

CITY OF ROCKWALL

ORDINANCE NO. 03-16

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 AN ACCESSORY BUILDING EXCEEDING THE MAXIMUM PERMITTED HEIGHT WITHIN THE "SF-E/4.0" SINGLE-FAMILY RESIDENTIAL DISTRICT, ON A 4.39-ACRE TRACT LOCATED AT 2585 ROLLING MEADOWS DRIVE (LOT 5, BLOCK A, ROLLING MEADOWS ESTATES), AND MORE FULLY DESCRIBED HEREIN AS "EXHIBIT A"; 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 permitted height within the "SF-E/4.0" Single-Family Residential district has been requested by Gary Evans for the 4.39-acre property known as Lot 5, Block A, Rolling Meadows Estates, City and County of Rockwall, Texas, also known as 2585 Rolling Meadows Drive, and which is more fully described herein as 'Exhibit A'; 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 permitted height within the "SF-E/4.0" Single-Family Residential district has been requested by Gary Evans for the 4.39-acre property known as Lot 5, Block A, Rolling Meadows Estates, City and County of Rockwall, Texas, also known as 2585 Rolling Meadows Drive, and which is more fully described herein as 'Exhibit A'; and

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

1. Approval of the building permit for the subject structure.
2. The peak of the roof shall not exceed 27-ft in height.

3. Use of the accessory building as a guest house or as a separate single-family dwelling shall not be permitted.
4. Waiver of fire protection secured with City of Rockwall Fire Department.
5. The accessory building is subject to administrative review in the event that the subject property is sold, conveyed to another party, subdivided, or replatted.
6. The City Council reserves the right to review the CUP granted herein upon the expiration of one (1) year from the date hereof.

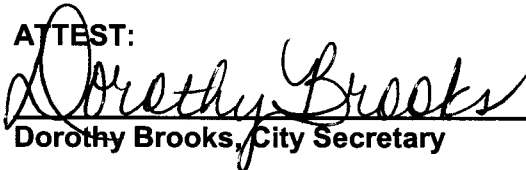
Section 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

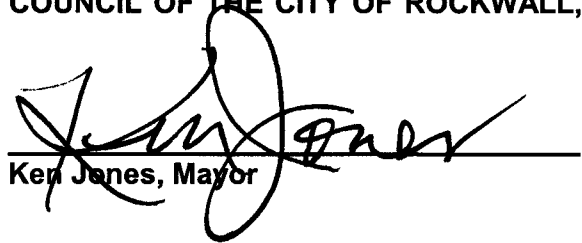
Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

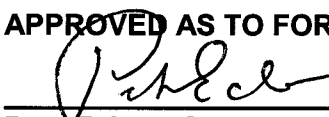
Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance 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 5th day of May, 2003.

ATTEST:

 Dorothy Brooks, City Secretary


 Ken Jones, Mayor

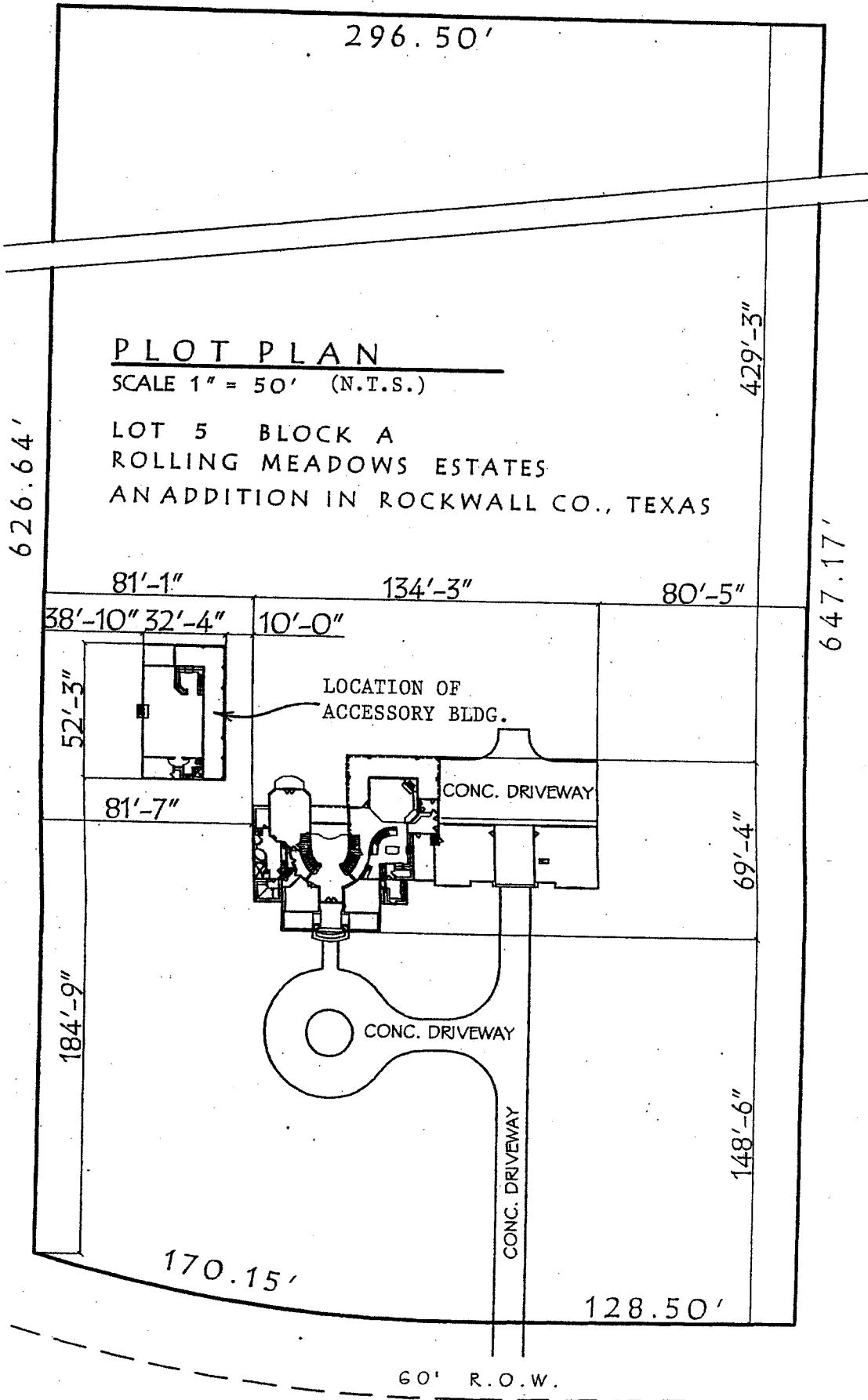
APPROVED AS TO FORM:

 Pete Eckert, City Attorney



1st Reading: April 21, 2003

2nd Reading: May 5, 2003

EXHIBIT "A"



PLOT PLAN

SCALE 1" = 50' (N.T.S.)

LOT 5 BLOCK A
ROLLING MEADOWS ESTATES
AN ADDITION IN ROCKWALL CO., TEXAS

LOCATION OF
ACCESSORY BLDG.

