

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 02-16

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM "A", AGRICULTURAL TO "SF-E/1.5", SINGLE-FAMILY ESTATE, FOR A TRACT OF LAND CONTAINING 78.45 ACRES; 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 zoning change from "A", Agricultural to "SF-E/1.5", Single Family Estate, attached as Exhibit "B", has been initiated by the City of Rockwall for a tract of land containing 78.45 acres known as Sterling Farms Addition and also described on Exhibit "A" attached hereto and made a part hereof; 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 Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of a zoning change from "A", Agricultural to "SF-E/1.5", Single-Family Estate, attached as Exhibit "B", on a tract of land containing 78.45 acres known as Sterling Farms Addition and also described on Exhibit "A", attached hereto and made a part hereof.

Section 2. That the tract of land described in the attached Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this approval shall affect only the property described in the attached Exhibit "A" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development in the area within Exhibit "A" shall be limited to uses and requirements listed in **Section 2.1A (SF-E/1.5) Single-Family Estate** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23).

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

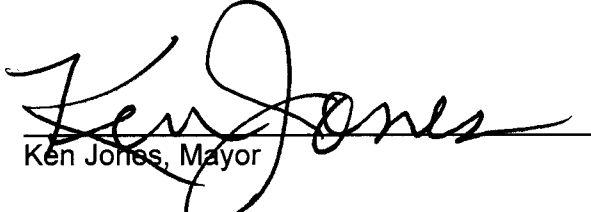
Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense 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 Comprehensive Zoning Ordinance No. 83-23 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 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 8. 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.

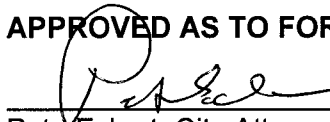
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 1st day of April, 2002.

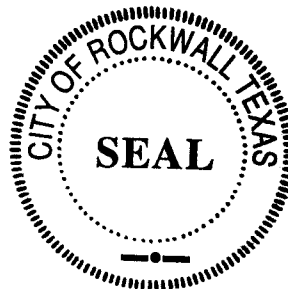

Ken Jones, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney



1st Reading: March 18, 2002

2nd Reading April 1, 2002

EXHIBIT "A"

