

MAYOR
Jim Pappas

CITY OF HUNTERS CREEK VILLAGE

CITY COUNCIL
Stuart Marks
Fidel Sapien
Ken Spalding
Chip Cowell
Jay Carlton



CITY ADMINISTRATOR
Tom Fullen, MPA, CPM
(Acting City Secretary)

BOARD OF ADJUSTMENT AGENDA

The Board of Adjustment of the City of Hunters Creek Village, Texas will meet in regular session **Monday October 26, 2020 at 6:00 p.m.** in City Hall, #1 Hunters Creek Place, to consider the following items. Members of the public may attend the meeting in person or remotely by video or audio conference. The information for attending by video or audio conference is as follows:

VIDEO:

- 1) Enter the following web address:
<https://zoom.us/j/96051303006?pwd=ZnhPQnd4dkhENmJuZlAxRUUs1UVAYUT09>
- 2) Enter the following Access Code or Meeting Number: **960 5130 3006**
- 3) Enter the following Attendee ID or Numeric Meeting Password **366072**.

AUDIO:

- 1) Call the following toll free number **+1 346 248 7799 US (Houston)**
- 2) Enter the following Access Code or Meeting Number: **960 5130 3006**
- 3) Enter the following Attendee ID or Numeric Meeting Password **366072**.

Anyone wishing to address the Board of Adjustment during the meeting must notify the City Administrator, Tom Fullen, before the meeting begins by: 1) emailing him at tfullen@cityofhunterscreek.com ; or 2) calling him at **713-465-2150**.

Call the meeting to order and the roll of appointed officers will be taken.

1. Discussion and possible action to approve the minutes of the August 24, 2020 meeting.
[Pgs. 2-4](#)
2. Discussion and possible action regarding an application from Vy Thoa Le and Nathan.
[Pgs. 5-10](#)

Robertson, for a variance to Section 44-161 (2) b. Automobile Shelters of the Zoning Chapter, for the property located at **215 Voss Road**, Hunters Creek Village, Texas, 77024 (also known as, Lot 4, Cooper's Retreat - Replat) **to allow a front facing garage to be constructed in a position closer than the required 50 foot setback from the front line of the dwelling.**

