

**CITY OF ROCKWALL**

**ORDINANCE NO. 02-51**

**AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR AN ACCESSORY BUILDING THAT EXCEEDS THE SIZE AND HEIGHT REQUIREMENTS WITHIN THE "SF-16" RESIDENTIAL ZONING DISTRICT, LOCATED ON LOT 4, BLOCK B, HIGHLAND ACRES, CITY AND COUNTY OF ROCKWALL, TEXAS; 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 and height requirements within the "SF-16" residential zoning district has been requested by Ron Destefano for the property located at 3185 Ridge Road, known as Lot 4, Block B, Highland Acres, City and County of Rockwall, Texas; 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 and height requirements within the "SF-16" residential zoning district has been requested by Ron Destefano for the property located at 3185 Ridge Road, known as Lot 4, Block B, Highland Acres, City and County of Rockwall, Texas; and

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

1. The accessory structure shall match the same exterior building materials of the main structure and be subject to the site plan attached hereto as Exhibit "A".

2. That the maximum area of the accessory building be limited to 2,430 square feet.
3. That the maximum height of the building be 18 feet.
4. That the requirements of the City of Rockwall Fire Department are met and a waiver of fire protection is secured if required.
5. That any future commercial or residential use of the approved accessory building is strictly prohibited.
6. 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.
8. 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.

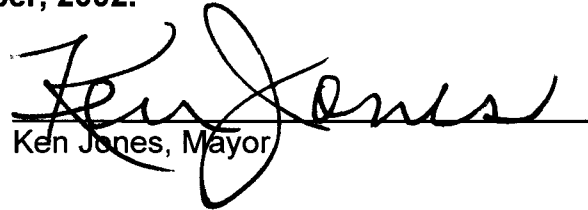
**Section 3.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.


**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.

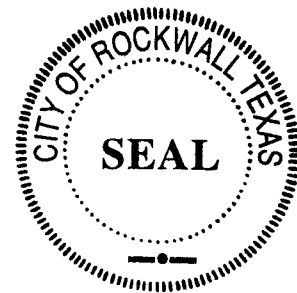
**Section 6.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4<sup>th</sup> day of November, 2002.**

  
Ken Jones, Mayor

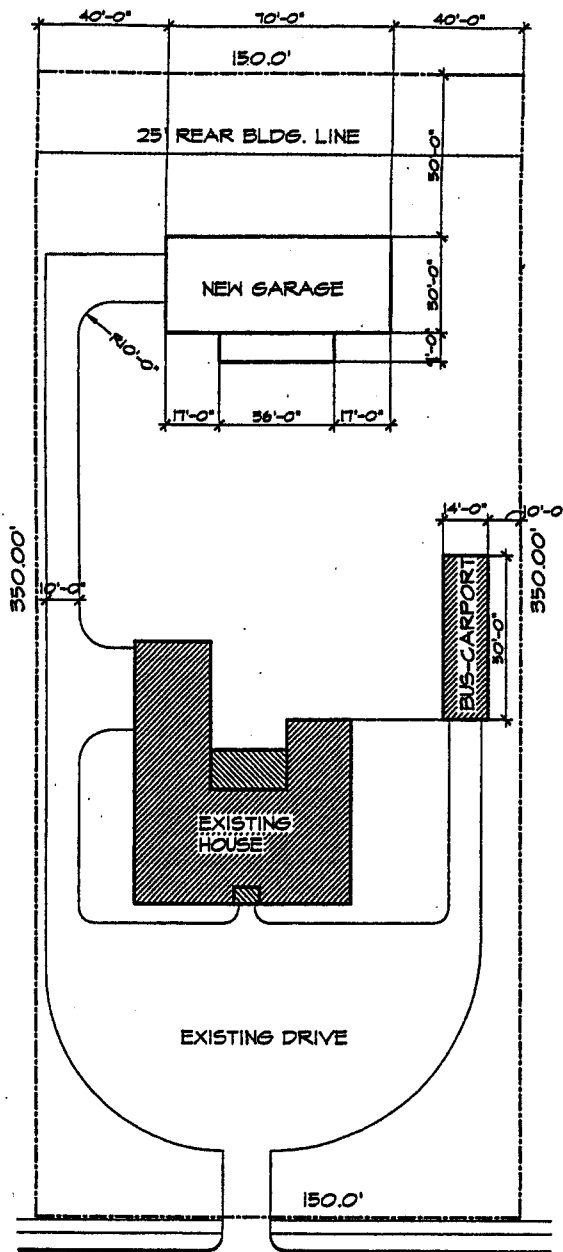
**ATTEST:**  
  
Dorothy Brooks, City Secretary

**APPROVED AS TO FORM:**  
  
Pete Eckert, City Attorney



1st Reading: October 21, 2002  
2nd Reading: November 4, 2002

**EXHIBIT "A"**

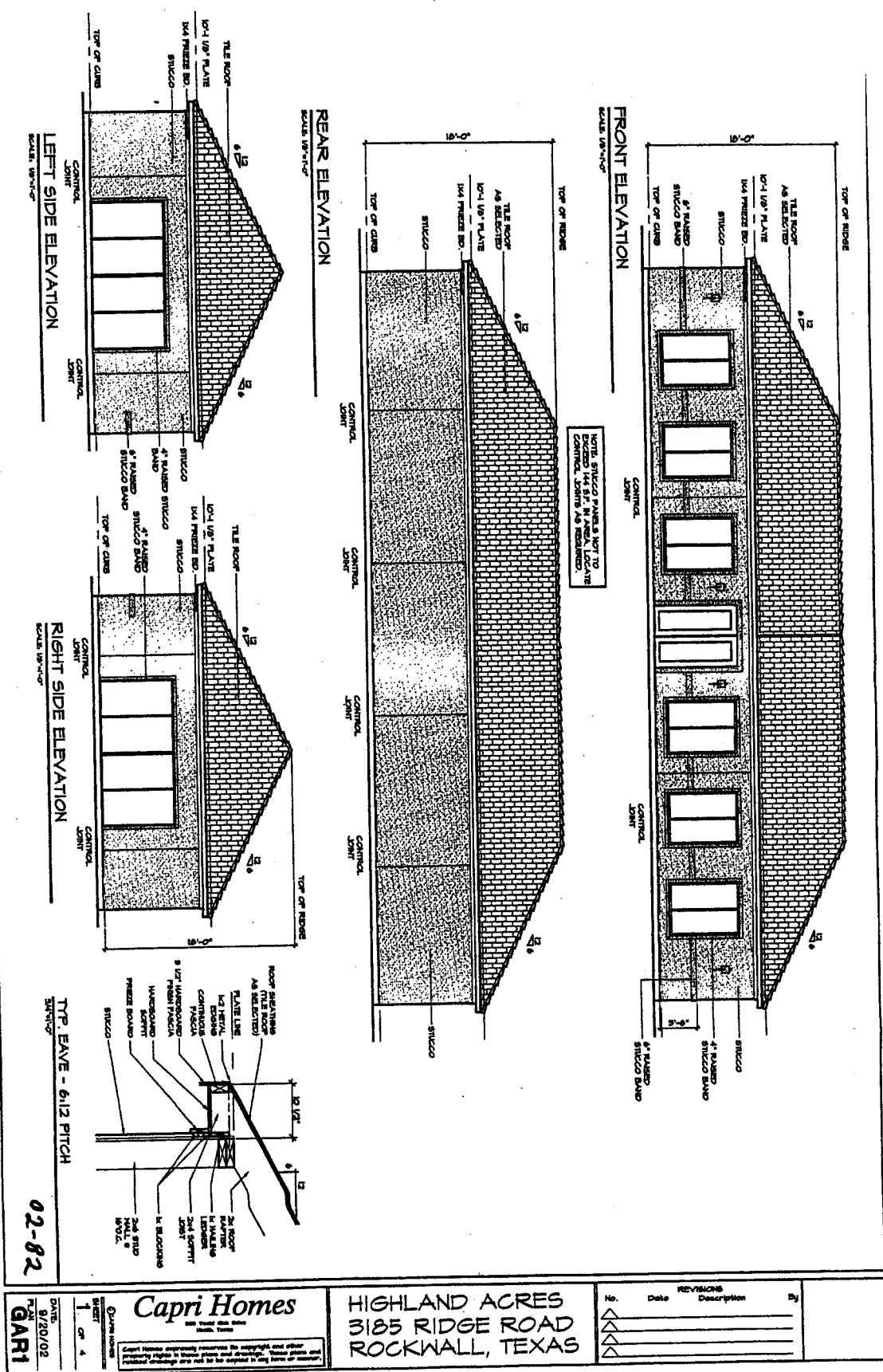


