

CITY OF ROCKWALL

ORDINANCE NO. 15-12

SPECIFIC USE PERMIT NO. S-136

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A DETACHED GARAGE THAT DOES NOT CONFORM TO THE REQUIREMENTS AS STIPULATED BY SECTION 2.1.2, RESIDENTIAL AND LODGING USE CONDITIONS, OF ARTICLE IV, PERMISSIBLE USES, BEING A 4.05-ACRE PARCEL OF LAND, ZONED SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT, AND IDENTIFIED AS LOT 1, BLOCK 1, BLASÉ ADDITION, AND LOCATED AT 1220 EAST FORK DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; 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 Chris and Jill Blasé for the approval of a Specific Use Permit (SUP) to allow for a *Detached Garage* that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses of the Unified Development Code [Ordinance 04-38], being a 4.05-acre parcel of land, zoned Single-Family Residential (SF-10) District, and identified as Lot 1, Block 1, Blasé Addition, and located at 1220 East Fork Drive, and, City of Rockwall, Rockwall County, Texas, and 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 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 [Ordinance No. 04-38] 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 for a *Detached Garage* that does not conform to the requirements of Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, within a Single Family (SF-10) Residential District as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the

purposes described in this Specific Use Permit (SUP) granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses, Sec. 2.1.2 Residential and Lodging Uses* of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions and compliance standards:

1. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, 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; and,
2. That submittal and approval of a building permit is required prior to the construction of the detached garage; and,
3. That the detached garage shall generally conform to the site plan as submitted and attached hereto as Exhibit 'A'; and,
4. That the detached garage shall not exceed 1,235 sq. ft. in area as depicted in the floor plan attached hereto as Exhibit 'B' and does not exceed an overall height of 25 ft. as depicted in the building elevations attached hereto as Exhibit 'C'; and,
5. That the detached garage shall generally conform to the building elevations as submitted, including the use of metal siding, a metal roof, and metal roof elements (dormers) as depicted and attached hereto as Exhibit 'C'; and,
6. That the detached garage is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or replatted; and,
7. That the City Council reserves the right to review the Specific Use Permit within one (1) year from the date approval.

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.

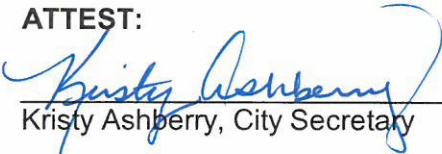
Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such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

Section 6. That 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.

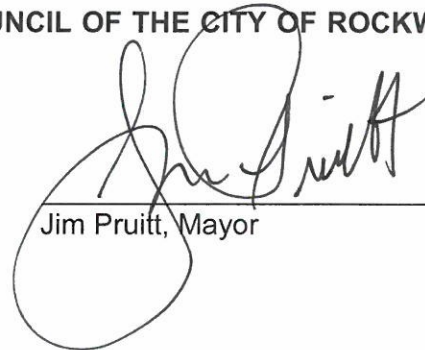
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law may in such cases provide.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6th DAY OF APRIL, 2015.**

ATTEST:

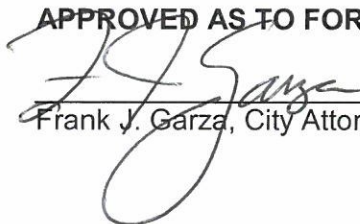


Kristy Ashberry, City Secretary



Jim Pruitt, Mayor

APPROVED AS TO FORM:



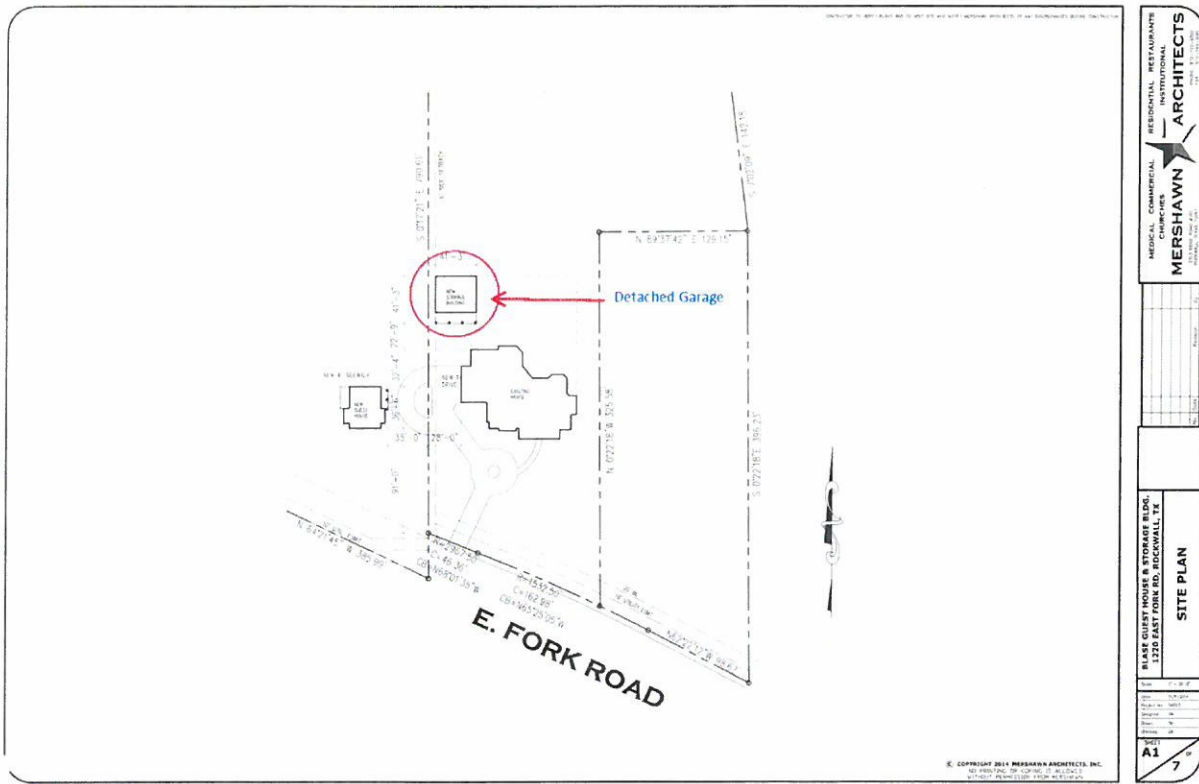
Frank J. Garza, City Attorney



1st Reading: 03-16-15

2nd Reading: 04-06-15

Exhibit 'A' - Site Plan



FIRST FLOOR

SECOND FLOOR

SQUARE FOOTAGES	
1ST FLOOR	1,111
2ND FLOOR	1,111
TOTAL	2,222

© COPYRIGHT 2011 MERSHAW ARCHITECTS, INC.
 ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM MERSHAW ARCHITECTS, INC.

