

CITY OF ROCKWALL

ORDINANCE NO. 18-11

SPECIFIC USE PERMIT NO. S-184

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A DETACHED GARAGE THAT DOES NOT MEET THE MINIMUM REQUIREMENTS, ON A 0.830-ACRE TRACT OF LAND ZONED SINGLE-FAMILY 10 (SF-10) DISTRICT AND IDENTIFIED AS THE WILSON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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 request has been made by Trent Hyde for the approval for a Specific Use Permit (SUP) for the purpose of constructing a detached that does not meet the minimum masonry requirements as stipulated by the Unified Development Code (UDC), situated on 0.830-acre tract of land, zoned Single-Family 10 (SF-10) District, and being identified as the Wilson Addition, City of Rockwall, Rockwall County, Texas, addressed as 218 West Quail Run Road, and being more specifically depicted in *Exhibit 'A'*, which herein after shall be referred to as the *Subject Property* and incorporated reference herein; 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 Unified Development Code [Ordinance No. 04-38] 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 Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for the establishment of a metal detached garage that does not conform to the minimum masonry requirements and maximum size requirements for detached garages in a Single-Family 10 (SF-10) District as stipulated by Subsection 2.1.2, *Residential and Lodging Use Conditions*, of Section 2, *Use Standards*, of Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Subsection 3.4, *Single-Family 10 (SF-10) District*, of Section 3, *Residential Districts*, of Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future, and shall be subject to the following operational conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions shall pertain to the construction of a detached garage on the subject property, and conformance to these operations is required for continued operation:

- 1) The detached garage shall generally conform to the site plan depicted in *Exhibit 'B'* and building elevations depicted in *Exhibit 'C'* of this ordinance.
- 2) The detached garage shall not exceed a maximum size of 900 SF.
- 3) The detached garage shall not exceed a maximum overall height of 15-feet.
- 4) The subject property shall have no more than two (2) accessory buildings.
- 5) The detached garage is subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

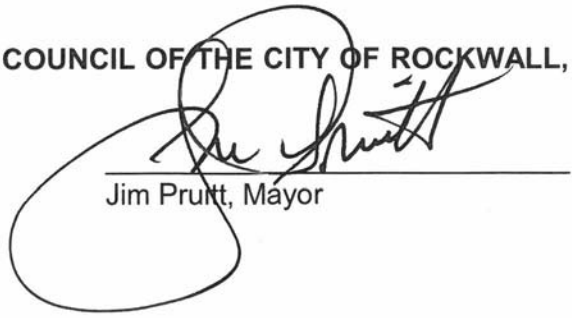
SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. 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 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 shall remain in full force and effect.

SECTION 7. 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 THE 5TH DAY OF FEBRUARY, 2018.



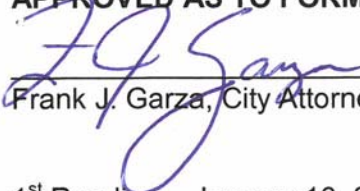
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



