

Item H-2

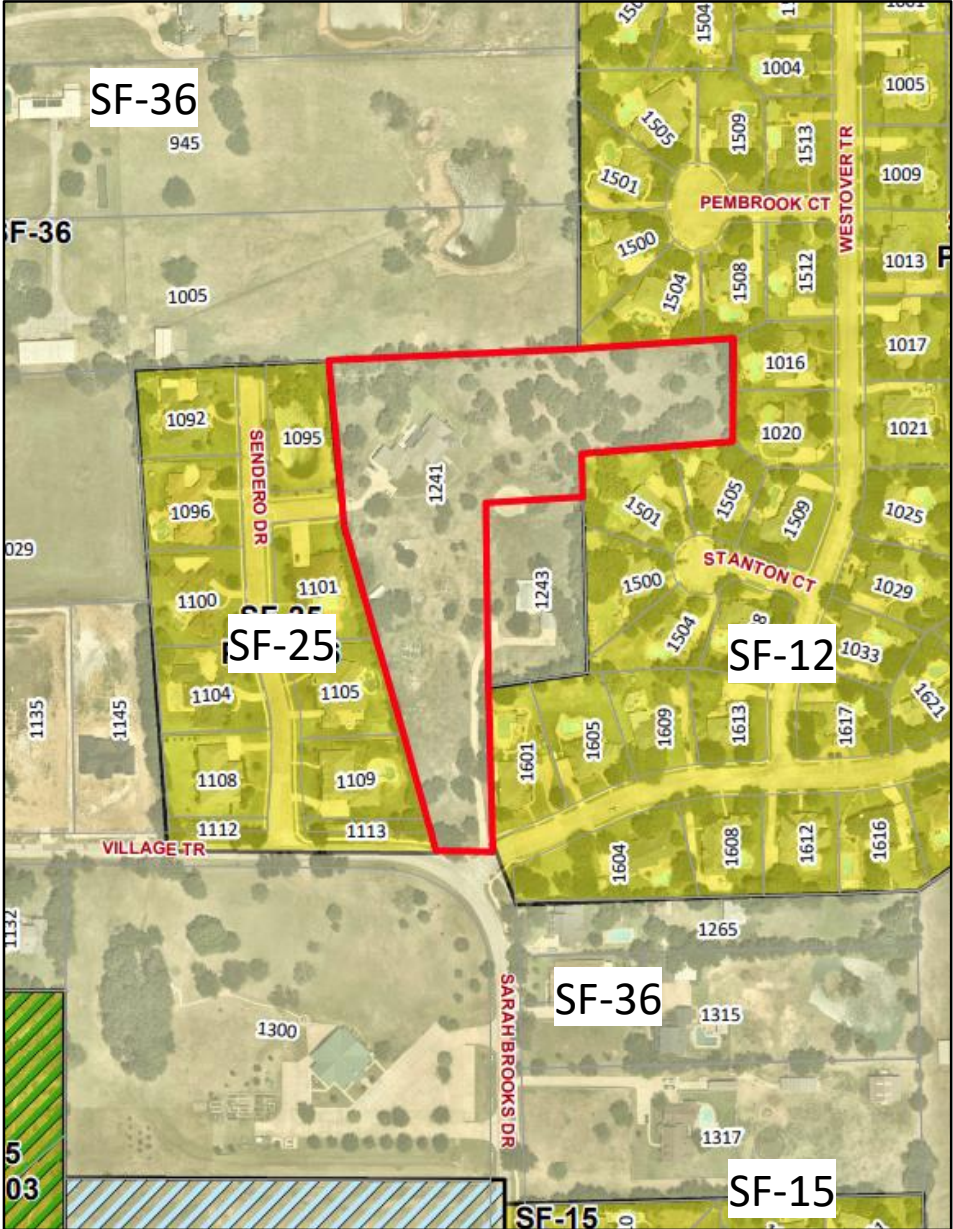
PUBLIC HEARING: Consider a resolution approving Final Plat with variances for Lots 1R and 2, Block A, Hinds Addition, being a replat of Lot 1, Block A, Hinds Addition, located on 5.62 acres, at the intersection of Village Trail and Sarah Brooks Drive, addressed as 1241 Village Trail and zoned Single Family Residential - 36,000-square-foot minimum (SF-36). Douglas Hinds, Owner/Applicant. (P-22-0021)

