



**TOWN OF SHADY SHORES  
ZONING BOARD OF ADJUSTMENTS  
REGULAR SESSION  
SEPTEMBER 14, 2020; 6:00 PM  
VIRTUAL AND PHYSICAL  
SHADY SHORES COMMUNITY CENTER  
101 S. SHADY SHORES ROAD  
SHADY SHORES, TX 76208**

**You must register in advance for this meeting:**

[https://us02web.zoom.us/webinar/register/WN\\_qd8jwX-ET7GjhVfIBNZQvw](https://us02web.zoom.us/webinar/register/WN_qd8jwX-ET7GjhVfIBNZQvw)

After registering, you will receive a confirmation email containing information about joining the webinar.

**AGENDA**

1. CALL TO ORDER
2. ROLL CALL  
Establish a quorum
3. MINUTES:
  1. Minutes- Consider and act on approval of the minutes of the March 9, 2020 Zoning Board of Adjustments Meeting.
4. PUBLIC HEARINGS
  1. Variance Request 301 E. 7th Street Folks- Conduct a public hearing relative to a request made by Kristin and Chase Folks for a variance to the setback lines and maximum height level for an accessory building built on the property known as 301 E. 7th Street.
  2. PUBLIC HEARING – 301 E. 7th Street
    - A. Open Public Hearing
    - B. Applicant
    - C. Those in Favor
    - D. Those Opposed
    - E. Rebuttal
    - F. Close Public Hearing
5. REGULAR AGENDA

1. Variance Request 301 E. 7th Street- Consider and act on approval of a request made by Kristin and Chase Folks for a variance to the minimum setback lines and maximum building height for an accessory structure.

6. ADJOURN

I, \_\_\_\_\_, \_\_\_\_\_ of the Town of Shady Shores do hereby certify that the above notice of the Zoning Board of Adjustments was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on \_\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ .M.

\_\_\_\_\_  
Wendy Withers, Town Secretary



**SHADY SHORES ZONING BOARD OF ADJUSTMENTS  
APRIL 28, 2020; 7:00 PM  
SHADY SHORES COMMUNITY CENTER  
101 S. SHADY SHORES ROAD  
SHADY SHORES, TX 76208**

**MINUTES**

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location. The meeting was held via Zoom Teleconference Meeting 889 4918 2919.

**MEMBERS PRESENT**

|                   |               |         |
|-------------------|---------------|---------|
| Cindy Aughinbaugh | Mayor         | Present |
| Tom Newell        | Mayor Pro Tem | Present |
| Charles Grimes    | Councilmember | Present |
| Matthew Haines    | Councilmember | Present |
| Jack Nelson       | Councilmember | Absent  |
| Mike Nowels       | Councilmember | Present |

**STAFF PRESENT:** Wendy Withers, Town Administrator; Jim Shepherd, Town Attorney; Amber Schuler, Municipal Court Administrator

1. CALL TO ORDER

Mayor Aughinbaugh called the meeting to order at 7:03 p.m.

2. ROLL CALL

Establish a quorum

Mayor Aughinbaugh called the roll and a quorum was established for the record.

3. MINUTES:

1. Consider and act on approval of the minutes of the March 9, 2020 Zoning Board of Adjustments meeting. Matthew Haines made a motion to approve the minutes of the March 9, 2020 Zoning Board of Adjustments Meeting. Mike Nowels seconded the motion.  
Discussion: None  
Ayes: Grimes, Haines, Newell, Nowels  
Nays: None  
The motion passed unanimously.

4. REGULAR AGENDA

1. Action Regarding Public Hearing- Consider and act on approval of a request made by David Pollock for a variance to the 25' rear set back line for the property known as 132 Cielo Lane.

Matthew Haines made a motion to approve the variance request. Tom Newell seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Newell, Nowels

Nays: None

The motion passed unanimously.

5. ADJOURN

Matthew Haines made a motion to adjourn. Mike Nowels seconded the motion. The motion passed unanimously, and the meeting was adjourned at 7:09 pm.

PASSED AND APPROVED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
Cindy Aughinbaugh, Mayor

ATTEST:

\_\_\_\_\_  
Wendy Withers, Town Administrator/Secretary



## AGENDA MEMORANDUM

**DATE:** September 14, 2020  
**TO:** Zoning Board of Adjustment  
**FROM:** Wendy Withers, Town Administrator  
**SUBJECT:** Public Hearing Variance Request 301 E. 7<sup>th</sup> Street

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### **BACKGROUND/INFORMATION:**

Conduct a public hearing relative to the following request:

On or around the beginning of May 2020, Office Clerk Joan Davis was contacted by Lori Brown at Beaver Builders regarding the possible construction of an accessory building for the property known at 301 E. 7<sup>th</sup> Street. Through a series of emails Ms. Davis advised the contractor that a permit would be needed and she would need to see the plans before she could make the determination as to whether or not the accessory structure would be allowable as proposed. In the attached emails you can see that Ms. Davis expressed concerns about the possible lot coverage and size of the structure.

No permit was ever applied for and the garage was constructed sometime between that time and August 2020. The structure as built does not meet the required setback lines for R-2000 the current zoning of the property. Although the property is eligible to be zoned H-4300 no request has been made for rezoning of that property. In addition the property may not meet the height restrictions for a lot of this size, (the ordinance states a maximum of 16' for a Type 2 accessory structure on less than ½ acre). The building as constructed is 681 square feet and is located 3' from the rear property line. In addition it appears that the garage was built overlapping lot lines as the property was never replatted as one lot. The garage/addition has plumbing and electricity and a poured foundation all of which was done without a permit and no inspections were performed.

|                        | <b>Required</b>                                     | <b>Current Building</b>                                                                                                                        | <b>Compliance</b> |
|------------------------|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Setbacks</b>        | 25' front and rear, 10'side                         |                                                                                                                                                | No                |
| <b>Height</b>          | 16' maximum                                         | 18'                                                                                                                                            | No                |
| <b>Lot Coverage</b>    | 40% maximum                                         | 27%                                                                                                                                            | Yes               |
| <b>Materials</b>       | No regulations                                      | No regulations                                                                                                                                 | Yes               |
| <b>Building Size</b>   | 700 square feet' for Type 2 on less than ½ acre     | 681 square feet                                                                                                                                | Yes               |
| <b>Permit Required</b> | Accessory Structure; Plumbing and Electrical Permit | None requested                                                                                                                                 | No                |
| <b>Other</b>           | Property Re-plat                                    | Appears to be built across several lots; original house is grandfathered but additional structures should not be allowed without amended plat. | No                |

### **FINANCIAL IMPLICATIONS:**

None

**RECOMMENDATION/ACTION DESIRED:**

1. Commissioners could request that the homeowner demolish the current garage
2. Commissioners could approve the above variances
3. Commissioners could approve the variances and recommend citations be issued for the violation

**ATTACHMENTS/SUPPORTING DOCUMENTATION:**

1. Variance Application
  2. Email exchanges
  3. Building Plans
  4. Zoning Regulations
- Accessory Structure Handout

**REVIEWED BY:**

Wendy Withers  
Jim Shepherd



## AGENDA MEMORANDUM

**DATE:** September 14, 2020  
**TO:** Zoning Board of Adjustment  
**FROM:** Wendy Withers, Town Administrator  
**SUBJECT:** Variance Request 301 E. 7th Street- Consider and act on approval of a request made by Kristin and Chase Folks for a variance to the minimum setback lines and maximum building height for an accessory structure.

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### **BACKGROUND/INFORMATION:**

### **FINANCIAL IMPLICATIONS:**

### **RECOMMENDATION/ACTION DESIRED:**

### **ATTACHMENTS/SUPPORTING DOCUMENTATION:**

1. AGENDA MEMO 09.14.2020 Zoning Board of Adjustment
2. Variance Request 301 E 7th Street Folks\_Redacted
3. FolksGarage
4. ACCESSORY BUILDING PERMITS
5. ARTICLE\_2\_1\_ZONING\_CLASSIFICATIONS

### **REVIEWED BY:**



## AGENDA MEMORANDUM

**DATE:** September 14, 2020  
**TO:** Zoning Board of Adjustment  
**FROM:** Wendy Withers, Town Administrator  
**SUBJECT:** Variance Request 301 E. 7<sup>th</sup> Street

---

### **BACKGROUND/INFORMATION:**

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No permit was ever applied for and the garage was constructed sometime between that time and August 2020. The structure as built does not meet the required setback lines for R-2000 the current zoning of the property. Although the property is eligible to be zoned H-4300 no request has been made for rezoning of that property. In addition the property does not meet the height restrictions for a lot of this size, (the ordinance states a maximum of 16' for a Type 2 accessory structure on less than ½ acre). The building as constructed is 681 square feet and is located 3' from the rear property line. In addition it appears that the garage was built overlapping lot lines as the property was never replatted as one lot. The garage/addition has plumbing and electricity and a poured foundation all of which was done without a permit and no inspections were performed.

|                        | <b>Required</b>                                     | <b>Current Building</b>                                                                                                                        | <b>Compliance</b> |
|------------------------|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Setbacks</b>        | 25' front and rear, 10'side                         |                                                                                                                                                | No                |
| <b>Height</b>          | 16' maximum                                         | 18'                                                                                                                                            | No                |
| <b>Lot Coverage</b>    | 40% maximum                                         | 27%                                                                                                                                            | Yes               |
| <b>Materials</b>       | No regulations                                      | No regulations                                                                                                                                 | Yes               |
| <b>Building Size</b>   | 700 square feet' for Type 2 on less than ½ acre     | 681 square feet                                                                                                                                | Yes               |
| <b>Permit Required</b> | Accessory Structure; Plumbing and Electrical Permit | None requested                                                                                                                                 | No                |
| <b>Other</b>           | Property Re-plat                                    | Appears to be built across several lots; original house is grandfathered but additional structures should not be allowed without amended plat. | No                |

### **FINANCIAL IMPLICATIONS:**

None

**RECOMMENDATION/ACTION DESIRED:**

1. Commissioners could request that the homeowner demolish the current garage
2. Commissioners could approve the above variances
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**ATTACHMENTS/SUPPORTING DOCUMENTATION:**

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- Accessory Structure Handout

**REVIEWED BY:**

Wendy Withers  
Jim Shepherd

## ZONING VARIANCE APPLICATION

TO THE HONORABLE ZONING BOARD OF ADJUSTMENTS OF THE  
TOWN OF SHADY SHORES, TEXAS:

I/WE, the undersigned owner(s) (Print) Kristin Kerve Folks, Chase Folks  
of all property within described do hereby file this, my/our Application for a Zoning Variance under  
the provisions of the Zoning Ordinance of the Town of Shady Shores, Texas on said property, so  
there may be permitted on said property the following Zoning Variance:

600 sf garage built 3 feet from property line on east side of  
property (side yard?).

The said property is located at: (Address) 301 E. 7th St

Legal description: Survey \_\_\_\_\_ Abstract \_\_\_\_\_

Lot 1, 2, 18, 19, 20 Block 35 Total Acreage 0.171  
west 1/2 of 3+17

Said property is currently zoned: Residential, Shady Shores Addition ("Old Town")  
H-1200-4300 R-2000

Proposed development plans are/are not submitted herewith, explanation if any.

Copy of plat with indication of garage site (certified plat can be provided if needed)  
\*this is survey produced at time of property purchase. Plat provided  
by Denton Central Appraisal for our address does not appear to include  
our property.

Explanation of hardship:

Lot has road on south, west, and north sides. Only true rear/side yard  
is on east side. For both aesthetic reasons / use of land, and preservation of  
trees, garage was placed far back on lot against the east property line, with  
verbal approval from adjacent property owner. Similar (and smaller) setbacks are common in  
this district.

