

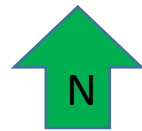
Item H-2

Consider a resolution approving one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 30 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1852 Highland Drive East. Binod Aryal, Numbns, LLC, Owner. Mukesh Goyal, Applicant. (UDC-21-0011)

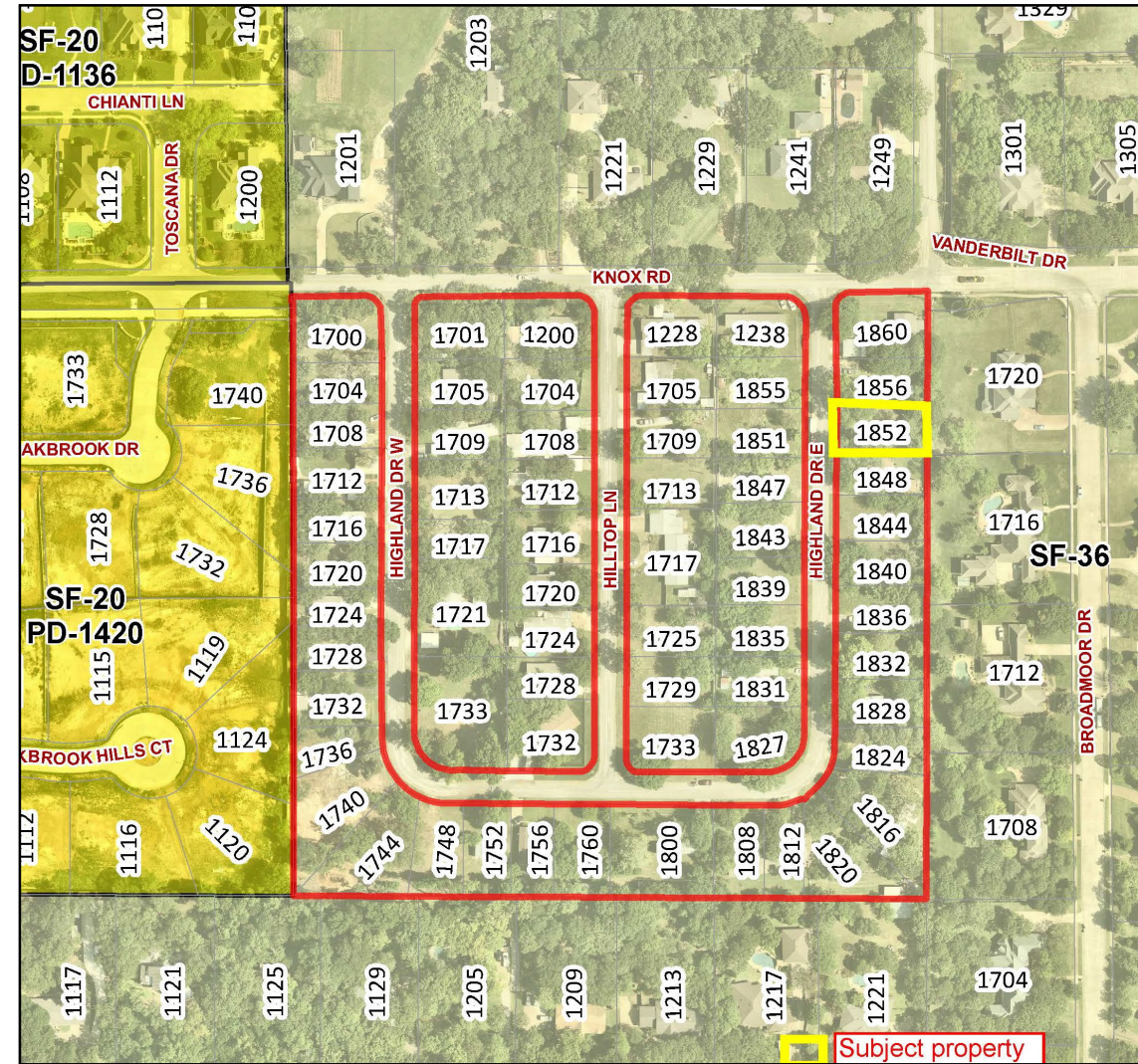
Item H-2 Aerial Map



Zoned:
SF-36



Item H-2 Zoning Map



Item H-2

Background:

Highland Terrace Mobile Home Park was originally platted in 1970 and annexed into Keller in the late 1980s. The City zoned the subdivision Single-Family 36,000 square-foot lots (SF-36) as required by the UDC for annexed property.

On June 1, 2021, the City Council approved the following three variances for 21 lots:

1. Decrease the minimum dwelling size from 2,400 square feet to 2,000 square feet
2. Increase the main building lot coverage from 30% to 35%
3. Increase the maximum lot coverage from 50% to 55%

Item H-2

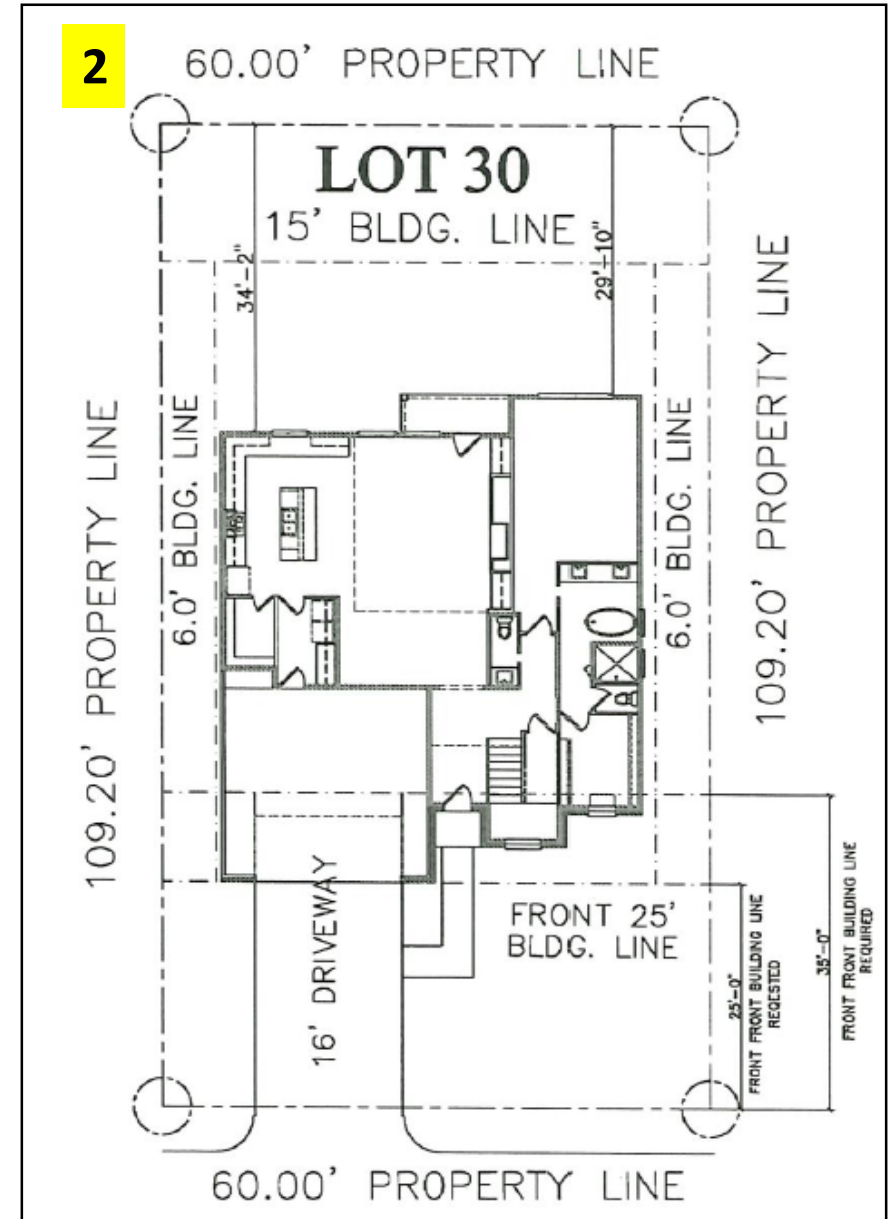
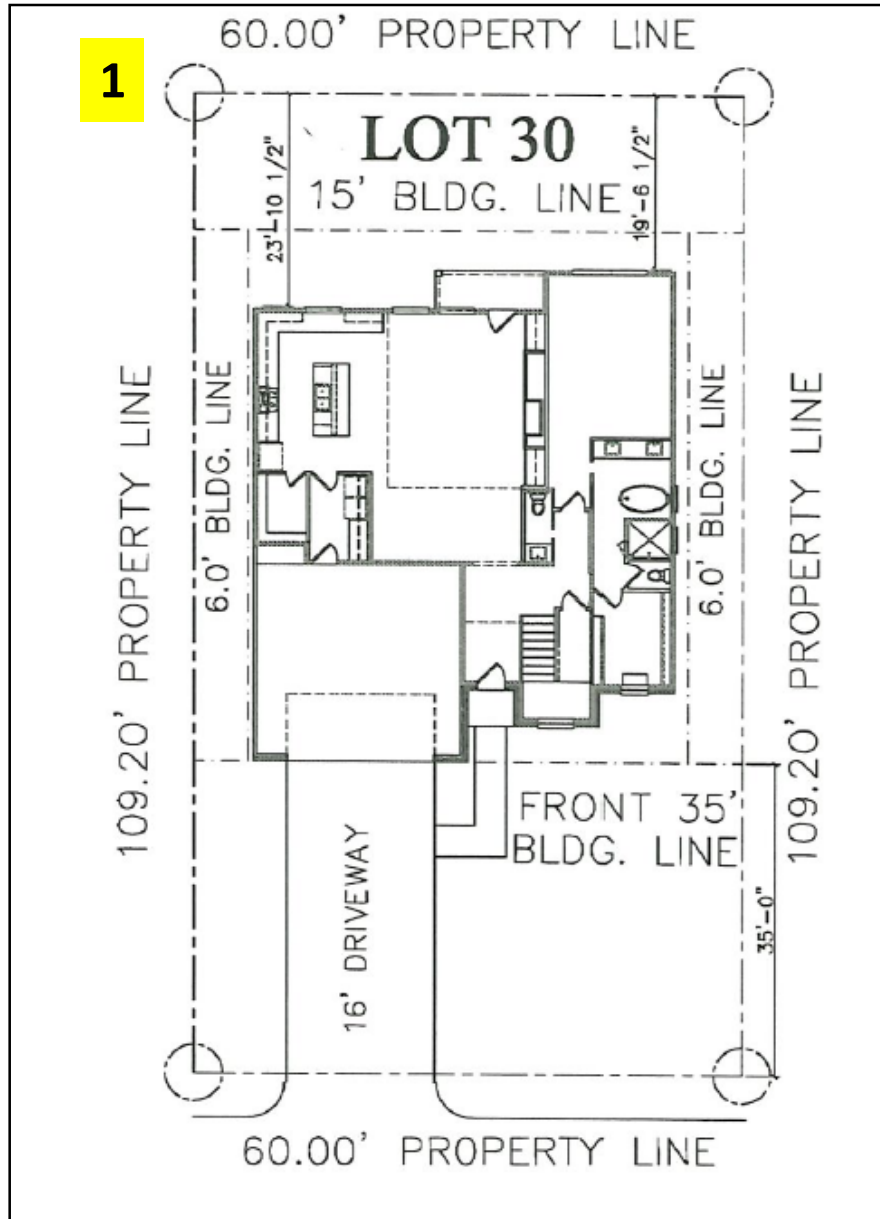
Background:

On Dec. 7, 2021, the City Council granted for another lot in the subdivision the same three variances plus a variance to decrease the minimum front-yard setback from 35 feet to 25 feet.

On Jan. 11, 2022, the developer for the original 21 lots secured that same fourth variance for the front-yard setback for the 17 lots he still owned. He sold four lots.

Now, the owner of one of those four lots is representing his own lot and two others for this request to decrease the front-yard setback from the required 35 feet to 25 feet.

Item H-2



Item H-2

Variance Request	Applicant Request	SF-36	SF-12	SF-10	SF-8.4
Min. Dwelling Size	2,000 sf*	2,400 sf	1,800 sf	1,600 sf	1,400 sf
Minimum Front Yard	25-feet	35-feet	30-feet	25-feet	25-feet
Max. Main Building Coverage	35%*	30%	35%	35%	35%
Max. Lot Coverage	55%*	50%	50%	50%	50%

*Previously approved by City Council on 6/1/2021

Variance Requested:

1. Decrease the minimum front setback from 35 feet to 25 feet.

Item H-2

A UDC variance application does not require a public hearing. The public had an opportunity to speak on this agenda item during “Persons to Be Heard.”



Item H-2

On Jan. 25, 2022, the Planning and Zoning Commission recommended denial of this item by a vote of 5-2 (Nays: Osgood, Alvarado) for lack of a requisite basis to grant such a variance.

The Commission also expressed concern with the process regarding the dimensional variances (P&Z recommendation for City Council action), since these variances are typically heard by the Zoning Board of Adjustment (ZBA) and appealed to District Court.

Item H-2

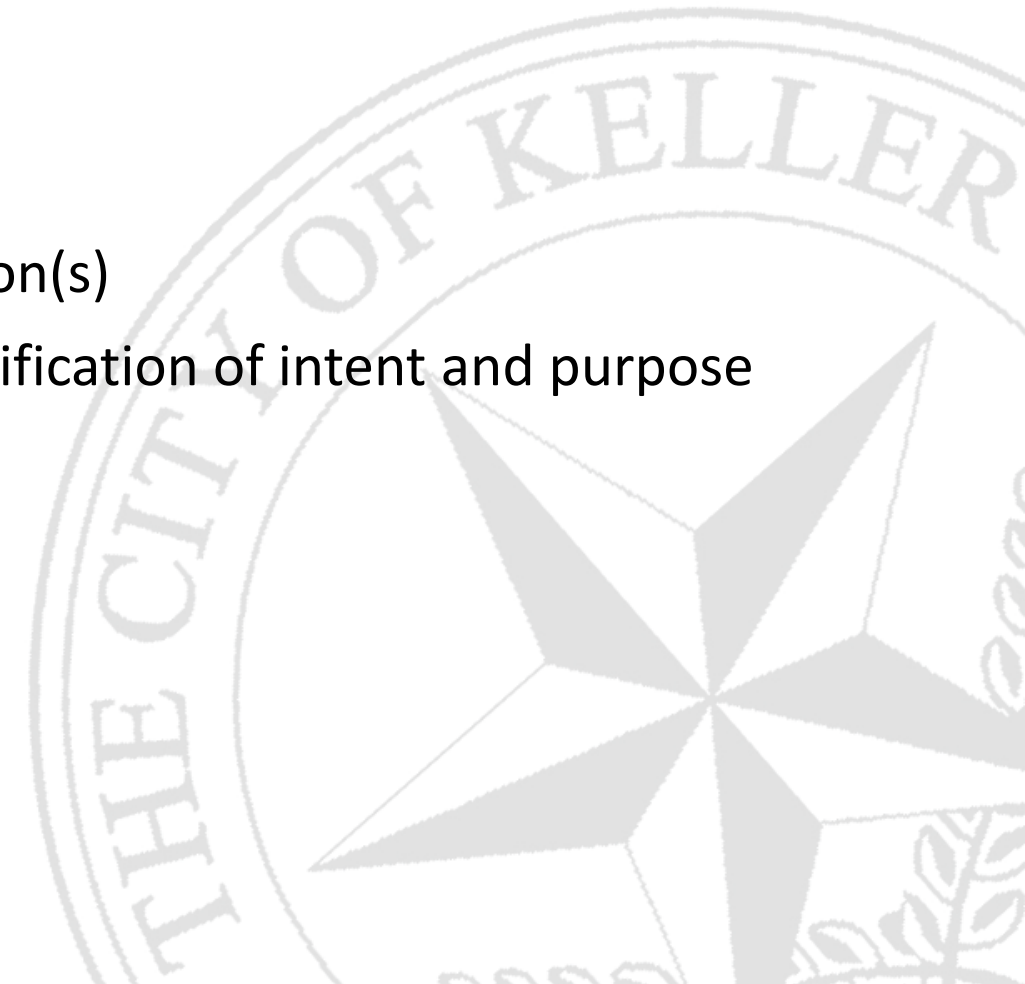
Section 2.07(A)(2) of the UDC lists criteria for approval of a variance, the Planning and Zoning Commission and City Council shall consider the following factors:

- a. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Code would deprive the applicant of the reasonable use of his land.
- b. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other properties in the area.
- c. That the granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Code.
- d. That the granting of the variance will not constitute a violation of any other valid ordinance of the City of Keller.
- e. That strict compliance with the regulations, and/or that the purpose of the regulations will be served to a greater extent by the alternative proposal.

Item H-2

The City Council has the following options when considering a UDC Variance application:

- Approve as submitted
- Approve with modifications or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny





Questions?
Julie Smith
817-743-4130

Item H-3

Consider a resolution approving one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 28 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1844 Highland Drive East. Mukesh Goyal, Applicant/Owner. (UDC-21-0012)

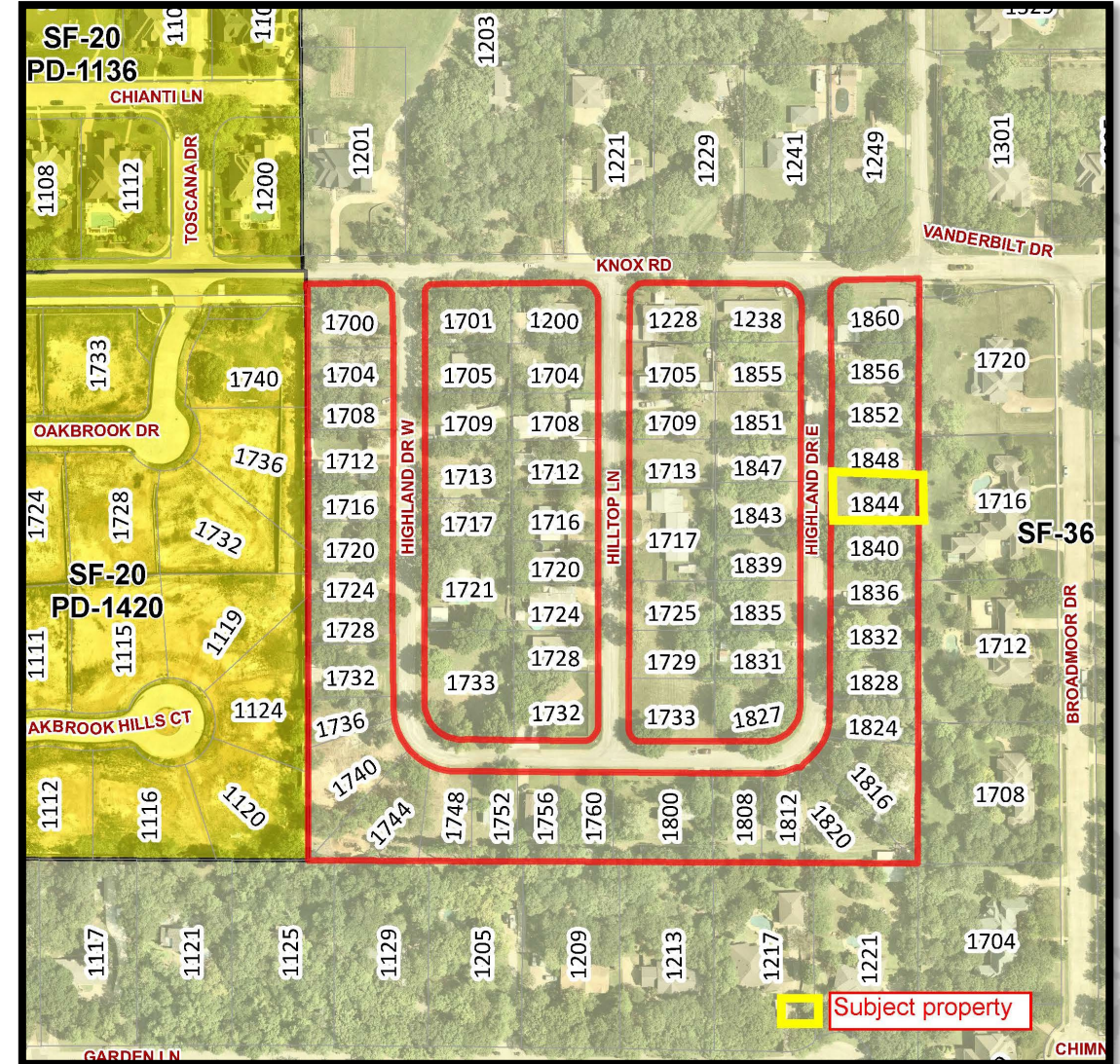
Item H-3 Aerial Map



Zoned:
SF-36



Item H-3 Zoning Map



Item H-2

Background:

Highland Terrace Mobile Home Park was originally platted in 1970 and annexed into Keller in the late 1980s. The City zoned the subdivision Single-Family 36,000 square-foot lots (SF-36) as required by the UDC for annexed property.

On June 1, 2021, the City Council approved the following three variances for 21 lots:

1. Decrease the minimum dwelling size from 2,400 square-feet to 2,000 square-feet.
2. Increase the main building lot coverage from 30% to 35%.
3. Increase the maximum lot coverage from 50% to 55%.

Item H-2

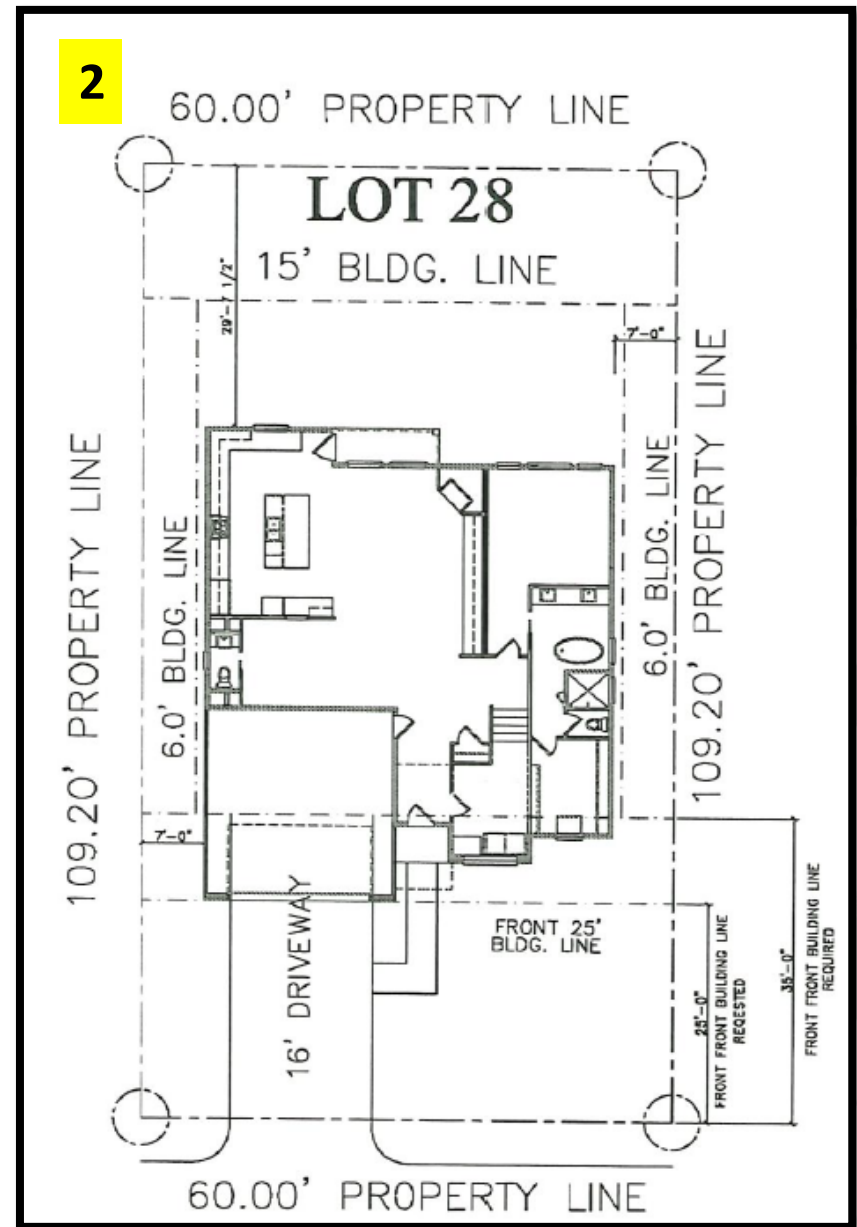
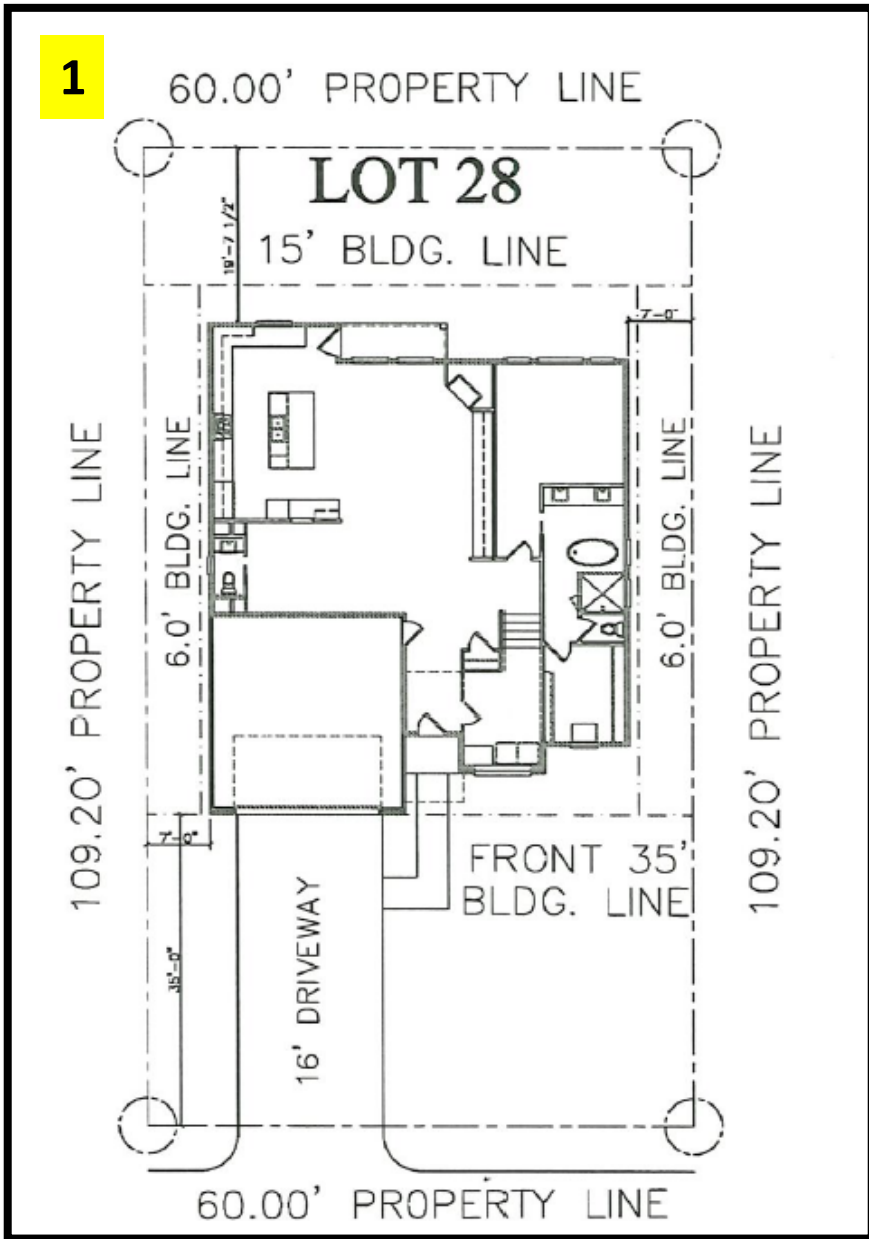
Background Cont'd:

On December 7, 2021, the City Council granted for another lot in the subdivision the same three variances plus a variance to decrease the minimum front-yard setback from 35 feet to 25 feet.

On January 11, 2022, the developer for the original 21 lots secured that same fourth variance for the front-yard setback for the 17 lots he still owned. He sold four lots.

Now, the owner of one of those four lots is representing his own lot and two others for this request to decrease the front-yard setback from the required 35 feet to 25 feet.

Item H-3



Item H-3

Variance Request	Applicant Request	SF-36	SF-12	SF-10	SF-8.4
Min. Dwelling Size	2,000 sf*	2,400 sf	1,800 sf	1,600 sf	1,400 sf
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Max. Lot Coverage	55%*	50%	50%	50%	50%

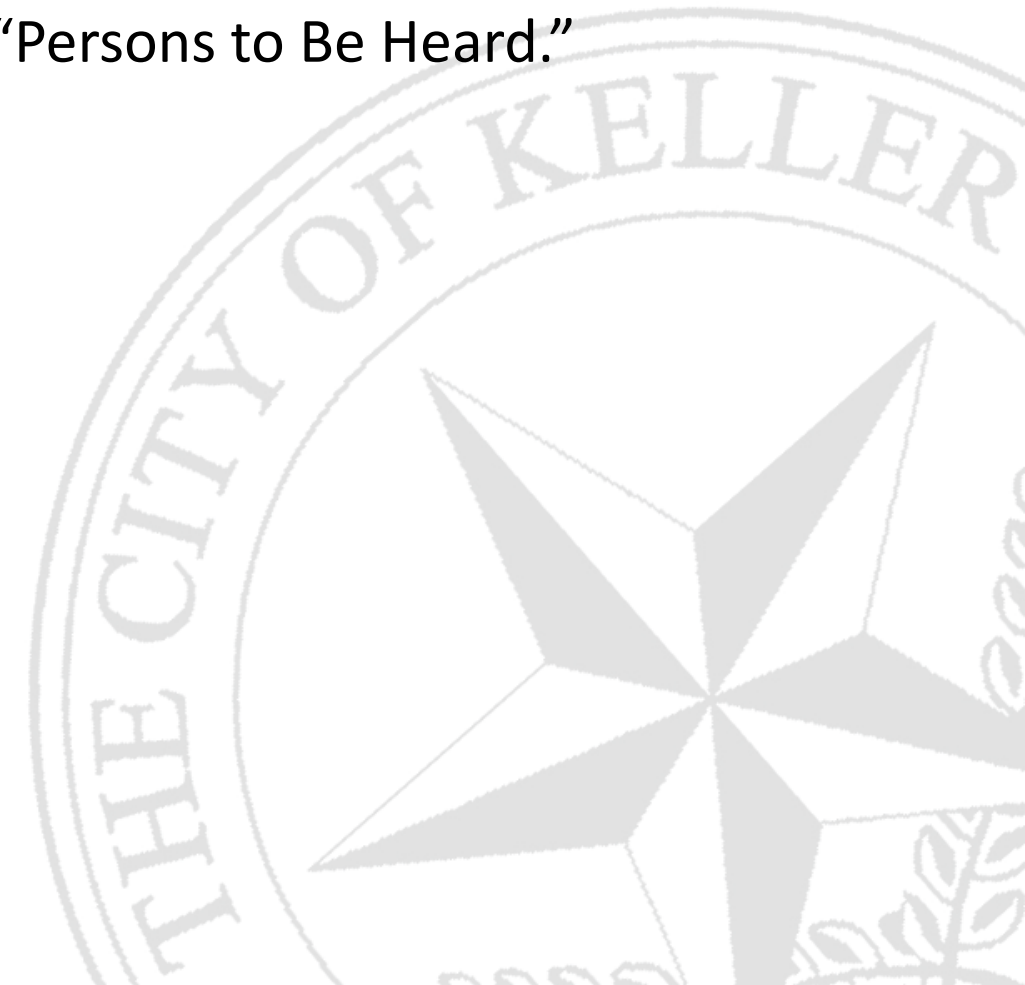
*Previously approved by City Council on 6/1/2021

Variance Requested:

1. Decrease the minimum front setback from 35 feet to 25 feet.

Item H-3

A UDC variance application does not require a public hearing. The public had an opportunity to speak on this agenda item during “Persons to Be Heard.”



