

ORDINANCE NO. 90-14

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 WITHIN AN "SF-10" SINGLE FAMILY ZONING CATEGORY ON THE PROPERTY DESCRIBED AS LOT 1, BLOCK A, FIRST BAPTIST CHURCH ADDITION AND FURTHER DESCRIBED HEREIN; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A Conditional Use Permit for a Church in a Single Family District has been requested by First Baptist Church for the property described as Lot 1, Block A, First Baptist Church Addition; and

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, as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit for a church in a residential zoning category on the property described herein.

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

1. Any major improvement, expansion or change in the approved site plan shall be submitted for approval to the Planning and Zoning Commission and City Council.

Section 3. 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 Conditional Use Permit and as may be amended in the future.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions

of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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 TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, 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 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 4th day of June 1990

Mary Nichols
ATTEST

J. K. Miller
APPROVED

1st Reading May 21, 1990
2nd Reading June 4, 1990

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE

WHEREAS, The First Baptist Church of Rockwall is the owner of a tract of land situated in the B.J.T. Lewis Survey, Abstract 225, and being that tract of land described in Release of Lien to The First Baptist Church of Rockwall executed August 3, 1976, by Baptist Church Loan Corporation, recorded in Volume 122, Page 928, Deed Records, Rockwall County, Texas, and being that tract of land conveyed to The First Baptist Church, Rockwall, Texas, from Nancy Lee Bourn by deed recorded in Volume 100, Page 205, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set at the intersection of the West line of State Highway 205 (Goliad Street) with the North line of Boydston Avenue;

THENCE: North 89° 52' 24" West a distance of 300.00 feet with said North line to a cross cut in concrete for a corner;

THENCE: South 0° 07' 05" West a distance of 30.00 feet to a cross cut in concrete for a corner;

THENCE: North 89° 52' 24" West a distance of 553.00 feet generally along the remains of an old fence line to a cross cut in concrete for a corner at the Southwest corner of said Church tract and the Southeast corner of Ridgeview Addition, Second Installment, recorded in Slide A, Page 30, Plat Records, Rockwall County, Texas;

THENCE: North 1° 18' 26" East a distance of 471.24 feet with the East line of said Addition and an old fence line to a 1/2" iron rod set for a corner at the Southwest corner of Ridgeview Addition, Installment 1, recorded in Slide A, Page 25, Plat Records, Rockwall County, Texas;

THENCE: North 89° 58' 02" East a distance of 293.11 feet with the South line of said Addition and generally with an old fence line to a 1/2" iron rod found for a corner;

THENCE: South 0° 07' 05" West a distance of 80.00 feet to a 1/2" iron rod set for a corner;

THENCE: South 89° 52' 24" East a distance of 550.11 feet to a 1/2" iron rod set on the West line of State Highway 205 (Goliad Street) and at the Northeast corner of said Bourn conveyance;

THENCE: South 0° 07' 05" West a distance of 361.96 feet with said West line to the Point of Beginning and containing 7.9692 acres of land, save and except the following described cemetery tract;

COMMENCING at the Southwest corner of the above described 7.9692 acre tract of land;

THENCE: North 59° 44' 58" East a distance of 284.32 feet to the Point of Beginning;

THENCE: North 4° 05' 58" East a distance of 88.00 feet to a fence corner;

THENCE: South 87° 28' 57" East a distance of 87.98 feet to a fence corner;

THENCE: South 2° 08' 15" West a distance of 88.73 feet to a fence corner;

THENCE: North 87° 00' 18" West a distance of 91.00 feet to the Point of Beginning and containing 0.1815 acres of land, leaving 7.7877 acres of land, net.

O.W.