



CASE COVER SHEET

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

MASTER PLAT
PRELIMINARY PLAT
FINAL PLAT
REPLAT
AMENDING OR MINOR PLAT
PLAT REINSTATEMENT REQUEST

SITE PLAN APPLICATION

SITE PLAN
AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

ZONING CHANGE
SPECIFIC USE PERMIT
PD DEVELOPMENT PLAN

OTHER APPLICATION

TREE REMOVAL
VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD

PLANNING AND ZONING COMMISSION

CITY COUNCIL READING #1

CITY COUNCIL READING #2

CONDITIONS OF APPROVAL

NOTES



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST (SELECT ONLY ONE BOX):

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- ☒ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹ IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS

839 Cornelius

SUBDIVISION

LOT

BLOCK

A

GENERAL LOCATION

Between 1141 & 3549

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

AG District

CURRENT USE

SALE

PROPOSED ZONING

PROPOSED USE

ACREAGE

10.80

LOTS [CURRENT]

1

LOTS [PROPOSED]

1

☒ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☒ OWNER

☐ APPLICANT

CONTACT PERSON

Dewayne Cain

CONTACT PERSON

ADDRESS

Dewayne Cain
305 Stonebridge Dr

ADDRESS

CITY, STATE & ZIP

Rockwall, TX 75087

CITY, STATE & ZIP

PHONE

214-533-8641

PHONE

E-MAIL

dewayne.cain@5eoutlook.com

E-MAIL

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Dewayne Cain [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 365.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17th DAY OF April 2024 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17th DAY OF April, 2024

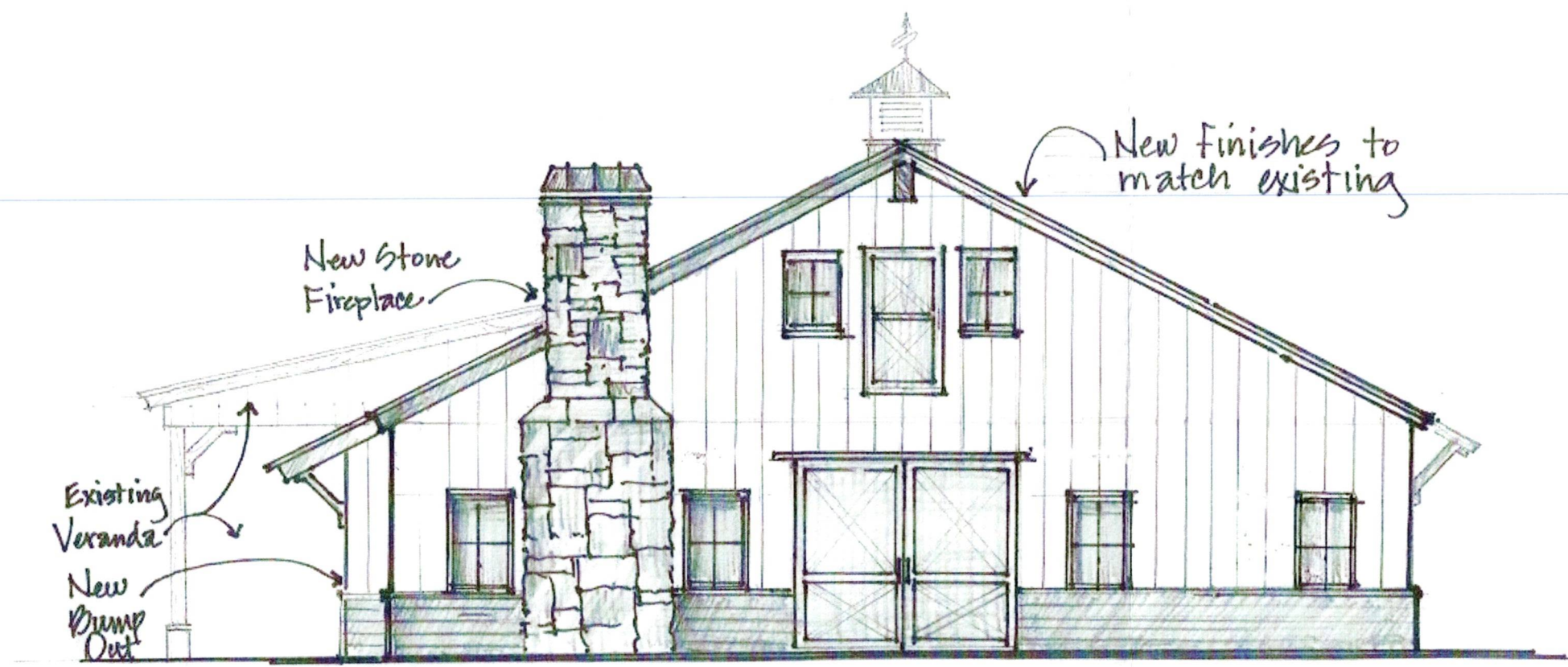
OWNER'S SIGNATURE

Dewayne Cain

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Sherrill M. [Signature]

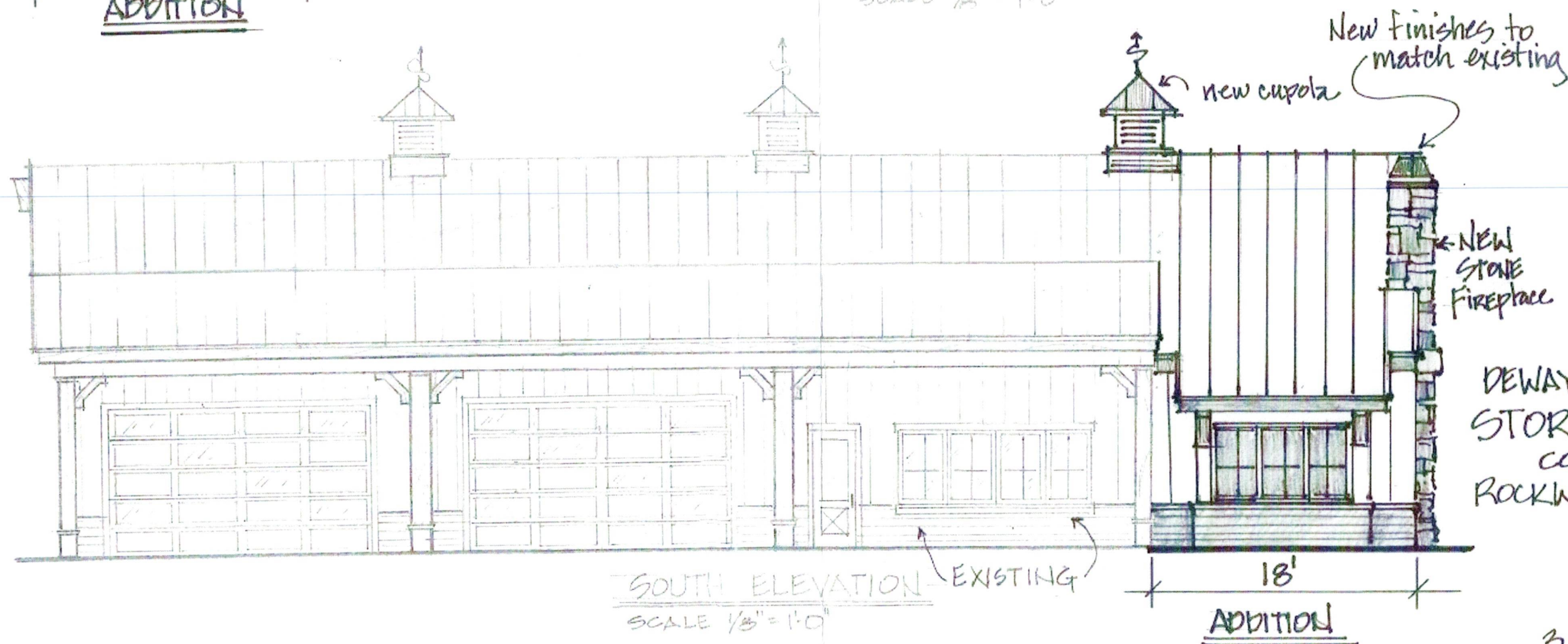
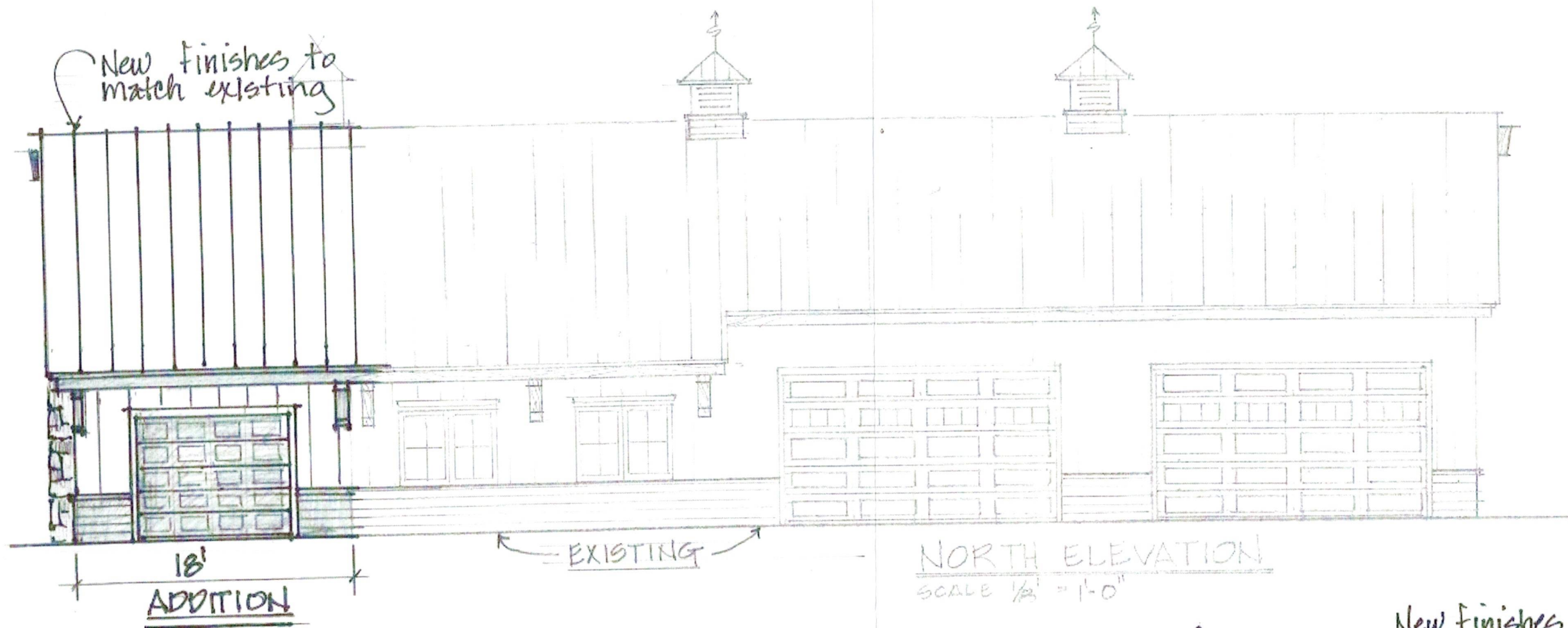




NEW EAST ELEVATION
SCALE 1/8" = 1'-0"

DEWAYNE CAIN
STORAGE BARN
CORNELIUS ROAD
ROCKWALL, TX 75087

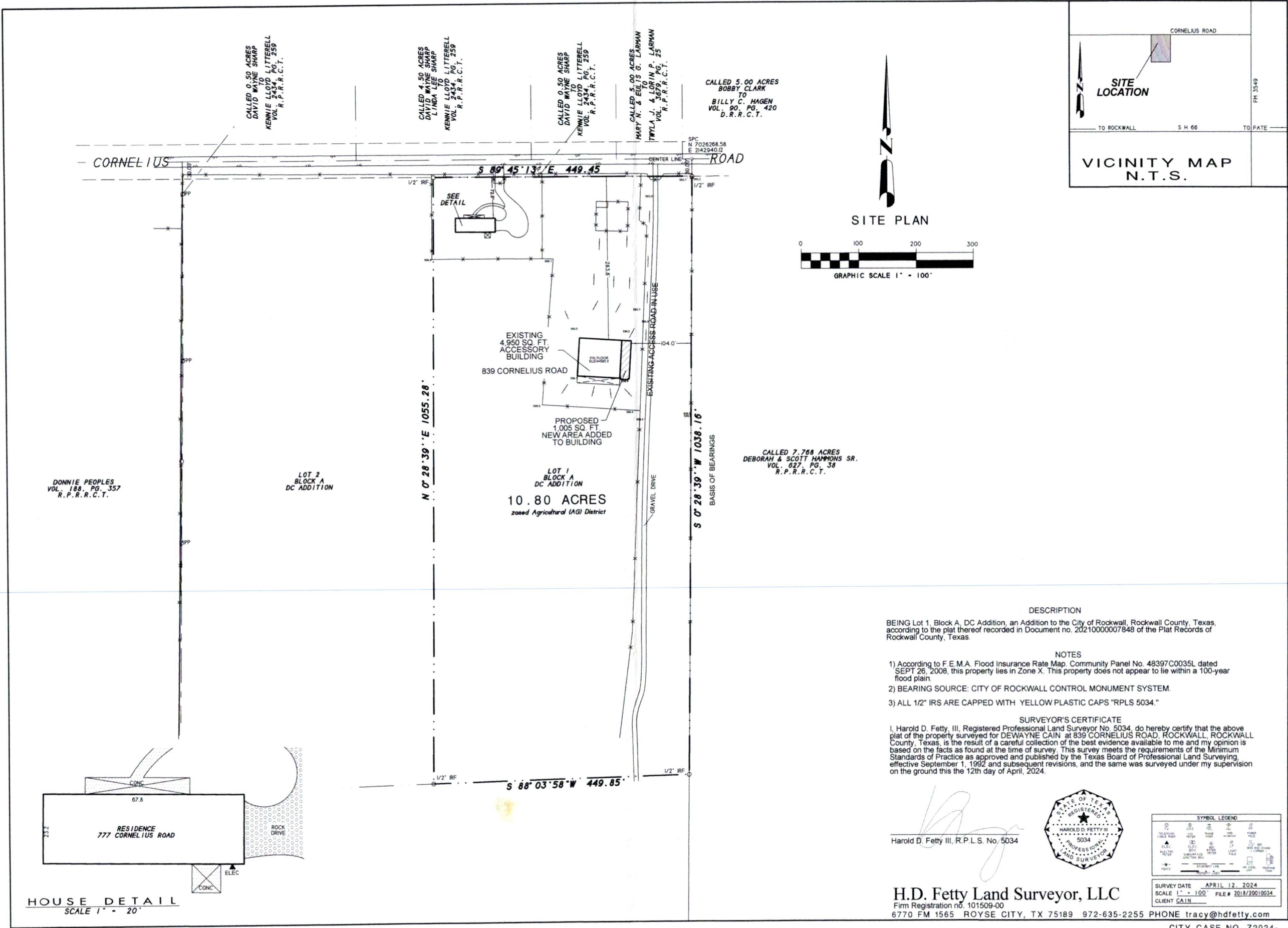
3.25.24



DEWAYNE CAIN
STORAGE BARN
CORNELIUS ROAD
ROCKWALL, TX 75087

3.25.24

3





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LOTS [PROPOSED]

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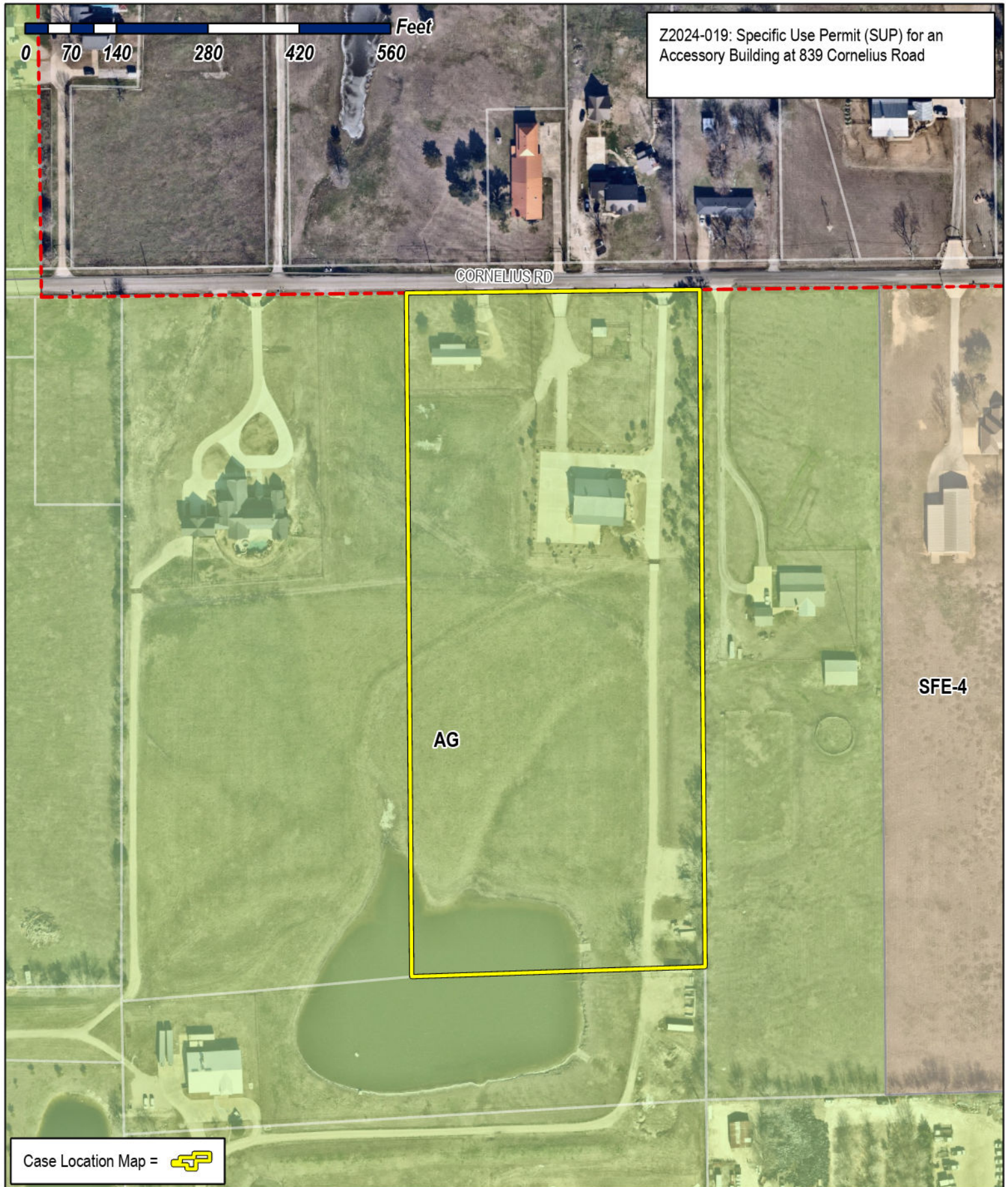
OWNER'S SIGNATURE

Dewayne Cain

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Sherrill M. [Signature]





Z2024-019: Specific Use Permit (SUP) for an
Accessory Building at 839 Cornelius Road

CORNELIUS RD

SFE-4

AG

Case Location Map = 



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

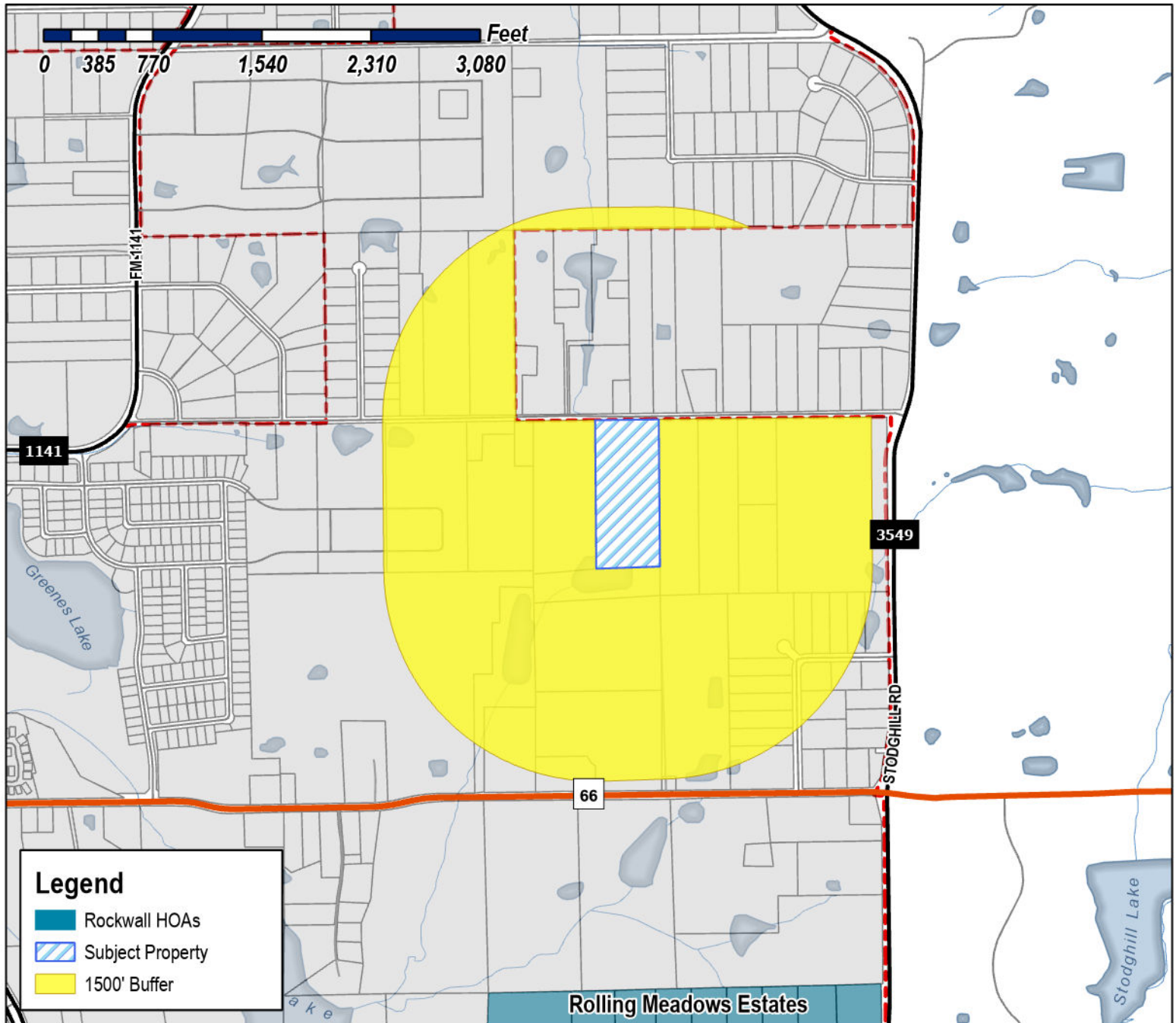




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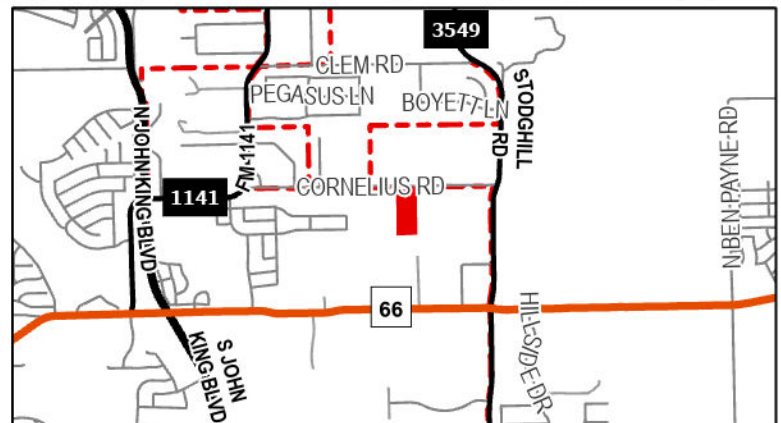
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Case Number: Z2024-019
Case Name: SUP for an Accessory Building
Case Type: Zoning
Zoning: Agricultural (AG)
Case Address: 839 Cornelius Road

Date Saved: 4/19/2024

For Questions on this Case Call (972) 771-7745

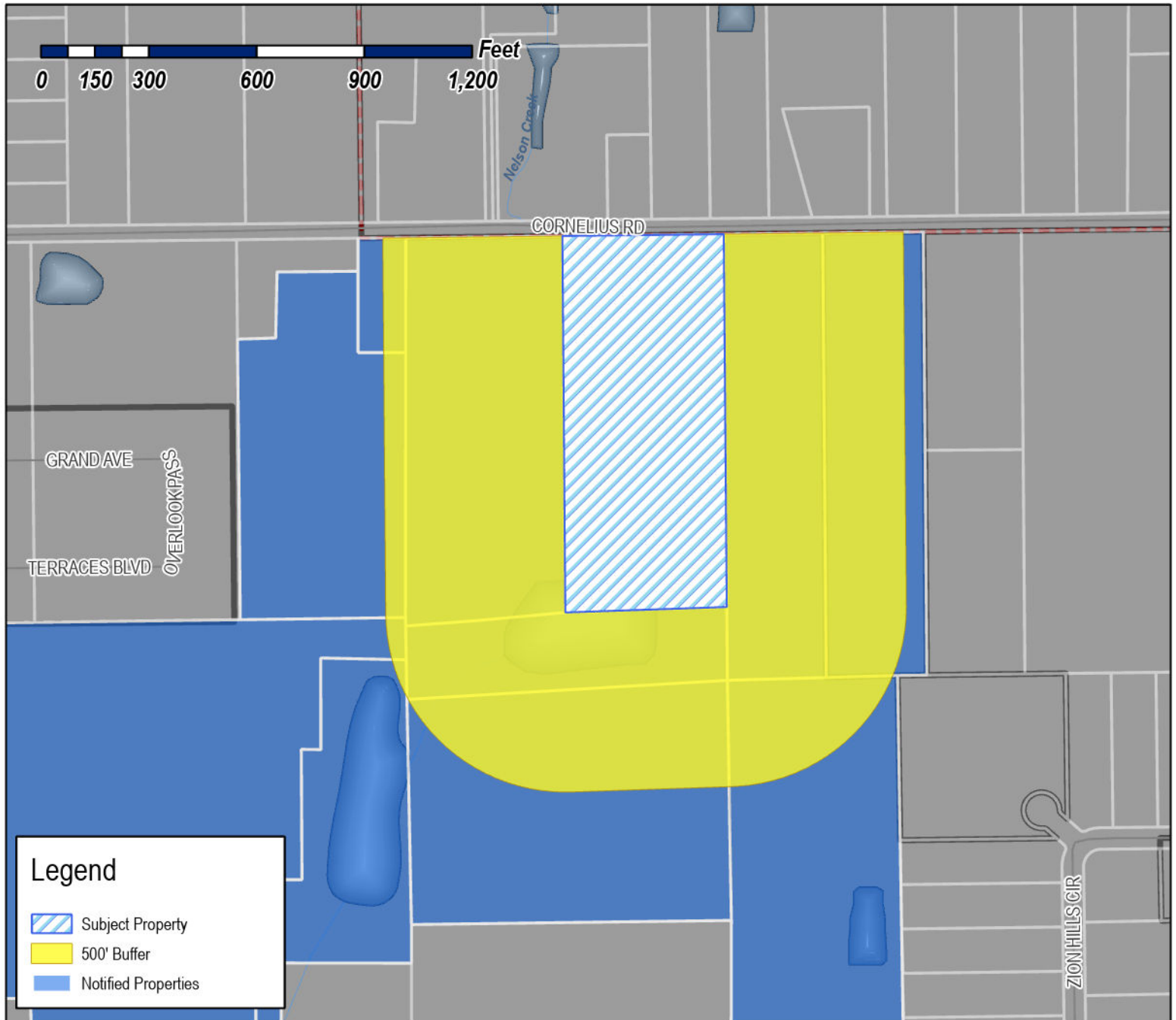




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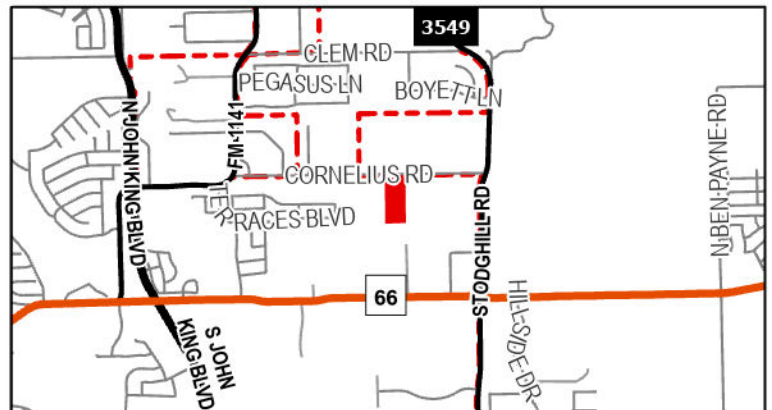
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COMBS TERRY G & RONNA T
2008 E COLLINS BLVD
RICHARDSON, TX 75081

BRIMELOW TIM
2055 WILLIAMS ST
ROCKWALL, TX 75087

RESIDENT
2294 E STATE HIGHWAY 66
ROCKWALL, TX 75087

RESIDENT
2750 E STATE HWY 66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CAIN DEWAYNE
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

PEOPLES DONNIE
589 CORNELIUS
ROCKWALL, TX 75087

RESIDENT
657 CORNELIUS RD
ROCKWALL, TX 75087

PEWITT RONNY M AND JENNIFER L
668 CORNELIUS ROAD
ROCKWALL, TX 75087

PERKINS RALPH TRENT & AMY CAIN
701 CORNELIUS RD
ROCKWALL, TX 75087

JONES DANIEL AND ALINA
722 CORNELIUS RD
ROCKWALL, TX 75087

RESIDENT
777 CORNELIUS RD
ROCKWALL, TX 75087

LOCKE GARY H, ASHLEY LOCKE &
WINONA CLARK
828 CORNELIUS ROAD
ROCKWALL, TX 75087

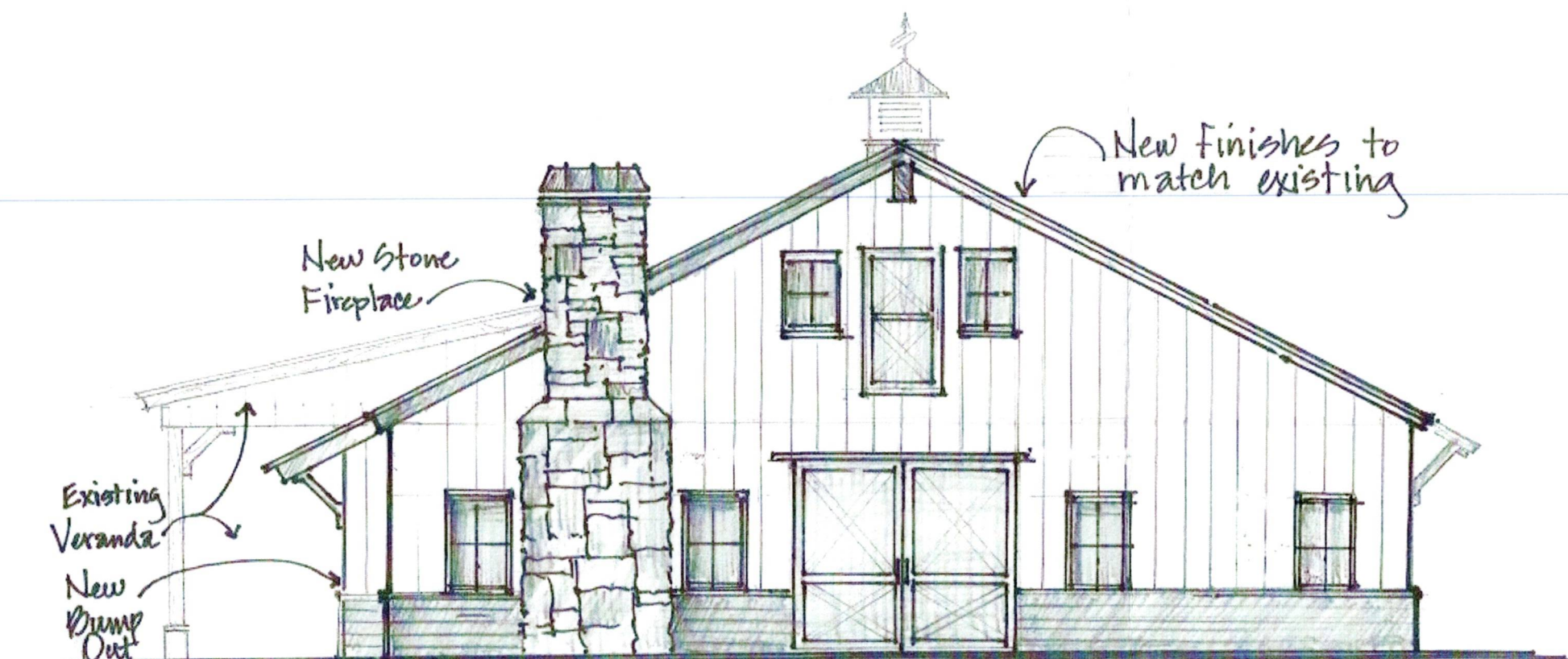
RESIDENT
839 CORNELIUS RD
ROCKWALL, TX 75087

REILY ANNA & MICHAEL JONES
860 CORNELIUS ROAD
ROCKWALL, TX 75087

HAMMOND SCOTT H SR & DEBORAH
883 CORNELIUS RD
ROCKWALL, TX 75087

OLLOM GREGORY D
941 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES ROBERT & MEGAN
PO BOX 1448
ROCKWALL, TX 75087



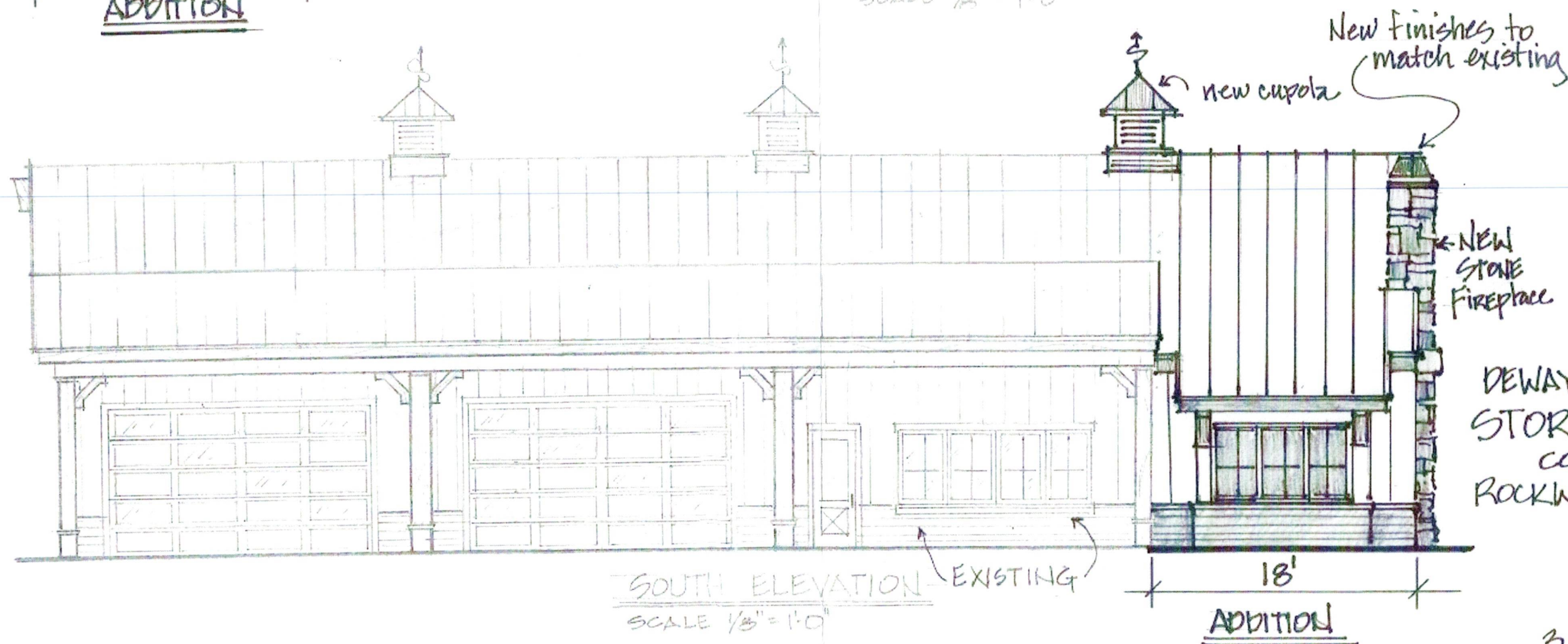
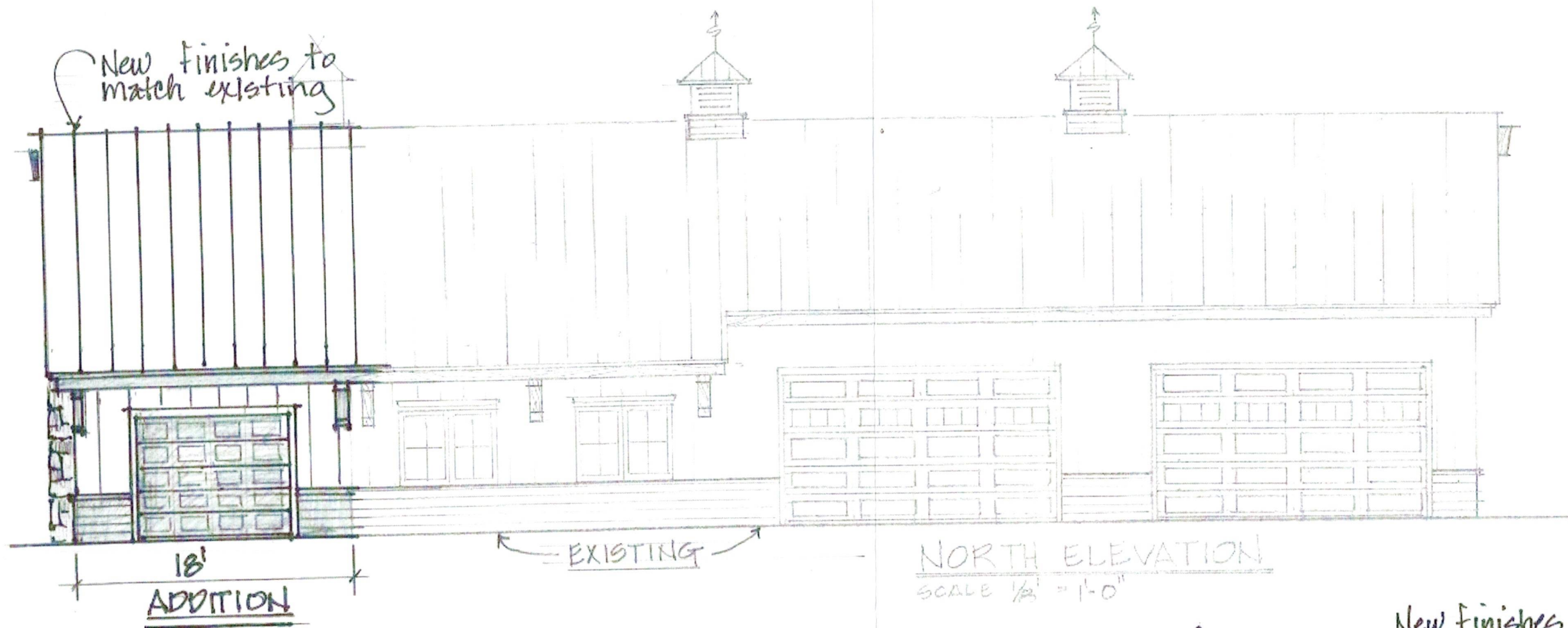
NEW EAST ELEVATION

SCALE 1/8" = 1'-0"

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STORAGE BARN
CORNELIUS ROAD
ROCKWALL, TX 75087

3.25.24

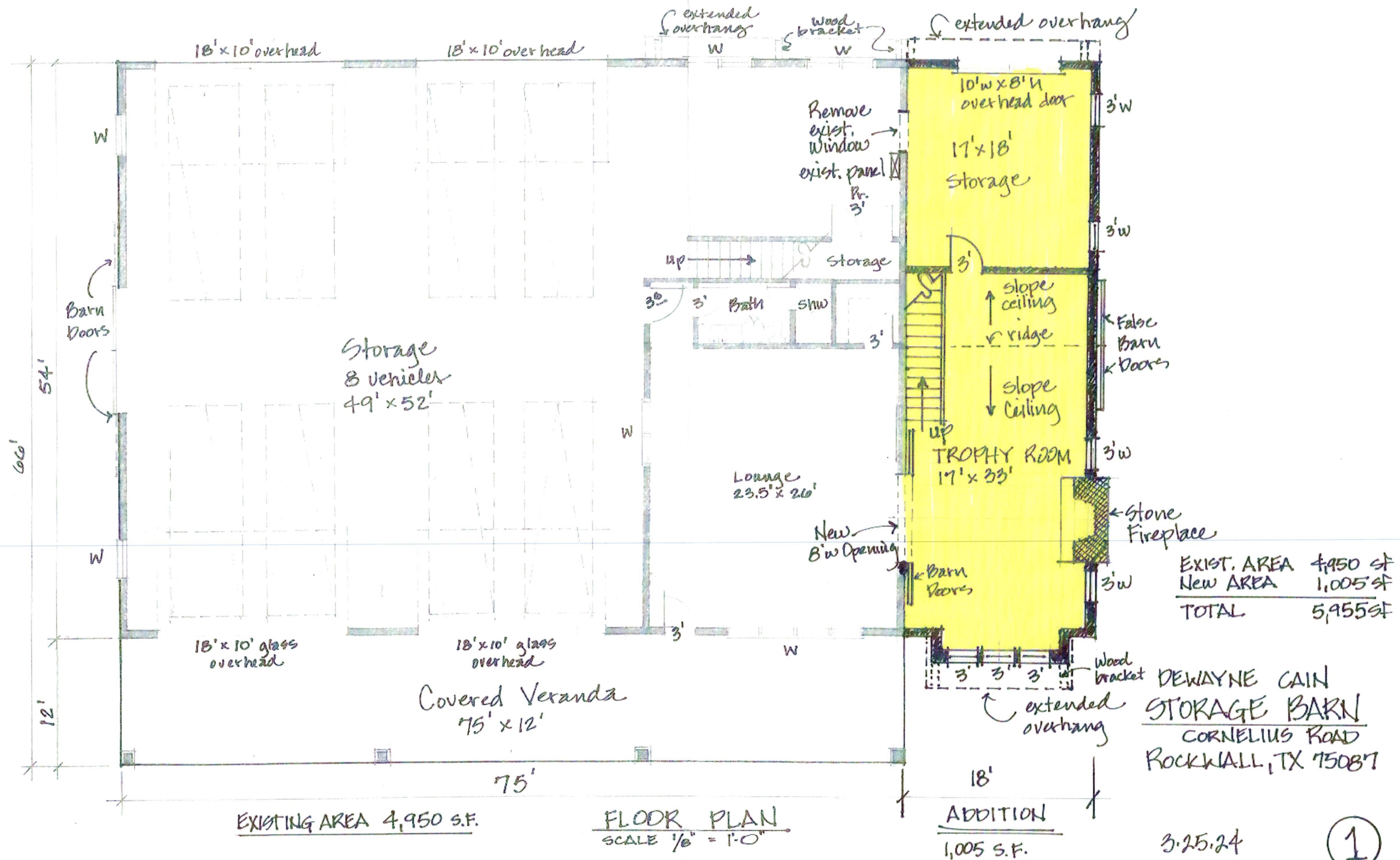
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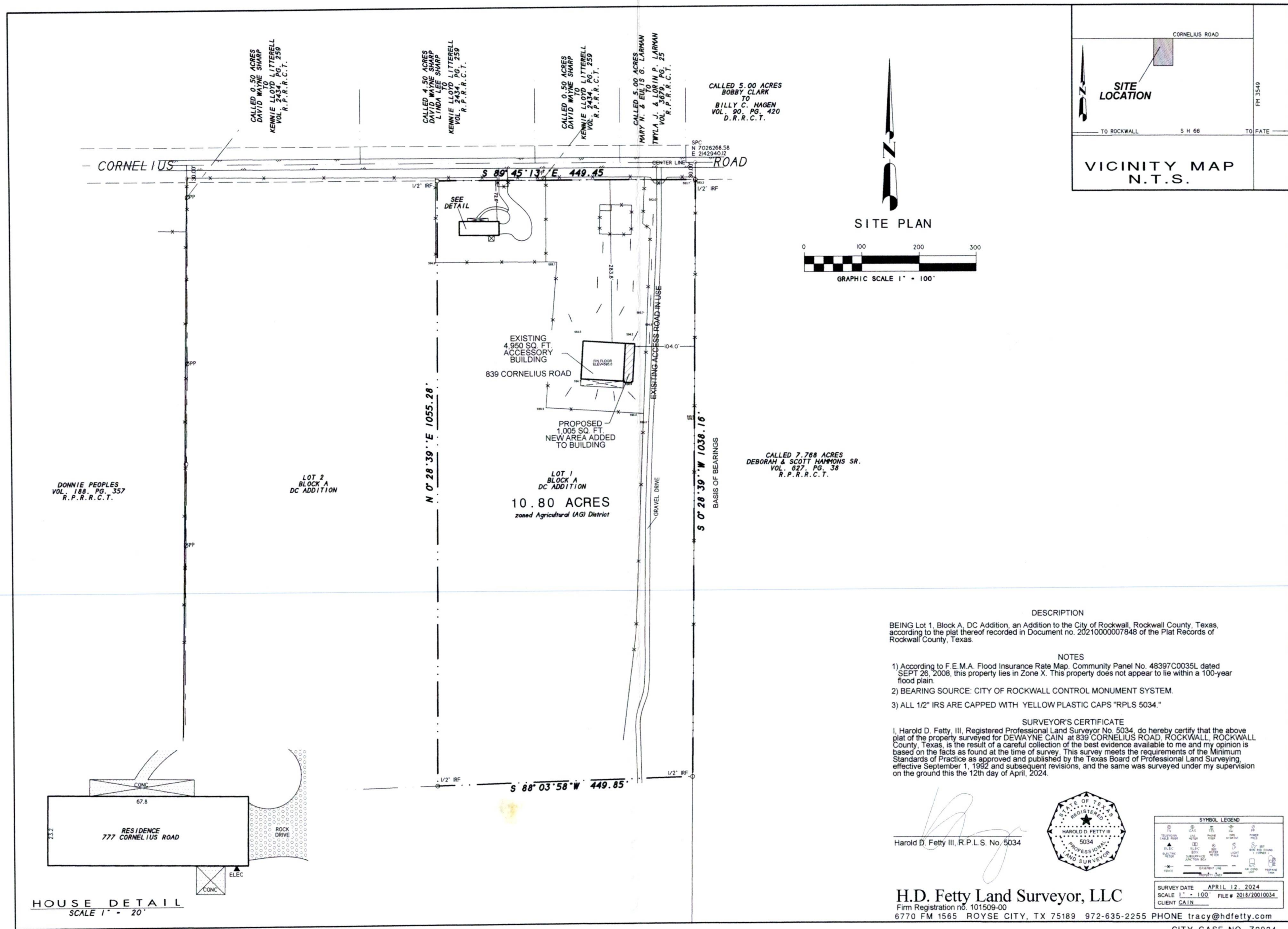


DEWAYNE CAIN
STORAGE BARN
CORNELIUS ROAD
ROCKWALL, TX 75087

3.25.24

3







CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission

DATE: May 14, 2024

APPLICANT: Dewayne Cain

CASE NUMBER: Z2024-019; *Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building*

SUMMARY

Hold a public hearing to discuss and consider a request by Dewayne Cain for the approval of a Specific Use Permit (SUP) amending *Ordinance No. 19-23 (S-210)* to allow for the expansion of an existing *Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building* on a 10.80-acre parcel of land Lot 1, Block A, DC Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 839 Cornelius Road, and take any action necessary.

BACKGROUND/PURPOSE

The subject property was annexed on January 4, 2010 by *Ordinance No. 10-01*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On June 3, 2019, City Council approved a Specific Use Permit (SUP) [Case No. 2019-010], through *Ordinance No. 19-23*, for a 4,950 SF *Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building*. This *Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building* was built in 2019. On March 15, 2021, the City Council approved a final plat (Case No. P2021-004) establishing the subject property as Lot 1, Block A, DC Addition. According to the Rockwall County Appraisal District, situated on the subject property is a 1,708 single-family home that was built in 2002, and a 200 SF storage building that was built in 2000.

ADJACENT LAND USES AND ACCESS

The subject property is located at 839 Cornelius Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Cornelius Road, which is identified as a M4U (*major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. This roadway delineates the corporate limits of the City of Rockwall.

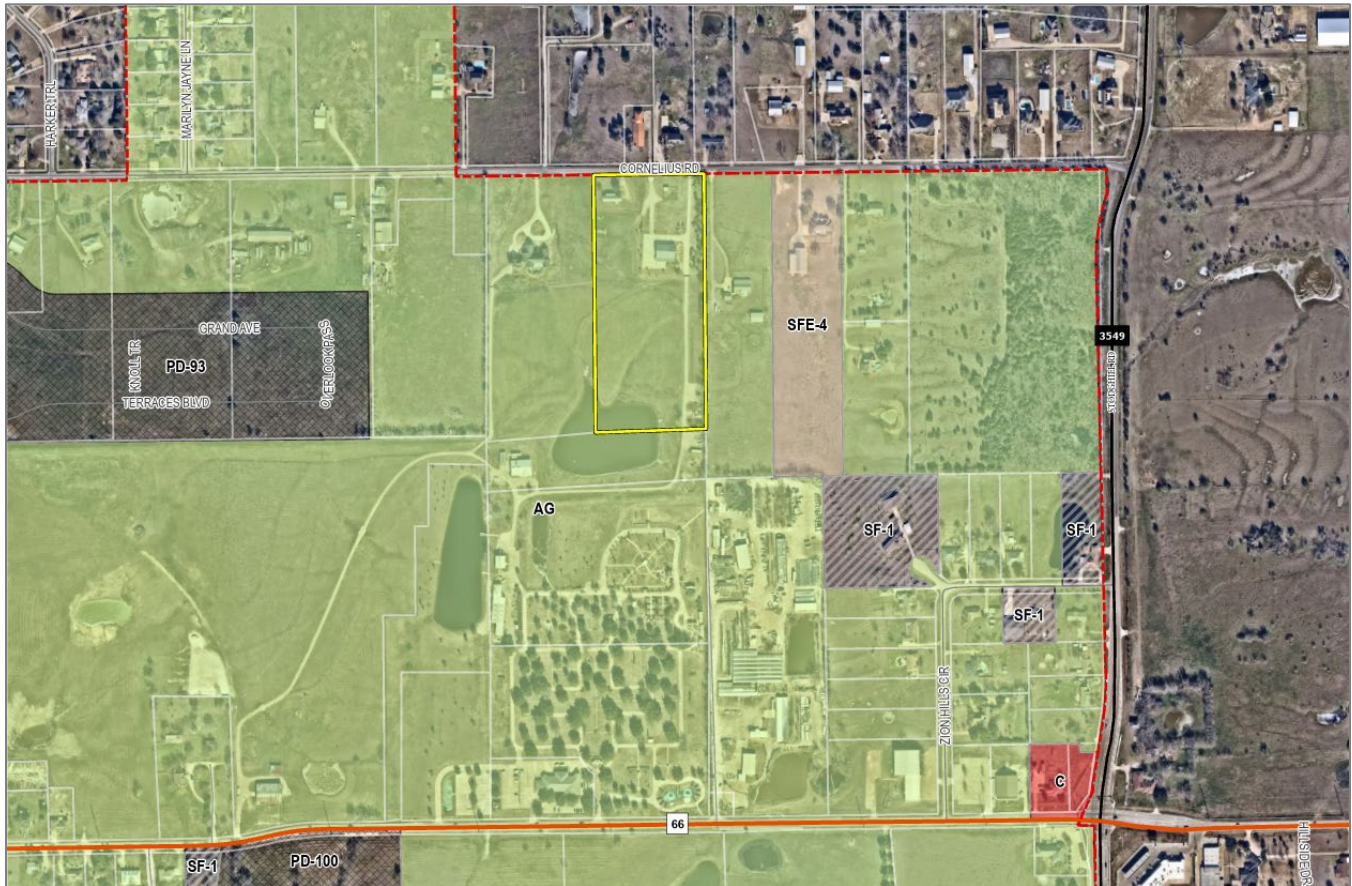
South: Directly south of the subject property is a cemetery (*i.e. Rest Haven Cemetery*) followed by SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, principle four [4] lane, divided arterial roadway*) on the City's Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a large tract of land that is currently vacant. These areas are zoned Agricultural (AG) District.

East: Directly east of the subject property are several single-family homes that are zoned Agricultural (AG) and Single-Family Estate 4.0 (SFE-4.0) Districts. Beyond this is FM-3549, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, principle four [4] lane, divided arterial roadway*) on the City's Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. This roadway delineates the corporate limits of the City of Rockwall.

West: Directly west of the subject property are several single-family homes that are zoned Agricultural (AG) District, as well as, the Terraces Subdivision which is zoned Planned Development District 93 (PD-93). Beyond this is a 15.935-acre tract of land (*i.e. Tract 5-1, Abstract 122, of the M.B. Jones Survey*). West of this is John King

Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

On January 7, 2019, the City Council directed staff to change the Unified Development Code (UDC) to incorporate an *Agricultural Accessory Building* land use into Article 04, *Permissible Uses*, of the Unified Development Code (UDC). Based on this direction staff brought forward the requested changes on February 19, 2019, and the City Council adopted the new land use and operational conditions on March 4, 2019 through *Ordinance No. 19-12*. According to this new ordinance (*consolidated in Section 02.03, Conditional Land Use Standards, of Article 04, Permissible Uses, of the Unified Development Code [UDC]*) a *Barn or Agricultural Accessory Building* is permitted by a Specific Use Permit (SUP) in an Agricultural (AG) District subject to the following *Conditional Land Use Standards*:

- (1) The property shall be a minimum of ten (10) acres or more in size.
- (2) A *Barn or Agricultural Accessory Building* shall be a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
- (3) The *Barn or Agricultural Accessory Building* shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

On June 3, 2019, City Council approved a Specific Use Permit (SUP) [Case No. 2019-010], through *Ordinance No. 19-23*, for a 4,950 SF *Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building* on the subject property. The applicant -- *Dewayne Cain* -- submitted a subsequent application on April 19, 2024 requesting to amend that Specific Use Permit (SUP) to allow for the expansion of the existing *Guest Quarters/Secondary Living Unit and Barn or Agricultural Building*. The structure will be increased ~1,005 SF, which will bring the total size of the building to ~5,955 SF. The applicant is not proposing to change the ~576 SF *Guest Quarters/Secondary Living Unit* portion of the building, and has indicated that the proposed addition will be used as a trophy room and additional agricultural storage. The proposed addition will have one (1)

roll-up garage door, and be clad in metal matching the exterior of the existing building. The proposed building will primarily serve as storage for agricultural vehicles/equipment/trophies.

CONFORMANCE WITH THE CITY’S CODES

Staff has placed a table below (*i.e. Table 1: Conformance with the Conditional Land Use Standards for Agricultural Accessory Buildings*) showing how the *Agricultural Accessory Building* will conform to the *Conditional Land Use Standards* stated above.

TABLE 1: Conformance with the Conditional Land Use Standards for Agricultural Accessory Buildings

CONDITIONAL USE STANDARD	PROPOSED AGRICULTURAL ACCESSORY BUILDING
MINIMUM LOT SIZE OF TEN (10) ACRES	10.00-ACRES; <i>IN CONFORMANCE</i>
BUILDING SHALL BE 2,000 SF < X < 4,999 SF	~5955 SF; <i>NOT IN CONFORMANCE</i>
LOCATED BEHIND THE FRONT FACADE	YES; <i>IN CONFORMANCE</i>
MEETS SETBACK REQUIREMENTS	YES; <i>IN CONFORMANCE</i>

According to Section 1, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), a *Guest Quarters/Secondary Living Unit* is allowed as an accessory use in an Agricultural (AG) District. The Unified Development Code (UDC) also stipulates that such a structure shall not exceed 30.00% of the main structure and shall not be sold or conveyed separately without meeting the requirements of the zoning district and subdivision ordinance. The Unified Development Code (UDC) also provides the ability for a *Guest Quarters/Secondary Living Unit* not meeting those requirements to request a Specific Use Permit (SUP). In this case, the proposed *Guest Quarters/Secondary Living Unit* is ancillary to the primary structure and the square footage has not changed since the original construction/approval of Ordinance No. 19-23.

According to the UDC, a *Barn or Agricultural Accessory Building* is permitted by Specific Use Permit (SUP) in an Agricultural (AG) District. The UDC requires that the structure be between 2,000 and 4,999 SF in total size, and be located behind the front façade of the primary structure. In addition, the code allows the structure to be constructed utilizing metal and or other materials, and specifically exempts these structures from the masonry requirements. In this case, the proposed addition to the *Barn or Agricultural Accessory Building* will bring the total area to approximately 5,955 SF or 956 SF larger than what is currently permitted. Since the size of the building will be increasing significantly, the applicant is required to update the original Specific Use Permit (SUP) for the *Guest Quarters/Secondary Living Unit* and *Barn or Agricultural Building*. The *Guest Quarters/Secondary Living Unit* and *Barn or Agricultural Building* is located behind the front façade of the main structure, and the addition will be clad with metal, matching the original *guest quarters/secondary living unit* and *barn or agricultural building*.

STAFF ANALYSIS

Since the applicant is proposing a structure that exceeds the maximum size by 956 SF and is combining two (2) land uses (*i.e. a Guest Quarters/Secondary Living Unit and an Agricultural Accessory Building*), this request remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On April 24, 2024, staff mailed 19 notices to property owners and residents within 500-feet of the subject property. There are no Homeowner’s Associations (HOA’s)/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff has not received any responses in favor or opposition of the applicant’s request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant’s request, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the following operational conditions contained in the Specific Use Permit (SUP) ordinance and which are summarized as follows:
 - (A) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* expansion shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit 'B & 'C'* of this ordinance.
 - (B) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be utilized for a non-residential and/or non-agricultural land use;
 - (C) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be ancillary to the existing single-family home;
 - (D) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not exceed a maximum size of 6,000 SF.
 - (E) The subject property shall not be subdivided in such a way that the property does not meet the minimum requirement of ten (10) acres in size for an *Agricultural Accessory Building*.
 - (F) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be located behind the front façade of the primary structure and be subject to the same building setbacks as the primary structure; and,
 - (G) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST (SELECT ONLY ONE BOX):

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- ☒ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹ IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS

839 Cornelius

SUBDIVISION

LOT

BLOCK

A

GENERAL LOCATION

Between 1141 & 3549

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

AG District

CURRENT USE

SALE

PROPOSED ZONING

PROPOSED USE

ACREAGE

10.80

LOTS [CURRENT]

1

LOTS [PROPOSED]

1

☒ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☒ OWNER

☐ APPLICANT

CONTACT PERSON

Dewayne Cain

CONTACT PERSON

ADDRESS

Dewayne Cain
305 Stonebridge Dr

ADDRESS

CITY, STATE & ZIP

Rockwall, TX 75087

CITY, STATE & ZIP

PHONE

214-533-8641

PHONE

E-MAIL

dewayne.cain@5eoutlook.com

E-MAIL

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Dewayne Cain [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 365.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17th DAY OF April 2024 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17th DAY OF April, 2024

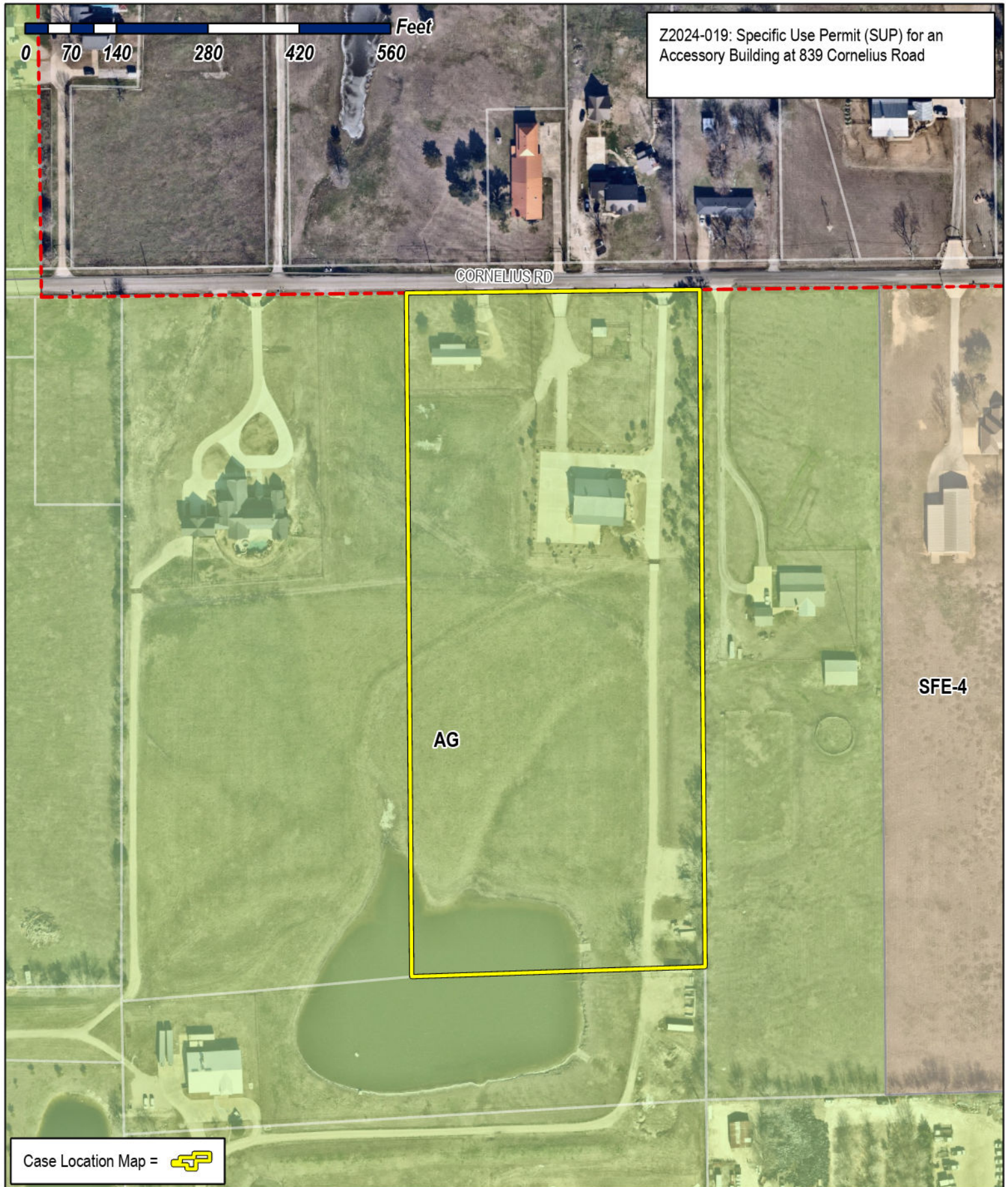
OWNER'S SIGNATURE

Dewayne Cain

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Sherrill M. [Signature]





Z2024-019: Specific Use Permit (SUP) for an
Accessory Building at 839 Cornelius Road

CORNELIUS RD

SFE-4

AG

Case Location Map = 



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

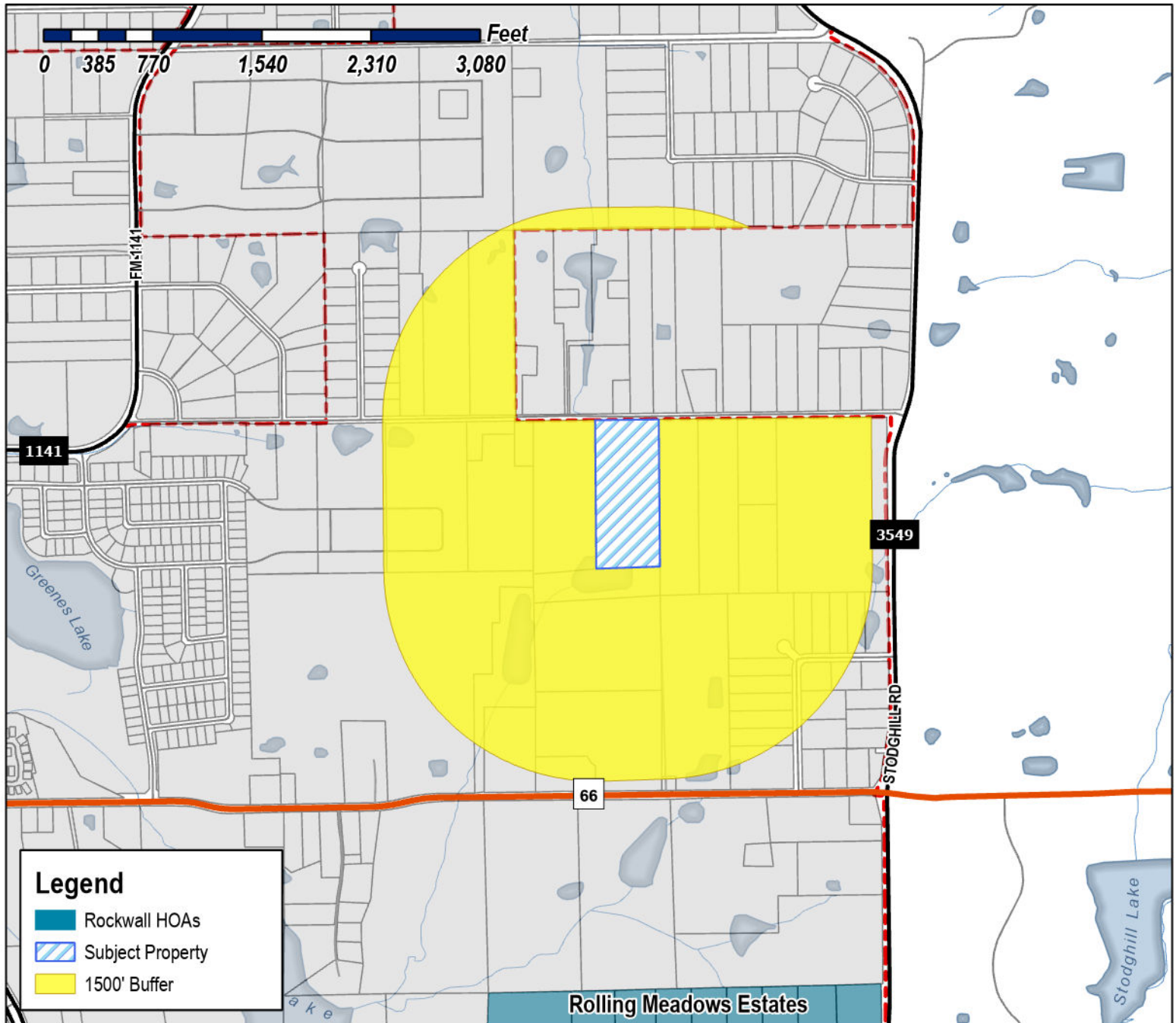




City of Rockwall

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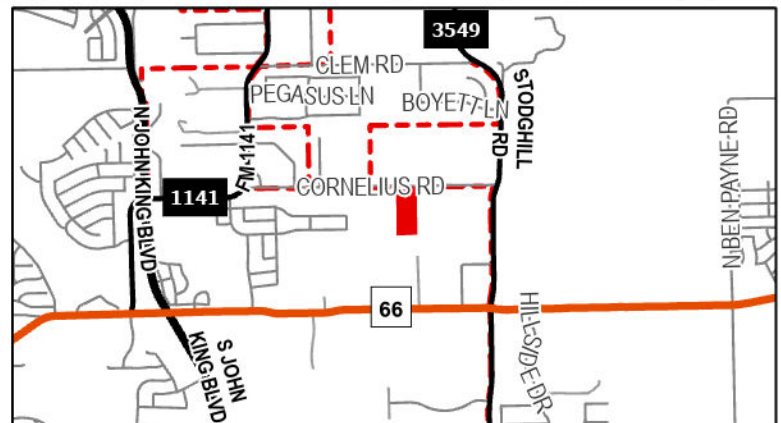
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Case Number: Z2024-019
Case Name: SUP for an Accessory Building
Case Type: Zoning
Zoning: Agricultural (AG)
Case Address: 839 Cornelius Road

