

TOWN OF ANNETTA SOUTH

PARKER COUNTY
TEXAS

NO. 008
ZONING ORDINANCE

EFFECTIVE AS OF
10 JUNE 1982

Submitted to the City Council of Annetta South, Texas on
9 April 1981 by the Annetta South Planning and Zoning
Commission:

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ANNETTA SOUTH, TEXAS

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ORDINANCE NO. 008.

AN ORDINANCE ESTABLISHING ZONING DISTRICTS, REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR OR USE OF BUILDINGS, STRUCTURES AND LAND WITHIN SUCH DISTRICTS; ADOPTING A ZONING MAP; PROVIDING FOR A METHOD OF ENFORCEMENT AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THE ORDINANCE; PROVIDING FOR A CERTIFICATE OF OCCUPANCY AND COMPLIANCE; DEFINING CERTAIN WORDS AND PROVIDING FOR THE INTERPRETATION OF THE ORDINANCE; PROVIDING FOR A BOARD OF ADJUSTMENT, FOR AMENDMENT AND CHANGES, AND A SAVINGS CLAUSE AND EFFECTIVE DATE.

WHEREAS, the Board of Aldermen of Annetta South deems it necessary in order to lessen congestion on streets, to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of property and encourage the most appropriate use of land throughout the City, all in accordance with a comprehensive plan, that the hereinafter contained provisions of this ordinance should be passed, promulgated and enforced; and,

WHEREAS, the Board of Aldermen deems the provisions of the present ordinances inadequate to accomplish the foregoing objects; and,

WHEREAS, the Planning and Zoning Commission has recommended the boundaries of districts and regulations as herein contained, after due notice to all owners of property affected by changes from the previous zoning regulations and after public hearing, as required by law; and,

WHEREAS, the Board of Aldermen has given publication notice and held public hearing with respect to this comprehensive zoning ordinance, as required by law; therefore,

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF ANNETTA SOUTH, TEXAS:

SECTION 1. TITLE OR ORDINANCE

This ordinance shall be known and may be cited as the "Zoning Ordinance of Annetta South, Texas."

SECTION 2. INTERPRETATION AND PURPOSES

In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements adopted for the promotion of the public health, safety and welfare. The zoning regulations and districts as herein established, have been made in accordance with a comprehensive plan, for the purpose of promoting health, safety, morals and the general welfare of Annetta South and they have been designed, among other things to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to provide adequate light and pure air; to avoid undue concentration of population, and to facilitate adequate provisions for transportation, water, sewerage, schools, parking areas and other public requirements.

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SECTION 3. SCOPE

It is not intended by this ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except as the same may be specifically repealed by the terms of this ordinance, or with private restrictions placed upon property by covenant, deed, easement or other private agreement. Where this ordinance imposes a greater restriction upon land, buildings or structures than is imposed or required by other laws, ordinances, deeds, covenants or agreements, the provisions of this ordinance shall govern.

SECTION 4. DEFINITIONS

For the purpose of this ordinance, certain terms and words are herewith defined as follows:

Words used in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure", the word "shall" is mandatory, and not directory. The words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied." The word "lot" includes the words "plot" or "parcel."

ACCESSORY BUILDING OR USE: A subordinate building on the same lot, or a portion of the main building, the use of which is clearly incidental to that of the main building; or a use customarily incidental to the main use of the property.

ALLEY: A way which affords only a secondary means of access to abutting property.

APARTMENT HOTEL: A multiple-family dwelling which furnishes for the use of its tenants services ordinarily furnished by hotels, but the privileges of which are not primarily available to the public.

BASEMENT: A story below the first story as hereinafter defined. (See STORY.)

BOARDING HOUSE OR LODGING HOUSE: A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.

BUILDABLE AREA: The portion of a lot remaining after required yards have been provided.

BUILDING: A structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels.

BUILDING, HEIGHT OF: The vertical distance measured from the curb level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof, provided, however, that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

CLINIC: Offices for one or more physicians, surgeons, or dentists engaged in treating the sick or injured, but not including rooms for the abiding of patients.

COMMUNITY CENTER: A building dedicated to social or recreational activities, serving the City or a neighborhood thereof and owned and operated by Annette South, or by a nonprofit organization dedicated to promoting the health, safety, morals or general welfare of the City.

COURT: An open unoccupied space other than a yard, on the same lot with a building and which is bounded on three or more sides by the building.

DAY NURSERY: A place where six or more children are left for care a part of the twenty-four hours of the day.

DRIVE-IN RESTAURANT OR REFRESHMENT STAND: Any place or premises used for sale dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

DWELLING, ONE FAMILY: A detached residential dwelling unit other than a mobile home, designed for and occupied by one family only.

DWELLING, TWO FAMILY: A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

DWELLING, THREE FAMILY: A detached residential building containing three dwelling units, designed for occupancy by not more than three families.

DWELLING, FOUR FAMILY: A Detached residential building containing four dwelling units, designed for occupancy by not more than four families.

DWELLING, MULTIPLE-FAMILY: A residential building designed for or occupied by five or more families, with the number of families in residence not exceeding the number of dwelling units provided.

DWELLING, MOBILE HOME: A detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities, and the like. A travel trailer is not to be considered as a mobile home.

DWELLING UNIT: One room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

FAMILY: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families.

FRONTAGE: All the property abutting on one side of the street between two intersecting streets, measured along the street line.

GARAGE, PRIVATE: An accessory building for storage only of motor vehicles, generally passenger automobiles belonging to the occupant of the same premises.

GARAGE, PUBLIC: A building other than a private or storage garage used for the care or repair of self-propelled vehicles or where such vehicles are kept for remuneration, hire or sale.

GARAGE, STORAGE: A building or portion thereof, other than a private garage, used exclusively for parking or storage of self-propelled vehicles, but with no other services provided except facilities for washing.

HOBBY: An accessory use carried on by the occupant of the premises in a shop, studio or other work room, purely for personal enjoyment, amusement or recreation; provided, that the articles produced or constructed in said shop, studio, or work room are not sold either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes.

HOME OCCUPATION: An occupation conducted in a dwelling unit, provided that:

- a. No person other than members of the family residing on the premises shall be engaged in such occupation;
- b. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
- c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one square foot in area, nonilluminated and mounted flat against the wall of the principal building;
- d. No home occupation shall be conducted in any accessory building;
- e. There shall be no sales in connection with such home occupation;
- f. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
- g. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- h. The operation of beauty culture schools, beauty parlors, or barber shops shall not be considered home occupations.

HOTEL: One or more buildings containing individual living or sleeping units specially designed as temporary quarters for transient guests, including provisions for meals and personal services. A hotel includes a tourist hotel, a motor hotel, and a motel, but does not include an apartment hotel.

JUNK: The term "junk" is defined to mean and shall include scrap iron, scrap tin, scrap brass, scrap copper, scrap lead or scrap zinc and all other scrap metals and their alloys and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old cotton, or used machinery, used tools, used appliances, used fixtures, used utensils, used boxes or crates, used pipe or pipe fittings, used automobile or airplane tires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition; subject to being dismantled for junk.

KENNEL: Any lot or premises on which four or more dogs, cats or other domestic animals, at least four months of age, are housed or accepted for boarding, trimming, grooming and/or bathing for which remuneration is received.

KINDERGARTEN: A school other than a public school for children of prepublic school age in which constructive endeavors, object lessons and helpful games are prominent features of the curriculum.

LEGAL NONCONFORMING USE, BUILDING OR YARD: A use, building or yard existing legally (See Section 16) at the time of the passage of this ordinance which does not by reason of design, use, or dimension conform to the regulations of the district in which it is situated. A use, building or yard established after the passage of this ordinance which does not conform to regulations of the district in which it is situated shall be considered an illegal nonconforming use.

LOT: For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- a. A single lot of record;
- b. A portion of a lot of record;
- c. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record;
- d. A parcel of land described by metes and bounds;

provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this ordinance.

LOT FRONTAGE: The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under Yards in this section.

LOT MEASUREMENTS: Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.



Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided however that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80% of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where the 80% requirement shall not apply.

LOT OF RECORD: A lot which is part of a subdivision recorded in the office of the County Clerk of Parker County, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

PARKING SPACE, OFF-STREET: For the purposes of this ordinance, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk, or alley, and so that any automobile may be parked and unparked without moving another.

For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinance and regulations of the City.

PRIVATE CLUB: An association of persons meeting regularly for their mutual benefit or for the promotion of some common purpose, supported jointly through payment of membership dues, all members having the right to vote on policies and business.

SERVANTS' QUARTERS: An accessory building located on the same lot or grounds with the main building, and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile.

SPECIAL EXCEPTION: A special exception is a use that would not be appropriate generally or without restriction throughout the zoning division or district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning division or district as special exceptions, where specific provision for such special exceptions is made in this zoning ordinance.

STABLE, PRIVATE: A separate accessory building for the keeping of horses or mules owned by the occupants of the premises and not kept for remuneration, hire or sale.

STABLE, RIDING: A structure in which horses or mules used for pleasure riding or driving are housed, boarded or kept for hire, including a riding track.

STORY: That part of a building included between the surface of one floor and the surface of the floor next above, or if there be no floor above, that part of the building which is above the surface of the highest floor thereof. A top story attic is a half-story when the main line of the eave is not above the middle of the



interior height of such story. The first story is the highest story having its interior floor surface not more than four feet above the curb level of the street at the center front of the building, or the average elevation of the finished grade along the front of the building where it set back from the street.

