

CITY OF ROCKWALL

ORDINANCE NO. 17-24

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 FIVE (5) ACRE TRACT OF LAND IDENTIFIED AS LOT 2, BLOCK A, EDWARDS ACRES SUBDIVISION, 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 Maria Del Carmen Andrew 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 five (5) acre tract of land identified as Lot 2, Block A, Edwards Acres Subdivision, 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 and developed 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,"* *Section 3.2, "General Residential District Standards"* 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.

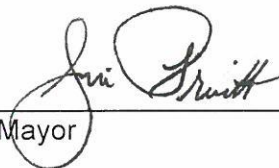
Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offence and each and every day such offense 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 1st DAY OF MAY, 2017.



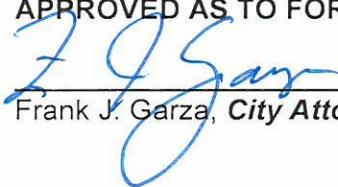
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



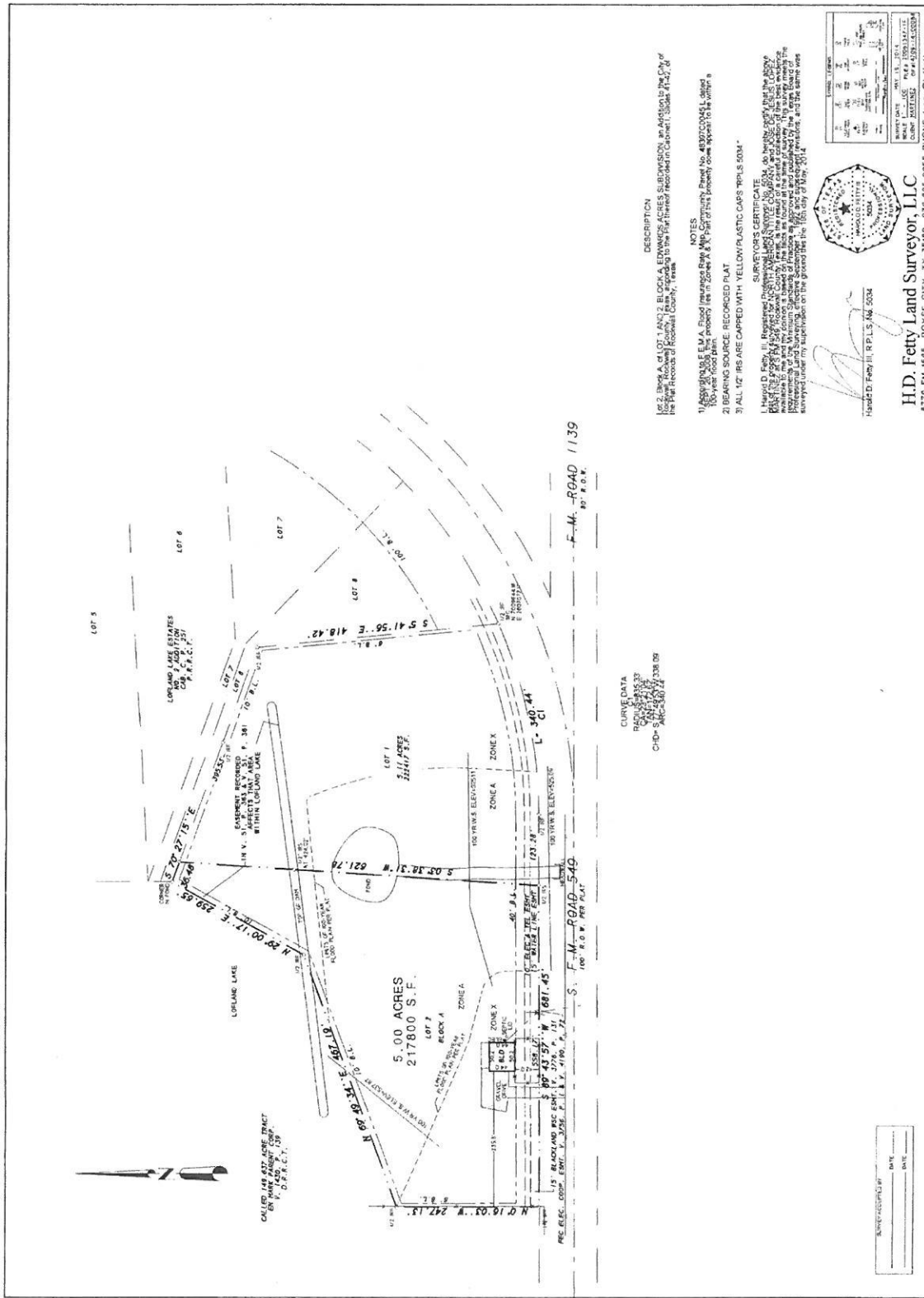
Frank J. Garza, City Attorney



1st Reading: April 17, 2017

2nd Reading: May 1, 2017

Exhibit 'A' Survey

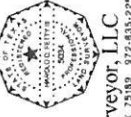


DESCRIPTION
 LOT 2, BLOCK A, LOT 1 AND 2, BLOCK A, EDWARDS ACRES SUBDIVISION, IN ADDITION TO THE CITY OF ROCKWALL (KNOWN) COUNCIL DATA, ACCORDING TO THE PLAT THEREOF RECORDED IN COUNTY CLERK'S OFFICE, S.D. 2017, OF THE PUBLIC RECORDS IN REPOUNDED COUNTY, TEXAS.

NOTES
 1) HEDDLEBURN E.M.A. Field/Inspector Report No. 4857302045, dated 08/25/2016, this property lies in Zone X & Y, and that the property owner appears to be within a
 2) BEARING SOURCE RECORDED PLAT
 3) ALL LIZ. BEARS CAPPED WITH YELLOW PLASTIC CAPS TIPS S. 5034"

SURVEYORS CERTIFICATION
 I, HEDDLEBURN E.M.A., Registered Professional Surveyor, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified Surveyor under the laws of the State of Texas. I am a member of the Texas Society of Professional Surveyors and the American Surveying and Mapping Association. I am also a member of the Texas Surveyors Association and the Texas Association of Professional Surveyors. I am also a member of the Texas Society of Professional Surveyors and the American Surveying and Mapping Association. I am also a member of the Texas Surveyors Association and the Texas Association of Professional Surveyors.

DATE	DESCRIPTION	BY	DATE
08/25/2016	FIELD INSPECTION	HEDDLEBURN E.M.A.	08/25/2016
08/25/2016	OFFICE WORK	HEDDLEBURN E.M.A.	08/25/2016
08/25/2016	FIELD INSPECTION	HEDDLEBURN E.M.A.	08/25/2016
08/25/2016	OFFICE WORK	HEDDLEBURN E.M.A.	08/25/2016



Heddleburn E.M.A. R.P.L.S. No. 5034
H.D. Fetty Land Surveyor, LLC
 8770 FM 1089, ROOM 301, CITY, TX 75189 972-831-2258 PHONE HEDDLEBURN@HDSURVEY.COM

CURVE DATA
 ROAD 1139
 CHD= 50.00
 ARC= 330.74

DATE RECEIVED	DATE