

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A PLANNED DEVELOPMENT ZONING CHANGE FROM SF-36 (SINGLE FAMILY-36,000 SQUARE-FOOT MINIMUM) TO PD-SF-36 (PLANNED DEVELOPMENT-SINGLE FAMILY-36,000 SQUARE FOOT MINIMUM) FOR A PROPOSED TWO (2) LOT SUBDIVISION, LOCATED ON AN APPROXIMATELY 1.99-ACRE TRACT OF LAND, BEING LOT 16R, KELLER HEIGHTS NORTH ADDITION, LOCATED ON THE EAST SIDE OF BOURLAND ROAD, APPROXIMATELY 110 FEET SOUTH OF LA VENA STREET, AT 1117 BOURLAND ROAD, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Ron Holifield, owner; Karen Mitchell, Karen Mitchell Planning Group, applicant; Texas Surveying, Inc., surveyor; have submitted an application to the City of Keller to request a Planned Development Zoning Change (Z-17-0011), which has been reviewed by the City Staff; 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 zoning change 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 made a recommendation to approve the zoning change request; and

WHEREAS, the City Council is of the opinion that the zoning change 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.

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 a Planned Development Zoning Change from SF-36 (Single Family-36,000 square-foot minimum) to PD-SF-36 (Planned Development-Single Family-36,000 square foot minimum) for a proposed two (2) lot subdivision, located on an approximately 1.99-acre tract of land, being Lot 16R, Keller Heights North Addition, located on the east side of Bourland Road, approximately 110 feet south of La Vena Street, at 1117 Bourland Road, 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 conditions below:

1. The variance to allow a lot depth less than two-hundred feet (200') but not less than one-hundred fifty-five feet (155') only for the lot facing Bourland Road shall be allowed.
2. The variance to allow a side yard setback of ten feet (10') only for the existing 1,100 square foot accessory structure on the lot facing LaVena Street shall be allowed.
3. The variance to allow a minimum floor area of less than 2,400 square feet for the existing 1,735 square foot home on the lot facing Bourland Road shall be allowed.

4. The variance to allow only the existing 1,100 square foot accessory structure to remain in its current location which will be in front of the main structure shall be allowed.
5. The variance to allow a detached garage door facing a public street in front of the main home provided the door does not exceed twelve feet (12') in width, only for the existing 1,100 square foot accessory structure facing LaVena Street 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 5th day of September, 2017.

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