

ORDINANCE NO. 2004-05

PROVIDING FOR THE REGULATION OF ACCESSORY BUILDINGS IN THE CITY OF SHOREACRES

AN ORDINANCE REGULATING THE NUMBER, SIZE, LOCATION, AND CONSTRUCTION OF ACCESSORY BUILDINGS; REQUIRING A BUILDING PERMIT FOR THE PLACEMENT OR CONSTRUCTION OF AN ACCESSORY BUILDING; AND PROVIDING FOR A SEVERABILITY CLAUSE

WHEREAS, the regulation of the number, size, and placement of accessory buildings in the City is necessary to protect property values and;

WHEREAS, the regulation of the construction of accessory buildings in the City is necessary to protect the safety of the citizens and;

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

Section 1. Definition

An accessory building is defined as any structure other than the primary house or building or the associated garage on a piece of property. A garage is defined as a structure with parking capacity for private vehicles. Accessory buildings include storage sheds, utility buildings, pool houses, and decorative structures such as gazebos, green houses or other structures typical to the primary use of the property.

Section 2. Location

An accessory building shall be located in the side or rear yard and must be located behind either the front building line of the property or the front wall of the primary building, whichever is located farther from the front of the property. No accessory building shall be closer than five (5) feet to any rear or side lot line. All accessory buildings shall be located on the same lot as the principal or main structure.

Section 3. Number

No more than two (2) accessory buildings per platted lot shall be allowed, unless otherwise approved by the Board of Adjustments.

Section 4. Size

An accessory building may not be taller than the primary structure on the property and in no case taller than fifteen (15) feet. The combined size of all accessory buildings on a property may not exceed three hundred (300) square feet, unless otherwise approved by the Board of Adjustments.

Section 5. Construction Regulations

The entire frame of the structure must be hurricane clipped or strapped and securely tied to the foundation or anchors.

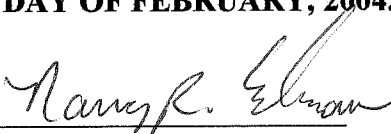
Section 6. Permit Required

A building permit must be obtained from the City authorizing the placement of or construction of an accessory building. Any person who places or builds an accessory building without a building permit shall be deemed guilty of a misdemeanor and upon conviction may be fined up to \$200.00 per day, with each day that the wrongful condition exists deemed a separate offense.

Section 7. Severability Clause.

The City Council of the City of Shoreacres hereby declares that if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid by final judgment of a court of competent jurisdiction, it will not affect the remaining portions of this ordinance. The City Council declares it would have passed and ordained all the remaining portions of this ordinance without the inclusion of those portions found to be unconstitutional or invalid.

PASSED AND APPROVED THIS 23 DAY OF FEBRUARY, 2004.



Nancy R. Edmonson, Mayor

ATTEST:



Shari Tait, City Secretary