



PLANNING & ZONING COMMISSION

Tuesday, June 24, 2025, 6:00 PM

EVENT CENTER 60 MORGAN'S POINT BOULEVARD

Call to Order

Announcements and Citizens Comments

1. Approval of Minutes

- [a.](#) Discuss and Consider minutes from April 22, 2025, meeting
- [b.](#) Discuss and Consider minutes from May 6, 2025, meeting

2. Public Hearing(s)

- [a.](#) Public hearing for 29 Vista Dr, MPR, TX 76513 Special Use Permit (SUP) for Short Term Rental (STR) application

Open Public Hearing

Public Comments (3 mins to speak)

Close Public Hearing

Discussion and possible motion to approve, deny, or approve with conditions before forwarding to City Council

- [b.](#) Public hearing for 160 Lake Forest Dr, MPR, TX 76513 variance application

Open Public Hearing

Public Comments (3 mins to speak)

Close Public Hearing

Discussion and possible motion to approve, deny, or approve with conditions before forwarding to City Council

3. Regular Agenda

- [a.](#) Discuss and Consider ADA requirements for MPR
- [b.](#) Discuss and Consider edits to Chapter 3, 6 and Chapter 14 Appendix B-Zoning Ordinance Definitions
- [c.](#) Discuss and Consider application for membership in P&Z

d. Discuss and Consider Home Based Business ordinance and Chapter Location

4. **MPR Comprehensive Plan Update**
5. **Items for Future Agendas**
6. **P & Z Commission Updates & Comments**
7. **Staff Updates**
8. **Adjournment**

I certify that a copy of the ___6-24-2025___ 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 ___6-20-2025__ 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, April 22, 2025, 6:00 PM
EVENT CENTER 60 MORGAN'S POINT BOULEVARD

Call to Order

Meeting was called to order at 6:00 PM

PRESENT

Louis Guillaud
Ken Hobbs
Thomas Westmoreland
Leslie Minor

Sam Agha with CTCOG

Announcements and Citizens Comments

N/A

Presentations

N/A

1. Approval of Minutes

- a. Discuss and Consider: Minutes from March 25, 2025, meeting

Motion made to approve minutes from March 25, 2025, meeting

Motion made by Guillaud, Seconded by Minor.

Voting Yea: Hobbs, Westmoreland

Passed

2. Regular Agenda

- a. Discuss and consider: Adjustments to Chapter 4 Business regulations, including adding Article 4.06

Motion made to table

Motion made by Minor, Seconded by Guillaud.

Voting Yea: Hobbs, Westmoreland

Tabled

- b. Discuss and consider: ADA requirements to new and existing regulations. ADA notifications from cities of similar size to MPR

Motion made to move forward to City Council with discussed changes

Motion made by Westmoreland, Seconded by Guillaud.

Voting Yea: Hobbs, Minor

Passed

- c. Discuss and consider: Edits to Chapters 3, 6 and Appendix B-Zoning Ordinance

Motion made to move forward to City Council with P & Z changes

Motion made by Westmoreland, Seconded by Guillaud.

Voting Yea: Hobbs, Minor

Passed

- d. Discuss and consider: Potential new member to P&Z

Waiting on an application submittal from Dave Carpenter

3. MPR Comprehensive Plan Update

Should be done soon

4. Items for Future Agendas

N/A

P & Z Commission Updates & Comments

Election reminder announcement

Staff Updates

N/A

5. Adjournment

Meeting adjourned at 6:46 PM

I certify that a copy of the ___4-22-2025___ 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 ___4-17-2025___ 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 PUBLIC HEARING
Tuesday, May 06, 2025, 4:00 PM
EVENT CENTER 60 MORGAN'S POINT BOULEVARD

Call to Order

Meeting was called to order at 4:15 PM by Ken Hobbs, Chairperson

PRESENT

Louis Guillaud
 Ken Hobbs
 Thomas Westmoreland
 Leslie Minor

Sam Agha with CTCOG

Public Hearing

Public hearing for 15 Golden Poppy Loop, MPR, TX 76513 variance application

- Open Public Hearing
4:15 PM
- Public Comments (3 minutes to speak)
N/A
- Close Public Hearing Announcements and Citizens Comments
4:16 PM
- Discussion and possible motion to approve, deny, or approve with conditions before forwarding to the City Council

Motion was made to pass and move variance forward to the City Council for their consideration and action

Motion made by Minor, Seconded by Guillaud
 Voting Yea: Hobbs
 Voting No: Westmoreland

Adjournment

Meeting adjourned at 4:49 PM

I certify that a copy of the __5-6-2025__ 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 __5-2-2025__ 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

ATTEST:

Ken Hobbs, Chairperson

Camille Bowser, City Secretary

DRAFT

Tanya Marie Brown & Dragan Ristic

29 Vista Drive

Belton, TX 76513

tanyalosal@gmail.com

562.355.3272

April 18, 2025

City of Morgan's Point

Morgan's Point, TX

Dear City of Morgan's Point,

I hope this letter finds you well. I am writing to you as a homeowner and proud member of the Morgan's Point community. Our property in Morgan's Point serves as our family's second home, and more importantly, it is the place we plan to call our forever home upon retirement.

We have grown to love the peace, beauty, and strong sense of community that Morgan's Point offers, and we are fully committed to preserving and contributing positively to that environment. This home is not just an investment; it's the foundation of our future and a place where we hope to create lasting memories for generations to come.

In the meantime, we are currently navigating the financial responsibilities of putting two children through college. As you can imagine, the costs associated with higher education are significant, and any supplemental income we can generate is essential to maintaining financial stability for our family during this period.

Therefore, we respectfully ask for your understanding and support as we seek to responsibly use our home during times we are not occupying it to help offset these expenses. The ability to produce some income from the property during these times would have a meaningful impact on our family's financial well-being without compromising our long-term commitment to the Morgan's Point community.

Thank you for your time and consideration. We are grateful to be a part of Morgan's Point and look forward to many more years of connection with this special place.

Warm regards,

Tanya & Dragan



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: _____

Tanya Marie Brown & Dragan Ristic

29 Vista Drive

Belton, TX 76513

tanyalosal@gmail.com

562.355.3272

April 18, 2025

City of Morgan's Point

Morgan's Point, TX

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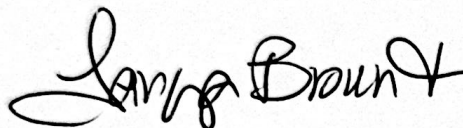
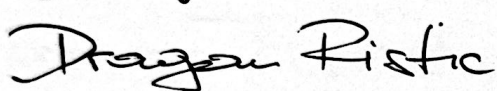
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Therefore, we respectfully ask for your understanding and support as we seek to responsibly use our home during times we are not occupying it to help offset these expenses. The ability to produce some income from the property during these times would have a meaningful impact on our family's financial well-being without compromising our long-term commitment to the Morgan's Point community.

Thank you for your time and consideration. \

Morgan's Point and look forward to many more special place.

Warm regards,

Tanya & Dragan



Office Use Only

Date: _____ Application # _____ Staff Review _____
 P & Z Hearing: _____ Council Hearing: _____ Fees Paid (\$500) ☐ Receipt #: _____

PLEASE PRINT CLEARLY

Applicant Name: Tanya Braun + Dragon Resto
 Mailing Address: 29 Vista Dr City: Morgan's Point State: TX Zip: 76613
 Phone: (512) 355-3272 E-mail: tanya.los.al@gmail.com

OWNER'S INFORMATION

Property Owner: Tanya Braun + Dragon Resto
 Mailing Address: 29 Vista Dr City: Morgan's Point State: TX Zip: 76613
 Phone: (512) 355-3272 E-mail: tanya.los.al@gmail.com

PROJECT SITE ADDRESS: 29 Vista Dr., Morgan's Point, TX
 Legal description: Section 8.B Block 5 Lot(s) 11
 Total Acreage or Square Footage: .31 acres Deed recorded in: 9/3/24
 Bell Cad Parcel ID: 1795
 SPECIFIC CONDITIONAL USE REQUEST: Short term vacation rental

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: Ambit
 Last Septic Inspection Date: 7/30/24



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

PROPERTY OWNER: Tanya Brown + Dagan Ristic
 LOCATION OF PROPERTY: 29 Vista Dr.
 LEGAL DESCRIPTION: SECTION B-B BLOCK 5 LOT(S) 11
 EXISTING USE: family's second home
 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

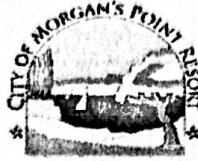
SF – Single-Family Residential and MF – Multifamily Residential

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 JB 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 SB **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: 4 **PROPOSED MAXIMUM OCCUPANCY:** 8 guests.

Initial SB **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 B **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 B **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 B **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 B **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:

Tanya Brown

OWNER SIGNATURE

Dragan Ristic

OWNER SIGNATURE

Tanya Brown

PRINT NAME

DRAGAN RISTIC

PRINT NAME

4/18/25

DATE

4/18/25

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: _____

Larry Brown & Dragon Post Date: 4/18/25

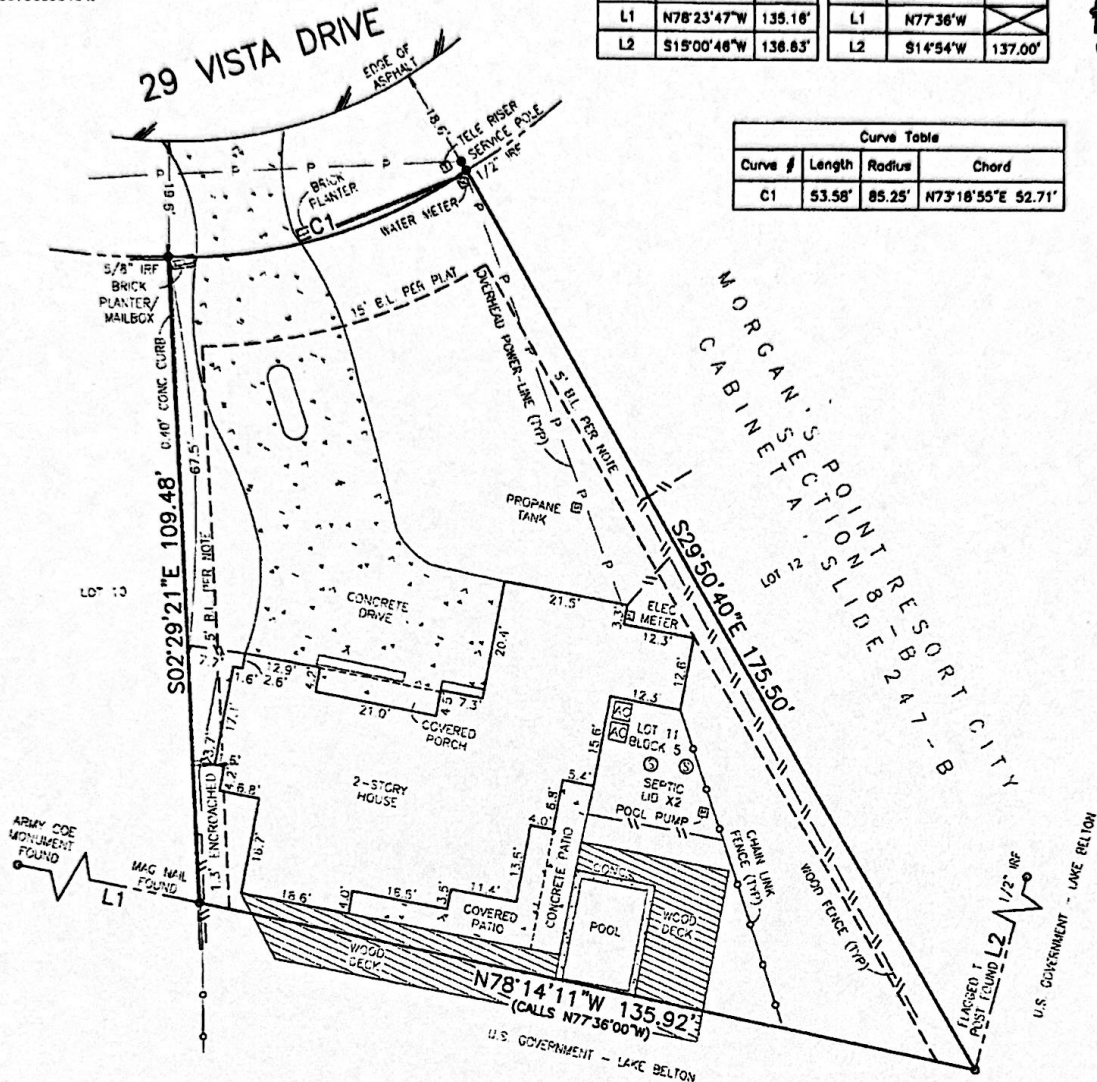
Bearing Base: Texas State Plane
Coordinate System (NAD 1983) as
determined by G.P.S. observation.

TSPS LAND TITLE SURVEY

NOTE: BUILDING LINES SHOWN ARE PER VOL
Doc. # 196700003494.

Line Table			Cuts Table		
Line #	Direction	Length	Line #	Direction	Length
L1	N78°23'47"W	135.18'	L1	N77°36'W	
L2	S15°00'46"W	136.83'	L2	S14°54'W	137.00'

Curve Table			
Curve #	Length	Radius	Chord
C1	53.58'	85.25'	N73°18'55"E 52.71'



Restrictions of Record:
Doc. # 196700003494
Doc. # 197600002307
Doc. # 197600019555

LOT ELEVEN (11), IN BLOCK FIVE (5), IN MORGAN'S POINT RESORT CITY, SECTION 8-B, IN Bell COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN CABINET A, SLIDE 247-B, PLAT RECORDS OF Bell COUNTY, TEXAS.



STATE OF TEXAS: KNOW ALL MEN BY THESE PRESENTS, that I Victor D. Turley, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was this day made on the ground of the property described herein and is correct and that there are no discrepancies, conflicts, shortages in the area, easements, and right-of-ways except as shown hereon, that this tract of land has access to and from a public road, and I have marked all corners with monuments. This Survey substantially complies with the current Texas Society of Professional Surveyors Manual of Practice requirements for a Category 1A, Condition 3, TSPS Land Title Survey.

This Property Appears not to be within the Special Flood Hazard Area as per the Federal Emergency Management Agency Federal Insurance Administration Map No. 48027C0175E, dated September 26, 2008. This statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or Turley Associates Inc.

IN WITNESS THEREOF, my hand and seal, this the 27th day of August 2024.

Victor D. Turley

Victor D. Turley, R.P.L.S., No. 2475



29 VISTA DRIVE
LOT 11, BLOCK 5
MORGAN'S POINT RESORT CITY
SECTION 8-B
BELL COUNTY, TEXAS

DATE: 08/27/2024	SCALE: 1:20	OWN. BY: BRC
REFERENCE:	F.B. & L.B.: 1112/26	
FILE NO.: 24-2394	SHEET: 1	

Closing Disclosure

This form is a statement of final loan terms and closing costs. Compare this document with your Loan Estimate.

Closing Information

Date Issued 9/3/2024
Closing Date 9/3/2024
Disbursement Date 9/4/2024
Settlement Agent TEJAS LAND & TITLE
File # 24-484-1
Property 29 VISTA DR
BELTON, TX 76513
Sale Price \$875,000

Transaction Information

Borrower DRAGAN RISTIC
27774 PEBBLE BCH
MISSION VIEJO, CA 92692

Seller Jimmy Ashby
29 Vista Dr, Belton TX 76513

Lender PROVIDENT FUNDING ASSOCIATES, L.P.

Loan Information

Loan Term 30 years
Purpose Purchase
Product Fixed Rate
Loan Type ☒ Conventional ☐ FHA
☐ VA ☐
Loan ID # 834080322
MIC # 73117177

Loan Terms

Can this amount increase after closing?

Loan Amount	\$766,550	NO
Interest Rate	6.875%	NO
Monthly Principal & Interest <i>See Projected Payments below for your Estimated Total Monthly Payment</i>	\$5,035.69	NO
Prepayment Penalty	Does the loan have these features? NO	
Balloon Payment	NO	

Projected Payments

Payment Calculation	Years 1 - 9	Years 10 - 30
Principal & Interest	\$5,035.69	\$5,035.69
Mortgage Insurance	+ \$198.03	+ -
Estimated Escrow <i>Amount can increase over time</i>	+ \$1,610.13	+ \$1,610.13
Estimated Total Monthly Payment	\$6,843.85	\$6,645.82
Estimated Taxes, Insurance & Assessments <i>Amount can increase over time See page 4 for details</i>	\$1,610.13 a month	This estimate includes <input checked="" type="checkbox"/> Property Taxes <input checked="" type="checkbox"/> Homeowner's Insurance <input type="checkbox"/> Other: <i>See Escrow Account on page 4 for details. You must pay for other property costs separately.</i>
		In escrow? YES YES

Costs at Closing

Closing Costs	\$27,760.82	Includes \$7,156.30 in Loan Costs + \$20,604.52 in Other Costs - \$0.00 in Lender Credits. See page 2 for details.
Cash to Close	\$107,879.99	Includes Closing Costs. See Calculating Cash to Close on page 3 for details.

Loan Calculations

Total of Payments. Total you will have paid after you make all payments of principal, interest, mortgage insurance, and loan costs, as scheduled.	\$1,838,971.64
Finance Charge. The dollar amount the loan will cost you.	\$1,066,515.39
Amount Financed. The loan amount available after paying your upfront finance charge.	\$765,739.12
Annual Percentage Rate (APR). Your costs over the loan term expressed as a rate. This is not your interest rate.	7.077 %
Total Interest Percentage (TIP). The total amount of interest that you will pay over the loan term as a percentage of your loan amount.	136.437%

Questions? If you have questions about the loan terms or costs on this form, use the contact information below. To get more information or make a complaint, contact the Consumer Financial Protection Bureau at www.consumerfinance.gov/mortgage-closing

Other Disclosures**Appraisal**

If the property was appraised for your loan, your lender is required to give you a copy at no additional cost at least 3 days before closing. If you have not yet received it, please contact your lender at the information listed below.

Contract Details

See your note and security instrument for information about

- what happens if you fail to make your payments,
- what is a default on the loan,
- situations in which your lender can require early repayment of the loan, and
- the rules for making payments before they are due.

Liability after Foreclosure

If your lender forecloses on this property and the foreclosure does not cover the amount of unpaid balance on this loan,

- ☒ state law may protect you from liability for the unpaid balance. If you refinance or take on any additional debt on this property, you may lose this protection and have to pay any debt remaining even after foreclosure. You may want to consult a lawyer for more information.
- ☐ state law does not protect you from liability for the unpaid balance.

Refinance

Refinancing this loan will depend on your future financial situation, the property value, and market conditions. You may not be able to refinance this loan.

Tax Deductions

If you borrow more than this property is worth, the interest on the loan amount above this property's fair market value is not deductible from your federal income taxes. You should consult a tax advisor for more information.

Contact Information

Name	Lender	Mortgage Broker	Real Estate Broker (B)	Real Estate Broker (S)	Settlement Agent
	Provident Funding Associates, L.P.	Synergy One Lending, Inc.	EXP Realty, LLC	Ashby Real Estate Group LLC	Tejas Land & Title
Address	1235 North Dutton Avenue, Suite E, Santa Rosa, CA 95401	3131 Camino Del Rio N, Suite 150, San Diego, CA 92108	15950 Dallas Pkwy, #400, Dallas, TX 75248	2322 S 57th St, Temple, TX 76502	200 Paloma Dr #100, Temple, TX 76502
NMLS ID	3821	1907235			
TX License ID			603392	90014908	2692620
Contact	Margaret Basques	Michael Lynn Brooks II	Sarah Hamman	Jimmy Ashby	Valerie Rushing
Contact NMLS ID		195691			
Contact TX License ID			0702756	639117	2506140
Email	mbasques@provident.com	mbrooks@s11.com	sarah@hammangroup.com	jkshby@ashbygrouprealtors.com	valerie@tejaslandtitle.com
Phone	(412) 278-5950	(214) 282-7540	(682) 266-8107	(254) 913-3792	(254) 239-0100

Confirm Receipt

By signing, you are only confirming that you have received this form. You do not have to accept this loan because you have signed or received this form.

DRAGAN RISTIC

Date

Date

Date

Date

Closing Cost Details

Loan Costs	Borrower-Paid		Seller-Paid		Paid by Others
	At Closing	Before Closing	At Closing	Before Closing	
A. Origination Charges		\$789.55			
01 0.103 % of Loan Amount (Points)	\$789.55				
02 Origination Fee To Synergy One Lending, Inc.					\$15,000.00
03					
04					
B. Services Borrower Did Not Shop For		\$1,117.00			
01 Appraisal Fee To Lendervend, LLC		\$795.00			
02 Credit Report Fee To Cbc Innovis	\$132.00				
03 Tx Attorney Doc Prep Fee To Bm&G	\$190.00				
04					
05					
06					
07					
08					
09					
10					
C. Services Borrower Did Shop For		\$5,249.75			
01 Property Survey Fee To Turley & Associates			\$811.88		
02 Title-Courier/Delivery/Fed-Ex Fee To Tejas Land & Title	\$50.00				
03 Title-Endorsement(S) Fees To Tejas Land & Title	\$267.25				
04 Title-Guaranty Fee To Texas Title Insurance Guaranty	\$2.00		\$2.00		
05 Title-Lender's Title Insurance Fee To Tejas Land & Title	\$4,345.00				
06 Title-Notary To Bancserv	\$175.00				
07 Title-Recording Services Fee To Tejas Land & Title	\$10.50				
08 Title-Settlement/Escrow Fee To Tejas Land & Title	\$400.00		\$400.00		
09 Title-Tax Certification/Search To National Taxnet			\$36.85		
10					
D. TOTAL LOAN COSTS (Borrower-Paid)		\$7,156.30			
Loan Costs Subtotals (A + B + C)	\$6,361.30	\$795.00			

Other Costs					
E. Taxes and Other Government Fees					
01 Recording Fees	Deed: \$14.00 Mortgage: \$98.00	\$112.00			
02 Transfer Tax					
03					
04					
F. Prepaids					
01 Homeowner's Insurance Premium (12 mo.) USAA (United		\$3,366.39			
02 Mortgage Insurance Premium (mo.)		\$3,805.56			
03 Prepaid Interest (\$146.39 per day from 9/4/2024 to 9/1/2024)		(\$439.17)			
04 Property Taxes (mo.) to					
05					
G. Initial Escrow Payment at Closing					
01 Homeowner's Insurance \$317.13 per month for 3 mo.		\$951.39			
02 Mortgage Insurance per month for mo.					
03 Property Taxes \$1,293.00 per month for 13 mo.		\$16,809.00			
04					
05					
06 Aggregate Adjustment		-\$634.26			
H. Other					
01 Home Warranty To American Home Shield			\$740.00		
02 Owner's T-3 Endorsement To Tejas Land & Title			\$245.80		
03 Realtor Commission Buyer To Exp Realty, LLC			\$21,875.00		
04 Title-Owner's Title Ins (Optional) To Tejas Land & Title			\$671.00		
05					
06					
07					
08					
09					
10					
I. TOTAL OTHER COSTS (Borrower-Paid)		\$20,604.52			
Other Costs Subtotals (E + F + G + H)		\$20,604.52			

J. TOTAL CLOSING COSTS (Borrower-Paid)	\$27,760.82			
Closing Costs Subtotals (D + I)	\$26,965.82	\$795.00	\$24,782.53	\$15,000.00
Lender Credits				

Calculating Cash to Close

Use this table to see what has changed from your Loan Estimate.

	Loan Estimate	Final	Did this change?
Total Closing Costs (J)	\$25,413.00	\$27,760.82	YES • See Total Loan Costs (D) and Total Other Costs (I)
Closing Costs Paid Before Closing	\$0	-\$795.00	YES • You paid these Closing Costs before closing
Closing Costs Financed (Paid from your Loan Amount)	\$0	\$0	NO
Down Payment/Funds from Borrower	\$108,450.00	\$108,450.00	NO
Deposit	-\$17,300.00	-\$17,300.00	NO
Funds for Borrower	\$0	\$0	NO
Seller Credits	\$0	\$0	NO
Adjustments and Other Credits	-\$5,268.00	-\$10,235.83	YES • See details in Sections K and L
Cash to Close	\$111,295.00	\$107,879.99	

Summaries of Transactions

Use this table to see a summary of your transaction.

BORROWER'S TRANSACTION

K. Due from Borrower at Closing	\$901,965.82
01 Sale Price of Property	\$875,000.00
02 Sale Price of Any Personal Property Included in Sale	
03 Closing Costs Paid at Closing (J)	\$26,965.82
04	
05	
Adjustments	
06	
07	
08	
09	
Adjustments for Items Paid by Seller in Advance	
10 City/Town Taxes to	
11 County Taxes to	
12 Assessments to	
13	
14	
15	
L. Paid Already by or on Behalf of Borrower at Closing	\$794,085.83
01 Deposit	\$17,300.00
02 Loan Amount	\$766,550.00
03 Existing Loan(s) Assumed or Taken Subject to	
04 Seller Credit	
05	
Other Credits	
06 Title Premium Adjustment	\$4,245.00
07 Deed Fee Sellers Portion from Seller	\$90.00
08	
Adjustments	
09	
10	
11	
Adjustments for Items Unpaid by Seller	
12 City/Town Taxes to	
13 County Taxes 1/1/2024 to 9/4/2024	\$5,900.83
14 Assessments to	
15	
16	
17	

CALCULATION

Total Due from Borrower at Closing (K)	\$901,965.82
Total Paid Already by or on Behalf of Borrower at Closing (L) -	\$794,085.83
Cash to Close <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower	\$107,879.99

SELLER'S TRANSACTION

M. Due to Seller at Closing	\$875,000.00
01 Sale Price of Property	\$875,000.00
02 Sale Price of Any Personal Property Included in Sale	
03	
04	
05	
Adjustment	
06	
07	
08	
09	
Adjustments for Items Paid by Seller in Advance	
10 City/Town Taxes to	
11 County Taxes to	
12 Assessments to	
13	
14	
15	
N. Due from Seller at Closing	\$35,018.36
01 Excess Deposit	
02 Closing Costs Paid at Closing (J)	\$24,782.53
03 Existing Loan(s) Assumed or Taken Subject to	
04 Seller Credit	
05 Payoff of First Mortgage Loan	
06 Payoff of Second Mortgage Loan	
07 Deed Fee from Seller	\$90.00
08	
09	
Adjustments	
10 Title Premium Adjustment	\$4,245.00
11	
12	
Adjustments for Items Unpaid by Seller	
13 City/Town Taxes to	
14 County Taxes 1/1/2024 to 9/4/2024	\$5,900.83
15 Assessments to	
16	
17	
18	

CALCULATION

Total Due to Seller at Closing (M)	\$875,000.00
Total Due from Seller at Closing (N) -	\$35,018.36
Cash <input type="checkbox"/> From <input checked="" type="checkbox"/> To Seller	\$839,981.64

Additional Information About This Loan

Loan Disclosures

Assumption

If you sell or transfer this property to another person, your lender

- ☐ will allow, under certain conditions, this person to assume this loan on the original terms.
- ☒ will not allow assumption of this loan on the original terms.

Demand Feature

Your loan

- ☐ has a demand feature, which permits your lender to require early repayment of the loan. You should review your note for details.
- ☒ does not have a demand feature.

Late Payment

If your payment is more than 15 days late, your lender will charge a late fee of 5% or the maximum allowable by state law of the total principal and interest payment.

Negative Amortization (Increase in Loan Amount)

Under your loan terms, you

- ☐ are scheduled to make monthly payments that do not pay all of the interest due that month. As a result, your loan amount will increase (negatively amortize), and your loan amount will likely become larger than your original loan amount. Increases in your loan amount lower the equity you have in this property.
- ☐ may have monthly payments that do not pay all of the interest due that month. If you do, your loan amount will increase (negatively amortize), and, as a result, your loan amount may become larger than your original loan amount. Increases in your loan amount lower the equity you have in this property.
- ☒ do not have a negative amortization feature.

Partial Payments

Your lender

- ☐ may accept payments that are less than the full amount due (partial payments) and apply them to your loan.
- ☐ may hold them in a separate account until you pay the rest of the payment, and then apply the full payment to your loan.
- ☒ does not accept any partial payments.
- If this loan is sold, your new lender may have a different policy.

Security Interest

You are granting a security interest in

29 VISTA DR
BELTON, TX 76513

You may lose this property if you do not make your payments or satisfy other obligations for this loan.

Escrow Account

For now, your loan

- ☒ will have an escrow account (also called an "impound" or "trust" account) to pay the property costs listed below. Without an escrow account, you would pay them directly, possibly in one or two large payments a year. Your lender may be liable for penalties and interest for failing to make a payment.

Escrow

Escrowed Property Costs over Year 1	\$21,697.92	Estimated total amount over year 1 for your escrowed property costs: <i>Property Taxes, Homeowner's Insurance, Mortgage Insurance</i>
Non-Escrowed Property Costs over Year 1		Estimated total amount over year 1 for your non-escrowed property costs: You may have other property costs.
Initial Escrow Payment	\$17,126.13	A cushion for the escrow account you pay at closing. See Section G on page 2.
Monthly Escrow Payment	\$1,808.16	The amount included in your total monthly payment.

- ☐ will not have an escrow account because ☐ you declined it ☐ your lender does not offer one. You must directly pay your property costs, such as taxes and homeowner's insurance. Contact your lender to ask if your loan can have an escrow account.

No Escrow

Estimated Property Costs over Year 1		Estimated total amount over year 1. You must pay these costs directly, possibly in one or two large payments a year.
Escrow Waiver Fee		

In the future,

Your property costs may change and, as a result, your escrow payment may change. You may be able to cancel your escrow account, but if you do, you must pay your property costs directly. If you fail to pay your property taxes, your state or local government may (1) impose fines and penalties or (2) place a tax lien on this property. If you fail to pay any of your property costs, your lender may (1) add the amounts to your loan balance, (2) add an escrow account to your loan, or (3) require you to pay for property insurance that the lender buys on your behalf, which likely would cost more and provide fewer benefits than what you could buy on your own.



APPLICATION FOR VARIANCE REVIEW

Application # 25002 (City Clerk assigns number)Date: 4-15-25**"PLEASE PRINT CLEARLY"**

Name of Requestor: Lori Pagel
 Address: 160 Lake Forest Drive Phone: (254) 718-2008
 Email: _____

Name of Property Owner: Lori Pagel
 Address: same as above Phone: same as above
 Email: _____

Property ID/Legal Description/ and Address: _____

Please provide "Any" supporting documents to assist in your review with the Commission

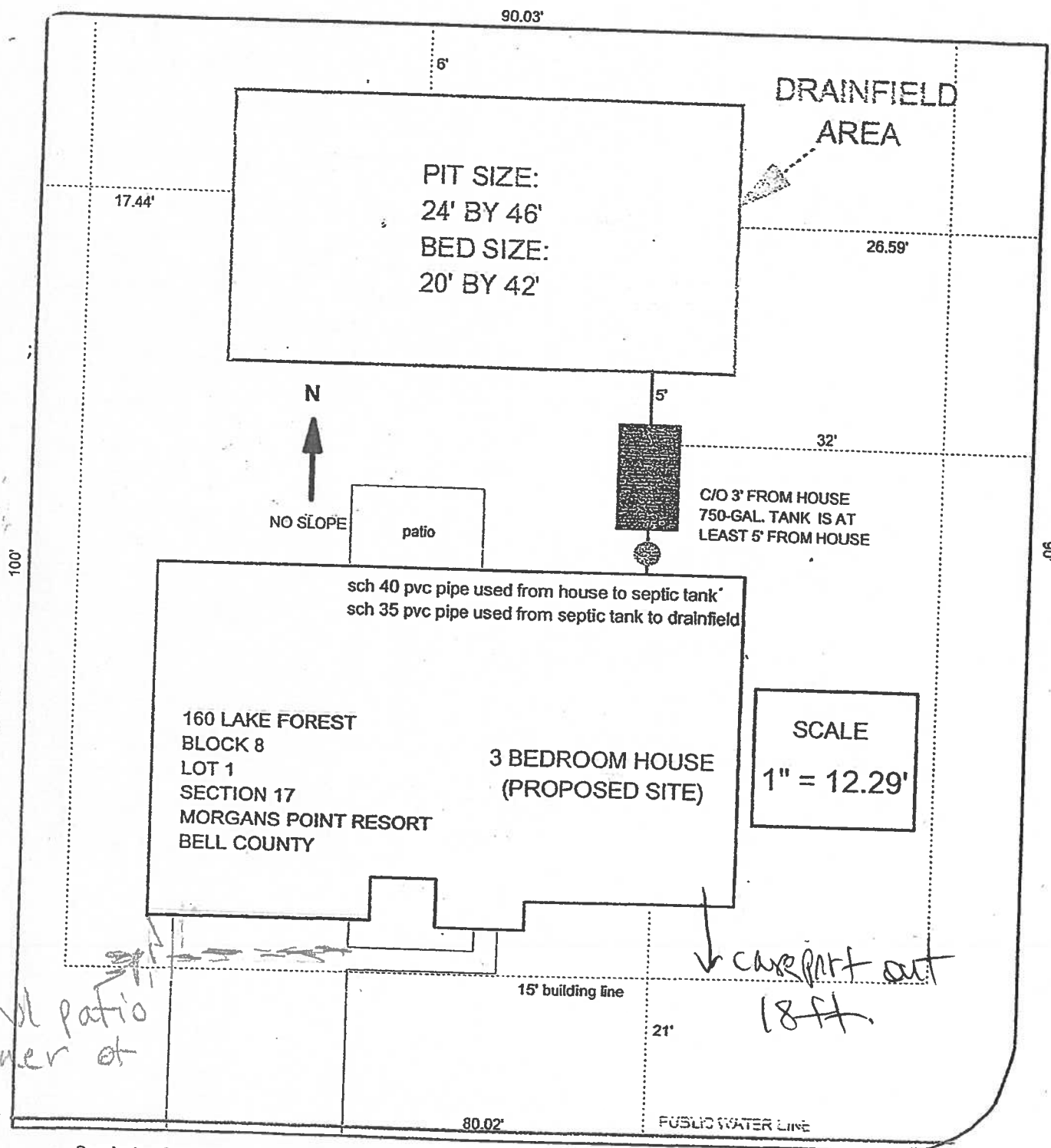
Description of Request:

I want to place carport on driveway. I have been recently
diagnosed with major health conditions & will be
making very frequent trips to hospital & having surgery so
I wanted carport to help when weather bad.
thanks!

Signature of Owner/Requestor Lori Pagel Date 4-15-25

Signature/ City Inspector/ Code Enforcement _____ Approved/ Disapproved _____ Date _____

Signature/ Building Official/ Designee _____ Approved/ Disapproved _____ Date _____



Required surface area

$$\begin{aligned}
 &= \text{Daily wastewater flow (g.p.d.)} / \text{soil application rate (g.p.d./ft)} \\
 &= 240 \text{ g.p.d.} / .25 \text{ g.p.d./ft} \\
 &= 960 \text{ ft}
 \end{aligned}$$

The absorptive bed will be sized at 42 feet by 20 feet and will give a total surface area of 964 ft.

Absorptive Area

$$\begin{aligned}
 &= (\text{length} \times \text{width}) + 2(\text{length} + \text{width}) \\
 &= (42 \times 20) + 2(42 + 20) \\
 &= (840) + (124) \\
 &= 964 \text{ ft}
 \end{aligned}$$

DESIGNER:

TERRY SHEPPARD

INSTALLER:

EAKIN CONSTRUCTION

OWNER:

ROY REID

1/11/05
71



PLANNING & ZONING COMMISSION

Morgans Point Resort Item Summary Sheet

Agenda Item: Revisions to City of Morgan's Point Resort Code of Ordinances with regards to ADA Requirements.

Discuss and take appropriate action on incorporating ADA requirements to the City of Morgan's Point Resort Code of Ordinances.

Agenda Item Proposed Summary:

There was no Planning and Zoning Commission meeting in the month of May, the information below is from the City Council Workshop 05/11/2025. The revisions were shared with the City Council for their review and input.

P&Z discussed the addition of ADA requirements within the ordinance code document of the City of Morgans Point Resort. City Council 04/08/2025 recommended looking at municipalities of similar sizes to see how they have incorporated ADA language within their ordinance codes. Planning staff propose three options (part of references).

Public Notifications and Input: No input from the public at the P&Z Commission meeting (04/22/2025).

Recommendation(s): By a vote of 4 to 0, the P&Z recommended discussing addition of ADA requirements within the City of Morgans Point Resort Code of Ordinances with the City Council.

Voting Yes: Louis Guillaud, Leslie Minor, Thomas Westmoreland, Ken Hobbs

Voting No:

Absent:

Agenda Item Action:

Staff recommend the addition of ADA requirements language "ADA and 2012 TAS Standards" within the City of Morgans Point Resort Code of Ordinances as advised by the City Council.

**References for City Council Members:*

Option A Revisions

1. **Chapter 1, General Provisions, Article 1.08. parks And Recreation, Division 3. Marina, Part II Vessel Stall Rentals, (z) Animal Restrictions.** An owner or handler may not allow an animal to be present in a public recreation area described in subsection except:

- As required under the Americans with Disabilities Act (ADA) and 2012 Texas Accessibility Standards TAS; or

2. **Chapter 3, Building Regulations, Article 3.02. Technical and Construction Codes and Standards, Division 1, Sec.02.003. Building Inspector.** The City Building Inspector shall inspect all phases of construction as outlined in the building, electrical, plumbing, mechanical codes and ADA and 2012 TAS standards to ensure compliance with the applicable rules and regulations as set forth by this Article. The City Building Inspector shall have the authority to waive minor construction deviations or minor deviations inside of plumbing, electrical or mechanical work if such work is deemed to be safe, durable and within the intent of the applicable code or ordinance.

(Ord. No. 4-1, part I, § I(C), 6-13-02)

3. **Sec. 3.02.013. Off-street parking spaces.** For each building site in residential areas there shall be a minimum of two off-street parking spaces on an improved surface, inclusive of the garage in line with ADA and 2012 TAS Standards. 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.

(Ord. No. 4-1, part I, § I(D), 6-13-02)

4. **Division 2. Building Planning and Construction, Sec. 3.02.051. Residential construction.** All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Residential One- and Two-Family Dwelling Code, 2015 edition, International Energy Conservation Code, 2015, published by the International Code Council, and ADA and 2012 TAS Standards on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article, with amendments thereto.

5. **Division 3. Plumbing Work, Section 3.02.101. Residential construction.** (a) *Standards.* All plumbing work performed within the City limits must be in compliance with the International One- and Two-Family Dwelling Code, 2015 edition, ADA and 2012 TAS Standards. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe, durable and within the intent of the code.

(Ord. No. 2016-05, § 4, 4-12-16)

6. **Division 3. Plumbing Work, Sec. 3.02.102. Commercial construction.** (a) *Standards.* All plumbing work performed within the City limits must be in compliance with the International Building Code, 2015 edition and ADA and 2012 TAS Standards. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe, durable and within the intent of the code.
7. **Division 4. Electrical Work, Sec. 3.02.151. Electrical code; permits.** (a) *Standards.* All electrical work performed within the City limits must be in compliance with the National Electrical Code, 2014 edition and ADA and 2012 TAS Standards. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe and durable and within the intent of the code.
8. **Division 5. Mechanical Work, Sec. 3.02.201. Residential construction.** (a) *Standards.* All mechanical work done within the City limits must be in compliance with the International One- and Two-Family Dwelling Code, 2015 edition, ADA and 2012 TAS Standards. The Building Inspector may authorize minor deviations from the code as long as the work is safe, durable and within the intent of the code.

(Ord. No. 4-1, part VI(A)—(D), 6-13-02; Ord. No. 2016-05, § 7, 4-12-16)

9. **Division 5. Mechanical Work, Sec. 3.02.202. Residential construction.** (a) *Standards.* All mechanical work done within the City limits must be in compliance with the International Building Code, 2015 edition, ADA and 2012 TAS Standards. The Building Inspector may authorize minor deviations from the code as long as the work is safe, durable and within the intent of the code.
10. **Article 3.03. Housing Code, Division 1. Generally, Sec.3.03.062. Authority to Inspect.** To safeguard the safety, health and wealth of the occupant and of the general public, the Building Official is hereby authorized and directed to make inspections to determine the condition of buildings located within the City. For the purpose of making such inspections, the Building Official is hereby authorized to enter, examine and survey at all reasonable times all buildings. The owner or occupant of every building, or the person in charge thereof, shall give the Building Official or his assistants free access to such building at all reasonable times for the purpose of such inspection, examination and survey. Every occupant of a building shall give the owner thereof or his agents or employees access to any part of such building at all reasonable times for the purpose of making repairs or alterations or such other purposes as are necessary to effect compliance with the provisions of this housing code, ADA and 2012 TAS Standards.

(Ord. No. 4-20, § 1-017, 12-14-89)

11. **Article 3.03. Housing Code, Division 5. Standards, Sec. 3.03.141. Compliance.** All buildings and dwellings within the City limits which shall be used for the purpose of human habitation or residence shall comply with the provisions of this housing code, ADA and 2012 TAS Standards. All buildings and dwellings within the City limits regardless of use are covered by the provisions of this housing code, ADA and 2012 TAS Standards.

(Ord. No. 4-20, § 1-041, 12-14-89)

12. Article 3.03. Housing Code, Division 5. Standards, Sec. 3.03.147. Plumbing requirements. (a)

There shall be provided in every dwelling a kitchen sink and a lavatory basin connected to the municipal water and sewer systems or other sewage system approved by the Building Official, which sink and lavatory basin shall be installed in compliance with the State statutes, **ADA, 2012 TAS Standards** and the City plumbing code.

13. Article 3.03. Housing Code, Division 5. Standards, Sec. 3.03.147. Heating facilities; water heating equipment. (b)

There shall be provided water-heating equipment and facilities in every dwelling which are installed in compliance with the State statutes, **ADA, 2012 TAS Standards** and the City plumbing code and connected with water lines, and which are capable of heating water to such a temperature as to permit an adequate supply of hot water to be drawn at every required kitchen sink, lavatory basin, and the bathtub or shower at a temperature of not less than 120 degrees Fahrenheit. Such water-heating facilities shall be capable of meeting the requirements of this Section regardless of whether or not the heating facilities of the building or dwelling are in operation.

(Ord. No. 4-20, § 1-048, 12-14-89)

14. Article 3.03. Housing Code, Division 5. Standards, Sec. 3.03.152. Space and egress requirements. (h)

In all buildings and dwellings, there shall be a safe and unobstructed means of egress leading to open space at ground level as required in the City building code and **ADA and 2012 TAS Standards**.

(Ord. No. 4-20, § 1-052, 12-14-89)

15. Article 3.05. Manufactured Homes, Sec. 3.05.005. Building permit required; installation standards. (e)(9)

Signed documentation stating construction compliance with the City building code and **ADA and 2012 TAS Standards**.

(Ord. No. 4-12C, § 5, 7-13-00)

16. Article 3.06.002. Definitions. ACCESSIBLE SPACE means a parking space for an individual with a disability that complies with the **ADA and 2012 TAS Standards** as appropriate.

17. Chapter 10, Subdivision Regulation, Article 10.02. Subdivision Ordinance, Division 4, Improvements, Sec.10.02.093. Completion of improvements. (2)

Construct all sidewalks as shown on the approved construction plans and according to the City standard details and **ADA and 2012 TAS Standards**. Sidewalks must be constructed and approved for each lot prior to issuance of a certificate of occupancy.

18. Chapter 10, Subdivision Regulation, Article 10.02. Subdivision Ordinance, Division 5, Design Standards, Sec.10.02.121. General. (a)

Additional regulations. In addition to the requirements established by this Article, all development within the City limits shall be designed so as to comply with the intent and provisions of the Zoning Ordinance, building and housing codes, master plan, regulations of the Texas Department of Transportation and the Texas Department of Health, **ADA and 2012 TAS Standards**, and any other applicable law or regulation adopted by a unit of Federal, State, or local government. All development within the extraterritorial jurisdiction of the City shall comply with this Article and all other applicable laws and regulations adopted by a unit of Federal, State or local government.

19. Chapter 10, Subdivision Regulation, Article 10.02. Subdivision Ordinance, Division 5, Design Standards, Sec.10.02.121. General. (c) (1) The neighborhood, as a planning unit, is intended as an area principally for residential use, and of a size that can be served by one elementary school. Space for recreational, educational and shopping facilities to serve the residents of the neighborhood should be provided and designed as an integral part of each neighborhood. The size of lots and blocks should be designed to provide for adequate water and wastewater service, traffic circulation, light, air, open space, landscaping, and off-street ADA compliant parking. The arrangement of lots and blocks and the street system should be designed to make the most advantageous use of topography and natural physical features. Tree masses and large individual trees should be preserved to the greatest extent possible. The system of sidewalks and roadways and the lot layout should be designed to take advantage of the visual qualities of the area. (3) An open space system throughout the urban area should provide a range of active and passive recreation opportunities. Park, open space and recreation facilities should be located with sensitivity to user population, ADA and 2012 TAS Standards compliance, natural features, traffic generation, and nearby land use.

20. Chapter 10, Subdivision Regulation, Article 10.02. Subdivision Ordinance, Division 5, Design Standards, Sec.10.02.122. Blocks and lots. (q) (2) No structures or impervious construction shall be allowed in required side or rear building setback areas except for the following accessory structures on one, two or three family residential lots:

- i. Swimming pools located at least three feet from the property line and screened by a six-foot tall privacy fence; secured by a fence system [that] conforms with applicable building code and ADA and 2012 TAS Standards.
- ii. Playscapes not taller than nine feet above mean grade, located at least three feet from the property line and screened by a six-foot tall privacy fence; secured by a fence system [that] conforms with applicable building code and ADA and 2012 TAS Standards.
- iii. Driveways to side entry garages.

21. Chapter 14, Zoning, Appendix B. Zoning Ordinance, Section 15, Specific Use Permit, 15.2 Specific Use Permit regulations. (A) In recommendation that a Specific Use Permit for the premises under consideration be granted, the Zoning Commission shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property in the vicinity of the premises under consideration, and shall make recommendations as to the requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate ADA and 2012 TAS Standards compliant off-street parking, protective screening and open space, heights of structures, and compatibility of buildings.

22. Chapter 14, Zoning, Appendix B. Zoning Ordinance, Section 16, Off-street parking and loading requirements, 16.2 General Requirements. (C) A qualifying development must comply with:

- 1. The minimum number of required off-street accessible spaces is the greater of the number of accessible spaces required under the ADA and 2012 TAS Standards, as appropriate.
- 2. An accessible parking space must comply with design, accessibility, and location requirements imposed by the ADA and 2012 TAS Standards as appropriate.

23. Chapter 14, Zoning, Appendix B. Zoning Ordinance, Section 16, Off-street parking and loading requirements, 16.4 Off-street parking and loading – nonresidential. (B) Handicapped parking space(s) shall be provided according to the International Building Code, **ADA and 2012 TAS Standards**.

Option B Revision

Appendix B. Zoning Ordinance, Section 3. Definitions. Community Home: A dwelling occupied by not more than two (2) persons per bedroom, to include persons with disabilities and their caregivers, but not to exceed a maximum of six (6) persons with disabilities and two (2) supervisors. A community home shall comply with all applicable Sections of this ordinance and the Community Homes for Disabled Persons Location Act, V.T.C.A., Human Resources Code ch. 123, and the **ADA and 2012 TAS Standards** as they exist now or as they may be amended.

Option C Revision

Chapter 3 Building Regulations, Article 3.02. Technical and construction Codes and Standards, Division 2, Building Planning and Construction, Sec 3.02.052. Commercial construction. All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, or addition to commercial property in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Building Code, 2015 edition, published by the International Code Council, and the **ADA and 2012 TAS Standards** on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article.

(Ord. No. 2016-05, § 3, 4-12-16)

City of Belton

ARTICLE VII. - BOARDING HOMES, DIVISION 1. – GENERAL, Sec. 11-137. - Purpose. (b) The city intends that this chapter fully comply with the Federal Fair Housing Amendments Act of 2008, and all other applicable state and federal legislation. It is the express intent of the city that this chapter be construed in a manner consistent with the FHAA, the ADA, and all other applicable state and federal legislation at all times.

(Ord. No. 2016-10, Pt. 1, 2-23-16)

ARTICLE VII. - BOARDING HOMES, DIVISION 2. – ADMINISTRATIVE, Sec. 11-151. – Reasonable Accommodations. (a) Purpose. The city intends to ensure that all persons with a disability have an equal opportunity to use and enjoy a dwelling by providing such persons with reasonable accommodations in rules, policies, practices, and procedures promulgated under this chapter consistent with the Fair Housing Amendments Act of 1988 ("FHAA") 42 U.S.C. § 3601, et seq., and the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. § 12101, et seq., as amended.

City of Austin

TITLE 13. – Transportation Services, Chapter 13-2 Ground Transportation Passenger Services, Article 2. Ground Transportation Services. Subpart H, Electric Low Speed Vehicles 13-2-331 (B) An electric low-speed vehicle:(1) may not exceed a gross vehicle weight rating of 3,000 pounds, except to the extent required for a modification necessary to achieve ADA compliance;

Similar ADA language can be found under the following titles:

- **Title 8. Parks and Recreation**
- **Title 12. Traffic Regulations**
- **Title 13. Transportation Services**
- **Title 14. Use of Streets and Public Property**
- **Title 25. Land Development:** Under Title 25. Land Development, the City of Austin has used both ADA and Texas Accessibility Standards language.

City of Lampasas

Zoning Ordinance V. Development Standards, Section 36 Off Street Parking and Loading Requirements, 36.3 Nonresidential and MF Districts, Special Off-Street Parking Provisions (H) Handicap parking space(s) shall be provided according to building codes, State laws, and requirements of the Americans with Disabilities Act (ADA).

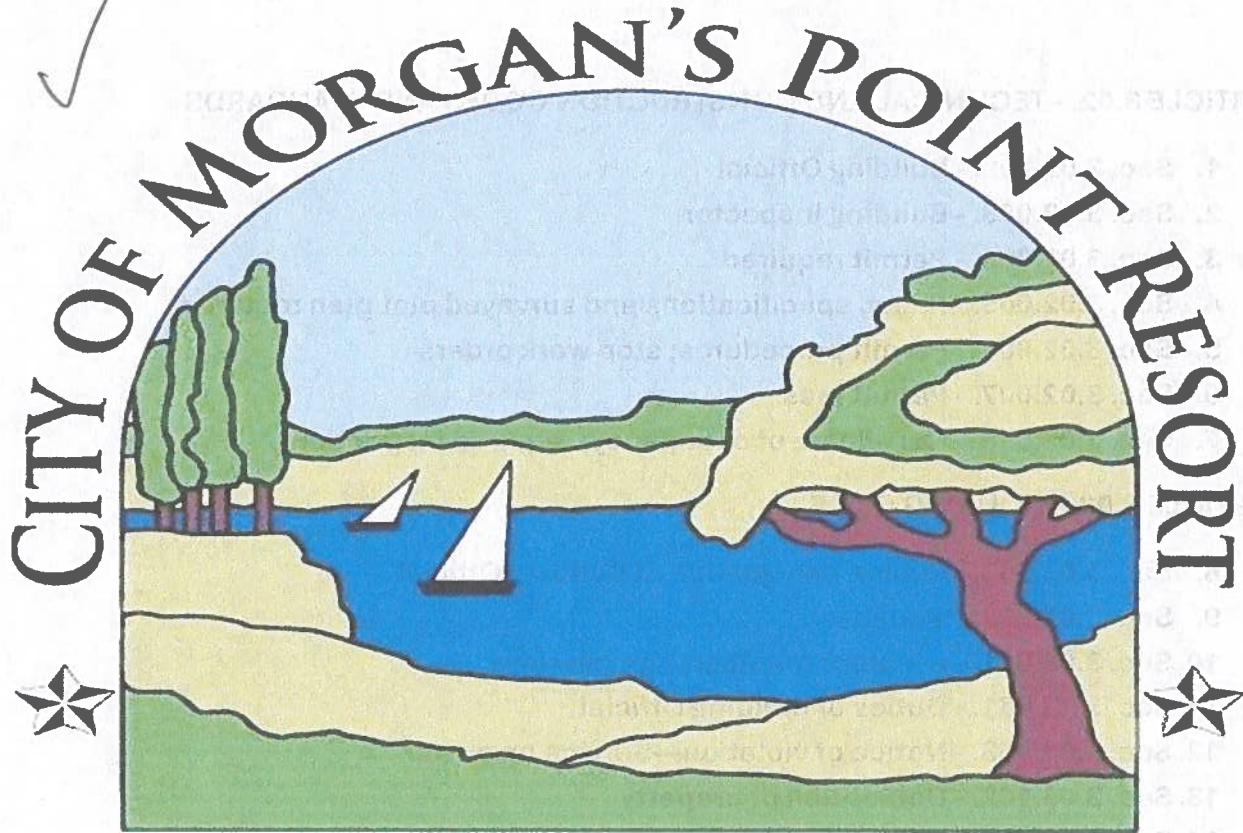
City of Lampasas Development Handbook, Special Conditions, pg 24: Sidewalks are not required; however if they are made available, they are the property owners responsibility to maintain and they must be ADA compliant.

Village of Salado

Zoning Ordinance V. Development Standards and Loading Requirements, Section 5.1: Off-Street Parking and Loading Requirements, C. Nonresidential and MF Districts - Special Off-Street Parking Provisions: 9. Parking space(s) for persons with disabilities and other associated provisions shall be provided according to building codes, State laws, and requirements of the Americans with Disabilities Act (ADA). Parking spaces for persons with disabilities shall be as close as possible to the entryway of the appropriate structure and shall be appropriately and clearly marked.

- <https://www.ada.gov/law-and-regs/regulations/title-ii-2010-regulations/>
- <https://gov.texas.gov/organization/disabilities/ada>
- <https://www.killeentexas.gov/584/ADA-Accessibility-Services>
- <https://www.waco-texas.com/files/sharedassets/public/v/2/departments/public-works/engineering/documents/americanswithdisabilitiesacttransitionplan.pdf>

DRAFT



RECOMMENDED ORDINANCE UPDATES FOR CONSTRUCTION, HOUSING AND ZONING

CHAPTER 3 BUILDING REGULATIONS

ARTICLE 3.02. - TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

- 1. Sec. 3.02.002. - Building Official**
- 2. Sec. 3.02.003. - Building Inspector**
- 3. Sec. 3.02.004. - Permit required**
- 4. Sec. 3.02.005. - Plans, specifications and surveyed plot plan required**
- 5. Sec. 3.02.006. - Permit procedures; stop work orders**
- 6. Sec. 3.02.007. - Permit fees**
- 7. Sec. 3.02.008. - Certificate of occupancy; required inspections**

ARTICLE 3.03. - HOUSING CODE

- 8. Sec. 3.03.003. - Scope; designation of Building Official**
- 9. Sec. 3.03.004. - Penalty**
- 10. Sec. 3.03.031. - Created; membership; hearings**
- 11. Sec. 3.03.061. - Duties of Building Official**
- 12. Sec. 3.03.063. - Notice of violation—Service on owner**
- 13. Sec. 3.03.102. - Demolition of property**
- 14. Sec. 3.03.103. - Conduct of hearing**
- 15. Sec. 3.03.106. - Appeal to City Council**
- 16. Sec. 3.03.152. - Space and egress requirements**

CHAPTER 6 HEALTH AND SANITATION

- 17. ARTICLE 6.02. - HEALTH OFFICER**
- 18. Sec. 6.02.001. - Office created; appointment; term**
- 19. Sec. 6.02.002. - Duties**
- 20. Sec. 6.02.003. - Enforcement of rules and orders of Board of Health**
- 21. Sec. 6.02.004. - Reports and recommendations**
- 22. Sec. 6.04.002. - Enforcement**
- 23. Sec. 6.04.006. - Notice to abate**
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- 29. Sec. 6.05.001. - Definitions**
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APPENDIX B- ZONING ORDINANCE

- 33. Section 3. - Definitions**
- 34. Section 10. - Single-family Residential. Modified**
- 35. Section 12. - Manufactured Housing**
- 36. Section 13. - Recreational Vehicle/Camper**
- 37. Section 15. - Specific Use Permit**
- 38. Section 16. - Off-street Parking and Loading Requirements**
- 39. Section 18. - Accessory Building and Use Requirements**
- 40. Section 19. - Landscape Requirements—Residential. Modified**
- 41. Section 20. - Screening Fence and Wall Standards**

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CHAPTER 3 BUILDING REGULATIONS

ARTICLE 3.02. - TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

Sec. 3.02.002. - Building Official

~~The City Building Official will be the City Manager.~~ The City Building Official shall perform all the duties necessary for the processing of permit applications. The City Building Official has the duty to receive, review, approve, modify or reject all applications for the issuance by the City of building permits. No building permit shall be issued without the written approval of the Building Official. ~~The Building Official shall have the authority to grant variances on setback lines and side and rear lot lines.~~ The City Building Official may also perform the duties of City Building Inspector

BO: Remove requirement for the City Manager to be the Building Official. The Building Official should not have the authority to allow variances of setback lines. This should be reviewed by P and Z.

Sec. 3.02.003. - Building Inspector

The City Building Inspector shall inspect all phases of construction as outlined in the building, electrical, plumbing and mechanical **and energy** codes to ensure compliance with the applicable rules and regulations as set forth by this Article.

BO: Add "and energy" to the 1st sentence. The State of Texas requires that we enforce energy codes as well as the others stated.

Sec. 3.02.004. - Permit required

It shall be unlawful for any person to start construction on a new building, remodel or alter an existing building, place a storage building upon a home site, install a mobile home, install a septic or sewer system, install a swimming pool, install a fence, perform any electrical, plumbing or mechanical work on any structure, or demolish any structure, without first obtaining a permit for such work. **Refer to 2015 IRC 105.2 to reference what does not require a permit.**

BO: We have the 2015 IRC adopted and R105.2 shows what does not require permits. We need to refer to the IRC language

Sec. 3.02.005. - Plans, specifications and surveyed plot plan required

The City Building Official shall require that his office be provided with the following:

(1) Plans and specifications to include the front, side and rear elevations, **foundation plan** and a detailed floor plan of the proposed structure.

(2) A plot plan of the subdivision with the subject lot identified on the plot.

(3) A survey showing the location of the proposed structure upon the lot in reference to all property boundaries, **setback and/or easements**.

(4) A survey reflecting the approximate location of the septic system in relation to the proposed structure and the property lines.

BO: Add "foundation plan" to (1) as all new home construction must have a State of Tx stamped plan. Also add "setback and/or easements" to (3). We need all the information on the survey we can get so we can make an informed decision.

Sec. 3.02.006. - Permit procedures; stop work orders

(c) *Approval of plans and specifications.* All plans and specifications must be approved by the City Building Official prior to the issuance of any permit required by this Article. ~~In addition, the County Fire Marshal must review and approve all commercial construction permits in the interest of fire safety and seating capacity.~~

BO: Remove the last sentence requiring County Fire Marshal to review commercial plans. The Building Official should have the knowledge of fire safety and load requirements as shown in the 2015 IBC

(f) *Expiration of permit.* All permits shall expire and be considered no longer valid 180 days after issuance. ~~unless construction work there under has actually started before the expiration of such period of time. In addition, construction must be completed within one year from the date of issuance of the building permit.~~ The Building Official is authorized to waive these provisions if, in his opinion, the situation warrants such waiver.

BO: This needs to be 180 days flat because it will be nearly impossible to determine when all projects in the city have started. The contractor/owner can ask for a one-time extension of 180 days without fee. The second and subsequent requests for extension will require fee and inspection.

Sec. 3.02.007. - Permit fees

(1) New residential construction.

a. Includes single- and multiple-family residences.

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b. Square footage includes all under-roof construction. Multi-story structures shall be calculated as above for each occupied floor and the sum of all floor area shall be construed as the aggregate area.

c. Fees to be paid by individual contractors upon application for a permit are as follows:

1. Building: \$0.06 per square foot (\$25.00 minimum).
2. Foundation: \$64.00 (each inspection).
3. Framing: \$40.00 (one phase inspection).
4. Insulation: \$40.00 (one phase inspection).
5. Wallboard: \$40.00 (one phase inspection).
6. Electrical: \$160.00 (four phase inspection).

BACK Flow?

BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IRC.

(2) New commercial construction.

- a. Building: \$0.08 per square foot (minimum \$48.00).
- b. Foundation: \$64.00 (each inspection).
- c. Framing: \$40.00 (one phase inspection).
- d. Electrical: \$160.00 (four phase inspection).
- e. Plumbing: \$120.00 (three phase inspection).
- f. Mechanical: \$80.00 (two phase inspection).
- g. Wallboard: \$40.00 (one phase inspection).
- h. Sprinkler system: \$64.00 (one phase inspection).

BACK Flow?

BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IBC

(6) Residential/commercial remodel, renovation and alteration.

a. Residential.

1. Building: \$0.06 per square foot (\$50.00 minimum).
2. Foundation: \$64.00 (each inspection).
3. Framing: \$40.00 (each phase inspection).
4. Electrical: \$40.00 (each phase inspection).

5. Plumbing: \$40.00 (each phase inspection).
6. Mechanical: \$40.00 (each phase inspection).
7. Wallboard: \$40.00 (one phase inspection).
8. Certificate of occupancy: \$40.00 (one phase inspection).

BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IRC/IBC

(7) Swimming pools.

- a. Flat rate fee for each swimming pool: ~~\$80.00~~ \$160.00
- b. Includes a layout inspection, a rough-in inspection of the steel bonding, high/low voltage electrical, deck bonding and plumbing and then a final inspection of the electrical system and security fencing. pool barriers and the required window and door alarms that comply with ASTM f2090.

BO: Change rate of swimming pools due to fact there must be so many inspections for a pool. The current price does not cover the required inspections. We should always conduct a layout inspection to verify the pool is in the correct location. Then when the shell is done, we check shell bonding with stingers and low voltage conduit along with verifying a water bond in the skimmer or at the equipment. We will also verify a halo bond is installed with deck bonding and any other metal parts within 5' of waters edge. Then the final requires fencing and alarms and verifying all pool equipment is bonded.

Sec. 3.02.008. - Certificate of occupancy; required inspections

(b) Required inspections.

(1) Building:

- a. Survey plan setback lines.
- b. Foundation and steel.
- c. Framing.
- d. Insulation.

e. Wallboard

f. Masonry/fireplace.

g. Driveways and flatwork.

h. Final and certificate of occupancy.

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(2) Electrical:

- a. TBM (temporary building meter/pole).
- b. Rough-in.
- c. Conditional final.
- d. Final.

e. Electrical service

(3) Plumbing/gas:

- a. Rough-in
- b. Top out (stack)
- c. Final.

(4) Mechanical:

- a. Mechanical rough-in.
- b. Mechanical final.

(5) Energy final

(6) Miscellaneous inspections:

- a. Accessory building.
- b. Garage/carport additions (attached or detached).
- c. Blasting.
- d. Fence.
- e. Swimming pools.
- f. Other.

BO: Add "wallboard, electrical service and energy final inspections to the required inspections for new homes.

Sec. 3.02.012. - Sanitation facilities on construction sites

Temporary sanitation facilities shall be required on all construction sites and shall not be placed on the public street.

BO: I have recently had issues with contractors placing port a johns on the street which is a risk for storm water drainage. They should all be on a controlled lot.

Sec. 3.02.015. - Swimming pool fencing

(a) All outdoor swimming pools of a permanent or semi-permanent construction having a depth of more than 14 inches, whether constructed above or below the ground, shall be enclosed by a fence installed in accordance with ~~Appendix B, Section B105, of the International One and Two Family Dwelling Code, 2000 edition.~~ At no time shall the fence be in conflict with or violation of existing ordinances setting out clearances around fire hydrants or clearances from street corners or ordinances touching upon sight clearances.

BO: Replace verbiage with "Ch. 3 Sec. 305 Barrier Requirements of the 2018 International Swimming Pool and Spa Code ISPSC per State of Texas"

Aug 12, 2019 — Texas passed HB 2858 to improve safety of pools and spas throughout the state.

Sec. 3.02.051. - Residential construction

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Residential Code For One- and Two-Family Dwellings Code, 2015 edition, International Energy Conservation Code, 2015, published by the International Code Council, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article, with amendments thereto.

BO: Add "Code For" and remove "Code" at the end of the code title to be correct in our terminology.

Sec. 3.02.052. - Commercial construction

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, or addition to commercial property in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Building Code, 2015 edition, International Energy Conservation Code, 2015 edition published by the International Code Council, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article.

BO: Add "International Energy Conservation Code, 2015 edition" to be in compliance with State

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Sec. 3.02.101. - Residential construction

Standards. All plumbing work performed within the City limits must be in compliance with the ~~International One- and Two-Family Dwelling Code, 2015 edition.~~ **International Residential Code For One and Two-Family Dwellings, 2015 edition**

BO: Make the above correction to have accurate title of publication

Sec. 3.02.151. - Electrical code; permits

(a) *Standards.* All electrical work performed within the City limits must be in compliance with the National Electrical Code, ~~2014 edition~~ **2023 edition per TDLR**. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe and durable and within the intent of the code.

(b) *Application for permit; bond.* All applications for electrical permits must be personally made by a licensed electrical contractor or licensed electrician ~~The City will accept electrical licenses that are current from any other City provided the appropriate surety bond has been posted with the Building Official.~~

BO: Remove "2014 edition" and replace with " 2023 edition per TDLR". The State of Texas minimum requirement for electrical is the 2023 NEC.

The licenses for Electricians are state issued by TDLR. Remove language for city licensing. Makes it confusing.

Sec. 3.02.201. - Residential construction

(a) *Standards.* All mechanical work done within the City limits must be in compliance with the International Residential ~~Code For One- and Two-Family Dwellings Code~~, 2015 edition. The Building Inspector may authorize minor deviations from the code as long as the work is safe, durable and within the intent of the code.

BO: Make above change to reference correct document title.

Sec. 3.02.251. - Residential construction

(a) *Standards.* All gas work performed within the City limits must be in compliance with the International Residential ~~Code For One- and Two-Family Dwelling Code~~, 2015 edition. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe, durable and within the intent of the code.

BO: Make above change to reference correct document title.

Sec. 3.02.303. - On-site sewage facilities

(a) *Generally.* Where the sanitary sewer is not available, septic systems ~~may~~ **shall** be installed as provided herein according to the plans and specifications as outlined below.

BO: Remove "may" and add "shall". There is no other option other than city sewer and OSSF

Sec. 3.02.351. - One- and two-family dwelling code

The City adopts the International Residential Code For One- and Two-Family Residential Building Code ~~Dwellings~~ with the following changes:

BO: Make above change to reference correct document title

~~(E) Page 89, R403.1.6, Foundation anchorage.~~

~~Delete: Shall extend a minimum of 7 inches into masonry or concrete.~~

~~Insert: 1/2" x 8" anchors shall extend a minimum of 6 inches into masonry or concrete and be placed within 12 inches of every exterior corner and plate end, and not more than 6 feet on center on all exterior plates.~~

BO: Why. Delete deletion. This is less restrictive and there is an inch less of uplift protection.

ARTICLE 3.03. - HOUSING CODE

Sec. 3.03.003. - Scope; designation of Building Official

(c) ~~The City Manager is referred to in this Code as the "Building Official."~~ The City Manager Building Official may delegate his responsibility to the City Building Inspector or other City employee as he deems appropriate.

BO: Remove 1st sentence and the position City Manager in the second sentence and replace with Building Official

Sec. 3.03.004.- Penalty

Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of

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this Code or any such ordinance shall be punishable by a fine not to exceed \$1,000.00 in all cases arising under the ordinances of the City that govern fire safety, zoning and public health and sanitation, other than vegetation and litter violations, ~~and not to exceed \$200.00 in all other cases~~; provided that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the State. Each day or fractional part thereof any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

BO: Remove "and not to exceed \$200.00 in all other cases" to keep simple. Litter violations are one of the smallest violations of housing code but is shown under \$1000 fine.

Sec. 3.03.031. - Created; membership; hearings.

(2) (a) There is hereby established in the City a board to be called the Housing Board of Adjustments and Appeals, hereinafter referred to within this Article as the Housing Board, which shall consist of five members. The members of the Housing Board shall be appointed by the City Council.

