

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) WITH A VARIANCE TO ENCROACH THE SETBACK REQUIREMENT FOR AN APPROXIMATELY 4,608 SQUARE-FOOT ACCESSORY STRUCTURE, ON AN APPROXIMATELY 5.09 ACRE LOT, LOCATED APPROXIMATELY 2,000 FEET SOUTH OF THE INTERSECTION OF BEAR CREEK PARKWAY AND BERKSHIRE HILL DRIVE, LEGALLY DESCRIBED AS LOT 3, BLOCK A OF THE HIVE RIOT HONEY ADDITION, ZONED SINGLE-FAMILY RESIDENTIAL - 36,000 SQUARE-FOOT LOTS (SF-36), AND ADDRESSED 8910 INDIAN KNOLL TRAIL, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Matthew Burton, Applicant. Hive Riot Honey Company LLC, Owner, submitted a Specific Use Permit (SUP) application with a variance to encroach the setback requirement for an approximately 4,608 square-foot accessory structure at 8910 Indian Knoll Trail (SUP-2411-0016); and

WHEREAS, a SUP is required for accessory structures greater than 1,200 square feet in the SF-36 zoning district; and

WHEREAS, a SUP is required for residential accessory structures to exceed the maximum average height of 15 feet; and

WHEREAS, approval of a variance is required to encroach the 100' setback requirement for agricultural accessory structures without a main structure; 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 City Council is of the opinion that the SUP and variance request 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 a Specific Use Permit (SUP) with a variance to encroach the setback requirement for an approximately 4,608 square-foot accessory structure, on an approximately 5.09 acre lot, located approximately 2,000 feet south of the intersection of Bear Creek Parkway and Berkshire Hill Drive, legally described as Lot 3, Block A of the Hive Riot Honey Addition, zoned Single-Family Residential - 36,000 square-foot lots (SF-36), and addressed 8910 Indian Knoll Trail.

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 7th day of January 2025.

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