

Ordinance #90

AN ORDINANCE ESTABLISHING RESIDENTIAL BUILDING REQUIREMENTS AND PROVIDING FOR AN EFFECTIVE DATE;

WHEREAS the City Council of the City of TUSCOLA is concerned about the health, safety and welfare of its citizens; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of TUSCOLA, Texas as follows:

RESIDENTIAL BUILDING REQUIREMENTS FOR SINGLE FAMILY DWELLINGS

It is not the intent of this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions or other laws or ordinances, except as the same may be specifically repealed by the terms of this ordinance, or with private restrictions placed upon property by covenants, deed easements or other private agreements. The Civic and Homeowner Associations can provide information concerning applicable deed restrictions. Where the conditions imposed by any provisions of this Ordinance are either more or less restrictive than comparable conditions imposed by another ordinance, rule or regulation of the City or private agreement, the ordinance, rule or regulation which imposed the more restrictive condition, standard or requirement shall prevail.

GENERAL

Single-family dwelling: A property survey or an accurate, detailed site plan must be submitted in conjunction with all building and subdivision applications for new structures and/or additions to existing structures.

Minimum Lot Size: 7,500 square feet*

Minimum Lot Width: 50 feet*

Maximum Lot Coverage: 50%

* Exceptions to minimum lot size and width requirements may be made for pre-platted lots or tracts. Yard setback(s) and lot coverage regulations still apply.

MINIMUM YARD/SETBACK REQUIREMENTS

For construction in pre-existing neighborhoods, setbacks shall conform to established average lines. For new developments and subdivisions the following shall apply:

Primary Structures:

Front Yard: - 25 feet

Rear Yard: - 15 feet

Side Yard: - 5 feet minimum 10 feet setback for side yards adjacent to a public right-of-way. No portion of any building, including projections of any nature, shall encroach into any utility easement or vertical projection of the easement boundary.

Easements: 3 feet from any utility easement in a rear yard.

GARAGE & OTHER REQUIREMENTS

(A) Garage requirement: Every single-family dwelling unit hereafter erected shall be so located on the lot so a garage, either attached or detached, can be located and accessed on said lot.

(B) It is permissible to have both an attached and detached garage located or erected on your property, provided you do not exceed the MAXIMUM allowable building area as per the building code and city ordinances.

(C) Detached Garages:

- May be located in rear yards or a side yard that does not abut a street right-of-way.
- Maximum of one (1) detached garage per dwelling.
- Maximum height of 20 feet or the height of the principal structure, whichever is less.

Side Yard: 5 feet minimum 10 feet setback for side yards adjacent to a public right-of-way

Rear Yard: 3 feet

Easements: May abut; no encroachment.

Setback from Structures on same lot: 6 feet

(D) Carports: A roofed structure, free-standing or attached to another structure designed to provide covered parking for vehicles. It shall have not enclosing walls and be located directly over a driveway.

- Front and side yard carports are permitted.
- Maximum of one (1) detached carport structure per dwelling.
- Minimum 5 feet setback from any front or side property line.
- If located on a corner lot, it shall not be located closer than 25 feet from an intersection. (Distance is measured from intersection of property lines common with street right-of-way lines.)

(E) Unenclosed Patio Covers Attached to the Primary Structure:

Side Setback: 5 feet

Rear Setback: 3 feet

Rear Utility Easement: Patio and cover may be located adjacent to a rear yard easement; however, no portion may encroach into said easement.

Maximum Height Requirements: Single-family, Detached – 35 feet

(F) Driveways: Shall be constructed of an appropriate durable material (concrete, asphalt, compacted base, etc. Shall be installed prior to house being occupied.

Minimum Width: 12 feet

Minimum Distance between Drives: 10 feet

Minimum Distance from side property line(s): 3 feet

Minimum Distance from Intersection: 25 feet (Distance is measured from intersection of property lines common with street right-of-way lines.)

(G) Other Accessory Structures:

- May be located in a rear yard.
- Maximum height of 15 feet
- Not closer than 3 feet to any adjacent structures.
- If not exceeding 120 sq. ft. and is mounted on a skid foundation, the building may be located within a utility easement, but not closer than 3 feet to a side or rear property line and not closer than 3 feet to any adjacent structure.
- Buildings over 120 sq. ft. shall be located 3 feet from side and rear property lines and no portion may encroach into a utility easement, and not closer than 3 feet to any adjacent structure.

(H) Terraces, Decks, Patios, and Sidewalks:

If unenclosed and not over 1 foot above average exterior grade:

- May be located in any yard.
- Minimum 2 feet setback from any property line.
- May abut, but not encroach on utility easements.

(I) Fences

- Barbed wire fences shall not be permitted, used or constructed except in industrial applications above chain link (6 feet above ground minimum) or to control livestock.
- Electric fences are permitted only for single family dwellings and for the purpose of erecting an enclosure to restrain the movement of dogs and /or livestock
- Within side and rear yards, fences not higher than 8 feet.
- Both sides of a fence shall be maintained in good condition by the owner(s) of the fence and grass/ground cover adjoining the fence must be mowed and the weeds removed on a regular basis.
- Allowable fencing materials as of this date include: Wood pickets, Wrought iron, Chain link, Vinyl, Masonry, Pipe, Corrugated metal panels. Any other proposed material for fencing requires prior approval by the Building Official. Materials to be unloaded on private property, not in right-of-way.