

ORDINANCE NO. 02-04

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 A DETACHED GARAGE THAT EXCEEDS THE MAXIMUM SQUARE FOOTAGE, ON LOT 1, BLOCK A, THE OAKS OF BUFFALO WAY, CITY AND COUNTY OF ROCKWALL, TEXAS, 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 requested from Alan Selden on behalf of Billy Ray Johnson, Owner, to provide for the general provision and requirements for a Conditional Use Permit to allow a detached garage that exceeds the maximum square footage on Lot 1, Block A, The Oaks of Buffalo Way, City and County of Rockwall, Texas, as described on Exhibit A; attached hereto and made a part hereof; 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 a detached garage that exceeds the maximum square footage on Lot 1, Block A, The Oaks of Buffalo Way, City and County of Rockwall, Texas, as described on Exhibit A; attached hereto and made a part hereof; and

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 as 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 to

uses and requirements listed in **Section 2.1 Agricultural District** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23) and the following conditions:

1. That the conditional use permit be limited to a detached garage or accessory building but a guest's house or a servant's quarters shall not be allowed.
2. That the maximum building size be 1,750 square feet in area.
3. That the maximum building height be 20 feet.
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.

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.

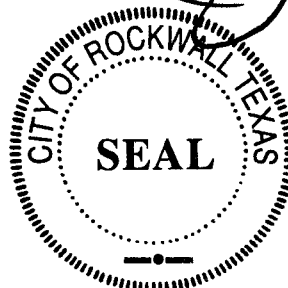
Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same area hereby repealed to the extent of that conflict.

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 4 day of February, 2002.

Cheryl Austin
ATTEST Cheryl Austin, City Secretary
1st Reading 1/22/02
2nd Reading 2/4/02

Ken Jones
APPROVED Ken Jones, Mayor



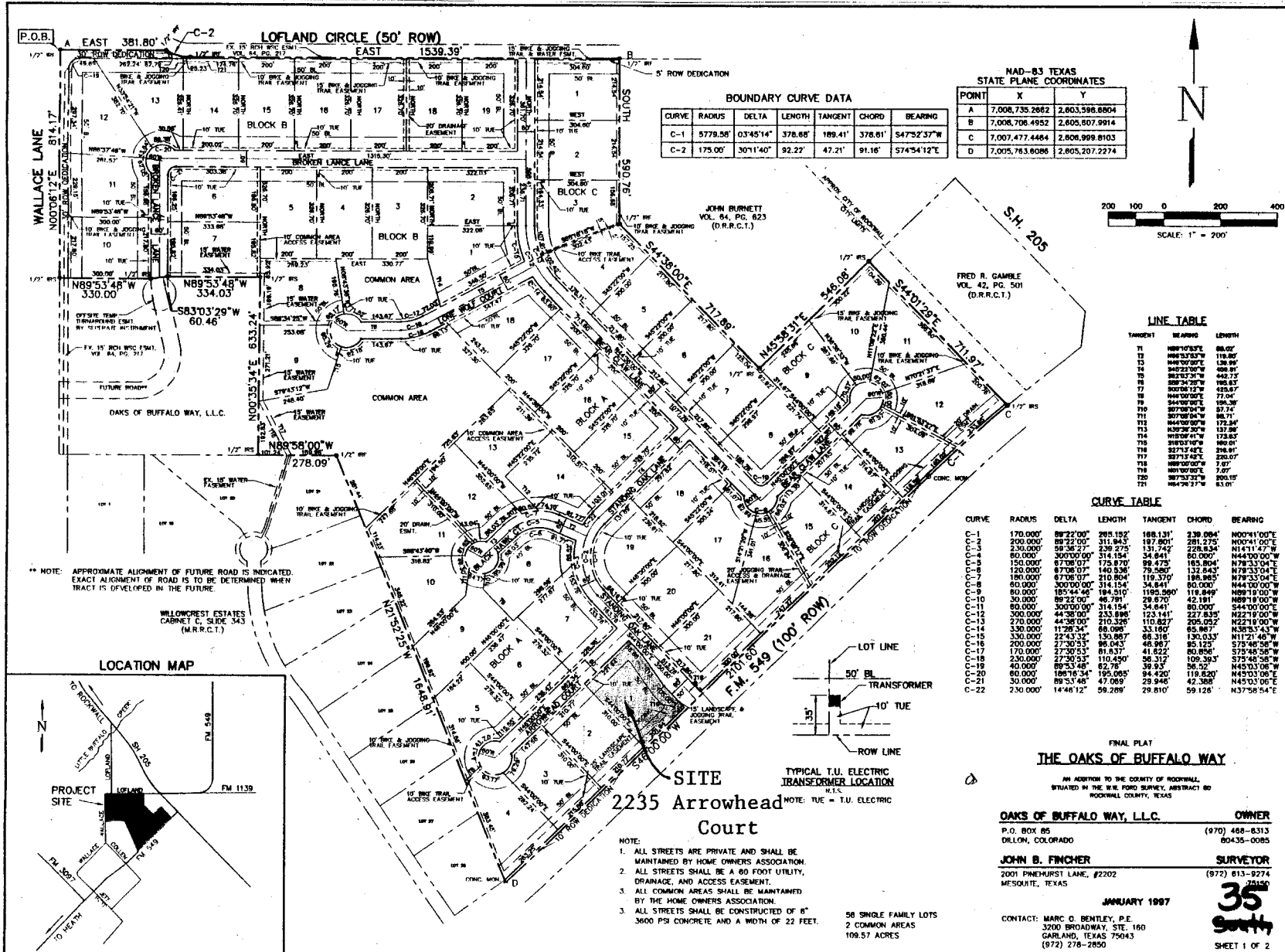
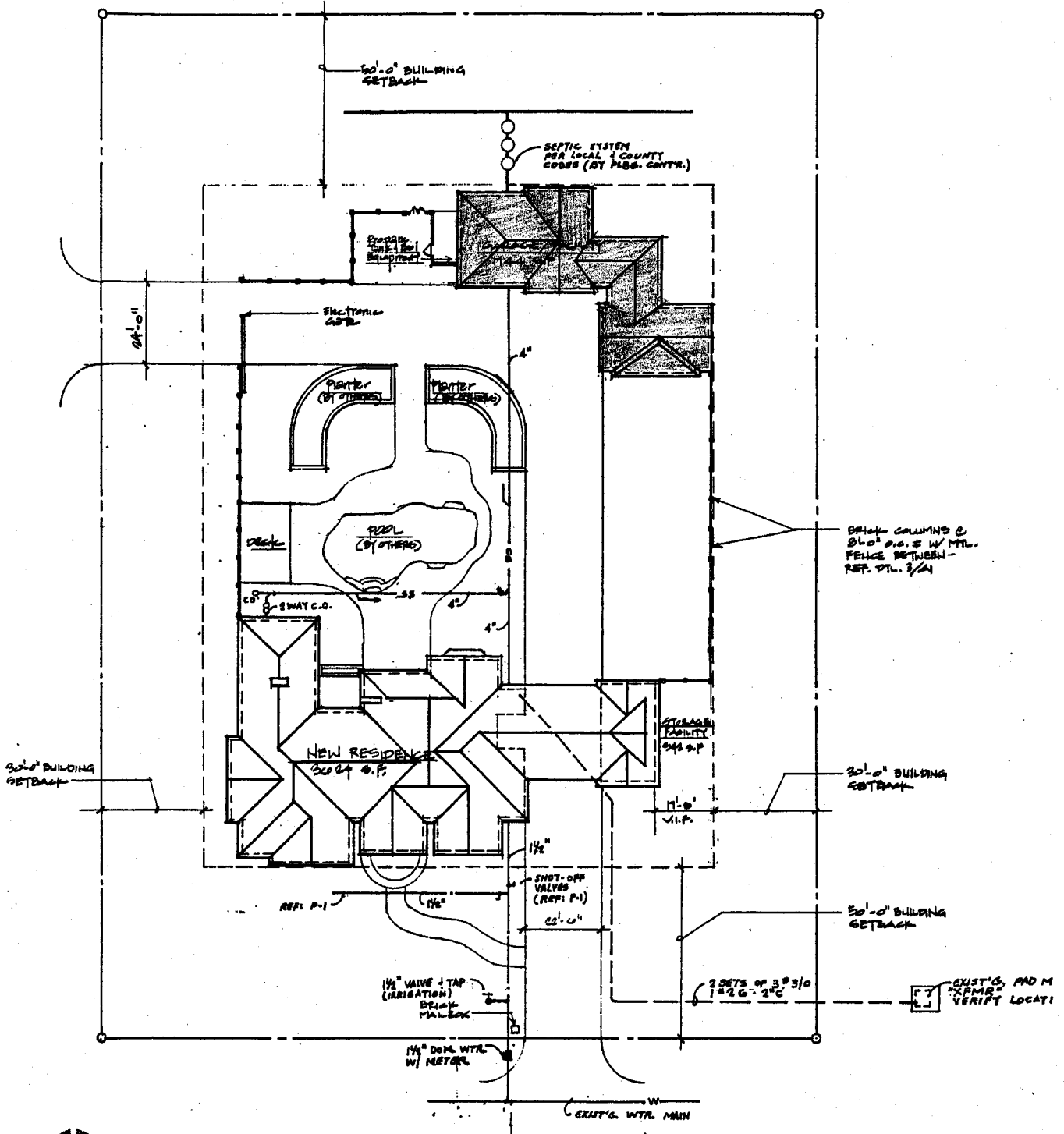


EXHIBIT "A"



SITE PLAN

SCALE: 1" = 20'-0"

AREA CALCULATIONS

RESIDENCE A/C AREA	3024 S.F.
STORAGE FACILITY	342 S.F.
GARAGE FACILITY	1744 S.F.
TOTAL	5110 S.F.

NOTES
 REFER ENGINEER'S BOUNDARY SURVEY FOR SITE DIMENSIONS, METES & BOUNDS & LEGAL DESCRIPTION.

1139

LOFLAND CIRCLE

BROKEN LANCE LANE

LONE WOLF COURT

BEAR CLAW LANE

STANDING OAK LANE

SILVER HAWK COURT

SITE LOCATION

ARROWHEAD COURT

WILLOWCREST

549

205

2001-123

COLLEN E

