

CITY OF ROCKWALL

ORDINANCE NO. 04-16

AN ORDINANCE OF THE CITY COUNCIL 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 TO ALLOW AN INSTITUTIONAL USE 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** for an **institutional use** within the **(A) Agricultural District** has been requested by Roy Garner of Rockwall Lakeside Church of Christ for the property to be known as **Lots 1 and 2, Block A, Rockwall Lakeside Church of Christ Addition**, and further described herein as Exhibit "A", 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 an **institutional use** within the **(A) Agricultural District** has been requested by Roy Garner of Rockwall Lakeside Church of Christ for the property to be known as **Lots 1 and 2, Block A, Rockwall Lakeside Church of Christ Addition**, and further described herein as Exhibit "A", City and County of Rockwall, Texas; and

Section 2. That the Conditional Use Permit shall be subject to the requirements as set forth in **§ 2.1 (A) Agricultural District** of the City of Rockwall Comprehensive Zoning Ordinance (Ord. No. 83-23) in addition to the following conditions:

1. Use of the 44.29-acre subject tract be limited to a church as approved via site plan Case No. SP2004-001.
2. Approval of preliminary and final plats.
3. Approval of site plan (including landscape plan, building elevations, photometric plan, etc...)
4. Approval of engineering plans.
5. Adherence to fire department requirements.

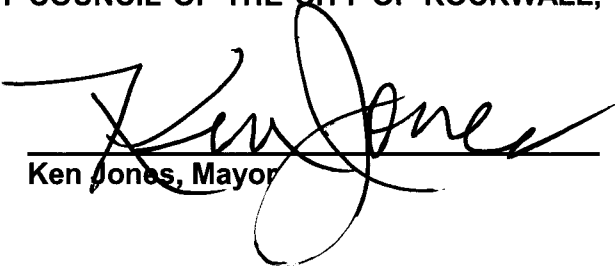
Section 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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 1st day of March, 2004.



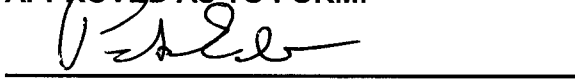
Ken Jones, Mayor

ATTEST:



Dorothy Brooks, City Secretary

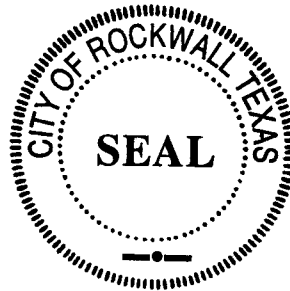
APPROVED AS TO FORM:

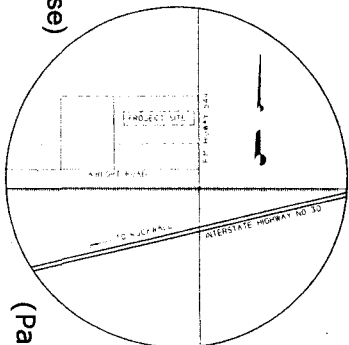


Pete Eckert, City Attorney

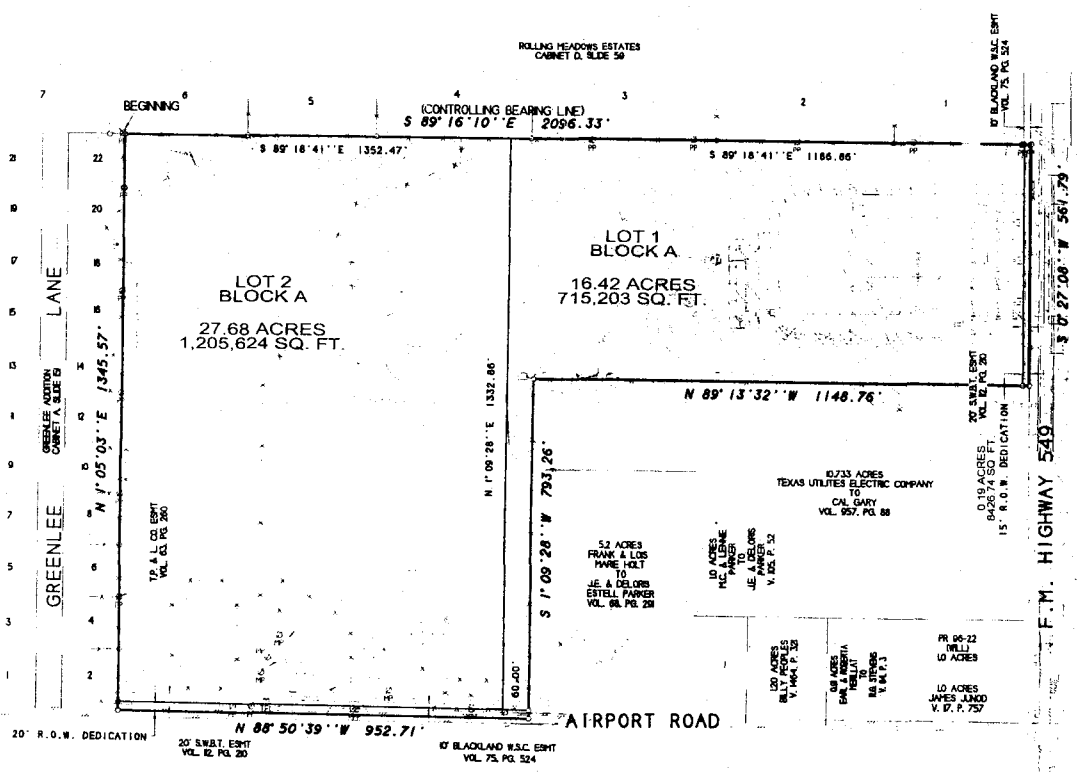
1st Reading: 02-16-04

2nd Reading: 03-01-04





VICINITY MAP N.T.S.



DESCRIPTION

All that certain lot, tract or parcel of land situated in the E.M. ELLIOTT SURVEY ABSTRACT NO. 77, City of Rockwall, Rockwall County, Texas, and being a part of that 64.88 acres tract of land as described in a Warranty deed from T.B. Moss and wife, Carolyn L. Moss to R.G. Stephens, Joseph Funk, and J.E. Overall, Jr., dated July 21, 1971 and being recorded in Volume 97, Page 420 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the North line of said 64.88 acres tract of land, said point being S. 89 deg. 18 min. 40 sec. E., 325.00 feet from the Northwest corner of same, and being in the South line of Lot 6, ROLLING MEADOWS ESTATES, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall County, Texas, said point also being at the Northeast corner of Lot 22, Greentee Addition, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet A, Slide 151 of the Plat Records of Rockwall County, Texas; THENCE S. 89 deg. 18 min. 40 sec. E., (Controlling bearing line) along the North line of said 64.88 acres tract and the South line of ROLLING MEADOWS ESTATES, a distance of 2096.33 feet to a 1/2" iron rod found for corner in the West right-of-way line of F.M. Highway 549; THENCE S. 00 deg. 27 min. 08 sec. W. along said right-of-way line, a distance of 561.79 feet to a 3/8" iron rod found for corner at the Northeast corner of a 10.733 acres tract of land as described in a Deed to Cal Gary as recorded in Volume 957, Page 88 of the Real Property Records of Rockwall County, Texas;

THENCE N. 89 deg. 13 min. 32 sec. W. a distance of 1148.76 feet to a 3/8" iron rod found for corner at the Northwest corner of said Gary tract;

THENCE S. 01 deg. 09 min. 28 sec. W. at 773.06 feet pass a 3/8" iron rod found for witness and continuing for a total distance of 793.26 feet to a point for corner in the center of Airport Road;

THENCE N. 88 deg. 50 min. 39 sec. W. along the center of Airport Road, a distance of 952.71 feet to a point for corner at the Southeast corner of Greentee Addition;

THENCE N. 01 deg. 05 min. 03 sec. E., at 20.00 feet pass a 1/2" iron rod with yellow plastic cap stamped "R.S.C." RPLS 5034 set for witness and continuing along the East line of Greentee Addition for a total distance of 1345.57 feet to the POINT OF BEGINNING and containing 44.29 acres of land of which 0.40 acres lies within the margins of Airport Road

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480347-0005 C dated June 18, 1992, this property lies in Zone X. This property does not appear to be within a 100-year flood plain.

2004-003

FEB 11 2004

FILE COPY

PRELIMINARY PLAT
FOR REVIEW PURPOSES ONLY

ROCKWALL LAKESIDE CHURCH OF CHRIST ADDITION
2 LOTS 44.29 ACRES

E.M. ELLIOTT SURVEY, ABSTRACT NO. 77
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS



OWNER:
ROCKWALL LAKESIDE CHURCH OF CHRIST
CONTACT: ROY GARNER
PHONE: (972) 771-0074

Harold D. Fetty III, R.P.L.S. No. 5034

R.S.C.
ROCKWALL SURVEYING CO., INC. LAND SURVEYING
1984 S. FM 661 ROYSE CITY, TX 75169 972-772-5434 PHONE 972-772-5443 FAX

EXHIBIT "A"

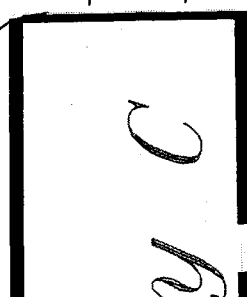


INDIAN TRAIL

AMITY LANE

RIDING C

UP/DALLAS GARLAND N.E. R.R.



Z2004-004

Rockwall Lakeside Church of Christ
(CUP for Institutional Use)



1" = 500'