

ORDINANCE NO. 91-55

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 RESIDENTIAL USE AS AN ACCESSORY USE TO PERMITTED USE IN THE CENTRAL BUSINESS DISTRICT ON A TRACT OF LAND 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 Residential Use as an accessory to a permitted use in the Central Business District has been requested by Virginia Ellis for the property described herein and attached hereto as 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 residential use as an accessory to a permitted use in the Central Business District on the property described on Exhibit "A" attached hereto.

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

1. Any significant changes in the floor plan of the facility attached hereto as Exhibit "B" must be 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 4 day of November, 1991.

Mary Nichols
ATTEST

John Miller
APPROVED

1st Reading 10/21/91

2nd Reading 11/4/91

PROPERTY IDENTIFICATION

The property is located at the southwest corner of East Rusk and South San Jacinto in the City of Rockwall. It consists of 5,000 square feet of land, as shown on the enclosed plat, and a building of approximately 4,370 square feet. This location is at the southeast corner of the town square, which houses the County Court House in the center and retail and commercial buildings around the perimeter.

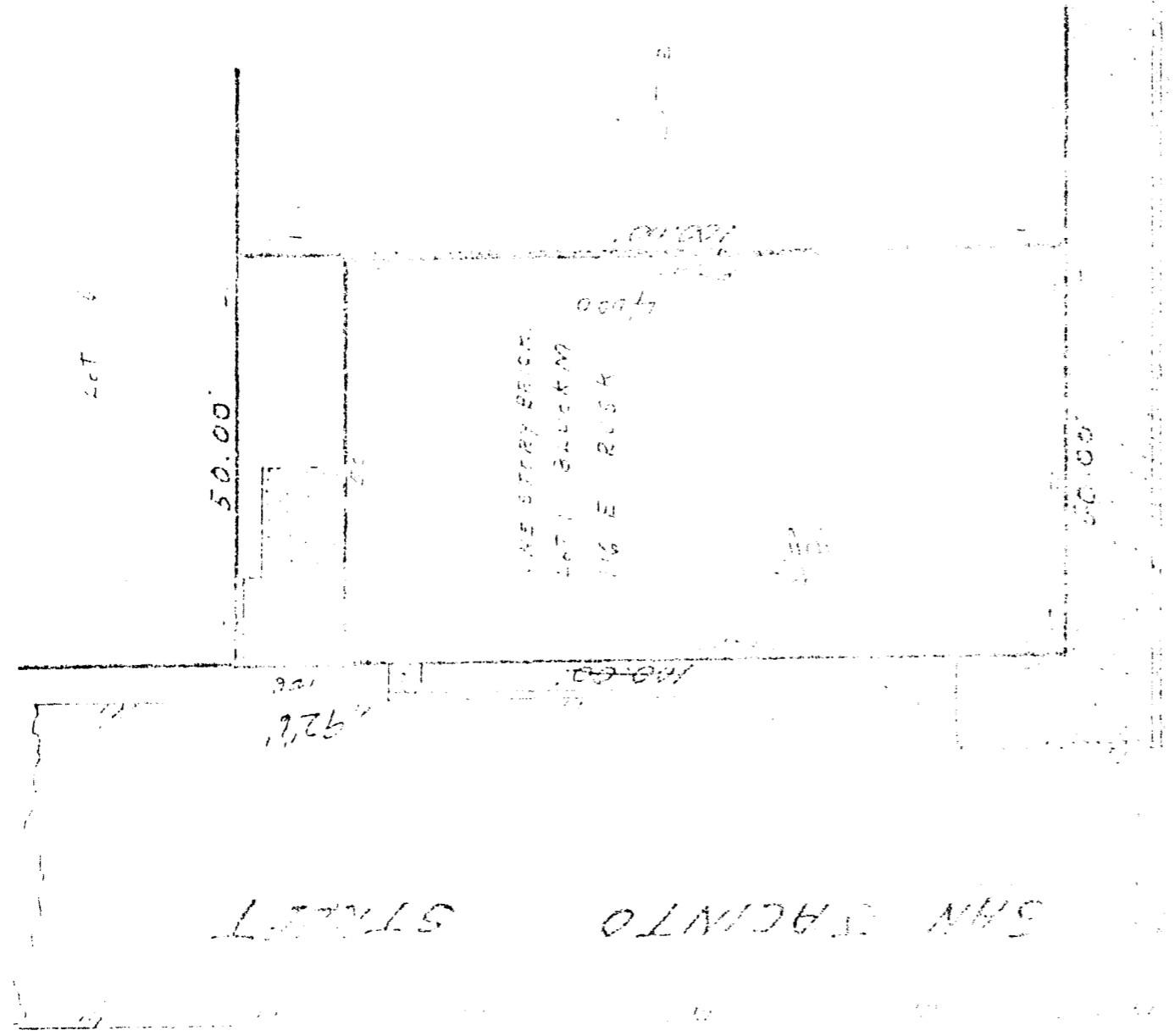
The buildings age is estimated to be 80 to 100 years old. As it now exists, only the original shell exists, which consists of one foot thick brick walls. Inside the building has been completely rebuilt and a new roof installed. This reconstruction consists of approximately 1,500 square feet of office space fronting on East Rusk and 2,870 square feet of dental office fronting on South San Jacinto. Floors, walls, suspended ceilings, skylighting in the inner office area, and completely new plumbing and electrical have been completed this year. The front of the building has been restored to its original appearance. The business offices are divided into two suites, each with a separate entrance. The dental office has the reception area at the rear of the building and the rear 12.6 feet of land will be developed into an open landscaped court area.

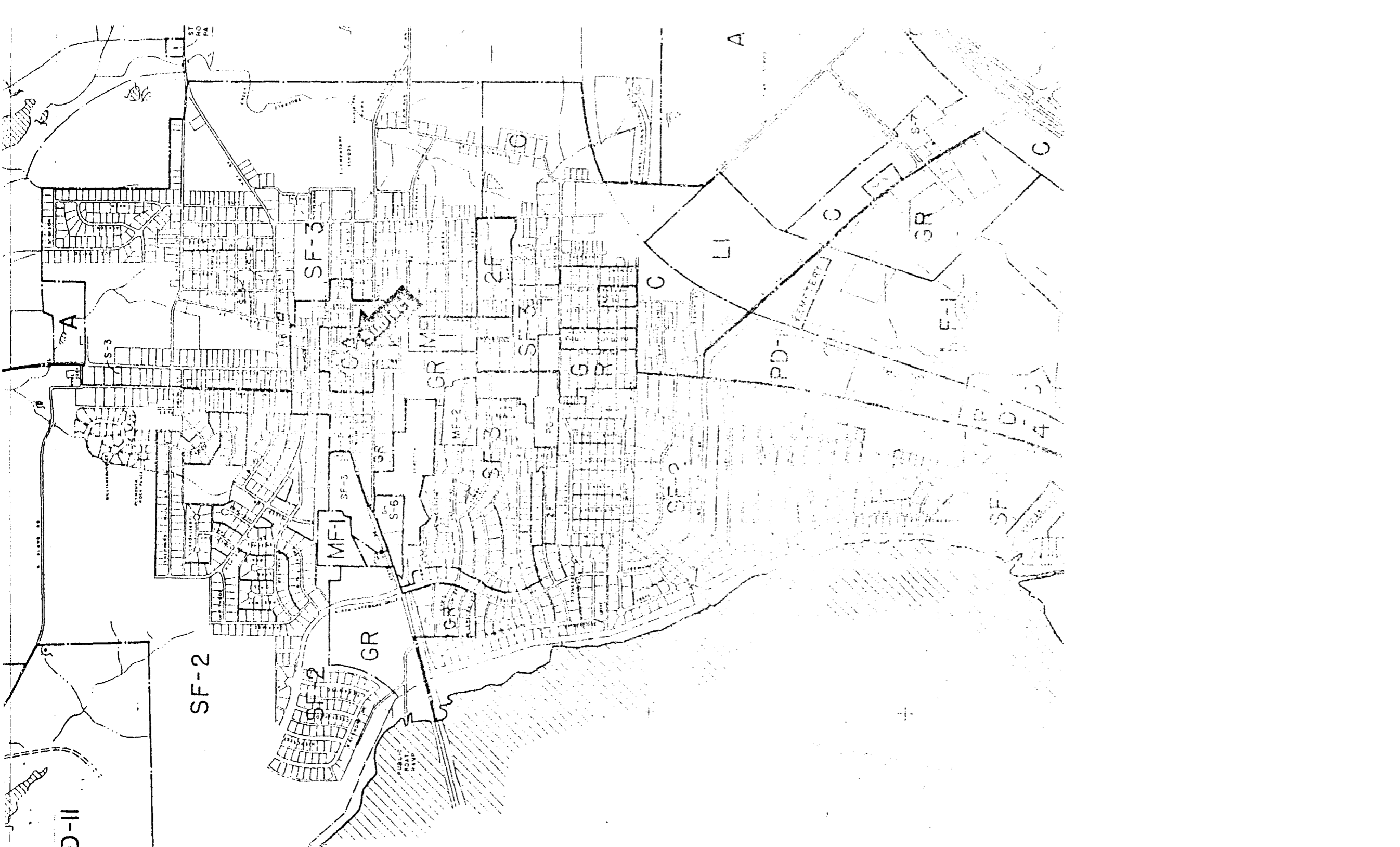
This building, as it has been reconstructed, can be considered as office office and dental office space. The parking is head-in angle parking along both frontages.

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at _____, being described as follows:

Lot No. _____, Block No. _____, City Block No. _____, in the City of _____, Town of _____, as addition to the City of _____

Tract, according to the _____ plat thereof recorded in Vol. _____ at page _____ of the _____ Map Dead Records of _____ County, _____





D-II

SF-2

SF-2

GR

MF-1

SF-3

S-6

GR

GR

GR

SF-3

MF-2

SF-3

PD-2

GR

GR

SF-3

GR

MF-1

SF-3

SF-3

GR

C

LI

PD

MF-1

GR

C

GR

C

C

C

C

C

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

EXHIBIT "B"

