



**PLANNING & ZONING COMMISSION**  
**Thursday, January 30, 2025, 6:00 PM**  
**EVENT CENTER 60 MORGAN'S POINT BOULEVARD**

**Call to Order**

**Announcements and Citizens Comments**

**Presentations**

**1. Approval of Minutes**

- [a.](#) Discuss and Consider - Approving November 26, 2024, minutes

**2. Regular Agenda**

- [a.](#) Discuss and Consider - Adjustments to Section 23 and 24 of Appendix B to make corrections to Planning and Zoning Commission definitions and membership
- [b.](#) Discuss and Consider - Planning and Zoning vacancies for approval by City Council to reach out for volunteers
- [c.](#) Discuss and Consider - Application for P&Z membership on Morgan's Point Resort website
- [d.](#) Discuss and Consider - Final draft of Comprehensive Master Plan
- [e.](#) Discuss and Consider - City applications that impact P&Z meetings

**3. Items for Future Agendas**

**4. P & Z Commission Updates & Comments**

**5. Staff Updates**

**6. Adjournment**

I certify that a copy of the \_\_1-30-2025\_\_ agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the \_\_1-27-2025\_\_ at 4:00PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254 742-3206 for further information

Camille Bowser, City Secretary



## PLANNING & ZONING COMMISSION

Tuesday, November 26, 2024, 6:00 PM

EVENT CENTER 60 MORGAN'S POINT BOULEVARD

### **Call to Order**

Meeting called to order by Vice Chair, Ken Hobbs, at 6:01 PM

#### PRESENT

Ken Hobbs

Thomas Westmoreland

Leslie Minor

#### ABSENT

Justin Strawn

Louis Guillaud

### **Announcements and Citizens Comments**

N/A

### **Presentations**

N/A

### **1. Approval of Minutes**

- a. Discuss and Consider - Approving October 22, 2024, Minutes

Motion made to approve October 22, 2024, minutes

Motion made by Westmoreland, Seconded by Minor.

Voting Yea: Hobbs

Passed

### **2. Regular Agenda**

- a. Discuss and Consider - Resubmittal of Application to consolidate 3 lots into 2 at 16 Hawthorn Court

Motion made to move forward for City Council review and action

Motion made by Westmoreland, Seconded by Minor.

Voting Yea: Hobbs

Passed

- b. Discuss and Consider - Dates for a workshop with EDC and local businesses concerning home occupations

Motion made to approve recommended date of January 7, 2025

Motion made by Westmoreland, Seconded by Minor.  
Voting Yea: Hobbs

Passed

- c. Discuss and Consider - Election of new Chair and Vice Chair

Motion made to elect Ken Hobbs as Chair and Thomas Westmoreland at Vice Chair

Motion made by Minor, Seconded by Westmoreland.  
Voting Yea: Hobbs

Passed

### **3. MPR Comprehensive Plan Update**

Discussed that the plan will be available soon

### **4. Items for Future Agendas**

Review applications that impact Planning and Zoning meetings

### **P & Z Commission Updates & Comments**

N/A

### **Staff Updates**

New Animal Control and Ordinance Compliance employee

### **5. Adjournment**

Meeting adjourned at 7:04 PM

I certify that a copy of the \_11-26-2024\_\_\_ agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the \_11-22-2024\_\_\_ at 4:00PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254 742-3206 for further information

ATTEST:

\_\_\_\_\_  
Camille Bowser, City Secretary  
City of Morgan's Point Resort

\_\_\_\_\_  
Ken Hobbs, Vice Chair  
City of Morgan's Point Resort

CHAPTER 14

DO NOT ADD THIS;  
IT IS JUST FOR REFERENCE

SEVEN

(7)

Section 23. - Zoning Commission.

four

SEVEN

(7)

(3)

