



## Notice of Public Hearing - City of Hunters Creek Village, Texas

Notice is hereby given that a Public Hearing will be held before the Hunters Creek Village City Council on Tuesday, May 22, 2012, at 6:00 p.m., in City Hall at #1 Hunters Creek Place, Hunters Creek Village, Texas, for the purpose of receiving testimony for or against a proposed amendment to the City's Comprehensive Zoning Ordinance. The proposed amendment relate to amending Section 44-162 (4) of the Zoning Chapter of the Code of Ordinances relating to accessory structures, specifically,

- (4) No accessory structure may exceed one story in height except as provided below. 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.

All residents of the City and other interested parties are invited to attend and will be given the opportunity to be heard. Should you have any questions regarding this notice, you may call the undersigned at 713.465.2150. A copy of the proposed amendment is available from the City Secretary's office or on the City's web site at [www.cityofhunterscreek.com](http://www.cityofhunterscreek.com).

Deborah L. Loesch, TRMC  
City Administrator/City Secretary

## FINAL REPORT AND RECOMMENDATION

The Planning and Zoning Commission, having met in regular session on April 2, 2012, considered a proposed amendment to Section 44-162(4) of the zoning chapter of the Code of Ordinances to permit the construction of a detached garage with living quarters above where the garage and living quarters would meet the same yard and setback requirements as the main residential structure. A public hearing was held before the Commission on April 2, 2012, to receive testimony for and against the proposed amendment.

The Commission presents the following final report and recommendation to amend Section 44-162(4) of the Code of Ordinances, as follows:

Section 44-162. Accessory structures.

- (4) No accessory structure may exceed one story in height except as provided below. 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.

The Commission recommends that City Council call for a public hearing on these matters and consider adoption of the amendment as a part of the attached draft ordinance.

Planning and Zoning Commission  
City of Hunters Creek Village, Texas  
Adopted April 2, 2012

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING SECTION 44-162 (4) OF THE ZONING CHAPTER OF THE CODE OF ORDINANCES OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS, WHICH REGULATES ACCESSORY STRUCTURES IN THE RESIDENTIAL DISTRICT, TO ALLOW A DETACHED GARAGE TO EXCEED ONE STORY IN HEIGHT PROVIDED UNDER CERTAIN CONDITIONS; PROVIDING A PENALTY; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION.

\* \* \* \* \*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS:

**Section 1.** Section 44-162(4) of the Code of Ordinances of the City of Hunters Creek

Village is amended to read as follows:

“(4) No accessory structure may exceed one story in height, except as provided below. 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.”

**Section 2.** Any violation of any provision of this Ordinance shall be punishable as an offense as provided in Section 1-8 of the Code of Ordinances of the City of Hunters Creek Village.

**Section 3.** In the event any clause, phrase, provision, sentence, or part of this Ordinance, or its application to any person or circumstance, shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**Section 4.** The City Secretary shall cause a caption of this Ordinance that summarizes its purpose and the penalty for violations, to be published in the City's official newspaper. This Ordinance shall become effective when the publication requirement is satisfied.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
David A. Wegner  
Mayor

ATTEST:

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Deborah L. Loesch, TRMC  
City Administrator/City Secretary