I/We REPRESENT AND CERTIFY that I/We own said property and have full authority to make  
and file this application. I/We have read in full the attached Zoning Variance Request Packet and  
acknowledge that the variance application fee is non-refundable.

Kristin Kerve Folks, Chase Folks  
SIGNATURE(S)

8/4/2020  
DATE

E-MAIL ADDRESS \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_

### OFFICE USE ONLY BELOW

- ☐ Letters sent to property owners within 200-foot of subject property 10-days prior to meeting but no more than 20-days prior
- ☐ Legal notice published in official newspaper 10-days prior to meeting but no more than 20-days prior

Date Received: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Check #: \_\_\_\_\_

Received by: \_\_\_\_\_

## Property Details for Account: 20571

### General

|                             |                                                                                        |
|-----------------------------|----------------------------------------------------------------------------------------|
| <b>Market Value</b>         | \$61,271.00                                                                            |
| <b>Address</b>              |                                                                                        |
| <b>Owner</b>                | FOLKS, KRISTIN & CHASE—100%                                                            |
| <b>Mailing Address</b>      | 301 E 7TH ST DENTON TX 76208-7021                                                      |
| <b>Property Type</b>        | Real Property                                                                          |
| <b>Area</b>                 | 1272ft²                                                                                |
| <b>Class</b>                | 2                                                                                      |
| <b>Legal Description</b>    | SHADY SHORES BLK 35 LOT 1,18-20 W/2 3 &W/217<br>EAVES B AB 388                         |
| <b>Geo ID</b>               | SD0278A-000035-0000-0000-0002                                                          |
| <b>Subdivision</b>          | SHADY SHORES—SD0278A                                                                   |
| <b>Neighborhood</b>         | SHADY SHORES—DC34004                                                                   |
| <b>Homestead Cap</b>        | \$0.00                                                                                 |
| <b>Taxing Jurisdictions</b> | SHADY SHORES TOWN OF—C34<br>DENTON COUNTY—G01<br>DENTON ISD—S05<br>LAKE CITIES MUA—W02 |

### Values

|                            |          |
|----------------------------|----------|
| <b>Imp. Total</b>          | \$26,256 |
| <b>Land Homesite</b>       | \$35,015 |
| <b>Land Non-Homesite</b>   | \$0      |
| <b>Agricultural Market</b> | \$0      |
| <b>Timber Market</b>       | \$0      |
| <b>Timber Reduction</b>    | \$0      |
| <b>Homestead Cap</b>       | \$0      |
| <b>Appraised Value</b>     | \$61,271 |
| <b>Assessed Value</b>      | \$61,271 |

### Subdivision Stats

|                                           |              |
|-------------------------------------------|--------------|
| <b>SHADY SHORES</b>                       |              |
| <b>Minimum Market</b>                     | \$19,456.00  |
| <b>Median Market</b>                      | \$76,845.00  |
| <b>Maximum Market</b>                     | \$243,863.00 |
| <b>Median Living Area</b>                 | 1132ft²      |
| <b>Difference from Median Market</b>      | -22.55%      |
| <b>Difference from Median Living Area</b> | 11.65%       |

## Property Details for Account: 20571

### Deed History

| Date       | Type | Seller                        | Buyer                         | Deed Number          | Sale Price  |
|------------|------|-------------------------------|-------------------------------|----------------------|-------------|
| 2017-10-06 | MA   | KERCE, KRISTIN & FOLKS, CHASE | FOLKS, KRISTIN & CHASE        | 2017- MARRIAGE LICEN | Unavailable |
| 2017-07-27 | GNV  | WILLIAMSON, ALLEN D & JODI L  | KERCE, KRISTIN & FOLKS, CHASE | 2017-92003           | Unavailable |
| 2010-05-13 | WD   | CODY, DANIEL & DONNA J        | WILLIAMSON, ALLEN & JODI      | 2010-48555           | \$39,900    |

### Improvements

| Class             | Description       | Square Feet         | Effective Year Built | Year Built | Value    |
|-------------------|-------------------|---------------------|----------------------|------------|----------|
| 2                 | MAIN AREA         | 712ft <sup>2</sup>  | 1960                 | 1939       |          |
| 2                 | OPEN PORCH        | 120ft <sup>2</sup>  | 1960                 | 1939       |          |
| 2                 | SECOND FLOOR      | 336ft <sup>2</sup>  | 1960                 | 1939       |          |
| 2                 | ATTACHED ADDITION | 224ft <sup>2</sup>  | 1960                 | 1939       |          |
| Improvement Total |                   | 1392ft <sup>2</sup> |                      |            | \$26,250 |

### Land Segments

| Type             | Acres | Area |
|------------------|-------|------|
| 8 - RESIDENT LOT | 0.171 | 7450 |

# B. EAVES SURVEY A-388

## 9th STREET

S 88°16'49" E 129.42'

LOT 4-A  
0.263 Acres.

## BLOCK 40

## 8th STREET

POB

This is the plot  
provided for our address  
on Denton Central  
Appraisal website, does  
not appear to include  
our property.

### CERTIFICATE OF SURVEY

I, the undersigned, a  
true and correct and v  
ground

Jerald D. Yensan  
Registered Professional Surveyor

### NOTES:

- ALL MONUMENTS ARE SET 1/2 IRON RODS UNLESS OTHERWISE NOTED.
- P.U.E. = PUBLIC UTILITY EASEMENT  
D.E. = DRAINAGE EASEMENT
- S.Y.S.L. = SIDE YARD SETBACK LINE  
B.L. = BUILDING LINE  
R.Y.S.L. = REAR YARD SETBACK LINE
- C/W = CONCRETE SIDEWALK  
W.V. = WATER VALVE  
F.I.R. = FOUND IRON ROD  
S.I.R. = SET IRON ROD  
P.P. = POWER POLE  
L.P. = LIGHT POLE  
I.C.V. = IRRIGATION CONTROL VALVE  
F.O.C. = FIBER OPTIC CABLE  
T.C.B. = TRAFFIC CONTROL BOX  
C/O = SANITARY SEWER CLEANOUT  
E.B. = ELECTRIC BOX  
T.B. = TELEPHONE BOX  
F.H. = FIRE HYDRANT  
S.T.M. = STORM SEWER MANHOLE

Replat Hand DRAWN

Cab W R 819

OWNER/DEVELOPER  
ROBIN FERRIER-WATSON  
306 EAST 9TH ST.  
SHADY SHORES, TX  
(940) 321-4641

SURVEYOR  
LANDMARK SURVEYORS  
4238 I-35 N  
DENTON, TEXAS 76207  
(940) 382-4016

### OWNER'S CERTIFICATE AND DEDICATION

#### STATE OF TEXAS

COUNTY OF DENTON, WHEREAS, Robin Ferrier-Watson am the owner of that certain lot, tract, or parcel of land situated in the Bartlett Eaves Survey Abstract Number 388 in the Town of Shady Shores, Denton County, Texas, being a part of Lot 3 and all of Lots 4 through 12, Block 40 of Shady Shores Subdivision, an addition to the Town of Shady Shores, Denton County, Texas according to the plat thereof recorded in Volume 1, Page 32, Plat Records, Denton County, Texas and being more particularly described as follows:  
BEGINNING at an iron rod set for corner in the north line of 8th Street, a public roadway having a right-of-way of 16.0 feet, said point being the southeast corner of Lot 13 in said Block 40;  
THENCE N 01° 51' 49" E, 50.00 feet with the east line of said Lot 13 to an iron rod set for corner, said point being the northeast corner of said Lot 13;  
THENCE N 88° 16' 49" W, 65.00 feet with the north line of said Lot 13 and with the north line of Lots 14 and 15 in said Block 40 to an iron rod set for corner;  
THENCE N 02° 08' 58" E, 50.26 feet to an iron rod set for corner in the south line of 9th Street, a public roadway having a right-of-way of 16.0 feet;  
THENCE S 88° 16' 49" E, 129.42 feet with said south line of said 9th Street to an iron rod set for corner in the west line of a United States Corps of Engineers tract;  
THENCE S 16° 48' 00" E, 106.00 feet with said west line of said U. S. A. tract to an iron rod set for corner in said north line of 8th Street;  
THENCE N 88° 08' 11" W, 98.59 feet with said north line of said 8th Street to  
the PLACE OF BEGINNING and containing 0.263 acre of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT I, the aforesaid do hereby adopt this plat designating the herein above tract as LOT 4-A, BLOCK 40, Shady shores subdivision, amending part of Lot 3 and all of Lots 4-12, Block 40 of SHADY SHORES SUBDIVISION, an addition to the Town of Shady Shores, Denton County, Texas, and do hereby dedicate to the public use forever all utility easements, drainage easements, and streets as shown hereon. All and any public utilities shall have the full right to remove and keep removed all growths which may endanger or interfere with the construction, maintenance, or efficiency of its respective system on the utility easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at anytime of securing the permission of anyone.

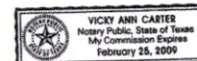
WITNESS MY HAND this 17 day of January, 2006

Robin Ferrier-Watson  
in Ferrier-Watson

STATE OF TEXAS  
COUNTY OF DENTON:

This instrument was acknowledged before me on 17 January, 2006 by Robin Ferrier-Watson.

Deputy Anna Carter  
Notary Public  
STATE OF TEXAS  
Commission expires February 25, 2009



#### COMMENDED FOR APPROVAL

I recommend for Approval this 17 day of January, A. D. 2006

by the Planning and Zoning Commission, Town of Shady Shores

Anna Carter  
person, Planning and Zoning Commission

#### CERTIFICATE OF APPROVAL

I approved this 17 day of January, A. D. 2006

by the City Council, Town of Shady Shores

Anna Carter  
City Secretary  
Town of Shady Shores

Anna Carter  
Town Secretary

Filed for Record in  
Denton County  
On: Feb 03-2006 at 11:26A  
As a  
Plat  
Document Number: 13107  
Amount: 43.00  
Receipt Number - 262004  
By:  
Patiss Salles

#### GRAPHIC SCALE

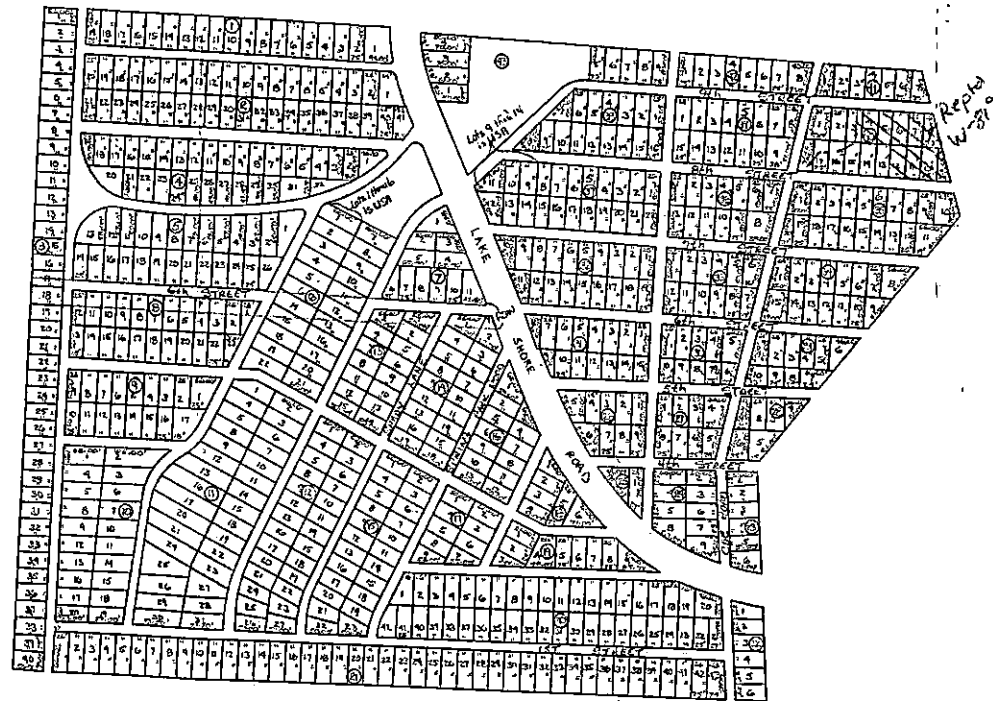
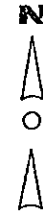


**AMENDING PLAT**  
LOT 4-A, BLOCK 40 OF SHADY SHORES SUBDIVISION  
AMENDING PART OF LOT 3 AND ALL OF LOTS  
4-12, BLOCK 40 OF SHADY SHORES SUBDIVISION  
BEING 0.263 ACRE IN THE B. EAVES SURVEY A-388  
TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS

4238 I-35 NORTH  
DENTON, TEXAS 76207  
(940) 382-4016  
FAX (940) 387-9784

DRAWN BY: ETH SCALE: 1"=38' DATE: 03 NOVEMBER, 2005 JOB NO: 0516666

**VICINITY MAP**  
SCALE 1" = 2000'



Z:\2017\Title Resources\301 E. 7th Street\Plat\301 E. 7th Street.dwg, 7/19/2017 2:43:18 PM, Kyocera TASKalfa 3050ci KX Side

EAST 8TH STREET  
(11' GRAVEL ROAD)

DENTON COUNTY, TEXAS

PROPERTY DESCRIPTION

Being Lots 1, 2, 18, 19, 20 and the WEST 1/2 of Lot 3 and WEST 1/2 of Lot 17 Addition to the City of Shady Shores, Denton County, Texas, according to the Records of Denton County, Texas.

