

ORDINANCE NO. 97-28

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "C" COMMERCIAL AND "HC" HEAVY COMMERCIAL CLASSIFICATION TO PLANNED DEVELOPMENT ZONING "PD- 44 PLANNED DEVELOPMENT NUMBER 44; CORRECTING THE OFFICIAL ZONING MAP; 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, a change in the classification of a zoning district has been requested by James Helwig for the property more specifically described in Exhibit "A" attached hereto; 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 amending the zoning map of the City of Rockwall so as to give "Planned Development District No.44 classification to the tract of land described in Exhibit "A".

SECTION 2. That the property described in 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 zoning change, and as may be amended in the future. The granting of this zoning classification for the property as described in Exhibit "A" is subject to the following special conditions:

A. The use of the property shall be regulated by the following requirements:

1. The uses, area requirements and development standards of the Commercial zoning category of the Comprehensive Zoning ordinance as currently adopted,

or as revised in the future, except as otherwise provided for in this ordinance and the following additional permitted uses:

- a. Commercial Trucking Operation
- b. Outdoor Storage of Vehicles used in association with the trucking operation

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. 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 5. 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 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 case provides.

DULY PASSED AND APPROVED this 3rd day of November, 1997.

APPROVED:



Mayor

ATTEST:

BY Cindy Kunder

1st reading 10/29/97

2nd reading 11/03/97



EXHIBIT "A"

PROPERTY DESCRIPTION

BEING a lot, tract or parcel of land situated in the City of Rockwall, Rockwall County, Texas, and being 7.51 acres out the William H. Barnes Survey, Abstract No. 26, said 7.51 acre tract being all of the Helwig Addition Lot 1, Block A recorded in Cabinet C, Slide 176, all of a 1.24 acre tract recorded in Volume 893, Page 244, and also containing part of the Pentecostal Church a 2.0 acre tract recorded in Volume 137, Page 201, part of the Gentry Plumbing a 1.0 acre tract recorded in Volume 1098, Page 164, and part of the Estep a 1.0 acre tract recorded in Volume 1098, Page 164, and being more particularly described by lines and bounds as follows:

BEGINNING at a 1/2 Inch Iron rod found for corner at the intersection of the Southwest line of State Highway No. 205 (100 foot right of way) with the Southeast line of Sid's Road (40 Foot right of way), said corner being the Northeast corner of the 7.51 acre tract of land and a U.S.C. & G.S. monument bears North 60 degrees 05 minutes 41 seconds East a distance of 35.0 feet and North 29 degrees 54 minutes 19 seconds East a distance of 1562.59 feet from said corner;

THENCE South 29 degrees 54 minutes 19 seconds East along the Southwest right of way line of said State Highway No. 205 a distance of 330.08 feet to a 1/2 Inch Iron rod found for corner said corner being the North corner of said Pentecostal Church tract;

THENCE South 60 degrees 05 minutes 41 seconds West along the North line of said Pentecostal Church tract a distance of 337.42 feet to a 1/2 Inch Iron rod found for corner;

THENCE South 29 minutes 54 seconds 19 minutes East along the West lines of said Pentecostal Church tract, said Gentry Plumbing tract, and said Estep tract, and the East line of said 1.24 acre tract, a distance of 417.42 feet to a 1/2 Inch Iron rod found for corner;

THENCE South 60 degrees 08 minutes 51 seconds West along the South line of said 1.24 acre tract a distance of 351.14 feet to a 1/2 Inch Iron rod found for corner;

THENCE North 30 degrees 00 minutes 00 seconds West along the West line of said 1.24 acre tract a distance of 199.67 feet to a 1/2 Inch Iron rod found for corner.

THENCE North 45 degrees 04 minutes 21 seconds West a distance of 350.77 feet to a 1/2 Inch Iron rod found for corner in the Southeast line of said Sid's Road;

THENCE North 45 degrees 06 minutes 36 seconds East along the Southwest line of said Sid's Road a distance of 808.15 feet to the POINT OF BEGINNING and containing 327,159.57 square feet or 7.51 acres of land.

ORDINANCE NO. 98-05

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "C" COMMERCIAL AND "HC" HEAVY COMMERCIAL CLASSIFICATION TO PLANNED DEVELOPMENT ZONING "PD- 44 PLANNED DEVELOPMENT NUMBER 44; CORRECTING THE OFFICIAL ZONING MAP; 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, a change in the classification of a zoning district has been requested by James Helwig for the property more specifically described in Exhibit "A" attached hereto; 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 amending the zoning map of the City of Rockwall so as to give "Planned Development District No.44 classification to the tract of land described in Exhibit "A".

SECTION 2. That the property described in 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 zoning change, and as may be amended in the future. The granting of this zoning classification for the property as described in Exhibit "A" is subject to the following special conditions:

A. The use of the property shall be regulated by the following requirements:

1. The uses, area requirements and development standards of the Commercial zoning category of the Comprehensive Zoning ordinance as currently adopted,

or as revised in the future, except as otherwise provided for in this ordinance and the following additional permitted uses:

- a. Commercial Trucking Operation
- b. Outdoor Storage of Vehicles used in association with the trucking operation

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. 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 5. 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 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 case provides.

DULY PASSED AND APPROVED this 2nd day of February, 1998.

APPROVED:



Mayor

ATTEST:

BY Cindy Kindred

1st reading 1/20/98

2nd reading 2/2/98



EXHIBIT 'A'

PROPERTY DESCRIPTION

BEING a lot, tract or parcel of land situated in the City of Rockwall, Rockwall County, Texas, and being 7.51 acres out the William H. Barnes Survey, Abstract No. 26, said 7.51 acre tract being all of the Helwig Addition Lot 1, Block A recorded in Cabinet C, Slide 176, all of a 1.24 acre tract recorded in Volume 893, Page 244, and also containing part of the Pentecostal Church a 2.0 acre tract recorded in Volume 137, Page 201, part of the Gentry Plumbing a 10 acre tract recorded in Volume 1098, Page 164, and part of the Estap a 10 acre tract recorded in Volume 1098, Page 164, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner at the intersection of the Southwest line of State Highway No. 205 (100 foot right of way) with the Southeast line of Sid's Road (40 foot right of way), said corner being the Northeast corner of the 7.51 acre tract of land and a U.S.C. & G.S. monument bears North 60 degrees 05 minutes 41 seconds East a distance of 350 feet and North 29 degrees 54 minutes 19 seconds East a distance of 1562.59 feet from said corner;

THENCE South 29 degrees 54 minutes 19 seconds East along the Southwest right of way line of said State Highway No. 205 a distance of 330.08 feet to a 1/2 inch iron rod found for corner said corner being the North corner of said Pentecostal Church tract;

THENCE South 60 degrees 05 minutes 41 seconds West along the North line of said Pentecostal Church tract a distance of 337.42 feet to a 1/2 inch iron rod found for corner;

THENCE South 29 minutes 54 seconds 19 minutes East along the West lines of said Pentecostal Church tract, said Gentry Plumbing tract, and said Estep tract, and the East line of said 1.24 acre tract, a distance of 417.42 feet to a 1/2 inch iron rod found for corner;

THENCE South 60 degrees 08 minutes 51 seconds West along the South line of said 1.24 acre tract a distance of 351.14 feet to a 1/2 inch iron rod found for corner;

THENCE North 30 degrees 00 minutes 00 seconds West along the West line of said 1.24 acre tract a distance of 199.67 feet to a 1/2 inch iron rod found for corner.

THENCE North 45 degrees 04 minutes 21 seconds West a distance of 350.77 feet to a 1/2 inch iron rod found for corner in the Southeast line of said Sid's Road;

THENCE North 45 degrees 06 minutes 36 seconds East along the Southwest line of said Sid's Road a distance of 808.15 feet to the POINT OF BEGINNING and containing 327,159.57 square feet or 7.51 acres of land.

CITY OF ROCKWALL

ORDINANCE NO. 09 - 03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (C) COMMERCIAL DISTRICT TO (PD-44) PLANNED DEVELOPMENT NO. 44 DISTRICT, ON A 1.57-ACRE TRACT KNOWN AS PART OF LOT 1, BLOCK A, JAMES HELWIG ADDITION AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A" ATTACHED 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 zoning change from (C) Commercial district to (PD-44) Planned Development No. 44 district has been requested by John Bledsoe of Trans Am Trucking Inc., for a 1.57-acre tract known as part of Lot 1, Block A, James Helwig Addition, City and County of Rockwall, Texas, and more specifically shown in Exhibit "A" attached herein; 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 Unified Development Code 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 Unified Development Code (Ord. No. 04-38) of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from (C) Commercial district to (PD-44) Planned Development No. 44 district on a 1.57-acre tract known as part of Lot 1, Block A, James Helwig Addition, City and County of Rockwall, Texas, and more specifically shown in Exhibit "A" attached herein; and

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in **Article V, Section 4.5, Commercial District** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the following additional conditions:

1. As approved via Ordinance No. 97-28, the additional permitted uses shall be allowed:
 - a. Commercial Trucking Operation
 1. No Outdoor Storage/Parking of Vehicles shall be allowed on the 1.57-acre property as shown on Exhibit "B".

2. The subject site shall be limited to "Truck Driver Training" for the adjacent Trucking Operation located on the remaining portion of Lot 1, Block A, James Helwig Addition.

2. Adherence to the approved site plan (Exhibit "B").

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

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 Unified Development Code 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 be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

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.

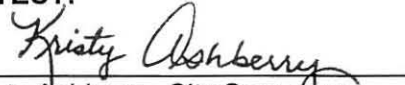
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 20th day of ~~January~~, 2009.

2nd February
KWA



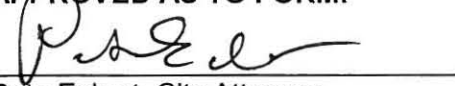
William R. Cecil, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

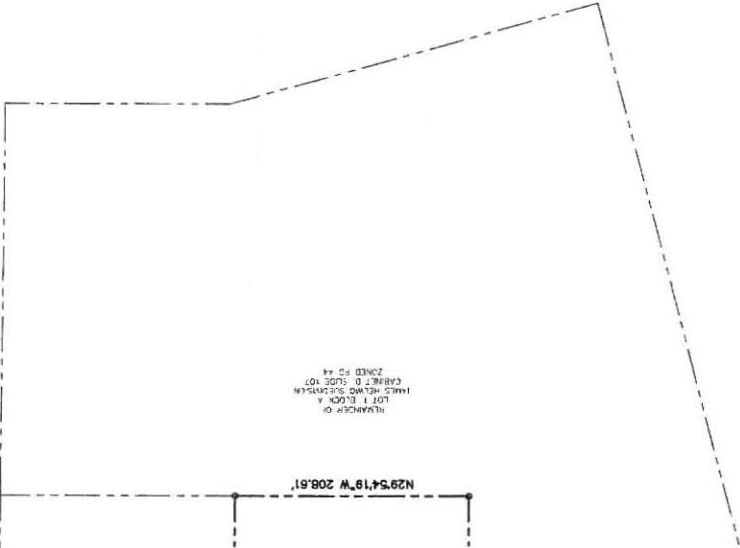


Pete Eckert, City Attorney

1st Reading: 01-05-09

2nd Reading: 02-02-09





TRANSFORM
 LOT 1 BLOCK A
 JAMES HELMO SUBDIVISION
 CARRIED BY 44
 ZONED PD 44

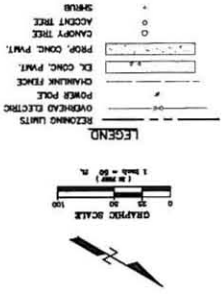
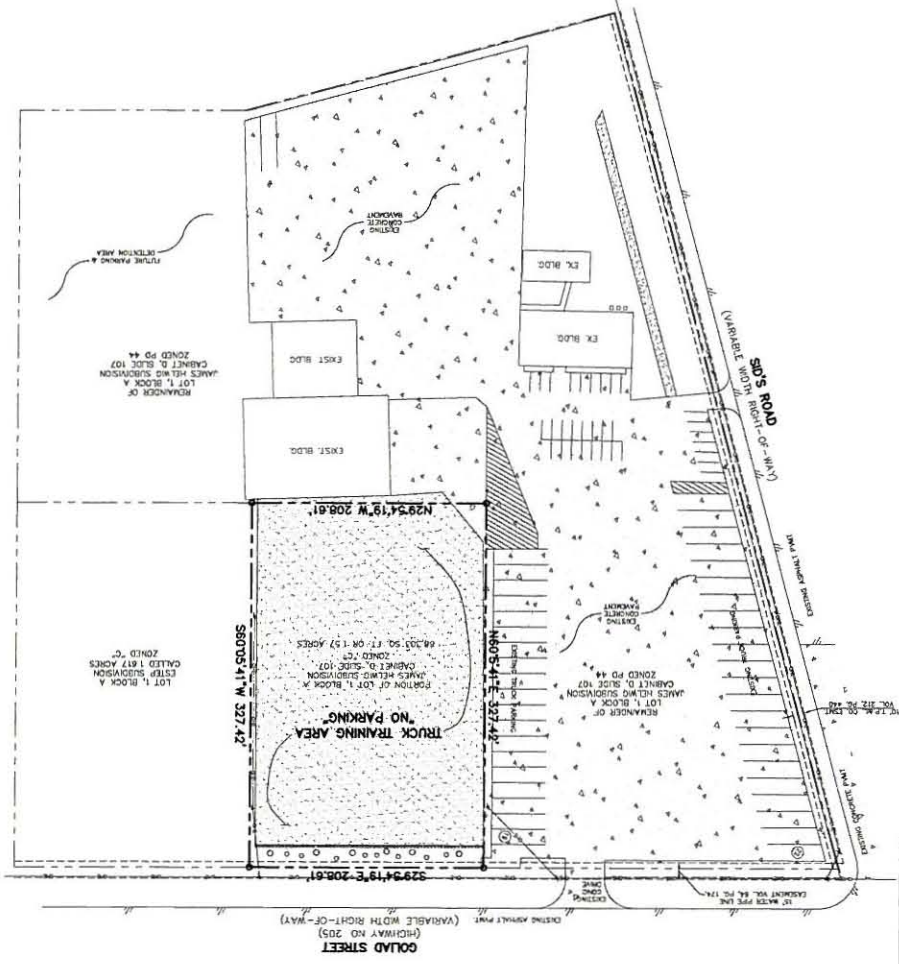
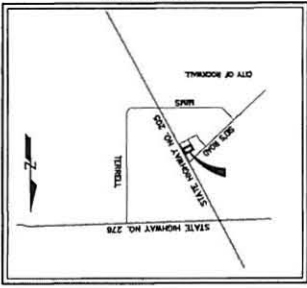
HELMO SUBDIVISION, SAME BEING THE WEST CORNER OF SAID LOT 1 (EAST SUBDIVISION),
 THENCE NORTH 29 DEG. 24 MIN. 19 SEC. WEST, THROUGH THE INTERIOR OF SAID LOT 1 (JAMES
 HELMO SUBDIVISION), A DISTANCE OF 206.61 FEET TO A POINT FOR CORNER.
 THENCE NORTH 60 DEG. 06 MIN. 41 SEC. EAST, CONTINUING THROUGH THE INTERIOR OF SAID
 LOT 1 (JAMES HELMO SUBDIVISION), A DISTANCE OF 227.42 FEET TO A POINT FOR CORNER, SAID
 POINT BEING IN THE HORIZONTAL LINE OF SAID LOT 1 (JAMES HELMO SUBDIVISION), SAME BEING
 IN THE SOUTHWEST RIGHT-OF-WAY LINE OF AFRICAN BOULEVARD STREET.
 THENCE SOUTH 29 DEG. 24 MIN. 19 SEC. EAST, ALONG THE COMMON LINE OF SAID LOT 1 (JAMES
 HELMO SUBDIVISION), AND THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID BOULDER STREET, A
 DISTANCE OF 206.61 FEET TO THE POINT OF BEGINNING AND CONTAINING BELOO SQUARE FEET
 OR 1.57 ACRES OF CORPUS LAND.

PURPOSE FOR REZONING:
 REZONE 1.57 ACRES OF LOT 1, BLOCK A
 JAMES HELMO SUBDIVISION FROM "C"
 COMMERCIAL TO PD 44 TO MATCH ZONING
 ON REMAINDER OF LOT 1, BLOCK A.

NO. 2208 039

OWNER/APPLICANT:
 TRANSFORM TRUCKING, INC.
 2670 SOUTH GOLIAD,
 ROCKWALL, TEXAS 75082
 PHONE: 972-722-0673
 FAX: 972-961-9050

PSP SHEET 1	Scale: 1" = 50'	ZONING EXHIBIT TRANSFORM TRUCKING LOT 1, BLOCK A CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
	Designed By: J.L.V.	
	Drawn By: J.L.V.	
	Created By: J.L.V.	
V:\2008\446-01\env\work\Zoning Exhibit.dwg DATE: 11/17/2008		



PURPOSE FOR REZONING:
 REZONE 1.57 ACRES OF LOT 1, BLOCK A
 JAMES HELWIG SUBDIVISION FROM "C"
 COMMERCIAL TO PD 44 TO MATCH ZONING
 ON REMAINDER OF LOT 1, BLOCK A.

OWNER/APPLICANT:
 TRANSAM TRUCKING, INC.
 2670 SOUTH GOLIAD
 ROCKWALL, TEXAS 75083
 PHONE: 972-722-0573
 FAX: 972-981-9050

PD SITE PLAN	TRANSAM TRUCKING, INC. 2670 SOUTH GOLIAD ROCKWALL, TEXAS 75083 PHONE: 972-722-0573 FAX: 972-981-9050	TRANSAM TRUCKING, INC. 2670 SOUTH GOLIAD ROCKWALL, TEXAS 75083 PHONE: 972-722-0573 FAX: 972-981-9050	TOMDEN ENGINEERING, L.L.P. 12509 N. Central Expressway, Suite 700 Pl. 972.386.6446 Fax: 972.386.6408 mail@tomden.com
SHEET 1 OF 1	Scale: 1" = 50' Drawn by: JLV Checked by: JLV 12/18/08 15:26	PD SITE PLAN TRANS-AM TRUCKING TRANS LOT 1, BLOCK A CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS	SHEET PDS1