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ORDINANCE #31-1
ZONING AND
PLANNING

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THE CITY OF LOG
CABIN ORDINANCE 31-J
ZONING AND BUILDING

AN ORDINANCE SUPERCEDING THE ZONING AND BUILDING ORDINANCE NUMBER 31-I OF THE CITY OF LOG CABIN, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH OF JUNE, 2019 AND ENACTING A ZONING AND BUILDING ORDINANCE ESTABLISHING AND PROVIDING FOR SITE BUILT CABINS, MOBILE HOMES, AND SITE BUILT SINGLE FAMILY DWELLING. MOBILE HOMES MUST BE TEN YEARS OLD OR NEWER AND PROVIDING FOR ZONING AND BUILDING ORDINANCE REGULATIONS; A ZONING DISTRICT MAP REVISED IN ORDINANCE 31-H AND MAKING IT A PART OF THIS ORDINANCE, TOGETHER WITH ALL SYMBOLS, MARKING AND TABLES APPEARING ON SAID MAP OR IN THE ORDINANCE; REGULATING WITHIN ZONING DISTRICTS THE USE OF LAND AND BUILDINGS; PROVIDING FOR SPECIFIC USE AND BUILDING PERMITS AND THE INCLUSION OF NEW AND UNLISTED USES, REGULATING THE PLACEMENT OF DWELLINGS, ACCESSORY BUILDINGS AND OTHER STRUCTURES UPON LOTS; PROVIDING FOR THE REGULATION OF THE CONSTRUCTION AND MAINTENANCE OF SWIMMING POOLS; PROVIDING FOR THE REGULATION OF THE CONSTRUCTION AND MAINTENANCE OF FENCES; REGULATING THE STORAGE AND PARKING OF VEHICLES, MACHINERY, TRAILERS AND BOATS; CREATING A ZONING AND BUILDING STANDARDS COMMISSION AND DEFINING ITS' POWERS AND DUTIES; PROVIDING FOR NONCONFORMING USES AND A METHOD FOR DISCONTINUANCE THEREOF; DEFINING CERTAIN TERMS; PROVIDING FOR A CERTIFICATE OF OCCUPANCY AND COMPLIANCE; AND PROVIDING FOR PENALTIES.

WHEREAS, under the laws of the State of Texas, authority is conferred upon the City of Log Cabin to establish zoning districts within the city for the purpose of regulating the use of land and the building of structures thereon to the end that congestion may be lessened, the public health, safety, convenience and general welfare promoted; and

NOW THEREFORE, BE IT ORDINATED BY THE CITY COUNCIL OF LOG CABIN, HENDERSON COUNTY, TEXAS:

SECTION 1. ENACTING CLAUSE

A. Ordinance 31- I of the city of Log Cabin, known as the zoning and building ordinance, together with all amendments thereto, is hereby superseded in entirety by this zoning and building ordinance, number 31-J.

B. The provisions of this ordinance support and supplement, and in no way diminish or conflict with other city ordinances providing specific regulation for land and building uses.

SECTION II. PURPOSE

The zoning districts and building regulations as herein established have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, and general welfare of the city. They have been designed to lessen congestion; to secure safety from fire; to provide adequate light, air; to facilitate the adequate provision of transportation, water, sewage, parks and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses and structures specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

SECTION III. ZONING DISTRICTS

A. Designation of Districts. The City of Log Cabin, Texas is hereby divided into six (6) zoning districts. The land use and building regulations as set out herein are uniform within each district. The six (6) districts established herein shall be known as:

ZONING DISTRICT NAME	ABBREVIATION
Single Family Dwelling District (Site Built) HUD-Code Manufactured Home	SF
District Cabin Home District (Site Built)	MH
Commercial District	CH
Commercial District	COM
City Parks/Municipal Use District	CP/MU
Future Development/Agriculture District	FD/AG

B. District Boundaries. The boundaries of the zoning districts set out herein are delineated upon the zoning district map of the City of Log Cabin, said map being a part of this ordinance as fully as if the same were set forth herein in detail. In addition, a Zoning and Building Standards Commission Report is provided which will describe the zoning districts using street names and lot numbers to support the zoning district map.

1. Zoning Map. Two (2) original, official and identical copies of the zoning district map are hereby adopted bearing the signature of the Mayor and the attestation of the City Secretary and shall be filed and maintained as follows:

- a. One copy shall be filed with the City Secretary and retained as the original record and shall not be changed in any manner.
- b. One copy shall be filed with the Zoning and Building Standards Commission and shall be maintained up-to-date by posting thereon all changed and subsequent amendments for reference observation in issuing building permits, certificates of occupancy and compliance and for otherwise enforcing the zoning and building ordinance.
- c. Reproductions for information purposes may, from time to time, be made of the official zoning district.

C. Ambiguous Boundaries. The district boundary lines shown on the zoning district maps are usually along streets, property lines, or extensions thereof. When uncertainty exists as to the boundaries of districts as shown on the official zoning maps, the following rules shall apply:

- 1. Boundaries indicated, as approximately following the certain lines of streets of highways shall be construed to follow such center lines.
- 2. Boundaries indicated, as approximately following platted lot lines shall be as following lot lines.
- 3. Boundaries indicated, as approximately following city limits shall be construed as following city limits.
- 4. Boundaries indicated, as approximately following lake or inlet shore lines shall be construed as following the shore line indicated in the original plat maps as filed by the county.
- 5. Where physical features of the ground or water areas are at a variance with information shown on the official zoning district map, or when a question arises as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of sub-section III.C.1 through III.C.4, the property shall be considered as classified temporarily as FD, Future Development District. In such instances the issuance of building permits and determination of permanent zoning classification shall be in accordance with the provisions in section IV.A.5. for temporarily zoned areas.

SECTION IV. USE OF LAND AND BUILDINGS

A. Permissible Uses Specific to Zoning Districts. Land and buildings in each of the defined zoning districts may be used for the specified purposes and in accordance with the regulations and building permits specified herein, provided also that no land shall hereafter be used and no building or structure shall hereafter be erected, altered, converted, used or occupied which is arranged, designed or used for other than those uses

specified for the zoning district in which it is located as set forth by the following schedule of uses and regulations:

1. Single Family (SF) Dwelling District. (Site Built) Land in the SF zoning district shall be used exclusively for single family dwelling, subject to the following requirements designed to create and preserve the residential nature of this district:

- a. Only one single-family dwelling shall be erected, used or permitted to remain on any residential lot within the SF zoning district.
 - 1. In the circumstances of common ownership of adjoining lots, such lots may be combined in area and be treated as a single lot on which one single family dwelling may be erected, provided that all other standards of residential land use and building are met.

b. Single family dwellings in SF zoning district shall be located at least twenty (20) feet from the front lot line and no nearer than five (5) feet from the side or back lot lines of any lot.

- 1. The front lot line that lot line which parallels and faces upon a public street.
- 2. When a lot has multiple frontages facing upon two or more streets, each street frontage shall be a front lot line. The dwelling on such a lot shall be located at least twenty (20) feet from each front lot line on each street. Corner lots, ten (10) feet variance shall be considered in cases regarding odd shaped lots.
- 3. Distance from lot lines shall be measured to the nearest face, corner or portion of the dwelling, attached accessory structure or porch, except that eaves may project beyond the building proper toward the lot line for a distance not to exceed four (4) feet.

c. Detached accessory buildings shall not be constructed or portioned in the SF zoning district nearer than forty (40) feet to the front lot line nor nearer than five (5) feet to the side or back lot line.

- 1. No accessory buildings shall be constructed, erected or positioned on any lot in the SF zoning district prior to the construction of the residential dwelling on such lot. Temporary living quarters during construction may be allowed by specific permission of the Zoning and Building Standards Commission for a period not to exceed one hundred eighty (180) days from the beginning construction date stated on the building permit.
- 2. If an adjoining vacant lot in the SF zoning district is being used for a bona fide home garden by a resident of Log Cabin, such resident may

construct or place a small tool shed on the lot, provided an authorizing building permit is obtained from the City Hall.

d. Easements for the installation and maintenance of utilities and drainage facilities in the SF zoning district are reserved across the front five (5) and the rear six (6) feet for the full width of each lot and for five (5) feet on the sides for the full length of each lot.

e. No tent, shed, barn, shack, vehicle, detached garage, manufactured home, travel trailer, accessory building or boat house shall be used as a permanent residence, living or sleeping quarters on any lot within the SF zoning district at any time.

f. Dwelling and accessory buildings in the SF zoning district shall be appropriate in design, materials and construction for the intended use and shall be completed on the exterior within one hundred eighty (180) days from the beginning construction date stated on the building permit.

1. The exterior facing of dwellings in such districts shall be of brick, masonry, concrete, stucco or fire resistant wood. Roof surfaces shall be of a fire-resistant material, or shall be treated with a long lasting fire retardant solution.

2. The single family dwelling erected on any lot within the SF zoning district shall contain a minimum one thousand, two hundred (1200) square feet of enclosed living space, exclusive of porches, breezeways, carports, patios, garages or accessory structures, and shall not exceed two stories in height.

3. Detached accessory buildings, which are designed, constructed, or installed for the primary purpose of storing household or garden tools or equipment shall not exceed two hundred (200) square feet of floor area.

g. Community sewage disposal system in the SF zoning district shall be designed, located, constructed, equipped and maintained in accordance with standards and requirements meeting at least the minimum requirements for such systems as recommended by the Texas State Health Department and the Texas Commission on Environmental Quality and as approved by the Tarrant County Water Control District.

h. A minimum of two (2) off-street parking spaces shall be constructed and maintained for each resident on a lot within the SF zoning district.

1. Each parking space shall be enclosed or unenclosed surfaced area of not less than one hundred eighty (180) square feet. Such parking spaces shall be connected by a surfaced driveway to a public street.

2. Resident vehicles shall be parked upon surfaced areas provided, and not on lawn or yard areas.

3. Resident vehicles shall not be parked on public streets between the hours of 2:00am and 6:00am on any day.

i. Subsequent to construction and occupancy, dwellings in the SF zoning district shall be maintained in an acceptable state of repair and appearance. The residential lot shall be landscaped and drainage provisions shall be kept clear and in working condition. Lawns should be kept clear of all clutter.

j. Storage and use of flammable liquids, gases and materials within the SF zoning district shall be limited to quantities needed for normal household or maintenance uses. Safety precautions against fire or explosive hazards shall be observed as provided in city ordinances.

k. No lot in the SF zoning district shall be used or maintained as a dumping ground for garbage or other refuse. Trash, garbage and other refuse shall be kept in closed sanitary containers pending disposal. Incinerators, cans and other equipment for storing and disposal of such materials shall be kept in a clean and sanitary condition. Closed trash containers should be placed at the road no earlier than the night before trash pick-up and should be removed no later than the day after trash pickup. All containers should be kept behind the front line of the residence.

l. No lot in the SF zoning district shall be used to conduct a business, trade or profession thereon, nor shall any noxious, offensive, or hazardous activity or condition which is likely to or does create a nuisance, hazard or environmental problem be permitted to exist or develop thereon.

m. The owner of each lot in the SF zoning district is responsible for maintaining such lot in a condition in keeping with the appearance of other property in the neighborhood and community, free from high grass and weeds, brush, clutter, and other debris. Failure to accomplish adequate and timely maintenance may be subject to actions and penalties as provided in applicable city ordinances.

n. No vacant lot within the SF zoning district shall be used for storage of vehicles machinery, power equipment or accessories, boats, boat trailers or other recreational equipment, construction materials or like commodities.

o. No inoperable, unregistered or junk vehicles, machinery, power equipment or accessories shall be stored within the SF zoning district on any lot or lots occupied by a residence, nor shall boats, boat trailer or other recreational or maintenance equipment be stored on such lot or lots forward of the front face of the dwelling, or be placed, arranged, or stored in such manner or condition as to

be or become detrimental to the appearance of the surrounding neighborhood and the City of Log Cabin.

p. No lot in the SF zoning district shall be used for raising, keeping or maintaining animals or fowls, other than normal domestic animals, and then only as provided in city ordinances.

q. No sign shall be erected, placed or permitted to remain on any lot within the SF zoning district other than those specified in sub-sections IV.B.1 7.(1) through IV.B.14.(4). Such signs, and their sizes, appearance and placement, shall be subject to the approval or disapproval of the Zoning and Building Standards Commission. The owner or person placing the sign is responsible for properly erecting and maintaining the sign, and he/she shall be responsible for removing the sign promptly when it has served its purpose. Signs, which become dilapidated, overage, or a public nuisance shall be removed upon notice from city officials.

1. A nameplate sign, identifying the resident or owner of such lot.
2. A real estate sign, announcing availability for purchase.
3. A construction sign, identifying the architect and/or builder of a structure while under construction.
4. A public information or interest sign, such as an announcement or meeting, or one providing information and direction about a garage sale, or other facilities,

2. HUD. Code Manufactured Single Family Home (MH) Zoning District. Land in the MH zoning district shall be used primarily for permanent or erection of HUD-Code manufactured homes. This clause shall not be construed as barring the construction of single family residences in these areas as defined in subsection IV.A. I. of this ordinance. Dwellings in the MH district are subject to the following requirements designed to create and preserve the residential nature of this district.

a. Only one single-family dwelling shall be erected, used or permitted to remain on any residential lot within the MH zoning district. MHs brought in shall be new or less than ten years old. MHs that are used must pass inspection

1. In the circumstances of common ownership of adjoining lots, such lots may be combined in area and be treated as a single lot on which one single family dwelling may be erected, provided that all other standards of residential land use and building are met.

b. Single family dwellings in MH zoning district shall be located at least twenty (20) feet from the front lot line and no nearer than five (5) feet from the side or back lot lines of any lot.

1. The front lot line that lot line which parallels and faces upon a public street.

2. When a lot has multiple frontages facing upon two or more streets, each street frontage shall be a front lot line. The dwelling on such a lot shall be located at least twenty (20) feet from each front lot line on each street. Comer lots, ten (10) feet variance shall be considered in cases regarding odd shaped lots.

3. Distance from lot lines shall be measured to the nearest face, comer or portion of the dwelling, attached accessory structure or porch, except that eaves may project beyond the building proper toward the lot line for a distance not to exceed four (4) feet.

c. Detached accessory buildings shall not be constructed or portioned in the MH zoning district nearer than forty (40) feet to the front lot line nor nearer than five (5) feet to the side or back lot line.

1. No accessory buildings shall be constructed, erected or positioned on any lot in the MH zoning district prior to the construction of the residential dwelling on such lot. Temporary living quarters during construction may be allowed by specific permission of the Zoning and Building Standards Commission for a period not to exceed one hundred eighty (180) days from the beginning construction date stated on the building permit.

2. If an adjacent vacant lot in the MH zoning district is being used for a bona fide home garden by a resident of Log Cabin, such resident may construct or place a small tool shed on the lot, provided an authorizing building permit is obtained from the City Hall.

d. Easements for the installation and maintenance of utilities and drainage facilities in the MH zoning district are reserved across the front five (5) and the rear six (6) feet for the full width of each lot and for five (5) feet on the sides for the full length of each lot.

e. No tent, shed, barn, shack, vehicle, detached garage, travel trailer, accessory building or boat house shall be used as a permanent residence, living or sleeping quarters on any lot within the MH zoning district at any time.

f. Dwelling and accessory buildings in the MH zoning district shall be appropriate in design, materials and construction for the intended use and shall be completed

on the exterior within one hundred eighty (180) days from the beginning construction date stated on the building permit.

1. The exterior facing of dwellings in such districts shall be of brick, masonry, concrete or, stucco or fire resistant wood. Roof surfaces shall be of a fire-resistant material, or shall be treated with a long lasting fire retardant solution.
2. The single family dwelling erected on any lot within the MH zoning district shall contain a minimum eight hundred (800) square feet of enclosed living space, exclusive of porches, breezeways, carports, patios, garages or accessory structures, and shall not exceed two stories in height.
3. Detached accessory buildings, which are designed, constructed, or installed for the primary purpose of storing household or garden tools or equipment, shall not exceed two hundred (200) square feet of floor area.
4. Requirements for the permanence of HUD-code manufactured homes in the MH zoning district shall consist of but not limited to: Metal tie downs, underpinning and such other requirements as stipulated by laws of the State of Texas; secured and stabilized on concrete blocks; wheels must be removed; trailer tongues may be removed and stored or left on the unit if landscaped, framed, or decked so as to disguise the function of the tongue.

g. Community sewage disposal system in the MH zoning district shall be designed, located, constructed, equipped and maintained in accordance with standards and requirements meeting at least the minimum requirements for such systems as recommended by the Texas State Health Department and Texas Commission on Environmental Quality and as approved by the Tarrant County Water Control District.

h. A minimum of two (2) off-street parking spaces shall be constructed and maintained for each resident on a lot within the MH zoning district.

1. Each parking space shall be enclosed or unenclosed surfaced area of not less than one hundred eighty (180) square feet. Such parking spaces shall be connected by a surfaced driveway to a public street.
2. Resident vehicles shall be parked upon surfaced areas provided, and not on lawn or yard areas.
3. Resident vehicles shall not be parked on public streets between the hours of 2:00am and 6:00am on any day.

i. Subsequent to construction and occupancy, dwellings in the MH zoning district shall be maintained in an acceptable state of repair and appearance. The residential lot shall be landscaped and drainage provisions shall be kept clear and in working condition.

j. Storage and use of flammable liquids, gases and materials within the MH zoning district shall be limited to quantities needed for normal household or maintenance uses. Safety precautions against fire or explosive hazards shall be observed as provided in city ordinances.

k. No lot in the MH zoning district shall be used or maintained as a dumping ground for garbage or other refuse. Trash, garbage and other refuse shall be kept in closed sanitary containers pending disposal. Incinerators, cans and other equipment for storing and disposal of such materials shall be kept in a clean and sanitary condition. Closed trash containers should be placed at the road no earlier than the night before trash pickup and should be removed no later than the day after trash pickup. All containers should be kept behind the front line of the residence.

1.No lot in the MH zoning district shall be used to conduct a business, trade or profession thereon, nor shall any noxious, offensive, or hazardous activity or condition which is likely to or does create a nuisance, hazard or environmental problem be permitted to exist or develop thereon.

m. The owner of each lot in the MH zoning district is responsible for maintaining such lot in a condition in keeping with the appearance of other property in the neighborhood and community, free from high grass and weeds, brush, clutter and other debris. Failure to accomplish adequate and timely maintenance may be subject to actions and penalties as provided in applicable city ordinances.

n. No vacant lot within the MH zoning district shall be used for storage of vehicles, machinery, power equipment or accessories, boats, boat trailers or other recreational equipment, construction materials or like commodities.

o. No inoperable, unregistered, or junk vehicles, machinery, power equipment or accessories shall be stored within the MH zoning district on any lot or lots occupied by a residence, nor shall boats, boat trailer or other recreational or maintenance equipment be stored on such lot or lots forward of the front face of the dwelling, or be placed, arranged, or stored in such manner or condition as to be or become detrimental to the appearance of the surrounding neighborhood and the City of Log Cabin.

p. No lot in the MH zoning district shall be used for raising, keeping or maintaining animals or fowls, other than normal domestic animals, and then only as provided in city ordinances.

q. No sign shall be erected, placed or permitted to remain on any lot within the MH zoning district other than those specified in sub-sections IV.B.17.(1) through IV.B.14.(4). Such signs, and their sizes, appearance and placement, shall be subject to the approval or disapproval of the Zoning and Building Standards Commission. The owner or person placing the sign is responsible for properly erecting and maintaining the sign, and he/she shall be responsible for removing the sign promptly when it has served its purpose. Signs, which become dilapidated, overage, or a public nuisance shall be removed upon notice from city officials.

1. A nameplate sign, identifying the resident or owner of such lot.
2. A real estate sign, announcing availability for purchase.
3. A construction sign, identifying the architect and/or builder of a structure while under construction.
4. A public information or interest sign, such as an announcement or meeting, or one providing information and direction about a garage sale, or other facilities,

3. **Cabin (CH) Zoning District.** Land in the CH zoning district shall be used primarily for permanent placement or erection of cabins. This clause shall not be construed as barring the construction of single family residences in these areas as described in subsection IV.A.I. of this ordinance. Dwellings in the CH district are subject to the following requirements designed to create and preserve the residential nature of this district:

a. Only one single-family dwelling shall be erected, used or permitted to remain on any residential lot within the CH zoning district.