TITLE REPORT NOTE

THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A CURRENT TITLE REPORT COMPANY, REFERENCED BY GF NO. 175993 AND BEARING AN EFFECTIVE DATE OF 07/19/2017.

FLOOD NOTE

THE PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN A DESIGNATED 100 OR 500 YEAR FLOOD AREA AS PLOTTED ON COMMUNITY PANEL # 48113 AGENCY FLOOD INSURANCE RATE OR FLOOD HAZARD BOUNDARY MAP BEARING DATE 07/19/2017.

GENERAL NOTES

1. ALL BEARINGS CONTAINED HEREIN ARE BASED ON THE SOUTH LINE OF LOT 1 BEING NORTH 90°00'00" WEST. AND DERIVED FROM AN ON-THE-GROUND SURVEY.
2. ALL MONUMENTS SHOWN AS FOUND HEREON WERE CONTROLLING MONUMENTS.

SURVEYOR'S CERTIFICATION

This is to certify that, under my personal supervision, a careful survey was made of this survey for any other purpose or by other parties shall be responsible to others for any loss resulting therefrom. The plat has been determined by an on-the-ground survey, the lines and dimensions of section location and type of buildings and improvements being as shown, the improvement setback from property lines the distance indicated and that the distance is shown on said plat. EXCEPT AS SHOWN THERE ARE NO VISIBLE INTRUSIONS.

  
DANIEL L. JACKSON  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5577  
JULY 19, 2017  
FIRM REGISTRATION NO. 10129300



LEGEND

- PROPERTY LINE
- EASEMENT LINE
- ADJOINING PROPERTY LINE
- CHAIN LINK FENCE
- WOOD FENCE
- BARBED WIRE FENCE
- OVERHEAD UTILITIES
- = CAPPED IRON ROD SET MARKED "PLS INC"
- = IRON ROD FOUND
- E.M. = ELECTRIC METER
- ⊙ = WATER METER
- = CONCRETE

NOTE:  
LEGEND IS TYPICAL. NOT ALL ITEMS IN LEGEND APPEAR IN DRAWING.

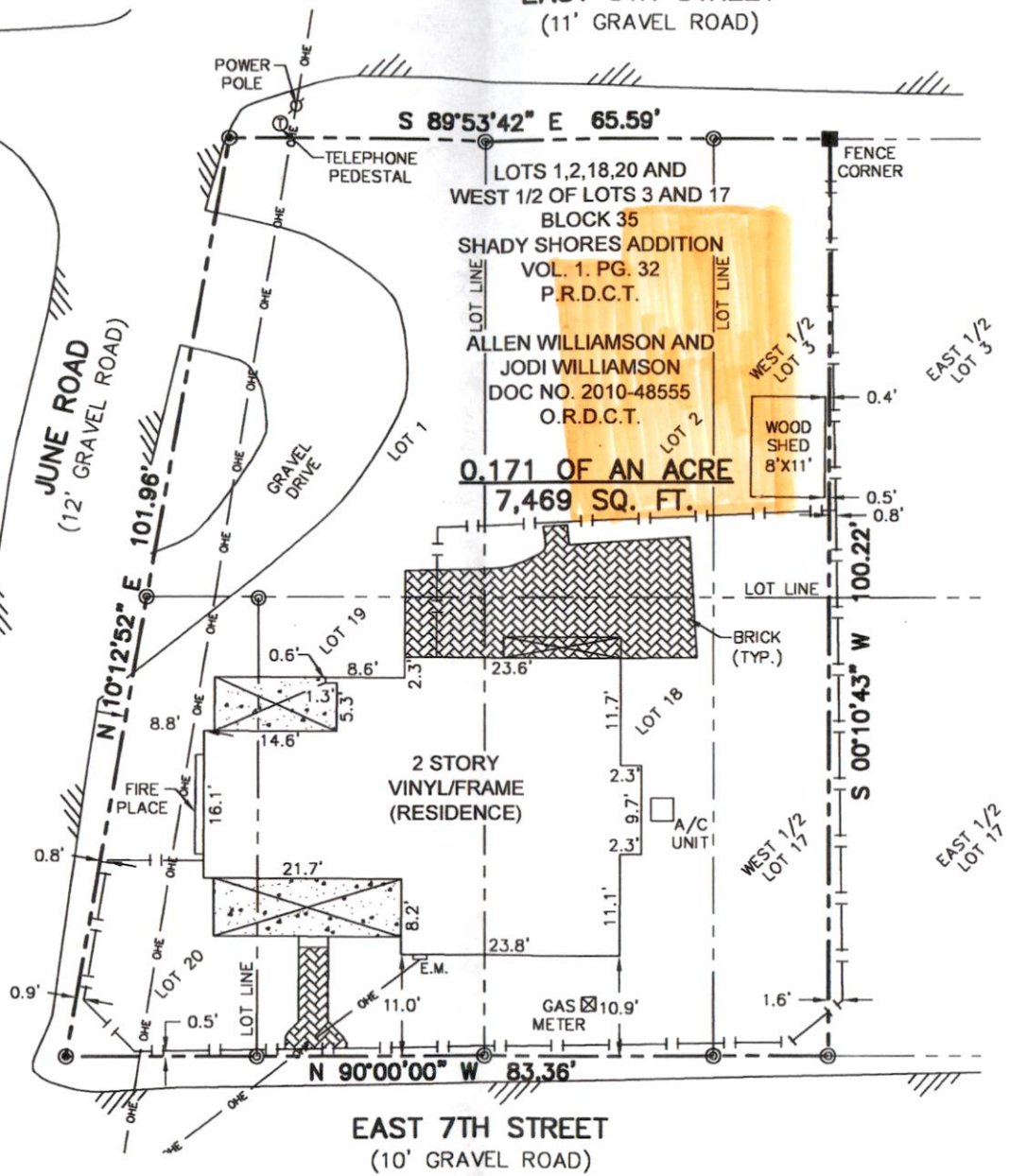
|             |          |
|-------------|----------|
| DRAWN BY:   | WDF      |
| CHECKED BY: | DLJ      |
| DATE:       | 7/19/17  |
| SHEET:      | 1 OF 1   |
| SCALE:      | AS SHOWN |

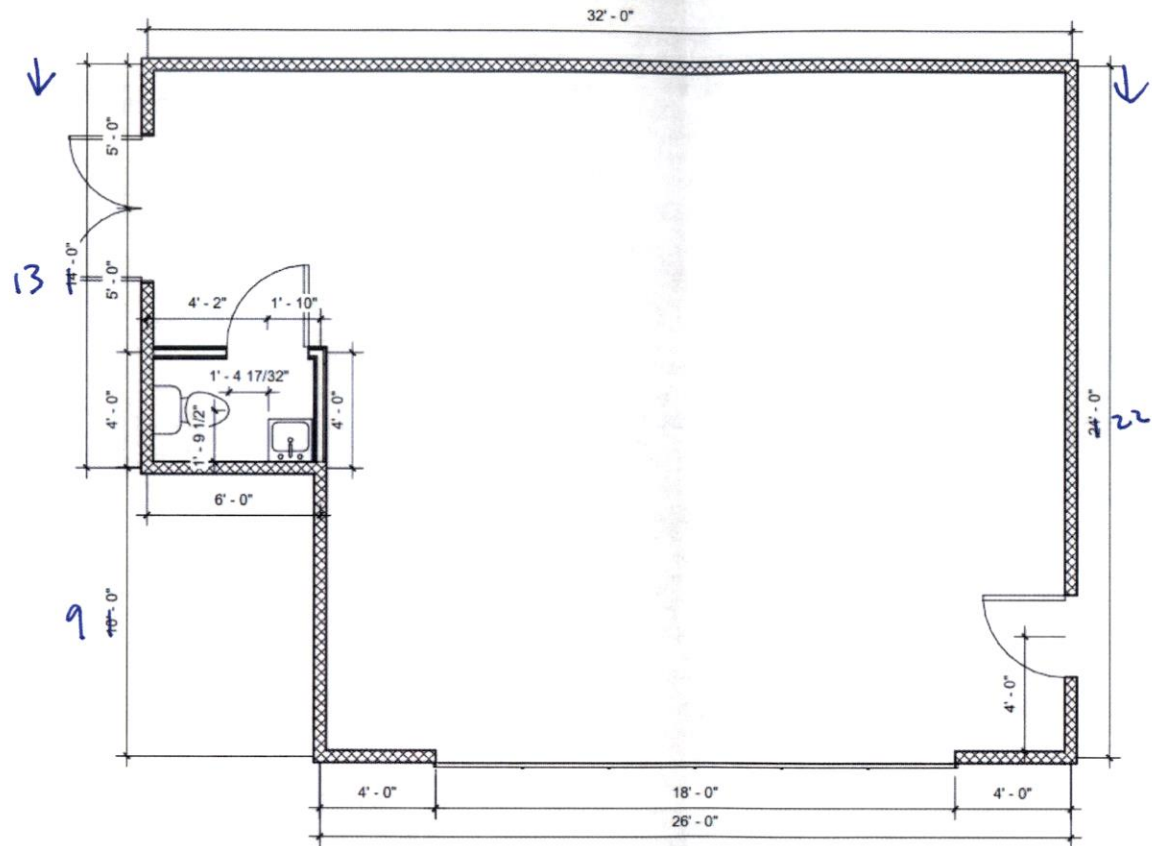


GRAPHIC SCALE IN FEET: 1" = 20'



