

ORDINANCE NO. 1970

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR SNOWBALLS TO OPERATE A TEMPORARY VENDOR BUSINESS, LOCATED ON AN APPROXIMATELY 0.65-ACRE TRACT, ON THE WEST SIDE OF NORTH MAIN STREET (U.S. HWY. 377), APPROXIMATELY 350 FEET SOUTH OF KELLER-HICKS ROAD, BEING TRACT 1A3 OUT OF THE SAMUEL NEEDHAMSURVEY, ABSTRACT NO. 1171, AT 301 NORTH MAIN STREET, AND ZONED OTK (OLD TOWNKELLER). IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Christ's Haven for Children, owner, and Jodi Lane, applicant; submitted an application to the City of Keller to request a Specific Use Permit (SUP 20-0006); 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 unanimously made a recommendation to approve the Specific Use Permit with conditions; and

WHEREAS, the City Council is of the opinion that the Specific Use Permit 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; and

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, 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) for Snowballs to operate a temporary vendor

business, locates on an approximately 0.65-acre tract, on the west side of North Main Street (U.S. Hwy. 377), approximately 350 feet south of Keller-Hicks Road, being Tract 1A3 out of the Samuel Needham Survey, Abstract No. 1171, at 301 North Main Street, and zoned OTK (Old Town Keller), 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 for Snowballs shall be valid for five (5) years, expiring October 2, 2025.
2. The business shall be permitted to open on certain days in accordance with Exhibit "A".

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 attached hereto, 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 RESOLVED.

Passed by a vote of 6 to 1 on this the 2nd day of June, 2020.

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