

CITY OF ROCKWALL

ORDINANCE NO. 04-53

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE (SF-16) SINGLE-FAMILY RESIDENTIAL DISTRICT ALLOWING FOR A DETACHED GARAGE EXCEEDING THE MAXIMUM PERMITTED HEIGHT OF FIFTEEN (15) FEET AND THE MAXIMUM PERMITTED SIZE OF 900 SQUARE FEET, AND NOT MEETING THE EXTERIOR MATERIALS REQUIREMENTS, ON A TRACT LOCATED AT 12 CRESTVIEW CIRCLE, BEING LOT 12, NORTHCREST ESTATES #2 ADDITION; 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, a request has been made by Jay Ford and Deborah Lowe for a Specific Use Permit allowing for a detached garage exceeding the maximum permitted height of fifteen (15) feet and the maximum permitted size of 900 square feet, and not meeting the exterior materials requirements, within the (SF-16) Single-Family Residential district, on a tract located at 12 Crestview Circle, being Lot 12, Northcrest Estates #2 Addition, City and County of Rockwall, Texas; 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 Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for a detached garage exceeding the maximum permitted height of fifteen (15) feet and the maximum permitted size of 900 square feet, and not meeting the exterior materials requirements, within the (SF-16) Single-Family Residential district, on a tract located at 12 Crestview Circle, being Lot 12, Northcrest Estates #2 Addition, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the following conditions:

1. The building shall comply with the submitted site plan and building elevations attached hereto as Exhibit "A".
2. The height of the proposed Accessory Building shall not exceed 21 feet.
3. The area of the proposed Accessory Building shall not exceed 960 square feet.

4. Proposed hardi-plank siding and composition roof to match the colors of the primary structure on the site.
5. A waiver of fire protection is signed prior to issuance of a building permit.
6. The accessory building is subject to administrative review in the event that the property is sold or conveyed in any manner to another party, subdivided, or replatted.
7. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

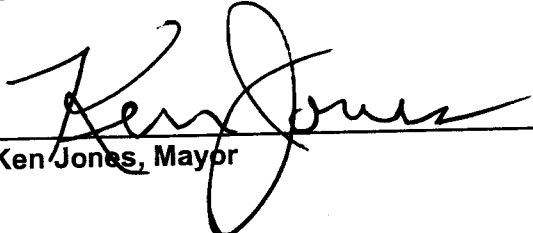
Section 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 4. 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 5. 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 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

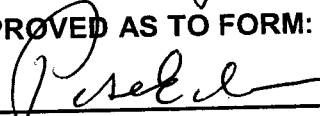
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of September, 2004.



 Ken Jones, Mayor

ATTEST

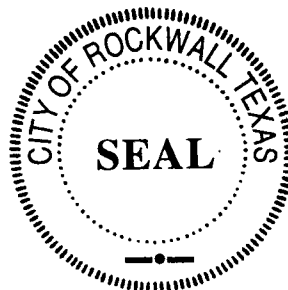

 Dorothy Brooks, City Secretary

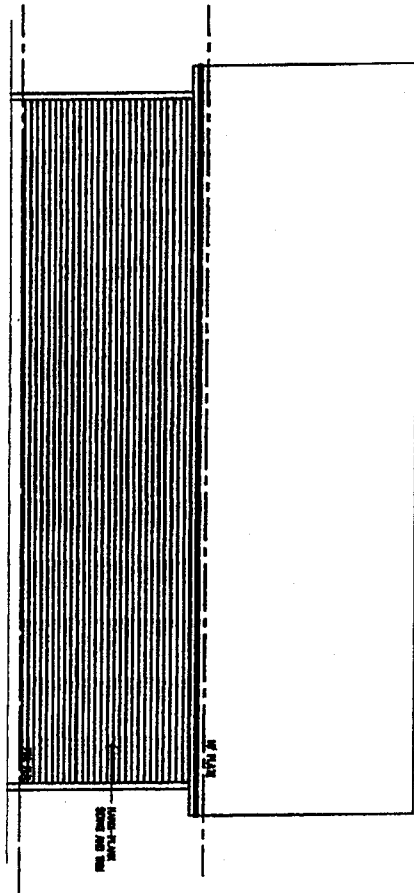
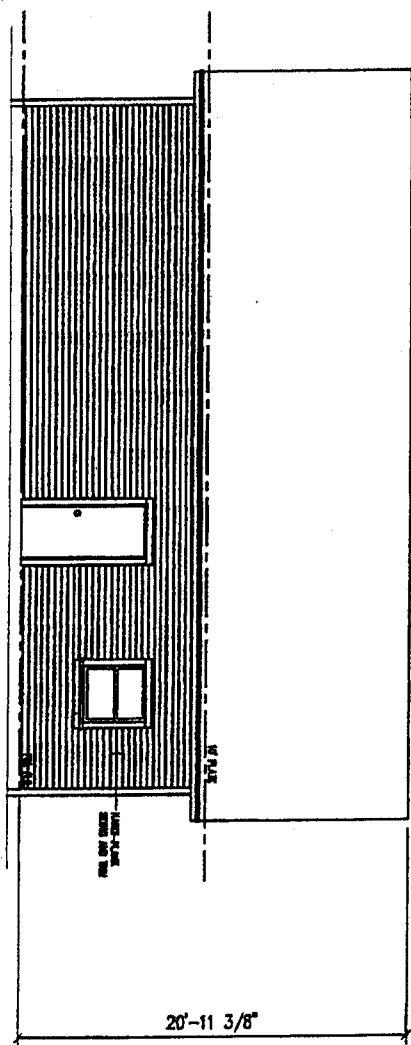
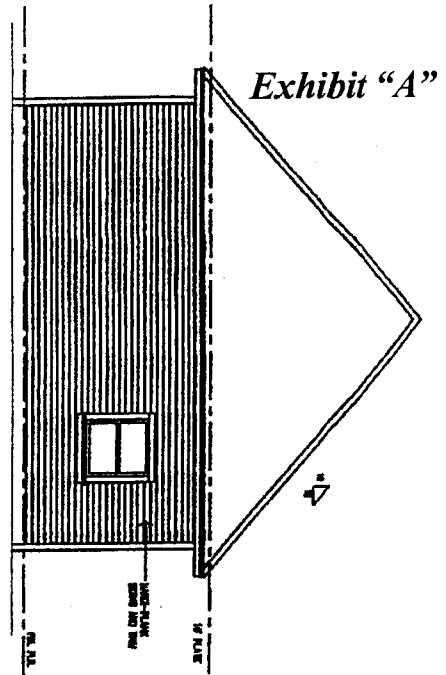
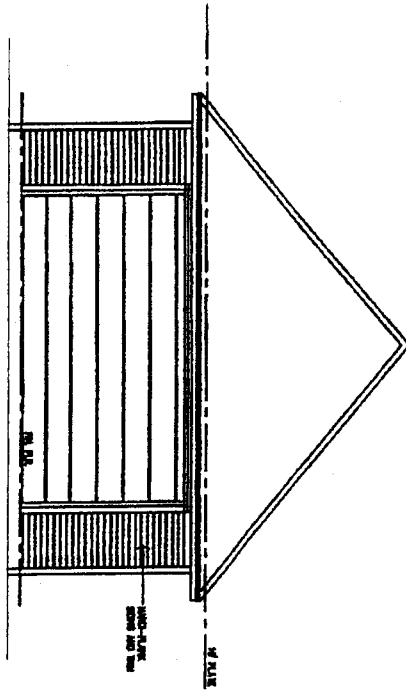
APPROVED AS TO FORM:


 Pete Eckert, City Attorney

1st Reading: 8-16-04

2nd Reading: 9-7-04





BUILDING ELEVATIONS