THREE

SEVEN

PERSON

PERSON

PERSON

four

PERSON

PERSON

PERSON

23.1 Created; Membership. There is hereby created a Zoning Commission in accordance with V.T.C.A., Local Government Code § 211.007, the Zoning Commission shall consist of five (5) members, each of whom shall be a resident of the City, who are at least eighteen years old and shall be selected for their unselfish interest in the City's affairs. Members shall be appointed by the City Council. Of the five (5) members, three (3) shall serve a period of one (1) year from the date of initial appointment and two (2) shall serve for a period of two (2) years from the date of initial appointment. Thereafter, all five (5) members shall serve for a period of two (2) years from the date of appointment. Vacancies shall be filled by appointments for unexpired terms only. For potential members to be considered for appointment, each must complete the City's application for employment as it exists at the time, and may attach a cover letter and resume, which shall be filed with the City Secretary for processing. Members may be removed from office at any time by a majority vote of the City Council for neglect of duty, malfeasance in office or for any action the City Council deems detrimental to the best interest of the City. All members shall serve without pay. Members shall be present for seventy-five percent (75%) of the scheduled meetings of their current, appointed term or shall be subject to removal from the Commission. In the event a Commission member fails to attend the required percentage of meetings, the Zoning Commission Chairman shall notify the City Council of the failure to meet attendance requirements. The city-provided Secretary shall keep minutes of all meetings held by the Commission and full record of all recommendations to be made by the Zoning Commission to the City Council. A Chairman and Vice-chairman shall be elected by the Zoning Commission from its membership.

23.2 Quorum; Voting. Three members of the Zoning Commission shall constitute a quorum, and all members, including the presiding chairman, shall have the right of one vote each, a quorum being present. All actions by the Zoning Commission shall be by a majority vote of those members present. If any member has a conflict of interest in review of any item on the Commission's agenda, he or she shall remove themselves from the room and refrain from voting only on the item for which a conflict exists.

23.3 Meetings. The Zoning Commission shall meet at such times in the City Hall as may be designated by the Chairman or Vice-Chairman in the absence of the Chairman, and at such intervals as may be necessary to orderly and properly transact the business of the Commission.

23.4 Duties and Zoning Responsibilities. As a minimum, the functions and responsibilities of the Zoning Commission should be as follows:

1. Responsible for updating of zoning ordinances in coordination with the Planning Commission. Where such updates impact the Master Plan, as determined by the Planning Commission approval of the Planning Commission must be obtained before submitting changes to the City Council for approval.

COMPREHENSIVE

2. Responsible for updating the subdivision regulations as needed.
3. Verify all property owners and residents within 200 feet of the property for which change in zoning is proposed have been notified by City Staff ORDINANCES
4. Every five years, review all zoning regulations and propose in coordination with the ORDINANCES Planning Commission to the City Council any needed changes resulting from the review.
5. Receive all requests for changes in zoning or variances from zoning regulations and make appropriate recommendations to the City Council. them
6. Provide advice to City Staff and the public as needed to assist them in administration of the zoning or subdivision of property. ORDINANCES Comprehensive
7. Be guided by the Master Plan in deliberation on proposals for change in zoning or subdivision regulations. ORDINANCES
8. Review and propose action of City Council all proposals for subdividing property in the City and in the ETJ of the City. ORDINANCE

23.5 Procedure on Zoning Hearings. The procedure and process for zoning changes and/or amendments shall be in accordance with Section 24.

(Ord. No. 2019-10, § 5, 8-20-19)

**State Law reference**— Authority of municipality to establish planning and zoning Commission, V.T.C.A., Local Government Code § 211.007.

## Section 24. - Changes and Amendments to All Zoning Ordinances and Districts and Administrative Procedures.

24.1 Declaration of Policy. The City declares the enactment of these regulations governing the use and development of land, buildings, and structures as a measure to the orderly development of the community. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:

1. To correct any error in the regulation or map
2. To recognize changed or changing conditions or circumstances in a particular locality
3. To recognize changes in technology, the style of living, or manner of conducting business

### 24.2 Authority to Amend Ordinance.

- A. The City Council may from time to time, after receiving a final report thereon by the Zoning Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning Map. Any ordinances, regulations or Zoning District boundary amendment may be considered for consideration by the City Council, be initiated by the Zoning Commission, or be requested by the owner of real property, or the authorized representative of an owner of real property. In no case shall the City Council act upon any zoning request prior to action by the Zoning Commission.
- B. Consideration for a change in any district boundary line or special zoning regulation may be initiated only with written consent of the property owner, or by the Zoning Commission or City Council on its own motion when it finds that public benefit will be derived from consideration of such matter. In the event the ownership stated on an application and that shown on the City records are different, the applicant shall submit proof or [of] ownership.
- C. Each application for zoning or for an amendment or change to the existing provisions of this Zoning Ordinance shall be made in writing on a form suitable to the Zoning Commission and shall be filed with the City and shall be accompanied by payment of the appropriate fees as established by the City of Morgan's Point Resort, Texas, and on file with the City Secretary.

24.3 Public Hearing and Notice. Prior to making its report to the City Council, the Zoning Commission shall hold at least one public hearing on each application. Written notice of all public hearings on proposed changes in district boundaries or other changes to district zoning regulations shall be sent to all owners of property or to the person rendering the same for the City taxes, affected by the application and within two hundred feet (200') of any property affected thereby, within not less than ten (10) days before such hearing is held. Such notice may be served by using the last known address as listed in the latest approved tax roll and depositing the notice, postage paid, in the United States mail. Notices for the

public hearing for changes to the ordinance before the City Council will also be sent to affected property owners at the same time notice of the Zoning Commission hearing is sent.

24.4 Failure to Appear. Failure of the applicant or his representative to appear before the Zoning Commission or City Council for more than one hearing within an approved delay shall constitute sufficient grounds for the Zoning Commission to terminate or deny the application.

24.5 Commission Consideration and Report. The Zoning Commission, after the public hearing is closed, shall prepare its report and recommendations on the proposed change stating its findings, its evaluation of the request and of the relationship of the request to the Comprehensive Plan. The Zoning Commission may defer its report for not more than ninety (90) days from the time it is posted on the agenda until it has had the opportunity to consider other proposed changes which may have a direct bearing thereon. In making its determination, the Zoning Commission shall consider the following factors:

- A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.
- B. Whether the proposed change is in accord with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
- C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.
- D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
- E. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.
- F. Any other factors which will substantially affect the health, safety, morals, or general welfare.

24.6 City Council Consideration.

- A. Proposed [Proposal] Recommended for Approval by the Commission: Every proposal which is recommended favorable by the Zoning Commission shall be automatically forwarded to the City Council for setting and holding of public hearing thereon. No change, however, shall become effective until after the adoption of an ordinance for same and its publication as required by law.
- B. Proposal Recommended for Denial by the Commission: When the Zoning Commission

determines that a proposal should be denied, it shall so report and recommend to the City Council and notify the applicant. If the proposal is denied by the Commission, the request shall not be forwarded to the City Council unless the applicant requests an appeal to the City Council or the request is sent for review by the Commission by simple majority vote.

When a proposed zoning request is heard by the City Council that has been denied by the Zoning Commission, a three-fourths ( $\frac{3}{4}$ ) majority vote by the City Council shall be required for approval. A request which has been denied by the Zoning Commission and/or City Council may be resubmitted at any time for reconsideration by the City, accompanied by a new filing fee. The City Council may deny any request with prejudice. If a request has been denied with prejudice, the same or similar request may not be resubmitted to the City for six (6) months from the original date of denial.

- C. City Council Hearing and Notice: Notice of City Council hearing shall be given by publication at the same time notice is given for the Zoning Commission public hearing in the official newspaper of the City, stating the time and place of such hearing, which shall be at least fifteen (15) days after the date of publication.
- D. Three-fourths Vote: A favorable vote of three-fourths ( $\frac{3}{4}$ ) of all members of the City Council shall be required to approve any change in zoning when written objections are received from twenty percent (20%) of the area of the adjacent landowners which comply with the provisions of the State laws commonly referred to as the "twenty percent (20%) rule." If a protest against such proposed amendments, supplement or change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the lots included in such a proposed change or those immediately adjacent to the area thereof extending two hundred feet (200') therefrom or of those directly opposite thereto extending two hundred feet (200') from the street frontage of such opposite lots, such amendments shall not become effective except by a three-fourths ( $\frac{3}{4}$ ) vote of the City Council.
- E. Final Approval and Ordinance Adoption: Upon submittal of the zoning request to the City Council, the applicant shall submit a metes and bounds description to the City for the preparation of the amending ordinance. The amending ordinance shall be approved at the time the City Council makes a decision to approve the request as submitted or with certain conditions. The amending ordinance will not be approved until a correct description has been prepared for the amending ordinance.

Sec. 10.02.006. - Definitions.

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this Section. Words used in the present tense include the future tense. Words used in the plural number include the singular, and words in the singular include the plural. The words, "shall" and "will" are mandatory and not permissive. The word "may" is permissive and not mandatory. The word "herein" means in this Article. The word "regulations" means the provisions of any applicable ordinance, rule, regulation or policy. The word "person" means any individual, partnership, incorporated or unincorporated association, firm, corporation, governmental agency, political subdivision, or legal entity conducting business in accordance with this Article. The words "used or occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

*Access* means a way of approaching or entering a property.

*Acre* means a unit of area equal to 43,560 square feet. When calculating the acreage of any lot the gross square footage within the lot shall be used, provided any area within a private roadway easement or an easement for a shared access driveway shall be excluded.

*Adjacent* means abutting and directly connected to or bordering.

*Alley* means a minor right-of-way, dedicated to public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

*Applicant* means a person applying for plan approval under this Article.

*Approval* means the final approval in a series of required actions. For instance, the approval date of a plat requiring approval of the Commission and then the Council is the date of Council approval.

*Arterial street* means a street designed to provide movement of traffic through the City.

*Base floodplain* means that area subject to inundation by flood, having a one-percent probability of occurrence in any given year, based on existing conditions of development within the watershed area, as determined by the flood insurance study for Bell County and/or Morgan's Point Resort provided by the Federal Emergency Management Agency (FEMA).

*Block* means a parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad right-of-way, public walks, parks or green strips, rural land, drainage channels, or a combination thereof.

*Bond* means any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the City Council.

*Building or setback line* means a line or lines designating the interior limit of the area of a lot within which structures may be erected. The building lines generally provide the boundaries of the buildable area of any given lot and no structure or building may be erected between a building and the corresponding lot line.

*Building permit* means a permit issued by the City of Morgan's Point Resort which is required prior to commencing construction or reconstruction of any structure.

*Buffer* means a barrier constructed of wood, masonry, vegetation, and/or other landscape material in such a manner that adjacent uses will be separated to such a degree that objectionable noise, heat, glare, visual clutter, dust, loss of privacy, air circulation, and other negative externalities shall be abated.

*Centerline*, when referring to a waterway or drainage, means the centerline of the waterway and refers to existing topographically defined channels. If not readily discernible, the centerline shall be determined by:

- (1) The low flow line; or
- (2) The center of the two-year floodplain.

*City* means the City of Morgan's Point Resort, Texas.

*City Administrator* means the Chief Administrative Officer of the City of Morgan's Point Resort, Texas or his/her designated representative.

*City Council* or *Council* means the Morgan's Point Resort City Council.

*City limits* means within the incorporated boundaries of the City.

*City staff* means the officers, employees, and agents of the City assigned and designated from time to time by the City Administrator and/or Council, including, but not limited to, the City Engineer, to review and/or comment and report on development plans.

*City standard details and specifications*, when published, means a library of City-approved drawings and technical data representing typical drainage, transportation, erosion and sedimentation control, and utility appurtenances to be constructed for City acceptance.

*Collector street* means a street that serves as the most direct link for traffic from local streets to major or minor arterial streets.



*Commission* means the Planning and Zoning Commission of the City, or the City Council if a Planning and Zoning Commission is not operational.

*Commissioners court* means the Bell County Commissioners Court.

*Contiguous* means adjacent property whose property lines are shared and are not separated by a



## Planning & Zoning Commission Application

Thank you for your interest in volunteering to join the Planning & Zoning Commission! Use this form to provide useful information about yourself. The following information will be shared with current members and City Administration.

Your Name: \_\_\_\_\_

Your Home Phone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_

Your Address: \_\_\_\_\_

How long have you lived in Morgan's Point Resort: \_\_\_\_\_

Your email address (please print clearly):

\_\_\_\_\_

Briefly describe why you would like to join:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Your current organizational affiliations (name of organization and your role):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



If you join the Planning & Zoning Commission, you agree to provide at least 2-4 hours a month to be in attendance to meetings, and that you do not have any conflicts of interest in participating.

Your

signature: \_\_\_\_\_ Date: \_\_\_\_\_

If you are not selected as a member of the Commission, or if you decide not to join, would you like to be a volunteer to assist our organization in various ways that match your skills and interests?

☐ Yes

☐ No

☐ Perhaps



### Office Use Only

Date: \_\_\_\_\_ Application # \_\_\_\_\_ Staff Review \_\_\_\_\_

P & Z Hearing: \_\_\_\_\_ Council Hearing: \_\_\_\_\_ Fees Paid (\$500) ☐ Receipt #: \_\_\_\_\_

### PLEASE PRINT CLEARLY

Applicant Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### OWNER'S INFORMATION

Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**PROJECT SITE ADDRESS:** \_\_\_\_\_

Legal description: Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Total Acreage or Square Footage: \_\_\_\_\_ Deed recorded in: \_\_\_\_\_

Bell Cad Parcel ID: \_\_\_\_\_

**SPECIFIC CONDITIONAL USE REQUEST:** \_\_\_\_\_

Applicant understands that the purpose of the Specific Use Permit (SUP) process is to allow certain uses which are not specific; permitted uses within a zoning district. To be considered for a SUP, the requested use must be listed under "Specific Uses" within the applicable zoning district.

#### UTILITIES

Electric Provider: \_\_\_\_\_

Last Septic Inspection Date: \_\_\_\_\_



## **SPECIFIC USE PERMIT (SUP) SUBMITTAL CHECKLIST**

- ☐ Complete "Specific Use Permit" Application
- ☐ Site plan / legal survey
- ☐ Copy of the lease / HUD statement
- ☐ Agent authorization to represent property owner (if applicable)
- ☐ Letter of authorization from HOA (if applicable)
- ☐ Payment of application fee (credit card, check/money order, cash)

### **Office Use Only:**

- ☐ Application Completed
- ☐ 200 ft. Certified Letter sent to entities no later than 11 days before P&Z meeting
- ☐ Notices to local newspapers sent
- ☐ Initial Septic Inspection Date: \_\_\_\_\_
- ☐ Initial Home Inspection Date: \_\_\_\_\_
- ☐ Public Hearing Date: \_\_\_\_\_
- ☐ P & Z Approval Date: \_\_\_\_\_
- ☐ Notices to local newspapers sent
- ☐ Council Scheduled Date: \_\_\_\_\_
- ☐ Council Approval Date: \_\_\_\_\_
- ☐ Final Inspection Date: \_\_\_\_\_
- ☐ Certificate of Occupancy Issue Date: \_\_\_\_\_



### **MY REQUEST IS BASED ON THE FOLLOWING:**

- The use requested by the applicant is set forth as a conditional use in the zoning ordinance.
- The nature of the use is reasonable.
- The special use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area.
- The specific use permit does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the zoning ordinances are being upheld.

