

**CITY OF ROCKWALL**

**ORDINANCE NO. 05-35**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM "SF-7" SINGLE FAMILY RESIDENTIAL AND "PD-50"; PLANNED DEVELOPMENT DISTRICT NO. 50 TO AMENDED "PD-50" PLANNED DEVELOPMENT DISTRICT NO. 50; INCLUDING PROPERTIES ADDRESSED AS 401 N. GOLIAD TO 925 N. GOLIAD AND 406 N. ALAMO; 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 initiated a change in zoning from (SF-7) Single Family Residential district and (PD-50) Planned Development No. 50 district to Amended (PD-50) Planned Development No. 50 district; Including properties addressed as 401 N. Goliad to 925 N. Goliad and 406 N. Alamo, and more specifically described in the attached 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 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, 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 (SF-7), Single Family Residential and (PD-50), Planned Development District No. 50 to Amended, and (PD-50), Planned Development District No. 50;

**Section 2.** That the property described herein shall be used only in the manner and for the purposes provided for in the Unified Development Code 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 all development within (PD-50) Planned Development No. 50 district be subject to the requirements of the (RO) Residential Office district in the Unified Development Code, as amended, including the Land Use Tables in "Article IV, Permissible Uses" and the area requirements set forth in Section 4.2 of "Article V, District Development Standards."

2. As approved via Ordinance No. 05-18, "Antique / Collectable Sales" shall be allowed subject to approval of a Specific Use Permit (SUP) by City Council, and the following conditions:
  - a. "Antique Sales"-the sale of an object having value because of its age, especially a domestic item or piece of furniture or handicraft esteemed for its artistry, beauty, craftsmanship, or period of origin.
  - b. Collectable Sales"-the sale of an object that can be collected; suitable or desirable for collecting, as a hobbyist; any of a class of old things, but not antiques, that people collect as a hobby.
  - c. The sale of new or used clothing and appliances be prohibited.
  - d. That the maximum building size not exceed 2,000 square foot for Antique/Collectable Sales.
  - e. That individual lease areas within the store be prohibited.
3. That development within the Planned Development be subject to the "Commercial Guidelines" of the Rockwall Historic District, as amended.
4. That joint or shared access be required on all adjoining lots if any property is used for office development or any other non-residential use permitted in the (RO) Residential Office district.
5. That parking in the front yard area of any property within this Planned Development district be prohibited and all parking for those uses permitted in the (RO) Residential Office district be located behind the front facade of the main building structure.
6. That the parking requirement for professional office uses (excluding medical office) be one (1) parking space for each 500 square feet of floor area, and that the parking requirement for all other uses permitted in the (RO) Residential Office district shall adhere to the parking requirements set forth in "Article VI, Parking and Loading" of the Unified Development Code.
7. That all properties within the Planned Development district shall be subject to site plan review if changing to other than residential use.
8. All drive aisles and parking areas required for the conversion and/or redevelopment of existing structures within the Planned Development district may be paved with asphalt subject to review and approval by the City Engineer. New development on vacant properties within the Planned Development district shall be paved in accordance with City standards (i.e. concrete).
9. In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance, a variance can be requested from the City Council.

**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 Unified Development Code 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.

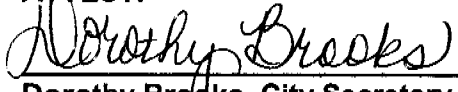
**Section 6.** That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

**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 1st day of August, 2005.**

  
\_\_\_\_\_  
William R. Cecil, Mayor

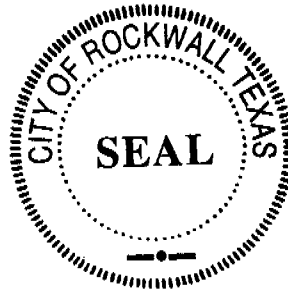
**ATTEST:**

  
\_\_\_\_\_  
Dorothy Brooks, City Secretary

**APPROVED AS TO FORM:**

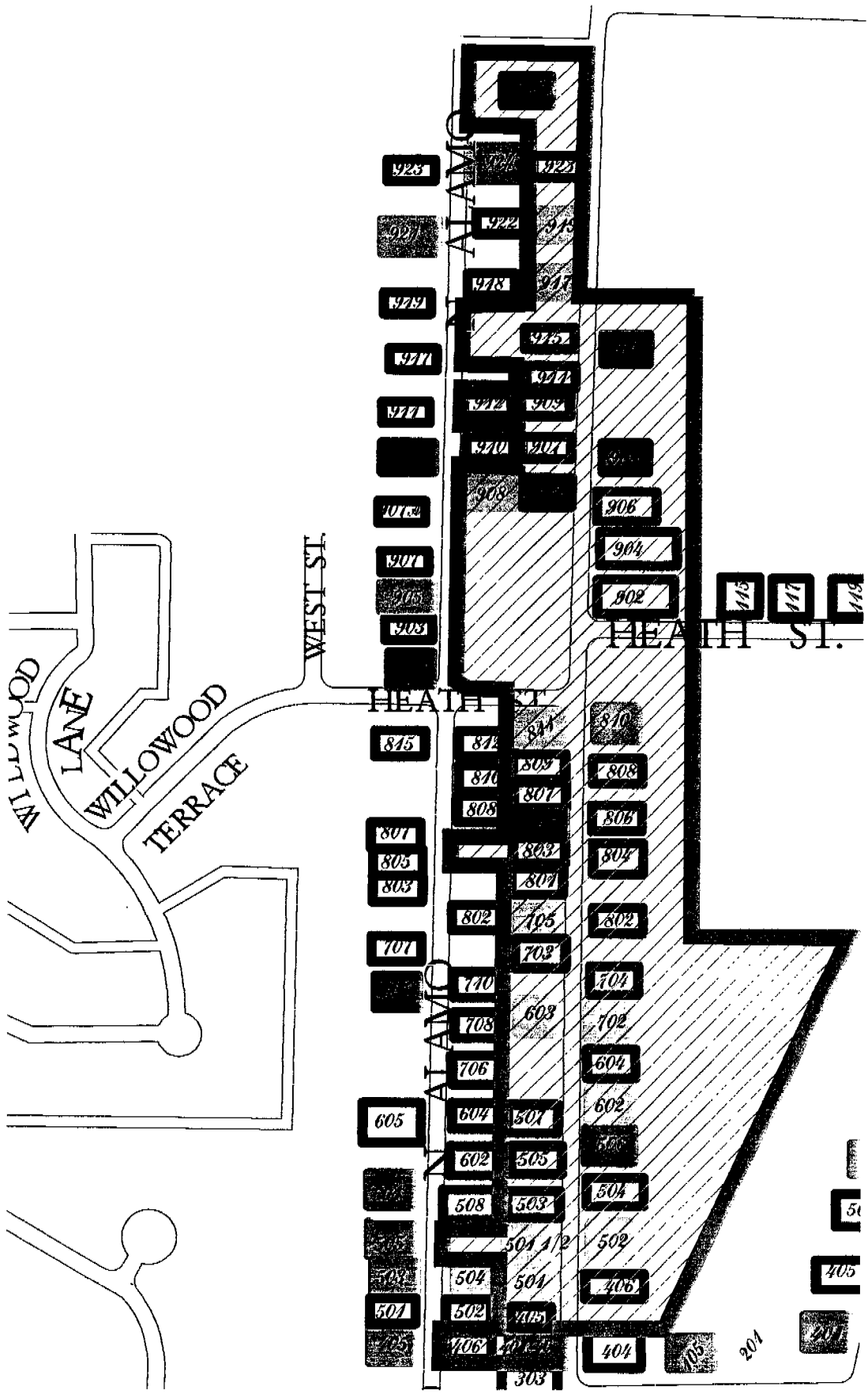
  
\_\_\_\_\_  
Pete Eckert, City Attorney

1st Reading: 07-18-05  
2nd Reading: 08-01-05



### Exhibit "A"

Property Address	Legal Description
401-403 GOLIAD N	AMICK, BLOCK 17, LOT 15
406 ALAMO N	AMICK, BLOCK 18A SW PT, LOT 16, ACRES .183
405 GOLIAD N	AMICK, BLOCK 18B
406 GOLIAD N	B F BOYDSTON, BLOCK 123, LOT B
501 GOLIAD N	AMICK, BLOCK 19C, LOT 21
501 1/2 GOLIAD N	AMICK, BLOCK 19B
502 GOLIAD N	B F BOYDSTON, BLOCK 123, LOT C, ACRES 0.376 (Black Collectables)
503 GOLIAD N	AMICK, BLOCK 19A E PART
504 GOLIAD N	B F BOYDSTON, BLOCK 123, LOT D & PT OF C
505 GOLIAD N	AMICK, BLOCK 20B (Stain Glass)
506 GOLIAD N	BARNES, LOT 1
507 GOLIAD N	AMICK, BLOCK 20A (Art Ventures)
602 GOLIAD N	BARNES, LOT 2
603 GOLIAD N	AMICK, BLOCK 21 A-B E/PART
604 GOLIAD N	BARNES, LOT S 67' OF 3
604 GOLIAD N	B F BOYDSTON, BLOCK 123, LOT F, ACRES 1.05
702 GOLIAD N	BARNES, LOT 8' OF 3 & ALL OF 4
703 GOLIAD N	AMICK, BLOCK PT 22, LOT 30, 703 N GOLIAD
704 GOLIAD N	BARNES, LOT 5
705 GOLIAD N	AMICK, BLOCK 22, LOT 27
801 GOLIAD N	AMICK, BLOCK 23 E 1/2
802 GOLIAD N	COUNSELMAN ADDITION, BLOCK A, LOT 1, ACRES .66
803 GOLIAD N	AMICK, BLOCK 23A, ACRES .448
804 GOLIAD N	BARNES, LOT 8
805 GOLIAD N	AMICK, BLOCK 24C
806 GOLIAD N	BARNES, LOT 9
807 GOLIAD N	AMICK, BLOCK 24C E/2
808 GOLIAD N	B F BOYDSTON, BLOCK 124, LOT B, ACRES 0.405
809 GOLIAD N	AMICK, BLOCK 24B
810 GOLIAD N	B F BOYDSTON, BLOCK 124, LOT A
811 GOLIAD N	AMICK, BLOCK A, LOT 2, REPLAT
812 GOLIAD N	B F BOYDSTON, BLOCK 124, LOT D, 812 N GOLIAD
902 GOLIAD N	AUSTIN, LOT PT 1
