

Ordinance No. 750

“Hangar Houses”

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING CHAPTER 40 (ZONING), SECTION 40-6 (SINGLE-FAMILY RESIDENTIAL DISTRICT, R-1), OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Granite Shoals has determined that quality of life, increased property values and aesthetics are important issues and concerns affecting the City and seek to provide for the safe and orderly development of land within the City; and,

WHEREAS, the regulations established by this Ordinance are specifically designed to lessen congestion in the streets, secure safety from fire, panic, and other dangers; promote health and general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; facilitate the adequate provision of transportation, water, schools, parks and other public facilities; and

WHEREAS, in the course of adopting the regulations established by this Ordinance, the City Council has given careful consideration to the unique qualities of the City, including the demographics of its inhabitants, the community’s history, geography, natural resources, existing structures, property values, workforce, education levels, commercial base, surrounding communities, public facilities and infrastructure; and with a view of conserving property values and encouraging the most appropriate use of land in the City; and

WHEREAS, the regulations established by this Ordinance are furtherance of the public interest, for the good government, peace, order, trade and commerce of the City, and are made in accordance with the City’s Comprehensive Plan and are necessary and proper for carrying out the power granted by the law of the City; and

WHEREAS, the Planning and Zoning Commission has considered the contents of this ordinance and held a public hearing on February 19, 2019, at which time all persons interested in the proposed amendments to the City’s zoning ordinance had an opportunity to be heard; and

WHEREAS, the City Council held a public hearing on February 26, 2019, at which time all persons interested in the proposed amendments to the City’s zoning ordinance had an opportunity to be heard; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION II. AMENDMENT

B. Chapter 40 (Zoning), Section 40-6 (Single-Family Residential District, R-1) is hereby amended as follows:

“(i) Hangars ~~for aircraft~~. Personal hangars are buildings or structures, suitable for the primary use of housing, storing, and sheltering an aircraft, and which may be constructed on any lot bordering the Granite Shoals city-owned airstrip, with or without a residential dwelling on the lot.

(o)

...

(2) No residential dwelling other than a residential dwelling constructed within a personal hangar as defined in subsection (i) of this Section shall be constructed, or moved in, which contains fewer than 1,200 square feet of living area (excluding garage); provided, however, that the owner of a residential dwelling that contains fewer than 1,200 square feet of living area may add a garage without expanding the living area of the residential dwelling as long as the residential dwelling complies with other provisions of this chapter. Any new home construction, permitted after January 1, 2016, shall be required to include a minimum of a one-car enclosed garage; which may be attached or detached. For purposes of this subsection, the term “new home construction” does not include renovations, remodeling, or additions. The dwelling shall have a minimum of 16 inches of roof overhang with a vented soffit. The city manager or city manager’s designee may waive the venting requirement if, in his judgment, the additional venting is not required for public safety or health reasons.

(3) A residential dwelling constructed within a new or existing personal hangar as defined in subsection (i) of this Section may not contain fewer than 650 square feet of living area, and must otherwise meet all requirements of the City of Granite Shoals Code of Ordinances, provided, however, that such dwellings within personal hangars are not required to include a minimum of a one-car enclosed garage.

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.


SECTION VI. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

SECTION VII. PROPER NOTICE AND MEETING

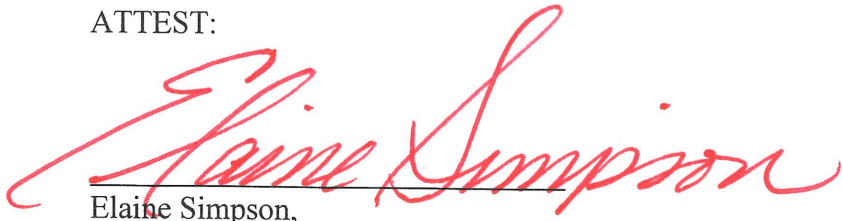
It is hereby officially found and determined that the meeting at that this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this 26th day of February, 2019.



Carl J. Brugger
Mayor

ATTEST:



Elaine Simpson,
City Secretary

APPROVED AS TO FORM:

Joshua Katz,
City Attorney