

CITY OF ROCKWALL

ORDINANCE NO. 12-18

SPECIFIC USE PERMIT NO. S-96

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 PLANNED DEVELOPMENT DISTRICT 45 (PD-45) ALLOWING FOR AN ACCESSORY BUILDING NOT OTHERWISE ALLOWED BY ARTICLE IV, PERMISSIBLE USES, OF THE UNIFIED DEVELOPMENT CODE, ON THE PROPERTY LOCATED AT 2490 DAYBREAK DRIVE, BEING A 0.217 ACRE TRACT OF LAND DESCRIBED AS LOT 10, BLOCK A OF LOFLAND FARMS, PHASE 1 ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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 Michael H. Philippus for a Specific Use Permit allowing for an accessory building not otherwise allowed by Article IV, Permissible Uses, of the Unified Development Code within Planned Development District 45 (PD-45), on the property located at 2490 Daybreak Drive, being a 0.217 acre tract of land described as Lot 10, Block A of Lofland Farms, Phase 1 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 not otherwise allowed by Article IV, Permissible Uses, of the Unified Development Code within Planned Development District 45 (PD-45), on the property located at 2490 Daybreak Drive, being a 0.217 acre tract of land described as Lot 10, Block A of Lofland Farms, Phase 1 Addition, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the following conditions:

- 1) The accessory building must conform to the approved site plan and building elevations depicted in Exhibits 'A' & 'B' of this ordinance.

- 2) Prior to enlarging or altering the accessory building the applicant will be required to amend the Specific Use Permit and apply for a building permit to confirm compliance to all applicable codes.

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 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.

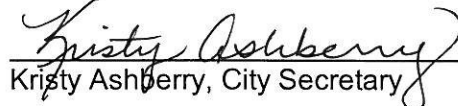
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF AUGUST, 2012.



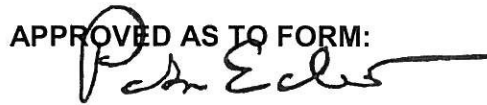
David Sweet, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Pete Eckert, City Attorney



1st Reading: 07-16-12

2nd Reading: 08-06-12

Exhibit A: Site Plan

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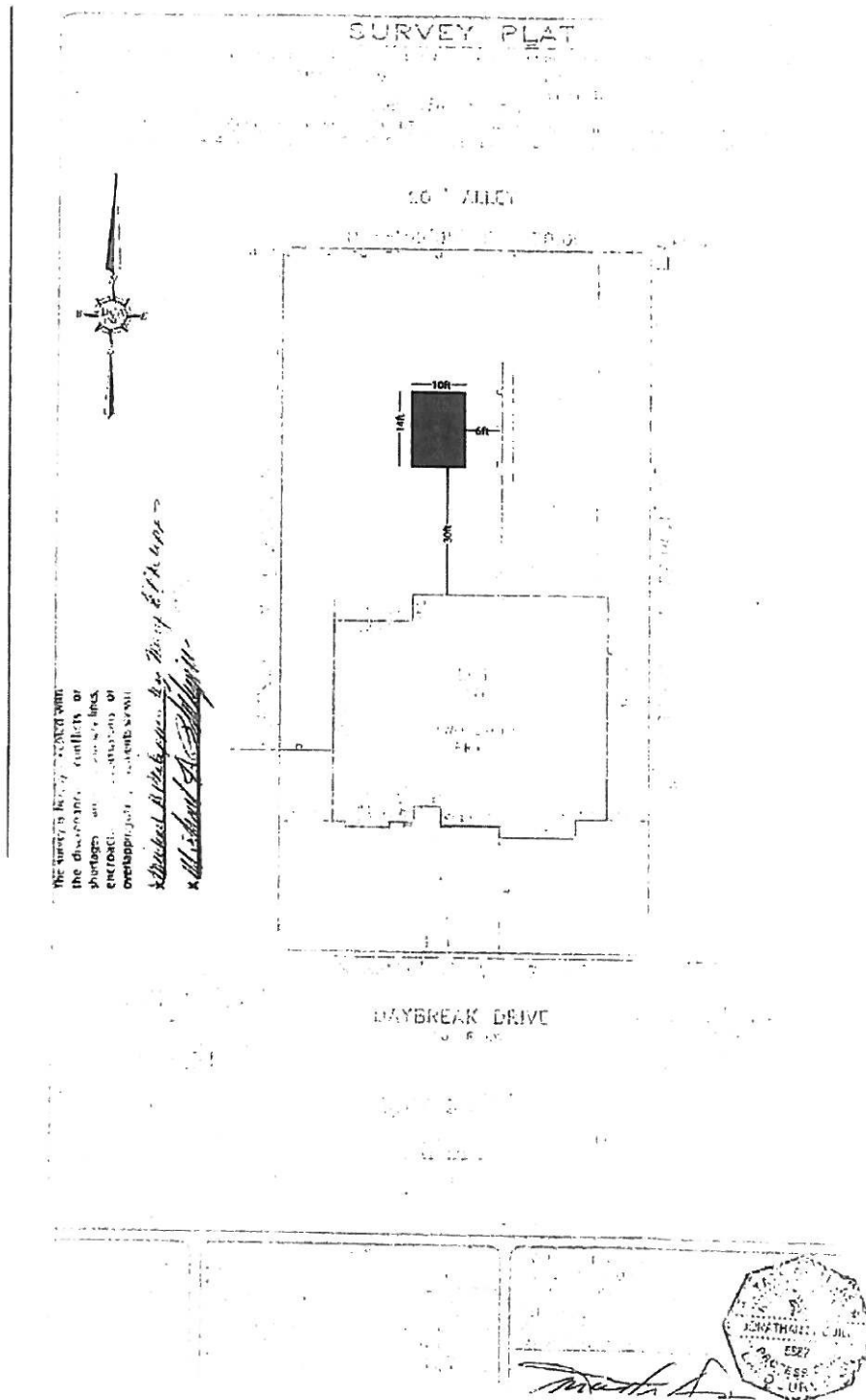
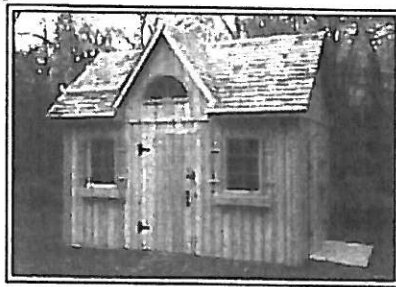


