

**ORDINANCE NO. 02-11**

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 AN ACCESSORY BUILDING WITHIN THE "SF-7" 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 an accessory building exceeding the maximum square footage within the "SF-7" residential zoning district has been requested by Ray Remick for the property located at 1000 Holli Lane, known as Harris Heights; Phase 1; Block B; Lot 21 and further described in 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit for an accessory building exceeding the maximum square footage within the "SF-7" residential zoning district has been requested by Ray Remick for the property located at 1000 Holli Lane, known as Harris Heights; Phase 1; Block B; Lot 21 and further described in Exhibit "A" attached hereto and made a part hereof; and

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

1. The structure is to be wood construction.
2. That the maximum area of the accessory building be limited to 290 square feet.
3. That the maximum height of the building be 15 feet.
4. The building shall be removed from the subject property as described in Exhibit "A" no later than eighteen (18) months from the date of approval of this conditional use permit.
5. 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.

7. 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.

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.

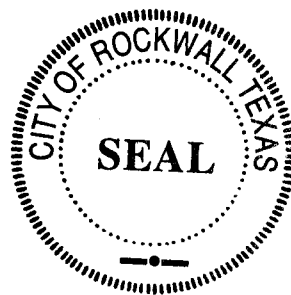
**Section 6.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this 4<sup>th</sup> day of March, 2002.

*Oliver Austin*  
ATTEST

*Ken Jones*  
APPROVED

1st Reading 2-18-02  
2nd Reading 3-4-02



**EXHIBIT "A"**

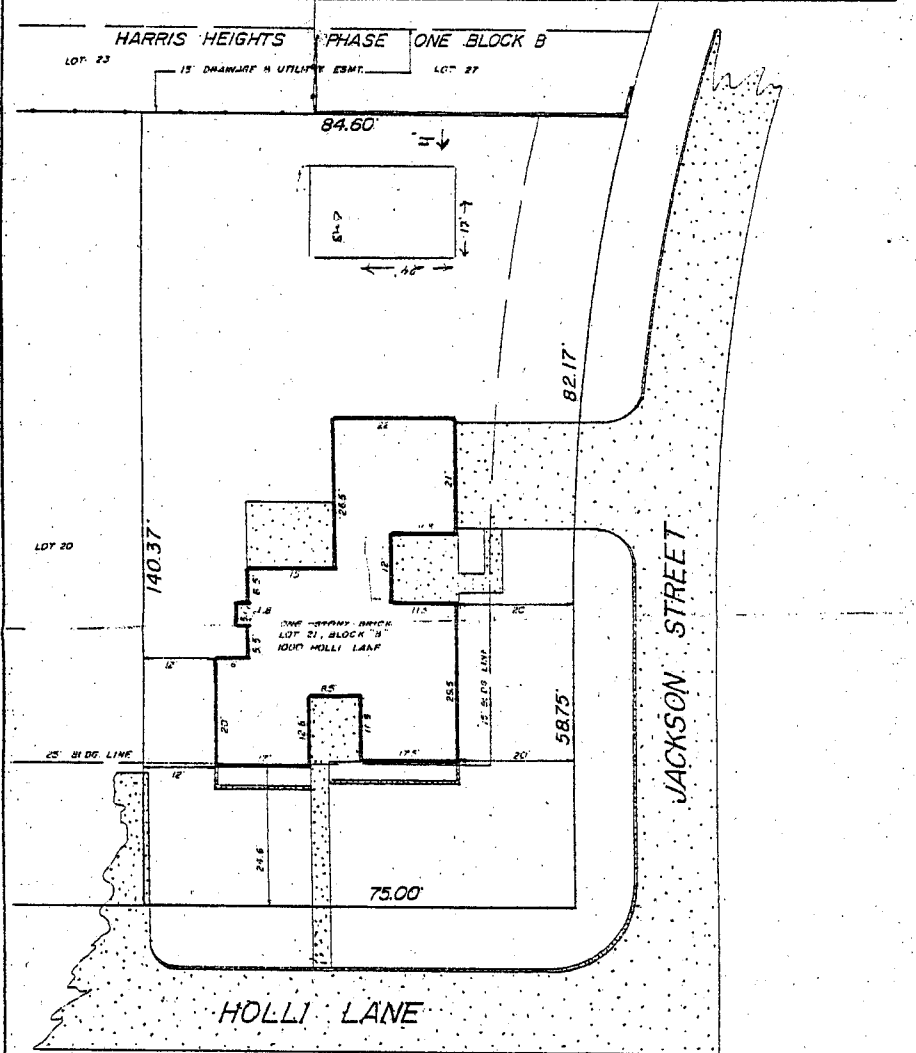
SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I, here, this date, made a careful and accurate survey on the ground of property located at No. 1000 Holli Lane in the City of Rockwall, Texas, being described

as follows:

Lot No. 21, Block No. B, City Block No. \_\_\_\_\_  
 of Harris Heights Phase Two, an addition to the City of Rockwall, Texas  
 Texas, according to the filed plat thereof recorded in Slide-B  
 Map Deed Records of Rockwall County, Texas



The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on said plat.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

This plat is for the exclusive use of Rockwall Co. Abst. & Title Co. and Royer McCallum.

and the undersigned surveyor is not responsible to any others.

