

CITY OF ROCKWALL

ORDINANCE NO. 04-61

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-E/4.0) SINGLE-FAMILY ESTATE DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE EXTERIOR MATERIALS REQUIREMENTS, ON A TRACT LOCATED AT 2548 S. FM 549, BEING LOT 3, BLOCK 1, LOFLAND LAKE ESTATES 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 Chris and Sherri Duggan for a Specific Use Permit allowing for an accessory building not meeting the exterior materials requirements, within the (SF-E/4.0) Single-Family Estate district, on a tract located at 2548 S. FM 549, being Lot 3, Block 1, Lofland Lake Estates 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 an accessory building not meeting the exterior materials requirements, within the (SF-E/4.0) Single-Family Estate district, on a tract located at 2548 S. FM 549, being Lot 3, Block 1, Lofland Lake Estates 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 will comply with the approved site plan and building elevations, attached hereto as Exhibit "A".
2. The maximum building size is limited to 600 square feet in area.
3. The maximum height of the building is limited to 15 feet.
4. Compliance with the minimum 25-ft side yard setback is required.
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 subject property is sold to another party, 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.

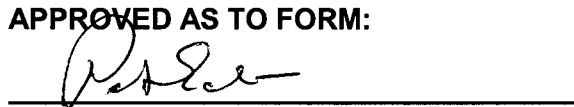
Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application 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.

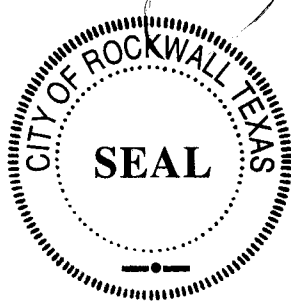
Section 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 1st day of November, 2004.


Ken Jones, Mayor

ATTEST:

Dorothy Brooks, City Secretary

APPROVED AS TO FORM:

Pete Eckert, City Attorney



1st Reading: October 18, 2004

2nd Reading: November 1, 2004

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

THIS IS TO CERTIFY THAT I HAVE THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE PROPERTY LOCATED AT RT. 1 BOX 160, IN THE CITY OF ROCKWALL, TEXAS, BEING LOT 3, BLOCK NO. 1, OF LOFLAND LAKE ESTATES, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME C, PAGE 231, OF THE PLAT RECORDS, ROCKWALL COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN 5/8 INCH IRON ROD FOUND IN THE NORTHEAST CORNER OF SAID LOT AND THE WEST LINE OF F.M. 549 (80' R.O.W.); THENCE S 00°48' 54" E. ALONG THE WEST LINE OF F.M. 549, FOR A DISTANCE OF 200.00 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER; AS FILED IN VOLUME 51, PAGE 363, ROCKWALL COUNTY, TEXAS; THENCE N00°48' 54" W FOR A DISTANCE OF 200.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER; THENCE N85°19' 55" E FOR A DISTANCE OF 873.15' TO THE PLACE OF BEGINNING AND CONTAINING 174,245.0 SQUARE FEET OR 4.00 ACRES MORE OR LESS.

LOT IS SUBJECT TO EASEMENTS RECORDED IN VOL. 51, PG. 363. EASEMENT RECORDED IN VOL. 943, PG. 120 DOES NOT AFFECT SUBJECT LOT.

BEGINNING POINT OF

LOT 4
873.15'
N 85°19'55" E

Horse Building

NOTE: FLOOD ZONE A IS CONFINED WITHIN THE FLOOD EASEMENT, REMAINDER OF PROPERTY IS WITHIN FLOOD ZONE C.

Flood Easement
Vol. 51, Page 363
Rockwall County

S 00°48'54" E F.M. 549 200.00'

1/2" IRF

10' U.E.

20' B.L.

188.3'

Electric Transformer

1 Story Brick &
Frame Residence

78.5'

49.4'

1/2" IRF

S 85°19'55" W
873.15'
LOT 2

FLOOD CERTIFICATE

According to the Flood Insurance Rate Maps, Panel No. 481543-0425B, effective date SEPT. 17, 19 80, this property is in a flood prone area, Zone A

* NOTE: FLOOD ZONE APPEARS TO BE CONFINED WITHIN THE FLOOD EASEMENT

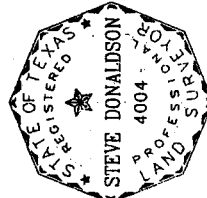
NOT FOR CONSTRUCTION

Scale: 1" = 60'

Revised: 06-02-2003

Date:

Job No.: 2000-2



LEGEND
IRF = IRON ROD FOUND
IR = IRON ROD SET
DENSOTES CONC. PIVOT

PURCHASER: WHITE

The plot hereon is a true, correct and accurate representation of the property as determined by survey, the lines and dimensions of said property being indicated by the plot, the size, location and type of buildings and improvements are shown, oil improvements being within the boundaries of the property, set back from property lines the distance indicated, and the distance from the nearest intersecting street or road is indicated on said plot. There are no apparent visible encroachments, conflicts, or protrusions except as shown. All easements shown are as per referenced plat unless noted otherwise. This plat was prepared specifically for the transaction referenced below. The undersigned assumes no responsibility for any other use.

