

Residential Development and Building Guide

City of Keene

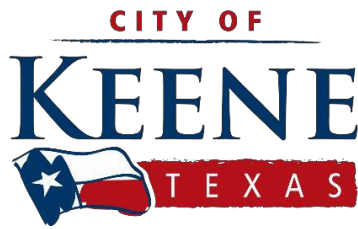


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Welcome

The following information has been arranged as a guideline for the construction process for builders and contractors working within the city limits of the City of Keene. Some items are clearly defined within the current City of Keene Ordinances, while others are standard procedures set forth by the Planning and Development Department of the City of Keene. Depending on the situation, additional information may be required that is not in this packet. Before any building permits can be issued, the property must be zoned for its proper use and the lot must be platted. If you are in a floodplain other restriction will apply.

This material is to be used as a guideline only and may not include all circumstances or building practices that occur in the field.

In order to provide for quality, cost effective construction, please familiarize yourself with these guidelines.

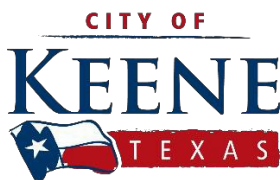
We recommend that you have a pre-construction meeting to go over and answer any questions you may have.

We understand your time is valuable and starting construction as soon as possible is everyone's goal. We will try our best to meet your time frames. However, we greatly appreciate giving us up to 10 days from submittal to properly review your construction plans. Please keep in mind that in order to fast-track your permit, all requirements contained within this packet should be met to expedite the issuance of the permit.

It is our goal to provide a seamless and efficient permit and inspection process throughout the entire construction process. We look forward to working with you and are here to assist you with any questions you may have.

Sincerely,

Building & Development Department
1000 N. Old Betsy Rd
Cleburne, TX 76031
817-641-3336 ext. 130
developmentservices@keenetx.com



Contacts

Building Official817-641-3336 ext. 130
Inspection Request Line817-641-3336 ext. 132
Building Inspectors (ATS)512-328-6995 ext.158

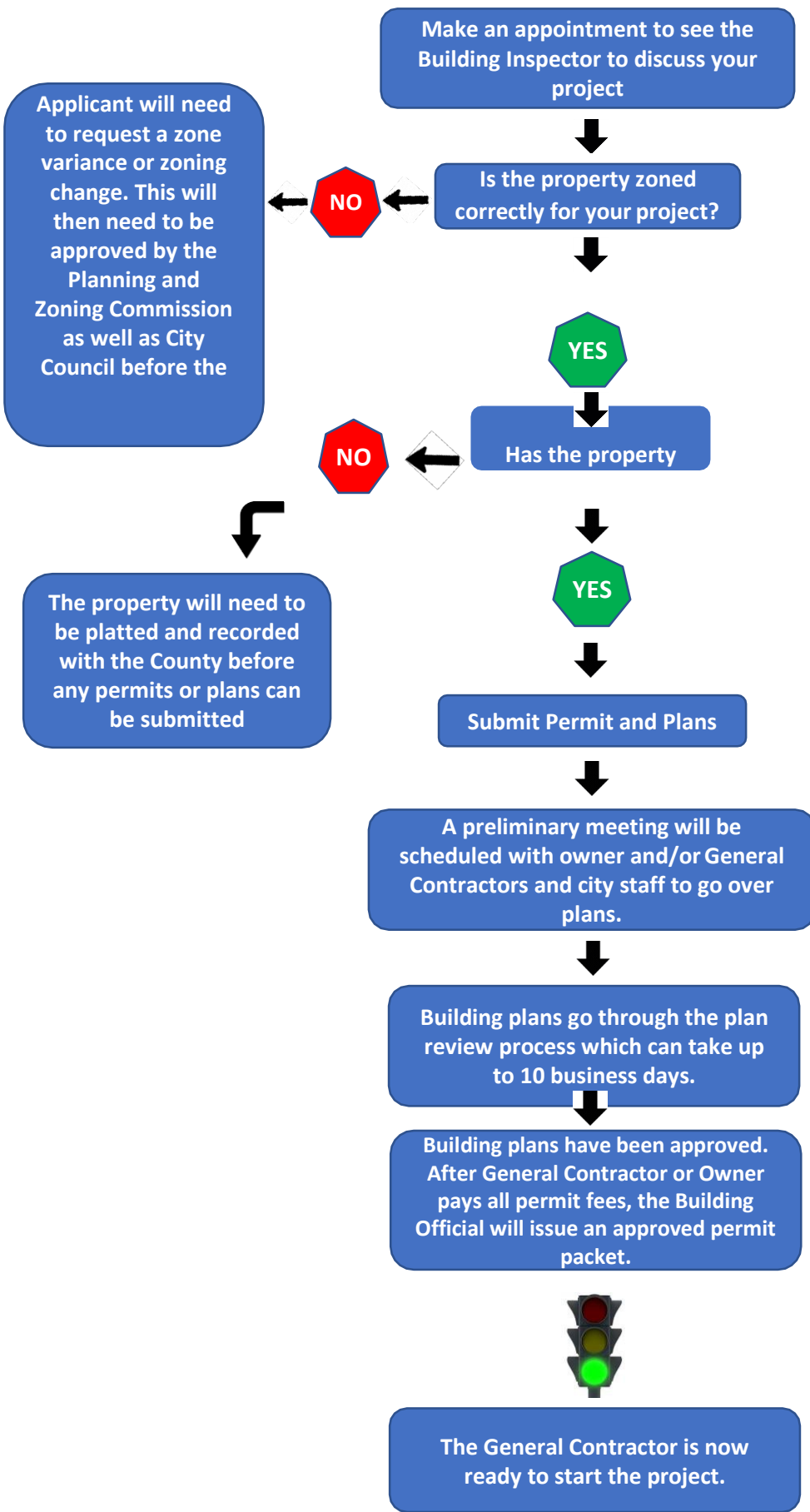
Codes Adopted

The City of Keene has adopted building codes with local amendments and appendixes to assure that buildings constructed in the City are safe for use by our citizens. The adopted codes are the minimum regulations necessary to ensure that buildings are to an acceptable level of safety and durability.

All Federal, State and local requirements are applicable to projects constructed within the City's jurisdiction whether specifically listed herein or not. The City of Keene, Texas, has adopted the following codes regulating building construction.

2018 International Building Code	2018 International Plumbing Code
2018 International Energy Conservation Code	2018 International Fire Code
2018 International Mechanical Code	2018 International Fuel and Gas Code
2018 International Property Maintenance Code	2017 National Electrical Code
2009 International /Code Council performance Code	2018 NFPA 101 Life Safety Code
With North Texas Council of Government and Local City specific amendments	

Flowchart





Building Permit Application

P.O. Box 637 Keene, TX 76059

Office 817-641-3336 ext 130 * email: cherylm@keenetx.com

☐

Residential

☐

Commercial

Building Permit Number: _____		Valuation: _____	
Project Name: _____		Square Foot: _____	
Project Address: _____		Zoning: _____	
Project Description:	New ☐	Addition ☐	Remodel ☐
Sign ☐	Plumbing ☐	Mechanical ☐	Electrical ☐
			Finish out ☐
			Other ☐
Scope of Work: _____			

Owner Information:			
Name: _____		Contact Person & Phone Number: _____	
Address: _____			
Phone Number: _____	Fax Number: _____	Email: _____	

Engineer	Contact Person	Phone Number	Email
Architect	Contact Person	Phone Number	Email
General Contractor	Contact Person	Phone Number	Contractor License Number ☐
Mechanical Contractor	Contact Person	Phone Number	Contractor License Number ☐
Electrical Contractor	Contact Person	Phone Number	Contractor License Number ☐
Plumbing Contractor	Contact Person	Phone Number	Contractor License Number ☐
	Contact Person	Phone Number	Contractor License Number ☐

A permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. All permits require final inspection.

A certificate of occupancy must be issued before any building is occupied.