904 GOLIAD N	AUSTIN, LOT PT 1
905 GOLIAD N	GARNER, BLOCK PART 27
906 GOLIAD N	AUSTIN, LOT PT 2
907 GOLIAD N	GARNER, BLOCK PART 27
908 GOLIAD N	AUSTIN, LOT PT 2 (Replat 2R)
909 GOLIAD N	GARNER, BLOCK ALL 27A
911 GOLIAD N	ADAMS ADDN, BLOCK A, LOT 1
912 GOLIAD N	AUSTIN, LOT 3, ACRES .745
915 GOLIAD N	GARNER, BLOCK PART 29, ACRES .497
917 GOLIAD N	GARNER, BLOCK PART 29
919 GOLIAD N	RAKICH ADDITION, BLOCK A, LOT 2, ACRES .257
923 GOLIAD N	GARNER, BLOCK PART 32
925 GOLIAD N	GARNER, BLOCK PART 32
N/A	GARNER, BLOCK ALL 26
N/A	B F BOYDSTON, BLOCK 123F



# 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#:** 17530175  
**Phone:** (972)771-7700  
**Date:** 08/12/05

**Ad taker:** 15      **Salesperson:** 6      **Classification:** 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
09 ROCKWALL COUNTY NEWS	08/17/05	08/17/05	1	63.00		63.00

**Payment Reference:**

L 323324

**Total:** 63.00  
**Tax:** 0.00  
**Net:** 63.00  
**Prepaid:** 0.00

**Total Due** 63.00

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/s/ William R. Cecil, Mayor

/s/ Dorothy Brooks, City Secretary

1st Reading: 07-18-05

2nd Reading: 08-01-05

Legal Notices

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# PUBLISHER'S AFFIDAVIT

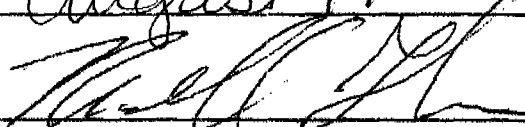
## THE STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Michael Gresham, who being by me duly sworn and deposes 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.

Clipping (s)

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

August 17<sup>th</sup> A.D. 2005  


Michael Gresham  
Editor and Publisher

### 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 18<sup>th</sup> day of August, A.D. 2005  
to certify which witness my hand and seal of office.



Notary Public, State of Texas

