

ORDINANCE NO. 01-11

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR TO ALLOW A DETACHED GARAGE THAT EXCEEDS THE MAXIMUM FIFTEEN FEET HEIGHT REQUIREMENT WITHIN THE SF-7 ZONING DISTRICT LOCATED ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; 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; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A Conditional Use Permit for a detached garage that exceeds the fifteen (15) foot maximum height within the SF-7 zoning district has been requested by Chris and Betsy Hoover for the property located at 307 South Clark, Rockwall, Texas;

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 (Ord. 83-23) of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit for a detached garage that exceeds the fifteen (15) foot maximum height requirement within the SF-7 zoning district on the property located at 307 South Clark, Rockwall, Texas and further described on Exhibit "A" attached hereto and made a part hereof.

Section 2. That the tract described above tract of land shall be used only in the manner and for the purpose provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting 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 the property as described above shall be limited to uses and requirements listed in **Section 2.4 (SF-7) Single Family Residential** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23) and the following conditions:

1. The maximum height of the detached garage shall not exceed 25'-6"

2. The exterior covering of said detached garage shall contain the same materials as found on the main structure and generally in the same proportion.
3. Verification that the setbacks set forth in the SF-7 zoning district is complied with given the location of the detached garage.
4. That no portion of the detached garage may be used as residential rental property.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. 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 6. 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 7. 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

Belinda Page

ATTEST

1st Reading 3.19.01

2nd Reading 4.02.01

