

CITY OF ROCKWALL

ORDINANCE NO. 20-25

SPECIFIC USE PERMIT NO. S-227

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 *DETACHED GARAGE* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.666-ACRE PARCEL OF LAND IDENTIFIED AS BLOCK 38 OF THE B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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 Brad Johnson for the approval of a Specific Use Permit (SUP) to allow a *Detached Garage* that exceeds the maximum allowable size on a 0.666-acre parcel of land identified as Block 38 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernodle Street, 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 *Detached Garage* as stipulated by 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 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 *Detached Garage* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Detached Garage* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Detached Garage* shall not exceed a maximum size of 1,200 SF.
- (3) The *Detached Garage* shall not exceed a maximum of 15-feet in total height.
- (4) The subject property shall not have more than one (1) accessory building.
- (5) Prior to the acceptance of the structure from the City, the applicant will be required to extend the existing driveway to the structure and provide a gate in the fence allowing the structure to function as a *Detached Garage*.

## 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.

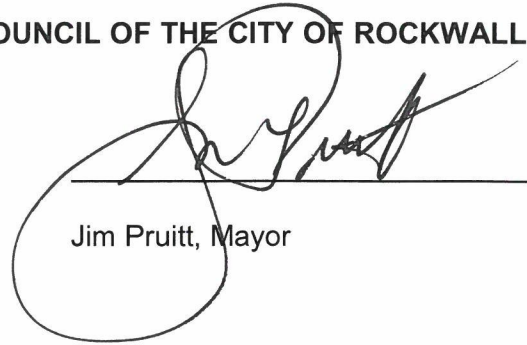
**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**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 6<sup>TH</sup> DAY OF JULY, 2020.



Jim Pruitt, Mayor

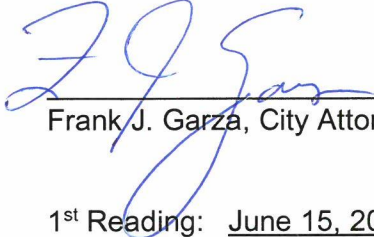
ATTEST:



Kristy Cole, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1<sup>st</sup> Reading: June 15, 2020