Item H-3

On January 25, 2022, the Planning and Zoning Commission recommended to deny the item by a vote of 5-2 (Nays: Osgood, Alvarado) for lack of a requisite basis to grant such a variance. The Commission also expressed concern with the process regarding the dimensional variances (P&Z recommendation for City Council action), since these variances are typically heard by the Zoning Board of Adjustment (ZBA) and appealed to District Court.

Item H-3

Section 2.07(A)(2) of the UDC lists criteria for approval of a variance, the Planning and Zoning Commission and City Council shall consider the following factors:

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- d. That the granting of the variance will not constitute a violation of any other valid ordinance of the City of Keller.
- e. That strict compliance with the regulations, and/or that the purpose of the regulations will be served to a greater extent by the alternative proposal.

Item H-3

The City Council has the following options when considering a UDC Variance application:

- Approve as submitted.
- Approve with modifications or additional condition(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.

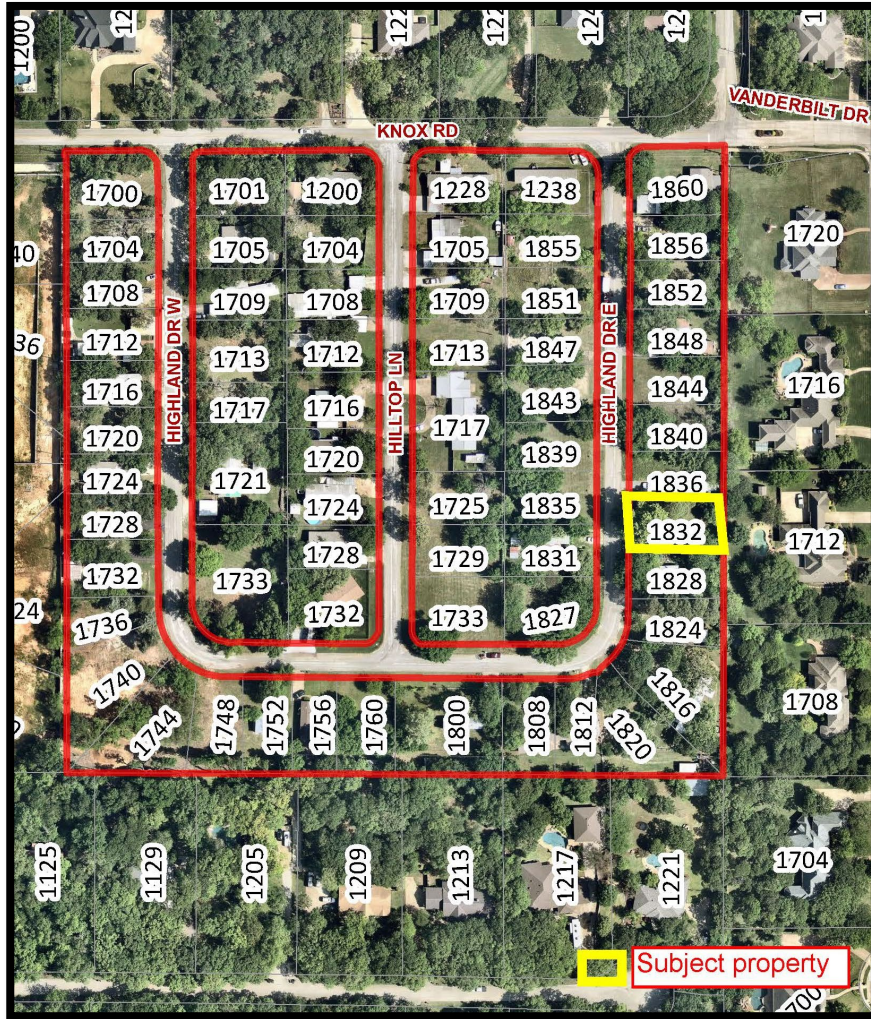


Questions?
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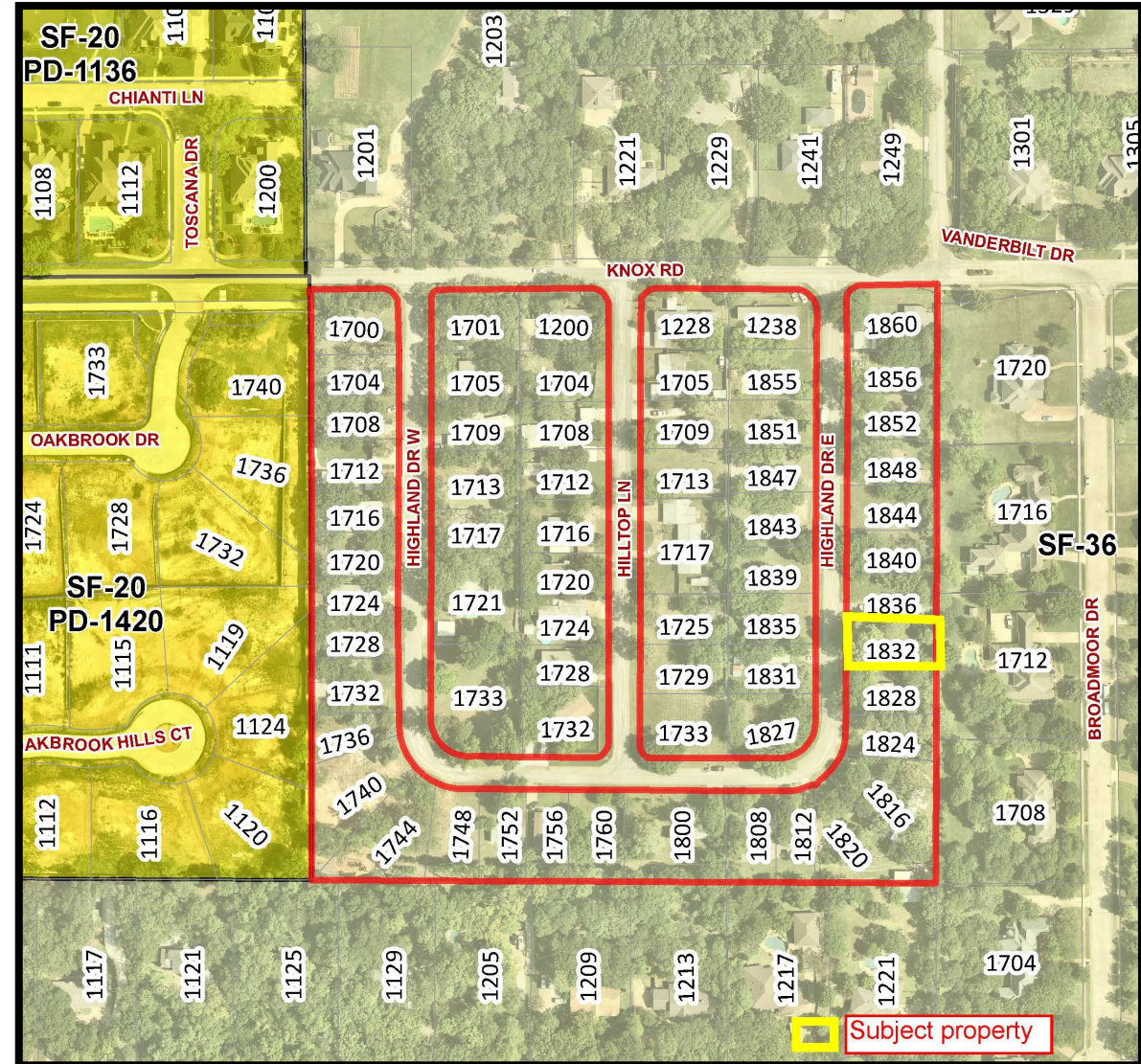
Item H-4

Consider a resolution approving one variance request to one lot in the Highland Terrace Mobile Home Park to decrease the minimum front yard setback to 25 feet in lieu of the required 35 feet on the property legally described as Lot 25 of the Highland Terrace Mobile Home Park, being approximately 0.15-acres, situated on the east side of Highland Drive East, zoned Single-Family 36,000 square-foot lots or greater (SF-36), and addressed as 1832 Highland Drive East. Ritesh Suneja, Rits Capital Inc., Owner. Mukesh Goyal, Applicant. (UDC-21-0013)

Item H-4 Aerial Map



Item H-4 Zoning Map



Zoned:
SF-36



Item H-2

Background:

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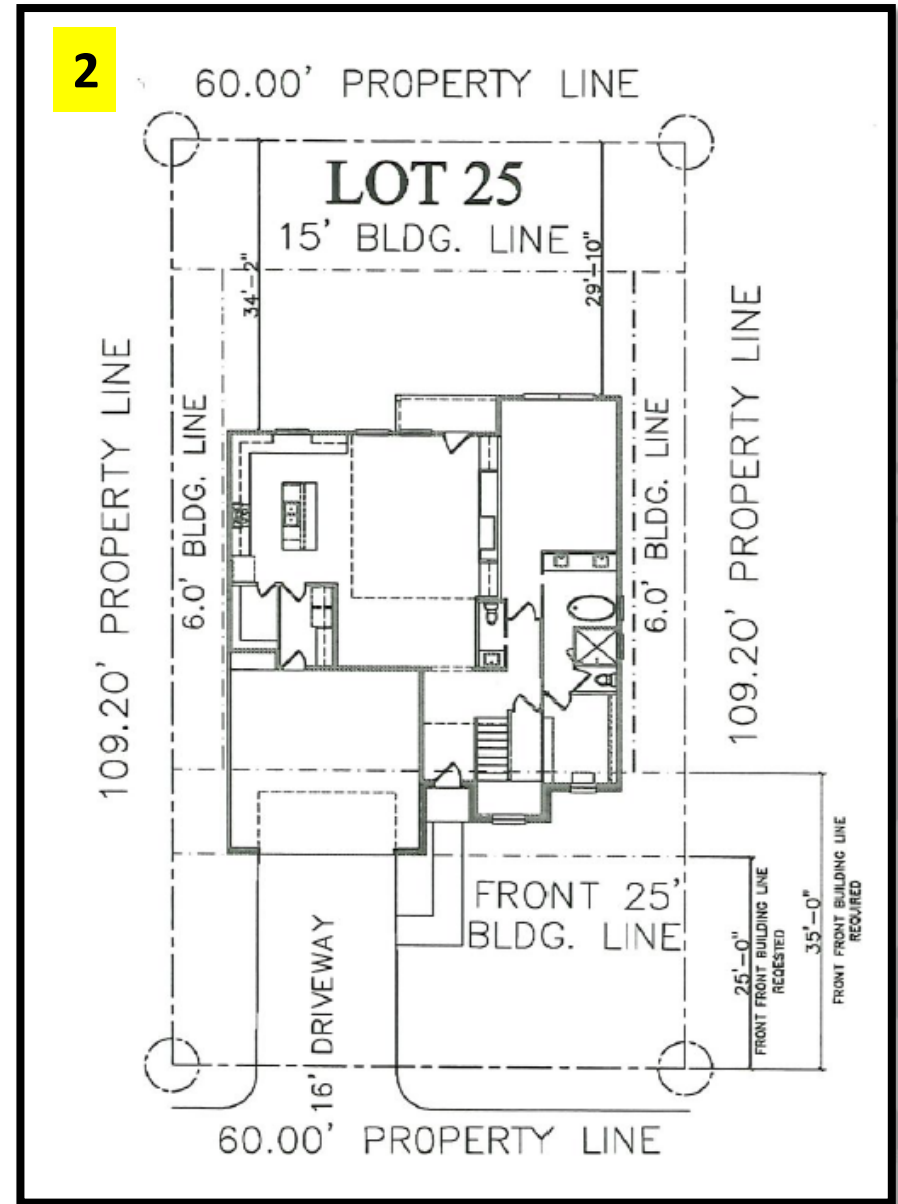
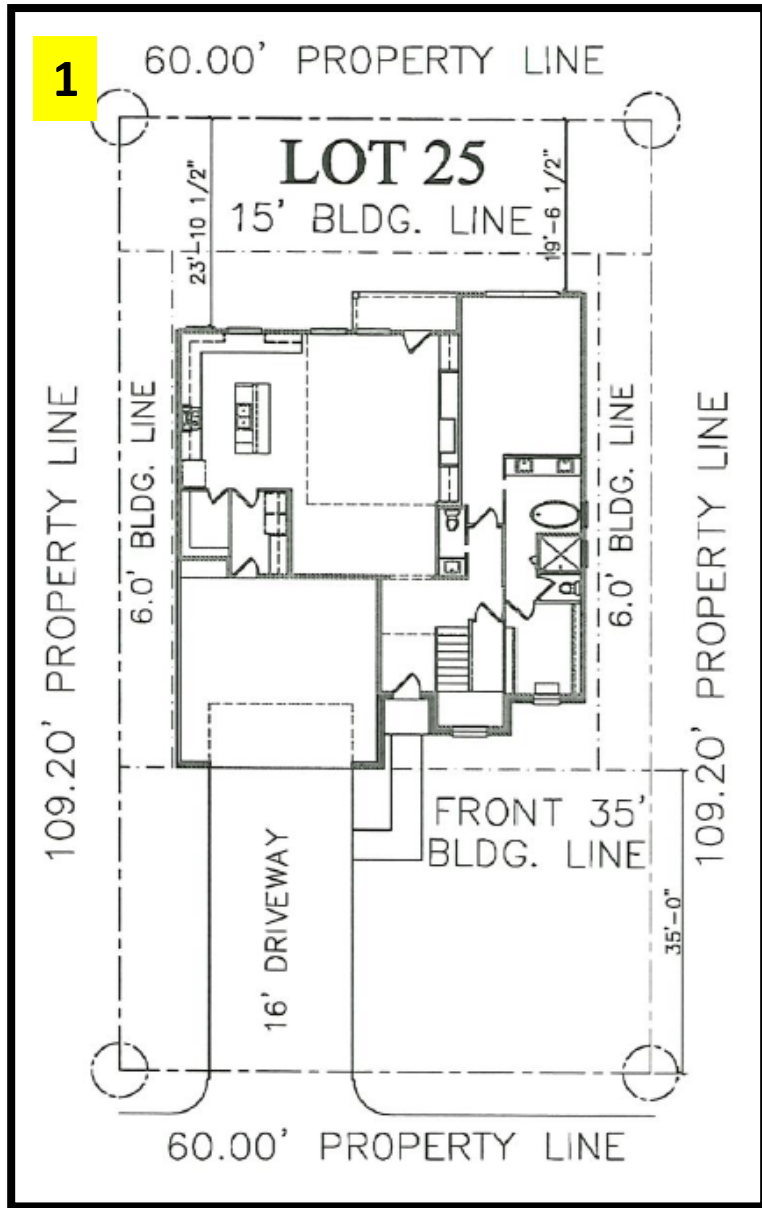
Background Cont'd:

