

CITY OF ROCKWALL

ORDINANCE NO. 08-10

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 WITHIN THE (SF-E/1.5) SINGLE-FAMILY ESTATE DISTRICT ALLOWING FOR AN ACCESSORY BUILDING EXCEEDING THE MAXIMUM SIZE AND HEIGHT REQUIREMENTS, ON A TRACT LOCATED AT 2040 BROKEN LANCE LANE, BEING LOT 17, BLOCK B, OAKS OF BUFFALO WAY 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 Tony Linduff for a Specific Use Permit allowing for an accessory building exceeding the maximum size and height requirements within the (SF-E/1.5) Single-Family Estate District, on a tract located at 2040 Broken Lance Lane, being Lot 17, Block B, Oaks of Buffalo Way 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 an accessory building exceeding the maximum size and height requirements within the (SF-E/1.5) Single-Family Estate District, on a tract located at 2040 Broken Lance Lane, being Lot 17, Block B, Oaks of Buffalo Way 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 hereto as Exhibit "A" and the approved building elevations attached hereto as Exhibit "B."
2. The exterior materials of the accessory building must match the materials on the home.
3. The maximum building size is limited to 1,600 square feet in area.

4. The maximum overall height of the building shall be 33-feet as shown on the attached building elevations.
5. A hold harmless agreement and/or waiver of fire protection may be required 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 4th day of February, 2008.



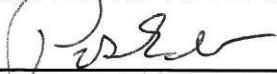
William R. Cecil, Mayor

ATTEST:



Kristy Ashberry, Interim City Secretary

APPROVED AS TO FORM:



Pete Eckert, City Attorney

1st Reading: 01-22-08

2nd Reading: 02-04-08

Advertising Receipt

MET PUBLISHING, INC.

P.O. BOX 669
Terrell, TX 75160

Phone: 972-563-6476

Fax: 972-563-0340

ROCKWALL, CITY OF- Kristy Ashb
KRISTY ASHBERRY
385 SOUTH GOLIAD
ROCKWALL , TX 75087

Acct #: 01100978
Ad #: 00007828
Phone: (972)771-7700
Date: 02/11/2008
Ad taker: 11 **Salesperson:** 6

Sort Line: LG#969658

Classification 001

Description	Total
02 ROCKWALL COUNTY NEWS 02/14/2008	60.00

Total: 60.00
Tax: 0.00
Net: 60.00
Prepaid: 0.00

Total Due: 60.00

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 that 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 Kaufman County.

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

February 14th A.D. 2008

William Jordan
William Jordan
Editor and Publisher

SUSCRIBED AND SWORN BEFORE ME

By William Jordan who

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

on the 18th day of February, A.D. 2008
to certify which witness my hand and seal of office.

Patricia A. Shaw
Notary Public, State of Texas

**CITY OF ROCKWALL
ORDINANCE NO. 08-10**

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 WITHIN THE (SF-E/1.5) SINGLE-FAMILY ESTATE DISTRICT ALLOWING FOR AN ACCESSORY BUILDING EXCEEDING THE MAXIMUM SIZE AND HEIGHT REQUIREMENTS, ON A TRACT LOCATED AT 2040 BROKEN LANCE LANE, BEING LOT 17, BLOCK B, OAKS OF BUFFALO WAY 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.

/s/ William R. Cecil, Mayor
/s/ Kristy Ashberry, Interim City Secretary
1st Reading: 01-22-08
2nd Reading: 02-04-08

