

CITY OF ROCKWALL

ORDINANCE NO. 16-55

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A RESIDENTIAL OFFICE (RO) DISTRICT ON A 0.478-ACRE TRACT OF LAND IDENTIFIED AS TRACT 7 OF THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBITS 'A', 'B', & 'C'* OF THIS ORDINANCE; 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, the City has received a request by Susan Gamez for a change in zoning from an Agricultural (AG) District to a Residential Office (RO) District on a 0.478-acre tract of land identified as Tract 7 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A', 'B', & 'C'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; 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 [*Ordinance No. 04-38*] 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 [*Ordinance 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 of the *Subject Property* from an Agriculture (AG) District to a Residential Office (RO) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Residential Office (RO) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 4.2, "Residential Office (RO) District,"* of *Article V, "District Development Standards,"* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

Section 3. That the official zoning map of the City be corrected to reflect the changes in the 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 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, 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 THE 3RD DAY OF OCTOBER, 2016.**



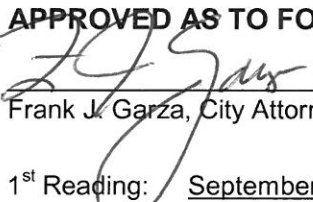
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: September 19, 2016

2nd Reading: October 3, 2016



Exhibit 'A':
Legal Description

BEING situated in the Daniel Atkins Survey, Abstract No. 1, Rockwall County, Texas, and being a part or that certain 2.1-acre tract as described in a deed to Charles Parton and wife, as recorded in Volume 51, Page 504, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found in an existing gravel road at the most southern corner of a tract described in a deed to Charles Prock and wife, recorded in Volume 125, Page 18, Deed Records, Rockwall County, Texas;

THENCE South 37 Degrees 47 Minutes 20 Seconds West along and near the centerline of an existing gravel road, a distance of 151.57-feet to a ½-inch iron rod found for corner;

THENCE North 48 Degrees 25 Minutes 58 Seconds West along and near the northeast line of an existing gravel road, a distance of 137.23-feet to a ½-Inch iron rod found for corner in the northwest line of said 2.1-acre tract;

THENCE North 35 Degrees 52 Minutes 20 Seconds East along said northwest line, a distance of 146.12-feet to a ½-inch iron rod found for corner at the most western corner of said Prock tract;

THENCE South 50 Degrees 57 Min 33 Seconds East along the southwest line of said Prock tract, a distance of 141.86-feet to the *PLACE OF BEGINNING* and containing 0.4758-acres of land, and being the same tract as conveyed to Johnnie Moore as recorded in Volume 623, Page 113, Real Estate Records, Rockwall County, Texas.

Exhibit 'C':
Zoning Exhibit

