



## **PLANNING & ZONING COMMISSION**

**Tuesday, July 23, 2024, 6:00 PM**

**EVENT CENTER 60 MORGAN'S POINT BOULEVARD**

### **Call to Order**

### **Announcements and Citizens Comments**

### **Presentations**

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

- [a.](#) Discuss and Consider - Approval of June 25, 2024 Minutes

#### **2. Regular Agenda**

- [a.](#) Discuss and Consider - Approving Teakwood Addition
- [b.](#) Discuss and Consider - Approving Winecup Dr Replat
- [c.](#) Discuss and Consider - Approving Dogwood Addition
- [d.](#) Discuss and Consider - Appendix B Starting at the letter R

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

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

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

#### **6. Staff Updates**

#### **7. Adjournment**

I certify that a copy of the \_\_7-23-2024\_\_ agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the \_\_\_\_7-19-2024\_\_ at 4:00PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254 742-3206 for further information

Camille Bowser, City Secretary



**PLANNING & ZONING COMMISSION**

**Tuesday, June 25, 2024, 6:00 PM**

**EVENT CENTER 60 MORGAN'S POINT BOULEVARD**

**To View the meeting go to: [www.MorgansPointResortTX.com/YouTube](http://www.MorgansPointResortTX.com/YouTube)**

**Call to Order**

Meeting called to order by Chair, Rebecca Cooley at 6:04pm

**PRESENT**

Louis Guillaud  
Ken Hobbs  
Rebecca Cooley  
Thomas Westmoreland

**ABSENT**

Eric Seeliger  
Justin Strawn  
Leslie Minor

**Announcements and Citizens Comments**

N/A

**Presentations**

N/A

**1. Approval of Minutes**

Motion made approve minutes from May 28, 2024

Motion made by Westmoreland, Seconded by Guillaud.  
Voting Yea: Hobbs, Cooley

Passed

**2. Regular Agenda**

a. Discuss and Consider - Approving Teakwood Addition

Motion made to table until Council give specific guidelines

Motion made by Guillaud, Seconded by Westmoreland.  
Voting Yea: Hobbs, Cooley

Tabled

- b. Discuss and Consider - Approving Winecup Dr Replat

Motion made to table until Council give specific guidelines

Motion made by Guillaud, Seconded by Westmoreland.

Voting Yea: Hobbs, Cooley

Tabled

- c. Discuss and Consider - Approving Dogwood Addition

Motion made to table until Council give specific guidelines

Motion made by Guillaud, Seconded by Westmoreland.

Voting Yea: Hobbs, Cooley

Tabled

- d. Discuss and Consider - Tiny Village

Linda Bridges, EDC, gave presentation on Tiny Village

No action taken

- e. Discuss and Consider - Residential Chickens

Motion made to approve residential chicken guidelines/requirements as is

Motion made by Guillaud, Seconded by Hobbs.

Voting Yea: Cooley, Westmoreland

Passed

- f. Discuss and Consider - Appendix B Section 3 definitions

No action taken

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

N/A

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

Definitions

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

N/A

### **Staff Update**

Ground water storage is not operational

Thomas Westmoreland will be emailing the City Manager in reference to the Corp of Engineers to raise water level

**5. Adjournment**

Meeting adjourned at 7:36 pm

I certify that a copy of the \_\_\_6-25-2024\_\_\_ agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the \_\_\_6-21-2024\_\_\_ at 4:00PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254 742-3206 for further information

Camille Bowser, City Secretary



# MINOR / GENERAL AMENDING PLAT APPLICATION

Requirements – Application must be fully completed or will not be accepted

Item a.

This application must be completed and returned to the Permit Department of the City of Morgan's Point Resort, Texas along with the following:

1. General Plan – Payment of \$350.00
2. Legal Survey
3. Signed & Original field Notes and Dedication

## Property Information:

Plat Name: TEAKWOOD ADDITION Date Submitted: May 31st 2024

Existing Lot Count: 2 Proposed Lot Count: 1 Acreage: 0.6870 ACRE

Site Address or General Location: Northwest corner of Teakwood Loop in MPR

Reason for Amendment/  
Description of Subdivision: Combining Lot 40 & Lot 41 into one new lot.

Zoning Classification: MH Existing Land Use: Vacant lots  
Location in Overlay District? No

## Owner Information /Authorization:

Property Owner: John Choate  
Address: 9306 Georgian Drive, Austin, TX 78753  
Phone: 512-294-6667 E-mail: john-choate@hotmail.com  
Developer: John Choate Owner same  
Address: same  
Phone: same E-mail: same

Engineer/Surveyor: Jarrod R. Schnell, RPLS, True North Land Surveying, LLC

Address: 4801 Cinnamon Stone Drive, Killeen, TX 76542

Phone: 440-822-5707

E-mail: surveyor6869@gmail.com

## I HEREBY UNDERSTAND AND ACKNOWLEDGE:

The Minor Plat involves **Four or Fewer Lots** fronting onto an existing street where the creation of a new street or the extension of municipal facilities are not required **OR**

The Amended Plat does not increase the number of lots and does not require a new street or extension of municipal facilities.

John Choate Printed Name of Owner  
[Signature] Owner Signature

Sworn to and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

My Commission Expires: \_\_\_\_\_

Notary Public Signature

## Staff Only – Do Not Fill Out Below

Date Submitted: 5/31/24 Receipt #: \_\_\_\_\_

Received By: R. Johnson Case #: \_\_\_\_\_

City Manager Reviewed: \_\_\_\_\_



Minor Plan



General Plan



FINAL PLAT OF  
TEAKWOOD ADDITION

0.6870 ACRE, situated in the H. KATTENHORN survey, Abstract 505, a subdivision within the City of Morgan's Point Resort, Bell County, Texas.

Being a REPLAT of LOT 40 and LOT 41, BLOCK 5, MORGAN'S POINT RESORT CITY, SECTION 18, an addition within Bell County, Texas, according to the plat of record in Cabinet A, Slide 251-C, Plat Records of Bell County, Texas.

COUNTY OF BELL  
STATE OF TEXAS

JOHN CHOATE, OWNER OF THE 0.6870 ACRE TRACT OF LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS TEAKWOOD ADDITION, is the owner of the 0.6870 ACRE TRACT OF LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS TEAKWOOD ADDITION, situated in the H. KATTENHORN survey, Abstract 505, a subdivision within the City of Morgan's Point Resort, Bell County, Texas, and whose name is subscribed hereto, HEREBY REDUCES TO THE PUBLIC RECORD THE USE OF THE TRACT OF LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS TEAKWOOD ADDITION, FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

JOHN CHOATE

COUNTY OF BELL  
STATE OF TEXAS

BEFORE ME ON THIS DAY, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED JOHN CHOATE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC, STATE OF TEXAS

COUNTY OF BELL  
STATE OF TEXAS

AFFIDAVIT

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY \_\_\_\_\_  
BELL COUNTY TAX APPRAISAL DISTRICT

BELL COUNTY

PUBLIC HEALTH DISTRICT CERTIFICATE

THE BELL COUNTY PUBLIC HEALTH DISTRICT, THE PERMITTING AUTHORITY FOR ON-SITE SEWAGE FACILITIES IN BELL COUNTY, TEXAS, HEREBY CERTIFIES THAT THIS SUBDIVISION MEETS OR EXCEEDS THE MINIMUM STANDARDS ESTABLISHED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND BELL COUNTY'S LOCAL ORDER

SIGNATURE \_\_\_\_\_  
BELL COUNTY PUBLIC HEALTH DISTRICT

STATE OF BELL  
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY SHOWN HEREON, AND THAT ALL NECESSARY SURVEY MEASUREMENTS ARE CORRECTLY SHOWN THEREON.

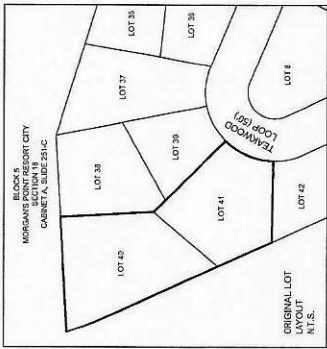
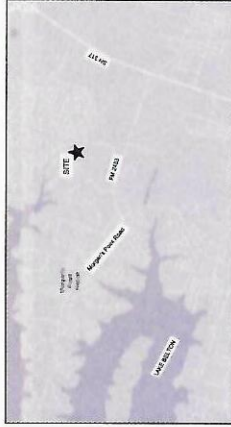
Notary Public for the State of Texas  
Notary Seal  
JARED RICHARD SCHWELL, RPLS No. 6869  
DATE OF SURVEY MAY 28, 2024  
PLAT REVISED MAY 28, 2024  
440-622-5707 (T) Fax: #101-54-6071  
www.TrueLandSurveyingTX.com

True Land Surveying LLC

4801 Cimarron Stone Dr., Killeen, TX 76542

440-622-5707 (T) Fax: #101-54-6071

www.TrueLandSurveyingTX.com



LEGEND

7500' - Road of Right-of-Way - E - Front - U - Used in extending the boundary BOB - Basis of Bearings IRF - Iron Rod found  
O - 3/4" IRF & U (radius otherwise noted) S - Street Symbols F & U

NOTES

1/2" Estimates shown herein are as depicted on the Plat of Morgan's Point Resort City, Section 18.

