

RESOLUTION NO. 4058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A VARIANCE TO THE UNIFIED DEVELOPMENT CODE, ARTICLE 5, SUBDIVISION DESIGN AND IMPROVEMENT REQUIREMENTS, SECTION 5.13, LOTS, TO ALLOW A FIFTY FOOT (50') STREET WIDTH FRONTAGE TO BE TAPERED AND REDUCED TO A TWENTY-FOUR FEET AND SIX INCHES (24'6") WIDTH INTO THE LOT FOR APPROXIMATELY 213 FEET, LOCATED ON A 7.158-ACRE TRACT OF LAND, BEING ABSTRACT 141, TRACT 2 OF THE DANIEL BANCROFT SURVEY, LOCATED ON THE EAST SIDE OF MOUNT GILEAD ROAD, APPROXIMATELY 250 FEET NORTH OF THE INTERSECTION OF BANCROFT ROAD AND MOUNT GILEAD ROAD, AT 1515 MOUNT GILEAD ROAD, AND ZONED SF-36 (SINGLE FAMILY RESIDENTIAL - 36,000 SQUARE-FOOT LOT SIZE MINIMUM), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS.

WHEREAS, Jilray Launay, owner/applicant has submitted a Unified Development Code application (UDC-18-0015), which has been reviewed by City Staff and recommended for approval by the Planning and Zoning Commission by a vote of 6-1.

WHEREAS, The Council finds that the request meets the criteria to grant a variance per Section 2.07 of the Unified Development Code, listed below:

- 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.

NOW, THEREFORE, BE IT RESOLVED 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, the a variance to the Unified Development Code, Article 5, Subdivision Design and Improvement Requirements, Section 5.13, Lots, to allow a fifty foot (50') street width frontage to be tapered and reduced to a twenty-four feet and six inches (24'6") width into the lot for approximately 213 feet, located on a 7.158-acre tract of land, being Abstract 141, Tract 2 of the Daniel Bancroft Survey, located on the east side of Mount Gilead Road, approximately 250 feet north of the intersection of Bancroft Road and Mount Gilead Road, at 1515 Mount Gilead Road, and zoned SF-36 (Single Family Residential - 36,000 square-foot lot size minimum), is hereby approved, attached hereto as Exhibit "A", and incorporated herein as if fully set forth, with the following conditions:

1. To allow a fifty foot (50') access easement in lieu of the required sixty foot (60') access easement.
2. To allow a fifty foot (50') street width frontage to be tapered and reduced to a twenty-four feet and six inches (24'6") width into the lot for approximately 213 feet.
3. The condition to have the encroachment agreement executed before a final plat is recorded.

AND IT IS SO RESOLVED.

Passed by a vote of 7 to 0 on this the 6th day November, 2018.

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