

ORDINANCE 2012-05

ADOPTING SINGLE FAMILY RESIDENTIAL BUILDING REQUIREMENTS;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY;  
PROVIDING EFFECTIVE DATE

Whereas, Ingleside on the Bay is a bayfront residential community; and

Whereas, establishing frontage requirements, front street frontage requirements, setbacks, building height requirements and floor area of housing requirements for residential building sites will improve health, safety and welfare of the residents and will enhance property values; and

Whereas, no building shall be permitted on any lot within Ingleside on the Bay unless it complies with the standards established by this Ordinance.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Ingleside on the Bay:

**Section 1.** That Ordinance 1993-05, 1998-02, 1999-07, 2000-06 and 2010-01 are hereby repealed.

**Section 2.** Frontage Requirements.

All principal residential structures shall be built with the main entrance oriented toward the street on which the building site fronts. Any detached building(s) shall not be any nearer to the street than the front line of the wall of the primary residence, and the front building line. For corner building sites, the principal residential structure shall front toward one of the two streets, or toward the intersection of such streets. The main and any detached buildings shall conform to the front, as well as the side and rear setback requirements applicable to the orientation.

**Section 3.** Street Frontage Requirements.

All residential building sites located in the following Blocks shall require a front street frontage of not less than fifty (50) feet: 1, 121, 121A, 122, 123, 137, 139, 139A, 140, 141, 142, 143 and 144. Exceptions to the 50-ft requirement in these Blocks are Lot 29 in Block 1, which constitutes a building site. Lots 10, 11, 14 and 15 in Block 139A shall require a front street frontage of not less than forty-nine feet (49-ft). Building sites located in any other Block in the City shall require a front street frontage of not less than seventy-five (75) feet. Exceptions to the 75 ft requirement in the relevant Blocks include, with Block 2: Lots 19, 22, 25, 47, 48, 49, 50, and the combination of Lots 1 and 2, all of which constitute building sites and within Block 3, Lot 71 which constitutes a building site. Block 140A is non-buildable by order of Council during the Council Meeting of July 2, 2002.

**Section 4.** Setbacks.

(a). No principal residential built dwelling shall be located nearer than twenty-five (25) feet nor farther than forty (40) feet from the front property line, nor nearer than ten (10) feet to any side/rear property line except that the out buildings such as garage, servant's quarters, guest house or boat house detached from the principal residential dwelling and located on the rear one-third of the building site may be located not nearer than ten (10) feet from the side property line and not nearer than four (4) feet from the rear property line. The setback allowance includes any roof overhang. Open stairs and balconies (not enclosed top or bottom) are allowed within the ten (10) feet side set back provided they do not exceed four (4) feet in width.

(b). Where two or more adjoining buildable lots are under the same ownership and a structure is built that encroaches into setbacks of the contiguous buildable lot, then the lots will become one lot and cannot become separate individual buildable lots.

**Section 5. Building Height.**

There is hereby established a building height on new construction at thirty-two (32) feet above the street level plus one (1) foot in locations on or below the flood plain and twenty-eight (28) feet above the street level plus one (1) foot for locations above the flood plain. The flood plain references refer to the established flood plain established by FEMA, which publication is on file in the Office of City Secretary.

**Section 6. Minimum Floor Area.**

The enclosed and finished living area of the main building or dwelling shall contain a minimum of one thousand (1,000) square feet.

**Section 7. Existing Uses.**

(a) No dwelling shall be cited for violating this ordinance if it was constructed prior to the date of this Ordinance as long as no change or alterations are made in such building or dwelling.

(b) Existing buildings or portions of buildings that are in violation of setback requirements may be remodeled or repaired, but may not be enlarged.

(c) If the existing building or portion of building requires repair, the repairs must comply with current building codes.

(d) If a building is demolished, the new construction must meet current building codes and ordinances, including but not limited to setbacks.

**Section 8. Severability.**

If any part of this Ordinance is held invalid or unenforceable by any Court at Law, the remaining parts shall still be effective and remain in force it being the intent of the City Council that each part of this Ordinance shall be in full force and effect separate from any other part. Should any part hereof be held invalid or unenforceable, such part shall be severed from the balance of this Ordinance and said invalidity shall not affect the balance of this Ordinance.

**Section 9. Penalty.**

Any person, firm or corporation who shall violate this Ordinance shall be guilty of a misdemeanor and shall be deemed guilty of a separate offense for each day thereof during which any violation hereof is committed, continues or is permitted, and upon conviction of any such violation shall be punished by a fine of not more than five hundred dollars (\$500.00) per day and not less than one hundred dollars (\$100.00) per day per offense.

**Section 10. Effective Date and Publication.**

This Ordinance shall be effective upon adoption and publication of the caption hereof in the official newspaper of the City.

PASSED AND APPROVED By the City Council of Ingleside on the Bay this the 1<sup>ST</sup> day of May, 2012.

CITY OF INGLESIDE ON THE BAY



By: Howard Gillespie  
Howard Gillespie, Mayor

ATTEST:

Diane Hosea  
Diane Hosea, City Secretary

ary Ann Callender, Re

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**LEGAL**

**Legal Notice**

**ORDINANCE  
2012-05**

ADOPTING SINGLE FAMILY RESIDENTIAL BUILDING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING EFFECTIVE DATE

Passed by City Council on May 1, 2012. The original ordinances are on file with the City Secretary.

Published in the Ingleside Index on June 27, 2012.

**NOTICE OF  
PUBLIC SALE**

Best Storage Aransas Pass, L.P., pursuant to the provisions of Chapter 59 of the Texas Property Code, shall conduct a public sale of the contents of the storage room(s) listed below in Aransas Pass, Texas. Telephone #361-

**THE STATE OF TEXAS  
COUNTY OF SAN PATRICIO:**

Before me, the undersigned authority, personally appeared

Brenda Burr

of The Ingleside Index, who after being

by me duly sworn, on his oath deposes and said:

1. That (he) (she) is Publisher of The Ingleside Index a weekly newspaper published in San Patricio County, Texas.

2. That the Ordinance 2012-05 ; Adopting Single Family Residential Building Reqs.

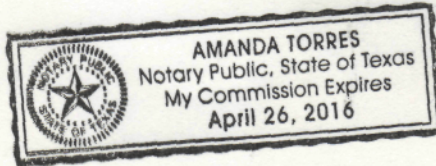
hereto annexed, was published in the regular issues of said Ingleside Index once

each week for one (1) successive weeks said publications

having been made on the June 27, 2012

3. That a printed copy of said notice as the same appeared in said issues is attached hereto.

*[Handwritten Signature]*



Sworn to and subscribed before me this 19 day of July, 20 12.

*[Handwritten Signature: Amanda Torres]*

PUBLICATION FEE: \$ \_\_\_\_\_ Notary Public, San Patricio County, Texas