### **SUBMITTAL VERIFICATION**

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand the City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent may delay the review of the Application. I authorize City of Morgan's Point Resort Staff to visit and inspect the property for which this application is being submitted. I agree to attend or have a representative attend the Planning & Zoning Commission and City Council meetings. I have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and understand that the City zoning action does not relieve any obligation of these restrictions.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## ADDITIONAL QUESTIONS AND LIST OF CONDITIONS THAT MAY BE INCLUDED IN A SHORT-TERM RENTAL SUP

PROPERTY OWNER: \_\_\_\_\_

LOCATION OF PROPERTY: \_\_\_\_\_

LEGAL DESCRIPTION: SECTION \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT(S) \_\_\_\_\_

EXISTING USE: \_\_\_\_\_

HOMEOWNERS ASSOCIATION CONTACT INFO: \_\_\_\_\_

### Sec. 15.4 Specific Use Permit Fees

No permit required by this article shall be issued until the fees prescribed in this section have been paid, nor shall any amendment to a permit be approved until the additional fees, if any, have been paid. The fee for Specific Use Permits Application shall be:

1. Upon applying for a Specific Use Permit: \$500.00 Application Fee
2. Upon Denial of a Specific Use Permit: 50% refund of the Specific Use Permit application fee

SF – Single-Family Residential and MF – Multifamily Residential

1. Bed and Breakfast Inn or Facility, Tourist Home or Short-Term Rental.
  - a) A maximum of 8 adults and 3 motor vehicles for a structure with 3 or more bedrooms.
  - b) A maximum of 6 adults and 2 motor vehicles for a structure with 2 bedrooms.
  - c) A maximum of 4 adults and 2 motor vehicles for a structure with only one bedroom.
  - d) A maximum of 2 household pets for each structure. Dogs, cats and domestic ferrets must be currently vaccinated (annually) for the rabies virus.

**Initial \_\_\_\_\_ OFF-STREET PARKING:** All parking will be off-street. \_\_\_\_\_ Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 8 adult guest with 3 motor vehicles. Parking will be in these spaces only.

### Sec. 3.02.013 Off-street parking spaces

For each building site in residential areas there shall be a minimum of two (2) off-street parking spaces on an improved surface, inclusive of the garage. The concrete apron from the roadway to the property line required by this article may be used to satisfy some or all of this requirement. (Ordinance 4-1, part I, sec. I(D), adopted 6/13/02; Ordinance adopting Code)



**Sec. 12.04.001 Parking in right-of-way; obstructions in right-of-way**

(a) Restrictions.

- (1) Parking of trailers, motor homes or boats. The street right-of-way between the roadway and the property line of any property shall not be used for parking of travel trailers, motor homes, boats and/or trailers, whether or not attached to towing vehicles, for longer than 48 consecutive hours.

**Sec. 12.04.002 Parking large vehicles in residential area; parking vehicle with motor or equipment running**

- (a) Parking large vehicles. A person commits an offense if he stops, parks, or stands a truck-tractor, road tractor, semi-trailer, bus, trailer or a truck with more than two axles, rated capacity in excess of one and one-half tons or with a height of more than nine feet, according to the manufacturer's classification, in front of or forward of any building setback line (as shown by the property's plat or the zoning ordinance) and not upon an improved surface which has been inspected and approved by the city, upon property within a residential area.

- (b) Parking vehicle with motor or equipment running. It shall be unlawful for any person owning or having control of any motor vehicle or trailer to park or leave standing said motor vehicle or trailer in a residential area with the motor or accessory equipment (such as a refrigeration unit) running.

**Initial \_\_\_\_\_ NOISE AND LIGHTING:** Exterior lighting to be only landscape lighting. All noise audibles from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single-family neighborhood. No large parties are permitted.

**Sec. 8.03.003 Specific noises prohibited**

The playing of any radio, phonograph or any musical instrument in such manner, or with such volume, particularly during the hours between 11:00 p.m. and 7:00 a.m., as to create a noise such as reasonably calculated to disturb a person of ordinary disposition under the same or similar circumstances residing in a dwelling or other type of residence in the vicinity. No stationary loudspeaker or amplifier shall be operated on any weekday between the hours of 11:00 p.m. and 7:00 a.m., and no such stationary loudspeaker or amplifier shall be operated at any time on Sunday between the hours of 7:00 a.m. and 1:00 p.m.

