

ORDINANCE NO. 91-37

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 SCHOOL WITHIN AN "A" AGRICULTURAL ZONING CATEGORY 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 school in an "A" Agricultural District has be requested by the Rockwall Independent School District for the property commonly known as Rochell Elementary and further described on Exhibit "A" attached hereto; 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 school in an Agricultural zoning category on the property described herein.

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

1. The permit is limited to the existing buildings as shown on the site plan attached hereto as Exhibit "B"
2. Any major improvement, expansion or change in the approved site plan shall be submitted for approval to 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 3rd day of September, 1991.

Mary Nichols  
ATTEST

Jack Miller  
APPROVED

1st Reading August 19, 1991  
2nd Reading September 3, 1991

EXHIBIT A

Tract 1

BEING a tract or parcel of land situated in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas, and being part of a tract of land conveyed to G. C. Rochell, Jr., by deed recorded in Volume 26, Page 614, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner at the West corner of said hereinabove mentioned tract;  
THENCE: North 45° 00' 02" East with the center line of a public road and the Northwest line of said above tract a distance of 445.30 feet to a point for a corner;  
THENCE: South 45° 12' 32" East a distance of 490.18 feet to a point for a corner;  
THENCE: South 45° 00' 02' West a distance of 443.37 feet to a point for a corner on the Southwest line of said hereinabove mentioned tract;  
THENCE: North 45° 25' 59" West with said Southwest line a distance of 490.19 feet to the Point of Beginning and Containing 5.00 acres of land.

Tract 2

BEING a tract or parcel of land situated in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas, and being part of a tract of land conveyed to G. C. Rochell, Jr., by deed recorded in Volume 26, Page 614, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner on the Northwest line of the hereinabove mentioned tract, said point bears North 45° 00' 02" East 445.30 feet from the West corner of said tract;  
THENCE: North 45° 00' 02" East with the centerline of a public road and the Northwest line of said above tract a distance of 445.30 feet to a point for a corner;  
THENCE: South 44° 59' 00" East a distance of 490.17 feet to a point for a corner;  
THENCE: South 45° 00' 02" West a distance of 443.37 feet to a point for a corner;  
THENCE: North 45° 12' 32" West a distance of 490.18 feet to the Point of Beginning and Containing 5.00 acres of land.

# Rochell WP request

BUILT  
SITE

THO-  
ACSE

INTER  
HPT 2

PROPOSED  
FIRE  
INTERMIT

MANHOLE

CONC. GERY  
WITH 3 CON  
SER DET. 3/

4.5' HIGH C/A  
SER PLAN 1/

2 PAINTED S

1' CONC. WALK

CONCRETE A  
CURB & GUTTE  
(CITY OF DALL

C PROPERTY LINE - 490.14'

(490.12')

ROCHELL ELEM.

FIN. FLOOR  
ELEV 502'-0"

6'-4"

6'-4"

500.75

500.75

500.75

NEW PROPERTY LINE

1' CONC. WALK

PROPERTY LINE - 490.14'

CITY OF PROPOSED NEW STREET

