

Item H-2

Consider a resolution approving a Final Plat with two variances for the Diemand-Mueller Addition, a proposed residential subdivision with two single-family lots, on 2.774 acres of land, approximately 500 feet southeast of the Bourland Road and Lavena Street intersection, legally described as Lots 1 and 2, Block 1 of the Diemand-Mueller Addition, zoned Single-Family 36,000 minimum square-foot lots (SF-36), and addressed 569 LaVena Street. Lisa Diemand and Robert Mueller, Owners. Pentavia Custom Homes, Applicant. (PLAT-2408-0003)

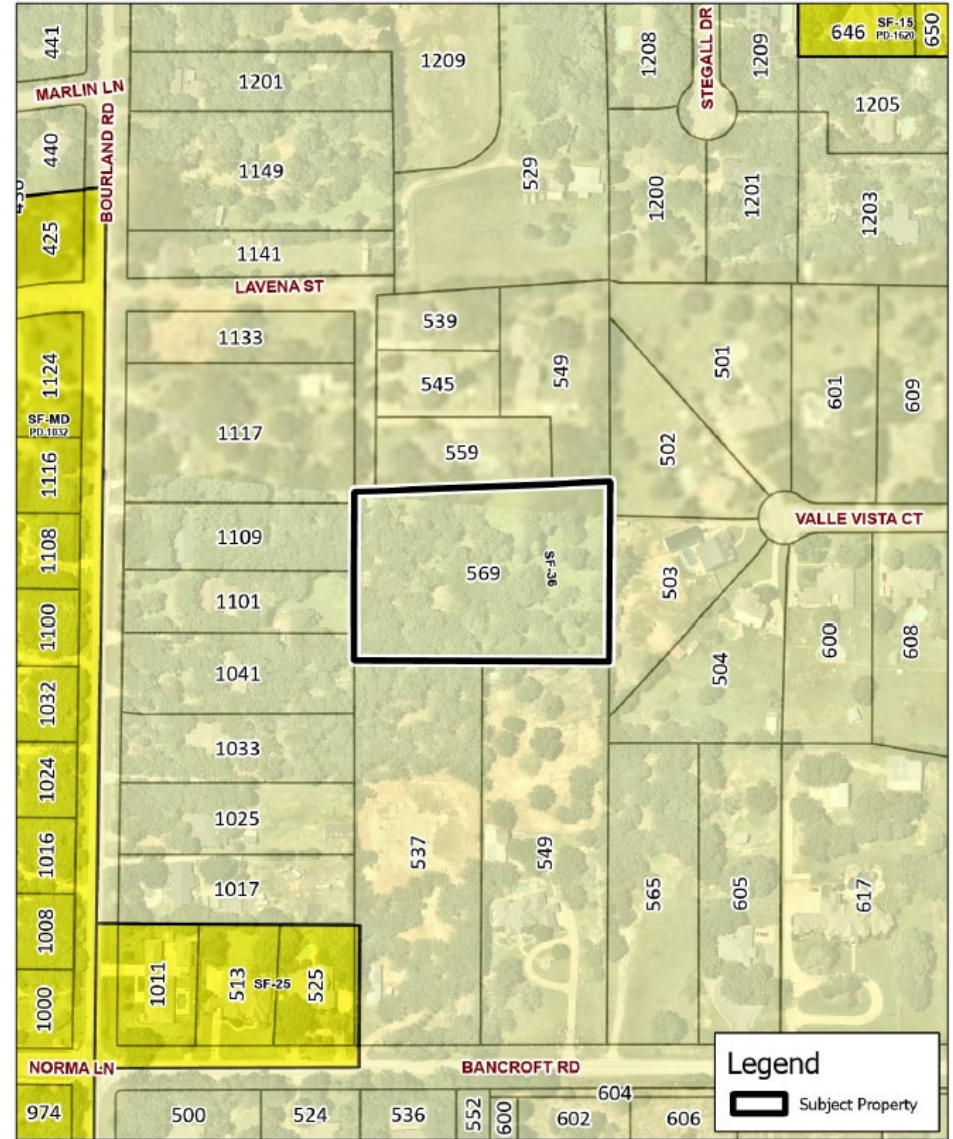
Item H-2 Aerial Map



**Zoned:
SF-36**

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Zoning Map

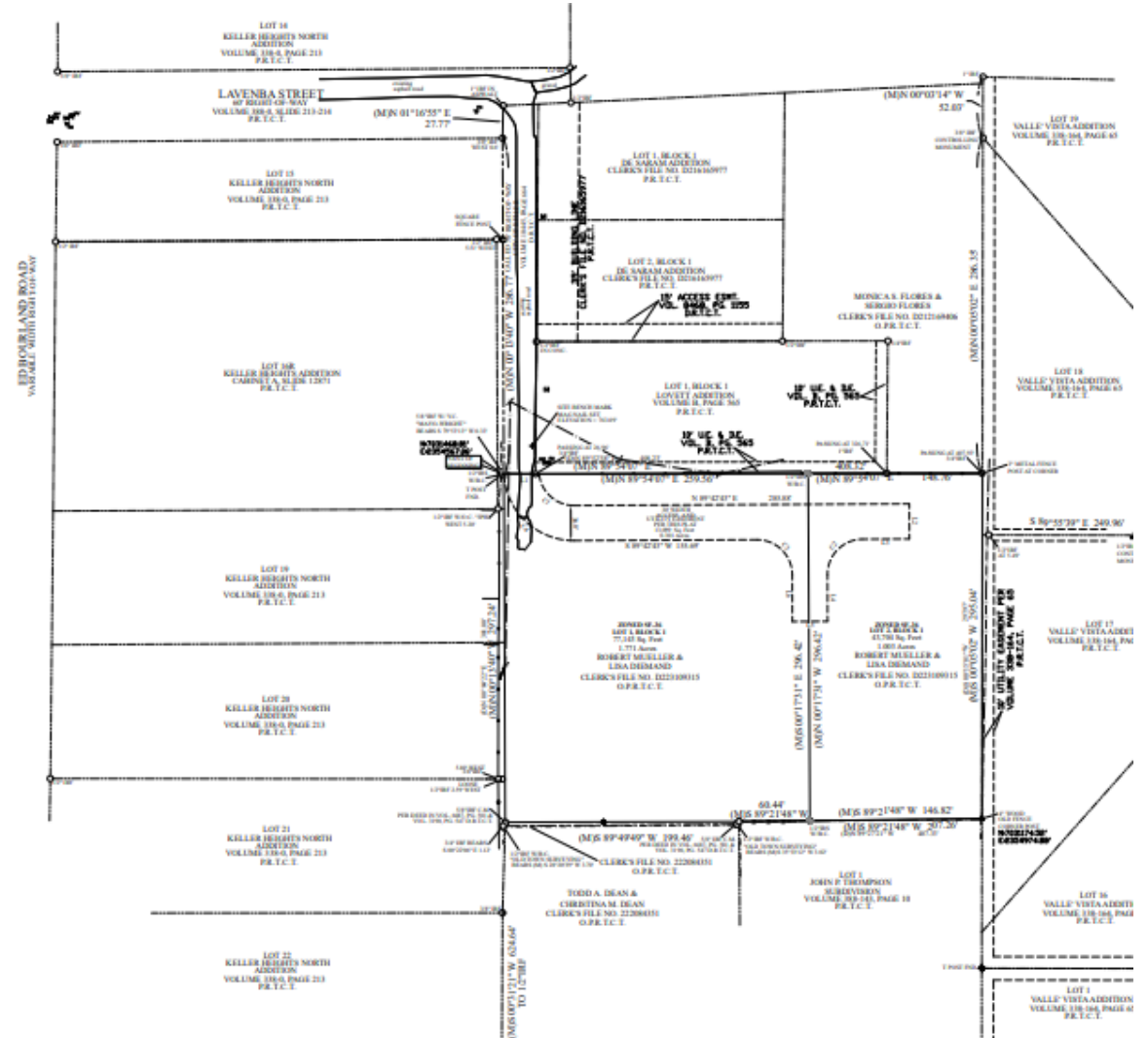


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Background:

