

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) WITH VARIANCES FOR AN EXISTING DETACHED CARPORT ON 0.15 ACRES LOCATED ON THE EAST SIDE OF HIGHLAND DRIVE EAST, APPROXIMATELY 95 FEET SOUTHEAST FROM THE INTERSECTION OF HIGHLAND DRIVE EAST AND KNOX ROAD, LEGALLY DESCRIBED AS LOT 31 OF THE HIGHLAND TERRACE MOBILE HOME PARK SUBDIVISION, ZONED SINGLE-FAMILY 36,000 SQUARE-FOOT LOT SIZE OR GREATER (SF-36) AND ADDRESSED 1856 HIGHLAND DRIVE EAST IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Jose Ortiz Rivera, Owner/Applicant has submitted a Specific Use Permit (SUP) application for a detached carport with variances (SUP-24-0017); and

WHEREAS, an SUP is required for carports in all residential zoning districts; and

WHEREAS, the Applicant requests a variance to allow the carport to encroach the front-yard setback by approximately 35 feet; and

WHEREAS, the Applicant requests a variance to allow the carport to encroach the side-yard setback by approximately 2 feet; and

WHEREAS, the Applicant requests a variance to allow the carport to be located in front of the primary dwelling rather than behind the home; 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 SUP with variances for an approximately 625 square-foot detached

carport, on 0.15 acres located on the east side of Highland Drive East, approximately 95 feet southeast from the intersection of Highland Drive East and Knox Road, legally described as Lot 31 of the Highland Terrace Mobile Home Park subdivision, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and addressed 1856 Highland Drive East, as if fully set forth with the following variances:

1. The variance to encroach the front yard setback by approximately thirty-five feet shall be allowed.
2. The variance to encroach the side yard setback by approximately two feet shall be allowed.
3. The variance to allow the carport to be located in front of the primary dwelling 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 16th day of July, 2024.

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