

ORDINANCE NO. 2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A SPECIFIC USE PERMIT (SUP) FOR A 1,794 SQUARE-FOOT DETACHED GARAGE, ON AN APPROXIMATELY 1.22-ACRES, LOCATED ON THE EAST SIDE OF HILLSIDE DRIVE, APPROXIMATELY 100 FEET NORTHEAST OF THE HILLSIDE DRIVE AND BANCROFT ROAD INTERSECTION, LOCATED AT 1000 HILLSIDE DRIVE, LEGALLY DESCRIBED AS BARCROFT, DANIEL SURVEY ABSTRACT 141 TRACT 12015 AKA TR 27 AND ZONED SINGLE-FAMILY 36,000 SQUARE-FOOT LOTS OR GREATER (SF-36). IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Michael Short, Applicant/Owner; has requested two Specific Use Permits (SUP-21-0007) for a 1,794 square-foot detached garage; and

WHEREAS, a Specific Use Permit (SUP) is to allow a structure greater than 1,200 square-feet in the SF-36 zoning district and to allow the structure to exceed fifteen feet in height; 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 meeting on April 13, 2021, and recommended approval by a vote of 7-0; and

WHEREAS, notice of a public hearing before the City Council was published in the Fort-Worth Star Telegram in Keller at least fifteen (15) days before such hearing; and

WHEREAS, no one spoke in favor or opposition at either the Planning and Zoning Commission public hearing or the City Council public hearing; and

WHEREAS, the City Council is of the opinion that the SUP herein effectuated further the purpose of zoning as set forth in the Unified Development Code; and

WHEREAS, the Applicant's proposed structure and all other additional accessory structures would exceed 50% of the main structure which requires a third Specific Use Permit; and

WHEREAS, the City Attorney is of the opinion that the additional Specific Use Permit request can be approved and acted upon since the Specific Use Permit relates to the size of the structure, which consequently does not affect the Public Hearing Notice.

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 1,794 square-foot detached garage, with an average height of 15' 10", located on the east side of Hillside Drive, approximately 100 feet northeast of the Hillside Drive and Bancroft Road intersection, located at 1000 Hillside Drive, legally described as BARCROFT, DANIEL SURVEY Abstract 141 Tract 12015 AKA TR 27 and zoned Single-Family 36,000 square-foot lots or greater (SF-36) in the City of Keller, Tarrant County, Texas as if fully set forth with the following condition:

1. The proposed structure will not be utilized for any non-residential activity.

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 May, 2021.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney