

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING SPECIFIC USE PERMITS (SUPS) WITH A VARIANCE TO CONSTRUCT AN APPROXIMATELY 3,093 SQUARE-FOOT ACCESSORY DWELLING UNIT, ON APPROXIMATELY 2 ACRES, ON THE SOUTHEAST CORNER OF WHITLEY ROAD AND FRANK LANE, LEGALLY DESCRIBED AS LOT 2 OF THE JOHN EDMONDS SUBDIVISION, ZONED SINGLE-FAMILY 8,400 SQUARE-FOOT LOT SIZE OR GREATER (SF-8.4) AND ADDRESSED 1785 WHITLEY ROAD IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Gary Racine, Owner, and Randy Sullivan, Applicant, submitted a request for a Specific Use Permit (SUP-23-0031) for an approximately 3,093 square-foot Accessory Dwelling Unit in the SF-8.4 Zoning District; and

WHEREAS, an SUP is required for all Accessory Dwelling Units in the City of Keller; and

WHEREAS, a variance is requested related to the number of accessory structures on the lot; 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 the SUP request herein effectuated furthers the purpose of zoning as set forth in the Unified Development Code and is in the best interest of the citizens of the City of Keller.

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 an Specific Use Permits (SUPs) with a variance to construct an approximately 3,093 square-foot Accessory Dwelling Unit, on approximately 2 acres, on the southeast corner of Whitley Road and Frank Lane, legally described as Lot 2 of the John Edmonds Subdivision, zoned Single-Family 8,400 square-foot lot size or greater

(SF-8.4) and addressed 1785 Whitley Road, as if fully set forth with the following conditions and variances:

1. A Specific Use Permit to construct an Accessory Dwelling Unit in the SF-8.4 Zoning District shall be allowed.
2. A Specific Use Permit for an accessory structure in excess of 500 square-feet in the SF-8.4 zoning district shall be allowed.
3. A Specific Use Permit for the combined square footage of three accessory structures on the property to be in excess of 50% of the main dwelling unit's square footage shall be allowed.
4. A Variance to UDC Section 9.06 to allow for an additional accessory structure on the property (for a total of three) shall be allowed.

Section 3: THAT, any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon final conviction therefor, shall be fined in a sum not to exceed two thousand dollars (\$2,000.00). Each and every day any 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 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 5th day of December, 2023.

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