

**SUBJECT: STRUCTURES IN FRONT OF BUILDING LINE:**

**From:** Scott Bounds

In response to Council's discussion regarding batting cages and other play equipment in the front yard, I provided the City of Hilshire's current regulations. I also provided examples of other Texas municipal regulations I found by a google search, in no particular order:

**Hilshire Village, Texas:**

02:Y-01 Yard: "Yard" shall mean an open, unoccupied space, other than a court, unobstructed from the ground to the sky by any building or structure, except where specifically provided by this code, on the lot on which a building is situated.

02:Y-02 Yard, front: "Front yard" shall mean a yard extending across the lot front between the right of way line of the street of address and the support foundation of the building (front line of building) including extension therefrom to the side property lines, not including porches, steps, or other minor extensions of the dwelling.

11:12 POOL. 11:12.01 Location: No part of a pool shall be placed closer to a street right-of-way than the main building on the lot on which it is situated, nor closer than eight (8) feet to any side lot line or ten (10) feet from rear lot line; all measurements shall be taken from the back of the top beam of the pool.

11:16 Decking: Uncovered decking not more than eight (8) inches above natural grade or the ground floor of the dwelling, whichever is higher, may extend into the area between a side or rear property line and a required building line.

**Rockwall, Texas:**

Batting cages permitted in residential district by conditional use permit: Example of permit: That the Conditional Use Permit shall be subject to the following conditions: 1. A minimum setback of fifteen feet (15') from all property lines will be required for all structures (including accessory buildings, batting cages, ... etc.) 2. No lighting as part of the batting cage facility. 3. The batting cage facility is subject to administrative review after a period of five (5) years from date of final approval. 4. The accessory building is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or replatted.

**Hunters Creek, Texas:**

-*Open-air structure* means a trampoline, batting cage, swing set, pergola, trellis or other structure that does not have a roof or cover (whether of metal, wood, canvas or other material) that is impermeable to the sun or rain.

-The maximum height is 14 feet for any trampoline or batting cage located less than 15 feet from the rear or side property lines.

-*Structures in front yard.* Except for signs in compliance with [section 44-157\(3\)](#) and fences in compliance with [section 44-163](#). No structure, regardless of height, shall be constructed or placed in front of the front line of the residence.

-*Structure* means anything constructed or erected which: (i) requires permanent location on the ground; or (ii) is attached to something having a permanent location on the ground; or (iii) has a roof or cover (whether of metal, wood, canvas or other material) that is impermeable to the sun or rain, including but not limited to signs, billboards, poster panels, swimming pools, trampolines, batting cages, umbrellas, playhouses, play forts, swing sets, sheds, gazebos,

pergolas, trellises, tennis courts, paddle courts or game-type courts. Yard lights, bird baths, flagpoles, basketball goals, fountains and similar items are not considered as structures herein.

#### Corsicana, Texas:

-Open-Air Structure - Trampoline, swing set, children's play house, animal shelter, batting cage, tent, or other permanent structure with or without a roof or cover.

Permanent structure shall be defined as that in place greater than one week.

-No structure, including open-air structures, regardless of height shall be constructed or placed in the designated front yard of residences in all zones.

#### Trophy Club, Texas:

**Sec. 14.02.255 Required yards.** (d) Play area equipment. Play area equipment shall be located in the required rear yard.

#### Piney Point, Texas:

*Yard* means an open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, other than as specifically permitted by this chapter.

*Yard, front,* means a yard extending across the front of a lot between the side lot lines and being the horizontal distance between the street line providing access to such lot and the main building other than the usual uncovered steps, sidewalks and driveways.

Accessory structures, buildings and uses. a. To qualify as accessory structures or uses, tennis courts, including backstops and lighting therefor, must be set back at least ten feet from the nearest lot line; however, no tennis court shall be permitted in any front yard.

#### Spring Valley, Texas

**11:01.005:0203:F-02 - Front Yard:** A yard extending across the full width of a lot between the front lot line and primary structure.

