

ORDINANCE NO. 1915

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR AN APPROXIMATELY 2,334 SQUARE-FOOT TEMPORARY ACCESSORY DWELLING UNIT WHILE THE EXISTING MAIN STRUCTURE UNDERGOES RENOVATIONS ON A 1.01-ACRE LOT ON THE NORTH SIDE OF NIGHTINGALE CIRCLE, APPROXIMATELY 450 WEST OF THE INTERSECTION OF GREENBRIAR DRIVE AND NIGHTINGALE CIRCLE, BEING LOT 9, BLOCK 1, FLORENCE PLACE ADDITION, AT 1565 NIGHTINGALE CIRCLE, AND ZONED SF-36 (SINGLE FAMILY RESIDENTIAL - 36,000 SQUARE FOOT MINIMUM, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, David Johnson, owner/applicant; has submitted an application to the City of Keller to request a Specific Use Permit (SUP-18-0031), 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 approximately 2,334 square-foot temporary accessory dwelling unit while the existing main structure undergoes renovations on a 1.01-acre lot on the north side of Nightingale Circle, approximately 450 west of the intersection Greenbriar Drive and Nightingale Circle, being Lot 9, Block 1, Florence Place Addition, at 1565 Nightingale Circle, 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 accessory building shall not exceed 2,334 square-feet
- 2) The accessory building shall not exceed (116.47%) of the maximum size ratio of the main structure initially and not more than 34.72% in 24 months;
- 3) The accessory building shall not exceed 22' height;
- 4) Exterior stucco construction material shall be utilized specifically as depicted in Exhibit "A".
- 5) The garage door shall not exceed 264 square-feet of exposure to the street.
- 6) There shall not be more than (5) accessory structures on the subject property and all accessory structures except the 2,334 square-foot subject accessory structure shall be removed upon the completion of the remodel.

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 6 to 0 on this the 20th 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