

ORDINANCE NO. 94-34

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 STRUCTURE NOT MEETING THE EXTERIOR BUILDING MATERIALS IN A COMMERCIAL ZONING CLASSIFICATION 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) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Conditional Use Permit for a structure not meeting the exterior building materials requirements has been requested by Helwig and Son Co. for 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 ordinance 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, and 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, Texas as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit for a structure not meeting the exterior building materials requirements on a tract of land described on Exhibit "A", attached hereto and made a part hereof.

SECTION 2. That the Conditional Use Permit is subject to the following special conditions:

- a. That the CUP is granted for the placement of a portable building to be located within 200 feet of SH-205 right of way.
- b. The applicant shall provide the type of material to be used on the exterior of the building to the City prior to installation of the building.
- c. This permit shall be reviewed by the Planning and Zoning Commission within

two years of the approval date to consider whether hearings shall be held on the continuation of the permit.

SECTION 3. That the property described herein shall be used only in the manner and for the purposes authorized by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, as amended hereby with the approval of this Conditional Use Permit, and as may be amended in the future.

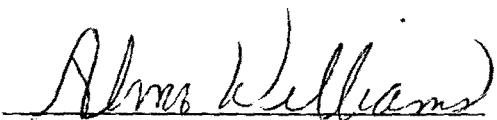
SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000) for each offense and each and every day such offense continues shall be deemed to constitute a separate offense.


SECTION 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 shall remain in full force and effect.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same area hereby repealed to the extent of that conflict.

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 as the law in such case provides.

DULY PASSED AND APPROVED this 3rd day of October, 1994.


APPROVED


ATTEST

1ST READING Sept. 19, 1994

2ND READING Oct. 3, 1994

