

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 73-52

An Ordinance of the City of Rockwall amending the Comprehensive Zoning Ordinance, as heretofore amended, so as to give the following described tracts of land a Planned Development District zoning classification for Recreational Facilities uses, to be designated as Planned Development District No. 1D, said Planned Development District being described as follows, to-wit: Being a tract or parcel of land out of the A. Hanna Survey, Abstract No. 98, in the City and County of Rockwall and being part of a 40 acre tract conveyed to Lillian Peace, et al, by deed dated July 21, 1949 and part of a 186.168 acre tract of land conveyed to R. S. Folsom by R. W. Pickens by deed dated September 29, 1971, as recorded in Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a concrete monument located at the point of intersection of the West line of said 40 acre tract with the East takeline of Lake Ray Hubbard;

THENCE: North $87^{\circ} 18' 57''$ East 220 ft. to a point for a corner;

THENCE: North $80^{\circ} 00'$ East 670 ft. to the beginning of a curve to the right having a central angle of $66^{\circ} 20'$ and a radius of 160 ft.;

THENCE: Along the arc of said curve a distance of 185.24 ft. to a point for a corner;

THENCE: North $56^{\circ} 20'$ East 190.0 ft. to a point for a corner;

THENCE: North 80 ft. to a point for a corner;

THENCE: North $68^{\circ} 55' 30''$ East 210 Ft. to a point for a corner;

THENCE: South $33^{\circ} 47' 20''$ East 140 ft. to a point for a corner;

THENCE: East 550 ft. to a point for a corner;

THENCE: South 260 ft. to a point for a corner;

THENCE: West 635 ft. to a point for a corner;

THENCE: South $0^{\circ} 33' 21''$ East 128.3 ft. to a point on a curve to the left having a central angle of $68^{\circ} 09' 26''$ and a radius of 160 ft.;

THENCE: Along the arc of said curve a distance of 190.33 ft. to the point of reverse curve to the right having a central angle of $34^{\circ} 0' 0''$ and a radius of 225 ft.;

THENCE: Along the arc of said curve a distance of 133.52 ft. to a point for a corner;

THENCE: South $43^{\circ} 30'$ West a distance of 380 ft. to the beginning of a curve to the right having a central angle of $122^{\circ} 51' 13''$ and a radius of 75 ft.;

THENCE: Along the arc of said curve a distance of 161.71 ft. to a point for a corner;

THENCE: North $51^{\circ} 08' 56''$ West a distance of 185.0 ft. to the beginning of a curve to the left having a central angle of $237^{\circ} 32' 51''$ and a radius of 50 ft.;

THENCE: Along the arc of said curve a distance of 103.87 ft. to a point for a corner;

THENCE: South $76^{\circ} 08' 27''$ West a distance of 95.0 ft. to a point for a corner;

THENCE: North 15° 08' 23" West a distance of 60.0 ft. to a point for a corner;
THENCE: North 85° 38' 21" West a distance of 237.69 ft. to a point for a corner;
THENCE: North 1° 55' 08" West a distance of 151.52 ft. to a point for a corner;
THENCE: North 68° 29' 59" West a distance of 264.04 ft. to the place of beginning and containing 19.24 acres of land; providing for certain conditions; providing for a penalty not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; and declaring an emergency.

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 after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance should be amended; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be, and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give the following described property the following zoning classification, to-wit:

That the following area be, and the same is hereby zoned Planned Development District No. 10 under special conditions, to-wit:

Being a tract or parcel of land out of the A. Hamma Survey, Abstract No. 98, in the City and County of Rockwall and being part of a 40 acre tract conveyed to Lillian Peace, et al, by deed dated July 21, 1949 and part of a 186.168 acre tract of land conveyed to R. S. Folsom by R. W. Pickens by deed dated September 29, 1971, as recorded in Deed Records, Rockwall County, Texas, and being more particularly described as follows: BEGINNING AT a concrete monument located at the point of intersection of the West line of said 40 acre tract with the East takeline of Lake Ray Hubbard;

THENCE: North 87° 18' 57" East 220 Ft. to a point for a corner;

THENCE: North 80° 00' East 670 ft. to the beginning of a curve to the right having a central angle of 66° 20' and a radius of 160 ft.;

THENCE: Along the arc of said curve a distance of 185.24 ft. to a point for a corner;

THENCE: North 56° 20' East 190.0 ft. to a point for a corner;

THENCE: North 80 ft. to a point for a corner;

THENCE: North 68° 55' 30" East 210 ft. to a point for a corner;

THENCE: South 33° 47' 20" East 140 ft. to a point for a corner;

THENCE: East 550 ft. to a point for a corner;

THENCE: South 260 ft. to a point for a corner;

THENCE: West 635 ft. to a point for a corner;

THENCE: South $0^{\circ} 33' 21''$ East 128.3 ft. to a point on a curve to the left having a central angle of $68^{\circ} 09' 26''$ and a radius of 160ft.;

THENCE: Along the arc of said curve a distance of 190.33 ft. to the point of reverse curve to the right having a central angle of $34^{\circ} 0' 0''$ and a radius of 225 ft.;

THENCE: Along the arc of said curve a distance of 133.52 ft. to a point for a corner;

THENCE: South $43^{\circ} 30'$ West a distance of 380 ft. to the beginning of a curve to the right having a central angle of $122^{\circ} 51' 13''$ and a radius of 75 ft.;

THENCE: Along the arc of said curve a distance of 161.71 ft. to a point for a corner;

THENCE: North $51^{\circ} 08' 56''$ West a distance of 185.0 ft. to the beginning of a curve to the left having a central angle of $237^{\circ} 32' 51''$ and a radius of 50 ft.;

THENCE: Along the arc of said curve a distance of 103.87 ft. to a point for a corner;

THENCE: South $76^{\circ} 08' 27''$ West a distance of 95.0 ft. to a point for a corner;

THENCE: North $15^{\circ} 08' 23''$ West a distance of 60.0 ft. to a point for a corner;

THENCE: North $85^{\circ} 38' 21''$ West a distance of 237.69 ft. to a point for a corner;

THENCE: North $1^{\circ} 55' 08''$ West a distance of 151.52 ft. to a point for a corner;

THENCE: North $68^{\circ} 29' 59''$ West a distance of 264.04 ft. to the place of beginning and containing 19.24 acres of land; providing for certain conditions; providing for a penalty not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and declaring an emergency.

SECTION 2. That the above zoning classification as Planned Development District No. 10 is granted subject to the following special conditions:

(1) That the Planned Development District for Recreational Facilities purposes shall be developed in accordance with the site plan for said area, which is attached to and made a part of this ordinance for all purposes.

(2) That all developments of property covered by this ordinance shall be in accordance with the approved site plan, and no substantial change in the development shall be permitted except after obtaining approval of the change of such site plan in the manner required for change and amendments to the Comprehensive Zoning Ordinance.

(3) Planned Development District permitting uses for Marina with a Service Dock, Club House and Parking Area, Swimming Pool, Tennis Courts, Picnic Areas & Play Apparatus, subject to the approval of the site plan by the Planning and Zoning Commission prior to the issuance of any building permit or certificate of occupancy for any structure or use on the premises. Such site plan shall set forth the areas designated for the basic building areas, yards, setbacks, offstreet parking, points of access, sidewalks, drives drainage facilities, utility easements, recreational areas and service areas appropriate to the location and function of the development, and shall provide for the dedication and improvement of any street deemed necessary by the

Planning and Zoning Commission for access to the property, to adjacent property or for circulation around the site.

The offstreet loading and parking standards shall be set forth on the site plan.

The requisite site plan may be approved in whole or in part provided the elements influencing the development of the entire tract, such as access, parking and circulation are considered by an overall site plan.

(4) That in the development of said property under Planned Development District No. 10 zoning classification, such property shall be developed in accordance with the regulations applicable to Recreational Facilities district regulations under Comprehensive Zoning Ordinance, except where said regulations shall be different from the attached site plan, and to that extent said attached site plan shall control. Otherwise, as shown on said site plan the regulations applicable to the Recreational Facilities districts relating to area regulations offstreet parking loading regulations, accessory building regulations, as contained in the Comprehensive Zoning Ordinance shall be applicable.

SECTION 3. 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 4. That the above described tracts of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended and as amended herein, by the granting of this zoning change.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

SECTION 6. WHEREAS, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest and general welfare of the City of Rockwall, and creates an urgency and an emergency in the preservation of the public health, safety and welfare of the City of Rockwall, and requires 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.

DULY PASSED by the City Council of the City of Rockwall, Texas, on the 3rd
day of December, 1973.

APPROVED:

Harry L. Myers
Mayor

DULY RECORDED:

Samuel Williams
City Secretary

ORDINANCE NO. 80-13

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE TRACTS I AND II TO "SF-2" ONE-FAMILY DWELLING DISTRICT CLASSIFICATION AND TRACTS III, IV AND V TO "PD" PLANNED DEVELOPMENT DISTRICT NO. 11, SUBJECT TO SITE PLAN APPROVAL; SAID TRACTS BEING MORE FULLY DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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 Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be, and the same is hereby amended by amending the Zoning Map of the City of Rockwall so as to grant "SF-2" One-Family Dwelling District Classification on Tracts I and II described as follows:

TRACT I. BEING a tract or parcel of land situated in the W. B. Bowles Survey, Abstract No. 12, and the B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, and being a part of a tract of land conveyed to Robert S. Folsom by W. L. Lofland by deed, recorded in Volume 101, Page 714, and being part of a 15.4 Acre tract conveyed to Billy Ray Cameron by deed, dated December 6, 1961, and recorded in the Deed Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNNING at a concrete monument on the City of Dallas Take Line for Lake Ray Hubbard and on the South line of said Folsom tract, said point bears North 77 deg. 18' 39" West a distance of 1309.00 feet from the intersection of the West line of North Lake Shore Drive and the North line of Highway 66;
THENCE: North 23 deg. 47' 23" East a distance of 550.00 feet to a point for a corner;
THENCE: North 89 deg. 53' 31" East a distance of 842.38 feet to a point for a corner on the West line of North Lake Shore Drive, said point being on a circular curve to the right having a central angle of 3 deg. 54' 08", a radius of 621.90 feet and a chord that bears South 31 deg. 24' 30" East a distance of 42.35 feet;
THENCE: Along said curve in a Southerly direction an arc distance of 42.36 feet to the Point of Tangency of said curve;
THENCE: West a distance of 682.46 feet to a point on a circular curve to the right having a central angle of 21 deg. 04' 17", a radius of 1173.74 feet, and a chord that bears South 13 deg. 15' 14" West a distance of 429.23 feet;
THENCE: Along said curve in a Southerly direction an arc distance of 431.66 feet to the point of Compound Curvature of a circular curve to the right having a central angle of 21 deg. 34' 05", and a radius of 320.00 feet;
THENCE: Along said curve in a Southwesterly direction an arc distance of 120.46 feet to the Point of Tangency of said curve;
THENCE: South 55 deg. 47' 23" West a distance of 170.00 feet to a point on the City of Dallas Take Line for a corner;
THENCE: North 34 deg. 12' 37" West a distance of 167.98 feet to the Point of Beginning and Containing 3.96 Acres of Land.

TRACT II. BEING a tract or parcel of land situated in the B. F. Boydston Survey, Abstract No. 14 and the W. B. Bowles Survey, Abstract No. 12, City of Rockwall, Rockwall County, Texas, and being a part of a tract of land conveyed to Rockwall Joint Venture by D. L. Hairston by deed, recorded in Volume 102, Page 460, and part of a tract of land conveyed to Robert S. Folsom by W. L. Lofland by deed, recorded in Volume 101, Page 714, and being a part of a tract of land conveyed to Billy Ray Cameron, by deed, dated December 6, 1961, and all of the above conveyances are recorded in the Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the Southerly line of said Folsom Tract and on the City of Dallas Take Line for Lake Ray Hubbard, said point bears South 66 deg. 12' 37" East a distance of 325.67 feet from the Southwest corner of said Folsom tract;
THENCE: North 23 deg. 47' 23" East a distance of 973.41 feet to a point for a corner;
THENCE: North 89 deg. 55' 24" East a distance of 986.81 feet to a point for a corner;
THENCE: South 0 deg. 22' 11" West a distance of 518.71 feet to a point for a corner;
THENCE: North 88 deg. 04' 15" East a distance of 704.43 feet to a point for a corner;
THENCE: South 0 deg. 18' 51" East a distance of 150.20 feet to a point for a corner;
THENCE: South 89 deg. 53' 31" West a distance of 1271.97 feet to a point for a corner;
THENCE: South 23 deg. 47' 23" West a distance of 550.00 feet to a point for a corner;
THENCE: North 66 deg. 12' 37" West a distance of 641.66 feet to the Point of Beginning and Containing 25.00 Acres of land.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be, and the same is further hereby amended by amending the Zoning Map of the City of Rockwall so as to grant "PD" Planned Development District No. 11 on Tracts III, IV and V described as follows:

TRACT III. A 65.954 acre tract of land out of the A. Hanna Survey, Abstract 98, Rockwall County, Texas.

BEGINNING at a point North + 450.00 feet and West + 85.0 feet from the Southeast corner of the A. Hanna Survey, Abstract 98;
THENCE West, a distance of 2155.67 feet to a point for a corner;
THENCE North, a distance of 1000.00 feet to a point for a corner;
THENCE East, a distance of 800.00 feet to a point;
THENCE North 18 deg. 06' 10" East, a distance of 910.42 feet to a point in the center of a Gravel Road;
THENCE along said center line of road, South 62 deg. 00' 00" East, a distance of 276.00 feet;
THENCE South 48 deg. 15' 00" East, a distance of 170.00 feet to a point;
THENCE South 63 deg. 30' 00" East, a distance of 465.00 feet to a point;
THENCE South 00 deg. 14' 35" East, a distance of 28.16 feet to a point in the fence line;
THENCE along said fence line South 72 deg. 25' 15" East, a distance of 300.00 feet to a point;
THENCE South a distance of 1296.34 feet to the Point of Beginning, containing 65.954 acres of land, more or less.

TRACT IV. A 66.777 acre tract of land out of the A. Hanna Survey, Abstract 98, Rockwall County, Texas.

BEGINNING at the Southeast corner of a 40.00 acre tract of land recorded in Volume 45, Page 125, Deed Records, Rockwall County, Texas;
THENCE North 00 deg. 33' 21" West, 1338.89 feet to a point in the center line of a gravel road;
THENCE along said center line of gravel road, North 89 deg. 45' 00" East, 1365.80 feet to a point;
THENCE South 55 deg. 45' 00" East, 312.00 feet to a point;
THENCE South 31 deg. 30' 00" East, 194.00 feet to a point;
THENCE South 18 deg. 06' 10" West, 910.42 feet to a point;
THENCE West 800.00 feet to a point;
THENCE South 1000.00 feet to a point;
THENCE West 790.00 feet to a point;
THENCE North 04 deg. 49' 27" East, 100.00 feet to a point;
THENCE North 42 deg. 25' 33" West, 500.00 feet to a point;
THENCE North 36 deg. 22' 08" East, 479.75 feet to a point;
THENCE North 89 deg. 30' 54" East, 774.25 feet to the Point of Beginning, containing 66.777 acres of land, more or less.

TRACT V. Being a tract of land situated in the A. Hanna Survey, Abstract No. 98, Rockwall County, Texas, and being a part of a 40 acre tract of land conveyed to Lillian Peace, et al by deed dated July 21, 1949, and recorded in Volume 45 page 125 in the Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of the above mentioned 40 acre tract;

THENCE South 89 deg. 25' 54" West along the South line of said 40 acre tract and along a fence for a distance of 774.25 feet to an iron rod for corner, same being in the Easterly line of a tract of land conveyed to the City of Dallas;

THENCE North 01 deg. 09' 26" East for a distance of 103.21 feet to an iron rod for corner;

THENCE North 15 deg. 08' 56" West for a distance of 328.07 feet to a concrete monument for corner;

THENCE North 85 deg. 38' 21" West for a distance of 237.69 feet to a concrete monument for corner;

THENCE North 01 deg. 55' 08" East for a distance of 151.52 feet to a concrete monument for corner;

THENCE North 80 deg. 10' 03" East for a distance of 417.73 feet to a concrete monument for corner;

THENCE North 67 deg. 33' 30" East for a distance of 260.70 feet to a concrete monument for corner;

THENCE North 23 deg. 59' 58" West for a distance of 99.20 feet to a concrete monument for corner;

THENCE South 70 deg. 53' 20" West for a distance of 353.77 feet to a concrete monument for corner;

THENCE South 85 deg. 41' 23" West for a distance of 127.69 feet to a concrete monument for corner;

THENCE South 47 deg. 18' 57" West for a distance of 220.00 feet to a concrete monument for corner in the West line of said 40 acre tract of land.

THENCE North 00 deg. 04' 14" West along said West line of 40 acre tract and along a fence for a distance of 609.30 feet to a fence post for corner;

THENCE North 87 deg. 48' 20" East along a fence for a distance of 980.60 feet to a point for corner;

THENCE South 88 deg. 04' 40" East along a fence for a distance of 344.05 feet to a fence post for corner;

THENCE South 00 deg. 33' 21" East along the East line of said 40 acre tract for a distance of 1313.11 feet to the Place of Beginning, containing 30.57 acres of land.

SECTION 3. 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 4. That the above described tracts of land shall be used only in the manner and for the purposes authorized by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended herein, provided that the granting of Planned Development District No. 11 to the above described tracts of land is subject to the following special conditions:

(a) Prior to the issuance of any building permit in Planned Development District No. 11, a comprehensive site plan of the development shall be filed with the Planning and Zoning Commission and, after appropriate hearing, sent to the City Council of the City of Rockwall with an appropriate recommendation by the Commission, and after hearing, the City Council shall approve a final site plan, which shall be filed and included as Exhibit "A" and made a part of this ordinance for all purposes. Such comprehensive site plan shall set forth in detail the requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way to conform to the thoroughfare plan of the City of Rockwall, sidewalks, utilities, drainage, parking space, height of buildings, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective requirements considered necessary by the City Council so as to create a reasonable transition to and protection of the adjacent property.

(b) No building or other permits shall be issued by any officer, agent or employee of the City of Rockwall for development of the above described tracts in "PD" No. 11 unless and until a final comprehensive site plan shall have been finally approved by the City Council of the City of Rockwall and attached to and made a part of this ordinance as Exhibit "A".

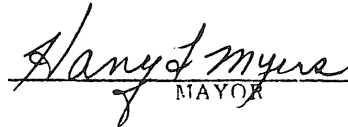
(c) All development of property covered by Planned Development District No. 11 shall be in accordance with the provisions of this ordinance and the finally approved comprehensive site plan, and no substantial change in the development shall be permitted, except after obtaining approval of the change of such site plan in the manner required for changes and amendments to the Comprehensive Zoning Ordinance.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended hereby, and upon conviction shall be punished by a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. This ordinance shall become effective from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
ON THE 7th DAY OF July, 1980.

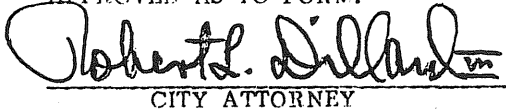
APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY

ORDINANCE NO. 93-11

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A ZONING CHANGE ON A TRACT OF LAND MORE FULLY DESCRIBED HEREIN; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "PD-11" PLANNED DEVELOPMENT-11 ZONING CLASSIFICATION TO "PD-11 REVISED" PLANNED DEVELOPMENT-11 REVISED ZONING CLASSIFICATION TO PERMIT SF-10 ZONING, SINGLE FAMILY 10 RESIDENTIAL ZONING CLASSIFICATION REQUIREMENTS; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a change in zoning from "PD-11" Planned Development Zoning Classification to "PD-11 Revised" Planned Development 11 Revised Zoning Classification on the property described on Exhibit "A" has been requested by MAHR Development; 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 Comprehensive Zoning Ordinance and Ordinance 84-4 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 Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended so as to approve a change from "PD-11" Planned Development-11 Zoning Classification to "PD-11 Revised" Planned Development Zoning Classification on the property described on Exhibit "A".

Section 2. That Planned Development District No. 11-Revised shall be used only in the manner and for the purposes authorized by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended and as amended hereby, provided that the granting of Planned Development District No. 11-Revised to the above described tract of land is subject to the following special conditions:

A. All development of property covered by Planned Development District No. 11-

Revised shall be in accordance with the provisions of this ordinance and the finally approved comprehensive development plan and list of approved uses, and no substantial change in the development shall be permitted except after obtaining approval of the changes and amendments to the Comprehensive Zoning Ordinance.

B. Development of Planned Development District No. 11-Revised shall be regulated by the zoning requirements of the SF-10 Zoning Classification, Single Family 10 Zoning Classification with the following conditions:

1. approval subject to a detailed review at time of platting, including roadway alignments and intersections, and flood study of the drainway,
2. that the proposed area suggested as park land be submitted for approval to the Park Board in a manner such that specific park use locations are shown,
3. that access ways along both sides of the proposed park land be shown,
4. that access ways be provided to Lake Ray Hubbard, that the the take line be clearly defined, and that disclosure be made to potential purchasers that this is public land,
5. that the park area be subject to completion of a flood study and further analysis of the proposed park area for suitability as park land,
6. that any parkland that may ultimately be accepted by the City, including the existing lake, shall be brought up to an acceptable condition for maintenance and development as a park site by the City by the developer, and
7. that an acceptable phasing plan for development of the park be provided with the submission of the first phase of development.

Section 3. 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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 4. 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 Comprehensive Zoning Ordinance No. 83-23 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 are declared to be severable.

Section 5. 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 6. 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.

DULY PASSED AND APPROVED this 7th day of June, 1993.

APPROVED:

Alma K. Williams
Mayor

ATTEST:

By: Hilda Crangle

1st reading May 17, 1993

2nd reading June 7, 1993

STATE OF TEXAS

COUNTY OF ROCKWALL

BEING a tract of land situated in the A. Hanna Survey, Abstract No. 98, and the J.H.B. Jones Survey, Abstract No. 124, Rockwall County, Texas, and being a part of that certain 262.474 acre tract of land described as Tract 1, in Special Warranty Deed, recorded in Volume 147, Page 474, Deed Records, Rockwall County, Texas, and further being a part of that tract of land conveyed to Robert S. Folsom by Richard W. Pickens, by deed recorded in Volume 100, Page 293, and being part of a 85.873 acre tract of land conveyed to H.L. Williams by deed recorded in Volume 51, Page 397, and being part of a tract conveyed from Dickerson to Robert S. Folsom by deed recorded in Volume 100, Page 677, and part of a tract being conveyed from W.F. Barrow, Jr., to R.S. Folsom by deed recorded in Volume 102, Page 403, and part of a 40.00 acre tract of land conveyed to Lillian Peace, et al, by deed dated July 21, 1949, and recorded in Volume 45, Page 125, and all of the above conveyances are recorded in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner at the Northwest corner of Northshore Phase 2B, an addition to the City of Rockwall, recorded in Slide B, Page 324, Plat Records, Rockwall County, Texas, and on the City of Dallas Take Line for Lake Ray Hubbard;

THENCE: Along the City of Dallas Take Line of Lake Ray Hubbard North 4 Degrees 49' 27" East a distance of 58.69 feet to a 1/2" iron rod found for a corner;

THENCE: Continuing with said Take Line to City of Dallas concrete monuments found as follows: North 42 Degrees 24' 03" West a distance of 500.00 feet; North 36 Degrees 21' 10" West a distance of 479.78 feet; North 0 Degrees 57' 12" East a distance of 105.85 feet; North 15 Degrees 00' 45" West a distance of 325.15 feet; North 85 Degrees 27' 08" West a distance of 237.68 feet; North 1 Degree 59' 22" East a distance of 151.40 feet; North 80 Degrees 22' 19" East a distance of 417.61 feet; North 67 Degrees 45' 06" East a distance of 260.70 feet; North 23 Degrees 50' 12" West a distance of 98.95 feet; South 71 Degrees 06' 47" West a distance of 235.33 feet; North 78 Degrees 21' 59" West a distance of 353.79 feet; South 85 Degrees 51' 16" West a distance of 126.39 feet; and South 47 Degrees 38' 46" West a distance of 221.15 feet;

THENCE: North 0 Degrees 09' 23" East a distance of 609.42 feet with the most Northerly West line of said Tract 1 to an iron rod set at the Northwest corner of said Tract 1 and in a fence line on the Southerly line of a public road (Alamo);

THENCE: North 88 Degrees 01' 57" East a distance of 980.60 feet with said Southerly line and generally with said fence line to an iron rod set for a corner;

THENCE: South 87 Degrees 51' 03" East a distance of 344.05 feet continuing with said Southerly line and said fence line to an iron rod set for a corner on the West line of said Pickens tract;

THENCE: North 0 Degrees 43' 11" West a distance of 20.56 feet to an iron rod set for a corner in the centerline of said road at the most Northerly Northwest corner of said Pickens tract;

THENCE: North 89 Degrees 35' 48" East a distance of 1304.62 feet along the center of said public road to a point for a corner on the West line of North Lake Shore Drive, a 100 foot right-of-way;

THENCE: Along the Westerly lines of said North Lake Shore Drive as follows: South 0 Degrees 37' 01" East a distance of 55.33 feet to the beginning of a curve to the left, having a central angle of 10 Degrees 15' 10", a radius of 850.00 feet, and a chord that bears South 5 Degrees 44' 36" East a distance of 151.90 feet; Along said curve an arc distance of 152.10 feet to a point for a corner; South 10 Degrees 52' 11" East a distance of 800.41 feet to the beginning of a curve to the right, having a central angle of 67 Degrees 17' 45", a radius of 581.01 feet, and a chord that bears South 22 Degrees 46' 41" West a distance of 643.86 feet; Along said curve an arc distance of 682.42 feet to a point for a corner; South 56 Degrees 25' 34" West a distance of 279.87 feet to the beginning of a curve to the left, having a central angle of 51 Degrees 36' 07", a radius of 550.00 feet, and a chord that bears South 30 Degrees 37' 30" West a distance of 478.77 feet; Along said curve an arc distance of 495.34 feet to a point for a corner; and South 4 Degrees 49' 27" West a distance of 21.19 feet to a point for a corner on the North line of the previously mentioned Northshore Phase 2B;

THENCE: Along the North lines of said addition as follows: North 89 Degrees 29' 00" West a distance of 722.07 feet to a point for a corner; North 85 Degree 10' 33" West a distance of 50.00 feet to a point for a corner; South 4 Degrees 49' 27" West a distance of 6.97 feet to a point for a corner; and North 85 Degrees 10' 33" West a distance of 120.00 feet to the Point of Beginning and containing 101.453 acres of land.

ORDINANCE NO. DL-08

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AND ORDINANCE 93-11 AS HERETOFORE AMENDED SO AS TO APPROVE ZONING AND AMEND THE PRELIMINARY PLAN FOR PD-11 - PLANNED DEVELOPMENT NO. 11 ATTACHING THE AMENDING PRELIMINARY PLAN DESCRIBED AS EXHIBIT A, ON PROPERTY DESCRIBED HEREIN; AND SHALL INCLUDE A CHANGE IN ZONING FROM SF-10, SINGLE-FAMILY RESIDENTIAL DISTRICT TO PD-11 - PLANNED DEVELOPMENT NO. 11 FOR A 4.0715 ACRE TRACT OF LAND IN THE NATHAN BUTLER SURVEY, ABSTRACT NO. 21, ROCKWALL COUNTY, TEXAS HEREIN DESCRIBED AS TRACT 1 AND A CHANGE IN ZONING FROM A, AGRICULTURAL DISTRICT TO PD-11 - PLANNED DEVELOPMENT NO. 11 FOR A 5.101 ACRE TRACT OF LAND IN THE ARCHIBALD HANNA SURVEY ABSTRACT NO. 98, ROCKWALL COUNTY, TEXAS HEREIN DESCRIBED AS TRACT 2; 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, an amendment to the Preliminary Plan for PD-11 with special conditions, as described in Exhibit "A" and shall include a change in zoning from "SF-10", Single-Family Residential District to PD-11, Planned Development No. 11 for a 4.0715 acre tract of land in the Nathan Butler Survey, Abstract No. 21, Rockwall County, Texas herein described as Tract 1 and a change in zoning from "A", Agricultural District to PD-11, Planned Development No. 11 for a 5.101 acre tract of land in the Archibald Hanna Survey Abstract No. 98, Rockwall County, Texas herein described as Tract 2; has been submitted by Joey Howell on behalf of Arkoma Realty Ltd.; 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, the governing body in the

exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of the amended Preliminary Plan for PD-11 with special conditions for the area identified in Exhibit "A" and shall include a change in zoning from "SF-10, Single-Family Residential District to PD-11, Planned Development No. 11 for a 4.0715 acre tract of land in the Nathan Butler Survey, Abstract No. 21, Rockwall County, Texas herein described as Tract 1 and a change in zoning from "A", Agricultural District to PD-11, Planned Development No. 11 for a 5.101 acre tract of land in the Archibald Hanna Survey Abstract No. 98, Rockwall County, Texas herein described as Tract 2. That said Preliminary Plans are attached hereto and made a part hereof for all purposes.

Section 2. That the tract of land described in the attached Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this approval of this amended preliminary Plan for PD-11 shall affect only the property described in the attached Exhibit "A" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development in the area within Exhibit "A" shall be limited to uses and requirements listed in the "SF-10", Single-Family Residential District of the Comprehensive Zoning Ordinance and subject to site plan approval by the Planning and Zoning Commission and City Council with the following additional conditions:

- A. Average of more than 10,600 square feet per lot.
- B. Maximum of 117 lots, with at least 83 lots with minimum lot areas of 10,000 square feet and the rest with minimum lot areas of 8,400 square feet.
- C. The minimum square footage per dwelling unit will be 2,000 square feet.
- D. Minimum of a 2 car garage will be provided for each dwelling unit.
- E. The exterior of the dwellings will be a minimum of 75% masonry.
- F. Roof pitch of 6/12 or higher.
- G. Rear or side entry garages only.
- H. The screening walls (fences) along N. Lakeshore Drive will be wrought iron

with stone or masonry columns and the entry sign will be stone or masonry.

