

CITY OF ROCKWALL

ORDINANCE NO. 24-14

SPECIFIC USE PERMIT NO. S-329

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 *STRUCTURE IN EXCESS OF 36-FEET IN HEIGHT IN THE SCENIC OVERLAY (SOV) DISTRICT* TO ALLOW THE CONSTRUCTION OF A FLAG POLE ON A 1.158-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK A, ROCKWALL EXECUTIVE CENTER 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 Alan Wyatt for the approval of a Specific Use Permit (SUP) to allow a *structure in excess of 36-feet in height in the Scenic Overlay (SOV) District* to allow the construction of a flag pole on a 1.158-acre parcel of land being described as Lot 2, Block A, Rockwall Executive Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 510 Turtle Cove Boulevard, 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) to allow a *structure in excess of 36-feet in height in the Scenic Overlay (SOV) District* to allow the construction of a flag pole in accordance with Article 04, *Permissible Uses*, and Article 05, *District Development Standards*, 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 03.04, *Flag Poles*, of Article 04, *Permissible Uses*, and Subsection 07.03, *Non-Residential District Development Standards*, 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 and continued operation of a flag pole on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of a flag pole on the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a flag pole on the *Subject Property* shall generally conform to the Flag Pole Elevations depicted in *Exhibit 'C'* of this ordinance.
- 3) The proposed flag pole shall not exceed a maximum overall height of 60-feet as measured from grade.
- 4) The flag shall be maintained in good condition free of tears, rips, fraying, or fading.

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.

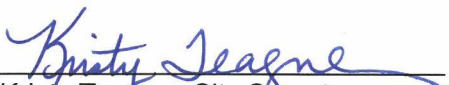
SECTION 7. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6th DAY OF MAY, 2024.**



Trace Johannesen, Mayor

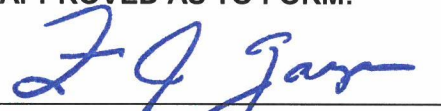
ATTEST:



Kristy Teague, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

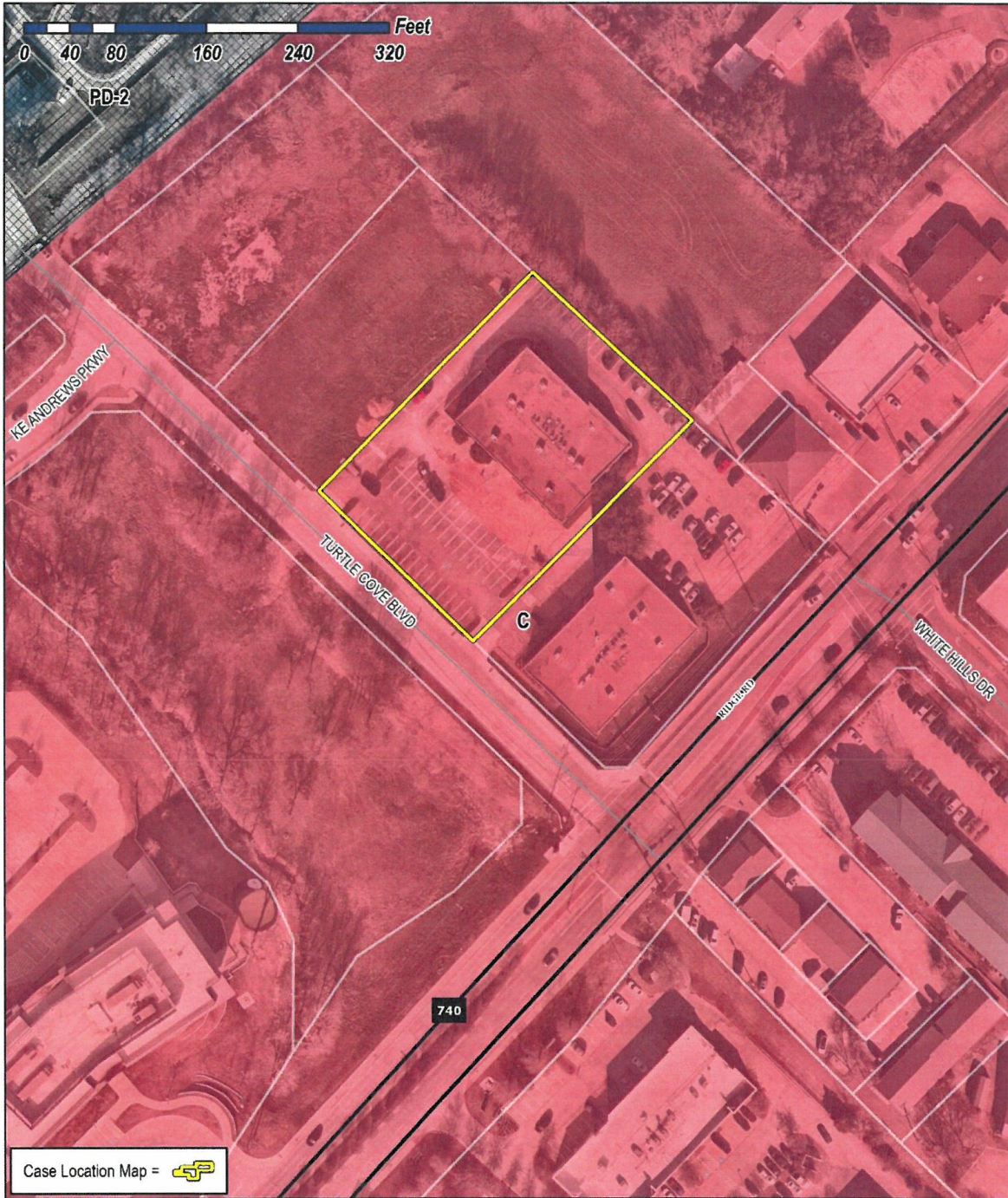
1st Reading: April 15, 2024

2nd Reading: May 6, 2024

Exhibit 'A'
Location Map and Survey

Address: 510 Turtle Cove Boulevard

Legal Description: Lot 2, Block A, Rockwall Executive Center Addition



**Exhibit 'B':
Concept Plan**

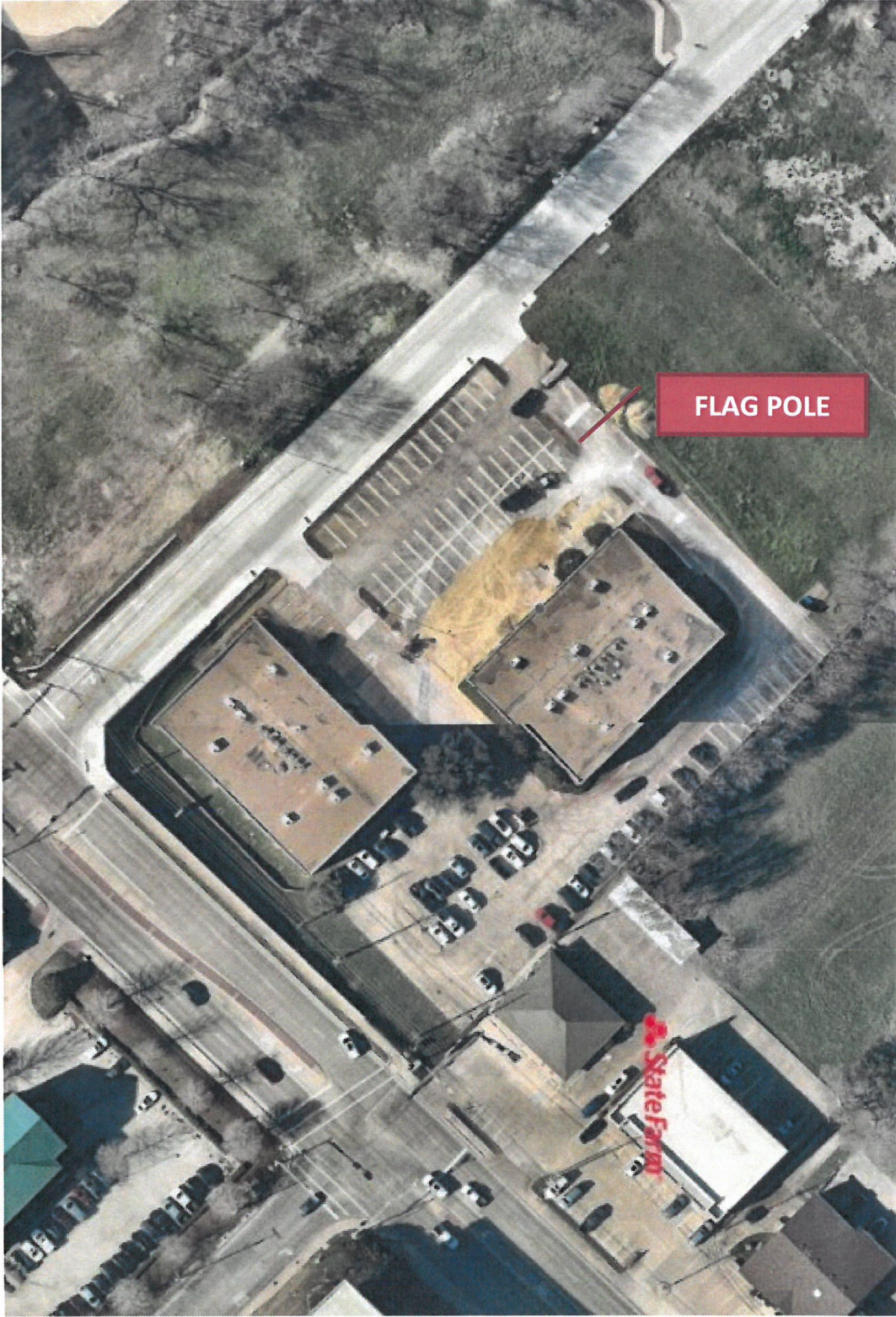
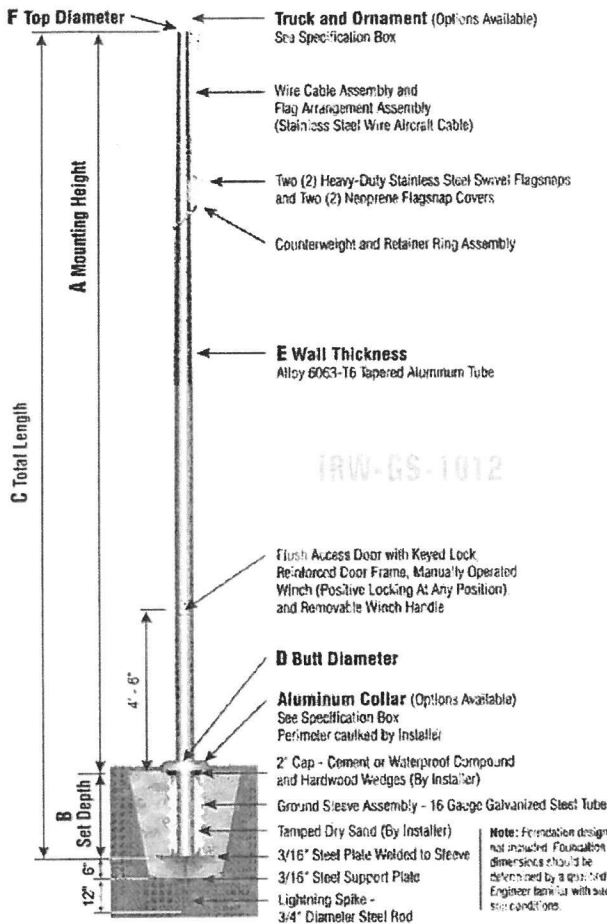