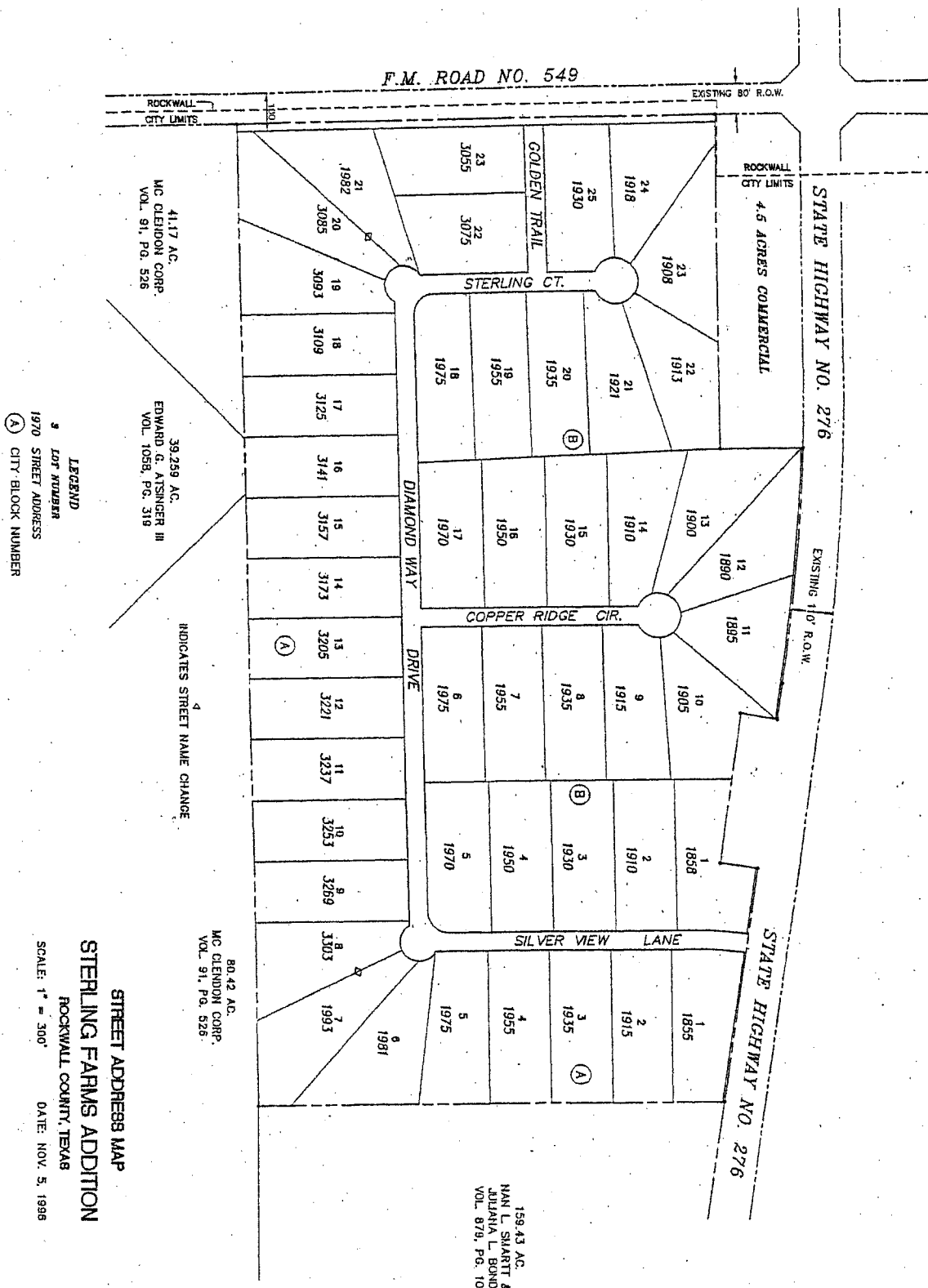


EXHIBIT "B"

(SF-E/1.5) SINGLE FAMILY ESTATE

SECTION 2.1A

A. PURPOSE

1. This district is considered to be the proper zoning classification for large lot developments for single-family dwelling use. This district is intended to be composed of single-family dwellings in a rural setting.
2. Areas that are zoned for this use shall have or provide for water, wastewater, drainage and access to paved streets based on single-family usage required by the allowed density.
3. It is intended for areas that are properly buffered from non residential uses, and protected from pollution and/or environmental hazards or from high volume of non-single family traffic.
4. Developers wishing to restrict their subdivision to lot sizes in excess of what this ordinance requires shall use restrictive covenants.

B. PERMITTED USES:

1. Agricultural uses on unplatted land, in accordance with all other adopted ordinances.
2. One detached single-family dwelling per lot.
3. Home occupations.
4. Day care centers with less than 7 children enrolled at any one time.
5. Paved automobile parking areas which are necessary to the uses permitted in this district.
6. Municipally owned or controlled facilities, utilities, and uses.
7. One portable building per lot not larger than one hundred twenty (120) square feet of floor area nor taller than ten (10) feet in height as an accessory to a residential use on the same lot. (Ord. 86-56)
8. No more than two (2) accessory buildings not exceeding fifteen (15) feet in height nor exceeding six hundred twenty five (625) square feet each, **or a single accessory building not exceeding fifteen (15) feet in height nor exceeding twelve hundred fifty (1,250) square feet**, as an accessory to a residential use on the same lot, **provided the exterior covering contains the same materials, excluding glass, as found on the main structure and generally in the same proportion.**

EXHIBIT "B"

SECTION 2.1A

(SF-E/1.5) SINGLE FAMILY ESTATE

9. One detached garage not exceeding fifteen (15) feet in height nor exceeding nine hundred (900) square feet as an accessory to a residential use on the same lot, provided the exterior covering contains the same materials, excluding glass, as found on the main structure and generally in the same proportion.
10. Private residential swimming pools as an accessory to a residential use.
11. Private unlighted residential tennis courts on the same lot, as an accessory to a residential use.
12. Nurseries, greenhouses and gardens, as an accessory to a residential use of the same lot where the products are not to be sold.
13. An accessory use customarily related to a principal use authorized in this district.
14. Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
15. Temporary on site construction offices limited to the period of construction, with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
16. Temporary concrete batching plants limited to the period of construction, upon approval of location and operation of the Building Official.
17. One amateur radio antenna and tower per residential lot as an accessory to a residential use not exceeding 40 feet in height and meeting all setbacks applicable to antennas. (Ord 87-69)

C. CONDITIONAL USES (Require Use Permits, See Article IV)

1. A mobile home on an unsubdivided tract of five acres or more or used as a temporary construction office, subject to the conditions established in Article IV.
2. Paved parking facilities for non-residential uses that are not allowed in this district if properly screened, buffered, and landscaped.
3. Facilities for railroads or those utilities holding a franchise under the City of Rockwall.
4. Institutional uses, including day care centers with more than 6 children enrolled at any one time.

