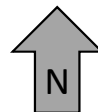
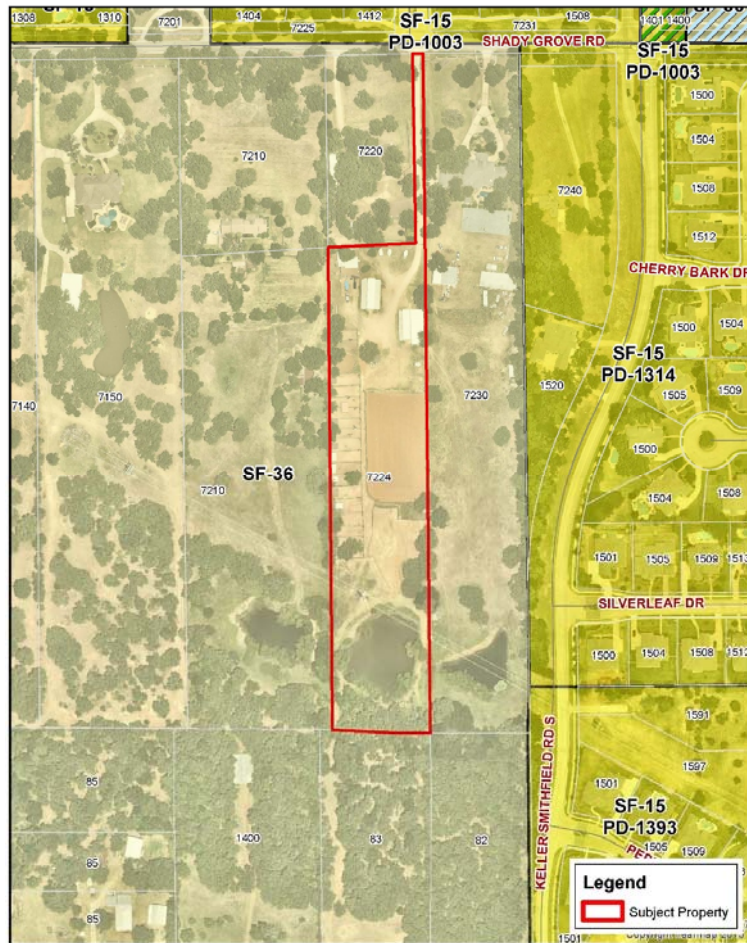


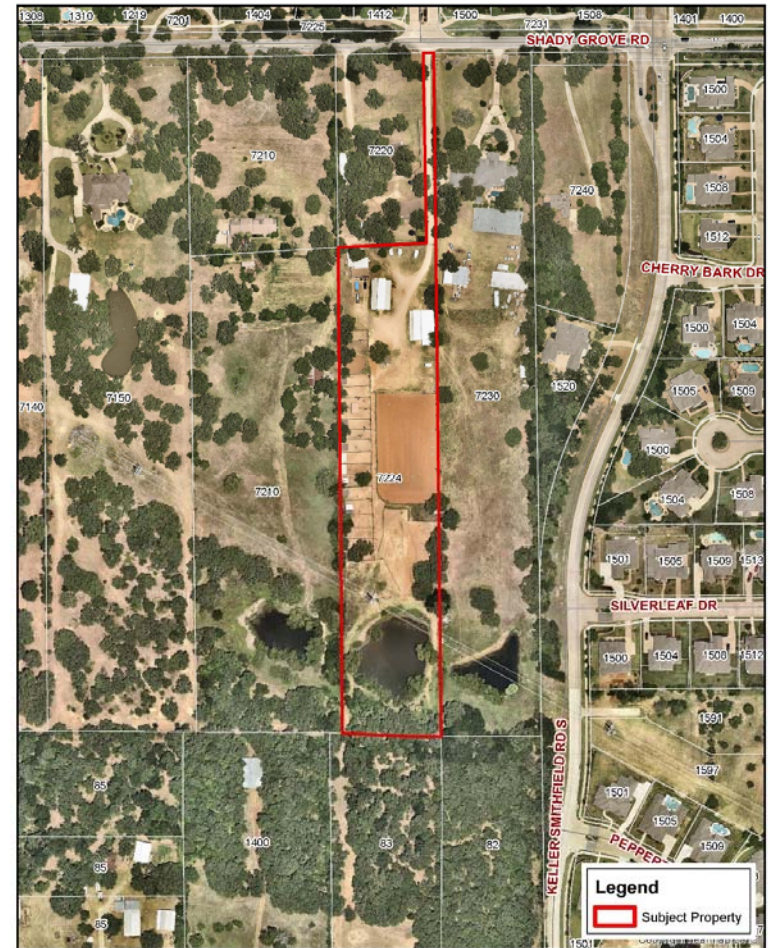
Item H-4

Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 5, Subdivision Design and Improvement Requirements, Section 5.13, Lots, to allow an existing 17.92 foot street width frontage and to extend into the lot for approximately 385 feet, located on a 4.75 acre tract of land, being Lot 8A of the Estes Farm Tracts, located on the south side of Shady Grove Road, approximately 440 feet southwest of the intersection of Keller Smithfield Road and Shady Grove Road, at 7224 Shady Grove Road, and zoned Single Family Residential – 36,000 square-foot lot size minimum (SH-46). Richard Holmes, applicant. Tina Pizarro, Pizarro Properties, owner. (UDC-18-0023)

