

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 CHURCH IN AN "MF-15" MULTIFAMILY RESIDENTIAL DISTRICT ON TWO TRACTS OF LAND DESCRIBED AS BEING TWO TRACTS OF LAND SITUATED IN THE B.J.T. LEWIS SURVEY, ABSTRACT NO. 225, ROCKWALL COUNTY, TEXAS, AND BEING A PART OF THAT 24.15 ACRE TRACT OF LAND CONVEYED TO G. C. ROCHELL, JR., BY E. W. TITUS AND WIFE ELIZABETH TITUS, BY DEED DATED MARCH 30, 1943, AND RECORDED IN THE DEED RECORDS, ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TRACT ONE BEGINNING AT AN IRON ROD AT THE SOUTH CORNER OF THE FIRST UNITED METHODIST CHURCH AN ADDITION TO THE CITY OF ROCKWALL, AND ON THE SOUTHEAST LINE OF THE ABOVE MENTIONED ROCHELL TRACT AND ON THE NORTHWEST LINE OF PEBBLEBROOK APARTMENTS PHASE TWO, A PROPOSED ADDITION TO THE CITY OF ROCKWALL; THENCE: SOUTH  $19^{\circ} 41' 49''$  WEST A DISTANCE OF 594.36 FEET ALONG SAID SOUTHEAST AND NORTHWEST LINE TO AN IRON ROD AT THE WEST CORNER OF SAID PEBBLEBROOK APARTMENTS PHASE TWO AND THE SOUTH CORNER OF SAID ROCHELL TRACT; THENCE: NORTH  $44^{\circ} 14' 32''$  WEST A DISTANCE OF 311.50 FEET ALONG THE SOUTHWEST LINE OF SAID ROCHELL TRACT AND THE MOST WESTERLY NORTHEAST LINE OF THAT TRACT OF LAND CONVEYED TO CLAIR ABLES GRAINGER BY DEED RECORDED IN VOLUME 49, PAGE 286, DEED RECORDS, ROCKWALL COUNTY, TEXAS, TO AN IRON ROD FOR A CORNER; THENCE; NORTH  $19^{\circ} 87' 31''$  EAST A DISTANCE OF 494.29 FEET TRAVERSING SAID ROCHELL TRACT TO AN IRON ROD ON THE SOUTHWEST LINE OF SAID METHODIST CHURCH ADDITION; THENCE: SOUTH  $62^{\circ} 49' 50''$  EAST A DISTANCE OF 282.85 FEET ALONG SAID SOUTHWEST LINE TO THE POINT OF BEGINNING AND CONTAINING 3.5000 ACRES OF LAND; AND TRACT TWO COMMENCING AT THE SOUTH CORNER OF THE FIRST UNITED METHODIST CHURCH ADDITION, AN ADDITION TO THE CITY OF ROCKWALL AND ON THE SOUTHEAST LINE OF THE ABOVE MENTIONED ROCHELL TRACT, AND ON THE NORTHWEST LINE OF PEBBLEBROOK APARTMENTS, PHASE TWO, A PROPOSED ADDITION TO THE CITY OF ROCKWALL; THENCE: NORTH  $62^{\circ} 49' 50''$  WEST A DISTANCE OF 282.85 FEET ALONG THE SOUTHWEST LINE OF SAID METHODIST CHURCH ADDITION TO AN IRON ROD AT THE POINT OF BEGINNING, SAID IRON ROD ALSO BEING THE NORTH CORNER OF THE ABOVE DESCRIBED TRACT ONE; THENCE: SOUTH  $19^{\circ} 37' 31''$  WEST A DISTANCE OF 494.29 FEET ALONG THE NORTHWEST LINE OF SAID TRACT ONE AND TRAVERSING SAID ROCHELL TRACT TO AN IRON ROD AT THE WEST CORNER OF SAID TRACT ONE AND ON THE SOUTHWEST LINE OF SAID ROCHELL TRACT AND ON THE MOST WESTERLY NORTHEAST LINE OF THAT TRACT OF LAND CONVEYED TO CLAIR ABLES GRAINGER BY DEED RECORDED IN VOLUME 49, PAGE 286, DEED RECORDS, ROCKWALL COUNTY, TEXAS; THENCE: NORTH  $44^{\circ} 14' 32''$  WEST A DISTANCE OF 394.08 FEET ALONG SAID NORTHEAST LINE AND SAID SOUTHWEST LINE TO AN IRON ROD FOR A CORNER; THENCE: NORTH  $19^{\circ} 37' 31''$  EAST A DISTANCE OF 367.58 FEET TRAVERSING SAID ROCHELL TRACT TO AN IRON ROD FOR A CORNER; THENCE: SOUTH  $62^{\circ} 49' 50''$  EAST PASSING AT 170.99 FEET TO AN IRON ROD FOUND FOR THE WEST CORNER OF SAID METHODIST CHURCH ADDITION AND CONTINUING ALONG THE SOUTHWEST LINE OF SAID ADDITION A TOTAL DISTANCE OF 356.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.5000 ACRES OF LAND; 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, and 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 church on two tracts of land described as follows:

