

ORDINANCE NO. 98-03

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 the Commercial zoning district on a tract of land described in Exhibit "A" has been requested by AVK Group; 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all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.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 Kundered  
ATTEST

[Signature]  
APPROVED

1st Reading 01/05/98

2nd Reading 01/20/98



# EXHIBIT "A"

## OWNER'S CERTIFICATE

STATE OF TEXAS )  
COUNTY OF ROCKWALL )

WHEREAS, SUHAS S. NAIK, being the Owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING All that certain lot, tract or parcel of land situated in Rockwall County, Texas, out of the JOSEPH CADLE SURVEY, ABSTRACT NO. 65, and being Part of 114.7 acre tract as conveyed to Suhas S. Naik by Peggy Jo Gray by deed dated October 3, 1996, recorded in Volume , Page , Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the most Southerly corner of Lot 1, Block A, NEWMAN CENTER NO. ONE, an Addition to the City of Rockwall, Texas, according to the Plat recorded in Cabinet C, Slide 15, of the Deed Records of Rockwall County, Texas, same point lying in the Northwest line of Interstate Highway 30 (U. S. Highway 67), a variable width Right-Of-Way, and being the most Easterly corner of the following described tract;

THENCE South 36 degrees 38 minutes 57 seconds West along the said Northwest line of Interstate Highway 30 for a distance of 108.13 feet to a wooden Right-of-Way post with 60D Nail found for corner in the Southwest line of said JOSEPH CADLE SURVEY, ABSTRACT NO. 65 and the Northeast line of the J. B. MCFARLAND SURVEY, ABSTRACT NO. 145, said post being the most Easterly corner of Andrews Ford Tract as recorded in Volume 75, Page 225, of the Deed Records of Rockwall County, Texas;

THENCE North 44 degrees 41 minutes 41 seconds West with the Southwest line of said CADLE SURVEY and the Northeast line of said Ford Tract and MCFARLAND SURVEY, 367.77 feet to a 3/8 inch iron rod set for corner;

THENCE North 45 degrees 20 minutes 56 seconds East for a distance of 107.13 feet to a 3/8 inch iron rod set for corner;

THENCE South 44 degrees 39 minutes 25 seconds East for a distance of 351.41 feet to the POINT OF BEGINNING.

CONTAINING 38,480 square feet or 0.8834 acres of land, more or less.

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