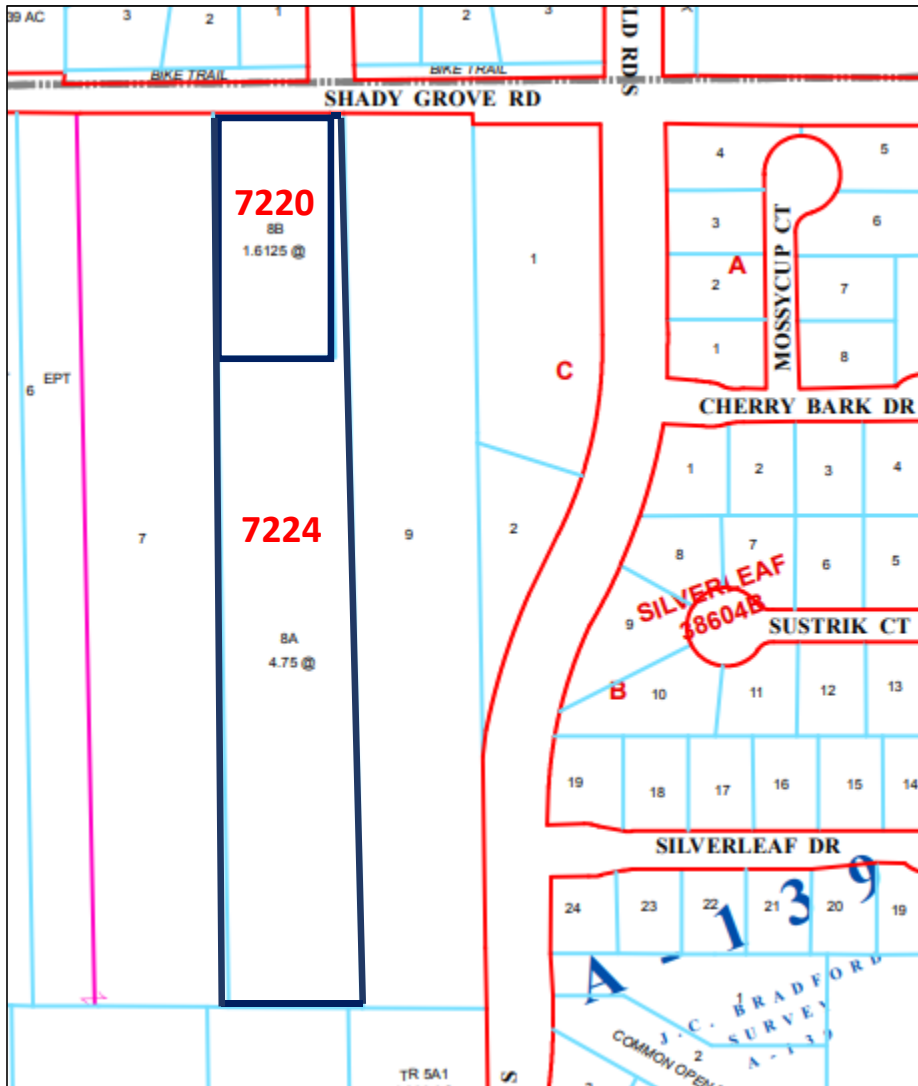
Item H-4
Zoning Map



Item H-4
Aerial View



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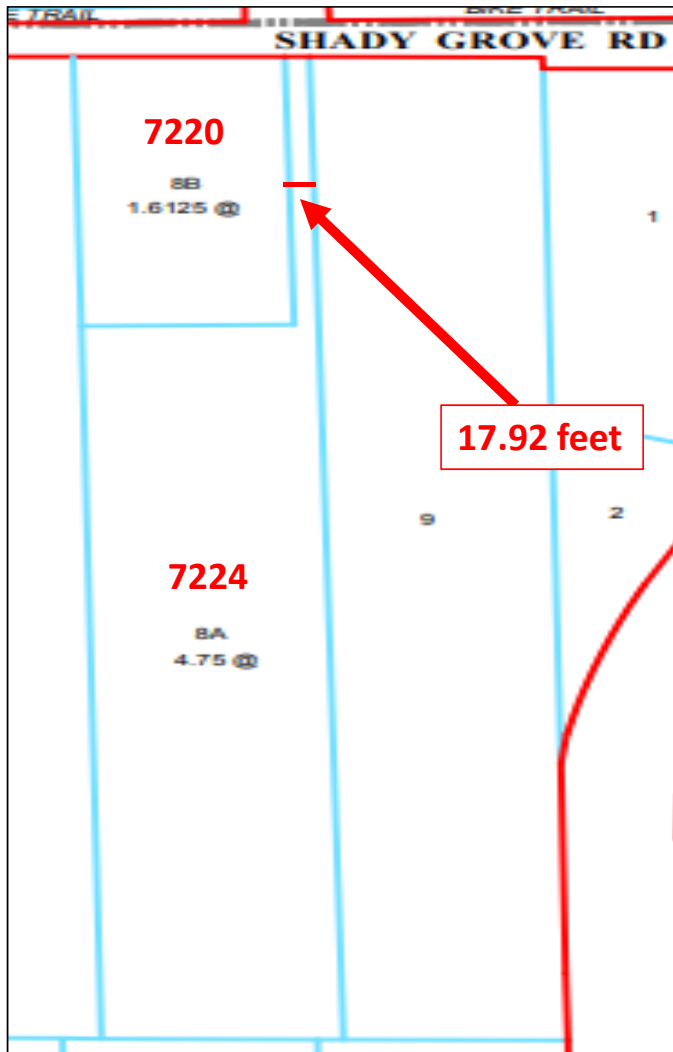


H-4

Additional Background:

- In 1991, 1996, and 2002, 7220 Shady Grove Road was sold by metes and bounds and recorded with Tarrant County several times without the city's knowledge.
- In 1993, 1994, 1995, 2005, 2006, 2011 and 2014, 7224 Shady Grove Road was sold by metes and bounds and recorded with Tarrant County several times without the city's knowledge.
- In 2002 & 2004 an SUP was applied and approved by City Council for a commercial stable business, located at 7224 Shady Grove Road.
- In July 2018, staff met with the owner for the adjacent property, being 7220 Shady Grove Road and at this time, staff noted that Lot 8 was not ever replatted into two (2) lots.

Item H-4



Variance Requests:

1. To allow a 17.92 foot access easement in lieu of the required sixty foot (60') access easement.
2. To allow a 17.92 foot street width frontage into the lot for approximately 385 feet.

Item H-4 Analysis

Section 2.07(A.2) of the UDC, lists criteria for approval of a variance.

- 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.

H-4 Professional Analysis & Opinion

Staff's professional analysis and opinion is **supportive** of this unique request. The reasoning behind this support is due to historical factors such as both properties have been in existence for over 25 years, staff feels as if this is not a self-created hardship to the current property owners.

For both properties to come into compliance, a UDC Variance is required for the existing flag type lot, located at 7224 Shady Grove Road. In order for either of the properties to be sold, both properties would need to be included in a replat.

Staff forwards this UDC variance request for City Council consideration with the following conditions:

1. To allow a 17.92 foot access easement in lieu of the required sixty foot (60') access easement.
2. To allow a 17.92 foot street width frontage into the lot for approximately 385 feet.

Item H-4 Planning & Zoning Commission Action

On December 10, 2018, the Planning & Zoning Commission voted 7-0 to recommend approval.

Item H-4 City Council Action

The City Council has the following options when considering a UDC variance request application:

- Approve as submitted
- Approve with modifications or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



Questions?
Katasha Smithers
817-743-4130

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