

ORDINANCE NO. 78-11

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 SPECIFIC USE PERMIT FOR A DAY CARE CENTER IN AN "SF-3" RESIDENTIAL DISTRICT ON A TRACT OF LAND DESCRIBED MORE FULLY HEREIN: PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE AND DECLARING AN EMERGENCY.

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 a joint public hearing 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, Texas, as heretofore amended, be and the same is hereby amended by amending the Zoning Map of the City of Rockwall so as to grant a specific use permit for a Day Care Center on a tract of land described as follows:

All that certain Lot, tract or parcel of land out of the R. Ballard Survey, in Rockwall County, Texas, and being also out of the lands of the A. E. Williams Estate;

BEGINNING at a stake in the East Line of a 50 foot roadway or street belonging to the Rockwall Independent School District which roadway was conveyed to said district by Mary Blanche Hays and husband, Harold Hays by deed dated May 27, 1949, and recorded in Vol. 45, Page 153, Deed Records of Rockwall County, Texas, said stake

being 100 ft. South of the Northwest corner of the present lands of the said A. E. Williams Estate, and distant 158 ft. South of the most Northern Northeast corner of the before mentioned Rockwall Independent School District Tract;

THENCE South 100 ft. along the East Margin of said roadway to a stake in the North margin of a street along the North side of the said Rockwall Independent School District property, this stake being 50 ft. North of an inside corner of the said School District Lands;

THENCE East 200 ft. along the margin of the street 50 ft. wide which adjoins the North side of the before mentioned School District property, a stake for corner;

THENCE North 100 ft. to a stake for corner;
THENCE West 200 ft. to the place of beginning, and being the same land described in a certain deed executed by Harold Hays, et ux to Ralph M. Hall, et ux, dated January 18th, 1954, and recorded in Vol. 49, Page 544, Deed Records of Rockwall County, Texas.

SECTION 2. This specific use permit is granted subject to the following conditions:

- (a) The Day Care Center shall be operated only on Mondays through Fridays from 11:00 A.M. to 6:00 P.M.
- (b) After school care shall be limited to no more than Twelve (12) children.
- (c) This permit shall not authorize the issuance of a building permit to construct a separate building to house the facility.
- (d) In the event the property is leased or sold this permit shall terminate.

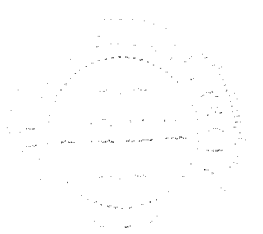
SECTION 3. That the above-described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwell, as heretofore amended, and as amended herein by the granting of this zoning change.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the same

penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended hereby, and upon conviction shall be punished by a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. Whereas, it appears that the above-described property requires classification so as to grant a specific use permit for a Day Care Center Classification in order to permit its proper development and in order to protect the public interest and general welfare of the City of Rockwall, such requirement creates an urgency and an emergency in the preservation of the public welfare and requires that this ordinance 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 by the City Council of the City of Rockwall, Texas, on the 6th day of March, 1978.



APPROVED:

Harry L. Myers
MAYOR

ATTEST:

June Edwards
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY