

ORDINANCE NO. 01-41

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE 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% MASONRY MATERIALS EXCLUDING OVERHEAD DOORS ON WALLS WITHOUT STREET FRONTAGE WITHIN A "LI", LIGHT INDUSTRIAL ZONING DISTRICT, FOR A TRACT OF LAND CONTAINING 4.1293 ACRES; 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, an amendment to the City of Rockwall Comprehensive Zoning Ordinance has been requested by Gerald Houser to provide for the general provision and requirements for a Conditional Use Permit to allow for buildings with exterior walls with less than 90% masonry materials excluding overhead doors on walls without street frontage, within a "LI", Light Industrial Zoning District, on a tract of land containing 4.1293 acres 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 of the City of Rockwall, 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% masonry materials excluding overhead doors on walls without street frontage within a "LI", Light Industrial District, on a tract of land containing 4.1293 acres as described on Exhibit "A", attached hereto and made a part hereof.

Section 2. That the tract of land described in the attached 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 as heretofore amended, as amended herein by granting of this approval

shall affect only the property described in the attached Exhibit "A" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development in the area within Exhibit "A" shall be limited to uses and requirements listed in **Section 2.15 (LI) Light Industrial District** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23) and the Conditional Use Permit shall be subject to the following additional conditions:

1. Adherence to the building elevations as described on Exhibit "B" attached hereto and made a part hereof.
2. That the property be subject to future site plan review prior to development.

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 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 7. 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 September, 2001.

Cheryl Austin
ATTEST Cheryl Austin
City Secretary
1st Reading 8/20/01
2nd Reading 9/04/01

Ken Jones
APPROVED Ken Jones
Mayor

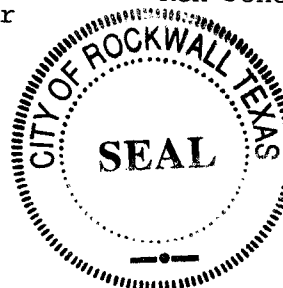


EXHIBIT "A"

TRACT B

FIELD NOTES

BEING, a tract of land situated in the J.A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, the subject tract further being a portion of the remainder of the land conveyed to Nan L. Smartt and Juliana L. Bond, Co-Trustees of the Smartt Marital Deduction Trust established under the Last Will and Testament of Joe B. Smartt, Deceased, according to the special warranty deed recorded in Volume 879, Page 010 at the Land Records of Rockwall County, Texas (LRRCT);

COMMENCING at the northerly line of State Highway 276 (a 120' ROW) and the easterly line of Rochelle Road (a variable width ROW at this point), a ½" iron pin with a cap stamped Tipton Eng. Inc. set at corner, from which a 3/8" iron pin found bears N 41° 11' East a distance of 61.8 feet, and ½" iron pins found on the southerly line of said State Highway No. 276 bear South 23° 22' 39" West, a distance of 124.47 feet and South 02° 26' 59" East, a distance of 122.02 feet, and a concrete highway monument bears South 85° 54' 09" East, a distance of 370.57 feet;

THENCE North 81° 25' 00" West, along the said State Highway No. 276 northerly line, a distance of 2394.22 feet to the **PLACE OF BEGINNING** of the herein described tract, a ½" iron pin with a red cap stamped Tipton Eng. Inc. set at corner;

THENCE North 81° 25' 00" West, continuing along the said State Highway No. 276 northerly line, a distance of 303.71 feet to the southeast corner of a tract of land conveyed to Colin-J. Properties, Inc. according to the warranty deed recorded in Volume 1335, Page 0040 (LRRCT), a ½" iron pin found at corner, from which a ½" iron pin found on the southerly side of said State Highway No. 276 bears South 01° 11' 49" East, a distance of 122.07, and a concrete highway monument bears South 89° 24' 50" West, a distance of 618.70 feet;

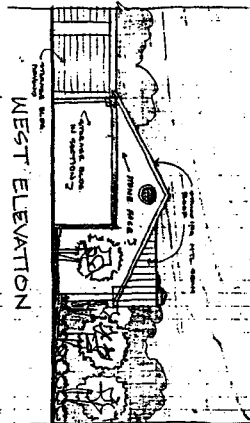
THENCE North 00° 23' 26" East, along the east line of said Colin-J. Properties, Inc. tract, a distance of 574.67 feet to a ½" iron pin with a red cap stamped Tipton Eng. Inc. set at corner;

THENCE North 89° 08' 17" East, a distance of 300 feet to a ½" iron pin with a red cap stamped Tipton Eng. Inc. set at corner;

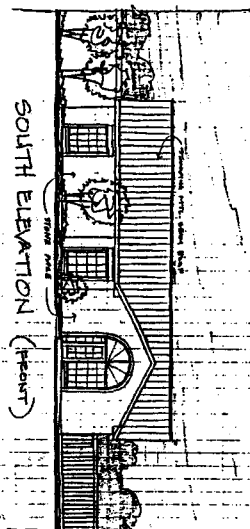
THENCE South 00° 23' 26" East, along a parallel to said Colin-J. Properties, Inc. tract east line, a distance of 624.52 feet to the **PLACE OF BEGINNING** with the subject tract containing 179,872 square feet or 4.1293 acres of land.

EXHIBIT "B"

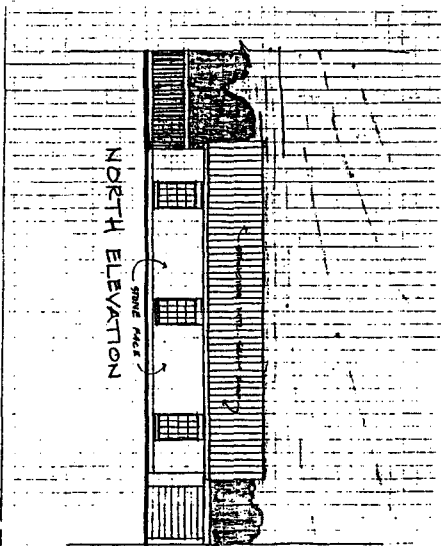
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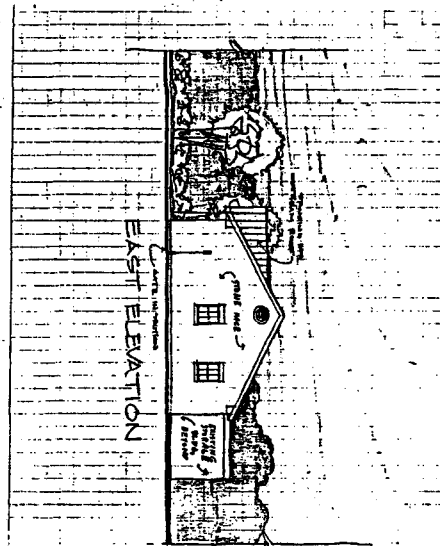
WEST ELEVATION



SOUTH ELEVATION (Front)



