

ORDINANCE NO. 1880

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO USE AN EXISTING 2,274 SQUARE-FOOT ACCESSORY BUILDING AS A TEMPORARY ACCESSORY DWELLING UNIT WHILE CONSTRUCTING A NEW HOME ON A 7.758-ACRE LOT ON THE EAST SIDE OF KELLER-SMITHFIELD ROAD SOUTH, APPROXIMATELY 1,000 FEET NORTH OF VILLAGE TRAIL, AT 945 KELLER-SMITHFIELD ROAD SOUTH, BEING LOT 1, BLOCK 1, BRYSON ADDITION, AND ZONED SF-36 (SINGLE FAMILY RESIDENTIAL - 36,000 SQUARE FOOT MINIMUM), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Mr. Craig Corato, owner/applicant; has submitted an application to the City of Keller to request a Specific Use Permit (SUP-18-0003), which has been reviewed by the City Staff; 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 in a newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

WHEREAS, public hearings to issue a Specific Use Permit on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation to approve the Specific Use Permit, by a vote of 7-0; and

WHEREAS, the City Council is of the opinion that the Specific Use Permit 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 a Specific Use Permit (SUP) to use an existing 2,274 square-foot accessory building as a temporary accessory dwelling unit while constructing a new home on a 7.758-acre lot on the east side of Keller-Smithfield Road South, approximately 1,000 feet north of Village Trail, at 945 Keller-Smithfield Road South, being Lot 1, Block 1, Bryson Addition, and zoned SF-36 (Single Family Residential - 36,000 square foot minimum), in the City of Keller, Tarrant County, Texas, with the proposal attached hereto as Exhibit "A", and incorporated herein, as if fully set forth with the following conditions:

1. The Specific Use Permit request for the 2,274 square-foot accessory building to be used as a temporary accessory dwelling unit is to be considered while the home is being constructed.
2. The applicant must secure a Building Permit within twelve (12) months of approval of the SUP. If construction has not commenced following issuance of a Building Permit, the SUP expires upon expiration of the Building permit. The applicant may request a one-time six (6) month extension, which may be approved by staff

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 7 to 0 on this the 20th day of March, 2018.

CITY OF KELLER, TEXAS

BY: _____
P.H. McGrail, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney