

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 16-06
SPECIFIC USE PERMIT NO. 143

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE STANDARDS STIPULATED BY THE UNIFIED DEVELOPMENT CODE, ON THE PROPERTY ADDRESSED AS 513 WINDSOR WAY, BEING A 0.23-ACRE PARCEL OF LAND IDENTIFIED AS LOT 14, BLOCK F, HARLAN PARK 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 Stephen B. North for a Specific Use Permit allowing for an accessory building not meeting the standards stipulated by the Unified Development Code within the Single-Family Residential (SF-10) District, on the property located at 513 Windsor Way, being a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an accessory building not meeting the standards stipulated by the Unified Development Code within the Single-Family Residential (SF-10) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Article IV, Section 2.1.2, Residential and Lodging Use Conditions**, of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. That the structure must meet all Building Inspections, Engineering, and Fire Department standards, and
2. That submittal and approval of a building permit is required prior to the construction of the accessory building, and
3. That the accessory building shall generally not exceed 288 sq. ft. in area or a maximum height of 15-ft. (measured at the midpoint of the pitched roof), and
4. That the accessory building shall generally conform to the site plan (Exhibit 'A' - Survey), building elevations as submitted, including the use of up to 100% Hardi Board lap siding (or other comparable cementaceous lap siding product) on all exterior walls, a composition roof, and a porch/roof overhang as generally depicted in the attached photo, and
5. That the accessory building 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
6. That the City Council reserves the right to review the Specific Use Permit granted herein, and
7. That 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.

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 4th DAY OF January, 2016.**



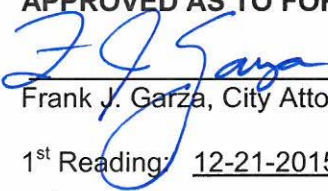
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: 12-21-2015

2nd Reading: 01-04-2016



Exhibit 'A' Survey

