

CITY OF HUMBLE

ORDINANCE NO. 17-805

AN ORDINANCE OF THE CITY OF HUMBLE, TEXAS AMENDING CHAPTER 12, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE XI "DEVELOPMENT STANDARDS", BY CREATING SECTION 600 "EXTERIOR CONSTRUCTION REQUIREMENTS FOR AUXILIARY BUILDINGS LOCATED ON SINGLE FAMILY RESIDENTIAL PROPERTY"; MAKING CERTAIN FINDINGS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, upon the recommendation of the city staff and in deliberation of the City Council of the City of Humble, Texas, it is deemed to be in the best interest of the health, safety and the general welfare of the citizens of the City of Humble that a new ordinance be adopted providing for development standards for the exterior construction of auxiliary buildings located on single family residential property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, THAT:

Section 1. The Code of Ordinances of the City of Humble, Texas, is hereby amended by Amending Chapter 12, Article XI, by creating Section 600 thereof to read as follows:

Sec. 12-600 Exterior Construction Requirements for Auxiliary Buildings located on Single Family Residential Property.

- a. Purpose. It is the express purpose of this section to provide development standards for the exterior construction of auxiliary buildings located on single family residential property in order to improve and preserve the aesthetics, safety, and durability of new auxiliary buildings and to enhance the quality of life for all residents of the city.
- b. Definitions.
 - (1) Single Family Residential Property shall mean any property with a single family dwelling unit located on it.
 - (2) Single Family Dwelling Unit shall mean a place occupied or intended for occupancy as a single residential structure.
 - (3) Residential Neighborhood shall mean:
 - a. A subdivision for which a plat is recorded in the real property records of the county and that contains or is bounded on one or more sides by public streets or parts of public streets that are abutted by residential

property occupying at least 75 percent of the front footage along any block face;

- b. A subdivision for which a plat is recorded in the real property records of the county and within which a majority of the lots are subject to deed restrictions limiting the lots to residential use; or
- c. A block that is divided into four or more lots or tracts and in which 75 percent or more of the lots or tracts contain a single family dwelling unit; or
- d. A block face that has four or more lots or tracts and at least 75 percent of the front footage along the block face are lots or tracts on which there is a single family dwelling unit.

(4) Auxiliary Building shall mean any structure constructed in a residential neighborhood or on a single family residential property that is adjacent to a single family dwelling unit. An auxiliary building may be but is not limited to a garage, shed, pool house or barn.

- c. Exterior Construction Requirements. Any auxiliary building constructed on a single family residential property or within a residential neighborhood shall be constructed in such a manner and use materials that match the aesthetic appearance and dimensions of the single family dwelling unit as determined by the Chief Building Official.
- d. Variances. The City Council may grant a variance upon submission of design plans showing that the approach to construction is better than the standards imposed by this section, or is more compatible with surrounding developed properties.

The City Council, upon application duly filed by the applicant may grant a variance from the terms and requirements of this section upon an affirmative vote of the majority of the City Council members present and voting on such variances. The application for a variance shall set forth in specific language the grounds or reasons upon which such a variance request is being made.

At the time the variance application is filed with the City Secretary, the applicant shall pay a fee of \$100 to defray the costs of handling and processing the application and this fee shall not be refundable regardless of the disposition of the application.

The terms and conditions of the variance, if granted, shall be noted in the minutes of the meeting or be adopted by Order of the City Council. In the event that a variance application is denied by the City Council, no other variance of like kind shall be considered or acted upon by the City Council for the same building or proposed building for a period of six months subsequent to a denial.

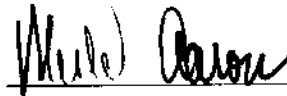
- e. Nonconforming auxiliary buildings. Where a lawful auxiliary building exists on the effective date of this chapter that could not be built under the terms of this section, it may continue so long as it remains lawful, subject to the following provisions:
- (1) The building may not be enlarged by more than 25 percent of its existing foundation footprint unless the entire building is brought into conformity with this section.
 - (2) The exterior walls of the building may not be modified, altered, or enlarged in a way that increases its nonconformity unless the modification, alteration, or enlargement is in conformity with the provisions of this chapter.
 - (3) Should a building be destroyed by any means to an extent of more than 50 percent of its replacement cost, it shall not be reconstructed except in conformity of the provisions of this section.
- f. Penalty. Any person who shall willfully or intentionally violate any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction shall be fined in accordance with Section 1-11. Each day of violation shall constitute a separate offense.

Section 3. In the event any clause phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. That, this ordinance supersedes all ordinances or parts of ordinances in conflict with the provisions stated herein.

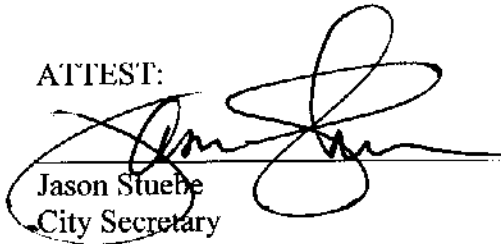
Section 5. That this ordinance shall become effective upon its adoption when the caption hereof is published once in the official newspaper of the City, by the City Secretary, within ten days after passage of the Ordinance, as required by law and Article II, Section 13 of the City Charter.

PASSED, APPROVED, AND ADOPTED this 10th day of August 2017.



Merle Aaron
Mayor

ATTEST:



Jason Stuebe
City Secretary

