

CITY OF ROCKWALL

ORDINANCE NO. 16-44

SPECIFIC USE PERMIT NO. S-154

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 0.231-ACRE TRACT OF LAND, ZONED SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT, AND ADDRESSED AS 509 SUNSET HILL DRIVE, AND IDENTIFIED AS LOT 10, BLOCK D OF NORTHSORE, PHASE 2A ADDITION, 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 Sandra Peterson 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 0.231-acre tract of land, zoned Single-Family Residential (SF-10) District, and identified Lot 10, Block D, of Northshore, Phase 2A Addition, City Rockwall, Rockwall County, Texas, addressed as 509 Sunset Hill Drive 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-10) 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 depicted in *Exhibit 'B'* of this ordinance;
- 2) The carport shall not exceed 530 square feet in area;
- 3) The carport shall not exceed a maximum height of 10 feet;
- 4) The carport shall not encroach the 7'5" utility easement;
- 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.

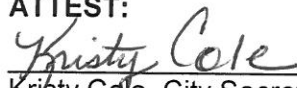
SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offense and each and every day such offense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

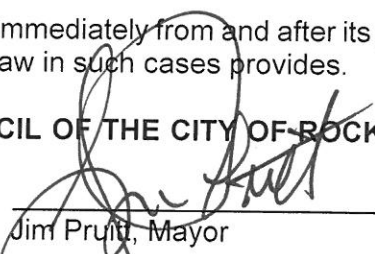
SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 15th DAY OF AUGUST, 2016.

ATTEST:



Kristy Cole, City Secretary

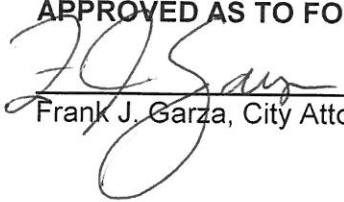


Jim Pruitt, Mayor

1st Reading: 08-01-2016

2nd Reading: 08-15-2016

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

Exhibit 'A'
Survey/Legal Description

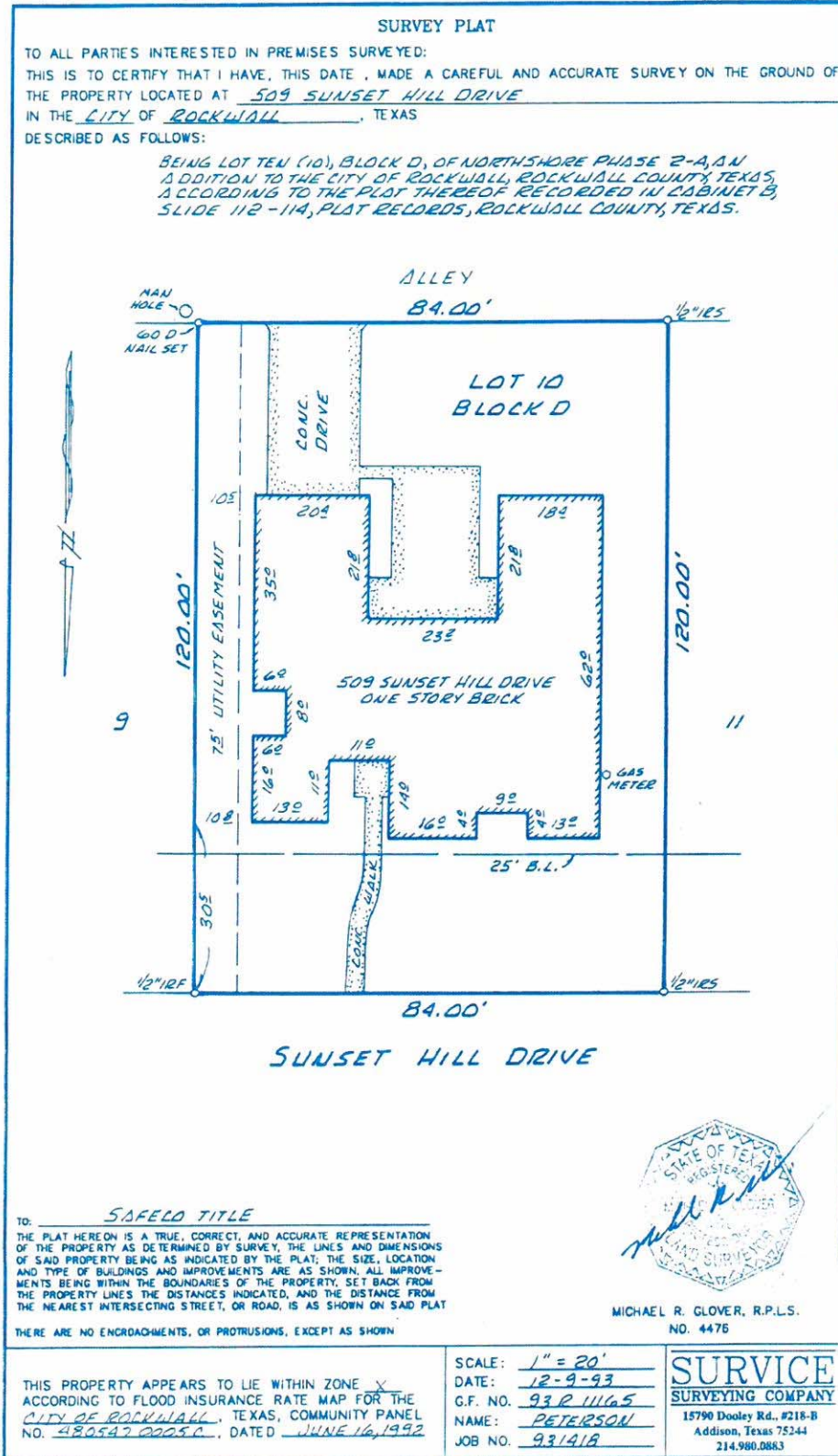


Exhibit 'B'
Site Plan

