

RESIDENTIAL ZONING REQUIREMENTS (Single-Family {R-1} Dwellings)

It is not the intent of this (Zoning) Ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions or other laws or ordinances, except as the same may be specifically repealed by the terms of this ordinance, or with private restrictions placed upon property by covenants, deed easements or other private agreements. The Civic and Homeowner Associations can provide information concerning applicable deed restrictions.

Where the conditions imposed by any provisions of this Ordinance are either more or less restrictive than comparable conditions imposed by another ordinance, rule or regulation of the City or private agreement, the ordinance, rule or regulation which imposed the more restrictive condition, standard or requirement shall prevail.

GENERAL

Single-family dwelling, detached - May be built in the following zoning districts:

R-1 (Low Density);

R-3 (High Density)

R-2 (Mid Density);

MH (Manufactured Housing)

A property survey or an accurate, detailed site plan must be submitted in conjunction with all building permit applications for new structures and/or additions to existing structures.

Minimum Lot Size*: 6,000 square feet

Minimum Lot Width*: 50 foot

Maximum Lot Coverage**: 40%

* Exceptions to minimum lot size and width requirements may be made for pre-platted lots or tracts. Yard setback(s) and lot coverage regulations still apply.

** On April 25, 2005, City Council amended the zoning ordinance exempting from the 40% rule, patio covers of up to 900 square feet and an accessory building 200 square feet or less.

MINIMUM YARD/SETBACK REQUIREMENTS

Primary Structures:

Front Yard: - 25'

Rear Yard: - 15'

Side Yard: - 5' (*Minimum 10' setback for side yards adjacent to a public*

R-O-W. No portion of any building, including projections of any nature, shall encroach into any utility easement or vertical projection of the easement boundary.

Easements: 3' (*From any utility easement in a rear yard.*)

GARAGE REQUIREMENTS

(A) *Garage requirement.* Every single-family dwelling unit hereafter erected shall be so located on the lot so that at least a two-car garage, either attached or detached, can be located and accessed on said lot. (i.e. 20' x 20' minimum)

(B) It is permissible to have both an attached and detached garage located or erected on your property, provided you do not exceed the MAXIMUM allowable building area as per the building code and city ordinances.

Detached Garages:

- May be located in rear yards or a side yard that does not abut a street R-O-W.
- Maximum of one (1) detached garage per dwelling.
- Maximum 1,000 sq. ft. (floor area) in size nor occupy more than 25% of a rear yard.
- Maximum height of 20' or the height of the principal structure, whichever is less.

Side Yard: 5'*(**If adjacent to public R-O-W, minimum 10'.*)

Rear Yard: 3'

Easements: May abut; no encroachment.

Setback from Structures on same Lot: 6'

Carports:

- A roofed structure, free-standing or attached to another structure designed to provide covered parking for vehicles. It shall have not enclosing walls and be located directly over a driveway.
- Front and side yard carports are permitted provided recorded building lines are not in place.
- Maximum of one (1) detached carport structure per dwelling.
- Maximum width is 25'.
- Minimum 5' setback from any front or side property line.
- If located on a corner lot, it shall not be located closer than 25' from an intersection. (*Distance is measured from intersection of property lines common with street R-O-W lines.*)

Unenclosed Patio Covers Attached to the Primary Structure:

Side Setback: 5'

Rear Setback: 3'

Rear Utility Easement: Patio and cover may be located adjacent to a rear yard easement; however, no portion may encroach into said easement.

Maximum Height Requirements:

- Single-family, Detached - 35'
- Single-family, Large Lot 45'

Driveways:

- Shall be constructed of a dust-free material (concrete, asphalt)
- Shall be installed prior to the City authorizing utilities to the house.

Width: 12' Minimum and 25' Maximum

Distance between Drives: 10' Minimum

Distance from side property line(s): 3' Minimum

Distance from Intersection*: 25' Minimum

(*Distance is measured from intersection of property lines common with street R-O-W lines.)

Other Accessory Structures:

- May be located in a rear yard.
- Maximum height of 15'.
- No closer than 6' to any adjacent structures.

