

CITY OF ROCKWALL

ORDINANCE NO. 08-34

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 AMENDED, SO AS TO CHANGE THE ZONING FROM (SF-E/4.0) SINGLE FAMILY ESTATE DISTRICT TO (PD-72) PLANNED DEVELOPMENT NO. 72 DISTRICT ON AN 11.75-ACRE TRACT KNOWN AS TRACT 5-2, ABSTRACT 193, J.E. SHERWOOD SURVEY, BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; 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, a zoning change from (SF-E/4.0) Single Family Estate district to (PD-72) Planned Development No. 72 district has been requested by Stanley and Patricia Watson, for an 11.75-acre tract of land known as Tract 5-2, Abstract 193, J.E. Sherwood Survey, and more specifically described as 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, 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 (Ord. No. 04-38) 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-E/4.0) Single Family Estate district to (PD-72) Planned Development No. 72 district; and

Section 2. That development in the area described herein shall be subject to the approved concept plan, **Exhibit "A,"** and shall be subject to the permitted uses of **Article IV, Permissible Uses** and **Article V, District Development Standards, Section 3.2 (SF-E/1.5) Single-Family Estate District** of the City of Rockwall Unified Development Code, with the following additional conditions and/or exceptions:

1. The minimum lot frontage on a public street shall be 60 feet.

Section 3. No substantial change in development of "PD-72" shall be permitted except after obtaining approval of the change of such development through amendment of the concept plan in the manner required for changes or amendments to the Unified Development Code.

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

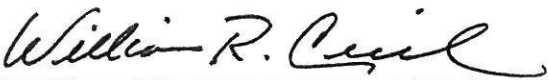
Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense 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, 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 7. 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.

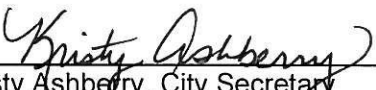
Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of July, 2008.



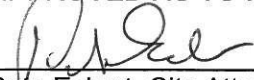
William R. Cecil, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Pete Eckert, City Attorney

1st Reading: 06-16-08

2nd Reading: 07-07-08



