



City of Granite Shoals
2221 N. Phillips Ranch Road
Granite Shoals, TX 78654
(830) 598-2424 fax (830) 598-6538
www.graniteshoals.org

FOR A REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
GRANITE SHOALS CITY HALL, 2ND FLOOR COUNCIL CHAMBER
2221 N. PHILLIPS RANCH ROAD
GRANITE SHOALS, TX 78654
THURSDAY, APRIL 21, 2016
6:00 P.M.

Commissioners will consider and may take action on any or all of the following items:

Call meeting to order

Public comment and announcements

At this time, any person with business before the Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called. Anyone wishing to speak under this agenda item must complete a Comment Card and submit to the Chair or the Secretary, prior to addressing the Commission.

City Staff Announcements/Items of Public Interest

APPROVAL OF MINUTES

1. Review and consider approval of the minutes from the Planning and Zoning Commission Regular Meeting of March 17, 2016. *p. 3-9*

PLAT REVIEWS / PUBLIC HEARINGS *p. 14*

2. Hold a Public Hearing, review, discuss, consider and possibly take action to forward recommendations to City Council related to the following applications:
 - a.) Re-plat application of Cody Foster, of Cuplin and Associates, on behalf of James Maddox and Brenda Davis, owners of property at 134 W. Newcastle Drive, Granite Shoals, TX, to combine six lots, being lots 644-650 of the Greencastle section of Sherwood Shores, into one lot for future construction. *p. 15-18*
 - b.) Re-plat application of Cody Foster, of Cuplin and Associates, on behalf of Joe Halloum, owner of property at 2501 Belaire Lane East, to combine lots 79 and 80 with 733 sq. feet of fill area in the Bel Air section of the Sherwood Shores subdivision, into one lot. *p. 19-22*
 - c.) Re-plat application of Cody Foster, of Cuplin and Associates, on behalf of W. Richard Wagner, owner of property at 1008 Impala Drive, Granite Shoals, TX, to combine lots 4, 5 and another tract that is 0.07 acres, in the Impala Isle section of Sherwood Shores subdivision, to update property lines and easements to prepare property for resale. *p. 23-28*

REGULAR AGENDA ITEMS:

3.) Continue to review and discuss the Granite Shoals Zoning Ordinance, as supplemented. *(The P&Z Commissioners have been reviewing the entire Zoning Ordinance, which is Chapter 40 in the city code. At their meeting on June 18, 2015, the Commissioners reviewed sections 40.8 through 40.11, at their July 16th meeting they reviewed Section 40.12 General Business District GB-1 through Section 40.14 Industrial District item d. #9. At their August 20, 2015 meeting, the Commissioners resumed reviewing Industrial District and reviewed through 40.17 Height and area restrictions, generally. September 17th, the Commissioners discussed regulations of non-conforming structures, Administration, the Board of Adjustments and also driveways. At their meetings October 15th and November 19th, and January 21st, the Commissioners reviewed parking and Drive-ways section again. February 18th the Commission reviewed the Ordinance related to signs, boat docks and Vacation Home Rentals. On March 17, 2016 the Commissioners reviewed requirements for annual inspection of Vacation Home Rentals. Tonight, the Commission will consider moving forward through the Ordinance, starting with Planned Development Districts (PD)).* *p. 29 - 39*

4. Discuss, consider and possibly take action related to forwarding a recommendation to City Council regarding modifications to Granite Shoals zoning ordinance related to fencing in residential zoning districts. *p. 40 - 43*

5. Discuss, consider and possibly take action related to clarifying the Commission recommendations related to driveways and parking. *p. 44 - 46*

6. Discuss, consider and possibly take action related to non-conforming structures, including encroachments of eaves and overhangs into setbacks. *p. 47 - 48*

7. Discuss, consider and possibly take action related to modifying the schedule of Commission meetings. *p. 49*

8. Identify future agenda items

- Review of draft amendment to the City Comprehensive Plan for Road Improvements – & Streets and Water Advisory Group recommendations at future meeting.
- Non-conforming Structures

9. Adjourn.

CERTIFICATION

I certify that the foregoing agenda has been posted at Granite Shoals City Hall inside bulletin board, the new six panel outside Park Information and City Public Notice bulletin board case and the official city website at www.graniteshoals.org, a place accessible at all times, on Friday, April 15, 2016 before 6:00 PM and will remain there continuously from such time until after the conclusion of the P&Z Meeting on the night of Thursday, April 21, 2016.

City Hall Council Chambers is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 8 hours prior to this meeting. Please contact the City Secretary at (830) 598-2424 for further information.



Elaine Simpson

Elaine Simpson, TRMC/MMC
City Secretary



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Granite Shoals, TX 78654
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MEETING MINUTES
FOR A REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
GRANITE SHOALS CITY HALL, 2ND FLOOR COUNCIL CHAMBER
2221 N. PHILLIPS RANCH ROAD
GRANITE SHOALS, TX 78654
THURSDAY, MARCH 17, 2016 6:00 P.M.

Vice Chair Susie Hardy, called to order the regular meeting of the Planning and Zoning Commission of the City of Granite Shoals at 6:00 p.m., Granite Shoals City Hall, 2221 N. Phillips Ranch Road, Granite Shoals, Texas.

Present:

Claudine Gonzales
Susie Hardy, Vice-Chair
Terry Scott
Shawna Williams
Paul Fletcher

Absent:

Shannon Wilson, Chair

City Staff:

City Manager Ken Nickel
Elaine Simpson, City Secretary (recording)
Preston Williams, Code Compliance Officer

Public comment and announcements

At this time, any person with business before the Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called. Anyone wishing to speak under this agenda item must complete a Comment Card and submit to the Chair or the Secretary, prior to addressing the Commission.

City Staff Announcements/Items of Public Interest: City Manager Ken Nickel invited the Committee members to volunteer for the upcoming Big Birthday Bash for the City, which will be held Saturday, April 23, 2016, and will be a celebration of the city's 50th Anniversary.

City Manager Nickel also reminded the Commissioners that May 21, 2016 is the Burnet County Household Hazardous waste collection at Marble Falls at the High School parking lot.

April 30, 2016, will be 'City Wide Clean Up Day' for Granite Shoals for most brush and junk items, other than Household Hazardous Waste and contractors' debris. The city will accept tires, mattresses, etc.

There were no citizen comments.

APPROVAL OF MINUTES

1. Review and consider approval of the minutes from the Planning and Zoning Commission Regular Meeting of February 18, 2016.

Meeting minutes were corrected to include recommended *modifications to the Zoning Ordinance* which were inadvertently left off.

The following sections were added:

(Regarding Boat Docks)

(k) was modified, Electrical was modified. National was crossed out, 'currently adopted' was added and (NEC) was deleted.

(Sec. 40-26)

Related to the 'Burden of Proof' – verbiage 'person claiming such status' was deleted and changed to 'property owner'.

Commissioner Scott made a motion, Commissioner Gonzales seconded, to approve, as corrected, the February 18, 2016 meeting minutes. Motion carried with a 5-0 vote.

REGULAR AGENDA ITEMS

2. Continue to review and discuss the Granite Shoals Zoning Ordinance, as supplemented. *(The P&Z Commissioners have been reviewing the entire Zoning Ordinance, which is Chapter 40 in the city code. At their meeting on June 18, 2015, the Commissioners reviewed sections 40.8 through 40.11, at their July 16th meeting they reviewed Section 40.12 General Business District GB-1 through Section 40.14 Industrial District item d. #9. At their August 20, 2015 meeting, the Commissioners resumed reviewing Industrial District and reviewed through 40.17 Height and area restrictions, generally. September 17th, the Commissioners discussed regulations of non-conforming structures, Administration, and the Board of Adjustments and also discussed driveways. At their meetings last year October 15th and November 19th, and January 21th, the Commissioners reviewed parking and Drive-ways section again. February 18th the Commission reviewed the Ordinance related to signs, boat docks and Vacation Home Rentals. Tonight, the Commission will consider moving forward through the Ordinance, starting with Planned Development Districts (PD)).*

The Commission heard this item last and due to time constraints, there were few recommendations made.

One recommendation related to the Vacation Rentals section was made that a requirement be added for an authorized Vacation Rental annual renewal to be processed, that a current

certificate of occupancy, issued by the City Manager or his designee, must be provided annually.

There was some discussion of how best to assure that Vacation Rentals were not rented out for more guests than the Fire Marshal had declared safe for occupancy. No consensus was reached.

3. Discuss, consider and possibly take action related to Granite Shoals zoning ordinance related to fencing.

Ms. Britany Dooley, and Mr. Steven Dooley, of 127 W. Stonecastle Drive, Granite Shoals, requested this agenda item. They presented the P&Z Commissioners with a Petition to amend current City Code Sec. 40-6.(p) – Single Family Residential District, R-1. This section relates to approved materials for fencing in R-1.

“(p)

Fencing. Fences may be located directly on the property/lot lines, i.e. front, side(s) and rear yard lot lines. Front yard fencing must have no more than 50 percent density.

(1)

Fence materials. All fences shall be constructed with new and of good quality materials. Allowable materials are milled wood, split-rails, masonry, rock, stone, chain link and/or wrought iron.

a.

Chain link fences are required to have a top rail, bottom guide wire and traditional chain link fence hardware.

b.

Cinder block shall not be considered a masonry product.

c.

Except as provided in subsection (p)(1)d., agriculture fence materials such as pipe, drill stem, T-Post, rolled wire fence, stranded wire, barbed wire, cow panel, corral panel, non-milled cedar posts, and all other types of agriculture fencing shall not be allowed in any residential district.

d.

Sheets of galvanized welded wire panels of 20 feet or less, framed in wood, metal or masonry are allowed.

(2)

Fence height.

a.

Front yard lot line maximum height five feet.

b.