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Now, the owner of one of those four lots is representing his own lot and two others for this request to decrease the front-yard setback from the required 35 feet to 25 feet.

Item H-4



Item H-3

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*Previously approved by City Council on 6/1/2021

Variance Requested:

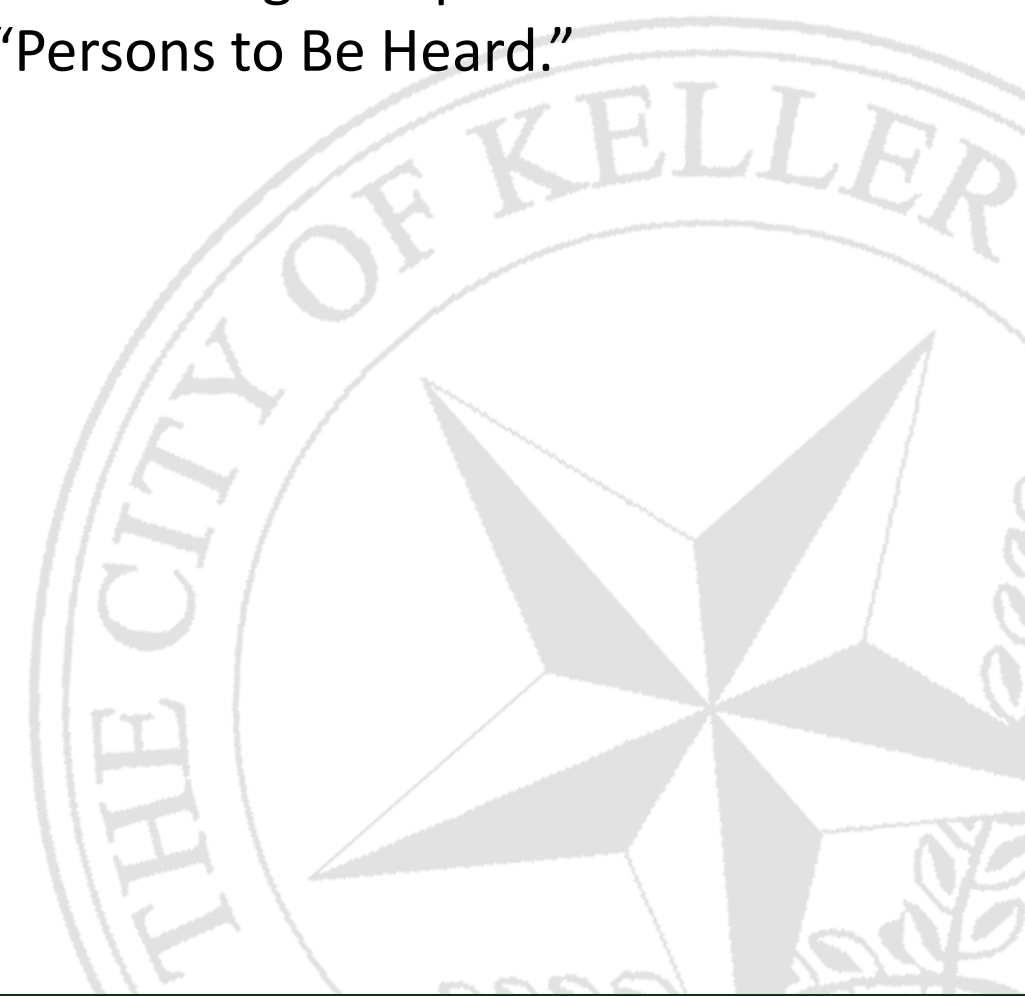
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Item H-4

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- Approve with modifications or additional condition(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.



Questions?
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