

THE STATE OF TEXAS §
COUNTY OF CAMERON §
CITY OF PORT ISABEL §



Notice of a Public Hearing & Regular Meeting Of the City of Port Isabel Planning & Zoning

Notice is Hereby Given

THAT, the Planning & Zoning Commission of the City of Port Isabel, Texas will hold a Public Hearing and Regular Meeting at the City Commission Chambers Meeting Room, located at 305 E. Maxan, on Wednesday, February 13, 2013 at 6:00 p.m. for the purpose of discussing the following items:

This facility is A.D.A accessible. Request for accommodations must be made forty-eight (48) hours prior to this meeting. Please contact the City Secretary's office at (956)943-2682.

Commission Members

James R. Elium III, Chairman
Michael Cateora, Vice Chairman
Ramona Kantack Alcantara, Secretary

Victor Chavez, Commissioner
Adam Hancock, Commissioner
Samuel Infante, Commissioner

Order of Business

- I. **Call to Order**

- II. **Pledge of Allegiance**

- III. **OPEN FORUM: Items or matters not listed below: [No Action Taken]**
Three minutes per speaker

IV. Approval of Minutes

- **August 8, 2012**

V. Public Hearing: [No Action Item]

1. Discussion on the request by property owner Marvin and Treena Black, to replat lots nine and ten block one of the Yacht Basin Subdivision into one lot.
2. Discussion to amend Ordinance 605 H.

ORDINANCE 605 HAN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF PORT ISABEL, TEXAS; AMENDING ORDINANCE DEFINITIONS AND CERTAIN USE REGULATIONS WITHIN THE CITY; AND EFFECTIVE DATE.

WHEREAS, the City of Port Isabel adopted Ordinance No. 605, effective January 25, 2000, known as the Port Isabel Zoning Ordinance (the "Ordinance"), said Ordinance being codified as Chapter 160 of the Port Isabel Code of Ordinances; and WHEREAS, the Ordinance has been amended from time to time by the governing body of the City to preserve the health and safety of the citizens of Port Isabel; and WHEREAS, the City of Port Isabel finds it necessary to amend Ordinance No. 605 by amending certain Ordinance definitions and certain use regulations within the City; and NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PORT ISABEL, TEXAS, that Chapter 160: ZONING, of the Port Isabel Code of Ordinances is amended as follows: § 160.003 INTERPRETATION AND DEFINITIONS: The term **BULKHEAD** and its definition are deleted in their entirety. The definition of **CONDOMINIUM** is deleted in its entirety and the following substituted therefore: **CONDOMINIUM. A form of real property with portions of the real property designated for separate ownership or occupancy, and the remainder of the real property designated for common ownership or occupancy solely by the owners of those portions. Real property is a condominium only if one or more of the common elements are directly owned in undivided interests by the unit owners. Real property is not a condominium if all of the common elements are owned by a legal entity separate from the unit owners, such as a corporation, even if the legal entity is owned by the unit owners.** The term **SEAWALL** is deleted in its entirety and the following substituted therefore: **SEAWALL/BULKHEAD**
§ 160.018 GENERAL REGULATIONS: Subsection (H) is deleted in its entirety and the following substituted therefore: **(H) Fences. Fences may be constructed to a height not to exceed six feet on the front yard line and eight feet on the side and rear yard property lines. Fences on corner lots must be located no less than 50 feet from the center of the street intersection or at a 45-degree angle from the corner of the curb edge. In no instance shall any fence be constructed to obstruct the view of vehicles approaching any intersection. Where a fence would square on the corner that abuts an intersection, the**

section of fence entering the 50-foot limitation from the intersection shall allow for 70% visibility. All front yard fences or corner fences must have a gated or other opening sufficient to permit access from the street for emergency personnel and equipment. Subsection (K) is deleted in its entirety and the following substituted therefore: **(K) Seawalls. The following regulations shall apply to seawalls. (1) All seawalls shall be constructed with materials and in a manner so as to embody its defined abilities and to serve its defined purpose. Seawalls constructed of vertical panels, of sufficient strength for their particular application, made of concrete or synthetic products, or a combination of these materials, submerged below the level of the sea floor and protruding above the sea floor to the earth level, each panel securely fitted or fastened to the next panels and all panels horizontally secured as one by a cap of similar material, and secured to the elevated earth using a "deadman" technique or a similar securing method shall be acceptable. Any other method of seawall construction which has been or can be shown to possess the definitional qualities and abilities of a seawall may be permitted, except use of asbestos sheets or any other harmful material that is expressly forbidden. In all permit applications for a seawall, the Building Official shall have the right to require sufficient information or an engineer's certification satisfactorily assuring the proposed construction meets the definitional qualities and abilities set forth in this chapter as well as meeting the construction and strength requirements for the particular application as set forth herein. (2) Broken concrete or other discarded building materials (riprap) placed at the shoreline does not qualify as a seawall. These materials may only be placed in areas above the water line as a method of storm wave dissipation. The materials may not be used near or in any navigable waters within the city limits and shall not be used in any other way which may pose a hazard to navigation.**

§ 160.095 USE REGULATIONS: Subsection (A) is deleted in its entirety and the following substituted therefore: **(A) Mobile home parks. Mobile homes and HUD-Code manufactured homes. Any use permitted in the B-1 Business District is permitted provided such use fronts on State Highway 100.**

In all other respects Chapter 160 remains unchanged and in full force and effect. This Amendment shall take effect upon its passage and approval and the publication of its descriptive caption as required by law. In all other respects Ordinance No. 605 H remains unchanged and in full force and effect.

VI. New Business: [Action Item]

1. Discussion and potential action to approve the request by property owner Marvin and Treena Black, to replat lots nine and ten block one of the Yacht Basin Subdivision into one lot.

2. Discussion and potential action to amend Ordinance 605 H.

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VII. Adjournment

Certification

I certify that the above notice of Port Isabel Planning & Zoning Public Hearing and Regular Meeting is true and correct, and that I posted such notice on the bulletin board in a place convenient and readily accessible to the public on February 8, 2013 at 4:00 p.m. in accordance with the Texas Open Meetings Act. (Texas Government Code §551.041 - §551.050)



Kim Villarreal

Building Administrative Assistant