

CITY OF ROCKWALL

ORDINANCE NO. 13-01

SPECIFIC USE PERMIT NO. S-101

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 WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ALLOWING FOR A RETAIL USE IN CONJUNCTION WITH A PHOTOGRAPHY STUDIO, THE SUBJECT PROPERTY IS LOCATED AT 507 N. GOLIAD STREET, BEING A TRACT OF LAND DESCRIBED AS LOT 1, BLOCK A OF ARTVENTURES STUDIO ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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 request has been made by Hallie Fleming for a Specific Use Permit within Planned Development District 50 (PD-50) allowing for a Retail use in conjunction with a photography studio on the property located at 507 N. Goliad Street, being a tract of land described as Lot 1, Block A of Artventures Studio Addition, 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 a Retail use in conjunction with a photography studio within Planned Development District 50 (PD-50), on the subject property at 507 N. Goliad Street, being a tract of land described as Lot 1, Block A of Artventures Studio Addition, 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 District-50 (PD-50) & Section 4.2, “R-O” Residential Office District, of Article V, District Development Standards, of the City of Rockwall Unified Development Code (Ordinance 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 conditions and definitions.

2.1 Operational Conditions

The following conditions pertain to the operation of a Retail use on the subject property at 507 N. Goliad Street and conformance to these stipulations are required for continued operations:

- 1) The retail use shall not exceed two hundred fifty (250) sq-ft in area in accordance with the floor plan attached hereto as Exhibit A.
- 2) All business operations shall be limited to the hours of 7:00 a.m. to 8:00 p.m.
- 3) Parking along, adjacent to or in the right-of-way of SH-205 shall be prohibited. Parking in front of the building for any reason shall also be prohibited.
- 4) Signage for the site shall conform to the Old Historic Rockwall Historic District Guidelines detailed in Exhibit B of Ordinance No. 02-46 (PD-50) and the North Goliad Corridor Overlay (NGCOV) District.

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

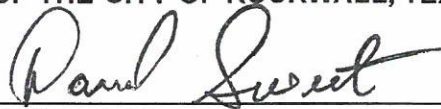
Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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 or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 of this ordinance shall remain in full force and effect.

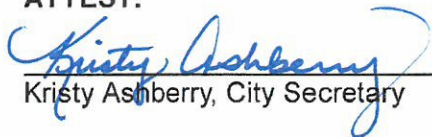
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7th DAY OF JANUARY, 2013.



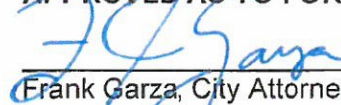
David Sweet, Mayor

ATTEST:

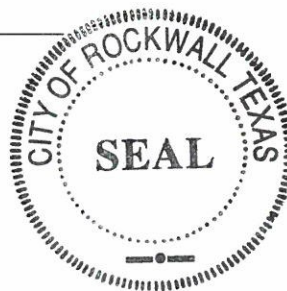


Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Frank Garza, City Attorney



1st Reading: 12-17-2012
2nd Reading: 01-07-2013