STREET: A public or private thoroughfare which affords principal means of access to abutting property.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or that it be attached to something having a location on the ground.

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

TRAVEL TRAILER: A vehicular, portable structure built on a chasis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet.

VARIANCE: A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

YARD: A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from 30" above the general ground level of the graded lot upward, provided however that fences, walls, poles, posts, and other customary yard accessories, ornaments, furniture, and roof overhangs not exceeding 30" may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

YARD, FRONT: A yard extending between side lot lines across the front of a lot adjoining a public street.

In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the administrative official may waive the requirement for the normal front yard and substitute therefor a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.



In the case of reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

In the case of corner lots with more than two frontages, the administrative official shall determine the front yard requirements subject to the following limitations:

- a. At least one front yard shall be provided having the full depth required generally in the district;
- b. No other front yard on such lot shall have less than half the full depth required generally.

Depth of required front yards shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding. Front and rear front yard lines shall be parallel.

YARD, SIDE: A yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after full- and half-depth front yards have been established shall be considered side yards.

Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

YARD, REAR: A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.

Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

YARD, SPECIAL: A yard behind any required yard adjacent to a public street, required to perform the same functions as a side or rear yard, but adjacent to a lot line so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the administrative official shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.

SECTION 5. DISTRICTS AND DISTRICT BOUNDARIES

In order to regulate and restrict the location of trades and industries and the location of buildings erected, reconstructed, altered or enlarged for specified uses, to regulate and limit the height and bulk of buildings hereafter erected, reconstructed, altered or enlarged, to regulate and determine the area of yards and other open spaces and to regulate and limit the density of population, the City of Annetta South is hereby divided into ten zoning districts to be known as follows:



"CF" Community Facilities District, or District "CF"

"A" One Family District, or District "A"

"B" One Family District, or District "B"

"C" Multiple Family District, or District "C"

"D" Multiple Family District, or District "D"

"E" Restricted Commercial District, or District "E"

"F" Commercial District, or District "F"

"G" Commercial District, or District "G"

"H" Industrial District, or District "H"

"I" Industrial District, or District "I"

The term "more restricted district" means one with fewer permitted uses and the term "less restricted district" means one with more permitted uses.

The district aforesaid, and the boundaries of such districts, shall be as hereinafter described, and as shown upon the map attached hereto, and made a part of this ordinance, said map being designated "Zoning Map of Annetta South, Texas," and said map and all notations, references and other information shown thereon shall be a part of this ordinance the same as if all such matters and information were fully described herein. The original of said map shall bear even date with the passing of this ordinance and shall be signed by the Mayor and attested by the City Secretary, under the seal of Annetta South, Texas; said original map shall be kept in the office of the City Secretary in the Annetta South City Hall, and a replica thereof shall be produced upon paper in such reduced scale as will permit its being attached to this ordinance.

SECTION 6. COMMUNITY FACILITIES DISTRICT

The "CF" Community Facilities District permits those institutional and related uses which are established in response to the health, safety, educational and welfare needs of the community.

A. USE REGULATIONS

In the "CF" Community Facilities District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged except for one or more of the following uses:

1. Principal Uses - The following uses may be established as principal uses upon compliance with the provisions of Development Controls, below:

- a. Private elementary and secondary schools whose curricula satisfy the requirements of the State Public School Laws and the regulations of the State Department of Education.
- b. Higher Education Institutions: Junior and senior colleges, universities, conservatories and seminaries, offering curricula recognized by collegiate, academic and professional organization accrediting boards.



- c. Museums, libraries, fine arts centers, and similar cultural facilities not otherwise permitted.
- d. Golf courses (except commercially operated miniature golf courses and commercially operated golf driving ranges) on a site containing a total area of not less than forty (40) acres; parks, playgrounds, community centers or country clubs not otherwise permitted.
- e. Institutions, rehabilitation and training centers operated or sponsored by chartered educational, religious or philanthropic organizations, but excluding uses such as trade schools, which are operated primarily on a commercial basis.
- f. Medical Care Facilities: Nursing and care homes; hospitals with their related facilities and supportive retail and personal services uses operated by or under the control of the hospital primarily for the convenience of patients, staff and visitors.
- g. Health Service Facilities: Clinics, offices of dentists, doctors and other practitioners of the healing arts licensed or similarly recognized under the laws of the State of Texas; offices for specialists in supportive health service fields such as physical, audio and speech therapy, podiatry, and psychological testing and counseling; dental, medical and optical laboratories and blood banks; ambulance dispatch stations, prescription pharmacies; and offices, stores and display rooms for the sale and rental of medical supplies and equipment.
- h. Public Safety Facilities: Civil Defense Operational Centers, Police and Fire Stations and training facilities
- i. Post offices and other governmental uses not otherwise permitted.
- j. Religious institutions, churches and facilities for related activities including those of worship, fellowship and education.

2. Special Exception Uses - The following uses may be established only when authorized by the Board of Adjustment under the provision of Section 18.

- a. Utility buildings and structures; power sub-stations, water tanks and reservoirs, water and sewage treatment plants.
- b. Helistop for loading and unloading of passengers and air express.
- c. Greenhouse and Plant Nursery. Conditions: When operated for commercial purposes, including the sale of plant material, includes incidental sale of materials and products intended chiefly for use in connection with home gardening activities.
- d. Riding stable, riding hall, horse track.

B. DEVELOPMENT CONTROLS

It is intended by these regulations that development in the "CF" Community Facilities District shall be compatible with development in the district which it adjoins.

1. Height and Area - The height and area regulations of the contiguous district which has the most permissive height and area regulations shall govern.

2. Parking - The parking requirements of Section 17 shall apply to all uses established in the "CF" District.

3. Signs - Identification signs shall be permitted subject to the following provisions:

- a. Signs shall be permitted to identify the use or uses of the property upon which displayed.
- b. A sign or combination of signs shall have a maximum allowable area of exposure along each dedicated street frontage of not more than one square foot of sign area for each ten linear feet of frontage along said street; provided however, a minimum of at least one sign shall be allowed having an area of twelve (12) square feet.
- c. Signs may be illuminated but the source of light shall not be visible and shall not be intermittent or flashing; revolving signs shall not be permitted.
- d. Not more than 50% of the total allowable sign area may be located in the required yard space along a dedicated street. However, no individual sign in such required yard space shall exceed twenty (20) square feet in sign area.
- e. Symbols which are designed as an integral part of the building structure, and symbols and signs which are not visible or readable from the public street shall not be limited by the above regulations.

4. Site - The site for any use permitted in the "CF" District may be composed of one or more parcels of land whether or not the same are contiguous or separated by a dedicated right-of-way. No permit shall be issued for any construction or to establish a use on any site unless the same is identified in an approved subdivision filed in the Parker County Plat Records.

SECTION 7 "A" ONE-FAMILY DISTRICT

A. USE REGULATIONS

In the "A" One-Family District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. One-Family Dwellings.
2. Church, when the site development plan has been approved by the Board of Adjustment in accordance with the general standards for special exceptions contained in Section 18.
3. Public elementary and secondary school.
4. Museums, libraries, parks, playgrounds or community centers owned and operated by the City of Annetta South, Texas.
5. Golf course, but not including miniature golf course, driving range or any form of commercial amusement.



6. Farms, ranch land, truck gardens, or the growing of plants, shrubs and trees, or wholesale business sales offices premises, and provided that no obnoxious processing is conducted thereon.
7. Accessory buildings, not exceeding one including one private garage, private quarters, when located not less than ten feet from the front lot line, nor less than five feet from the main building from any side lot line, shall provide space for not more than one (1) stable each three-thousand (3,000) square feet. The stable shall provide for not more than one (1) horse, mule, or cattle for each forty-three-thousand-five-hundred-sixty (43,560) square feet of lot area. Servants' quarters shall be occupied only by servants employed on the premises. In the "A" and "B" Districts the utility services to the servants' quarters shall be metered through the same meters as those serving the main building on the premises. The area of servants' quarters shall not exceed fifty (50) percent of the area permitted for all accessory buildings on the premises. An accessory building may be constructed as a part of the main building, in which case the regulation controlling the main building shall apply.
8. Uses customarily incident to any of the above uses situated in the same dwelling when not involving the conduct of a business or industry, but including home occupation, as heretofore defined, such as the office of a physician, surgeon, dentist, or artist.
9. Hobby shops, as an accessory use.
10. Temporary buildings to be used for construction purposes only, and which shall be removed upon the completion or abandonment of construction work or removed upon request of the building inspector. Field offices for the sale of real estate which shall be removed upon the request of the building inspector. Permits shall be issued for temporary buildings for a period of six (6) months only, with a renewal clause for similar period.
11. Bulletin boards and signs, illuminated or otherwise, but not of the flashing or intermittent type, or exposed neon tubing, for churches and schools, but not to exceed eighteen (18) square feet in area when erected in the front yard behind the building line. Temporary signs pertaining to the sale or rental of property not to exceed twelve (12) square feet in area.
12. Special exception uses authorized by the Board of Adjustment under the provisions of Section 18.
13. The number, in aggregate, of livestock to be kept on a lot shall not exceed one animal unit for each forty-three-thousand-five-hundred-sixty (43,560) square feet of lot area. An animal unit is defined as follows:
 - (a) each horse or mule is one unit;
 - (b) each head of cattle is one unit;
 - (c) each head of swine, sheep, or goats is $\frac{1}{2}$ unit.
 In addition, if the swine are penned, rather than ~~running~~ running loose on pasture, the pen shall not be located within two-hundred (200) feet of a neighboring residence.