2<sup>nd</sup> Reading: July 6, 2020

**Exhibit 'A'**  
**Location Map**

Address: 803 Kernodle Street

Legal Description: Block 38 of the B. F. Boydston Addition

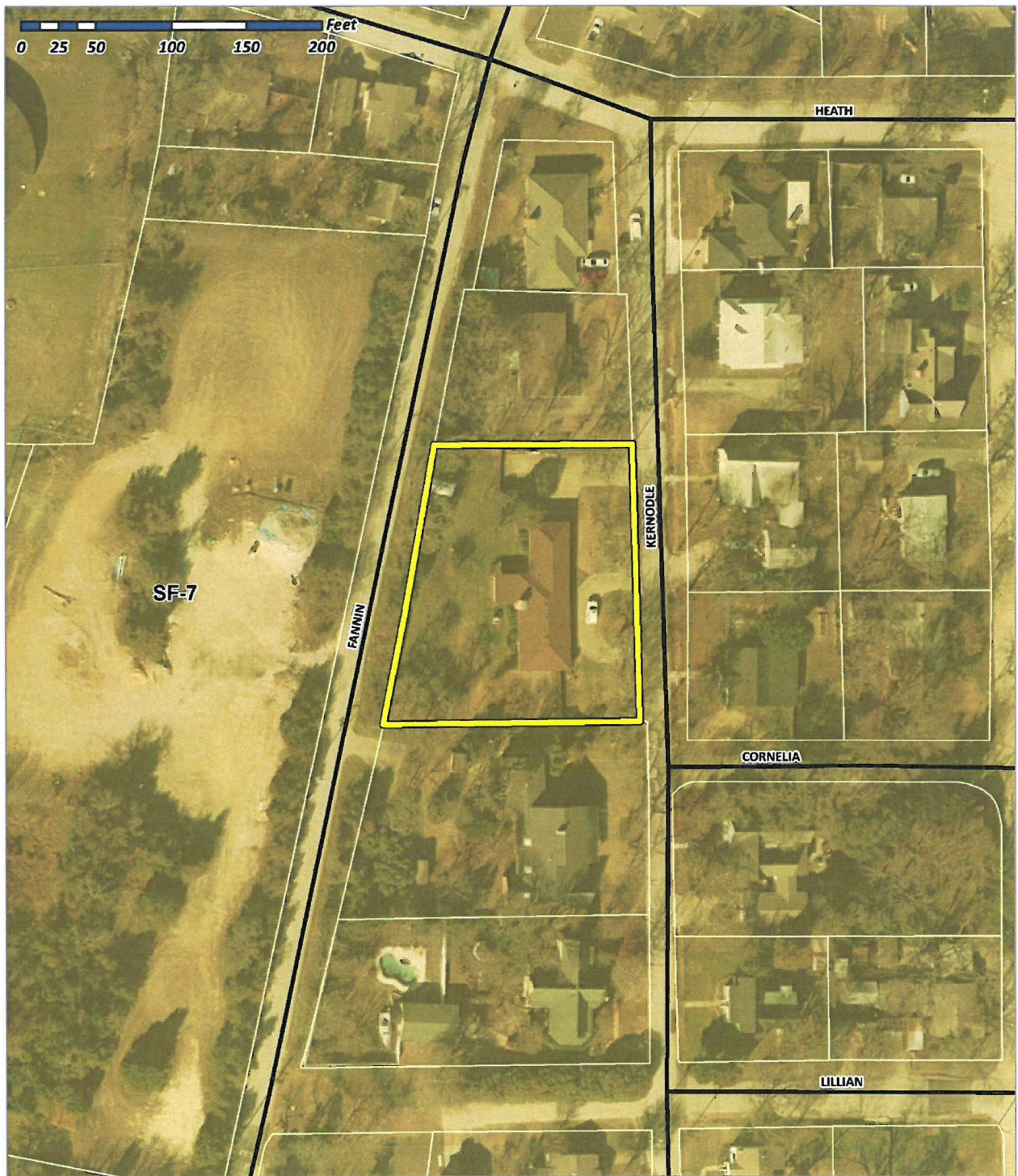
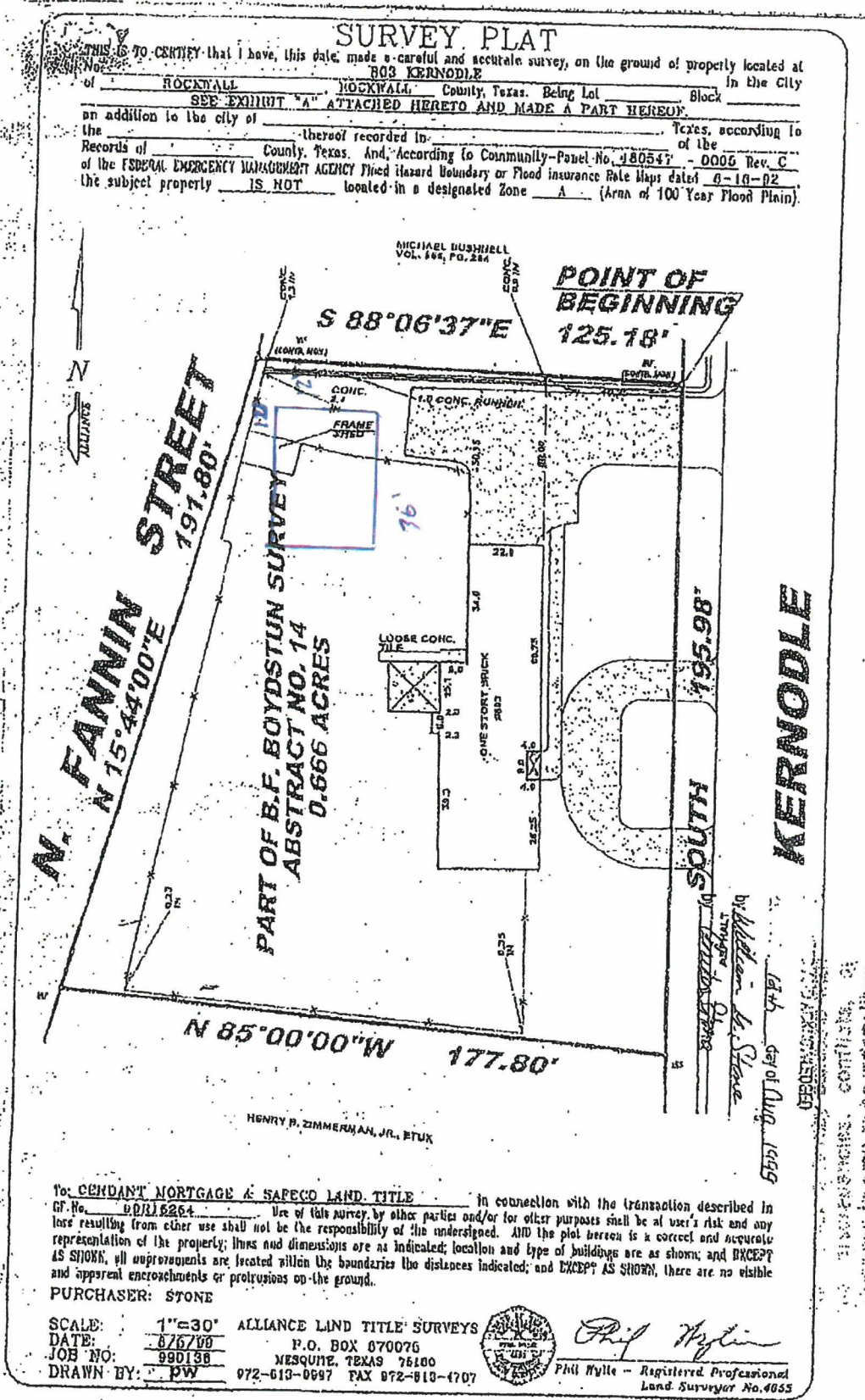


Exhibit 'B':  
Concept Plan



**Exhibit 'C':**  
 Conceptual Building Elevations

