

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 10-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 25, "ZONING", DIVISION 25.02, "REGULATIONS APPLICABLE TO ALL DISTRICTS", SECTION 25.02.718, "CARPORTS, CANOPIES AND PORTE COCHERES", TO RENUMBER THE EXISTING LANGUAGE REGULATING NONRESIDENTIAL CARPORTS AS 25.02.718(B), AND TO ADOPT A NEW SECTION 25.02.718(A), PROVIDING REGULATIONS FOR RESIDENTIAL CARPORTS; PROVIDING A REPEALING CLAUSE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Seagoville finds that residential carports are a desired improvement for residents of the City of Seagoville; and

WHEREAS, the City has not previously adopted any regulations concerning the construction and appearance of residential carports; and

WHEREAS, the City Council desires to adopt regulations for the construction of residential carports in order to ensure they are built safely and in a manner that is consistent with the appearance of the existing residential structure; and

WHEREAS, the City Council for the City of Seagoville finds it will benefit the citizens of the City of Seagoville to amend the City's Zoning Ordinance by adopting new regulations concerning the construction of carports, canopies and port cocheres for residential purposes, as provided for herein.

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

SECTION 1. That the Code of Ordinances of the City of Seagoville, Texas is amended by amending Chapter 25 "Zoning", by amending Division 25.02, "Regulations Applicable to All Districts", Section 25.02.718 "Carports, Canopies and Porte Cocheres" to read as follows:

"DIVISION 25.02 REGULATIONS APPLICABLE TO ALL DISTRICTS

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Sec. 25.02.718 Carports, Canopies and Porte Cocheres

(a) Residential Uses. Carports, canopies and porte cocheres may be constructed in residential zoning districts only if the primary structure on the property was constructed prior to 2002. All carports, canopies and porte cocheres constructed pursuant to this section shall:

- (1) Have a minimum fifteen (15) foot setback from the property line;
- (2) Be supported by masonry or metal columns set in concrete;
- (3) Be constructed of construction materials that match the size, shape and material used to construct the main building; and
- (4) Have a roof that is either gable or flat in design;
- (5) Two or more sides of the carport must be open;
- (6) Have a maximum height of twelve (12) feet;
- (7) The parking area must be constructed of an improved surface; and
- (8) There may not be an entry to the rear of the property if the only available access point would be an unimproved alley.

(b) Nonresidential uses. A carport, canopy or porte cochere for a nonresidential use (regardless of zoning district) shall:

- (1) Not encroach into a required front, side or rear yard setback;
- (2) Not extend over a public street, a city easement (unless approved by the city's engineer), or a solid waste container (i.e., dumpster);
- (3) Have a minimum 14-foot clearance when extending over a fire lane or vehicular drive aisle; and
- (4) Be supported by masonry columns (or masonry-encased columns) that are architecturally integrated and match the materials and colors of the main building."

SECTION 2. That all provisions of the ordinances of the City of Seagoville in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Seagoville not in conflict with the provisions of this ordinance shall remain in full force and effect.

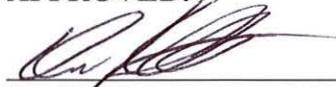
SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

SECTION 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 7th day of March, 2016.

APPROVED:



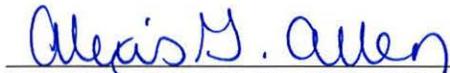
MAYOR

ATTEST:



CITY SECRETARY

APPROVED AS TO FORM:



ALEXIS G. ALLEN, CITY ATTORNEY

