

ORDINANCE NO. 01-64

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 WITHIN THE "A" AGRICULTURAL ZONING DISTRICT LOCATED 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 an institutional use within the "A", agricultural zoning district has been requested by the Rockwall Independent School District for 26.25-acre property known as Rockwall Middle School #4 (Block A; Lot 1) and further described on Exhibit "A"; 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 within a "A" Agricultural zoning district on the property described on Exhibit "A" attached hereto and made a part hereof.

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

1. The building elevation of Rockwall Middle School #4 shall not exceed the height of 45 feet.

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 as heretofore amended, as amended herein by granting of this Conditional Use Permit and as

may be amended in the future.

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 3rd day of December, 2001.

Cheryl Austin
ATTEST
Cheryl Austin, City Secretary

Ken Jones
APPROVED
Ken Jones, Mayor

1st Reading 11/19/01

2nd Reading 12/3/01

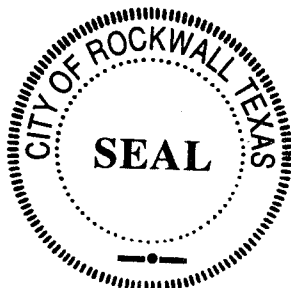


EXHIBIT "A"

PROPERTY DESCRIPTION

STATE OF TEXAS:

STATE OF ROCKWALL:

WHEREAS, Rockwall Independent School District are the owners of all that certain lot tract or parcel of land situated in the W.T. DeWeese Survey Abstract No. 71, Rockwall County, Texas, and being the residue of a *40 1/3 acres tract of land* as described in a Warranty Deed from M. F. Williams, et al to Fannie Hays, dated December 1, 1906 and being recorded in Volume 8, Page 321 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ¾" iron pipe found for corner at the intersection of the south right-of-way line of F.M. Highway 552 and the west boundary line of said *40 1/3 acres tract*;

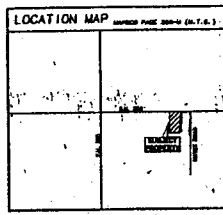
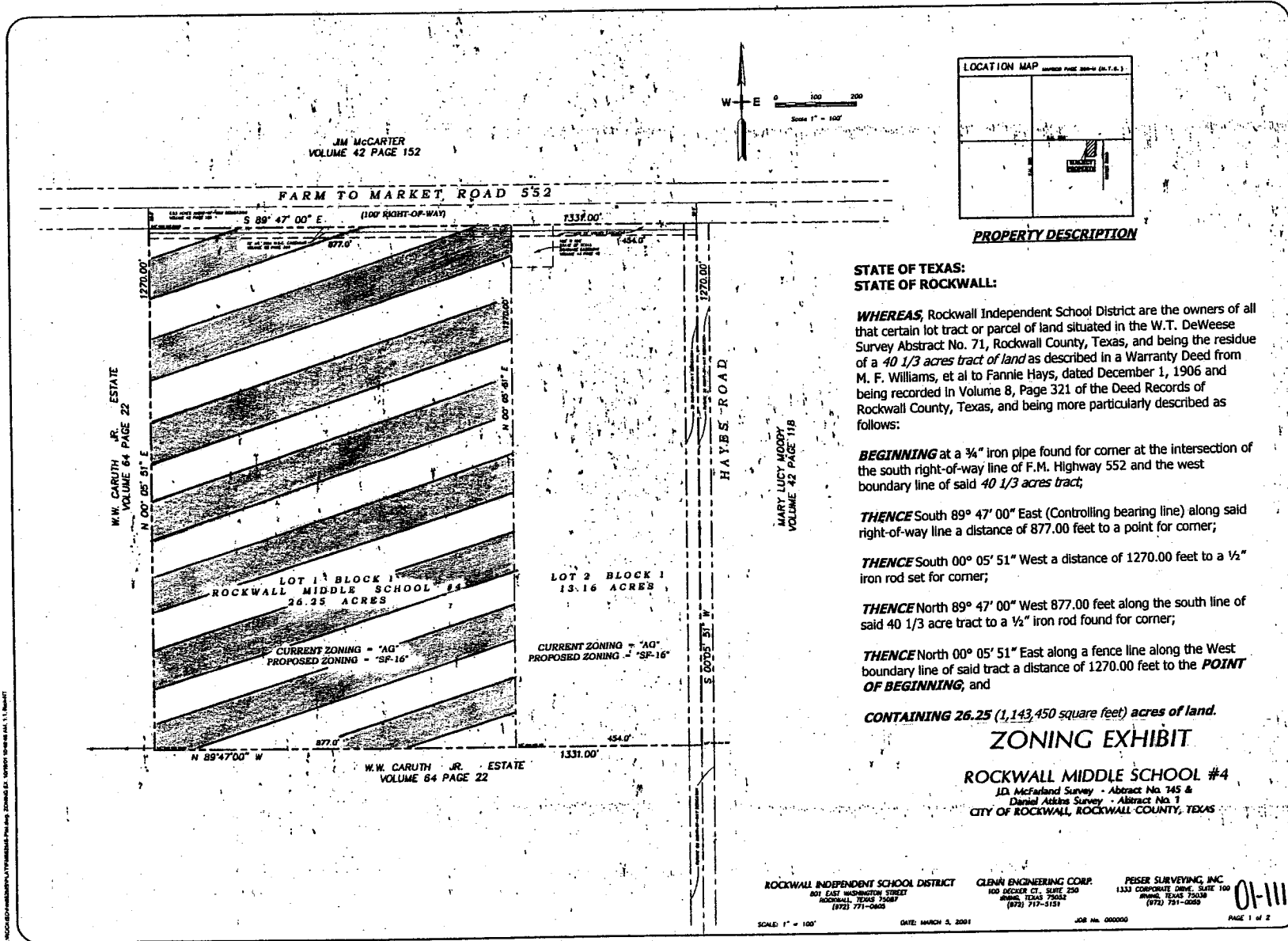
THENCE South 89° 47' 00" East (Controlling bearing line) along said right-of-way line a distance of 877.00 feet to a point for corner;

