

CITY OF ROCKWALL

ORDINANCE NO. 03-10

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR PORTABLE BUILDINGS ON THE SAME LOT WITHIN THE "MF-15", MEDIUM DENSITY MULTI-FAMILY DISTRICT ON A 5.00-ACRE TRACT OF LAND KNOWN AS FIRST UNITED METHODIST CHURCH ADDITION, CITY AND COUNTY OF ROCKWALL, TEXAS, FULLY DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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 portable buildings on the same lot within the "MF-15" Medium Density Multi-family district has been requested by Heritage Christian Academy for the property known as First United Methodist Church Addition, City and County of Rockwall, Texas; 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 portable buildings on the same lot within the "MF-15" Medium Density Multi-family district has been requested by Heritage Christian Academy for the property known as First United Methodist Church Addition, City and County of Rockwall, Texas; and

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

1. Approval of associated engineering with the development of the subject property.
2. Adherence to fire code requirements.
3. Accommodation of required parking throughout the phasing of the subject property's redevelopment.
4. If this permit is approved, then this permit and the previously approved permit from July '99 will be associated together with both permits issued for a period of five years from the date of the most recent permit approval. The location of all buildings (existing and proposed) shall conform with the building locations as shown on **Exhibit A** attached to the CUP.
5. A replat of this property be submitted and approved prior to the issuance of any building permit for a permanent or portable structure.
6. A development plan for this property and the surrounding properties shall be required in conjunction with the platting of the property.
7. The permitted use within the approximately 7,900 square foot building to be placed near the northeast corner of the First Methodist Church Addition restricted to "classroom use" only.
8. The north and west sides of the "classroom building" are required to have a "imitation" brick facade that matches/compliments the existing church building. The brick treatment on these sides of the building will be reviewed through the platting/site plan approval process for the subject property.
9. Landscape around the proposed portable "classroom building" shall be planted in an amount to sufficient to screen the structure from Damascus Road, SH 205 (South Goliad) and the Pebblebrook Apartments Addition to the southeast.
10. The portable storage buildings proposed for the southwest side of the Methodist Church Addition shall have landscaping placed around the buildings in an amount sufficient to screen them from Damascus Road and the Catholic Church Addition property.

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.

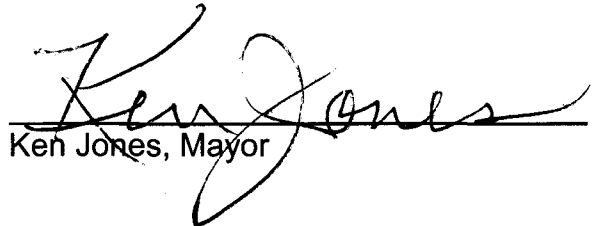
Section 4. Any person, firm, or corporation violating any of the provisions of this

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.

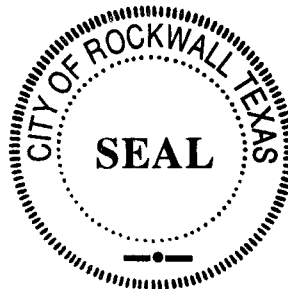
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of March, 2003.


Ken Jones, Mayor

ATTEST:

Dorothy Brooks, City Secretary

APPROVED AS TO FORM:

Pete Eckert, City Attorney



1st Reading: 02/17/03

2nd Reading: 03/03/03