1. In the circumstances of common ownership of adjoining lots, such lots may be combined in area and be treated as a single lot on which one single family dwelling may be erected, provided that all other standards of residential land use and building are met.

b. Single family dwellings in CH zoning district shall be located at least twenty (20) feet from the front lot line and no nearer than five (5) feet from the side or back lot lines of any lot.

1. The front lot line that lot line which parallels and faces upon a public street.

2. When a lot has multiple frontages facing upon two or more streets, each street frontage shall be a front lot line. The dwelling on such a lot shall be located at least five (5) feet from each front lot line on each street. Corner lots, ten (10) feet variance shall be considered in cases regarding odd shaped lots. This variance will have to be approved by Zoning and Building Standards Commission.

3. Distance from lot lines shall be measured to the nearest face, corner or portion of the dwelling, attached accessory structure or porch, except that eaves may project beyond the building proper toward the lot line for a distance not to exceed four (4) feet.

c. Detached accessory buildings shall be constructed or portioned in the CH zoning district not nearer than forty (40) feet to the front lot line nor nearer than five (5) feet to the side or back lot line.

1. No accessory buildings shall be constructed, erected or positioned on any lot in the CH zoning district prior to the construction of the residential dwelling on such lot. Temporary living quarters during construction may be allowed by specific permission of the Zoning and Building Standards Commission for a period not to exceed one hundred eighty (180) days from the beginning construction date stated on the building permit.

2. If an adjacent vacant lot in the CH zoning district is being used for a bona fide home garden by a resident of Log Cabin, such resident may construct or place a small tool shed on the lot, provided an authorizing building permit is obtained from the City Hall.

d. Easements for the installation and maintenance of utilities and drainage facilities in the CH zoning district are reserved across the front five (5) and the rear six (6) feet for the full width of each lot and for five (5) feet on the sides for the full length of each lot.

e. No tent, shed, barn, shack, vehicle, detached garage, manufactured home, travel trailer, accessory building or boat house shall be used as a permanent residence, living or sleeping quarters on any lot within the CH zoning district at any time.

f. Dwelling and accessory buildings in the CH zoning district shall be appropriate in design, materials and construction for the intended use and shall be completed within one hundred eighty (180) days from the beginning construction date stated on the building permit.

1. The single family dwelling erected on any lot within the CH zoning District shall contain a minimum six hundred (600) square feet of enclosed living space, exclusive of porches, breezeways, carports, patios, garages, or accessory structures and shall not exceed two stories.

2. Detached accessory buildings, which are designed, constructed, or installed for the primary purpose of storing household or garden tools or equipment, shall not exceed two hundred (200) square feet of floor area.

g. Community sewage disposal system in the CH zoning district shall be designed, located, constructed, equipped and maintained in accordance with standards and requirements meeting at least the minimum requirements for such systems as recommended by the Texas State Health Department and Texas Commission on Environmental Quality and as approved by the Tarrant County Water Control District.

h. A minimum of two (2) off-street parking spaces shall be constructed and maintained for each resident on a lot within the CH zoning district.

1. Each parking space shall be enclosed or unenclosed surfaced area of not less than one hundred eighty (180) square feet. Such parking spaces shall be connected by a surfaced driveway to a public street.

2. Resident vehicles shall be parked upon surfaced areas provided, and not on lawn or yard areas.

3. Resident vehicles shall not be parked on public streets between the hours of 2:00am and 6:00am on any day.

i. Subsequent to construction and occupancy, dwellings in the CH zoning district shall be maintained in an acceptable state of repair and appearance. The residential lot shall be landscaped and drainage provisions shall be kept clear and in working condition.

j. Storage and use of flammable liquids, gases and materials within the CH zoning district shall be limited to quantities needed for normal household or maintenance uses. Safety precautions against fire or explosive hazards shall be observed as provided in city ordinances.

k. No lot in the CH zoning district shall be used or maintained as a dumping ground for garbage or other refuse. Trash, garbage and other refuse shall be kept in closed sanitary containers pending disposal. Incinerators, cans and other equipment for storing and disposal of such materials shall be kept in a clean and sanitary condition. Enclosed trash containers should be placed at the road no earlier than the night before trash pick-up and should be removed no later than the day after trash pickup. All containers should be kept behind the front line of the residence.

1. No lot in the CH zoning district shall be used to conduct a business, trade or profession thereon, nor shall any noxious, offensive, or hazardous activity or

condition which is likely to or does create a nuisance, hazard or environmental problem be permitted to exist or develop thereon.

m. The owner of each lot in the CH zoning district is responsible for maintaining such lot in a condition in keeping with the appearance of other property in the neighborhood and community, free from high grass and weeds, brush, clutter and other debris. Failure to accomplish adequate and timely maintenance may be subject to actions and penalties as provided in applicable city ordinances.

n. No vacant lot within the CH zoning district shall be used for storage of vehicles machinery, power equipment or accessories, boats, boat trailers or other recreational equipment, construction materials or like commodities.

o. No inoperable, unregistered, or junk vehicles, machinery, power equipment or accessories shall be stored within the CH zoning district on any lot or lots occupied by a residence, nor shall boats, boat trailer or other recreational or maintenance equipment be stored on such lot or lots forward of the front face of the dwelling, or be placed, arranged, or stored in such manner or condition as to be or become detrimental to the appearance of the surrounding neighborhood and the City of Log Cabin.

p. No lot in the CH zoning district shall be used for raising, keeping or maintaining animals or fowls, other than normal domestic animals, and then only as provided in city ordinances.

q. No sign shall be erected, placed or permitted to remain on any lot within the CH zoning district other than those specified in sub-sections IV.B.1 7. (1) through

IV.B.14. (4). Such signs, and their sizes, appearance and placement, shall be subject to the approval or disapproval of the Zoning and Building Standards Commission. The owner or person placing the sign is responsible for properly erecting and maintaining the sign, and he/she shall be responsible for removing the sign promptly when it has served its purpose. Signs, which become dilapidated, overage, or a public nuisance shall be removed upon notice from city officials.

1. A nameplate sign, identifying the resident or owner of such lot.
2. A real estate sign, announcing availability for purchase.
3. A construction sign, identifying the architect and/or builder of a structure while under construction.
4. A public information or interest sign, such as an announcement or meeting, or one providing information and direction about a garage sale, or other facilities,

4. Commercial (COM) District. Land within the COM district shall be used only for those commercial enterprises that are authorized by paragraph IV.A.4.a. and for which a specific use permit has been granted by the Zoning and Building Standards Commission. Procedures for obtaining approval for a specific commercial use are defined in the subsequent sections of this ordinance, which shall deal with specific use permits, new land uses, and activities of the Zoning and Building Standards Commission.

a. The enterprise for which land with the COM district may be used are:

1. Stores and shops where goods and merchandise are sold at retail, but not including automobiles or used car sales.
2. Personal service shops, such as barber and beauty shops.
3. Offices.
4. Temporary lodging structures, where length of rental is not more than two (2) weeks.
5. Self-service individual storage.
6. Bakery.
7. Restaurant.

b. Buildings erected within the COM zoning district shall be designed and constructed to meet both the requirements of the specific commercial use and appearance in keeping with the essentially residential nature of the community.

c. Zoning for commercial use shall not be interpreted to permit practices and conditions which are contrary to, or degrade, community standards of health or safety, which expose the neighborhood to noxious or offensive activities, or which create a visual or physical nuisance, hazard or environmental problem. Any land zoned commercial (COM) that shares its boundary lines with areas zoned as Single family (SF), or HUD-code manufactured home (MH), or Cabin Home (CH) districts will be required to shield its activities from the residential areas. The method used must be approved by the Log Cabin City Council.

d. Buildings, commercial structures and grounds within the COM zoning district shall be maintained in a neat and orderly appearance, painted or stained as required, and free from high grass and weeds, brush or other debris. The commercial lot shall be landscaped and drainage provisions shall be kept clear and in working condition.

e. Open storage of materials, commodities and equipment required for the specific commercial use is permitted in the COM zoning district, except that no junkyard, salvage yard or permanent storage of dilapidated equipment shall be permitted. Such stored material may not be visible from public streets, land, or thoroughfares.

f. the identical zoning, building and use restrictions provided in subsections IV.A.1.f. through IV.A.1.f.(2) shall be equally applicable within the COM zoning district at any time.

g. Sewage disposal systems in the COM zoning district shall meet the same standards and requirements as are specified in section IV.A.1.g. of this ordinance.

h. Land in the COM zoning district shall not be used or maintained as a dumping ground for garbage and other refuse. Temporary storage and disposal of trash, garbage and other commercial refuse shall conform to standards equivalent to those specified in section IV.A.1.k. of this ordinance.

5. Future Development/Agriculture (FG/AG District. Land in the Future Development/Agriculture District is reserved for single family residential dwellings meeting standards equivalent to those specified for the SF zoning district.

a. The land use classification as future development is a temporary measure until permanent zoning is established and approved by the City Council.

b. Before applying the final zoning classification of the FD/AG zoning district the City Council shall require the submittal of a comprehensive site plan for the FD/AG area. Such site plans have been approved by the City Council, and be filed as part of this ordinance prior to the issuing of a building permit in the FD/AG zoning district. The site plan shall set forth provisions for streets, utilities, easements, drainage, lot size and arrangement and other development transition to, and adequate protection of, adjacent property.

c. Pending the permanent zoning of the FD/AG district, such area shall be maintained in accordance with the following standards:

1. The FD/AG zoning district shall be maintained to keep the area free from high grass and weeds, brush, and other debris, in keeping with the appearance of nearby residential zones, and as provided by city ordinance.

2. The FD/AG zoning district shall not be used or maintained as a dumping ground for garbage or other refuse, nor shall such land be used for storage or accumulation of junk, salvage items, or unused equipment or vehicles.

3. Owners of land in the FD/AG zoning district shall so maintain their property that hazards of fire, environmental problems, unhealthy conditions, or nuisance or annoyance to the neighborhood and the community does not develop. Maintenance of such property shall comply with standards set by city ordinances.

d. any application for permanent zoning of land within the FD/AG zoning district shall be reviewed by the Zoning and Building Standards Commission. The Commission shall consider the specific use standards of the City of Log Cabin. The Zoning and Building Standards Commission shall forward the application, with Commission recommendations, to the City Council. The City Council, after reviewing the application and recommendations, any majority vote authorizes the permanent zoning or disapproves the application.

6. City Parks/Municipal Use (CP/MU) District. Areas designed as CP/MU districts shall be restricted to use for city offices; city utilities; water wells, treatment and storage facilities; sewage treatment facility; storage for city vehicles, equipment, and supplies; city parks; boat ramps; green belts; and recreations areas. Direction, regulation and maintenance of specific use areas shall be provided by the City Council, and should be consistent with the requirements identified in subsection IV.A.4.

B. Permissible Uses Common to Zoning Districts.

1. **Fences.** No persons, firm, or corporation shall build, erect, or install a fence on any property within the City of Log Cabin, without having applied for an obtained a building permit for such fence, either as a separate construction project, or as an identified element within a building site plan.

a. Any application for a fence building permit shall be accompanied by a building site plan specifying the location of the fence on a plotted lot or lots or other land within the City of Log Cabin. The application shall also provide drawings and description defining the materials, dimensions, construction details and the final finish of the proposed fence in detail application shall describe the appearance of the proposed fence in detail sufficient to permit the Zoning and building Standards Commission Representative to evaluate the effect of the fence on the appearance and environmental use of the neighborhood.

b. Fences shall be constructed of chain link, wood, composite material or wrought iron. Height shall be no lower than four (4) feet or higher than eight (8) feet. Privacy fencing shall not be allowed between the roadway and the structure. Decorative fencing height shall be no lower than two (2) feet.

c. Subsequent to construction or installation, a fence shall be maintained in an acceptable state of repair and appearance.

2. Swimming Pools. No person, firm or corporation shall build, erect or install a swimming pool on any property within the City of Log Cabin without having applied for and obtained a building permit for such swimming pool, either as a separate construction project, or as an identified element within a building site plan.

a. Swimming pool fences are required to be a minimum of four feet (4') in height, the gates must be self-closing, self-latching, and there shall be no gaps greater than four inches (4") in diameter.

b. Subsequent to construction or installation the swimming pool shall be maintained so that it does not become a nuisance or hazard to the neighborhood.

c. On plotted lots within the SF, MH, and CH districts a swimming pool may be constructed, erected, or installed only as an adjacent facility to a residence occupying such lot or lots.

d. A swimming pool located within the SF, MH, or CH zoning districts shall be used only for private recreational or therapeutic purposes, and shall not be available to the general public.

C. Future Annexations. All territory hereafter annexed to the City of Log Cabin shall be temporarily zoned as Future Development/Agriculture District, until permanent zoning classification is established by the City Council. The procedure for establishing permanent zoning for annexed territory shall conform to procedures established by law for the adoption of original zoning regulations.

1. No person, firm, corporation shall erect, construction or proceed or continue with the erection or construction of any building or structure, or add to any building or structure, or cause the same to be done in any territory newly annexed to the City of Log Cabin without first applying for and obtaining a building permit.

a. No permit for the construction of building or use of land shall be issued by the City of Log Cabin other than a permit which allows the construction of a single family dwelling meeting standards equivalent to those specified for the SF district.

b. An application for a permit for any other use than specified in subsection IV.CJ.a. shall be considered by the Zoning and Building Standards Commission and shall then be processed to the City Council for disposition as provided in subsection IV.A.5.d.

