

ORDINANCE NO. 76-6

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 FROM "SF-3" SINGLE-FAMILY 3 DWELLING DISTRICT CLASSIFICATION TO "SP" SPECIAL PERMIT-TEMPORARY FOR A HOME OCCUPATION OF SELLING HAMBURGERS FOR OFF-PREMISES CONSUMPTION ONLY, SUBJECT TO SPECIAL CONDITIONS; SAID TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS: BEING LOT C, SOUTH 1/2 OF BLOCK 8 OF THE FARMERS AND MERCHANTS ADDITION TO THE CITY OF ROCKWALL, TEXAS, AND ALSO KNOWN AS 701 AUSTIN STREET, ROCKWALL, TEXAS; PROVIDING FOR A PENALTY OF FINE 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 give the following-described property the zoning classification of "SP" Special Permit-Temporary for a home occupation of selling hamburgers for off-premises consumption only, subject to special conditions:

BEING LOT C, South 1/2 of Block 8 of the
Farmers and Merchants Addition to the City
of Rockwall, Texas, and also known as
701 Austin Street, Rockwall, Texas.

SECTION 2. This temporary special permit is granted
subject to the following conditions:

- a. This special permit is granted only for the
purpose of selling hamburgers for off-premises
consumption only.
- b. When this use terminates, this temporary special
permit shall expire and the property shall revert
to "SF-3" Single-Family 3 District Classification.

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, and all other ordinances of the City
of Rockwall not in conflict with the provisions of this ordi-
nance shall remain in full force and effect.

SECTION 4. 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 Rockwall, as
heretofore amended, and as amended herein, by the granting of
this zoning change.

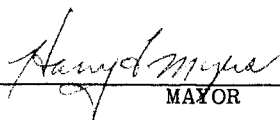
SECTION 5. Any person, firm or corporation violating any
of the provisions of this ordinance shall be subject to the same
penalty as provided for in the Comprehensive Zoning Ordinance of
the City of Rockwall, as heretofore amended, and as amended here-
by, and upon conviction shall be punished by a penalty 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 6. Whereas, it appears that the above-described
property requires classification under a Temporary Special Permit
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 3rd day of May, 1976.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY

APPROVED AS TO FORM:



ATTORNEY