

CITY OF ROCKWALL

ORDINANCE NO. 04-52

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM (HwyC) HIGHWAY COMMERCIAL DISTRICT TO (LI) LIGHT ON AN 4.45-ACRE TRACT KNOWN AS TRACT 22-1, ABSTRACT 120, R.B. IRVINE SURVEY AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received initiated a change in zoning from (HwyC) Highway Commercial district to (LI) Light Industrial district for an 4.45-acre tract known as Tract 22-1, Abstract 120, R.B. Irvine Survey and more specifically described in Exhibit "A" attached hereto and made a part hereof for all purposes; 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, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit "A" from (HwyC) Highway Commercial district to (LI) Light Industrial district, and;

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future and subject to the following additional conditions:

1. That the property is limited to the uses and area requirements of the (LI) Light Industrial zoning district.
2. All proposed developments shall be subject to final platting and site plan review.
3. All proposed developments shall be subject to review by the Architectural Review Board.

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

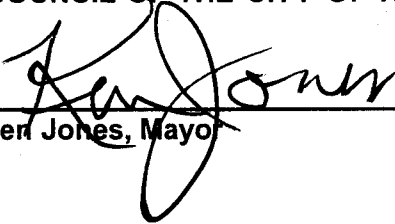
Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 of this ordinance shall remain in full force and effect.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

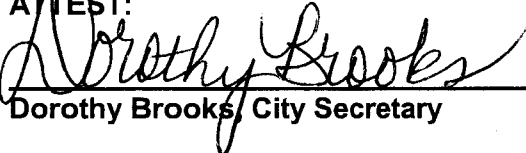
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of September, 2004.



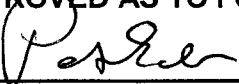
Ken Jones, Mayor

ATTEST:



Dorothy Brooks, City Secretary

APPROVED AS TO FORM:



Pete Eckert, City Attorney

1st Reading: 8-16-04

2nd Reading: 9-7-04

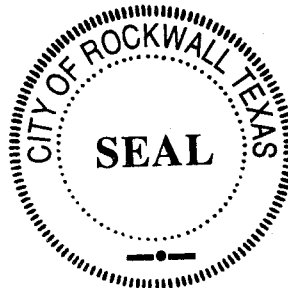


EXHIBIT "A"
LEGAL DESCRIPTION

EXHIBIT "A"

BEGINNING at a point on the south line of Interstate Highway No. 30, said point being south 73 degrees 51 minutes west, a distance of 887.72 feet from the northeast corner of said 134.7704 acre tract, a 1/2" iron rod found for corner;

THENCE south 00 degrees 36 minutes 02 seconds east, leaving the said south line of Interstate Highway No. 30, a distance of 384.85 feet to a 1/2" iron rod found for corner;

THENCE south 77 degrees 41 minutes 09 seconds west, a distance of 540.78 feet to a fence post for corner;

THENCE north 00 degrees 36 minutes 02 seconds west, a distance of 347.31 feet to a point on the south line of Interstate Highway No. 30, a 1/2" iron rod found for corner;

THENCE north 73 degrees 51 minutes east, along the south line of Interstate Highway No. 30, a distance of 549.63 feet to the PLACE OF BEGINNING and containing 4.45 acres of land.

FILED FOR RECORD 26th DAY OF March, A.D., 1997 at _____ M.
RECORDED 27th DAY OF March, A.D., 1997.
PAULETTE BURKS, COUNTY CLERK, ROCKWALL COUNTY, TEXAS.
BY: [Signature], DEPUTY