Side yard lot lines shall maintain five feet maximum height, 20 feet back from the front yard lot line, and may increase to six feet maximum height to the rear yard lot line.

c.

Rear yard lot line maximum height six feet

d.

All posts, pillars, columns, arches, decorative tops, lights, and gates shall not exceed allowed fence heights by greater than 12 inches (one foot).

e.

For through lots (street to street), each parallel side of the lot facing a street shall be subject to the same fence height and setback restrictions that apply to a front yard.

f.

For corner lots, the side of the lot that faces the street that corresponds to the building's street address shall be considered the front yard, and the side of the lot that faces the intersecting street shall be subject to a maximum fence height of five feet and a minimum setback from the lot line of ten feet.

The petition noted that in R-1, the fencing regulations do not allow non-milled (natural) cedar posts and deer fence (rolled wire) up to 8' tall, however this IS allowed in Multifamily Residential District R-2.

Here is the pertinent section of R-2 from City Code, Section 40.8:

40.8 R-2

...(g)

Miscellaneous requirements.

...

(3)

Privacy fences and/or obstructing vegetation more than four feet high shall not be placed:

a.

Along a front property line;

b.

Within 20 feet of the corner, on corner lots;

c.

Parallel to private driveway on side lot line that hinders drivers visibility.

(4)

See through chain link fences shall not be more than four feet high along front lot lines. Deer-proof fences may be erected not higher than eight feet on each side and back lot lines, and five feet on front lot lines.

...

Mr. and Mrs. Dooley were the creators and circulators of the petition, upon which they gathered 103 signatures from residents in their neighborhood.

The Petition was dated March 10, 2016. It respectfully demanded that the city codes under Single Family Residential District R-1, regarding allowable fencing materials and fence height be amended to include the use of natural cedar posts and rolled wire deer fencing. It also demanded that the maximum height be increased from 6' to 8', as it is in Multifamily Residential District R-2, so long as said fence is made mostly of transparent materials and doesn't obstruct anyone's view. Alternatively, that the 8' maximum height is only allowed around gardens for protection from the deer.

The Dooley Family constructed a fence, which they provided pictures of to the Commissioners. This fence surrounds their garden. It is made of natural (unmilled) cedar which the Dooley's explained blends with surrounding trees and is termite resistant. It is also made from rolled wire, which the family noted would not obstruct the neighbors' views.

The following neighbors signed the petition and attended the meeting to speak on behalf of the Dooley's fence:

1.) Lisa Schmidt, 806 Misty Downs. Commended the look of the fence. Noted that she had many concerns regarding code violations that include eyesores such as junk vehicles and boats. She noted that often these violations are long-standing, and expressed her belief that code compliance would be better served to focus on these issues, instead of this new fence. She briefly discussed water plant facilities near her home, which she believes are unsightly.

2.) George LaChance, 109 Oakwood. Noted that he has also had difficulties in the past with a building project and stated his concern that the City Code is insufficient and sometimes misleading/confusing. He suggested that there be a definition added for a 'garden enclosure' which would be considered separately and independently from the main fencing regulations. These 'garden enclosures' should have the flexibility to be taller; due to the overpopulation of deer in the City. He also commended the look of the Dooley's garden enclosure of natural wood.

3.) Tom Hemisthath, 512 Bluebriar. Spoke in support of the Dooley's garden fence.

4.) Julie Taylor, 109 Driftwood, asked Commissioners to consider reclassification to allow a garden fence as an enclosure, not the same as a property fence. She noted that it will only be around the garden, not the entire property.

5.) Christine Russell, 212 Norwood Drive. Expressed her support of the Dooley's garden fence. She requested clarification from the Commissioners related to desire for 'standardization' of fencing. She noted that residents of Granite Shoals, she believes, desire a more rural character for the community than in the big cities such as Austin.

Mr. Steven Dooley, 127 Stonecastle: admitted that as the property owners, they had failed to secure a permit to build the fence, or even to inquire as to the city codes for fencing. Stated his grievance that his fence has received a violation, but a similar fence down the street has not because it is being classified as a 'temporary' fence. He is troubled by the inconsistency in application of the rules. He also noted that the city seems to exempt itself from these

regulations. There are city fences which do not meet the standards required of his garden fence.

Mark Morren, 251 W. Lakewood Drive, spoke in favor of the current regulations. Noted that before construction on any structure, a property owner within the city limits should secure the proper permits from the city and this process will inform them of the regulations. He noted also that the city regulations apply to all and just because this fence has the support of the neighbors, the city still must enforce regulations. This fence is made of materials that are not allowed.

There was a general discussion of the ‘agricultural’ appearance of the fence and whether this was in character with a city neighborhood, also, whether the fact it was a specifically ‘garden’ fence should be considered in a different light, and allowed to use more rustic building materials.

There was an extended discussion of the philosophical basis for having a zoning ordinance and for wanting there to be standardization of structures in the community.

City Manager Nickel explained that the R-1 Single Family district section of the Zoning Ordinance is recently modified. This section of the zoning ordinance has been recently scrutinized and amended by the P&Z Commissioners and the City Council (Ordinance 663, July 28, 2015). The R-2 ‘Multi-Family’ residential section of the Zoning Ordinance (where taller deer fencing is allowed) is in a part of the Zoning Ordinance that has **not yet been** modified/updated, although the P&Z Commissioners have been at work on this review and revise project.

The Commissioners thanked the citizens for bringing this to their attention, and it will be on the next Commission meeting agenda for further review.

4. Discuss, consider and possibly take action related to reviewing and sending recommendations to City Council related to issues with the Non-Conforming Ordinance.

City Manager Nickel explained that the City Council has not yet held their workshop on this issue.

Jim Davant, 310 S. Shorewood: Disseminated some pictures of his home, which was built in 1968, and which has recently been declared non-conforming structure because of encroachments of the stairs and the eaves.

Mark Morren, 251 Lakewood DR: Explained that long ago it was the foundation that was used to measure setbacks. Now, there are issues with eaves and overhangs conflicting with utility easements.

The Commissioners will discuss this item at a future meeting.

5. Discuss, consider and possibly take action related to clarifying the Commission recommendations related to driveways and parking.

The Commissioners did not address this agenda item due to time constraints.

6. Identify future agenda items

- Non-conforming Ordinance - next meeting.
- Annexation Plan for the City – probably May meeting.
- Review of draft amendment to the City Comprehensive Plan for Road Improvements – review proposal and Streets and Water Advisory Group recommendations at future meeting.
- Commissioner Scott asked for utility easements regulations regarding flatwork/sidewalks be reviewed.
- Fencing will be discussed.

7. Adjourn.

With no other items on the agenda, and no objections from the Commissioners, Vice Chair Hardy adjourned the meeting at 8:08 PM.

The next meeting of the P&Z will be held on April 21, 2016.

I, _____ Chair of the Planning and Zoning Commission for the City of Granite Shoals, Texas, certify that the attached are true and correct minutes taken from recordings and notes of the Planning and Zoning Commission Regular meeting held on March 17, 2016 date _____



**City of Granite Shoals, Texas
Planning and Zoning Commission Reg. Mtg.
Agenda Item Cover Memo
Date: April 21, 2016**

Agenda Item: 2. Plat applications / Public Hearings.

Prepared/Submitted By: City Secretary for Ken Nickel, City Manager
Department: Administration

BACKGROUND

2. PLAT REVIEWS / PUBLIC HEARINGS

Hold a Public Hearing, review, discuss, consider and possibly take action to forward recommendations to City Council related to the following applications:

- a.) Re-plat application of Cody Foster, of Cuplin and Associates, on behalf of James Maddox and Brenda Davis, owners of property at 134 W. Newcastle Drive, Granite Shoals, TX, to combine six lots, being lots 644-650 of the Greencastle section of Sherwood Shores, into one lot for future construction.
- b.) Re-plat application of Cody Foster, of Cuplin and Associates, on behalf of Joe Halloum, owner of property at 2501 Belaire Lane East, to combine lots 79 and 80 with 733 sq. feet of fill area in the Bel Air section of the Sherwood Shores subdivision, into one lot.
- c.) Re-plat application of Cody Foster, of Cuplin and Associates, on behalf of W. Richard Wagner, owner of property at 1008 Impala Drive, Granite Shoals, TX, to combine lots 4, 5 and another tract that is 0.07 acres, in the Impala Isle section of Sherwood Shores subdivision, to update property lines and easements to prepare property for resale.

*p. 10-13
Copied in error.
Are not included.*



City of Granite Shoals

2221 N. Phillips Ranch Road
Granite Shoals, Texas 78654
(830) 598-2424 Fax: (830) 598-6538
www.graniteshoals.org

PLAT / REPLAT APPLICATION

Date: 3-11-16

Please print all the following information – Please complete the entire application

Applicant's Name: Cody Foster Phone: 325-388-3300
Email: CFoster@cuplinassociates.com
Mailing Address: P.O. Box 1095 Kingsland State: TX Zip: 78639

Owner's Name: James Louis Maddox & Brenda Gail Davis Phone: 512-924-8376
Email: _____
Mailing Address: 134 New Castle Dr Granite Shoals State: TX Zip: 78654

Engineer: N/A Phone: _____
Email: _____
Mailing Address: _____ State: _____ Zip: _____

Surveyor: Cuclin + Associates, INC Phone: 325-388-3300
Email: CFoster@cuplinassociates.com
Mailing Address: P.O. Box 1095 Kingsland State: TX Zip: 78639

Legal Description of Property: Lots: lot 4 thru lot 5 Section: _____ Block: Greencastle Subdivision: Sherwood Shores
Zoning on Property: R4
Purpose of Plat/Replat Application: Combine All lots into one for future construction

The following must be submitted with this application:

- 1. Tax Certificate showing legal owner
- 2. Survey: Eight (8) copies of plat/replat area, 18"x24", One (1) copy at 11"x17", and One (1) copy at 8 1/2"x11" sealed by a licensed surveyor

A copy of all application materials for a minor plat shall be submitted to the City Planner for review in the same manner as a final plat, or the application shall be deemed incomplete.