B. HEIGHT AND AREA REGULATIONS

In the "A" One-Family District, the height of buildings, the minimum dimension of lots and yards, the minimum lot area, and the minimum floor space per family shall be as follows:

1. Floor space: The main residence shall contain a minimum of one-thousand-two-hundred-fifty (1,250) square feet of livable floor space, exclusive of garage, porches and breezeways, and incidental storage areas.

2. Height: No building hereafter erected, reconstructed, altered or enlarged shall exceed five (5) stories nor shall it exceed fifty (50) feet.
3. Front yard: There shall be a front yard of not less than sixty (60) feet.
4. Rear yard: There shall be a rear yard having a depth of not less than fifteen (15) feet.
5. Side yard: There shall be a side yard on each side of a main building of not less than fifteen (15) feet, and this shall be applicable to both corner and interior lots; provided, however, in the case of reversed frontage where the corner lot abuts on the side of a lot facing the other intersecting street, there shall be a side yard on the corner lot of not less than fifty (50) percent of the front yard required on the lot abutting the rear of the corner lot, and no accessory building on such corner lot shall project beyond the front yard line of the lots in the rear, nor shall accessory buildings be erected closer than fifteen (15) feet to the line of the abutting lot to the rear.
6. Width of lot: The width of a lot shall be a minimum of two-hundred-ten (210) feet at the building line, provided that where a lot of record and in separate ownership at the time of passage of this ordinance has less width than herein required, this regulation shall not prohibit the erection of a one-family dwelling.
7. Lot area: The minimum lot area for property not served by sanitary sewer shall be no less than eighty-seven-thousand-one-hundred-twenty (87,120) square feet (2 acres) to provide adequate septic tank drainage because of the particular soil condition of the area. Provided, however, that where a lot has less area than herein required and was of record and in separate ownership at the time of passage of this ordinance, this regulation shall not prohibit the erection of a one-family dwelling.

SECTION 8. "B" ONE - FAMILY DISTRICT

A. USE REGULATIONS

In the "B" One-Family District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except one or more of the following uses:

1. Any uses permitted in the "A" One-Family District.
2. Mobile home dwellings containing a minimum of nine-hundred (900) square feet of livable floor space, exclusive of garage, porches and breezeways, and incidental storage areas.
3. Uses customarily incident to any of the above uses, same as District "A".
4. Hobby shops, as an accessory use.

5. Temporary buildings same as District "A".
6. Bulletin boards and signs, same as District "A".
7. Special exception uses authorized by the Board of Adjustment under the provisions of Section 18.

B. HEIGHT AND AREA REGULATIONS

In the "B" One-Family District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area, and the minimum floor space per family shall be as follows:

1. Floor space: The main residence shall contain a minimum of one-thousand-two-hundred-fifty (1,250) square feet (nine-hundred /900/ square feet for mobile homes) of livable floor space, exclusive of garage, porches and breezeways, and incidental storage areas.
2. Height: Same as District "A".
3. Front yard: Same as District "A".
4. Rear yard: Same as District "A".
5. Side yard: Same as District "A", including regulations for corner lots rearing on lots having reversed frontage.
6. Width of lots: The width of a lot shall be a minimum of two-hundred-ten (210) feet at the building line provided that where a lot of record and in separate ownership at the time of the passage of this ordinance has less width than herein required, this regulation shall not prohibit the erection of a one-family dwelling.
7. Lot area: The minimum lot area for property not served by sanitary sewer shall be no less than eighty-seven-thousand-one-hundred-twenty (87,120) square feet to provide adequate septic tank drainage because of the particular soil conditions of the area. Provided, however, that where a lot has less area than herein required and was of record and in separate ownership at the time of passage of this ordinance, this regulation shall not prohibit the erection of a one-family dwelling.

SECTION 9. "C" MULTIPLE FAMILY DISTRICT

A. USE REGULATIONS

In the "C" Multiple Family District no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any use permitted in the "B" One-Family District.
2. Two-family, three-family, or four-family dwellings.
3. Accessory buildings, same as District "B", except in District "C" a private garage may provide space for not more than one (1) motor vehicle for each fifteen-hundred (1,500) square feet of lot area.

4. Uses customarily incident to any of the above uses: Same as District "A".
5. Temporary buildings, same as District "A".
6. Bulletin boards and signs, same as District "A".
7. Special exception uses authorized by the Board of Adjustment under the provisions of Section 18.

B. HEIGHT AND AREA REGULATIONS

In the "C" Multiple Family District, the height of buildings, the minimum dimension of lots and yards, the minimum lot area, and the minimum floor space per family shall be as follows:

1. Floor Space: In the "C" Multiple Family District the floor space requirements for single family dwellings shall be the same as District "B". Each two, three, or four-family dwellings shall contain a minimum of seven hundred fifty (750) sq. ft. of livable floor space, exclusive of garage, porches and breezeways and incidental storage, for each family to be housed in said dwelling.
2. Height: Same as District "A"
3. Front Yard: Same as District "A"
4. Rear Yard: Same as District "A"
5. Side Yard: Same as District "A", including regulations for corner lots rearing on lots having reversed frontage
6. Width of Lot: Same as District "A"
7. Lot Area: In the "C" Multiple Family District, the lot area requirements for single family dwellings shall be the same as District "B" and the lot area for every two, three or four-family dwelling hereafter erected, reconstructed, altered, or enlarged shall provide a lot area of not less than 3,500 square feet per family.

Provided, however, that where a lot has less area than herein required and was of record and in separate ownership at the time of the passage of this ordinance, said lot may be occupied by not more than one family.

In areas not served by sanitary sewers, the minimum lot area per family shall be subject to the approval of the Board of Adjustment, based on the conditions and requirements for septic tanks.

SECTION 10. "D" MULTIPLE FAMILY DISTRICT

A. USE REGULATIONS

In the "D" Multiple Family District, no building or land shall be used and no buildings shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any uses permitted in the "C" Multiple Family District.



2. Multiple dwellings.
3. Boarding and lodging houses.,
4. Apartment hotel.
5. Private clubs, fraternities, sororities and lodges; excluding those of the chief activity of which is a service customarily carried on as a business.
6. Hotel, when located on a site which has frontage on a Federal or State designated highway. Incidental business may be conducted within the hotel provided that the principal entrance to the business shall be from the inside of the building. A secondary entrance to the business may be provided from the highway frontage, but from no other street, or from a court, but shall not face any other residential class property. Signs shall be permitted subject to the following provisions:
 - a. Signs shall be permitted to identify the use or uses of the property upon which displayed.
 - b. A sign or combination of signs shall have a maximum allowable area of exposure along each dedicated street frontage of not more than one square foot of sign area for each ten linear feet of frontage along said street.
 - c. Signs may be illuminated but the source of light shall not be visible and shall not be intermittent or flashing revolving signs shall not be permitted.
7. Kindergartens and day nurseries.
8. Detached accessory buildings including storage garage are subject to the same regulations as District "A", except that the lot area per car limitations shall be waived and off street parking shall be provided as set out in Section 17. Private or storage garages or servants' quarters may be constructed as a part of the main building.
9. Temporary buildings, same as District "A".
10. Bulletin boards and signs, same as District "A".
11. Special exception uses authorized by the Board of Adjustment under the provisions of Section 18.

B. HEIGHT AND AREA REGULATIONS

In the "D" Multiple Family District, the height of buildings, the minimum dimension of lots and yards, the minimum lot area, and the minimum floor space per family shall be as follows:

1. Floor Space: In the "D" Multiple Family District, the floor space requirements for single family dwellings shall be the same as District "B" and floor space requirements for two, three or four-family dwellings shall be the same as District "C".



Every other building or portion thereof hereafter erected, reconstructed, altered or enlarged, shall contain an average of eight hundred (800) square feet and a minimum of six hundred fifty (650) square feet of livable floor space, exclusive of garage, porches and breezeways, and incidental storage, for each family to be housed in said building.

This minimum livable floor space shall not apply to hotels, or apartment hotels, where no provision is made for cooking in any individual room, suite or apartment.

2. Height: No building hereafter erected, reconstructed, altered or enlarged shall exceed eight (8) stories, nor shall it exceed ninety-six (96) feet.
3. Front Yard: Same as District "A"
4. Rear Yard: Same as District "A"
5. Side Yard: For buildings not exceeding two and one-half (2-1/2) stories in height the side yard requirements shall be the same as District "A".

For buildings more than two and one-half (2-1/2) stories in height, each side yard shall be increased one (1) foot in width for each story above the second floor.

On corner lots the side yard regulations shall be the same as for interior lots except in the case of reversed frontage the side yards required for the corner lots on the street side shall be the same as that required for reversed frontage in District "A".

6. Width of Lot: Same as District "A".
7. Lot Area: In the "D" Multiple Family District, the lot area requirements for single family dwellings shall be the same as District "B" and the lot area for two, three, or four-family dwellings shall be the same as District "C".

Every other building or portion thereof hereafter erected, reconstructed, altered or enlarged, shall provide a lot area of not less than fifteen hundred (1,500) square feet per family.

This lot area requirement shall not apply to hotels, or apartment hotels, where no provision is made for cooking in any individual room, suite or apartment.

Provided, however, that where a lot has less area than herein required and was of record and in separate ownership at the time of the passage of this ordinance, said lot may be occupied by not more than one family.