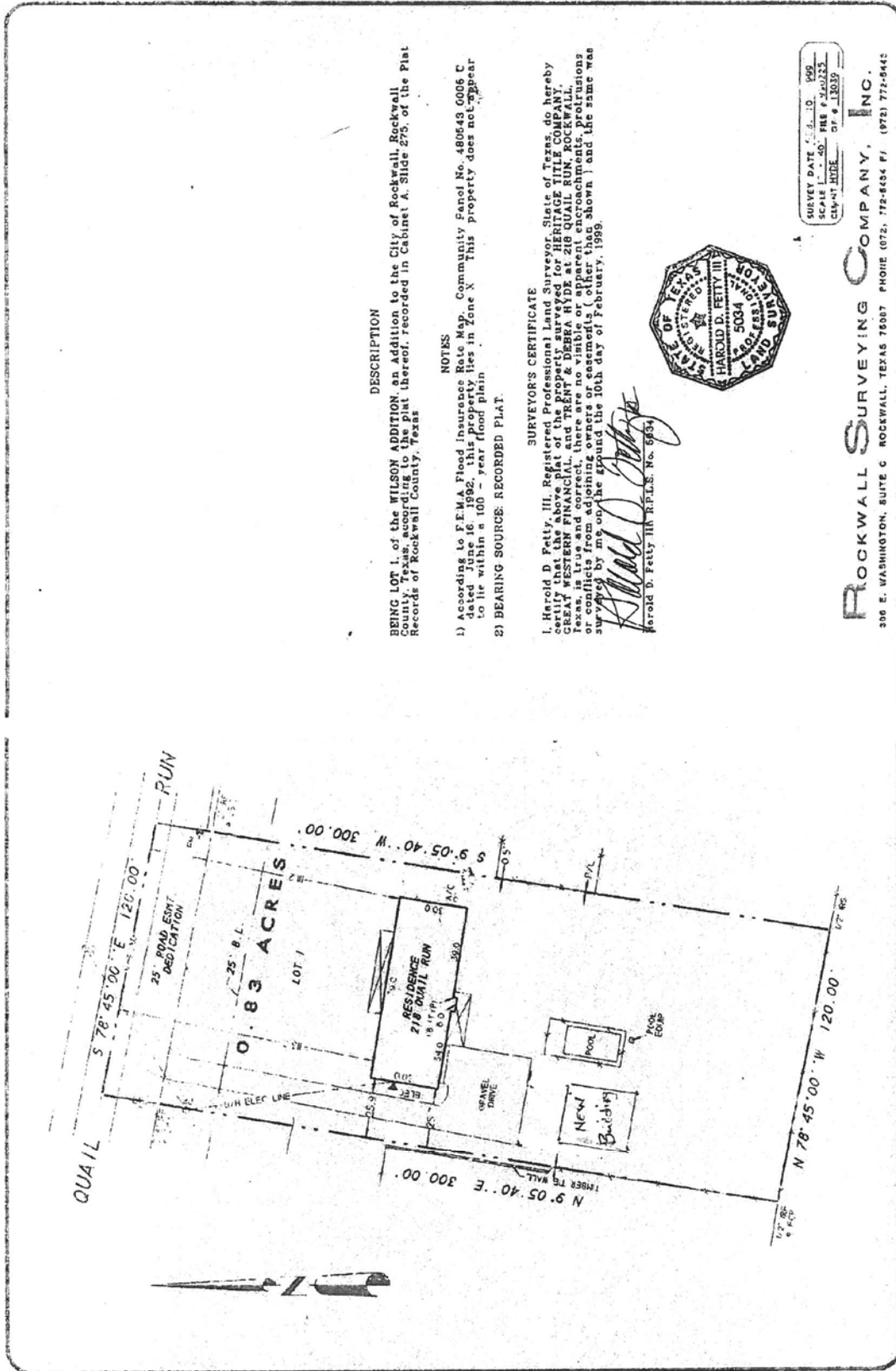
Frank J. Garza, City Attorney



1st Reading: January 16, 2018

2nd Reading: February 5, 2018

Exhibit 'A':
Survey



DESCRIPTION

BRING LOT 1, of the WILSON ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof, recorded in Cabinet A, Slide 275, of the Plat Records of Rockwall County, Texas

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Parcel No. 480543 0005 C, dated June 16, 1982, this property lies in Zone X. This property does not appear to lie within a 100 - year flood plain
- 2) BEARING SOURCE: RECORDED PLAT.

SURVEYOR'S CERTIFICATE

I, Harold D. Petty, III, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly licensed Surveyor in the State of Texas. I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT, THERE ARE NO VISIBLE OR APPARENT ENCROACHMENTS, PROVISIONS OR CONFLICTS FROM ADJOINING OWNERS OR ENCUMBRANCES (OTHER THAN SHOWN) AND THE SAME WAS SURVEYED BY ME ON THE GROUND THE 10th DAY OF FEBRUARY, 1989.