THENCE South 00° 05' 51" West a distance of 1270.00 feet to a ½" iron rod set for corner;

THENCE North 89° 47' 00" West 877.00 feet along the south line of said 40 1/3 acre tract to a ½" iron rod found for corner;

THENCE North 00° 05' 51" East along a fence line along the West boundary line of said tract a distance of 1270.00 feet to the **POINT OF BEGINNING**, and

CONTAINING 26.25 (1,143,450 square feet) acres of land.



PROPERTY DESCRIPTION

STATE OF TEXAS:
STATE OF ROCKWALL:

WHEREAS, Rockwall Independent School District are the owners of all that certain lot tract or parcel of land situated in the W.T. DeWeese Survey Abstract No. 71, Rockwall County, Texas, and being the residue of a 40 1/3 acres tract of land as described in a Warranty Deed from M. F. Williams, et al to Fannie Hays, dated December 1, 1906 and being recorded in Volume 8, Page 321 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/4" iron pipe found for corner at the intersection of the south right-of-way line of F.M. Highway 552 and the west boundary line of said 40 1/3 acres tract;

THENCE South 89° 47' 00" East (Controlling bearing line) along said right-of-way line a distance of 877.00 feet to a point for corner;

THENCE South 00° 05' 51" West a distance of 1270.00 feet to a 1/2" iron rod set for corner;

THENCE North 89° 47' 00" West 877.00 feet along the south line of said 40 1/3 acre tract to a 1/2" iron rod found for corner;

THENCE North 00° 05' 51" East along a fence line along the West boundary line of said tract a distance of 1270.00 feet to the **POINT OF BEGINNING**, and

CONTAINING 26.25 (1,143,450 square feet) acres of land.

ZONING EXHIBIT

ROCKWALL MIDDLE SCHOOL #4
J.D. McFarland Survey - Abstract No. 745 &
Daniel Atkins Survey - Abstract No. 1
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ROCKWALL INDEPENDENT SCHOOL DISTRICT
801 EAST WASHINGTON STREET
ROCKWALL, TEXAS 75087
(972) 771-0603

CLENN ENGINEERING CORP.
100 DECKER CT., SUITE 250
IRVING, TEXAS 75038
(972) 717-5151

PEISER SURVEYING, INC.
1333 CORPORATE DRIVE, SUITE 100
IRVING, TEXAS 75038
(972) 751-0550

REV. NOV. 9, 2001
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DATE: [Signature]

ROCKWALL MIDDLE SCHOOL #4
ROCKWALL INDEPENDENT SCHOOL DISTRICT
ROCKWALL, TEXAS

65% CHECK SET
NOT FOR CONSTRUCTION

ROCKWALL INDEPENDENT SCHOOL DISTRICT
801 EAST WASHINGTON STREET
ROCKWALL, TEXAS 75087
(972) 771-0603

[Signature]
Group Inc.
Surveyors License No. 10000

SHEET NUMBER	C
OF	212
SET NUMBER	01-111