

THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 16-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY REPEALING AND REPLACING SUBSECTION 25.02.063(b) "SIDE YARDS" OF CHAPTER 25 "ZONING", ARTICLE 25.02 "ZONING ORDINANCE", DIVISION 4 "R-1 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS", SECTION 25.02.063 "AREA REGULATIONS"; BY REPEALING AND REPLACING SUBSECTION 25.02.083(b) OF CHAPTER 25 "ZONING", ARTICLE 25.02 "ZONING ORDINANCE", DIVISION 5 "R-2 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS", SECTION 25.02.083 "AREA REGULATIONS"; BY REPEALING AND REPLACING SUBSECTION 25.02.103(b) OF CHAPTER 25 "ZONING", ARTICLE 25.02 "ZONING ORDINANCE", DIVISION 6 "R-3 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS", SECTION 25.02.103 "AREA REGULATIONS"; BY REPEALING AND REPLACING SUBSECTION 25.02.123(b) OF CHAPTER 25 "ZONING", ARTICLE 25.02 "ZONING ORDINANCE", DIVISION 7 "R-4 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS", SECTION 25.02.123 "AREA REGULATIONS"; AND BY REPEALING AND REPLACING SUBSECTION 25.02.153(b) OF CHAPTER 25 "ZONING", ARTICLE 25.02 "ZONING ORDINANCE", DIVISION 8 "R-5 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS", SECTION 25.02.153 "AREA REGULATIONS"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS 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 of Seagoville Zoning Ordinance sets forth specific requirements for each of the individual zoning districts; and,

WHEREAS, after a recent review of the requirements set forth for side yards in each of the single-family residential zoning districts, the City Council requested the Planning and Zoning Commission to review the same; and

WHEREAS, the Planning and Zoning Commission reviewed the side yard requirements for single-family residential zoning districts in the November 13, 2018 regular meeting and held a public hearing on the same in the January 8, 2019 regular meeting; and

WHEREAS, by unanimous vote, the Planning and Zoning recommends the City Council repeal the existing side yard requirements for each single-family residential zoning district and replace the same with consistent side yard requirements for all single-family zoning districts; and

WHEREAS, based on the recommendation of the Planning and Zoning Commission, the City Council finds it is in the best interest of the City to repeal the existing side yard requirements for each single-family zoning district and replace the same with consistent requirements;

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

SECTION 1. That Subsection 25.02.063(b) “Side Yards” of Chapter 25 “Zoning”, Article 25.02 “Zoning Ordinance”, Division 4 “R-1 Single Family Dwelling District Regulations”, Section 25.02.063 “Area Regulations” of the Code of Ordinances of the City of Seagoville, Texas be repealed and the same is hereby replaced to read as follows:

**"CHAPTER 25
ZONING**

.....

ARTICLE 25.02 ZONING ORDINANCE

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Division 4. R-1 Single Family Dwelling District Regulations

.....

Sec. 25.02.063 Area Regulations

(a) ...

(b) Side yard. There shall be a side yard on each portion of the lot that is not defined as a front or rear yard. Each side yard shall have a minimum lot width of 6-feet. When a lot has a property line along more than one street right-of-way, each yard along a street shall meet the requirements of a front yard.

.....”

SECTION 2. That Subsection 25.02.083(b) “Side Yards” of Chapter 25 “Zoning”, Article 25.02 “Zoning Ordinance”, Division 5 “R-2 Single Family Dwelling District Regulations”, Section 25.02.083 “Area Regulations” of the Code of Ordinances of the City of Seagoville, Texas be repealed and the same is hereby replaced to read as follows:

**"CHAPTER 25
ZONING**

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ARTICLE 25.02 ZONING ORDINANCE

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Division 5. R-2 Single Family Dwelling District Regulations

.....

Sec. 25.02.083 Area Regulations

(a) ...

(b) Side yard. There shall be a side yard on each portion of the lot that is not defined as a front or rear yard. Each side yard shall have a minimum lot width of 6-feet. When a lot has a property line along more than one street right-of-way, each yard along a street shall meet the requirements of a front yard.

.....”

SECTION 3. That Subsection 25.02.103(b) “Side Yards” of Chapter 25 “Zoning”, Article 25.02 “Zoning Ordinance”, Division 6 “R-3 Single Family Dwelling District Regulations”, Section 25.02.103 “Area Regulations” of the Code of Ordinances of the City of Seagoville, Texas be repealed and the same is hereby replaced to read as follows:

**"CHAPTER 25
ZONING**

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ARTICLE 25.02 ZONING ORDINANCE

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Division 6. R-3 Single Family Dwelling District Regulations

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Sec. 25.02.103 Area Regulations

(a) ...

(b) Side yard. There shall be a side yard on each portion of the lot that is not defined as a front or rear yard. Each side yard shall have a minimum lot width of 6-feet. When a lot has a property line along more than one street right-of-way, each yard along a street shall meet the requirements of a front yard.

.....”

SECTION 4. That Subsection 25.02.123(b) “Side Yards” of Chapter 25 “Zoning”, Article 25.02 “Zoning Ordinance”, Division 7 “R-4 Single Family Dwelling District Regulations”, Section 25.02.123 “Area Regulations” of the Code of Ordinances of the City of Seagoville, Texas be repealed and the same is hereby replaced to read as follows:

**"CHAPTER 25
ZONING**

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ARTICLE 25.02 ZONING ORDINANCE

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Division 7. R-4 Single Family Dwelling District Regulations

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Sec. 25.02.123 Area Regulations

(a) ...

(b) Side yard. There shall be a side yard on each portion of the lot that is not defined as a front or rear yard. Each side yard shall have a minimum lot width of 6-feet. When a lot has a property line along more than one street right-of-way, each yard along a street shall meet the requirements of a front yard.

.....”

SECTION 5. That Subsection 25.02.153(b) “Side Yards” of Chapter 25 “Zoning”, Article 25.02 “Zoning Ordinance”, Division 8 “R-5 Single Family Dwelling District Regulations”, Section 25.02.153 “Area Regulations” of the Code of Ordinances of the City of Seagoville, Texas be repealed and the same is hereby replaced to read as follows:

**"CHAPTER 25
ZONING**

.....

ARTICLE 25.02 ZONING ORDINANCE

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Division 8. R-5 Single Family Dwelling District Regulations

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Sec. 25.02.153 Area Regulations

(a) ...

(b) Side yard. There shall be a side yard on each portion of the lot that is not defined as a front or rear yard. Each side yard shall have a minimum lot width of 6-feet. When a lot has a property line along more than one street right-of-way, each yard along a street shall meet the requirements of a front yard.

.....”

SECTION 6. That all resolutions, policies, and provisions of the Code of Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be 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 unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 8. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 9. That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation is continued shall be deemed to constitute a separate offense.

SECTION 10. That 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.

PASSED AND ADOPTED by the City Council for the City of Seagoville, Texas at a meeting on the 25th day of February, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:



Dennis K. Childress, Mayor

ATTEST:



Kandi Jackson, City Secretary

APPROVED AS TO FORM:



Victoria W. Thomas, City Attorney
(:cdb 02/19/2019 TM106307)