- 3. Title and label; the plat shall be entitled and clearly state that it is a "plat" or "replat"
- 4. Applicant's presentation to the Planning and Zoning Commission and City Council
- 5. Application Fee of \$150.00 Payable to The City of Granite Shoals

Owner Statement (if applicant is not the owner)

I HEREBY CERTIFY THAT THE APPLICANT LISTED ABOVE IS AN AUTHORIZED AGENT FOR ME IN MATTRS PERTAINING TO FILING THIS VOLUNTARY ANNEXATION APPLICATION.

Owner Signature

Cody Foster
Applicant Signature

3-11-16
Date

City of Granite Shoals
 2221 N. Phillips Ranch Rd.
 Granite Shoals, TX 78654
 830-598-2424 (ofc.) 830-598-6538 (fax)
www.graniteshoals.org

Date: 04/04/2016

Owners Name: James Maddox & Brenda Davis

Surveyor: Cuplin & Associates

Address: 134 W. Newcastle Dr.

Replat Check List	Yes	Comment(s)
Complete Application		
Review Application	X	
Verify Ownership	X	
Verify water line placement	✓	<i>Permit 9-516</i>
Verify purpose for re-plat recommendation	X	
Review Surveyor replat areas for Accuracy		
Physical Address	X	
Verify Platting Lot Numbers	X	
PEC Easement Release(s)		not yet
Prepare Packet for P&Z	X	
Staff Recommendation for Approval by P&Z	X	
P&Z recommendation to Council for Approval		
Replat Signed Off by		
Owner		
Surveyor		
P&Z Chairman		
Mayor		
City Secretary		
Copy of Recorded Plat Returned to City by Surveyor		

Notes:

Combine lots 644 thru 650 into one lot for future construction.

Issued By:

BURNET CENTRAL APPRAISAL DIST
223 S PIERCE
P O BOX 908
BURNET, TX 78611

Property Information

Property ID: 17750 Geo ID: 04970-0000-00646-000
Legal Acres: 0.0000
Legal Desc: S4970 GREENCASTLE (SHERWOOD SHORES) LOT
644 THRU 650 & .180 AC ARTHUR LUCKEY AB 530
Situs: 134 NEWCASTLE DR
DBA:
Exemptions: HS, OV65

Owner ID: 199329 100.00%
MADDOX JAMES LOUIS SR & BRENDA GAIL DAVI
134 NEWCASTLE DR
GRANITE SHOALS, TX 78654

For Entities

*BURNET COUNTY
*CITY OF GRANITE SHOALS
*CO SPECIAL, ROAD & BRIDGE
*MARBLE FALLS ISD
*WATER CONSERV DIST OF CENTR

Value Information

Improvement HS: 166,104
Improvement NHS: 0
Land HS: 19,278
Land NHS: 0
Productivity Market: 0
Productivity Use: 0
Assessed Value 185,382

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:		0.00	0.00	0.00	0.00

Outstanding Litigation Fees

Fee Date	Fee Description	Amount Due
04/04/2016	TAX CERTIFICATE	10.00
Total Fees Due:		10.00

Effective Date: 04/04/2016 Total Due if paid by: 04/30/2016 10.00

Tax Certificate Issued for:	Taxes Paid in 2015
*CITY OF GRANITE SHOALS	939.25
*BURNET COUNTY	667.56
*CO SPECIAL, ROAD & BRIDGE	77.33
*MARBLE FALLS ISD	1,886.48
*WATER CONSERV DIST OF CENTR	16.87

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 04/04/2016
Requested By: CUPLIN & ASSOCIATES INC
Fee Amount: 10.00
Reference #: 16181


Signature of Authorized Officer of Collecting Office



City of Granite Shoals

2221 N. Phillips Ranch Road
Granite Shoals, Texas 78654
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PLAT / REPLAT APPLICATION

Date: 4-4-16

Please print all the following information – Please complete the entire application

Applicant's Name: Cody Foster Phone: 325-388-3300
Email: cfoster@cuplinassociates.com
Mailing Address: P.O. Box 1095 Kingsland State: TX Zip: 78639

Owner's Name: Joe Halloun Phone: 512-904-2750
Email: Jhalloun@starmount.com
Mailing Address: _____ State: TX Zip: _____

Engineer: N/A Phone: _____
Email: _____
Mailing Address: _____ State: _____ Zip: _____

Surveyor: Cuplin + Associates, INC Phone: 325-388-3300
Email: cfoster@cuplinassociates.com
Mailing Address: P.O. Box 1095 Kingsland State: TX Zip: 78639

Legal Description of Property: Lots: 79 + 80 + Fill Block: Bel Air Subdivision: Sherwood Shores
Zoning on Property: R1 - Single Family
Purpose of Plat/Replat Application: Combining lots + Fill Area into 1
contiguous lot.

The following must be submitted with this application:

1. Tax Certificate showing legal owner
2. Survey: Eight (8) copies of plat/replat area, 18"x24", One (1) copy at 11"x17", and One (1) copy at 8 1/2"x11" sealed by a licensed surveyor

A copy of all application materials for a minor plat shall be submitted to the City Planner for review in the same manner as a final plat, or the application shall be deemed incomplete.

3. Title and label; the plat shall be entitled and clearly state that it is a "plat" or "replat"
4. Applicant's presentation to the Planning and Zoning Commission and City Council
5. Application Fee of \$150.00 Payable to The City of Granite Shoals

Owner Statement (if applicant is not the owner)

I HEREBY CERTIFY THAT THE APPLICANT LISTED ABOVE IS AN AUTHORIZED AGENT FOR ME IN MATTERS PERTAINING TO FILING THIS VOLUNTARY ANNEXATION APPLICATION.

[Signature]
Owner Signature

[Signature]
Applicant Signature

4-4-16
Date

Issued By:

BURNET CENTRAL APPRAISAL DIST
223 S PIERCE
P O BOX 908
BURNET, TX 78611

Property Information

Property ID: 5342 Geo ID: 03170-0000-00080-000
Legal Acres: 0.0000
Legal Desc: S3170 BELAIR , SHERWOOD SHORES LOT 79,80
Situs: 2501 BELAIRE LANE TX
DBA:
Exemptions:

Owner ID: 201393 100.00%
HALLOUM MANAGEMENT TRUST
JOSEPH ABBAS HALLOUM
16205 DOUBLE EAGLE DR
AUSTIN, TX 78717

For Entities

*BURNET COUNTY
*CITY OF GRANITE SHOALS
*CO SPECIAL, ROAD & BRIDGE
*MARBLE FALLS ISD
*WATER CONSERV DIST OF CENTR

Value Information

Improvement HS: 0
Improvement NHS: 156,044
Land HS: 0
Land NHS: 330,000
Productivity Market: 0
Productivity Use: 0
Assessed Value 486,044

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Outstanding Litigation Fees

Fee Date	Fee Description	Amount Due
04/04/2016	TAX CERTIFICATE	10.00
Total Fees Due:		10.00

Effective Date: 04/04/2016

Total Due if paid by: 04/30/2016

10.00

Tax Certificate Issued for:	Taxes Paid in 2015
*CITY OF GRANITE SHOALS	2,530.83
*BURNET COUNTY	1,750.24
*CO SPECIAL, ROAD & BRIDGE	206.08
*MARBLE FALLS ISD	6,221.36
*WATER CONSERV DIST OF CENTR	44.23

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 04/04/2016
Requested By: CUPLIN & ASSOCIATES INC
Fee Amount: 10.00
Reference #: 15569


Signature of Authorized Officer of Collecting Office



City of Granite Shoals

2221 N. Phillips Ranch Road
Granite Shoals, Texas 78654
(830) 598-2424 Fax: (830) 598-6538
www.graniteshoals.org

PLAT / REPLAT APPLICATION

Date: 4-1-16

Please print all the following information - Please complete the entire application

Applicant's Name: Cody Foster Phone: 325-388-3300
Email: CFoster@cuplinassociates.com
Mailing Address: P.O. Box 1095 Kingsland State: TX Zip: 78639

Owner's Name: IN RICHARD WAGNER Phone: (210) 710-7280
Email: rwagner@wagnercario.com
Mailing Address: 103 GATEWOOD Ct State: TX Zip: 78209

Engineer: _____ Phone: _____
Email: _____
Mailing Address: _____ State: _____ Zip: _____

Surveyor: Cuplin + Associates, INC Phone: 325-388-3300
Email: CFoster@cuplinassociates.com
Mailing Address: P.O. Box 1095 Kingsland State: TX Zip: 78639

Legal Description of Property: Lots: 4, 5 + 0.01 Acre Section: Impala Isle Subdivision: Sherwood Shores
Zoning on Property: _____
Purpose of Plat/Replat Application: to clean up property line & easements

The following must be submitted with this application:

1. Tax Certificate showing legal owner
2. Survey: Eight (8) copies of plat/replat area, 18"x24", One (1) copy at 11"x17", and One (1) copy at 8 1/2"x11" sealed by a licensed surveyor
A copy of all application materials for a minor plat shall be submitted to the City Planner for review in the same manner as a final plat, or the application shall be deemed incomplete.
3. Title and label; the plat shall be entitled and clearly state that it is a "plat" or "replat"
4. Applicant's presentation to the Planning and Zoning Commission and City Council
5. Application Fee of \$150.00 Payable to The City of Granite Shoals

Owner Statement (if applicant is not the owner)

I HEREBY CERTIFY THAT THE APPLICANT LISTED ABOVE IS AN AUTHORIZED AGENT FOR ME IN MATTERS PERTAINING TO FILING THIS VOLUNTARY ANNEXATION APPLICATION.

Richard Wagner
Owner Signature

Cody Foster
Applicant Signature

4-1-16
Date

City of Granite Shoals
 2221 N. Phillips Ranch Rd.
 Granite Shoals, TX 78654
 830-598-2424 (ofc.) 830-598-6538 (fax)
www.graniteshoals.org

Date: 04/04/2016

Owners Name: Walter Richard Wagner

Surveyor: Cuplin & Associates

Address: 1008 Impala Dr.

Replat Check List	Yes	Comment(s)
Complete Application		
Review Application	X	
Verify Ownership	X	
Verify water line placement	✓	<i>RS</i>
Verify purpose for re-plat recommendation	X	
Review Surveyor replat areas for Accuracy		
Physical Address	X	
Verify Platting Lot Numbers	X	
PEC Easement Release(s)		not yet
Prepare Packet for P&Z	X	
Staff Recommendation for Approval by P&Z	X	
P&Z recommendation to Council for Approval		
Replat Signed Off by		
Owner		
Surveyor		
P&Z Chairman		
Mayor		
City Secretary		
Copy of Recorded Plat Returned to City by Surveyor		

Notes:

Combine lots 4, 5 and 0.07 acre tract to clean up property lines and easements for resale.

Issued By:

BURNET CENTRAL APPRAISAL DIST
223 S PIERCE
P O BOX 908
BURNET, TX 78611

Property Information

Property ID: 23363 Geo ID: 05230-0000-00004-000
Legal Acres: 0.0000
Legal Desc: S5230 IMPALA ISLE LOT 4 & 5 AND FILLED AREA
Situs: 1008 IMPALA DR GRANITE SHOALS, TX 78654
DBA:
Exemptions:

Owner ID: 16783 100.00%
WAGNER WALTER RICHARD
103 GATEWOOD CT
SAN ANTONIO, TX 78209-1846

For Entities

*BURNET COUNTY
*CITY OF GRANITE SHOALS
*CO SPECIAL, ROAD & BRIDGE
*MARBLE FALLS ISD
*WATER CONSERV DIST OF CENTR

Value Information

Improvement HS: 0
Improvement NHS: 695,836
Land HS: 0
Land NHS: 449,850
Productivity Market: 0
Productivity Use: 0
Assessed Value 1,145,686

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Outstanding Litigation Fees

Fee Date	Fee Description	Amount Due
04/04/2016	TAX CERTIFICATE	10.00
Total Fees Due:		10.00
Effective Date: 04/04/2016		Total Due if paid by: 04/30/2016 10.00

Tax Certificate Issued for:	Taxes Paid in 2015
*CITY OF GRANITE SHOALS	5,965.58
*BURNET COUNTY	4,125.62
*CO SPECIAL, ROAD & BRIDGE	485.77
*MARBLE FALLS ISD	14,664.78
*WATER CONSERV DIST OF CENTR	104.26

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 04/04/2016
Requested By: CUPLIN & ASSOCIATES INC
Fee Amount: 10.00
Reference #: 16337


Signature of Authorized Officer of Collecting Office

The City of Granite Shoals

410 N. Phillips Ranch Road
Granite Shoals, Texas 78654

phone (830) 598-2424
fax (830) 598-6538

MINUTES

FOR A REGULAR MEETING

OF THE BOARD OF ADJUSTMENT OF THE CITY OF GRANITE SHOALS

TUESDAY, NOVEMBER 28, 2006

6:00 p.m.

1. Philip Ellett Vice Chairman called to order the Regular meeting of the Board of Adjustment of the City of Granite Shoals at 6:02 p.m., City Hall, City Council Chambers, 410 N. Phillips Ranch Road, Granite Shoals, Texas. In attendance: Philip Ellett Vice Chairman, Duane Pulsifer, Roger Scarborough, Jerry Watson and Cecil Harkins, Alternate; present but not voting alternate member Slayton Marks.
2. Public comment and announcements. No public comment of announcement.
3. Open **Public Hearing** 6:03 p.m.

A hearing for a variance request from Richard Wagner, owner of lots four (4) and five (5) Impala Isle and filled area, to build his home with a five foot (5') set-back from the shoreline and onto filled area. City ordinance requires a twenty foot (20") set-back from shoreline and no building on filled area. Case #4/10-2006

Mr. Wagner presented his request to the Board explaining the reasons for the request. The Board discussed the house plans and fill area with Mr. Wagner. Philip Ellett reported of the notices mailed to property owners within 200' of the property, ten have been returned; seven agrees with the variance, two do not agree with the variance and one notice was returned undeliverable. Thirteen notices were mailed. No public comment was made.

Close **Public Hearing** 6:15 p.m.

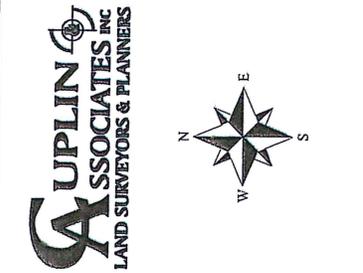
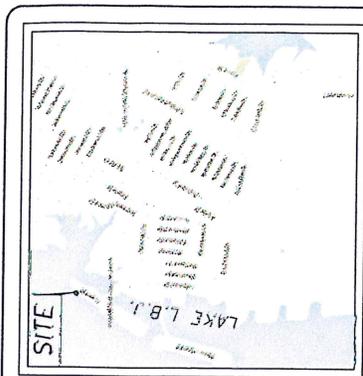
4. Discussion and possible action on Case #4/10-2006 – variance request by Richard Wagner. Motion was made by Roger Scarborough to grant a variance for Richard Wagner owner of lots four (4) and five (5) Impala Isle and fill area to build a home with a five foot (5') set-back from shoreline and the fill area. Seconded by Duane Pulsifer. Motion passed unanimously.

5. Discussion and possible action to elect a Chairman for the Board of Adjustment. Motion was made by Jerry Watson to nominate Philip Ellett and Chairman. Seconded by Duane Pulsifer. Motion passed unanimously.
6. Discussion and possible action to approve the minutes of October 24th Regular meeting. Motion was made by Philip Ellett to approve the minutes as presented for the October 24th Regular meeting. Seconded by Jerry Watson. Motion passed unanimously.
7. Adjourned at 6:19 p.m.

I, Ronda Reichle, City Secretary for the City of Granite Shoals, Texas, certify that the attached are true and correct Minutes taken from the tapes and notes of the Board of Adjustment Regular meeting held on November 28, 2006.

Ronda Reichle, City Secretary

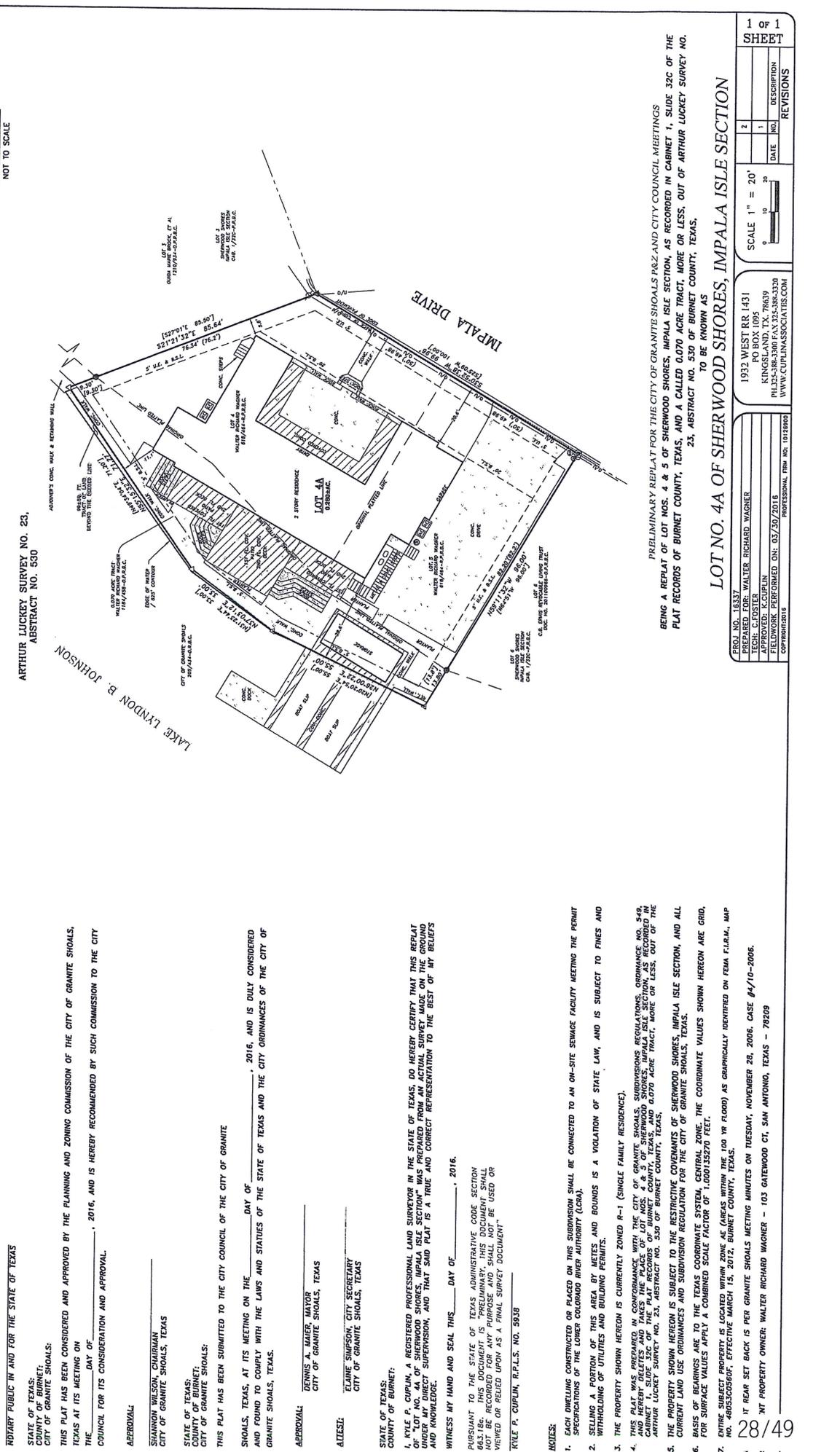
C:\Users\esimpson.CITYGS\Documents\Ronda Docs\2006MINUTESFOLDER\BOA\MINUTES BOA Regular 11-28-06.doc



STATE OF TEXAS;
 COUNTY OF BURNET;
 KNOW ALL MEN BY THESE PRESENTS, WALTER RICHARD WAGNER, BEING THE OWNER OF ALL OF LOT NOS. 4 & 5 OF SHERWOOD SHORES, IMPALA ISLE SECTION, AS RECORDED IN CABINET 1, SLIDE 32C OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, AND A CALLED 0.070 ACRE TRACT, MORE OR LESS, OUT OF THE ARTHUR LUCKEY SURVEY NO. 23, ABSTRACT NO. 530, COUNTY OF BURNET, TEXAS, AND LOT NOS. 4 & 5, DESCRIBED IN VOLUME 616, PAGE 484 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, DO HEREBY REPEAT SAME AS SHOWN AND DO HEREBY DEDICATE THE PUBLIC STREETS AND EASEMENTS SHOWN HEREON TO THE USE OF THE PUBLIC
 IN WITNESS WHEREOF, ON THIS _____ DAY OF _____, 2016.

WALTER RICHARD WAGNER - OWNER
 STATE OF TEXAS;
 COUNTY OF BURNET;
 BEFORE ME, IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED WALTER RICHARD WAGNER, KNOWN TO ME TO BE THE OWNER OF THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2016.



ARTHUR LUCKEY SURVEY NO. 23,
 ABSTRACT NO. 530

RODARY PUBLIC IN AND FOR THE STATE OF TEXAS
 COUNTY OF BURNET;
 CITY OF GRANITE SHOALS;
 THIS PLAT HAS BEEN CONSIDERED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF GRANITE SHOALS, TEXAS AT ITS MEETING ON THE _____ DAY OF _____, 2016, AND IS HEREBY RECOMMENDED BY SUCH COMMISSION TO THE CITY COUNCIL FOR ITS CONSIDERATION AND APPROVAL.

APPROVAL:
 SHANNON WILSON, CHAIRMAN
 CITY OF GRANITE SHOALS, TEXAS

STATE OF TEXAS;
 COUNTY OF BURNET;
 THIS PLAT HAS BEEN SUBMITTED TO THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS, AT ITS MEETING ON THE _____ DAY OF _____, 2016, AND IS DULY CONSIDERED AND FOUND TO COMPLY WITH THE LAWS AND STATUTES OF THE STATE OF TEXAS AND THE CITY ORDINANCES OF THE CITY OF GRANITE SHOALS, TEXAS.

APPROVAL:
 DENNIS A. WALKER, MAYOR
 CITY OF GRANITE SHOALS, TEXAS

ATTEST:
 ELAINE SIMPSON, CITY SECRETARY
 CITY OF GRANITE SHOALS, TEXAS

STATE OF TEXAS;
 COUNTY OF BURNET;
 I, KYLE P. CUPLIN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS REPEAT OF "LOT NO. 4A OF SHERWOOD SHORES, IMPALA ISLE SECTION" WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND AND SUBJECT SUPERVISION, AND THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION TO THE BEST OF MY BELIEFS AND KNOWLEDGE.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2016.

PRESUMPT TO THE STATE OF TEXAS ADMINISTRATIVE CODE SECTION 683.001, THE STATE OF TEXAS ADMINISTRATIVE CODE SECTION 683.002, AND THE STATE OF TEXAS ADMINISTRATIVE CODE SECTION 683.003, AND HEREBY OBLIGES AND TAKES THE PLAT, RECORDS OF BURNET COUNTY, TEXAS, AND 0.070 ACRE TRACT, MORE OR LESS, OUT OF THE ARTHUR LUCKEY SURVEY NO. 23, ABSTRACT NO. 530 OF BURNET COUNTY, TEXAS.

THE PROPERTY SHOWN HEREON IS CURRENTLY ZONED R-1 (SINGLE FAMILY RESIDENCE).

THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE CITY OF GRANITE SHOALS, SUBDIVISIONS REGULATIONS, ORDINANCE NO. 549, AND HEREBY OBLIGES AND TAKES THE PLAT, RECORDS OF BURNET COUNTY, TEXAS, AND 0.070 ACRE TRACT, MORE OR LESS, OUT OF THE ARTHUR LUCKEY SURVEY NO. 23, ABSTRACT NO. 530 OF BURNET COUNTY, TEXAS.

THE PROPERTY SHOWN HEREON IS SUBJECT TO THE RESTRICTIVE COVENANTS OF SHERWOOD SHORES, IMPALA ISLE SECTION, AND ALL BASIS OF BEARINGS ARE TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE. THE COORDINATE VALUES SHOWN HEREON ARE GRID, FOR SURFACE VALUES APPLY A CORRECTED SCALE FACTOR OF 1.00015270 FEET.

ENTIRE SUBJECT PROPERTY IS LOCATED WITHIN ZONE AE (AREAS WITHIN THE 100 YEAR FLOOD) AS GRAPHICALLY IDENTIFIED ON FEMA F.I.R.M., MAP NO. 48053C05060F, EFFECTIVE MARCH 15, 2012, BURNET COUNTY, TEXAS.

IT BEAR SET BACK AS PER GRANITE SHOALS MEETING MINUTES ON TUESDAY, NOVEMBER 28, 2006, CASE #4/10-2006.

MY PROPERTY OWNER: WALTER RICHARD WAGNER - 103 GATEWOOD CT, SAN ANTONIO, TEXAS - 78209

1 OF 1 SHEET

NO.	DATE	DESCRIPTION
1		
2		

SCALE 1" = 20'

PROFESSIONAL SEAL

1932 WEST RR. 1431
 PO BOX 1095
 KINGSLAND, TX. 78639
 PH 335-388-3300 FAX 335-388-3320
 WWW.COPLINASSOCIATES.COM

APPROVED FOR: WALTER RICHARD WAGNER
 TECH: C.FOSTER
 APPROVED: K.CUPLIN
 FIELDWORK PERFORMED ON: 03/30/2016
 COPYRIGHT © 2016

PRELIMINARY REPEAT FOR THE CITY OF GRANITE SHOALS PARZ AND CITY COUNCIL MEETINGS
 BEING A REPEAT OF LOT NOS. 4 & 5 OF SHERWOOD SHORES, IMPALA ISLE SECTION, AS RECORDED IN CABINET 1, SLIDE 32C OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, AND A CALLED 0.070 ACRE TRACT, MORE OR LESS, OUT OF ARTHUR LUCKEY SURVEY NO. 23, ABSTRACT NO. 530 OF BURNET COUNTY, TEXAS, TO BE KNOWN AS

LOT NO. 4A OF SHERWOOD SHORES, IMPALA ISLE SECTION



**City of Granite Shoals, Texas
Planning and Zoning Commission Reg. Mtg.
Agenda Item Cover Memo
Date: April 21, 2016**

Agenda Item: 3. Review of the Zoning Ordinance – cont.

**Prepared/Submitted By: City Secretary for Ken Nickel, City Manager
Department: Administration**

BACKGROUND

REGULAR AGENDA ITEMS:

3.) Continue to review and discuss the Granite Shoals Zoning Ordinance, as supplemented. *(The P&Z Commissioners have been reviewing the entire Zoning Ordinance, which is Chapter 40 in the city code. At their meeting on June 18, 2015, the Commissioners reviewed sections 40.8 through 40.11, at their July 16th meeting they reviewed Section 40.12 General Business District GB-1 through Section 40.14 Industrial District item d. #9. At their August 20, 2015 meeting, the Commissioners resumed reviewing Industrial District and reviewed through 40.17 Height and area restrictions, generally. September 17th, the Commissioners discussed regulations of non-conforming structures, Administration, the Board of Adjustments and also driveways. At their meetings October 15th and November 19th, and January 21th, the Commissioners reviewed parking and Drive-ways section again. February 18th the Commission reviewed the Ordinance related to signs, boat docks and Vacation Home Rentals. On March 17, 2016 the Commissioners reviewed requirements for annual inspection of Vacation Home Rentals. Tonight, the Commission will consider moving forward through the Ordinance, starting with Planned Development Districts (PD)).*

Background information provided in tonight's agenda – the handwritten notes starting with Boat Docks and proceeding through Planned Development Districts.

Next month, in order to accommodate the new Commissioner, the City Secretary will provide all the Commissioners with a fully updated 'red-line' version of the Ord. 40, the Zoning Ordinance.

- (7) Multiple signs may not be arrayed together so as to violate the size restriction stated herein.
- (8) Signs in the city right-of-way.
- (9) Signs that emit a noise.
- (i) Election campaign signs. Election campaign signs are allowed only on private property and when the sign:
 - (1) Is not more than eight feet high.
 - (2) Has an effective area less than thirty-six square feet.

