

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 TO USE A STRUCTURAL WOOD TRUSS SYSTEM ON A STEEL FRAME WITH PLYWOOD DECK CLAD WITH STANDING SEAM METAL ROOF SYSTEM 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 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Conditional Use Permit to use non-combustible construction materials for a building on the property described on the attached Exhibit "A" has been requested by American National Bank; 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 to use a structural wood truss system on a steel frame with plywood deck clad with standing seam metal roof system on the property described on Exhibit "A" attached hereto and made a part hereof.

Section 2. 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 3. 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all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.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 4. 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

2

LEGAL DESCRIPTION

BEING a 2.5000 acre tract of land situated in the James Smith Survey, Abstract No. 200, City of Rockwall, Rockwall County, Texas, and being part of a 73.9 acre tract described in deed to Emily Sue Whitehead and O.L. Steger, Jr., recorded in Volume 87, Page 148, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a concrete R.O.W. monument found at the intersection of the Easterly line of F.M. 740 (Ridge Road 90' R.O.W.) and the corner clip from the Easterly line of F.M. 3097 (100' R.O.W.) ;

THENCE North 08°10'58" East, with the easterly line of said F.M. 740 a distance of 94.19 feet to a 1/2" iron rod set for a corner;

THENCE South 81°49'02" East, a distance of 343.00 feet to a 1/2" iron rod set for corner, said point being in the Westerly line of a 25' Firelane, Access, & Utility Easement as recorded in Volume 606, Page 163, and Volume 606, Page 314 of the Deed Records of Rockwall County, Texas and as shown on the plat of the Steger Retail Addition recorded in Cabinet C, Slide 115-116, Map Records of Rockwall County, Texas;

THENCE South 08°10'58" West, along said Westerly line of easement, a distance of 370.07 feet to a P.K. nail set in concrete curb for a corner and being the point of curvature of a curve to the right, said curve having a central angle of 37°56'29" and a radius of 35.00 feet;

THENCE along said Westerly line of easement and with said curve an arc distance of 23.18 feet to a P.K. nail set in concrete driveway for a corner;

THENCE South 46°07'27" West, along said Westerly line of easement, a distance of 55.46 feet to a P.. Nail set in concrete driveway for a corner in the said Easterly line of F.M. 3097;

THENCE North 43°52'33" West, along said Easterly line, a distance of 290.00 feet to a concrete monument found for corner;

THENCE North 15°54'15" West, along said Easterly line, a distance of 178.36 feet to the POINT OF BEGINNING and containing 2.5000 acres or 108,900 square feet of land.

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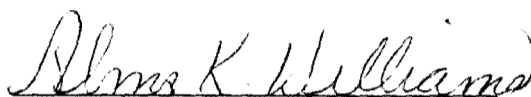
a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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 6. 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 20th day of February, 1995.


ATTEST


APPROVED

1st Reading 2-20-95

2nd Reading 3-6-95