SCALE: 1" = 20'

DATE: 10-28-86

RE-SURVEY: \_\_\_\_\_

|       |         |
|-------|---------|
| DRAWN | CHECKED |
| K.B.  |         |



B.L.S. and ASSOCIATES, INC.  
 Sids Road, P.O. Box 65  
 Rockwall, Texas 75087  
 Rockwall 722-3036 Dallas 226-7522

*Kenneth E. Brown*  
 REGISTERED PUBLIC SURVEYOR

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No.

1000 Holli Lane in the City of Rockwall, Texas, being described

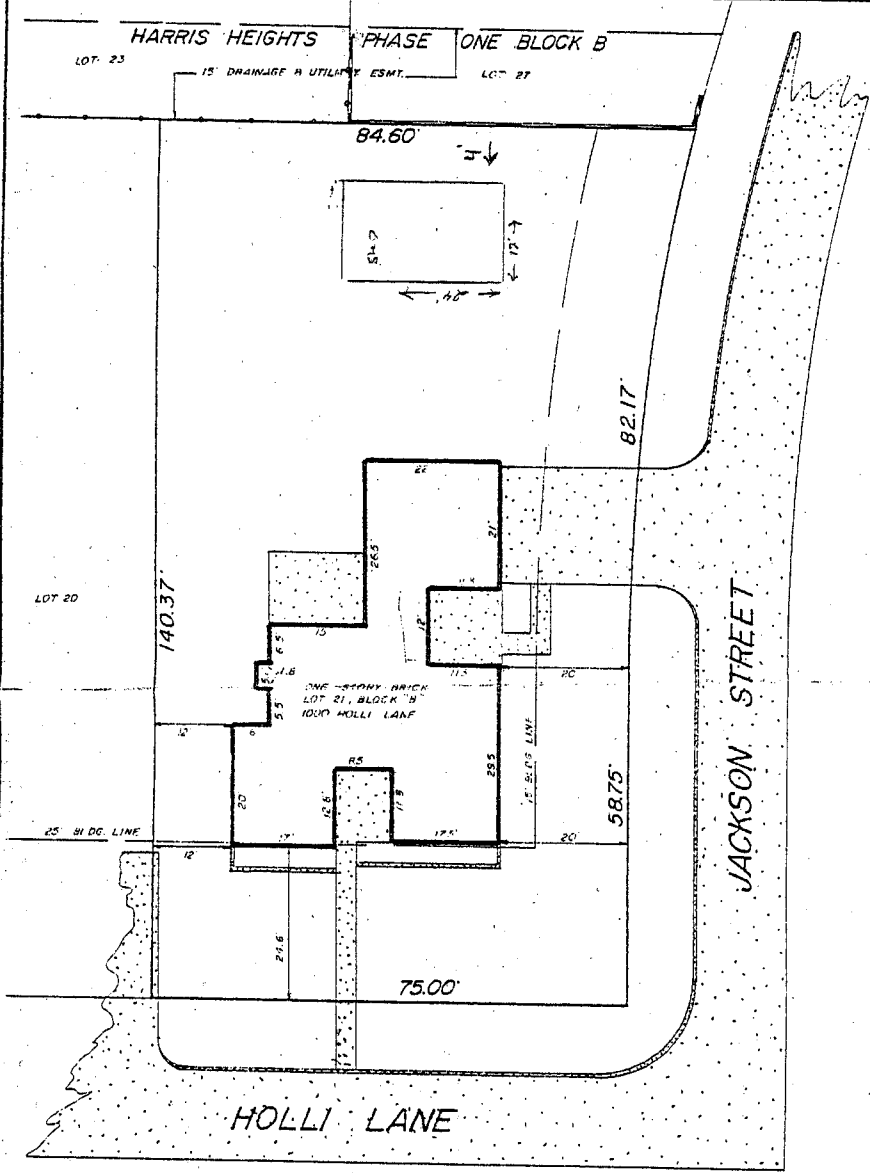
as follows:

Lot No. 21, Block No. R, City Block No.

of Harris Heights Phase Two, an addition to the City of Rockwall, Texas

Texas, according to the filed plot thereof recorded in Vol. 180 of the Plat

Map Deed Records of Rockwall County, Texas



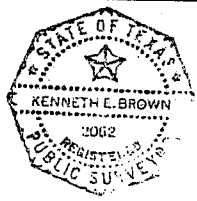
The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on said plat.

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 DATE: 10-28-86  
 RE-SURVEY:



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