1200 S. WOODROW LANE, SUITE 200 DENTON, TX 76205  
PHONE 940-808-1191 FAX 940-808-1195





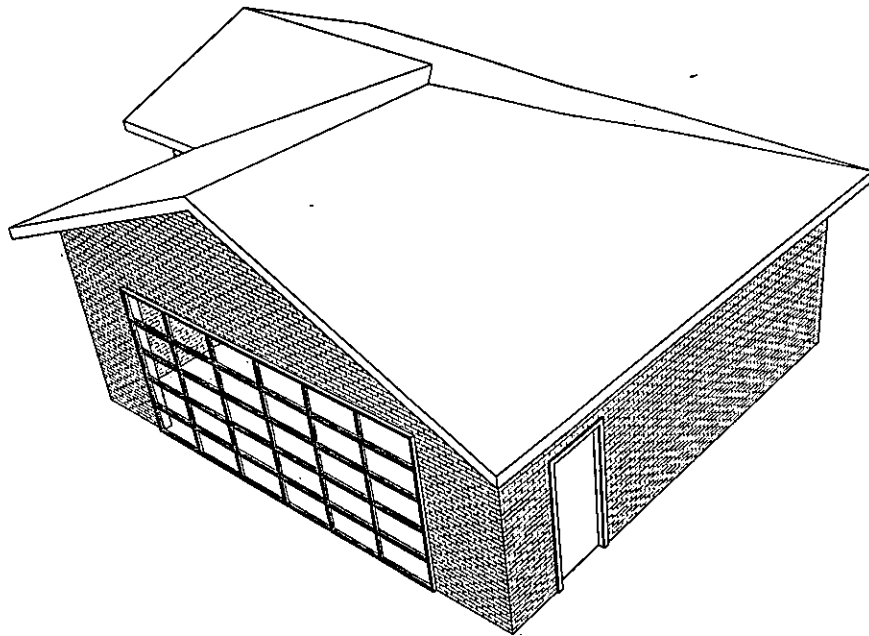
# PLAN DIMENSIONS Owner

|                |                |
|----------------|----------------|
| Project number | Project Number |
| Date           | Issue Date     |
| Drawn by       | Author         |

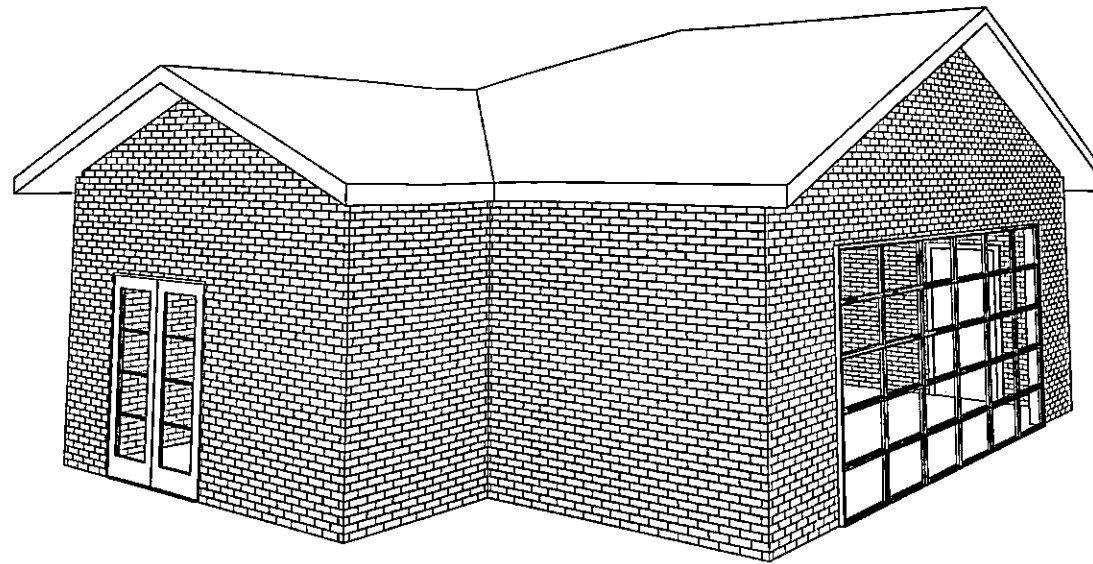


A101

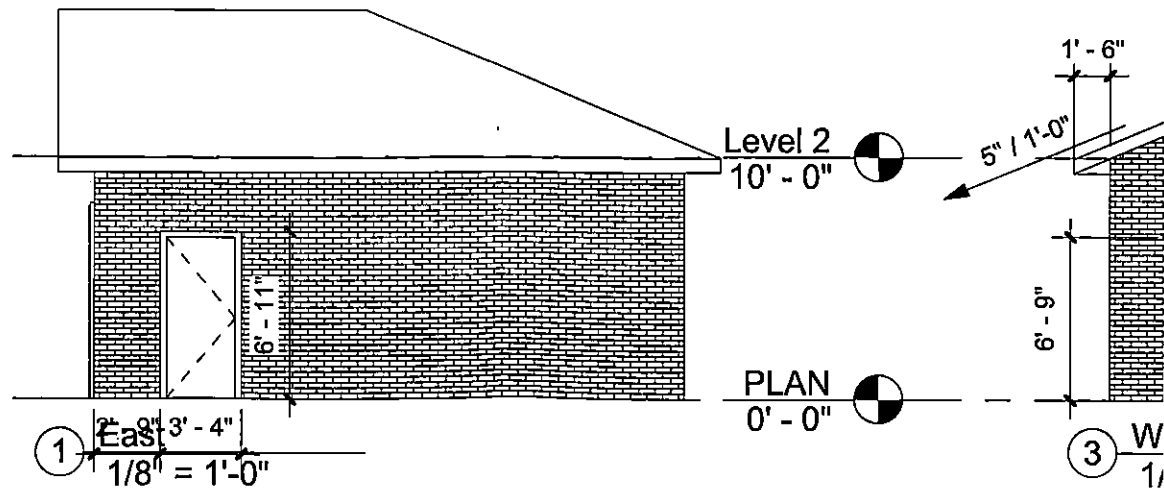
www.raabuilding.com



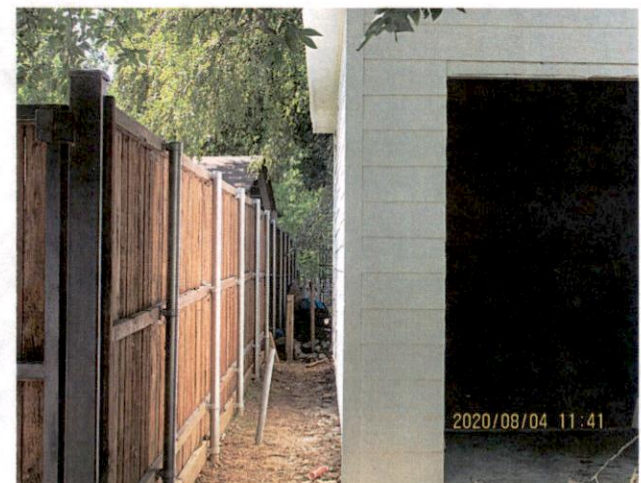
⑤ 3D View 1



⑥ 3D View 2



301 E. 7th St.



Lori

## Lori Brown

Mack Professionals, Inc. / Beaver Builders

*"Building on What We Know"*

412 N. 5<sup>th</sup> St

Sanger, TX 76266

(940) 458-7354

[www.mackpro.com](http://www.mackpro.com)

---

**From:** Kerce, Kristin

**Sent:** Thursday, April 23, 2020 6:06 PM

**To:** [lori@mackpro.com](mailto:lori@mackpro.com)

**Subject:** Re: Garage Build

Hi Lori,

Thank you for getting back to me! I have included the plans and some pictures of the site if that helps. The picket fence will be coming down for the south wall of the garage. We are on sewer. Right now the driveway is mostly dirt, we would probably need to put down some gravel before building to make it easier for you guys. We do not plan on putting in a concrete driveway as there are lots of old huge trees on the property and we'd be worried about it warping from roots. The odd shape of the plans is actually because of a tree, we'd like to keep it if possible, while still including the bathroom and extra storage space. Unfortunately, I just realized tonight that our building site as we picture it is very close to the property line. I'm guessing our zoning ordinances probably say the building has to be 5 or 10 feet from the property line, although our neighbor just built a carport right up to it. If that's the case, we'll either have to cut down the tree or cut down on our extra storage space. Several trees are going to need some significant trimming to put in the garage and I do have an arborist who comes out every other year that I can call if you guys don't do that. We would also like a faucet for a hose on the outside (on the bathroom side) and 30-amp RV outlet on the front. It can't be too tall, because of the trees, so we weren't planning on a real attic space, but would like some cross beams or something that would facilitate some hanging storage. The house itself is about 85 years old, and has a mix of original wood siding and newer siding, so whatever we can get that looks similar. The garage door can be basic but we did want 18ft instead of 16.

The address is 301 E. 7th st, Shady Shores 76208. It is in the old part of Shady Shores, where the roads are more like alleys and our town zoning calls us a "historic district". We'd be happy to have someone come out to get a better look if needed.

Let me know what other info you need. A rough estimate would be fine at this point. Thanks!

Kristin Folks

---

**From:** Lori Brown at Beaver Builders <[beaverbuilders@buildertrend.com](mailto:beaverbuilders@buildertrend.com)>

**Sent:** Monday, April 20, 2020 7:28 AM

## Joan Davis

---

**From:** lori@mackpro.com  
**Sent:** Friday, May 1, 2020 2:48 PM  
**To:** Joan Davis  
**Subject:** RE: Garage Build

Hi Joan

Its all very preliminary at this point. Im guessing from comments she made that she was not expecting any setbacks. She mentioned her neighbor put a carport right up to the fence... so she may be thinking she can do the same. As far as other structures on the property, I don't know anything about them.

Thank You,  
Lori

*Lori Brown*

Mack Professionals, Inc. / Beaver Builders

*"Building on What We Know"*

412 N. 5<sup>th</sup> St  
Sanger, TX 76266  
(940) 458-7354  
www.mackpro.com

---

**From:** Joan Davis <joan.davis@shady-shores.com>  
**Sent:** Friday, May 1, 2020 2:42 PM  
**To:** lori@mackpro.com  
**Subject:** RE: Garage Build

Lori,

Are they planning to keep the other storage building in the picture? How large is the lot? And by adding a bathroom, I'm not sure this qualifies as an accessory building. From the pictures, I'm not sure they have enough room and will meet the setback requirements. I will have to do some further research and get back to you. In the meantime, see if you can find out the other information please.

Thanks

~joan

---

**From:** [lori@mackpro.com](mailto:lori@mackpro.com) <[lori@mackpro.com](mailto:lori@mackpro.com)>  
**Sent:** Friday, May 1, 2020 2:10 PM  
**To:** Joan Davis <[joan.davis@shady-shores.com](mailto:joan.davis@shady-shores.com)>  
**Subject:** FW: Garage Build

Attached are the plans for that garage that we have been discussing.....If this helps

Thank You,

**To:** Kerce, Kristin  
**Subject:** Garage Build

**\*\*External Email - Please verify sender email address before responding.\*\***

Hi Kristin

We would be happy to take a look and provide you with an estimate.

Please email the plans and any details you want included in the estimate to [lori@mackpro.com](mailto:lori@mackpro.com).

Thank you for the opportunity.

Thank You,  
Lori

*Lori Brown*

Mack Professionals, Inc. / Beaver Builders

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(940) 458-7354

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■

412 N. 5th St, Sanger, TX 76266

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## Joan Davis

---

**From:** lori@mackpro.com  
**Sent:** Friday, May 1, 2020 2:10 PM  
**To:** Joan Davis  
**Subject:** FW: Garage Build  
**Attachments:** GarageElevations.pdf; 20200420\_185730.jpg; 20200420\_185722.jpg; 20200420\_185739.jpg

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Thank You,  
Lori

*Lori Brown*

Mack Professionals, Inc. / Beaver Builders  
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Sanger, TX 76266  
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www.mackpro.com

---

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**Sent:** Thursday, April 23, 2020 6:06 PM  
**To:** lori@mackpro.com  
**Subject:** Re: Garage Build

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Kristin Folks

---

**From:** Lori Brown at Beaver Builders <[beaverbuilders@buildertrend.com](mailto:beaverbuilders@buildertrend.com)>

**Sent:** Monday, April 20, 2020 7:28 AM

**To:** Kerce, Kristin <[kristin.kerce@okstate.edu](mailto:kristin.kerce@okstate.edu)>

**Subject:** Garage Build

**\*\*External Email - Please verify sender email address before responding.\*\***

Hi Kristin

We would be happy to take a look and provide you with an estimate.

