

ORDINANCE 995

AN ORDINANCE AMENDING SECTION 50-102 OF THE CODE OF ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, TEXAS, BY DELETING THE OLD SUBSECTION (c) AND CREATING A NEW SUBSECTION (c) IN ORDER TO ESTABLISH PERMANENT BENCHMARKS FOR PINEY POINT VILLAGE TO ESTABLISH LOCATIONS AND ELEVATIONS UTILIZING GPS (RTK) FOR ITS HORIZONTAL POSITIONS AND ESTABLISH ELEVATIONS USING DIFFERENTIAL LEVELING PURSUANT TO HARRIS COUNTY FEMA (TSARP) BENCHMARKS; PROVIDING A MEANS BY WHICH BUILDERS CAN MEASURE THEIR SETBACK LINES AND CONSTRUCTION LOCATIONS; PROVIDING A BASE FROM WHICH HORIZONTAL HEIGHT LEVELS CAN BE MEASURED FOR PURPOSES OF MAXIMUM HEIGHT OF RESIDENTIAL STRUCTURES AND MINIMUM HEIGHT FOR PURPOSES OF FLOOD CONTROL; AND PROVIDING FOR SEVERABILITY, AND PENALTIES FOR NONCOMPLIANCE.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:

Section 1. Section 50-102 is amended by adding the following Subsection (c):

(c) There is hereby established six benchmarks utilizing horizontal positions established using GPS (RTK) and establishing elevations using differential leveling, Harris County FEMA (TSARP) holding benchmarks 210130 and 210135 for horizontal and vertical control. The Benchmarks are located at the following locations: (1) on the south end of the east head wall of Piney Point Road, south of Holidan Way; (2) top of inlet southeast corner of Piney Point Road & Greenbay Road; (3) top of inlet at northwest corner of Piney Point & Memorial Drive; (4) west side of concrete walk at South Piney Point Road Bridge over Buffalo Bayou; (5) top of inlet at 1101 Greenbay Road at Memorial Drive; and (6) top of head wall at southeast corner of Hedwig Road and Hedwig Shadows Drive. All new benchmarks are two-inch brass discs and concrete stamped BM1-BM6, respectively, surveyed on March 2008 by Land Tech Consultants, Inc.

All elevations and locations for any new construction, both vertically and horizontally, must be determined by and measured by the closest benchmark to the new construction for purposes of obtaining a development permit.


Section 2. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 3. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City council of the City of Piney Point Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 25 day of August, 2008.

City of Piney Point Village
by Karey Bresenhan, Mayor
Karey Bresenhan, Mayor

ATTEST:



Lorena Briel, City Administrator

EXHIBIT A

BENCHMARK NO. 1:

Latitude: 29 degrees 46' 30.33613" N
Longitude: 95 degrees 31' 03.11624" W
Grid Northing: 13,845,816.42
Grid Easting: 3,073,089.42
State Plane Coordinates, Texas South Central Zone (4202), NAD83.
Elevation: 74.536 NAVD88, 2004 Adj.

BENCHMARK NO. 2:

Latitude: 29 degrees 45' 44.50926" N
Longitude: 95 degrees 31' 02.57629" W
Grid Northing: 13,841,190.92
Grid Easting: 3,073,274.80
State Plane Coordinates, Texas South Central Zone (4202), NAD83.
Elevation: 69.16 NAVD88, 2001 Adj.

BENCHMARK NO. 3:

Latitude: 29 degrees 45' 04.30209" N
Longitude: 95 degrees 31' 02.89379" W
Grid Northing: 13,837,130.57
Grid Easting: 3,073,367.75
State Plane Coordinates, Texas South Central Zone (4204), NAD83.
Elevation: 64.81 NAVD88, 2001 Adj.

BENCHMARK NO. 4:

Latitude: 29 degrees 44' 48.54601" N
Longitude: 95 degrees 31' 24.46074" W
Grid Northing: 13,835,483.21
Grid Easting: 3,071,514.97
State Plane Coordinates, Texas South Central Zone (4202), NAD83.
Elevation: 64.03 NAVD88, 2001 Adj.

BENCHMARK NO.5:

Latitude: 29 degrees 45' 45.47510" N
Longitude: 95 degrees 30' 25.04107" W
Grid Northing: 13,841,387.07
Grid Easting: 3,076,578.44
State Plane coordinates, Texas South Central Zone (4202), NAD83.
Elevation: 61.48 NAVD88, 2001 Adj.

BENCHMARK NO. 6:

Latitude: 29 degrees 46' 16.28848" N
Longitude: 95 degrees 30' 31.76751" W
Grid Northing: 13,844,480.45
Grid Easting: 3,075,893.00
State Plane coordinates, Texas South Central Zone (4204), NAD83.
Elevation: 69.50 NAVD88, 2001 Adj.