

ORDINANCE NO. 96-32

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 WITH COMBUSTIBLE STRUCTURAL MATERIALS 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 with combustible structural materials for the Commercial zoning district on a tract of land described herein in Exhibit "A" has been requested by Love's Country Store; 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 with combustible structural materials in the Commercial zoning district on a tract of land described herein.

Section 2. That the herein 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.

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all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.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 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 3rd day of September, 1996.


ATTEST


APPROVED, Mayor



1st Reading 8/19/96
2nd Reading 9/3/96

STATE
COUNTY
CITY
CLERK
RECORDS
OFFICE
CITY OF ROCKWALL, TEXAS

EXHIBIT "A"

STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS, I-30/549 Joint Venture, being the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING all of a 6.2407 acre tract of land out of the J. Lockhart Survey, Abstract No. 134, in the City of Rockwall, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found at the intersection of the South ROW line of Interstate Highway No. 30 and the Westerly ROW line of F.M. Road No. 549 Service Road South;

THENCE: S 00° 32' 00" W, 353.20 feet along said Service Road ROW to a 1/2" iron rod set;

THENCE: S 59° 05' 27" E, 127.50 feet to a 1/2" iron rod set in the West ROW line of F.M. Road No. 549 (an 80' ROW);

THENCE: S 00° 32' 00" W, 396.57 feet along the West ROW line of F.M. Road No. 549 to a 1/2" iron rod set;

THENCE: S 89° 59' 52" W, 368.50 feet to a 1/2" iron rod found;

THENCE: N 04° 30' 57" W, 239.24 feet to a 1/2" iron rod set;

THENCE: S 85° 29' 03" W, 12.00 feet to a 5/8" iron rod set;

THENCE: N 04° 30' 57" W, 445.20 feet to a 5/8" iron rod set;

THENCE: N 16° 09' 00" W, 39.52 feet to a 5/8" iron rod set in the South ROW line of Interstate Highway No. 30;

THENCE: N 82° 22' 52" E, 21.97 feet along the South ROW line of Interstate Highway No. 30 to a 1/2" iron rod found at an angle point;

THENCE: N 73° 51' 00" E, 334.35 feet along the South ROW line of Interstate Highway No. 30 to the PLACE OF BEGINNING and containing 6.3778 acres of land.