Please email the plans and any details you want included in the estimate to [lori@mackpro.com](mailto:lori@mackpro.com).

Thank you for the opportunity.

Thank You,

Lori

*Lori Brown*

Mack Professionals, Inc. / Beaver Builders

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412 N. 5th St, Sanger, TX 76266

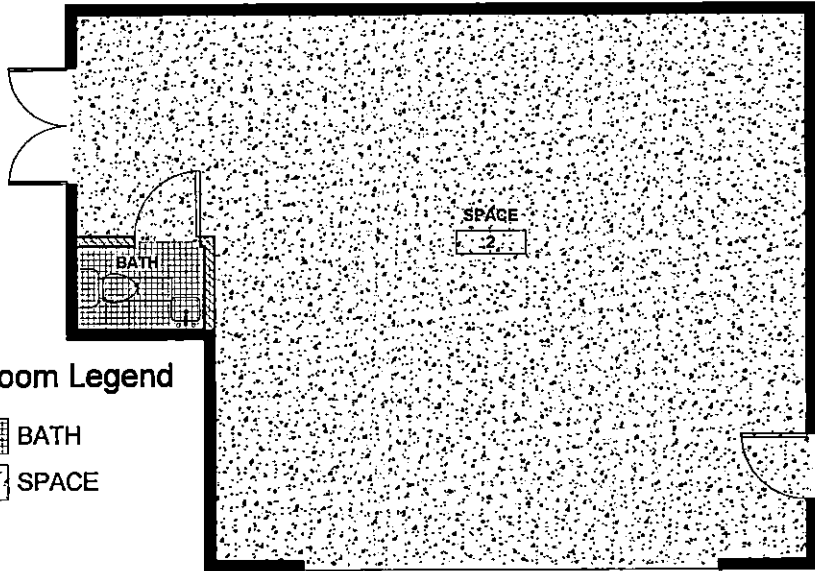
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| Room Schedule |        |           |
|---------------|--------|-----------|
| Name          | Area   | Perimeter |
| BATH          | 20 SF  | 18' - 4"  |
| SPACE         | 661 SF | 110' - 4" |
| Grand total   | 681 SF | 128' - 8" |

### Room Legend

-  BATH  
 SPACE



Scale 1/4" = 1'-0"

PLAN

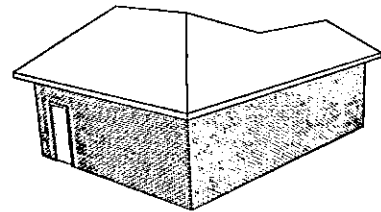
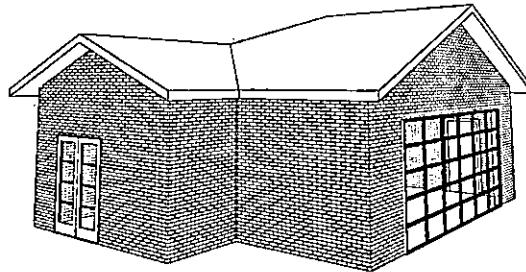
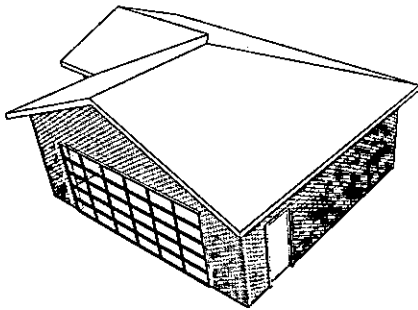
Owner  
Project Name

|                |                |
|----------------|----------------|
| Project number | Project Number |
| Date           | Issue Date     |
| Drawn by       | Author         |
| Checked by     | Checker        |



A102

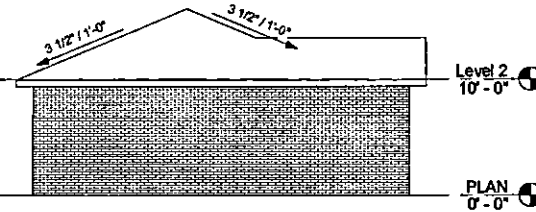
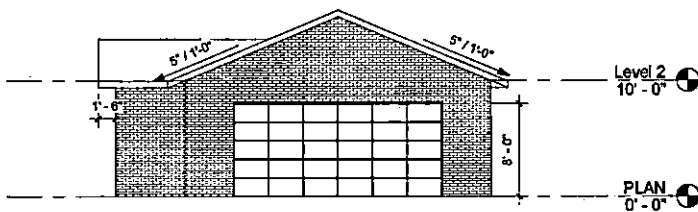
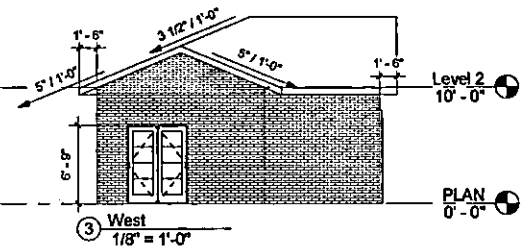
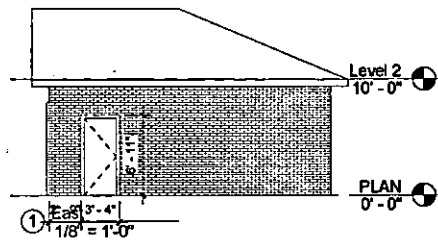
www.katir.com



⑤ 3D View 1

⑥ 3D View 2

⑦ 3D View 3



② South  
1/8" = 1'-0"

④ North  
1/8" = 1'-0"

Scale 1/8" = 1'-0"

# ELEVATIONS

Owner  
Project Name

|                |              |
|----------------|--------------|
| Project Number | Project Name |
| Issue Date     | Author       |
| Drawn by       | Checker      |

A103

**From:** Char Dupree  
**Sent:** Tuesday, August 4, 2020 3:16 PM  
**To:**  
**Cc:** Wendy Withers  
**Subject:** FW: 301 E. 7th st

Dear Kristin:

I have reviewed the property survey submitted and conducted an on-site inspection of your property to determine if the construction met all set-back requirements for your zoning district. When building an accessory structure, all building plan and zoning regulations must be met in order to issue a building permit.

Unfortunately, the garage structure does not meet the required setback measurements for a corner property in the Historical Zoning District. As a result, a building permit cannot be issued approving this project, including the plumbing installation for the proposed bathroom in the garage. A construction red tag stop work order has been issued; no further construction may be conducted.

In order to proceed with this project, you will need to request a variance through the Shady Shores Board of Adjustment (BOA). The application is on the Shady Shores website; this should be completed and submitted to Town Hall, along with the \$500.00 variance fee. Once received, a BOA hearing will be scheduled.

Thank you in advance for your cooperation in this matter. If you have any questions please contact Shady Shores Town Hall at (940)498-0044.

Sincerely,  
Char DuPree  
Code Enforcement Officer  
[char.dupree@shady-shores.comsite](mailto:char.dupree@shady-shores.comsite)

---

**Sent:** Tuesday, August 4, 2020 2:29 PM  
**To:** [Char Dupree](#)  
**Subject:** FW: 301 E. 7th st

---

**From:** Kerce, Kristin  
**Sent:** Tuesday, August 4, 2020 1:42 PM  
**To:** Joan Davis <[joan.davis@shady-shores.com](mailto:joan.davis@shady-shores.com)>  
**Subject:** 301 E. 7th st

Joan, here is the survey I have with where the garage is located. Let me know if you need more information. Sorry it took me a day, I couldn't get our scanner to work.  
The plumber was ACM Plumbing Co, [PO Box 210864, Dallas 75211](#); Lic M-10163.

Kristin Kerce Folks

## Joan Davis

---

**From:** noreply@civicplus.com  
**Sent:** Saturday, August 1, 2020 9:26 AM  
**To:** Wendy Withers; Amber Schuler; Joan Davis  
**Subject:** Online Form Submittal: Town of Shady Shores Building Permit (Short Form)

### Town of Shady Shores Building Permit (Short Form)

#### TOWN OF SHADY SHORES BUILDING PERMIT APPLICATION

---

|                         |          |
|-------------------------|----------|
| Enter the Date and Time | 8/1/2020 |
|-------------------------|----------|

---

(Section Break)

---

|                  |       |
|------------------|-------|
| Permit Requested | Other |
|------------------|-------|

---

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|                           |                                  |
|---------------------------|----------------------------------|
| Please describe the work: | Garage/storage built in backyard |
|---------------------------|----------------------------------|

---

---

|         |              |
|---------|--------------|
| Address | 301 E 7th st |
|---------|--------------|

---

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|                          |        |
|--------------------------|--------|
| Total Evaluation of Work | 22,000 |
|--------------------------|--------|

---

(Section Break)

---

|            |                     |
|------------|---------------------|
| Owner Name | Kristin Kerce Folks |
|------------|---------------------|

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|          |              |
|----------|--------------|
| Address2 | 301 E 7th st |
|----------|--------------|

---

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|      |              |
|------|--------------|
| City | Shady Shores |
|------|--------------|

---

---

|       |    |
|-------|----|
| State | TX |
|-------|----|

---

---

|     |       |
|-----|-------|
| Zip | 76208 |
|-----|-------|

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|       |  |
|-------|--|
| Phone |  |
|-------|--|

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|            |  |
|------------|--|
| Cell Phone |  |
|------------|--|

---

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|               |  |
|---------------|--|
| Email Address |  |
|---------------|--|

---

(Section Break)

---

|            |                         |
|------------|-------------------------|
| Contractor | self built by homeowner |
|------------|-------------------------|

---

---

|                    |       |
|--------------------|-------|
| Type of Contractor | Other |
|--------------------|-------|

---

---

|          |     |
|----------|-----|
| Address2 | N/a |
|----------|-----|

---

|                                   |                                      |
|-----------------------------------|--------------------------------------|
| City                              | Field not completed.                 |
| State                             | Field not completed.                 |
| Zip                               | Field not completed.                 |
| Phone                             |                                      |
| Cell Phone                        | Field not completed.                 |
| Email Address                     |                                      |
| Phone                             |                                      |
| Cell Phone                        | Field not completed.                 |
| Email Address                     | Field not completed.                 |
| License #                         | Field not completed.                 |
| Submit License and Identification | Field not completed.                 |
| Submit Plans                      | <a href="#">GarageElevations.pdf</a> |

Email not displaying correctly? [View it in your browser.](#)

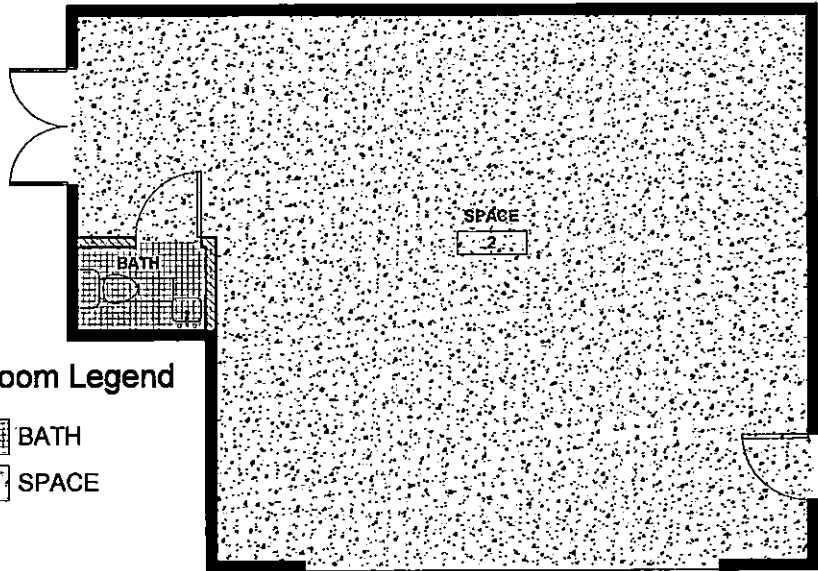
Plumber  
 ACM Plumbing Co.  
 P.O. Box 210864  
 Dallas, TX 75211



| Room Schedule |        |           |
|---------------|--------|-----------|
| Name          | Area   | Perimeter |
| BATH          | 20 SF  | 18' - 4"  |
| SPACE         | 661 SF | 110' - 4" |
| Grand total   | 681 SF | 128' - 8" |

