

CITY OF ROCKWALL

ORDINANCE NO. 21-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT AND SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT FOR AN 8.17-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 44-01 AND ALL OF TRACTS 45-02 & 45-07 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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**, the City has received a request from Matthew Deyemond of TC Planning and Design on behalf of the owner Donald Wallace for a change in zoning from an Agricultural (AG) District and a Single-Family Estates 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District for an 8.17-acre tract of land identified as a portion of Tract 44-01 and all of Tracts 45-02 & 45-07 of the W.W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Single-Family Estate 2.0 (SFE-2.0) District, and more fully depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference 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 [*Ordinance No. 20-02*] 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 [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District and a Single-Family Estate 2.0 (SF-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District.

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 1.5 (SFE-1.5) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.02, *Single-Family Estate 1.5 (SFE-1.5) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as

amended herein by granting of this zoning change, and as maybe amended in the future.

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

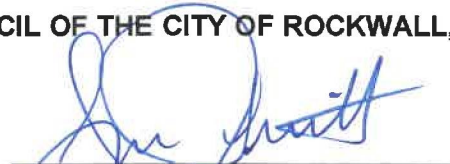
**SECTION 4.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such 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 ordinance 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.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1<sup>ST</sup> DAY OF FEBRUARY, 2021.**


  
\_\_\_\_\_  
Jim Pruitt, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Cole, City Secretary



**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: January 19, 2021

2<sup>nd</sup> Reading: February 1, 2021

**Exhibit 'A'**  
*Legal Description*

**TRACT ONE (1):**

*BEING* a tract of land situated in the WILLIAM W. FORD SURVEY, Abstract No. 80, in Rockwall County, Texas, being a portion of a tract of land conveyed to Donald J. Wallace (hereinafter referred to as "Wallace tract 750"), as recorded in Volume 177, Page 750, of the Deed Records of Rockwall County, Texas, and all of a tract of land conveyed to Donald J. & Catherine Wallace, as recorded in Volume 6568, Page 258, of the Deed Records of Rockwall County, Texas, as shown on survey, and being more particularly described by metes and bounds as follows:

*BEGINNING* at a PK nail set for corner, being the South corner of said "Wallace 750" tract, also being the East corner of a tract of land conveyed to Billy R. and Margaret Morton, as recorded in Volume 3603, Page 1, of the Deed Records of Rockwall County, Texas, and in the approximate center line of H. Wallace Lane;

*THENCE* North 46 degrees 20 minutes 56 seconds West, at a distance of 361.50 feet passing the North corner of said Morton tract, said corner also being the Eastern most corner of a tract of land conveyed to Margaret Wallace Morton as recorded in Volume 180, Page 592, of the Deed Records of Rockwall County, Texas, continuing for a total distance of 500.00 feet to a 3/8 inch iron rod found for corner, being the West corner of said "Wallace tract 750";

*THENCE* North 43 degrees 39 minutes 04 seconds East, a distance of 331.22 feet to 1/2 inch yellow-capped iron rod set for corner, being on the Northwest line of said "Wallace tract 750";

*THENCE* South 46 degrees 20 minutes 56 seconds East, a distance of 500.00 feet to a PK nail set for corner, being in the approximate center line of H. Wallace Lane;

*THENCE* South 43 degrees 39 minutes 04 seconds West, a distance of 331.22 feet to the PLACE OF BEGINNING and containing 165,611.50 square feet or 3.802 acres of land.

**TRACT TWO (2):**

*BEING* a tract of land situated in the WILLIAM W. FORD SURVEY, Abstract No. 80, in Rockwall County, Texas, and being a portion of a tract of land conveyed to Donald J. Wallace (hereinafter referred to as "Wallace tract 750"), as recorded in Volume 177, Page 750, of the Deed Records of Rockwall County, Texas, and a portion of a tract of land conveyed to Donald J. Wallace, as recorded in Volume 177, Page 570 (hereinafter referred to as "Wallace tract 570"), of the Deed Records of Rockwall County, Texas, as shown on survey, and being more particularly described by metes and bounds as follows:

*COMMENCING* at a PK nail set for corner, being the South corner of said "Wallace tract 750", also being the East corner of a tract of land conveyed to Billy and Margaret Morton, as recorded in Volume 3603, Page 1, of the Deed Records of Rockwall County, Texas, and in the approximate center line of H. Wallace Lane;

*THENCE* North 43 degrees 39 minutes 04 seconds East, a distance of 331.22 feet to a PK nail set for corner, being on the Southeast line of said "Wallace tract 750," and being in the approximate center line of H. Wallace Lane, and being the POINT OF BEGINNING;

*THENCE* North 46 degrees 20 minutes 56 seconds West, a distance of 500.00 feet to a PK nail set for corner, being in the Northwest line of said "Wallace tract 750";

**Exhibit 'A'**  
*Legal Description*

*THENCE* North 43 degrees 39 minutes 04 seconds East, at a distance of 119.28 feet passing the North corner of said "Wallace tract 750," also being the East corner of said "Wallace tract 570," continuing a total distance of 180.32 feet to 1/2 inch yellow-capped iron rod set for corner, being on the Northwest line of said "Wallace tract 570";

*THENCE* South 46 degrees 20 minutes 56 seconds East, a distance of 500.00 feet to a PK nail set for corner, being in the approximate center line of H. Wallace Lane;

*THENCE* South 43 degrees 39 minutes 04 seconds West, a distance of 180.32 feet to the PLACE OF BEGINNING and containing 90,159 square feet or 2.07 acres of land.

**TRACT THREE (3):**

*BEING* a tract of land situated in the WILLIAM W. FORD SURVEY, Abstract No. 80, in Rockwall County, Texas, being a portion of a tract of land conveyed to Donald J. Wallace, as recorded in Volume 177, Page 570 (hereinafter referred to as "Wallace tract 570"), of the Deed Records of Rockwall County, Texas, as shown on survey, and being more particularly described by metes and bounds as follows:

*COMMENCING* at a PK nail set for corner, being the South corner of a tract of land conveyed to Donald J. Wallace, as recorded in Volume 177, Page 750, of the Deed Records of Rockwall County, Texas, also being the East corner of a tract of land conveyed to Billy and Margaret Morton, as recorded in Volume 3603, Page I, of the Deed Records of Rockwall County, Texas, and in the approximate center line of H. Wallace Lane;

*THENCE* North 43 degrees 39 minutes 04 seconds East, a distance of 511.54 feet to a PK nail set for corner, being on the Southeast line of said "Wallace tract 570," and being in the approximate center line of H. Wallace Lane, and being the POINT OF BEGINNING;

*THENCE* North 46 degrees 20 minutes 56 seconds West, a distance of 500.00 feet to a 1/2 inch yellow-capped iron rod set for corner, being on the Northwest line of said "Wallace tract 570";

*THENCE* North 43 degrees 39 minutes 04 seconds East, at a distance of 200.32 feet to a 1/2-inch orange-capped iron rod found for corner, being the North corner of said "Wallace tract 570";

*THENCE* South 46 degrees 20 minutes 56 seconds East, a distance of 500.00 feet to a PK nail set for corner, from which a 1/2-inch orange-capped iron rod found for reference bears North 46 degrees 20 minutes 56 seconds East, a distance of 33.05 feet, and being in the approximate center line of H. Wallace Lane;

*THENCE* South 43 degrees 39 minutes 04 seconds West, a distance of 200.32 feet to the PLACE OF BEGINNING and containing 100,159 square feet or 2.30 acres of land.



**Exhibit 'C'**  
*Location Map & Legal Description*

General Location: Northeast of the Intersection of H. Wallace Lane and Horizon Road [FM3097]

Legal Description: An 8.17-Acre Portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80

