

CITY OF ROCKWALL

ORDINANCE NO. 05-19

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 APPROVE A CHANGE IN ZONING FROM (SF-10) SINGLE FAMILY RESIDENTIAL DISTRICT TO (PD-61) PLANNED DEVELOPMENT DISTRICT NO. 61 FOR A 2.63-ACRE TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETOFORE AND MADE A PART HEREOF; 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 zoning change from (SF-10) Single Family Residential district to (PD-61) Planned Development district No. 61 has been request by LT/Ventures, for a 2.63-acre tract of land located south of Highwood Addition and at the termination of Valley Drive, and more specifically described in Exhibit "A" attached hereto and made a part hereof; 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 by the approval of a zoning change from (SF-10) Single Family Residential district to (PD-61) Planned Development district No. 61 has been request by LT/Ventures, for a 2.63-acre tract of land located south of Highwood Addition and at the termination of Valley Drive, and more specifically described in Exhibit "A" attached hereto and made a part hereof.

1. **Section 2.** That development as indicated on Exhibit "B", attached hereto, shall be subject to the permitted uses and area requirements of **Article V, Section 3.7 (ZL-5) Zero Lot Line Residential 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, with the following additional conditions and restrictions:
 2. Minimum lot size – 5,000 square feet
 3. Minimum average lot size – 8,300 square feet

4. Maximum number of residential lots– 10
5. Minimum lot frontage on a public street – 38 feet
6. Minimum front yard setback – 20 feet
7. Minimum rear yard setback – 10 feet
8. Minimum side yard setback –
 - a. 0 feet for an internal lot, and for any lot abutting an open space or HOA common area
 - b. 10 feet for any lot abutting a street
9. Minimum maintenance easement –
 - a. 5 feet, on the non-zero lot line side, when adjacent to another lot in the same zoning district
 - b. 5 feet along the north property line for lots 7 and 2 (As indicated on the approved concept Plan)
10. Minimum dwelling unit size- 2,000 square feet
11. Exterior walls for all buildings 100-sf or more shall be constructed of at least 80% standard masonry construction, excluding windows and doors, unless the wall is on a porch, patio, courtyard or breezeway, in which event, the wall may be of non-masonry construction.
12. All common areas and dedicated landscape easements and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City of Rockwall Subdivision Ordinance and filed prior to approval of the final plat(s).
13. All garages shall be setback a minimum 10 feet from the residence front façade.

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 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.

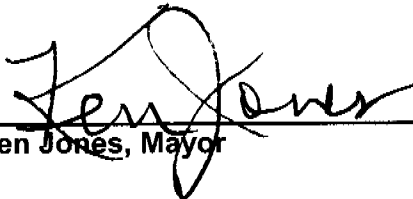
Section 5. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance 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.

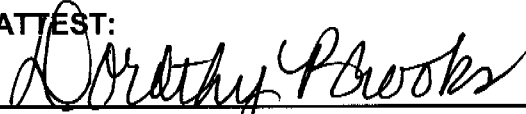
Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 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.

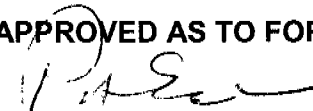
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of April, 2005.



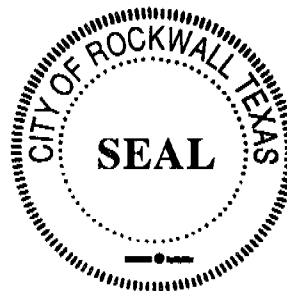
Ken Jones, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney



1st Reading: April 4, 2005

2nd Reading: April 18, 2005

Exhibit "A"

Legal Description

Being a 2.6309 acres of land in the B. F. BOYDSTUN SURVEY, ABSTRACT No. 14, in the City of Rockwall, Rockwall County, Texas, sold 2.6309 acres being a portion of that certain tract of land described in deed to 9.2277 Acre Limited Partnership, a Texas Limited Partnership as recorded in Volume 431, Page 107, Deed Records, Rockwall County, Texas, said 2.6309 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found in the East line of Lot 1B Block A of S. Sparks Addition an addition to the City of Rockwall as recorded in Cabinet B, Slide 393, Plat Records, Rockwall County, Texas, and the Southwest corner of Highwood Addition, 1st Section an addition to the City of Rockwall as recorded in Volume 50, Page 618, sold Deed Records, and being S 00°50'11" E, 5.51 feet from a ½ inch iron rod found at the Northeast corner of said S. Sparks Addition:

THENCE, S 89°48'08" E, 352.25 feet with the south line of said Highwood Addition to a ½ inch iron rod set:

THENCE, S 00°33'16" E, (the bearing base for this survey), 301.12 feet to a ½ inch iron rod set:

THENCE, N 71°11'38" W, 173.82 feet to a ½ inch iron rod found at the beginning of a non-tangent curve to the right having a radius of 175.00 feet and whose longchord bears S 24°41'34" W, 35.89 feet:

THENCE, continue along said curve in a southwesterly direction through a central angle of 11°46'22", an arc length of 35.96 feet to a ½ inch iron rod found, the end of said curve:

THENCE, S 30°34'45" W, 92.81 feet to a ½ inch iron rod set at the beginning of a non-tangent curve to the right having a radius of 50.00 feet and whose longchord bears S 80°07'43" W, 76.10 feet:

THENCE, continue along said curve in a westerly direction through a central angle of 99°06'18", an arc length of 86.49 feet to a ½ inch iron rod set, the end of said curve:

THENCE, N 86°35'36" W, 76.60 feet to a point in a sanitary sewer manhole and being in the east line of WAL-MART Addition an addition to the City of Rockwall as recorded in Cabinet E, Slide 167, said Plat Records:

THENCE, N 04°53'45" E, 244.90 feet with the East line of said WAL-MART Addition to a ½ inch iron rod found, being the Southeast corner of the aforesaid S. Sparks Addition:

THENCE, N 00°11'00" E, 124.04 feet along the east line of said S. Sparks Addition to the POINT OF BEGINNING and containing 2.6309 acres of land, more or less.

Bearings Based on Volume 431, Page 107, Deed Records, Rockwall County, Texas.

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#: 17526384
Phone: (972)771-7700
Date: 04/25/05

Ad taker: 11 **Salesperson:** 6 **Classification:** 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
09 ROCKWALL COUNTY NEWS	04/27/05	04/27/05	1	48.00		48.00

Payment Reference:

L#380866

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:

April 27th A.D. 2005



Michael Gresham
Editor and Publisher

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/s/ Ken Jones, Mayor
/s/ Dorothy Brooks, City Secretary
1st Reading: April 4, 2005
2nd Reading: April 18, 2005

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 27th day of April, A.D. 2005
to certify which witness my hand and seal of office.



Notary Public, State of Texas