D. New Zoning District Types. It is recognized that new types of land use may develop and types of land used not anticipated may seek to locate in the City of Log Cabin. In

order to provide for such changes and contingencies, a determination as to the appropriate classification of any new form of land use shall be as follows:

1. The question concerning any new or unlisted use of land shall be referred to the Zoning and Building Standards Commission for an interpretation as to the zoning classification into which such use should be placed. The referral for interpretation shall be accompanied by a statement of facts listing the nature of the proposed use and whether it involves dwelling activity, sales, processing, type of product, storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated, hazardous or nuisance conditions which may be resultant, security factors anticipated, environmental impact and effect upon neighborhood appearance and the general requirements for public utilities such as water, drainage and sewage disposal.
2. The Zoning and Building Standards Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use should be permitted.
3. The Zoning and Building Standards Commission shall transmit its findings and recommendations to the City Council as to the classification proposed for any new or unlisted use. The City Council shall by resolution approve the recommendation of the Zoning and Building Standards Commission or make such determination concerning the classification of the proposed use as it deems appropriate, based upon its findings.

E. Specific Use Permits. The City Council of the City of Log Cabin, after public hearing and proper notice to all parties affected and after recommendations by the Zoning and Building Standards Commission may authorize the issuance of specific use permits, as long as such use is in compliance with the provisions of subsections IV.A.5.c. through IV.A.5.c.(3).

1. The Zoning and Building Standards Commission is considering any request for a specific use permit may require from the applicant plans, information, operating data and expert evaluation concerning the location, function and characteristics of any building or use proposed. The City Council may, in the interest of public welfare and to assure compliance with this ordinance, establish conditions of operation, location, arrangement and construction of any use for which a permit is authorized. In authorizing specific use permits, the City Council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions.

2. All specific use permits approved in accordance with the provisions of this ordinance in its original form or as amended shall be referred on the zoning district map and a list of such permits shall be maintained in the appendix of this ordinance.

SECTION V. BUILDING REGULATIONS

A. Requirement for Building Permit. No person, firm, or corporation shall erect, construct, or make major improvements to any building, residence or other structure, on any lot or land within the zoning districts of the City of Log Cabin, without first applying for and obtaining a building permit from the Zoning and Building Standards Commission.

1. When a structure (single family dwelling, accessory building, HUD-code manufactured home or cabin) is to be removed from one lot and reinstalled on another lot within the City, the three phases of the operation (preparation of the structure for removal, transportation of the structure, and reinstallation on another lot) shall be included in one building permit.

B. Building Permit Procedures - General. Each application for a building permit shall be accomplished by the following:

1. A building site plan specifying the planned location of the proposed building structure or improvement on a platted lot or lots, or other land, within the City of Log Cabin.

2. Plans, drawings and detailed descriptions which define the materials, structural dimensions, arrangement, construction details and planned final finishing and appearance of the proposed building, residence or structure. Plans shall include description and location of culverts, surface and sub-surface drains to be installed or constructed.

3. A statement identifying the general contractor, the schedule date for beginning construction, and establishing conformance or non-conformance with the regulations of the zoning district involved.

4. When a structure (single family dwelling, accessory building, HUD-code manufactured home) is to be removed from one lot and reinstalled on another lot within the City of Log Cabin. A relocate permit is needed. Permit shall include description of building, lot where building is moving from and lot where building is being installed. Subsequent to the move, the installation of the structure on the other lot is treated as a new installation and is subject to all of the provisions of this section.

5. A building permit fee shall accompany an application for building a residence or a commercial structure; for erecting an accessory building or any residential alteration; for external additions to any existing residential structure over 400

square feet; for installing a swimming pool; or for installing a fence subsequent to completion of the building or structure.

6. The fee amount plus a building inspector's fee is based upon the square footage of the building project, as follows:

In accordance with HB 852, the fee schedule for applications submitted after May 21, 2019 is:

Fee Per Square Foot

Residential Structure	\$0.40	(i.e. 1200 square feet=\$480; 600 square feet=\$240)
Commercial Structure	\$0.40	1-2500 square feet (minimum \$1,000)
	\$0.30	2501-10,000 square feet
	\$0.20	10,001 square feet and above
Garage	\$0.25	Minimum \$100
Storage Over 400 sq ft	\$0.40	Minimum \$80

Miscellaneous Permit Fees.

Garage Sales	\$5.00	Carports	\$35.00
Culverts	\$20.00	Swimming Pools over 4 feet	\$20.00
Fences	\$20.00	high	

7. The permits shall be good for a six (6) month period. If after the six (6) month period, and the project is not completed a new permit will have to be obtained. Permits for construction and garage sales shall be posted in public view.

8. The above fee schedule does not apply to the installation of a HUD-code manufactured home, providing that the installation is performed by a registered retailer or installer. The permit for a HUD-code manufactured home has to be permitted by a registered retailer or installer at City Hall with a processing fee of \$275.00. The permit fee includes moving in the manufactured home, front and back porches (size 10x12), culvert, driveway and fence. The permit shall be good for a six (6) month period. If after the six (6) month period, and the projects have not been completed the resident will have to require additional permits for said projects, plus a penalty fee of \$10.00.

9.. Penalty fee shall be double for proceeding without obtaining permit. In the case of a HUD-code manufactured home installed by a non-registered retailer or installer, the fine shall be double the fee.

C. Building Permit Procedures - Swimming Pools. Any application for a building permit which proposes the construction or installation of a swimming pool shall be accompanied by the following:

1. A building site plan showing the planned location of the swimming pool on a plotted lot and in relation to the residence and other structures on such lot.
2. Drawings and description of the dimensions and materials, finish and final appearance of the proposed swimming pool.
3. Definitions of the source and quantity of water to be used in the proposed swimming pool and of the provisions, control and disposal of overflow and complete or partial draining of the swimming pool.
4. Description of the fence access gate and security provisions for the positive control of access to the completed swimming pool and proof of appropriate liability insurance.

D. Processing of Building Permits. The Zoning and Building Standards Commission representative shall review the site plan, building plans, and intended use of the proposed building, structure, or improvement for which a permit is requested. The Zoning and Building Standards Commission shall consider the requested constructions and use in relation to the applicable zoning regulations.

1. The Zoning and Building and Standards Commission representative concludes that the proposed building, structure, or improvement will meet applicable zoning standards and requirements, a building permit shall be issued upon receipt of the required fee.

- a. When the Zoning and Building Standards Commission representative concludes that the proposed building, structure, or improvement will meet applicable zoning standards and requirements, a building permit shall be issued upon receipt of the required fee.

- b. The Zoning and Building Standards Commission representative shall not issue a building permit when the application is found to be deficient in any respect, or when the proposed building, structure, or improvement would result in a condition or use not in conformance with this ordinance or the appropriate use of land and buildings consistent with the zoning regulations of the City of Log Cabin.

E. Procedures Subsequent to Issuance of Building Permits. One copy of the plans drawings and specifications forming the basis for the building permit shall be retained by the Zoning and Building Standards Commission for review during the construction and upon completion of the building or alteration.

