

ORDINANCE NO. 01-09

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE (ORD. NO. 83-23) OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED TO PROVIDE FOR GENERAL PROVISIONS AND REQUIREMENTS FOR A CONDITIONAL USE PERMIT TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE SIZE REQUIREMENTS, IN THE "SF-E", SINGLE FAMILY-ESTATE DISTRICT, ON 2.26 ACRES OF LAND, AS DESCRIBED IN EXHIBIT "A", PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall Comprehensive Zoning Ordinance has been initiated by the City of Rockwall to provide for the general provision and requirements for a Conditional Use Permit to allow an accessory building that exceeds the size requirements, in the "SF-E", Single Family-Estate District, on 2.26 acres of land as described on Exhibit A; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

Section 1. That the Comprehensive Zoning Ordinance, as heretofore amended, be and the same is hereby amended by the approval of a Conditional Use Permit to allow an accessory building that exceeds the size requirements, in the "SF-E", Single Family-Estate District, on 2.26 acres of land as described on Exhibit A.

Section 2. That the tract of land described on Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall has heretofore amended, as amended herein by granting of this approval shall affect only the property as heretofore described and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development on property described on Exhibit "A" shall be limited

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to uses and requirements listed in **Section 2.1A Single Family-Estate District** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23) and the following conditions;

1. That the area requirements conform to the SF-E zoning district standards.
2. That the maximum area of the accessory building (proposed barn) shown on Exhibit "A", be limited to 1,440 square feet.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this 2nd day of April, 2001.

Scott L. Self

APPROVED

Belinda Page
ATTEST

1st Reading 3.19.01

2nd Reading 4.02.01

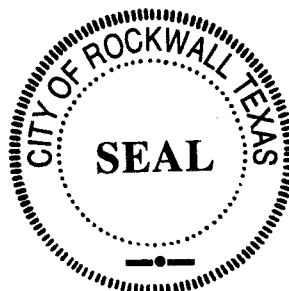
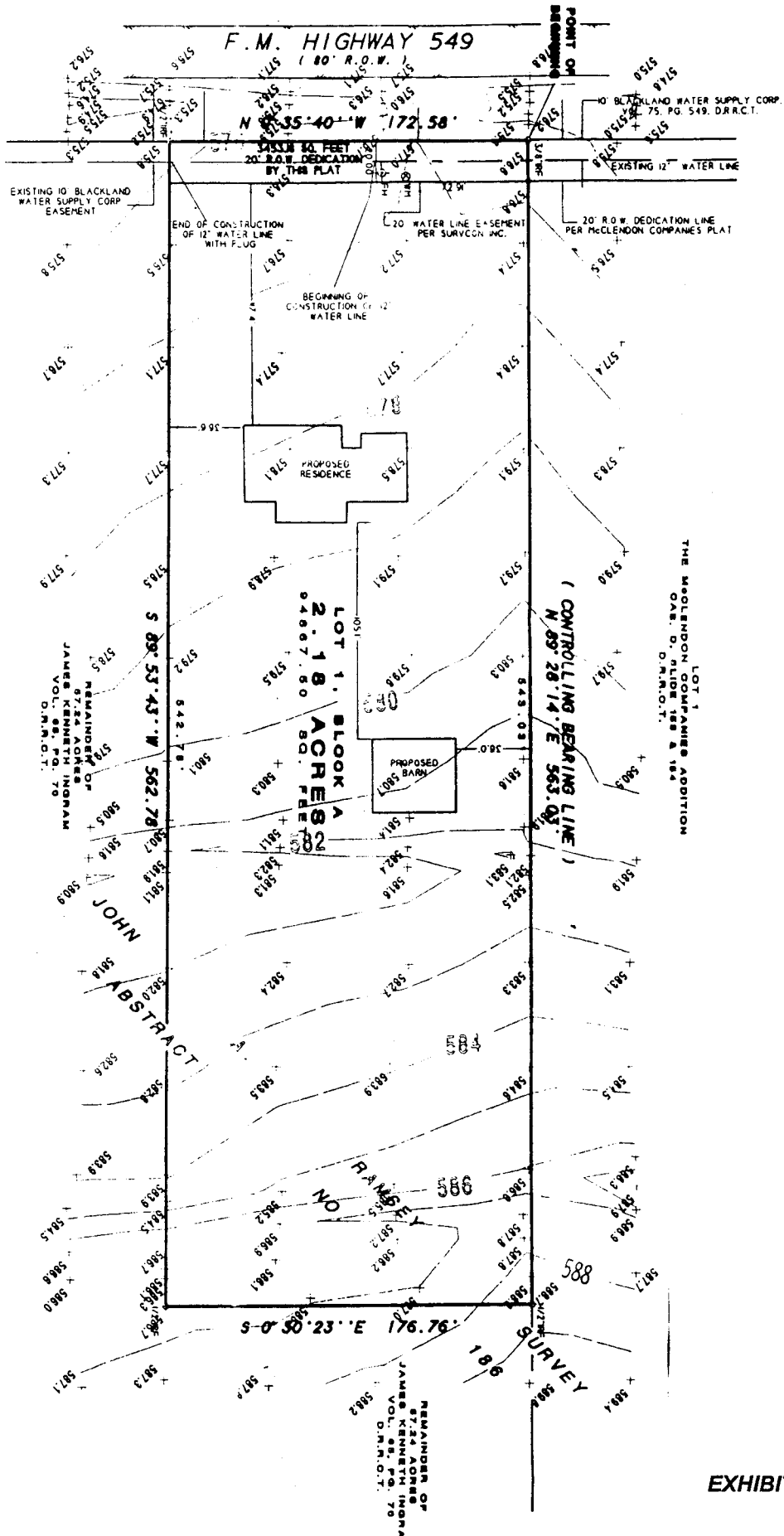


EXHIBIT "A"



DESCRIPTION

All that certain lot, tract or parcel of land situated in the John A. Ramsey Survey, Abstract No. 186, Rockwall County, Texas, and being a part of that tract of land as described in a Deed to James Kenneth Ingram as recorded in Volume 74, Page 322 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8 inch iron rod found for corner in the east right-of-way line of F.M. Highway 549 (80' R.O.W.) at the northwest corner of said Ingram tract and also being at the southwest corner of the Mclendon Companies Addition, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet D, Slide 153 and 154 of the Plat Records of Rockwall County, Texas;

THENCE N. 89 deg. 28 min. 14 sec. E (controlling bearing line) along the north line of said Ingram tract and the south line of said addition, a distance of 563.03 feet to a 1/2 inch iron rod found for corner;

THENCE S. 00 deg. 30 min. 23 sec. E. a distance of 176.76 feet to a 1/2 inch iron rod found for corner;

THENCE S. 89 deg. 53 min. 43 sec. W. a distance of 562.78 feet to a 1/2 inch iron rod found for corner in the east right-of-way line of F.M. Highway 549;

THENCE N. 00 deg. 35 min. 40 sec. W. along said right-of-way line, a distance of 172.58 feet to the POINT OF BEGINNING and containing 2.26 acres of land.