

**CITY OF ROCKWALL**

**ORDINANCE NO. 05-24**

**AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW "AUTO REPAIR GARAGE, MINOR" (STAND ALONE QUICK LUBE BUSINESS) ON A TRACT OF LAND KNOWN AS PART OF TRACT 2, ABSTRACT NO. 65, J. CADLE SURVEY, LOCATED ALONG THE EAST SIDE OF SH 205, SOUTH OF SH 276 AND ACROSS FROM RAPH HALL PARKWAY 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 Specific Use Permit for "Auto Repair Garage, Minor" (Stand Alone Quick Lube Business) within the "C" Commercial District has been requested by Marlyn Roberts for the property known as a part of Tract 2, Abstract 65, J. Cadle Survey, located along the east side of SH 205, south of SH 276 and across from Ralph Hall Parkway; City and County of Rockwall, Texas; 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 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit for "Auto Repair Garage, Minor" (Stand Alone Quick Lube Business) within the "C" Commercial District has been requested by Marlyn Roberts for the property known as a part of Tract 2, Abstract 65, J. Cadle Survey, located along the east side of SH 205, south of SH 276 and across from Ralph Hall Parkway; City and County of Rockwall, Texas; and

**Section 2.** That the Specific Use Permit shall be subject to the conditions set forth in **Article V, Section 4.5 "C" Commercial District**, of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions:

1. That the approved Conceptual Site Plan and Building Elevations attached hereto as Exhibits "A" and "B" shall control the development of the "Auto Repair Garage, Minor". The development shall be in accordance with such conceptual Site Plan, Building Elevations and development criteria.
2. No substantial change in development of the "Auto Repair Garage, Minor" shall be permitted except after obtaining approval of the change of such development

through amendment of the Conceptual Site Plan and Building Elevations in the manner required for changes or amendments to the Unified Development Code.

3. Submittal and approval of a detailed site plan prior to issuance of any building permit.
4. Submittal and approval of a preliminary and final plat of the subject tract to designate mutual access easement(s), right-of-way dedication, etc.
5. That only a "Monument Sign" not exceeding 5 feet in height and 60 square feet in area be allowed. All other signage is required to conform to the City of Rockwall Sign Ordinance.


**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 to the extent of that conflict.

**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 (Ord. No. 04-38) 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.

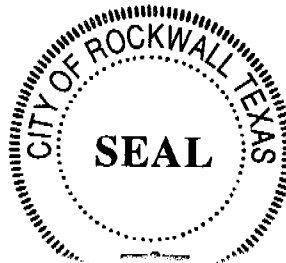
**Section 6.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6<sup>th</sup> day of June, 2005.**

  
\_\_\_\_\_  
Bill Cecil, Mayor

ATTEST:  
  
\_\_\_\_\_  
Dorothy Brooks, City Secretary

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Pete Eckert, City Attorney

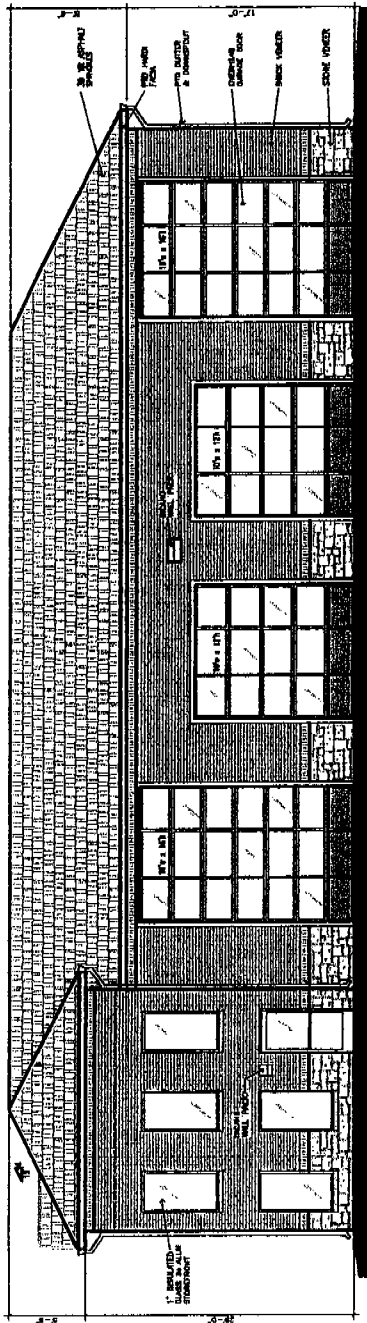


1<sup>st</sup> Reading: 5-16-05

2<sup>nd</sup> Reading: 6-6-05



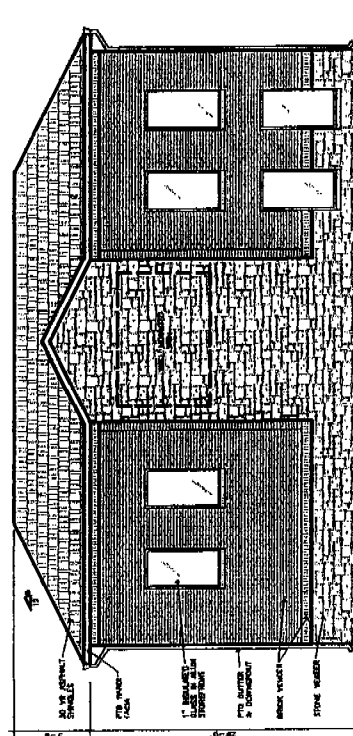
# Exhibit "B"



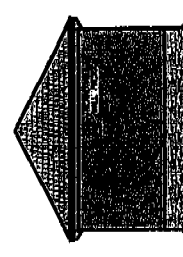
1 front elevation  
1/4" = 1'-0"



3 side elevation  
1/4" = 1'-0"



2 rear elevation  
1/4" = 1'-0"



4 end elevation  
1/4" = 1'-0"

## PROJECT INFORMATION

PROJECT: ALL POWER, PLUMBING, MECHANICAL, ELECTRICAL, AND TYPING FOR THE REAR AND SIDE ELEVATIONS OF THE BUILDING.  
 DRAWING NO.: 2005-017  
 DATE: APRIL 15, 2005  
 PROJECT NO.: 2005-017  
 DRAWING NO.: 2005-017-002  
 PROJECT NO.: 2005-017

## EXTERIOR ELEVATIONS

# Advertising Receipt

**Rockwall County News**

316 S Goliad, Ste 107  
PO BOX 819  
Rockwall, TX 75087  
Phone: 972-722-3099  
Fax: 972-722-3096

ROCKWALL, CITY OF-LEGALS ®  
ATTN: DOROTHY BROOKS  
385 SOUTH GOLIAD  
ROCKWALL, TX 75087

**Cust#:** 01100978-000  
**Ad#:** 17527643  
**Phone:** (972)771-7700  
**Date:** 06/13/05

**Ad taker:** 11      **Salesperson:** 6      **Classification:** 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
09 ROCKWALL COUNTY NEWS	06/15/05	06/15/05	1	48.00		48.00

**Payment Reference:**

L 223122, ORD 05-24

**Total:** 48.00  
**Tax:** 0.00  
**Net:** 48.00  
**Prepaid:** 0.00

**Total Due** 48.00

# PUBLISHER'S AFFIDAVIT

## THE STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Michael Gresham, who being by me duly sworn deposes and says that he is the Publisher of **Rockwall County News** and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published;
4. it has been published regularly and continuously since 1985; and
5. it is generally circulated within Rockwall County.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

June 15<sup>th</sup> A.D. 2005

Michael Gresham  
Editor and Publisher

### SUBSCRIBED AND SWORN BEFORE ME

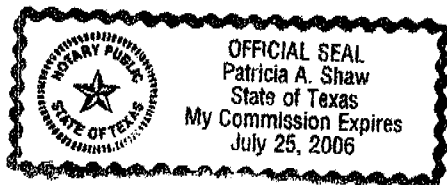
by Michael Gresham, who

- a) is personally known to me, or  
 b) provided the following evidence to establish his/her identity. \_\_\_\_\_

on the 14<sup>th</sup> day of June, A.D. 2005  
to certify which witness my hand and seal of office.

Patricia A. Shaw

Notary Public, State of Texas



Legal Notices

Legal Notices

### ORDINANCE NO. 05-24

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 GRANT A SPECIFIC USE PERMIT TO ALLOW "AUTO REPAIR GARAGE, MINOR" (STAND ALONE QUICK LUBE BUSINESS) ON A TRACT OF LAND KNOWN AS PART OF TRACT 2, ABSTRACT No. 65, J. CADLE SURVEY, LOCATED ALONG THE EAST SIDE OF SH 205, SOUTH OF SH 276 AND ACROSS FROM RALPH HALL PARKWAY 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; AND PROVIDING FOR AN EFFECTIVE DATE.

/s/ Bill Cecil, Mayor

/s/ Dorothy Brooks, City Secretary

1<sup>st</sup> Reading: May 16, 2005

2<sup>nd</sup> Reading: June 6, 2005