### Room Legend

-  BATH  
 SPACE



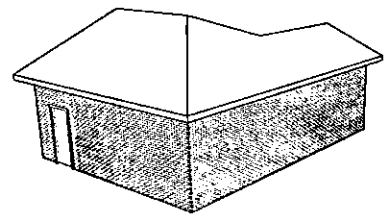
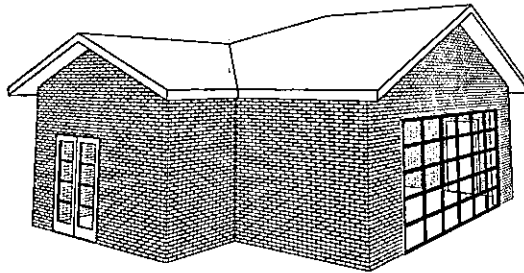
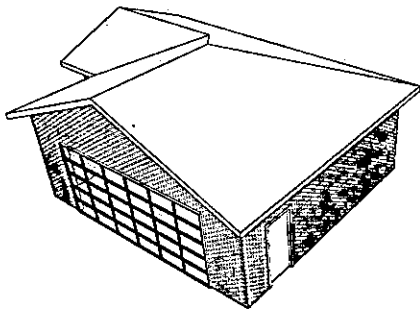
Scale 1/4" = 1'-0"

PLAN

Owner  
Project Name

| Project Number | Project Number |
|----------------|----------------|
| Date           | Issue Date     |
| Drawn by       | Author         |
| Checked by     | Checker        |

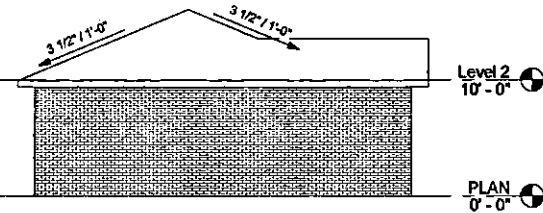
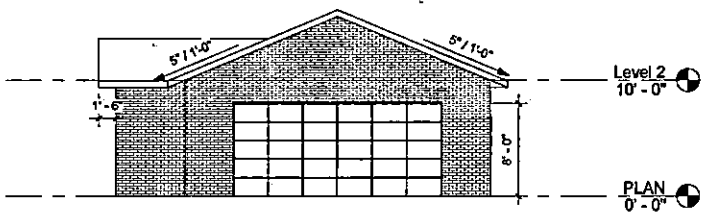
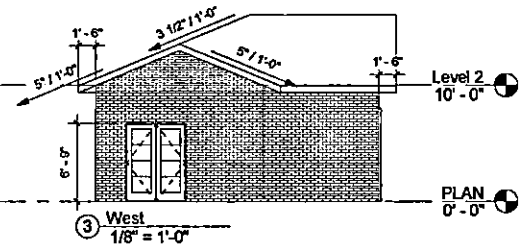
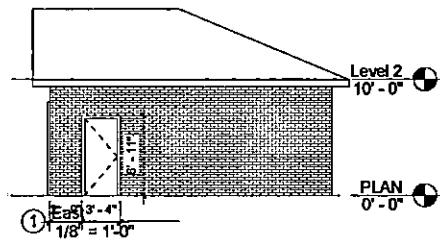
A102



⑤ 3D View 1

⑥ 3D View 2

⑦ 3D View 3



② South  
1/8" = 1'-0"

④ North  
1/8" = 1'-0"

Scale 1/8" = 1'-0"

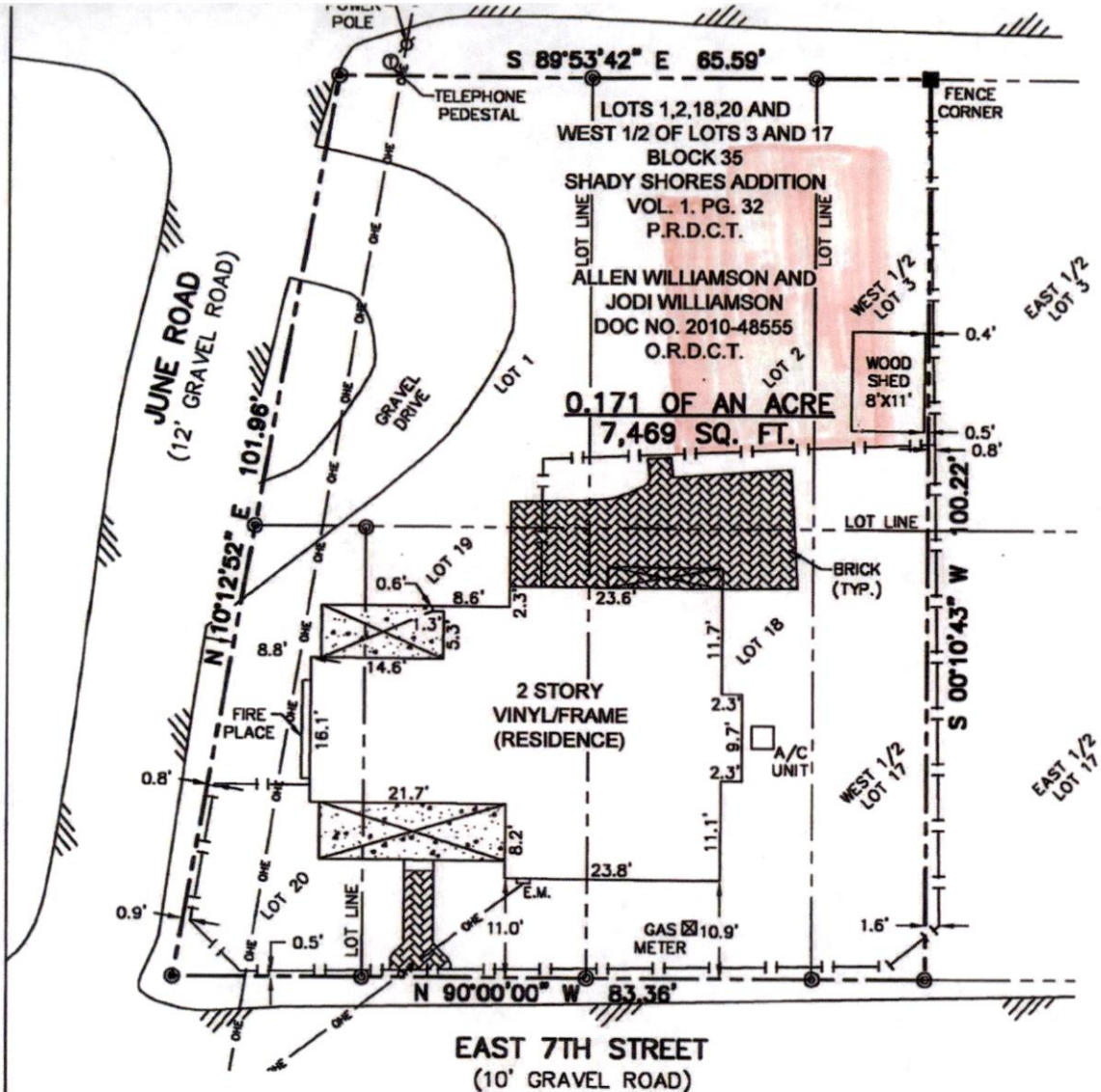
# ELEVATIONS

Owner  
Project Name

|                |              |
|----------------|--------------|
| Project Number | Project Name |
| Issue Date     | Owner        |
| Date           | Project Name |
| Drawn by       | Author       |
| Checked by     | Checker      |



A103



GRAPHIC SCALE IN FEET: 1" = 20'



1200 S. WOODROW LANE, SUITE 200 DENTON, TX 76205  
PHONE 940-808-1191 FAX 940-808-1195

Survey Lots 1, 2, 18, 20 and the WEST 1/2 of Lot 3 and WEST 1/2 of Lot 17 to the City of Shady Shores, Denton County, Texas, according to the Records of Denton County, Texas.

### TITLE REPORT NOTE

THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A CURRENT TITLE REPORT COMPANY, REFERENCED BY CF NO. 175993 AND BEARING AN EFFECTIVE DATE OF 7/19/2017.

### FLOOD NOTE

THE PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN A DESIGNATED 100 OR 500 YEAR FLOOD AREA AS PLOTTED ON COMMUNITY PANEL # 48113 AGENCY FLOOD INSURANCE RATE OR FLOOD HAZARD BOUNDARY MAP BEARING DATE 7/19/2017.

### GENERAL NOTES

1. ALL BEARINGS CONTAINED HEREIN ARE BASED ON THE SOUTH LINE OF LOT 1 BEING NORTH 90°00'00" WEST. AND DERIVED FROM AN ON-THE-GROUND SURVEY.
2. ALL MONUMENTS SHOWN AS FOUND HEREON WERE CONTROLLING MONUMENTS SHOWN.

### SURVEYOR'S CERTIFICATION

This is to certify that, under my personal supervision, a careful survey was made OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM. The plot has as determined by an on-the-ground survey, the lines and dimensions of section location and type of buildings and improvements being as shown, the improvement setback from property lines the distance indicated and that the distance from shown on said plot. EXCEPT AS SHOWN THERE ARE NO VISIBLE INTRUSIONS.

