

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A VARIANCE TO THE UNIFIED DEVELOPMENT CODE, SECTION 8.11, FENCING REQUIREMENTS IN RESIDENTIAL ZONING DISTRICTS TO ALLOW A SIX-FOOT (6') PRIVACY FENCE, AND ORNAMENTAL IRON FENCE AND GATE, TO EXCEED THE MAXIMUM HEIGHT OF FIVE FEET (5') TO BE LOCATED ON THE PROPERTY LINE, LOCATED ON 1.16-ACRES, ON THE WEST SIDE OF BUCKNER LANE, BEING LOT 1, SPANN ADDITION, AT 8747 BUCKNER LANE, AND ZONED SF-36 (SINGLE FAMILY RESIDENTIAL - 36,000 SQUARE-FOOT LOT SIZE MINIMUM), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS.

WHEREAS, Maksym & Sharon Kohanyuk, applicant. (UDC-19-0003), which has been reviewed by City Staff and recommended for approval by the Planning and Zoning Commission by a vote of 6-1.

WHEREAS, The Council finds that the request meets the criteria to grant a fence variance per Section 8.11 (J), of the Unified Development Code as listed below:

1. Whether the requested exception will not adversely affect public safety,
2. Whether the requested exception will not adversely affect surrounding properties,
3. Whether the requested exception will be in harmony with the spirit and purpose of this sign code,
4. Whether special conditions exist which are unique to the applicant or property,
5. Whether the requested exception demonstrates increased quality and standards, and
6. Whether the requested exception will be aesthetically appropriate in the area.

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, the variances to the City of Keller Unified Development Code, Article 8, Fencing Requirements in Residential Zoning Districts, to allow a six-foot (6') privacy fence, and ornamental iron fence and gate, to exceed the maximum height of five feet (5') to be located on the property line, located on 1.16-acres, on the west side of Buckner Lane, being Lot 1, Spann Addition, at 8747 Buckner Lane, and zoned SF-36 (Single Family Residential - 36,000 square-foot lot size minimum), is hereby approved, attached hereto as Exhibit "A", and incorporated herein as if fully set forth, with the following conditions:

1. A variance to exceed the maximum five feet (5') in height and allow a six-foot (6') privacy fence, and ornamental iron fence and gate, to be located on the property line on the west side of Buckner Lane in front of the primary structure shall be allowed.
2. A variance to allow a privacy fence in lieu of the required open fencing shall be allowed.

AND IT IS SO RESOLVED.

Passed by a vote of _ to _ on this the 19th day of February, 2019.

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