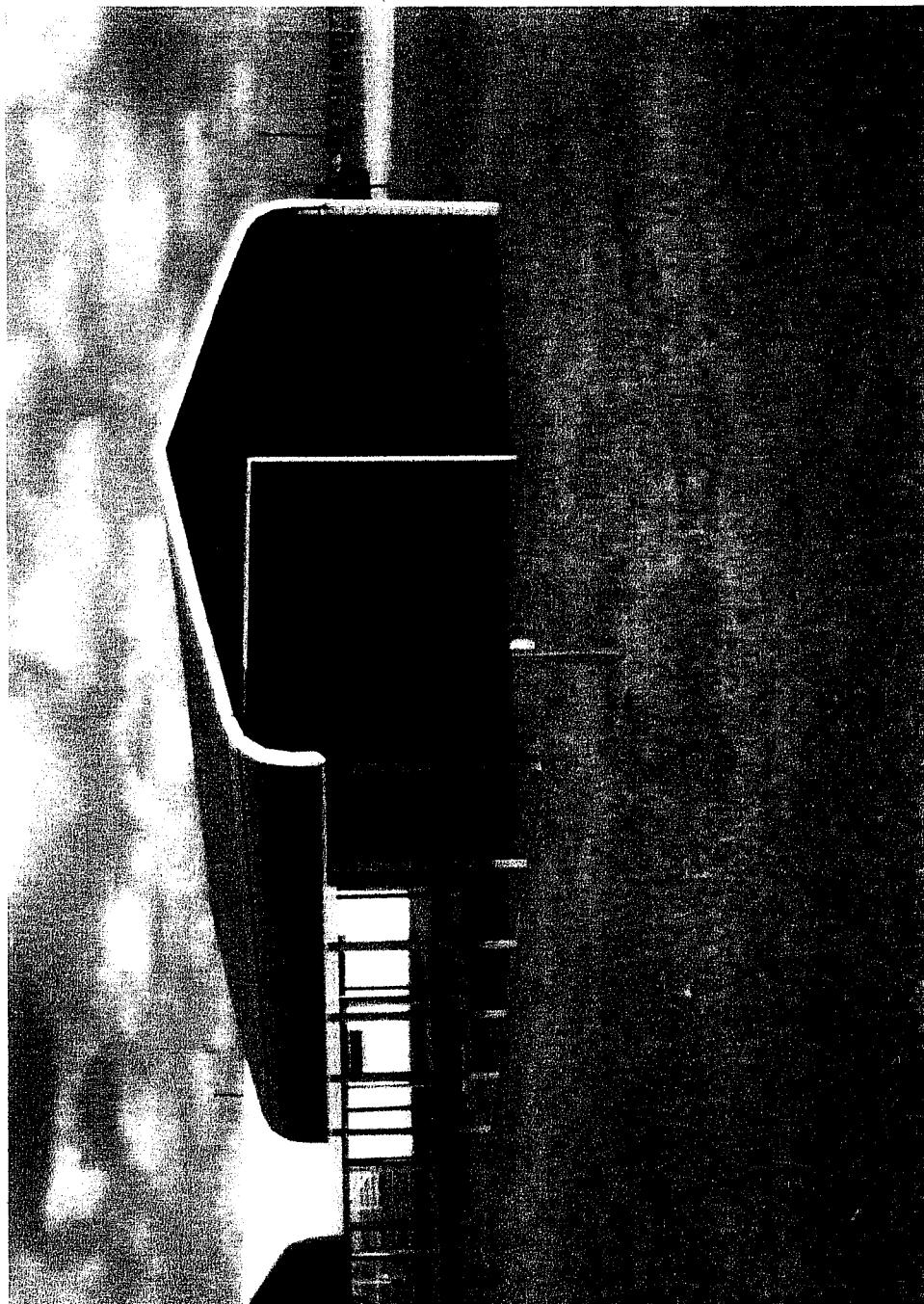
By: *Steve Donaldson*
Steve Donaldson, Registered Professional Land Surveyor No. 4004
G.F. No.: 000609241
CHICAGO TITLE



CARMAN-DONALDSON SURVEYING
3809 WEST WALNUT STREET
CARLAND, TEXAS 75042
972-203-0557 FAX 972-203-0535

Exhibit "A"

Exhibit "A"



20 x 30 , Horse Barn - open