

**CITY OF ROCKWALL**

**ORDINANCE NO. 06-41**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, 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 SIZE REQUIREMENT, ON A TRACT LOCATED AT 2364 SADDLEBROOK LANE, BEING LOT 17, BLOCK A, SADDLEBROOK ESTATES #2 ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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 Kevin Berger for a Specific Use Permit allowing for a detached garage exceeding the maximum size requirement, within the (SF-16) Single-Family district, on a tract located at 2364 Saddlebrook Lane, being Lot 17, Block A, Saddlebrook 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 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 detached garage exceeding the maximum size requirement, within the (SF-16) Single-Family district, on a tract located at 2364 Saddlebrook Lane, being Lot 17, Block A, Saddlebrook 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 will comply with the approved site plan attached herein as Exhibit "A" and the approved elevations attached herein as Exhibit "B."
2. The building shall not encroach into the drainage swale between Lots 16 and 17.
3. The maximum size shall be 1200 sq. ft.
4. The maximum height shall be 15 ft., measured at the midpoint of the pitched roof.

5. A waiver of fire protection or hold harmless agreement is signed and filed for record 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.


**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2<sup>nd</sup> day of October, 2006.**

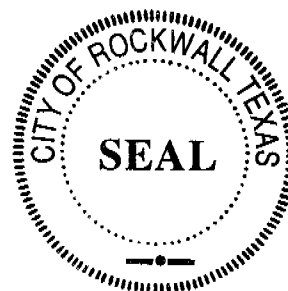
  
\_\_\_\_\_  
William R. Cecil, Mayor

ATTEST:

  
\_\_\_\_\_  
Dorothy Brooks, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Pete Eckert, City Attorney



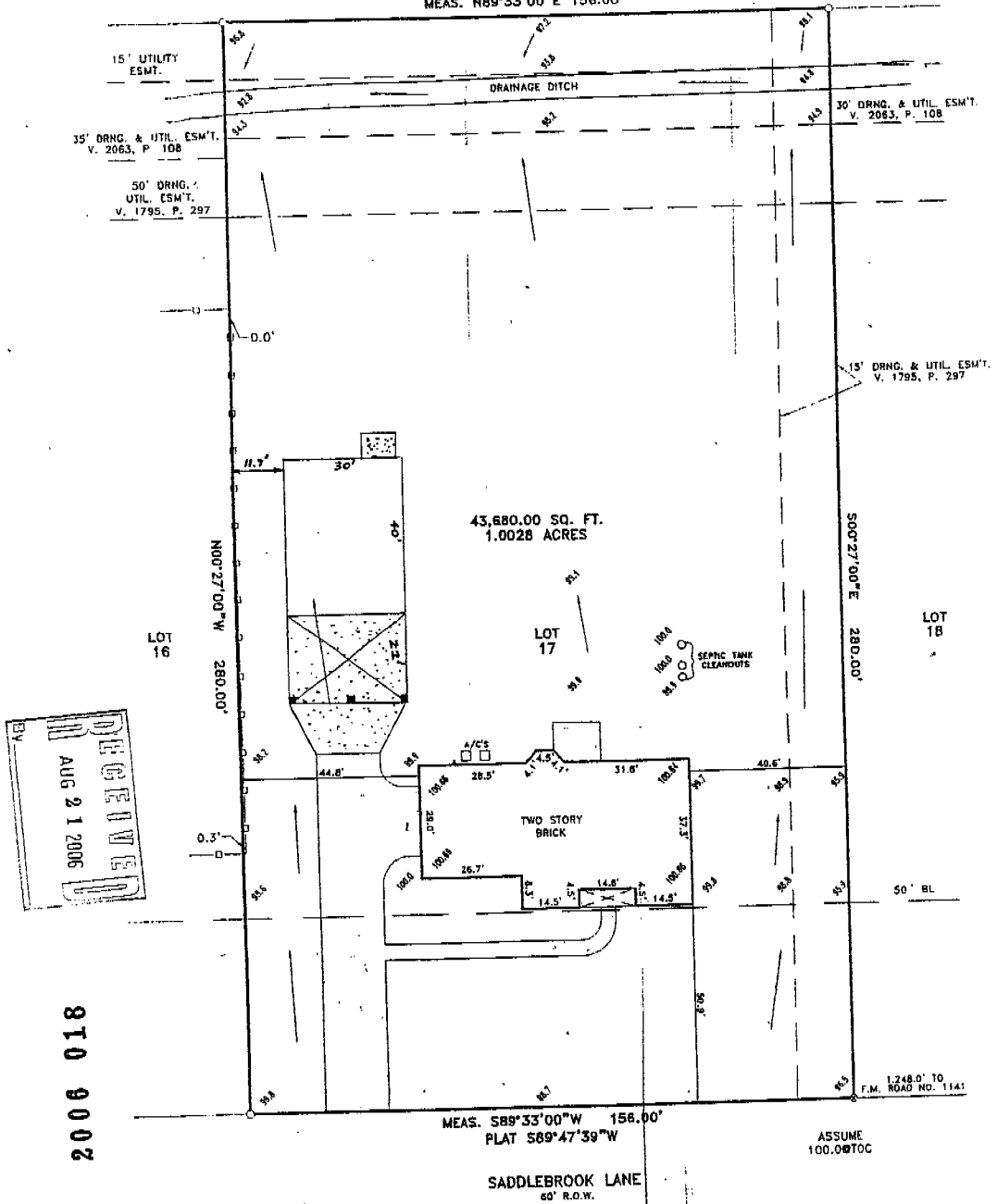
1<sup>st</sup> Reading: 09-18-06  
2<sup>nd</sup> Reading: 10-02-06

