

PROPOSED REVISION OF SECTION 14.1, 126.

ZERO LOT LINE HOUSE

Current Definition

Zero Lot Line House: A single family detached residential dwelling unit with one side wall coincident with the side lot line and a 5 foot maintenance easement coincident with the opposite side lot line.

Proposed Definition

Zero Lot line House: A single family detached residential dwelling unit with one side wall coincident with the side lot line and a 5 foot maintenance easement coincident with the opposite side lot line. However, the wall on the zero lot line side may be offset from the zero lot line side up to a maximum of 24 inches to allow the roof eave to be placed coincident with the side lot line. As a condition to the setback provision no structure or other permanent encroachment other than a property line fence shall be placed in the setback area.

BARBARA
HENSLEY
REALTORS

P.O. Box 398
Rockwall, Texas 75087
(214) 771-9001

July 18, 1990

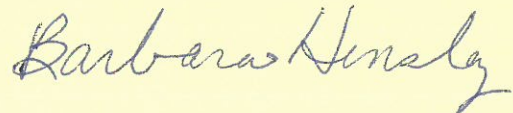
City of Rockwall
205 W. Rusk
Rockwall, Texas 75087

We respectfully request the Planning & Zoning Committee and the City Council to amend the Comprehensive Zoning Ordinance regarding the definition of a Zero Lot Line house; to allow an offset of the zero lot line side.

Your attention to this matter will be greatly appreciated.

Sincerely,

BARBARA HENSLEY REALTORS



Barbara Hensley

**CITY OF ROCKWALL
Planning and Zoning Agenda**

Agenda Date: August 9, 1990

Agenda No: III. D.

Agenda Item: Hold Public Hearing and consider Recommending an Amendment to the Comprehensive Zoning Ordinance Regarding the Definition of Zero Lot Line House

Item Generated By: Property owner in Orleans on the Lake

Action Needed: Hold public hearing and take any necessary action.

Background Information:

With all of the recent activity in the Orleans on the Lake addition we have become aware of a problem with our definition of a zero lot line home. Our current definition states that it is a "single family detached residential dwelling unit with one side wall coincident with the side lot line and ...". This means that any roof overhang would in fact extend over the property line onto an adjacent lot. Unless the builder has an aerial easement from the adjacent property owner such an overhang would be considered an encroachment.

We have received a request from one of the property owners within the Orleans on the Lake addition to amend this definition and we concur that it should be amended to allow the roof overhang to be placed on the zero side up to a specified distance. We would recommend that the amendment be approved to allow the eave to be placed on the zero side up to a distance of 18 inches.

Attachments:

Agenda Item: Zero Lot Line Definition

Item No: III. D.

CITY OF ROCKWALL
City Council Agenda

Agenda Date: August 20, 1990

Agenda No: VI. D.

Agenda Item: Hold Public Hearing and Consider Approval of an Ordinance Amending the Comprehensive Zoning Ordinance Regarding the Definition of Zero Lot Line House

Item Generated By: Sue Johnson and Barbara Hensley, property owners in Orleans on the Lake

Action Needed: Hold public hearing and take any necessary action.

Background Information:

With all of the recent activity in the Orleans on the Lake addition we have become aware of a problem with our definition of a zero lot line home. Our current definition states that it is a "single family detached residential dwelling unit with one side wall coincident with the side lot line and ...". This means that any roof overhang would in fact extend over the property line onto an adjacent lot. Unless the builder has an aerial easement from the adjacent property owner such an overhang would be considered an encroachment.

We have received a request from one of the property owners within the Orleans on the Lake addition to amend this definition and we concur that it should be amended to allow the roof overhang to be placed on the zero side up to a specified distance. We would recommend that the amendment be approved to allow the eave to be placed on the zero side as follows:

Current Definition

Zero Lot Line House: A single family detached residential dwelling unit with one side wall coincident with the side lot line and a 5 foot maintenance easement coincident with the opposite side lot line.

Proposed Definition

Zero Lot line House: A single family detached residential dwelling unit with one side wall coincident with the side lot line and a 5 foot maintenance easement coincident with the opposite side lot line. However, the wall on the zero lot line side may be offset from the zero lot line side up to a maximum of 24 inches to allow the roof eave to be placed coincident with the side lot line. As a condition to the setback provision no structure or other permanent encroachment other than a property line fence shall be placed in the setback area.

