

CITY OF ROCKWALL

ORDINANCE NO. 16-26

SPECIFIC USE PERMIT NO. S-150

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 CARPORT 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, BEING A 1.04-ACRE TRACT OF LAND, ZONED SINGLE-FAMILY RESIDENTIAL (SF-7) DISTRICT, AND ADDRESSED AS 303 RENFRO STREET, AND IDENTIFIED AS TRACT 47 OF THE R. BALLARD SURVEY, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A' OF THIS ORDINANCE*; 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 John Cherry for the approval of a Specific Use Permit (SUP) to allow for a *Carport* 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 No. 04-38*], being a 1.04-acre tract of land, zoned Single-Family Residential (SF-7) District, and identified Tract 47 of the R. Ballard Survey, Abstract No. 29, City Rockwall, Rockwall County, Texas, addressed as 303 Renfro Street 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 [*Ordinance No. 04-38*] 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 *Carport* that does not conform to the requirements stipulated by Section 2.1.2, *Residential and Lodging Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] for a property within a Single Family Residential (SF-7) District and more specifically described as 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 Specific Use Permit (SUP), and as may be amended in the future, and shall be subject to the additional following conditions:

- 1) The carport generally conforms to the approved site plan and building elevation depicted in *Exhibits 'B' and 'C'* of this ordinance;
- 2) The carport shall not exceed 640 square feet in area;
- 3) The carport shall not exceed a maximum height 10 feet;
- 4) The carport shall include screening of vehicles as shown in *Exhibit 'C'* of this ordinance;
- 5) The carport is subject to administrative review in the event that the *Subject Property* is sold or conveyed in any manner to another party, subdivided, or re-platted.

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 offense 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 18TH DAY OF APRIL, 2016.



Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: 04/04/2016

2nd Reading: 04/18/2016

Exhibit 'A'
Legal Description

Being all that certain tract of parcel of land situated In the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, and being all of that certain tract described as described In a deed to Andy & Kelli Mitchell as recorded in Volume 2194, Page 23 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a 3/8 inch iron rod found for corner in the easterly right of way of Renfro Street, said found rod being at the northwest corner of that certain tract of land as described in a deed to Wencelao Ponce, as recorded in Volume 1785, Page 158 of said Deed Records and being the southwest corner of this tract and the aforementioned Mitchell tract;

THENCE North 08 degrees 15 minutes 00 seconds East, along the easterly right of way line of said Renfro Street, a distance of 120.95 feet to a 112 inch iron rod found for the northwest corner of this tract and the southwest corner of a 0.734 acre tract of land as described in a deed to James and Wanda Cain as recorded in Volume 1255, Page 62, of the Real Property Records of Rockwall County, Texas;

THENCE North 89 degrees 26 minutes 54 seconds East, along the common line between said Cain and Mitchell tracts, along the north line of this tract, passing at 341.42 feet, the west bank of a creek and continuing for a total distance of 376.22 feet to a point for the northeast corner of this tract in said creek;

THENCE South along the east line of this tract, a distance of 115.05 feet to a point for the southeast corner of this tract in said creek;

THENCE South 88 degrees 48 minutes 56 seconds West, passing at 6.10 feet, a 1/2 inch iron rod for witness on the west bank of said creek, and continuing generally along a fence line (fence meanders) along the north line of aforementioned Ponce tract and along the south line of this tract, a total distance of 394.40 feet to the POINT OF BEGINNING and containing 1.04 acres of land.

Exhibit 'B' Site Plan

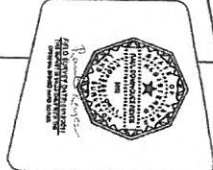
NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.
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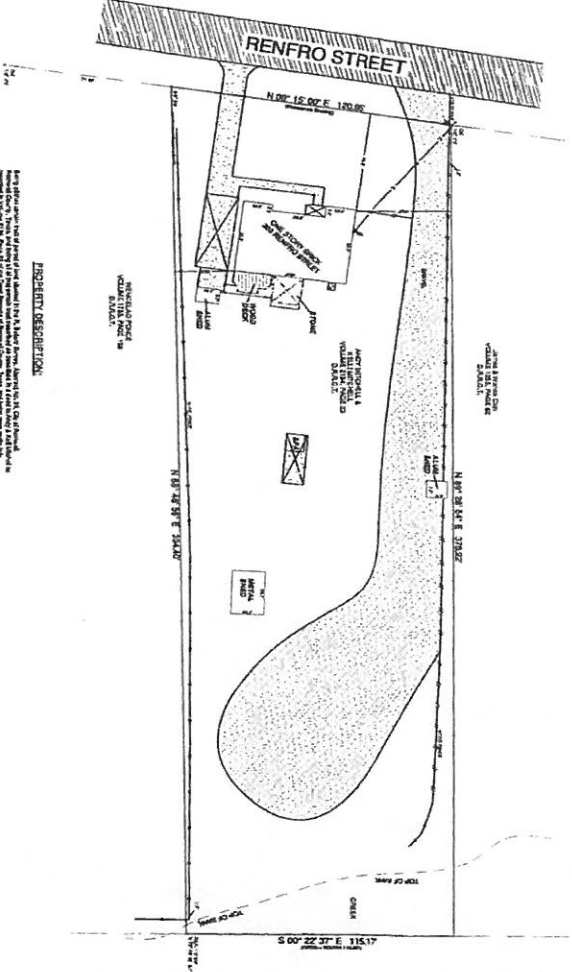
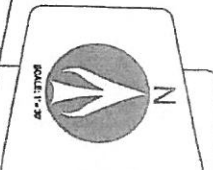
NO.	DESCRIPTION	DATE	BY
1	PREPARED BY		
2	CHECKED BY		
3	APPROVED BY		
4	REVIEWED BY		
5	FINAL CHECKED BY		
6	FINAL APPROVED BY		

BOUNDARY SURVEY
303 RENFRO STREET
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS

DATE: 01/12/2011
TECH: DT
CHECKED BY: RMR
JOB # 11-0008
CITY: 10-13003-HW



Senior
SURVEYING, LLC
2901 Royal Palm, Suite 101
Ft. Worth, Texas 76106
Phone: 817-341-3301
Fax: 817-341-1021



PROPERTY DESCRIPTION:
Being offered for sale is a portion of the property owned by the City of Rockwall, Texas, known as the 303 Renfro Street property. The property is located in the City of Rockwall, Texas, and is bounded by Renfro Street to the north, the City of Rockwall property to the east, and the City of Rockwall property to the south. The property is approximately 1.5 acres in size and is currently vacant. The property is being offered for sale by the City of Rockwall, Texas, and is subject to the terms and conditions of the sale.

Exhibit 'C'
Building Elevations



Exhibit 'C'
Building Elevations



Exhibit 'C'
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Exhibit 'C'
Building Elevations

