

ORDINANCE NO. 1933

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT FOR NORTH TEXAS VETERINARIAN CLINIC TO PERMIT THE USE OF A 'VETERINARIAN CLINIC (WITH OR WITHOUT OUTDOOR PENS) INCLUDES GROOMING FACILITY' LOCATED AT 1100 WHITLEY ROAD (ACCOUNT# 41561562), BEING A 2.562-ACRE TRACT AT THE INTERSECTION OF WALL-PRICE KELLER ROAD AND WHITLEY ROAD, BEING LOT 7, BLOCK A, KELLER PLAZA ADDITION, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Scheifley Real Estate, owner/applicant, has submitted an application to the City of Keller to permit the use of a Veterinarian Clinic; and

WHEREAS, any 'Veterinarian Clinic (with or without outdoor pens) includes grooming facility' requires a Specific Use Permit (SUP-19-0009); 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, The Planning and Zoning Commission held a public hearing at its April 22, 2019 meeting and two women who spoke in opposition and expressed concerns regarding noise (barking) and outdoor pens; and

WHEREAS, the Commission recommended City Council approve the SUP with the condition that no boarding and outdoor pens shall be allowed; 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, a public hearing to consider a request for a Specific Use Permit on the property herein described was held before the City Council, and one (1) letter of opposition was provided by the public on April 22, 2019, regarding this request; and

WHEREAS, the City Council is of the opinion that the request of a Specific Use Permit with the condition to

prohibit general boarding and outdoor holding pens 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 North Texas Veterinarian Clinic to permit the use of a 'Veterinarian Clinic (with or without outdoor pens) includes grooming facility' located at 1100 Whitley Road (Account# 41561562), being a 2.562-acre tract at the intersection of Wall-Price Keller Road and Whitley Road, being Lot 7, Block A, Keller Plaza Addition), 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 SUP request for North Texas Veterinarian Clinic shall be allowed.
2. Outside boarding and/or holding pens shall not be allowed.

This condition for this SUP is specific to the owner of this business. Any new owner or similar type business would require a new SUP application.

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 4th day of June, 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