

CITY OF ROCKWALL

ORDINANCE NO. 11-46

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 THE EXPANSION OF A BOAT AND TRAILER DEALERSHIP WITH ACCESSORY REPAIR AND STORAGE WITHIN (PD-46) PLANNED DEVELOPMENT NO. 46 DISTRICT ON A 2.19-ACRE TRACT OF LAND COMPRISED OF ALL OF TRACT 2-7, ABSTRACT 186 J. A. RAMSEY SURVEY (1.497-ACRES) AND PART OF TRACT 2, ABSTRACT 186, J. A. RAMSEY SURVEY (0.694-ACRE), LOCATED AT 2315 STATE HWY 276, 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 has been requested by Tommy Yetts of Rockwall Marine to allow for the expansion of a boat and trailer dealership with accessory repair and storage within (PD-46) Planned Development No. 46 District, specifically on 2.19-acres comprised of all of Tract 2-7, Abstract 186 J. A. Ramsey Survey (1.497-acres) and part of Tract 2, Abstract 186, J. A. Ramsey Survey (0.694-acre), located at 2315 Hwy 276, 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 the expansion of a boat and trailer dealership with accessory repair and storage within (PD-46) Planned Development No. 46 District, specifically on 2.19-acres comprised of all of Tract 2-7, Abstract 186 J. A. Ramsey Survey (1.497-acres) and part of Tract 2, Abstract 186, J. A. Ramsey Survey (0.694-acre), located at 2315 Hwy 276, and more specifically shown in Exhibit "A"; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in *(PD-46) Planned Development No. 46 District* and *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. That the development comply with the site plan attached hereto as Exhibit "A" including the 6-ft cedar fence screening for the expanded storage area.
2. That a final plat for the 2.19-acre subject property be submitted and approved by the City prior to issuance of a building permit for the proposed expansion.
3. That landscaping be installed to comply with SH 276 Overlay standards within twelve (12) months of the approval date of the SUP.
4. That all outside display and parking areas between the building and front property line be paved in accordance with City specifications within 36 months of the approval date of the SUP.
5. That a facilities agreement outlining the paving requirements and future driveway relocation be approved by City Council.

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.

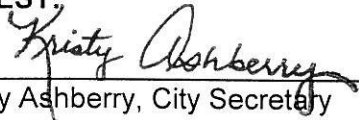
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of December, 2011.



David Sweet, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



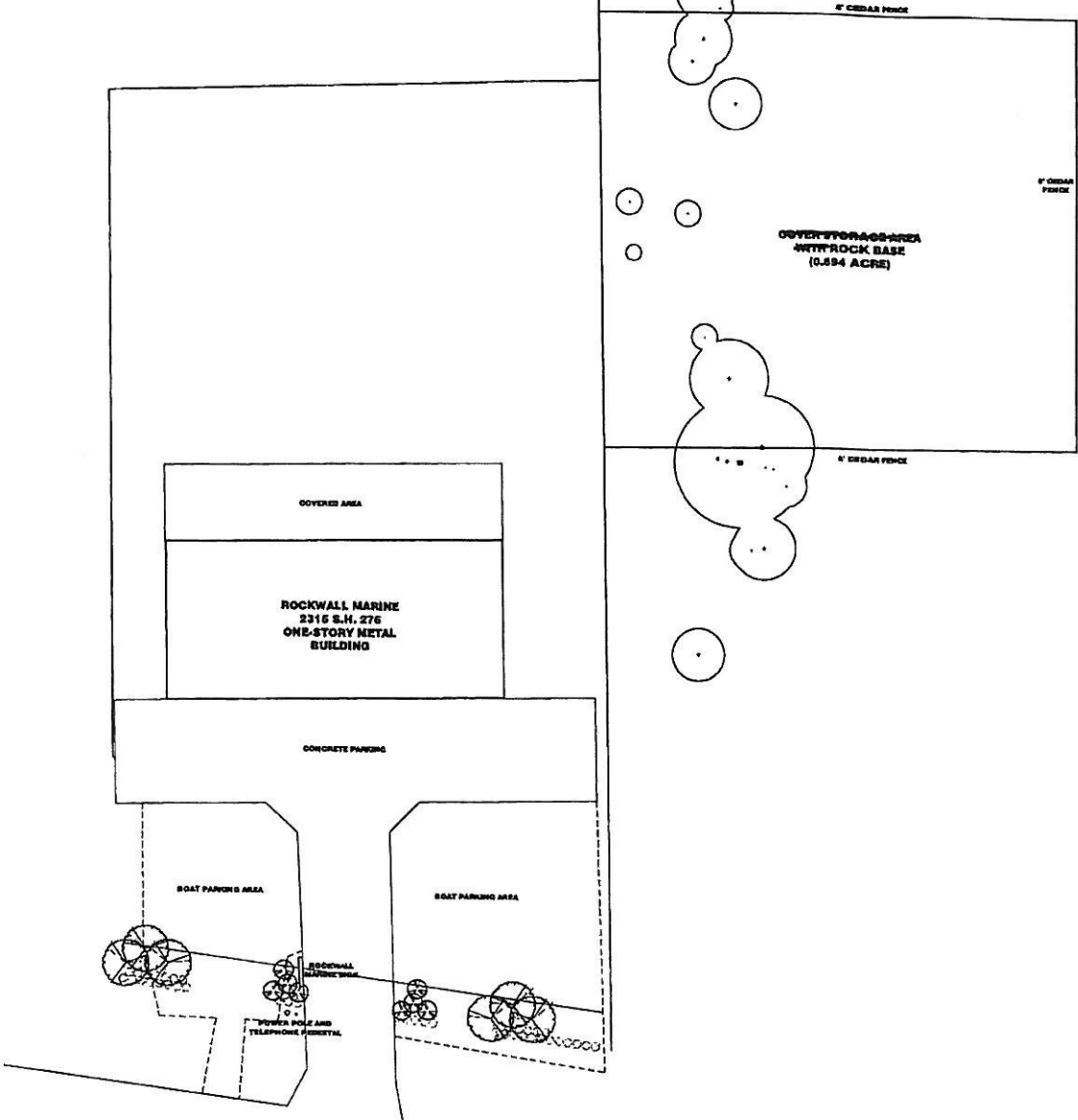
Pete Eckert, City Attorney



1st Reading: 11-21-11

2nd Reading: 12-05-11

Exhibit "A"
Site Plan



PLANT SCHEDULE

CANOPY TREE	QTY	COMMON NAME / BOTANICAL NAME	CONT.	SIZE
	6	LIVE OAK / QUERCUS VIRGINIANA	4'	Caliper 1/4"
ACCENT TREE	QTY	COMMON NAME / BOTANICAL NAME	CONT.	SIZE
	8	GRAPE HYDRATE / LAEBASTROPHIA INDICA 'TUSCANDORA'	5 GAL	4' MAX. HT
SHRUBS	QTY	COMMON NAME / BOTANICAL NAME	CONT.	SIZE
	48	INDIAN HAWTHORN / RAMNOLEPIS INDICA 'CLAWA'	2 GAL	

FRONTAGE S.H.276
 $185 \text{ LF} / 100 = 1.85 = 6 \text{ CANOPY TREES \&}$
 8 ACCENT TREES

1 SITE LAYOUT
 SCALE: 1" = 20'-0"
 VERIFY ALL DIMENSIONS



DATE	BY	CHKD.	DATE



the land design group inc.
 1377 South College Ave. | Dallas, Texas 75201 | 979.642.2775
ROCKWALL MARINE
 2315 S.H. 276
 ROCKWALL, TX



Exhibit "A"

Tract 1

FIELD NOTE DESCRIPTION

BEING a 1.497 acre tract of land situated in the J.A. Ramsey Survey, Abstract Number 186 in...

ENCLOSURE a 1/4 section was set for the southeast corner of said 1.50 acre tract of land...

THENCE along said north line with said non-integer curve to the left through a corner angle of...

THENCE departing said north line, NORTH 00°30'57" WEST a distance of 243.37 feet to an 'X'...

THENCE NORTH 89°28'50" EAST a distance of 183.24 feet to a 1/4 inch iron nail found for the...

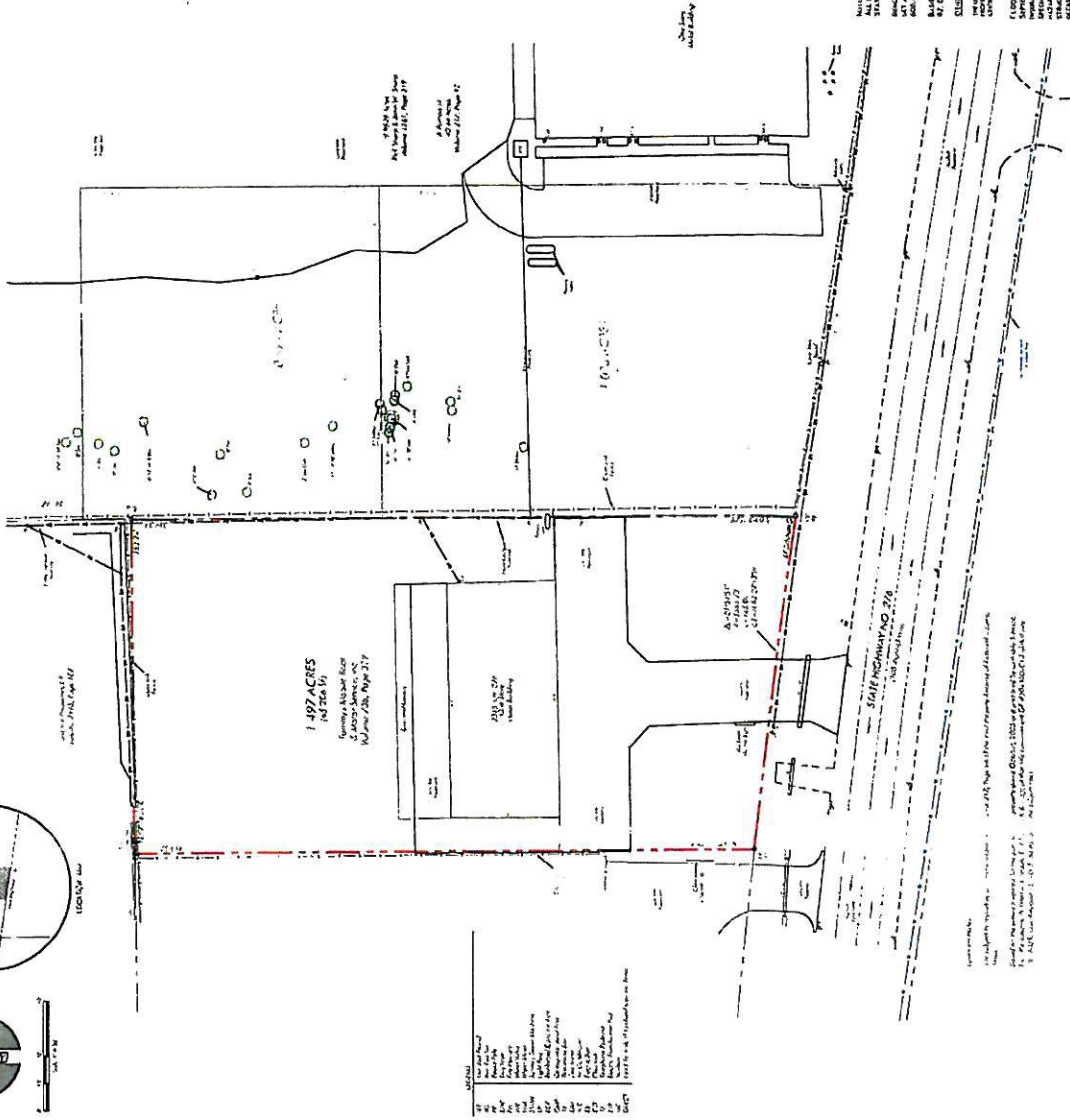
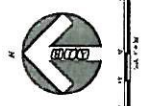
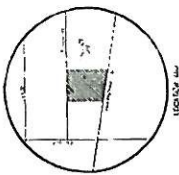
THENCE along the said west line, SOUTH 00°30'57" WEST a distance of 369.34 feet to the...

CONTAINING 1.497 acres of 45,204 square feet of land more or less all according to the...

Surveyor's Certification

I, Austin J. Bedford, a Registered Professional Land Surveyor for the State of Texas, do hereby certify that on...

Dated August 23, 2011. Austin J. Bedford, Registered Professional Land Surveyor No. 4133...



BOUNDARY AND IMPROVEMENT SURVEY 1.497 ACRES. J.A. RAMSEY SURVEY, ABSTRACT NO. 186. BEDFORD GROUP, INC. Includes a logo and contact information.

NOTICE: THESE PLANS, SPECIFICATIONS AND NOTES ARE MADE BY THE CITY OF BEDFORD'S NUMBER...

THE CITY OF BEDFORD, TEXAS, HAS REVIEWED THESE PLANS AND SPECIFICATIONS AND HAS APPROVED THEM...

