

ORDINANCE NO. 1108-09-16

**AN ORDINANCE AMENDING CHAPTER 14: ZONING BY AMENDING
SECTIONS 25.504, 25.604, 25.704 and 25.804 TO ALLOW FIVE FOOT
FRONT SETBACK FOR CARPORTS; ADDING SECTION 25.301.23 TO
DEFINE CARPORTS AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Hondo, Texas is a Home-Rule municipality operating pursuant to its City Charter and the laws of the State of Texas; and

WHEREAS, the City of Hondo has established general zoning regulations for Accessory Buildings; and

WHEREAS, the City Council finds that the public would be better served by revising the City's zoning regulations to allow a five (5) foot setback for carports in certain residential districts; and

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HONDO TEXAS:

SECTION 1. Chapter 14 (Zoning), Section 25.301.23 (General Definitions - Carport) - the following is added to read as follows:

Carport: An open-sided accessory building for parking of an automobile consisting of a roof supported on posts.

SECTION 2. Chapter 14 (Zoning), Section 25.504 ("RE" Residential Estate District – Accessory Buildings); Section 25.604 ("R1" Residential – Accessory Buildings); 25.704 ("R2" Residential Two District – Accessory Buildings); and 25.804 ("R3" Residential Three District - Accessory Buildings) - the first paragraph of these sections is deleted in their entirety and replaced with the following:

Accessory buildings including garages, tool sheds and other utility structures shall be permitted behind the front setback line, except that carports may be located at a minimum of five (5) feet from the front property line. Accessory buildings shall not be used for commercial purposes. The following restrictions shall apply to Accessory Buildings:

SECTION 3. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporates them as findings of fact.

SECTION 4. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED this 12th day of September 2016.



JAMES W. DANNER, SR., MAYOR

ATTEST:



GLORIA COLBATH CITY SECRETARY

