

CITY OF ROCKWALL

ORDINANCE NO. 04-22

AN ORDINANCE OF THE CITY COUNCIL 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 NOT MEETING THE EXTERIOR MATERIALS REQUIREMENTS WITHIN THE (SF-E/1.5) SINGLE-FAMILY ESTATE DISTRICT, ON A TRACT LOCATED AT 1935 STERLING COURT (LOT 20, BLOCK B, STERLING FARMS ADDITION); 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 not meeting the exterior materials requirements within the "SF-E/1.5" Single-Family Estate district has been requested by Tom and Julie Wightman on their property located at 1935 Sterling Court being Lot 20, Block B, Sterling Farms Addition, 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 not meeting the exterior materials requirements within the "SF-E/1.5" Single-Family Estate district has been requested by Tom and Julie Wightman on their property located at 1935 Sterling Ct being Lot 20, Block B, Sterling Farms Addition, City and County of Rockwall, Texas; and

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

1. The building will comply with the approved site plan attached herein as Exhibit "A" and building elevations attached herein as Exhibit "B."
2. The maximum building size is limited to 864 square feet in area.
3. The maximum height of the building is limited to 15 feet.
4. No more than two horses (or other acceptable livestock) to be kept on the property at any time.
5. Compliance with the building setbacks of the (SF-E/1.5) Single Family Estate district is required.
6. A waiver of fire protection is signed prior to issuance of a building permit.
7. The accessory building is subject to administrative review in the event that the subject property is sold or conveyed to another party in any manner, subdivided, or replatted.
8. The City Council reserves the right to review the CUP granted herein upon the expiration of one (1) year from the date hereof.
9. In the event that the proposed use should lose its status as an accessory building, as per the Comprehensive Zoning Ordinance, the Conditional Use Permit as granted herein, will cease and the building shall conform to the zoning ordinance by providing the same exterior covering materials as found on the main structure and generally in the same portions.

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 April, 2004.

ATTEST:

Dorothy Brooks
Dorothy Brooks, City Secretary

Ken Jones
Ken Jones, Mayor

APPROVED AS TO FORM:

Pete Eckert
Pete Eckert, City Attorney



First Reading: March 15, 2004

Second Reading: April 5, 2004

LOT 15

LOT 16

1/2"IRF

S03°03'11" E

150.33'

1/2"IRF

EXHIBIT "A"



CHAIN-LINK FENCE

432.79'

436.84'

*Set back
from property
line 25'
approx 250'-300'
from street*

LOT 21

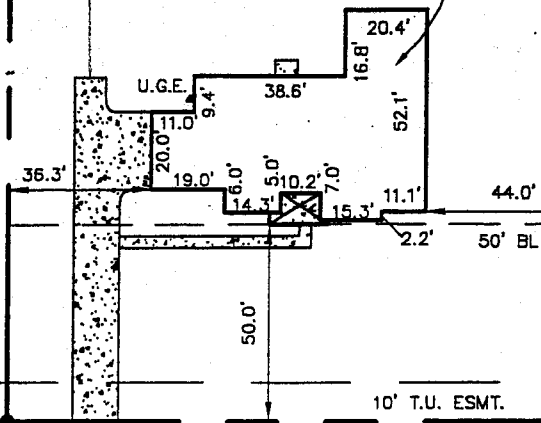
LOT 20
BLOCK B

LOT 19

N88°29'37" E

S88°29'37" W

1935 STERLING COURT
ONE STORY BRICK



1/2"IRF

N01°30'23" W

150.27'

1/2"IRF

STERLING COURT

EXHIBIT "B"

2