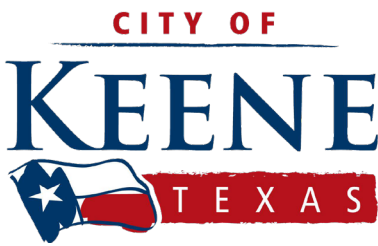
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant: _____	Date: _____
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OFFICE USE ONLY:			
Public Works	Approved By: _____	Date: _____	F Marshal
Water/Sewer	Approved By: _____	Date: _____	Building
			Approved: _____
			Date: _____

Total Fees: _____ Rec'd By _____ Date Paid _____

Permit can be emailed to cherylm@keenetx.com



Residential Plan Submittal Checklist

All residential dwelling units shall be designed to comply with the 2018 International Residential Code and the 2017 National Electric Code. Before submitting your plans for review please ensure that you have included the required documentation stated below.

DOCUMENTS REQUIRED FOR PLAN SUBMITTAL

We prefer digital submittal but if you must submit paper, the minimum submittal size is 24" X 36"

☐ **Completed Application**

Job Address

Structure Information

Subcontractor Information

Project Valuation

Owner Information

Signature and Date

Class of Work

General Contractor Information

☐ **Site Plan (x1)***

Show all easements associated with the lot

Location of proposed structure, driveways and sidewalks

Proposed set back dimensions from all property lines.

(Measurements shall be take at a right angle from the face of the exterior wall to the property line at the shortest distance)

☐ **Wind Bracing Plan (x1)***

Plans shall be to scale

Plans shall show labeled Wind BraceLines

Wind Brace Lines shall indicate which method of Brace Wall

Panels to be used

Provide the separation distance between each Wind Brace Line

☐ **Building Floor Plan (x1) ***

All rooms must be labeled for their intended use

Provide a table for the square footages of the structure

1st Floor Living

2nd Floor Living

Garage Square Footage

Total square footage for all porches and patios

☐ **Building Elevations (x1)***

Provide plate heights

Provide roof ridge heights

Provide masonry calculations (Shall Comply with [154.42](#))

☐ **Proposed Final Grading Plan (x1)**

May be shown on Site Plan indicating the direction of the drainage

☐ **Stamped Engineered Foundation Plan (x1)***

☐ **Energy Compliance Forms (x1)**

Must be [IC3](#), [Energy Gauge](#) or [RemRate](#)

***The foundation, floor plan, wind bracing, and site plan shall all be oriented the same direction**

Office Use Only

Submittal Accepted By _____

Date _____

How to Apply

Applications for all permits may be obtained in person at Keene City Hall located at 1000 N. Old Betsy Rd. Cleburne, TX 76031; or on-line at www.keenetx.com.

Applications and construction plans may be emailed to permits@keenetx.com for approval.

Fees will be calculated per City of Keene Ordinance 2009-523 and is based on valuation of the work being done.

Payments may be made in person or on our website www.keenetx.com under the “online payments” tab, then click on “easy pay”. The Planning & Development Department will contact you when the plan review has been approved and notify you of the amount of the permit fee, including any water & sewer fees.

Permit Fees

New Residential

.67 per square foot + plan review

Commercial

Valuation	Fees
\$1.00 - \$10,000.00	\$85.00
\$10,001.00 - \$25,000.00	\$85.00 for the first \$10,000 plus \$14.00 for each additional \$1,000, or a fraction thereof, to and including \$25,000
\$25,001 - \$50,000	\$295 for the first \$25,000 plus \$7.07 for each additional \$1,000, or a fraction thereof, to and including \$50,000
\$50,001 - \$100,000	\$471.75 for the first \$50,000 plus \$4.90 for each additional \$1,000, or a fraction thereof, to and including \$50,000
\$100,001 - \$500,000	\$716.75 for the first \$100,000 plus \$3.92 for each additional \$1000, or fraction thereof, to and including \$500,000
\$500,001 - \$1,000,000	\$2,284.75 for the first 500,000 plus \$3.32 for each additional \$1,000 or a fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$3,944.75 for the first \$1,000,000 plus \$2.20 for each additional \$1,000, or fraction thereof.
Plan Review Fees are \$100 plus fees charged by 3rd party review and are included in the fee calculator.	\$100 + 3rd party plan review

Water and Sewer Tap Fees

Water Only	COST EACH
With Tap 3/4"	\$1,000.00
With Tap 1" / Sprinkler	\$1,200.00
With Tap 1 ½ "	\$1,500.00
With Tap 2" / Sprinkler	\$1,750 + Job Cost
With Tap 3"	\$1,750 + Job Cost

With Tap 4"	\$2,000 + Job Cost
With Tap 6"	\$2,500 + Job Cost
3/4 " – 1" with Meter Box	\$95.00
3/4 " – 1" with Meter Set	\$50.00
1 ½" – 2" with Meter Box	\$250.00
1 ½" – 2 " with Meter Set	\$75.00
Water Account Deposit	\$200.00
Sprinkler Deposit	\$200.00
Hydrant Meter Deposit	\$2,500.00
Install Hydrant	\$2,500 + Job Cost
Water Street Cut/Bore	\$600.00
SEWER ONLY	COST EACH
Sewer Tap 4"	\$750.00
Sewer Tap 6"	\$1,000.00 + Job Cost
Sewer Tap 8"	\$1,500.00. + Job Cost
Sewer Street Cut/Bore	\$600.00
Backflow Device – Sewer Down Flow side of Cleanout	\$325.00

Plans Submittal

1. Residential Building Permit Application:

The following must be provided;

- The address and legal description of the property.
- The name, address and contact number of the property owner. (a deed may be required if not matching tax roll)
- The name and phone number of the person doing the work, if other than the homeowner.
- Square footage (total or of addition for remodels)
- Valuation or construction cost.
- Description of construction.

2. We prefer digital copies of Structure Plans emailed or turned in on a flash drive, but if you choose to turn in paper copies, it must be sized 24" x 36".

These Plans Must Include:

- A. Site plan (also called plot plan) which shows:
 - Size & location of proposed structure(s)
 - Location of any existing structures or pools
 - Location of all utility easements
 - Location of driveways & sidewalks
 - Location of all sewer cleanouts at the structure and location of one required at the property line

- If any part of the structure is located within the floodplain, the contractor must apply for a Floodplain Development permit from the Floodplain Administrator. An elevation certificate will be required for all structures constructed in the FEMA designated Floodplain.
- Show finished floor on the Plot Plan.

C. Structure Plans

- All framing of brace wall panels
- Floor plans with elevations
- Window & door sizes
- Ceiling height within all rooms
- Foundation plans stamped by an Engineer for either rebar or post tension slab.

D. Electrical Plans Must Show:

- Location of all electrical outlets, switches & fixtures
- Location of electrical panel boxes
- Location of electrical wired smoked detectors

E. Plumbing Plans Must Show:

- Location of all water heaters
- Location of all plumbing fixtures including water closets, tubs, showers, and sinks

F. Mechanical Plans Must Include:

- A Manual "D", Manual "J" and Manual "S" form from HVAC contractor showing the heat loss, heat gain calculation, A/C tonnage, and SEER rating.

G. Energy Report:

- Must provide copy of RES check or IC3 Energy compliance report. (www.energycodes.gov) or (<http://ic3.tamu.edu>)
- Must provide efficiency rating for water heater
- Solar heat gain and U-factor for windows & doors

H. Wall Bracing

- Wall bracing plans demonstrating compliance with IRC section 602.10 and following sections. This may include standard braced wall panels, alternate braced wall panels, continuous structural panel sheathing or an engineering product or system. It will also require a "Wind Bracing Required and Provided Calculations / Table."