SECTION 11. "E" RESTRICTED COMMERCIAL DISTRICT

A. USE REGULATIONS

In the "E" Restricted Commercial District, no buildings or land shall be used and no buildings shall be hereafter erected, reconstructed, altered or enlarged unless otherwise provided in this ordinance, except for one or more of the following uses:



1. Any uses permitted in the "D" Multiple Family District.
2. Auto parking areas, for passenger cars only.
3. Barber and beauty shops.
4. Book or stationery stores, or news stands.
5. Cleaning, pressing and laundry collection offices.
6. Custom dressmaking or millinery shops.
7. Doctors and dentists' offices, clinics, or medical, surgical or dental laboratories.
8. Grocery stores and meat markets.
9. Offices.
10. Photograph, portrait or camera shops and photo finishing
11. Signs and billboards on the ground are prohibited, but signs may be erected on buildings provided they are fastened flat against the wall, or erected on the roof. Signs on the roof shall not extend beyond the building wall, nor shall any sign have a height of more than ten (10) feet. Signs shall not be illuminated between the hours of ten (10:00) P.M. and six (6:00) A.M.
12. Studios for artists.
13. Accessory buildings and uses customarily incident to any of the above uses including air conditioners, ice and refrigerating plants purely incidental to the main activity permitted on the premises. No accessory use shall be construed to permit the keeping of articles or materials in the open or outside the building.
14. The above specified stores, shops or businesses shall be retail establishments exclusively selling merchandise and conducted wholly within an enclosed building.
15. Special exception uses authorized by the Board of Adjustment under the provisions of Section 18.

B. HEIGHT AND AREA REGULATIONS

In the "E" Restricted Commercial District, the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows: provided, however, that buildings erected, reconstructed, altered or enlarged exclusively for dwelling purposes shall comply with the front, rear and side yard regulations of District "C".

1. Floor Space: Same as District "D" for dwellings. Each store, shop or business shall have a minimum of five hundred (500) square feet and shall not exceed twenty-five hundred (2,500) square feet of floor space.
2. Height: Same as District "A", except that where the frontage on one side of the street between two intersecting streets is located partly in District "E" and partly in a district permitting a greater height, the height limitation for District "A" may be increased to three (3) stories, but not to exceed forty-five (45) feet.

3. Front Yard: Same as District "A".
4. Rear Yard: Same as District "A".
5. Side Yard: Where a lot abuts upon the side of a lot zoned for dwelling purposes there shall be a side yard of not less than ten (10) feet, otherwise no side yard for a commercial building shall be required, but if provided, it shall be not less than three (3) feet. On corner lots, with lots having reversed frontage at the rear, the side yard requirements shall be the same as District "A".
6. Width of Lot: If used for dwelling purposes, same as District "A".
7. Lot Area: Every building hereafter erected, reconstructed, altered, or enlarged, for dwelling purposes, shall provide a lot area same as District "D",^A provided, however, that this lot area requirement shall not apply to hotels, or apartment hotels, where no provision is made for cooking.

SECTION 12. "F" COMMERCIAL DISTRICT

A. USE REGULATIONS

In the "F" Commercial District, no buildings or land shall be used and no buildings shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any uses permitted in the ~~"D" Multiple Family District and~~ ^A "E" Restricted Commercial District, without limit to the square feet of floor area in shops, except as noted.
2. Advertising signs or structures, or billboards may be placed or erected on the ground or on the buildings, but shall not be placed or erected in the required front or side yard, except that single pole signs may be located in the front yard or the side yard provided such single pole signs comply with the following:
 - a. Every portion of such sign extending over the required yard shall have a minimum clearance of eleven (11) feet.
 - b. It shall be supported by a single free standing pole without guy wires or braces.
 - c. Area of sign shall not exceed forty (40) square feet.
 - d. Single pole signs in the front yards shall be located not less than fifty (50) feet from Districts "A", "B", "C" or "D".
 - e. Not more than one (1) such pole sign shall be erected in the required front yard for each fifty (50) feet of street frontage, or one (1) for each side yard required because of reversed frontage.
 - f. The pole supporting such sign shall be limited to ten (10) inches, in diameter or maximum dimension, with allowance for an appropriate base.
 - g. Pylon type supports are prohibited.

3. Antique shops.
4. Auditorium, Theatres, moving picture shows.
5. Automobile, motorcycle, or trailer sales, or sales or rental areas, provided vehicles are in good operating condition, and no repairs are made on the premises.
6. Bakeries, provided that the floor area does not exceed three thousand (3,000) square feet.
7. Banks.
8. Baths, turkish and similar massage and health treatment.
9. Bicycles and bicycle repair shops.
10. Bird stores, pet shops, taxidermist shops or aquariums.
11. Blueprinting or photostating.
12. Business colleges, or private schools operated as a commercial enterprise.
13. Self-service car wash facilities subject to the following:
 - a. All washing facilities shall be completely within an enclosed building.
 - b. Vacuuming facilities may be outside the building but shall not be in the front yard and shall not be closer than twenty-five (25) feet from "A", "B", "C" or "D" Districts.
 - c. The building surfaces shall be faced with masonry, porcelainized steel, baked enamel steel or other material equal in durability and appearance.
 - d. The building shall not be less than one hundred (100) feet from "A", "B", "C", or "D" Districts.
 - e. The building shall set back not less than thirty (30) feet from the front property line.
 - f. Off-street parking shall be provided on the property in the ratio of not less than three (3) parking spaces for each washing stall.
 - g. All off-street parking areas shall be hard-surfaced and dust-free.
 - h. Any lights used to illuminate the area shall be directed away from adjacent residential properties.
 - i. A permanent screening fence or wall not less than five (5) feet in height shall be constructed along any site property line which abuts property zoned for residential use.
14. Caterer or wedding service.
15. Christmas tree sales.
16. Cigar or tobacco stores.
17. Confectionery stores.



18. Cleaning, dyeing and pressing works, laundry and washaterias, provided that the floor area does not exceed three thousand (3,000) square feet for separate or combined uses.
19. Dancing schools.
20. Delicatessen shops.
21. Department stores.
22. Dog and cat hospitals, or small animal hospitals, if conducted wholly within a completely enclosed soundproofed and air conditioned building, provided, that noise or odors created by activites within the building shall not be perceptible beyond the property line and that no animals are kept outside the building at any time.
23. Drug stores.
24. Dry goods and notions stores.
25. Duplicating service, by mimeographing, multigraphing and offset printing, provided that the floor area does not exceed two thousand (2,000) square feet.
26. Electrical and gas appliances and supply sales, electrical and gas repair and installation services when limited to small shops, the principal business of which is a neighborhood service.
27. Filling stations, gasoline, oil, washing, greasing and accessories; not including motor, fender or body repairs.
28. Florist or gift shops.
29. Frozen food lockers for individual or family use, not including the processing of food except cutting or wrapping.
30. Hardware, paint and wallpaper stores.
31. Garages, storage only.
32. Household and office furniture, furnishings and appliances.
33. Ice storage houses having not more than seven and one-half (7-1/2) tons capacity.
34. Jewelry stores, optical goods.
35. Golf course, including miniature course, driving tee, driving range, and "Pitch 'n' Putt" course.
36. Mortuaries, funeral homes and undertakers.
37. Museum, library, fine art center, and similar cultural facilities.
38. Nursery yards or buildings for retail sales, provided that all incidental equipment and supplies including fertilizer and empty containers are kept within a building.



39. Offices.
40. Piano stores, musical instruments and supplies.
41. Plumbing and heating appliances and supply sales, plumbing and heating repairs and installation services, when limited to small shops, the principal business of which is a neighborhood service.
42. Radio and television sales and servicing.
43. Restaurants and tea rooms and cafeterias or cafes.
44. Retail stores, businesses or shops for custom work or the manufacture of articles to be sold at retail on the premises, excluding coal and wood yards, provided that in such manufacture the total mechanical power shall not exceed five (5) horsepower for the operation of any one machine provided that the space occupied by the manufacturing use permitted herein shall not exceed fifty (50) percent of the total floor area of the entire building or the equivalent of the ground floor area thereof, and provided further that such manufacturing use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes.
45. Tailor, clothing or wearing apparel shops.
46. Shoe-shine parlors.
47. Variety stores.
48. Accessory buildings and uses customarily incident to any of the above uses, including air conditioning, ice and refrigerating plants purely incidental to a main activity permitted on the premises. No accessory use shall be construed to permit the keeping of articles or material in the open or on the outside of the building.
49. Special exception uses when authorized by the Board of Adjustment under the provisions of Section 18.

B. HEIGHT AND AREA REGULATIONS

In the "F" Commercial Districts, the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows: provided, however, that buildings erected, reconstructed, altered, or enlarged exclusively for dwelling purposes, shall comply with the front, rear and side yard regulations of District

1. Floor Space: Same as District "D"^A for dwellings. No limit on floor space for stores, shops or business except as provided herein.
2. Height: Same as District "E".
3. Front Yard: Same as District "A".
4. Rear Yard: There shall be a rear yard of not less than ten (10) feet except where the "F" District abuts on a dwelling district there shall be a rear yard of not less than fifteen (15) feet.
5. Side Yard: Same as District "E".

