

CITY OF ROCKWALL

ORDINANCE NO. 13-38

SPECIFIC USE PERMIT NO. S-112

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 SINGLE-FAMILY ESTATE (SF-E/2.0) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE EXTERIOR CLADDING REQUIREMENTS, ON THE PROPERTY LOCATED AT 5866 FM-549, BEING A 2.0 ACRE TRACT OF LAND DESCRIBED AS TRACT 8-12, ABSTRACT 80, W.W. FORD SURVEY, CITY AND COUNTY OF ROCKWALL, TEXAS; 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 James Brinkley for a Specific Use Permit allowing for an accessory building not meeting the exterior cladding requirements within the Single-Family Estate (SF/E-2.0) District, on the property located at 5866 FM-549, being a 2.0 acre tract of land described as Tract 8-12, Abstract 80, W.W. Ford Survey, 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 meeting the exterior cladding requirements within the Single-Family Estate (SF/E-2.0) District, on the property located at 5866 FM-549, being a 2.0 acre tract of land described as Tract 8-12, Abstract 80, W.W. Ford Survey, 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) The accessory structure shall not exceed 625-square feet in area.
- 3) The accessory structure shall not exceed a maximum height of 15 feet.

- 4) The accessory building is subject to administrative review in the event that the subject property is sold or conveyed in any manner to another party, subdivided, or replatted.
- 5) 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 the official zoning map of the City be corrected to reflect the changes in zoning described herein.

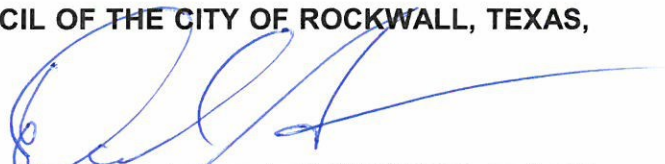
Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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.

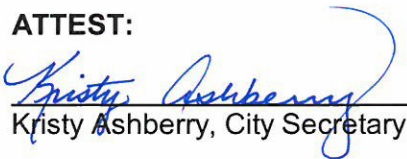
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 21st DAY OF October, 2013.**



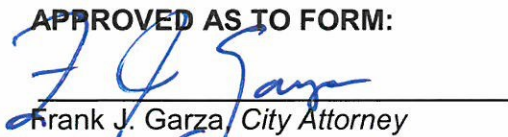
David Sweet, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



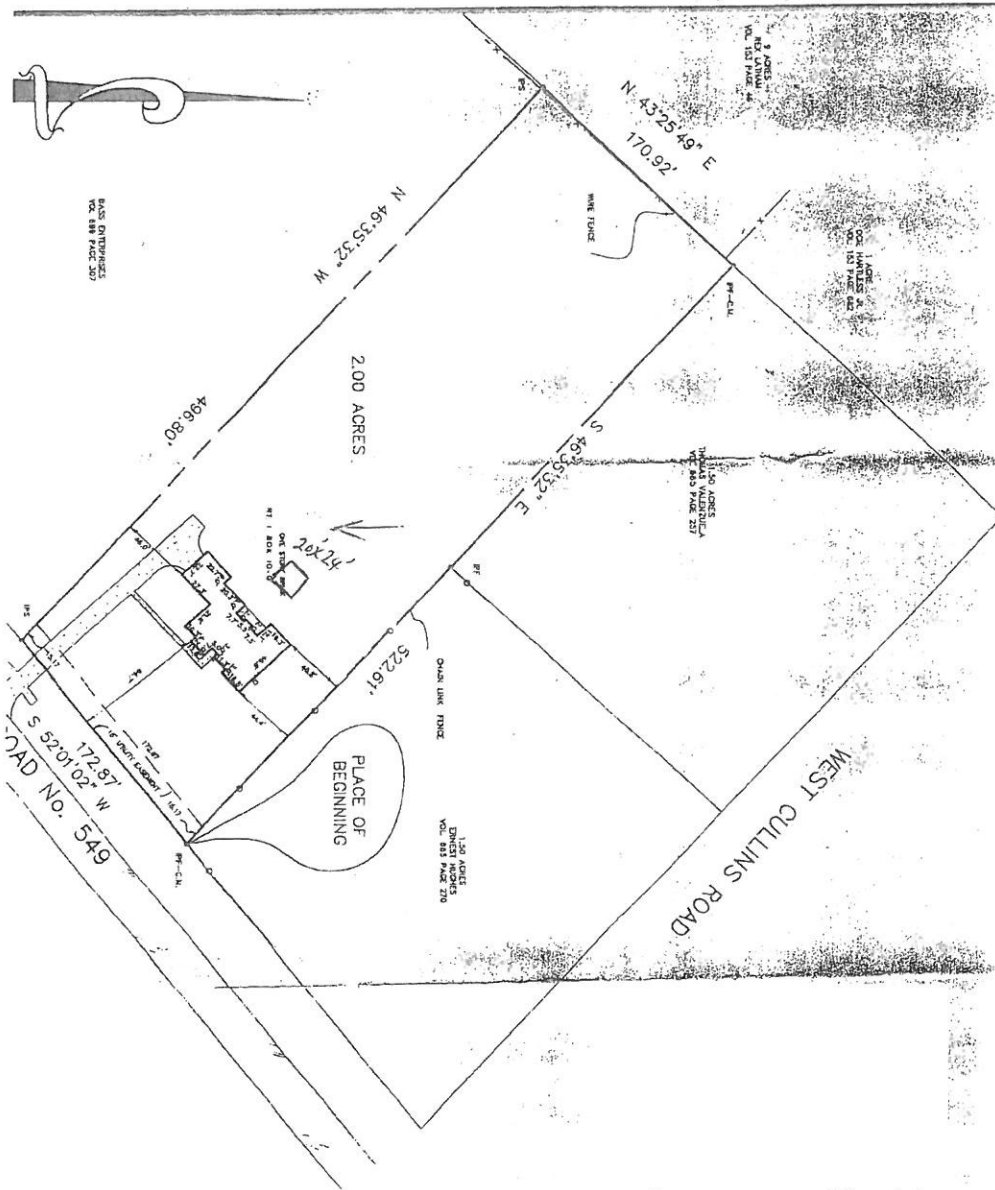
Frank J. Garza, City Attorney



1st Reading: 10-07-13

2nd Reading: 10-21-13

Exhibit A: Property Survey



BEGINNING at a point on the East corner of said Ernest Hughes 1.50 acre tract for corner:
 THENCE S 52°01'02" W a distance of 172.87 feet;
 THENCE N 46°35'32" W a distance of 496.80 feet to a point being recorded in Volume 1531
 THENCE N 43°25'49" E a distance of 170.92 feet to the North corner of the 1.50 acre tract of Thomas Valenti, a 51.50 acre tract for corner;
 THENCE S 46°35'32" E a distance of 522.01 feet to the Southwest corner of the 2.00 acre tract recorded in Volume 668 - Page 257, recorded in Volume 665, BEGINNING and containing land title Survey and PI Surveyor on May 19, 1991

I, Kenneth E. Brown, Be that: A) this plat and prepared from an on the survey was conducted on and the location, size and hereon, there are no enc there are no improvem rights-of-way on the prc shortage in area or improvements, if any, ar distances indicated; f all applicable easements shown hereon; H) the 5s and this SERVICE CONFOR SURVEYING, PROCEDURES, E exclusive use of ROCKWA) create of # 93102065 others.

Exhibit B: Elevations

