

**ORDINANCE No. 2013-135
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING SECTION 74-159 TO ADD A NEW SUBSECTION (b) TO ESTABLISH RULES WHEREBY AN ELEVATED SINGLE FAMILY DWELLING MAY SATISFY THE GARAGE REQUIREMENTS OF THIS SECTION PROVIDING FOR A PENALTY AND FOR CODIFICATION; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES, TEXAS THAT THE COMPREHENSIVE ZONING ORDINANCE BE AMENDED AS FOLLOWS:

1. In Section 74-159 there shall be added a new subsection 74-159(b) that reads as follows:

(b) The area under an elevated single-family dwelling may satisfy the “fully enclosed” requirement for garages in this section, provided:

- (1) The area used as a garage is enclosed on all four sides by walls and doors, two of which shall have no door openings; [that are]
- (2) Each side of the enclosure is [are] at least 80% opaque;
- (3) The entire floor of the garage area is paved with concrete;
- (4) A minimum unobstructed height of 7 feet is provided throughout;
and,
- (5) The garage area under a single-family dwelling shall be excluded in the determination of “aggregate area” under Section 74-160(a)(3) – Accessory Buildings.

2. Any conflict between these new changes and the existing codified version shall be resolved by the codifier in favor of these changes. Any existing provision not expressly deleted, modified or amended shall remain in full force and effect.
3. Penalty. Any entity or person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00) provided, however, that where the offense is one for which a penalty is fixed by state law, the penalty for such offense shall be the same as fixed by state law. Each day that a violation is committed or permitted to exist shall constitute a separate offense.
4. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.
5. Severability. Should any portion of this ordinance be held to be unenforceable, the remainder of the ordinance shall be severable and enforceable.
6. Codification. This ordinance is hereby incorporated into and made a part of the Shoreacres City Code.
7. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.
8. This Ordinance shall be effective from and after its passage and approval, and it is so ordered.
9. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time

required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the ___ day of _____ 2013.

(CITY SEAL)

Dolly Arons, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	D. Arons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Adams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	C. Ramirez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	D. Woodruff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed _____
David Stall, City Secretary - Date