Date Saved: 4/19/2024

For Questions on this Case Call (972) 771-7745

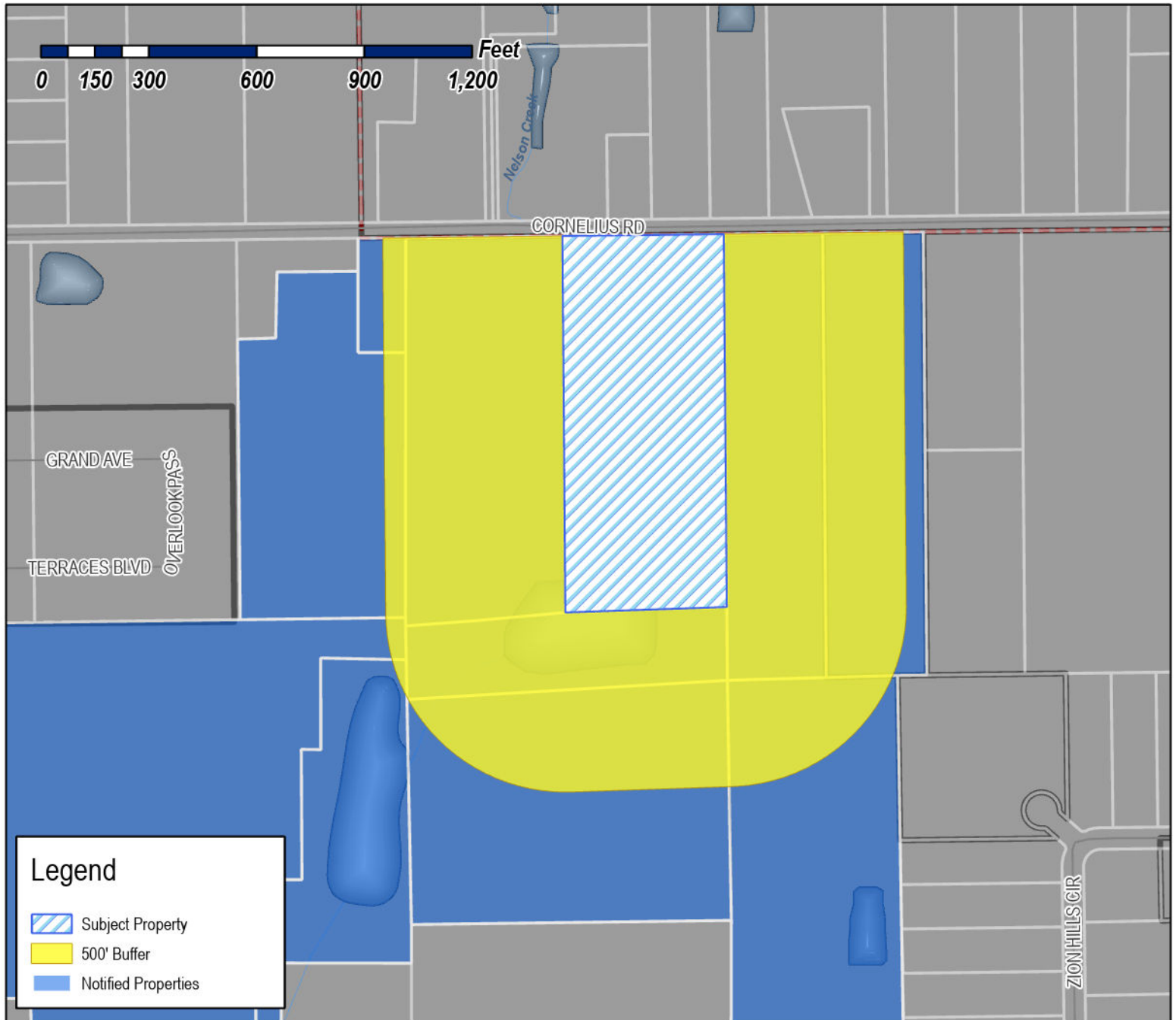




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

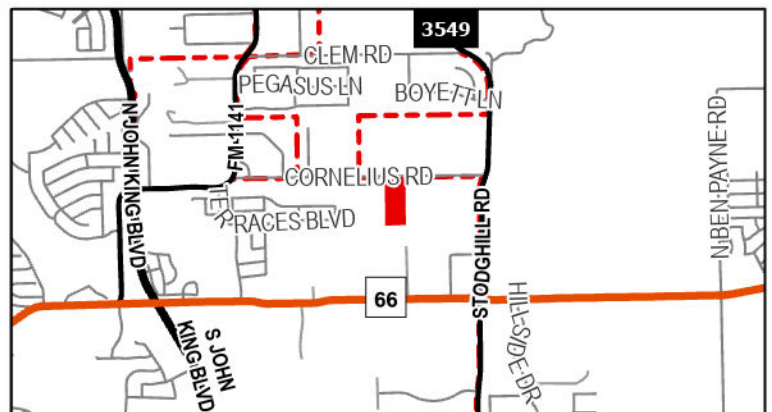
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Case Number: Z2024-019
Case Name: SUP for an Accessory Building
Case Type: Zoning
Zoning: Agricultural (AG)
Case Address: 839 Cornelius Road

Date Saved: 4/19/2024

For Questions on this Case Call: (972) 771-7745



COMBS TERRY G & RONNA T
2008 E COLLINS BLVD
RICHARDSON, TX 75081

BRIMELOW TIM
2055 WILLIAMS ST
ROCKWALL, TX 75087

RESIDENT
2294 E STATE HIGHWAY 66
ROCKWALL, TX 75087

RESIDENT
2750 E STATE HWY 66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CAIN DEWAYNE
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

PEOPLES DONNIE
589 CORNELIUS
ROCKWALL, TX 75087

RESIDENT
657 CORNELIUS RD
ROCKWALL, TX 75087

PEWITT RONNY M AND JENNIFER L
668 CORNELIUS ROAD
ROCKWALL, TX 75087

PERKINS RALPH TRENT & AMY CAIN
701 CORNELIUS RD
ROCKWALL, TX 75087

JONES DANIEL AND ALINA
722 CORNELIUS RD
ROCKWALL, TX 75087

RESIDENT
777 CORNELIUS RD
ROCKWALL, TX 75087

LOCKE GARY H, ASHLEY LOCKE &
WINONA CLARK
828 CORNELIUS ROAD
ROCKWALL, TX 75087

RESIDENT
839 CORNELIUS RD
ROCKWALL, TX 75087

REILY ANNA & MICHAEL JONES
860 CORNELIUS ROAD
ROCKWALL, TX 75087

HAMMOND SCOTT H SR & DEBORAH
883 CORNELIUS RD
ROCKWALL, TX 75087

OLLOM GREGORY D
941 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES ROBERT & MEGAN
PO BOX 1448
ROCKWALL, TX 75087

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Z2024-019: SUP for Guest Quarters/ Secondary Living Unit

Hold a public hearing to discuss and consider a request by Dewayne Cain for the approval of a Specific Use Permit (SUP) amending Ordinance No. 19-23 (S-210) to allow for the expansion of an existing Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building on a 10.80-acre parcel of land Lot 1, Block A, DC Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 839 Cornelius Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, May 14, 2024 at 6:00 PM, and the City Council will hold a public hearing on Monday, May 20, 2024 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Bethany Ross
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, May 20 2024 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2024-019: SUP for Guest Quarters/ Secondary Living Unit

Please place a check mark on the appropriate line below:

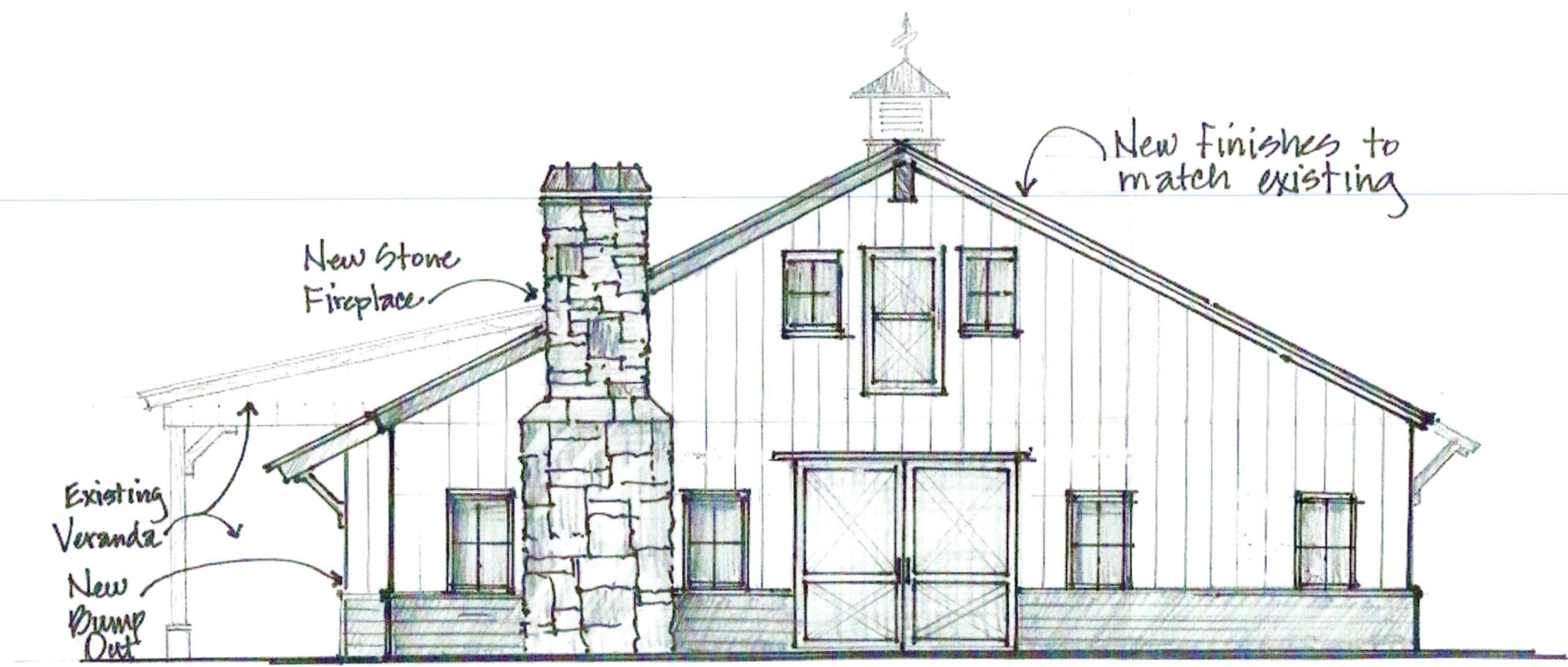
- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

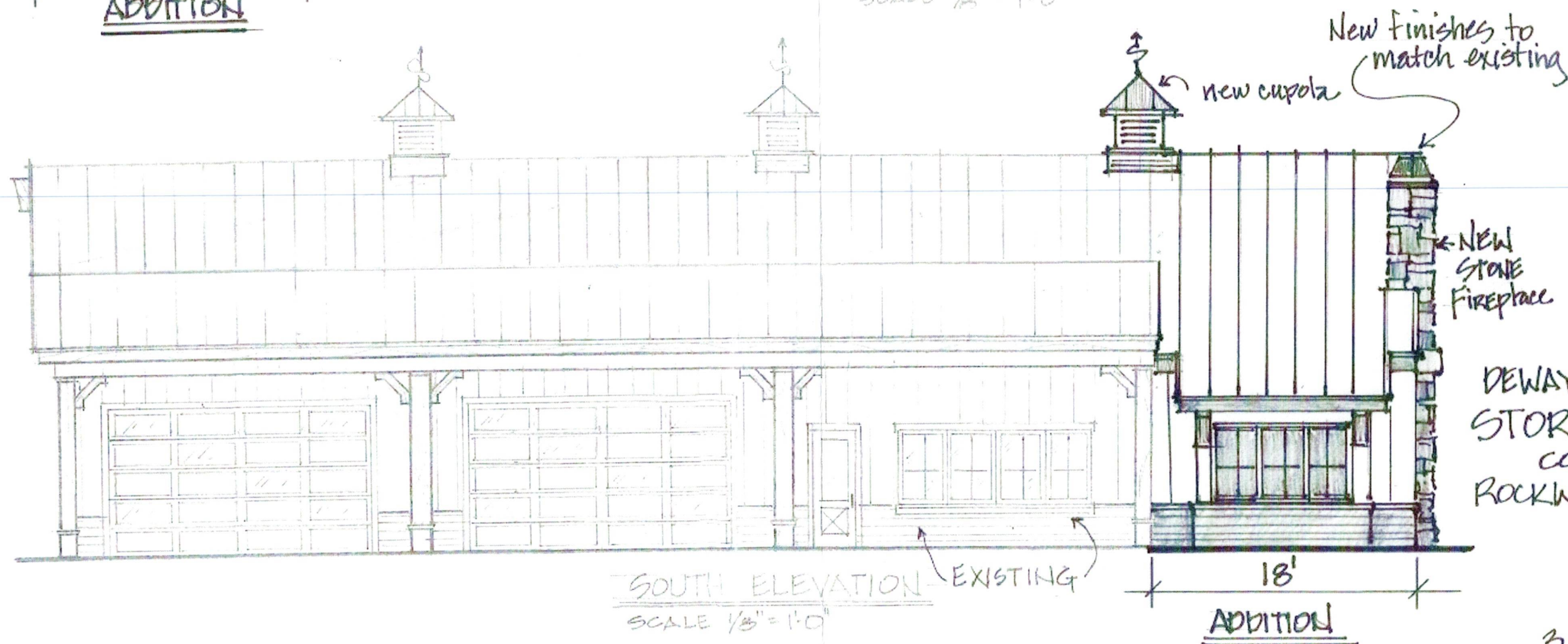
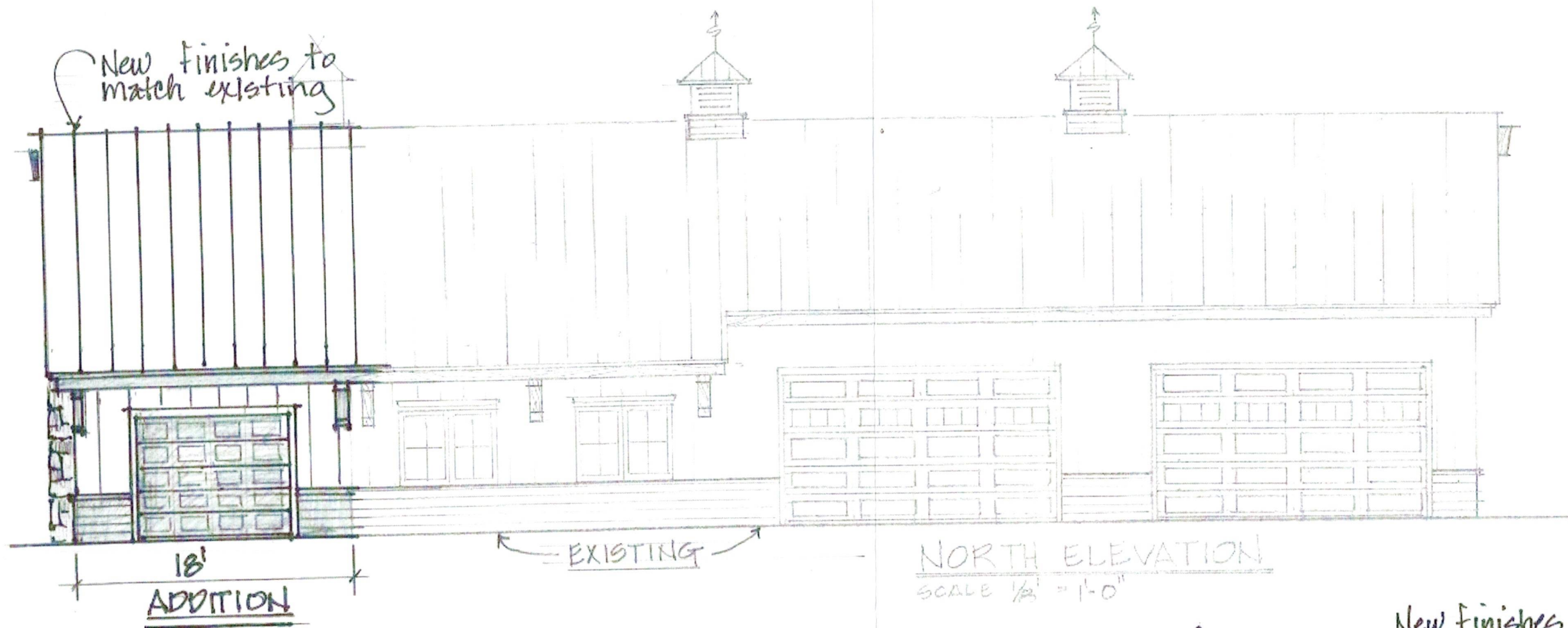
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



NEW EAST ELEVATION
SCALE 1/8" = 1'-0"

DEWAYNE CAIN
STORAGE BARN
CORNELIUS ROAD
ROCKWALL, TX 75087

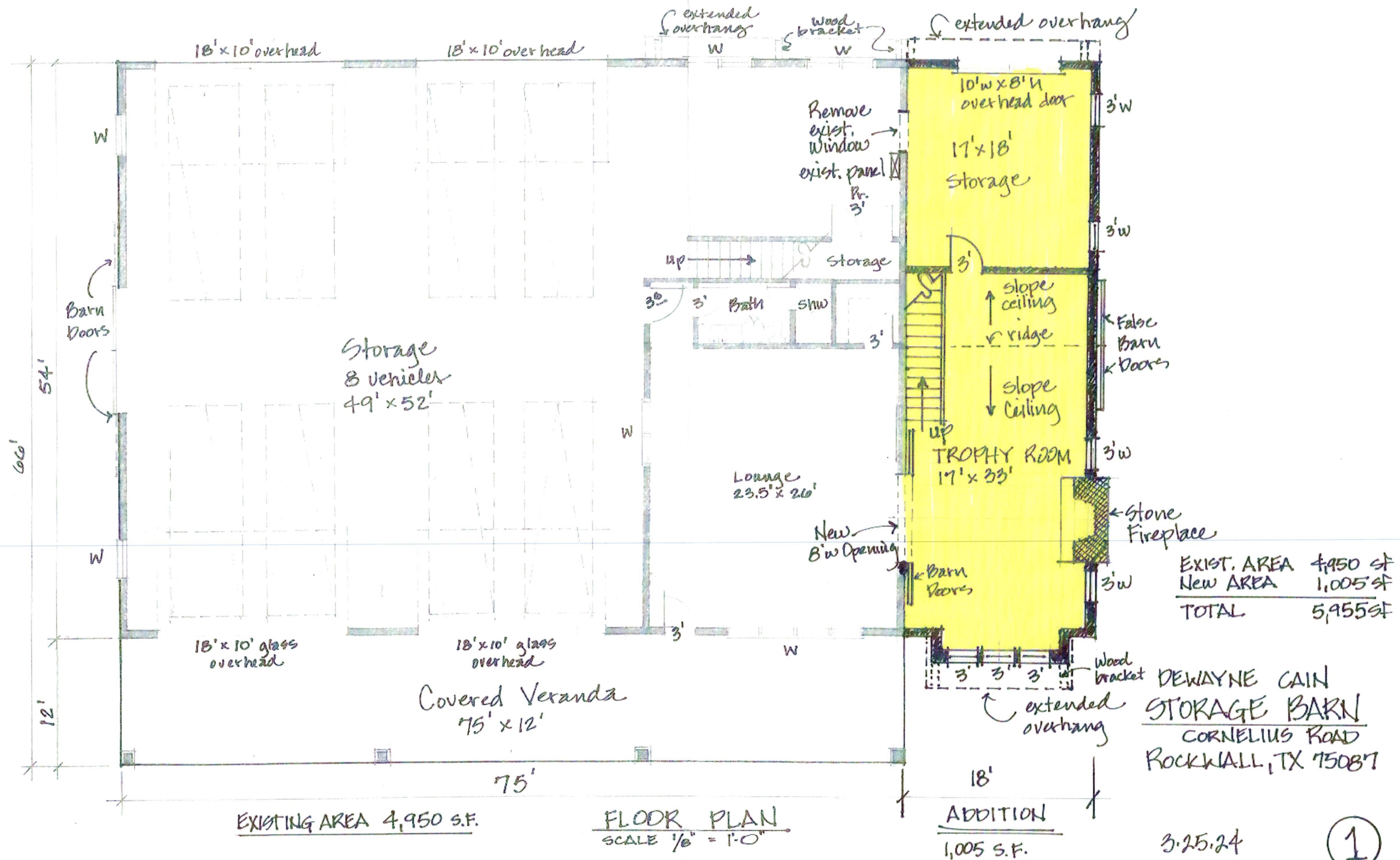
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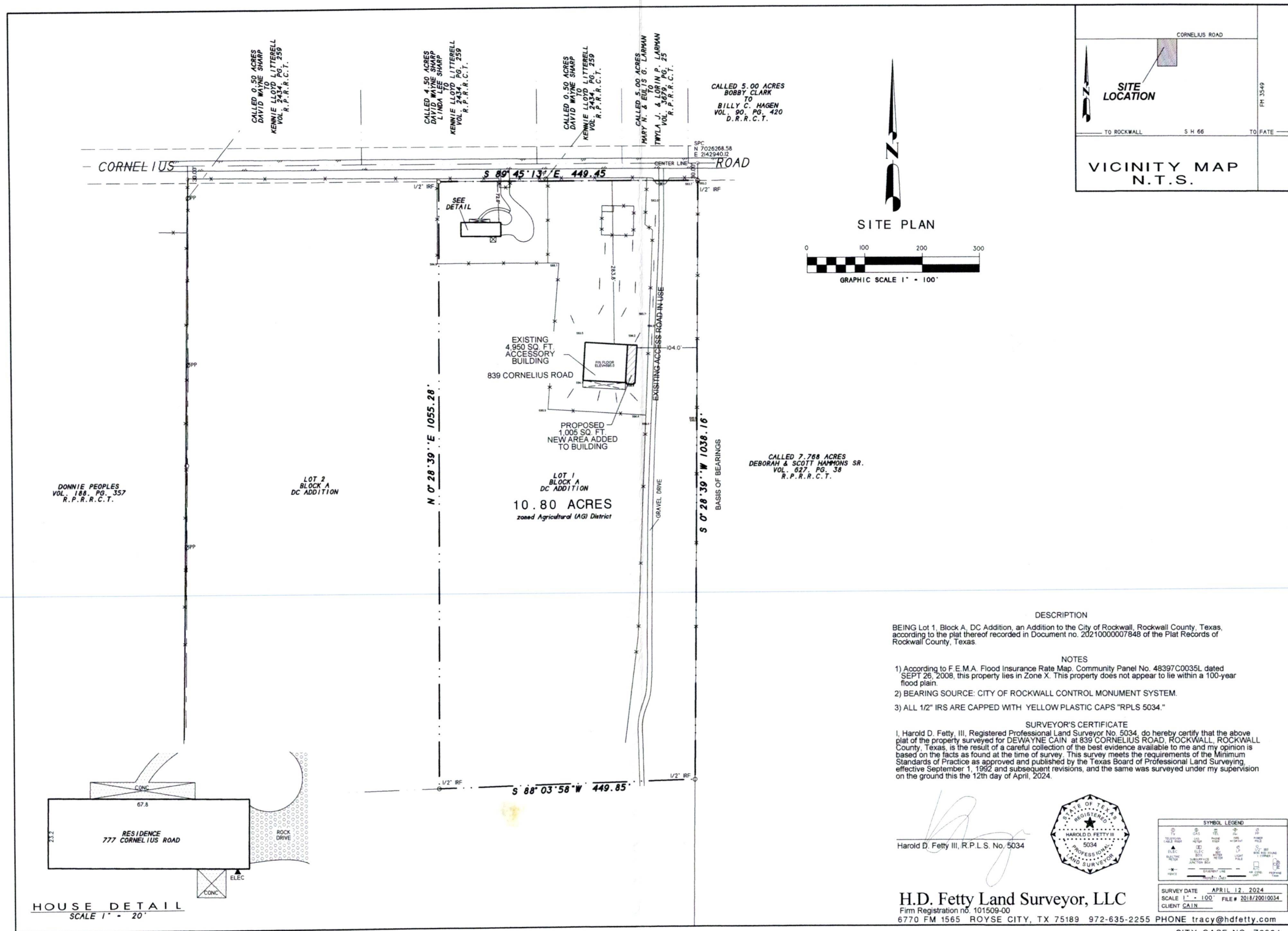


DEWAYNE CAIN
STORAGE BARN
CORNELIUS ROAD
ROCKWALL, TX 75087

3.25.24

3





CITY OF ROCKWALL

ORDINANCE NO. 24-XX

SPECIFIC USE PERMIT NO. S-3XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THE FOR A GUEST QUARTERS/SECONDARY LIVING UNIT AND AGRICULTURAL ACCESSORY STRUCTURE ON A 10.80-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK A, DC ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, 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 Dewayne Cain for the approval of a *Specific Use Permit (SUP)* to allow for the expansion of an existing *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* on a 10.80-acre tract of land identified as Lot 1, Block A, DC Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 839 Cornelius Road, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; 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 *Ordinance No. 19-23 [S-210]* and the Unified Development Code [*Ordinance No. 20-02*] 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 approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated in *Ordinance No. 19-23 [S-210]*; and,

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing the expansion of a *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* as stipulated by Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection

02.01, *Agricultural (AG) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Guest Quarters/Secondary Living Unit and Agricultural Accessory Building* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- (1) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* expansion shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit 'B & 'C'* of this ordinance.
- (2) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be utilized for a non-residential and/or non-agricultural land use;
- (3) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be ancillary to the existing single-family home;
- (4) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not exceed a maximum size of 6,000 SF.
- (5) The subject property shall not be subdivided in such a way that the property does not meet the minimum requirement of ten (10) acres in size for an *Agricultural Accessory Building*.
- (6) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be located behind the front façade of the primary structure and be subject to the same building setbacks as the primary structure; and,
- (7) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).

3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the property owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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

SECTION 5. 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 6. 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 7. 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 8. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3RD DAY OF JUNE, 2024.**

Trace Johannesen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: May 20, 2024

2nd Reading: June 3, 2024

LEGAL DESCRIPTION: LOT 1, BLOCK A, DC ADDITION

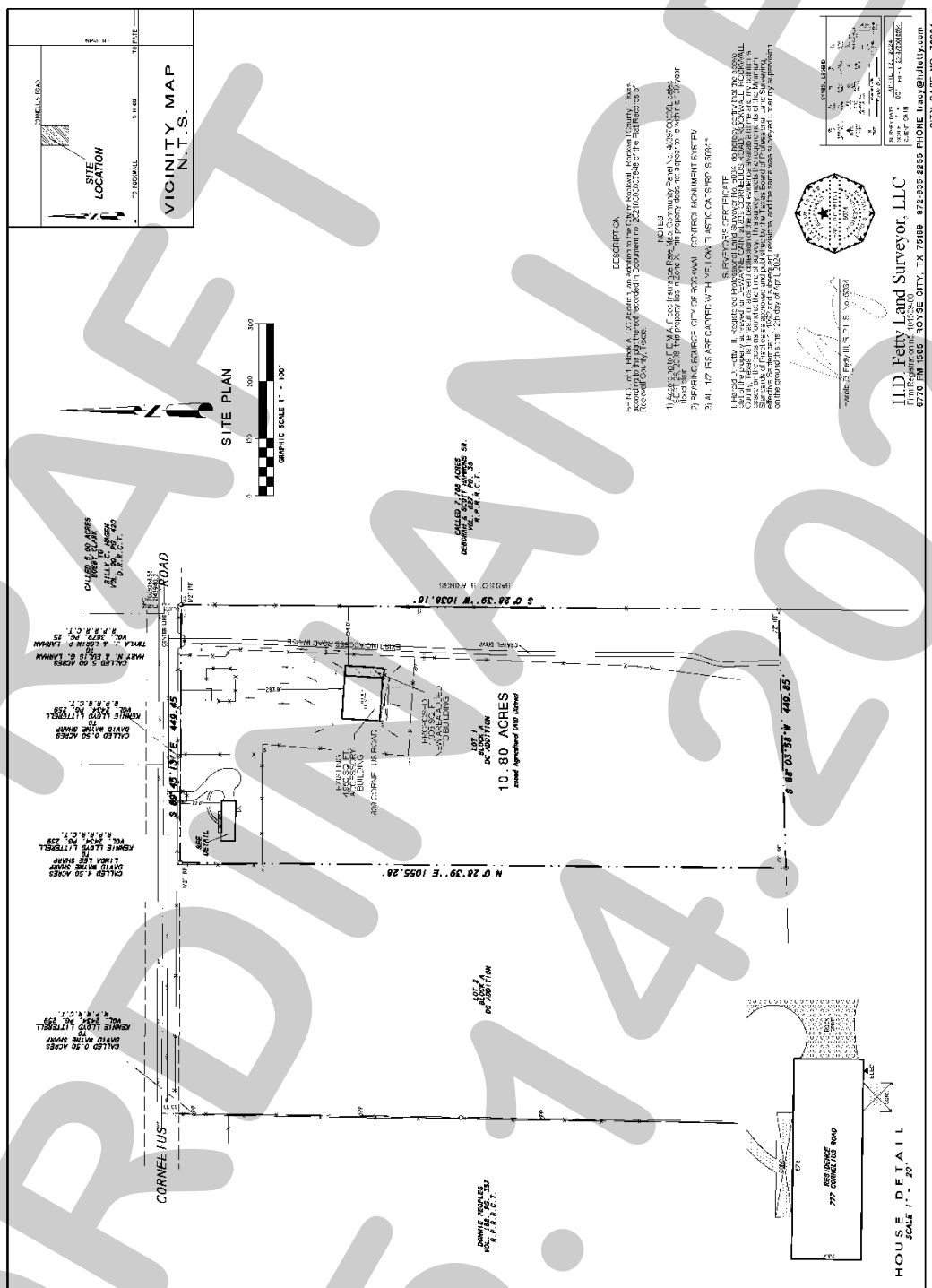


Exhibit 'B':
Concept Plan

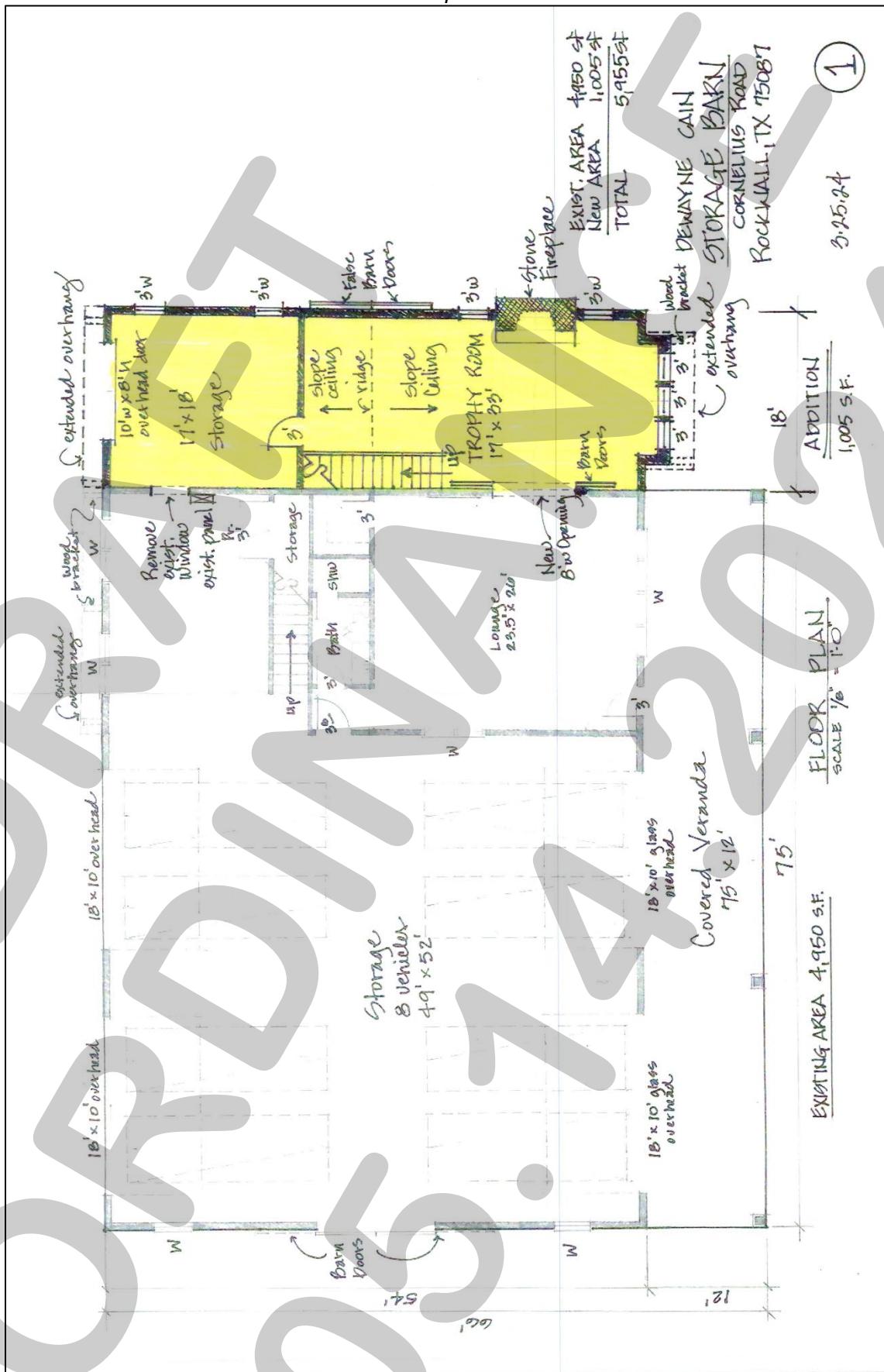


Exhibit 'C':
Conceptual Building Elevations

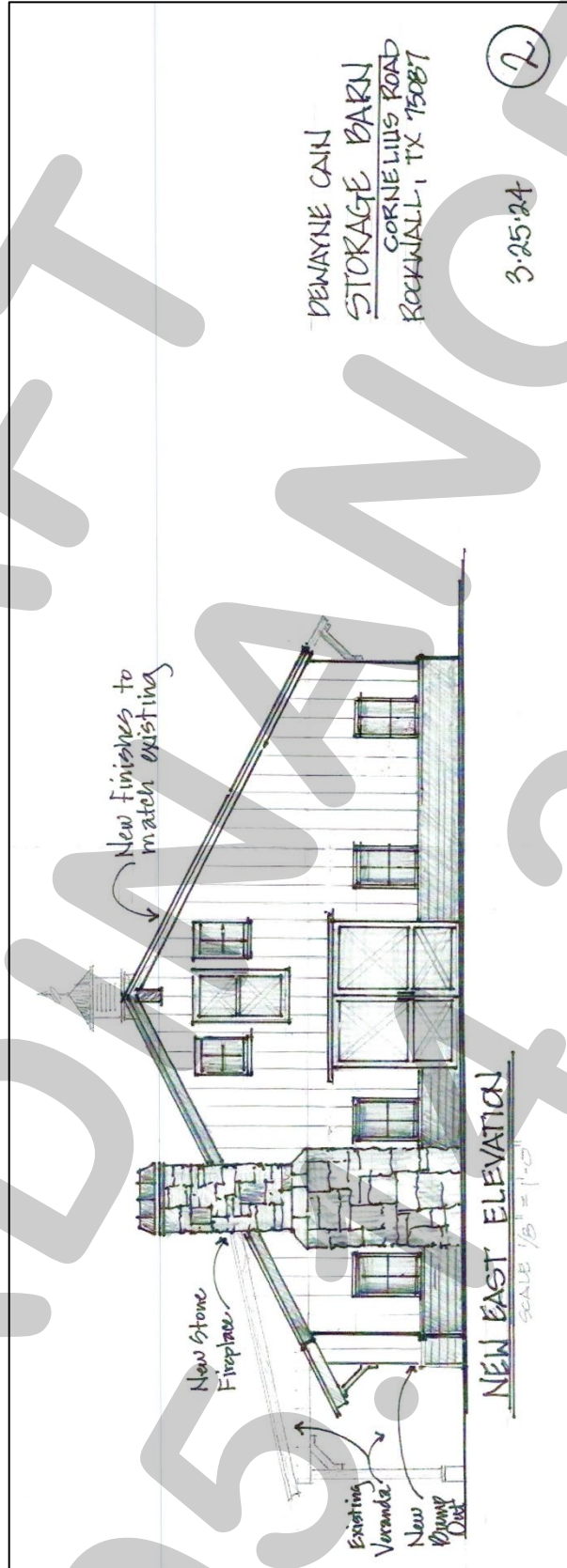
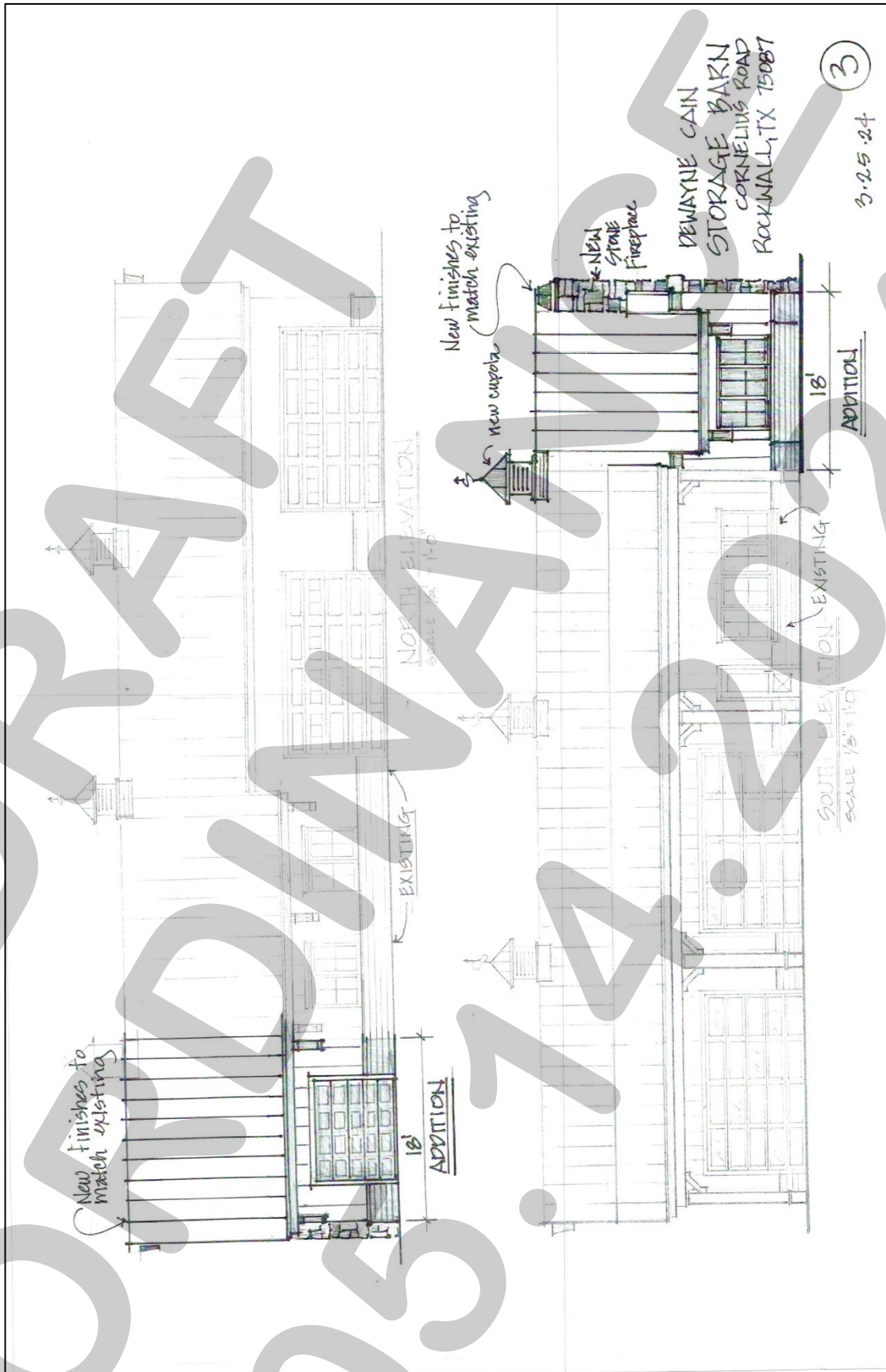


Exhibit 'C':
Conceptual Building Elevations





CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

DATE: May 20, 2024

APPLICANT: Dewayne Cain

CASE NUMBER: Z2024-019; *Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building*

SUMMARY

Hold a public hearing to discuss and consider a request by Dewayne Cain for the approval of a Specific Use Permit (SUP) amending *Ordinance No. 19-23 (S-210)* to allow for the expansion of an existing *Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building* on a 10.80-acre parcel of land Lot 1, Block A, DC Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 839 Cornelius Road, and take any action necessary.

BACKGROUND/PURPOSE

The subject property was annexed on January 4, 2010 by *Ordinance No. 10-01*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On June 3, 2019, City Council approved a Specific Use Permit (SUP) [Case No. 2019-010], through *Ordinance No. 19-23*, for a 4,950 SF *Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building*. This *Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building* was built in 2019. On March 15, 2021, the City Council approved a final plat (Case No. P2021-004) establishing the subject property as Lot 1, Block A, DC Addition. According to the Rockwall County Appraisal District, situated on the subject property is a 1,708 single-family home that was built in 2002, and a 200 SF storage building that was built in 2000.

ADJACENT LAND USES AND ACCESS

The subject property is located at 839 Cornelius Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Cornelius Road, which is identified as a M4U (*major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. This roadway delineates the corporate limits of the City of Rockwall.

South: Directly south of the subject property is a cemetery (*i.e. Rest Haven Cemetery*) followed by SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, principle four [4] lane, divided arterial roadway*) on the City's Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a large tract of land that is currently vacant. These areas are zoned Agricultural (AG) District.

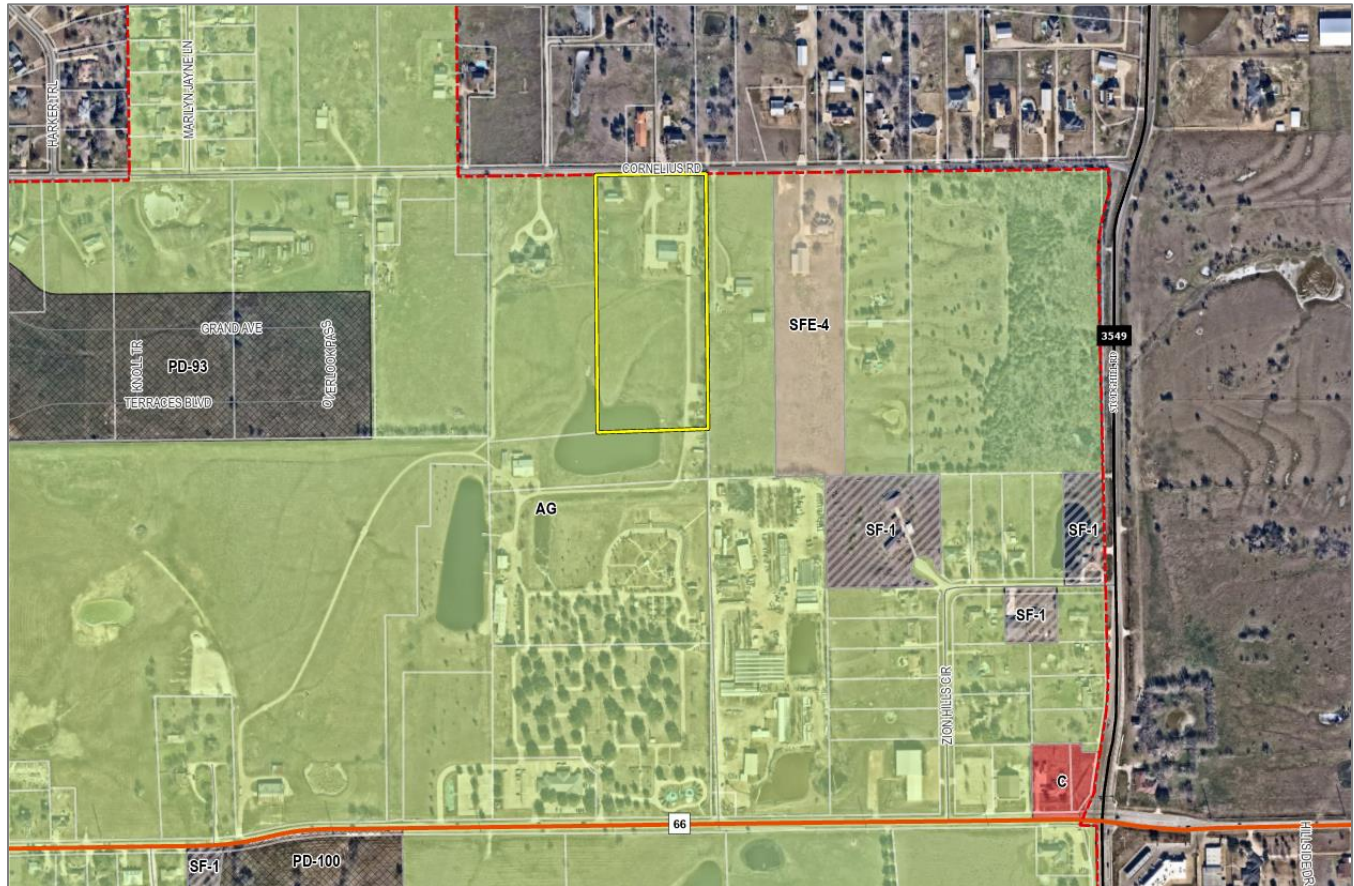
East: Directly east of the subject property are several single-family homes that are zoned Agricultural (AG) and Single-Family Estate 4.0 (SFE-4.0) Districts. Beyond this is FM-3549, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, principle four [4] lane, divided arterial roadway*) on the City's Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. This roadway delineates the corporate limits of the City of Rockwall.

West: Directly west of the subject property are several single-family homes that are zoned Agricultural (AG) District, as well as, the Terraces Subdivision which is zoned Planned Development District 93 (PD-93). Beyond this is a 15.935-acre tract of land (*i.e. Tract 5-1, Abstract 122, of the M.B. Jones Survey*). West of this is John King

Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan.

MAP 1: LOCATION MAP

YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

On January 7, 2019, the City Council directed staff to change the Unified Development Code (UDC) to incorporate an *Agricultural Accessory Building* land use into Article 04, *Permissible Uses*, of the Unified Development Code (UDC). Based on this direction staff brought forward the requested changes on February 19, 2019, and the City Council adopted the new land use and operational conditions on March 4, 2019 through *Ordinance No. 19-12*. According to this new ordinance (*consolidated in Section 02.03, Conditional Land Use Standards, of Article 04, Permissible Uses, of the Unified Development Code [UDC]*) a *Barn or Agricultural Accessory Building* is permitted by a Specific Use Permit (SUP) in an Agricultural (AG) District subject to the following *Conditional Land Use Standards*:

- (1) The property shall be a minimum of ten (10) acres or more in size.
- (2) A *Barn or Agricultural Accessory Building* shall be a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
- (3) The *Barn or Agricultural Accessory Building* shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

On June 3, 2019, City Council approved a Specific Use Permit (SUP) [Case No. 2019-010], through *Ordinance No. 19-23*, for a 4,950 SF *Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building* on the subject property. The applicant -- *Dewayne Cain* -- submitted a subsequent application on April 19, 2024 requesting to amend that Specific Use Permit (SUP) to allow for the expansion of the existing *Guest Quarters/Secondary Living Unit and Barn or Agricultural Building*. The structure will be increased ~1,005 SF, which will bring the total size of the building to ~5,955 SF. The applicant is not proposing to change the ~576 SF *Guest Quarters/Secondary Living Unit* portion of the building, and has indicated that the proposed addition will be used as a trophy room and additional agricultural storage. The proposed addition will have one (1)

roll-up garage door, and be clad in metal matching the exterior of the existing building. The proposed building will primarily serve as storage for agricultural vehicles/equipment/trophies.

CONFORMANCE WITH THE CITY’S CODES

Staff has placed a table below (i.e. *Table 1: Conformance with the Conditional Land Use Standards for Agricultural Accessory Buildings*) showing how the *Agricultural Accessory Building* will conform to the *Conditional Land Use Standards* stated above.

TABLE 1: Conformance with the Conditional Land Use Standards for Agricultural Accessory Buildings

CONDITIONAL USE STANDARD	PROPOSED AGRICULTURAL ACCESSORY BUILDING
MINIMUM LOT SIZE OF TEN (10) ACRES	10.00-ACRES; <i>IN CONFORMANCE</i>
BUILDING SHALL BE 2,000 SF < X < 4,999 SF	~5955 SF; <i>NOT IN CONFORMANCE</i>
LOCATED BEHIND THE FRONT FACADE	YES; <i>IN CONFORMANCE</i>
MEETS SETBACK REQUIREMENTS	YES; <i>IN CONFORMANCE</i>

According to Section 1, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), a *Guest Quarters/Secondary Living Unit* is allowed as an accessory use in an Agricultural (AG) District. The Unified Development Code (UDC) also stipulates that such a structure shall not exceed 30.00% of the main structure and shall not be sold or conveyed separately without meeting the requirements of the zoning district and subdivision ordinance. The Unified Development Code (UDC) also provides the ability for a *Guest Quarters/Secondary Living Unit* not meeting those requirements to request a Specific Use Permit (SUP). In this case, the proposed *Guest Quarters/Secondary Living Unit* is ancillary to the primary structure and the square footage has not changed since the original construction/approval of Ordinance No. 19-23.

According to the UDC, a *Barn or Agricultural Accessory Building* is permitted by Specific Use Permit (SUP) in an Agricultural (AG) District. The UDC requires that the structure be between 2,000 and 4,999 SF in total size, and be located behind the front façade of the primary structure. In addition, the code allows the structure to be constructed utilizing metal and or other materials, and specifically exempts these structures from the masonry requirements. In this case, the proposed addition to the *Barn or Agricultural Accessory Building* will bring the total area to approximately 5,955 SF or 956 SF larger than what is currently permitted. Since the size of the building will be increasing significantly, the applicant is required to update the original Specific Use Permit (SUP) for the *Guest Quarters/Secondary Living Unit* and *Barn or Agricultural Building*. The *Guest Quarters/Secondary Living Unit* and *Barn or Agricultural Building* is located behind the front façade of the main structure, and the addition will be clad with metal, matching the original *guest quarters/secondary living unit* and *barn or agricultural building*.

STAFF ANALYSIS

Since the applicant is proposing a structure that exceeds the maximum size by 956 SF and is combining two (2) land uses (i.e. *a Guest Quarters/Secondary Living Unit and an Agricultural Accessory Building*), this request remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On April 24, 2024, staff mailed 19 notices to property owners and residents within 500-feet of the subject property. There are no Homeowner’s Associations (HOA’s)/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff has not received any responses in favor or opposition of the applicant’s request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant’s request, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the following operational conditions contained in the Specific Use Permit (SUP) ordinance and which are summarized as follows:

- (A) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* expansion shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit 'B & 'C'* of this ordinance.
 - (B) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be utilized for a non-residential and/or non-agricultural land use;
 - (C) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be ancillary to the existing single-family home;
 - (D) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not exceed a maximum size of 6,000 SF.
 - (E) The subject property shall not be subdivided in such a way that the property does not meet the minimum requirement of ten (10) acres in size for an *Agricultural Accessory Building*.
 - (F) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be located behind the front façade of the primary structure and be subject to the same building setbacks as the primary structure; and,
 - (G) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On May 14, 2024, the Planning and Zoning Commission approved a motion to recommend approval of the SUP by a vote of 6-0, with Commissioner Deckard absent.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST (SELECT ONLY ONE BOX):

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- ☒ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹ IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS

839 Cornelius

SUBDIVISION

LOT

BLOCK

A

GENERAL LOCATION

Between 1141 & 3549

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

AG District

CURRENT USE

SALE

PROPOSED ZONING

PROPOSED USE

ACREAGE

10.80

LOTS [CURRENT]

1

LOTS [PROPOSED]

1

☒ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☒ OWNER

☐ APPLICANT

CONTACT PERSON

Dewayne Cain

CONTACT PERSON

ADDRESS

Dewayne Cain
305 Stonebridge Dr

ADDRESS

CITY, STATE & ZIP

Rockwall, TX 75087

CITY, STATE & ZIP

PHONE

214-533-8641

PHONE

E-MAIL

dewayne.cain@5eoutlook.com

E-MAIL

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Dewayne Cain [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 365.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17th DAY OF April 2024 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17th DAY OF April, 2024

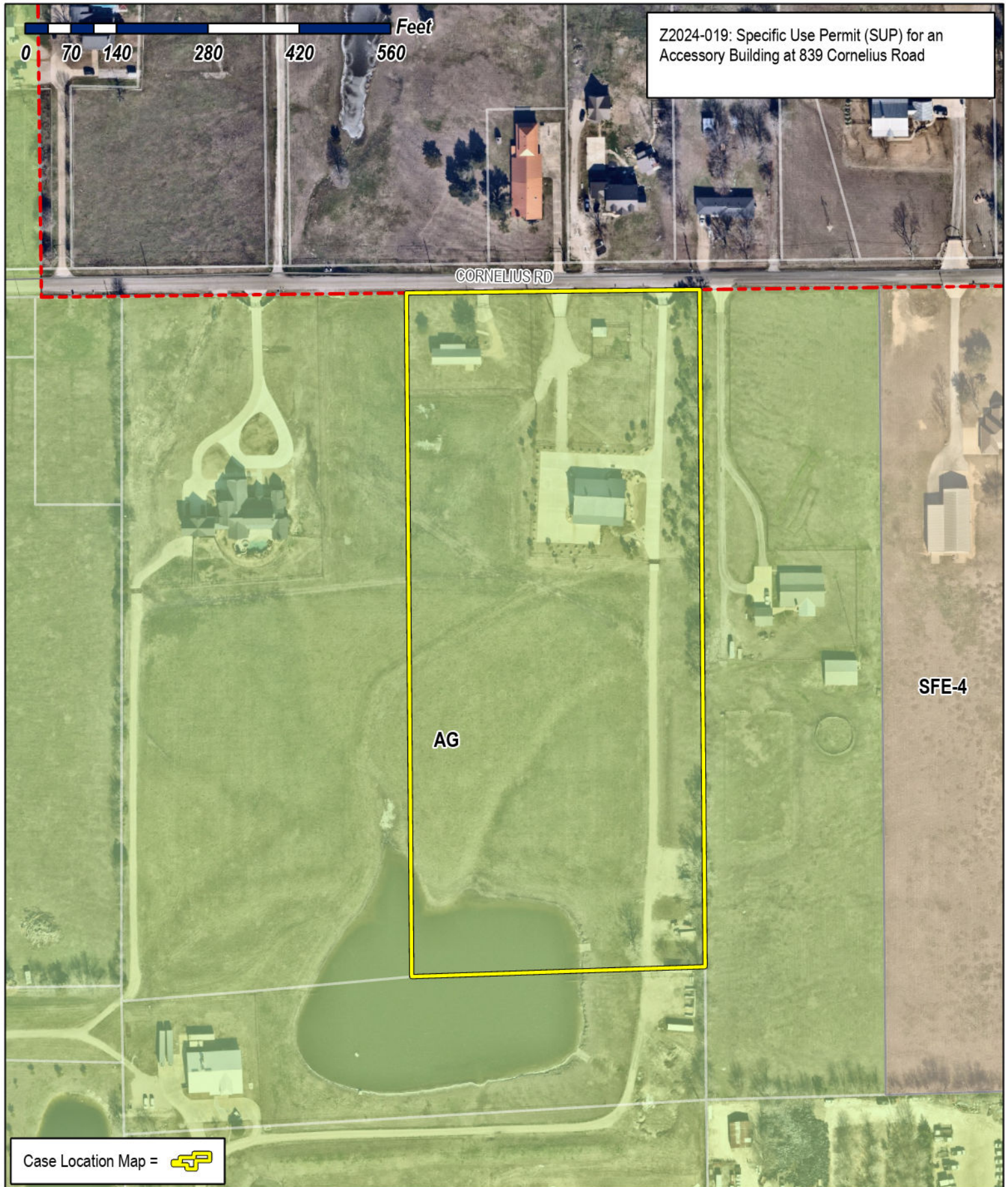
OWNER'S SIGNATURE

Dewayne Cain

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Sherrill M. [Signature]





Z2024-019: Specific Use Permit (SUP) for an
Accessory Building at 839 Cornelius Road

CORNELIUS RD

SFE-4

AG

Case Location Map = 



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

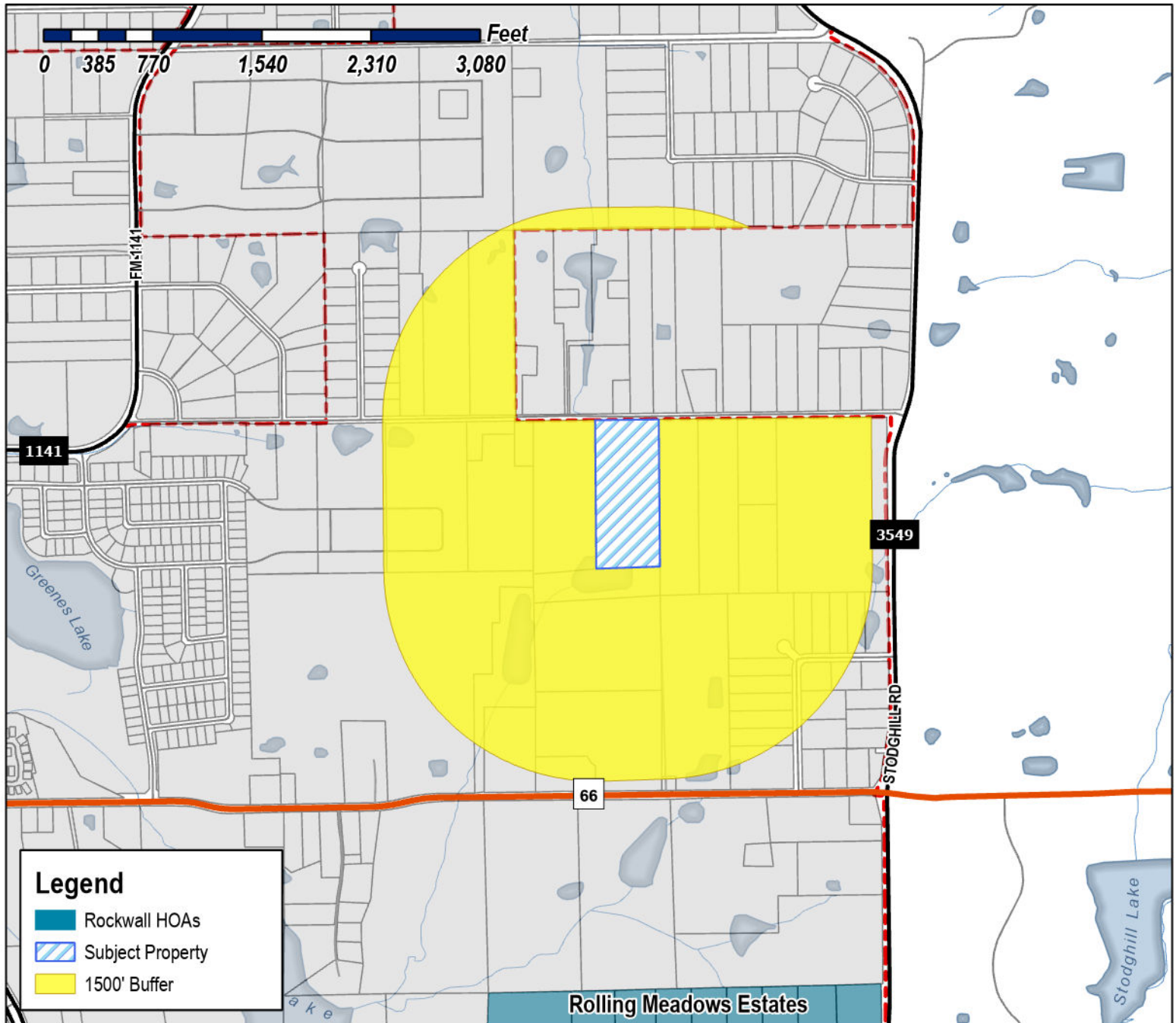




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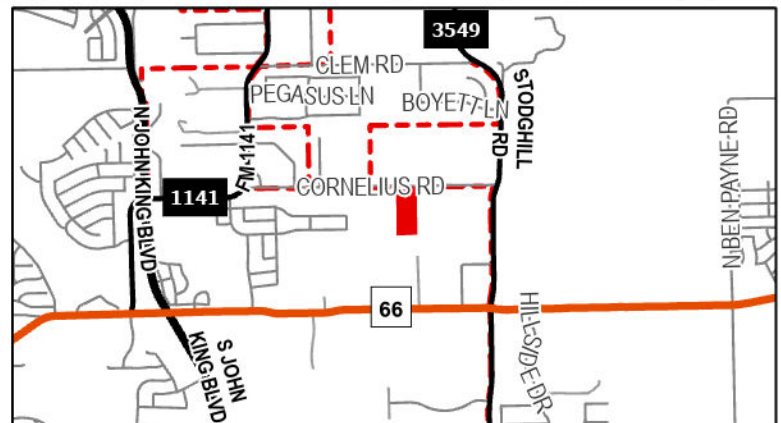
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Case Number: Z2024-019
Case Name: SUP for an Accessory Building
Case Type: Zoning
Zoning: Agricultural (AG)
Case Address: 839 Cornelius Road

Date Saved: 4/19/2024

For Questions on this Case Call (972) 771-7745

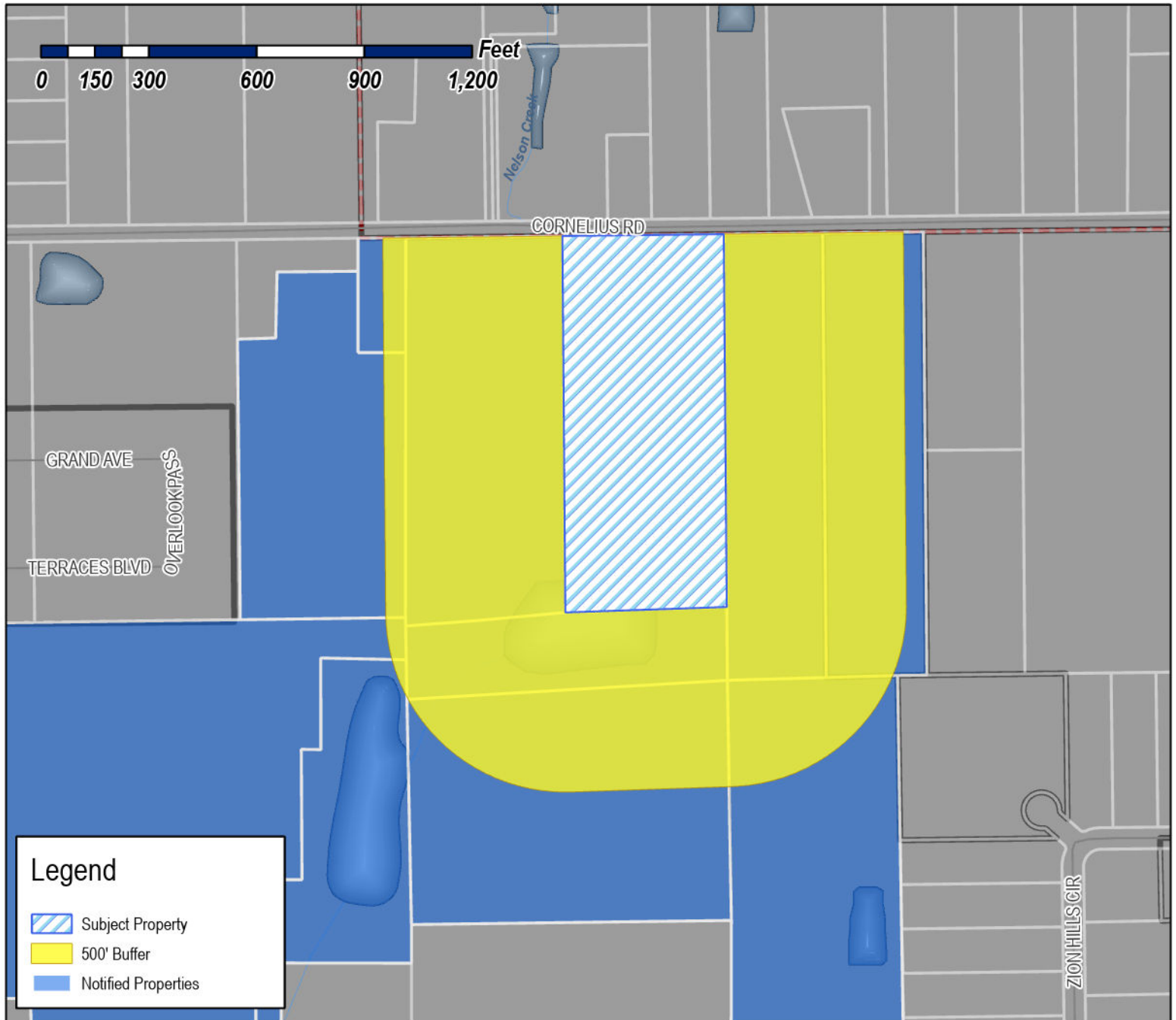




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

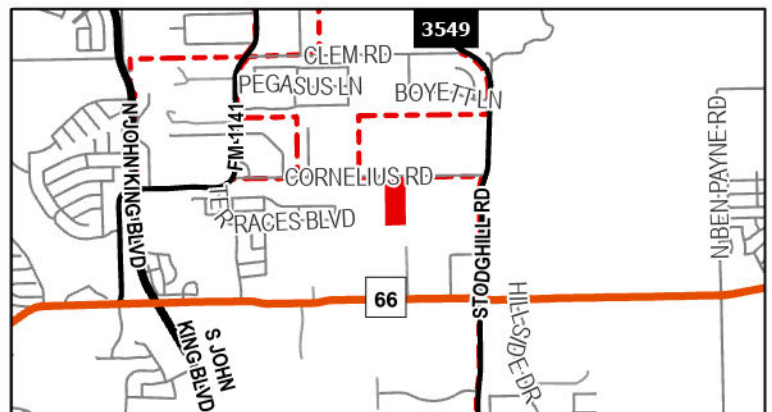
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Case Number: Z2024-019
Case Name: SUP for an Accessory Building
Case Type: Zoning
Zoning: Agricultural (AG)
Case Address: 839 Cornelius Road

Date Saved: 4/19/2024

For Questions on this Case Call: (972) 771-7745



COMBS TERRY G & RONNA T
2008 E COLLINS BLVD
RICHARDSON, TX 75081

BRIMELOW TIM
2055 WILLIAMS ST
ROCKWALL, TX 75087

RESIDENT
2294 E STATE HIGHWAY 66
ROCKWALL, TX 75087

RESIDENT
2750 E STATE HWY 66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CAIN DEWAYNE
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

PEOPLES DONNIE
589 CORNELIUS
ROCKWALL, TX 75087

RESIDENT
657 CORNELIUS RD
ROCKWALL, TX 75087

PEWITT RONNY M AND JENNIFER L
668 CORNELIUS ROAD
ROCKWALL, TX 75087

PERKINS RALPH TRENT & AMY CAIN
701 CORNELIUS RD
ROCKWALL, TX 75087

JONES DANIEL AND ALINA
722 CORNELIUS RD
ROCKWALL, TX 75087

RESIDENT
777 CORNELIUS RD
ROCKWALL, TX 75087

LOCKE GARY H, ASHLEY LOCKE &
WINONA CLARK
828 CORNELIUS ROAD
ROCKWALL, TX 75087

RESIDENT
839 CORNELIUS RD
ROCKWALL, TX 75087

REILY ANNA & MICHAEL JONES
860 CORNELIUS ROAD
ROCKWALL, TX 75087

HAMMOND SCOTT H SR & DEBORAH
883 CORNELIUS RD
ROCKWALL, TX 75087

OLLOM GREGORY D
941 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES ROBERT & MEGAN
PO BOX 1448
ROCKWALL, TX 75087

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Z2024-019: SUP for Guest Quarters/ Secondary Living Unit

Hold a public hearing to discuss and consider a request by Dewayne Cain for the approval of a Specific Use Permit (SUP) amending Ordinance No. 19-23 (S-210) to allow for the expansion of an existing Guest Quarters/Secondary Living Unit and Barn or Agricultural Accessory Building on a 10.80-acre parcel of land Lot 1, Block A, DC Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 839 Cornelius Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, May 14, 2024 at 6:00 PM, and the City Council will hold a public hearing on Monday, May 20, 2024 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Bethany Ross
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, May 20 2024 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2024-019: SUP for Guest Quarters/ Secondary Living Unit

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

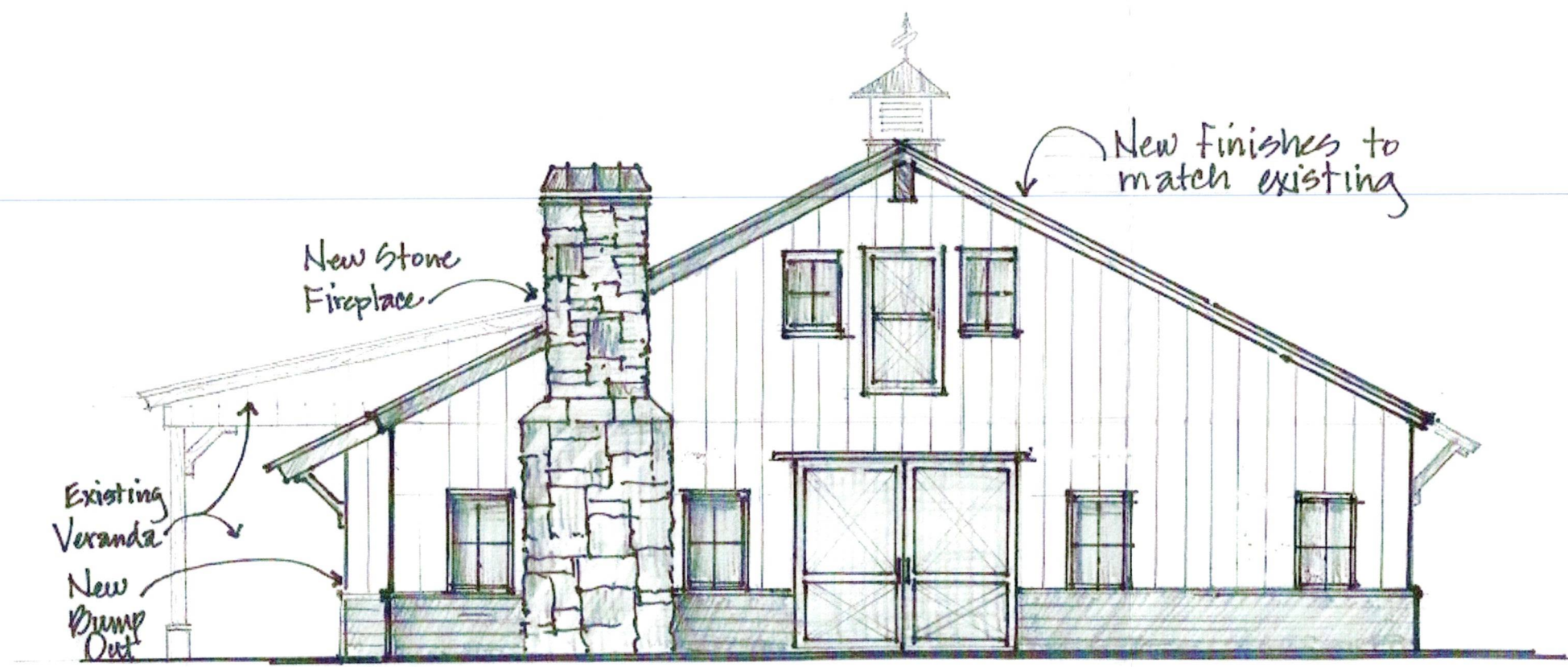
☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

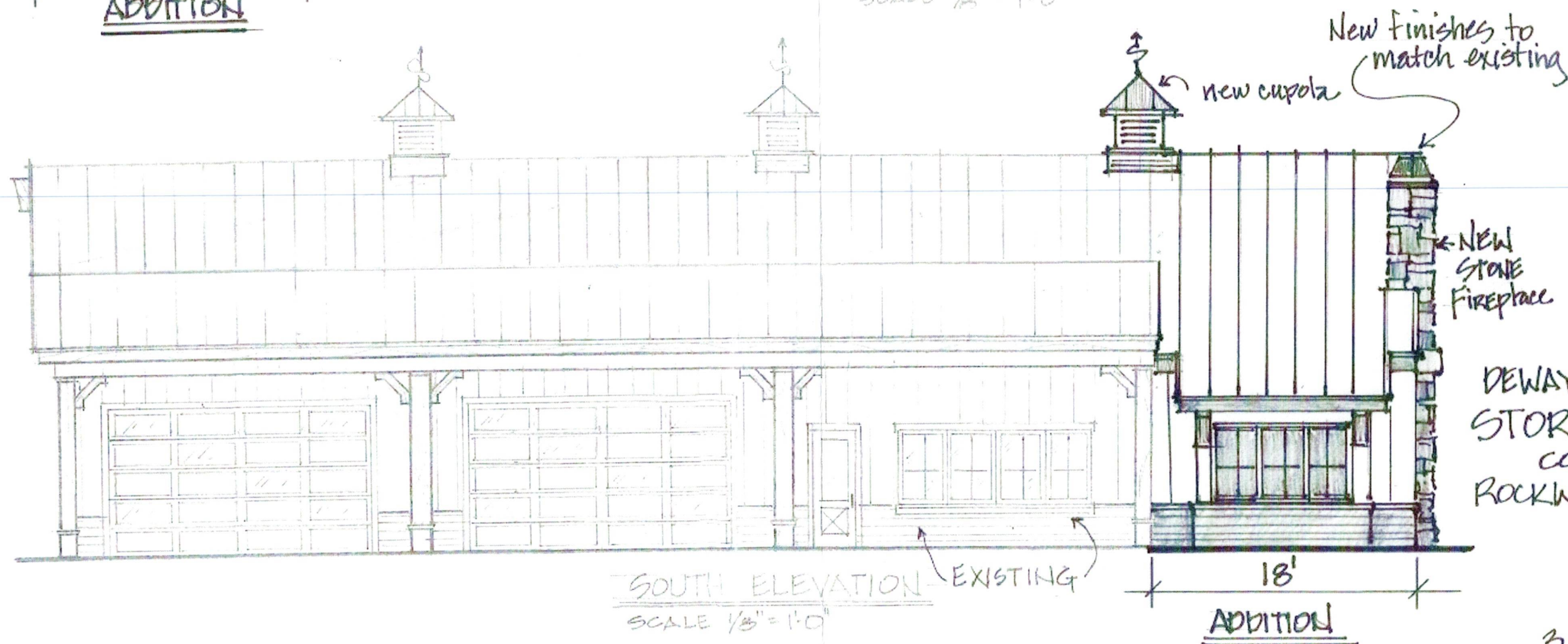
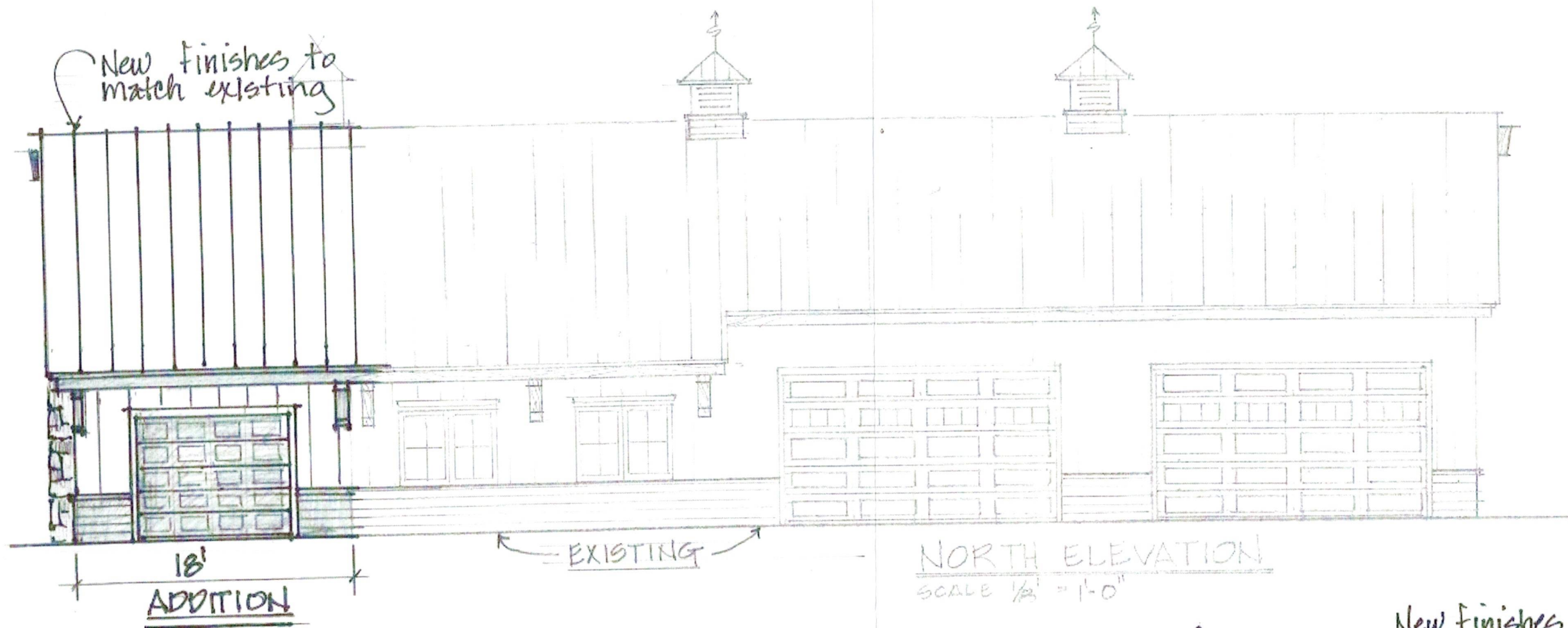
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



NEW EAST ELEVATION
SCALE 1/8" = 1'-0"

DEWAYNE CAIN
STORAGE BARN
CORNELIUS ROAD
ROCKWALL, TX 75087

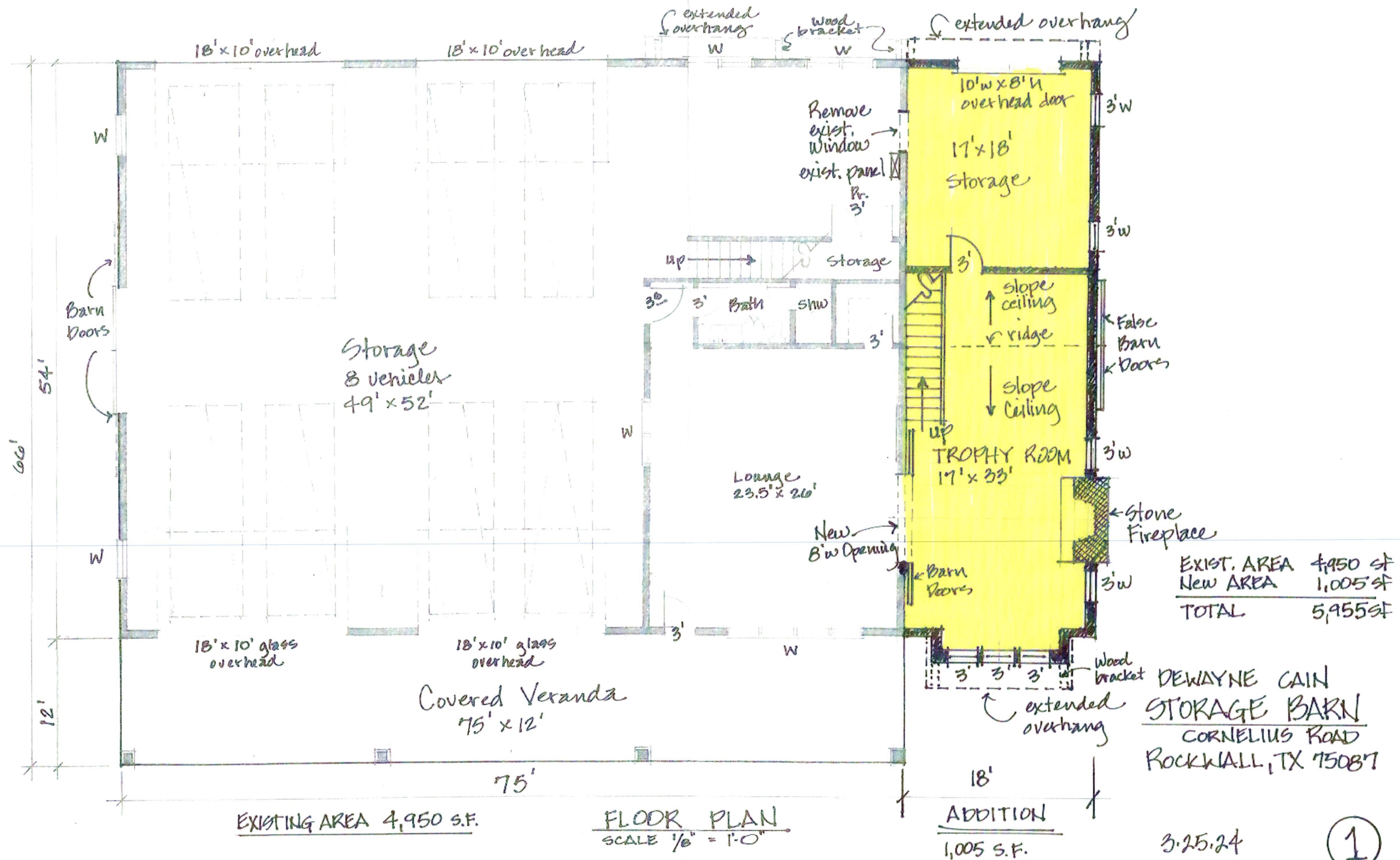
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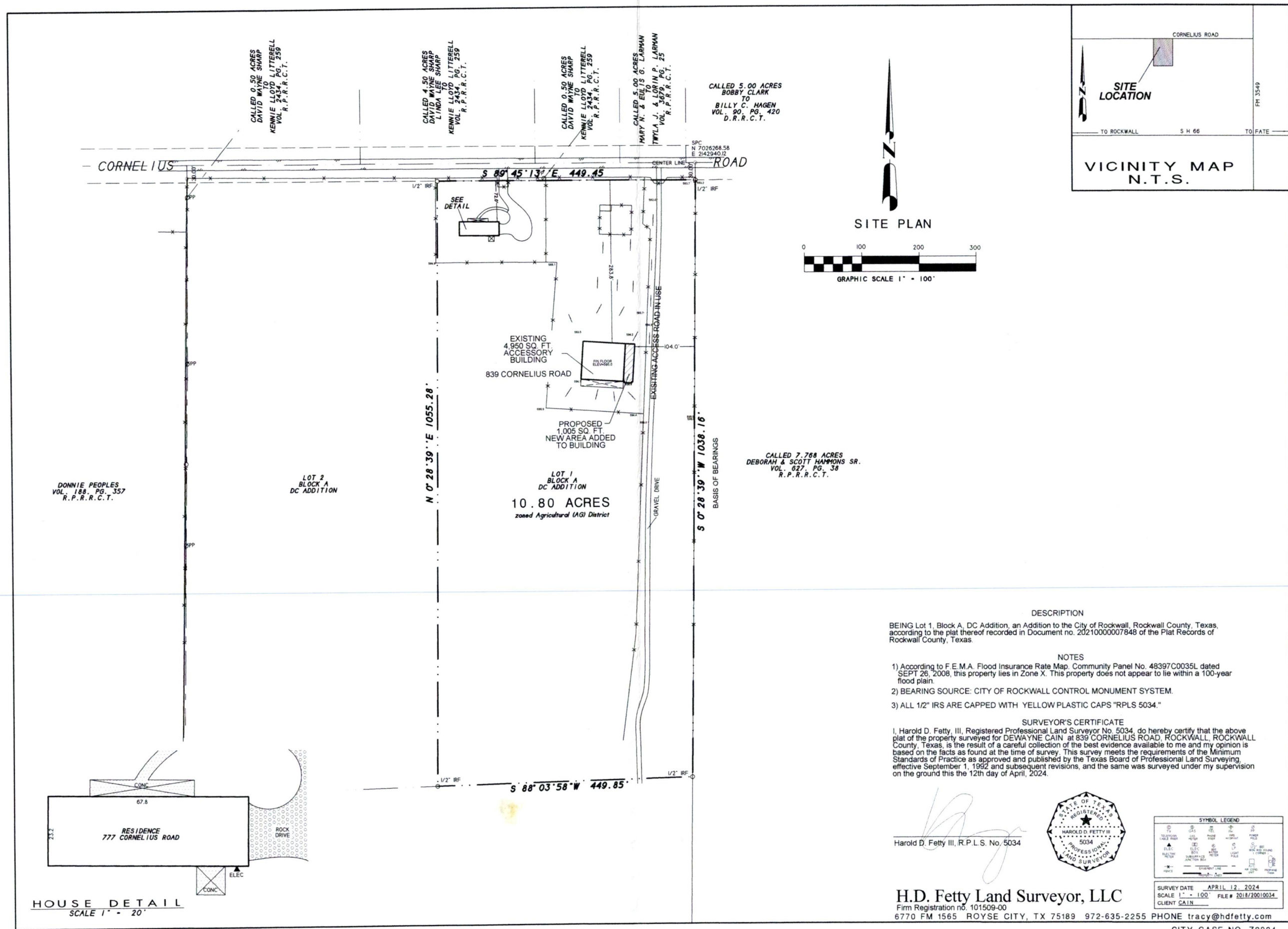


DEWAYNE CAIN
STORAGE BARN
CORNELIUS ROAD
ROCKWALL, TX 75087

3.25.24

3





CITY OF ROCKWALL

ORDINANCE NO. 24-XX

SPECIFIC USE PERMIT NO. S-3XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THE FOR A GUEST QUARTERS/SECONDARY LIVING UNIT AND AGRICULTURAL ACCESSORY STRUCTURE ON A 10.80-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK A, DC ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, 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 Dewayne Cain for the approval of a *Specific Use Permit (SUP)* to allow for the expansion of an existing *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* on a 10.80-acre tract of land identified as Lot 1, Block A, DC Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 839 Cornelius Road, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; 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 *Ordinance No. 19-23 [S-210]* and the Unified Development Code [*Ordinance No. 20-02*] 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 approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated in *Ordinance No. 19-23 [S-210]*; and,

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing the expansion of a *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* as stipulated by Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection

02.01, *Agricultural (AG) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Guest Quarters/Secondary Living Unit and Agricultural Accessory Building* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- (1) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* expansion shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit 'B & 'C'* of this ordinance.
- (2) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be utilized for a non-residential and/or non-agricultural land use;
- (3) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be ancillary to the existing single-family home;
- (4) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not exceed a maximum size of 6,000 SF.
- (5) The subject property shall not be subdivided in such a way that the property does not meet the minimum requirement of ten (10) acres in size for an *Agricultural Accessory Building*.
- (6) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be located behind the front façade of the primary structure and be subject to the same building setbacks as the primary structure; and,
- (7) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).

3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the property owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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

SECTION 5. 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 6. 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 7. 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 8. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3RD DAY OF JUNE, 2024.**

Trace Johannesen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: May 20, 2024

2nd Reading: June 3, 2024

LEGAL DESCRIPTION: LOT 1, BLOCK A, DC ADDITION

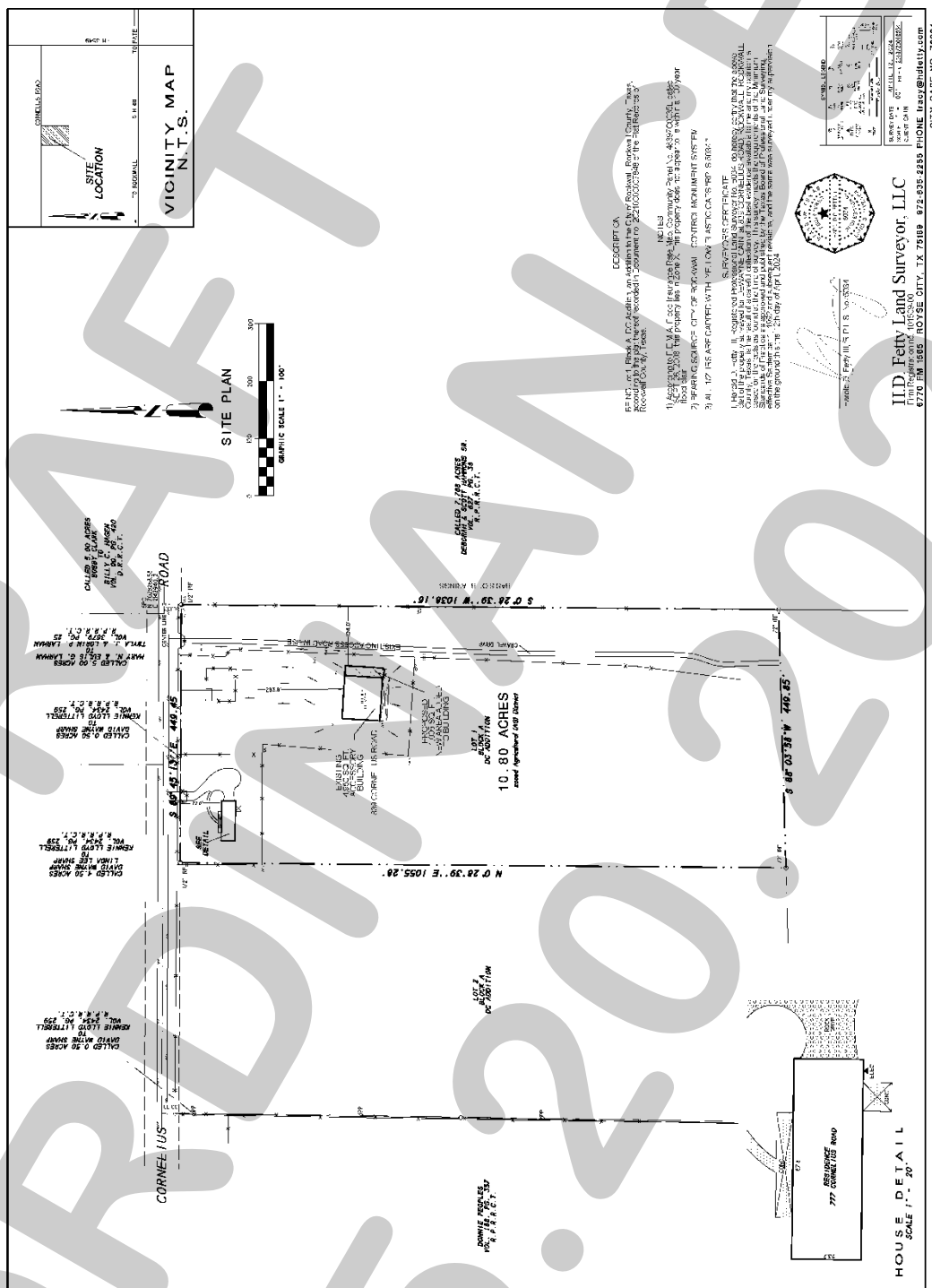


Exhibit 'B': *Concept Plan*

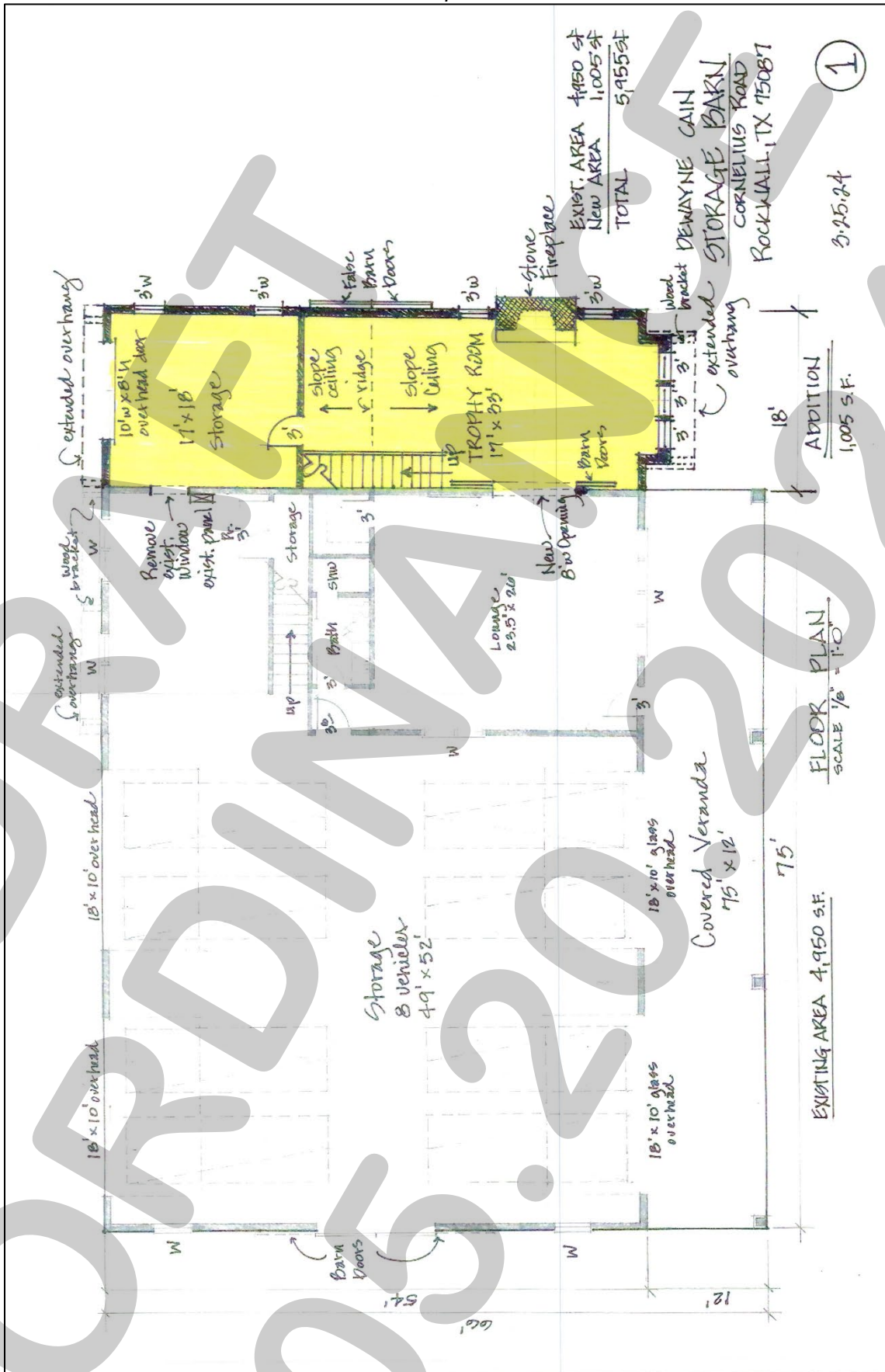


Exhibit 'C':
Conceptual Building Elevations

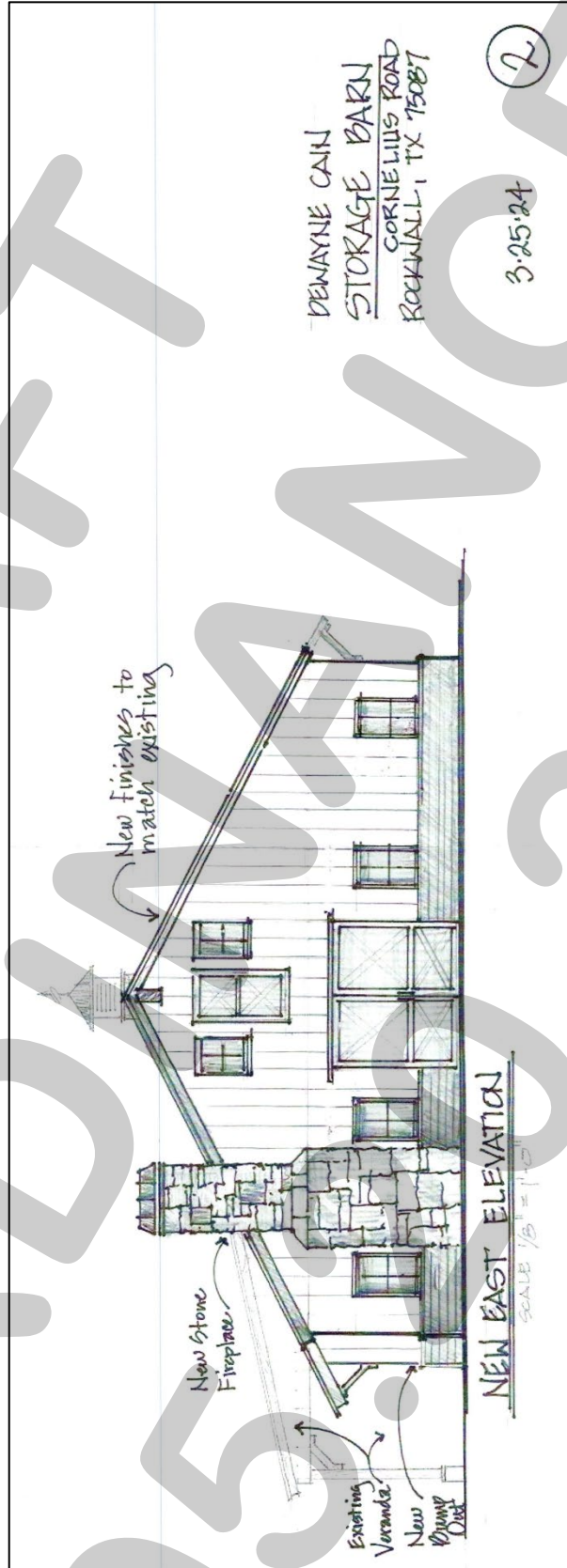
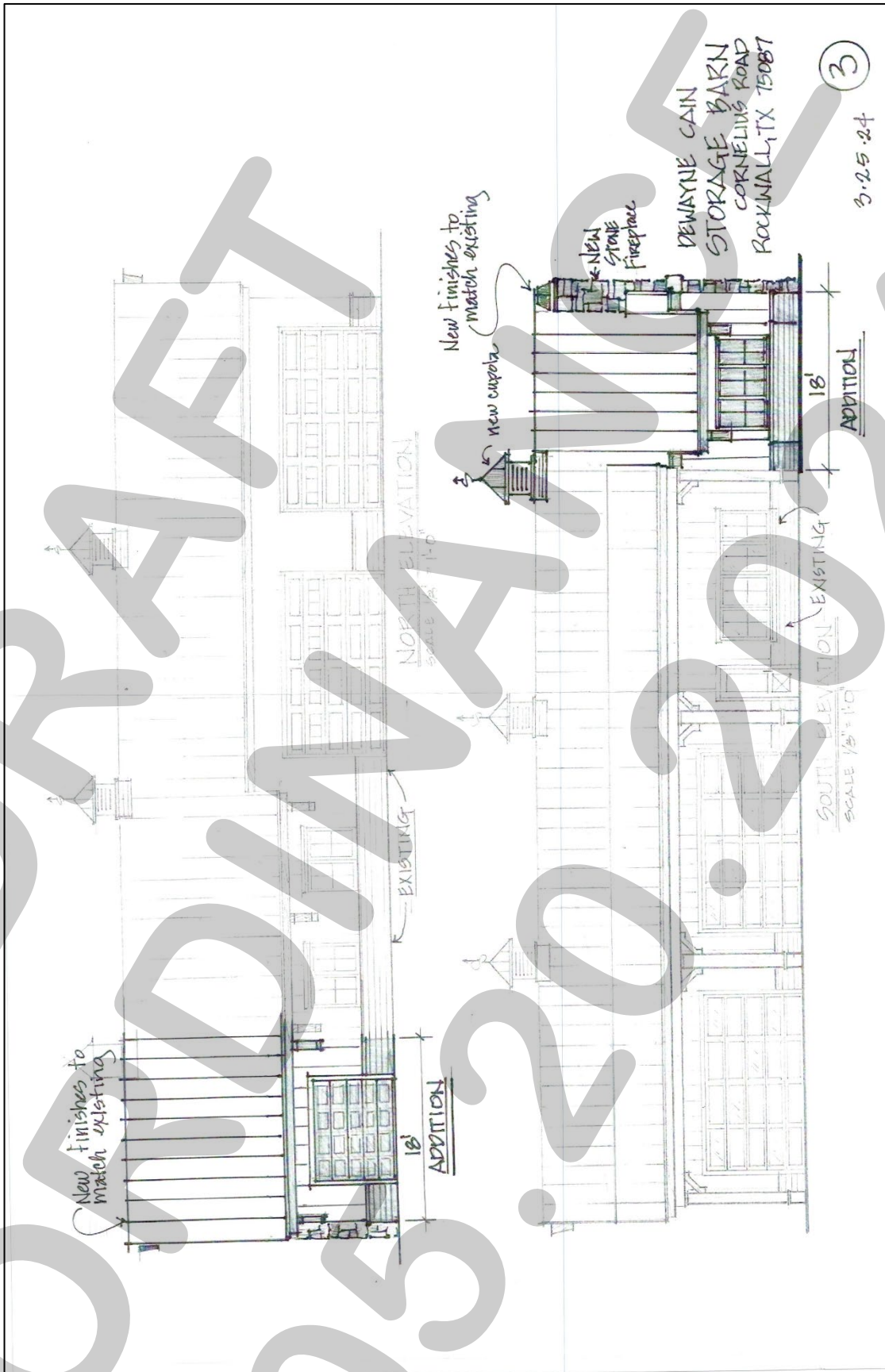


Exhibit 'C':
Conceptual Building Elevations





DATE: June 4, 2024

TO: Dewayne Cain
305 Stonebridge Drive
Rockwall, Texas 75087

FROM: Bethany Ross
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: Z2024-019; *Specific Use Permit (SUP) for 839 Cornelius Road*

Mr. Cain:

This letter serves to notify you that the above referenced platting case that you submitted for consideration by the City of Rockwall was approved by the City Council on June 3, 2024. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) The applicant shall be responsible for maintaining compliance with the following operational conditions contained in the Specific Use Permit (SUP) ordinance and which are summarized as follows:
 - (A) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* expansion shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit 'B' & 'C'* of this ordinance.
 - (B) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be utilized for a non-residential and/or non-agricultural land use;
 - (C) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be ancillary to the existing single-family home;
 - (D) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not exceed a maximum size of 6,000 SF.
 - (E) The subject property shall not be subdivided in such a way that the property does not meet the minimum requirement of ten (10) acres in size for an *Agricultural Accessory Building*.
 - (F) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall be located behind the front façade of the primary structure and be subject to the same building setbacks as the primary structure; and,
 - (G) The *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On May 14, 2024, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 6-0, with Commissioner Deckard absent.

City Council

On May 20, 2024, the City Council approved a motion to approve the Specific Use Permit (SUP) by a vote of 7-0.

On June 3, 2024, the City Council approved a motion to approve the Specific Use Permit (SUP) by a vote of 6-0, with Council Member Campbell absent.

Included with this letter is a copy of Ordinance No. 24-23, S-334, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me at (972) 772-6488.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bethany Ross".

Bethany Ross, *Planner*

City of Rockwall Planning and Zoning Department

CITY OF ROCKWALL

ORDINANCE NO. 24-23

SPECIFIC USE PERMIT NO. S-334

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THE FOR A GUEST QUARTERS/SECONDARY LIVING UNIT AND AGRICULTURAL ACCESSORY STRUCTURE ON A 10.80-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK A, DC ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, 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 Dewayne Cain for the approval of a Specific Use Permit (SUP) to allow for the expansion of an existing *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* on a 10.80-acre tract of land identified as Lot 1, Block A, DC Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 839 Cornelius Road, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; 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 *Ordinance No. 19-23 [S-210]* and the Unified Development Code [*Ordinance No. 20-02*] 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 approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated in *Ordinance No. 19-23 [S-210]*; and,

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing the expansion of a *Guest Quarters/Secondary Living Unit* and *Agricultural Accessory Building* as stipulated by Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection

02.01, *Agricultural (AG) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Guest Quarters/Secondary Living Unit and Agricultural Accessory Building* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- (1) The *Guest Quarters/Secondary Living Unit and Agricultural Accessory Building* expansion shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit 'B & 'C'* of this ordinance.
- (2) The *Guest Quarters/Secondary Living Unit and Agricultural Accessory Building* shall not be utilized for a non-residential and/or non-agricultural land use;
- (3) The *Guest Quarters/Secondary Living Unit and Agricultural Accessory Building* shall be ancillary to the existing single-family home;
- (4) The *Guest Quarters/Secondary Living Unit and Agricultural Accessory Building* shall not exceed a maximum size of 6,000 SF.
- (5) The subject property shall not be subdivided in such a way that the property does not meet the minimum requirement of ten (10) acres in size for an *Agricultural Accessory Building*.
- (6) The *Guest Quarters/Secondary Living Unit and Agricultural Accessory Building* shall be located behind the front façade of the primary structure and be subject to the same building setbacks as the primary structure; and,
- (7) The *Guest Quarters/Secondary Living Unit and Agricultural Accessory Building* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).

3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the property owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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

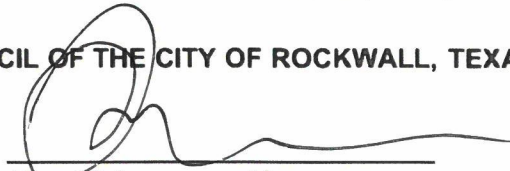
SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 6. 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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.


SECTION 7. 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 8. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3RD DAY OF JUNE, 2024.**


Trace Johannesen, Mayor

ATTEST:


Kristy Teague, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney



1st Reading: May 20, 2024

2nd Reading: June 3, 2024

LEGAL DESCRIPTION: LOT 1, BLOCK A, DC ADDITION

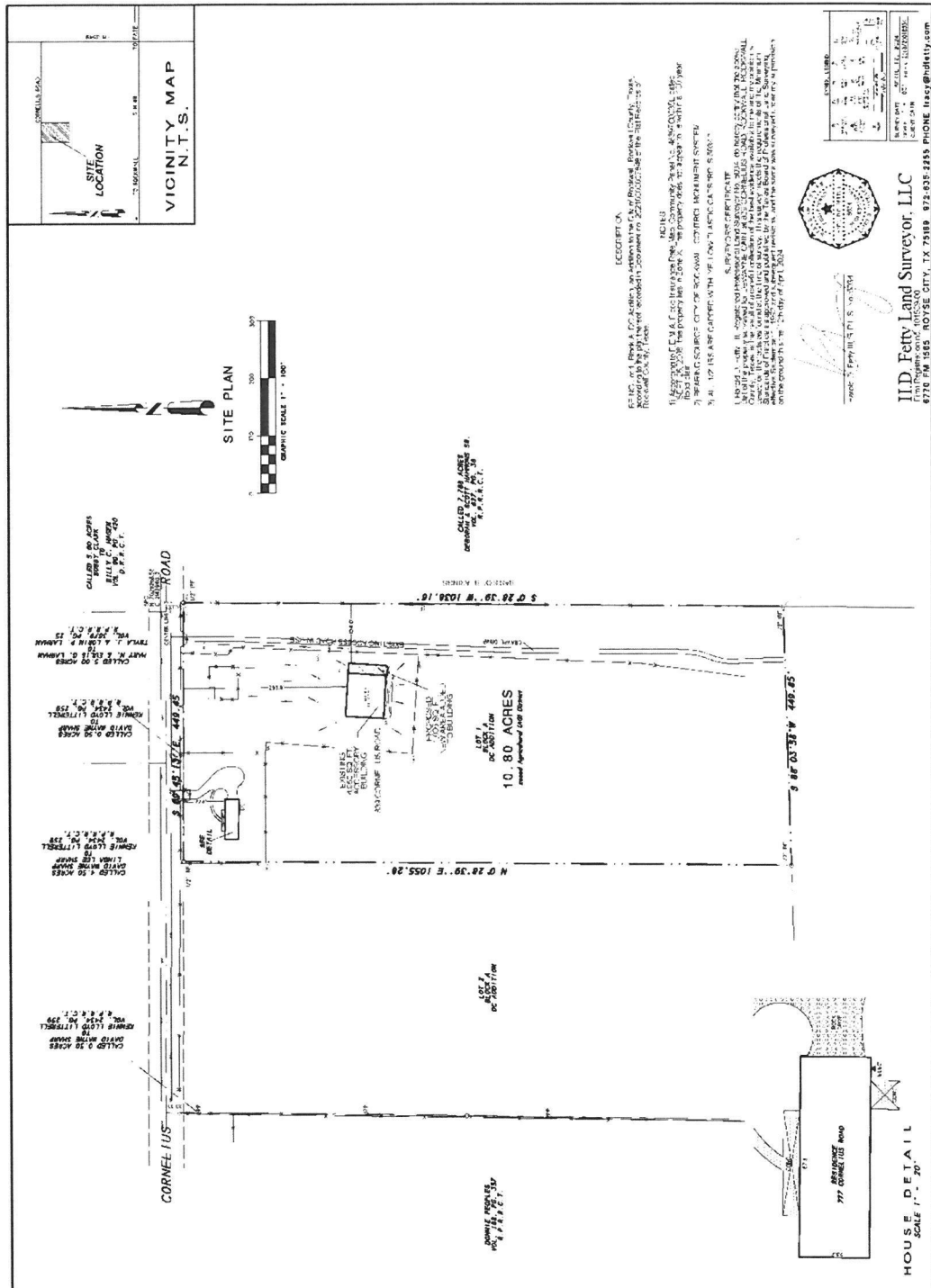


Exhibit 'B':
Concept Plan

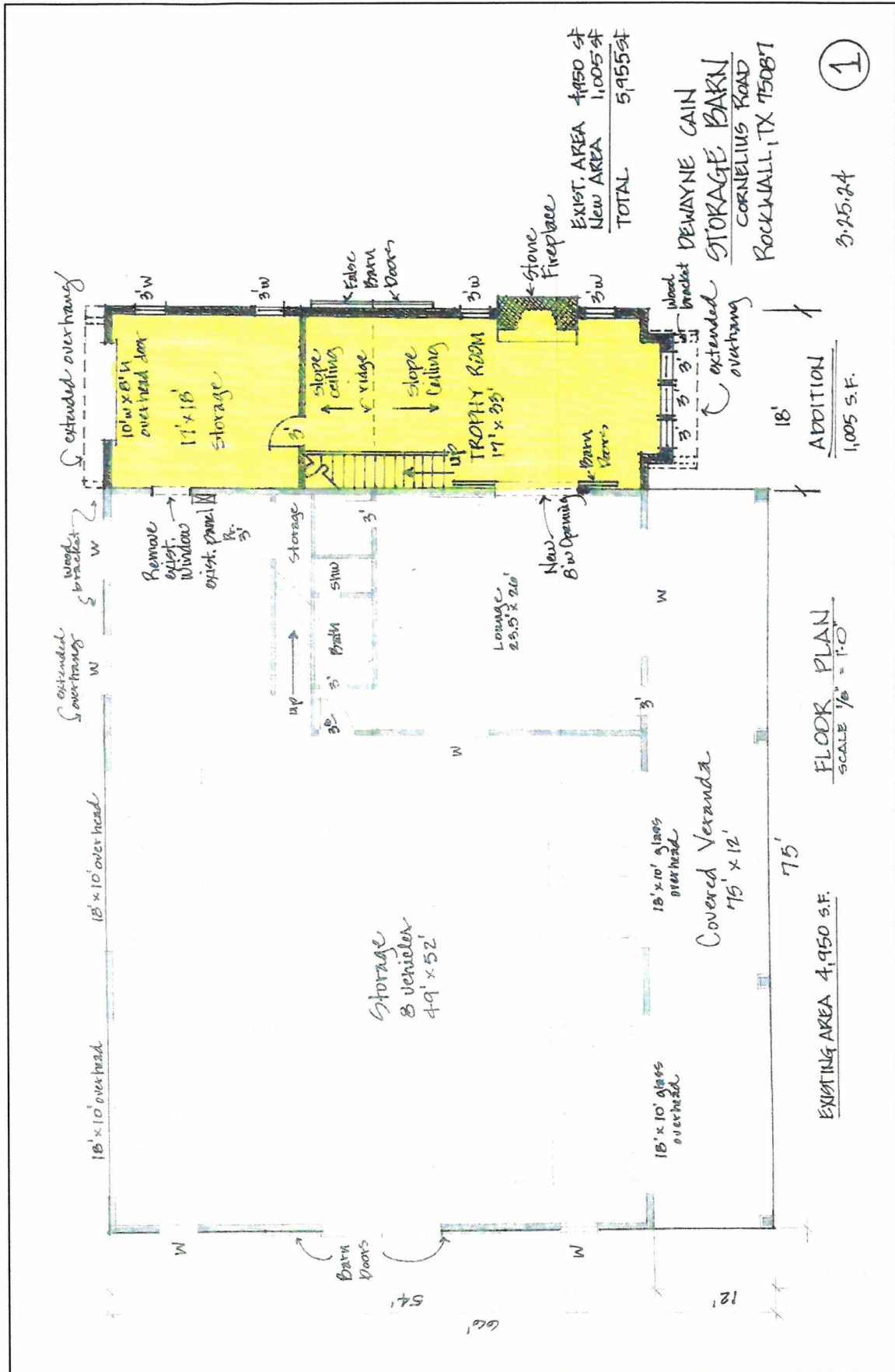


Exhibit 'C':
Conceptual Building Elevations

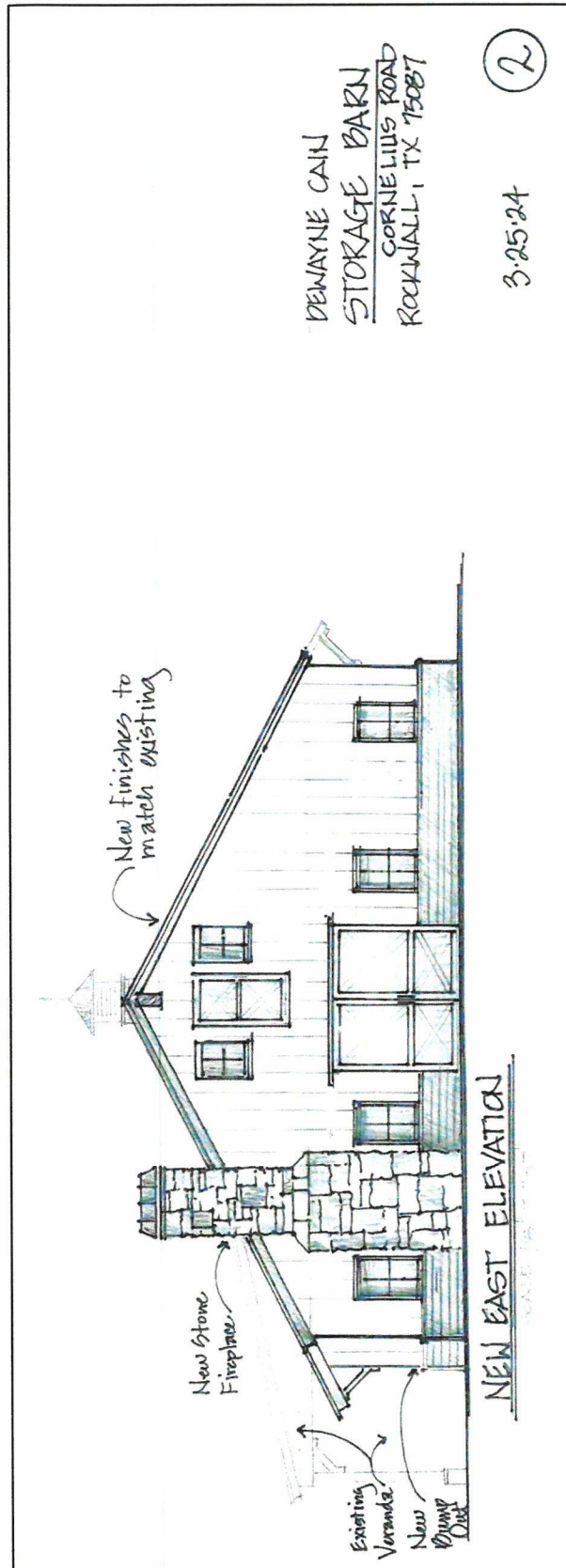


Exhibit 'C':
Conceptual Building Elevations

