

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 NURSING HOME IN AN "MF-15" MULTIFAMILY RESIDENTIAL DISTRICT AND AN ACCESSORY PARKING LOT IN A "2-F" DUPLEX DISTRICT ON A TRACT OF LAND DESCRIBED AS FOLLOWS: BEING, A TRACT OF LAND SITUATED IN THE B. F. BOYDSTUN SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING THAT TRACT AS RECORDED IN VOLUME 66, PAGE 448, DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING, AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF STORRS STREET WITH THE EAST LINE OF BARNES STREET, AN IRON STAKE FOR CORNER; THENCE S. 89° 58' 58" E., ALONG THE SOUTH LINE OF STORRS STREET, A DISTANCE OF 200.00 FEET TO AN IRON STAKE FOR CORNER; THENCE, S. 0° 08' 28" W., ALONG THE WEST LINE OF FANNIN STREET, A DISTANCE OF 394.93 FEET TO AN IRON STAKE FOR CORNER; THENCE, WEST, ALONG THE NORTH LINE OF ST. MARY'S STREET, A DISTANCE OF 200.00 FEET TO AN IRON STAKE FOR CORNER; THENCE, ALONG THE EAST LINE OF BARNES STREET, THE FOLLOWING: N. 0° 05' 35" E., A DISTANCE OF 195.00 FEET TO AN IRON STAKE FOR CORNER; N. 0° 11' 16" E., A DISTANCE OF 200.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.814 ACRES OF LAND; AND LOT 1, R. F. LOFLAND SUBDIVISION; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) 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 nursing home in an "MF-15" Multifamily Residential District and an accessory parking lot in a "2-F" Duplex District on a tract described as follows:

BEING, a tract of land situated in the B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, and being that tract as recorded in

Volume 66, Page 448, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING, at the point of intersection of the South line of Storrs Street with the East line of Barnes Street, an iron stake for corner;

THENCE S. $89^{\circ} 58' 58''$ E., along the South line of Storrs Street, a distance of 200.00 feet to an iron stake for corner;

THENCE S. $0^{\circ} 08' 28''$ W., along the West line of Fannin Street, a distance of 394.93 feet to an iron stake for corner;

THENCE, West, along the north line of St. Mary's Street, a distance of 200.00 feet to an iron stake for corner;

THENCE, along the East line of Barnes Street, the following: N. $0^{\circ} 05' 35''$ E., a distance of 195.00 feet to an iron stake for corner; N $0^{\circ} 11' 16''$ E., a distance of 200.00 feet to the PLACE OF BEGINNING and containing 1.814 acres of land;

And Lot 1, R. F. Lofland Subdivision.

SECTION 2. That the Rockwall Nursing Home shall make all curb and gutter improvements as required by the City's engineers.

SECTION 3. That the landscaping shall be consistent with the landscaping plan submitted.

SECTION 4. That trash dumpsters and collection shall be of the number and frequency as deemed necessary by the Building Official.

SECTION 5. That the accessory parking lot be reserved for visitor parking.

SECTION 6. That the parking lot be lighted so as to be compatible with the neighborhood lighting.

SECTION 7. That a sidewalk be built on the east side of Fannin Street from the parking lot entrance to Storrs Street.

SECTION 8. That there shall be no time limit set on this Conditional Use Permit.

SECTION 9. 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.

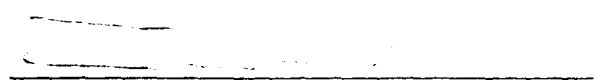
SECTION 10. That any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended

hereby, and upon conviction shall be punished by a penalty of fine not to exceed the sum of ONE THOUSAND DOLLARS (\$1,000.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 11. WHEREAS, it appears that the above described property requires classification so as to grant a Conditional Use Permit for a nursing home and accessory parking lot 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.

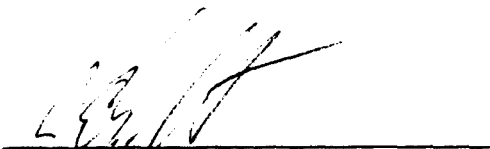
DULY PASSED by the City Council of the City of Rockwall, Texas, on the 9th day of January, 1984.

APPROVED:



Mayor

ATTEST:



City Secretary