6. Width of Lot: Same as District "E".

7. Lot Area: Same as District "E".

SECTION 13. "G" COMMERCIAL DISTRICT

A. USE REGULATIONS

In the "G" Commercial District no buildings or land shall be used and no buildings shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any use permitted in the "F" Commercial District.
2. Automobile, motorcycle and trailer sales, or sales or rental areas.
3. Automobile laundry and steam cleaning subject to the following restrictions:
 - a. All automobile laundry and steam cleaning uses shall be completely within a building having not less than two sites.
 - b. Such building shall be not less than one hundred (100) feet from an "A", "B", "C" or "D" District.
 - c. Off-street parking shall be provided on the property in the ratio of five (5) parking spaces for each automobile which may be accommodated on the washing line within the building.
 - d. All parking spaces shall be hard surfaced.
 - e. The building shall be set back not less than thirty (30) feet from the front property line.
4. Medical Care Facilities: Nursing and care homes; hospitals with their related facilities and supportive retail and personal service uses operated by or under the control of the hospital primarily for the convenience of patients, staff and visitors.
5. Dog and cat veterinary clinics, if entirely within a building and no animals are kept over night.
6. Garages, public, for repairs or storage facilities for automobiles when such facilities are maintained within a building, provided no painting or body or fender repairs shall be conducted on any premises that adjoin at the side or rear of an "A", "B", "C" or "D" District.
7. Heating supplies and appliances.
8. Hotel, motor hotel.
9. Leather and leather goods shops.
10. Printing shops.
11. Commercial and business clubs.
12. Accessory building and uses customarily incident to the above. No accessory use shall be construed to permit the keeping of articles or material in the open or outside the building.



13. Special exception uses when authorized by the Board of Adjustment under the provisions of Section 18.

B. HEIGHT AND AREA REGULATIONS

In the "G" Commercial Districts, the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows: - provided, however, that buildings erected, reconstructed, altered, or enlarged exclusively for dwelling purposes, shall comply with the front, rear and side yard regulations of District "C".

1. Floor Space: Same as District "D" for dwellings.
2. Height: No building hereafter erected, reconstructed, altered, or enlarged shall exceed three (3) stories, nor shall it exceed forty-five (45) feet.
3. Front Yard: Where all the frontage on one side of the street between two intersecting streets is located in a "G" District, no front yard shall be required. Where the frontage on one side of the street between two intersecting streets is located partly in a "G" District and partly in a dwelling district, or an "E" or "F" District, the front yard requirements of the dwelling district and the "E" or the "F" Districts shall apply to the "G" District.
4. Rear Yard: There shall be a rear yard of not less than ten (10) feet except where the "G" Commercial District abuts a dwelling district there shall be a rear yard of not less than fifteen (15) feet.
5. Side Yard: Same as "E" District.
6. Width of Lot: Same as "E" District.
7. Lot Area: Same as "E" District.

SECTION 14 "H" INDUSTRIAL DISTRICT

A. USE REGULATIONS

In the "H" Industrial District, no buildings or land shall be used and no buildings shall be hereafter erected, reconstructed, altered or enlarged unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any uses permitted in the "G" Commercial District. Dwellings are excluded except that a dwelling can be erected on a Lot of Record which was recorded prior to the adoption of this ordinance.
2. Amusement or baseball parks.
3. Automobile laundry and steam cleaning.
4. Bakeries - wholesale.
5. Body and fender work for automobiles and trailers.
6. Building material storage yards.
7. Carpet and rug cleaning.
8. Cement products including cement block plants and cast stone works.

9. Cleaning, dyeing, pressing works, laundry and washatories.
10. Contractor's plants or storage yards.
11. Creameries.
12. Dog and cat hospitals and kennels, when not less than one hundred (100) feet from an "A", "B", "C" or "D" District.
13. Furniture repair.
14. Ice plants or storage houses.
15. Lumber yards.
16. Machine shops, provided power not to exceed fifty (50) horsepower is employed in the operation of any one machine.
17. Manufacture of: Products from aluminum, steel, tin, or other metals and from bone, leather, shell, wire, or wood, provided power not to exceed fifty (50) horsepower is employed in the operation of any one machine.
18. Manufacture of: Artificial flowers, ornaments, awnings, tents, and bags, cleaning or polishing preparations, boats, brooms or brushes, buttons and novelties, canvas products, clothing, suits, coats or dresses for wholesale trade; food products, syrups, fruit juices, extracts, drugs, or medicine, furniture, gas or electric fixtures, ice cream, mattresses or their renovation, peanut and pecan products, potato chips, radio and television sets, signs, including electric; provided power not in excess of fifty (50) horsepower is employed in the operation of any one machine.
19. Printing, lithographing, bookbinding, newspapers and publishing.
20. Sheet metal shops.
21. Storage in bulk of, or warehouses for commodities and materials enumerated in Districts "E" through "H".
22. Veterinary hospitals.
23. Any manufacturing or industrial use which is enclosed within the building and not obnoxious or offensive by reasons of the emission of odor, dust, smoke, gas or noise.
24. Accessory buildings and uses customarily incidental to those above.

B. HEIGHT AND AREA REGULATIONS

In the "H" Industrial District, the height of buildings and the minimum dimensions of yards shall be as follows:

1. Height: No building hereafter erected, reconstructed, altered, or enlarged shall exceed eight (8) stories nor shall it exceed eighty (80) feet.
2. Front Yard: Same as "G" District.

3. Rear Yard: No rear yard shall be required except where a "H" District abuts on a dwelling district, in which case, there shall be a rear yard of not less than ten (10) feet.
4. Side Yard: Where a lot abuts upon the side of a lot zoned for dwelling purposes there shall be a side yard of not less than ten (10) feet, otherwise no side yard is required, but if provided, it shall be not less than three (3) feet.
5. Lot Area: Dwellings excluded.

SECTION 14A "I" INDUSTRIAL DISTRICT

A. USE REGULATIONS

In the "I" Industrial District, no buildings or land shall be used and no buildings shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any uses permitted in the "H" Industrial District. Dwellings are excluded except that a dwelling can be erected on a Lot of Record which was recorded prior to the adoption of this ordinance.
2. Used automobile junk areas.
3. Mobile homes, either as main or accessory buildings.
4. Drive-in business, where car service is given, including refreshment stands, cafes, restaurants, food stores, and similar activities.
5. Commercial outdoor signboards and billboards.
6. Any other lawful uses which are not noxious or offensive because of odors, smoke, dust, noise, fumes or vibrations.

B. HEIGHT AND AREA REGULATIONS

In the "I" Industrial District, the height of buildings and the minimum dimensions of yards shall be as follows:

1. Height: Same as "H" District.
2. Front Yard: Same as "G" District.
3. Rear Yard: No rear yard shall be required except where an "I" District abuts on a dwelling district, in which case, there will be a rear yard of not less than ten (10) feet.
4. Side Yard: Where a lot abuts upon the side of a lot zoned for dwelling purposes there shall be a side yard of not less than ten (10) feet, otherwise no side yard is required, but if provided, it shall be not less than three (3) feet.
5. Lot Area: Dwellings excluded.

SECTION 15 - SUPPLEMENTARY DISTRICT REGULATIONS
AND PARKING REGULATIONS

No building shall hereafter be erected, reconstructed, altered or enlarged, nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located.

No building shall hereafter be erected, reconstructed, altered or enlarged to exceed the height or bulk limit herein established for the district in which such building is located, nor shall any building be erected, reconstructed or altered so as to provide a floor space smaller than the minimum prescribed by this ordinance.

No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established.

Every building hereafter erected shall be located on a lot as herein defined, and in no case shall there be more than one building on one lot, except as herein provided.

Visibility at Intersections in Residential Districts:
On a corner lot in any residential district, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of two and a half and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines 50 feet from the point of the intersection.

Accessory Buildings: No accessory building shall be erected in any required yard, and no separate accessory building shall be erected within five feet of any other building.

Erection of More than One Principal Structure on a Lot:
In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this ordinance shall be met for each structure as though it were on an individual lot.

Exceptions to Height Regulations: The height limitations contained in the Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, windmills, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

Structures to Have Access: Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.

Boat trailers, travel trailers, pick-up campers or coaches, motorized dwellings, tent trailers, horse trailers and utility trailers shall not be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or any location not approved for such use.



Parking and Storage of Certain Vehicles: Automotive vehicles or trailers of any kind or type that are inoperative or without current license plates shall not be parked in a side yard or in front of a line, parallel to the front lot line, that passes through the rear-most point of the dwelling. In no case shall the number of such parked and stored vehicles exceed one for each acre of lot area.

PARKING REGULATIONS:

In all zoning districts there shall be provided, in connection with appropriate allowable use, off-street vehicle parking space in accordance with the following requirements:

- | | |
|--|---|
| a. One Family Dwelling | One space for each 1,500 s.f. of livable floor area or fraction thereof. Maximum, 3 spaces required. |
| b. Two, Three Family Dwelling | One space for each family unit. |
| c. Four Family, Multiple Dwelling | One space for each family unit plus three spaces for each four units or fraction thereof. |
| d. Boarding, Lodging House | One space for proprietor plus one space for each sleeping unit or fraction thereof. |
| e. Hotel, Motor Hotel | One space for each bedroom unit plus one space per 200 s.f. of display or ballroom area. Restaurant requirement - See Below |
| f. Day Nursery, Kindergarten | One space for faculty plus one space per ten children or fraction thereof for which faculty is licensed. |
| g. Church | One space for each five seats in the Auditorium |
| h. Auditorium, Theatre | One space for each four seats. |
| i. Restaurant, Cafeteria | One space for each four seats. |
| j. General Hospital | One space for each bed plus one space for each four employees |
| k. Nursing and Care Home | One space for each four beds plus one space for each four employees. |
| l. Office and Professional Building | One space for each 400 s.f. of gross floor area |
| m. Medical and Dental Office or Clinic | One space for each 200 s.f. of gross floor area |
| n. Commercial Building | One space for each 200 s.f. of gross floor area |
| o. Industrial Building | One space for each 3 employees |

Parking requirements in all dwelling districts shall be provided behind the front yard requirements.

