

ORDINANCE NO. 85-62

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 PRIVATE CLUB AS AN ACCESSORY TO A GENERAL RESTAURANT ON THE TRACT OF LAND DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rockwall, Texas, 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, 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 private club as an accessory use to a general restaurant on the property described in Exhibit "A".

Section 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. There shall be no time limit on the Conditional Use Permit.

2. The private club shall meet all conditions for the issuance of private club permits set by the City Council in Ordinance No. 85-2 and any future regulatory ordinances.

Section 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.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 4. That the above described tract of land shall be used only in the manner and for the purposes provided for in 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 deemed guilty of a misdemeanor 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. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. 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 8. That this ordinance shall 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 AND APPROVED this 15th day of October, 1985.

APPROVED:



Mayor

ATTEST:



City Secretary

1st reading 10/7/85

2nd reading 10/15/85

EXHIBIT A

BEING, a tract of land situated in the M.J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, and being those tract as conveyed to Michael A. Stephenson, as recorded in Volume 166, Page 42, Volume 177, Page 346, and Volume 210, Page 595, 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 the West corner of said tract recorded in Volume 166, Page 42, a $\frac{1}{2}$ " iron stake found for corner.

THENCE, along the Southeast line of Interstate Highway No. 30, and around a curve to the right in a Northeasterly direction, having a central angle of $1^{\circ} 02' 10''$, a radius of 11,309.20 feet, a distance of 204.48 feet to the end of said curve, a $\frac{1}{2}$ " iron stake found for corner.

THENCE, S. $38^{\circ} 41' 58''$ E., leaving the said Southeast line of Interstate Highway No. 30, a distance of 199.60 feet to a $\frac{1}{2}$ " iron stake for corner.

THENCE, S. $41^{\circ} 52' 20''$ W., a distance of 79.62 feet to a $\frac{1}{2}$ " iron stake found for corner.

THENCE, S. $43^{\circ} 05' 42''$ W., a distance of 165.00 feet to a $\frac{1}{2}$ " iron stake found for corner.

THENCE, N. $30^{\circ} 13' 41''$ W., a distance of 273.85 feet to the PLACE OF BEGINNING and containing 1.202 acres of land.