**NUMBER OF BEDROOMS:** \_\_\_\_\_ **PROPOSED MAXIMUM OCCUPANCY:** \_\_\_\_\_ guests.

**Initial \_\_\_\_\_ OCCUPANT REGULATIONS AND GUIDELINES:** Guest Guidelines are attached hereto and made a part of the Specific Use Permit. The short-term rental shall be operated in accordance with the guidelines. These guidelines shall be furnished to all guests.



**Initial\_\_\_\_\_ PROPERTY MANAGEMENT:** Owner will provide guests and City police department with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not, owner occupied) Owner agrees to always retain under contract a responsible local management company the property is used as a non-owner-occupied short-term rental. The management company shall advise guests of the applicable conditions contained herein, receive, and pass on the owner any complaints received and at owner's direction act upon such complaints. (If owner occupied) The property shall be the owner's principal place of residence and the owner shall actively always supervise and manage the property that it is used as a short-term rental.

**Initial\_\_\_\_\_ MISCELLANEOUS:** Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles. No trash bags shall be left out in the open. The exterior of the rental and the landscaping, including lawns, will be always maintained in good condition.

**Initial\_\_\_\_\_ REVOCATION:** The sup may be revoked by the City Council upon recommendation of the Planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

**Initial\_\_\_\_\_ OWNER COMPLIANCE:** Owners agree to comply with all City of Morgan's Point Resort Ordinances, and all state, county and City laws, rules and regulations.

**ACCEPTED AND AGREED TO:**

_____	_____	_____
OWNER SIGNATURE	PRINT NAME	DATE
_____	_____	_____
OWNER SIGNATURE	PRINT NAME	DATE

---

**Sec. 10.02.063. Variances.**

- (a) The Council may authorize variance(s) from these regulations in an open session when it is clearly shown the granting of relief in the form of a lesser standard will not impact adversely on public health, safety, general welfare, traffic conditions, and not alter the nature, character, and quality of the subdivision. No relief shall be authorized unless the Council finds:
  - (1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Article would deprive the applicant of the reasonable use of his land;
  - (2) That the relief is necessary for the preservation and enjoyment of a substantial property right of the applicant;
  - (3) That the granting of the relief will not be detrimental to the public finances, health, safety or welfare, or injurious to other property in the area; and
  - (4) That the granting of the relief will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Article;
  - (5) The applicant has not created the hardship from which relief is sought.
- (b) Such finding of the Council, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Council meeting at which such relief is granted. Relief may be granted only when in harmony with the general purposes and intent of this Article, and does not alter the nature, character and quality of the subdivision so that the public health, safety, and welfare are secured. Pecuniary hardship to the developer shall not be the basis for any relief from these regulations.
- (c) Because the conditions for which the variance(s) from these regulations may be requested are reasonably expected to have existed prior to submittal of the preliminary plat, they shall be submitted at the time of submittal of the preliminary plat and will be considered in the same manner and time line as the preliminary plat. In no case will variances be sought as a remedy to inadequate preparation by the developer.

(Ord. No. 14-28, § V-3, 3-15-11)



## APPLICATION FOR VARIANCE REVIEW

Application # \_\_\_\_\_ (City Clerk assigns number)      Date: \_\_\_\_\_

***“PLEASE PRINT CLEARLY”***

Name of Requestor: \_\_\_\_\_

Address: \_\_\_\_\_ Phone \_\_\_\_\_

Email \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_ Phone \_\_\_\_\_

Email \_\_\_\_\_

Property ID/Legal Description/ and Address: \_\_\_\_\_

\_\_\_\_\_

**Please provide “Any” supporting documents to assist in your review with the Commission**

Description of Request:

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Signature of Owner/Requestor \_\_\_\_\_ Date \_\_\_\_\_