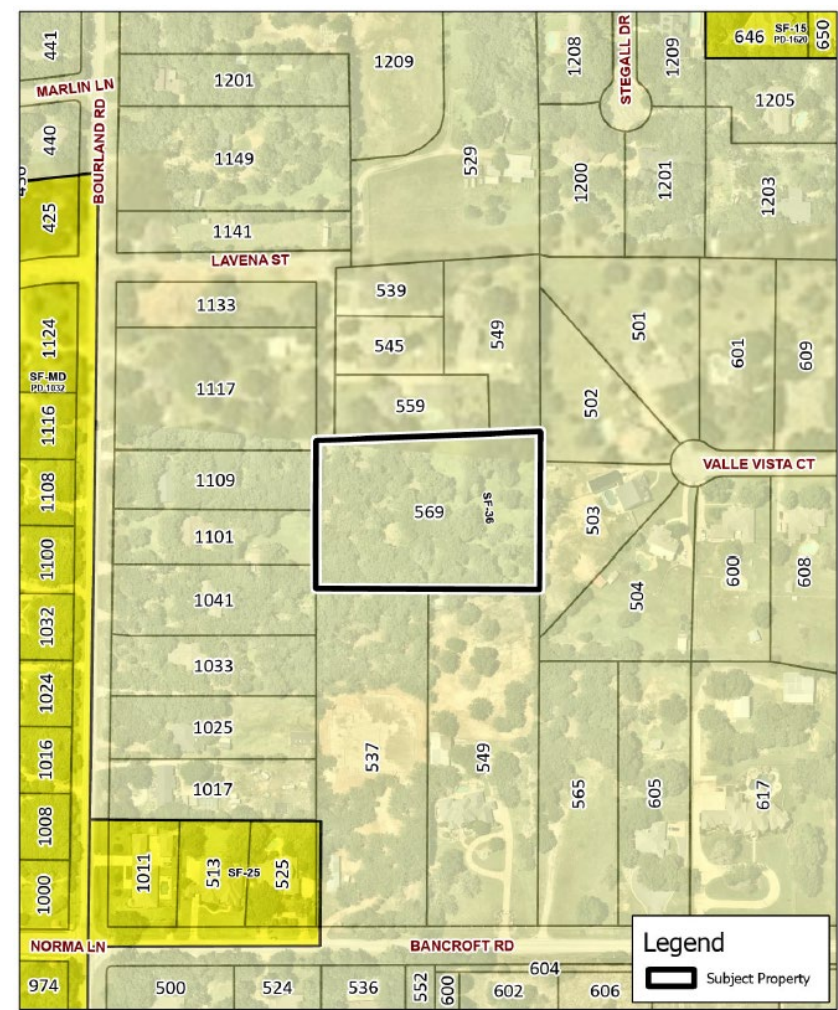
- The purpose of this plat is to subdivide an existing 2.774-acre tract of land into two single-family lots.
- Staff approved the plat on May 29, 2024, but it has not been recorded with the county.
- Shortly after city approval of the plat, the Applicant asked about forgoing the requirement to construct the access easement and hammerhead drive.
- To allow the Applicant to build a home on Lot 1 without constructing the access and fire apparatus turnaround requires approval of two variances.



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Current Zoning: MEETS

SF-36 (Single-Family Residential 36,000 square-foot minimum lot sizes or greater)



Future Land Use Plan: MEETS

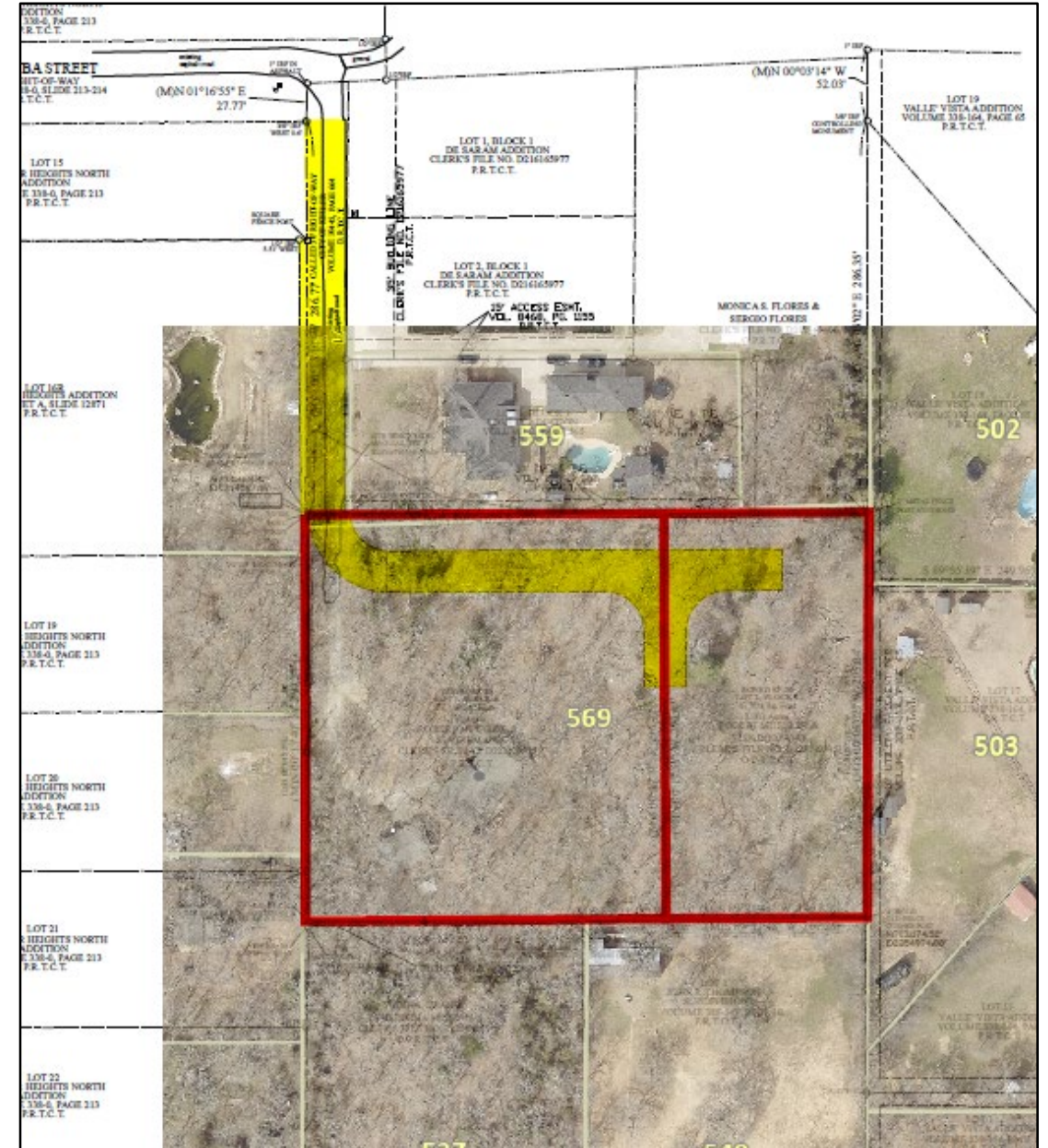
LD – SF (Residential 36,000 square-foot minimum lot sizes or greater)



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Streets: VARIANCES REQUESTED

UDC Section 5.03(L): “Dead end or stub streets are not allowed except as required to provide future access to adjacent vacant land areas that will likely develop under a similar zoning classification and in no case shall be more than 150’ in length or equal to one lot depth, whichever is greater.”



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Streets: VARIANCES REQUESTED

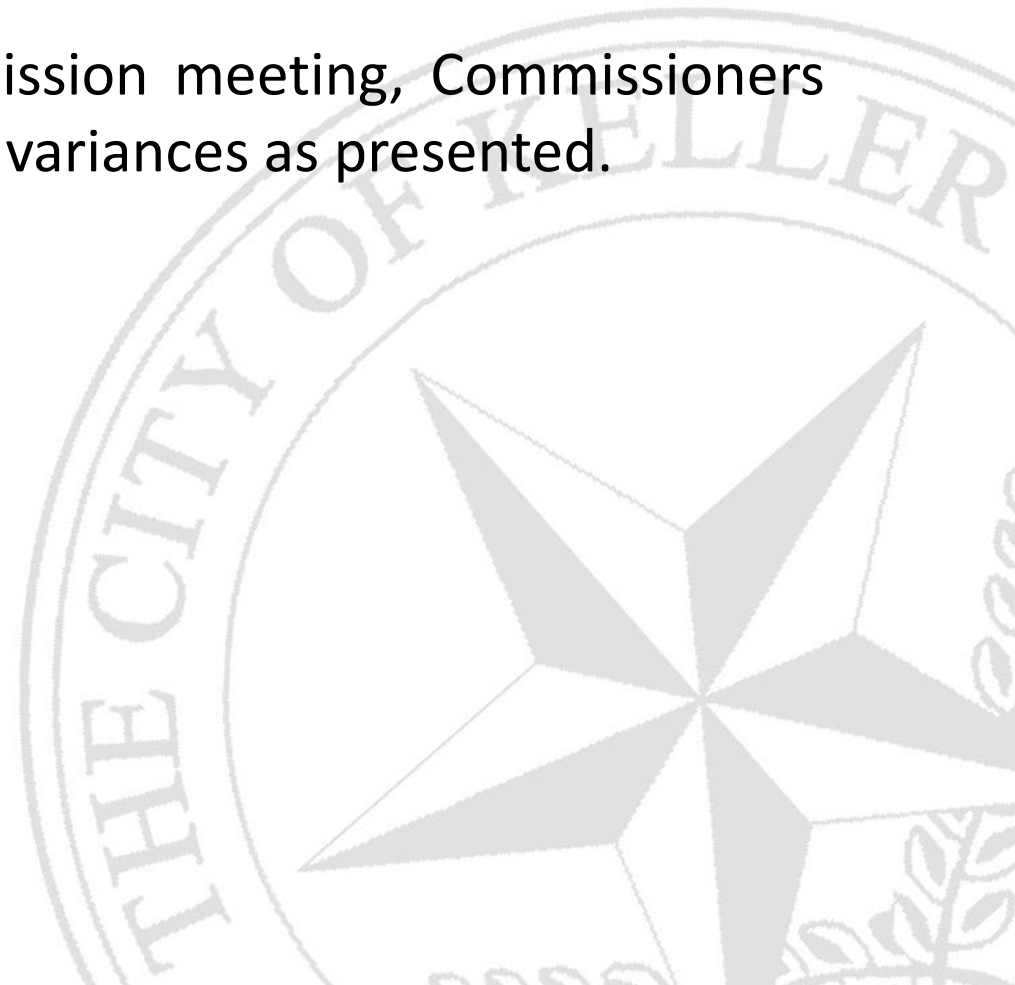
1. The Applicant requests to allow Lavena Street to dead end at their northern property line.
2. The Applicant requests to not be required to construct a cul-de-sac or alternative turnaround (such as a hammerhead) unless or until a building permit is submitted for the development of Lot 2 .



