

ORDINANCE NO. 98-25

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 Tony Patel; 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all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.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 6th day of July, 1998.

Cindy Kindred
ATTEST Cindy Kindred

George R. Hatfield
APPROVED George R. Hatfield
Mayor

1st Reading 06/15/98

2nd Reading 07/06/98



OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS EnMark Gas Corp. is the owner of a tract of land situated in the James Smith Survey, Abstract Number 200, Rockwall County, Texas, and being all of LOT 1, BLOCK A, TRIBBEY ADDITION, an addition to the City of Rockwall, recorded in Cabinet C, Slide 117, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at at 1/2" iron rod found in the South Right of Way line of I H 30, said point also being the North West corner of said Tribbey Addition;

THENCE: North 46° 30' 55" East a distance of 0.68 feet along said ROW line to a 1/2" iron rod set for a corner;

THENCE: North 68° 43' 09" East, continuing along said ROW line, a distance of 324.93 feet to a 1/2" iron rod found for a corner;

THENCE: South 28° 30' 01" East, along the Easterly line of said Tribbey Addition, a distance of 773.00 feet to a 1/2" iron rod set for a corner;

THENCE: South 12° 23' 15" West a distance of 90.33 feet to a 1/2" iron rod found for a corner;

THENCE: North 45° 21' 11" West a distance of 144.92 feet to a 1/2" iron rod set for a corner;

THENCE: North 45° 07' 15" West a distance of 775.66 feet to the place of beginning and containing 3.6776 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as MILLER ADDITION, a Replat of Lot 1, Block A, Tribbey Addition, an addition to the City of Rockwall, Rockwall County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the replat of said Tribbey Addition have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand

EXHIBIT 'A'