

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR COCODAY'S BAZAAR OF FIERCE FINDS, A RETAIL STORE SELLING NEW AND USED GOODS, IN AN EXISTING 750 SQUARE-FOOT LEASE SPACE, ON .14 ACRES, ON THE SOUTH SIDE OF OLIVE STREET, APPROXIMATELY 225 FEET SOUTHEAST FROM THE INTERSECTION OF SOUTH MAIN STREET AND OLIVE STREET, LEGALLY DESCRIBED AS LOT 3R, BLOCK 7 OF THE KELLER, CITY ADDITION, ZONED OLD TOWN KELLER (OTK) AND ADDRESSED 138 OLIVE STREET.

WHEREAS, Cody Phillips, Applicant, and Main Street Depot LLC, Owner, have submitted a Specific Use Permit (SUP) application to operate a retail store selling used goods (SUP-24-0006); and

WHEREAS, a SUP is required for used goods sales in the Old Town Keller Zoning District; 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 that the SUP herein effectuated furthers the purpose of zoning as set forth in the Unified Development Code;

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 an SUP CocoDay's Bazaar of Fierce Finds, a retail store selling new and used goods, in an existing 750 square-foot lease space, on .14 acres, on the south side of Olive Street, approximately 225 feet southeast from the intersection of South Main Street and Olive Street, legally described as Lot 3R, Block 7 of the Keller, City Addition, zoned Old Town Keller (OTK) and addressed 138 Olive 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 2nd day of April 2024.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
Armin R. Mizani, Mayor

ATTEST:

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Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney