

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 02-17

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A KENNEL WITH NO OUTDOOR PENS OR RUNS WITHIN AN AGRICULTURALLY-ZONED TRACT OF LAND LOCATED SOUTH WEST OF SH 205 AND SOUTH EAST OF THE FUTURE RALPH HALL PARKWAY AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a request from Cathy Strother for a Conditional Use Permit for a kennel with no outdoor pens or runs within an Agriculturally-zoned tract of land located south west of SH 205 and south east of the future Ralph Hall Parkway known as J.D.McFarland-Abstract 145; Tract 17 and further described in 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, and 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, Texas, as heretofore amended, be and the same are hereby amended so as to grant a Conditional Use Permit for a kennel with no outdoor pens or runs within the Agriculturally-zoned tract of land known as J. D. McFarland-Abstract 145; Tract 17 and further described in Exhibit "A" attached hereto and made a part hereof; and

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

1. Installation of one (1) fire hydrant and an 8-inch water line for fire protection.
2. A 15-foot easement dedicated by separate instrument from SH 205 for the water line and fire hydrant.
3. An all-weather access area be provided for fire protection.
4. Applicable building permit/inspections are approved.
5. That an annual inspection of the facility be required for compliance with all building and health code requirements. The first inspection to be held one year from the date of approval this ordinance.

6. That the Conditional Use Permit shall expire should the current operator of the kennel cease to conduct business in this location.

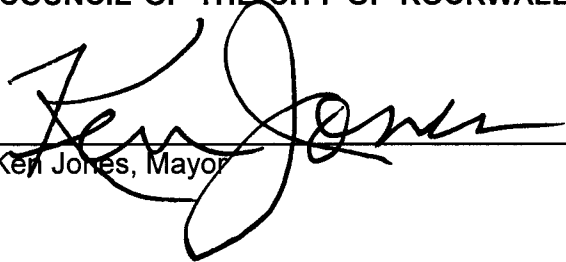
Section 3. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 4. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation, or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 of this ordinance shall remain in full force and effect.


Section 5. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed to the extent of that conflict.

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.

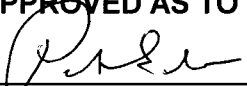
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, this 15th day of April, 2002.


Ken Jones, Mayor

ATTEST:


Dorothy Brooks, City Secretary

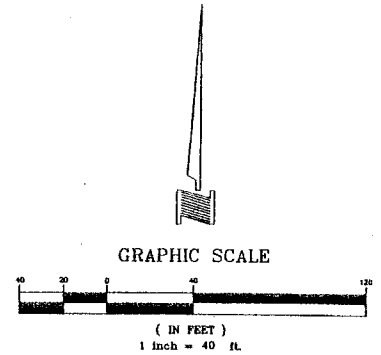
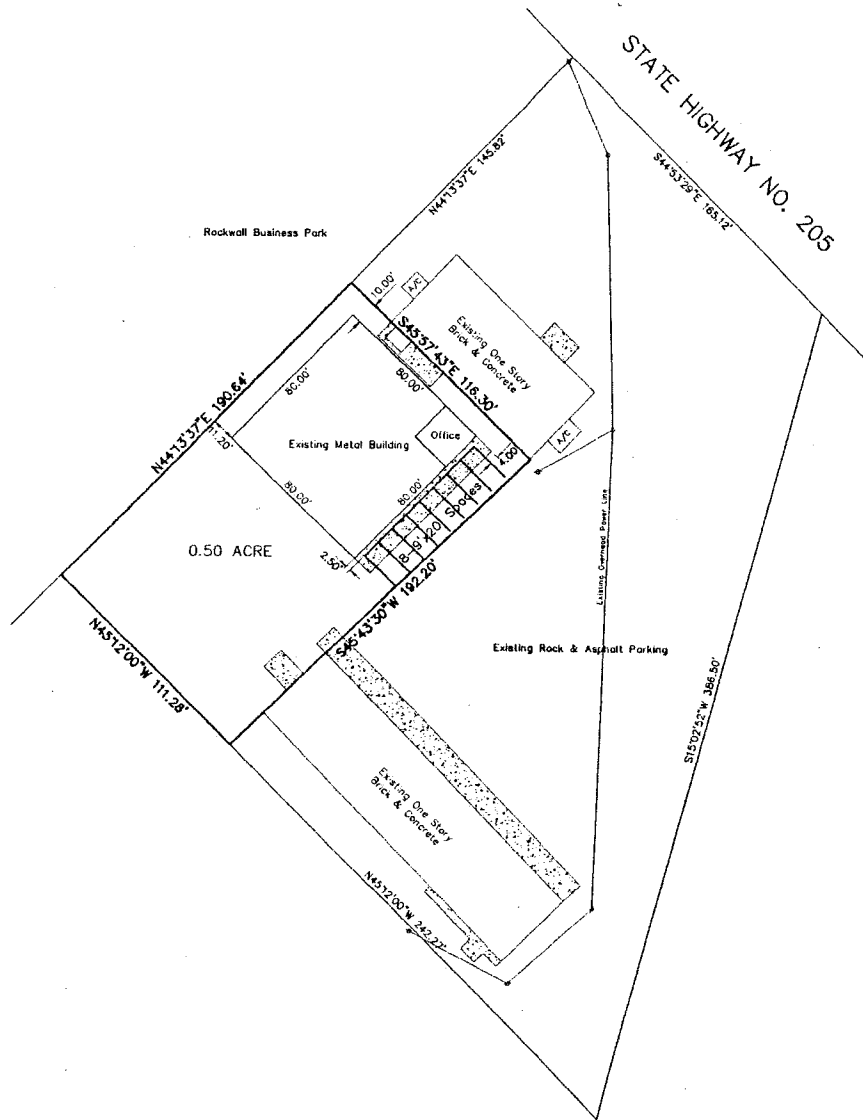
APPROVED AS TO FORM AND CONTENT:


Pete Eckert, City Attorney

1st Reading: 4/1/2002

2nd Reading: 4/15/2002





SITE PLAN						
0.50 ACRE TRACT						
CITY OF ROCKWALL						
ROCKWALL COUNTY, TEXAS						
DESIGN	DRAWN	CHECKED	DATE	SCALE	JOB	SHEET
MLP	MLP		3-19-02	1"=40'		

R002-16

TE NO.: