

ORDINANCE NO. 1940

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR EQUIPMENTSHARE.COM, FOR THE 'RENTAL OF TOOLS AND MACHINERY', AND THE USE OF 'OUTSIDE STORAGE', AND TO ALLOW A 'HIGH RISK OR HAZARDOUS INDUSTRIAL USE', SPECIFICALLY, TWO ABOVE-GROUND FUEL STORAGE TANKS, ON A 4.77-ACRE-LOT ON THE EAST SIDE OF SOUTH MAIN STREET, APPROXIMATELY 400 FEET SOUTH FROM THE INTERSECTION OF SOUTH MAIN STREET AND CALVERLEY PLACE, BEING STEELWRIGHT ADDITION, LOT 1A, BLOCK 1, AT 1675 SOUTH MAIN STREET (ACCOUNT # 06427324) ZONED (LI) LIGHT INDUSTRIAL IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Roy Holdeman and Equipmentsshare.com, Applicants, and Johnson-Keller 377, LLC, Owner have requested a Specific Use Permit (SUP 19-0015) for the "rental of tools and machinery"; and for the use of "outside storage," and to allow a "high risk or hazardous industrial use," specifically, two above-ground fuel storage tanks, and all uses require an SUP in the Light Industrial Zoning District; 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 July 8, 2019, and voted to recommend approval of the SUP; 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 City Council is of the opinion that the SUP 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 Equipmentsshare.com, for the "rental of tools and machinery," and the use of "outside storage," and to allow a "high risk or hazardous industrial use," specifically, two above-ground fuel storage tanks, on a 4.77-acre-lot on the east side of South Main Street, approximately 400 feet south from the intersection of South Main Street and Calverley Place, being Steelwright Addition, Lot 1A, Block 1, at 1675 South Main Street (Account # 06427324) zoned (LI) Light Industrial 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 condition:

1. The Specific Use Permit for Equipmentsshare.com to occupy the property at 1675 South Main Street, for the "rental of tools and machinery," and the use of "outside storage," and to allow a "high risk or industrial use," specifically, two above-ground fuel storage tanks shall be allowed.

This condition for this SUP is specific to Equipmentsshare.com for the "rental of tools and machinery," and the use of "outside storage," and to allow a "high risk or industrial use," any new similar type of business would require approval of a new SUP.

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 4 to 0 on this the 16th day of  
July 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