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Planning and Zoning Commission Recommendation:

At the Aug. 27, 2024, Planning and Zoning Commission meeting, Commissioners voted 6-1 to recommend denial of the plat with two variances as presented.



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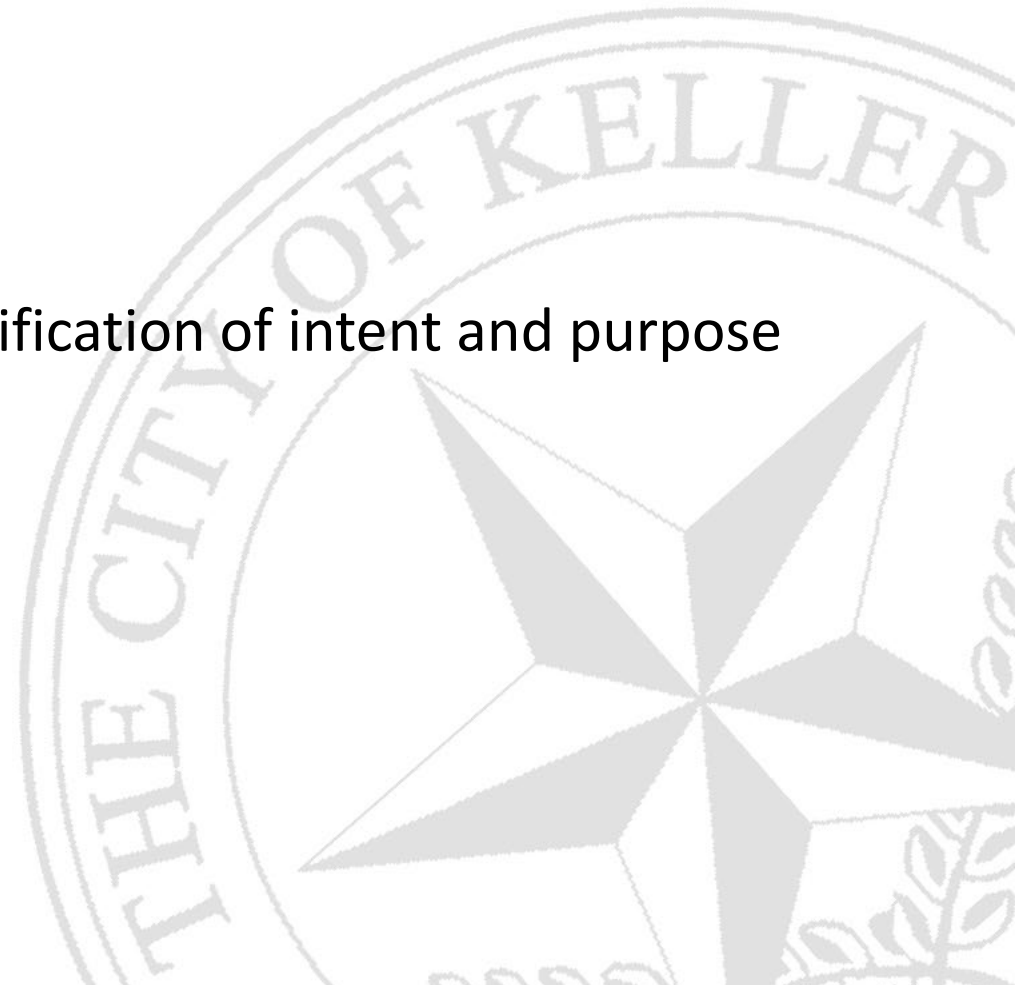
Section 2.07 (A)(2) of the UDC states that when considering a Final Plat with variances, the City Council shall consider the following factors:

- 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 variance 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 variance 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 variance 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 a final plat with variances:

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





Questions?
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