For the purpose of this Section, an off-street parking space shall be a minimum of nine (9) feet in width and eighteen (18) feet in length, plus off-street maneuvering space. For a single row of 90 degree head-in parking, the minimum width for a parking space plus aisle shall be thirty-eight (38) feet. For two rows of 90 degree head-in parking using the same aisle, the minimum width for parking spaces plus aisle shall be fifty-six (56) feet; (a) However, if a parking attendant is on duty who parks all vehicles during the business hours of all establishments for which said parking is being provided, and the lot is chained and locked when not attended, then the width of parking spaces may be reduced to eight (8) feet; and (b) For a single row of 60 degree head-in parking, the minimum width for parking space plus aisle shall be thirty-four (34) feet. For two rows of 60 degree head-in parking, using the same aisle, the minimum width for parking spaces



plus aisle shall be fifty-two (52) feet. For a single row of 45 degree head-in parking, the minimum width for a parking space plus aisle shall be thirty (30) feet. For two rows of 45 degree head-in parking, using the same aisle, the minimum width for parking spaces plus aisle shall be forty-eight (48) feet. A single line of parking spaces may be provided parallel to an aisle provided they are at least twenty (20) feet in length and nine (9) feet in width. When driveways are less than twenty (20) feet in width, marked separate entrances and exits shall be provided so that traffic shall flow in one direction only. Entrances and exits to an alley may be provided if prior approval is obtained in writing from the City. Maneuvering space shall be completely off the right-of-way of a public street, place or court. Drives and parking spaces, except for one and two family dwellings, must be hard surfaced and dust free, except in instances where the adjacent street is unpaved, in which case the drives and parking spaces shall be hard-surfaced within one (1) year after all adjacent streets are paved. All parking requirements applying to a stated unit of measurement shall be understood to include a parking space for each unit or fraction thereof. Attached hereto is Exhibit A which is incorporated and made a part of this ordinance.

Parking areas which would require the use of public rights-of-way for maneuvering shall not be acceptable for the furnishing of required off-street parking spaces other than for one and two family dwellings. Parking parallel to the curb on a public street shall not be substituted for off-street requirements.

All business uses shall provide and maintain off-street facilities for the loading and unloading of merchandise and goods within the building or on the lot adjacent to a public alley or private service drive to facilitate the movement of traffic on the public street in addition to other parking requirements. Such space shall consist of a minimum area of 10 feet by 25 feet and be provided as follows:

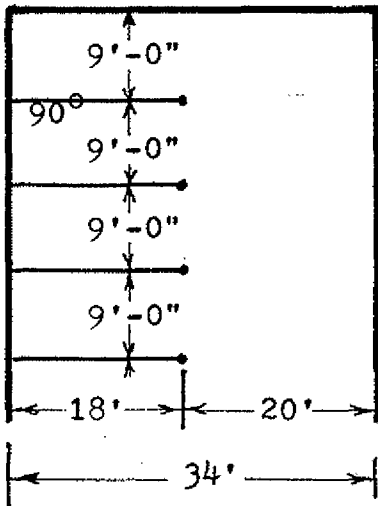
<u>Gross Floor Space (Sq.Ft.)</u>	<u>Loading or Unloading Berths</u>
25,000 feet or less	1
25,001 to 84,000	2
84,001 to 156,000	3
156,001 to 236,000	4
Each 100,000 additional	1 additional

Nothing in this Section shall require the furnishing of additional parking spaces for existing buildings which are not enlarged or changed to a new use.

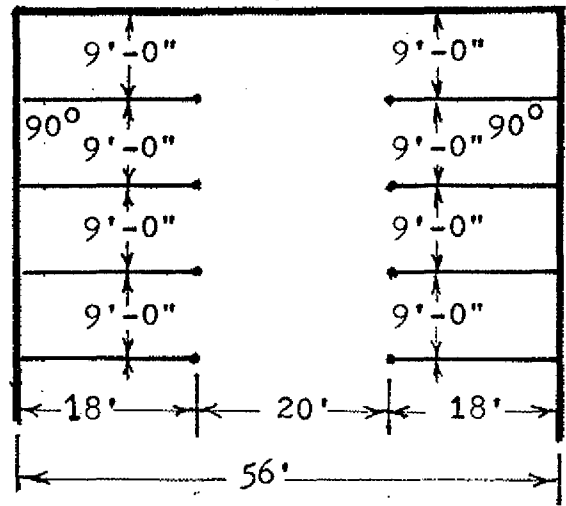
Change in Use: When the occupancy of any building is changed to another use, parking shall be provided to meet the requirements of this Section for the new use.

PARKING LOT LAYOUTS

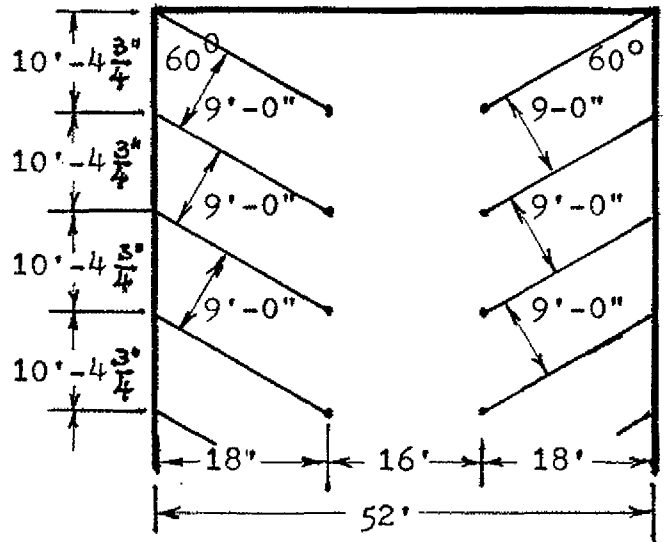
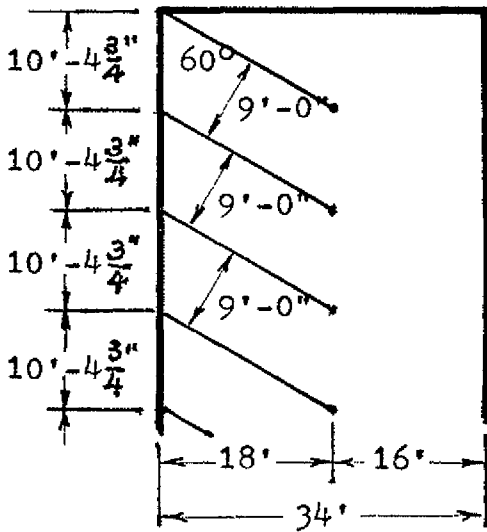
TYPICAL
SINGLE ROW & AISLE



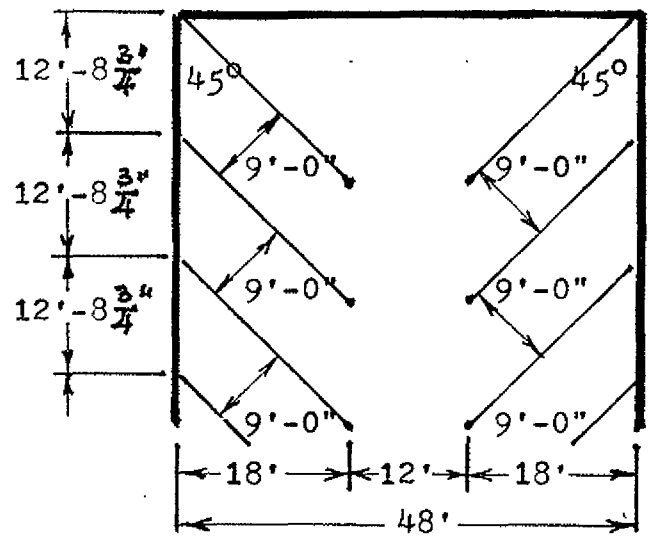
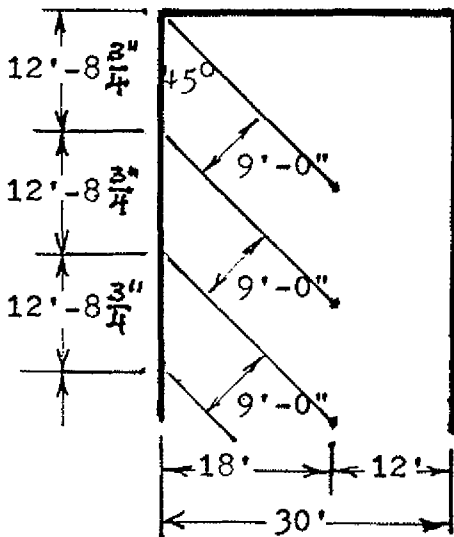
TYPICAL
DOUBLE ROW & AISLE



90° PARKING



60° PARKING



45° PARKING

SECTION 16 - NEWLY ANNEXED TERRITORY

All territory hereafter annexed to Annetta South, Texas, shall be classified as "A" Single Family Dwelling District, until permanently zoned by the Board of Aldermen of Annetta South. The City Planning and Zoning Commission shall as soon as practicable after annexation of any territory to Annetta South, institute proceeding on its own motion to give the newly annexed territory a permanent zoning, and the procedure to be followed shall be the same as is provided by law for the adoption of original zoning regulations. All territory now in Annetta South is designated as "A" or "B" Single Family Dwelling Districts as shown on the Zoning Map of Annetta South, Texas.

SECTION 17 - NON-CONFORMING USES

1. The lawful use of a "building" existing at the time of the passage of this ordinance may be continued, although such use does not conform with the provisions hereof, and such use may be extended throughout the building provided no structural alterations, except those required by law or ordinance, are made therein. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or more restricted classification. If such non-conforming building is removed, every future use of such premises shall be in conformity with the provisions of this ordinance.
2. Repairs and alterations may be made to a legal non-conforming building, provided that no structural alterations shall be made except those required by law or ordinance, unless the building is changed to a conforming use; and provided that no additional dwelling units shall be added where the non-conforming use results from there being more dwelling units on the lot than is permissible in the district in which the building is located. The Board of Adjustment shall have the authority after a hearing to grant extension of a building non-conforming as to uses not to exceed twenty-five percent (25%) of the ground area of the same in case of evident hardship, subject to the yard restrictions herein provided.
3. The lawful use of "land" existing at the time of the passing of this ordinance, although such does not conform to the provisions hereof, may be continued, but if such non-conforming use is discontinued, any future use of said premises shall be in conformity with the provisions of this ordinance. Provided, however, that where "land" is situated in any district other than an "Industrial District," which is now used for a use permitted only in an "Industrial District," and is not an accessory to the use of a main building located on the same lot or grounds, such non-conforming use of "land" shall be discontinued and all material completely removed by its owner not later than three (3) years from the date of the passage of this ordinance.
4. A legal non-conforming use, if changed to conforming use, may not thereafter be changed back to a non-conforming use. A legal non-conforming use, if changed to a more restricted non-conforming use, may not thereafter be changed unless to an equal or to a more restricted use.



5. A legal non-conforming use, when discontinued or abandoned shall not be resumed. Discontinuance or abandonment shall be defined as follows:
 - a. When land used for a legal non-conforming use shall cease to be used in a bona fide manner for one (1) calendar month.
 - b. When a building designed or arranged for a non-conforming use shall cease to be used in a bona fide manner as a legal non-conforming use for a continuous period of six (6) consecutive calendar months.
 - c. When a building designed or arranged for a conforming use shall cease to be used in a bona fide manner as a legal non-conforming use for a period of three (3) consecutive calendar months.
6. Upon evidence of hardship, the Board of Adjustment shall have the power to extend the time limits in paragraph 5 above not to exceed six (6) months.
7. If a building occupied by non-conforming uses is destroyed by fire or the elements, it may not be reconstructed or rebuilt except to conform with provisions of this ordinance. In the case of partial destruction by fire or other causes, not exceeding 50% of its value, the Building Inspector may issue a permit for reconstruction. If greater than 50% and less than total, the Board of Adjustment may grant permit for repair after public hearing, having due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated non-conforming use and the conservation and preservation of property.
8. A certificate of occupancy shall be issued for all legal non-conforming uses.
9. Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a legal building permit has been heretofore issued, provided such construction shall have been started and shall be diligently prosecuted to completion within six (6) months following the date of issuance of such permit.
10. The lawful location and maintenance of commercial signboards and billboards existing at the time of the passage of this ordinance may be continued, although such use does not conform with the provisions hereof, provided, further that all such non-conforming signboards and billboards and their supporting members shall be completely removed by their owners not later than three (3) years from the date of the passage of this ordinance.
11. The foregoing provisions of Section 16 shall also apply to uses, yards, or buildings made non-conforming by subsequent amendments to zoning regulations.



SECTION 18 - BOARD OF ADJUSTMENT

1. PURPOSE

It is the declared purpose of this ordinance that non-conforming uses be eliminated and be required to conform to the regulatic prescribed in the preceding articles of this ordinance, having due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated non-conforming use and the conservation and preservation of property. The Governing Body shall, from time to time, on its own motion or upon cause presented by an interested property owner, inquire into the existence, continuation or maintenanc of any non-conforming use within the City.

2. ORGANIZATION

There is hereby created a Board of Adjustment consisting of five (5) members, each to be appointed by the Board of Aldermen for Annetta South for a staggered term of three (3) years and removabl for cause by the appointing authority. Vacancies shall be filled by appointment by the Board of Aldermen of a suitable person to serve out the unexpired term of any person whose place on the Board of Adjustment has become vacant for any cause.

The Board of Adjustment may adopt rules to govern its proceedings, providing however, that such rules are not inconsistent with the terms of this ordinance. Meetings of the Board of Adjustment shall be held at the call of the chairman, who may administer oaths and compel the attendance of witnesses. All meetings of the Board of Adjustment shall be open to the public. The Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicate such fact and shall keep records of its examinations and other officia actions, all of which shall be immediately filed in the offices of the Board of Adjustment and kept as public record.

3. JURISDICTION

The Board of Adjustment shall have all powers granted by and be organized and controlled by the provisions of Articles 1011g, VERNON'S REVISED CIVIL STATUTES OF TEXAS and any amendments thereto. The Board of Adjustment is hereby vested with power and authority, and in appropriate cases and subject to appropriate conditions and safeguards, to make such exemptions and exceptions to the terms of th ordinance in harmony with its general purposes and intent and in accordance with general or special rules herein contained for the purpose of rendering full justice and equity to the general public.

4. APPEALS

Appeals to the Board of Adjustment can be taken by any person aggrieved or by any officer, department, or board of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within fifteen (15) days time after the decision has been rendered by the administrative officer, by filing with the officer from whom the appeal is taken and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

An appeal shall stay all proceedings of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause intimate peril to life or property. In such case, proceedings shall not be stayed, otherwise, than by restraining order which may be granted by the Board of Adjustment or by a court of record of application on notice to the officer from whom the appeal is taken on due cause shown.

5. HEARING

The Board of Adjustment shall fix a reasonable time for the hearing of an appeal, give the public notice thereof, as well as due notice to the parties and interests and decide the same within a reasonable time. Upon the hearing any party may appear in person or by attorney or agent. The notice provided in this section shall be given by publication in the official city publication stating the time and place of such hearing, which shall not be earlier than ten (10) days from the day of such publication, and in addition thereto, the Board of Adjustment shall mail notice of such hearing to the petitioner and the owner of the property lying within two hundred (200) feet of any point of the lot or portion thereof, on which a variation is desired, and to all persons deemed by the Board of Adjustment to be affected, such owners and persons shall be determined according to the current tax rolls of the City and substantial compliance therewith shall be deemed sufficient, provided, however, that the depositing of such written notice in the mail by the Board of Adjustment shall be deemed sufficient compliance with the purpose of this matter.

Any special exceptions authorized by the Board of Adjustment, either under the provisions of this chapter, or under the authority granted to the Board of Adjustment under the Statutes of the State of Texas, shall authorize the issuance of a building permit for a period of ninety (90) days from the date of the favorable action on the part of the Board of Adjustment, unless said Board of Adjustment in its minutes shall, at the same time, grant a longer period. If a building permit shall not have been issued within the said ninety (90) day period or as the Board of Adjustment may specifically grant, the special exceptions shall be deemed waived, and all rights thereunder terminated. Such termination and waiver shall be without prejudice to a subsequent appeal to said Board of Adjustment in accordance with the rules and regulations regarding appeals.

No appeal to the Board of Adjustment shall be allowed on the same piece of property prior to the expiration of one (1) year from a ruling of the Board of Adjustment on any appeal to such body unless other property in the same zoned areas shall have, within such one (1) year period, been altered or changed by ruling of the Board of Adjustment in which case such change of circumstance shall permit the allowance of an appeal but shall in no wise have force in law to compel the Board of Adjustment after a hearing to grant such subsequent appeal, but such appeal shall be considered on its merits as in all other cases.

6. POWERS

The Board of Adjustment shall have the following powers. When in its judgment, the public conveniences and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustment may, in specific cases, after written notice of the proposed variance is sent to all adjacent property owners to the property owners to the property whereon the variance is sought, and subject to the appropriate conditions and safeguards, authorize the following special exceptions to the regulations herein established.

- a. Special Exception: Permit a special exception when such use or development is specifically authorized under the Zoning Ordinance subject to the approval of the Board of Adjustment. In reaching its decision the Board of Adjustment shall determine that the requested exception will establish only those uses permitted under the ordinance; that the location of proposed activities and improvements are clearly defined on the site plan filed by the applicant; that the exception will be wholly compatible with the use and permitted development of adjacent properties either as filed or subject to such requirements as the Board of Adjustment finds to be necessary to protect and maintain the stability of adjacent properties.
- b. Permit the reconstruction, extension or enlargement of a building occupied by a non-conforming use on the lot occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use.
- c. Permit such modification of the height, yard area and parking regulations as may be necessary to secure appropriate development of a parcel of land of such restricted area and shape that it cannot be appropriately developed without such modification.
- d. Require the discontinuance of non-conforming uses under any plan whereby the full value of the structure can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this ordinance.
- e. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this ordinance.
- f. To hear and decide special exceptions to the terms of the ordinance upon which the Board of Adjustment is required to pass under this ordinance.
- g. To authorize upon appeal in special cases, such variances from the terms of the ordinance as will not be contrary to public interest, where, owing to special conditions of the literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and so that the spirit of this ordinance will be observed and substantial justice done.
- h. In exercising its powers, the Board of Adjustment may, in conformity with the provisions of Article 1011a and including 1011j of the 1925 revised CIVIL STATUTES OF TEXAS, revised or reformed, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken.

