

ORDINANCE NO. 98-02

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 IN EXHIBIT "A"; 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 in Planned Development zoning district on a tract of land described in Exhibit "A" has been requested by Ed Campbell; 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 in Exhibit "A".

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.

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all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.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 20th day of January, 1998.

Cindy Kindred
ATTEST

[Signature]
APPROVED

1st Reading 01/05/98

2nd Reading 01/29/98'



EXHIBIT "A"

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS F.M. 740 ROCKWALL, LTD., BEING THE OWNER OF A 5.869 ACRE TRACT OF LAND SITUATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207 IN THE COUNTY OF ROCKWALL, STATE OF TEXAS. BEARING BASIS FOR THIS PLAT IS THE EAST LINE BLOCK A OF THE LAKE RIDGE ESTATES AS RECORDED IN SLIDE A, .PG. 10 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS. SAID 5.869 ACRE TRACT BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE INTERSECTION OF F.M. ROAD NO. 740 (100' R.O.W) AND SUMMER LEE DRIVE;

THENCE ALONG THE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID SUMMER LEE DRIVE THE FOLLOWING TWO (2) CALLS:

N 81 12'35" W A DISTANCE OF 59.49 FEET TO A 1/2" IRON ROD FOUND;

NORTHWESTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 555.78 FEET, WITH A CENTRAL ANGLE OF 06 43'14", A CHORD WHICH BEARS N 84 34'12" W, AND A DISTANCE OF 65.15 FEET, AND ARC LENGTH OF 65.19 FEET TO A "X" IN CONCRETE FOUND ON THE EAST RIGHT-OF-WAY LINE OF EXISTING CHAPARRAL;

THENCE N 45 29'01" W ALONG THE SAID EAST RIGHT-OF-WAY A DISTANCE OF 469.14 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF LOT 13 OF THE LAKE RIDGE ESTATES AS RECORDED IN SLIDE A, PAGE 10;

THENCE N 46 16'21" E ALONG THE SOUTH LINE OF SAID LOT 13, A DISTANCE OF 598.25 FEET TO A 3/4" PIPE FOUND FOR THE NORTHEAST CORNER OF SAID LOT 13 AND ON THE SOUTH LINE OF LOT 23 OF SAID LAKE RIDGE ESTATES;

THENCE S 72 36'12" E ALONG THE SOUTH LINE OF THE SAID LOT 23, A DISTANCE OF 210.65 FEET TO A 5/8" IRON ROD FOUND ON THE WEST RIGHT-OF-WAY LINE OF THE SAID F.M. ROAD NO. 740;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID F.M. ROAD NO. 740 THE FOLLOWING TWO (2) CALLS:

S 16 56'04" W A DISTANCE OF 198.53 FEET TO A 5/8" IRON ROD FOUND;

SOUTHWESTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 3859.83 FEET, WITH A CENTRAL ANGLE OF 07 41'56", A CHORD WHICH BEARS S 13 05'06" W, AND A DISTANCE OF 518.26 FEET, AND ARC LENGTH OF 518.65 FEET, TO THE POINT OF BEGINNING, AND CONTAINING OF 5.869 ACRES OF LAND MORE OR LESS.

KNOWN ALL MEN BY THESE PRESENTS: