

CITY OF ROCKWALL

ORDINANCE NO. 02-45

**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 "A" AGRICULTURAL ZONING DISTRICT LOCATED ON A TRACT KNOWN AS J.M.GASS ABSTRACT NO. – 88, TRACT 14.5 FURTHER 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**, , an amendment to the City of Rockwall Comprehensive Zoning Ordinance (Ord. No. 83-23) of the City of Rockwall, as heretofore amended so as to grant a Conditional use permit for an accessory building within the "A" Agricultural zoning district has been requested by Peter Kouvelis for a tract of land known as J. M. Gass Abstract No. 88, Tract 14-5 known as 1415 Quail Run Road and further described within Exhibit "A" attached hereto and made a part hereof.

**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 within the "A" Agricultural zoning district for J. M. Gass Abstract No. 88, Tract 14-5 (1415 Quail Run Road) and further described within Exhibit "A" attached hereto and made a part hereof.

**Section 2.** That the tract described above 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 of this Conditional Use Permit and as may be amended in the future and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

**Section 3.** That the construction of an accessory building on J. M. Gass Abstract No. 88, Tract 14-5, City and County of Rockwall, Texas shall be limited to uses and requirements listed in **Section 2.1 (A) Agricultural District** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23) and the following additional conditions:

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

1. Maximum building size limited to 825 square feet in area.

2. Maximum height of the building - 14 feet.
3. The exterior materials of the garage structure shall contain the same exterior covering of the main structure in generally the same proportion.
4. 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.

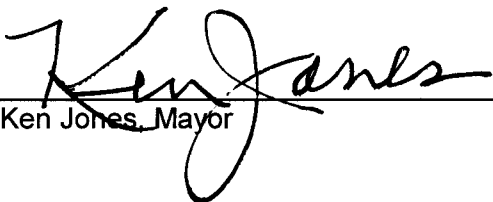
That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this Conditional Use Permit and as may be amended in the future.

**Section 4.** Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordinances.

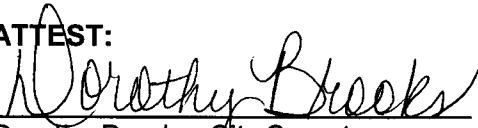
**Section 5.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 of this ordinance shall remain in full force and effect.

**Section 6.** That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.


**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6<sup>th</sup> day of August, 2002.**

  
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Ken Jones, Mayor

**ATTEST:**

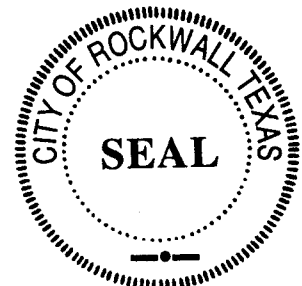
  
\_\_\_\_\_  
Dorothy Brooks, City Secretary

**APPROVED AS TO FORM:**

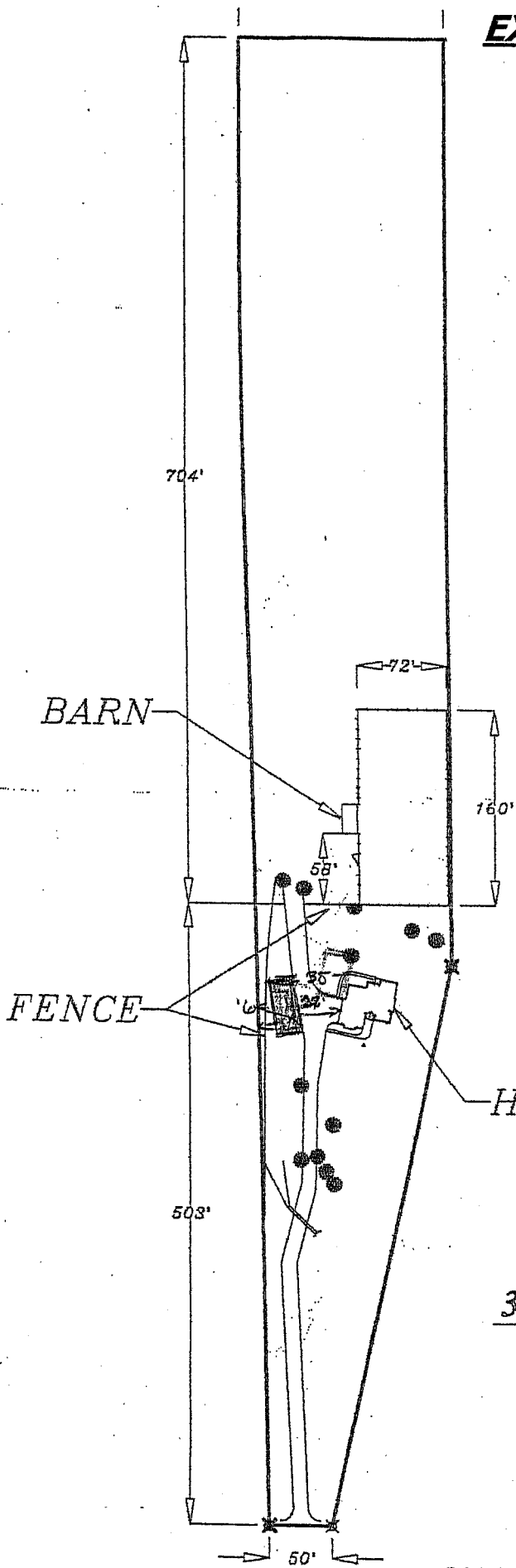
  
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Pete Eckert, City Attorney

1<sup>st</sup> Reading: July 15, 2002

2<sup>nd</sup> Reading: August 5, 2002



**EXHIBIT "A"**

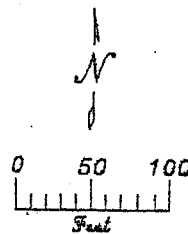


FOUNDATION SLAB

14' HEIGHT

GARAGE 20' x 40' (800 sq. ft.)  
6' side setback from West side  
property line

3.875 ACRES



1415

**QUAIL RUN ROAD**