NORTH ELEVATION



EAST ELEVATION

01-82

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BUILDING ELEVATIONS

S.H. 276 SELF STORAGE EXPANSION
CITY OF ROCKWALL, TEXAS

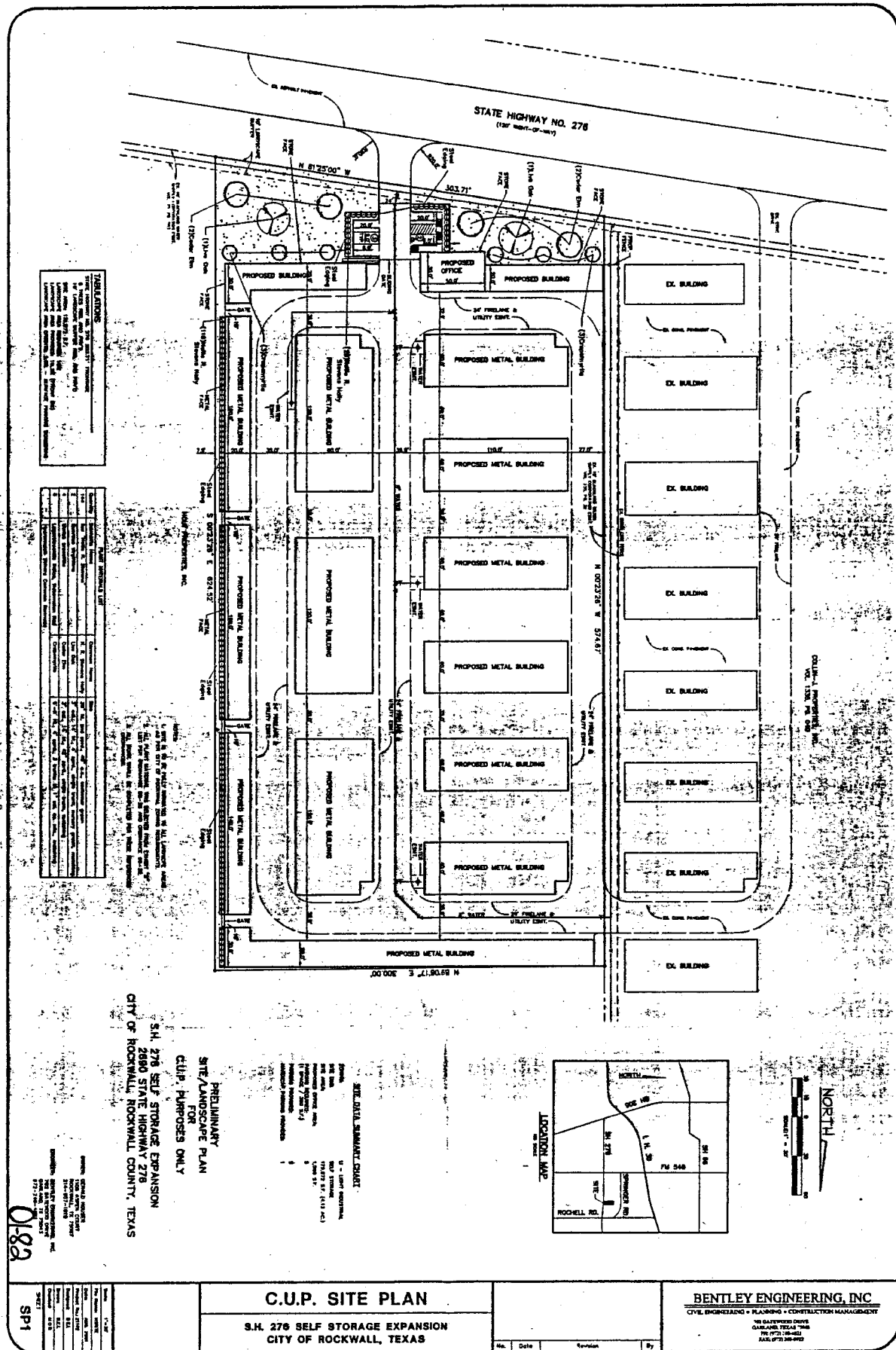
No. Date Revision By

BENTLEY ENGINEERING, INC

CIVIL ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT

36 GATEWOOD DRIVE
ROCKWALL, TEXAS 75087
TEL: (972) 968-4211
FAX: (972) 968-0792

EXHIBIT "B"



2001 - 82 - CUP - Houser
 SH 276 (S of Springer, W of Rochelle)
 - less than 90% masonry in (LI) District

SPRINGER ROAD

83,997 SQ. FT.
OR
1.9283 AC.
TRACT "A"

179,872 SQ. FT.
OR
4.1293 AC.
TRACT "B"

SITE LOCATION

276

SF-10

2001-82

ROCHELLE ROAD