- I. Cul-de-sac, corner and irregular shaped lots can be used to meet the lot area minimum square footage requirements.
- J. Access to park provided via walkway at approximately the location shown on revised concept plan just to the west of pond, with bridge provided over gully into park.
- K. Access to take line provided via walkway at approximately the location shown on revised concept plan at point of drainage easement.
- L. If requested by the City, the developer will build up to an eight car parking area in the adjacent park, either off of North Lakeshore Drive or to the south of the southern subdivision street leading into the subdivision from North Lakeshore Drive.
- M. Anti-monotony restriction in deed restrictions which does not allow the same elevation any closer than 5 houses apart on the same side of street or closer than 200 feet if across the street or around a corner. An architectural review committee will review and control this requirement, with committee and review procedures being established in the deed restrictions. The deed restrictions will be provided for the City's review with the final plat and will be filed prior to the filing of the final plat.
- N. The developer agrees to make a contribution of \$25,000 for park equipment or other park improvements, rather than the approximate \$8,000 required under the current park fee formula. This money is in addition to the park bridge and park parking that the developer has agreed to provide.

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 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 Comprehensive Zoning Ordinance No. 83-23 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 7. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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.

DULY PASSED AND APPROVED this 19 day of March, 2001.

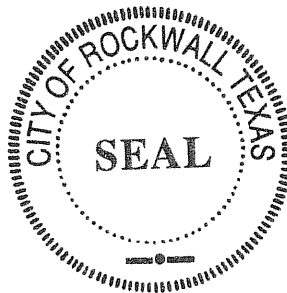
Scott L. Self

Scott Self, Mayor

ATTEST

Belinda Page

Belinda Page, City Secretary



1st Reading 3/5/01

2nd Reading 3/19/01

Description

Exhibit A (including Tract 2)

BEING 31.8939 acres of land located in the Archibald Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being a portion of a 101.453 acre tract of land described in deed to Hillcrest Shores, Ltd., recorded in Volume 829, Page 237, Deed Records, Rockwall County, Texas and being all of a tract of land described in deed to William D. Lynch, recorded in Volume 391, Page 77, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod set at the northeast corner of an 11.847 acre Public Park to the City of Rockwall in Hillcrest Shores Phase II, an addition in the City of Rockwall, Texas in Cabinet C, Slide 277, Map Records, Rockwall County, Texas, and being in the west R.O.W. line of North Lake Shore Drive (a 100' R.O.W.);

THENCE, West, along the north line of said Public Park, a distance of 295.30 feet to a ½ inch iron rod found at the beginning of a curve to the right, having a central angle of 73° 14' 11", a radius of 50.00 feet and chord bearing and distance of N 53° 22' 55" W, 59.65 feet;

THENCE, Northwesterly, along said curve to the right and the easterly line of said Public Park, an arc distance 63.91 feet to a ½ inch iron rod found at the end of said curve;

THENCE, N 16° 45' 49" W, a distance of 208.25 feet to a ½ inch iron rod found at the beginning of a curve to the left, having a central angle of 73° 45' 00", a radius of 350.00 feet and a chord bearing and distance of N 53° 38' 20" W, 420.05 feet;

THENCE, Northwesterly, along said curve to the left and the north line of said Public Park, a distance of 450.52 feet to a ½ inch iron rod found at the end of said curve;

THENCE, S 89° 29' 10" W, a distance of 277.42 feet to a ½ inch iron rod found at the beginning of a non-tangent curve to the right, having a central angle of 73° 05' 48", a radius of 50.00 feet and a chord bearing and distance of S 81° 46' 00" W, 59.55 feet;

THENCE, Southwesterly, along said curve to the right and the north line of said Public Park, an arc distance of 63.78 feet to a ½ inch iron rod found at the end of said curve;

THENCE, S 86° 36' 47" W, along the north line of said Public Park, a distance of 287.54 feet to a ½ inch iron rod set;

THENCE, N 41° 23' 13" W, along the north line of said Public Park, a distance of 90.00 feet to a ½ inch iron rod set;

THENCE, S 73° 06' 47" W, along the north line of said Public Park, a distance of 195.00 feet to a ½ inch iron rod set;

THENCE, S 29° 36' 47" W, along the north line of said Public Park, a distance of 175.00 feet to a ½ inch iron rod set;

THENCE, S 71° 06' 47" W, a distance of 210.00 feet to a found monument, being a corner of said 101.453 acre tract, lying on the east City of Dallas Take Line for Lake Ray Hubbard;

THENCE, along the east City of Dallas Take Line for Lake Ray Hubbard and south boundary line of said 101.453 acre tract, the following four (4) calls:

- (1) S 70° 33' 25" W, a distance of 235.33 feet to a ½ inch iron rod found;
- (2) N 78° 53' 31" W, a distance of 353.74 feet to a found monument;
- (3) S 85° 17' 29" W, a distance of 125.97 feet to a found monument;
- (4) S 47° 09' 49" W, a distance of 221.45 feet to a found monument, being the most northerly southwest corner of said 101.453 acre tract and the southeast corner of said William D. Lynch tract;

THENCE, N 58° 42' 20" W, along the east City of Dallas Take Line for Lake Ray Hubbard and northeast line of said William D. Lynch tract, a distance of 191.20 feet to a monument found;

