

ORDINANCE NO. 2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO AMEND AN EXISTING SPECIFIC USE PERMIT (SUP) TO ALLOW THE PROPERTY OWNER TO TEMPORARILY RESIDE IN A 28-FOOT BY 68-FOOT (OR 1,904 SQUARE-FEET) MANUFACTURED HOME FOR THE PURPOSE OF LIVING AND OVERSEEING CONSTRUCTION OF A PERMANENT RESIDENCE, SITUATED ON A 1.995-ACRE TRACT OF LAND, LOCATED ON THE WEST SIDE OF SOUTH PEARSON LANE, APPROXIMATELY 550 FEET NORTHWEST FROM THE INTERSECTION OF SOUTH PEARSON LANE AND UNION CHURCH ROAD, BEING TRACT 6B01A1, 6B01B, AND 6F01, ABSTRACT 498 OF THE ELSTON, D E SURVEY, ZONED SINGLE FAMILY - 36,000 SQUARE-FOOT LOT (SF-36), LOCATED AT 404 SOUTH PEARSON LANE IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Christopher Cloy, Owner/Applicant submitted an application to the City of Keller to amend the previously approved Specific Use Permit (SUP) in regards to the size and location of an approximately 2,000 square-foot temporary manufactured home so he and his family could live on site and also to overseeing construction of a permanent residence; and

WHEREAS, an amendment to the previously approved SUP is required; and

WHEREAS, notice of a public hearing before the Planning and Zoning 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, notice of a public hearing before the City Council was published on May 16, 2021, in the Fort Worth Star-Telegram newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

WHEREAS, the City Council finds that the Specific Use Permit furthers the purpose of the single-family 36,000 square-foot minimum lot zoning district 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) to amend an existing Specific Use Permit (SUP) to allow the property owner to temporarily reside in a 28-foot by 68-foot (or 1,904 square-feet) manufactured home for the purpose of living and overseeing construction of a permanent residence, situated on a 1.995-acre tract of land, located on the west side of South Pearson Lane, approximately 550 feet northwest from the intersection of South Pearson Lane and Union Church Road, being tract 6B01A1, 6B01B, and 6F01, Abstract 498 of the Elston, D E Survey, zoned Single Family - 36,000 square-foot lot (SF-36), located at 404 South Pearson Lane in the City of Keller, Tarrant County, Texas, and incorporated herein, as if fully set forth with the following conditions:

1. Owner and family to reside in an approximately 2,000 square-foot temporary manufactured home for a period of 24 months.
2. The 24-month period starts at the original date of March 16, 2021 and expires on March 16, 2023.
3. Release of temporary manufactured home permit to coincide with the issuance of the building permit for the permanent residence.
4. Mobile home skirting shall be placed around the manufactured home.
5. The temporary manufactured home shall be removed if the building permit is pulled, expired or with 180 days of no construction activity.
6. Once the permanent resident passes final inspection, the Applicant (potential buyer) has 90 days to remove the manufactured home.
7. The accessory dwelling unit structure will be created by converting a 980 square-foot existing accessory building.

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 1st day of June, 2021.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney