

ORDINANCE NO. 1931

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) OF A PROPOSED 1,872 SQUARE-FOOT ACCESSORY STRUCTURE ON A 1.94-ACRE-LOT ON THE EAST SIDE OF CASTLEMAN COURT, APPROXIMATELY 466 FEET NORTHEAST FROM THE INTERSECTION OF JOHNSON ROAD AND CASTLEMAN COURT, BEING MORELAND MANOR ADDITION, BLOCK 1, TRACT 3, VOLUME 371-388, PAGES 679-680, AT 608 CASTLEMAN COURT (ACCOUNT # 01812688) 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, Peter and Jennifer Phoenix, owners; have submitted an application to the City of Keller to construct a 1,872 square-foot accessory building; and

WHEREAS, A Specific Use Permit (SUP-19-0006), is required for the construction of an accessory building exceeding 1,200 square-feet, exceeding 50% of the main structure (3,686 square-feet) and is over the maximum height of 15-feet (average height of 18.75 feet); and

WHEREAS, the Owners request variances for the roof (to use metal) and the front facing garage doors (exceeding 144 square-feet); 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, The Owners submitted 10 signatures in support of the Specific Use Permit, none in opposition; 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 and the variances herein effectuated further 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 proposed 1,872 square-foot accessory structure on a 1.94-acre-lot on the east side of Castleman Court, approximately 466 feet northeast from the intersection of Johnson Road and Castleman Court, being Moreland Manor Addition, Block 1, Tract 3, Volume 371-388, Pages 679-680, at 608 Castleman Court (Account # 01812688) 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 an approximately 1,872 square-foot accessory structure, exceeding 50% of the main structure and exceeding the height of 15-feet shall be allowed.
2. The variance request to have a metal roof in lieu of having an asphalt roof matching the existing main structure as required by City Code shall be allowed.
3. A variance request to have two, 168 square-foot front facing garage doors and an additional 80 square-foot front facing garage door in excess of the 144 square-foot maximum required by City Code 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 7th day of May 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