1. The Zoning and Building Standards Commission shall review construction in process as necessary to determine conformance to zoning and building regulations and committed plans.

2. The Zoning and Building Standards Commission conducts a final inspection of the building and land use upon notice of completion, ready for occupancy or use, prior to issuing a certificate of occupancy and compliance.

F. Certificates of Occupancy. No building hereafter erected, constructed, or structurally altered shall be used, occupied, or changed in use, and no land may be used until a certificate of occupancy and compliance has been issued by the Zoning and Building Standards Commission.

1. The certificate of occupancy and compliance shall be applied for coincident with the application for a building permit, and will be issued after the completion of the erection, construction, or alteration of such building or land use made in complete conformity to the provisions of this ordinance.

2. The certificate of occupancy and compliance shall state that the building or proposed use of a building or land complies with the provisions of this ordinance. A record of certificates issued shall be maintained by the City and copies shall be furnished, upon request, to persons having proprietary interest in the building or land affected.

G. Destruction of Property. If a structure in any zoning district is partially or wholly destroyed by fire, the elements, or by other cause, the debris and residue of such structure shall be cleared and disposed of within six (6) months, or a building permit for reconstruction and restoration of such structure shall be obtained and the clearance and rework shall be initiated for completion within the specified six (6) months.

SECTION VI. NONCONFORMING USES AND STRUCTURES.

A. Definition of Nonconforming Structure. A nonconforming status shall lawfully exist under the provisions of this ordinance when a structure does not conform to the regulations provided for the zoning district in which the structure is located, and

1. When on the effective date of this ordinance the structure was in existence and lawfully constructed, located and operating in accordance with the provisions of prior zoning and building ordinances, or which was a nonconforming use hereunder, or

2. When the structure was in existence at the time of annexation of the territory in which it is located by the City of Log Cabin and has since been in regular and continuous use.

B. Maintenance of Nonconforming Structures. An existing nonconforming structure may be enlarged, remodeled, occupied, used and maintained in a state of good repair, but no such structure shall be enlarged, remodeled, or repaired, except as provided and permitted in Section VIII.C. of this ordinance. No remodeling, enlargement, or change in use shall be such as to affect an increase in the degree of nonconformance to any provisions of this ordinance.

C. Re-construction of Nonconforming Structure. The re-construction of a nonconforming dwelling, which is destroyed by fire, the elements, or other cause, shall conform to the provisions of this ordinance, except that the enclosed living space may be that which existed in the dwelling prior to its destruction.

D. Maintenance of Nonconforming Use. Any prior nonconforming use of land or structure may be continued for an indefinite period of time subject to such regulations and conditions which the City council may require for immediate preservation of the adjoining property prior to the ultimate removal of the nonconforming use, except as noted in section VI.E.

E. Correction of Nonconforming Use. Nonconforming uses of land or structures, which are found to be hazardous to citizens or to property, or which create a public nuisance shall be processed for correction in the manner provided by the applicable ordinance of the City of Log Cabin.

SECTION VII. ZONING AND BUILDING STANDARDS COMMISSION.

A. Establishment. There is hereby created a Zoning and Building Standards Commission consisting of five (5) members, each to be appointed by the Mayor and confirmed by resolution of the City Council. Each member will serve for a term of two (2) years, subject to removal for cause by the appointing authority upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made. Each member appointed or re-appointed shall serve for a full term of two (2) years unless removed as herein provided or the appointment is terminated by resignation of the Commission member.

B. Operation. The Zoning and Building Standards Commission shall adopt rules to govern its organization, proceedings, and operational functions, provided that such rules are not inconsistent with this ordinance or the statutes of the State of Texas. Meetings of the commission shall be held at the call of the chairman, or, in his absence, the vice chairman, and at such other times as the Commission may determine. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or abstaining from voting, indicate such fact. The commission shall keep records of its deliberations and decisions and other official actions, all of which shall be promptly recorded in the committee records and shall be public record.

C. Duties and Responsibilities. The duties and responsibilities of the Zoning and Building Standards Commission shall encompass the following:

1. Study and consideration of land uses, buildings and structures in the City of Log Cabin to assure consistent and appropriate application of comprehensive plans for the development and welfare of the community.
2. Development of zoning districts and regulations for land use in each and, after public hearings on same, preparation of proposed ordinances or changes which are submitted to the City Council for approval and enactment, or other disposition.
 - a. Proposed changes, which comprise "spot zoning," being contrary to Texas Law, will not be considered by the Commission.
3. Preparation of recommended zoning and land uses for future development districts and newly annexed territory for consideration and adoption by the City council.
4. Regular review of existing nonconforming land and building uses and recommendation for upgrading to conforming use, with due regard for the property rights of the persons affected, when considered in the light of public welfare, the character of the surrounding area, and the conservation and preservation of property values.
5. Review and consideration of appeals for changes or amendments to zoning regulations, including requests for specific use permits and requests for new and unlisted land or building uses, at the request of and for the information of the City council.

D. Variances. When in its judgment the public convenience and welfare will be substantially served and appropriate use of neighborhood property will not be substantially or permanently injured, the Zoning and Building Standards Commission may, in a specific case, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize by unanimous vote the following exceptions to regulations herein established:

1. Permit the reconstruction, extension, or enlargement of a building occupied by a nonconforming use on the lot or tract occupied by such building provided that such reconstruction will serve to remedy or reduce the nonconforming status.
2. Permit such modifications of height, living area or parking regulations as may be necessary to secure appropriate development and use of a parcel of land or lot which differs from other parcels or lots in the district by being of such restricted

area, shape or slope that it cannot be appropriately developed or used without such modification.

3. The Commission shall have no power to grant variances or special exceptions permitting land uses in districts where such land uses are not permissible under Section IV of this ordinance.

4. The Commission shall have no power to grant variances or special exceptions, which have the effect of "spot zoning."

E. Elements of a Variance. Under Texas Law, a variance requires that seven elements exist simultaneously; it may be granted only;

1. Upon appeal. The appeal must be filed with the Secretary of the Commission. There may be no direct appeal to the Commission.

2. In specific cases. A variance will be granted only for a specific owner or property and on a specific application.

3. Provided it will not be contrary to the public health, safety, or general welfare.

4. Owing to special conditions. The conditions must exist on a particular lot and must be peculiar to that lot. (If the conditions in the area are general, the remedy should be an amendment to this ordinance.)

5. If a literal enforcement of this ordinance will result in unnecessary hardship. The essential test is whether this ordinance as applied to the applicant's particular property would make it practically worthless because no reasonable use could be made of it.

6. If the spirit of this ordinance is observed. The variance would be in general harmony with the purpose of this ordinance, Section II, and the purpose of each zoning district classification, Section IV.

