

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A STRUCTURE WITH LESS THAN 100% NONCOMBUSTIBLE STRUCTURAL MATERIALS AND LESS THAN 90% MASONRY FACADES IN A LIGHT INDUSTRIAL DISTRICT ON A TRACT OF LAND DESCRIBED MORE FULLY HEREIN; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE AND DECLARING AN EMERGENCY.

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 a joint public hearing 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 Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended by amending the Zoning Map of the City of Rockwall so as to grant a Conditional Use Permit for the tract of land described as follows:

BEING a tract of land situated in the B. F. Boydston Survey, Abstract No. 14 and 52, the A. Hanna Survey, Abstract No. 99 and the B. J. T. Lewis Survey, Abstract No. 225, City of Rockwall, Rockwall County, Texas, and also being that tract as recorded in Volume 83, Page 269 and 271, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the West line of Terrell Road with the Southeast line of the M.K.T. Railroad, a ½" iron stake found for corner;  
THENCE, South, along the said West line of Terrell Road, a distance of 423.32 feet to a ½" iron stake found for corner;  
THENCE, S. 89°22'34" W., leaving the said West line of Terrell Road, a distance of 601.68 feet to a point on the Southeast line of the M.K. & T. Railroad, a ½" iron stake found for corner;  
THENCE, in a Northeasterly direction and along the said Southeast line of M.K. & T. Railroad and around a curve to the right having a central angle of 16°19'18" and a radius of 2604.54 feet, a distance of 741.95 feet to the PLACE OF BEGINNING and containing 3.222 acres of land, of which 0.562 acres lies within Railroad right-of-way, leaving a net of 2.660 acres of land. This description is based on the Land Title Survey and Plat made by Kenneth E. Brown, Registered Public Surveyor, on April 22, 1983

SECTION 2. This Conditional Use Permit is granted subject to the following conditions:

a. This permit is limited to remodeling of an existing structure.

SECTION 3. There shall be no time limit for this Conditional Use Permit.


SECTION 4. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended herein by the granting of this zoning change.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended hereby, and upon conviction shall be punished by a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.


SECTION 6. WHEREAS, it appears that the above described property requires classification so as to grant a Conditional Use Permit for a structure with less than 100% noncombustible structural materials and less than 90% masonry facades in order to permit its proper development and in order to protect the public interest and general welfare of the City of Rockwall, such requirement creates an urgency and an emergency in the preservation of the public welfare and requires that this ordinance take effect immediately from and after its passage and the publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Rockwall, Texas, on the 12th day of September, 1983.

APPROVED:

  
Mayor

ATTEST:

  
City Administrator