

CITY OF ROCKWALL

ORDINANCE NO. 04-36

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 EXCEEDING THE MAXIMUM PERMITTED HEIGHT AND THE MAXIMUM SIZE REQUIREMENT WITHIN THE (SF-E/1.5) SINGLE-FAMILY ESTATE DISTRICT, ON A TRACT LOCATED AT 2045 BROKEN LANCE LANE (LOT 3, BLOCK B, THE OAKS OF BUFFALO WAY); 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 and the maximum size requirement within the "SF-E/1.5" Single-Family Estate district has been requested by Tim Seymore for the property located at 2045 Broken Lance Lane being Lot 3, Block B, The Oaks of Buffalo Way 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 exceeding the maximum permitted height and the maximum size requirement within the "SF-E/1.5" Single-Family Estate district as requested by Tim Seymore for the property located at 2045 Broken Lance Lane being Lot 3, Block B, The Oaks of Buffalo Way 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 as Exhibit "A" and the building elevations attached as Exhibit "B".
2. Compliance with the building setbacks of the SF-E/1.5 zoning district is required.
3. The maximum building size is limited to 1,287 square feet in area.
4. The maximum height of the building is limited to 16'2".
5. Any proposed lighting for the structure shall meet the City of Rockwall lighting ordinance, and all light fixtures shall be recessed within the roof and not be visible from adjacent properties.
6. Landscaping to be added around the proposed structure to provide a visual screen and sound barrier.
7. A waiver of fire protection is signed prior to issuance of a building permit.
8. 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.
9. 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.

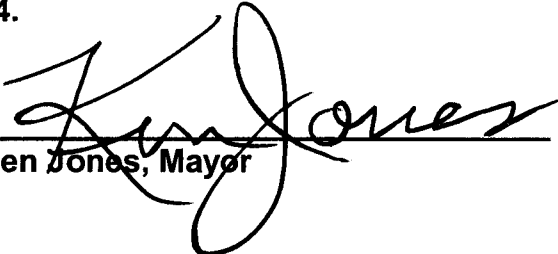
Section 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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 7th day of June, 2004.



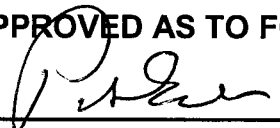
Ken Jones, Mayor

ATTEST:



Dorothy Brooks, City Secretary

APPROVED AS TO FORM:

