

ORDINANCE NO. 01-21

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE (ORD. NO. 83-23) OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED TO PROVIDE FOR GENERAL PROVISIONS AND REQUIREMENTS FOR A CONDITIONAL USE PERMIT TO ALLOW A BUILDING WITH EXTERIOR WALLS WITH LESS THAN 90% BRICK AND GLASS, ON 0.207 ACRES OF LAND, AS DESCRIBED IN EXHIBIT "A", 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; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall Comprehensive Zoning Ordinance has been Joe Wimpee to provide for the general provision and requirements for a Conditional Use Permit to allow a building with exterior walls with less than 90% brick and glass, on 0.207 acres of land known as Old Town Rockwall, Lot 3R, Block J (105 West Kaufman) and as described on Exhibit A attached hereto and made a part hereof; 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, as heretofore amended, be and the same is hereby amended by the approval of a Conditional Use Permit to allow a building with exterior walls with less than 90% brick and glass, on 0.207 acres of land as described on Exhibit A attached hereto and made a part hereof.

Section 2. That the tract of land described on Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall has heretofore amended, as amended herein by granting of this approval shall affect only the property as heretofore described and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development on property described on Exhibit "A" shall be limited

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to uses and requirements listed in **Section 2.13** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23) and the following conditions;

1. That the exterior building materials consist of "Austin" stone with a standing seam metal roof.

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 18 day of June, 2001.

[Handwritten Signature]

APPROVED

Belinda Page
ATTEST

1st Reading 6-4-01

2nd Reading 6-18-01

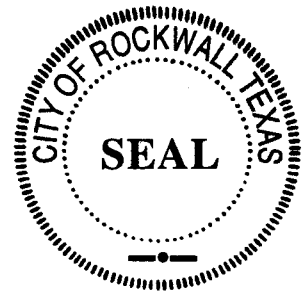


EXHIBIT "A"

OWNER'S CERTIFICATE

**STATE OF TEXAS
COUNTY OF ROCKWALL**

WHEREAS, JOE WIMPEE AGENCY is the owner of a tract of land being part of Lot 2, all of Lot 3, Block J, of the Original Town of Rockwall, an addition to the City of Rockwall, Texas as recorded in Volume 1, Page 555, Deed Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set at the northwest corner of said Lot 3, Block J, also being the intersection of the east right-of-way line of Alamo Street (60' R.O.W.) and the south right-of-way line of Kaufman Street (60' R.O.W.);

THENCE North 88°51'51" East, along said south right-of-way line, at 50 feet passing the east line of said Lot 3, in all a distance of 90.00 feet to an iron rod found for corner;

THENCE South 01°08'09" East, leaving said right-of-way line, a distance of 99.95 feet to an iron rod set for corner;

THENCE South 88°51'51" West, at 40 feet passing the West line of said Lot 2, Block J, in all a distance of 90.00 feet to an "X" found for corner in the east right-of-way line of Alamo Street;

THENCE North 01°08'09" West, along said east right-of-way line, a distance of 99.95 feet to the place of **BEGINNING** and containing 8.996 square feet or 0.207 acres of land more or less