Adjourn Open Meeting

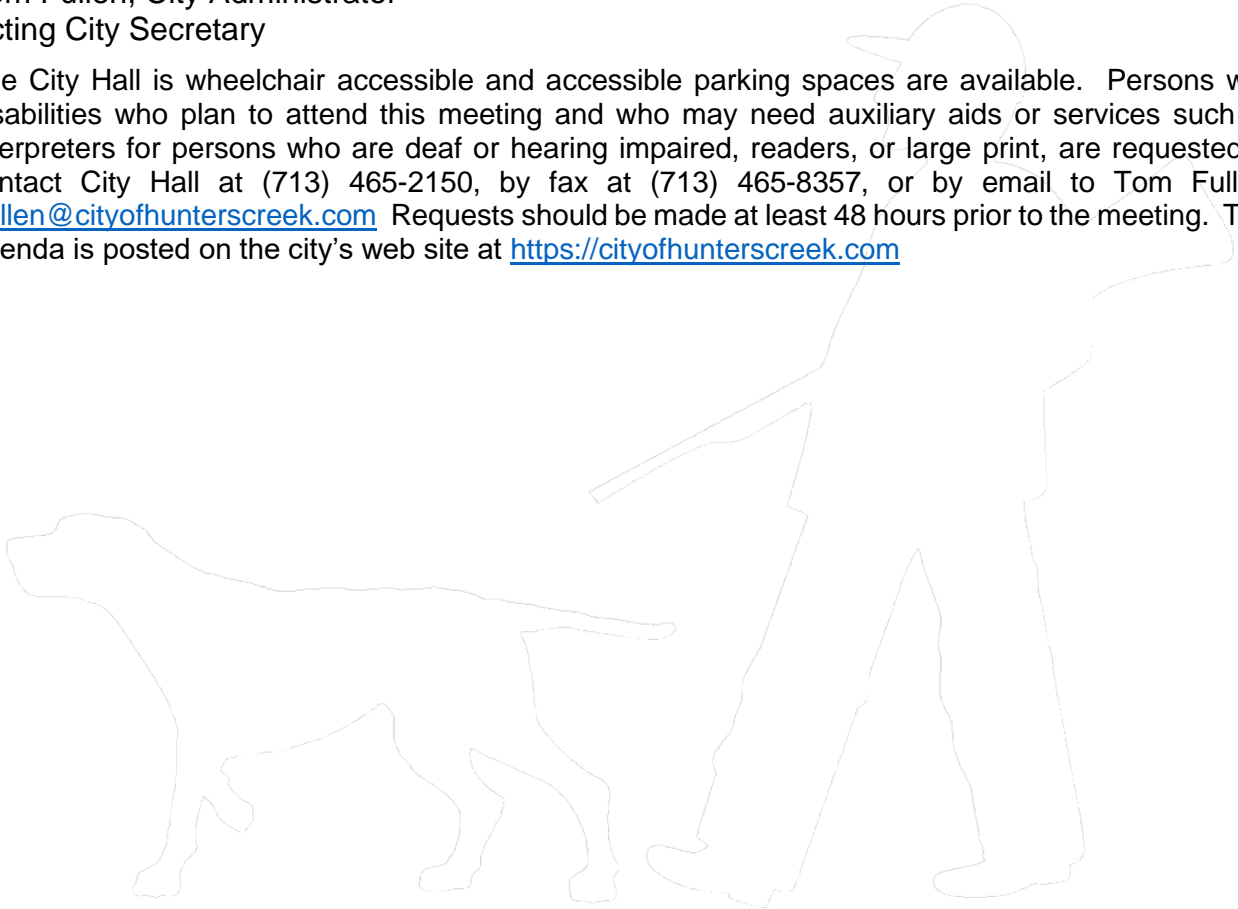
CERTIFICATION

I, the undersigned authority, does hereby certify that this Notice of a Meeting was posted on the bulletin board at City Hall, #1 Hunters Creek Place, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: August 20, 2020 at 3:30 p.m. and remained so posted continuously for at least 72 hours before said meeting was convene.

/s/

Tom Fullen, City Administrator
Acting City Secretary

The City Hall is wheelchair accessible and accessible parking spaces are available. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact City Hall at (713) 465-2150, by fax at (713) 465-8357, or by email to Tom Fullen, tfullen@cityofhunterscreek.com Requests should be made at least 48 hours prior to the meeting. This agenda is posted on the city's web site at <https://cityofhunterscreek.com>



MAYOR
Jim Pappas

CITY OF HUNTERS CREEK VILLAGE

CITY COUNCIL
Stuart Marks
Fidel Sapien
Ken Spalding
Chip Cowell
Jay Carlton



CITY ADMINISTRATOR
Tom Fullen CPM, MPA
(Acting City Secretary)

NOTICE OF A PUBLIC HEARING BOARD OF ADJUSTMENT CITY OF HUNTERS CREEK VILLAGE, TEXAS

Notice is hereby given that the Board of Adjustment of the City of Hunters Creek Village, Texas will hold a public hearing on Monday, October 26, 2020 at 6:00 p.m. at City Hall at #1 Hunters Creek Place, Hunters Creek Village, Texas, for the purpose of receiving testimony for and against:

An application from Vy Thoa Le and Nathan Robertson, for a variance to Section 44-161 (2) b. Automobile Shelters of the Zoning Chapter, for the property located at **215 Voss Road**, Hunters Creek Village, Texas, 77024 (also known as, Lot 4, Cooper's Retreat - Replat) **to allow a front facing garage to be constructed in a position closer than the required 50 foot setback from the front line of the dwelling.**

Members of the public may attend the meeting in person or remotely by video or audio conference. The information for attending by video or audio conference is as follows:

VIDEO:

- 1) Enter the following web address:
<https://zoom.us/j/96051303006?pwd=ZnhPQnd4dkhENmJuZlAxRU51UVAyUT09>
- 2) Enter the following Access Code or Meeting Number: **960 5130 3006**
- 3) Enter the following Attendee ID or Numeric Meeting Password **366072**.