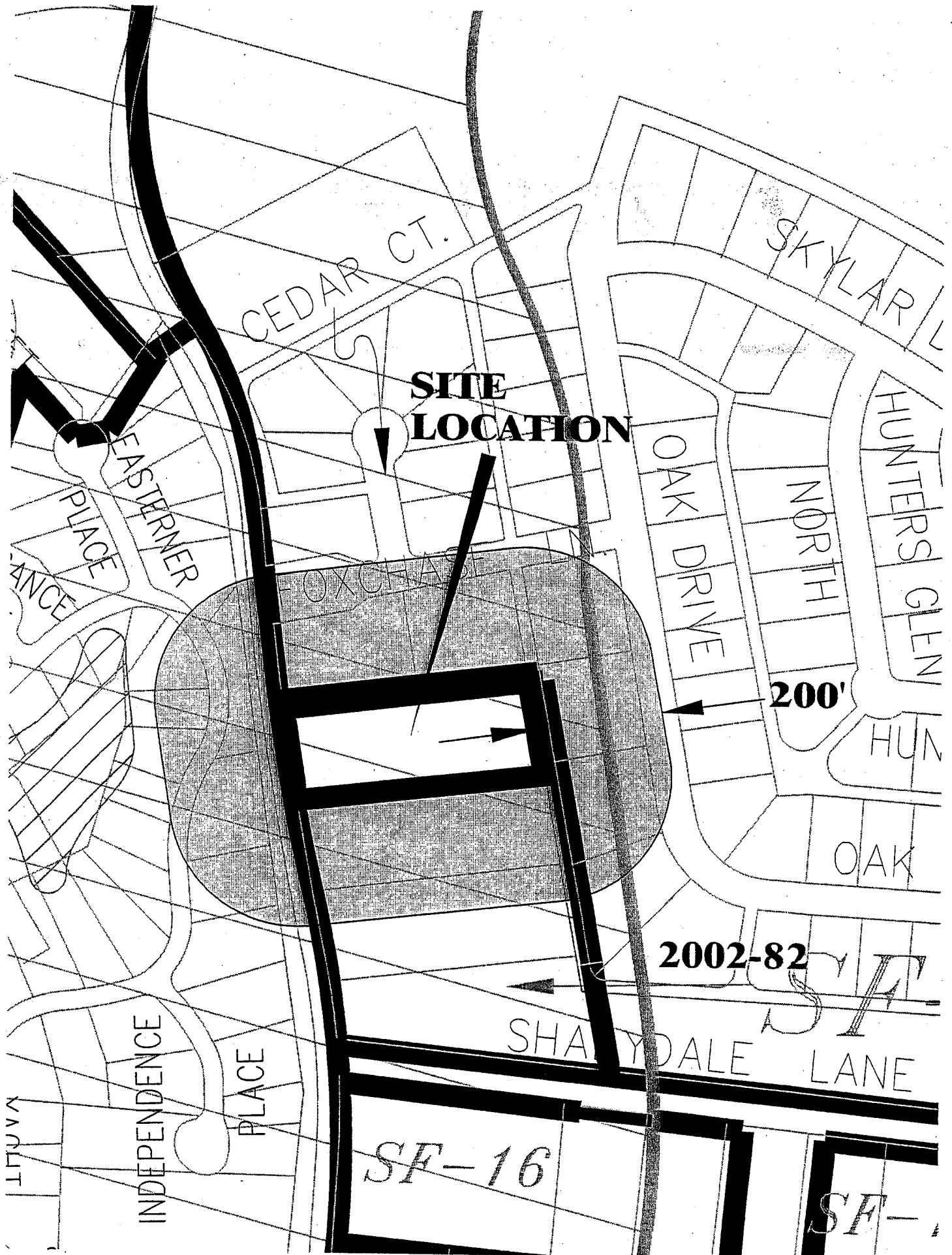
3185 Ridge Road

SCALE: 1" = 40'-0"

	misc. no.		02-82	
	subdiv.			HIGHLAND ACRES
	lot	4	blk	B
	address			3185 RIDGE ROAD
	city			ROCKWALL, TEXAS
	date	9/20/02	plan	

# EXHIBIT "A"





**SITE  
LOCATION**

**200'**

**2002-82**

**SF-16**

**SF-**