(Ord. No. 409-B, 6-2007; Ord. No. 409-C, § II.G, 8-13-2008; Ord. No. 640, § 2, 3-25-2014; Ord. No. 644, § 2, 6-10-2014; Ord. No. 655, § II, 12-2-2014)

Sec. 40-25. - Boat docks.

stop - January PNZ meeting

- (a) Construction. The purpose of this section is to regulate and control the construction, alteration, repair or demolition of boat docks, piers, retaining walls, ramps, or any structure on the shoreline or extending into the waterways of Lake L.B.J. within the city; to establish appropriate standard to protect the health, welfare, and safety of the community; and to establish penalties for violations of the provisions.
- (b) Building permit. A city building permit must be obtained for all construction, alteration or demolition. Minor repairs may be made with the approval of the building official without a permit providing they do not violate any provision of this section.
- (c) Approval. The owner, contractor, architect or engineer authorized to represent the owner shall submit an application on a form prescribed by the city for approval, plans and specifications, or the proposed construction to be done, and pay any application fee, if adopted by the city council, to the building official for review. Permits will be issued at the city office by the building official if the application meets all city requirements.
- (d) Code. All construction methods, and building materials used must comply with minimum requirements set forth in the International Building Code, 2006 edition, and subsequent additions, or subsequent code or building regulations adopted by the city.
- (e) Inspection. Existing boat docks, piers, ramps, slips, retaining walls, or other structures on the shoreline or extending into the lake or waterway are subject to inspection by the building official and if found to be unsafe, unsanitary, or a hazard to navigation, the owner will be advised to bring the structure up to compliance with this section within 60 days.
- (f) Private facilities; No private pier, boat docks, ramps, slip or other structure will have any type of living facilities, kitchen, toilets or urinals, except if a special permit is approved by the city council.

** CM or his designee*

** CM or designee*

certified

CM or designee

add back into Engineer's plans required

all plans must be approved by a structural engineer

Private and Commercial, must conform to all LCA regulations.

All plans for construction of boat docks must be approved by a certified professional engineer. Structural.

- (g) Commercial facilities. Commercial piers, boat docks, slips, ramps, incidental to the use of the lot from which they are extended, are permitted provided they do not include living facilities, kitchens, toilets or any fixture requiring connection to a waste disposal system, providing they do not violate other provisions of this section.
- (h) Zoning. Boat docks are a permitted use in all zoning districts on waterfront lots.
- (i) Special permits. Requests to permit the additional use of the structure to include any type of living facilities, kitchen, toilets or urinals shall be submitted on an application form prescribed by the city and referred to the planning and zoning commission for recommendation, and final decision to approve or disapprove shall be decided by the city council as any other special permit application. *18(2)*
- (j) Special provisions. No structure on the shoreline or extending beyond shall exceed the height of 16 feet above the 825-foot elevation of Lake L.B.J.
- (k) Electrical. All electrical installations for docks shall be in accordance with the National Electrical Code (NEC), with particular attention given to articles 250, 339, 553, and 555, and with the National Electrical Safety Code (NESC). Electrical systems should be designed and installed by a licensed electrician. Wiring methods, equipment and materials should be listed and approved for use in wet and damp locations. *recently adopted*
- (l) Property line. No type of structure shall be less than five feet from a line projected from the intersection of the water front property line and the side property lines of the adjacent lots. *< addition @ later time re: setbacks >*
- (m) Waterway. No structure of any kind shall be erected, altered, enlarged, anchored or replaced that may hinder the free navigation of any waterway.
- (n) Piers, boat docks, slips. No pier, boat dock, or slip shall be erected or placed beyond the banks or shoreline of any water way or canal whose width is less than 35 feet from bank to bank. Nor shall any such structure be erected or placed in any canal or water way extending to a point which when any similar structure should be erected or placed from the opposite bank to the same extent will provide less than 30 feet of obstructed passage for boats. *keep*

(Ord. No. 409-B, 6-2007; Ord. No. 409-C, § II.G, 8-13-2008)

Sec. 40-26. - Vacation home rental use.

- (a) Zoning districts allowed. Vacation home rentals are allowed in the R-2 district only, except as provided by subsection (b) of this section.
- (b) Existing vacation home rentals. A vacation home rental that is located in a zoning district that does not permit vacation home rental uses and that was in existence as of the date of this ordinance may continue, provided that it satisfies the following requirements:
 - (1) Registration. The property owner (or their authorized agent) shall register the vacation home rental with the city within 30 days of the effective date of the

Feb 28, 2012
February 28, 2012

* Feb 28, 2012

ordinance from which this section is derived. Registration shall require full disclosure of the complete ownership of the property. Requirements for registration are as follows:

- a. The applicant shall prove that the vacation home rental use was established prior to the ~~effective date of the ordinance from which this section is derived~~, and that the use has been continuously maintained during that time by presenting proof of reporting/payment to the city of the hotel occupancy tax (HOT) filed in 2011.
- b. There shall be an annual re-registration that will establish the continuous proof of reporting/payment of the city hotel occupancy tax for the prior year. A \$150.00 annual application fee is required at the time of the filing of a registration form and at each renewal. ~~Proof of payment of the annual application fee shall be provided to the city at the time of filing the registration form.~~
- c. Address, legal description, and number of bedrooms of the property being used as a vacation home rental.
- d. Any additional information that may be requested by the city necessary to make an informed decision regarding the application.
- e. Contact information. Name, address and phone number of the homeowner and any management company authorized by the owner commissioned to maintain this property.

(2) Burden of proof. The burden of establishing that a vacation home rental use was in existence prior to the effective date of the ordinance from which this section is derived rests entirely upon the person claiming such status.

(3) Denial of registration. The city may deny registration if it appears that the documents submitted by the owner or authorized agent are incomplete, not valid, or that the documents produced do not show the existence of the vacation home rental use in accordance with of this section. The city may also deny registration based on valid nuisance complaints filed with the city.

(4) Revocation. The city will, in writing, suspend or revoke a registration issued under the provisions of this section, whenever the registration is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure, or portion thereof is in violation of any ordinance of the city or applicable regulations.

(5) Signage. No signage is allowed, other than the premises address.

(6) Transferability. Registration of a vacation home rental does not transfer from one property owner to another.

(7) Abandonment and termination of a vacation home use.

a. A vacation home use is deemed abandoned and the right to operate the existing use shall terminate immediately if any of the following occur:

- 1. The hotel occupancy tax (HOT) has not been reported for two consecutive reporting periods of 90 days each.

2. Discontinuance or abandonment shall be conclusively deemed to have occurred irrespective of the intent of the property owner if any portion of the structure in which the existing use is located is dilapidated, substandard, or is not maintained in a suitable condition for occupancy during a continuous period of 120 days, unless a building permit is obtained.
- b. A property owner may not resume an abandoned or otherwise terminated existing vacation home use.
 - c. Destruction of existing vacation home use. The right to operate and maintain any existing use shall terminate and shall cease to exist whenever the structure or any portion of the structure in which the existing use is operated and maintained is damaged or destroyed by fire, the elements or other intentional acts of the owner, operator, or third party, if the destruction amounts to 60 percent or more of its fair market value as determined by the tax appraisal roll, not including the value of the land, on the date of such damage or destruction. If the owner of a existing use fails to begin reconstruction of the destroyed building, when permitted to do so by city ordinances within 120 days of the date of destruction, the existing use shall be deemed to be discontinued or abandoned, and shall no longer be authorized to continue.

(Ord. No. 409-E, § 3, 2-28-2012)

Sec. 40-27. - Planned Development District, PD.

- (a) Purpose. The Planned Development District, PD, is a district that accommodates planned associations of uses developed as integral land use units such as industrial districts, offices, retail, commercial or service centers, shopping centers, residential developments of multiple or mixed housing including attached single-family dwellings or any appropriate combination of uses that may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A PD district may be used to permit new or innovative concepts in land utilizations not permitted by other zoning districts in this section. While greater flexibility is given to allow special conditions or restrictions which would not otherwise allow the development to occur, procedures are established herein to ensure against misuse of increased flexibility.
- (b) Permitted uses. An application for a PD district shall specify the base district (i.e., residential, retail, commercial) and the use or the combination of uses proposed. Uses that may be permitted in a PD are specified in the provisions of the zoning ordinance relating to each base district and must be specified if not permitted in the base district. In the case of residential PD district for single-family or duplex categories, the proposed lot area shall be no smaller than the lot sizes allowed in the base zoning district except for minor changes in a small percentage of the lots in order to provide improved design. In selecting a base zoning district, the uses allowed in the base district must be similar to or compatible with those allowed in

the PD district. PD designations shall not be attached to conditional use permit requirements. Conditional use permits allowed in a base zoning district are allowed in a PD district only if specifically identified at the time of PD approval.

- (c) Planned development requirements. Development requirements for each separate PD district shall be set forth in the amending ordinance granting the PD district and shall include, but may not be limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, project phasing or scheduling, management associations and other requirements as the city council and the planning and zoning commission may deem appropriate.
 - (1) In the PD district, uses shall conform to the standards and regulations of the base zoning district to which it is most similar. The base zoning district shall be stated in the granting ordinance.
 - (2) The ordinance granting a PD district shall include a statement as to the purpose and intent of the PD granted therein. A specific list is required of modifications in each district or districts and a general statement citing the reason for the PD request.
 - (3) The minimum acreage for a planned development district request shall be one acre.
 - (4) In establishing a Planned Development District, PD, the city council shall approve and file as part of the amending ordinance appropriate plans and standards for each Planned Development District, PD. To facilitate understanding of the request during the review and public hearing process, the planning and zoning commission and city council shall require a conceptual plan of the proposed project. A detailed site plan may be submitted in lieu of the conceptual plan.
- (d) Conceptual and detailed site plan. This plan shall be submitted by the applicant at the time of the PD request. The plan shall show the intent for the use of the land within the proposed Planned Development District, PD, in a graphic manner and as may be required, supported by written documentation of proposals and standards for development. The city may prepare application forms that further describe and explain the following requirements:
 - (1) Residential conceptual plan. A conceptual plan for residential land use shall show general use, thoroughfares and preliminary lot arrangements. For residential development (such as multifamily) which does not propose individual platted lots, the conceptual plan shall set forth the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, project scheduling, and other pertinent development data.
 - (2) Nonresidential conceptual plan. A conceptual plan for uses other than residential uses shall set forth the land use proposals in a manner to adequately detail the type and nature of the proposed development. Data that may be submitted by the applicant, or required by the planning and zoning commission

or city council, may include but is not limited to the types of uses, topography and boundary of the PD area, physical features of the site, existing streets, alleys and easements, location of future public facilities, building height and location, parking ratios, project scheduling and other information to adequately describe the proposed development and to provide data for approval, which is to be used in drafting the final detailed site plan.

- (3) Detailed site plan. This plan shall set forth the final plans for development of the Planned Development District, PD, and shall conform to the data presented and approved on the conceptual plan. Approval of the detailed site plan shall be the basis for issuance of a building permit, but does not release the applicant of the responsibility to submit plans to the building official for a building permit. For any residential district, a preliminary plat may qualify as the detailed site plan. The detailed site plan may be submitted for the total area of the PD or for any sections or part as approved on the conceptual plan. The detailed site plan shall include:
- a. A site inventory analysis including a scale drawing showing major existing vegetation, natural watercourses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This shall include delineation of any floodprone areas.
 - b. A scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts/drive approaches and the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with a topographical contour interval or not more than five feet.
 - c. A site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings, and between building and property lines, street-lines, and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision of off-street parking.
 - d. A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas and trees to be planted.
 - e. Architectural drawings (elevations, etc.) showing elevations and signage style to be used throughout the development in all districts (except single-family and two-family dwellings) may be required by the planning and zoning commission or the city council if deemed appropriate.
 - f. All detailed site plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District, PD, as appropriate to adequately explain or

understand the request and is to be included in the text of the amendment to the zoning ordinance incorporating the PD district.

- (e) Approval process and procedure. The process for establishing a Planned Development District, PD, shall be as follows:
- (1) The planning and zoning commission or the city council may approve the conceptual plan or detailed site plan or any section of the plan, separately or jointly, in public hearings. One public hearing at the planning and zoning commission and one at the city council for the PD district request is adequate when:
 - a. The applicant submits adequate data with the request for the Planning Development District, PD, to fulfill the requirement for a detailed site plan; or
 - b. Information on the conceptual plan and attached application is sufficient to determine the appropriate use of the land and the development plan will not deviate from it.
 - (2) The conceptual plan must be approved by the planning and zoning commission and city council prior to approval of the detailed site plan.
 - (3) Conceptual and/or detailed site plan approval.
 - a. The detailed site plan may be approved in sections. When a detailed site plan is approved in sections, then separate approvals by the planning and zoning commission and city council for the initial and subsequent sections will be required.
 - b. A detailed site plan shall be submitted for approval within one year from the approval of the conceptual plan for some portion of the conceptual plan. If a partial site plan is not submitted within one year, the conceptual plan is subject to review by the planning and zoning commission and city council. If some portion of the entire project is not started within two years, the planning and zoning commission and city council may review the original conceptual plan to ensure its continued validity. If the city determines the concept is not valid, a new conceptual plan must be approved prior issuing a building permit for any portion of the PD district.
 - c. Although a public hearing may not be required for the detailed site plan, approval by the planning and zoning commission and city council is still required.
- (f) Written report from city manager concerning impact. When a PD district is being considered, a written report from the city manager discussing the impact on planning, engineering, water utilities, electric, sanitation, building inspection, tax, police, fire, and traffic and written comments from the applicable public agencies (such as the school district and utility companies) may be submitted to the planning and zoning commission prior to the commission making any recommendations to the city council.

- (g) Approved PD districts referenced on zoning map. All Planned Development Districts, PD, approved in accordance with the provisions of this section in its original form, or by subsequent amendments thereto, shall be referenced on the zoning district map, and a list of such PD districts, together with the category of uses permitted therein, shall be maintained as part of this section.

(Ord. No. 409-F, § 2, 3-27-2012)

Sec. 40-28. - Conditional use permit.

(a) Conditional uses.

- (1) The purpose of the conditional use permit (CUP) process is to allow certain uses that are not specified, permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "conditional uses" within the specific zoning district. Possible conditional uses, if any, are listed in each zoning district.
- (2) The city council by an affirmative vote may, after public hearing and proper notice to all parties affected, and after recommendations from the planning and zoning commission that the uses are in general conformance with the intent of the comprehensive plan and with general objectives of the city, and containing such requirements and safeguards as are necessary to protect adjoining property, authorize certain uses by a CUP. As a zoning action, issuance of a CUP shall only apply to real property (such as shall not be attached to any person, business entity, or the like), shall not be transferred from one property to another (such as shall not move if a business operation relocates), and shall not expire without proper zoning action to rescind the CUP (such as change the zoning to remove the CUP, with appropriate public notification, public hearing, and the like).
- (3) A zoning application for a CUP shall be accompanied by a metes and bounds description and a survey or scale drawing showing the property for which the CUP is being requested, and by a development plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings, and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of 200 feet. The city manager or his or her designee, the planning and zoning commission, or the city council may require additional information or drawings (such as building floor plans), operating data, and expert evaluation or testimony concerning the location, function, and characteristics of any building or use proposed. The development plan shall be reviewed and approved along with the CUP zoning application.

(b) Conditional use permit regulations.

- (1) In recommending that a conditional use permit for the premises under consideration be granted, the city shall determine that the uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys, and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening, and open space, heights of structures, and compatibility of buildings. In approving a requested CUP, the planning and zoning commission and the city council may consider any or all of the following:
 - a. The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not more adversely affect an adjoining site than would a permitted use;
 - b. The architecture, facade, and signage designs of the use are harmonious with those of adjacent uses;
 - c. The use requested by the applicant is set forth as a conditional use in the zoning district;
 - d. The nature of the use is reasonable;
 - e. The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;
 - f. The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
 - g. Any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.
- (2) In granting a conditional use permit, the planning and zoning commission and the city council may impose conditions that shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the building official, or his or her designee, for use of the building on that property pursuant to the conditional use permit and the conditions precedent to the granting of the certificate of occupancy. Any special conditions shall be set forth in writing by the city council prior to issuance of the certificate of occupancy, and shall be incorporated into the amending ordinance establishing the CUP.
- (3) No conditional use permit shall be granted unless the applicant, owner, and grantee of the conditional use permit shall be willing to accept and agree to be bound by and comply with the written requirements or conditions of the conditional use permit, as incorporated into the amending ordinance establishing the CUP, and as reviewed by the planning and zoning commission and approved by the city council.
- (4) A building permit or certificate of occupancy shall be applied for and secured within one year from the time of granting the conditional use permit; provided, however, that the city council may authorize one extension of one additional

year. After the one-year period (and the one-year extension, if it has been granted by the city council) has elapsed, the planning and zoning commission and the city council may review the development plan for continued validity and compliance. If the development plan is determined to be invalid or no longer viable, then the applicant and property owner(s) must submit a new or revised development plan for approval prior to any construction or to application for a building permit for the area designated for the conditional use permit. If building construction or use of a CUP has not commenced within a reasonable amount of time after two years, then the city council, at its option, may initiate proceedings to rescind the CUP for lack of use. No development right, if any, shall vest in a CUP that has expired or is no longer valid.

- (5) No building, premises, or land used under a conditional use permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amended conditional use permit is granted for that enlargement, modification, structural alteration, or change. Minor changes or alterations may be approved by the city manager or his or her designee.
- (6) The board of adjustment shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the specific land use designated by any conditional use permit.
- (7) When the city council authorizes granting of a conditional use permit, the zoning district map shall be amended to indicate that the affected area has conditional and limited uses, and the amendment is to indicate the appropriate zoning district for the approved use and prefixed by a CUP designation.

(Ord. No. 629, § II(D), 1-14-2014)



**City of Granite Shoals, Texas
Planning and Zoning Commission Reg. Mtg.
Agenda Item Cover Memo
Date: April 21, 2016**

Agenda Item: 4. Fencing

**Prepared/Submitted By: City Secretary for Ken Nickel, City Manager
Department: Administration**

BACKGROUND

REGULAR AGENDA ITEMS:

4. Discuss, consider and possibly take action related to forwarding a recommendation to City Council regarding modifications to Granite Shoals zoning ordinance related to fencing in residential zoning districts.

Please refer to the March 17, 2016 P&Z Commission meeting minutes pages 3-6 for discussion of agenda item as considered at the last meeting.

Commissioners were asked to consider several factors at the last meeting related to the fencing issue.

Some options are:

- Recommending a new 'garden enclosure' be defined, which will not be subject to the rules of other fencing, and may allow building materials with a more agricultural look and have 8 foot 'deer fence' maximum height allowance.
- Making no recommendation. Choosing to change nothing and leave the fencing section as it is, considering that R-1 has been so recently changed (July 2015) and the fencing materials were discussed at great length when section was designed.
- Recommending a revision to the current Fencing regulations: Forwarding a recommendation that un-milled cedar, and/or rolled wire, be deleted from the list of disallowed fence building materials in R-1. Also recommending that height allowance be increased to eight feet (8').
- Other, as Commissioners desire.



- (p) Fencing. Fences may be located directly on the property/lot lines, i.e. front, side(s) and rear yard lot lines. Front yard fencing must have no more than 50 percent density.
- (1) Fence materials. All fences shall be constructed with new and of good quality materials. Allowable materials are milled wood, split-rails, masonry, rock, stone, chain link and/or wrought iron.
- a. Chain link fences are required to have a top rail, bottom guide wire and traditional chain link fence hardware.
 - b. Cinder block shall not be considered a masonry product.
 - c. Except as provided in subsection (p)(1)d., agriculture fence materials such as pipe, drill stem, T-Post, rolled wire fence, stranded wire, barbed wire, cow panel, corral panel, non-milled cedar posts, and all other types of agriculture fencing shall not be allowed in any residential district.
 - d. Sheets of galvanized welded wire panels of 20 feet or less, framed in wood, metal or masonry are allowed.
- (2) Fence height.
- a. Front yard lot line maximum height five feet.
 - b. Side yard lot lines shall maintain five feet maximum height, 20 feet back from the front yard lot line, and may increase to six feet maximum height to the rear yard lot line.
 - c. Rear yard lot line maximum height six feet
 - d. All posts, pillars, columns, arches, decorative tops, lights, and gates shall not exceed allowed fence heights by greater than 12 inches (one foot).
 - e. For through lots (street to street), each parallel side of the lot facing a street shall be subject to the same fence height and setback restrictions that apply to a front yard.
 - f. For corner lots, the side of the lot that faces the street that corresponds to the building's street address shall be considered the front yard, and the side of the lot that faces the intersecting street shall be subject to a maximum fence height of five feet and a minimum setback from the lot line of ten feet.
- (q) Easements. No structure, or portion thereof, including sidewalk/flatwork, may encroach on any easement.
- (r) House addresses. The primary dwelling at each address shall display that address so as to be readable from the street, conforming to city ordinance.
- (s) Exterior lighting. No lighting shall be done in such a manner as to provide a direct or reflected glare into a nearby residence or into a public street that creates a driving hazard. Lighting shall be hooded or shielded. This excludes streetlights.
- (t) Driveways. Each location having a driveway for ingress/egress onto the property shall have a driveway approach with drainage culvert, if required. The driveway drainage design, and placement of culverts, shall be determined by city staff. All

Our Garden Fence



Our Garden Fence



Natural cedar blends with the surrounding trees and is termite resistant. The rolled wire is virtually transparent. A 6' chain link fence would obstruct our neighbor's views more that what we currently have.



**City of Granite Shoals, Texas
Planning and Zoning Commission Reg. Mtg.
Agenda Item Cover Memo
Date: April 21, 2016**

Agenda Item: 5. Driveways

**Prepared/Submitted By: City Secretary for Ken Nickel, City Manager
Department: Administration**

BACKGROUND

REGULAR AGENDA ITEMS:

5. Discuss, consider and possibly take action related to clarifying the Commission recommendations related to driveways and parking.

Background information provided tonight is current 'red-line' version of staff interpretation of Commissions desired verbiage for Driveways section of a proposed 'General Compliance Section' for residential zoning districts.

Commissioners are asked to review verbiage and correct/update as desired.

- b. Side yard lot lines shall maintain five feet maximum height, 20 feet back from the front yard lot line, and may increase to six feet maximum height to the rear yard lot line.
 - c. Rear yard lot line maximum height six feet
 - d. All posts, pillars, columns, arches, decorative tops, lights, and gates shall not exceed allowed fence heights by greater than 12 inches (one foot).
 - e. For through lots (street to street), each parallel side of the lot facing a street shall be subject to the same fence height and setback restrictions that apply to a front yard.
 - f. For corner lots, the side of the lot that faces the street that corresponds to the building's street address shall be considered the front yard, and the side of the lot that faces the intersecting street shall be subject to a maximum fence height of five feet and a minimum setback from the lot line of ten feet.
- (q) Easements. No structure, or portion thereof, including sidewalk/flatwork, may encroach on any easement.
- (r) House addresses. The primary dwelling at each address shall display that address so as to be readable from the street, conforming to city ordinance.
- (s) Exterior lighting. No lighting shall be done in such a manner as to provide a direct or reflected glare into a nearby residence or into a public street that creates a driving hazard. Lighting shall be hooded or shielded. This excludes streetlights.

(t)

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Insert 'Residential General Compliance' for effective date March 1, 2016:

Driveways:

- 1.) Each dwelling shall have at least one designated driveway. All must be adjacent to or connected to the main dwelling, garage or carport. Circle driveways are permitted.
- 2.) Size/width: The maximum width of a driveway may be the width of the adjacent garage, or twenty-five feet (25'). The minimum width of a driveway may be ten feet (10').
- 3.) Driveways are for parking of vehicles only. No open storage of any kind will be permitted on driveways.
- 4.) Each dwelling shall have a driveway approach with drainage culvert, if required. The driveway drainage design, and placement of culverts, shall be determined by city staff.
- 5.) All driveway and driveway approaches shall be constructed of concrete, asphalt material, brick, pervious block, or gravel. All concrete driveways or the concrete ribbons shall be reinforced. The driveway approach shall be graded to match the level of the roadway and shall have a separator at the front property line. Driveways may be placed over the front public utility easement only. The portion of

a driveway that encroaches on an easement will be removed at the property owner's expense should the city require use of the easement for public utility purposes after the driveway has been installed.

~~Driveways. Each location having a driveway for ingress/egress onto the property shall have a driveway approach with drainage culvert, if required. The driveway drainage design, and placement of culverts, shall be determined by city staff. All driveway and driveway approaches shall be constructed of concrete, asphalt material, brick, pervious block, or gravel. All concrete driveways or the concrete ribbons shall be reinforced. The driveway approach shall be graded to match the level of the roadway and shall have a separator at the front property line. Driveways may be placed over the front public utility easement only. The portion of a driveway that encroaches on an easement will be removed at the property owner's expense should the city require use of the easement for public utility purposes after the driveway has been installed.~~

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(u) Drainage.

- (1) For only new construction that will affect the drainage patterns on the property, if city staff determines that civil engineering services are necessary, the lot owner shall pay all engineering fees. A property owner who plans to build a structure over a culvert or natural drainage shall have the design approved by city staff. A stamp from a civil engineer shall be required before a building permit is granted.
- (2) Any and all existing lots having natural drainage on or across them shall be evaluated by city staff.

(Ord. No. 409, § VII, 8-24-2004; Ord. No. 409A, § 2, 12-7-2006; Ord. No. 409-C, §§ II.C—II.E, 8-13-2008; Ord. No. 651, § II, 7-22-2014; Ord. No. 663, § II, 7-28-2015)

Sec. 40-7. - Reserved.

Editor's note— Ord. No. 663, § II, adopted July 28, 2015, repealed § 40-7, which pertained to a single-family residential district, R-1D and derived from Ord. No. 409, adopted August 24, 2004.

End of Supplement 3 to the City Code. –

Following is Zoning Ordinance, Chapter 40, with recommended changes from P&Z from June to Oct. 2015.

Sec. 40-8. - Multifamily Residential ~~District~~Zone, R-2.



**City of Granite Shoals, Texas
Planning and Zoning Commission Reg. Mtg.
Agenda Item Cover Memo
Date: April 21, 2016**

Agenda Item: 6. Eaves and Overhangs – Non-Conforming

structures

Prepared/Submitted By: City Secretary for Ken Nickel, City Manager

Department: Administration

BACKGROUND

REGULAR AGENDA ITEMS:

6. Discuss, consider and possibly take action related to non-conforming structures, including encroachments of eaves and overhangs into setbacks.

At their City Council meeting April 12, 2016, City Council held a workshop and discussed non-conforming structures.

One point that the Council agreed to by consensus, was that they wished to see the Non-conforming section of the zoning ordinance modified to exempt structures constructed before July 28, 2015 from being classified as 'non-conforming' structures, if this determination was based solely on an encroachment of eaves or overhangs into a required setback.

At their next meeting, the Council will continue to review the non-conforming ordinance and possibly recommend further modifications be made.

Schedule D

Nonconforming Structures in Granite Shoals

Granite Shoals moving forward. When making tough decisions, it invariably will be displeasing to some individuals, and in some cases may appear unfair.

What are the top two causes of nonconforming (residential) structures in Granite Shoals?

1. Structure *overhangs* encroaching into public utility easements, front, side, and/or back yard setbacks.

Recommendation: **Supported by City Council**

- Do not change the body of the ordinance as it currently reads. The way it is currently written makes sense and protects the properties moving forward. No permit will be issued unless it meets the criteria of the current ordinance.
- As any other rule, ordinance or law there may be reasons for exemptions, and our nonconforming ordinance may benefit from an exemption clause. We recommend the following wording:

- ✓ Any structure built before July ~~2~~²⁸ 2015 that is solely in violation due to overhangs/eaves encroaching into a public utility easement, front, side or back yard setbacks, will be considered a conforming structure.

City Council or our attorney may want to change the above wording for legal purposes.

2. The *actual structure* encroaches into public utility easements, front, side, and/or back yard setbacks.

Recommendation: **Not supported by City Council**

- If the nonconforming structure is in violation because the structure is in the public utility easement, front, side and/or back yard setback, no exception should be made, and the enforcement of the ordinance should stand as written. The structure is a more serious issue moving forward for the property, and if we allow the expansion of the structure it expands the problem (refinancing, selling the property, transferring ownership etc.).

Everything that exists has a life expectancy and structures/residential dwellings are no exception. The nonconforming laws also protect individuals, so that federal, local or city governments cannot overreach.



**City of Granite Shoals, Texas
Planning and Zoning Commission Reg. Mtg.
Agenda Item Cover Memo
Date: April 21, 2016**

Agenda Item: 7. Meeting schedule for Commission meetings
Prepared/Submitted By: City Secretary for Ken Nickel, City Manager
Department: Administration

BACKGROUND

REGULAR AGENDA ITEMS:

7. Discuss, consider and possibly take action related to modifying the schedule of Commission meetings.

Chair Wilson notes that she is often busy on Thursday evenings. Due to these schedule conflicts, she requests that the Commissioners review the meeting schedule and determine if the 3rd Thursday evening of the month remains the best choice for other members of the Commission.

Regarding the City Council Chamber, the following Committees and Boards have 'standing' reservations:

City Council: 2nd and 4th Tuesday night.

Airport Advisory Committee: 2nd Thursday night.

Wildlife Advisory Committee: 4th Thursday night.

Parks: 1st Thursday night.

SWAG: 1st Monday afternoon

The BAG (Beautification Advisory Group) meets formally only twice a year and the Board of Zoning Adjustments meets on an 'as needed' basis.