CERTIFICATE OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS

I DENNIS GREEN, MAYOR OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT MEETS THE REQUIREMENTS OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, AND HAS BEEN DULY ACCEPTED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS.

DENNIS GREEN, MAYOR

CAMILLE BOWSER, CITY SECRETARY

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC, STATE OF TEXAS

NOTES  
JOHN CHOATE  
LOTS - ONE (1)  
BLOCKS - ONE (1)  
AREA - 0.6870 ACRE

THIS SUBDIVISION IS SUBJECT TO ALL GENERAL NOTES AND RESTRICTIONS APPEARING ON THE PLAT OF MORGAN'S POINT RESORT CITY, SECTION 18, RECORDED IN CABINET A, SLIDE 251-C, PLAT RECORDS OF BELL COUNTY, TEXAS.

THIS LOT DOES NOT APPEAR TO BE WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP 48020701E DATED 10/20/08. THIS FLOOD 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 COMPANY.

ARTESIAN RETREAT SUBDIVISION

N 86°08'48" E  
140.03'

S 03°40'45" E  
109.85'

John Choate  
Doc. No. 2020047476  
9/4/2020  
LOT 40

MORGAN'S POINT  
RESORT SECTION 14  
N 24°30'00" W (BOB) 265.25'  
195.25'

LOT 1  
BLOCK 1  
0.6870 ACRE

LOT 40

LOT 39

LOT 38

LOT 37

LOT 36

LOT 35

LOT 34

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LOT -220

BEING a 0.6870 acre tract of land situated in the H. Kattenhorn Survey, Abstract No. 505, Bell County, Texas, being all of Lots 40 and 41 in Block 5, of Morgan's Point Resort City, Section 18, Bell County, Texas, according to the Plat of record in Cabinet "A", Slide 251-C of the Plat Records of Bell County, Texas, described in deed to John Choate, recorded in Document No. 2020047476 on September 4, 2020, and further described as follows:

BEGINNING at a 5/8" iron rod found at the southeast corner of said Lot 41, also being in the northwest line of Teakwood Loop (50' wide);

THENCE North  $88^{\circ}37'47''$  West, 96.47 feet along the south line of said Lot 41 to the southwest corner of said Lot 41, from which a leaning 5/8" iron rod found bears North  $09^{\circ}56'43''$  West, 0.16 feet;

THENCE along the west line of said Lot 41, North  $24^{\circ}30'00''$  West (basis of bearings), at 70.00 feet passing through a 5/8" iron rod found at the northwest corner of said Lot 41, also being the southerly corner of said Lot 40, continuing along the west line of said Lot 40 a total distance of 265.25 feet to a 5/8" iron rod found at the northwest corner of said Lot 40;

THENCE North  $86^{\circ}08'48''$  East, 140.03 feet along the north line of said Lot 40 to a 5/8" iron rod found at the northeast corner of said Lot 40;

THENCE South  $03^{\circ}40'45''$  East, 109.85 feet along the east line of said Lot 40 to a 5/8" iron rod found at the southeast corner of said Lot 40, also being the northerly corner of said Lot 41;

THENCE South  $44^{\circ}11'00''$  East, 120.32 feet along the northeast line of said Lot 41 to a steel spindle found at the easternmost corner of said Lot 41, also being in the northwest line of said Teakwood Loop;

THENCE 63.69 feet along the southeast line of said Lot 41 and the northwest line of said Teakwood Loop, along the arc of a curve to the left, said ~~arc having~~ Item a. both a radius of 81.83 feet, central angle of  $44^{\circ} 35' 28''$ , a chord bearing  $22^{\circ} 55' 34''$  West, 62.09 feet to the POINT OF BEGINNING and containing 0.6870 acre of land according to a field survey by Jarrod R. Schnell, RPLS No. 6869 for True North Land Surveying, LLC (FIRM#10194671) completed May 25, 2024. References to recorded documents are those of the Official Public Records of Bell County Texas. A survey plat accompanies this description.

PRELIMINARY – THIS  
DOCUMENT SHALL NOT BE  
RECORDED FOR ANY PURPOSE  
AND SHALL NOT BE USED OR  
VIEWED OR RELIED UPON AS A  
FINAL SURVEY DOCUMENT

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Jarrod R. Schnell, RPLS No. 6869, State of Texas  
TRUE NORTH LAND SURVEYING LLC.





# MINOR / GENERAL AMENDING PLAT APPLICATION

Item b.

Requirements – Application must be fully completed or will not be accepted

This application must be completed and returned to the Permit Department of the City of Morgan's Point Resort, Texas along with the following:

1. General Plan – Payment of \$350.00
2. Legal Survey
3. Signed & Original field Notes and Dedication

## Property Information:

Plat Name: MORGAN'S POINT RESORT CITY SECTION 20 REPLAT NO 1, Date Submitted: 5/31/24  
Existing Lot Count: 3 Proposed Lot Count: 1 Acreage: 0.538  
Site Address or General Location: 36 WINECUP DR. BELTON TX 76513  
Reason for Amendment/  
Description of Subdivision: CONSOLIDATE 3 LOTS INTO ONE INTEGRATED LOT  
Zoning Classification: RESIDENTIAL Existing Land Use: RESIDENTIAL  
Location in Overlay District? Yes ☐ No ☐

## Owner Information /Authorization:

Property Owner: JAMES C. PRATT AND DOROTHY VERACRUZ  
Address: 36 WINECUP DR BELTON TX 76513  
Phone: 936662 0077 E-mail: claytonpratt@msn.com  
Developer: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Engineer/Surveyor: Hank Maddux Starr Surveying  
Address: 3779 W. FM 436 Belton TX 76513  
Phone: 936662 0077 E-mail: starrsurveying@yahoo.com

## I HEREBY UNDERSTAND AND ACKNOWLEDGE:

The Minor Plat involves **Four or Fewer Lots** fronting onto an existing street where the creation of a new street or the extension of municipal facilities are not required **OR**

The Amended Plat does not increase the number of lots and does not require a new street or extension of municipal facilities.

James C. Pratt

Printed Name of Owner

Owner Signature

Sworn to and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

My Commission Expires: \_\_\_\_\_

Notary Public Signature

## Staff Only – Do Not Fill Out Below

Date Submitted: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Received By: \_\_\_\_\_ Case #: \_\_\_\_\_

City Manager Reviewed: \_\_\_\_\_

☐ Minor Plan  
☐ General Plan

DEDICATION INSTRUMENT FOR

MORGAN'S POINT RESORT CITY SECTION 20 REPLAT NO. 1

BEING A REPLAT OF LOTS 3,4, AND 5 OF BLOCK 4 OF  
SECTION 20, ACCORDING TO THE PLAT RECORDED IN  
CABINET B, SLIDE 253-B, PLAT RECORDS

Item b.

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF BELL §

That we, James C. Pratt and Dorothy Veracruz, hereinafter being referred to as Grantors, being the sole owners of Lots 3, 4, and 5, Block 4, Morgan's Point Resort City Section 20 and being that certain acre tract of land described in Field Notes prepared by Henry S. Maddux III, Registered Professional Land Surveyor No. 6706, dated May 31, 2024, which Field Notes are attached hereto as Exhibit A, and made a part hereof as fully as if written verbatim, does hereby name and designate said tract as MORGAN'S POINT RESORT CITY SECTION 20 REPLAT NO. 1, a subdivision within the city limits of Morgan's Point Resort, and do hereby adopt the attached map and plat thereof and do hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication.

Grantors does hereby grant to Morgan's Point Resort, Texas, its assignees and franchisees furnishing public utilities in said subdivision, hereinafter collectively referred to as Grantee, for public use forever, the easements as shown on said plat upon, over, and through the said Property for drainage purposes and for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

Grantors do hereby give, grant, and convey to Morgan's Point Resort, Texas, and to the general public, for public use and for public purposes the streets, avenues, and roadways as shown on said plat.

Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, included but not limited to, the free right of ingress or egress over and across the roads, streets, easements, and rights of way to construct, reconstruct, remove, and maintain same.

To have and to hold said right-of-way and easements together with all and singular the rights and privileges thereto in any manner belonging unto said Grantee, and the undersigned hereby binds itself, its heirs, administrators, executors, successors and assigns, to warrant and forever defend all and singular said premises unto the said Grantee against every person whomsoever lawfully claiming or to claim the same or any part thereof.

By: \_\_\_\_\_

By: \_\_\_\_\_

James C. Pratt

Dorothy Veracruz

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on \_\_\_\_\_ by James C. Pratt.

\_\_\_\_\_  
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on \_\_\_\_\_ by Dorothy Veracruz.