Harold D. Petty, III
 Harold D. Petty, III, R.P.L.S. No. 5594

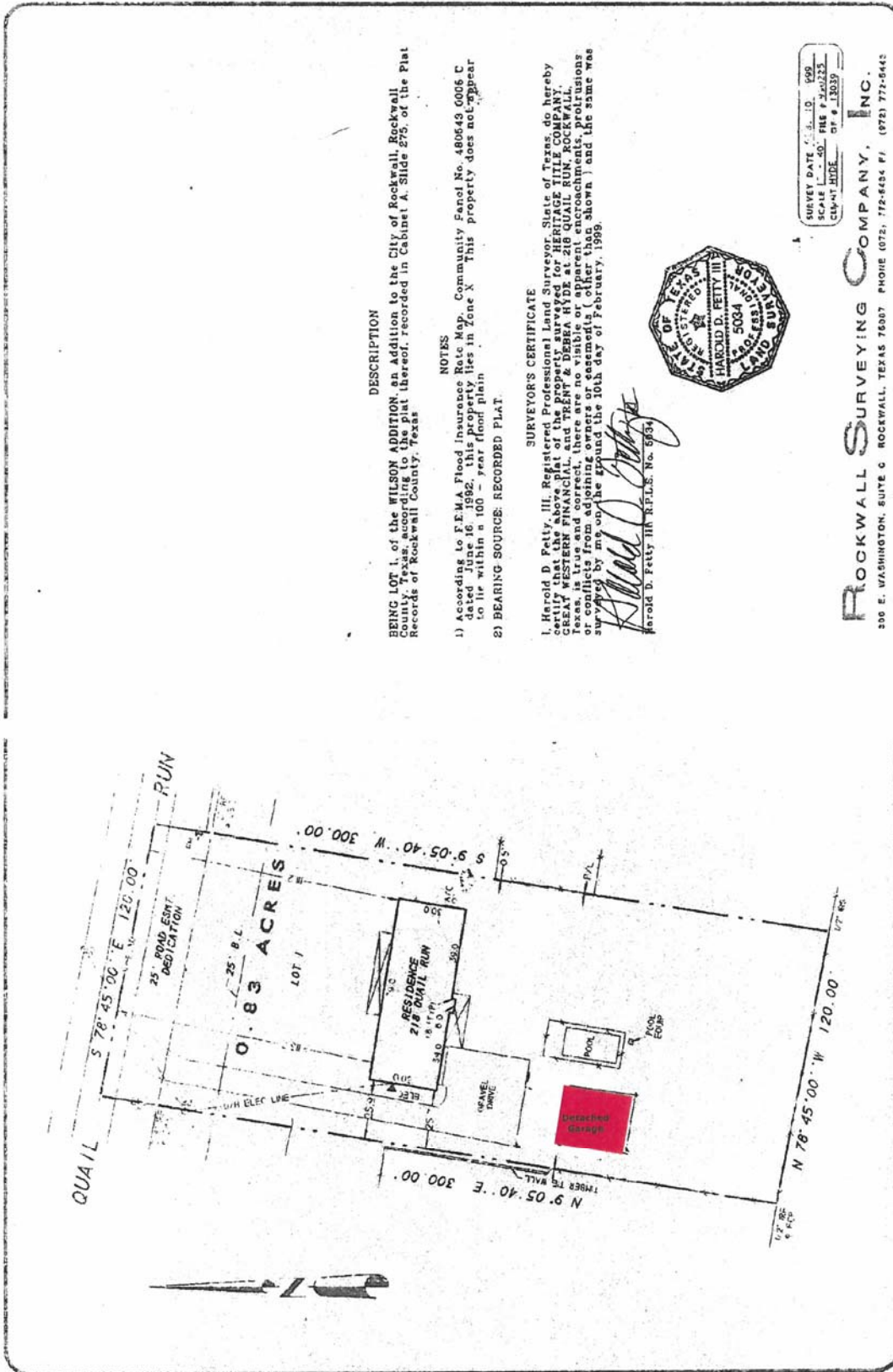


SURVEY DATE: FEB. 10, 1989
 SCALE: 1" = 50' FILE # 20223
 C.L.A.-N.I. INDEX OF # 13039

ROCKWALL SURVEYING COMPANY, INC.

308 E. WASHINGTON, SUITE C ROCKWALL, TEXAS 75087 PHONE (972) 772-8634 F1 (972) 772-6442

Exhibit 'B':
Concept Plan



DESCRIPTION

BEING LOT 1, of the WILSON ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof, recorded in Cabinet A, Slide 275, of the Plat Records of Rockwall County, Texas

NOTES

- 1) According to F.E.M.A Flood Insurance Rate Map, Community Panel No. 480643 0006 C dated June 16, 1992, this property lies in Zone X. This property does not appear to lie within a 100 - year flood plain
- 2) BEARING SOURCE: RECORDED PLAT.

SURVEYOR'S CERTIFICATE

I, Harold D. Petty III, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat of the property surveyed for HERITAGE TITLE COMPANY, GREAT WESTERN FINANCIAL, and TRENT & DEBRA HYDE at 218 QUAIL RUN, ROCKWALL, TEXAS, is true and correct, there are no visible or apparent encroachments, protrusions or other matters shown on the plat that are not shown on the plat and the same was surveyed by me on the 10th day of February, 1999.

Harold D. Petty III
Harold D. Petty III R.P.L.S. No. 5934



SURVEY DATE: 2-10-99
SCALE: 1" = 40' FMS P 20223
CLIENT: HYDE OF # 13039

ROCKWALL SURVEYING COMPANY, INC.
300 E. WASHINGTON, SUITE C, ROCKWALL, TEXAS 75087, PHONE (972) 772-6424 FAX (972) 772-6442

Exhibit 'C':
Concept Building Elevations

