

## Chapter ? PLANNING AND DEVELOPMENT

### GENERAL PROVISIONS

#### 20. ADJUSTMENTS, WAIVERS OR VARIANCES

Unless otherwise stated herein, any adjustments to, waivers of, or variances from these ordinance restrictions are for the purpose of alleviating hardships for owners and assisting in the orderly development of the City. Only the City Council, in writing, may grant such adjustments, waivers or variances.

### CITY REGULATIONS

#### Section 1 DEFINITIONS

Façade – the front of a building.

Lot - lots zoned R-1 within the limits of the City of Mountain City, Texas, on which there is or will be built a single family dwelling.

Owner - the record owner, whether one or more persons or entities, of the fee simple title to a lot.

R-1 **District** – The single-family district

Residence - a single family home providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Rubbish – useless waste or rejected matter, trash.

Shrub – a woody plant which is smaller than a tree and has several main stems arising at or near the ground.

Underbrush – shrubs and small trees.

#### Section 2 RESIDENTIAL PARKING (*Section 4 Use Restrictions 7a, 7c, & 7e*)

**All** required residential parking shall be located onsite.

Trailers, travel trailers, slide in campers, non-street legal vehicles (including all- terrain vehicles, dirt or moto-cross bikes, or similar type vehicles), boats, farm machinery, large construction equipment, or similar equipment shall not be parked or stored on any residential lot except when in conformity with the following provisions:

1. Such equipment shall be located beside or behind the primary structure and back from the nearest corner of the front façade of the residence a minimum of **10 feet**
2. Notwithstanding other requirements of this Section, such, equipment may be parked anywhere on a residential lot not to exceed 48 hours for the purpose of loading, unloading, repairing, maintaining or cleaning.
3. No such equipment shall be used for living, sleeping for longer than 14 consecutive days nor more than 45 days in one year when parked or stored on any lot.
4. Residents who desire to store the items listed above in section X.02 may apply to the City for a permit granting a variance to the provisions in X.02.1-3. Permits are not valid unless approved by the City Council.

No commercial trailers, house trailers, or trucks in excess of one (1) ton shall be parked or stored on a lot or public street for a period of time in excess of twenty-four (24) hours in a 120-day period. This restriction also applies to heavy equipment in view of the street. Special conditions may occur that will cause a need to exceed this time-period. Any variance to this subsection must be approved in writing by the City Council.

### Section 3 EXTERIOR and LOT MAINTENANCE (*Section 3 1-3 and Section 4 10.b*)

No owner and/or occupant of any lot in the R-1 District shall allow or permit tall weeds or grass, rubbish, piles of underbrush, (excluding manageable burn piles), dead trees or limbs that present a safety hazard to the public, or any other unsightly, objectionable, unsanitary matter to accumulate or remain on such lot.

Propane storage tanks located on a lot must be concealed from view from any public street.

No trash, rocks or debris are to be placed on an adjacent lot at any time.

No part of a lot shall be used for the display of the sale of junk, or of used vehicles, or any activity which shall constitute a public or private nuisance.

### Section 4 TREES, SHRUBBERY, and DRAINAGE (*Section 4 14*)

No trees or shrubs may be planted in any area that would obstruct the view of traffic at any street intersection or curve. Any trees or shrubs that obstruct the view of the streets at intersections or curves must be kept trimmed or removed by the lot owner, in order to provide a clear view of the intersection or curve for traffic. Any resident lot owner with trees or limbs located on or over a public street shall be maintained by said resident lot owner to provide a minimum 14' clearance from the street surface to the tree or limb, unless an exemption is provided by the City Council and clearly marked to warn of a less than 14' clearance.

Each lot owner that has a drainage swale on their lot will keep it free and clear of anything that would obstruct the drainage. City will maintain drainage pipes in city streets.

### Section 5 OTHER LOT PROHIBITIONS (*Section 4 11*)

No water well shall be drilled on any lot, nor shall any oil and/or gas development, including the drilling of any well, be permitted on any lot.