

RESOLUTION NO. 4059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A VARIANCE TO THE CITY OF KELLER UNIFIED DEVELOPMENT CODE, ARTICLE 8, ZONING DISTRICTS, DEVELOPMENT STANDARDS, TREE PRESERVATION, SECTION 8.10, ACCESSORY BUILDING AND USE REGULATIONS, TO ALLOW AN R PANEL GALVANIZED ROOF ON THE PROPOSED DETACHED ACCESSORY STRUCTURE, LOCATED ON A 0.186-ACRE TRACT OF LAND, BEING LOT 28, BLOCK 7, PARK ADDITION PHASE II, LOCATED ON THE NORTH SIDE OF CINDY COURT, APPROXIMATELY 200 FEET NORTHWEST OF THE INTERSECTION OF CINDY STREET SOUTH AND CINDY COURT, AT 309 CINDY COURT, AND ZONED SF-8.4 (SINGLE FAMILY RESIDENTIAL - 8,400 SQUARE-FOOT LOT SIZE MINIMUM), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS.

WHEREAS, Amy Mcelroy, owner/applicant. (UDC-18-0018) which has been reviewed by City Staff and recommended for approval by the Planning and Zoning Commission by a vote of 5-0.

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, a variance to the Unified Development Code, Article 8, Development Standards, Tree Preservation, Section 8.10, Accessory Building and Use Regulations, to allow an R panel galvanized roof on the proposed detached accessory structure, located on a 0.186-acre tract of land, being Lot 28, Block 7, Park Addition Phase II, located on the north side of Cindy Court, approximately 200 feet northwest of the intersection of Cindy Street South and Cindy Court, at 309 Cindy Court, and zoned SF-8.4 (Single Family Residential - 8,400 square-foot lot size minimum), is hereby approved, attached hereto as Exhibit "A", and incorporated herein as if fully set forth, with the following condition:

1. To allow an R panel galvanized roof in lieu of the composition shingle roof shall be allowed.

AND IT IS SO RESOLVED.

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

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
P.H. McGrail, Mayor

ATTEST:

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Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney