

CITY OF ROCKWALL

ORDINANCE NO. 24-46

SPECIFIC USE PERMIT NO. S-346

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 77 (PD-77) [*ORDINANCE NO. 15-20*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM SQUARE FOOTAGE AND FOR MORE ACCESSORY STRUCTURES THAN PERMITTED ON A 0.6048-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK 7, GIDEON GROVE NORTH 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 by Russ and Kim Dignam for the approval of a *Specific Use Permit (SUP)* to allow for an accessory building that exceeds the maximum square footage and for more accessory structures than permitted on a 0.6048-acre parcel of land identified as Lot 1, Block 7, Gideon Grove North Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 77 (PD-77) for Single-Family 10 (SF-10) District land uses, addressed as 1202 Gideon Way, 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 more than the permitted number of accessory structures 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 Planned Development District 77 (PD-77) and Subsection 03.01, *General Residential District*

Standards, and Subsection 03.07, *Single-Family 10 (SF-10) 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 *Pergola* on the *Subject Property* and conformance to these operational conditions are required:

- (1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this Specific Use Permit (SUP) ordinance.
- (2) The construction of a *Covered Porch* -- depicted as *Structure '1'* in *Exhibit 'B'* -- on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this Specific Use Permit (SUP) ordinance.
- (3) The construction of the *Accessory Building* -- depicted as *Structure '2'* in *Exhibit 'B'* -- on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'D'* of this Specific Use Permit (SUP) ordinance.
- (4) The *Covered Porch* depicted in *Exhibit 'B'* as *Structure '1'* shall not exceed a maximum size of 450 SF.
- (5) The *Accessory Building* depicted in *Exhibit 'B'* as *Structure '2'* shall not exceed a maximum size of 200 SF.
- (6) The subject property shall be limited to a maximum of three (3) accessory structures.
- (7) The maximum height of the *Covered Porch* depicted in *Exhibit 'B'* as *Structure '1'* shall not exceed a total height of 12-feet as measured to the mid-point of the pitched roof.
- (8) The maximum height of the *Accessory Building* depicted in *Exhibit 'B'* as *Structure '2'* shall not exceed a total height of 10-feet as measured to highest point of the pitched roof.
- (9) A building permit shall be obtained for the existing three (3) accessory structures (*i.e. the two [2] Covered Porches and Accessory Building*).

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 4TH DAY OF NOVEMBER, 2024.



Trace Johannessen, Mayor


ATTEST:



Kristy Teague, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

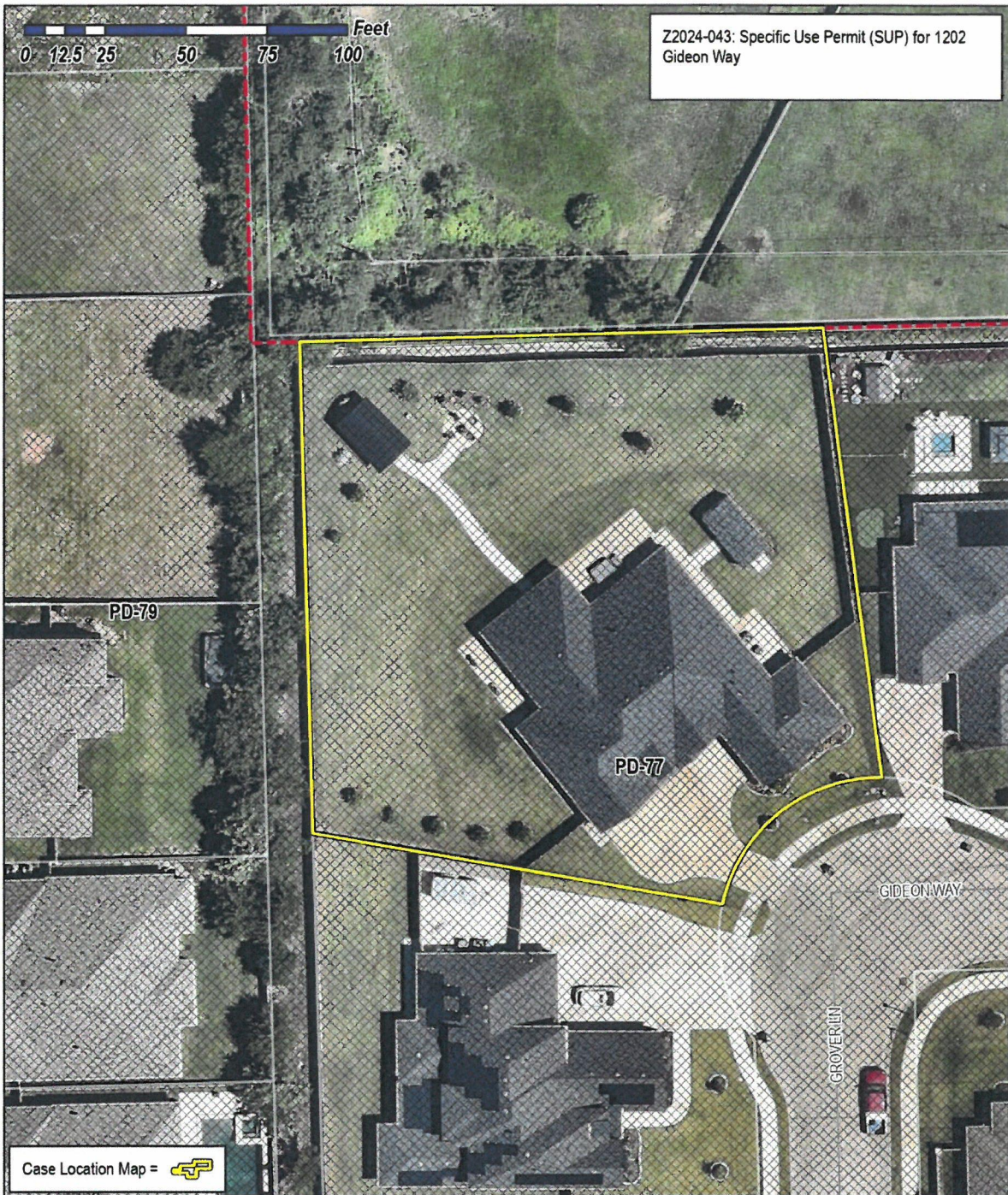
1st Reading: October 21, 2024

2nd Reading: November 4, 2024

Exhibit 'A'
Survey and Legal Description

Address: 1202 Gideon Way

Legal Description: Lot 1, Block 7, Gideon Grove North Addition



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Exhibit 'B': Residential Plot Plan

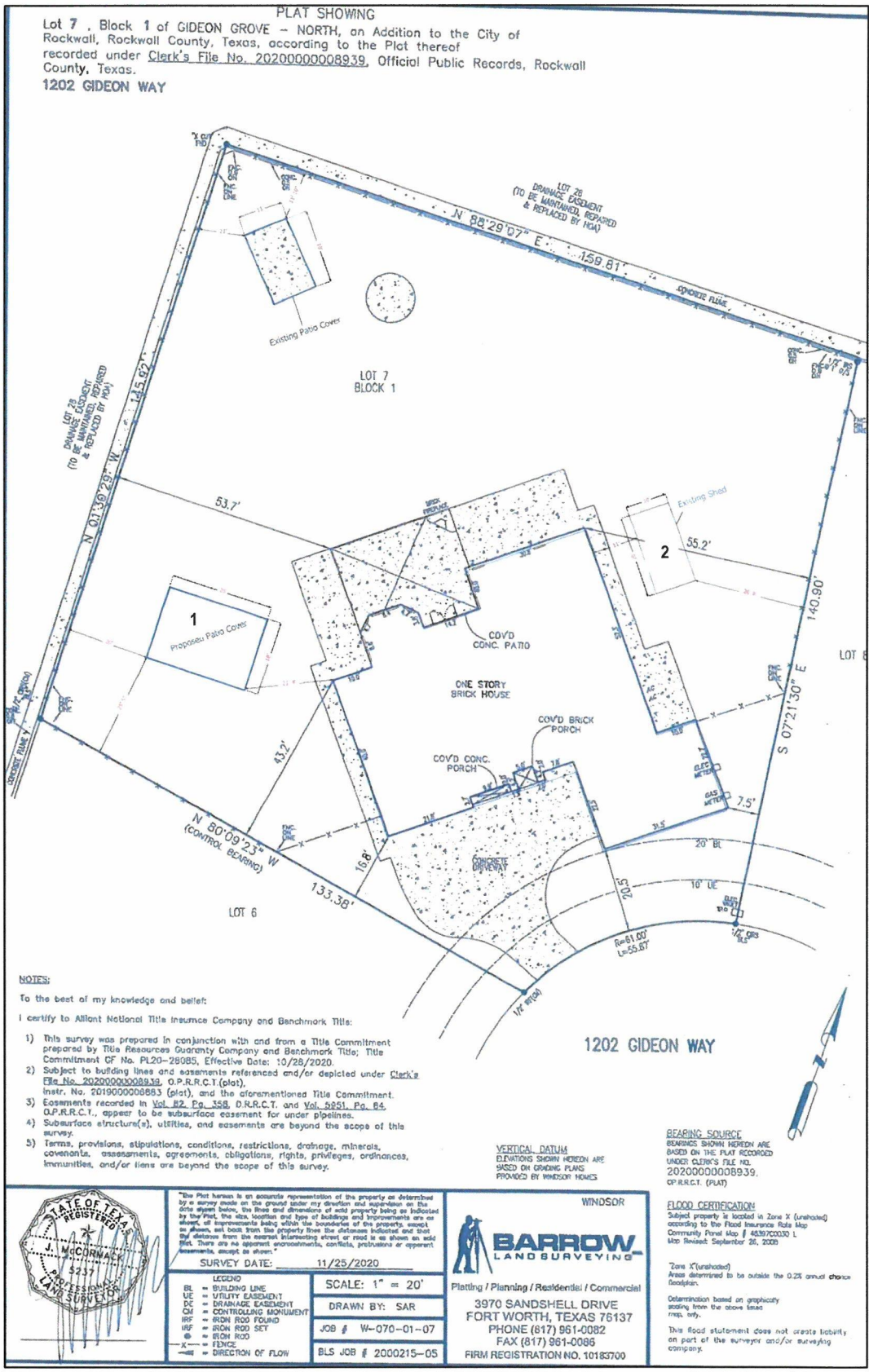


Exhibit 'C':
Building Elevations (Covered Porch)



Exhibit 'C':
Building Elevations (Covered Porch)



Exhibit 'D':
Building Elevations (Accessory Building)

