



Legislation Details (With Text)

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File created: 9/23/2021 **In control:** Planning & Zoning Commission

On agenda: 9/28/2021 **Final action:** 9/28/2021

Title: PUBLIC HEARING: Consider a recommendation for an amendment to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Section 8.10 - Accessory Building and Use Regulations to modify the approving authority for accessory structure height; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-21-0007)

Attachments: 1. Exhibit A - Proposed language change.pdf

Date	Ver.	Action By	Action	Result
9/28/2021	1	Planning & Zoning Commission		
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To: Planning and Zoning Commission

From: Katasha Smithers, Planner II

Subject:

PUBLIC HEARING: Consider a recommendation for an amendment to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Section 8.10 - Accessory Building and Use Regulations to modify the approving authority for accessory structure height; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-21-0007)

Background:

In a work session on August 17, 2021, City Council directed Staff to amend Section 8.10 - Accessory Building and Use Regulation to modify the approving authority for accessory structure height. The proposed change allows the applicant requesting to exceed fifteen feet (15') in height for an accessory structure by solely going through a Specific Use Permit (SUP) process. Because there would never be a hardship that could justify raising the height, it is inappropriate to send variance requests to ZBA; such a request could never be granted.

Proposed Amendments:

The maximum height of an accessory building shall not exceed fifteen feet (15') unless approved by the Zoning Board of Adjustment (ZBA) or by a Specific Use Permit (SUP), whichever is applicable, for additional height (see definition of Building Height). Accessory buildings of less than one-hundred twenty (120) square-feet shall not exceed ten feet (10') in height.

Citizen Input:

An amendment to the text of the UDC requires a public hearing notice to be published in the local newspaper ten (10) days prior to the scheduled Planning and Zoning Commission meeting date and fifteen (15) days prior to the City Council Meeting Date. The notice for the Planning and Zoning Commission public hearing was published in the September 19, 2021 edition of the *Fort Worth Star-*

Telegram.

Alternatives:

Planning and Zoning Commission has the following options when considering an amendment to the text of the UDC:

- Recommend approval as submitted.
- Recommend approval with modifications or additional amendments(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.

City Council Action:

If the Planning and Zoning Commission takes action and makes a recommendation on this agenda item, then this UDC Text Amendment application will be scheduled for City Council action on October 19, 2021.

Supporting Documents:

- Exhibit A - Proposed language change