7. CONCURRING VOTE

The concurring vote of four (4) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the application on any matter upon which it is required to pass under this ordinance or to affect any variant in said ordinance.



8. GRIEVANCES

Any person or persons, jointly or, separately, aggrieved by any decision of the Board of Adjustment or any taxpayer or any officer, department or board of the municipality may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of such illegality. Such petition shall be presented to the court within ten (10) days after the filing of the decision complained of in the offices of the Board of Adjustment, and not thereafter.

9. COMPLETION OF EXISTING BUILDINGS

Nothing herein contained shall require any change in the plans, construction, or designated use of a building actually under construction at the time of passage of this ordinance and which such entire building shall be completed within one (1) year from the passage of this ordinance. Nothing herein contained shall require any change in plan, construction, or designated use of a building for which a building permit has been heretofore issued and which entire building shall be completed within six (6) months from the date of passage of this ordinance. If any amendment to this ordinance is hereafter adopted changing the boundaries or districts, the provisions of this ordinance with regard to buildings or premises existing or building under construction or building permits issued in the area affected by such amendments at the time of the passage of such amendment, SHALL NOT BE ALTERED OR CHANGED.

10. AUTHORIZED SPECIAL EXCEPTIONS

The following special exceptions may be permitted by the Board of Adjustment, in the Districts specified, subject to full and complete compliance with any and all conditions listed, together with such other conditions as the Board of Adjustment may impose.

SPECIAL EXCEPTION	DISTRICTS REQUIRING BOARD APPROVAL
a. Split-zoned lots, extension of use. Conditions: Extension of a use to the lot line or for a distance of not more than 100 feet where the boundary line of a district divides a lot held in single ownership.	ALL
b. Sanitary land fill.	ALL
c. Water supply, treatment and storage facilities	ALL EXCEPT "CF", "H"
d. Outdoor commercial amusement enterprises.	ALL EXCEPT "H"
e. Radio, television, micro-wave broadcast, relay, receiving towers and transmission and retransmission facilities and any electronic emission equipment. Conditions: Subject to such safeguards as the Board of Adjustment may require.	ALL
f. Riding stable, riding hall, horse track	ALL EXCEPT "H"

- g. Greenhouse and plant nursery. Conditions: When operated for commercial purposes, and including the sale of plant material, and the incidental sale of materials and products intended chiefly for use in connection with home gardening activities. ALL EXCEPT "F", "G", "
- h. Day nursery and kindergarten. Conditions:
- 1) Permits shall be for a limited period of time to be specified by the Board of Adjustment, but not to exceed five (5) years. Upon application, time may be extended for successive periods of five (5) years or less, provided that there shall be new notice and hearing before each extension. ONLY IN "A", "B", "C"
 - 2) Prior to deciding upon any application, the Board of Adjustment shall receive a report from the City Administrative Staff, and such other agencies as the Board of Adjustment may specify, and shall verify or require that such day nursery or kindergarten shall comply with state statutes and other applicable ordinances.
 - 3) Off-street parking shall be furnished in the minimum amounts required in Section 15.
- i. Utility buildings, telephone exchanges. ALL EXCEPT "G", "H"

SECTION 19 - CERTIFICATE OF OCCUPANCY

Certificate of Occupancy: No vacant land shall be occupied or used, except for agricultural purposes, and no building hereafter erected, reconstructed, altered, or enlarged, shall be occupied or used until a certificate of occupancy shall have been issued by the Building Inspector stating that the building or proposed use of a building or premises complies with the building laws and the provisions of this ordinance.

Certificates of occupancy shall be applied for coincident with the application for building permit, and shall be issued within ten (10) days after the erection or structural alteration of such building shall have been completed in conformity with the provisions hereof.

Certificate of Occupancy for a Legal Non-Conforming Use: Certificate of Occupancy shall be required for all legal non-conforming uses. Application for Certificate of Occupancy for such non-conforming uses shall be filed within twelve (12) months from the effective date of this ordinance, accompanied by affidavits of proof that such non-conforming uses were not established in violation of this ordinance, or any previous zoning ordinance.

Certificate of Occupancy shall state that the building or proposed use of a building or land, complies with all the building and health laws and ordinances and with the provisions of these regulations. A record of all certificates shall be kept on file in the office of the Building Inspector and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building affected. (No fee shall be charged for a Certificate of Occupancy for a legal non-conforming use.)

SECTION 20 - BUILDING PERMITS

All applications for building permits shall be accompanied by a drawing or plat, in triplicate, showing the lot plan, the location of the building on the lot, accurate dimensions of building and lot, and such other information as may be necessary to provide for the enforcement of these regulations. This plat shall be prepared after the lot has been staked by a licensed surveyor. A careful record of the original copy of such application and plats shall be kept in the office of the City Secretary and a duplicate copy shall be at the building at all times during construction. A building permit shall not be required for a single-story accessory building of 300 sq. ft. or less.

SECTION 21 - BOUNDARIES OF DISTRICT

Where uncertainty exists with respect to the boundaries of the various districts, as shown on the map accompanying and made a part of this ordinance the following rules shall apply:

1. Boundaries are either streets or alleys unless otherwise shown, and where the districts designated on the map accompanying and made a part of this ordinance are bounded approximately by street or alley lines, said street or alley shall be construed to be the boundary of such district.
2. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the districts designated on the map accompanying and made a part of this ordinance are bounded approximately by lot lines, said lot line shall be construed to be the boundary of such districts unless said boundaries are otherwise indicated on the map.
3. In unsubdivided property, the district boundary lines on the map accompanying and made a part of this ordinance shall be determined by use of the scale contained on such map, unless dimensions are shown.

SECTION 22 - CHANGES AND AMENDMENTS

The Board of Aldermen may, from time to time amend, supplement or change by ordinance the boundaries of the districts or the regulations herein established. Before taking action on any such proposed amendment, supplement, or change, the Board of Aldermen shall submit the same to the Planning and Zoning Commission for its recommendation and report. A public hearing shall be held by the Board of Aldermen before adopting any proposed amendment, supplement, or change, notice of which hearing shall be given by publication one time in the official paper of Annetta South, stating the time and place of such hearing, which time shall not be earlier than fifteen (15) days from the date of publication. Unless such proposed amendment, supplement, or change has been approved by the Planning and Zoning Commission, or if a protest against such amendment, supplement, or change has been filed with the City Secretary, duly signed and acknowledged by the owners of 20% or more, either of the area of the lots included in such proposed changes or all property within 200' of all boundaries of the proposed change, such amendment, supplement, or change shall not become effective except by a favorable vote of three-fourths (3/4ths) of all the members of the Board of Aldermen.

Written notice of all public hearings on proposed changes in classification shall be sent to all owners of property, or to the person rendering the same for City taxes, affected by such proposed changes of classification, and to all owners of property, or to the person rendering the same for city taxes, located with 200' of any property affected thereby, within not less than ten (10) days before such hearing is held. Such notice may be served by using the last known address as listed on the city tax roll and depositing the notice, postage paid, in the United States Post Office. This shall be the method of notice for all public hearings of the Zoning Commission and Board of Adjustment.

SECTION - 23 - VIOLATION AND PENALTIES

Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance, shall be fined not less than \$5.00 nor more than \$200.00 for each offense. Each day that a violation exists shall constitute a separate offense.

SECTION - 24 - INJUNCTION

The City shall have and retain the right for injunctive relief against any person, firm or corporation who is in the process of or about to violate any section, paragraph or part of this ordinance, such right for injunctive relief shall exist independent of the other penalty provision of this ordinance and not in lieu thereof. The right for injunctive relief is essential to the City that it maintain an orderly and properly planned control over all land uses thus protecting the health, morals, safety and well-being of the citizens and halting any attempt on any person, firm or corporation part to inflict temporary or permanent injury on the general public by a failure to comply with the terms of this ordinance.

SECTION - 25 - FEES, CHARGES AND EXPENSES

The Board of Aldermen shall establish a schedule of fees, charges and expenses and a collection procedure for building permits, certificates of zoning compliance, appeals and other matters pertaining to this ordinance. The schedule of fees shall be posted in the office of the administrative official, and may be altered or amended only by the Board of Aldermen.

Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

SECTION - 26 - VALIDITY

Should any section, clause or provision of this ordinance be declared by a Court to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION - 27 - SAVING CLAUSE

All rights or remedies of Annetta South, Texas, are expressly saved as to any and all violations of this ordinance or any amendment hereto of said Annetta South, Texas, that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, the Court shall have all the powers that existed prior to the effective date of this ordinance; and all existing violations of previous zoning or building ordinances which would otherwise become non-conforming uses under this ordinance, shall not

become non-conforming uses under this ordinance but shall be considered as violations of this ordinance in the same manner that they were violations of prior ordinances of Annetta South, Texas.

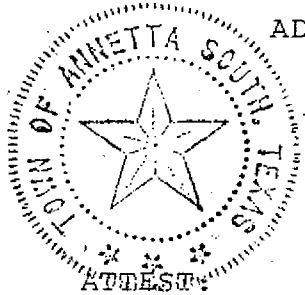
SECTION - 28 - EFFECTIVE DATE

This ordinance shall be effective and be in full force and effect immediately upon its passage and publication as by law provided.

ADOPTED AND APPROVED this 10th day of June, 1982.

APPROVED:

BY: Carl Robbins
MAYOR



BY: Alva Jenison
CITY SECRETARY

APPROVED AS TO FORM:

BY: Henry E. Zerry
ATTORNEY

[Handwritten signature]