

ORDINANCE NO. 97-35

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 FACTORY APPLIED ROCK MATERIAL TO A METAL BUILDING IN A LIGHT INDUSTRIAL (LI) ZONING DISTRICT 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 factory applied rock material to a metal building in a light industrial (LI) zoning district has been requested by the Ivor McKeown for the property described in Exhibit "A".

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 factory applied rock material to a metal building in a light industrial (LI) zoning district for the property described in Exhibit "A".

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

1. The future building adjacent to I-30 have a brick exterior on the wall facing I-30.

Section 3. That the above described tract of land shall be used only in the manner and for the purposed 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ordinance be, and the same are hereby repealed to the extent of that conflict.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 1st day of December, 1997.

Cindy Kindred  
ATTEST, City Secretary  
Cindy Kindred

George R. Hatfield  
APPROVED, Mayor  
George R. Hatfield

1st Reading 11/17/97

2nd Reading 12/01/97



# EXHIBIT "A"

## OWNER'S CERTIFICATE

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS: Ivor McKeown, Kathryn McKeown, and Thomas Belaustegui are the owners of a tract of land situated in the John Lockhart Survey, Abstract No. 134, Rockwall County, Texas, and being that tract of land described in Warranty Deed with Vendor's Lien recorded in Volume 1154, Page 301, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found on the Southerly line of Interstate 30, a 300 foot ROW, at the Northeast corner of said Tract, said point being the Northwest corner of a called 6.6068 acre tract conveyed to Rockwall Storage Limited by Deed recorded in Volume 680, Page 48, Deed Records, Rockwall County, Texas;

THENCE: South 05° 26' 10" East a distance of 958.86 feet with the West line of said 6.6068 acre tract to a 1/2" iron rod found for a corner at the Southwest line of said 6.6068 acre tract and on the Northerly line of that called 58.187 acre tract conveyed to Citizens State Bank by Deed recorded in Volume 724, Page 212, Deed Records, Rockwall County, Texas;

THENCE: South 89° 35' 24" West a distance of 449.10 feet with the Northerly line of said 58.187 acre tract to a 3/4" iron rod found for a corner, said Point being the Southeast corner of La Fon Addition, addition to Rockwall County, Texas, recorded in Cabinet B, slide 42, Plat REcords, Rockwall County, Texas;

THENCE: North 00° 10' 02" East a distance of 847.27 feet with the East line of said Addition to a 3/4" iron rod found for a corner at the Northeast corner of said Addition and on the Southerly line of

IH 30;  
THENCE: North 72° 44' 49" East a distance of 372.54 feet with said Southerly line to the Point of Beginning and containing 365,068 square feet or 8.38 acres of land.