

ORDINANCE NO. 83-59

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 STRUCTURES 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: BEGINNING AT AN IRON ROD AT A BROKEN CONCRETE RIGHT-OF-WAY MONUMENT AT THE RIGHT-OF-WAY OFFSET IN THE WESTERLY LINE OF STATE HIGHWAY 205 AT TEXAS HIGHWAY DEPARTMENT CENTERLINE STATION 458+00; THENCE: SOUTH 60° 06' 21" WEST A DISTANCE OF 25.00 FEET ALONG SAID OFFSET LINE TO AN IRON ROD FOR A CORNER; THENCE: SOUTH 29° 53' 39" EAST ALONG THE WESTERLY LINE OF SAID STATE HIGHWAY 205, PASSING AT 3.38 FEET A WOOD RIGHT-OF-WAY MONUMENT AND CONTINUING A TOTAL DISTANCE OF 177.19 FEET TO AN IRON ROD FOR A CORNER AT THE SOUTHEAST CORNER OF ABOVE MENTIONED 6.876 ACRE TRACT; THENCE: SOUTH 44° 47' 56" WEST ALONG THE SOUTHEAST LINE OF SAID 6.876 ACRE TRACT PASSING AT 182.13 FEET AN AXLE FOUND ON SAID SOUTHEAST LINE AND CONTINUING A TOTAL DISTANCE OF 182.43 FEET TO AN IRON ROD AT THE SOUTH CORNER OF SAID 6.876 ACRE TRACT, SAID CORNER BEING ON THE NORTHEAST LINE OF ROCKWALL BUSINESS PARK EAST, ALSO BEING ON THE NORTHEAST LINE OF THE J. D. MCFARLAND SURVEY, ABSTRACT NO. 145 AND THE SOUTHWEST LINE OF THE CADLE SURVEY; THENCE: NORTH 44° 55' 43" WEST A DISTANCE OF 915.48 FEET ALONG SAID SURVEY LINE AND THE SOUTHWEST LINE OF SAID 6.876 ACRE TRACT AND THE NORTHEAST LINE OF SAID ~~ADDITION TO AN IRON ROD FOR A CORNER: THENCE: NORTH 44° 33' 39" EAST A DISTANCE OF 455.08 FEET ALONG THE NORTHWEST LINE OF SAID 6.876 ACRE TRACT TO AN IRON ROD ON THE WESTERLY LINE OF SAID HWY. 205; THENCE SOUTH 29° 53' 39" EAST A DISTANCE~~ OF 780.75 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING AND CONTAINING 6.876 ACRES OF LAND; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); AND PROVIDING AN EFFECTIVE DATE.

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 structures with less than 100% noncombustible structural materials and 90% masonry facade in a Commercial District on a tract of land described as follows:

BEGINNING at an iron rod at a broken concrete right-of-way monument at the right-of-way offset in the Westerly line of State Highway 205 at Texas Highway Department centerline station 458+00;

THENCE: South 60° 06' 21" West a distance of 25.00 feet along said offset line to an iron rod for a corner;

THENCE: South 29° 53' 39" East along the Westerly line of said State Highway 205, passing at 3.38 feet a wood right-of-way monument and continuing a total distance of 177.19 feet to an iron rod for a corner at the Southeast corner of above mentioned 6.876 acre tract;

THENCE: South 44° 47' 56" West along the Southeast line of said 6.876 acre tract passing at 182.13 feet an axle found on said Southeast line and continuing a total distance of 182.43 feet to an iron rod at the South corner of said 6.876 acre tract, said corner being on the Northeast line of Rockwall Business Park East, also being on the Northeast line of the J. D. McFarland Survey, Abstract No. 145 and the Southwest line of the Cadle Survey;

THENCE: North 44° 55' 43" West a distance of 915.48 feet along said survey line and the Southwest line of said 6.876 acre tract and the Northeast line of said addition to an iron rod for a corner;

THENCE: North 44° 33' 39" East a distance of 455.08 feet along the Northwest line of said 6.876 acre tract to an iron rod on the Westerly line of Highway 205;

THENCE: South 29° 53' 39" East a distance of 780.75 feet along said Westerly line to the Point of Beginning and Containing 6.876 acres of land.

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

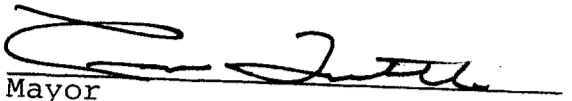
SECTION 3. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended herein by the granting of this zoning change.

SECTION 4. 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.

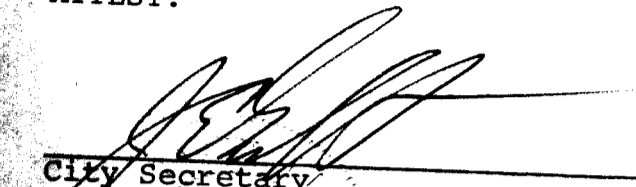
SECTION 5. Whereas, it appears that the above described property requires classification so as to grant a Conditional Use Permit for a structure with less than 100% noncombustible structural materials and 90% masonry facade in order to permit its proper development and in order to protect the public 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 5th day of December, 1983.

APPROVED:


Mayor

ATTEST:


City Secretary