7. If substantial justice is done, not only to the applicant but also to the public as a whole.

SECTION VIII. BUILDINGS UNDER CONSTRUCTION

Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has been issued and which is actually under construction at the time of passage of this ordinance and which entire building shall be completed within ninety (90) days from the passage of this ordinance.

SECTION IX. AMENDMENTS

A. Authority to Begin the Amendments Process. Any person, firm, or corporation having a proprietary interest in any property within the city may petition the City Council for a change or amendment to the provisions of this ordinance and any person may petition the Zoning and Building Standards Commission to initiate a change of land use zoning regulations or of building requirements and the Zoning and Building Standards Commission may, it deems it in the public interest, call a public hearing, or the Zoning and Building Standards Commission may on its own motion, or on request from the City council institute study and proposal for changes in the public interest.

B. Procedures.

- 1.** The City Council may from time to time amend, supplement or change by ordinance the boundaries of the zoning districts or the regulations herein established as provided by the statutes of the State of Texas.
- 2.** Before taking action on any proposed amendment, supplement or change, the City Council shall submit the same to the Zoning and Building Standards Commission for its recommendation and preliminary report.
- 3.** The Zoning and Building Standards Commission shall hold a public hearing on any application for any amendment or change prior to making its recommendation and report to the City council. If only certain uses to the districts are to be changed the Zoning and Building Standards Commission does not have to send letters to property owners within 200 feet of the proposed change 10 days before the date of the public hearing on the proposed amendment. However, if the Zoning and Building and Standards Commission are actually "rezoning" a piece of property or district from one classification to another, you must send the written notice to all owners of real property within the 200 feet of the property on which the change is requested. Such notice shall be given not less than ten (10) days before the date set for hearing by posting such notice properly addressed and postage paid to each taxpayer as the ownership appears on the last approved city tax roll. Such notice shall state the time and place of such hearing and the nature of subject to be considered, which time shall not be earlier than ten (10) days from the date of publication.
- 4.** After the hearing the Zoning and Building and Standards Commission must make a final report to the City council. The City Council cannot act until it receives the final report from the Zoning and Building and Standards Commission.
- 5.** A public hearing shall be **held** by the City Council before adopting any proposed amendment, supplement, or change. Notice of such hearing shall be given by publication in a newspaper of general circulation in the City of Log Cabin stating the time and place of such hearing, which time shall not be earlier

than fifteen (15) days from the date of publication. At which time the public that has an interest in the change may be heard.

7. Once the City Council has held such public hearing and the people have been heard the City Council can then adopt the amendment.

SECTION X. DEFINITIONS

A. Certain words in this ordinance not heretofore defined are defined as follows:

1. Words used in the present tense include the future; words in the singular number include the plural number and vice versa; the word "building" includes the word "structure"; the word "lot" includes the words "plot" or "tract"; the word "shall" is mandatory and discretionary.
2. Accessory building: A subordinate building, attached or unattached to the main building, and used for a purpose customarily incidental to that of the main structure, such as a private garage for automobile storage, tool house or shed, storage house, garden shelter, green house, boat house, or fence, but not involving the conduct of a business nor providing shelter for farm animals or fowl.
3. Accessory use: A use subordinate to and incidental to the primary use of the premises.
4. Building: Any structure built for the support, shelter and enclosure of persons, domestic animals, chattels, or moveable property and interpreted to include any fence, swimming pool, or other accessory or adjunct facility.
5. Business: The practice of making one's living (either part time or full time).
6. Certificate of Occupancy and Compliance: An official certificate issued by the City which indicates conformance with the zoning and building regulations, completion of construction and clean up, and authorized legal use of the premises for which it is issued.
7. Construction sign: A temporary accessory sign identifying the property owner, architect, contractor, or decorator engaged in the design, construction or improvement of the premises involved.
8. HUD-code Manufactured Home: A structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body

feet or more in length, or when erected on site if 320 or more square feet, and which is built on a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems.

9. Living Area: the total square feet of space within the outside dimensions of a residential building, including both floor levels, but excluding cellars, carports, garages, porches, breezeways, patios and attached accessory or storage structures.

10. Lot. Land occupied or to be occupied by a building, and its accessory buildings, and including such open spaces as are required under this ordinance, and having its principal frontage upon a public street (or streets).

11. Major Improvements: A major improvement shall be that improvement which increases or decreases the existing square footage of any existing building, structure, dwelling or residence, and any improvement which shall enclose existing square footage of an existing building, structure, dwelling, or residence so as to make the enclosure an addition to the existing building, structure, dwelling or residence.

12. Mobile Home: A structure that was constructed before June 15, 1976, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems.

13. Nameplate: An accessory sign showing only the name and address of the occupant of the premises on which it is erected or placed.

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

15. Real Estate Sign: A temporary accessory sign, pertaining to the sale of property and advertising such property only for the use for which it is legally zoned.

16. Resident vehicle: An automobile, pickup truck, van or camper which is owned or leased by, and regularly operated by, a person or persons residing full or part time in a permanent dwelling in the City of Log Cabin.

17. Single family dwelling: A residential structure designed and constructed for occupancy by one family and located on a lot or building tract and having no physical connection to another dwelling located on the same or another lot or tract and occupied by one family.

18. Spot Zoning: An amendment to a zoning ordinance reclassifying one or more tracts or lots for a use prohibited by the original ordinance and out of harmony therewith.

19. Storage: Shall mean causing or allowing materials, equipment or vehicles to remain unused and idle at any location within the City of Log Cabin for a period in excess of seven (7) days.

20. Toxic or noxious matter: Any solid, liquid or gaseous matter is present in sufficient quantities to endanger health, safety and comfort of persons in the vicinity of the premises involved.

21. Vehicle: Any device, machine or contrivance for carrying or conveying persons or objects on land, water or in air and specifically wheeled conveyances such as automobiles, trucks, vans, campers, motor homes, travel trailers recreational vehicles and other similar conveyances or parts thereof.

SECTION XI. PENALTY FOR VIOLATION

A.. Any person, firm, or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined any sum not exceeding two hundred dollars, (\$200); and each and every day that the provisions of this ordinance are violated shall constitute a separate and distinct offense. In addition to the said penalty provided for, the right is hereby conferred and extended upon any property owner owning property in any zoning district, where such property owner may be affected or invaded by a violation of the terms of this ordinance, to bring suit in such court or courts having jurisdiction thereof and to obtain such remedies as may be available at law and equity in the protection of the rights of such property owners.

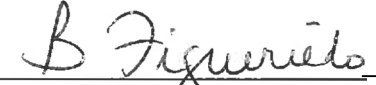
SECTION XII. SEVERABILITY

A. If any section, paragraph, subdivision, clause, phrase or provisions of this ordinance shall be judged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provisions thereof other than the part so decided to be invalid or unconstitutional.

PASSED AND ADOPTED BY THE CITY COUNCIL OF LOG CABIN ON THIS
THE 20TH DAY OF JUNE, 2019.


MAYOR, CITY OF LOG CABIN

ATTEST:


CITY SECRETARY