**MORGAN'S POINT RESORT CITY SECTION**

Item b.

hibit A  
NO. 1

**0.538 NET ACRES**

**FIELD NOTES FOR A 0.538 ACRES**, and being situated entirely in the **E. TUTTLE SURVEY, ABSTRACT NO. 835**, Bell County, Texas, and being all of that certain Lot 3, Lot 4, and Lot 5, Morgan's Point Resort City Section 20 according to the plat recorded in Cabinet 1, Slide 252-B, Plat Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a ½ inch iron rod found for the southwest corner of said Lot 3, Block 4 and being the northwest corner of Lot 3 and being on the current southeasterly right-of-way line of Winecup Drive;

**THENCE** along said right-of-way line N 21°59'49" E 78.22 feet (call N 21°55'15" E 78.00') to a ½ inch iron rod found for the northwest corner of said Lot 3 and the southwest corner of said Lot 4;

**THENCE** along said right-of-way line N 21°50'43" E 78.01 feet (call N 21°55'15" E 78.00') to a ½ inch iron rod set for the northwest corner of said Lot 4 and the southwest corner of said Lot 5;

**THENCE** along said right-of-way line N 21°55'14" E 78.11 feet (call N 21°55'15" E 78.00') to a ½ inch iron rod found at for the northwest corner of said Lot 5 and the southwest corner of Lot 6;

**THENCE** departing said right-of-way line and along the common line between Lot 5 and Lot 6 S 68°03'40" E 100.01feet (call S 68°04'45" E 100.00') to a ½ inch iron rod found for the northeast corner of said Lot 5 and the southeast corner of Lot 6, being also the southwest corner of Lot 11, Block 4 and the northwest corner of Lot 12;

**THENCE** along the common line between Lot 5 and Lot 12 S 21°50'40" W 77.89 feet (call S 21°55'15" W 78.00') to a ½ inch iron rod found for the southeast corner of Lot 5 and the northeast corner of Lot 4, being also the southwest corner of Lot 12 and the northwest corner of Lot 13;

**THENCE** along the common line between Lot 4 and Lot 13 S 21°49'02" W 77.91 feet (call S 21°55'15" W 78.00') to a ½ inch iron rod found for the southeast corner of Lot 3 and the northeast corner of Lot 3, being also the southwest corner of Lot 14 and the northwest corner of Lot 14;

**THENCE** along the common line between Lot 3 and Lot 14 S 21°52'13" W 78.15 feet (call S 21°55'15" W 78.00') to a ½ inch iron rod found for the southeast corner of Lot 3 and the northeast corner of Lot 2, Being also the southwest corner of Lot 14 and the northwest corner of Lot 15;

**THENCE** along the common line between Lot 3 and Lot 2 N 68°16'53" W 100.32 feet (call N 68°04'45" W 100.00') to the **PLACE OF BEGINNING** and containing 0.538 acres of land.

**Notes:** Bearings basis is the northwest line of Lots 3,4 and 5, between the southwest corner of Lot 3 and the northwest corner of Lot 5 – N 21°55'15" E 234.34 feet (call 234.00').

*Henry S. Maddux III*

Henry S. Maddux III RPLS 6706  
Starr Technical Services DBA Starr Surveying  
Texas Licensed Surveying Firm No. 10193754  
3779 FM 436 East Belton Texas 76513

5/31/2024  
Date









FINAL PLAT of  
DOGWOOD ADDITION

0.2738 ACRE, situated in the H. KATTENHORN survey, Abstract 505, a subdivision within the City of Morgan's Point Resort, Bell County, Texas.

Being a REPLAT of LOT 15 and LOT 16, BLOCK 2, MORGAN'S POINT RESORT CITY, SECTION 16, an addition within Bell County, Texas, according to the plat of record in Cabinet A, Slide 249-A, Plat Records of Bell County, Texas.

COUNTY OF BELL  
STATE OF TEXAS

JOHN CHOATE, OWNER OF THE 0.2738 ACRE TRACT OF LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS DOGWOOD ADDITION, A SUBDIVISION WITHIN THE CITY OF MORGAN'S POINT RESORT, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE THE USE TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

JOHN CHOATE

COUNTY OF BELL  
STATE OF TEXAS

BEFORE ME ON THIS DAY, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED JOHN CHOATE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

COUNTY OF BELL  
STATE OF TEXAS

AFFIDAVIT:

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

BY:  
BELL COUNTY TAX APPRAISAL DISTRICT

BELL COUNTY  
PUBLIC HEALTH DISTRICT CERTIFICATE

THE BELL COUNTY PUBLIC HEALTH DISTRICT, THE PERMITTING AUTHORITY FOR ON-SITE SEWAGE FACILITIES IN BELL COUNTY, TEXAS, HEREBY CERTIFIES THAT THIS SUBDIVISION MEETS OR EXCEEDS THE MINIMUM STANDARDS ESTABLISHED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND BELL COUNTY'S LOCAL ORDER

SIGNATURE:  
BELL COUNTY PUBLIC HEALTH DISTRICT

STATE OF TEXAS  
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

**PRELIMINARY**  
"Preliminary: this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document."

JARROD RICHARD SCHNELL, RPLS NO. 6869  
DATE OF SURVEY: MAY 18, 2024  
PLAT REVISED: June 1, 2024

True North Land Surveying LLC  
4801 Cinnamon Stone Dr. Killeen, TX 76542  
440-822-5707 Firm #10194671  
www.TrueNorthSurveyingTX.com

FILED FOR RECORD this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Instrument # \_\_\_\_\_, Official Public Records of Real Property, Bell County, Texas.

LEGEND

POB - Point of Beginning F - Found U - Used in retracing the boundary BOB - Basis of Bearings  
IRF - Iron Rod Found BL - Building Line (shown per plat)  
⊙ Survey monument found as noted ⚙ Steel Spindle set (with washer stamped "6869")  
⚓ 5/8" Iron Rod Set ("IRS") with cap inscribed "JARROD SCHNELL RPLS #6869"

CERTIFICATE OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS:

I, DENNIS GREEN, MAYOR OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT MEETS THE SUBDIVISION REQUIREMENTS OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, AND HAS BEEN DULY ACCEPTED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS.

DENNIS GREEN, MAYOR

CAMILLE BOWSER, CITY SECRETARY

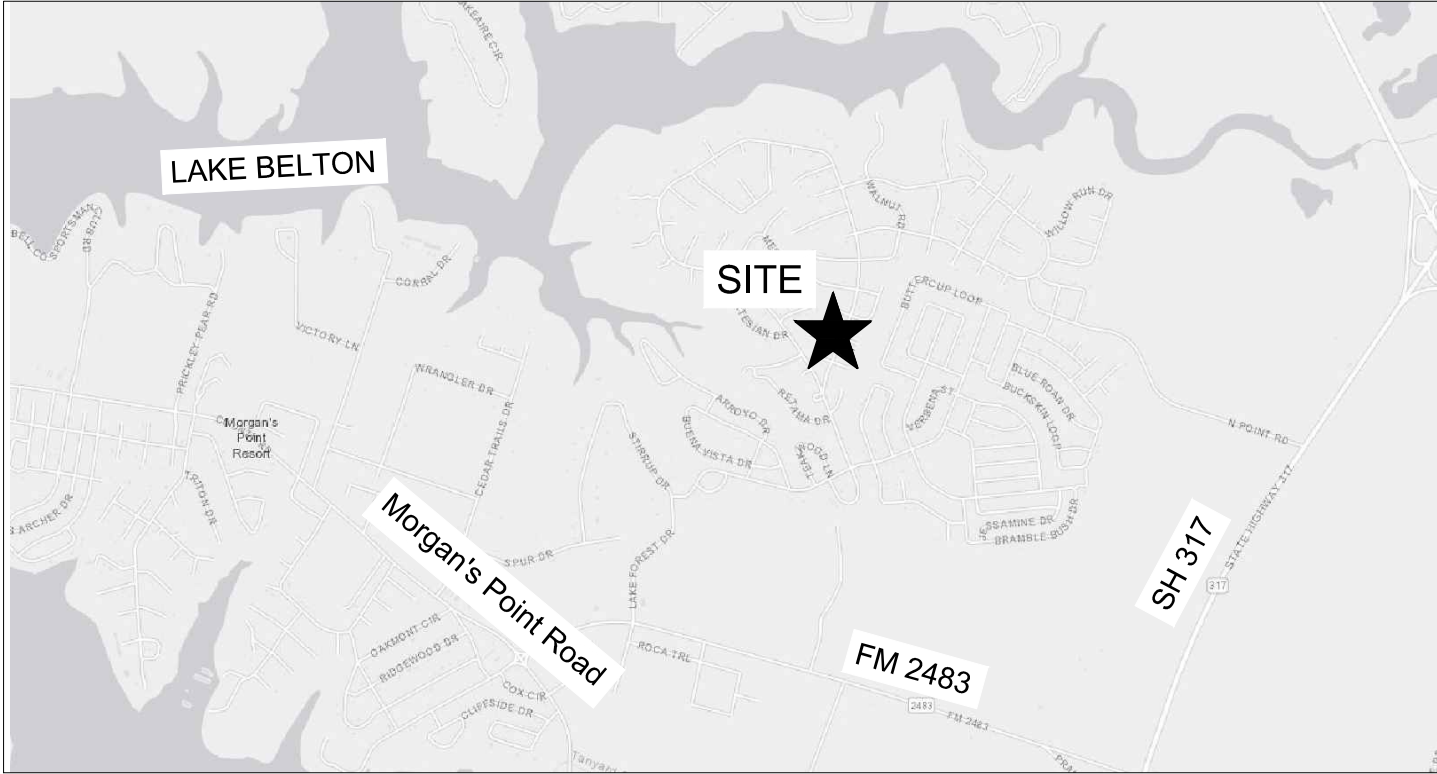
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

