

ORDINANCE NO. 01-22

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 **DETACHED GARAGES, ACCESSORY BUILDINGS, OR PORTABLE BUILDINGS EXCEEDING THE MAXIMUM PERMITTED HEIGHT OR SIZE REQUIREMENTS, OR GARAGES OR ACCESSORY BUILDINGS NOT MEETING THE REQUIRED MATERIALS REQUIREMENTS, USED AS AN ACCESSORY TO A RESIDENTIAL USE ON THE SAME LOT (ORD. NO. 87-54)** WITHIN THE "SF-16" RESIDENTIAL 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 **detached garages, accessory buildings exceeding the maximum permitted height or size requirements, or garages or accessory buildings not meeting the required materials requirements, used as an accessory to a residential use on the same lot** within the "SF-16" residential zoning district has been requested by Deb McCandless for the property located at 3059 North Goliad and further 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit **for detached garages, accessory buildings exceeding the maximum permitted height or size requirements, or garages or accessory buildings not meeting the required materials requirements, used as an accessory to a residential use on the same lot** within the "SF-16" residential zoning district for the tract of land described on Exhibit "A" attached hereto and made a part hereof.

Section 2. That the Conditional Use Permit shall be subject to the following conditions:

1. The maximum area of the accessory building (proposed barn) limited to less than 3,200 square feet.
2. No more than six horses shall be boarded on the subject property located at 3059 North Goliad and further described on Exhibit "A".

3. Compliance with building setbacks of the SF-16 zoning district.
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.
5. The City Council reserves the right to review the Conditional Use Permit granted herein upon the expiration of one (1) year from the date hereof.
6. In the event that the proposed use should lose its status as an accessory building, as per the Comprehensive Zoning Ordinance, the Conditional Use Permit as granted herein, will cease and the building shall conform within six months, to the Zoning Ordinance by providing the same exterior covering materials as found on the main structure and generally in the same portions.

That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this Conditional Use Permit and as may be amended in the future.

Section 3. 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.

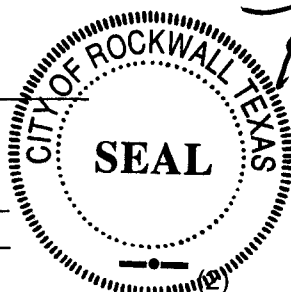
Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense 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 21 day of May, 2001.

Beliada Page



[Signature]
APPROVED

ATTEST

1st Reading 4-16-01
2nd Reading 5-21-01

EXHIBIT "A"

- DESCRIPTION -

All that certain lot, tract or parcel of land situated in the W.T. DEWEESE SURVEY, SURVEY, ABSTRACT NO. 71, City of Rockwall, Rockwall County, Texas and being all of that called 8.128 acre tract of land described in a Warranty Deed from Laura L. Chenault to Darryl Stone and wife, Heidi Stone, dated December 30, 1993 and being recorded in Volume 864, Page 203, of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found for corner at the Southeast corner of the above cited tract of land, said point being in the West right-of-way line State Highway 205 (North Goliad Street);

THENCE N 89deg. 55min. 03sec. W., (controlling bearing line) along the South boundary line of said tract a distance of 1445.37 feet to a 1/2" iron rod found for corner at the Southwest corner of the above cited tract;

THENCE N 00deg. 19min. 05sec. E., a distance of 301.32 feet to a 1/2" iron rod found for corner at the Southwest corner of Lot 3, Mason-Steed Addition an addition to the City of Rockwall, Texas, according to the Map thereof recorded in Cabinet C, Slide 177, of the Plat records of Rockwall County, Texas;

THENCE S 89deg. 54min. 08 sec. E., along the South line of said Addition a distance of 1158.85 feet to a 1/2" iron rod found for corner;

THENCE S 05deg. 00min. 14 sec. W., a distance of 271.98 feet to a 1/2" iron rod found for corner;

THENCE S 89deg. 55min. 03sec. E., a distance of 308.21 feet to a 1/2" iron rod found for corner in the West right-of-way line of said State Highway 205 (North Goliad Street);

THENCE in a Southeasterly direction along a curve to the right having a central angle of 00deg. 17min. 52sec., a radius of 5778.35 feet, a tangent of 15.02 feet, a chord of S. 00deg. 40min. 41sec. E., 30.04 feet along State Highway 205 an arc distance of 30.04 feet to the POINT OF BEGINNING and containing 8.140 acres of land.

