

ORDINANCE NO. 1911

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR AN ACCESSORY BUILDING, PROPOSED TO BE A 5,250 SQUARE-FOOT ACCESSORY GARAGE WORKSHOP, AND STORAGE BUILDING ON AN APPROXIMATELY 6.28-ACRE TRACT OF LAND, LOCATED ON THE SOUTH SIDE OF SHADY GROVE ROAD, AND APPROXIMATELY 1,270 FEET WEST OF THE INTERSECTION OF KELLER SMITHFIELD ROAD SOUTH AND SHADY GROVE ROAD, BEING LOT 4, ESTES FARM TRACTS ADDITION, AT 7140 SHADY GROVE ROAD, AND ZONED SINGLE-FAMILY RESIDENTIAL-36,000 SQUARE-FOOT LOT MINIMUM (SF-36), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION. LIMITATION

WHEREAS, Ed Newsom, owner/applicant; has submitted an application to the City of Keller to request a Specific Use Permit (SUP-18-0030), 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 Specific Use Permit 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 Specific Use Permit; and

WHEREAS, the City Council is of the opinion that the Specific Use Permit 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 Specific Use Permit (SUP) for an accessory building, proposed to be a 5,250 square-foot accessory garage, workshop, and storage building on an approximately 6.28-acre tract of land, located on the south side of Shady Grove Road, and approximately (1,270') feet west of the intersection of Keller Smithfield Road South and Shady Grove Road, being Lot 4, Estes Farm Tracts Addition, at 7140 Shady Grove Road, and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36), 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 following conditions:

- 1) The Specific Use Permit request for the accessory structure to exceed the maximum twelve hundred (1,200) square-foot floor size and allow five thousand two hundred fifty (5,250) square foot floor size shall be allowed.
- 2) The Specific Use Permit request for the accessory structure to exceed the maximum size ratio of fifty percent (50%) of the main structure and allow a maximum seventy four percent (74%) square foot floor size shall be allowed.
- 3) A Specific Use Permit request for the accessory structure to exceed the fifteen feet (15') requirement and allow an averaged eighteen feet (18') height shall be allowed
- 4) A variance to for the exterior material of the accessory building to be made of metal shall be allowed.
- 5) A variance for the garage door to be one hundred and sixty eight (168) square feet in lieu of the allowed one hundred and forty four (144) square feet of exposure to the 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 7 to 0 on this the 6th day of 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