

ORDINANCE NO. 2065

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR EQUIPMENT SHARE TO ALLOW “HIGH-RISK OR HAZARDOUS INDUSTRIAL USE”, SPECIFICALLY ABOVE-GROUND STORAGE TANKS, ON AN APPROXIMATELY 4.77-ACRE TRACT OF LAND, SITUATED ON THE EAST SIDE OF SOUTH MAIN STREET (HWY 377), APPROXIMATELY 250 FEET SOUTH FROM THE INTERSECTION OF SOUTH MAIN STREET AND CALVERLEY PLACE, BEING LOT 1A, BLOCK 1 OF THE STEELWRIGHT ADDITION, ZONED LIGHT INDUSTRIAL (LI), AND ADDRESSED AS 1675 SOUTH MAIN STREET., IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Storm Master Funding LLC, Owner, and BB Holdings TX LLP, Applicant, have submitted an SUP application for two above-ground fuel storage tanks (SUP-22-0009); and

WHEREAS, fuel storage tanks are considered “high risk or hazardous industrial use” which requires a Specific Use Permit in the Light Industrial zoning district; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission (Commission) was sent to real property owners within three hundred feet (300’) of the property herein described at least ten (10) days before such hearing; and

WHEREAS, the Planning and Zoning Commission held a public hearing on April 26, 2022, where no one spoke in favor or opposition, and the Commission unanimously recommended approval of the item; and

WHEREAS, notice of a public hearing before the City Council was published in the Fort Worth Star Telegram, a newspaper of general circulation in Keller on April 28, 2022; and

WHEREAS, a public hearing to consider the request for a Specific Use Permit was held before City Council on May 17, 2022, and no one spoke in favor or opposition; and

WHEREAS, the City Council is of the opinion that the SUPs herein effectuated further 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 a Specific Use Permit (SUP) for Equipment Share to allow “high-risk or hazardous industrial use”, specifically above-ground storage tanks, on an approximately 4.77-acre tract of land, situated on the east side of South Main Street (HWY 377), approximately 250 feet south from the intersection of South Main Street and Calverley Place, being Lot 1A, Block 1 of the Steelwright Addition, zoned Light Industrial (LI), and addressed as 1675 South Main Street and incorporated herein, as if fully set forth with the following conditions:

1. An SUP for Equipment Share to install two above-ground fuel storage tanks, specifically a 4,000-gallon split compartment tank and a 550-gallon tank, as shown on Exhibit “A” in the Light Industrial zoning district.

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 17th day of May, 2022.

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