



City of Keller

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Legislation Text

File #: 21-193, **Version:** 1

To: Planning and Zoning Commission

From: Matthew Cyr, Planner I

Subject:

Consider three variance requests to 21 lots in the Highland Terrace Mobile Home Park to decrease the Minimum Dwelling Size to 2000 square feet in lieu of the 2400 square-foot requirement, increase the main building lot coverage to 35 percent in lieu of the 30 percent requirement, increase the maximum lot coverage to 55 percent in lieu of the 50 percent requirement, located at 1700 Highland Drive West, 1704 Highland Drive West, 1736 Highland Drive West, 1740 Highland Drive West, 1744 Highland Drive West, 1748 Highland Drive West, 1752 Highland Drive West, 1832 Highland Drive East, 1844 Highland Drive East, 1852 Highland Drive East, 1847 Highland Drive East, 1843 Highland Drive East, 1839 Highland Drive East, 1835 Highland Drive East, 1733 Hilltop Lane, 1729 Hilltop Lane, 1725 Hilltop Lane, 1733 Highland Drive West (legally two lots), 1717 Highland Drive West, 1713 Highland Drive West, legally described as Lot 1, 2, 10, 11, 12, 13, 14, 25, 28, 30, 36, 37, 38, 39, 42, 43, 44, 60, 61, 64, 65, Highland Terrace Mobile Home Park and zoned Single-Family 36,000 square-foot lots or greater (SF-36). Double B Texas Ventures, LLC and Patricia McCoy owners. Jeff Avery, applicant. (UDC-21-0003)

Background:

- Highland Terrace Mobile Home Park was originally platted in 1970. This portion of the City was annexed into Keller in the late 1980s and zoned Single-Family 36,000 square-foot lots (SF-36).
- The Applicant purchased 21 of the 68 lots in the subdivision and applied for a variance request to setbacks for three lots before the Zoning Board of Adjustment. These variances would have allowed smaller, one-story homes than permitted in the SF-36 zoning district. The applicant was denied on December 7, 2020, due to the lack of a legal basis.
- The Applicant is now requesting a variance to 21 out of 68 lots in the subdivision to increase lot coverage requirements and home size in order to build smaller, one-story structures.

Variance Requests:

1. Decrease the Minimum Dwelling Size to 2000 square-feet in lieu of the 2400 square-foot requirement. A minimum dwelling size of 2,000 square-feet equals to the SF-15 zoning district.
2. Increase the main building lot coverage to 35 percent in lieu of the 30 percent requirement in the SF-36 zoning district.

3. Increase the maximum lot coverage to 55 percent in lieu of the 50 percent requirement of all UDC residential zoning districts. (The 50% lot coverage (including accessory buildings, driveways, and parking areas) is uniform throughout the UDC.)

Citizen Input:

Variance requests do not require any public hearings per the Unified Development Code.

Summary:

Section 2.07 (A)(2) of the UDC states that when considering a variance request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 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 Alternatives:

The Planning and Zoning Commission has the following options when considering a variance request:

- Recommend approval as submitted.
- Recommend approval with modified or additional condition(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, this variance application will be scheduled for City Council action on May 4, 2021.

Supporting Documents:

- Aerial and Zoning Maps
- Application
- 1970 Plat

