



City of Keller

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Legislation Text

File #: 19-329, **Version:** 1

To: Mark R. Hafner, City Manager

From: JP Ducay, Planner I

Subject:

Consider a resolution approving a variance to the Unified Development Code, Section 8.11, Fencing Requirements in Residential Zoning Districts, to allow the installation of a six-foot (6') wrought iron fence in the front yard, located on 1.9910-acres of land on the west side of Willis Lane, approximately 2,400-feet northwest of North Tarrant Parkway and Willis Lane intersection, being Lot 1, Block A, of the Hopkins Addition, at 1804 Willis Lane, and zoned SF-36 (Single Family Residential - 36,000 square-foot lot size minimum). Joseph Hopkins, owner/applicant. (UDC-19-0011)

Background:

According to Tarrant County Appraisal District, the main structure at 1804 Willis Lane was constructed in 1963. The Applicant speculates the original attached garage was renovated into a master bedroom and a 673-square-foot detached, two-door garage was constructed in front of the main home in the 1970's.

The current owner purchased the property in 2013 and is proposing to remodel the home and add a fence along the front. Because building permits may not be issued unless the property is platted, the Applicant platted in February 2019.

The front-facing garage addition and front yard fence both require variances. The two variances require independent submittals.

The Applicant wishes to install a 6'-tall, wrought-iron fence on each side of the front yard and across the front of the yard along the street with gates at each entrance of the U-shaped drive. According to the rendering, the gates will swing in towards the home. The fence panels are open with 5" spacing between pickets and aesthetically built to maintain a country feel.

Section 8.11 (G. 2.), Fencing Requirements in Residential Zoning Districts, states the maximum height requirements, as measured from the grade of the property, shall be five feet (5') for front-yard or in front yard fences in SF-36 zoning district if constructed of split rail, ornamental metal, tubular steel, or similar open face material.

Staff Analysis:

This UDC variance request seeks approval to install a 6' wrought-iron fence in lieu of the code-permitted 5' fence. Historically, 6' fences like the proposed fence were permitted by the UDC. Staff does not know why this was reduced to 5'. Additionally, staff is currently working on updating the fence standards in the UDC. If approved as proposed, these amendments would allow 6' front yard

fences. The Applicant's goal is to enhance the street appeal of his home while maintaining a country feel. The Applicant also provided signatures of support from all the surrounding properties. Staff has no objections to the variance request.

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.

Planning and Zoning Recommendation:

The Planning & Zoning Commission recommended approval by a vote of 7-0 on June 10, 2019.

Alternatives:

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

- Recommend approval as submitted (with requested variances).
- Recommend approval with modified or additional condition(s).
- Tabling the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.