EXHIBIT "B"

SECTION 2.1A

(SF-E/1.5) SINGLE FAMILY ESTATE

5. Semi-public uses.
6. A bed and breakfast operation as an accessory to a single-family dwelling unit subject to the conditions established in Article IV.
7. Detached garages, accessory buildings, or portable buildings exceeding the maximum permitted height or size requirements, or garages or accessory buildings not meeting the required materials requirements, used as an accessory to a residential use on the same lot. (Ord 87-54)
8. A private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights.
9. Associated recreation and/or community clubs.
10. Guest houses, or separate servant quarters, **not exceeding 600 square feet in area.**
11. One amateur radio antenna and tower per residential lot as an accessory to a residential use exceeding 40 feet in height subject to the conditions established in Article IV. (Ord. 87-69)
12. Kennel (non-commercial).

D. PROHIBITED USES:

1. Any building erected or land used for other than one or more of the preceding specified uses.
2. The storage of equipment, material or vehicles, including abandoned vehicles that are not necessary to the uses permitted in this district.
3. Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required.

E. AREA REQUIREMENTS:

1. **Minimum lot area - 65,340 square feet (1.5 Acres)**
2. **Maximum number of single-family detached dwellings units per lot - 1**
3. **Minimum square footage per dwelling unit - ~~4,800~~ 2,000 square feet**
4. **Minimum lot frontage on a public street - 150 feet**

EXHIBIT "B"

SECTION 2.1A

(SF-E/1.5) SINGLE FAMILY ESTATE

5. **Minimum lot depth - 250 feet**
6. **Minimum depth of front setback - 50 feet**
7. **Minimum depth of rear setback - 10 feet**
8. **Minimum width of side setback -**
 - (a) **Internal lot - 25 feet**
 - (b) **Abutting street - 25 feet**
 - (c) **Abutting an arterial - 25 feet**
9. **Minimum distance between separate buildings on the same lot or parcel of land - 10 feet**
10. **Minimum length of driveway pavement from public right-of-way for rear and side yard - 20 feet**
11. **Maximum building coverage as a percentage of lot area - 35 percent**
12. **Maximum height of structures - 36 feet**
13. **Minimum number of paved off-street parking spaces required for**
 - (a) **One single-family dwelling unit - 2 spaces**
An enclosed garage shall not be considered in meeting the off-street parking requirements.
 - (b) **All other uses (see Off-Street Parking, Article V)**
14. **See Article VIII, Sections 8.1 to 8.7 for further clarification, and exceptions and modifications.**

F. SPECIAL CONDITIONS:

1. **Animal Restrictions**
 - (a) **No more than one large animal can be maintained per acre of lot area.** For the purpose of this section a large animal shall be defined as cattle, horse, sheep and goats.
 - (b) **Swine and fowl are expressly prohibited.** Other types of animals which introduce an unusual disturbance to the community or adjoining property owners shall not be maintained.

EXHIBIT "B"

(SF-E/1.5) SINGLE FAMILY ESTATE

SECTION 2.1A

- (c) No large animals other than horses shall be kept for breeding purposes.
- 2. **Fences** - all fences in the SF-E district shall be architecturally harmonious with the development.
 - (a) Front yard fence height shall be no more than 42" inches in height.
 - (b) All fencing shall be 50% see-through, except that required for enclosing swimming pools or privacy areas behind the front building line.
 - (c) Painted rail-type fencing is considered to be in keeping with and architecturally harmonious with the SF-E developments.
 - (d) No fencing such as barbed wire shall be used. Smooth mesh-type fencing is allowed behind the building line.
 - (e) Solid type or stockade fencing or walls shall not be constructed on property lines.

