

ORDINANCE NO. 98-48

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 AN INSTITUTIONAL USE (A CHURCH) IN AN AGRICULTURAL 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 an institutional use (a church) in an agricultural zoning district on a tract of land described in exhibit "A" has been requested by The Free Methodist Church; 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 an institutional use (a church) in an agricultural zoning district as shown in exhibit "A" attached hereto and made part of.

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all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.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 4th day of January, 1999.

Cindy Kindred
ATTEST

[Signature]
APPROVED

1st Reading 12/21/98

2nd Reading 1/4/99



STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS the FREE METHODIST CHURCH OF NORTH AMERICA is the owner of a tract of land situated in the W. P. DeWeese Survey, Abstract No. 71, Rockwall County, Texas said tract being that same land conveyed to the Church in those Deeds recorded in Volume 241, Page 302 and Volume 245, Page 833, Deed Records, Rockwall County, Texas, said tract being more particularly described as follows;

BEGINNING at a 1/2" iron rod set in the center of Dalton Road at the apex of a highway Right of Way cutback for State Highway 205;

THENCE: South 43° 00' 34" East, along said ROW line a distance of 142.18 feet to a 1/2" iron rod set for a corner;

THENCE: South 00° 57' 23" East, continuing along said ROW line, a distance of 204.15 feet to a 1/2" iron rod found for a corner;

THENCE: South 88° 55' 21 1/2" West, leaving said Right of Way, a distance of 712.41 feet to a 1/2" iron rod found for a corner;

THENCE: North 00° 47' 21" West a distance of 317.14 feet to a 1/2" iron rod set in the center of Dalton

THENCE: North 89° 35' 27" East, along the center of said road, a distance of 616.28 feet to the place of beginning and containing 5.00 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT THE FREE METHODIST CHURCH OF NORTH AMERICA is the owner of said tract and does hereby adopt this plat designating the hereinabove described property as FREE METHODIST CHURCH, an Addition to the City of Rockwall, Rockwall County, Texas, does hereby dedicate the streets and alleys shown hereon for public use forever and does 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. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction maintenance, or efficiency of their respective system on any of these easements strips; and any public utility shall have the right to public ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining and either adding to or removing all or part of their respective system without the necessity of at any time, procuring the permission of anyone. The City of Rockwall...

of any nature resulting from...

EXHIBIT 'A'