

ORDINANCE NO. 1916

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) TO ALLOW A 2,080 SQUARE-FOOT METAL ACCESSORY DWELLING UNIT TO HAVE A COMBINED AREA GREATER THAN 50% OF THE MAIN STRUCTURE, AND AN AVERAGE HEIGHT OF APPROXIMATELY NINETEEN FOOT-THREE QUARTER INCHES, ON A 1.9-ACRE LOT ON THE NORTHEAST SIDE OF MELISSA DRIVE, APPROXIMATELY 937 FEET NORTH OF THE MELODY LANE AND MELISSA DRIVE INTERSECTION, LOCATED AT 1221 MELISSA DRIVE, LOT 6R, BLOCK 2, MELODY HILLS ESTATES ADDITION, AND ZONED SF-36 (SINGLE FAMILY RESIDENTIAL - 36,000 SQUARE FOOT MINIMUM). RUSSELL AND TIFFANY O'NEAL, OWNER/APPLICANT; CHRISTY HILL, DESIGNER. (SUP-18-0033).

WHEREAS, Russell and Tiffany O'Neal, owners, and, Christy Hill, Designer, applicant has submitted an application to the City of Keller to request a Specific Use Permit (SUP-18-0033), 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 a Specific Use Permit (SUP) to allow a 2,080 square-foot metal accessory dwelling unit to have a combined area greater than 50% of the main structure, and an average height of approximately nineteen foot-three quarter inches, on a 1.9-acre lot on the northeast side of Melissa Drive, approximately 937 feet north of the Melody Lane and Melissa Drive intersection, located at 1221 Melissa Drive, Lot 6R, Block 2, Melody Hills Estates Addition, and zoned SF-36 (Single Family Residential - 36,000 square foot minimum) 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 2,080 square-foot accessory dwelling unit exceeding fifty percent (50%) of the main structure shall be allowed.
2. The Specific Use Permit request to exceed the 1,200 square-foot maximum allowed in a SF-36 zoning district for an accessory building shall be allowed.
3. The Specific Use Permit request to allow the accessory dwelling unit not to exceed the maximum height of twenty feet (20') shall be allowed.
4. The variance to allow the exterior of the accessory dwelling unit to be 100% metal 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 5 to 1 on this the 20th 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