



Legislation Details (With Text)

File #:	18-315	Version:	1
Type:	New Business	Status:	Approved
File created:	10/30/2018	In control:	City Council
On agenda:	11/6/2018	Final action:	11/6/2018
Title:	Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.10, Accessory Building and Use Regulations, to allow an R panel galvanized roof on the proposed detached accessory structure, located on a 0.186-acre tract of land, being Lot 28, Block 7, Park Addition Phase II, located on the north side of Cindy Court, approximately 200 feet northwest of the intersection of Cindy Street South and Cindy Court, at 309 Cindy Court, and zoned SF-8.4 (Single Family Residential - 8,400 square-foot lot size minimum). Amy Mcelroy, owner/applicant. (UDC-18-0018)		
Attachments:	1. 110618_ParkAddition_ProposedResolution, 2. 110618_ParkAddition_ExhibitA_Application, 3. 110618_ParkAddition_Maps, 4. 110618_ParkAddition_StaffAttachment_ExistingBuildingPermit, 5. 110618_ParkAddition_StaffAttachment_ParkAddition,PhaseIIPlat, 6. Park Addition Presentation		

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council	approve	

To: Mark R. Hafner, City Manager

From: Katasha Smithers, Planner I

Subject:

Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.10, Accessory Building and Use Regulations, to allow an R panel galvanized roof on the proposed detached accessory structure, located on a 0.186-acre tract of land, being Lot 28, Block 7, Park Addition Phase II, located on the north side of Cindy Court, approximately 200 feet northwest of the intersection of Cindy Street South and Cindy Court, at 309 Cindy Court, and zoned SF-8.4 (Single Family Residential - 8,400 square-foot lot size minimum). Amy Mcelroy, owner/applicant. (UDC-18-0018)

Background:

In May 1982, the City Council approved Park Addition Phase II plat.

According to the Tarrant Appraisal District, the house was built in 1987;

On August 14, 2018, the applicant applied for a building permit to construct a proposed 24' x 15' detached patio, utilizing R panel galvanized roof. No action was taken because it was apparent a variance was needed.

In September 2018, the applicant applied for a UDC Variance to allow the proposed R panel galvanized roof.

Accessory Building Standards:

Section 8.10 (A.3) of the UDC states:

3. All accessory buildings shall be complementary to the main structure, constructed of brick or the same material as the main structure(s).

The house is constructed of brick exterior and composition shingle roof.

Variance Request:

1. To allow an R panel galvanized roof in lieu of the composition shingle roof shall be allowed.

Summary:

Section 2.07(A.2) of the UDC, lists criteria for approval of a variance.

- a. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Code would deprive the applicant of the reasonable use of his land.
- b. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other properties in the area.
- c. That the granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Code.
- d. That the granting of the variance will not constitute a violation of any other valid ordinance of the City of Keller.
- e. That strict compliance with the regulations, and/or that the purpose of the regulations will be served to a greater extent by the alternative proposal.

Professional Analysis and Opinion:

Staff's professional analysis and opinion is not supportive of this request, as it meets neither the code criteria nor spirit of the surrounding area. Currently, the home is constructed of brick exterior and composition shingle roof and the accessory structure roof would not be complementary to the main structure.

Staff forwards this UDC variance request for City Council consideration with the following conditions:

1. To allow an R panel galvanized roof in lieu of the composition shingle roof shall be allowed.

Citizen Input:

A UDC variance application does not require a public hearing, so no public hearing notifications were sent out to the surrounding property owners for this request. There has been no response from the public to this application. The public will have an opportunity to speak on this agenda item at the "Persons To Be Heard".

Board Opinion:

On October 22, 2018, Planning and Zoning Commission recommended approval by a vote of 5-0.

Alternatives:

The City Council has the following options when considering a UDC variance request:

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