



## Legislation Text

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**File #:** 24-342, **Version:** 1

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**To:** Aaron Rector, Interim City Manager

**From:** Alexis Russell, Planner I

**Subject:**

**PUBLIC HEARING:** Consider an ordinance approving a Specific Use Permit (SUP) with variances for an existing detached carport on 0.15 acres located on the east side of Highland Drive East, approximately 95 feet southeast from the intersection of Highland Drive East and Knox Road, legally described as Lot 31 of the Highland Terrace Mobile Home Park subdivision, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and addressed 1856 Highland Drive East. Jose Ortiz Rivera, Owner/Applicant. (SUP-24-0017)

**Background:**

Highland Terrace Mobile Home Park was originally platted in 1970 and annexed into Keller in the late 1980s under the Single-Family 36,000 square-foot lots (SF-36) zoning district. According to the Tarrant Appraisal District, the main home was built in 1993.

On May 6, 2024 an anonymous complaint of a carport built without a permit was reported to city code compliance. The Applicant was contacted, and an SUP application was submitted on May 14, 2024 for the recently constructed carport.

The Applicant is requesting an SUP for an approximately 625-square-foot carport. The Applicant is also requesting variances because the carport encroaches the front and side yard setbacks and is situated in front of the primary dwelling instead of at the rear of the property.

In all residential zoning districts, an SUP is required for a detached carport.

**Carport Location: VARIANCES REQUESTED**

UDC Section 9.01(A)(1)(f) states that detached carports shall be located at the rear of the property and observe all building setback requirements.

The structure is located along the west (front) property line and is in the 35' front-yard setback.

1. A variance to encroach the front yard setback by approximately 35' is requested.

The structure is located approximately 4' 4" from the north property line and is in the 6' side-yard setback.

2. A variance to encroach the side yard setback by approximately 2' is requested.

(UDC) Section 9.06(A)(5) states that detached accessory buildings shall be prohibited in front of the main building.

3. A variance to allow the carport to be located in front of the primary dwelling is requested.

**Elevations:**

The covered area is approximately 25' wide and 25' deep (625 square feet total), and average height of the carport is 8' 7". The carport is constructed of metal support beams and a metal roof.

**Summary:**

Section 8.02 (F)(2) of the UDC states that when considering a SUP request, the City Council shall consider the following factors:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;
- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;
- 3) The nature of the use is reasonable and appropriate in the immediate area;
- 4) Any negative impact on the surrounding area has been mitigated; and
- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

**Citizen Input:**

On June 13, 2024, the City mailed out 29 letters of notification for this Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.

Comments received from a neighboring property have been included in the agenda packet.

**SUP Request:**

To permit a detached carport with the following variances:

1. The variance to encroach the front yard setback by approximately 35' shall be allowed.
2. The variance to encroach the side yard setback by approximately 2' shall be allowed.
3. The variance to allow the carport to be located in front of the primary dwelling shall be allowed.

**Planning and Zoning Commission Recommendation:**

At the June 25, 2024, Planning and Zoning Commission meeting, Commissioners recommended approval of the SUP request with variances as presented by a vote of 4-2.

**Alternatives:**

The City Council has the following options when considering a Specific Use Permit with variances:

- Approve as submitted.
- Approve with modified or additional condition(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.