# SURVEY PLAT

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 2364 SADDLEBROOK LANE in the city of ROCKWALL, Texas, Lot No. 17 Block No. A of SADDLEBROOK ESTATES II an addition to the City of ROCKWALL, ROCKWALL COUNTY, Texas, according to the MAP THEREOF recorded in Volume B at Page 238 of the MAP Records of ROCKWALL County, Texas.

SADDLEBROOK ESTATES FIRST SECTION  
SLIDE A, PAGE 307

PLAT N89°47'39"E  
MEAS. N89°33'00"E 156.00'



NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.  
 NOTE: According to the F.I.R.M. in Map No. 480543 0005 B this property does lie in Zone C and DOES NOT lie within the 100 year flood zone.  
 This survey is made relying upon the information provided by DRH Title Company in connection with the transaction described in  
 O.F. 13222-R3-01-E. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall  
 not be the responsibility of the undersigned. The plat hereon is a correct and accurate representation of the property lines and dimensions are as indicated; location and type  
 of buildings are as shown; and EXCEPT AS SHOWN, all improvements are located within the boundaries and the distances indicated, and there are no visible and apparent  
 encroachments or protrusions on the ground.

ACCEPTED BY: \_\_\_\_\_ DATE \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_ SIGNATURE \_\_\_\_\_

Drawn By: ORTENCIA  
 Scale: 1" = 30'  
 Date: 11-06-02  
 Borrower: BERGER  
 Job No. 0206834-2

LEGEND	
○ 1/2" IRON ROD FOUND	● POWER POLE
⊗ 5/8" IRON ROD SET	■ BRICK COLUMN
⊖ 1" IRON PIPE FOUND	— A/C — AIR CONDITIONING
□ FENCE POST CORNER	— COVERED PORCH, DECK OR CARPORT
⊠ "X" FOUND IN CONCRETE	— OVERHEAD ELECTRIC SERVICE
▲ UNDERGROUND ELECTRIC	— OVERHEAD POWER LINE
△ OVERHEAD ELECTRIC	— ASPHALT PAVING
— GRAY — GRASS	— CONCRETE PAVING
— DOTTED — GRAVEL/ROCK ROAD OR DRIVE	

DOUG CONNALLY & ASSOC., INC.  
 9754 SKILLMAN STREET  
 DALLAS, TEXAS 75243  
 PHONE: (214) 349-9450  
 FAX: (214) 349-2211  
 www.dcasurveying.com  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 BRIAN GALLIA