CONC. DRIVEWAY

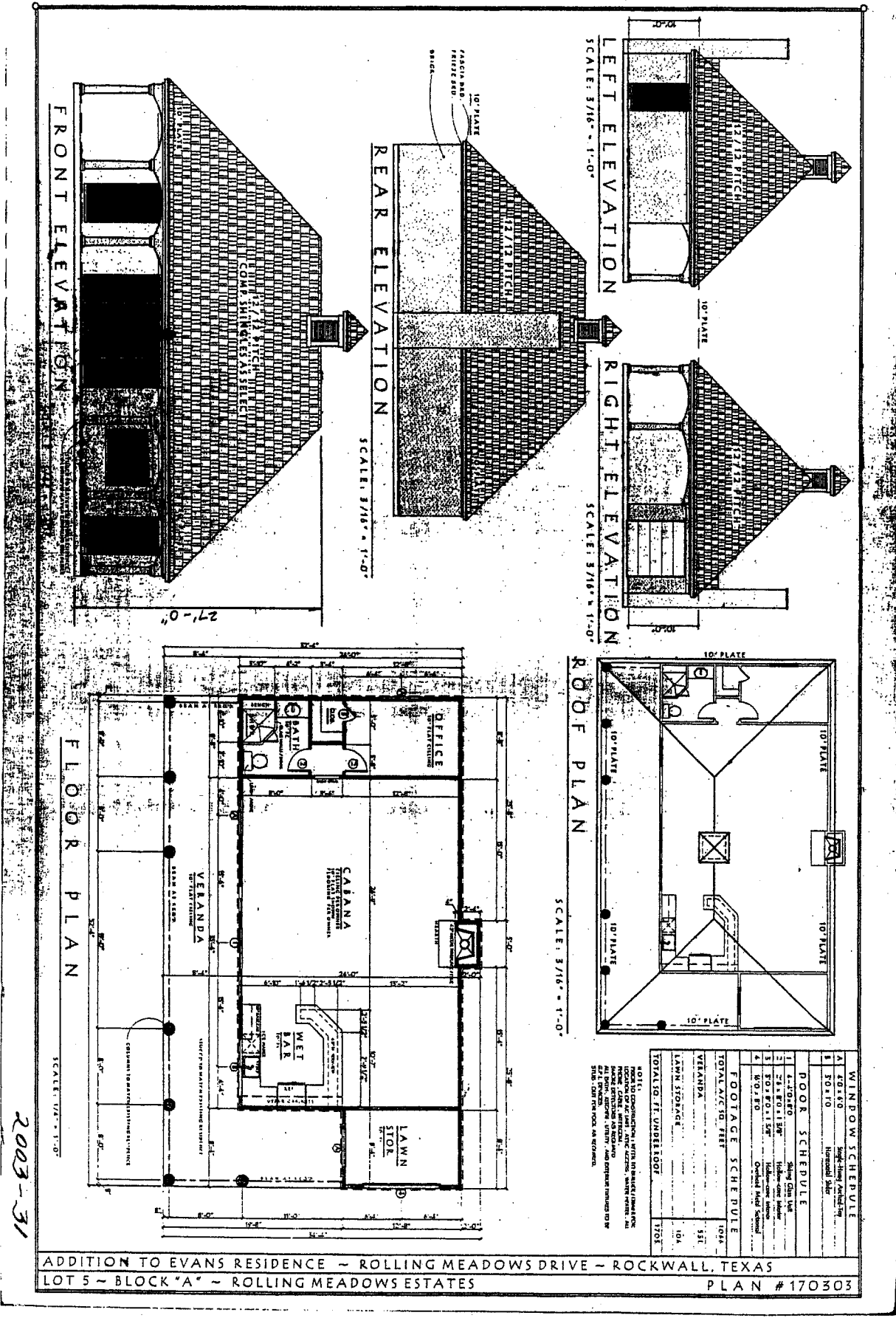
CONC. DRIVEWAY

CONC. DRIVEWAY

60' R.O.W.

ROLLING MEADOWS DRIVE

EXHIBIT "A"



(NOT TO SCALE)

2003-31

ADDITION TO EVANS RESIDENCE ~ ROLLING MEADOWS DRIVE - ROCKWALL, TEXAS
 LOT 5 ~ BLOCK "A" ~ ROLLING MEADOWS ESTATES
 PLAN # 170303

66

549

SF-E/4

ROLLING MEADOWS CIRCLE

ROLLING MEADOWS DRIVE

2585

SITE

INDIAN TRAIL

AMITTY LANE

AIRPORT ROAD

PZ-2003-31-CUP
2585 Rolling Meadows



1" = 500'