AUDIO:

- 1) Call the following toll free number **+1 346 248 7799 US (Houston)**
- 2) Enter the following Access Code or Meeting Number: **960 5130 3006**
- 3) Enter the following Attendee ID or Numeric Meeting Password **366072**.

Anyone wishing to address the city council during the meeting must notify the City Administrator, Tom Fullen, before the meeting begins by: 1) emailing him at tfullen@cityofhunterscreek.com ; or 2) calling him at **713-465-2150**.

Tom Fullen,
City Administrator /
Acting City Secretary

MINUTES OF THE BOARD OF ADJUSTMENT
CITY OF HUNTERS CREEK VILLAGE, TEXAS
August 24, 2020

The Board of Adjustment of the City of Hunters Creek Village, Texas convened in regular session on Monday, August 24, 2020 at 6:00 p.m. in City Hall, #1 Hunters Creek Place. Members of the public were invited to attend the meeting in person or by video or audio conference.

Vice Chairman Brad Klein announced that a quorum of the members were present and called the meeting to order at 6:14 p.m. after problems with the Zoom conference were resolved. In attendance were Board Members Brad Klein (Vice Chairman), Linda Knox, Steve Pearson (teleconference) and Josh Pratt (teleconference), and Alternate Board Member John Braddock (serving in the place of Board Member Position No. 5 which was vacant). Also in attendance were Tom Fullen, City Administrator; John Hightower, City Attorney; James Stewart, City Building Official and Crystal Dozier, City Secretary.

1. Discussion and possible action to approve the minutes of the May 18, 2020 meeting.

A motion was made by Board Member Knox to approve the minutes of the May 18, 2020 meeting and Board Member Pratt seconded the motion. The vote to approve the motion was unanimous.

2. Discussion and possible action to appoint a Chairman to the Board of Adjustment.

A motion was made by Board Member Knox to appoint Brad Klein as Chairman of the Board of Adjustment. Steve Pearson Seconded the motion. The vote to approve the motion was as follows:

Aye (4) – Knox, Pearson, Pratt and Braddock Nay (1) – Klein

A motion was made by Board Member Klein to appoint Linda Knox as Vice Chairman of the Board of Adjustment. Board Member Pratt seconded the motion. The vote to approve the motion was unanimous.

3. Discussion and possible action regarding an application from Travis Landers, for a variance to Section 44-162 (2) Accessory Structures of the Zoning Chapter, for the property located at 5 Cape Cod Lane, Hunters Creek Village, Texas, 77024 (also known as, Lot 5, Cape Cod Village) to allow a constructed garage to remain at 4'-6" instead of 5'-0'.

The Board discussed the application and City staff answered questions about the background of the application. A motion was made Board Member Klein to grant a variance to Section 44-162 (2) Accessory Structures of the Zoning Chapter, for the property located at 5 Cape Cod Lane, Hunters Creek Village, Texas, 77024 (also known as, Lot 5, Cape Cod Village) to allow a constructed garage to remain at 4'-6" instead of 5'-0'. Board Member Pratt seconded the motion. The vote to grant the variance was as follows:

Aye (4) – Klein, Braddock, Pearson and Pratt Nay (1) – Knox

Chairman Klein then noted the motion had received the minimum number of votes required for passage, that the application for a variance was granted, and that a signed order would follow.

ADJOURNMENT

With no further business coming before the Board, a motion was made and seconded to adjourn. The motion carried unanimously. The meeting was adjourned at 6:47 p.m.

Respectfully submitted,

Crystal R. Dozier, TRMC
City Secretary

These minutes were approved on ____ day of ____, 2020.

DRAFT

**BOARD OF ADJUSTMENT OF
THE CITY OF HUNTERS CREEK VILLAGE, TEXAS**

**Order Granting Variance
for 5 Cape Cod Lane**

1. On August 24, 2020, the Board of Adjustment of the City of Hunters Creek Village, Texas, (the "Board") met to consider an application filed by Travis Landers (the "Applicant"), seeking a variance in connection with the construction of a new single-family residence at 5 Cape Cod Lane, Hunters Creek Village, Texas (also known as Lot 5, Cape Cod Village). More specifically, the Applicant sought:

a variance to Section 44-162 of the Zoning Chapter of the Code of Ordinances of the City of Hunters Creek Village to allow a detached garage, which was mistakenly constructed less than five feet from the main residence, to remain at its current location, approximately 4.5 feet from the nearest part of the main residence.