BEING two tracts of land situated in the B. J. T. Lewis Survey, Abstract No. 225, Rockwall County, Texas, and being a part of that 24.15 acre tract of land conveyed to G. C. Rochell, Jr., by E. W. Titus and wife Elizabeth Titus, by deed dated March 30, 1943, and recorded in the Deed Records, Rockwall County, Texas, and being more particularly described as follows:

Tract One Beginning at an iron rod at the South corner of the First United Methodist Church, an addition to the City of Rockwall, and on the Southeast line of the above mentioned Rochell tract and on the Northwest line of Pebblebrook Apartments Phase Two, a proposed addition to the City of Rockwall;

THENCE: South  $19^{\circ} 41' 49''$  West a distance of 594.36 feet along said Southeast and Northwest line to an iron rod at the West corner of said Pebblebrook Apartments Phase Two and the South corner of said Rochell tract;

THENCE: North  $44^{\circ} 14' 32''$  West a distance of 311.50 feet along the Southwest line of said Rochell tract and the most Westerly Northeast line of that tract of land conveyed to Clair Ables Grainger by deed recorded in Volume 49, Page 286, Deed Records, Rockwall County, Texas, to an iron rod for a corner;

THENCE: North  $19^{\circ} 87' 31''$  East a distance of 494.29 feet traversing said Rochell tract to an iron rod on the Southwest line of said Methodist Church Addition;

THENCE: South  $62^{\circ} 49' 50''$  East a distance of 282.85 feet along said Southwest line to the Point of Beginning and Containing 3.5000 Acres of Land;

And Tract Two Commencing at the South corner of the First United Methodist Church Addition, an addition to the City of Rockwall and on the Southeast line of the above mentioned Rochell tract, and on the Northwest line of Pebblebrook Apartments, Phase Two, a proposed addition to the City of Rockwall;

THENCE: North  $62^{\circ} 49' 50''$  West a distance of 282.85 feet along the Southwest line of said Methodist Church Addition to an iron rod at the Point of Beginning, said iron rod also being the North corner of the above described Tract One;

THENCE: South  $19^{\circ} 37' 31''$  West a distance of 494.29 feet along the Northwest line of said Tract One and traversing said Rochell tract to an iron rod at the West corner of said Tract One and on the Southwest line of said Rochell tract and on the most Westerly Northeast line of that tract of land conveyed to Clair Ables Grainger by deed recorded in Volume 49, Page 286, Deed Records, Rockwall County, Texas;

THENCE: North  $44^{\circ} 14' 32''$  West a distance of 493.08 feet along said Northeast line and said Southwest line to an iron rod for a corner;

THENCE: North  $19^{\circ} 37' 31''$  East a distance of 367.58 feet traversing said Rochell tract to an iron rod for a corner;

THENCE: South 62° 49' 50" East passing at 170.99 feet to an iron rod found for the West corner of said Methodist Church Addition and continuing along the Southwest line of said addition a total distance of 356.88 feet to the Point of Beginning and Containing 3.5000 Acres of Land.

SECTION 2. That all ordinances of the City of Rockwall in conflict with the provisions of this be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That there shall be no time limit on the 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, as amended herein by granting of this zoning change, and as may be amended in the future.

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, as amended hereby, and as may be amended in the future, 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 6. Whereas, it appears that the above described property requires classification so as to grant a Conditional Use Permit for a church 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 4th day of June, 1984.

APPROVED:

  
Mayor

ATTEST:

  
City Secretary