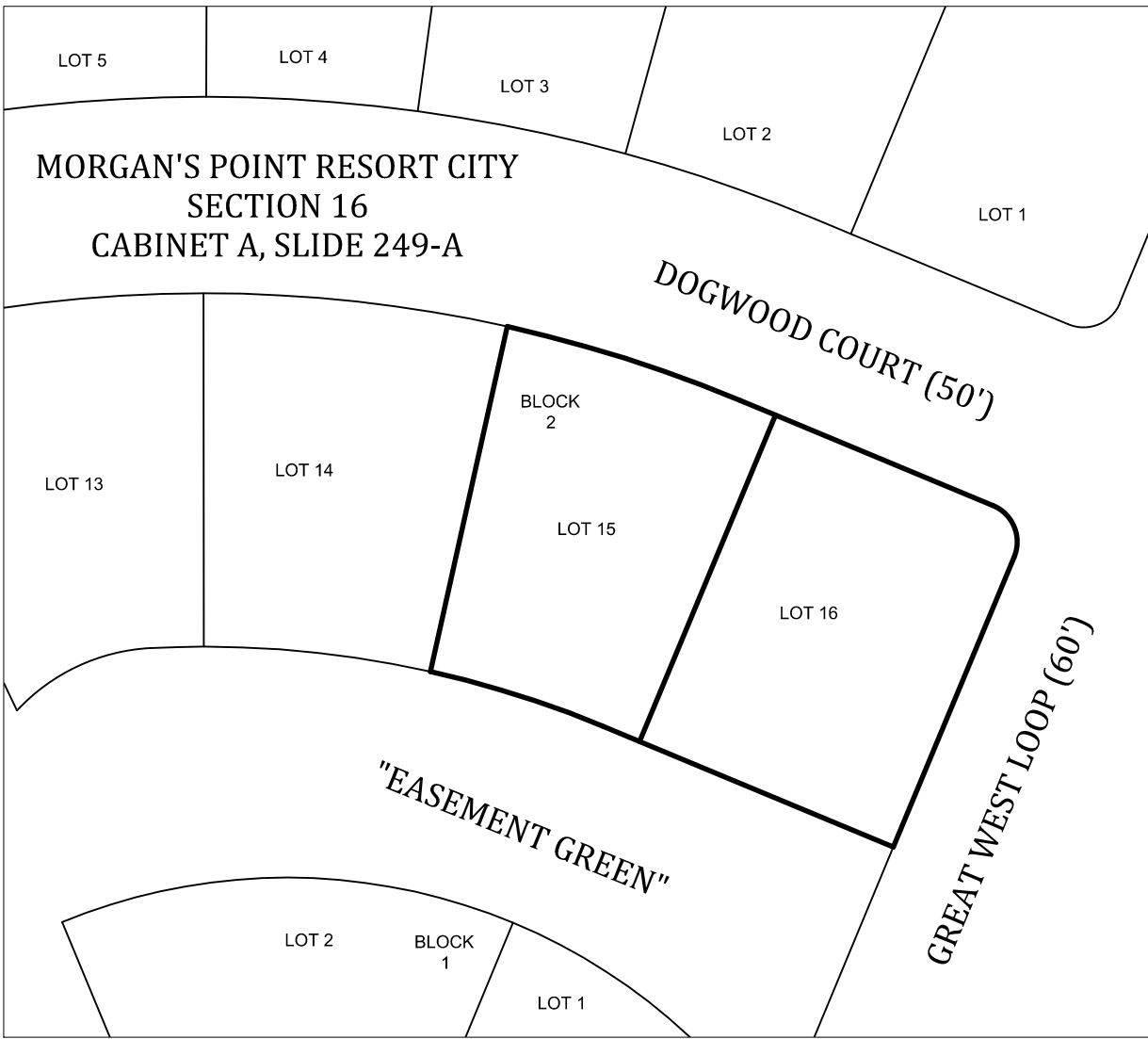
NOTES:  
OWNER: JOHN CHOATE  
LOTS - ONE (1)  
BLOCKS - ONE (1)  
AREA - 0.2738 ACRE

THIS SUBDIVISION IS SUBJECT TO ALL GENERAL NOTES AND RESTRICTIONS APPEARING ON THE PLAT OF MORGAN'S POINT RESORT CITY, SECTION 16, RECORDED IN CABINET A, SLIDE 249-A, PLAT RECORDS OF BELL COUNTY, TEXAS.

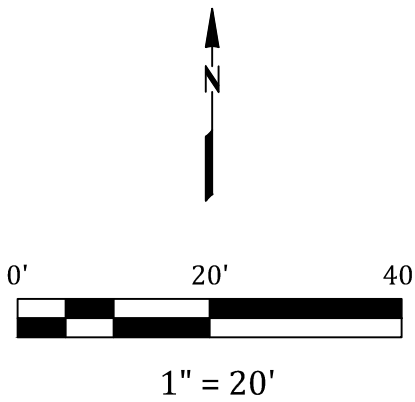
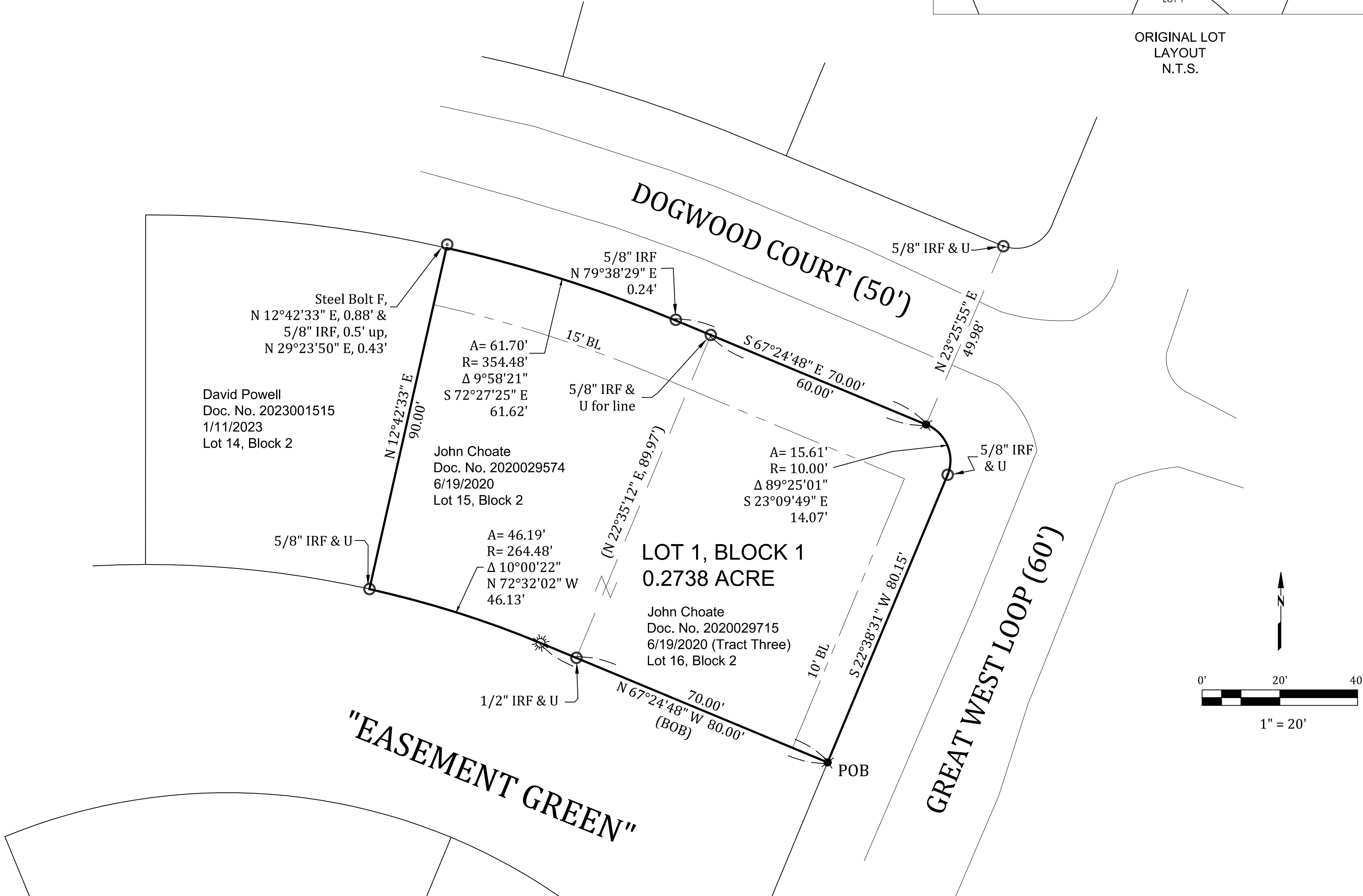
THIS LOT DOES NOT APPEAR TO BE WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP 48027C0175E DATED 9/26/2008. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS TRACT WILL NEVER FLOOD, NOR DOES IT CREATE ANY LIABILITY IN SUCH EVENT ON THE PART OF THIS SURVEYOR OR COMPANY.