2. The Board, having considered the evidence and arguments presented, is of the opinion that the request for a variance should be granted, subject to the conditions described below.

3. The Board finds that: a) the granting of a variance in this instance for this lot is not contrary to the public interest; b) a literal enforcement of the restriction in this case would result in unnecessary hardship; and c) the granting of a variance in this case is within the spirit of the zoning chapter.

4. The Board, by a vote of 4 to 1, grants a variance to Section 44-162 of the Zoning Chapter of the Code of Ordinances of the City of Hunters Creek Village to allow the detached garage that has been constructed at 5 Cape Cod Lane, and that is less than 5 feet from the main residence, to remain at its current location.

5. This variance shall run with the land and inure to the benefit of subsequent owners of the subject property.



Chairman, Board of Adjustment
City of Hunters

August 24, 2020
Date of Signature

James Stewart

From: James Stewart
Sent: Tuesday, September 22, 2020 10:19 AM
To: Thomas Cook, AIA
Subject: RE: 215 Voss - new SF Residence
Attachments: Application for Request for Variance.pdf; Signed and Approved Rules of the BOA 080916.pdf; SKM_C30820092210560.pdf

Good Morning Thomas,

I reviewed your concept drawings and as we discussed, we would not be able to issue a Building Permit for the house as proposed due to the front facing garage not being 50 feet behind the front line of the building.

I have attached the section of the Ordinance that deals with that issue and I have also attached a Variance application if you choose to apply for a variance.

Please call me if you have any further questions.

James Stewart

From: Thomas Cook, AIA <tc@frankelbuildinggroup.com>
Sent: Friday, September 18, 2020 11:31 AM
To: James Stewart <jstewart@cityofhunterscreek.com>
Cc: Kevin Frankel <kf@frankelbuildinggroup.com>
Subject: RE: 215 Voss - new SF Residence

James,

Attached are our concept sketches for 215 Voss. Due to the difficulties posed by the lot topography we are proposing a front facing garage situated at the highest point of the property. There is currently a property fence on Voss that obscures the current home. We would redo the fence and the new garage and the majority of the new house will be obscured from Voss. We appreciate your time in reviewing this plan in its early stages. If you have any questions please let me know.

Thank you,



THOMAS COOK, AIA
Senior Architectural Designer and Manager of Design Operations
7800 Washington Suite 200
Houston, TX | 77007
D: 346.320.1739

Four Time Houston's Best Grand Award – Custom Builder
2018 USGBC LEED Power Builder

From: Thomas Cook, AIA
Sent: Wednesday, September 16, 2020 1:43 PM
To: James Stewart <jstewart@cityofhunterscreek.org>

Cc: Kevin Frankel <KFrankel@frankelbuildinggroup.com>

Subject: 215 Voss - new SF Residence

Good afternoon James,

We have been engaged by a new owner of 215 Voss to design a new single family residence and upon walking the site in person we are seeing that this project will be atypical in many areas. To name a few: the property is oddly shaped and harsh topography makes for a problematic hook-in garage configuration. From a drainage perspective there is a 15' topographical drop towards the back (into a neighbor's property, no less). Traffic wise, the access off of Voss is incredibly difficult and will surely require traffic management during demolition and some phases of construction. I have attached a recent survey to give you an idea of what we are seeing. If possible, would you be able to meet and discuss this project conceptually with us so that we can better educate and prepare the homeowner?

Thank you,



THOMAS COOK, AIA

Senior Architectural Designer and Manager of Design Operations

7800 Washington Suite 200

Houston, TX | 77007

D: 346.320.1739

Four Time Houston's Best Grand Award – Custom Builder
2018 USGBC LEED Power Builder

**CITY OF HUNTERS CREEK VILLAGE, TEXAS
BOARD OF ADJUSTMENT
APPLICATION FOR REQUEST FOR VARIANCE**

A \$300.00 non-refundable fee is due upon submission of the application.

PROPERTY INFORMATION FOR WHICH VARIANCE BEING REQUESTED:

Address: 215 Voss Rd.
Legal Description: Lot 4 Block: Subdivision: Cooper's Retreat - Replat

APPLICANT INFORMATION:

Vy Thoa Le and Nathan Robertson		nathanrobertson07@yahoo.com email: lehatovy@gmail.com	
Property Owner		Telephone Number	
<u>3333 Lake St. 23F</u>	<u>Houston</u>	<u>TX</u>	<u>77082</u>
Street Address	City	State	Zip Code

The provision of the zoning chapter from which the applicant seeks: Sec. 44 - 161.
Automobile Shelters


Give a description of the specific variance the applicant seeks: The zoning ordinance calls for front facing garages to be setback 50' from the front line of the dwelling. We are proposing a front facing garage positioned closer than the prescribed 50' setback and located in the north west corner of the building area. We respectfully request a variance to this provision to do so.

Give a brief explanation why the applicant believes the Board should grant the requested variance: We feel that a side facing garage would create a problematic site drainage condition and a hazardous access situation given the harsh topography of the land. The proposed garage location will allow the owners to park their cars at the highest topographical point of the building area and provide positive drainage of storm water away from the new home. Our concept will also allow the homeowners to easily exit Voss Rd. and enter their garage in the safest and most convenient way possible.

Give any information the applicant believes to be relevant to the Board's consideration of the matter: This property is non-typical in that it is situated behind a solid front property fence and is non-visible to any neighbors. Our plan is to improve the existing front fence and obscure the garage opening from Voss Rd. We feel that this variance will only serve the homeowners and will not be a detriment to Hunters Creek Village or it's residents in any way.

The following items are required to be submitted with application:

- Letter of denial from the building official
- Site Plan
- Survey

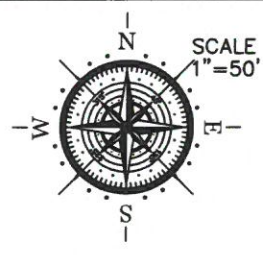
 Thomas Cook, AIA
Frankel Building Group
Signature of Applicant

