

CITY OF ROCKWALL

ORDINANCE NO. 06-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A DECK / PATIO WITHIN LAKE RAY HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 22, BLOCK B, HILLCREST SHORES PHASE THREE AND LOCATED AT 1170 CRESTCOVE DRIVE, AND MORE SPECIFICALLY DESCRIBED IN "EXHIBIT A"; 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 Specific Use Permit allowing for a deck/patio within the Lake Ray Hubbard Takeline Overlay district has been requested by Brian Walker on a tract of land adjacent to Lot 22, Block B, Hillcrest Shores Phase Three and located at 1170 Crestcove Drive, and more specifically described in "Exhibit A"; 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 Unified Development Code 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 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 deck/patio within the Lake Ray Hubbard Takeline Overlay district on a tract of land adjacent to Lot 22, Block B, Hillcrest Shores Phase Three and located at 1170 Crestcove Drive, and more specifically described in "Exhibit A"; City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the site plan and elevations attached hereto as "Exhibit B", and to the conditions set forth in "**Article V, Section 6.15 "TL OV" Takeline Overlay District**", of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions:

1. Deck area shall have a maximum area of 1,000 Sq. Ft, including stairs.
2. Maintain 20' side yard setback on each side of the deck as required by the Takeline Overlay Ordinance.
3. Deck must be anchored into the ground.

4. Deck must be built using water resistant wood and/or native stone.
5. Any railing built on the deck must have a water resistant picket with steel tubing railings or water resistant wood.
6. Earth work construction for the deck must comply with the erosion control standards set in the Interlocal Agreement and Lease.
7. The deck must comply with all other City of Rockwall codes.


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, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code (Ord. No. 04-38) of the City of Rockwall, Texas, 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 for this ordinance are declared to be severable.

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 August, 2006.


William R. Cecil, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney



1st Reading: 07-17-06
2nd Reading: 08-07-06

EXHIBIT "A"

HILLCREST SHORES PHASE THREE
CABINET E, PG. 226

26

LOT 25

LOT 24

BLOCK B
LOT 23

LOT 22
TL2004-024

S 42°04'51" E

83.33'

LOT 21

LOT 20

LOT 19

435.5 CONTOUR LINE
AS DEFINED AT THE
TIME OF THE SURVEY

0.504 ACRES
(21,938 SQ. FT.)

83.5' SL
83.5' LF

See Attachment

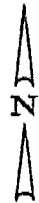
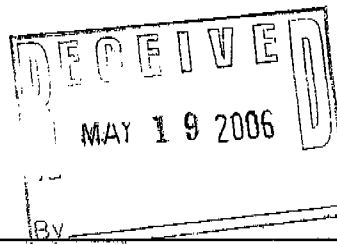
LAKE
RAY
HUBBARD

438 CONTOUR LINE
AS DEFINED AT THE
TIME OF THE SURVEY

2006 010

LEGEND

- AM = 3.5" Aluminum Monument
Stamped "CITY OF ROCKWALL
LAKE RAY HUBBARD SUB LEASE
MARKER 2004"
- SL = Shoreline Length at the time of Survey
- LF = Lineal Feet at the time of Survey

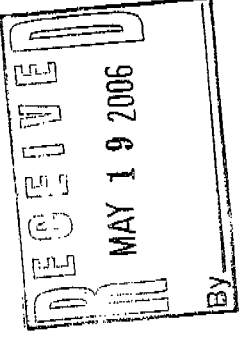


Scale 1"=100'

Brian Walker - 1170 Crestcove Dr.

2006 010

scale = 1/8" = 1'



TOP VIEW

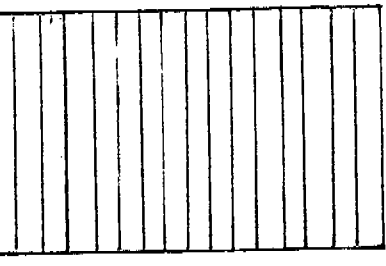
Home side

↓ Existing retaining wall

- Deck height flush with retaining wall
 - Deck rails will be black iron T&B
 - Match existing retaining wall fence
 - Deck materials will be resin (Trex) type
- Color match to house trim

10' x 20' Decking

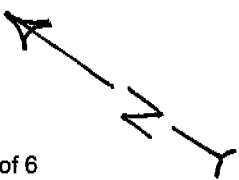
← 13' TO PROPERTY line



16' x 10' STAIRCASE

- Staircase = 7" rise x 12" run
- Total width = 10'
- Total run = 116"

• Total footprint = 20' x 26'