VICINITY MAP  
N.T.S.



ORIGINAL LOT  
LAYOUT  
N.T.S.



STATE OF TEXAS  
COUNTY OF BELL

BEING a 0.2738 acre tract of land situated in the H. Kattenhorn Survey, Abstract No. 505, Bell County, Texas, being all of Lots 15 and 16 in Block 2, of Morgan's Point Resort City, Section 16, Bell County, Texas, according to the Plat of record in Cabinet A, Slide 249-A of the Plat Records of Bell County, Texas, said Lots being described in deeds to John Choate, recorded in Document No. 2020029574 on June 19, 2020, and in Document No. 2020029715, recorded on June 19, 2020, and further described as follows:

BEGINNING at a 5/8" iron rod set with cap inscribed "JARROD SCHNELL RPLS#6869" at the southeast corner of said Lot 16, also being in the northwest line of Great West Loop (60 feet wide), and in the northeast line of the "Easement Green" as shown on said Plat;

Thence North 67°24'48" West (basis of bearings), along the southwest line of said Lot 16 and the northeast line of said Easement Green, at 70.00 feet passing through a 1/2" iron rod found at the southwest corner of said Lot 16 and the southeast corner of said Lot 15, a total distance of 80.00 feet to a steel spindle with washer stamped "6869" at a southerly corner of said Lot 15;

Thence 46.19 feet along the arc of a curve to the left, along the southwest line of said Lot 15 and the northeast line of said Easement Green, said arc having a radius of 264.48 feet, central angle 10° 00' 22", and chord bearing North 72°32'02" West, 46.13 feet to a 5/8" iron rod found at the southwest corner of said Lot 15;

Thence North 12°42'33" East, 90.00 feet along the west line of said Lot 15 to the northwest corner thereof in the southerly line of Dogwood Court (50 feet wide), from which a steel bolt found bears North 12° 42' 33" East, 0.88 feet and a 5/8" iron rod found, 0.5' high, bears North 29° 23' 50" East, 0.43 feet;

Thence 61.70 feet along the arc of a curve to the right, along the northerly line of said Lot 15 and the southerly line of said Dogwood Court, said arc having a radius of 354.48 feet, central angle 9° 58' 21", and chord bearing

South  $72^{\circ}27'25''$  East, 61.62 feet to a northerly corner of said Lot 15, from which a  $5/8''$  iron rod found bears North  $79^{\circ}38'29''$  East, 0.24 feet;

Thence South  $67^{\circ}24'48''$  East, along the northerly line of said Lot 15 and the southerly line of said Dogwood Court, at 10.00 feet passing through a  $5/8''$  iron rod found at the northeast corner of said Lot 15, also being the northwest corner of said Lot 16, and continuing along the northerly line of said Lot 16 a total distance of 70.00 feet to a  $5/8''$  iron rod set with cap inscribed "JARROD SCHNELL RPLS#6869" at a northerly corner of said Lot 16;

Thence 15.61 feet along the arc of a curve to the right, along the northeast line of said Lot 16, said arc having a radius of 10.00 feet, central angle  $89^{\circ}25'01''$ , and chord bearing South  $23^{\circ}09'49''$  East, 14.07 feet to a  $5/8''$  iron rod found at a northeasterly corner of said Lot 16 in the northwest line of said Great West Loop;

Thence South  $22^{\circ}38'31''$  West, 80.15 feet along the southeast line of said Lot 16 and the northwest line of said Great West Loop to the POINT OF BEGINNING and containing 0.2738 acre of land according to a field survey by Jarrod R. Schnell, RPLS No. 6869 for True North Land Surveying, LLC (FIRM#10194671) completed May 18, 2024. References to recorded documents are those of the Official Public Records of Bell County Texas. A survey plat accompanies this description.

PRELIMINARY – THIS  
DOCUMENT SHALL NOT BE  
RECORDED FOR ANY PURPOSE  
AND SHALL NOT BE USED OR  
VIEWED OR RELIED UPON AS A  
FINAL SURVEY DOCUMENT

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Jarrod R. Schnell, RPLS No. 6869, State of Texas

TRUE NORTH LAND SURVEYING LLC.

### Section 3. Definitions.

For the purpose of these regulations, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words in the singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. The word shall is mandatory and not Directory.

**Accessory Building:** A structure located on the same building site as the main building, the use of which is incidental to that of the main building.

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

**Apartment House:** See Multiple-Family Dwelling.

**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-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.

**Arbor (Trellis):** An open shelter typically constructed of latticework or exposed boards that often provide partial shade or support for climbing plants.

**Automobile:** See Motor Vehicle.

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

**Building Height:** The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or a deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

**Building Line:** A line parallel, or approximately parallel, to any front lot line at a specific distance therefrom, marking the minimum distance from the front lot or side lot line that a building may be erected.

**Building Site:** One or more adjacent lots, not separated by a public easement, upon which one dwelling and a maximum of two (2) accessory buildings, properly permitted by the City Building Official, are constructed or placed. Once an accessory building is placed on an adjacent lot(s), such lot(s) is(are) thereafter a part of the original building site and may not be sold separately, except when the accessory building has been removed from the lot(s) other than the lot containing the main building.

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

**Certificate of Occupancy:** An official certificate issued by the City through the Building Official 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.



**Church:** A building for regular assembly for religious worship which is used primarily and designed for such purpose and those accessory activities which are customarily associated therewith, and the place of residence for ministers, priests, nuns or rabbis on the premises (tax exempt as defined by State law). For the purposes of this ordinance, bible study and other similar activities which occur in a person's primary residence shall not apply to this definition.

**City:** The Corporation legally recognized by the State of Texas as the City of Morgan's Point Resort.

**City Building Official:** City Manager of the City of Morgan's Point Resort, Texas or appointed designee. 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 may recommend variances on setback lines and, side and rear lot lines. The City Building Official may also perform the duties of City Building Inspector.

**City Council:** The governing body of the City of Morgan's Point Resort, Texas.

**Code:** The Code of Ordinances of the City of Morgan's Point Resort, Texas.

**Community Center:** A building or complex of buildings that house cultural, recreational, athletic, or entertainment facilities owned and/or operated by a governmental agency or private nonprofit agency.

**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, as they exist now or as they may be amended.

**Comprehensive Plan:** Graphic and textual form policies which govern the future development of the City and which consists of various components governing specific geographic areas and functions and services of the City.

**Construction Trailer:** A box car, storage container, or mobile trailer used at a construction site where a residential or commercial building is being undertaken and utilized for temporary storage, nonresidential occupancy, or warehousing purposes.

**Coverage:** The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

**District:** Any Section or Sections of the City for which the regulations governing the use of land and the use, density, bulk, height and coverage of buildings and other structures are uniform for each class or kind of building therein.

**Dwelling:** Any building or portion thereof, which is designed or used as living quarters for one or more families, but not including mobile homes.

**Dwelling, Multiple-Family:** Attached dwelling units designed to be occupied by two or more families living independently of one another, exclusive of hotels or motels.

**Dwelling, Single-Family:** A detached dwelling designed to be occupied by not more than one family.

**Easement:** A right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, and may be dedicated by plat or implied by right. It is either for the benefit of appurtenant land such as for the right to cross, or egress, such a public utility easement, or in specific, such as an exclusive utility easement. An easement may or may not have descriptive metes and bounds.

**Family:** One or more persons related by blood, marriage, or adoption, or a group not to exceed four (4) persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit and living as a single housekeeping unit.

**Fence:** An artificially constructed barrier enclosing, separating, or screening areas of land, serving as a boundary, a means of protection, a buffer, a decorative element, a means of visually modifying the view, and/or for confinement. Except where otherwise required in this Code, regulations governing the height, location, and opacity of fences also applies to walls, hedges or landscaping used in lieu of a fence or in combination with a fence. A fence is any part of a fence including the base, footings, supporting columns, post, braces, structural members, or any other of its appendages.

**Fence Contracting:** Engaging in the business of erecting, maintaining, constructing, or reconstructing fences for which a permit is required.

**Fence Contractor:** A person who, for remuneration, erects, maintains, constructs, or reconstructs a fence on the premises of another. It does not mean the owner who owns or leases the premises on which the fence is located.

**Fence, Dilapidated:** a fence which is decayed, deteriorated, or has fallen into partial ruin.

**Garage, Parking:** Any building, or portion thereof, used for the storage of four (4) or more automobiles in which any servicing provided is incidental to the primary storage use, and where repair facilities are not provided.

**Garage Sale:** As used in this Chapter, "garage sale" shall mean the sale or trade, or offering for sale or trade, of unwanted or surplus goods, wares, merchandise or personal property of a household nature to the general public held (i) on the premises of a private single-family or multiple-family residence by the owner, owners, tenants or occupants thereof, or (ii) on the legally established premises of a charitable or religious organization, as described in paragraphs (3), (10) and (19) of Section 501(c) of Title 26 of the Internal Revenue Code, by the charitable or religious organization. The term "garage sale" shall include, but not be limited to, any patio sales, rummage sales, yard sales, lawn sales, moving sales, estate sales, or other sales similarly conducted at or upon any property zoned for or occupied by a residential use or on the legally established premises of a charitable or religious organization.

**Home Occupation:** An occupation or activity carried on by the inhabitants of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes. The occupation or activity must be conducted entirely within the dwelling or within a detached garage or accessory building. There shall be no repair, trading, selling or delivery of tangible products to customers on the premises. The home occupation or activity may not create increased traffic, obnoxious noise, odors, dust, smoke, fumes, vibrations or electrical interference. The operation of a business such as a beauty or barbershop, tearoom, restaurant, rest home, clinic, child care facility or bed and breakfast facility in this City shall not be deemed a home occupation.

**Improved Surface:** An all-weather surface such as asphalt, concrete, rock, stones, or other similar permanent hard surface material sufficient to prevent mud, dust and loose material from creating a hazardous condition on the roadway.

**Kennels:** An establishment with pens in which more than four (4) dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained or sold for commercial purposes.

**Landscaping:** Material such as, but not limited to, grass, groundcovers, shrubs, vines, hedges, trees or palms, and nonliving durable material, such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving.

**Loading Space:** An off-street space or berth used for the delivery and loading or unloading of vehicles.

**Lot:** Any plot of land occupied or intended to be occupied by one main building and the required parking, or a group of main buildings, and accessory building and uses, including such open spaces as are required by the Ordinance, and other laws or ordinances, and having its principal frontage on a public street or officially approved place.

**Lot, Combination:** A combination of two or more platted lots that are legally conjoined to form a single parcel.

**Lot, Corner:** A lot which has at least two (2) adjacent sides abutting for their full lengths on a street, provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five degrees (135°).

**Lot, Depth:** The mean horizontal distance between the front and rear lot lines.

**Lot, Frontage:** That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

**Lot, Interior:** A lot other than a corner lot.

**Lot, Irregular:** A single lot or parcel that is not rectangular or square in shape.

**Lot, Key:** A corner lot that is so designed that the lots located directly behind it face the side street of the corner lot and are not separated by an alley.

**Lot Line, Rear:** The lot line farthest from and most parallel to the front lot line. For triangular lots, the point opposite the front lot line shall be considered the rear lot line and have a value of zero.

**Lot Line, Side:** Any lot line not the front or rear lot line.

**Lot Lines or Property Lines:** The lines bounding a lot as defined herein.

**Lot Width:** The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line which is closest to the front lot line.

**Main Building:** The building or buildings on a lot which are occupied by the primary use.

**Manufactured Home:** A structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development (HUD), transportable in one or more Sections, which in traveling mode is eight body feet or more in width and forty or more body feet in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

**Masonry Construction:** Exterior construction materials including brick, stone, stucco, granite, marble, concrete and other built-up/tilt panels.

**Mobile Home:** A structure that was constructed before June 15, 1976, transportable in one or more Sections, which in the traveling mode is eight body feet or more in width and forty or more body feet in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

**Motor Vehicle:** Any device designed to carry one or more persons which is propelled or drawn by mechanical power, such as automobiles, trucks, motorcycles, and buses.

**Municipally Owned Facilities and Uses:** Any area, land, building, structure, and/or facility owned, used, leased, or operated by the City of Morgan's Point Resort, Texas.

**Nonconforming Use:** A building, structure, or use of land lawfully occupied at the time of the effective date of this ordinance or amendments thereto, but which does not conform to the use regulations of the district in which it is situated.

**Occupancy:** The use or intended use of the land or buildings by proprietors or tenants.

**Office, Professional and General Administrative:** A room or group of rooms used for the provision of executive, management, or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.

**Opacity:** The degree of openness which light or view is blocked measured perpendicular to the fence for each fence section between supports.

**Open Storage (Also Outside Storage):** The keeping, displaying, or storing, outside a building, of any new or used goods, material, merchandise, or equipment on a lot or tract for more than twenty-four (24) hours.

**Parcel:** A single lot or group of lots identified by a unique Property ID assigned by the Bell County Appraisal District.

**Parking Lot:** An off-street, ground level area, usually surfaced and improved, for the temporary storage of operational motor vehicles and unique vehicles.

**Plat:** A plan of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the subdivision standards of the City of Morgan's Point Resort and subject to approval by the Planning & Zoning Commission and City Council and filed in the plat records of Bell County.

**Plot:** A single unit or parcel of land or a parcel of land that can be identified and referenced to a recorded plat or map.

**Premises:** Land together with any buildings or structures situated thereon.

**Public or Municipal Building or Facility:** Any building (except a building used primarily for general office purposes) which is owned, leased, primarily used and/or primarily occupied by the State of Texas, the United States, the City of Morgan's Point Resort, or any subdivision or agency of the State of Texas, the United States or the City of Morgan's Point Resort, or by any public or quasi-public utility.

**Public Right-of-Way (ROW):** A strip of land which is used as a roadbed for street, alley or a highway and is intended for use by the public at large, or land set aside as an easement or in fee, either by purchase, agreement or condemnation. Generally, describes an area used for the provision of streets and utilities. Unless otherwise specified, the term right-of-way shall refer to a public right-of-way.

**Pumphouse:** A structure housing pumps for irrigation purposes with a base not larger than sixteen (16) square feet and a height not greater than four (4) feet.

**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). 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.

**Repair:** A repair to a fence shall be defined as maintenance to a fence where replacement of materials does not exceed fifty (50%) percent of the fence and does not change the scope, location or dimensions of the fence. Repairs shall be made using the same material, or material with comparable composition, color, size, shape and quality of the original fence to which the repair is being made.

**Residence:** Same as a dwelling; also, when used with District, an area of residential regulations.

**Residential District:** District where the primary purpose is residential use.

**Restaurant (Drive-In Type):** An eating establishment where primarily food or drink is served to customers in motor vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in automobiles on or near the restaurant premises.

**Restaurant or Cafeteria:** An eating establishment where customers are primarily served at tables or self-served and food is consumed on the premises, which may include a drive-through window.

**Retail or Service, Incidental:** The rendering of incidental retailing or services incidental to the primary use. In the Office District, such uses include a barber or beauty shop, smoke shop, candy counter, restaurant, pharmacy or other incidental activity secondary to the primary office occupancy.



**Retail Stores and Shops:** An establishment engaged in the selling of goods and merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

**Retaining Wall:** A wall not laterally supported at the top that resists lateral soil loads and other imposed loads.

**Room:** A building or portion of a building which is arranged, occupied, or intended to be occupied as living or sleeping quarters but not including toilet or cooking facilities.

**Screening:** A method of visually modifying the view of a structure, building, feature or use by methods such as fencing, walls, berms, densely planted vegetation or a combination of these methods.

**Screening Wall:** A wall or architectural extension that may be part of the structure or a stand alone feature that screens from view the interior of a property so that visibility through the wall shall be prevented from the exterior side of the wall or architectural extension.

**Setback:** The distance from the property line or the right-of-way line of all streets adjacent to the premises on which a fence is located to the part of the fence closest to the property line or right-of-way line.

**Shopping Center:** A group of primarily retail and service commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.

**Short Term Rental:** A residential property, including a single-family dwelling or a unit in a condominium, cooperative, or time-share, that is rented wholly or partly for a fee for a period not longer than 30 consecutive days.

**Sign:** Any device, flag, light, figure, letter, word, message, symbol, plaque, or poster visible from outside the premises on which it is located and designed to inform or attract the attention of persons not on that premises, including searchlights.

**Site-Built:** A building that is built on the building site for which a building permit was issued and which does not include any pre-assembled, pre-plumbed or pre-wired rooms constructed away from the site.

**Story:** That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it. The average height for a story shall be defined as twelve feet (12'). The definition of a story does not include parapets, gables, and other normal roof structures.

**Story, Half:** A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet (3') above the top floor level, and in which space not more than two-thirds ( $\frac{2}{3}$ ) of the floor area is finished off for use. A half story containing independent apartment or living quarters shall be counted as a full story.

**Street:** Any dedicated public thoroughfare which affords the principal means of access to abutting property. A street is termed a major thoroughfare or arterial when the right-of-way is seventy (70) feet or greater.

**Street, Intersection:** Any street which joins another Street at an angle, whether or not it crosses the other.

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

**Structure:** Anything constructed or erected, the use of which requires location on the ground or which is attached to something having a location on the ground (also see definition of Building).

**Trailer:** Every vehicle designated or used to carry its load wholly or partially on its own structure and to be drawn by a motor vehicle, except devices used exclusively upon stationary rails or tracks.

**Trailer or Mobile Home Space:** A plot of ground within a mobile home park, trailer court, or mobile home subdivision designed for the accommodation of one mobile home.

**Unique Vehicles:** Alternative vehicles as defined by the Texas Department of Motor Vehicles (TxDMV) including off-highway vehicles, golf carts, and neighborhood electric vehicles (NEVs).

**Variance:** An adjustment in the application of the specific regulations of the Zoning Ordinance to a particular parcel of property which, because of special conditions or circumstances of hardship peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district.

**Vehicle:** A device that can be used to transport or draw persons or property on a highway. The term does not include a device used exclusively on stationary rails or tracks or manufactured housing as that term is defined by the Texas Manufactured Housing Standards Act.

**Vision or Visibility Triangle:** The corner visibility triangle is defined at an intersection by extending the two curblines from their point of intersection to a distance. These two points are then connected with an imaginary line to form the corner visibility triangle as shown in Figure 3. If there are no curbs existing, then the triangular area shall be formed by extending the property lines for distance of ten feet (10') from their point of intersection. If there are curbs existing, then the triangular area shall be formed by extending the curblines for distance of thirty feet (30') from their point of intersection except where one or more of the streets is listed as an arterial or collector street which requires forty feet (40').

**Yard:** An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically provided in this Ordinance that the building or structure may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used.

**Yard, Front:** A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building.

**Yard, Rear:** The area extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of the main building. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

**Yard, Side:** The area between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building.

**Zoning Commission:** A board, appointed by the City Council as an advisory body, authorized to recommend changes in the zoning and other planning functions as delegated by the City Council. Also referred to as the "Commission."

**Zoning District Map:** The official map upon which the boundaries of the various Zoning Districts are drawn and which is an integral part of the Zoning Ordinance.

(Ord. No. 2014-01, 1-14-14; Ord. No. 2014-16, 12-9-14; Ord. No. 2019-10, § 1, 8-20-19; Ord. No. 2020-11, 10-13-20; Ord. No. 2021.08 , § 1(Exh. A), 12-14-21)

### Section 3. Definitions.

For the purpose of these regulations, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the ~~future~~ future tense; words in the singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. The word shall is mandatory and not Directory.

**Accessory Building:** A structure located on the same building site as the main building, the use of which is incidental to that of the main building.

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

**Apartment House:** See Multiple-Family Dwelling.

**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-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.

**Arbor (Trellis):** An open shelter typically constructed of latticework or exposed boards that often provide partial shade or support for climbing plants.

**Automobile:** See Motor Vehicle.

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

**Building Height:** The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or a deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

**Building Line:** A line parallel, or approximately parallel, to any front lot line at a specific distance therefrom, marking the minimum distance from the front lot or side lot line that a building may be erected.

**Building Site:** One or more adjacent lots, not separated by a public easement, upon which one dwelling and a maximum of ~~four (4)~~ two (2) accessory buildings, properly permitted by the City Building Official, are constructed or placed. Once an accessory building is placed on an adjacent lot(s), such lot(s) is(are) thereafter a part of the original building site and may not be sold separately, except when the accessory building has been removed from the lot(s) other than the lot containing the main building.

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

**Certificate of Occupancy:** An official certificate issued by the City through the Building Official 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.

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Church: A building for regular assembly for religious worship which is used primarily and designed for such purpose and those accessory activities which are customarily associated therewith, and the place of residence for ministers, priests, nuns or rabbis on the premises (tax exempt as defined by State law). For the purposes of this ordinance, bible study and other similar activities which occur in a person's primary residence shall not apply to this definition.

City: The Corporation legally recognized by the State of Texas as the City of Morgan's Point Resort.

City Building Official: City Manager of the City of Morgan's Point Resort, Texas or appointed designee. 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-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 may recommend variances on setback lines and, side and rear lot lines. The City Building Official may also perform the duties of City Building Inspector.

City Council: The governing body of the City of Morgan's Point Resort, Texas. References to the "City" shall mean the City of Morgan's Point Resort.

Code: The Code of Ordinances of the City of Morgan's Point Resort, Texas.

Community Center: A building or complex of buildings that house cultural, recreational, athletic, or entertainment facilities owned and/or operated by a governmental agency or private nonprofit agency.

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, as they exist now or as they may be amended.

**Commented [JM1]:** Checked the reference and it is correct.

Comprehensive Plan: Graphic and textual form policies which govern the future development of the City and which consists of various components governing specific geographic areas and functions and services of the City.

Construction Trailer: A box car, storage container, or mobile trailer used at a construction site where a residential or commercial building is being undertaken and utilized for temporary storage, nonresidential occupancy, or warehousing purposes.

Coverage: The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

Dilapidated Fence: a fence which is decayed, deteriorated, or has fallen into partial ruin.

District: Any Section or Sections of the City for which the regulations governing the use of land and the use, density, bulk, height and coverage of buildings and other structures are uniform for each class or kind of building therein.

Dwelling: Any building or portion thereof, which is designed or used as living quarters for one or more families, but not including mobile homes.

Dwelling, Multiple-Family: Attached dwelling units designed to be occupied by three-two or more families living independently of one another, exclusive of hotels or motels.

Dwelling, Single-Family: A detached dwelling designed to be occupied by not more than one family.

Easement: A right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, and may be dedicated by plat or implied by right. It is either for the benefit of appurtenant land such as for the right to cross, or egress, such a public utility easement, or in specific, such as an exclusive utility easement. An easement may or may not have descriptive metes and bounds.

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**Family:** One or more persons related by blood, marriage, or adoption, or a group not to exceed four (4) persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit and living as a single housekeeping unit.

**Fence:** An artificially constructed barrier enclosing, separating, or screening areas of land, serving as a boundary, a means of protection, a buffer, a decorative element, a means of visually modifying the view, and/or for confinement. Except where otherwise required in this Code, regulations governing the height, location, and opacity of fences also applies to walls, hedges or landscaping used in lieu of a fence or in combination with a fence. A fence is any part of a fence including the base, footings, supporting columns, post, braces, structural members, or any other of its appendages.

**Fence Contracting:** Engaging in the business of erecting, maintaining, constructing, or reconstructing fences for which a permit is required.

**Fence Contractor:** A person who, for remuneration, erects, maintains, constructs, or reconstructs a fence on the premises of another. It does not mean the owner who owns or leases the premises on which the fence is located.

~~Fence, Dilapidated: a fence which is decayed, deteriorated, or has fallen into partial ruin.~~

**Garage, Parking:** Any building, or portion thereof, used for the storage of four (4) or more automobiles in which any servicing provided is incidental to the primary storage use, and where repair facilities are not provided.

**Garage Sale:** As used in this Chapter, "garage sale" shall mean the sale or trade, or offering for sale or trade, of unwanted or surplus goods, wares, merchandise or personal property of a household nature to the general public held (i) on the premises of a private single-family or multiple-family residence by the owner, owners, tenants or occupants thereof, or (ii) on the legally established premises of a charitable or religious organization, as described in paragraphs (3), (10) and (19) of Section 501(c) of Title 26 of the Internal Revenue Code, by the charitable or religious organization. The term "garage sale" shall include, but not be limited to, any patio sales, rummage sales, yard sales, lawn sales, moving sales, estate sales, or other sales similarly conducted at or upon any property zoned for or occupied by a residential use or on the legally established premises of a charitable or religious organization.

**Home Occupation:** An occupation or activity carried on by the inhabitants of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes. The occupation or activity must be conducted entirely within the dwelling or within a detached garage or accessory building. There shall be no repair, trading, selling or delivery of tangible products to customers on the premises. The home occupation or activity may not create increased traffic, obnoxious noise, odors, dust, smoke, fumes, vibrations or electrical interference. The operation of a business such as a beauty or barbershop, tearoom, restaurant, rest home, clinic, child care facility or bed and breakfast facility in this City shall not be deemed a home occupation.

~~HUD Code Manufactured Home (Manufactured Home): A structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more Sections, which in traveling mode is eight body feet or more in width and forty or more body feet in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein.~~

**Improved Surface:** An all-weather surface such as asphalt, concrete, rock, stones, or other similar permanent hard surface material sufficient to prevent mud, dust and loose material from creating a hazardous condition on the roadway.

**Kennels ~~(Indoor Pens)~~:** An establishment with ~~indoor~~ pens in which more than four (4) dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained or sold for commercial purposes.

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~~Kennels (Outdoor Pens): An establishment with outdoor pens in which more than four (4) dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained or sold for commercial purposes.~~

Landscaping: Material such as, but not limited to, grass, groundcovers, shrubs, vines, hedges, trees or palms, and nonliving durable material ~~commonly used in landscaping~~, such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving.

Loading Space: An off-street space or berth used for the delivery and loading or unloading of vehicles.

Lot: Any plot of land occupied or intended to be occupied by one main building and the required parking, or a group of main buildings, and accessory building and uses, including such open spaces as are required by the Ordinance, and other laws or ordinances, and having its principal frontage on a public street or officially approved place.

Lot, Combination: A combination of two or more platted lots that are legally conjoined to form a single parcel.

Lot, Corner: A lot which has at least two (2) adjacent sides abutting for their full lengths on a street, provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five degrees (135°).

Lot, Depth: The mean horizontal distance between the front and rear lot lines.

Lot, Frontage: That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

Lot, Interior: A lot other than a corner lot.

Lot, Irregular: A single lot, ~~or~~ parcel, ~~or irregular lot~~ that is not rectangular or square in shape.

Lot, Key: A corner lot that is so designed that the lots located directly behind it face the side street of the corner lot and are not separated by an alley.

Lot Line, Rear: The lot line farthest from and most parallel to the front lot line. For triangular lots, the point opposite the front lot line shall be considered the rear lot line and have a value of zero.

Lot Line, Side: Any lot line not the front or rear lot line.

Lot Lines or Property Lines: The lines bounding a lot as defined herein.

Lot Width: The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line which is closest to the front lot line.

Main Building: The building or buildings on a lot which are occupied by the primary use.

Manufactured Home: A structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development (HUD), transportable in one or more Sections, which in traveling mode is eight body feet or more in width and forty or more body feet in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

Masonry Construction: Exterior construction materials including brick, stone, stucco, granite, marble, concrete and other built-up/tilt panels.

Mobile Home: A structure that was constructed before June 15, 1976, transportable in one or more Sections, which in the traveling mode is eight body feet or more in width and forty or more body feet in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

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Motor Vehicle: Any device designed to carry one or more persons which is propelled or drawn by mechanical power, such as automobiles, trucks, motorcycles, and buses.

~~Multiple Family Building: (Same as Dwelling, Multiple Family).~~

~~Multiple Family Residence: (Same as Dwelling, Multiple Family).~~

Municipally Owned Facilities and Uses: Any area, land, building, structure, and/or facility owned, used, leased, or operated by the City of Morgan's Point Resort, Texas.

Nonconforming Use: A building, structure, or use of land lawfully occupied at the time of the effective date of this ordinance or amendments thereto, but which does not conform to the use regulations of the district in which it is situated.

Occupancy: The use or intended use of the land or buildings by proprietors or tenants.

Office, Professional and General Administrative: A room or group of rooms used for the provision of executive, management, or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.

Opacity: ~~is the~~ The degree of openness which light or view is blocked measured perpendicular to the fence for each fence Section-section between supports.

Open Storage (Also Outside Storage): The keeping, displaying, or storing, outside a building, of any new or used goods, material, merchandise, or equipment on a lot or tract for more than twenty-four (24) hours.

Parcel: A single lot or group of lots identified by a unique Property ID assigned by the Bell County Appraisal District.

Parking Lot: An off-street, ground level area, usually surfaced and improved, for the temporary storage of operational motor vehicles and unique vehicles.

Plat: A plan of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the subdivision standards of the City of Morgan's Point Resort and subject to approval by the Planning & Zoning Commission and City Council and filed in the plat records of Bell County.

Plot: A single unit or parcel of land or a parcel of land that can be identified and referenced to a recorded plat or map.

Premises: Land together with any buildings or structures situated thereon.

Public or Municipal Building or Facility: Any building (except a building used primarily for general office purposes) which is owned, leased, primarily used and/or primarily occupied by the State of Texas, the United States, the City of Morgan's Point Resort, or any subdivision or agency of the State of Texas, the United States or the City of Morgan's Point Resort, or by any public or quasi-public utility.

Public Right-of-Way (ROW): A strip of land which is used as a roadbed for street, alley or a highway and is intended for use by the public at large, or land set aside as an easement or in fee, either by purchase, agreement or condemnation. Generally, describes an area used for the provision of streets and utilities. Unless otherwise specified, the term right-of-way shall refer to a public right-of-way.

Pumphouse: A structure housing pumps for irrigation purposes with a base not larger than sixteen (16) square feet and a height not greater than four (4) feet.

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). Also see heavy load vehicle. A

**Commented [JM2]:** The US Department of Labor separates Office Professional and Healthcare occupations which is probably why the definition is worded this way.

I am not sure a new separate definition is needed because there is nothing in the current ordinances specifically about healthcare/medical offices. If that is added in at a later date then the definitions can be updated too.

**Commented [JM3]:** Legal term that means absolute ownership of land

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.

**Repair:** A repair to a fence shall be defined as maintenance to a fence where replacement of materials does not exceed fifty (50%) percent of the fence and does not change the scope, location or dimensions of the fence. Repairs shall be made using the same material, or material with comparable composition, color, size, shape and quality of the original fence to which the repair is being made.

**Residence:** Same as a dwelling; also, when used with District, an area of residential regulations.

**Residential District:** District where the primary purpose is residential use.

**Restaurant (Drive-In Type):** An eating establishment where primarily food or drink is served to customers in motor vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in automobiles on or near the restaurant premises.

**Restaurant or Cafeteria:** An eating establishment where customers are primarily served at tables or self-served and food is consumed on the premises, which may include a drive-through window.

**Retail or Service, Incidental:** The rendering of incidental retailing or services incidental to the primary use. In the Office District, such uses include a barber or beauty shop, smoke shop, candy counter, restaurant, pharmacy or other incidental activity secondary to the primary office occupancy.

**Retail Stores and Shops:** An establishment engaged in the selling of goods and merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

**Retaining Wall:** A wall not laterally supported at the top that resists lateral soil loads and other imposed loads.

**Room:** A building or portion of a building which is arranged, occupied, or intended to be occupied as living or sleeping quarters but not including toilet or cooking facilities.

**Screening:** A method of visually modifying the view of a structure, building, feature or use by methods such as fencing, walls, berms, densely planted vegetation or a combination of these methods.

**Screening Wall:** A wall or architectural extension that may be part of the structure or a stand alone feature that screens from view the interior of a property so that visibility through the wall shall be prevented from the exterior side of the wall or architectural extension.

**Setback:** The distance from the property line or the right-of-way line of all streets adjacent to the premises on which a fence is located to the part of the fence closest to the property line or right-of-way line.

**Shopping Center:** A group of primarily retail and service commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.

**Short Term Rental:** A residential property, including a single-family dwelling or a unit in a condominium, cooperative, or time-share, that is rented wholly or partly for a fee for a period not longer than 30 consecutive days.

**Sign:** Any device, flag, light, figure, letter, word, message, symbol, plaque, or poster visible from outside the premises on which it is located and designed to inform or attract the attention of persons not on that premises, including searchlights.

**Site-Built:** A building that is built on the building site for which a building permit was issued and which does not include any pre-assembled, pre-plumbed or pre-wired rooms constructed away from the site.

**Story:** That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling

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next above it. The average height for a story shall be defined as twelve feet (12'). The definition of a story does not include parapets, gables, and other normal roof structures.

**Story, Half:** A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet (3') above the top floor level, and in which space not more than two-thirds ( $\frac{2}{3}$ ) of the floor area is finished off for use. A half story containing independent apartment or living quarters shall be counted as a full story.

**Street:** Any dedicated public thoroughfare which affords the principal means of access to abutting property. A street is termed a major thoroughfare or arterial when the right-of-way is seventy (70) feet or greater.

**Street, Intersection:** Any street which joins another Street at an angle, whether or not it crosses the other.

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

**Structure:** Anything constructed or erected, the use of which requires location on the ground or which is attached to something having a location on the ground (also see definition of Building).

**Trailer:** Every vehicle designated or used to carry its load wholly or partially on its own structure and to be drawn by a motor vehicle, except devices used exclusively upon stationary rails or tracks.

**Trailer or Mobile Home Space:** A plot of ground within a mobile home park, trailer court, or mobile home subdivision designed for the accommodation of one mobile home.

[Unique Vehicles: Alternative vehicles as defined by the Texas Department of Motor Vehicles \(TxDMV\) including off-highway vehicles, golf carts, and neighborhood electric vehicles \(NEVs\).](#)

**Variance:** An adjustment in the application of the specific regulations of the Zoning Ordinance to a particular parcel of property which, because of special conditions or circumstances of hardship peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district.

**Vehicle:** A device that can be used to transport or draw persons or property on a highway. The term does not include a device used exclusively on stationary rails or tracks or manufactured housing as that term is defined by the Texas Manufactured Housing Standards Act.

**Vision or Visibility Triangle:** The corner visibility triangle is defined at an intersection by extending the two curblines from their point of intersection to a distance. These two points are then connected with an imaginary line to form the corner visibility triangle as shown in Figure 3. If there are no curbs existing, then the triangular area shall be formed by extending the property lines for distance of ten feet (10') from their point of intersection. If there are curbs existing, then the triangular area shall be formed by extending the curblines for distance of thirty feet (30') from their point of intersection except where one or more of the streets is listed as an arterial or collector street which requires forty feet (40').

**Yard:** An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically provided in this Ordinance that the building or structure may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used.

**Yard, Front:** A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building.

**Yard, Rear:** The area extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of the main building. On

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both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Side: The area between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building.

Zoning Commission: A board, appointed by the City Council as an advisory body, authorized to recommend changes in the zoning and other planning functions as delegated by the City Council. Also referred to as the "Commission."

Zoning District Map: The official map upon which the boundaries of the various Zoning Districts are drawn and which is an integral part of the Zoning Ordinance.

(Ord. No. 2014-01, 1-14-14; Ord. No. 2014-16, 12-9-14; Ord. No. 2019-10, § 1, 8-20-19; Ord. No. 2020-11, 10-13-20; Ord. No. 2021.08 , § 1(Exh. A), 12-14-21)