately 17 feet, with a variance

to allow the structure to be located in front of the home, on 1.77 acres of land, 500 feet southeast of the Bourland Road and Lavena Street intersection, legally described as Lot 1, Block 1 of the Diemand-Mueller Addition, zoned Single-Family 36,000 minimum square-foot lots (SF-36), and addressed 569 LaVena Street.

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