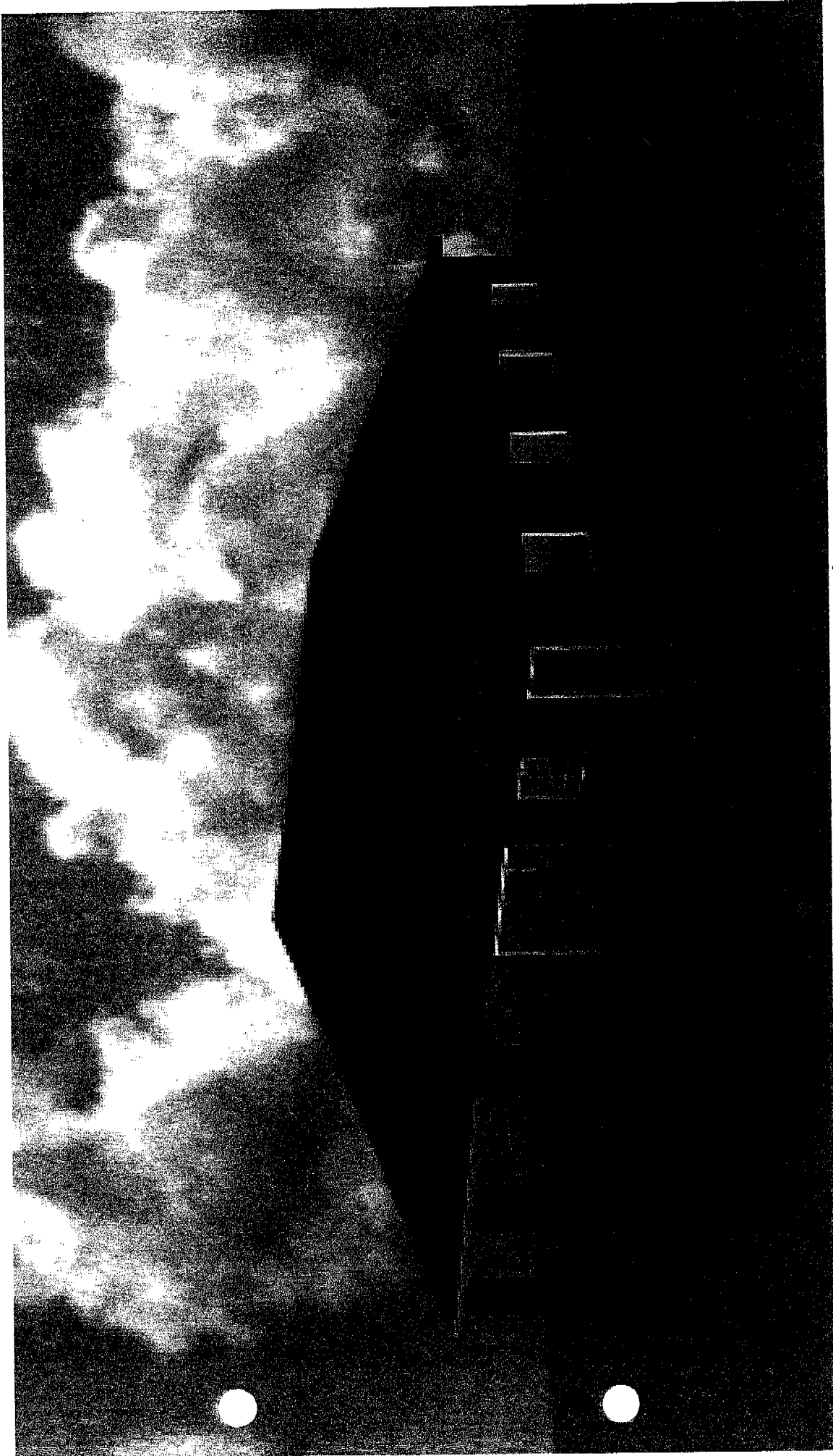
EXHIBIT "A"

Page 3 of 6

Z2006-018 Berger SUP

FILE COPY

**EXHIBIT "B"**



2006 018

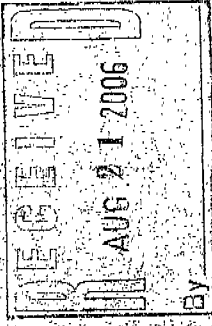
RECEIVED  
AUG 21 2006  
BY \_\_\_\_\_ (Page 4 of 6)

**FILE COPY**  
Z2006-018\_Berger SUP

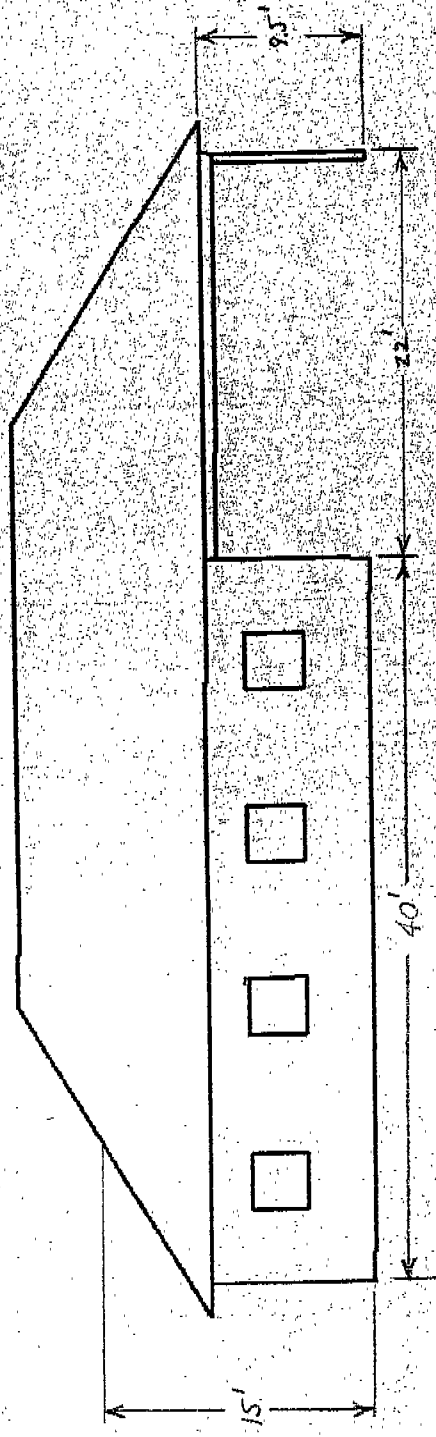
EXHIBIT "B" (cont.)

SIDE

FILE C

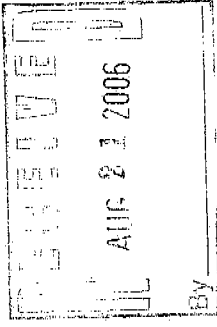


2006 018



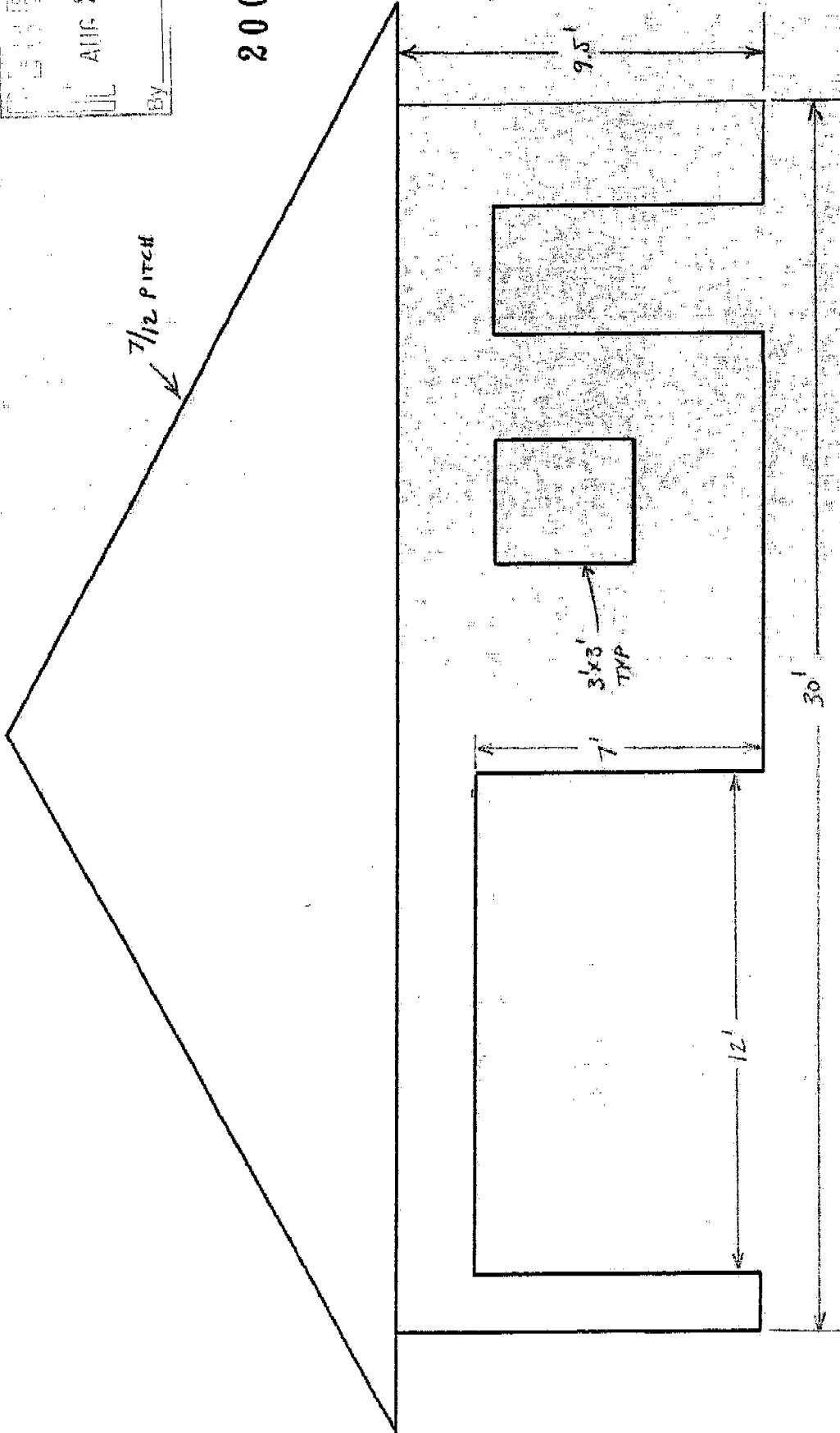
# EXHIBIT "B" (cont.)

FRONT




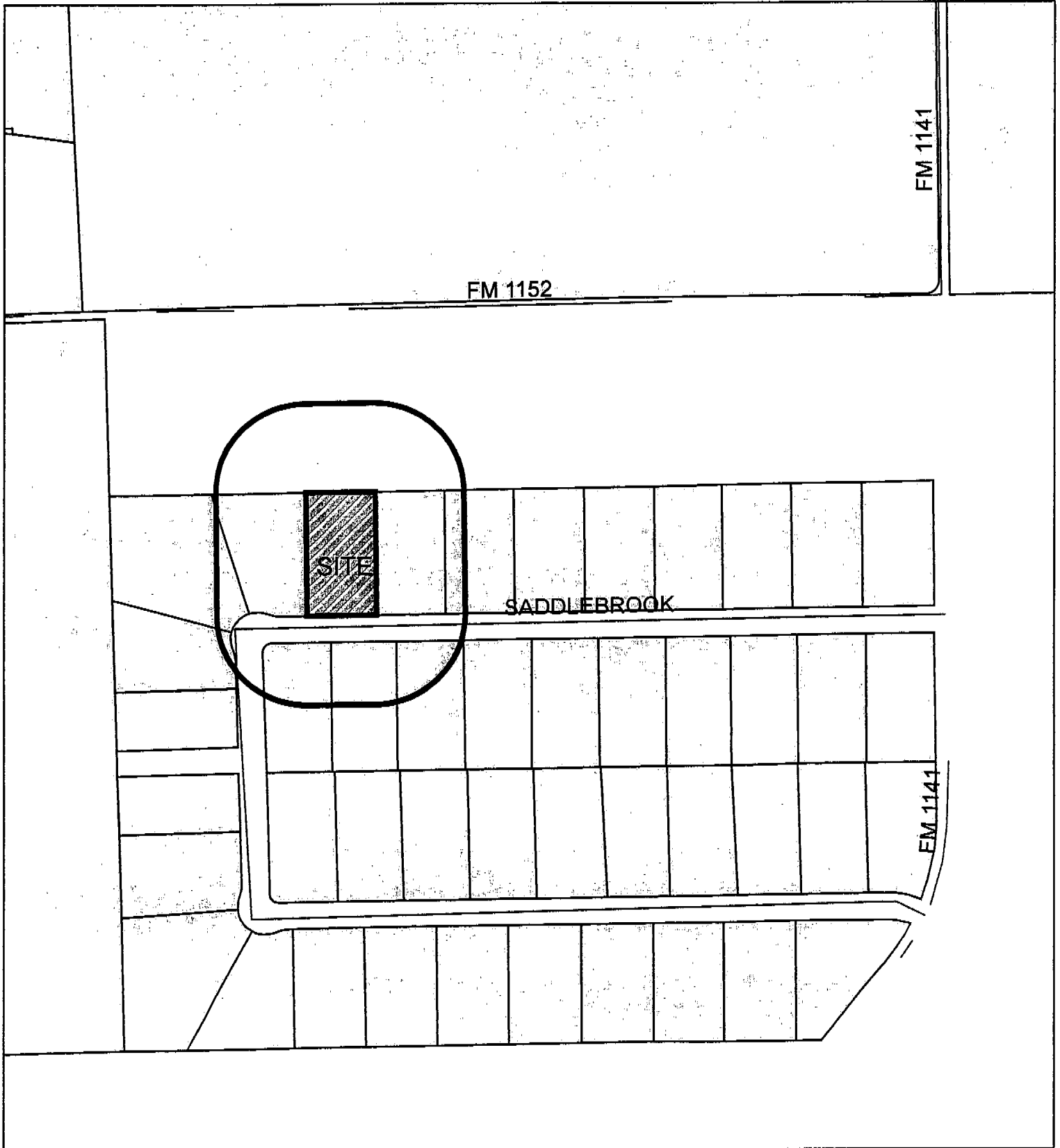
7/12 PITCH

2006 018



# Legend

 200-ft Buffer



N



## Location Map

**Z2006-018 (SUP)**

**2364 SADDLEBROOK LANE**

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.

# 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#:** 05500723  
**Phone:** (972)771-7700  
**Date:** 10/03/06

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

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
02 ROCKWALL COUNTY NEWS	10/12/06	10/12/06	1	57.00		57.00

**Payment Reference:**

LG#223314  
ORDINANCE #06-41  
RCN= 10/12

**Total:** 57.00  
**Tax:** 0.00  
**Net:** 57.00  
**Prepaid:** 0.00

**Total Due** 57.00



# 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:

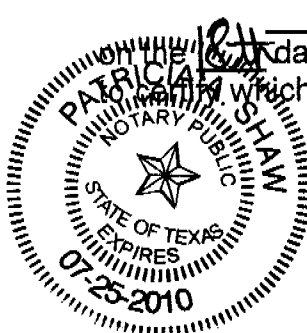
October 12<sup>th</sup> A.D. 2006  
Wm. Jordan

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 12<sup>th</sup> day of October A.D. 2006  
I, Patricia A. Shaw, 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: 09-18-06  
2nd Reading: 10-02-06