

Item H-3

PUBLIC HEARING: Consider an ordinance approving an amendment to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Section 8.10 - Accessory Building and Use Regulations to modify the approving authority for accessory structure height; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-21-0007)

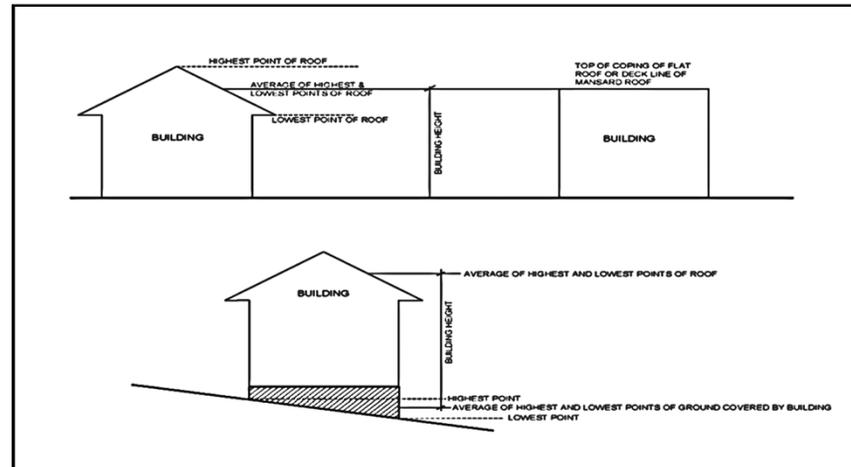
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In a work session on August 17, 2021, City Council directed Staff to amend Section 8.10 - Accessory Building and Use Regulation to modify the approving authority for accessory structure height. Currently, applicants have the choice of going to the Zoning Board of Adjustment (ZBA) for a variance or seeking an Special Use Permit (SUP) via the Planning and Zoning Commission and City Council. However, because there would never be a hardship that could justify raising the height, such a request could never be granted by the ZBA. The proposed change allows the applicant requesting to exceed fifteen feet (15') in height for an accessory structure to simply go through a SUP process.

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Proposed Amendment:

The maximum height of an accessory building shall not exceed fifteen feet (15') unless approved by the Zoning Board of Adjustment (ZBA) or by a Specific Use Permit (SUP), whichever is applicable, for additional height (see definition of Building Height, below). Accessory buildings of less than one-hundred twenty (120) square-feet shall not exceed ten feet (10') in height.



Building Height - The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or a deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

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An amendment to the text of the UDC requires a public hearing notice to be published in the local newspaper 10 days prior to the scheduled Planning and Zoning Commission meeting date and 15 days prior to the City Council Meeting Date. The notice for the City Council public hearing was published in the October 3, 2021 edition of the Fort Worth Star-Telegram.

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On September 28, 2021, the Planning and Zoning Commission unanimously approved the item with conditions to add the definition and diagram of average building height.

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City Council has the following options when considering an amendment to the text of the UDC:

- Approve as submitted.
- Approve with modifications or additional amendments(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.



Questions?
Patricia Sinel
817-743-4129

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