

ORDINANCE NO. 2013- 1098

**AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING ORDINANCE NUMBER 2013-1091; PROVIDING RULES AND REGULATIONS FOR SETBACKS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Fulshear, Texas ("City"), desires to provide for flexibility in development in master planned communities inside the City and in the City's extraterritorial jurisdiction; and

**WHEREAS**, allowing for alternative residential home options is one way to provide for flexibility in master planned communities; and

**WHEREAS**, amending the allowable setback line requirements are a way to provide for alternative residential home options;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:**

**Section 1.** That the facts and recitations found in the preamble of this Ordinance are true and correct and incorporated herein for all purposes.

**Section 2.** That Ordinance No. 04-913 is amended by adding a new subsection K of section 7 to provide as follows:

"K. Building Setback Requirements. No plat of any subdivision shall be approved unless building setback lines are established therein in accordance with the following standards, all of which shall be measured from the property line:

Front: Twenty-five (25) feet; except cul-de-sac lots which may be twenty feet (20). Cul-de-sac lots are lots adjacent to the

actual cul-de-sac beginning at the curve of the street and do not consist of all lots on a cul-de-sac street;

Twenty feet (20). Knuckle lots are lots with a bulbous widening of the pavement, where the road makes an intersection between 70 to 120 degrees angle. For an example see Exhibit A of this ordinance.

Side: Five (5) feet on each side;

Corner lots: Ten (10) feet on street side; Five (5) feet on inner lot line.

Exceptions: Master planned communities consisting of a development of at least 1,500 acres which will result in the construction of more than 700 single-family residential homes may plat not more than five (5) percent of the development with side setbacks of zero feet on one side and ten (10) feet on the other side to allow for the construction of specialty housing products. Such exceptions shall be allowed so long as the portion of the development in which specialty housing products are to be located is platted as a single section of development that has uniform lots sizes throughout the section."

**Section 3.** *Severability.*

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 Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 4.** *Penalty.*

Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

**Section 5.** *Effective date.*

This Ordinance shall become effective when published as required by law.

**PASSED** and **APPROVED** this, the 16<sup>th</sup> day of May, 2013.

  
Thomas C. Kuykendall, Jr., Mayor

**ATTEST:**

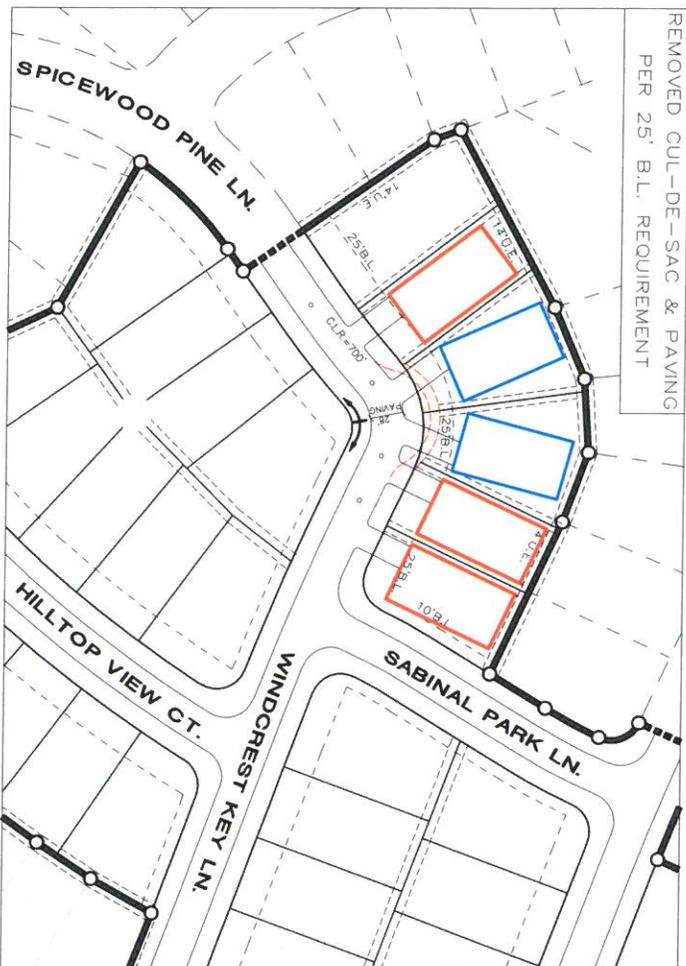
  
D. Gordon Offord, City Secretary

# REVISED PLAN

REMOVED CUL-DE-SAC & PAVING  
PER 25' B.L. REQUIREMENT

## LEGEND

-  BOX SIZE=50' X 95'
-  BOX SIZE=50' X 90'



A EXHIBIT FOR

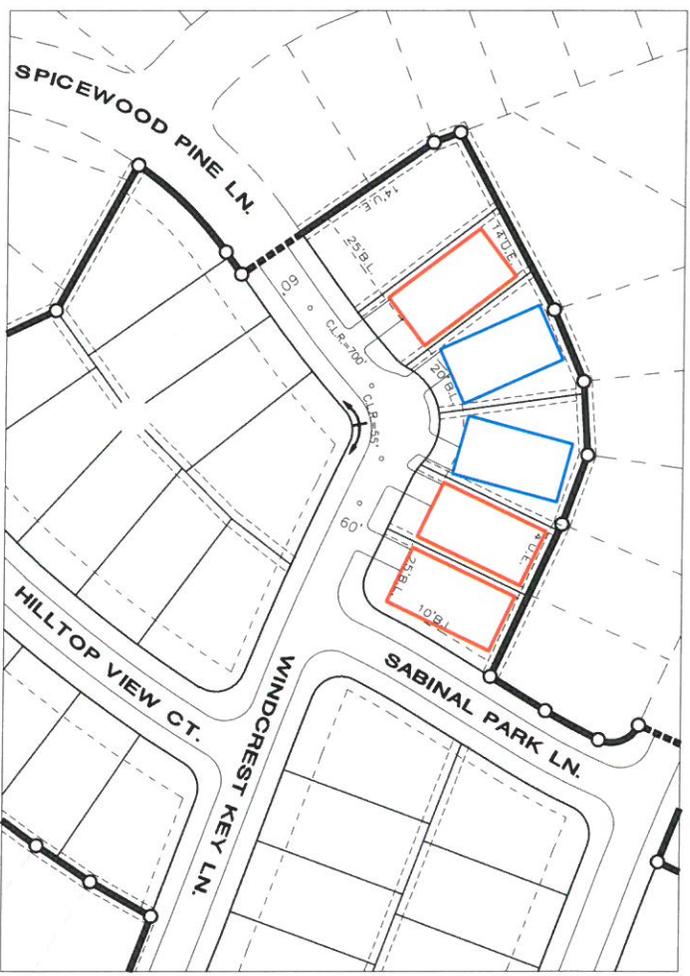
# CREEK BEND AT CROSS CREEK RANCH SECTION TWELVE

7

# ORIGINAL PLAN

**LEGEND**

	BOX SIZE=50' X 95'
	BOX SIZE=50' X 90'



A EXHIBIT FOR

# CREEK BEND AT CROSS CREEK RANCH SECTION TWELVE