

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR AN ACCESSORY BUILDING, PROPOSED TO BE A 2,160 SQUARE-FOOT ACCESSORY GARAGE AND WORKSHOP TO EXCEED THE MAXIMUM 15-FOOT HEIGHT REQUIREMENT AND SIZE RATIO OF FIFTY PERCENT (50%) OF THE MAIN STRUCTURE, ON AN APPROXIMATELY 1.244-ACRE TRACT OF LAND, LOCATED ON THE SOUTH SIDE OF MELODY LANE, AND APPROXIMATELY 1,000 FEET EAST OF THE INTERSECTION OF ROANOKE ROAD AND MELODY LANE, BEING LOT 7R1, MELODY HILLS ESTATES ADDITION, AT 1120 MELODY LANE, AND ZONED SINGLE-FAMILY RESIDENTIAL-36,000 SQUARE-FOOT LOT MINIMUM (SF-36, IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Kevin and Marsha Holmes, Owners/Applicants, have submitted an application to the City of Keller to build an accessory workshop and garage up to 2,160 square-feet; and

WHEREAS, states all accessory buildings greater than one thousand two-hundred (1,200) square feet require a SUP and approval by the City Council (SUP-19-0020); and

WHEREAS, the combined area of all accessory buildings on a lot shall not exceed fifty percent (50%) of the main structure unless approved by a Specific Use Permit; and

WHEREAS, the maximum height of an accessory building shall not exceed fifteen feet (15') unless approved by a Specific Use Permit; 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, 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, signatures of support were signed by neighbors, and no letters of opposition were provided by the public regarding these requests, and the Planning and Zoning Commission has heretofore made a recommendation to [REDACTED] the Specific Use Permit; and

WHEREAS, the City Council is of the opinion that the Specific Use Permit and variance request 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) request for an accessory building, proposed to be a 2,160 square-foot accessory garage and workshop to exceed the maximum 15-foot height requirement and size ratio of fifty percent (50%) of the main structure, on an approximately 1.244-acre tract of land, located on the south side of Melody Lane, and approximately 1,000 feet east of the intersection of Roanoke Road and Melody Lane, being Lot 7R1, Melody Hills Estates Addition, at 1120 Melody Lane, and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36), 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 to construct up to a 2,160 square-foot

accessory garage and workshop shall be allowed.

2. The Specific Use Permit request for the combined area of the accessory structures to exceed the main structure by 69% in lieu of the maximum 50% required by Code shall be allowed.
3. The Specific Use Permit request for the average height of the accessory structure to be 21' in lieu of the required 15' by 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 to on this the 5th day of November, 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