Inspections Required

All inspections must be called in before 4:00 pm for next day inspection. Information required:

- Your name
- Permit number
- Property location address
- Contractor's name and phone number
- Type of inspection

Inspection Sequence

1. Setback inspection: form boards for foundation. This can be obtained by either locating the property line pins or getting a surveyor to survey the property.
2. First rough plumbing.
3. Foundation (before pouring concrete).
4. Framing, 2nd plumbing, rough mechanical, rough electrical.
5. Brick ties inspection.
6. Insulation inspection (prior to sheet rocking).
7. Sheetrock inspection.
8. Driveways / Approach/ Curb & Gutter/ Sidewalks. (Please contact City Planning & Development for inspection at 817.641.3336 ext. 109)
9. Completion of House Inspection:
 - Final on all Building construction
 - Final plumbing
 - Final mechanical
 - Final electrical (testing of outlets, fixtures, switches, smoke alarms)
 - Address numbers on front of house
 - Verification of grading of lot, swells, and sodding

Common Reasons Inspections Fail

Layout

- Form survey not uploaded on MPN
- Trash receptacle not provided
- Safety fence not provided
- Erosion control not in place
- Portable toilet not provided

Temporary Electric Loop

- Not supported / secure properly
- Ground termination not to code

- Provide 220 A receptacle
- Receptacle(s) not GFCI protected
- Damaged / needs repair
- Missing / not complete
- Not ready

Plumbing Rough

- Buried/covered, unable to inspect
- Provide 10' head of water or 5 psi air test
- Water test on DWV not holding
- Building drain not sleeved through exterior beam(s)
- Maintain $\frac{1}{4}$ inch per foot on Branch Lines
- Provide proper bed/fill material
- Clear debris from trench
- Damaged / needs repair
- Missing / not complete
- Not ready

Water/Sewer Yard lines

- Separate water and sewer
- Burial depth not to code
- Maintain $\frac{1}{8}$ inch per foot
- Provide 10' head on DWV
- Clean trench
- Provide proper bed/fill material
- Pipe not supported properly
- Backflow not installed
- Damaged/needs repair
- Missing/not complete
- Not ready

Pre- Pour

- Air/water test not holding
- Crimper/cut, needs repair
- Unapproved joints in slab
- Copper not sleeved in concrete
- Rough plumbing test not holding
- UFER ground not in place
- Missing/not complete
- Not ready

Plumbing Top-Out

- Venting requirements not met
- Water test on DWV not holding
- Air/water test on copper not holding
- Tub drains not open for proper test
- Copper in contact with dissimilar metal
- Gas vents not to code
- Gas test not holding at 20 psi
- Gas piping not protected through masonry
- Pipe not supported or properly secured
- Protect pipe
- Damaged/needs repair
- Missing/not complete
- Not ready

Electrical Rough

- Wire to be in raceway
- Wire damaged, needs repair
- Receptacles spaced greater than 12'
- Nail plates required at studs/plates
- Secure wires in panel
- Aluminum wiring not allowed (per City Ordinance)
- Smoke detector placement not to code
- Stairway lighting not to code
- Wire not supported or properly secured
- Protect wire
- Ground termination not to code
- Missing/not complete
- Not ready

Mechanical Rough

- Crimped duct
- Duct not properly sealed
- Not supported/secure properly
- Dryer vent not to code
- Vent hood duct not to code
- Exhaust fans not to code
- Plenums not properly sealed
- Combustion air not to code
- Return/supply air too close to gas burning appliance
- Damaged/needs repair
- Missing/not complete

- Not ready

Gas Test (preliminary)

- Pipe not protected through masonry
- Test not holding at 20 psi
- Damaged/Needs repair
- Not Ready

Frame

- Seal/secure exterior sheathing
- Seal untreated lumber
- Seal/secure exterior penetrations
- Engineered trusses not installed per design
- Provide Engineer's repair detail
- Over cut studs/plates
- Glue/shim headers
- Rafters not to code
- Joist hangers missing
- Double studs where required
- Windows do not meet egress
- Wind brace not to code
- Attic access not to code
- Tempered glass where required
- Stair risers/treads not to code
- Fire block not to code
- Not supported / secure properly
- Masonry requirements not met
- Headers/joists over spanned
- Draft stop not to code
- Provide moisture barrier
- Bottom plates not secured
- Fireplace clearances not met
- Truss hangers/ ledgers not to code
- Make site safe and sanitary
- Strap plates/ studs
- Nail schedule not to code
- Attic ventilation requirements not met
- Damaged/ needs repair
- Missing/not complete
- Not ready

Masonry

- Incorrect percentage (%) of masonry
- Garage standards are not met

Permanent Power

- Wire termination not to code
- Exposed wire
- Fixture/ cover plates missing
- Wire not properly secured
- Service equipment not properly bonded

Gas Test (final)

- Provide 20 psi gauge test
- Gas stub-out not connected to riser
- Damaged pipe/ riser
- Not ready

Plumbing Final

- Vent termination not to code
- Paint plumbing vents
- Provide anti-siphon device on hose bibs
- Water heater drain termination not to code
- Water heater not to code
- Drain pan required
- Expansion tank required
- Leak in DWV
- Leak in water supply
- T & P relief not to code
- Gas vents in contact with combustibles
- Copper in contact with dissimilar metal
- Low water pressure
- Water closet/ faucets/ valves run continuous
- Clean / repair meter box
- Insulate copper
- Private sewage disposal certificate not posted.
- Damaged / needs repair
- Missing/ not complete
- Not ready

Electrical Final

- Wire termination not to code
- Smoke detectors not to code
- Smoke detectors beeping or not functioning (low or bad battery)
- ARC fault not to code
- Fixture/cover plates missing
- Stairway illumination not to code
- Wire not properly secured
- Power not on
- Label GFCI's
- Label electrical panel(s)
- Label panel with ground termination locations
- Caulk around exterior devices
- Duplex receptacle not permitted for vent hood
- Wire damaged
- Ground/ bond termination not to code
- Provide knock-out plug(s)
- Provide panel cover
- Not ready

Mechanical Final

- SEER requirements not met
- Programmable thermostat required (Commercial)
- Energy Efficiency requirements not met
- Not supported / secure properly
- Gas vent in contact with combustibles
- Gas vent termination not to code
- Drain pan required
- Condensate drain not to code
- Combustion air not to code
- Dryer vent to code
- Crimped duct
- Raise/ level A/C pad
- Protect duct
- Missing/ not complete
- Damaged/ needs repair
- Not ready

Building Final

- Seal/secure exterior penetrations
- Landscape requirements not met
- Flatwork damaged/ needs repair
- Clean flatwork
- Clean site/street
- Exterior seal not complete
- Screens missing
- Occupied prior to finals
- Weep holes to be 33" on center
- Maintain 6" clearance from finished floor to grade
- Provide weather strips
- Provide insulation certificate
- Finish yard/ grade to drain
- Provide street address
- Provide anti-tip device on range
- Attic access not to code
- Catwalk not to code
- Adjust doors
- Hardware missing
- Provide fire rated attic access
- Address not posted
- Work in progress
- Missing/ not complete
- Damaged/ needs repair
- Not Ready

The City of Keene uses a third-party inspection company



Inspections must be called in, prior to 3:30 pm the day before the inspection is needed.

To schedule an inspection, choose one of the following options:

- Call the inspection line @ **(817)641-3336, ext. 132.**

Please leave your call back information along with the permit number, address and what inspection you are requesting. If the Inspector is requested to meet with the contractor/owner on the job site, there may be an additional fee.

CITY OF KEENE DEVELOPMENT PROCESS

A pre-application meeting is required prior to submitting an application for development.

ANNEXATION

Application, exhibits and checklists are submitted.



Staff reviews the application and provides corrections and revisions to the applicant.



Notices for public hearings are published in the "*The Cleburne Times Review*".



City Council conducts two (2) Public Hearings and may approve, deny or table the request.



If approved, City Council adopts an ordinance.

ZONING

Application, exhibits and checklists are submitted.



Staff reviews the application and provides corrections and revisions to the applicant.



Notices for City Council public hearings are published in the "*The Cleburne Times Review*". Letters for Planning & Zoning Commission public hearings are mailed to adjacent property owners.



Planning & Zoning Commission conducts a public hearing on the request and makes recommendation to City Council.



City Council conducts a public hearing and may approve, approve with additional criteria, deny or table the request on first reading of ordinance.



If approved, City Council adopts an ordinance.

DEVELOPMENT

Application, exhibits and checklists are submitted.



Staff reviews the application and provides corrections and revisions to the applicant.



Once the applicant meets all the requirements, staff sends a letter accepting the request.



Planning & Zoning Commission considers the request and may approve, approve with changes, deny or table the request.

VARIANCE REQUESTS

Application, exhibits and checklists are submitted.



Staff reviews the application and provides corrections and revisions to the applicant.



Notices for a public hearing are published in the "*The Cleburne Times Review*" and letters are mailed to adjacent property owners. (if applicable)



The Board of Adjustments conducts a Public Hearing and may approve or deny the request.



* P.O. Box 637 * Keene, Tx 76059 * 817-641-3336

PLANNING APPLICATION

Please check the box below to indicate the type of application you are requesting:

- | | | |
|---|---|--|
| ☐ Preliminary Plat (\$250+\$5/lot over 10) | ☐ Zoning Change (\$275) | ☐ Plan Review (\$200) |
| ☐ Final Plat (\$250+\$5/lot over 10) | ☐ Planned Development | ☐ Plat Extension (\$250) |
| ☐ Replat (\$300) | ☐ Special Use Permit (\$275) (| ☐ Plat Vacation (\$250) |
| ☐ Minor Plat (\$250) | ☐ Annexation/Disannexation () | ☐ Conveyance Plat (\$250) |
| ☐ Amending Plat | FLUP Amendment | |
| | ☐ Variance (\$225) | |

Contact Information

Applicant (or Primary Contact)

Name: _____

Company: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Owner (if different from Applicant)

Name: _____

Company: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Project Information

Project Name: _____

Project Address: _____

Parcel(s) Tax ID (long or short)#: _____

Legal Description

Block: _____ Lot: _____ Abstract: _____

Addition: _____ Survey: _____ Total Acreage: _____

Existing Zoning: _____ Proposed Zoning: _____

Reason for Request: _____

Attach the following:

- _____ A plat, map, sketch or drawing indicating metes and bounds description for all unplatted property and all Zoning cases.
- _____ A copy of a notarized Warranty Deed showing proof of ownership to the property
- _____ A **Tax Certificate** must be attached with this application in order to finalize the procedure at
- _____ Johnson County Courthouse. Filing fees at the courthouse are 18x24=\$46 or 24x36 and over = \$71.00, (additional page \$25).
- _____ A notarized letter from the property owner authorizing a representative to present the request, if the property owner will not be present.

I attest that the above information is true and accurate to the best of my knowledge and that I am now or will be fully prepared to present the above proposal at the Planning and Zoning Commission, Board of Adjustments and/or City Council hearing thereon. I understand that if any of the above Information is found to be wrong or inaccurate, my application may be removed from consideration prior to the time the application is voted upon by the Planning and Zoning Commission, Zoning Board of Adjustments and/or City Council.

I understand that in the event the undersigned is not present at the public hearing the Planning & Zoning Commission, Zoning Board of Adjustments and/or City Council shall have the power to dismiss the proposal either at the call of the case or after the hearing and such dismissal shall constitute a denial by the Planning & Zoning Commission, Zoning Board of Adjustments and/or City Council.

I reserve the right to withdraw this proposal. However, written withdrawal filed at any time after the giving of notice of the Planning & Zoning Commission, Zoning Board of Adjustments and/or City Council hearing shall constitute a denial by the Planning & Zoning Commission, Zoning Board of Adjustments and/or City Council.

Attesting to inaccurate or false information on this application can result in conviction of a misdemeanor and a fine not to exceed \$2,000.00.

Signature:

I CERTIFY THAT I AM THE LEGAL OWNER OF THE ABOVE REFERENCED PROPERTY, OR THE AUTHORIZED AGENT, AND THAT TO THE BEST OF MY KNOWLEDGE THIS IS A TRUE DESCRIPTION OF THE PROPERTY UPON WHICH I HAVE REQUESTED THE ABOVE CHECKED ITEM. I UNDERSTAND THAT I AM FULLY RESPONSIBLE FOR THE ACCURACY OF THE LEGAL DESCRIPTION GIVEN.

Signature: _____ **Date:** _____

*I waive the statutory review period time limits in accordance with Section 212.009 of the Texas Local Government Code **(For Plat Applications Only)**.*

Signature: _____ **Date:** _____

OFFICE USE ONLY

DATE APPLICATION FEE PAID: _____

DATE COURT FILING FEE PAID: _____

CHECK #: _____ CASH REC'D: _____

CHECK #: _____ CASH REC'D: _____



1000 N. Old Betsy Road * P.O. Box 637 * Keene, Texas * 76059 * 817-641-3336

POWERS OF THE ZONING BOARD OF ADJUSTMENT SECTION 211.09

1. To hear and decide an appeal that alleges error in an order, decision, or interpretation of the zoning ordinance by an administrative officer.
2. To hear and decide special exceptions to the zoning ordinance when the zoning ordinance requires that it do so.
3. To authorize variances to the zoning ordinance in unique situations.
4. To hear and decide other matters authorized by the zoning ordinance.

CRITERIA TO DETERMINE A HARDSHIP

(The burden of proof is on the applicant to present a case of a hardship)

1. It must demonstrate a special condition that is inherent in the property itself.
2. The hardship must be present to the extent that it prevents any reasonable use of the land.
3. The hardship must **NOT** be self-imposed or self-created.
4. The hardship must not be contrary to the public interest.
5. The determination of a hardship must be within the spirit of the ordinance and substantial justice must be done.

VARIANCE REQUIREMENTS

1. Finding of a hardship.
2. Finding that the piece of property is unique and contains properties or attributes not common to other similarly situated properties.
3. Find that the literal enforcement of the ordinance would work an unnecessary hardship.
4. Finding that the need for the variance was not created by the applicant.
5. Find that the hardship cannot be financial alone.
6. Find that the granting will not be injurious to the public health, safety and welfare or defeat the intent of the philosophy contained in the zoning ordinance.

EXAMPLE ONLY

USE ONLY IF ANOTHER ENTITY WILL BE REPRESENTING THE REQUEST

Date: _____

City of Keene
Attention: Zoning Board of Adjustment
1000 N Old Betsy Rd
P.O. Box 637 Keene, TX 76059

Dear Zoning Board of Adjustment Chairman and Board Members:

I/we _____, authorize _____

YOU OR YOUR ORGANIZATION

YOUR REPRESENTATIVE

me/us in all scheduled hearings and meetings before the City of Keene regarding the request

for a variance property located at: _____

ADDRESS & LEGAL DESCRIPTION

Thank you for helping us resolve this request.

Sincerely,

State of Texas § _____

County of Johnson § _____

BEFORE ME, the undersigned authority, in and for said County, Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that he/she executed the same of the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____ 20____.

Notary Public's Signature

My Commission Expires: _____

Zoning and Uses

	A	S F - E	S F - 1	S F - 2	S F - 3	T F	N F	M H - 1	M H - 2	C - 1	C - 2	C - 3	M - 1
ACCESSORY AND INCIDENTAL USES													
Accessory building to main use	X	X	X	X	X	X		X		X			X
Boat; boat trailer	X	X	X	X	X	X		X		X			X
Billboard, advertising													
Carport	X	X	X	X	X	X		X		X			X
Construction yard (temporary)	X	X	X	X	X	X		X		X			X
Home occupation	X	X	X	X	X	X		X					
Temporary field or sales office	X	X	X	X	X					X			X
Garage, private	X	X	X	X	X	X		X					
Motor home/travel trailer storage; not to be used for living quarters	X	X	X	X	X					X			X
Cattle trailer	X												X
Commercial vehicle see also parking ordinance	X									X			X
RESIDENTIAL TYPE USES													
Boarding and rooming house (ordinance for tax on motel needs to be voted)	X								S	S			
Guest house	X	X	X										
Manufactured housing, HUD code						X	X						
Manufactured home park							X						
Manufactured home subdivision PUD						X							
Mobile home						X	X						
Multiple-family residence					X								

	A	SF-E	SF-1	SF-2	SF-3	TF	MF	MH-1	MH-2	C-1	C-2	C-3	M-1
Residence hotel or bed and breakfast										S			
Retirement housing						X	X						
Servants or caretakers or guards	X	X	X								X	X	X
Single-family dwelling, attached							X						
Single-family dwelling, detached	X	X	X	X	X	X	X						
Townhouse or row dwelling						X							
Travel trailer park													
Two-family dwelling						X	X						
Zero lot line house				S	S	S							