9/23/2020
Date



Robertson-Le Residence | 215 Voss
 FLOOR PLANS

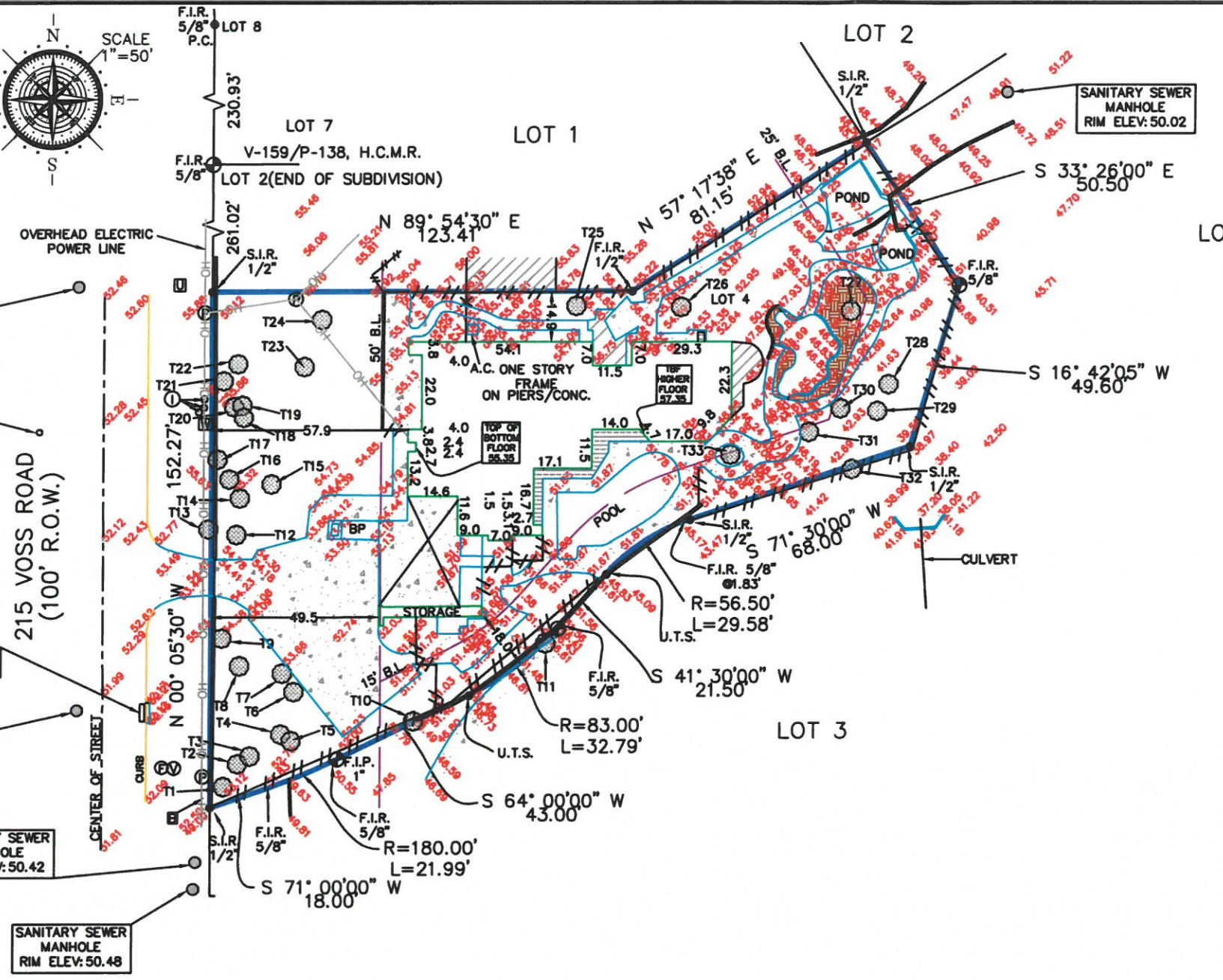
TOPOGRAPHIC SURVEY
 FLOOD NOTE
 FLOOD ZONE: AE
 PANEL #: 48201C 0645L
 EFFECTIVE DATE: 6-18-07



- LEGEND * ITEMS THAT MAY APPEAR IN * DRAWING BELOW**
- M.U.E. = MUNICIPAL UTILITY EASEMENT
 - U.E. = UTILITY EASEMENT
 - A.E. = AERIAL EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - F.I.R. = FOUND IRON ROD
 - F.I.P. = FOUND IRON PIPE
 - S.I.R. = SET IRON ROD
 - W.P. = WOODEN POST
 - P.A.E. = PERMANENT ACCESS EASEMENT
 - P.U.E. = PUBLIC UTILITY EASEMENT
 - W.S.E. = WATER & SEWER EASEMENT
 - E.E. = ELECTRIC EASEMENT
 - S.S.E. = SANITARY SEWER EASEMENT
 - STM.S.E. = STORM SEWER EASEMENT
 - W.L.E. = WATER LINE EASEMENT
 - F.N.D. = FOUND
 - M.P. = METAL POST
 - C.F.# = CLERK'S FILE NUMBER
 - P.O.B. = POINT OF BEGINNING
 - P.O.C. = POINT OF COMMENCING
 - P.C. = POINT OF CURVATURE
 - P.T. = POINT OF TANGENCY
 - P.R.C. = POINT OF REVERSE CURVATURE
 - P.C.C. = POINT OF COMPOUND CURVATURE
 - NOT TO SCALE
 - B.L. = BUILDING LINE
 - P.P. = POWER POLE
 - BRS = BEARS
 - CONTROL MONUMENT
 - WOODEN FENCE
 - CHAIN LINK FENCE
 - METAL FENCE
 - MONUMENT
 - PROPERTY LINE
 - EASEMENT LINE
 - BUILDING SET BACK LINE
 - BUILDING WALL
 - WIRE FENCE
 - VINYL FENCE

