

CITY OF ROCKWALL

ORDINANCE NO. 17-10

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 FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 5.192-ACRE TRACT OF LAND IDENTIFIED AS TRACT 8-02 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' 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 from Lisa Wilck Palomba for the approval of an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 5.192-acre tract of land identified as Tract 8-02 of the W. W. Ford, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* 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 Single-Family Estate 2.0 (SFE-2.0) District; and

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 2.0 (SFE-2.0) District* in Section 1.1, "Use of Land and Buildings," of Article IV, "Permissible Uses" and Section 3.2, "Single-Family Estate 2.0 (SFE-2.0) 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 may be 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.

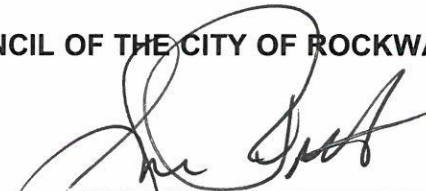
**SECTION 4.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offence and each and every day such 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.

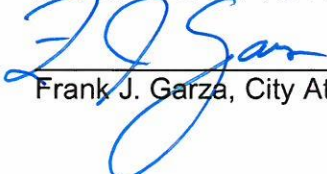
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
ON THIS THE 6<sup>th</sup> DAY OF MARCH, 2017.**

  
\_\_\_\_\_  
Jim Pruitt, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: 02-20-2017

2<sup>nd</sup> Reading: 03-06-2017

Exhibit 'A'  
Legal Description

**EXHIBIT "A"**

TRACT 1  
226,177 SQUARE FEET, OR 5.192 ACRES OF LAND

BEING a tract of land situated in the W.W. Ford Survey, Abstract No. 80, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Paul J. Wilck, JR. and wife, Norma J. Wilck as recorded in Volume 152, Page 922 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a Mag Nail found in Wallace Lane for the west corner of said Wilck tract and the north corner of the Conover Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 93 of the plat records of Rockwall County, Texas, said point also lying on the southerly line of a tract of land to Wallace Land Partners, L.P. as recorded in Volume 2017, Page 76 of the Deed Records of Rockwall County, Texas;

THENCE North 44 degrees 45 minutes 33 seconds East along the northwest line of said Wilck tract and the interior of said Wallace Lane, a distance of 267.65 feet to a Mag Nail setfor the north corner of said Wilck tract and the west corner of a tract of land to Gordon Mccosh and wife Sherryl Mccosh as recorded in Volume 514, Page 174 of the Deed Records of Rockwall County, Texas ;

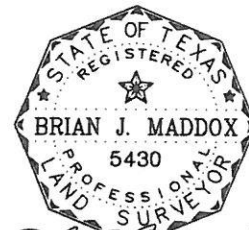
THENCE South 46 degrees 14 minutes 25 seconds East along the common line of said Wilck tract and said Mccosh tract, a distance of 851.77 feet to a 3/8 inch iron rod found for the east corner of said Wilck tract and the south corner of said Mccosh tract, said point also lying on the northwest line of a tract of land to Richard Lee and Yvonne R. Schifelbein as recorded in Volume 810, Page 296 of the Deed Records of Rockwall County, Texas;

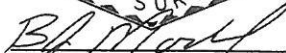
THENCE South 44 degrees 53 minutes 44 seconds West along the common line of said Wilck tract and said Schifelbein tract, a distance of 263.72 feet to a 1/2 inch iron rod found for the south corner of said Wilck tract, the west corner of said Schifelbein tract the north corner of a tract of land to James C. Crabtree, Jr. and wife Terry L. Crabtree as recorded in Volume 603, Page 128 of the Deed Records of Rockwall County, Texas and the east corner of Lot 2 of previously mentioned Conover Addition;

THENCE North 46 degrees 30 minutes 20 seconds West along the common line of said Wilck tract and said Conover Addition, a distance of 851.22 feet to the POINT OF BEGINNING containing 226,177 square Feet, or 5.192 acres of land.

  
Maddox Surveying &  
Mapping Inc.  
P.O. BOX 2109  
FORNEY, TEXAS 75126  
(972) 564-4416  
FIRM REG. NO. 10013200

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BRIAN J. MADDOX, R.P.L.S. #5430  
NOVEMBER 15, 2016