46' TO 438 CONTOUR LINE

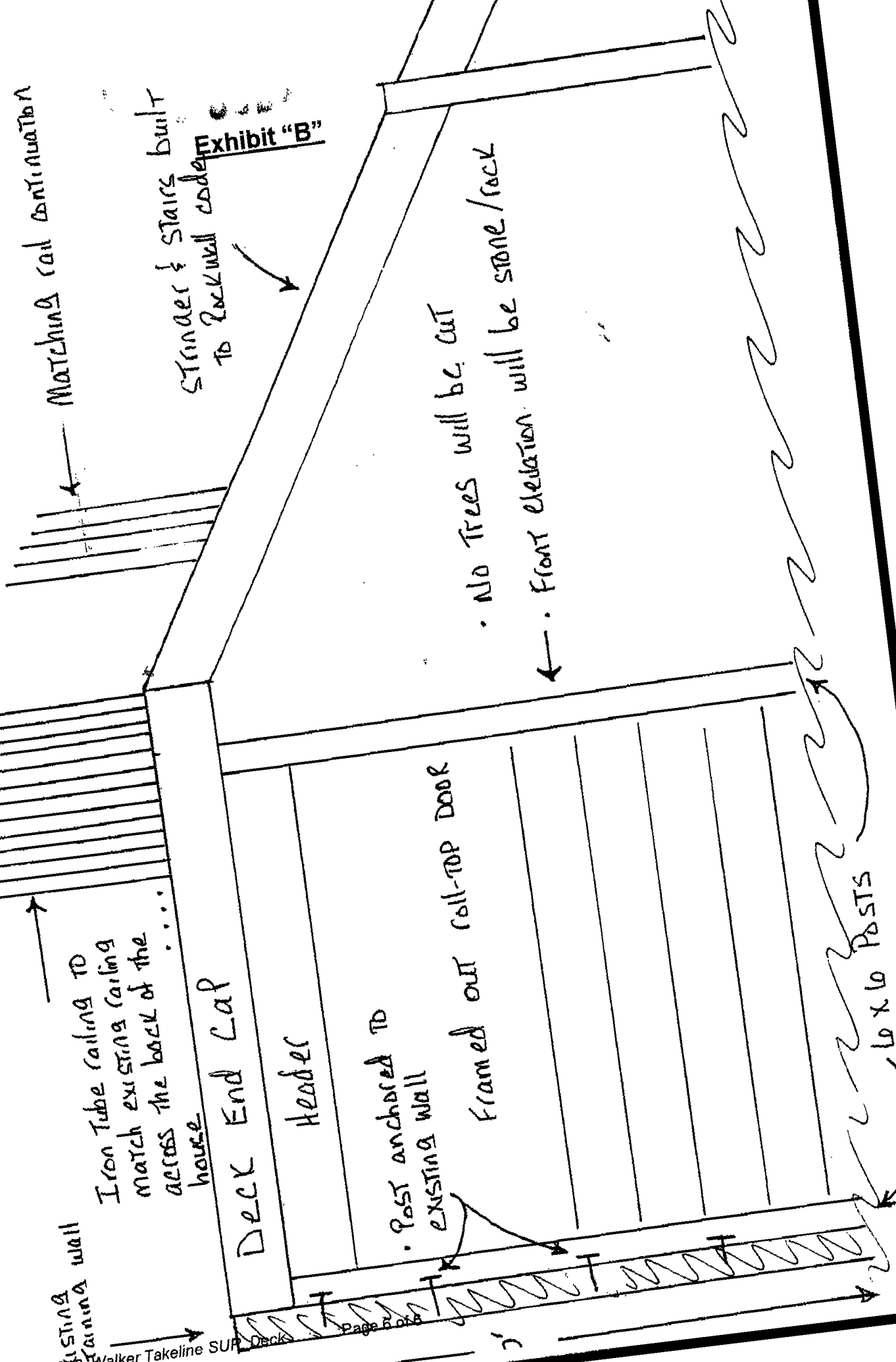
Exhibit "B"

Lake side

Brian Walker - 1170 Crestcove Dr.

Scale 1/4" = 1'
Total Sq. Ft. ≈ 360'

SIDE VIEW



Iron Tube railing to match existing railing across the back of the house

Deck End Cap

Header

Post anchored to existing wall
Framed out roll-top door

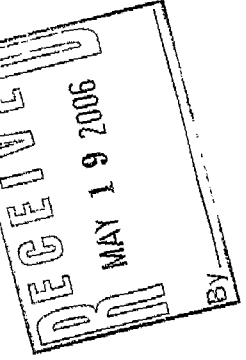
Matching rail continuation
Stringer & stairs built to Rockwell code
Exhibit "B"

No trees will be cut
Front elevation will be stone/rock

6" x 10 Posts

scale 1/4" = 1'

Exhibit "B"



