

ORDINANCE NO.91-28

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 STRUCTURE WITH LESS THAN 90 PERCENT EXTERIOR MASONRY FACADE ON THE PROPERTY DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; 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 structure with less than 90 percent exterior masonry facade has been requested by Rockwall I.S.D. for the property described on Exhibit "A"; 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 structure with less than 90 percent exterior masonry facade on the property described on Exhibit "A".

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

1. The permit is limited to one building to be located on the lot as shown on the site plan attached hereto as Exhibit "B"
2. That the CUP is approved only for interlocking insulated steel wall panels as presented to and approved by the Planning and Zoning Commission

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 the 1st day of July, 1991.

Mary Nichols
ATTEST

Joe R. Miller
APPROVED

1st Reading 6/17/91
2nd Reading 7/1/91

EXHIBIT "B"

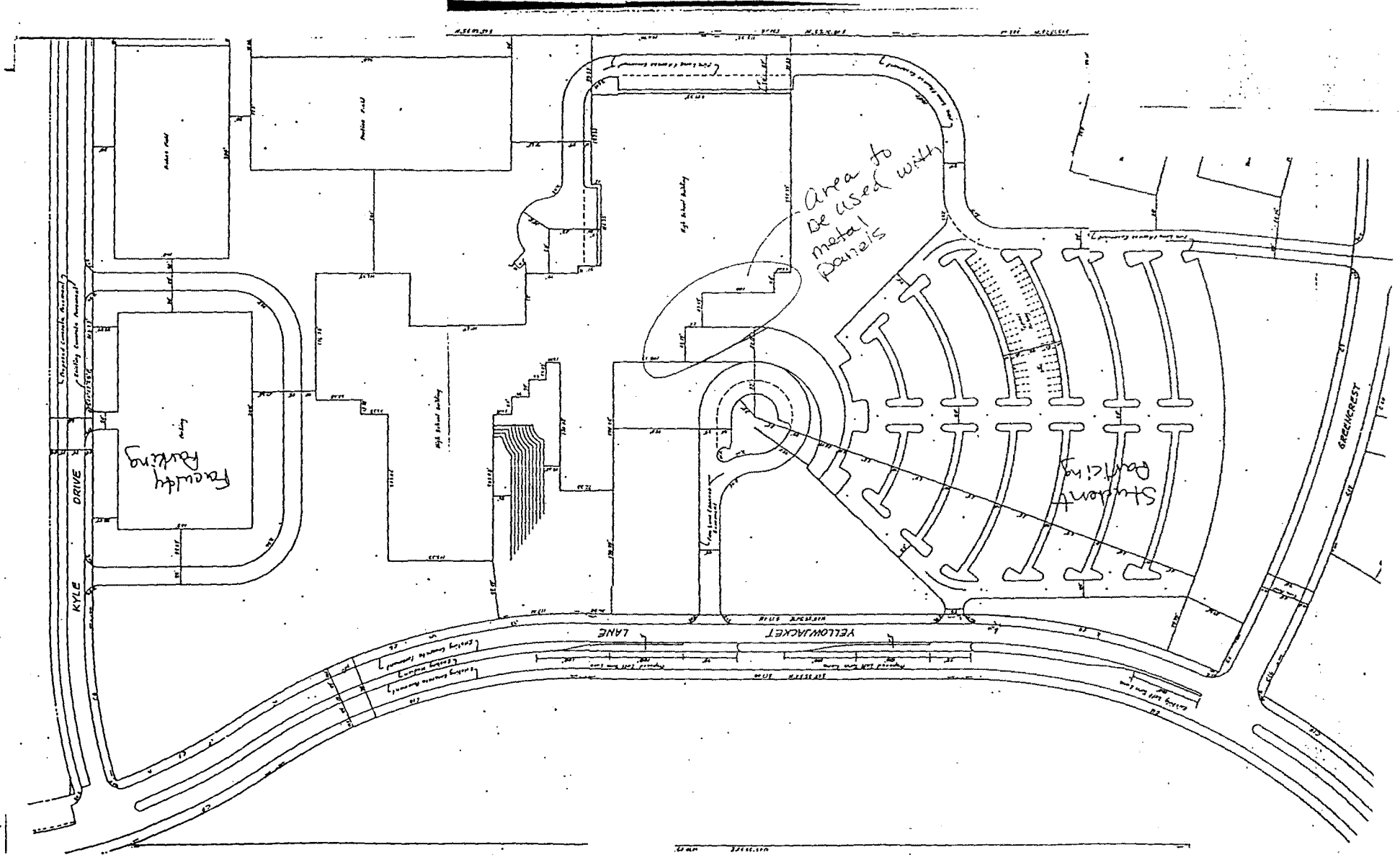


EXHIBIT "A"

LOT 1, BLOCK A, ROCKWALL MEMORIAL HOSPITAL ADDITION

IOT 1, BLOCK B, GOLDENCREST ADDITION

TRACT DESCRIBED AS FOLLOWS

BEING a part of the above mentioned 57.540 acre tract and being more particularly described as follows:

COMMENCING at a point in the centerline of Kyle Drive, a 60 foot right-of-way, and at the East corner of said 57.540 acre tract;
THENCE: South 45° 20' 55" West, passing at 2.00 feet and 0.5 feet Northwest of a chain link fence corner and continuing parallel with said fence a distance of 30.00 feet with the Southeast line of said 57.540 acre tract to an iron rod found at the South corner of Kyle Drive and the Point of Beginning;
THENCE: South 45° 20' 55" West a distance of 855.66 feet continuing parallel with and 0.5 feet Northwest of said fence to an iron rod found for a corner;
THENCE: South 45° 51' 23" West a distance of 40.18 feet leaving said chain link fence and along a wire fence to an iron rod found at the East corner of that 10 acre tract described in Volume 229, Page 257, Deed Records, Rockwall County, Texas;
THENCE: North 44° 24' 06" West a distance of 809.96 feet with the Northeast line of said 10 acre tract to an iron rod found at the North corner of said 10 acre tract and on the Southeast line of Yellowjacket Lane, a 30 foot right-of-way;
THENCE: North 45° 35' 54" East a distance of 206.98 feet with said Southeast line to an iron rod found at the point of curvature of a circular curve to the left having a central angle of 34° 15' 10", a radius of 845.00 feet, and a chord that bears North 28° 28' 19" East a distance of 497.67 feet;
THENCE: Along said curve and with said Southeast line an arc distance of 505.16 feet to an iron rod found at the point of reverse curvature of a circular curve to the right having a central angle of 14° 38' 13", a radius of 755.00 feet, and a chord that bears North 18° 39' 50" East a distance of 192.35 feet;
THENCE: Along said curve and with said Southeast line an arc distance of 192.88 feet to an iron rod found at the intersection of said Southeast line with the Southwest line of Kyle Drive, said iron rod being on a circular curve to the right having a central angle of 17° 07' 08", a radius of 770.00 feet, and a chord that bears South 53° 22' 59" East a distance of 229.21 feet;
THENCE: Along said curve and with said Southwest line of Kyle Drive an arc distance of 230.06 feet to an iron rod found for a corner;
THENCE: South 44° 49' 25" East a distance of 813.73 feet with said Southwest line to the Point of Beginning and Containing 783,146 Square Feet or 17.9786 Acres of Land.