*[Signature]*  
DANIEL L. JACKSON  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5577  
JULY 19, 2017  
FIRM REGISTRATION NO. 10129300



### LEGEND

- PROPERTY LINE
- - - EASEMENT LINE
- - - ADJOINING PROPERTY LINE
- CHAIN LINK FENCE
- WOOD FENCE
- x - BARBED WIRE FENCE
- - - OVERHEAD UTILITIES
- CAPPED IRON ROD SET MARKED "PLS INC"
- ⊙ IRON ROD FOUND
- E.M. = ELECTRIC METER
- ⊙ = WATER METER
- = CONCRETE

NOTE:  
LEGEND IS TYPICAL. NOT ALL ITEMS IN LEGEND APPEAR IN DRAWING.

|             |          |
|-------------|----------|
| DRAWN BY:   | WDF      |
| CHECKED BY: | DLJ      |
| DATE:       | 7/19/17  |
| SHEET:      | 1 OF 1   |
| SCALE:      | AS SHOWN |







2 09 33 42 E 03.39

PEDESTAL  
| LOTS 1,2,18,20 AND  
WEST 1/2 OF LOTS 3 AND

CHANDLER AND  
CC 10079

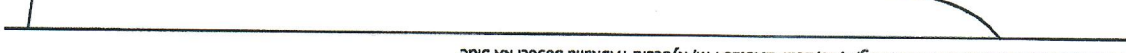
LOT LINE

AFLEEN WILLIAMSON  
JODI WILLIAMSON

- DOC NO: 2010-488  
O.R.D.C.T.  
0.171 OF AN 1/2

## 1,409,501.50

2 STORY  
VINYL/FRAME  
(RESIDENCE)



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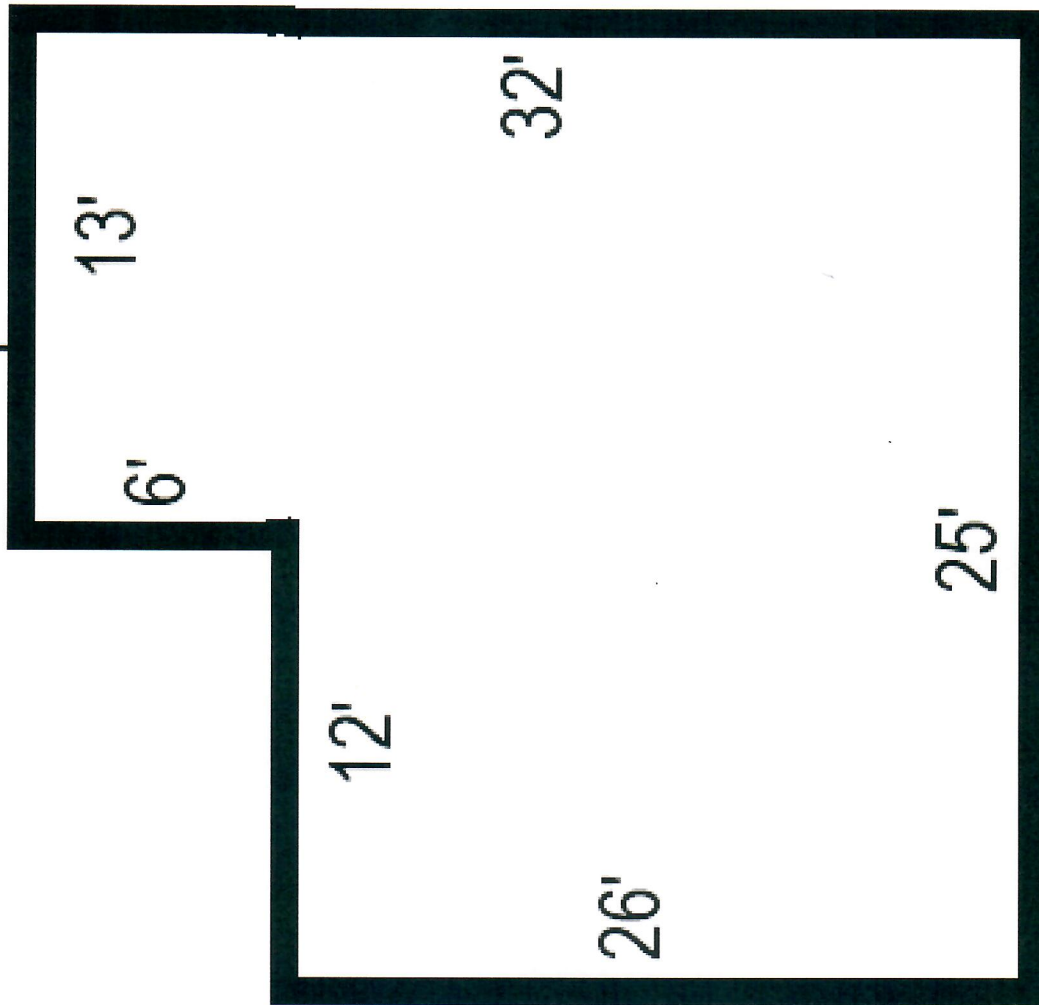
10

0 20

GRAPHIC SCALE

8th street

Garage walls  
10ft high  
Garage roof  
16ft high



Brick Patio



## **ACCESSORY BUILDING PERMITS**

An Accessory Building is a subordinate building attached, or detached, and used for a purpose customarily incidental to the main building, not involving the conduct of a business, and not built for or used for living quarters. An Accessory Building is located on the same lot or tract as the main building. Such as, but not limited to: a private garage or carport for automobile or boat storage, tool house, greenhouse, home workshop, children's playhouse, barn or storage building. A private airplane hangar, as defined in Article 1.1(a)(4), is not an accessory building and is regulated under Article 2.1(c)(2)(J)(iii). Airplane hangars built on residential lots shall be built using colors to coordinate with the main structure and with the lower 1/3 of each wall, excluding doorways, to be consistent with the main structure masonry.

### **TYPE 1 ACCESSORY BUILDINGS**

This type or class of accessory building consists of accessory buildings that support the agricultural use of the property as defined or permitted in areas with Agricultural Tax Exemptions (or a lot size of not less than 5 acres), such as barns, loafing sheds, private stables or tool/equipment sheds. Electricity and water connections are permitted. Use as living quarters is prohibited. If toilet and/or shower facilities are provided, adequate wastewater disposal must be provided and approved by the Town building inspector.

1. Location: All portions of the accessory building must be:
  - a. not less than 30 feet from any property line of an adjacent owner, and
  - b. not less than 40 feet from any dwelling on any adjacent property, and
  - c. not less than 40 feet from any road, whichever is greater.
- (3) Construction: The building's construction materials must be of material defined by the Town Building Codes. The Type 1 Accessory Building does not have to comply with "Standard Masonry Construction" and may be constructed of wood and/or factory painted or colored sheet metal, including standing metal seam products. Corrugated metal is not allowed.
- (4) Maximum Height: The height of the building shall not exceed 24 feet in height, or the height of the main building, whichever is less.

### SIZE OF STRUCTURE

| Lot Size               | Building Type                 | Total Square Footage              | Building Type | Total Square Footage | Note                    |
|------------------------|-------------------------------|-----------------------------------|---------------|----------------------|-------------------------|
| 1 to less than 2 acres | Type 1 or Type 2              | Not to exceed 2000                | Type 3        | Not to exceed 300    | Must have Ag. exemption |
| 2 to less than 5 acres | Type 1 or Type 2              | Not to exceed 4500                | Type 3        | Not to exceed 300    | Must have Ag. exemption |
| 5 or more acres **     | Type 1 or Type 2 (four total) | Not to exceed 10% of the lot size | Type 3        | Not to exceed 300    |                         |

\*\* 5 acres or more: Not more than four (4) type 1 or type 2 Accessory buildings. The total cumulative floor space of all accessory buildings, (Type 1, 2, and/or 3) may not exceed ten (10%) of the lot size. The height of Type 1 and Type 2 accessory buildings may not exceed 24 feet. Type 3 may not exceed 12 feet in height. The building materials do not have to match the principal residence.

### TYPE 2 ACCESSORY BUILDINGS

Type 2 Accessory Buildings include but are not limited to a shop or recreation building, swimming pool cabana, boat storage, detached garage for boat, recreational vehicle and motor vehicle storage, home office, tool/equipment storage, greenhouse or stable. Type 2 Accessory buildings may not be used for living quarters, or commercial purposes and may not be used as rental property. No Type 2 Accessory building will be permitted unless there is a principal residential dwelling on the property.

**CARPORTS**- per the ordinance carports are only permitted on properties that are:

1. less than ½ acre or
2. on properties not less than 5 acres in size, or on lots that are between ½ acre and 5 acres with Agricultural exemptions.

A carport is considered a Type 2 Accessory Building.

**Maximum Height:** The height of the building shall not exceed the height regulated by lot size, below in Article (vii), or the height of the main building, whichever is less.

**Location:** Type 2 Accessory buildings must be located not less than the minimum front and rear setback and side yard requirements from the property lines, as required in the zoning district in which the accessory building is to be located.

**Construction:** The building's construction materials must be substantially similar in color, composition and design as that of the residential building, the lower 1/3 of each wall excluding doorways must be brick or masonry, and generally meet the requirements for the principal residential building. Corrugated sheet metal siding is expressly prohibited. Roofing material must also be substantially similar in color, composition and design as that of the residential building and comply with the Town's building codes. For accessory buildings in excess of 300 square feet, including, but not limited to, detached garages each exterior wall shall be constructed with not less than the lower one third (1/3) of the wall as masonry construction

**Foundation:** A concrete foundation is required for all Type 2 Accessory buildings, with the exception of "Greenhouses".

#### SIZE OF STRUCTURE

| LOT SIZE                   | BUILDING TYPE                    | TOTAL SQUARE FOOTAGE               | BUILDING TYPE | TOTAL             | TOTAL SQUARE FOOTAGE                                |
|----------------------------|----------------------------------|------------------------------------|---------------|-------------------|-----------------------------------------------------|
| Less than ½ acre           | One Type 2<br>Or Type 3          | 700 sq. feet 16' height            |               |                   |                                                     |
| Less than ½ acre           | Carport (Type 2)                 | 700 sq. feet 16' height            |               |                   | A carport is considered a Type 2 Accessory Building |
| ½ acre to less than 1 acre | One Type 2 or<br>One Type 3      | 1500 sq. feet 16' height           |               |                   |                                                     |
| 1 to less than 2 acres     | Type 1 or Type 2                 | Not to exceed 2000                 | Type 3        | Not to exceed 300 | Must have Ag. Exemption for a Type 1                |
| 2 to less than 5 acres     | Type 1 or Type 2                 | Not to exceed 4500                 | Type 3        | Not to exceed 300 | Must have Ag. Exemption For a Type 1                |
| 5 or more acres **         | Type 1 or Type 2<br>(four total) | *not to exceed 10% of the lot size | Type 3        | Not to exceed 300 |                                                     |

### **Type 3 Accessory Buildings**

Type 3 Accessory buildings include pre-fabricated buildings and buildings on skids, used for the storage of tools, lawn care equipment, and similar storage related to the residential dwelling on the property.

**Maximum Size:** 300 square feet.

**Location:** A Type 3 Accessory building must be located not less than the minimum front and rear setback and side yard requirements from the property lines, as required in the zoning district in which the accessory building is to be located.

**Maximum Height:** 12 feet in height.

**Construction:** Accessory buildings of 300 square feet or less may be of non-masonry construction or may be of all metal with baked-on or pre-painted surface.

#### **SIZE OF STRUCTURE**

| <b>LOT SIZE</b>            | <b>BUILDING TYPE</b>          | <b>TOTAL SQUARE FOOTAGE</b>        | <b>BUILDING TYPE</b> | <b>TOTAL</b>      | <b>TOTAL SQUARE FOOTAGE</b>          |
|----------------------------|-------------------------------|------------------------------------|----------------------|-------------------|--------------------------------------|
| Less than ½ acre           | One Type 2<br>Or Type 3       | 700 sq. feet 16' height            |                      |                   |                                      |
| ½ acre to less than 1 acre | One Type 2 or<br>One Type 3   | 1500 sq. feet 16' height           |                      |                   |                                      |
| 1 to less than 2 acres     | Type 1 or Type 2              | Not to exceed 2000                 | Type 3               | Not to exceed 300 | Must have Ag. Exemption for a Type 1 |
| 2 to less than 5 acres     | Type 1 or Type 2              | Not to exceed 4500                 | Type 3               | Not to exceed 300 | Must have Ag. Exemption For a Type 1 |
| 5 or more acres **         | Type 1 or Type 2 (four total) | *not to exceed 10% of the lot size | Type 3               | Not to exceed 300 |                                      |

## **BUILDING PERMITS**

The following items will be needed before a building permit is issued:

1. 1 set of electronic plans, 1 set of paper plans
2. Site plan drawn to scale that shows any existing building already located on the property
3. Completed Permit Application with all sub-contractor information.
4. Payment in full

### **COST**

The base permit price for an accessory building is .50 a square foot plus all required inspections.

At a **minimum** your building will require a plan review and final inspection + .50 a square foot.

### **DETACHED GARAGE WITH ELECTRICITY- EXAMPLE**

800 sq ft. = .50 x 800 = \$400 + 14 inspections @ \$45 = \$ 630

1. Plan Review
2. T-Pole Inspection
3. Piers
4. Foundation
5. Seconds
  - a. Frame
  - b. Electric Rough-In
  - c. Mechanical Rough-In
  - d. Brick Ties
6. Flatwork, approach and culvert
7. Meter Releases
  - a. Final Electric
8. Finals
  - a. Building Final

## ARTICLE 2.1 ZONING CLASSIFICATIONS

(a) Required: The Town of Shady Shores is hereby defining districts. The use heights and regulations are uniform within each District.