Exhibit 'C':
Flag Pole Elevations



Independence Series
IRW - Internal with Winch
Wire Halyard
Ground Set Installation

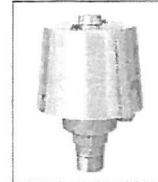


| | |
|-----------------------------------|--------------------|
| Customer Name: Texas Specialty | |
| Dealer: Epic Eagle | Qty: 1 |
| Project: 60' Rockwall Turtle Cove | Location: Rockwall |
| Notes: | |

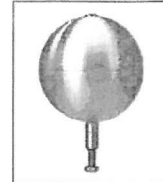
IRW60D13G-TAZ-00F-C2C-FSA

CAFP_010819_1pg

IRW60D13 - SAT



TRK-9800-58
Int. Revolving Truck
Sealed Bearings



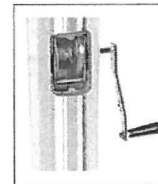
BAL-1058-GLD
HD Gold Anodized
Aluminum Ball



COL1-A10S
FC-11 Spun Alum
1-Piece



SAT
Satin Finish



IRW - WINCH
Reinforced Welded
Door Frame

| Specifications |
|---|
| A. Mounting Height: 60' |
| B. Set Depth: 6'-0" |
| C. Total Length: 66'-0" |
| D. Butt Diameter: 10" |
| E. Wall Thickness: .188" |
| F. Top Diameter: 4" |
| Flagpole Sections: 3 |
| Shaft Weight: 501 lbs. |
| Hardware Weight: 52 lbs. |
| Ground Sleeve Weight: 90 lbs. |
| * Max Flag Size: 12' x 18' |
| * Max Wind Speed w/Nylon Flag: 86 mph |
| * Max Wind Speed No Flag: 118 mph |
| * Wind Speed Specifications from ANSI/NAAMM FP 1001-07 |

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