

CITY OF ROCKWALL

ORDINANCE NO. 07-50

AN ORDINANCE OF THE CITY COUNCIL 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 FOR AN "AUTO REPAIR GARAGE, MINOR" ON A 0.8121-ACRE TRACT OF LAND KNOWN AS LOT 1, BLOCK A, DERRICK ADDITION AND LOCATED AT 740 E IH-30, AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; 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 an "Auto Repair Garage, Minor" within the (C) Commercial district has been requested by Steve Meier of Mays & Co. Real Estate Development, on a 0.8121-acre tract of land known as Lot 1, Block A, Derrick Addition, and located at 740 E IH-30, and more specifically shown in Exhibit "A"; 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 an "Auto Repair Garage, Minor" within the (C) Commercial district on a 0.8121-acre tract of land known as Lot 1, Block A, Derrick Addition and located at 740 E IH-30, and more specifically shown in Exhibit "A"; and

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

1. The development shall strictly adhere to the approved site plan attached herein as Exhibit "B" and the approved building elevations attached herein as Exhibit "C."
2. No vehicles, equipment, parts or inventory shall be stored outside overnight.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. 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 5. 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 6. 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 7. 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.

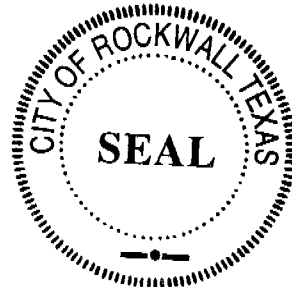
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of December, 2007.


William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary

APPROVED AS TO FORM:

Pete Eckert, City Attorney



1st Reading: 11-19-07
2nd Reading: 12-03-07

METES AND BOUNDS
STATE OF TEXAS
COUNTY OF ROCKWALL

BEING all of Lot 1, Block A of the Derrick Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet B, Slide 20, Plat Records, Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a 1/2 inch iron rod found for corner at the most northerly corner of Lot 1, same being the most easterly corner of Lot 2B, and being in the southwesterly line of White Hills Drive;

THENCE S 44 deg. 26 min. 45 sec. E a distance of 273.00 feet to a 5/8" iron rod set for corner at the most easterly corner of said Lot 1, same being in the southwesterly line of said White Hills Drive, and also being in the northerly line the Interstate Highway No. 30 Service Road;

THENCE S 71 deg. 54 min. 20 sec. W a distance of 167.39 feet to a 1/2 inch iron rod found for corner at the most southerly corner of Lot 1, same being the most easterly corner of Lot 2A, and also being in the northerly line of said Interstate Highway No. 30 Service Road;

THENCE N 44 deg. 26 min. 48 sec. W a distance of 198.70 feet to a 1/2 inch iron rod found for corner at the most westerly corner of Lot 1, same being in the northeasterly line of Lot 2A, and also being in the southeasterly line of Lot 2B;

THENCE N 45 deg. 33 min. 30 sec. E a distance of 150.00 feet to the POINT OF BEGINNING, and containing a computed area of 0.812 acres (35,377 SQ. FT.) of land, more or less.

PUBLISHER'S AFFIDAVIT

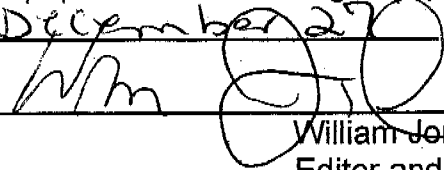
THE STATE OF TEXAS
COUNTY OF ROCKWALL

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

- 1. it devotes not less than twenty (25%) of its total column lineag interest items;
- 2. it is published at least once e
- 3. it is entered as second-class in the county where it is publish
- 4. it has been published regulat continuously since 1985; and
- 5. it is generally circulated withi County.

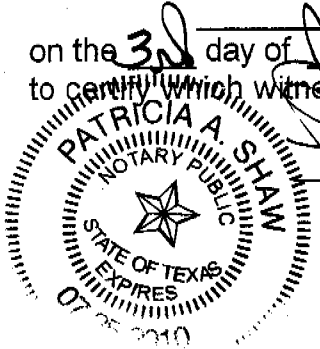
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<p>AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR AN "AUTO REPAIR GARAGE, MINOR" ON A 0.8121-ACRE TRACT OF LAND KNOWN AS LOT 1, BLOCK A, DERRICK ADDITION AND LOCATED AT 740 E IH-30, AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; 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.</p> <p>/s/ William R. Cecil, Mayor /s/ Dorothy Brooks, TRMC, CMC, City Secretary 1st Reading: 11-05-07 2nd Reading: 11-19-07</p>

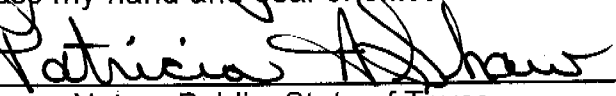
Publisher further deposes the attached notice was published in said news paper on the following date(s) to wit:

December 27 A.D. 2007

William Jordan
Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME
by William Jordan who
 a) is personally know to me, or
 b) provided the following evidence to establish his/her identity.

on the 3rd day of January, A.D. 2007
to certify which witness my hand and seal of office




Notary Public, State of Texas

Advertising Receipt

MET PUBLISHING, INC.

P.O. BOX 669
Terrell, TX 75160

Phone: 972-563-6476

Fax: 972-563-0340

ROCKWALL, CITY OF- Dorothy Bro

385 SOUTH GOLIAD
ROCKWALL , TX 75087

Acct #: 01100978

Ad #: 00006475

Phone: (972)771-7700

Date: 12/26/2007

Ad taker: 17 **Salesperson:** 6

Sort Line: LG#394564

Classification 001

Description	Total
02 ROCKWALL COUNTY NEWS 12/27/2007	54.00

Total: 54.00
Tax: 0.00
Net: 54.00
Prepaid: 0.00

Total Due: 54.00