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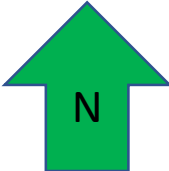
Aerial Map



Zoning Map



Zoned:
SF-36



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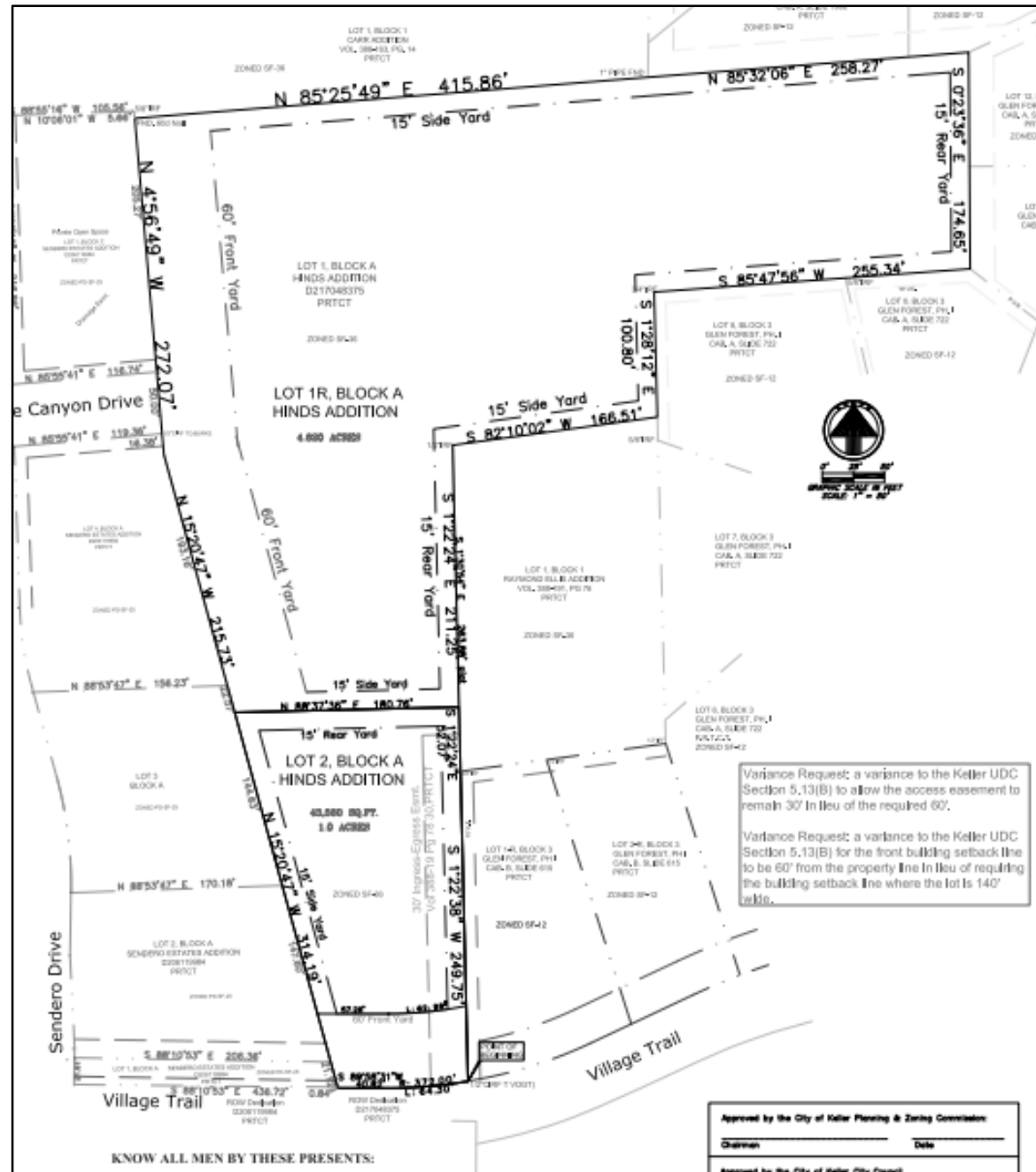
Background:

The Applicant proposes a two-lot subdivision from a previously platted 5.62-acre lot addressed as 1241 Village Trail. He requests two Keller Unified Development Code (UDC) variances for Lot 2 based on the existing use and setbacks for neighboring homes.

*Lot 2 outlined. Not to scale.



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KNOW ALL MEN BY THESE PRESENTS:

Approved by the City of Ketter Planning & Zoning Commission:
 Chairman _____ Date _____
 Approved by the City of Ketter City Council:

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Lot Size and Dimension: EXCEED

Each lot exceeds the minimum lot dimensions and square-footage of the SF-36 zoning district. Lot 1R is 4.62 acres and Lot 2 is 1 acre.

Although Lot 2 is less than 140' wide at certain points, Section 5.13(C) states that the front and rear build lines may be averaged for irregular-shaped lots. In this case, the average width is 142.94' and therefore meets the UDC requirements.

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Drainage and Utilities: MEET

The Applicant has provided preliminary drainage studies for Lots 1R and 2, which have been preliminarily reviewed by the Public Works Department.



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Setbacks: VARIANCE REQUESTED

The front-yard setback requirement is 35'. However, section 5.13(B) of the UDC does not permit a front-yard setback any closer than where the width of the lot meets the minimum lot width (in this case, 140').

Because of the irregular shape of Lot 2, the lot does not reach 140' wide until approximately 190' from the front property line.

The Applicant requests a variance to allow the front building setback to be 60' to better align with neighboring homes.



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Existing Access Easement: VARIANCE REQUESTED

The UDC requires the minimum width of access easements for all platted/replatted lots to be 60'.

The existing easement is 30', indicated as recently as 2017 on the Hinds Addition Plat, and as long ago as the 1985 plat for the Raymond Ellis Addition.

Historically, the easement served for more than 50 years as a driveway to the former home at 1241 Village Trail (demolished in 2016). The Applicant is asking for a variance to continue using the driveway and existing 30' access easement rather than dedicating an additional 30' to the easement.



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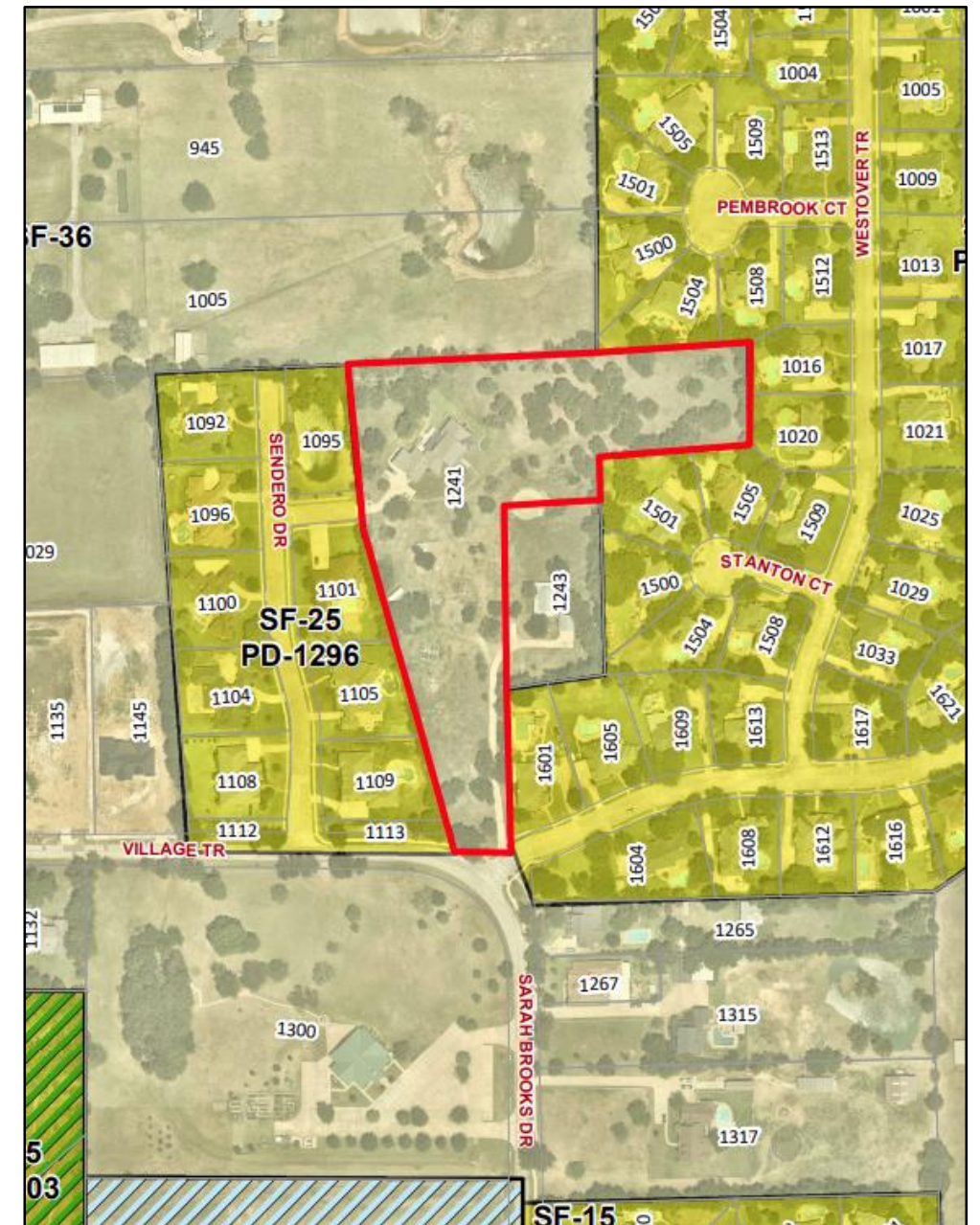
Surrounding Land Uses & Zoning:

North: SF-36

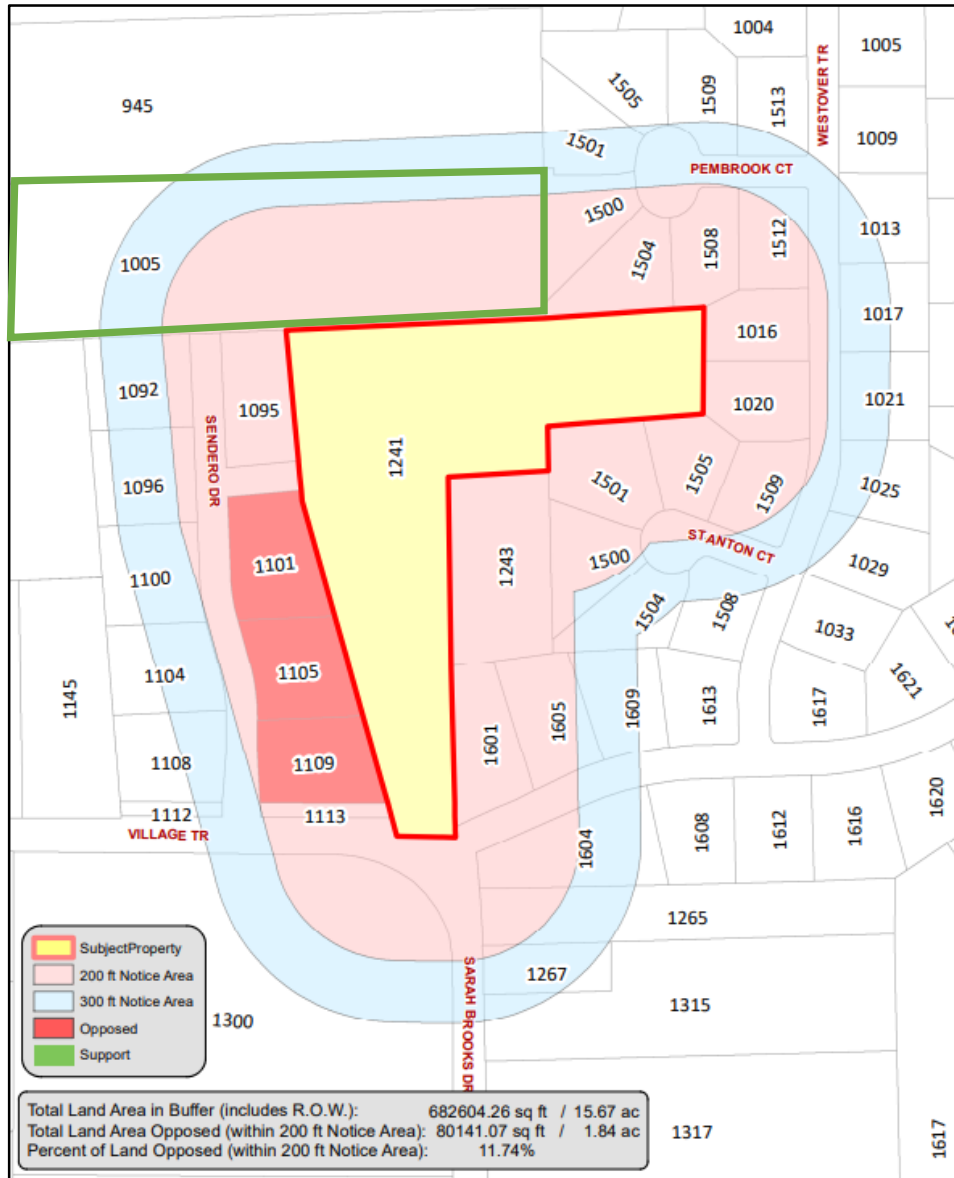
South: SF-36 – Westwind Church

East: SF-12

West: SF-25



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- On Oct. 27, 2022 the City mailed 42 Letters of Notification for this public hearing to all property owners within three-hundred feet (300') of the property.
- As of today, staff has received one written letter in support and three letters in opposition. The percent of land opposed within 200' is 11.74%.

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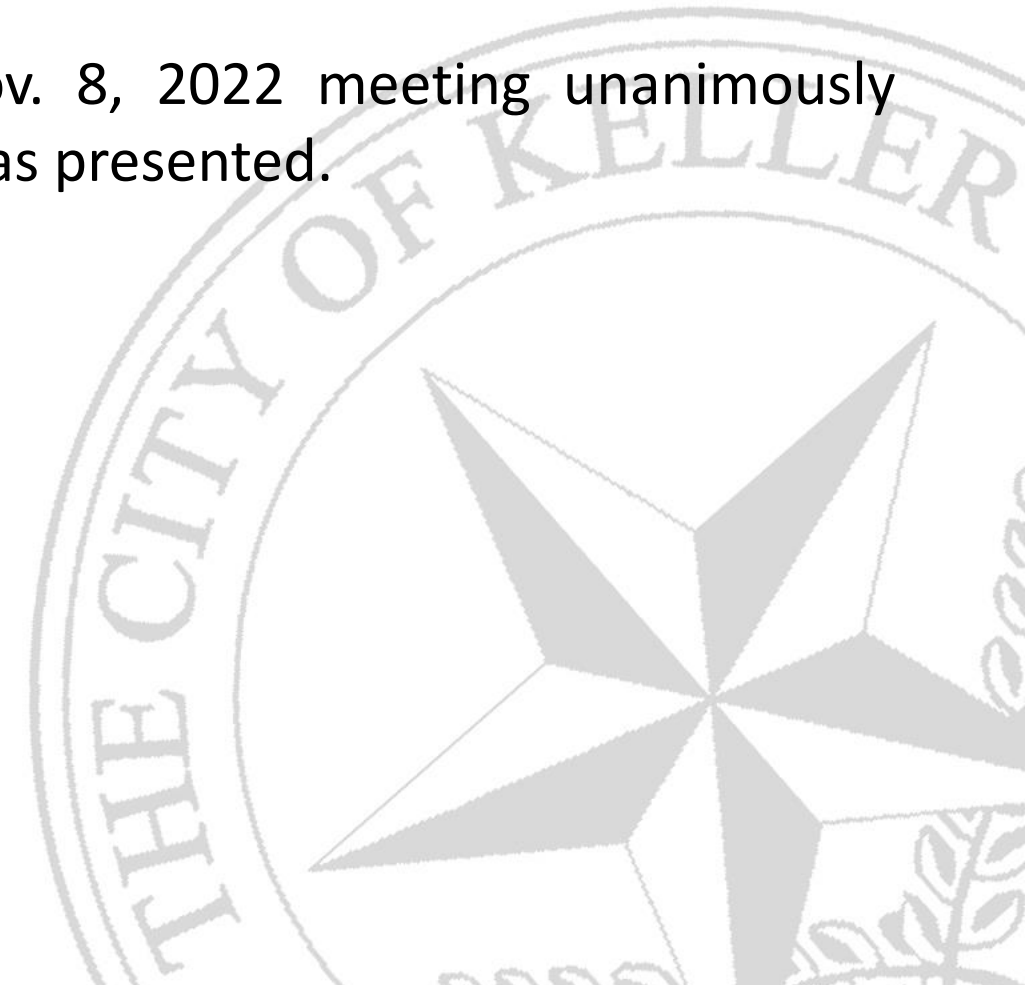
Summary of Variance Requests:

- A variance to section 5.13(B) of the UDC for the front building setback on Lot 2 to be approximately 60' in lieu of 190' where the lot is 140' wide
- A variance to Section 5.13(B) of the UDC to allow the historical 30' private access easement to suffice rather than dedicating the required 60' access easement

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Planning and Zoning Recommendation:

The Planning and Zoning Commission at their Nov. 8, 2022 meeting unanimously recommended approval of the replat with variances as presented.



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Summary:

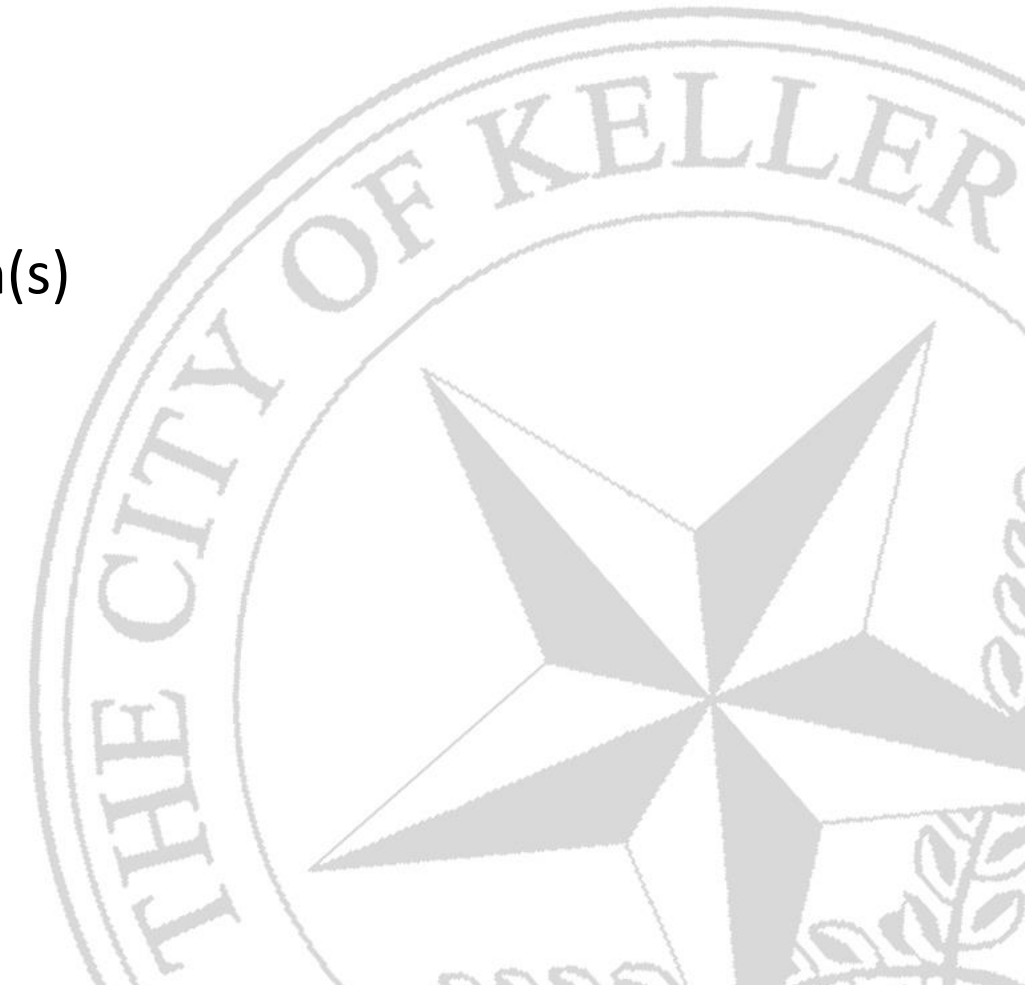
Section 2.07(A)(2) of the UDC lists the following criteria for City Council when considering approval of a Final Plat with variances:

- a. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Code would deprive the applicant of the reasonable use of his land.
- b. That the granting of the variances will not be detrimental to the public health, safety or welfare, or injurious to other properties in the area.
- c. That the granting of the variances will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Code.
- d. That the granting of the variances will not constitute a violation of any other valid ordinance of the City of Keller.
- e. That strict compliance with the regulations, and/or that the purpose of the regulations will be served to a greater extent by the alternative proposal.

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The City Council has the following options when considering approval of Final Plat with variances:

- Approve as submitted
- Approve with modifications or additional condition(s)
- Deny





Questions?
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