



**NOTICE OF
REGULAR MEETING OF THE BOARD OF ADJUSTMENTS
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS 75065
TUESDAY, MAY 16, 2023, 6:00 PM**

AGENDA

Call to Order

Roll Call

Pledge of Allegiance to the U.S. And Texas Flags

Invocation

Public Comment

This item allows the public an opportunity to address the Board of Adjustment. To comply with the provisions of the Open Meetings Act, the board cannot discuss or take action on items brought before them not posted on the agenda. Please complete a request if you wish to address the board. Comments will be limited to three minutes. Open Forum is for information only. No charges and/or complaints will be heard against any elected official, board member, the Town, or employee of the Town that are prohibited by law.

Consent Agenda

Items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Board of Adjustments.

1. April 18, 2023 Meeting Minutes

Regular Agenda

2. Conduct a public hearing regarding a request from Dallas and Amanda Long for a variance of Ordinance 2011-11-675 establishing a zoning designation of Planned Development for the Steeplechase South Addition, Exhibit B, Planned Developments District Standards (2) minimum side yard setback and Chapter 14, Article IV, Classification of Districts, Section 3 (10) for the construction of a shed and consider and act on the same. The property is located at 213 Thoroughbred Drive and is legally described as Steeplechase South Addition, Block B, Lot 33.

Adjournment

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact Town Hall at 940-497-2528 or by fax 940-497-3531 so that appropriate arrangements can be made.

I, Chris Chaudoir, do hereby certify, that this meeting notice was posted on the bulletin board at Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas on May 3, 2023 at 1:00 p.m.

Chris Chaudoir
Town of Hickory Creek

**REGULAR MEETING OF THE BOARD OF ADJUSTMENTS
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
TUESDAY, APRIL 18, 2023**

MINUTES

Call to Order

Meeting called to order at 6:40 p.m. by Chairman Crawford.

Roll Call

PRESENT

Chairman Larry Crawford
Member Jan Bowman
Member Brian Engle
Alternate 2 Dennis Day

ABSENT

Vice-Chairman Joey Hernandez
Member David Jones
Alternate 1 Alex Valderrey

ALSO PRESENT

Trey Sargent, Town Attorney
Chris Chaudoir, Administrative Assistant

Pledge of Allegiance to the U.S. And Texas Flags

Pledge of Allegiance to the U.S. And Texas Flags led by Chairman Crawford.

Invocation

Invocation given by Councilman Theodore.

Consent Agenda

1. February 21, 2023 Meeting Minutes

Motion to approve the minutes made by Member Day, Seconded by Member Bowman. Voting Yea: Chairman Crawford, Member Bowman, Member Engle, Member Day. Motion passed unanimously.

Regular Agenda

2. Conduct a public hearing regarding a request from Dallas and Amanda Long for a variance of Ordinance 2011-11-675 establishing a zoning designation of Planned Development for the Steeplechase South Addition, Exhibit B, Planned Developments District Standards (2) minimum side yard setback and Chapter 14, Article IV, Classification of Districts, Section 3 (10) for the construction of a shed and consider and act on the same. The property is located at 213 Thoroughbred Drive and is legally described as Steeplechase South Addition, Block B, Lot 33.

Public Hearing opened at 6:44 p.m.

No members of the public wished to speak. Ms. Chaudoir stated the applicant was unable to attend the meeting and had requested that it be continued to the next meeting.

Motion to continue the public hearing to the next meeting made by Member Engle, Seconded by Member Day.

Voting Yea: Chairman Crawford, Member Bowman, Member Engle, Member Day. Motion passed unanimously.

3. Conduct a public hearing regarding a request from Reigen & Richard Lox for a variance of Ordinance No. 98-03-224 establishing a zoning designation of Planned Development for the Lakeview at Point Vista Addition, Area Requirements (2 & 3) for the construction of a patio in the required side and rear yards and consider and act on the same. The property is located at 101 Shasta Drive and legally is described as Lakeview at Point Vista Ph 1 Blk B Lot 4.

Public Hearing opened at 6:46 p.m.

Aaron Adame, IAS Roofing and Construction, contractor for the pergola project, gave an overview of the project. The homeowner added an additional 10' of concrete extending the existing 10' by 14' pad past the building line, encroaching on the rear and side setbacks. The proposed pergola structure itself is within the setbacks.

Chairman Crawford read into the record an email from Pam Perry, 106 Shasta, a neighbor of the applicant, expressing support for approval.

Member Bowman asked for clarification on the setbacks as shown from the site plan and the various measurements. Member Engle asked if the original pergola was removed from over the existing concrete pad. Mr. Adame stated the old 10' pergola was removed so that a new 16' one could be built which would extend onto the new slab. They worked with the architect to make sure the pergola itself was within the building lines without realizing the new slab was over. Chairman Crawford confirmed the pergola would not be enclosed. He

also confirmed that Mr. Adame was the general contractor for the pergola project but not for the extra slab. Mr. Adame verified the slab was poured by a separate contractor out of Denton, Jose's Concrete Work. The customer thought he did not need a permit for concrete work in his own backyard.

Public Hearing closed at 6:59 p.m.

Motion to approve the concrete extension variance as presented made by Member Day, Seconded by Member Engle.

Voting Yea: Chairman Crawford, Member Bowman, Member Engle, Member Day. Motion passed unanimously.

Adjournment

Motion to adjourn made by Member Engle, Seconded by Member Bowman. Voting Yea: Chairman Crawford, Member Bowman, Member Engle, Member Day. Motion passed unanimously.

Meeting adjourned at 7:01 p.m.

Approved:

Attest:

Larry Crawford, Chairman
Position 2
Board of Adjustments

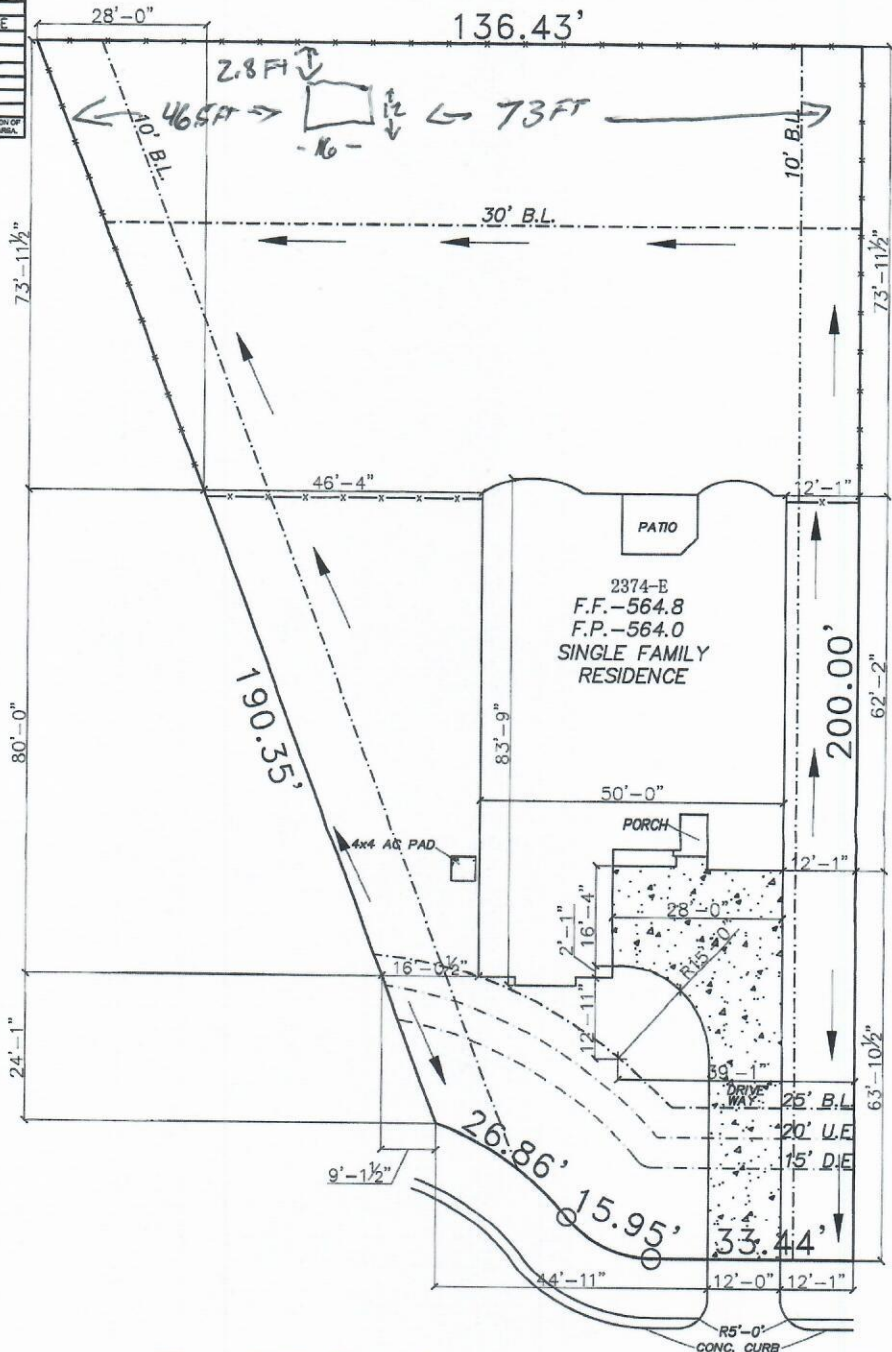
Chris Chaudoir,
Administrative Assistant
Board of Adjustments

AREA CALCULATIONS	
LOT AREA	19434 SF
SLAB COVERAGE	3514 SF
% BUILDING COVERAGE	18.1 % COVERAGE
TOTAL IMP COVERAGE	4615 SF
% TOTAL IMP COVERAGE	23.7 % COVERAGE
DRIVEWAY COVERAGE	1085 SF
% DRIVEWAY COVERAGE	5.6 % COVERAGE
WALKWAY COVERAGE	0 SF
% WALKWAY COVERAGE	0 % COVERAGE
4"X4" A.C. PAD COVERAGE	16 SF
% 4"X4" A.C. PAD COVERAGE	0.08 % COVERAGE
FLAT WORK	0 SF
SOO GRASS	1713 SQ YARD
SIDEWALK COVERAGE	0 SF
APPROACH COVERAGE	121 SF
LOT FRONTAGE	722 SF
FENCE	349 LINEAR SF

* THE PERCENT ON CALCULATION IS A REFERENCE TO THE COVERAGE AS A PERCENT ESTIMATION OF THE SQ. FT. COVERAGE OF ANY GIVEN STRUCTURE FROM THE TOTAL SQ. FOOT OF THE LOT AREA.

213 THOROUGHNBRED DR

LOT: 33 BLOCK: B



NORTH
SCALE: 1" = 20'-0"

CUSTOMER SIGNATURE: _____
DATE: _____
NOTES:

- LEGEND**
- - DRAINAGE FLOW
 - - - - PROPOSED FENCE
 - — — — EXISTING FENCE
 - ▨ CURLEX
 - ▩ RETAINING WALL
 - - REQUIRED TREE PLANTING
 - - REQUIRED BUSH

- B.L. - BUILDING LINE
- D.E. - DRAINAGE EASEMENT
- P.A.E. - PEDESTRIAN ACCESS EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- T.E. - TRANSFORMER EASEMENT
- U.E. - UTILITY EASEMENT
- W.M.E. - WALL MAINT. EASEMENT
- M.E. - MAINTENANCE EASEMENT
- V.E. - VISIBILITY EASEMENT
- ⋄ - EXPOSED AGGREGATE CONCRETE

BUILDER: MEGATEL HOMES
 ADDITION: STEEPLCHASE SOUTH
 ADDRESS: 213 THOROUGHNBRED DRIVE
 LOT: 33 BLOCK: B
 PHASE: 1

DATE: 11-01-16
 DRAWN BY: N. L.
 CITY: HICKORY CREEK, TX.
 PLAN: 2374 ELEVATION: E
 SWING: LEFT

Megatel Homes
PLOT PLAN

OPTION: GAME ROOM + BEDROOM 4 W/ CARDS ROOM

NOTE: ARCHITECTURAL PLANS TAKE PRECEDENCE OVER ALL DRAWINGS. ALL FINAL DECISIONS REFER TO PLANS PROVIDED BY MEGATEL ARCHITECTURAL DEPARTMENT. PLOT PLAN IS APPROPRIATE PLACEMENT ONLY. BUILDER CAN VARY DUE TO ACTUAL BUILDING CONDITIONS. BUILDER IS FULLY RESPONSIBLE FOR ADHERING TO ANY AND ALL BUILDING LINES OR EASEMENTS OF RECORD OR THAT MAY NOT BE NOTED ON THE RECORDED FLAT. BUILDER TO CONFIRM THAT THIS LAYOUT HAS NO CONFLICTS WITH THE INLETS OF UTILITY SERVICES. FINAL SURVEY WILL SHOW PLACEMENT OF HOUSE AND ALL FLATWORK, SUCH AS SIDEWALKS AS PRESCRIBED BY THE BUILDER. FLATWORK IS ONLY A REPRESENTATION.











TOWN OF HICKORY CREEK, TEXAS

ORDINANCE NO. 2011-11-675

AN ORDINANCE OF THE TOWN OF HICKORY CREEK, TEXAS, AMENDING AS HERETOFORE AMENDED, ITS COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE TOWN BY CHANGING THE ZONING ON A CERTAIN TRACT OF LAND DESCRIBED AS AN APPROXIMATELY 117.0413 ACRE TRACT OF LAND LOCATED GENERALLY ADJACENT TO THE SOUTH SIDE OF TURBEVILLE ROAD BETWEEN HARBOR LANE AND SYCAMORE BEND ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, FROM ITS CURRENT ZONING OF SF-2 RESIDENTIAL DISTRICT AND SF-3 RESIDENTIAL DISTRICT TO PD (PLANNED DEVELOPMENT); PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE TOWN; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE PLANNED DEVELOPMENT ZONING DISTRICT DESIGNATION FOR THE SUBJECT PROPERTY; PROVIDING A PRELIMINARY SITE PLAN; PROVIDING DEVELOPMENT STANDARDS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR THE TOWN OF HICKORY CREEK TO BRING SUIT IN DISTRICT COURT TO ENJOIN THE PERSON, FIRM, PARTNERSHIP, CORPORATION, OR ASSOCIATION FROM ENGAGING IN THE PROHIBITED ACTIVITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner/representative of an approximately 117.0413-acre tract of land described on Exhibit "A" attached hereto and incorporated herein (the "Property"), generally located adjacent to the south side of Turbeville Road between Sycamore Bend Road and Harbor Lane, has applied for a zoning change from its current zoning of SF-2 Residential District and SF-3 Residential District to PD (Planned Development); and

WHEREAS, such application further requested an amendment to the official Zoning District Map of the Town in accordance with the zoning ordinance of the Town; and

WHEREAS, after public notices were given, legal notices and other requirements were satisfied, and a public hearing was conducted, all in accordance with State law and the

Comprehensive Zoning Ordinance of the Town, and after considering the information submitted at that public hearing and all other relevant information and materials, the Planning and Zoning Commission of the Town has forwarded to the Town Council its favorable recommendation regarding the adoption of the amendment to the Comprehensive Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, after public notices were given, legal notices and other requirements were satisfied, and a public hearing was conducted, all in accordance with State law and the Comprehensive Zoning Ordinance of this Town, and after considering the information submitted at that public hearing and all other relevant information and materials, including the character of the Property and its suitability for particular uses and development, with a view of encouraging the most appropriate use of the Property, the Town Council made a finding that the rezoning approved hereby accomplishes such objectives; and

WHEREAS, the Town Council has determined that there is a necessity and need for the change in zoning and that the proposed change is consistent with the Comprehensive Land Use Plan of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:

SECTION 1.
INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2.
FINDINGS

After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the Town Council has concluded that the adoption of this Ordinance is in the best interest of the Town of Hickory Creek, Texas, and of the public health, safety, and welfare.

SECTION 3.
REZONING

The zoning ordinance of the Town of Hickory Creek, Texas, the same being the Town's Comprehensive Zoning Ordinance, as it exists on the date of the adoption of this Ordinance (the "Comprehensive Zoning Ordinance") is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, phrases, and words are not amended but are hereby ratified and affirmed:

- A. The zoning of the Property is hereby changed from its current zoning of SF-2 Residential District and SF-3 Residential District to PD (Planned Development) for use in accordance

with the requirements of this Ordinance and all other applicable ordinances, rules, and regulations of the Town. Requirements of this Ordinance are more specifically described and set forth in Exhibits "B" and "C", which are attached hereto and incorporated herein for all purposes, and shall apply to the "PD" Planned Development unless otherwise specified in such Exhibits.

- B. The development standards for this Planned Development are attached hereto as Exhibit "B" and are incorporated herein as if copied in their entirety. Such development standards shall be adhered to in carrying out the development of the Property in accordance with this Ordinance, and shall individually and collectively constitute conditions precedent to the granting of any Certificate of Occupancy and building permit for all structures within this Planned Development.
- C. A preliminary site plan for the Property is attached hereto as Exhibit "C" and incorporated herein as if copied in its entirety.

SECTION 4. **APPLICABLE REGULATIONS**

Except as otherwise provided in this Ordinance, the Property shall be subject to the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances and regulations of the Town, including, but not limited to, the Town's subdivision ordinance, building codes, requirements concerning preliminary and comprehensive site plans, and landscape plans. It shall be unlawful for any person, firm, or corporation to make sure of said premises in some manner other than as outlined by this Ordinance.

SECTION 5. **ZONING MAP**

The Town Secretary is hereby directed to mark and indicate on the official Zoning District Map of the Town the zoning change herein made.

SECTION 6. **CUMULATIVE**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance.

SECTION 7. **SAVINGS**

All rights and remedies of the Town of Hickory Creek, Texas, are expressly saved as to any and all violations of the provisions of any other Ordinance affecting regulations governing and regulating the zoning of land which have secured at the time of the effective date of this

Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 9.
PENALTY

It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

If the governing body of the Town of Hickory Creek determines that a violation of this Ordinance has occurred, the Town of Hickory Creek may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

SECTION 10.
PUBLICATION

The Town Secretary of the Town of Hickory Creek is hereby directed to publish the Caption, Penalty, and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

SECTION 11.
ENGROSSMENT AND ENROLLMENT

The Town Secretary of the Town of Hickory Creek is hereby directed to engross and enroll this Ordinance by copying the exact Caption, Penalty, and Effective Date of this Ordinance in the minutes of the Town Council and by filing this Ordinance in the ordinance records of the Town.

SECTION 12.
EFFECTIVE DATE

This ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas, this 15th day of November, 2011.

John M. Smith, Jr., Mayor
Town of Hickory Creek, Texas

ATTEST:

Kristi K. Rogers, Town Secretary
Town of Hickory Creek, Texas

{SEAL}

APPROVED AS TO FORM:

Lance Vanzant, Town Attorney
Town of Hickory Creek, Texas

Exhibit "A"
Description of the Property

117.0413 ACRE PARCEL
DENTON COUNTY, TEXAS

BEING all that certain lot, tract or parcel of land situated in the M.E.P. and P.R.R. Company Survey, Abstract No. 915 in the Town of Hickory Creek, Denton County, Texas, and being property described in deed from Alan H. Goldfield and wife, Shirley M. Goldfield to AS Gold, L.P. as recorded under County Clerk File No. 99-R-0094877 and property contained in deed to Alan H. Goldfield and wife, Shirley M. Goldfield as recorded In County Clerk File No. 95-0064015 of the Deed Records of Denton County, Texas, and being more described by metes and bounds as follows;

