

ORDINANCE NO. 94-6

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 IN A RESIDENTIAL ZONING DISTRICT ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) 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 a residential zoning district has been requested by the Rockwall Independent School District on a tract of land described herein; 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 a residential zoning district on a tract of land described on Exhibit "A", attached hereto and made a part hereof.

SECTION 2. That the Conditional Use Permit shall conform to all requirements as set forth in the Comprehensive Zoning Ordinance and shall be subject to the following special conditions:

1. That a site plan of the site be submitted to the Commission and City Council for review and approval at the time the final plat is submitted for approval.

SECTION 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. 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 zoning change, and as may be amended in the future.

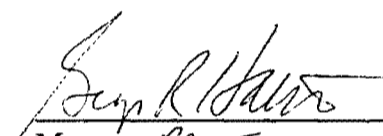
SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000) for each offense and each and every day such offense 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 of 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.

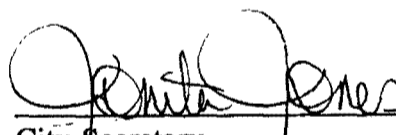
DULY PASSED AND APPROVED this 7th day of February, 1994.

APPROVED:



Mayor *pro TEM*

ATTEST:



City Secretary

1st Reading: 01-17-94

2nd Reading: 02-07-94

EXHIBIT "A"

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING a tract of land situated in the T.R. Bailey Survey, Abstract No. 30 in the City of Rockwall, Rockwall County, Texas, also being part of that certain tract of land conveyed to Julie Harlan Hudson from Harry Harlan, et ux, by Deed filed for record January 5, 1962, and recorded January 10, 1962, in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at the Southwest corner of said Hudson tract in the center of Dalton Road, at the Northwest corner of the W.T. Deweese Survey, Abstract No. 71, said point being the Southwest corner of Harlan Park, Phase One, an addition to the City of Rockwall recorded in Slide b, Page 226, Plat Records, Rockwall County, Texas;

THENCE: North 88 degrees 12' 00" East a distance of 325.62 feet with said centerline and the Southerly line of said Addition to a 1/2" iron rod set for a corner and the Point of Beginning;

THENCE: Along the Easterly lines of said Addition, all to 1/2" iron rods set for a corner, as follows: North 01 degree 48' 00" West a distance of 40.00 feet; North 02 degrees 22' 01" West a distance of 146.07 feet to the beginning of a curve to the right having a central angle of 67 degrees 52' 01", a radius of 75.00 feet, and a chord that bears North 31 degrees 34' 00" East a distance of 83.73 feet; Along said curve an arc distance of 88.84 feet to the point of tangency of said curve; North 65 degrees 30' 00" East a distance of 26.03 feet; North 24 degrees 30' 00" West a distance of 140.00 feet; North 65 degrees 30' 00" East a distance of 34.65 feet; North 24 degrees 30' 00" West a distance of 50.00 feet; South 65 degrees 30' 00" West a distance of 5.00 feet to an intersecting curve to the right having a central angle of 22 degrees 07' 59", a radius of 295.00 feet, and a chord that bears North 13 degrees 26' 00" West a distance of 113.25 feet, along said curve an arc distance of 113.96 feet to the point of tangency of said curve, and North 02 degrees 22' 01" West a distance of 264.62 feet;

THENCE: North 88 degrees 12' 00" East a distance of 620.08 feet to a 1/2" iron rod set for a corner on the West line of that 8.7400 acre tract of land described in Deed recorded in Volume 809, Page 271, Deed Records, Rockwall County, Texas;

THENCE: South 00 degrees 22' 01" East a distance of 828.34 feet with said West line to a 1/2" iron rod set for a corner in the center of Dalton Road;

THENCE: South 88 degrees 12' 00" West a distance of 625.43 feet with said centerline to the Point of Beginning and containing 11.6053 acres of land, including 0.5741 acres contained within a future 40.00 foot wide road dedication, leaving 11.0312 acres of land net.