

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR WITH VARIANCES FOR A CARPORT ON 0.93 ACRES LOCATED ON THE WEST SIDE OF HILLVIEW DRIVE, APPROXIMATELY 440 FEET NORTHWEST FROM THE INTERSECTION OF HILLVIEW DRIVE AND BANCROFT ROAD, LEGALLY DESCRIBED AS LOT 4, BLOCK 2 OF ROLLING OAKS NORTH ADDITION, ZONED SINGLE-FAMILY 36,000 SQUARE-FOOT LOT SIZE OR GREATER (SF-36) AND ADDRESSED 1013 HILLVIEW DRIVE, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Daniel Evans, Owner/Applicant has submitted a Specific Use Permit (SUP) application for a carport with variances (SUP-22-0033); and

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

WHEREAS, the Applicant requests a variance to the parking regulations for the SF-36 Zoning District requiring a 2-car garage; and

WHEREAS, the Applicant requests a variance to allow the carport to encroach the side-yard setback by approximately 4 feet; and

WHEREAS, the Applicant requests a variance to allow the carport to be located in line with 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 Planning and Zoning Commission at its February 28, 2023, meeting unanimously recommended denial of the SUP; and

WHEREAS, the City Council is of the opinion that the SUP herein effectuated furthers the purpose of zoning as set forth in the Unified Development Code;

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 a carport on 0.93 acres located on the west side of Hillview Drive, approximately 440 feet northwest from the intersection of Hillview Drive and Bancroft Road, legally described as Lot 4, Block 2 of Rolling Oaks North Addition, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and addressed 1013 Hillview Drive, as if fully set forth with the following variances:

1. The variance to the parking regulations for the SF-36 Zoning District requiring a 2-car garage shall be allowed.
2. The variance to encroach the side yard setback by approximately 4' shall be allowed.
3. The variance to allow the carport to be located in line with the primary dwelling shall be allowed.

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 _ to _ on this the 21st day of March, 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