

CITY OF ROCKWALL

ORDINANCE NO. 03-07

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A DETACHED GARAGE EXCEEDING THE MAXIMUM SQUARE FOOTAGE AND HEIGHT REQUIREMENTS WITHIN THE "SF-7", SINGLE-FAMILY RESIDENTIAL DISTRICT ON A 0.653-ACRE TRACT OF LAND KNOWN AS GRAHAM ADDITION; BLOCK A, LOT 2, CITY AND COUNTY OF ROCKWALL, TEXAS, FULLY 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 a detached garage exceeding the maximum square footage and height requirements within the "SF-7" residential zoning district has been requested by Bob and Mary Jane Graham for the property known as Graham Addition; Block A; Lot 2, 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 a detached garage exceeding the maximum square footage and height requirements within the "SF-7" residential zoning district, for the property known as Graham Addition; Block A; Lot 2, City and County of Rockwall, Texas; and

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

1. The maximum size of the detached garage does not exceed 1,400 square feet.
2. The maximum height of the detached garage does not exceed 16 feet (*height of the "existing" portion of the garage*)
3. Exterior materials of the proposed detached garage match the exterior of the proposed residential structure to be built on Block A; Lot 2.
4. All required setbacks for the proposed structure are met.
5. Certificate of Appropriateness (CofA) for proposed residential structure approved by HPAB and hence the exterior material of the proposed detached garage.

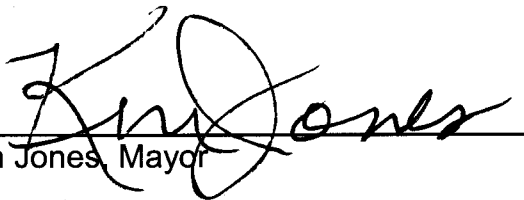
Section 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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.

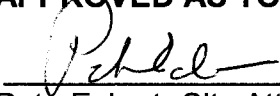
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of February, 2003.


Ken Jones, Mayor

ATTEST:

Dorothy Brooks, City Secretary



APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st Reading: February 17, 2003

2nd Reading: March 3, 2003