

RESOLUTION NO. 4459

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING FOUR VARIANCES TO THE UNIFIED DEVELOPMENT CODE, ARTICLE 8 - ZONING DISTRICTS, DEVELOPMENT STANDARDS, TREE PRESERVATION, SECTION 8.03 ZONING DISTRICTS, REGARDING ONE LOT IN THE HIGHLAND TERRACE MOBILE HOME PARK, TO DECREASE THE MINIMUM DWELLING SIZE TO 2,000 SQUARE FEET IN LIEU OF THE 2,400 SQUARE-FOOT REQUIREMENT, TO INCREASE THE MAIN BUILDING LOT COVERAGE TO 35 PERCENT IN LIEU OF THE 30 PERCENT REQUIREMENT, TO INCREASE THE MAXIMUM LOT COVERAGE TO 55 PERCENT IN LIEU OF THE 50 PERCENT REQUIREMENT, AND TO MODIFY THE FRONT SETBACK FROM 35 FEET TO 25 FEET, LEGALLY DESCRIBED AS LOT 27 OF HIGHLAND TERRACE MOBILE HOME PARK, ADDRESSED AS 1840 HIGHLAND DRIVE EAST AND ZONED SINGLE-FAMILY 36,000 SQUARE-FOOT LOTS OR GREATER (SF-36) IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS.

WHEREAS, Mike Garabedian, GPLM, Applicant, has submitted a Unified Development Code Application for four variance requests to one lot in the Highland Terrace Mobile Home Park (UDC-21-0009); and

WHEREAS, no public hearings are required for Unified Development Code Variance applications according to the Unified Development Code; and

WHEREAS, City Council approved by a vote of 5 to 1 at its June 1, 2021 meeting to grant three variances (1st: decrease the minimum dwelling size to 2,000 vs 2,400; 2nd: increase the main building coverage to 35% vs 30%; and 3rd: increase the maximum building coverage to 55% vs 50%) for 21 lots; and

WHEREAS, the Planning and Zoning Commission recommended approval by a vote of 5-2 at its November 9, 2021, meeting with the modification of approving the same three variances that were requested by a previous applicant; and

WHEREAS, the Commission recommended denying the fourth variance for a decreased setback from 35 feet to 25 feet in order for front setbacks to remain consistent and not change the aesthetics of the neighborhood in terms of how home fronts lined up on the street; and

WHEREAS, the City Council now finds that the request for four variances does meet the criteria to grant variances per Section 2.07 of Unified Development Code (UDC) because of the constraints associated with the small lot and the desire to provide one-story homes as well as two-story homes;

NOW, THEREFORE, BE IT RESOLVED 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, the four variances to the Unified Development Code, Article 8 - Zoning Districts, Development Standards, Tree preservation, Section 8.03 Zoning districts, regarding one lot in the Highland Terrace Mobile Home Park, to decrease the Minimum Dwelling Size to 2000 square feet in lieu of the 2400 square-foot requirement, to increase the main building lot coverage to 35 percent in lieu of the 30 percent requirement, to increase the maximum lot coverage to 55 percent in lieu of the 50 percent requirement, and to modify the front setback from 35 feet to 25 feet, legally described as Lot 27 of Highland Terrace Mobile Home Park, addressed as 1840 Highland Drive East and zoned Single-Family 36,000 square-foot lots or greater (SF-36) is hereby approved, and incorporated herein as if fully set forth, with the following conditions:

1. Decrease the Minimum Dwelling Size to 2000 square-feet in lieu of the 2,400 square-foot requirement. (A minimum dwelling size of 2,000 square-feet is equal to the SF-15 zoning district.)
2. Increase the main building lot coverage to 35 percent in lieu of the 30 percent requirement in the SF-36 zoning district. (Thirty-five percent (35%) is permitted in the SF- 8.4 through the SF-15 zoning districts.)
3. Increase the maximum lot coverage to 55 percent in lieu of the 50 percent requirement of all UDC residential zoning districts. (The 50% lot coverage requirement including accessory buildings, driveways, and parking areas is uniform throughout the UDC.)
4. Decrease the minimum front setback from 35 feet to 25 feet. (A 25-foot setback is permitted in the SF-10 and SF-8.4 zoning districts.)

AND IT IS SO RESOLVED.

Passed by a vote of 5 to 2 on this the 7th day of December, 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