

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 PRIVATE CLUB FOR THE SALE OF ALCOHOLIC BEVERAGES AS AN ACCESSORY USE TO A RESTAURANT IN A "GR" GENERAL RETAIL DISTRICT ON A TRACT OF LAND DESCRIBED MORE FULLY HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rockwall, Texas, 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 requisite notices by publication and have held public hearings and afforded 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 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, that

SECTION 1. 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 private club for the sale of alcoholic beverages as an accessory use to a restaurant on the following described tract of land:

BEING a tract of land situated in the B. F. Boydston Survey, Abstract No. 1, Rockwall County, Texas, and also being a part of the J. W. Reese tract as recorded in Volume 43, Page 148 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in the West R.O.W. line of Goliad (State Highway No. 205), said iron rod being the Northeast corner of Ridgeview No. 1 Addition to the City of Rockwall,

THENCE South  $88^{\circ}56'19''$  West along the North line of said Ridgeview No. 1 Addition a distance of 236.0 ft. to a point for a corner;

THENCE North  $1^{\circ}03'41''$  West a distance of 155.64 ft. to a point for a corner;

THENCE North  $89^{\circ}58'31''$  East a distance of 46.45 ft. to a point for a corner and the beginning of a circular curve to the right having a central angle of  $30^{\circ}$ , a radius of 128.54 ft. and a tangent of 34.44 ft.;

THENCE along said circular curve to the right a distance

of 67.30 ft. to the point of reverse curvature of a circular curve to the left having a central angle of  $31^{\circ}31'16''$ , a radius of 206.54 ft. and a tangent of 58.29 ft.;

THENCE along said circular curve to the left a distance of 113.63 ft. to a point for a corner in the West R.O.W. line of Goliad Street;

THENCE South  $10^{\circ}17'49''$  East along the West R.O.W. line of Goliad Street a distance of 108.26 ft. to the Point of Beginning and containing 0.6939 acres (30,266 sq.ft.) of land.

SECTION 2. This Specific Use Permit is granted subject to the following conditions:


- A. The revenues derived from the sale of food shall exceed the percentage of revenues derived from the sale of alcoholic beverages.
- B. 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 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the same penalties 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 4. This ordinance shall become effective from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED BY THE City Council of the City of Rockwall, Texas, on the 13th day of December, 1982.

APPROVED:

  
Mayor

ATTEST:

  
City Secretary