Exhibit B: Building Elevations
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The garden shed is a kit from Summerwood.com

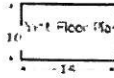
<http://www.summerwood.com/products/sheds/copper-creek-2/87707.html>



10ft. x 14ft. Copper Creek

Customizable Package

The proud customer was inspired by one of our past building configurations and decided to duplicate it exactly. The end result was a beautiful and practical storage space which defines the entire yard.



- 3D Video Tour
- Dimensions/Details
- Pricing & Features

Print Email Save this design Enlarge

Scroll to view - click to enlarge...



Tweet 0 +1 0

Options Featured: learn about options Page 1 | 2






 Cedar Shingles	 Rough Cedar Siding 2	 D1 Std Door	 L5 Dol Arch	 W1 Std Window 2	W5 B Fen Arch
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Photo #137444

Options Featured: learn about options Page 1 | 2

 4P3 Floor Dec 2	 4S Floor Shutters 2	 V6 45 Vents
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Photo #137444

Exhibit B: Sample Material List

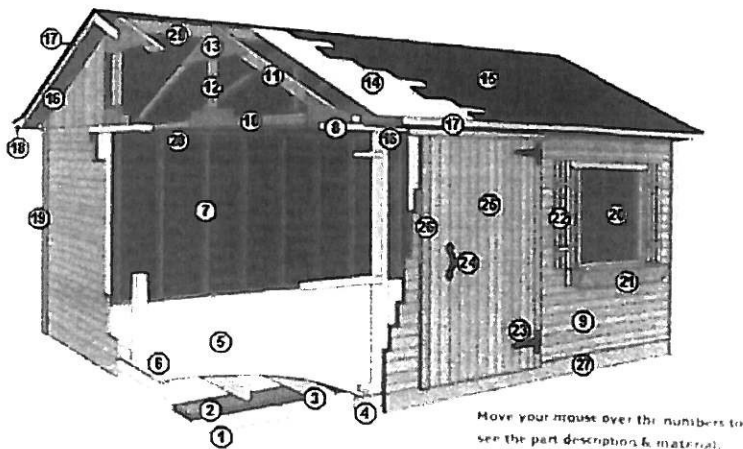
(Page 2 of 2)

This is a sample materials list from the website.

<http://www.summerwood.com/construction/sheds/details/copper-creek.html>

Materials Cutaway (Sample: 8 ft. x 12 ft. Palmerston)

Roll over the numbers in the materials cutaway below and learn about the materials that make up the shed.



Move your mouse over the numbers to see the part description & material.

- | | | |
|---|--------------------|-----------------------------|
| 1. Gable end cutaway | 10. Roof joint | 19. Corner piece |
| 2. Floor joists | 11. Rafter | 20. Standard window |
| 3. Front skirt | 12. Centre support | 21. Standard 5' flower box |
| 4. Front plate | 13. Gable | 22. Standard window shutter |
| 5. Flooring | 14. Keel Board | 23. Top hinge |
| 6. Bottom cutaway plate | 15. Shingles | 24. Door pul and latch |
| 7. Wall studs | 16. Soffit | 25. Standard door |
| 8. Top wall plate | 17. Fascia Board | 26. Door casing |
| 9. 2x6 Western red cedar w/ groove for gable ending | 18. End Caps | 27. Skirting |