

ORDINANCE NO. 2133

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING ONE AMENDMENT TO AN EXISTING SPECIFIC USE PERMIT (SUP) FOR THE PENGUIN PATCH, BY ALLOWING A 6-MONTH EXTENSION TO THE TIME THE APPLICANT HAS TO APPLY FOR AND SECURE A BUILDING PERMIT, ON A PROPERTY LEGALLY DESCRIBED AS ABSTRACT 457 TRACT 14C03 OF JOHN EDMONDS SURVEY, BEING 4.07-ACRES, APPROXIMATELY 270 FEET SOUTHEAST FROM THE INTERSECTION OF W. BEAR CREEK PARKWAY AND CHISHOLM TRAIL, ZONED COMMERCIAL (C), AND ADDRESSED AS 721 CHISHOLM TRAIL IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Jennifer Randklev, Owner/Applicant, submitted a Specific Use Permit (SUP) application to amend an existing SUP approved by City Council August 2, 2022 allowing the use of warehousing for the Penguin Patch at 721 Chisholm Trail (SUP-23-0022); and

WHEREAS, the Applicant requests a 6-month extension to the time they have to pull a building permit; 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 extension 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 a 6-month extension to the time the Applicant has to apply for and secure a building permit, beginning on the date of approval of this Ordinance, for the Penguin Patch, on a property legally described as Abstract 457 Tract 14C03 of John Edmonds Survey, being 4.07-acres, approximately 270 feet southeast from the intersection of W. Bear Creek Parkway and Chisholm Trail, zoned Commercial (C), and addressed as 721 Chisholm Trail.

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 15th day of August, 2023.

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