

CITY OF ROCKWALL

ORDINANCE NO. 08-31

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 EXCEEDING THE MAXIMUM REQUIREMENTS WITHIN THE LAKE RAY HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 25, BLOCK B, HILLCREST SHORES PHASE 3 ADDITION AND LOCATED AT 1200 CRESTCOVE DRIVE; 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 exceeding the maximum requirements within the Lake Ray Hubbard Takeline Overlay District has been requested by Robert Scott Jungels on a tract of land adjacent to Lot 25, Block B, Hillcrest Shores Phase 3 Addition and located at 1200 Crestcove Drive; 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 exceeding the maximum requirements within the Lake Ray Hubbard Takeline Overlay District on a tract of land adjacent to Lot 25, Block B, Hillcrest Shores Phase 3 Addition and located at 1200 Crestcove Drive; City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Article V, Section 6.15 Lake Ray Hubbard Takeline Overlay (TL OV) 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. Submittal and approval of required building permit(s).
2. The patio shall be constructed in accordance with the site plan attached as Exhibit "A."
3. The material for the patio shall be concrete with an exposed aggregate appearance as indicated on the attached Exhibit "B."

4. The maximum size of the patio shall be 1,000-sf.
5. The patio shall comply with all other City of Rockwall Codes and the specifications set forth in the Takeline Overlay district.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

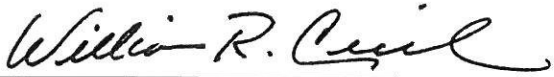
Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. 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 6. 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.

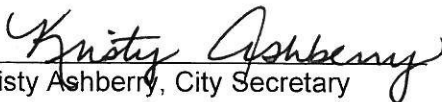
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of July, 2008.



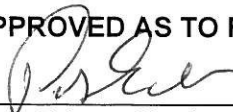
William R. Cecil, Mayor

ATTEST:



Kristy Ashberry, City Secretary

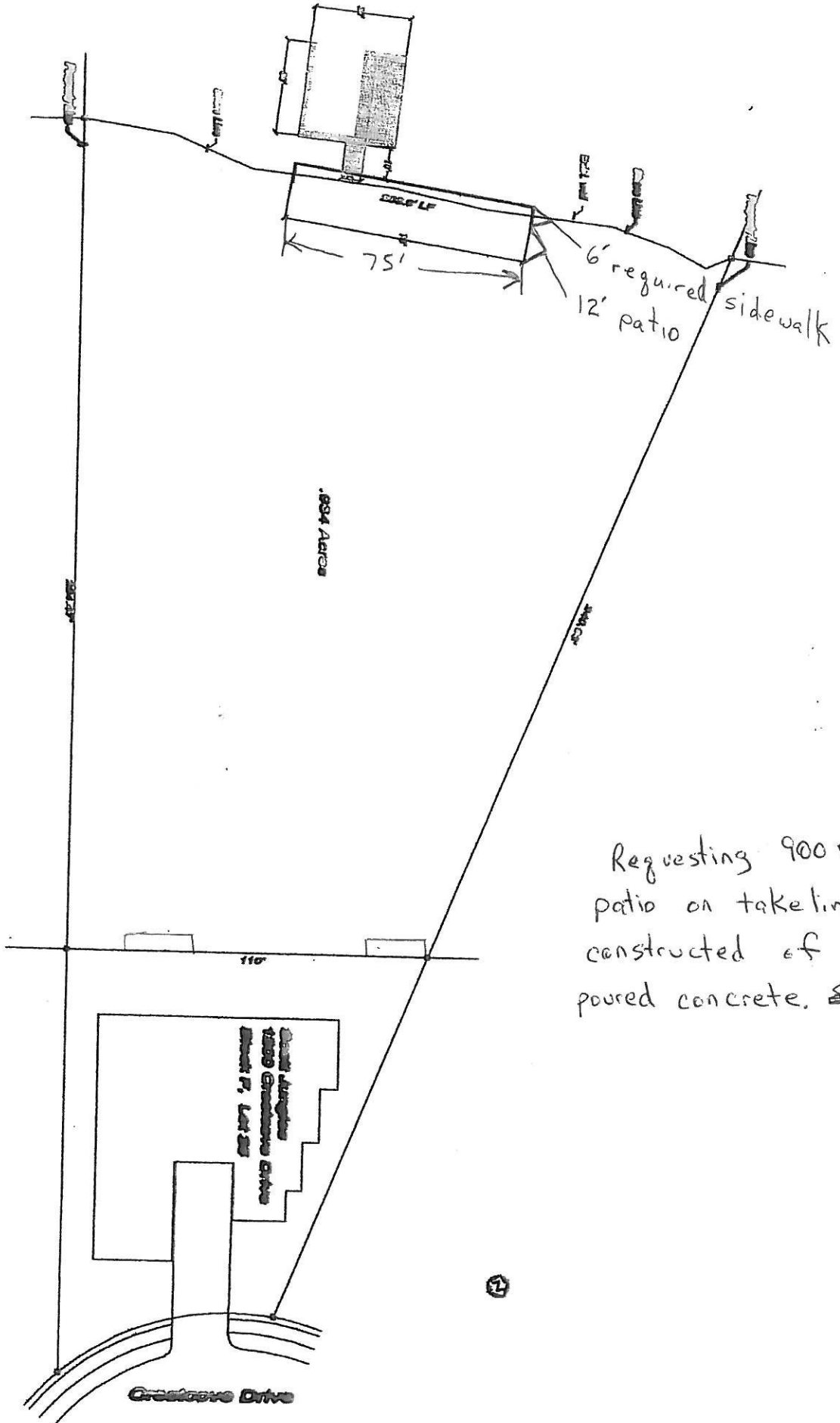
APPROVED AS TO FORM:




Pete Eckert, City Attorney

1st Reading: 06-16-08

2nd Reading: 07-07-08



Requesting 900 sq
 patio on take line
 constructed of
 poured concrete. 



Proposed look of exposed aggregate concrete.