BEGINNING at a point for the Southeast corner of said AS Gold, L.P. property called Tract II as described in said deed recorded under County Clerk File No. 99-R-0094877 of the Deed Records of Denton County, Texas in the center of Harbor Lane (called 60 foot right of way) at its intersection in the North line of Harbor Grove Estates, an addition to the Town of Hickory Creek, Texas, as recorded in Cabinet A at Slide 28 of the Plat Records of Denton County, Texas;

THENCE South 89° 47' 55" West along the North line of said Harbor Grove Estates common with the South line of said AS Gold, L.P. tract for a distance of 666.64 feet to the Northwest corner of said Harbor Grove Estates, same being the Northeast corner of a tract of land conveyed to United States of America by deed recorded in Volume 383 at Page 375 of the Deed Records of Denton County, Texas;

THENCE North 88° 51' 13" West along the common line of said United States of America tract and the AS Gold, L.P. tract, for a distance of 658.88 feet to the Northwest corner of said United States of America tract, same being the Northeast corner of a called 32.455 acre tract of land conveyed to Sally Budd Holkar Irrevocable Trust by deed recorded under County Clerk File No. 2007-127619 of the Deed Records of Denton County, Texas;

THENCE South 89° 46' 12" West for a distance of 478.46 feet to a point for corner in Sycamore Bend Road (undedicated variable width roadway)

THENCE North 03° 50' 37" West along the approximate center of said Sycamore Bend Road for a distance of 502.49 feet to a point for corner;

THENCE North 05° 22' 06" West and continuing along the approximate center of said Sycamore Bend Road for a distance of 254.96 feet to a point for corner;

THENCE North 06° 25' 21" West and continuing along the approximate center of said Sycamore Bend Road for a distance of 259.59 feet to a point for corner;

THENCE North 07° 52' 58" West and continuing along the approximate center of said Sycamore Bend Road for a distance of 361.37 feet to a point for corner;

THENCE North 07° 01' 29" West and continuing along the approximate center of said Sycamore Bend Road for a distance of 448.45 feet to a point for corner;

THENCE North 10° 09' 53" West and continuing along the approximate center of said Sycamore Bend Road for a distance of 139.03 feet to a point for corner;

THENCE North 12° 10' 59" West and continuing along the approximate center of said Sycamore Bend Road for a distance of 706.84 feet to a point for corner in Turbeville Road (variable width right of way);

THENCE South 89° 13' 35" East in Turbeville Road and following along the North line of said AS Gold, L.P. Tract II for a distance of 2142.75 feet to a point for corner at its intersection with the center of the aforementioned Harbor Lane and the Northeast corner of said AS Gold, L.P. Tract II;

THENCE South 00° 33' 59" East and following along the center of said Harbor Lane for a distance of 2627.94 feet to the POINT OF BEGINNING and CONTAINING 117.0413 ACRES OF LAND, more or less.

