

ORDINANCE NO. 83-53

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 90% MASONRY FACADE IN A COMMERCIAL DISTRICT ON A TRACT OF LAND DESCRIBED MORE FULLY AS FOLLOWS: BEING, A TRACT OF LAND SITUATED IN THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A 1.225 ACRE TRACT OUT OF A 55.20 ACRE TRACT AS RECORDED IN VOLUME 59, PAGE 383, DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHEAST LINE OF INTERSTATE HIGHWAY NO. 30, SAID POINT BEING 286.5 FEET MORE OR LESS FROM THE NORTH CORNER OF SAID 55.20 ACRE TRACT, A ½" IRON STAKE FOUND FOR CORNER; THENCE, S. 38° 40' E., LEAVING THE SAID SOUTHEAST LINE OF INTERSTATE HIGHWAY NO. 30, A DISTANCE OF 254.60 FEET TO A ½" IRON STAKE FOUND FOR CORNER; THENCE, S. 44° 28' 10" W., A DISTANCE OF 176.50 FEET TO A ½" IRON STAKE FOUND FOR CORNER; THENCE, N. 43° 56' 33" W., A DISTANCE OF 311.00 FEET TO A POINT ON THE SOUTHEAST LINE OF INTERSTATE HIGHWAY NO. 30, A ½" IRON STAKE FOUND FOR CORNER; THENCE, N. 60° 48' E., ALONG THE SOUTHEAST LINE OF INTERSTATE HIGHWAY NO. 30, A DISTANCE OF 206.65 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 1.225 ACRES OF LAND; PROVIDING FOR A PENALTY OF FINE 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 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 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 a structure with less than 100% non-combustible structural materials and 90% masonry facade on a tract of land described as follows:

BEING, a tract of land situated in the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, and being a 1.225 acre tract out of a 55.20 acre tract as recorded in Volume 59, Page 383, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the Southeast line of Interstate Highway No. 30, said point being 286.5 feet more or less from the North Corner of said 55.20 acre tract, a ½" iron stake found for corner;

THENCE, S. 38° 40' E., leaving the said Southeast line of Interstate Highway No. 30, a distance of 254.60 feet to a ½" iron stake found for corner;

THENCE, S. 44° 28' 10" W., a distance of 176.50 feet to a ½" iron stake found for corner;

THENCE, N. 43° 56' 33" W., a distance of 311.00 feet to a point on the Southeast line of Interstate Highway No. 30,

APPROX. a ½" iron stake found for corner;

THENCE, N. 60° 48' E., along the Southeast line of Interstate Highway No. 30, a distance of 206.65 feet to the PLACE OF BEGINNING, and containing 1.225 acres of land.

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SECTION 2. That there shall be no time limit on this Conditional Use Permit.

SECTION 3. That this Conditional Use Permit shall only apply to the existing structure and that remodeling plans must be approved by the City.


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 90% masonry facade 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 7th day of November, 1983.

APPROVED:



Mayor

ATTEST:



City Secretary