- TOPOGRAPHIC LEGEND**
- CONCRETE
 - COVERED CONCRETE
 - STAIRS
 - DECK
 - TREE
 - MANHOLE
 - ELEVATIONS
 - BRICK PLANTER
 - BURIED CABLE MARKER
 - FIRE HYDRANT
 - IRRIGATION CONTROL VALVE
 - POWER POLE
 - TBF = TOP OF BOTTOM FLOOR
 - UTILITY BOX
 - WATER VALVE
 - WATER METER
 - BRICK WALL
 - STONE WALL

TREE CHART	
T1 = 8" HACKBERRY	T18 = 17" PINE
T2 = 12" TREE	T19 = 7" OAK
T3 = 14" OAK	T20 = 10" OAK
T4 = 26" PINE	T21 = 7" OAK
T5 = 10" OAK	T22 = 16" PINE
T6 = 27" PINE	T23 = 24" PINE
T7 = 18" PINE	T24 = 20" PINE
T8 = 16" OAK	T25 = 30" PINE
T9 = 12" TREE	T26 = 24" OAK
T10 = 14" OAK	T27 = 8" HACKBERRY
T11 = 17" HACKBERRY	T28 = 8" HACKBERRY
T12 = 39" OAK CLUSTER	T29 = 22" CEDAR
T13 = 14" OAK	T30 = 9" CEDAR
T14 = 20" PINE	T31 = 12" HACKBERRY
T15 = 24" PINE	T32 = 28" SWEETGUM
T16 = 11" OAK	T33 = 10" TREE
T17 = 12" PINE	



Reviewed & Accepted by: _____ Date _____ / _____ Date _____

NOTES:
 - BEARING BASIS: PLAT
 - SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS
 - SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED PROPERTY
 - UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY
 - THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS
 - SUBJECT TO RESTRICTIVE COVENANTS AS PER TITLE COMMITMENT
 - SUBJECT TO ZONING AND BUILDING ORDINANCES ENFORCED BY LOCAL MUNICIPALITIES
 - ALL ELEVATIONS BASED ON TSARP RM #210125, NAVD88, 2001ADJ
 - TREE DIAMETERS ARE APPROXIMATE AS MEASURED AS ROUGHLY 4 FEET ABOVE THE GROUND.



I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON (OR ON ATTACHED SHEET), AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN, AND WAS DONE BY ME OR UNDER MY SUPERVISION, AND CONFORMS TO OR EXCEEDS THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

VY THOA LE AND
 NATHAN ROBERTSON

ADDRESS
 215 VOSS ROAD

JOB # 2005054
 DATE 5-27-20

LEGAL DESCRIPTION
 LOT 4, OF REPLAT OF LOTS 1 & 2 COOPER'S RETREAT, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 233, PAGE 20 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS

GF# 20004290
PRO-SURV
 P.O. BOX 1366, FRIENDSWOOD, TX 77549
 PHONE- 281-996-1113 FAX - 281-996-0112
 EMAIL: orders@prosurv.net
 T.B.P.L.S. FIRM #10119300
 ONLY SURVEY MAPS WITH THE SURVEYOR'S ORIGINAL SIGNATURE ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
 © 2020 PRO-SURV - ALL RIGHTS RESERVED

to the center of the street, whether public or private, and not less than 50 feet from the edge of the street easement or right-of-way; provided, however, that a front yard on a turn circle shall have a front yard depth not less than 35 feet from the street right-of-way line and not less than 70 feet from the center of a turn circle. Where lots are located at the corner of two streets the required front yard shall be provided on one of the two streets. Once a front yard has been established for a particular lot, it may not be changed unless the Planning & Zoning Commission approves a replat of the lot that establishes a front building line reflecting the desired change. For purpose of this section a front yard is established if:

- i) A front building line is designated on a subdivision plat; or
 - ii) A residence has been constructed on the lot.
- b. *Side yard.* There shall be two side yards on each lot, having a combined width of not less than 35 feet; neither of such side yards shall be less than 15 feet in width. A side yard adjacent to a side street shall not be less than 20 feet in width.
- c. *Rear yard.* There shall be a rear yard having a depth of not less than 25 feet.
- (3) *Size of building.*
- a. *Building area.* The building area, exclusive of outdoor swimming pools, shall not exceed 25 percent of the lot area. Tennis courts, paddle ball and game courts are included in the computation of building area.
 - b. *Dwelling area.* Each single-family dwelling must be so designed and constructed that it shall have a minimum space of enclosed living area of 2,000 square feet, exclusive

of porches and automobile shelters. At least 1,500 square feet of such enclosed living area shall be contained on the ground floor. Living area shall be computed from the exterior wall surface.