Exhibit "B"
Planned Development District Standards

- 1) Except as otherwise provided in this Ordinance, the Property shall be used and developed in accordance with the regulations applicable to property within the SF-3 Residential District, as set forth in the Comprehensive Zoning Ordinance in effect on the date of the adoption of this Ordinance (the "Zoning Ordinance").
- 2) The minimum side yard setback shall be ten feet, except that a reduced side yard setback of six feet is permitted on irregularly shaped lots identified on the preliminary or comprehensive site plan.
- 3) The minimum lot width shall be 90 feet, measured at the minimum front yard setback line, for all lots other than irregularly shaped lots identified on the preliminary or comprehensive site plan, which shall have a minimum lot width of 60 feet, measured at the minimum front yard setback line. All lots shall have a minimum width of 30 feet at the front property line.
- 4) The average lot size within the planned development shall be 15,000 square feet. No lot shall be less than 12,000 square feet in area.
- 5) Each dwelling unit shall have a minimum of 2,500 square feet of air conditioned living space.
- 6) Additional uses permitted in this planned development are as follows:
 - a) Equestrian center.
 - b) Private open space.
 - c) Accessory buildings.
 - d) Retention and detention ponds. Each pond shall include a fountain or other feature to aerate the water.
 - e) Servant's quarters on lots that are four acres or larger.
- 7) Gas drilling and related activities are prohibited on the Property except within the existing, permitted gas well pad site identified in Exhibit "C".
- 8) Prior to the issuance of a building permit, a comprehensive site plan must be approved in accordance with Article XVII and Article XXVII of the Zoning Ordinance. The landscape plan required by Article XXVII shall only be required to show landscaping along the perimeter of the subdivision, and shall not be required to show landscaping of individual lots. If a building permit has not been issued within one year of the approval of the comprehensive site plan, approval of the comprehensive site plan shall expire.

- 9) All new buildings shall be constructed according to the Standard Masonry Construction requirements as defined in the Zoning Ordinance.

Exhibit "C"
Preliminary Site Development Plan

Presentation from Dunaway Associates regarding professional consulting services for parks, recreation and open space master plan.

Chapter 14
Article IV Classification of Districts

SECTION 3:

Except as hereinafter provided:

- (1) No building shall be constructed, erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or land be used which does not comply with all of the district regulations established by this ordinance for the district in which the building or land is located.
- (2) No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this ordinance nor shall the lot area per family be reduced in any manner except in conformity with the area regulations herein established for the district in which such lot is located.
- (3) No yard or other open space provided about any building for the purpose of complying with the provisions of these regulations shall be considered as providing a yard or open space for any other building nor shall the yard or open space on an adjoining property be considered as providing a yard or open space on a lot wherein a building is to be located.
- (4) Except as herein provided, every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building and its accessory buildings on the lot.
- (5) In every building, each room used for living or sleeping purposes shall not have less than one window opening directly upon a street or alley, or upon a rear yard, front yard, side yard or court located upon the same lot and conforming to the requirements prescribed herein.
- (6) In every dwelling unit, the density of occupation shall be regulated in accordance with those rules set forth in the International Property Maintenance Code as amended.
- (7) With prior approval from the Town Council and Planning and Zoning Commission, down zoning shall be allowed for any land use or district unless specifically excepted under a particular district.
- (8) Except as otherwise provided herein, the exterior walls of all main buildings shall be of Standard Masonry Construction as defined in article III, section 1, (88).
- (9) Except as otherwise provided herein, all accessory buildings must comply with front and side yard setbacks as provided in each respective zoning district, as described in article IV, section 1.
- (10) Except as otherwise provided herein, accessory buildings larger than 120 square feet shall maintain a rear setback equal to or greater than the side setback as provided for in each respective zoning district. At no time shall any accessory building be located any closer than 18 inches to the rear property line in any zoning district.
- (11) Prior to the issuance of any permit by the Building Official, the owner of the property must be in compliance with all Town ordinances and building regulations, and current on all fees, including, but not limited to court fines, privileged liens, and local taxes, on all property owned or operated within the corporate limits of the Town of Hickory Creek.
- (12) Except as otherwise provided in the Code of Ordinances, agricultural uses, as defined herein, shall be allowed in all zoning districts except SF-2, SF-3, TH-1 and MF-1. The slaughter of animals or processing of any animal product shall be prohibited in all zoning districts within the Town of Hickory Creek.
- (13) In all residential zoning districts, individual lots for development must have at least one direct access to a publicly dedicated street. The minimum width of the street frontage shall be 30 feet.

(Ord. 86-10-114; Ord. 87-06-123; Ord. 99-02-446, 2/16/99; Ord. 2008-02-610, 2/19/08; Ord. 2008-04-615, § 3.03, 4/15/08)

(Ord. No. 2018-03-791 , § 3.01, 3-20-2018; Ord. No. 2018-04-793 , § 1, 4-17-2018)