

CITY OF ROCKWALL

ORDINANCE NO. 22-41

SPECIFIC USE PERMIT NO. S-285

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) FOR *GUEST QUARTERS AND DETACHED GARAGE* ON A 0.7379-ACRE PARCEL OF LAND, IDENTIFIED AS BLOCK 105A-1 OF THE B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 Mark and Veronica Combs for the approval of a Specific Use Permit (SUP) for a *Guest Quarters and Detached Garage* to allow for the construction of an *Accessory Building* on a 0.7379-acre parcel of land being identified as Block 105A-1 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 401 S. Clark Street, and being more specifically described and depicted 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) for *Guest Quarters and Detached Garage* to allow for the construction of an *Accessory Building* in accordance with Article 04, *Permissible Uses*, 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 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a *Guest Quarters* and *Detached Garage* on the *Subject Property* and conformance to these operational conditions are required:

- (1) The development of the *Subject Property* shall generally conform to the *Site Plan* as depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
- (2) The construction of a *Guest Quarters* and *Detached Garage* on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
- (3) The *Guest Quarters* and *Detached Garage* shall not exceed a maximum size of 1,500 SF.
- (4) The maximum height of the *Guest Quarters* and *Detached Garage* shall not exceed a total height of 15-feet as measured to midpoint of the pitched roof.
- (5) The *Guest Quarters* and *Detached Garage* shall not be sold or conveyed separately from the single-family home without meeting the requirements of the zoning district and subdivision 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 the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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 1st DAY OF AUGUST, 2022.**



Kevin Fowler, Mayor


ATTEST:



Kristy Teague, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: July 18, 2022

2nd Reading: August 1, 2022

Exhibit 'A'
Location Map and Legal Description

Address: 401 S. Clark Street

Legal Description: Block 105A-1 of the B. F. Boydston Addition



**Exhibit 'B':
Site Plan**

**Proposed Structure and drive
overlay**

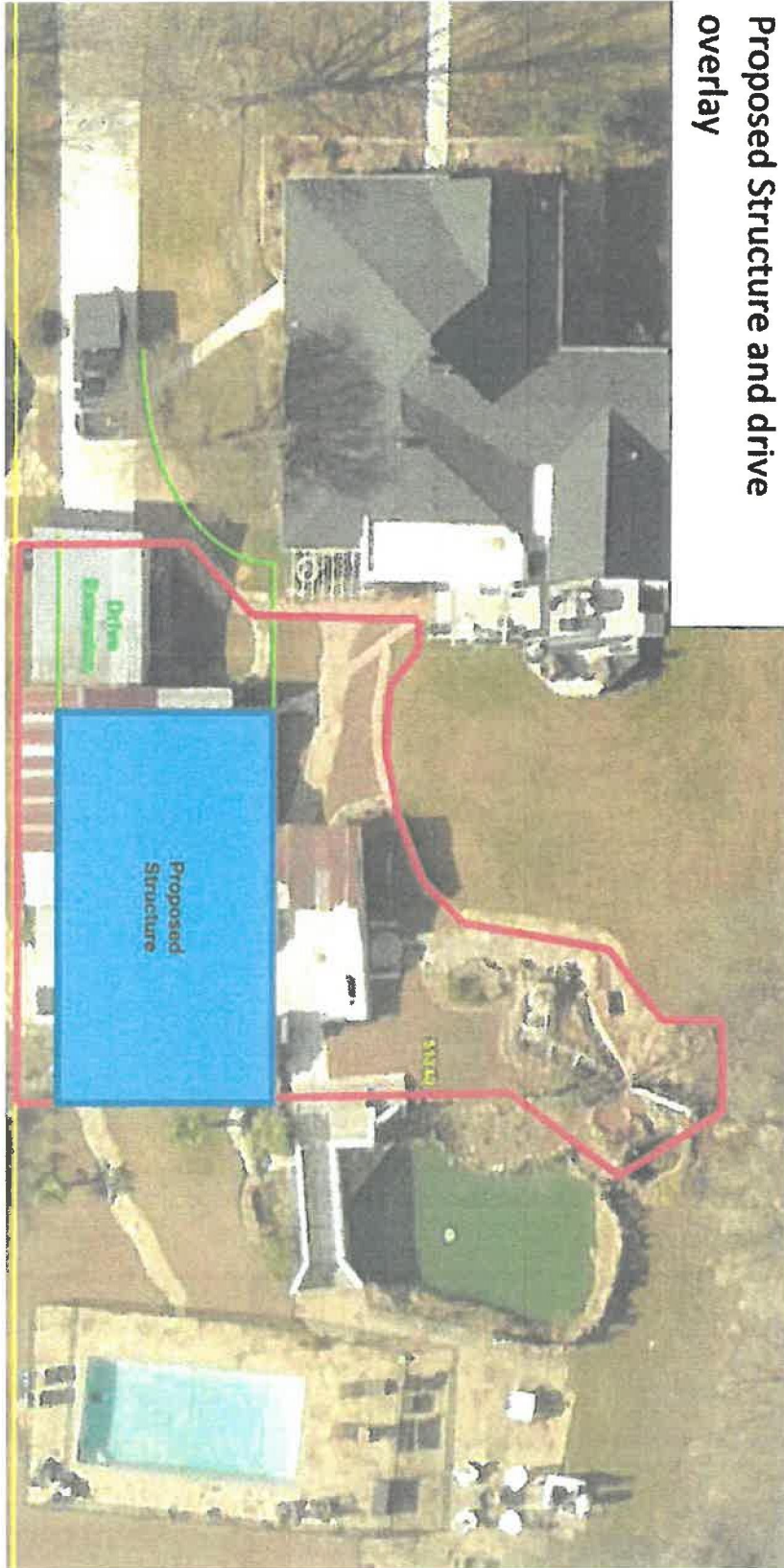


Exhibit 'C':
Concept Building Elevations

