

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW THE PROPERTY OWNER TO RESIDE IN THE EXISTING 2,172 SQUARE-FOOT HOME FOR THE PURPOSE OF LIVING IN AND OVERSEEING THE CONSTRUCTION OF A 6,343 SQUARE-FOOT PERMANENT RESIDENCE, ON APPROXIMATELY 1.44 ACRE OF LAND, APPROXIMATELY 1,100 FEET SOUTHEAST OF THE INTERSECTION OF BANDIT TRAIL AND DAVIS BOULEVARD, LEGALLY DESCRIBED AS LOT 1, BLOCK A OF MICK ESTATES, ZONED SINGLE-FAMILY 36,000 SQUARE-FEET OR GREATER (SF-36), AND ADDRESSED 745 BANDIT TRAIL, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Michelle Hasbun, Owner/Applicant, has submitted an SUP application to reside in and store construction materials in the existing home on the property while building a new home at 745 Bandit Trail (SUP-22-0017); and

WHEREAS, Section 8.06 (A)(1)(d)(2) of the Unified Development Code requires an SUP for temporary buildings for dwelling or storage purposes; 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 applications described in this ordinance; and

WHEREAS, the Planning and Zoning Commission held a public hearing on June 28, 2022 and unanimously recommended approval of the item; and

WHEREAS, the City Council finds and determines that the passage of this ordinance is deemed necessary in order to protect the public, health, safety, and welfare; and

WHEREAS, the City Council is of the opinion that the SUP herein effectuated further 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 for the property owner to reside in the existing 2,172 square-foot home for the

purpose of living in and overseeing the construction of a 6,343 square-foot permanent residence, on approximately 1.44 acre of land, approximately 1,100 feet southeast of the intersection of Bandit Trail and Davis Boulevard, legally described as Lot 1, Block A of Mick Estates, zoned Single-Family 36,000 square-feet or greater (SF-36), and addressed 745 Bandit Trail, as if fully set forth with the following conditions:

1. A Specific Use Permit to allow the property owner to reside in the existing 2,172 square-foot home while overseeing the construction of a 6,343 square-foot permanent residence for up to 24 months, with the condition that the existing home be demolished prior to final inspection of the new home 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 19th day of July, 2022.

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