- If not exceeding 120 sq. ft. and is mounted on a skid foundation, the building may be located within a utility easement, but no closer than 3' to a side or rear property line and no closer than 6' to any adjacent structure.
- Buildings over 120 sq. ft. shall be located 3' from side and rear property lines and no portion may encroach into a utility easement, and no closer than 6' to any adjacent structure.

Generally- No accessory building, or carport garage for single-family dwellings shall occupy more than 25 percent of a rear yard, nor exceed 1,000 square feet of floor area.

Residential Large Lot only- Accessory buildings in single-family residential large lots may not exceed 2,000 square feet of floor area. Accessory buildings with a floor area in excess of 1,000 square feet must be located at least 30 feet from any property line and 30 feet behind the rear of the primary structure. These regulations apply only to Residential Large Lots outside the Large Lot District.

No permit shall be issued for the construction of more than one detached private garage or carport structure for each dwelling.

Terraces, Decks, Patios, and Sidewalks:

If unenclosed and not over 1' above average exterior grade:

- May be located in any yard.
- Minimum 2' setback from any property line.
- May abut, but not encroach on utility easements.

Swimming Pools:

- Regulations are applicable to aboveground and in-ground pools.
- Pools shall comply with Appendix "G" of the 2012 Edition of the International Residential Code.
- Shall be enclosed by a minimum 4' high fence with self-closing, self-latching gate and the fence shall comply with all requirements of Appendix "G" of the 2012 Edition of the International Residential Code.
- See Section 106-792 for special fencing requirements for pools located adjacent to Galveston Bay.

	<u>Pools</u>	<u>Hot Tubs</u>	<u>Decks</u>	<u>Equipment</u>
<u>Adjacent Structures:</u>	6'	n/a	n/a	n/a
<u>Side Setback:</u>	5'	5'	2'	2'
<u>Rear Setback:</u>	5'	5'	2'	2'
<u>Easement Setback:</u>	3'	May Not Encroach	May Not Encroach	May Not Encroach
Front Setbacks				
[See Sec. 106-771(2)] *	*	*	*	*

* Same set back requirements apply within front yards adjacent to Galveston Bay

Fences:

- No fences, structures, grading or barrier hedges shall be permitted within any front yard areas except in the case of large lot (1 acres or larger) residential; -OR- in the case of lots with a front yard directly adjacent to the shoreline of Galveston Bay as provided in Section 106-792.
- In the case of large lot residential lots, 8' perimeter fences are permitted as an accessory use. In the case of lots with a front yard directly adjacent to the shoreline of Galveston Bay, 4' front yard fences are permitted parallel and adjacent to the side lot lines. However, such fences shall be permitted on the front line adjacent to Galveston Bay, and shall only be constituted of chain link. These exceptions do not permit structures, grading or barrier hedges.
- As per Section 106-796 Barbed wire fences shall not be permitted, used or constructed except in industrial districts or to control livestock.

- Electric fences are permitted only for single family dwellings and for the purpose of erecting an enclosure to restrain the movement of dogs and /or livestock as per City Zoning Ord. Sec. 106-799.
- Within side and rear yards, fences of not higher than 8' including the 6" rot boards and walls 42" high or less shall be permitted.
- As per Section 106-795 both sides of a fence shall be maintained in good condition by the owner(s) of the fence and grass/ground cover adjoining the fence must be mowed and the weeds removed on a regular basis.
- Allowable fencing materials as of this date include (*):

a) Wood pickets	d) Wrought iron
b) Chain link	e) Vinyl
c) Masonry	f) Bamboo
- (*) Any other proposed material for fencing requires prior approval by the Director of Planning and/or Building Official.
- Any replacement of fence posts (regardless of quantity replaced), shall require a permit.
- Any replacement of 50% or more of the pickets, stringers/runners along one property line shall require a permit.
- Replacement of a gate does not need to be permitted unless posts are replaced, then a permit must be obtained.
- A fence permit must be obtained prior to commencing any fence work.
- If unable to provide a survey, property owner/contractor must uncover all property corner pins related to the scope of work, prior to permitting. Property owner/contractor must notify their City Inspector once property pins are all visible for inspection and prior to commencing work.
- Call for utility line locates at 1-800-669-8344 and City of La Porte at 281-471-9650 (water and sewer).
- Call for final inspection at 281-470-5130.
- Unload materials on private property, not R-O-W.