

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 74 OF THE CODE OF ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, TEXAS, BY DELETING PARAGRAPHS (1) AND (2) OF SUBSECTION (c) OF SECTION 74-244 IN ITS ENTIRETY AND ADDING ~~A~~ NEW PARAGRAPHS (1) AND (2) OF SUBSECTION (c) OF SECTION 74-244, ESTABLISHING REGULATIONS FOR THE SIZE OF FRONT AND SIDE YARDS IN GENERAL, AND ON SPECIFIC STREETS, AND BASED ON LOT SIZE; PROVIDING FOR OTHER MATTERS RELATED TO THE SUBJECT; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION; AND PROVIDING FOR SEVERABILITY.

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WHEREAS, the City Council of the City of Piney Point Village recognizes that the majority of streets in the City are platted and improved with ~~a fifty (50) foot~~ adequate setbacks to comply with the setback regulations established for the City, however, certain lots are smaller and nonconforming and certain identified streets are platted and improved at a lesser front and side yard setbacks; and

WHEREAS, the City Council desires to establish setbacks on those identified nonconforming lots and streets that reflect actual lot configuration and established building locations; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:

Section 1. That Paragraphs (1) and (2) of Subsection (c) of Section 74-244 be deleted in its entirety and ~~a new Paragraphs (1) and (2)~~ of Subsection (c) of Section 74-244 be added to provide as follows:

“Article IV. – DISTRICT REGULATIONS

* * *

Sec. 74-244 – Regulations.

* * *

(c) *Area regulations; size of yards.*

- (1) *Front yard.* There shall be a front yard having a depth of not less than 50 feet; provided, however, Gingham Drive and Jan Kelly Lane shall have a depth of not less than 40 feet. Surrey Oaks Lane, Dana Lane and 501, 502, 505, 510, 517, 518, 525, 526, 533, 534, 541 and 542 Lanecrest Lane shall have a depth of not less than 25 feet. Where all or part of a lot abuts on the turnaround portion of a cul-de-sac street, that portion of such lot fronting upon the turnaround portion of a cul-de-sac shall have a front yard depth of not less than 25 feet.
- (2) *Side yards.* There shall be two side yards on each lot, neither of which shall be less than 15 percent of the lot width at the building line; provided, however, in no event shall a side yard be less than 15 feet or be required to be more than 30 feet. Notwithstanding, Surrey Oaks Lane, Dana Lane and 501, 502, 505, 510, 517, 518, 525, 526, 533, 534, 541 and 542 Lanecrest Lane shall have a side yard setback of 10 feet.”

Section 2. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence violates any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each

day of violation shall constitute a separate offense.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Piney Point Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. All ordinances and parts of ordinance in conflict herewith are, to the extent of such conflict, hereby repealed.

PASSED, APPROVED, AND ADOPTED on first and final reading this ____th day of _____, 2020.

Mark Kobelan
Mayor

ATTEST:

Karen Farris
City Secretary