Setbacks & Zoning Regulations

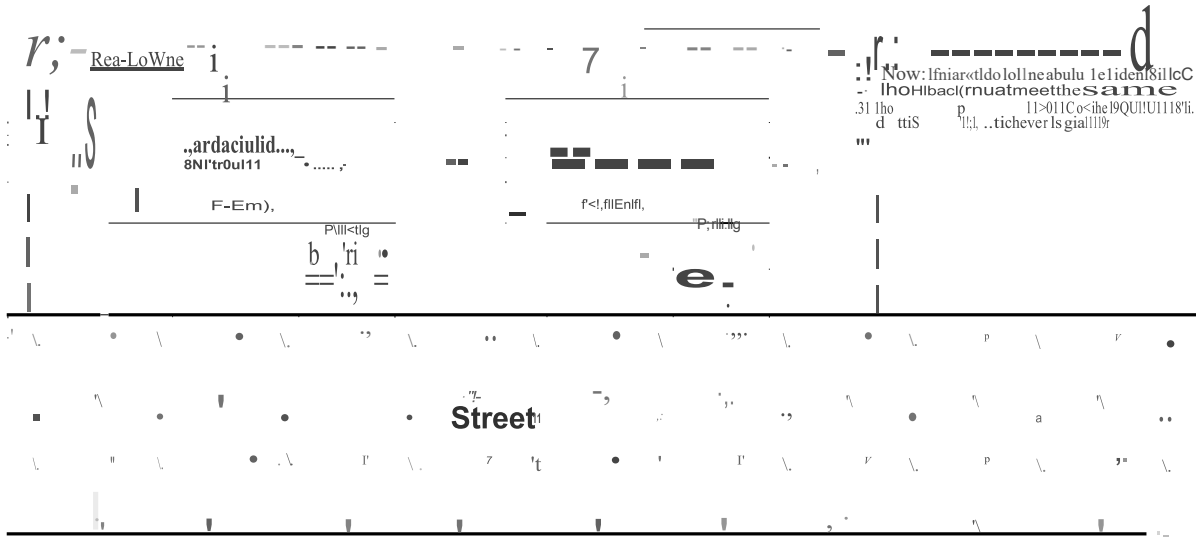
	<i>A</i>	<i>SF-E</i> (c)	<i>SF-1</i> (c)	<i>SF-2</i> (c)	<i>SF-3</i> (c)	<i>TF</i>	<i>MF</i>	<i>MH-1</i>	<i>MH-2</i> <i>Park</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>M-1</i>
Maximum height (feet)	35	35	35	35	35	16	35	16	16	30	50	50	50
Side yard width (feet)	15	15	7.5	7.5	7.5	7.5	15	7.5	B	5	A	A	A
Rear yard (feet)	30	30	25	20	20	20	20	20	B	40	A	A	A
Front yard (feet)	35	35	30	30	30	30	30	30	B	30	A	A	A
Lot area (square feet) (d)	87,120	43,560	16,000	10,000	7,000	6,000	10,500	10,000	B	6,000	A	A	A
Minimum lot width (feet) (d)	100	100	100	75	60	60	70	100	B	60	A	A	A
Minimum lot depth (feet) (d)	200	200	100	100	100	90	150	75	B	100	A	A	A
Minimum green space% (d)	15%	15%	15%	15%	15%	20%	See § <u>157.201(B)</u>	15%	B	See commercial landscape ordinance			
Minimum living area (square feet) (d)	1,800	1,800	1,800	1,500	1,250	1,200 total	See §§ <u>157.200 - 157.207</u>	1,500	1,500	NA	NA	NA	NA

NOTES TO TABLE:

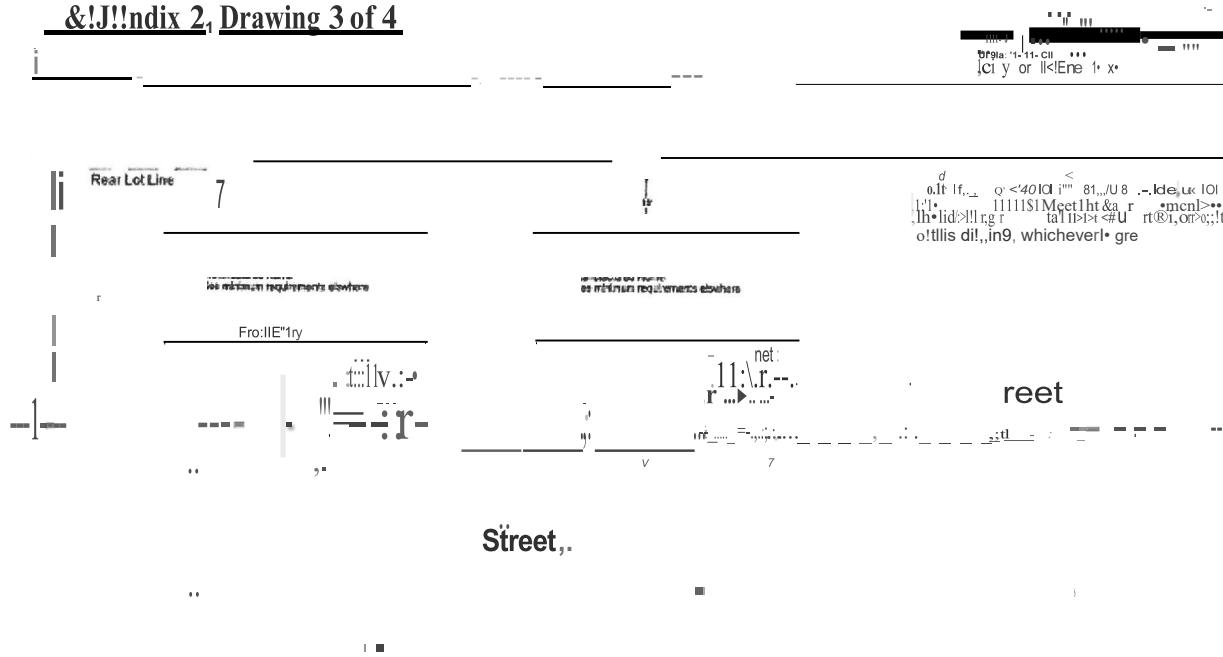
A Minimum of 5-foot setback on sides and rear with 20-foot front setback required, except where non-residential use abuts a residential lot in which case the requirements shall be the same as the adjoining residential zone and shall comply with visibility and parking requirements as provided within this chapter. There are no minimum requirements for lot size, width or depth. Other local, state or federal requirements may apply.

B Refer to [Appendix B](#) drawing 1 through 4.

C All structures that were legally constructed or whose construction permits were legally obtained before the effective date of this chapter shall be considered to be in compliance with B,1 and will be "legally conforming" to [Appendix B](#),1. Anyone wishing to enlarge a structure that legally built and completed before the effective date of this chapter shall meet all of [Appendix B](#),1, including all setbacks as well as all



&J!!ndix 2, Drawing 3 of 4



Appendix 2, Drawing 4 of 4

Appendix 2, Drawing 4 of 4	
Site: 2-11-20	Prepared by:
City of Keene, Texas	Scale: 1" = 10'

Fencing



Residential uses.

(1) Privacy/security enclosures.

- (a) Privacy/security enclosures may be fences or walls;
- (b) Maximum height shall not exceed six (6) feet. Support pillars/posts/columns shall not exceed more than one (1) foot above fence. Entrance gate shall not exceed two (2) feet, at its highest point, above the fence.
- (c) May be erected upon the rear lot line of any lot;
- (d) May be erected upon the side lot lines of any interior lot in accordance with the required front yard setback;
- (e) Privacy/security enclosures may be erected no closer than seven (7) feet of side property line of corner lots; provided, the corner lot does not back up to key lots;
- (f) Privacy/security enclosures may be erected no closer than fifteen (15) feet from a side property line of corner lots backing up to key lots; and
- (g) Privacy/security enclosures shall be constructed of masonry, wood, or chainlink.

(2) Decorative fence.

- (a) Decorative fences shall not be walls;
- (b) Maximum height shall not exceed three (3) feet. Support pillars/posts/columns shall not exceed more than one (1) foot above fence. Entrance gate shall not exceed two (2) feet, at its highest point, above the fence;
- (c) Solid surface area of any decorative fence shall not exceed 30% of the total surface area;

(d) Decorative fences may be erected upon any residential lot line (see division (B)(3)(f) below); however, no decorative fence may encroach upon any right-of-way, drainage or access easement or floodway;

(e) Decorative fences may be allowed within the visibility triangle with a maximum height of two (2) feet;

(f) Decorative fences, greater than two (2) feet in height, must be set back from the front lot line a minimum of seven (7) feet;

(g) Decorative fences shall contain openings or breaks for access when located in front yards, so that no more than 75% of the total frontage is bounded by a decorative fence or gate;

(h) Decorative fences shall be constructed of wood picket, lattice work or decorative metal, with or without masonry and/or stone elements; and

(i) Decorative fences shall not be constructed of chain link, barbed wire or similar enclosure materials.

(3) Residential subdivision enclosures (including subdivision entry features).

(a) All residential subdivision enclosure shall be walls or combination of decorative fences as approved by the Planning and Zoning Commission;

(b) All residential subdivision enclosures shall be constructed with minimum 10-inch by 20-inch brick columns set on piers with a maximum spacing of ten (10) feet on center. Infill material between brick column shall be brick, pressure-treated lumber, plaster, iron or other approved material;

(c) Maximum height of subdivision enclosures shall not exceed seven (7) feet. Support pillars/posts/columns shall not exceed one (1) foot above fence. Entrance gate shall not exceed two (2) feet, at its highest point, above the fence;

(d) Walls enclosing residential subdivision may be erected along rear property lines and along the side property lines exceeding the required front yard setback: providing that, the encroaching structure does not exceed the required two (2) foot maximum height limit within the visibility triangle and the enclosure does not encroach upon any right-of-way, drainage or utility easements or floodway;

(e) Allowed only for subdivisions containing ten or more lots; and

(f) Plans for all residential subdivision enclosures shall be reviewed and approved by the Planning and Zoning Commission.

(4) Others.

(a) Acreage of four (4) or more may use security fence no higher than six (6) feet with pillars/posts/columns no more than one foot above fence. Entrance gate shall not exceed two (2) feet, at its highest point, above the fence;

(b) No barbed wire of any kind allowed in any residential areas for fencing;

Masonry



The provisions of this subchapter shall be applicable as follows:

- (A) For all new construction;
- (B) When an existing building is proposed for remodeling, alteration, addition or expansion, and the proposed construction value exceeds 50% of the current appraised value of the existing structure, as shown on the latest approved tax roll;
- (C) As a requirement of the approval of a specific use permit, planned development district or site plan district; or
- (D) When an existing building is proposed for addition that will increase the original gross floor area of the existing building by 20% or greater.

EXTERIOR MASONRY REQUIREMENTS.

(A) Building located in residential zoning districts.

(1) Except as provided in divisions (A)(2) through (6) below, the exterior wall surfaces of all primary residential buildings shall be constructed of at least 50% masonry material on front wall and back side walls. This requirement shall not apply to the following:

- (a) The area of doors, windows, boxed or bay windows, dormers, areas under covered porches one story in height and other architectural projections; and
- (b) The face of walls at least eight feet above the finish floor and recessed or projected from the plane of the foundation perimeter by at least 12 inches.

(2) The following design standards may be used in lieu of the requirements of division (A)(1) above. It shall be the responsibility of applicant to provide floor plans and building elevations with the building permit application that show how these standards are being satisfied.

- (a) A primary residential building shall utilize at least two of the following design features to provide visual relief along the front of the residence:

1. A covered front porch of a unified architectural design. The front porch shall have a minimum area of 72 square feet, with a minimum depth of six feet. The front porch shall face the street;

2. Architectural pillars or posts. The pillars or posts shall be round, square or tapered, and shall have a minimum diameter or diagonal dimension of six inches;

3. Two or more dormer windows on the front elevation of the house; and

4. Two or more roof gables on the front elevation of the house.

(b) The minimum roof pitch of the dwelling shall be two to 12. The roof pitch over a front porch may be a minimum of three to twelve. (Refer to International Building Code to withstand 170 mph wind.)

(3) Within the agricultural zoning district, the exterior walls of residential buildings constructed for use as single-family or two-family homes may be constructed of any material allowed by the Building Code, other than metal.

(4) Within the Manufactured Housing Dwelling (MH-1) and the Manufactured Housing Park (MH-2) zoning districts, the exterior walls of primary buildings constructed for use as single-family homes may be constructed of any material approved for a HUD Code manufactured home.

(5) Existing recorded subdivision plats, including unexpired preliminary plats, approved prior to the effective date of this subchapter, are exempt from the requirements of this subchapter until the second anniversary of the later of the date the plat was approved, or the date the city accepted the public improvements of the subdivision. The masonry requirements in effect at the time of the adoption of this subchapter shall continue to apply to building construction covered by existing recorded subdivision plats and unexpired preliminary plats.

(6) Accessory buildings constructed within residential zoning districts.

(a) Accessory buildings up to 200 square feet in floor area may have exterior walls constructed of any material allowed by the Building Code. Shipping containers are not allowed.

(b) Accessory buildings larger than 200 square feet in floor area may have exterior walls constructed of any material allowed by the Building Code, (except for corrugated metal), a building permit and must reflect surrounding structures.

(c) Barns and residential accessory buildings located in the agricultural zoning district may be constructed of any material allowed by the Building Code.

(B) Buildings located in non-residential zoning districts.

(1) The exterior wall surfaces of a non-residential primary building, as viewed from all side views from public right-way elevations, shall be constructed of masonry materials.

(2) Accessory buildings constructed in the non-residential zones may have exterior walls constructed of any material allowed by the Building Code.

(C) Buildings constructed in PD Planned Development zoning districts. Unless otherwise specified by development standards approved by the City Council as part of a Planned Development zoning district, the exterior walls of all buildings located in a Planned Development zoning district shall be constructed as follows:

(1) Primary buildings and accessory buildings in single-family, two-family or multi-family planned developments shall be constructed in accordance with the provisions of division (A) above.

(2) Primary buildings and accessory building in non-residential planned developments shall be constructed in accordance with the provisions of division (B) above.

Waivers

(A) Application and fee. A person may request a waiver from the requirements of this subchapter by filing the request with the Planning and Zoning Commission. A request for a waiver shall be accompanied by a non-refundable filing fee. The filing fee shall be established by the City Council.

(B) Public hearing required. A request for waiver shall be considered by the Planning and Zoning Commission for recommendation to the City Council. No action to approve or deny the request shall be taken until the City Council has held a public hearing. Written notice of the date, time and place of the public hearing shall be sent to the owners of real property lying within 200 feet of the property where the application is being requested. The notice shall be given to each property owner, as listed on the last approved tax roll, not less than 15 days before the date of the hearing by depositing letters properly addressed and postage paid in the U.S. Post Office.

(C) Findings by City Council. In granting any waiver, the City Council may consider any of the following factors:

(1) Architectural significance of interest of a building;

(2) Character of the surrounding area; and

(3) Any other factor deemed to be appropriate by the City Council.

(D) Action by City Council. Any terms or conditions on the approval of the waiver shall be noted in the minutes of the City Council meeting. Compliance with the terms and conditions precedent to the issuance of a certificate of occupancy. In the event that a waiver request is denied by the City Council, no other waiver request shall be considered or acted upon by the City Council for the same property for a period of six months after denial of the request.

Pools In Ground or Above Ground



We will need the following:

Site plans –Show all lot lines, building lines, setbacks and Public Utility easement locations. Also include existing outbuildings. City Ordinance states the swimming pool cannot be any closer than 8 feet from any property line. Any plans for decks or patios.

Structure plans – type of construction, dimensions, depth etc. drawn to scale, & pool edge details.

Electrical Plans – Wiring shall comply to the 2009 IRC and 2011 NEC. Please attach an approved release from the electric company.

Mechanical Plans –Volume, system flow rate in gallons per minute and turnover in hours, type & size of filtration system. Type of pool/spa heater. Location of main outlet, surface skimmers, and inlets. Size and length from source to heater and routing of gas line (if used).

Fencing – City ordinance requires a 6 foot fence. (see ordinance)

157 .352 SWIMMING POOLS.

It is the purpose of the following provisions to recognize an outdoor swimming pool as a potentially attractive nuisance and to promote the safety and enjoyment of property rights by establishing rules and regulations governing the location and improvement of swimming pools whether privately, publicly or commercially owned or operated.

(A) No swimming pool shall be constructed or used until a swimming pool building permit has been issued therefore. No building permit shall be issued unless the proposed sanitary facilities and water supply comply with applicable local and state health departments regulations.

(B) A swimming pool erected below ground or above ground with a depth of two feet or greater may be constructed and operated when:

1. The pool is not located in any required front or side yard abutting a street;
2. A wall or fence, not less than six feet in height, with self-enclosing and self-latching gates that opens outward and are lockable at all entrances, completely encloses either the pool area or the surrounding yard area;
3. All lighting of the pool is shielded or directed to face away from adjoining residence. If lights are not individually shielded they shall be so placed, or the enclosing wall or fence shall be so designed, that direct rays from the lights shall not be visible for adjacent properties;
4. No broadcasting system is used for the purpose of advertising the operation of the pool or for the attraction of persons to the premises. This shall not prevent a public address system necessary or useful to the supervision of the pool and the safety of swimmers; and
5. The swimming pool is no closer than eight feet from any property line.

Accessory Buildings, Carports, Garages



Height. No accessory building shall exceed 25 feet in height, nor shall it be greater in height than the main structure.

Front yard. Attached accessory buildings, including garages and carports, shall have a front yard not less than the main building, or as specified in the particular district. Detached accessory buildings shall be located in the area defined as the side yard or rear yard.

Side yard. There shall be a side yard not less than 8 feet from any side lot line, alley line or easement line; except that, adjacent to a side street, the side yard shall never be less than 20 feet.

Rear yard. There shall be a rear yard not less than 10 feet from any lot line, alley line or easement line. Carports, garages or other accessory buildings located within the rear portion of a lot, as heretofore described, shall not be located closer than 15 feet to the main building nor nearer than 8 feet to any side lot line.

Carports

A structure open on a minimum of three sides designed or used to shelter vehicles, not to exceed 36 feet on its longest dimension.

Permitted Use. {See Zoning Chart}

Setbacks. (See Setback Chart)

Parking regulations

SF-1, SF-2, SF-3

A minimum of two covered, enclosed parking spaces shall be provided per unit behind the building line.

SF-E

A minimum of two covered spaces behind the front yard line for single-family dwelling units and HUD Code manufactured homes.

MH-1, MH-2, TF

Two spaces shall be provided per unit located on the lot.

MF

Three off-street parking spaces shall be provided per unit.

LANDSCAPING



154.15 PURPOSE.

The purpose of the regulations are to establish requirements for the installation and maintenance of landscaping and buffering elements and other means of site improvement on property proposed for development, to enhance the community's ecological, environmental and aesthetic qualities, to reduce the negative effects of increases in air temperatures, glare, noise, erosion and sedimentation caused by expanses of impervious and un-vegetated surfaces within the urban environment, to provide visual buffering between land uses of different character, and to increase property values and enhance the aesthetic qualities of the city.

154.16 DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CORNER LOTS. Lots with frontage on two or more sides which intersect at an angle less than 115 degrees.

LANDSCAPING. An area covered by living vegetation or mulch which is penetrable by water. The area may not be used for storage or parking.

MULCH. A protective covering on bare soil to reduce evaporation, control weeds and reduce erosion. **MULCH** must consist of materials not subject to putrefaction.

PARKING AREA. An open area other than a street or alley used for the temporary parking of more than four self-propelled vehicles. This includes driveways and maneuvering space necessary to park.

SHRUBS. A wood perennial plant of species which normally grow to a minimum of six and maximum of 15 feet in height.

TREES. Self-supporting wood plant species which normally grow to an overall height of a minimum of 25 feet in the city. The **TREE** shall have at least a two-inch diameter at a height of 12 inches above the ground. Land zoned M1 or M2 which is at least 40 acres in size may use trees with a one-inch diameter at a height of 12 inches above the ground.

UNDEVELOPED LAND. Land which has no occupiable building or street within 400 feet of the adjoining property line.

YARD SETBACKS. An open space of grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, as required by Ch. 157 of the code of ordinances.

(Ord. 2008-364, passed 5-22-2008)

154.17 APPLICABILITY.

(A) This section applies to development which requires a rezoning, or a construction permit after the date of adoption of this subchapter, unless the application is for:

(1) Construction work on existing structure that does not increase:

(a) The number of stories in a building on the lot;

(b) The total floor area of all buildings on the lot by more than 10%, or 10,000 square feet, whichever is the less; and/or

(c) The non-permeable coverage on the lot, exclusive of the area used for parking, by more than 2,000 square feet.

(2) All development in SF-1, SF-2, SF-E, TF, MH-1, MH-2 and MF zoning districts or property which use is single-family houses or duplexes are exempt.

(B) This section also applies to parking areas constructed or expanded more than 25% of the original area after the date of the adoption of this subchapter. This chapter does not apply to paving or repaving of existing parking areas.

154.18 SEQUENCE OF EVENTS.

(A) Site plans are submitted and approved;

(B) Building plans are submitted and approved;

(C) Building and paving permits are issued;

(D) The building and paving are completed, and a temporary certificate of occupancy is issued for a period not to exceed 270 days;

(E) The landscaping is constructed, and trees planted;

(F) The landscaping and trees are approved by the Code Enforcement Officer; and

(G) A permanent "certificate of occupancy" is issued.

154.19 SUBMITTAL OF PLANS.

(A) Prior to the issuance of a building or paving permit the plans shall be submitted for approval.

(B) The plans shall conform to the following:

(1) Drawn to scale large enough to adequately show the details of the plan;

(2) Common names and sizes of all plant material; and

- (3) Type of ground cover.

154.20 PARKING AREA REQUIREMENTS.

(A) *Frontage strip.* All parking areas shall have a five-foot strip of landscaping along all street frontages with a minimum of one tree for every 50 feet. The trees may be spaced in groups. Corner lots with five acres and less are given the following exceptions.

- (1) Lots with frontage on two sides shall have frontage strip(s) totaling length of the longest side.

- (2) Lots with frontage on three sides shall leave frontage strips totaling the longest and shortest frontages.

(B) *Interior landscaping.* Parking areas shall have a minimum of 5% of the total area landscaped. In addition, a minimum of one tree shall be planted per 300 square feet of area landscaped. The landscaping in the frontage strip may be credited to this requirement. Exempt from this requirement are:

- (1) All parking lots less than 20 spaces; and

- (2) The portion of the parking area which is greater than 200 feet from a public street or highway.

154.21 SCREENING.

A boundary screen containing a minimum of one tree or four shrubs per 25 linear feet shall be planted uniformly in a ten-foot landscaped strip along the zoning district boundaries, shown below. A wood or masonry fence with a minimum height of six feet from ground level may be substituted as a boundary screen. This is not required for boundaries that are separated by public street or highway.

- (A) M1 abutting all and all residential;

- (B) C1, C2 and CO abutting all residential;

- (C) MF abutting SF-1, SF-2 and SF-E;

- (D) MH abutting all other districts; and

- (E) Properties with specific use permits abutting residential.

154.22 YARD SETBACK REQUIREMENTS.

(A) *Area to be landscaped.* At least 8% of the required front and side yard setback. The landscaping required hereunder may be credited to this requirement.

(B) *Required trees.* A minimum of one tree per 50 linear feet of required front and side yard setbacks. The trees must be planted in the setback or between the setback and the building. The trees may be planted in groups. The trees required hereunder may be credited to this requirement. Corner lots with five acres and less are given the following exceptions.

(1) On lots with frontage on two sides, a minimum of one tree shall be planted per 50 linear feet of the longest frontage.

(2) On lots with frontage on three sides, a minimum of one tree shall be planted per 50 linear feet of the sum of the longest frontage and shortest frontage.

154.23 MISCELLANEOUS.

(A) Vegetation shall not obstruct the view between the street and the access drives near the entries and exits.

(B) Existing trees in the required locations may be counted as part of the landscaping requirements.

(C) Trees may be planted in easements and right-of-way if approved in writing by the Public Works Director or his or her designated representative and meeting the requirements of this section.

(D) Trees shall be planted so that they do not grow into power lines or any other utility.

(E) Trees planted shall be at least two feet from pavement and at least ten feet from other trees.

154.24 MAINTENANCE.

The property owner shall ensure the following is performed:

(A) Water plants when necessary in order to keep trees and vegetation living;

(B) Mow and trim grass as required in Chapter 92 of the city's code of ordinances;

(C) Remove all grass and weeds in all areas not covered by turf;

(D) Replace required trees which are dead or diseased. Trees should be replaced during the recommended planting season for that species. In no instance will the time allowed for replanting exceed 270 days;

(E) Prune trees and shrubs so as to prevent injury to pedestrians and vehicles; and

(F) Maintain any required fencing so as to not allow any deterioration, gaps or any other structural deterioration which could damage the visual appearance or structural integrity of the fence.

154.25 WAIVERS.

(A) *Application and fee.* A person may request a waiver from the requirements of this subchapter by filing the request with the Planning and Zoning Commission. A request for a waiver shall be accompanied by a non-refundable filing fee. The filing fee shall be established by the City Council.

(B) *Public hearing required.* A request for waiver shall be considered by the Planning and Zoning Commission for recommendation to the City Council. No action to approve or deny the request shall be taken until the City Council has held a public hearing. Written notice of the date, time and place of the public hearing shall be sent to the owners of real property lying within 200

feet of the property where the application is being requested. The notice shall be given to each property owner, as listed on the last approved tax roll, not less than 15 days before the date of the hearing by depositing letters properly addressed and postage paid in the U.S. Post Office.

(C) *Findings by City Council.* In granting any waiver, the City Council may consider any of the following factors:

- (1) Architectural significance or interest of a building;
- (2) Character of the surrounding area; and
- (3) Any other factor deemed to be appropriate by the City Council.

(D) *Action by City Council.* Any terms or conditions on the approval of the waiver shall be noted in the minutes of the City Council meeting. Compliance with the terms and conditions shall be condition precedent to the issuance of a certificate of occupancy. In the event that a waiver request is denied by the City Council, no other waiver request shall be considered or acted upon by the City Council for the same property for a period of six months after denial of the request.



TEXAS
Health and Human
Services

**Texas Department of State
Health Services**

Asbestos Program

You can now submit your asbestos/demolition notification online.

<https://vo.ras.dshs.state.tx.us/datamart/login.do>

The mission of the Asbestos Program is to protect and promote the physical and environmental health of the people of Texas from asbestos. We strive to prevent unnecessary exposure of the public to asbestos in workplaces and buildings and to assure proper disposal of asbestos.

Through our Outreach Program we educate the public to gain voluntary compliance with state and federal asbestos law. We carry out our mission efficiently, effectively, fairly and professionally with respect and dedication to all Texans.

Do These Rules Apply to You?

1. Renovation
2. Operations and Maintenance
3. Demolition

To determine if our rules apply to you, see flow chart below:

Email Updates

Sign up to receive email updates about important changes to the Asbestos Program. This feature will serve as a tool to increase communication with license holders regarding new information added to the website.

https://public.govdelivery.com/accounts/TXHHSC/subscriber/new?topic_id=TXHHSC_333

Contact Information

Licensing

Toll-free in Texas: (800) 572-5548

Phone: (512) 834-6600 Ext. 2174

Fax: (512) 834-6614

Asbestos Regulatory Information

Phone: (512) 834-6787

Inspections & Notifications

Phone: (512) 834-6747

Enforcement

Phone: (512) 834-6665

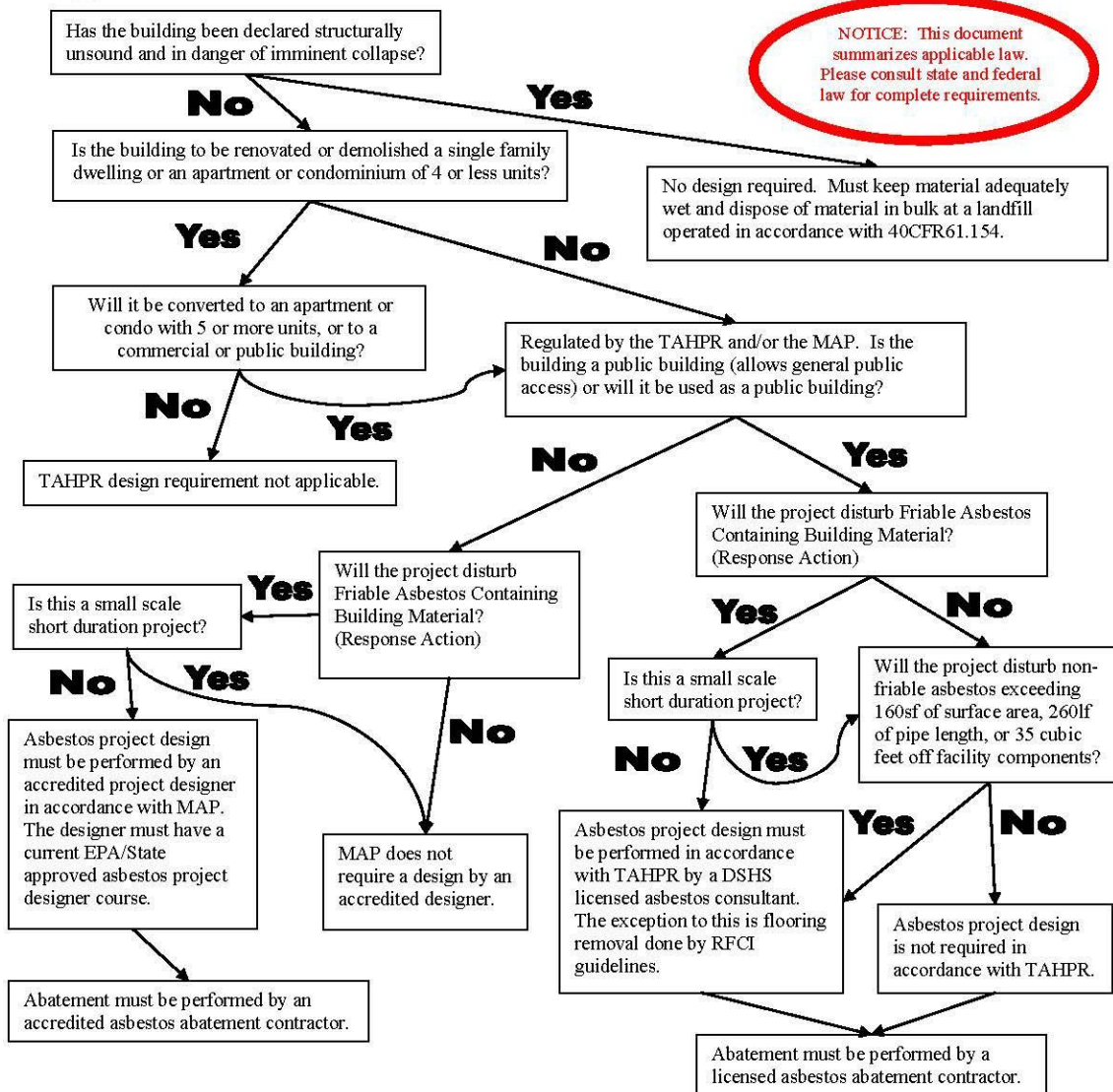
Fax: (512) 834-6606

Training Provider Approval and State Examinations

Phone: (512) 834-6600 Ext. 2483



Texas Department of State Health Services
Asbestos Project Design Requirements for Buildings
Decision Tree Flowchart



Definitions:

Small-Scale, Short-Duration activities are tasks such as:

- the repair, removal, enclosure or encapsulation of small quantities of asbestos-containing material only if required in the performance of another maintenance activity not intended as asbestos abatement. Such work may not exceed amounts which can be contained in a single pre-fabricated mini-enclosure.
- the removal of thermal system insulation not to exceed amounts greater than which can be contained in a single glove bag and where that activity is only required in the performance of another maintenance activity not intended as asbestos abatement.

Response action is a method, including removal, encapsulation, enclosure, repair, and operations and maintenance, that protects human health and the environment from friable asbestos-containing building material.

Key:

EPA – Environmental Protection Agency
DSHS – Department of State Health Services
TAHPR – Texas Asbestos Health Protection Rules
MAP – EPA Model Accreditation Plan
SSSD – Small-Scale, Short-Duration activities
RFCl – Resilient Floor Covering Institute

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Fire Apparatus Turnaround

