

CITY OF ROCKWALL
ORDINANCE NO. 14-53
SPECIFIC USE PERMIT NO. S-128

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND A SPECIFIC USE PERMIT (SUP) NO. S-81 [ORDINANCE NO. 11-05] TO ALLOW VEHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE WITHIN A COMMERCIAL (C) DISTRICT ON A 0.702-ACRE TRACT OF LAND IDENTIFIED AS LOT 2, ROCKWALL MARKET CENTER SOUTH ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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 request has been made by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 129 E. Ralph Hall Parkway; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to amend a Specific Use Permit (SUP) No. S-81 [Ordinance No. 11.05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 129 E. Ralph Hall Parkway; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 4.5, Commercial (C) District, of Article V, District Development Standards, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions and definitions.

1. Vehicles may be stored outside in the six (6) parking spaces on the north side of the building (shown in Exhibit "A") for a maximum 48 hour period.
2. No equipment, parts or inventory shall be stored outside overnight.
3. There shall be no bulk storage of tires within the facility.
4. No welding or painting work shall take place within the facility.
5. The Specific Use Permit may be subject to periodic review by the Planning and Zoning Commission or City Council to ensure the business is in compliance with all conditions stated herein.

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

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

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

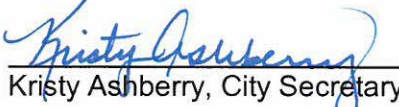
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 15th DAY OF December, 2014.**



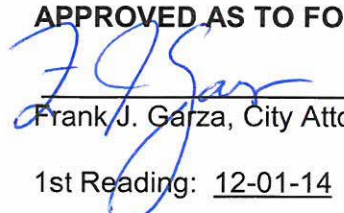
David Sweet, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: 12-01-14

2nd Reading: 12-15-14

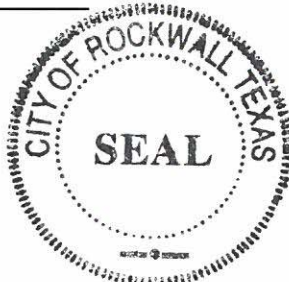


Exhibit "A" – Site Plan

Parking spaces for the overnight storage of vehicles.