(Ord. No. 340, § 6-4, 5-20-1980; Ord. No. 666, § 1, 4-18-2006; Ord. No. 824, § 1, 4-22-2014)

Sec. 44-161. Automobile shelters.

The following shall apply to automobile shelters in district R:

- (1) *Generally.* Every single-family dwelling must have at least a 200 square foot garage; or a 200 square foot carport and a 100 square foot completely enclosed storage room with an outside door.
- (2) *Setbacks.* Subject to the following exceptions, all automobile shelters must meet the setback requirements of the dwelling; and the opening of the automobile shelter shall face the rear of the lot, provided, however:
 - a. *Reduced setbacks for certain detached garages.* A garage, if not attached to the dwelling other than by a breezeway, may be located not closer than five feet from the rear lot line and not closer than five feet distance from the side lot line unless such line abuts a street, in which event the garage shall be located at least 20 feet from such side street line. In order to qualify for the reduced side and rear setbacks, a detached garage must:
 - 1. Be 25 feet or less, in height;
 - 2. Be 600 square feet or less in area; and
 - 3. Have no windows that:
 - (i) Face toward the rear lot line or any side lot line that is less than 15 feet from any portion of the garage; or

- (ii) Are more than ten feet higher than the finished floor of the garage.

b. *Front facing garages allowed in certain circumstances.* An automobile shelter opening may face toward the front street provided such opening is at least 50 feet to the rear of the front line of the dwelling.

c. *Side facing garages allowed in certain circumstances.* An automobile shelter opening may face toward the side line of the lot, provided that:

1. Such opening will not face a street;
2. The front edge of such opening will not be forward of the front line of the residence;
3. Such opening will be at least 28 feet from the side lot line.

d. *Garages facing side streets allowed in certain circumstances.* An automobile shelter may face toward a side street if it is setback from the side lot line that abuts the side street, by at least the same minimum distance that would have been required for an automobile shelter on the same lot that faced the front street. For example, if the front line of a dwelling is setback 30 feet from the front lot line, the minimum setback for a garage opening that faces the front street or a side street would be 80 feet from the applicable lot line (30 + 50). Similarly, if the front line of a dwelling is setback 50 feet from the front lot line, the minimum setback for a garage opening that faces the front street or a side street would be 100 feet from the applicable lot line (50 + 50).

(3) *Limitations on driveways entering Memorial or Voss.* No driveway shall have entry onto Memorial Drive or Voss Road

if the lot or tract upon which the driveway is located has access or is contiguous to another street within the city.

(Ord. No. 340, § 6-5, 5-20-1980; Ord. No. 659, § 1, 12-20-2005; Ord. No. 764, § 1, 1-25-2011; Ord. No. 828, § 1, 5-27-2014; Ord. No. 2015-848, § 1, 9-22-2015; Ord. No. 2018-887, § 2, 5-22-2018)

Sec. 44-162. Accessory structures.

The following shall apply to accessory structures, except as specifically permitted by this chapter:

- (1) No accessory structure or basketball goal shall be erected in front of the front line of the residence.
- (2) No separate accessory structure or automobile shelter shall be erected within five feet of any property line or other building.
- (3) Any servants' quarters or structure containing living space must comply with building line setbacks of the main structure.
- (4) No accessory structure may exceed the height limitations specified in section 44-159. A detached garage may include habitable space, not including kitchen facilities, above the first floor, if the detached garage complies with the same yard, setback, and other location requirements as the main residence.
- (5) An accessory structure is permitted in a required side or rear yard only if the accessory structure is not attached to the dwelling.

(Ord. No. 340, § 6-6, 5-20-1980; Ord. No. 768, § 1, 5-22-2012; Ord. No. 2018-884, § 3, 2-27-2018)

Sec. 44-163. Fences and walls.

The following fence and wall requirements apply to district R:

- (1) *Perimeter fences generally.* Fences shall be generally permitted on the perimeter