**.08 - Keeping Animals:** No structure of any kind used for the purpose of housing animals or fowls may be located or maintained in the front yard or within twenty-five (25') feet of the rear or any side property line of the Lot of land upon which a building or structure is located. No more than four (4) adult domestic animals or fowls may be kept on any one Lot.

#### **05:02.10 - Storage of Motor Vehicles, Trailers and Other Contrivances:**

Storage Requirements: No boat, houseboat, canoe, raft, surfboard, or other contrivance designed for use on water, including trailers therefor, and no vehicle which is or which customarily is equipped with living or sleeping facilities, whether self-propelled or designed to be used as a trailer or for use otherwise in conjunction with any vehicle, whether occupied or not, or any type trailer shall be kept on a public street or in a driveway in public view for more than four (4) occurrences during any thirty (30) day period, except where such vehicle, trailer or contrivance is for use incidental to construction on the site. Each day shall constitute an occurrence. Permanent and semi-permanent storage of such items and vehicles must be screened from public view from any public street by storing the vehicle, trailer or contrivance deeper on the Lot than the front building line

**9 - SPORTS COURT FENCES:** Fencing for sport or tennis courts located in Dwelling District "A" shall be constructed out of vinyl clad chain link. Sports court fences are limited to a maximum height of ten feet (10').

### Hedwig Village, Texas

**Front Yard.** An open, unoccupied space on a lot facing a street, extending across the front of the lot between the side lot lines and from the outermost surface of the main building to the front lot line, with the minimum distance between the front lot line and the main building line as specified for the district in which the lot is located. In the case of a lot which borders upon more than one street, the front yard shall face the same as the front yard of the lot whose side yard is adjacent to such lot.

*Other property.* No property not incidental to a permitted use in residential districts A and C, and no utility trailer shall be kept in a front yard for a period longer than a total of 48 hours during any consecutive eight-day period.

*Accessory buildings.* No accessory building shall be located in a front yard.

### Highland Park, Texas

#### **Sec. 8.01.013 Statuaries and landscape receptacles**

(a) Statues/sculptures, topiaries, pots, planters, containers, and other similar free-standing landscape receptacle(s) that individually or collectively take up space in excess of 5% of the area of the front yard shall be prohibited in the front yard in all residential districts.

(b) Where side yards are visible from a public roadway, statues/sculptures, topiaries, pots, planters, containers, and other similar free-standing landscape receptacle(s) that take up space individually or collectively in excess of 5% of the side yard area are prohibited in all residential districts.

(c) No front yard or side yard in residential districts, visible from a public roadway, is allowed to have more than 1 statue/sculpture, topiary, pot, planter, container or other similar free-standing receptacle per 100 square feet of yard area (measured in minimum increments of one square foot). The area of coverage will be calculated in a square based on the widest point of the statue/sculpture, topiary, pot, planter, container or landscape receptacle.

(d) Topiaries, pots, planters and other free-standing landscape containers are required to have year-round living vegetation.

(e) Exceptions:

(1) Holiday themed decorations occurring between the time period of November 15th and January 6th each year.

(2) Architecture features and/or extension of the main structure are not intended to be included.

#### **8-402 Special Front Yard Regulations**

(14) Permanently installed recreational sports equipment (including, but not limited to, basketball goals) shall be prohibited in the front yard of residential districts. Permanently installed recreational sports equipment attached to the residential structure shall be set back a minimum of fifteen (15) feet behind the front building line.

Exception: Detached, portable recreational sports equipment is excluded from this regulation.

West University Place, Texas

Table 7-6. Projections Schedule

<b>Projections Schedule</b>		<i>General Rule:</i> This schedule describes certain structures which are allowed to "project" into yards (or setbacks). It also provides special rules for calculating open and pervious areas affected by such structures. See the "Yards (or 'setbacks')" and the "Open & Pervious Areas" tables.				
Type of Structure		Maximum Allowed Projection (In Inches), Measured From The Inside Edge Of The Yard				Special Rules For Calculating Open & Pervious Areas
		Front Yard	Rear Yard	Side Yard	SF Bufferyard	
Buildings And Attached Structures	Items above ground level: Eaves, cornices, roof extensions, "greenhouse" and bay windows (no floor space), window sills, cantilevered building space, window boxes, belt courses, window air conditioners and similar parts of buildings.	15" See Note 1.1.	15" See Notes 1.1 and 13	24" except that no item below the eave may be closer than 36" to the SPL. See Notes 1.1 and 13.	15" See Notes 1.1 and 13.	The area does not count as open area.
	Porches/platforms/decks higher than 14 inches, and similar structures attached to a building.	0, but see Note 1.2. See	0 See Notes 1.1 and 13.	0 See Notes 1.1 and 13.	0 See Notes 1.1 and 13.	The area does not count as either open or pervious area. The

<b>Projections Schedule</b>		<i>General Rule:</i> This schedule describes certain structures which are allowed to "project" into yards (or setbacks). It also provides special rules for calculating open and pervious areas affected by such structures. See the "Yards (or 'setbacks')" and the "Open & Pervious Areas" tables.				
Type of Structure		Maximum Allowed Projection (In Inches), Measured From The Inside Edge Of The Yard				Special Rules For Calculating Open & Pervious Areas
		Front Yard	Rear Yard	Side Yard	SF Bufferyard	
		<i>Note 1.1.</i>				area beneath a deck may count as pervious area if rain is allowed to pass through the deck.

Table 7-6. Projections Schedule, cont.

EXPAND

Type Of Structure		Maximum Allowed Projection (In Inches), Measured From The Inside Edge Of The Yard.				Special Rules For Calculating Open & Pervious Areas
		Front Yard	Rear Yard	Side Yard	SF Bufferyard	
Buildings And Attached Structures, Cont.	Items near ground level: porches, platforms and decks higher than six inches but not higher than 14 inches, and similar structures attached to buildings	120" See Note 1.1.	No limit. See Note 1.1.	0 See Note 13.	No limit	The area counts as open area. The area beneath a deck may count as pervious area if rain is allowed to pass through the deck.
	Other parts of buildings and structures attached to buildings.	0, but see Note 2. See Note 1.1.	0, but see Notes 3 and 4. See Notes 1.1 and 13.	0, but see Note 5. See Note 13.	0, but see Note 3. See Notes 1.1 and 13.	The area does not count as either open or pervious area.
Ground level and underground items	Sidewalks, patios, porches/platforms/decks, retaining walls, driveways, parking areas and similar structures not higher than six inches; all underground structures. See also Table 7-3 regarding pervious pavement.	No limit, except that decks may not project more than 120"	No limit	No limit	No limit	The area counts as open area but not as pervious area unless the material is completely pervious to water. The area beneath a

Type Of Structure		Maximum Allowed Projection (In Inches), Measured From The Inside Edge Of The Yard.				Special Rules For Calculating Open & Pervious Areas
		Front Yard	Rear Yard	Side Yard	SF Bufferyard	
						deck may count as pervious area if rain is allowed to pass through the deck. <i>See Table 7-3.</i>
Mechanical Equipment	Air conditioning equipment, pool equipment, and similar freestanding mechanical equipment	0	<i>See Note 6.</i>	<i>See Note 6.</i>	0	The area does not count as either open or pervious area.
	Utility meters and related apparatus	0	No limit	15"	12"	The area may count as both open area and pervious area.

Table 7-6. Projections Schedule, cont.

EXPAND

Type Of Structure		Maximum Allowed Projection (In Inches), Measured From The Inside Edge Of The Yard.				Special Rules For Calculating Open & Pervious Areas
		Front Yard	Rear Yard	Side Yard	SF Bufferyard	
Certain Accessory Structures	Basketball goals	120"	No limit	No limit generally, <i>but see Note 7.</i>	No limit	The area may count as both open area and pervious area.
	Playground equipment	0	No limit	0	No limit	The area may count as both open area and pervious area.
	Flagpoles	120"	0	0	0	The area may count as both open area and pervious area.
	Fences	<i>0, but see Notes 8.1, 8.2, and 12.</i>	No limit	No limit, <i>but see Notes 8.1, 8.2 and 11.</i>	No limit	The area does not count as either open or pervious area.
	Swimming pools	0	<i>0, but see Note 9</i>	<i>0, but see Note 9.</i>	No limit	The area counts as open area. Only

Type Of Structure		Maximum Allowed Projection (In Inches), Measured From The Inside Edge Of The Yard.				Special Rules For Calculating Open & Pervious Areas
		Front Yard	Rear Yard	Side Yard	SF Bufferyard	
						the water area counts as pervious area.
	Tennis courts (with associated screens)	0	0	0	No limit	The area counts as open area but not pervious area (unless the area is made of grass).
	Lights and lampposts	No limit generally, <i>but see Note 10.</i>	No limit generally, <i>but see Note 10.</i>	No limit generally, <i>but see Note 10.</i>	No limit generally, <i>but see Note 10.</i>	The area may count as both open area and pervious area.
	Gate closers	24"	No limit	No limit	No limit	The area may count as both open area and pervious area.
	Signs (see Code of	No limit	0	0	0	The area does not count as

Type Of Structure		Maximum Allowed Projection (In Inches), Measured From The Inside Edge Of The Yard.				Special Rules For Calculating Open & Pervious Areas
		Front Yard	Rear Yard	Side Yard	SF Bufferyard	
	Ordinances )					either open or pervious area.

*Note 1.2. Porch In Front Yard.* On a building site in a residential district with a front yard depth of 20 feet or more, a porch may project up to 120 inches into the front yard if it meets all of the following criteria:

- (i) It is neither designed nor usable for motor vehicles;
- (ii) The volume of the projecting part of the porch does not exceed 50 cubic feet per foot of front street line (Example: the maximum projecting volume on a 52½-foot wide site would be 50 cubic feet x 52.5, or 2,625 cubic feet);
- (iii) The porch's outside perimeter is open and unobstructed, except for the following features: (a) Ordinary window screens. (b) A solid or partially open safety rail not higher than 3.5 feet above the porch floor. (c) Supporting vertical columns, if the total width of the outer faces of the columns does not exceed either 50% of the outside perimeter of the porch or 25% of the theoretical outside perimeter of a maximum-sized porch. The width of a column is measured at its thickest point above 3.5 feet above the porch floor. The "maximum-sized porch" is 120 inches deep and extends from one side yard line to the other, but it is limited by the open area requirement for the front yard. The "outside perimeter" of a porch is the portion of the perimeter out in the front yard; it does not include the portion of the perimeter adjacent to a building or lying along the front setback line;
- (iv) At no point in the front yard does the porch have a height greater than the depth of the front yard (Example: if the depth of the front yard is 20 feet, the maximum height in the front yard is also 20 feet); and
- (v) No projecting balcony or enclosed, habitable space shall be constructed or placed above the ceiling of a projected porch.

*Note 6. Equipment in Rear or Side Yard.*

REAR YARD: Indicated equipment may project into a rear yard only if: (a) separating the equipment from any building site across the rear lot line, there is a solid wall at least one foot higher than the highest part of the equipment; (b) if the equipment occupies any part of an easement under the control of the City, the City has issued a separate acquiescence or consent to the occupancy of the easement; (c) there has been formally granted to the city any utility easement deemed necessary by the City's chief utility official; (d) the base of the equipment is not higher than 14 inches above the ground (*Exception:* The base may be elevated to the minimum level of the lowest floor of the principal building, as established by the City's flood damage prevention ordinance, if that level is higher than 14 inches above the ground.); and (e) if located within five feet of any property line, the equipment is fully

encased in a sound-absorbing cabinet or is otherwise designed and operated to comply with the City's noise regulations; see [Chapter 54](#) of the Code of Ordinances.

SIDE YARD: Indicated equipment may project into an interior or street side yard (but not closer than three feet to a property line) only if it is fully encased in a sound-absorbing cabinet, or is otherwise designed and operated to comply with the City's noise regulations; see [Chapter 54](#) of the Code of Ordinances. However, equipment replacing older equipment in a side yard may project as close as 18 inches to a property line, if the fire marshal determines that such projection will not significantly interfere with emergency access, either on the same site or on another site.

NEW AND REPLACEMENT EQUIPMENT: These rules apply to all new and replacement equipment. *Exception:* If older equipment was lawfully installed on an elevated structure in a rear yard, replacement equipment may be installed on the same structure. If the older equipment was lawfully installed without the required separating wall, the wall must be provided, but it may be either solid or at least 50% solid (e.g., lattice). All other rules apply.

*Note 7. Basketball Goals.* No part of the equipment may be closer than ten feet to any street line.

*Note 8.1 Fences.* Fences may project into front and side yards to the extent expressly required or authorized by city ordinance (e.g., provisions in [Chapter 18](#) of the Code of Ordinances; provisions in PDD schedules for front fences). Also in the Code of Ordinances, there are: (i) requirements for emergency portals in fences (Chapter 18) and (ii) restrictions on fences, certain "fence-like hedges" and other things in visibility areas (Chapter [82](#)). In a QMDS low fences (3.5 feet or lower) may be located anywhere, if made of ornamental metal or pickets.

*Note 8.2. Fence-like hedges.* Fence-like hedges within the front yard (setback) of a building site containing no principal building are prohibited. This provision applies to all adjacent side yard building sites and rear through building sites. Visibility triangles and visibility areas, as defined by this ordinance, are subject to further restrictions as contained in [Chapter 82](#) of the Code of Ordinances.

*Note 9. Swimming Pools.* Except as specifically allowed by another ordinance of the City governing setbacks for swimming pools and appurtenances.

*Note 10. Lampposts.* Maximum diameter of projecting posts is six inches; maximum height is eight feet.

**Sugar Land:**

## **Sec. 2-176. - Allowed Yard Obstructions.**

Every part of a required Yard must be open and unobstructed from the general ground level of the graded Lot to the sky, except as indicated in the table below:

"Y" indicates a permitted or allowed obstruction. "N" indicates not a permitted or allowed obstruction.

EXPAND

Table 2-176.1: Allowed Yard Obstructions

	<b>Obstruction</b>
1.	Living plant material, landscaping, fountains, sculptures, planter boxes, lighting fixtures, flagpoles, mailboxes, overhead service lines and poles for utilities, which are situated and constructed in compliance with all other ordinances.
2.	Awnings and canopies attached to a Principal Building and projecting not more than 3 ft. from the side of the Building, and located at least 8 ft. above adjoining walkways and driveways.
3.	Air conditioning window or wall units not projecting more than 18 in.
4.	Sidewalks and driveways.
5.	Signs as permitted by the Sign regulations.
6.	Fences, in compliance with this Code.
7.	Architectural entrance Structures on a Lot 1 acre or greater in area; or subdivision entrance signs at entrance roadways into subdivisions or planned developments containing 50 or more Lots.
8.	Bay windows projecting not more than 3 ft., but not within 5 ft. of a Lot Line.
9.	Eaves, gutters, and attached chimneys, projecting not more than 24 in. into the Yard.
10.	Open entrances, stoops, and porches, when not covered, may project not more than 10 ft. from a Principal Building, and not more than 18 in. above grade. This type of obstruction is not allowed in the HR-1 District.
<u>11.</u>	Sills, belt courses, cornices, and ornamental features of a Principal Building, projecting not more than 12 in.
12.	Steps, 4 ft. or less above grade, which are necessary for access to a permitted Building or for access to a Lot from a Street or public way.
13.	Mechanical equipment such as central air conditioning units, heat pumps solar collecting equipment, pool equipment, and backup generators.
14.	Balconies not projecting more than 3½ feet into the Yard.

Table 2-176.1: Allowed Yard Obstructions

	Obstruction
15.	Open off-street Parking Spaces and Loading Spaces. <i>*See Table 2-216.1 and 2-216.2 for Parking Lot Setback Requirements.</i>
16.	Arbors, pergolas, trellises, playgrounds and playhouses, and clotheslines.
17.	Satellite dishes, as permitted by this Chapter.
18.	Swimming pools not located within 3 ft. of a Lot Line. <i>*Swimming pools are not permitted in a Front Yard, but may be located in a Street Side Yard.</i>
19.	Access ramps for the disabled.
20.	Subdivision Entrance Signs.

Scott Bounds