

CITY OF ROCKWALL

ORDINANCE NO. 05-26

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 ALLOWING FOR ANTIQUE/COLLECTABLE SALES OF LESS THAN 2,000 SQUARE FEET WITHIN (PD-50) PLANNED DEVELOPMENT NO. 50 DISTRICT, ON A TRACT OF LAND KNOWN AS LOT 1, BLOCK 1, BLACK'S COLLECTABLES ADDITION AND LOCATED AT 502 N. GOLIAD STREET; 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 allowing for Antique/Collectable Sales of less than 2,000 square feet within the (PD-50) Planned Development No. 50 District has been requested by Shirely Black on the property known as Lot 1, Block 1, Black's Collectables Addition and located at 502 N. Goliad Street; 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 allowing for Antique/Collectable Sales of less than 2,000 square feet within the (PD-50) Planned Development No. 50 District has been requested by Shirely Black on the property known as Lot 1, Block 1, Black's Collectables Addition and located at 502 N. Goliad Street; City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **"PD-50" Planned Development No. 50 & Article V, Section 4.2 "R-O" Residential Office 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 Site Plan attached hereto as Exhibits "A" shall control the development of the Antique/Collectable Sales. Development shall be in strict accordance with such Site Plan and development criteria.
2. No substantial change in development of the "Antique/Collectable Sales" shall be permitted except after obtaining approval of the change of such development through amendment of the Site Plan in the manner required for changes or amendments to the Unified Development Code.
3. The sale of new or used clothing and appliances be prohibited.
4. That the maximum building size not exceed 2,000 square foot for Antique/Collectable Sales.
5. That individual lease areas within the store be prohibited.
6. The hours of operation be limited to between 10:00 a.m. and 8:00 p.m.

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 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 6th day of June, 2005.

Bill Cecil
Bill Cecil, Mayor

ATTEST:

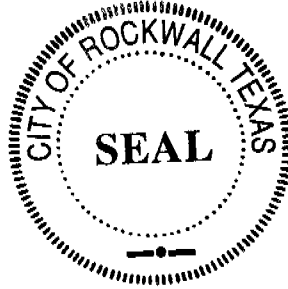
Dorothy Brooks
Dorothy Brooks, City Secretary

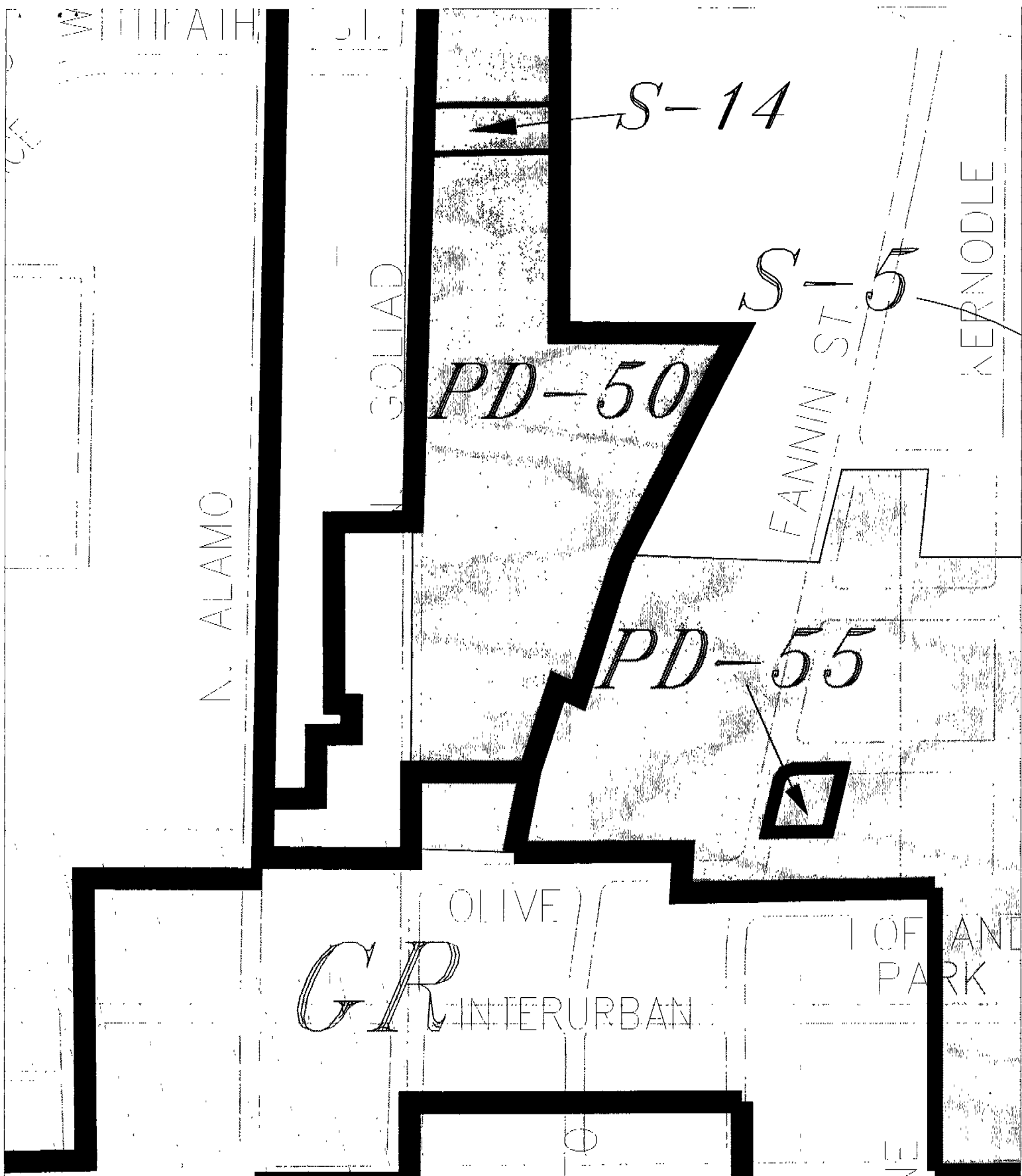
APPROVED AS TO FORM:

Pete Eckert
Pete Eckert, City Attorney


1st Reading: 5-16-05

2nd Reading: 6-6-05





Z2005-020 & P2005-017
502 N Goliad
SUP-Antique Collectable Sales


1" = 200'

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#: 17527644
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 223124 ord 05-26

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 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:

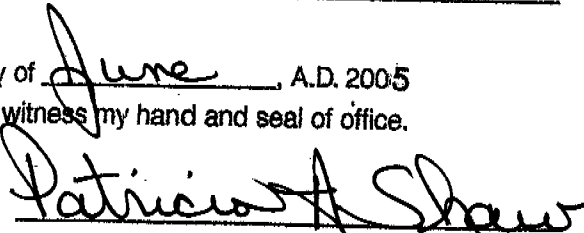
June 15th A.D. 2005

Michael Gresham
Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME

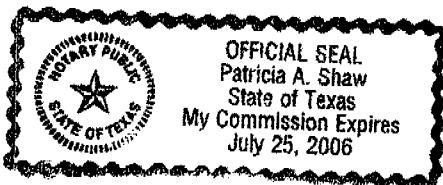
by Michael Gresham, who

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

on the 16th day of June, A.D. 2005
to certify which witness my hand and seal of office.



Notary Public, State of Texas



Legal Notices

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/s/ Bill Cecil, Mayor
/s/ Dorothy Brooks, City Secretary
1st Reading: May 16, 2005
2nd Reading: June 6, 2005