Brian Walker - 1170 CRESTVIEW DR

STRUCTURE

6x6 Post

Deck

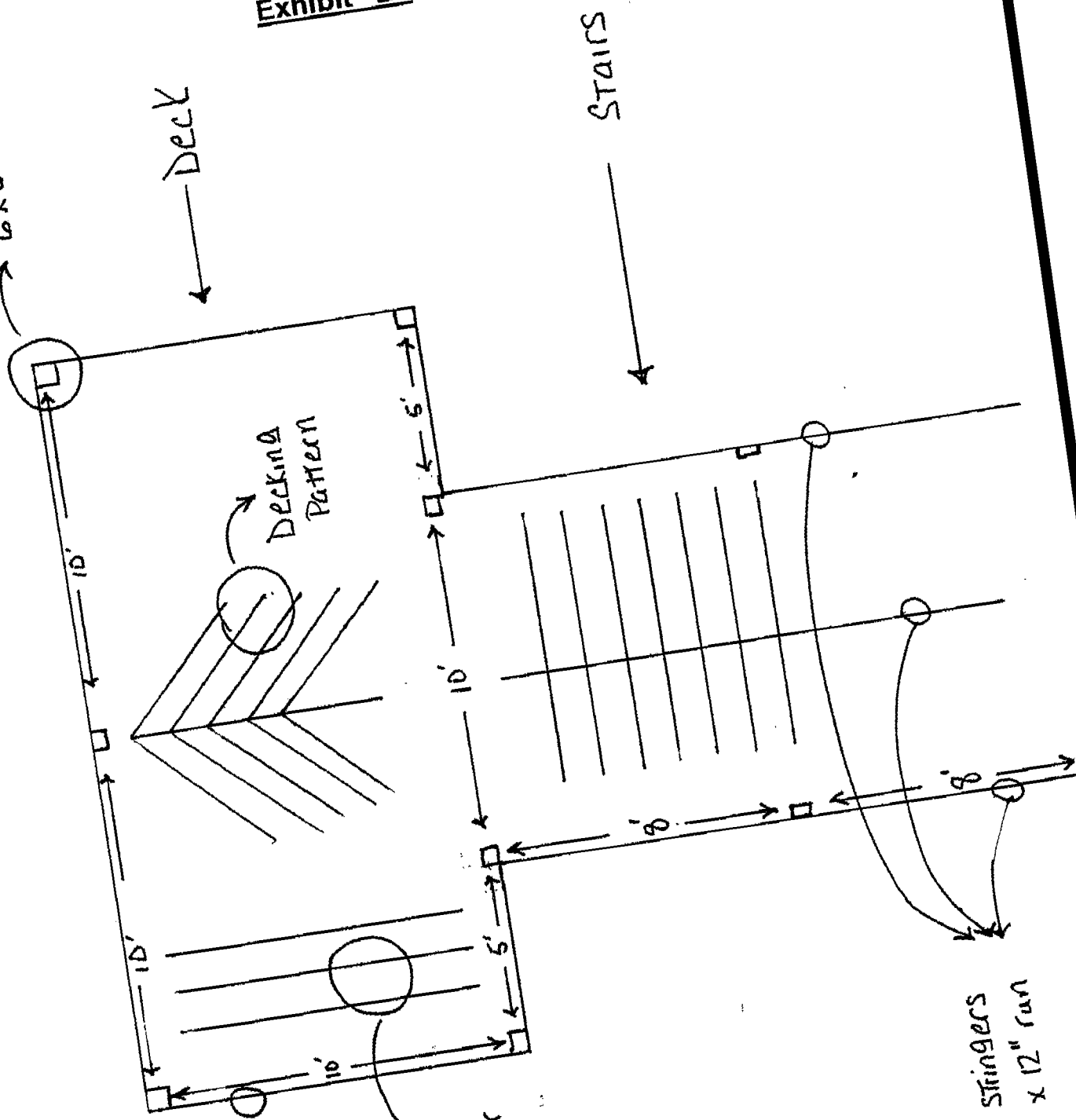
STAIRS

Decking Pattern

Beams are (2) 2x12x10

Joist are 2x10x10 12" on center

3 stair stringers 7" rise x 12" run



Advertising Receipt

Terrell Tribune
 Rockwall County News
 150 9th Street, P.O. Box 669
 Terrell, TX 75160
 Phone: (972) 563-6476
 Fax: (972) 563-0340

ROCKWALL, CITY OF-LEGALS ®
 c/o Dorothy Brooks, City Secretary
 385 SOUTH GOLIAD
 ROCKWALL, TX 75087

Cust#: 01100978-000
Ad#: 05500356
Phone: (972)771-7700
Date: 08/09/06

Ad taker: 11 **Salesperson:** 6 **Classification:** 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
02 ROCKWALL COUNTY NEWS	08/17/06	08/17/06	1	51.00		51.00

Payment Reference:

LG#223268
 ORD 06-30
 RCN= 8/17

Total: 51.00
Tax: 0.00
Net: 51.00
Prepaid: 0.00

Total Due 51.00

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared William Jordan, who being by me duly sworn deposes and says the he is the Publisher of **The Rockwall County News** and the said newspaper meets the requirements of Section 2051.044 of the Texas Government Code to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published;
4. it has been published regularly and continuously since 1985; and
5. it is generally circulated within Rockwall County.

Publisher further deposes and says that the attached notice was published in said news paper on the following date(s) to wit:

August 17th A.D. 2006

William Jordan
Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME

by William Jordan who

- a) is personally know to me, or
 b) provided the following evidence to establish his/her identity.

on the 17th day of August, A.D. 2006
to certify which witness my hand and seal of office.

Patricia A. Shaw
Notary Public, State of Texas

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/s/ William R. Cecil, Mayor
/s/ Dorothy Brooks, City Secretary
1st Reading: 07-17-06
2nd Reading: 08-07-06