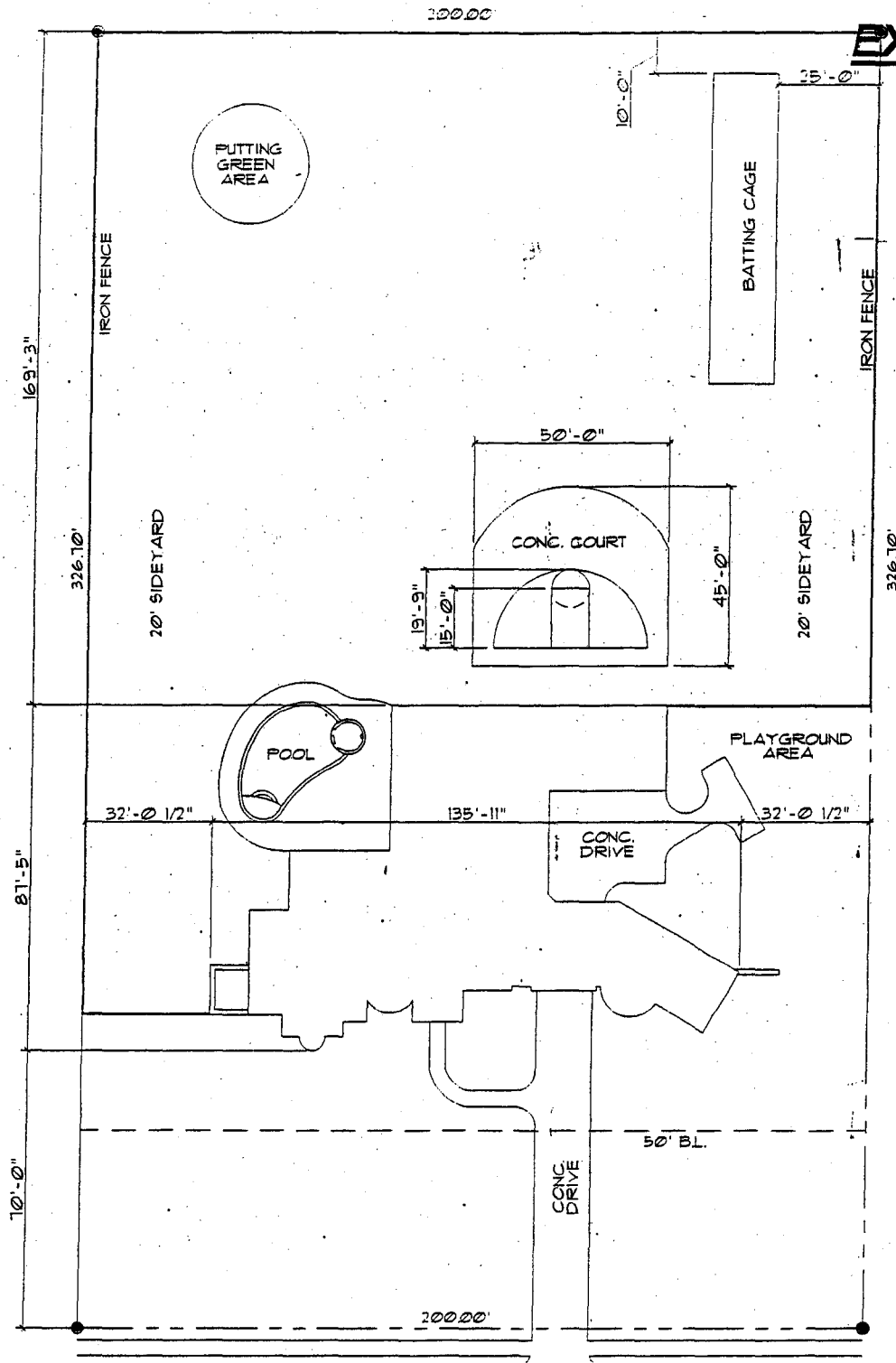


Pete Eckert, City Attorney



1st Reading: 5-10-04 _____

2nd Reading: 6-7-04 _____



PLOT PLAN

Broken Lance Lane

**Add Residence
 e Oaks of Buffalo Way
 : 3 / Block: B
 Broken Lance Lane
 Heath, TX**

DATE:
 12/15/03
 DRAWN BY:
 MARC
 BASE NO.:
 5312

Tim Seymore Homes

ArchiMatrix
 972-850-1212
 www.archimatrix.org

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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.

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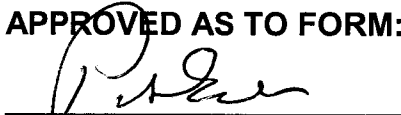
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of June, 2004.

ATTEST:



Dorothy Brooks, City Secretary

APPROVED AS TO FORM:



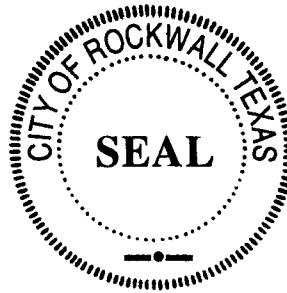
Pete Eckert, City Attorney

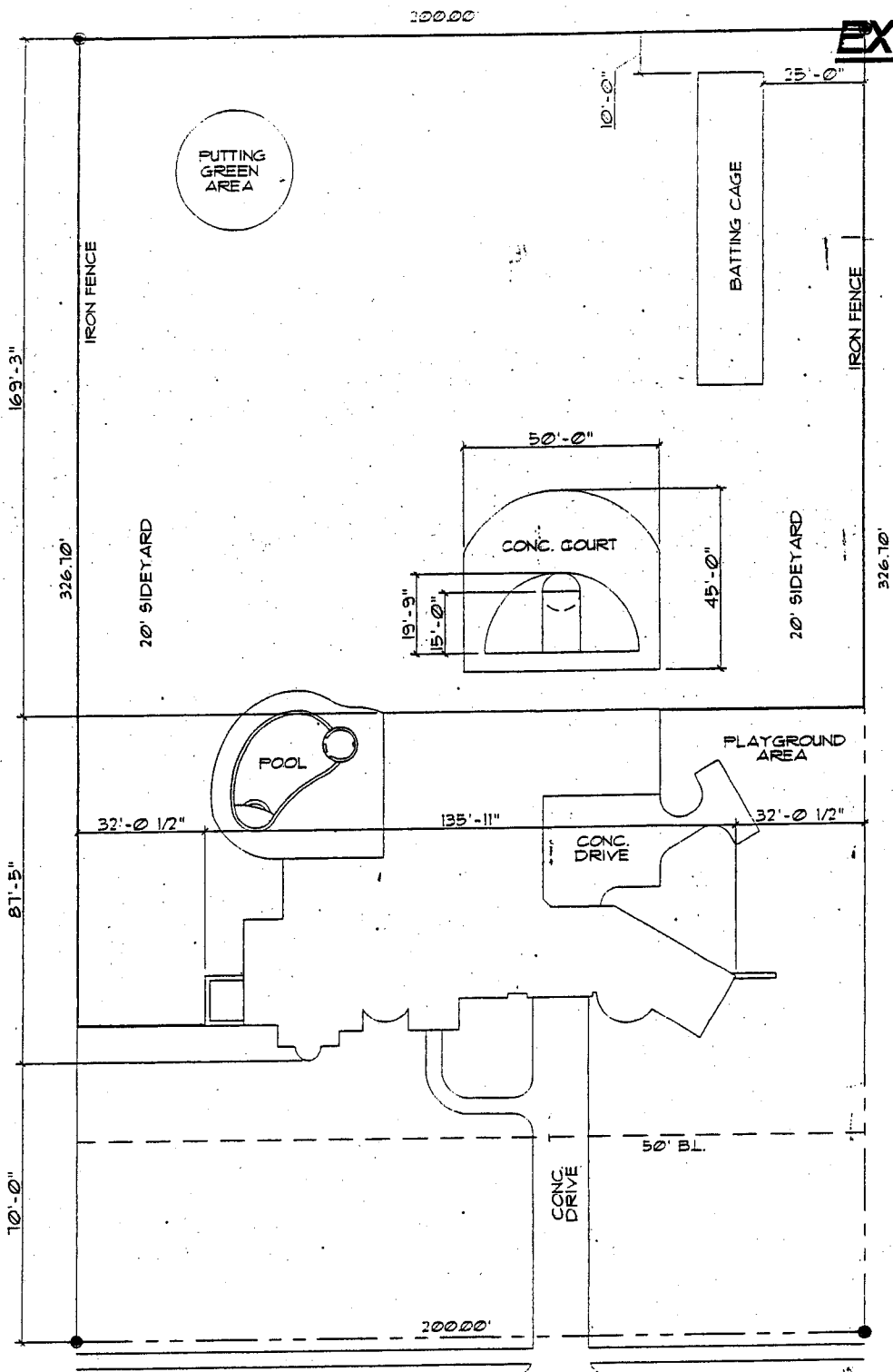
1st Reading: 5-10-04

2nd Reading: 6-7-04



Ken Jones, Mayor





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