(b) Of the members first appointed, two shall be appointed for a term of one year, two for a term of two years, and one for a term of three years, and thereafter they shall be appointed for terms of four years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Continued absence of any member from regular meetings of the Housing Board shall render any such member liable to immediate removal from office. Any member of the Housing Board may be removed at any time by a majority vote of the City Council for inefficiency, neglect of duty or malfeasance in office.

(2) (c) Three members of the Housing Board shall constitute a quorum. In varying the application of any provision of this Article or in modifying an order of the Building Official, affirmative votes shall be required. No Housing Board member shall act in a case in which he has a personal interest.

(d) The ~~Building Official~~ City Secretary or designee shall act as Secretary to the Housing Board and shall make a record of all its proceedings.

(e) The Housing Board shall elect a chairman from among its members.

(f) The Housing Board shall establish rules and regulations for its own procedure and for the conduct of hearings not inconsistent with the provisions of this Article. The Housing Board shall meet at regular intervals to be determined by the Chairman, or, in any event, the Housing Board shall meet within ten days after a notice of appeal has been received.

BO: Do we need to create a Housing Board or can City Council act as Board?

Suggest removing "Building Official" from (d) and replace with City Secretary or designee. The Building Official will be too busy presenting a housing case to the Board to be able to record the minutes of the meeting as well.

Sec. 3.03.061. - Duties of Building Official

The Building Official, or his designate, is hereby charged with the duty of enforcing this housing code. For the purposes of the housing code, his designate may include the Fire Marshal, Fire Chief, Police Chief or City Manager.

BO: I was told we do not have an active Fire Marshal for MPR. Suggest removing Fire Marshal and replacing with Fire Chief, Police Chief or City Manager so we have someone that can perform the BO duties in his/her absence.

Sec. 3.03.063. - Notice of violation—Service on owner

(c) The notice shall state that, if such repair, reconstruction, alteration, removal or demolition is not voluntarily completed within the stated time as set forth in the notice, the ~~Housing~~ Building Official shall schedule the subject property for presentation to the Housing Board of Adjustments and Appeals for their review and decision. The owner and all others with legal interest in the property, as shown by deed records of the County, shall be notified of the date, time and place of the hearing of such case presentation.

BO: Remove term "Housing" Official and replace with "Building" Official. Its better having a SPOC instead of a Building Official, Housing Official, Health Official, Code Official, etc.

~~(3) By publication of such notice in a newspaper of general circulation not less than three times within a 15-day period. This form of notice shall only be used when notice as provided in subsections (1) and (2) above is unobtainable. By posting such notice on or at the property in question.~~

BO: Remove all language in number 3 and add "By posting such notice on or at the property in question". The state of Texas says by registered mail alone it is considered delivered. Removing would save the city money.

CHAPTER 214. MUNICIPAL REGULATION OF HOUSING AND OTHER STRUCTURES

(r) When a municipality mails a notice in accordance with this section to a property owner, lienholder, mortgagee, or registered agent and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

Sec. 3.03.102. - Demolition of property

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~~(a) In all instances where the decision of the Building Official requires demolition of property and where, although notice of such order is sent, neither appeal from such order nor compliance with the terms of such order is had, the Building Official shall, after the date set out for the initiation of compliance with the order has passed, file an appeal for such person for the purpose of having such decision reviewed by the Housing Board. The appeal shall be filed in the name of the owner of the property ordered demolished and the Building Official shall notify the owner of such action and the time, date and place of the hearing.~~

~~(b) When the Building Official appeals a case in which demolition is required, he shall cause to be printed in a newspaper of the County a list of such buildings, which shall have a heading describing the hearing, the purpose thereof, and the date thereof and shall list all buildings by street address, lot, block, and subdivision, and the owner's name as per tax records of the City.~~

BO: Remove entire section of 3.03.102. Sec 3.03.101 has the Notice of Appeal procedures that are available to the violators. This is a lot of unnecessary work and cost to city and no other local cities offer this.

Chapter 214 The Texas Housing Code does not specifically require a Building Official to file an appeal for a demolition order.

Sec. 3.03.103. - Conduct of hearing

~~(a) Upon receipt of the notice of appeal, the Building Official shall give written notice to the owner, occupant, mortgagee, and/or all other persons having an interest in the building to appear before the Housing Board on the date specified in the notice to show cause why the order contained in the notice of the Building Official should not be complied with. Such written notice may be served by any Police or Warrant Officer of the City or any other persons of good character or may be sent via the United States mail.~~

BO: If sending by mail is sufficient then it makes sense to reduce cost by removing requirement for someone to physically serve the notice.

Sec. 3.03.106. - Appeal to City Council

~~(a) The City Council shall review every case involving a decision of the Housing Board requiring demolition of property for the limited purpose of determining if there is substantial evidence to support the findings and decision of the Housing Board. The aggrieved party shall file with the City Secretary a written notice of appeal to the City Council within ten days after rendition of the decision of the Housing Board. If the~~

~~aggrieved party shall fail or refuse to do so, then the Building Official shall file a notice of appeal for him.~~

BO: Why have Council review every Demo order. They should review appeals received from the violators. They should have confidence in the expert witness of the Building Official and prior proceedings with the Housing Board.

Also, they have the opportunity to file an appeal themselves. The state does not require the Building Official to file the appeal for them as shown above

Sec. 3.03.152. - Space and egress requirements

~~(b) Every dwelling shall contain at least 150 square feet of floor space plus 100 square feet of floor space for each occupant, the floor space to be calculated on the basis of total habitable room area~~

BO: Remove all language in Sec 3.03.152 (b). This contradicts the requirements of Zoning Appendix B Table 10.1 Area Regulations. Minimum of any dwelling is 800 square feet

~~(c) Floor area shall be calculated on the basis of habitable room area. However, the closet area and hall area within the dwelling, where provided, may count for not more than ten percent of the required habitable floor area~~

BO: Remove second sentence regarding closet and hall allowed as habitable space. Contradicts adopted 2015 IRC Ch. 2 Definitions, "Habitable Space". A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

Recommended Ordinance Updates for Construction, Housing and Zoning

CHAPTER 6 HEALTH AND SANITATION

ARTICLE 6.02. - HEALTH OFFICER BUILDING OFFICIAL

BO: Remove "Health Officer" and replace with "Building Official" for consistency.

Sec. 6.02.001. - ~~Office created; appointment; term~~ Employment of Building Official

~~There is hereby created the office of Health Officer, an executive office of the City. He shall be appointed by the City Council for a term of two years or until his successor is appointed. The initial term shall begin upon passage of this Article and shall terminate June 1, 1985. Thereafter the term shall expire on June 1 in each odd-numbered year. The position of Building Official will be at-will employment with the city of MPR~~

BO: Remove requirement for the Building Official to be appointed. The BO will be hired for employment by the City of MPR.

Sec. 6.02.002. - Duties

It shall be the duty of the ~~Health Officer~~ Building Official to enforce all ordinances containing provisions for the protection of public health, and to make inspections of foodstuffs and of the premises used for storing or selling of provisions as may be provided by ordinance, and he shall perform such other duties and functions as may be required by statute or ordinance

BO: Replace Health Officer with Building Official for consistency.

Sec. 6.02.003. - ~~Enforcement of rules and orders of Board of Health~~

~~The Health Officer shall enforce all the rules and orders of the Board of Health and shall attend the meetings of said board when requested to do so by the presiding officer.~~

BO: MPR does not have an active Board of Health. Sec 6.02.002 describes duties of Building Official regarding enforcing adopted statutes or ordinances.

Sec. 6.02.004. - Reports and recommendations

The ~~Health Officer~~ Building Official shall make such reports to the City Council as may be required. He shall also make recommendations for rulings, orders or ordinances respecting the public health whenever he is requested to do so, or whenever he deems it necessary or advisable.

BO: Replace Health Officer with Building Official for consistency.

Sec. 6.04.002. - Enforcement

(a) The ~~Chief of Police~~ Building Official is hereby designated and charged with enforcing the procedures for abating nuisances under this Article and shall hereinafter be referred to as the "~~Health Official~~" Building Official. The ~~Health Official~~ Building Official shall conduct administrative hearings as provided by this Article.

(b) The Police Department and its members are hereby authorized under the direction of the ~~Health Official~~ to administer the procedures under this Article, except that any authorized person may abate the nuisance.

(c) The ~~Health Official~~ Building Official, police officers, or an authorized designee of the ~~Health Official~~ Building Official may enter onto or into any private property for the purposes of enforcing this Article in both discovery and abatement if probable cause exists for such belief.

BO: Remove the requirement of Health Official to be the Chief of Police. Also replace all instances of the position Health Official with Building Official for consistency.

Sec. 6.04.006. - Notice to abate

(a) Whenever any public health nuisance exists on property or premises within the City limits in violation of Section 6.04.004 of this Article, the ~~Health Official~~ Building Official shall provide ~~seven~~ 7 to 30 days depending on extent of violation, violators resources, etc. written notice to abate the public health nuisance to the owner or occupant of the property or premises.

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(b) The notice to abate shall be sent by certified mail, return receipt requested, to the owner or occupant of any property or premises within the City limits on which the public health nuisance exists and a posting of such notice will be placed on or at the property in question.

BO: Add a timeframe to abate a property instead of just setting a time limit across the board. Abatement is not limited to a small task. One property may need the front yard abated, but another property needs to abate 5 acres. You cannot abate 5 acres in 7 days reasonably.

Add posting an abatement notice at the property as I post all notices on the properties in question. It alleviates the question of reasonable service to the owner

Sec. 6.04.007. – Citations

The ~~Health Official~~ Building Official or his designees are authorized to issue a citation to any person who violates the provisions of Section 6.04.004 of this Article

BO: Replace Health Official with Building Official for consistency.

Sec. 6.04.010. - Abatement of dangerous weeds without notice

(4) An explanation that the property owner has a right to request an administrative hearing by filing a written request with the ~~Health Official~~ Building Official not later than the 30th day after the date of the abatement of the weeds

BO: Replace Health Official with Building Official for consistency.

~~Sec. 6.04.011. – Administrative hearing on abatement of weeds.~~

~~(a) The Health Official shall conduct an administrative hearing on the abatement of the weeds under this Article if, not later than the 30th day after the date of the abatement of the weeds, the property owner files with the Health Official a written request for a hearing.~~

~~(b) The hearing before the Health Official shall be conducted not later than the 20th day after the date a request for a hearing is filed.~~

~~(c) The property owner may testify or present any witnesses or written information relating to the City's abatement of the weeds.~~

~~(d) The City may assess expenses and create liens under this Section as it assesses expenses and creates liens under this Article~~

BO: Remove all language of Sec. 6.04.011. We have not created this process. We will utilize the Municipal Court that is provided rather than creating more work for everyone that is just not needed.

Sec. 6.04.012. - Assessment of City's expenses; lien

(b) To obtain a lien against the property, the ~~Health Official~~ Building Official or City Secretary shall file a statement of expenses with the County Clerk.

BO: Remove "Health Official" and replace it with "Building Official or City Secretary".

Sec. 6.04.013. - Criminal penalty

(a) Procedures for abatement and removal of a public health nuisance by the ~~Health Official~~ Building Official under this Article are independent and cumulative of criminal penalties provided herein.

BO: Replace Health Official with Building Official for consistency.

Sec. 6.05.001. - Definitions

Exterior storage means storage of goods or items such as household goods, tools, building materials or other items intended to be stored indoors.

BO: Add the definition exterior storage because a lot of time people are storing items outside that may not necessarily be litter, rubbish, refuse, etc. This allows Code Enforcement to address this common issue.

Handbill, commercial means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, or booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

(1) Which advertises for sale any merchandise, product, commodity, or thing;

(2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales;

(3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind when either of the same is held;

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~~given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind without a license where such license is or may be required by any law of this State or ordinance of this City; or~~

~~(4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes; or for the private benefit and gain of any person so engaged as advertiser or distributor.~~

~~**Handbill, noncommercial** means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, or booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definition of a commercial handbill or newspaper.~~

BO: Remove verbiage referring to Handbills. This is not a common practice anymore.

Sec. 6.05.008. -- Throwing from vehicle

~~No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the City or upon private property.~~

BO: Remove Sec 6.05.008. This is not a housing violation, but rather a moving violation

Sec. 6.05.009. -- Litter blown from or deposited by vehicle

~~No person shall drive or move any truck or other vehicle within the City unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place.~~

BO: Remove Sec 6.05.009. This is not a housing violation, but rather a moving violation

Sec. 6.05.012. -- Distribution of handbills

~~(a) **Depositing in public place.** No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the City.~~

~~(b) **Placing under windshield wiper of vehicles.** No person shall throw or deposit any commercial or noncommercial handbill under the windshield wiper of any vehicle.~~

~~(c) Depositing on uninhabited or vacant premises.~~ No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

~~(d) Distributing or depositing at posted premises.~~ No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous position near the entrance thereof a sign bearing the words: "No Trespassing," "No Peddlers or Agents," "No Advertisements," or any similar notice indicating in any manner that the occupants or owners of such premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises.

~~(e) Depositing at inhabited private premises:~~

~~(1) Generally.~~ In case of inhabited private premises which are not posted, any person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets, or other public places, and except that mailboxes may not be so used when so prohibited by Federal postal law or regulations.

~~(2) Exemption for mail and newspapers.~~ The provisions of this Section shall not apply to the distribution of mail by the United States, nor to newspapers, except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property.

BO: Remove verbiage referring to Handbills. This is not a common practice anymore

APPENDIX B. - ZONING ORDINANCE

Section 3. – Definitions

Approved Fence Materials: materials normally manufactured for, used as, and recognized as, fencing materials such as: wrought iron or other decorative metals suitable for the construction of fences, fired masonry, concrete, stone, metal tubing, wood planks, chainlink and vinyl composite manufactured specifically as fencing materials. Fence materials must also be materials approved for exterior use that are weather and decay-

Recommended Ordinance Updates for Construction, Housing and Zoning

resistant. The provisions of this Ordinance are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Code, provided that any such alternative has been approved by the Building Official, or his designee. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Ordinance in quality, strength, effectiveness, fire resistance, durability, and safety.

BO: Remove definition. HB 2439 removed the city's ability to regulate materials.

Building: Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

BO: We need to use the definitions as shown in the IRC as much as possible for consistency.

2015 IRC- Building shall mean any one- and two-family dwelling or portion thereof, including townhouses, that is used, or designed or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, and shall include accessory structures thereto

Carport: Is defined as a detached structured that is open on all sides designed or used to shelter vehicles.

BO: A carport can be attached to a structure and still be considered a carport. I suggest replacing this verbiage and replacing it with verbiage from IZC

2015 IZC- A carport is a structure that is open on not less than 2 sides and has floor surfaces made of approved noncombustible material. Carports that are not open on two or more sides must comply with garage regulations.

Certificate of Occupancy: An official certificate issued by the City through the Building Official for the approved use and occupancy which indicates conformance with or approved conditional waiver from the zoning regulations and authorizes legal use of the premises for which it is issued; may be referred to as an Occupancy Permit. that the structure complies substantially with the plans and specifications that have been submitted to, and approved by the City.

BO: I suggest the additions to be more specific about what a C of O is

City Building Official: City Manager of the City of Morgan's Point Resort, Texas. The City Building Official shall perform all the duties necessary for the processing of permit applications. The City Building Official has the duty to receive, review, approve, modify or reject all applications for the issuance by the City of Building permits. No building permit shall be issued without the written approval of the Building Official. The Building Official

~~shall have the authority to grant variances on setback lines and, side and rear lot lines. The City Building Official may also perform the duties of City Building Inspector.~~

BO: Remove the City Manager requirement for consistency. Also, the BO should not have the authority to grant variances. This is a P and Z task.

Recreational Vehicle (RV): A portable or mobile living unit used for temporary human occupancy away from the place of permanent residence of the occupants and self propelled (motorized) or tow behind. Also see heavy load vehicle. A recreational vehicle park is an area or commercial campground for RVs and similar vehicles or trailers to reside, park, rent, or lease on a temporary basis.

BO: Add "or tow behind" to include all Rv's. I also believe we should define temporary basis at this location, 29 days?

Structural Alterations: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, foundations or any substantial change in the roof or in the exterior walls.

BO: Add "foundations" to structural alterations

Temporary Basis: 29 or less days in the same location. 30+ days will be considered permanent basis.

BO: Add definition of temporary basis.

Section 10. - Single-family Residential. Modified

~~G. Storage of any kind is prohibited on any vacant lot which is not adjacent to a main dwelling owned by the same owner.~~

BO: There are problems with excessive outside storage. It creates an environment conducive to pests, etc.

Section 12. - Manufactured Housing

2. Modular or industrialized housing units including Tiny Homes.

BO: Tiny Homes seem to fit in this category and which are getting very popular.

~~B. All required skirting shall be of a texture and color similar to the materials used in the construction of the manufactured home unit.~~

BO: HB 2439 removed municipality ability to regulate appearance of materials

Section 13. - Recreational Vehicle/Camper

D. No permanent structures such as porches, awnings, sheds, fences

Recommended Ordinance Updates for Construction, Housing and Zoning

BO: Add verbiage to deter adding permanent structures at RV spots.

Section 15. - Specific Use Permit

ZONING

The Planning Commission, Building Official or City Council may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function and characteristics of any building or use proposed.

BO: Add "Building Official" because I should also be reviewing SUP's.

The Zoning Commission, Building Official and City Council shall consider the following criteria in determining the validity of the Specific Use Permit request:

BO: Add "Building Official" because I should also be reviewing SUP's.

C. No Specific Use Permit shall be granted unless the applicant, owner and grantee or [of] the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit, as attached to the site plan drawing (or drawings) and approved by the Zoning Commission, Building Official and City Council.

BO: Add "Building Official" because I should also be reviewing SUP's.

Section 16. - Off-street Parking and Loading Requirements

~~B. The street right-of-way between the paved roadway and the property line of adjacent property shall be available for parking of passenger cars and light trucks of not more than one ton carrying capacity.~~

BO: Remove B due to water meter boxes are not traffic rated and Public Works need access to these ROW areas.

Section 18. - Accessory Building and Use Requirements

~~A. An accessory building shall not be used for commercial purposes and shall not be rented in districts zoned other than C/R Commercial/Retail Single-Family Residential (SFR), Multifamily Residential (MFR), or Manufactured Housing (MH).~~

BO: Remove zones so theres no question with AG

Section 19. - Landscape Requirements—Residential. Modified

19.2 Landscape Requirements

A. The street right-of-way between the paved roadway and the property line of adjacent property shall be available for parking of passenger cars and light trucks of not more than one ton carrying capacity.

BO: Remove A due to water meter boxes are not traffic rated and Public Works need access to these ROW areas.

Section 20. - Screening Fence and Wall Standards

20.4 General Requirements.

~~A. No fence material shall be used to construct a fence except for those listed and regulated in this Chapter or other City ordinances.~~

BO: Remove A. HB 2439 removed municipality ability to regulate appearance of materials

B. Construction in front yards.

1. All fences constructed in the front yard of a residential property shall:

a) Be no taller in height than sixty (60") inches as defined in Section 20.05, G, when opacity is fifty percent (50%) or greater.

b) Be no taller in height than forty-eight (48") inches as defined in Section 20.05, G, when opacity is less than fifty (50%) percent.

c) Not impede the vision triangle.

~~d) Not be constructed using chainlink.~~

BO: Remove D. HB 2439 removed municipality ability to regulate appearance of materials

Recommended Ordinance Updates for Construction, Housing and Zoning



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: TOM EDWARDS

Your Preferred Number: 254-346-5125

Your Address: 2 CLIFF HOUSE DR #102

How long have you lived in Morgan's Point Resort: 22 YEARS

Your email address (please print clearly):

Thomas.Edwards@xerox.com

Briefly describe why you would like to join:

I SERVED ON THE CDC FROM 2011-2021
I MISS BEING INVOLVED AND WOULD LIKE TO CONTRIBUTE
AGAIN ON THE PZC

Are you currently involved in any volunteer work? ☐ Yes ☒ No

If yes, your current organizational affiliations (name of organization and your role):

NOTE - I JUST COMPLETED 18 YEARS ON THE BOARD, CLIFF
HOUSE CONDOMINIUMS. SO NOW I HAVE SOME TIME
TO CONTRIBUTE TO THE CITY

Are you a builder/developer within the city limits?: ☐ Yes ☒ No ☐ Active Projects

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: Tom Edwards Date: MAY 5, 2025

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

Temple, Texas

Article 5 Use Standards

5.5.4 Home Occupations

The following regulations apply to the conduct of home occupations in any zoning district.

A. General Standards

1. A home occupation must take place in the main structure only.
2. The use of a dwelling unit for a home occupation must be clearly incidental and subordinate to its use for residential purposes, and must under no circumstances change the residential character of the dwelling.
3. Additional persons from outside the family living at the home may not be employed at the home occupation.
4. A sign advertising the home occupation is not permitted.

B. Prohibited Characteristics

A home occupation is not permitted that creates obnoxious noise, odor, increased traffic or generation of light or smoke.

C. Prohibited Uses

Notwithstanding compliance with subsection A above, prohibited home occupations include, but are not limited to the following uses:

1. Repair garage;
2. Beauty shop;
3. Barber shop; or
4. Sexually oriented business.

City of Killeen, Texas

DIVISION 4. - DISTRICT "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT, Sec. 31-186. - Use regulations

5.Home occupations are permitted accessory uses only so long as all the following conditions are observed:

- (i) No persons other than resident occupants of the premises shall be engaged in such occupation;
- (ii) The home occupation shall not involve the use of advertising signs or window displays on the premises or any other local advertising media which call attention to the fact that the home is being used for business purposes; except that for purposes of a telephone directory listing, a telephone number, but no business address, may be published;
- (iii) In no way shall the outside appearance of the dwelling be altered from its residential character;
- (iv) Performance of the occupation activity shall not be visible from the street;
- (v) The use shall not increase vehicular or pedestrian traffic flow beyond what normally occurs in the applicable zoning district. Additionally, the use shall not increase the number of vehicles parked on the premises by more than two (2) additional vehicles at a time. All customer/client parking shall be off-street and other than in unpaved areas of the front yard;
- (vi) There shall be no outside storage, (to include trailers), or display related to the home occupation;
- (vii) No home occupation shall cause an increase in the use of any one (1) or more public utilities (water, sewer, electricity, garbage, etc.) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood;
- (viii) One (1) commercial vehicle, capacity of one (1) ton or less (excluding attached trailers) may be used or parked on the property in connection with the home occupation;
- (ix) Except for articles produced on the premises, no stock in trade shall be displayed or sold on the premises;

(x) No mechanical or electrical equipment shall be employed other than the quality and quantity of machinery or equipment customarily found in a home associated with a hobby or avocation not conducted for gain or profit; and

(xi) The home occupation use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district.

6. Home occupations may, subject to the requirements of subsections 31-186(13)c.1—5, include, but are not necessarily limited to, the following:

(i) Office facility of an accountant, architect, attorney, engineer, consultant, insurance agent, real estate broker or member of similar professions;

(ii) Author, artist or sculptor;

(iii) Dressmaker, seamstress, or tailor;

(iv) Music/dance teacher, or similar school of instruction, provided that instruction shall be limited to no more than one (1) pupil at a time;

(v) Individual tutoring;

(vi) Millinery;

(vii) Minister, rabbi, priest or member of religious orders;

(viii) Home crafts such as rug weaving, model making;

(ix) Office facility of a salesman, sales representative, manufacturer's representative, or service provider, for sale of goods or services, whether said individual or individuals are self-employed or otherwise, and provided that no retail or wholesale transactions or provision of services are made on the premises;

(x) Repair shops for small electrical appliances (such as irons, portable fans and the like), typewriters, cameras and other similar small items, provided the item does not have an internal combustion engine; and

(xi) Food preparation establishments such as cake maker, provided there is compliance with all state health laws and no consumption of food items by customers on the premises.

7. Permitted home occupations shall not in any event be deemed to include:

(i) Animal hospitals or clinics, commercial stables, or commercial kennels;

- (ii) Schools of instruction of any kind with more than one (1) pupil at a time unless such school was established prior to the date of passage of this section;
- (iii) Restaurants;
- (iv) Automobile, boat or trailer paint or repair shops (major or minor);
- (v) Doctor, dentist, veterinarian or other medically related offices;
- (vi) On-premises retail sales, except garage sales as otherwise provided in this Code;
- (vii) Laundromats with more than one (1) washing machine and one (1) dryer;
- (viii) Mortuaries;
- (ix) Private clubs;
- (x) Trailer rentals;
- (xi) Repair shops or service establishments, except as provided in subsection 31-186(13)c.6.(x) above;
- (xii) Carpentry work;
- (xiii) Photo developing or photo studios;
- (xiv) Upholstering;
- (xv) Antique shops;
- (xvi) Gift shops;
- (xvii) Repair shops for any item with an internal combustion engine; and
- (xviii) Those home occupation uses which, without regard to principal or accessory use conditions, would be classified as assembly, factory-industrial, hazardous, institutional or mercantile occupancies as defined by the 1988 Standard Building Code, as amended.

8. No conditional use permit as provided in section 31-456 of this chapter shall be issued for any home occupations prohibited by subsection 31-186(13)c.7. above.

9. The provisions of this section shall apply to all home occupations, regardless of the date of their creation/existence, unless specifically exempted by subsection 31-186(13)c.7.(viii), or temporarily exempted by subsection 31-186(13)c.8. above.

City of Harker Heights

§ 155.084 HOME OCCUPATIONS. (8/17/09)

(A) Definition. A HOME OCCUPATION is an incidental use of a dwelling unit (not an accessory structure) for gainful employment, involving the provision of limited goods and/or services.

(1) Persons conducting a home occupation are required to comply with, and are subject to, any other laws, rules and regulations affecting the occupation and the property.

(2) Home occupations are permitted incidental uses only so long as all the following conditions are observed:

(a) The Texas tax identification number must be provided with the application.

(b) A sign not larger than 324 square inches (e.g., 18 inches by 18 inches) affixed to the wall or door is permitted. The home occupation shall not involve the use of advertising signs or window displays on the premises or any other local advertising media which call attention to the fact that the home is being used for business purposes; except that, for such purposes, a telephone number, but no business address, may be published.

(c) In no way shall the outside appearance of the dwelling be altered from its residential character;

(d) Performance of the occupation activity shall not be visible from the street (curtains or blinds may be used to accomplish this purpose);

(e) The use shall not increase vehicular or pedestrian traffic flow beyond what normally occurs in the applicable zoning district. Additionally, except as provided in division (g), there shall be no more than two additional cars parked on the premises or adjacent to it for non-residents, including clients and employees. Parking shall not be permitted in the front or side yards, unless paved according to city standards;

(f) There shall be no outside storage (to include trailers) or display related to the home occupation;

(g) One commercial vehicle, not for advertising, having a capacity of one ton or less (excluding attached trailers), may be used or parked on appropriate pavement on the property in connection with the home occupation;

(h) No mechanical or electrical equipment shall be employed other than the quality and quantity of machinery or equipment customarily found in a home associated with a hobby or avocation not conducted for gain or profit; and

(i) The home occupation use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district.

(B) Occupations included. Home occupations may include, but are not necessarily limited to, the following:

(1) Office facility of an accountant, architect, attorney, engineer, consultant, insurance agent, real estate broker or member of similar professions;

(2) Author, artist or sculptor, photographer;

(3) Dressmaker, seamstress or tailor;

(4) Music/dance teacher or other type of instruction;

(5) Individual tutoring;

(6) Home crafts such as rug weaving, model making;

(7) Office facility of a salesman, sales representative, manufacturer's representative, or service provider, for sale of goods or services, whether such individual or individuals are self-employed or otherwise; and provided that no retail or wholesale transactions or provision of services are made on the premises;

(8) Repair shops for small electrical appliances (such as irons, portable fans and the like), typewriters, cameras and other similar small items; provided the item does not have an internal combustion engine;

(9) Food preparation establishments such as cake maker, provided there is compliance with all state health laws and no consumption of food items by customers on the premises;

(10) Personal grooming with one customer at a time, by appointment only.

(C) Occupations not included. Permitted home occupations shall not in any event be deemed to include:

- (1) Animal hospitals or clinics, commercial stables or commercial kennels;
- (2) Restaurants;
- (3) Automobile, boat or trailer paint or repair shops (major or minor);
- (4) Doctor, dentist, veterinarian, sex therapy, massage therapy or other medically related offices;
- (5) On-premise retail sales, except garage sales as otherwise provided in this code:
- (6) Mortuaries;
- (7) Private clubs;
- (8) Trailer rentals;
- (9) Carpentry work;
- (10) Photo developing using chemicals;
- (11) Gift shops;
- (12) Repair shops for any item with an internal combustion engine; and
- (13) Those home occupation uses which, without regard to principal or accessory use conditions, would be classified as assembly, factory-industrial, hazardous, institutional or mercantile occupancies as defined by the 1988 Standard Building Code, as amended.

(D) Application of provisions. The provisions of this section shall apply to all home occupations, regardless of the date of inception, unless previously authorized in writing by the city.

(E) Home occupations not listed in this section.

- (1) Persons wishing to operate home occupations which are not expressly permitted or prohibited by this section may make written request to the Planning and Development Director for a formal review of the proposed home occupation.
- (2) The Planning and Development Director shall review the request to determine the appropriateness within the established general guidelines. If the Director makes a favorable determination, the request shall be forwarded to the Planning and Zoning Commission for hearing.

(3) The Planning and Zoning Commission shall, in accordance with applicable law, review all requests forwarded by the Director, and submit a final report and recommendation to the City Council.

(4) The City Council shall then, in accordance with applicable law, review and consider action on the request.

(5) Any person requesting a formal review to permit a particular use not otherwise permitted shall, at the time such request is submitted, pay a non-refundable fee established by the City Council.

(F) License revocation. Home occupations are subject to review by the city, should violations be reported or observed. Licenses shall be revoked for noncompliance.

Village of Salado, Texas

V. Development Standards & Use Regulations

Section 5.7: Home Occupation Regulations

A. Purpose: Standards for controlling home occupations are set forth to minimize annoyance and inconvenience to neighboring property owners within residential areas. These standards are intended to allow reasonable and comfortable enjoyment of adjacent and nearby property by their owners and by occupants of neighboring residential dwellings, while providing opportunities for the pursuit of home-based businesses.

B. Special Provisions for Home Occupations:

1. Home occupations shall be permitted as accessory use in single-family residential zoning districts provided that they comply with all restrictions herein;
2. The occupation shall produce no alteration or change in the character or exterior appearance of the principal building from that of a residential dwelling, and performance of the occupation activity shall not be visible from the street;
3. Such use shall be incidental and secondary to the use of the premises for residential purposes, and shall not utilize floor area exceeding twenty percent (20%) of the combined gross floor area of dwelling unit and any accessory building(s) that are used for the home occupation (in no case shall the combined floor area utilized for a home occupation exceed 500 square feet);
4. The occupation shall not employ more than one (1) person who is not a member of the household in which the home occupation occurs;
5. Not more than two (2) patron or business-related vehicles shall be present at one time, and the proprietor shall provide adequate off-street parking on the property where the use is located;
6. The operation of such an occupation shall be between the hours of 8:00 a.m. and 6:00 p.m. for outdoor activities, and between 8:00 a.m. and 10:00 p.m. for indoor activities;
7. One commercial vehicle, capacity of one ton or less, according to the manufacturer's classification, may be used, or parked behind the front building line on the property, in connection with the home occupation, but said vehicle may not be parked in the street or within the front yard setback;

8. The occupation activity shall not increase vehicular traffic flow beyond what normally occurs within a residential district, and shall not require regular and frequent deliveries by large delivery trucks or vehicles with a rated capacity in excess of one and one-half tons, according to the manufacturer's classification;

9. The home occupation use/activity shall take place primarily within the dwelling, and there shall be no outside storage, including trailers, or outside display related to the home occupation use;

10. No mechanical or electrical equipment shall be employed on the premises other than that which is customarily found in a home environment, and that which is customarily associated with a hobby or avocation which is conducted solely for pleasure and not for profit or financial gain;

11. The home occupation shall not generate noise, vibration, glare, fumes or odors, heat or electrical interference beyond what normally occurs within a residential district;

12. The occupation shall not require the use of chemicals on the property that are obnoxious or hazardous to the welfare of the neighborhood;

13. The home occupation shall not involve the use of advertising signs or window displays, or any other device that calls attention to the business use of the premises through audio or visual means;

14. The occupation shall not offer a ready inventory of any commodity for sale on the premises unless the commodity is made or assembled on-site, including arts and crafts items, handmade clothing; and,

15. The occupation shall not be harmful or detrimental to the health, welfare and safety of the neighborhood, nor shall it interfere with the comfortable enjoyment of life, property and recreation by residents of the area.

C. Applicability of Other Regulations: Home occupations shall also be subject to any and all other provisions of local, State and Federal regulations and laws that govern such uses.

D. Uses Allowed as Home Occupations: Subject to the provisions of this Section 5.7, home occupations may include the following uses:

1. Office facility of an accountant, architect, landscape architect, attorney, engineer, consultant, insurance agent, realtor, broker, or similar profession;
2. Author, artist or sculptor;
3. Dressmaker, seamstress or tailor;

4. Music or dance teacher, or similar types of instruction, provided that instruction shall be limited to no more than six (6) pupils at a time;
5. Individual tutoring and home schooling;
6. Office facility of a minister, rabbi, priest or other clergyman;
7. Home crafts, such as rug weaving, model making, etc.;
8. Office facility of a salesman, sales or manufacturer's representative, provided that no retail or wholesale transactions or provision of services are personally and physically made on the premises;
9. Repair shop for small electrical appliances, cameras, watches and clocks, and other small items, provided that the items can be carried by one person without using special equipment, and provided that the items are not equipped with an internal combustion engine;
10. Food preparation establishments such as cake making, decorating or catering, provided that there is no on-premises consumption by customers, and provided that all aspects of the business comply with all State and local health regulations;
11. Registered Family Homes, in compliance with applicable State laws, which are incorporated herein by reference, with no more than six (6) children or adults;
12. Barber shop or beauty salon or manicure studio, provided that no more than one customer is served at a time; and
13. Swimming lessons and water safety instruction, provided that such instruction involves no more than six (6) pupils at any one time.

E. Uses Prohibited as Home Occupations: Home occupations shall not, in any event, be deemed to include the following uses:

1. Animal hospitals or clinics, commercial stables having more than 2 horses per acre or kennels;
2. Restaurants or on-premises food or beverage, including Private Clubs, consumption of any kind, except for limited food or meal consumption associated with the operation of a licensed registered family home or a bed and breakfast facility;
3. Automobile, boat or trailer paint or repair shop; small engine or motorcycle repair shop; welding shop; large household appliance repair shop; or other similar type of business;
4. On-premises retail or wholesale sales of any kind where multiple customers patronize the sales business on-site, except for items that are

produced entirely on the premises in conformance with this Ordinance, and except for occasional garage sales;

5. Commercial clothing laundering or cleaning;
6. Mortuaries or funeral homes;
7. Trailer, vehicle, tool or equipment rentals;
8. Repair shops for any items having internal combustion engines; and,
9. Any use that would be defined by the Building Code as an Assembly, Factory or Industrial, Hazardous, Institutional or Mercantile occupancy.

F. Home Occupation Uses Not Classified Herein: Any use that is not either expressly allowed nor expressly prohibited by Section 5.7.D and Section 5.7.E, respectively, is considered prohibited, unless and until such use is classified by amendment to this Ordinance by the Board of Aldermen, subsequent to an affirmative recommendation by the Commission.

G. Effect of Section 5.7 Upon Existing Home Occupations:

1. Any home occupation that was legally in existence as of the effective date of this Ordinance and that is not in full conformity with the provisions herein shall be deemed a legal nonconforming use, and is subject to the provisions of Section 2.1 provided that the owner or proprietor of such home occupation register his or her business with the Village within ninety (90) days of the effective date of this Ordinance, and provided that the home occupation use was not in violation of any other local, State or Federal law or regulation on that date. Proof of the existence of such home occupation use prior to the effective date of this Ordinance shall be required upon registration.

2. Any home occupation that was legally in existence as of the effective date of this Ordinance and that conforms with the provisions herein shall be hereby authorized to continue, provided that the home occupation use is registered with the Village as described in Section 5.7.G.1 above.

City of Nolanville, Texas

DIVISION 9 Permitted Use Conditions

§ 615.8 Home-Based Business.

A home-based business shall be permitted as an accessory use to a dwelling unit, subject to compliance with the following conditions:

- (a)** A home-based business shall be permitted only when it is an accessory use to a detached single-family dwelling unit.
- (b)** A home-based business shall not involve any external structural alteration of the main building.
- (c)** A home-based business shall be conducted wholly within the main building, and not in any accessory building. The total floor area to be used for a home-based business shall not exceed twenty percent (20%) of the total floor area of the main building, including garages. Notwithstanding the above, instructional classes may be held outside of the main building, providing a maximum of six (6) students may be allowed in each session and other stipulations of this section are met.
- (d)** Only one (1) employee other than occupants of the residence may be employed in the home occupation. A person who receives a wage, salary or percentage of the profits directly related to the home-based business shall be considered an employee for the purposes of this section, provided that this definition shall not include the coordination or supervision of employees who do not regularly visit the dwelling for purposes related to the business.
- (e)** No outdoor storage of materials, goods, supplies or equipment shall be allowed.
- (f)** A home-based business shall not involve more than four (4) patrons on the premises at one time.
- (g)** Any outdoor activities associated with a home-based business shall be screened from the neighboring property by a solid fence of at least six (6) feet in height.
- (h)** A home-based business may include the sale of products on the premises, provided that compliance is maintained with all other conditions specified in this section.
- (i)** A home-based business shall produce no offensive noise, vibration, smoke, electrical interference, dim [sic] odors or heat in excess of those normally found in

residential areas. No toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials shall be used or stored on the site for business purposes.

(j) A home-based business shall not include the physical or medical treatment of persons or animals, beauty shops, dance studios, carpenter shops, electrical shops, massage establishments, plumber shops, heating and air conditioning shops, radio shops, auto repairing or painting, furniture repairing, sign painting or similar activities.

(k) Off-street parking must be provided for and utilized by nonresident employee if applicable.

(Ordinance 6051-12 adopted 5/17/12)

Ordinance Codes

Home Occupation Definitions

1. City of Temple TX Ordinance Code

Sec. 11.2. Defined Terms

Home Occupation. A home occupation is an occupation carried on in the home by a member of the occupant's family, secondary to the use of the dwelling for dwelling purposes.

2. City of Harker Heights TX Ordinance Code

§ 155.084 HOME OCCUPATIONS. (8/17/09) (A) Definition. A HOME OCCUPATION is an incidental use of a dwelling unit (not an accessory structure) for gainful employment, involving the provision of limited goods and/or services.

3. Village of Salado TX

Home Occupation: An occupation carried on in a dwelling unit, or in an accessory building to a dwelling unit, by a resident of the premises, which occupation is clearly incidental and secondary to the use of the premises for residential purposes.

4. City of Killeen TX

Sec. 31-186. - Use regulations

Definition. A home occupation is an accessory use of a dwelling unit or garage for gainful employment, involving the provision of goods and/or services.

5. City of Nolanville TX

Article II Definitions: 201.1 Interpretation of words and terms.

Home Occupation: an occupation carried on in the home by a member of the occupant's family, being incidental to the primary occupancy of the home as a dwelling; without the display or advertising of any commodity or service for sale on the premises; with the employment of no more than 1 person other than members of the immediate family; without the use of any lighting or display; without the use of other than domestic or household equipment or appliances; and the conduct of which does not generate noise, odor, fumes, vibration, additional vehicle traffic or any other condition visible, obnoxious or detrimental to abutting or adjacent properties.

List of Questions for Developing a Section on Home Occupation within the MPR Ordinances

General Definition and Scope

1. What qualifies as a home occupation?
2. What types of businesses are permitted or prohibited?
3. Are there different categories of home occupations (e.g., minor vs. major)?

Permitting and Licensing

1. Is a permit required for home occupations?
2. What is the application process for obtaining a home occupation permit?
3. What fees, if any, are associated with the application?

Size and Scale Limitations

1. What is the maximum square footage allowed for home occupation use?
2. Are there restrictions on the number of clients or customers that can visit the home?
3. What limitations exist on the number of employees working on-site?

Impact on Neighborhood

1. What regulations are in place to limit noise, traffic, or parking issues?
2. How will the ordinance address potential nuisances to neighbors?
3. Are there guidelines for signage advertising the home occupation?

Safety and Compliance

1. What health and safety regulations must be adhered to?
2. Are there zoning or building code requirements that must be met?
3. What insurance or liability coverage is required for home occupations?

Duration and Renewal

1. Is there a time limit on how long a home occupation permit is valid?
2. What is the process for renewing or revoking a home occupation permit?

Enforcement and Compliance

1. How will compliance with the home occupation ordinance be monitored?
2. What are the penalties for non-compliance?

1. How will changes in technology or work patterns (e.g., remote work) be accommodated?
2. Is there a need for periodic review or updates to the home occupation ordinance?

Future Considerations

1. How will community input be gathered during the development of this ordinance?
2. Are there opportunities for public hearings or consultations?

Community Input and Feedback

3. Is there an appeal process for denied permits or violations?