The amendment provides that if the building is set back that the area between the building and the property line is not used for such things as air conditioning units and other elements that might adversely affect the adjacent lot owner.

The Planning and Zoning Commission has recommended approval of the proposed amendment. A copy of the proposed ordinance is attached.

Attachments:

1. Proposed ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE 83-23, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL BY AMENDING THE SECTION 14.1; PROVIDING FOR A REVISED DEFINITION OF A ZERO LOT LINE HOUSE; 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, in accordance with the guidelines established in the City of Rockwall's Comprehensive Zoning Ordinance the City Council has considered amending the Comprehensive Zoning Ordinance; 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 Section 41.1. 130. of Ordinance 83-23, the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by adding the wording indicated with " " quotations, to hereafter read as follows:

130. Zero Lot line House: A single family detached residential dwelling unit with one side wall coincident with the side lot line and a 5 foot maintenance easement coincident with the opposite side lot line. **"However, the wall on the zero lot line side may be offset from the zero lot line side, up to a maximum of 24 inches, to allow the roof eave to be placed coincident with the side lot line. As a condition to the setback provision no structure or other permanent encroachment other than a property line fence shall be placed in the setback area."**

Section 2. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3. 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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 4. 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 of this ordinance are declared to be severable.

Section 5. 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.

DULY PASSED AND APPROVED this _____ day of _____.

APPROVED:

ATTEST:

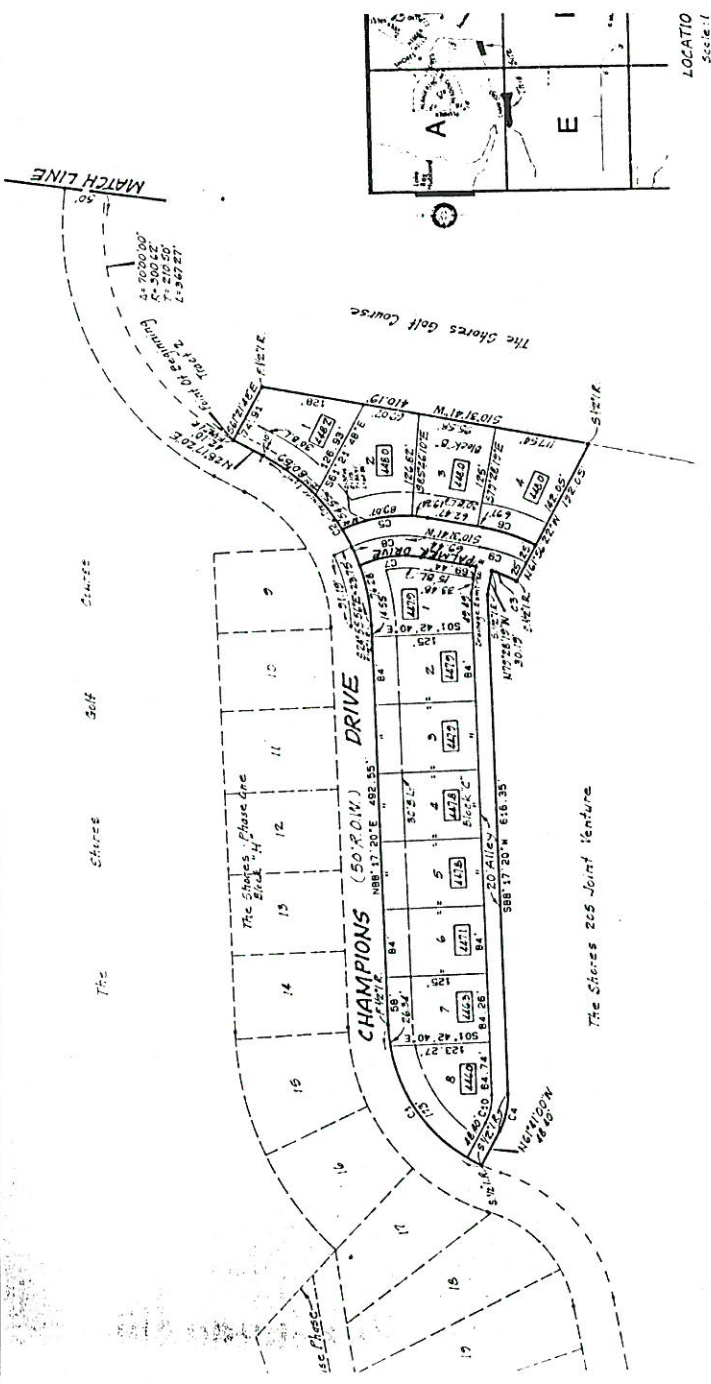
Mayor

City Secretary

1st Reading _____

2nd Reading _____

To Be
Vacated



LOCATIO
Scale: 1



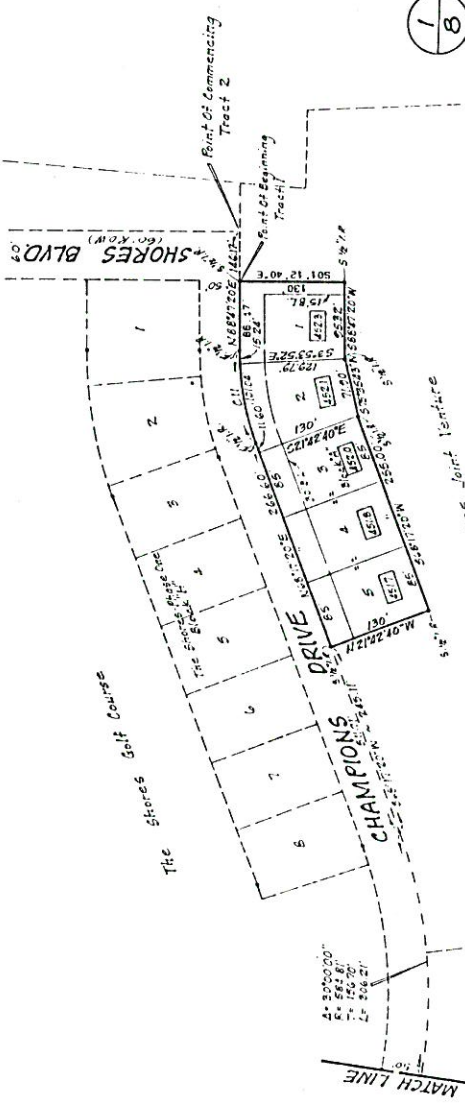
LOT AREA

Block A	12,786
Block B	17,156
Block C	1,050

Block A

LOT No.	Sq. Ft.
1	12,786
2	17,156
3-5	1,050

NO.	BEARING	Dist.
CH00	N 89° 52' 11" E	208.22
CH01	N 89° 52' 11" E	208.22
CH02	N 89° 52' 11" E	208.22
CH03	N 89° 52' 11" E	208.22
CH04	N 89° 52' 11" E	208.22
CH05	N 89° 52' 11" E	208.22
CH06	N 89° 52' 11" E	208.22
CH07	N 89° 52' 11" E	208.22
CH08	N 89° 52' 11" E	208.22
CH09	N 89° 52' 11" E	208.22
CH10	N 89° 52' 11" E	208.22
CH11	N 89° 52' 11" E	208.22
CH12	N 89° 52' 11" E	208.22
CH13	N 89° 52' 11" E	208.22
CH14	N 89° 52' 11" E	208.22
CH15	N 89° 52' 11" E	208.22
CH16	N 89° 52' 11" E	208.22
CH17	N 89° 52' 11" E	208.22
CH18	N 89° 52' 11" E	208.22
CH19	N 89° 52' 11" E	208.22
CH20	N 89° 52' 11" E	208.22



Indicates Minimum Soil Elevation

HAROLD L EVANS
CONSULTING ENGINEER
2331 GUS THOMASSON, RD. SUITE 02
DALLAS, TEXAS 75229
PHONE (214) 388-8333

THE SHOR
NATHAN BUTLER Sr.
THOMAS DEAN Sr.
CITY OF ROCKWALL, TX

SCALE: 1"=100' DATE: 5-11-89 JOB NO: 69102

The Shores 205 Joint Venture - Owner
1213 West Avenue A - Garland, Texas 75047
Joe Holt, General Supt. Tel. No. 872-2524