R-1350-1 Residential District

R-1500-3/4 Residential District

R-1800-1/2 Residential District

R-2000-1/2 Residential District

H-1200-4300 Historical District

(b) Maps:

(1) Zoning Map - Each area of land in the Town of Shady Shores zoned under this ordinance or any pre-existing ordinance shall be shown on the zoning map of the Town of Shady Shores, Texas.

(2) Planning Map - Town of Shady Shores, as a portion of the comprehensive plan established for planning growth and development within the Town, attached hereto is a planning map, indicating future land use and zoning within the Town.

(3) FEMA Flood Insurance Rate Map (FIRM) - A map created by the NFIP for floodplain management and insurance purposes. The FIRM shows the Town of Shady Shores' base flood elevations, flood zones and floodplain boundaries.

(c) Regulations Applicable to all Areas of the Town:

(1) All consideration possible will be given to the preservation of the natural environment. Placement of dwellings and other improvements will be planned with a minimum number of trees to be removed.

(2) Area Regulations:

(A) Required front, side & rear yards:

(i) Required front, side and rear yards must be open and unobstructed, except for fences, shrubs and trees except as otherwise provided in this section.

(ii) No covered porch, covered terrace or accessory building shall project into the required front, side or rear yard setback area of the lot.

(B) Side Yard: For the purpose of side yard regulations, one (1) main building and one (1) or more accessory buildings shall be considered as one (1) building when occupying one (1) lot; provided, however, there shall be a minimum of ten (10) feet between the sides of the buildings on the same lot.

(i) On corner lots there shall be a side yard of not less than fifteen (15) feet, or the minimum side yard required by the district in which the lot is located, whichever is greater, on the street side of the lot. In the case of side street or reversed frontage (where corner lot faces an intersecting street) there shall be a side yard on the street side equal to the front yard on the lots in the rear.

(ii) No accessory building on a corner lot shall be located all or in part in the front or side yard setback areas adjacent to a public street.

(C) Setback and Side Yard Measurements: All setback and side yard minimum requirements are measured from the property lines of the lot.

(D) Height Limit: No main or miscellaneous (chimneys monuments, cupolas, domes, spires, standpipes, false mansards, and other similar structures) structure shall exceed the height of thirty-five (35) feet measured from the foundation of the house on lots that are at least 1/4 acre and are within 100 yards of lakefront area.

(i) Basis of Height Measurements: The height of a building shall be measured from the finished floor.

(E) Lot Area: On any lot held under separate distinct ownership from adjoining lots at the time of passage of this ordinance, such separately owned property being of record at the time, a single-family dwelling may be erected even though the lot be of less area than required by the regulations relating to lot area; provided, however, that in any event the combined area of the dwelling and accessory building

shall not cover more than forty (40) percent of the total area of the lot.

(F) Drainage: Subdivisions and lots shall have a registered engineer's storm drainage plan prepared to provide drainage to standards required by the Town Engineer, and with the approval of the Town Council. The subdivision or lot must then be developed in strict conformity with the drainage plan, and maintained in compliance with the drainage plan by the owner.

(G) Manufactured Houses, Mobile Homes, Travel Trailers & Construction Trailers: No manufactured house, mobile home, travel trailer, construction trailer, or similar structure shall be moved into the Town of Shady Shores and used as a dwelling or otherwise unless:

(i) The Zoning Board of Adjustments approves a variance.

(ii) It is a manufactured house or mobile home to be located in an existing mobile home park, in compliance with Ordinance No. 188-1-2007, as amended.

(H) Parking: There shall be provided, in connection with every use permitted, off-street parking spaces in accordance with the provisions of [Article 3.3](#).

(I) Sewage Requirements: Unless served by the Lake Cities Municipal Utility Authority, each residence and each dwelling unit shall be provided with and connected to a properly constructed and adequate aerobic system or septic tank of not less than 500 gallon capacity, and with not less than 200 feet of lateral lines. And, such aerobic system shall be built and maintained in accordance with any and all rules and recommendations of the Department of Public Health of the State of Texas as authorized by the Texas Health and Safety Code, Chapter 366, and the same shall meet or exceed the minimum requirements of the Federal Housing Administration. A satisfactory percolation test is required prior to the issuance of a building permit. All must comply with Town of Shady Shores Ordinance 197-9-2007, as amended [[article 13.02](#) of the Code of Ordinances].

(J) Type of Materials:

(i) Exterior wall construction for residential structures shall consist of a minimum of 75% standard masonry construction with no single wall face of any residence containing less than 50% of its exposed surface of standard masonry construction, excluding windows and doors, as defined in [Article 1.1](#).

(ii) Exterior wall construction for accessory buildings shall meet the requirements of [Article 2.1](#)(K) [[Article 2.1](#)(c)(2)(K).]

(iii) Airplane hangars built on residential lots shall be built using colors to coordinate with the main structure and with the lower 1/3 of each wall, excluding doorways, to be consistent with the main structure masonry.

(iv) Agricultural buildings must be constructed of new materials meeting the building code of the Town, or the specific provisions of this ordinance. They may not be architecturally compatible with the principal residence if the accessory building meets the requirements of a Type 1 Accessory Building.

(K) Accessory Building Regulations: All accessory buildings must be of one of the types listed below. A building permit is required for all accessory buildings prior to the commencement of construction. All accessory buildings shall meet the following requirements:

(i) The building, (except a Carport on a lot of less than 1/2 acre) shall be located behind the residence, and shall not be located within the rear or the side yard setback areas of the rear yard. A structure with a roof, without walls, for the storage of, vehicles, trailers, boats and/or farm implements, may be classed as either a Type 1 or Type 2 Accessory building, but is only permitted to be located on properties with Agricultural Tax Exemptions or on properties of more than 5 acres or under 1/2 acre.

(ii) Detached garages built to replace garages which are enclosed or converted to living space as required herein shall be constructed of brick, stone, cementitious materials or a combination thereof in proportions similar to those on the principal building and the detached garage shall be architecturally compatible with the principal building as determined by the city engineer or designee.

(iii) All Accessory Buildings maximum height and square footage limits shall be as set forth below in (vii) [subsection (viii)].

(iv) Masonry is as defined in [Article 1.1](#) DEFINITIONS (62) Standard Masonry Construction of this Zoning Ordinance.

(v) Type 1 Accessory Buildings. This type or class of accessory building consists of accessory buildings

that support the agricultural use of the property as defined or permitted in areas with Agricultural Tax Exemptions (or a lot size of not less than 5 acres), such as barns, loafing sheds, private stables or tool/equipment sheds. Electricity and water connections are permitted. Use as living quarters is prohibited. If toilet and/or shower facilities are provided, adequate wastewater disposal must be provided and approved by the Town building inspector.

(1) Maximum Size: The maximum number of square feet of usable enclosed area is regulated by lot size, below in (vii) [subsection (viii)].

(2) Location: All portions of the accessory building must be:

- a. not less than 30 feet from any property line of an adjacent owner, and
- b. not less than 40 feet from any dwelling on any adjacent property, and
- c. not less than 40 feet from any road,

whichever is greater.

(3) Construction: The building's construction materials must be of material defined by the Town Building Codes. The Type 1 Accessory Building does not have to comply with "Standard Masonry Construction" and may be constructed of wood and/or factory painted or colored sheet metal, including standing metal seam products. Corrugated metal is not allowed.

(4) Maximum Height: The height of the building shall not exceed 24 feet in height, or the height of the main building, whichever is less.

(vi) Type 2 Accessory Buildings. This type or class of accessory building consists of accessory buildings that are not classed as Type 1 Accessory Buildings or Type 3 Accessory Buildings. Type 2 accessory buildings include but are not limited to a shop or recreation building, swimming pool cabana, boat storage, detached garage for boat, recreational vehicle and motor vehicle storage, home office, tool/equipment storage, greenhouse or stable. Type 2 Accessory buildings may not be used for living quarters, or commercial purposes and may not be used as rental property. No Type 2 Accessory building will be permitted unless there is a principal residential dwelling on the property. A carport for the storage of vehicles, trailers, boats and/or farm implements classed as a Type 2 Accessory building is only permitted to be located on properties that are less than 1/2 acre or on properties not less than 5 acres in size, or on lots that are between 1/2 acre and 5 acres with Agricultural exemptions.

(1) Maximum Size: The maximum number of square feet of usable enclosed area of the Accessory building is regulated by lot size, below in (vii) [subsection (viii)]. The covered floor space of all structures on the property, including all accessory buildings and the principal residence may not exceed the maximum lot coverage of the property. Porch areas may not exceed an additional 20% of the total usable enclosed area.

(2) Maximum Height: The height of the building shall not exceed the height regulated by lot size, below in Article (vii) [subsection (viii)], or the height of the main building, whichever is less.

(3) Location: Type 2 Accessory buildings must be located not less than the minimum front and rear setback and side yard requirements from the property lines, as required in the zoning district in which the accessory building is to be located.

(4) Construction: The building's construction materials must be substantially similar in color, composition and design as that of the residential building, the lower 1/3 of each wall excluding doorways must be brick or masonry, and generally meet the requirements for the principal residential building. Corrugated sheet metal siding is expressly prohibited. Roofing material must also be substantially similar in color, composition and design as that of the residential building and comply with the Town's building codes. For accessory buildings in excess of 300 square feet, including, but not limited to, detached garages each exterior wall shall be constructed with not less than the lower one third (1/3) of the wall as masonry construction[.]

(5) Foundation: A concrete foundation is required for all Type 2 Accessory buildings, with the exception of "Greenhouses."

(vii) Type 3 Accessory Buildings. Type 3 Accessory buildings include pre-fabricated buildings and buildings on skids used for the storage of tools, lawn care equipment, and similar storage related to the residential dwelling on the property.

- (1) Maximum Size: 300 square feet.
- (2) Location: A Type 3 Accessory building must be located not less than the minimum front and rear setback and side yard requirements from the property lines, as required in the zoning district in which the accessory building is to be located.
- (3) Maximum Height: 12 feet in height.
- (4) Construction: Accessory buildings of 300 square feet or less may be of non-masonry construction or may be of all metal with baked-on or pre-painted surface.

(vii)[viii] LOT SIZE DETERMINES THE TYPE AND SIZE OF ACCESSORY BUILDINGS.

- (1) Less than 1/2 acre: One Type 2 (not to exceed 700 square feet and 16 feet in height) or one Type 3 accessory building.
  - (2) 1/2 acre to less than 1 acre: One Type 2 (not to exceed 1500 square feet and 16 feet in height) or one Type 3 accessory building.
  - (3) 1 to less than 2 acres: One Type 1 or Type 2 (not to exceed 2000 square feet and 16 feet in height) and one Type 3 accessory building.
  - (4) 2 to less than 5 acres: The total of all accessory structures should not to exceed 4500 square feet and 16 feet in height with a maximum of three (3) accessory structures of Type 1, 2 and/or 3.
  - (5) 5 acres or more: Not more than four (4) type 1 or type 2 Accessory buildings. The total cumulative floor space of all accessory buildings, (Type 1, 2, and/or 3) may not exceed ten [percent] (10%) of the lot size. The height of Type 1 and Type 2 accessory buildings may not exceed 24 feet. Type 3 may not exceed 12 feet in height. The building materials do not have to match the principal residence.
- (Ordinance 256-5-2013 adopted 5/16/13; Ordinance 279-07-2015, secs. II, IV, adopted 7/13/15; Ordinance 302-06-2017, sec. 2.3.II, adopted 7/10/17)