

ORDINANCE NO. 92-31

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 EXCEEDING THE PERMITTED HEIGHT IN A LIGHT INDUSTRIAL ZONING DISTRICT TO BE LOCATED ON A TRACT OF LAND 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 exceeding the permitted height in a Light Industrial zoning classification has been requested by Colombia Extrusion Inc. 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 exceeding the permitted height in a Light Industrial zoning classification on the property described on Exhibit "A" attached hereto and made a part hereof.

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

1. The permit is limited to the existing cast house, which is a height of 69 feet and to three stacks to be a maximum of 75 feet in height, as shown on the attached site plan, Exhibit "B", attached hereto and made a part hereof.
2. 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 8th day of September, 1992

Hilda Crangle
ATTEST

[Signature]
APPROVED

1st Reading 8/17/92

2nd Reading 9/8/92

98.319 ACRE TRACT

BEING a tract of land situated in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, and also being all of those tracts as follows: a 5.8047 acre tract recorded in Volume 120, Page 927; a 66.72 acre tract recorded in Volume 61, Page 285; a 1.26 acre tract recorded in Volume 88, Page 156; a 21.5 acre tract recorded in Volume 50, Page 473; a 1.51 acre tract recorded in Volume 66, Page 544; and a 1.685 acre tract recorded in Volume 104, Page 376, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the North line of the M.K. & T. Railroad right-of-way, said point being the Southeast corner of a 5.8057 acre tract recorded in Volume 120, Page 927, a 1/2" iron stake found for corner;
THENCE, along the North line of the M.K. & T. Railroad right-of-way, the following:

South 88 deg. 46 min. 28 sec. West, a distance of 577.66 feet to the beginning of a curve to the left having a central angle of 0 deg. 58 min. 01 sec., a radius of 21,774.77 feet a 1/2" iron stake set for corner;
Around said curve a distance of 367.51 feet to the end of said curve, a 1/2" iron stake set for corner;

South 87 deg. 48 min. 27 sec. West, a distance of 843.49 feet to the beginning of a curve to the left having a central angle of 10 deg. 33 min. 15 sec., a radius of 3,419.42 feet a 1/2" iron stake set for corner;
Around said curve a distance of 629.92 feet to the beginning of a curve to the left having a central angle of 3 deg. 31 min. 24 sec., a radius of 3,854.72 feet, a 1/2" iron stake set for corner;
Around said curve a distance of 237.03 feet to the end of said curve, a 1/2" iron stake found for corner;

THENCE, North 4 deg. 41 min. 11 sec. West, leaving the said North line of the M.K. & T. Railroad right-of-way, a distance of 124.89 feet to a fence corner post for corner;

THENCE, South 85 deg. 53 min. 13 sec. West, a distance of 211.05 feet to a point on the East line of High School Drive, a 1/2" iron stake found for corner;

THENCE, North 1 deg. 55 min. 16 sec. East, along the said East line of High School Drive, a distance of 86.53 feet to a 1/2" iron stake found for corner;

THENCE, North 85 deg. 29 min. 47 sec. East, leaving the said East line of High School Drive and along the South line of Richard Harris Subdivision No. 6, a distance of 181.79 feet to a 1/2" iron stake set for corner;

THENCE, along the East line of Richard Harris Subdivision No. 6 and No. 5, the following:

North 4 deg. 30 min. 38 sec. East, a distance of 69.54 feet to a 1/2" iron stake set for corner;

North 5 deg. 42 min. 23 sec. West, a distance of 29.95 feet to a 1/2" iron stake found for corner;

THENCE, North 80 deg. 56 min. 29 sec. East, a distance of 126.45 feet to a fence corner post for corner;

THENCE, North 86 deg. 39 min. 04 sec. East, a distance of 111.01 feet to a 1" iron stake found for corner;

THENCE, North 88 deg. 11 min. 40 sec. East, a distance of 796.60 feet to a fence corner post for corner;

THENCE, North 70 deg. 17 min. 41 sec. West, a distance of 784.91 feet to a fence corner post for corner;

THENCE, North 11 deg. 23 min. 15 sec. East, a distance of 445.00 feet to a fence corner post for corner;

THENCE, North 76 deg. 20 min. 30 sec. West, a distance of 206.40 feet to a point on the East line of Renfro Street, a fence corner post for corner;

THENCE, North 10 deg. 09 min. East, along the said East line of Renfro Street, a distance of 626.87 feet to a 1/2" iron stake found for corner;

THENCE, North 89 deg. 52 min. 01 sec. East, leaving the said East line of Renfro Street, a distance of 420.39 feet to a 1/2" iron stake found for corner;

THENCE, North 1 deg. 19 min. 29 sec. West, a distance of 200.98 feet to a 1/2" iron stake found for corner;

THENCE, North 0 deg. 40 min. 16 sec. West, a distance of 87.88 feet to a 1/2" iron stake found for corner;

THENCE, South 89 deg. 00 min. 45 sec. East, a distance of 63.08 feet to an iron stake found for corner;

THENCE, South 98 deg. 34 min. 57 sec. East, a distance of 126.36 feet to a 1/2" iron stake found for corner;

THENCE, North 0 deg. 48 min. 06 sec. West, a distance of 110.27 feet to a point on the South line of Aluminum Plant Road, a 1/2" iron stake set for corner;

THENCE, along the South line of Aluminum Plant Road the following:

South 88 deg. 25 min. 58 sec. East, a distance of 305.24 feet to a 1/2" iron stake set for corner;

North 89 deg. 56 min. 03 sec. East, a distance of 821.84 feet to a 1/2" iron stake set for corner;

North 89 deg. 36 min. 37 sec. East, a distance of 445.39 feet to a 1/2" iron stake found for corner;

THENCE, South 6 deg. 37 min. East, leaving the said South line of Aluminum Plant Road, a distance of 1718.30 feet to a 1/2" iron stake found for corner;

THENCE, South 2 deg. 18 min. 48 sec. East, a distance of 206.01 feet to the PLACE OF BEGINNING and containing 98.319 acres of land.

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S 0101

NATHAN BUTLER

P. 45 W. 393.5

R. BALLARD SURVEY

TEXAS ALUMINUM COMPANY

PARKING AREA

S 6037 E 1373.3

PUBLIC ROAD
City Limits

Hall

Hall

P. 473

ASPHALT APRON
DRIVE

VOL. 49 P. 67

PLANT

EMISSION POINT NUMBER	POINT NAME	LOCATION (METERS)	
		EAST	NORTH
10989	PCN 831	10989	24660
10990	PCN 832	10990	24660
10991	PCN 833	10991	24660
10992	PCN 834	10992	24660

TEXAS
ROCKWELL

MADE FROM
MAY 20, 1961

787