

CITY OF ROCKWALL

ORDINANCE NO. 20-24

SPECIFIC USE PERMIT NO. S-226

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A GUEST QUARTERS/SECONDARY LIVING UNIT/ACCESSORY DWELLING UNIT AND CARPORT THAT EXCEED THE MAXIMUM ALLOWABLE SIZE ON A 0.81-ACRE TRACT OF LAND IDENTIFIED AS TRACT 27 OF THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; 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, the City has received a request from Brian Bader on behalf of Victoria Kaprantzas for the approval of a Specific Use Permit (SUP) to allow a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport* that exceed the maximum allowable size on a 0.81-acre tract of land identified as Tract 27 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1308 Ridge Road, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by 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 (UDC) [*Ordinance No. 20-02*] 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 (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport* as stipulated by Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, and Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, and Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as heretofore amended and as may be amended in the future --, and to the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Guest Quarters/Secondary Living Unit/Accessory Dwelling* and *Carport* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* shall generally conform to the concept plan, conceptual building elevations, and conceptual floor plan depicted in *Exhibits 'B', 'C' & 'D'* of this ordinance.
- (2) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* shall not exceed a maximum size of 1,848 SF.
- (3) The *Carport* shall not exceed a maximum size of 588 SF.
- (4) The subject property shall not have more than the two (2) accessory structures (*i.e. [1] guest quarters/secondary living unit/accessory dwelling unit, and [2] carport*) without amending this Specific Use Permit (SUP).
- (5) The existing accessory building along the northern property shall be removed from the property prior to the issuance of a building permit for the *Guest Quarters/Secondary Living Unit/Accessory Dwelling* and *Carport*.
- (6) Prior to the acceptance of the *Carport* the existing driveway shall be extended to the accessory structure as depicted in *Exhibit 'B'* of this ordinance.

2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a building permit, should the homeowner 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 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, 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.

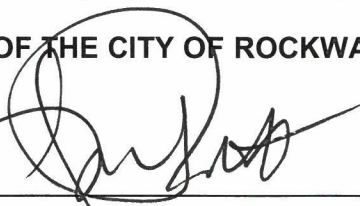
SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF JULY, 2020.**



Jim Pruitt, Mayor

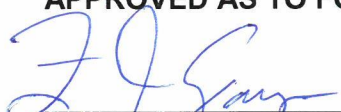
ATTEST:



Kristy Cole, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: June 15, 2020

2nd Reading: July 6, 2020

Exhibit 'A'
Location Map

Address: 1308 Ridge Road

Legal Description: Tract 27 of the D. Atkins Survey, Abstract No. 1



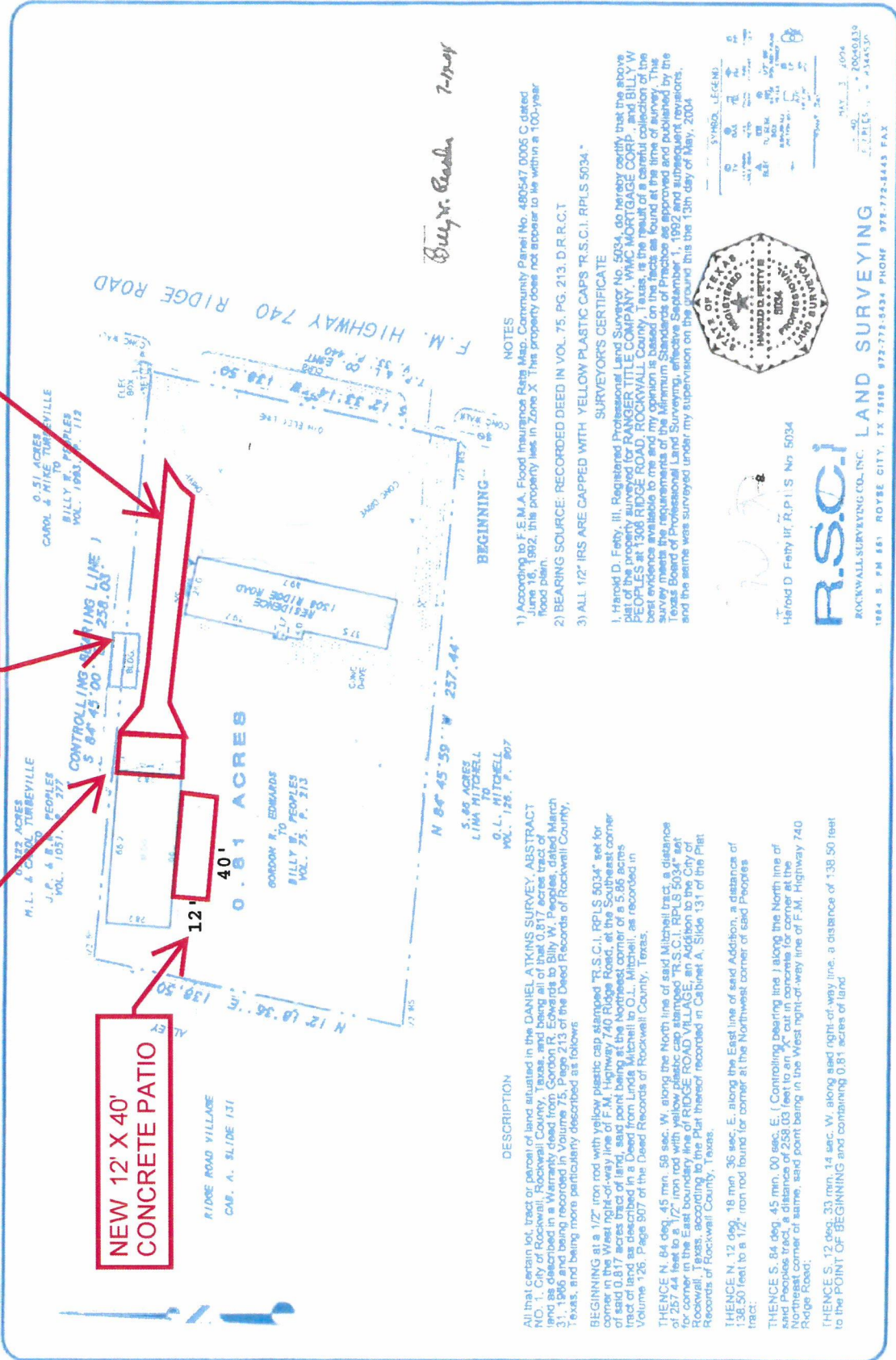
**Exhibit 'B':
Concept Plan**

**NEW 12' DRIVEWAY
TO GUEST QUARTERS**

**STRUCTURE
REMOVED**

**NEW 28' X 21'
CARPORT**

**NEW 12' X 40'
CONCRETE PATIO**

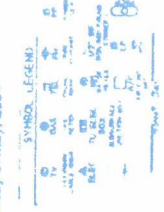


Billy R. Peoples 7-15-92

- NOTES**
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480547.0005 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 DEED IN VOL. 75, PG. 213, D.R.R.C.T
 - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034"

SURVEYOR'S CERTIFICATE

I, Harold D. Farley, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of this survey was prepared by my duly qualified assistants, RALPH L. RAYBURN, JR., and BILLY W. PEOPLES, at 1308 RIDGE ROAD, ROCKWALL COUNTY, TEXAS. The survey was conducted in accordance with the best evidence available to me and my opinion is based on the facts as found in the field. I believe that the survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 13th day of May, 2004.



Harold D. Farley III, R.P.L.S. No. 5034

R.S.C.I.

ROCKWALL SURVEYING CO., INC. LAND SURVEYING
1884 S. FM 861, ROYSE CITY, TX 75089 972-772-8434 PHONE 972-772-8443 FAX

Exhibit 'C':
Conceptual Building Elevations

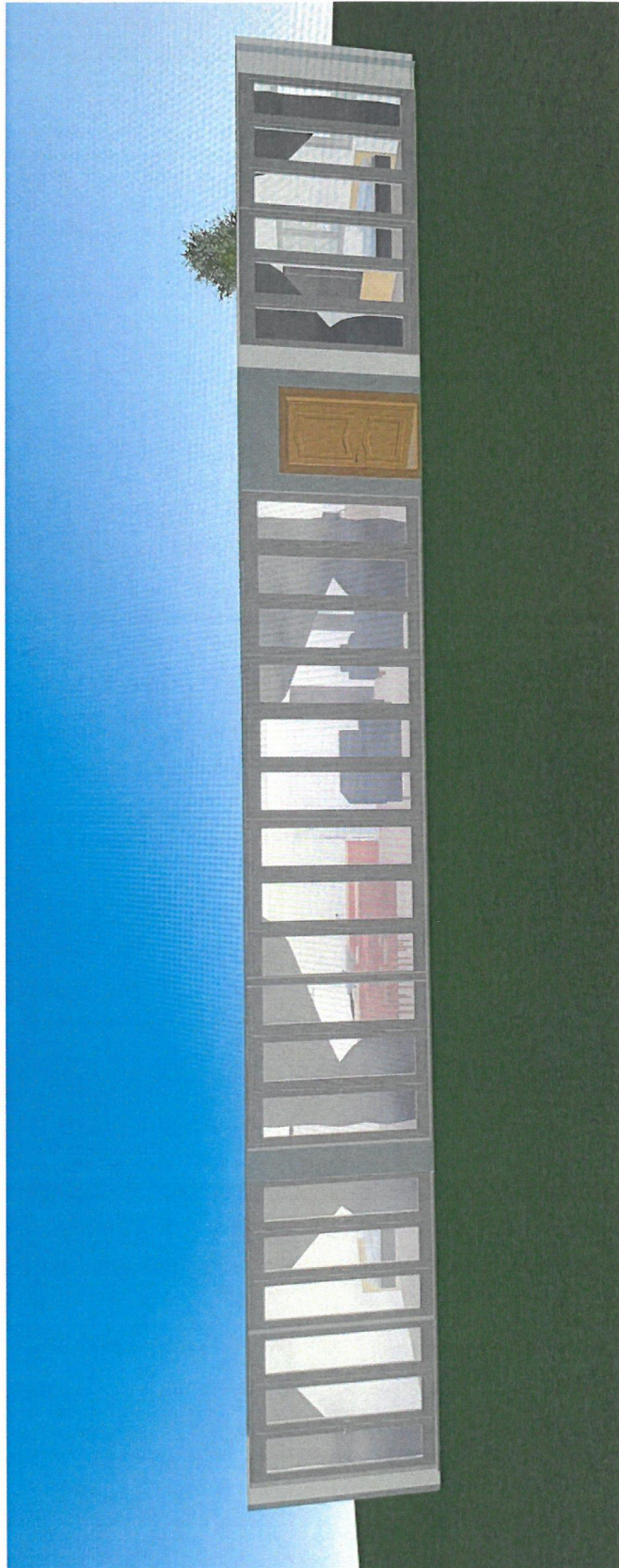


Exhibit 'D':
Conceptual Floor Plan