THENCE, N 42° 04' 39" W, along the east City of Dallas Take Line for Lake Ray Hubbard and the northeast line of said William D. Lynch tract, a distance of 683.04 feet to a monument found;

THENCE, N 26° 37' 57" W, 17.98 feet to a ½ inch iron rod set, said point being the southeast corner of Lot 5 and the southwest corner of Lot 6 in Block F of Crestview Addition Phase 3;

THENCE, N 89° 11' 29" E, 643.51 feet (called S 89° 10' 27" W, 643.51 feet by plat of Crestview Phase 3, Cabinet D, Slide 171/172) along the south line of Crestview Addition Phase 3 to a ½ inch iron rod set;

THENCE, S 01° 08' 08" E, 13.71 feet (called N 01° 09' 07" W, 13.71 feet by plat of Crestview Phase 3, Cabinet D, Slide 171/172) along the south line of Crestview Addition Phase 3 to a ½ inch iron rod set;

THENCE, N 89° 03' 01" E, 2,624.51 feet, along the south line of Crestview Addition Phase 3 (Cabinet D, Slide 171/172), a called 1.341 acre tract to Bessie Anne Campbell (Volume 504, Page 50) and Crestview Addition Phase I (Cabinet C, Slide 399/400) to a ½

inch iron rod set at the northeast corner of said 101.453 acre tract, lying in the west R.O.W. line of North Lake Shore Drive as shown by the plat recorded in Slide A, Page 327, Plat Records, Rockwall County, Texas;

THENCE, along the west R.O.W. line of said North Lake Shore Drive and the east boundary line of said 101.453 acre tract, the following three (3) calls:

- (1) S 01° 09' 48" E, 55.33 feet to a ½ inch iron rod set at the beginning of a curve to the left, having a central angle of 10° 15' 10", a radius of 850.00 feet and a chord bearing and distance of S 06° 17' 23" E, 151.90 feet;
- (2) Southeasterly, along said curve to the left, an arc distance of 152.10 feet to a ½ inch iron rod set at the end of said curve;
- (3) S 11° 24' 56" E, a distance of 565.54 feet to the Place of Beginning and containing 31.8939 acres of land.

Description

Tract 1

BEING a 4.0715 acre tract of land situated in the Nathan Butler Survey, Abstract No. 21, Rockwall County, Texas and being part of a 4.00 acre tract conveyed to Charles Smith recorded in Volume N, Page 253, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod set for the southwest corner of Crestview Phase 1 - The Shores, and addition to the City of Rockwall recorded in Cabinet C, Slide 397 & 398, Plat Records, Rockwall County, Texas, said point being in North Alamo Road, a variable width prescribed right-of-way;

THENCE South 89° 02' 15" West along said Alamo Road, a distance of 508.31' to a ½ inch iron rod set for the southeast corner of Crestview Phase 3 – The Shores, and addition to the City of Rockwall recorded in Cabinet D, Slide 171 & 173, Plat Records, Rockwall County, Texas;

THENCE North 01° 28' 25" West leaving said Alamo Road and along the east line of said Crestview Phase 3, a distance of 317.19' to a found aluminum cap stamped "NDM" for the beginning of a curve to the right having a central angle of 91° 02' 18", a radius of 35.00' and chord that bears North 44° 02' 44" East a distance of 49.94';

THENCE along said curve an arc distance of 55.61' to a found aluminum cap stamped "NDM" for a corner on the south line of a 20' wide alley right-of-way, said point being on the south line of Crestview Phase 2 – The Shores, an addition to the City of Rockwall recorded in Cabinet D, Slide 13 & 14 of the Plat Records of Rockwall County, Texas;

THENCE North 89°33'53" East along the south line of said alley right-of-way, a distance of 434.22' to a found aluminum cap stamped "NDM" for the beginning of a curve to the right having a central angle of 88°12'24", a radius of 35.00' and a chord that bears South 46°19'55" East a distance of 48.72';

THENCE along said curve an arc distance of 53.88' to a found aluminum cap stamped "NDM" for a corner, said point being on the west line of a 20' wide alley right-of-way being the west line of Crestview Phase 1 – The Shores, an addition to the City of Rockwall recorded in Cabinet C, Slide 397 & 398 of the Plat Records of Rockwall County, Texas;

THENCE South 02°13'43" East a distance of 314.34' to the POINT OF BEGINNING and containing 176,835 square feet or 4.0696 acres of land.

Description

Tract 2

BEING a tract of land out of the Archibald Hanna Survey Abstract No. 98, Rockwall County, Texas, and being part of a called 165 acre tract of land in the name of J.S. and Roy R. Smith as recorded in Volume 27, Page 427, of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found for corner in a Public Road, said point being in the north line of said Archibald Hanna Survey Abstract No. 98 and also being the northeast corner of said J.S. and Roy R. Smith 165 acre tract;

THENCE South 00 degrees 04 minutes East along the east line of said Smith Tract, a distance of 634.0 feet to a bronze marker set in concrete stamped with a Designation Number C11-C38-C1 for a corner;

THENCE North 58 degrees 19 minutes West, a distance of 191.2 feet to a bronze marker set in concrete for an angle point;

THENCE North 41 degrees 50 minutes 36 seconds West a distance of 683.13 feet to a bronze marker set in concrete for an angle point;

THENCE North 28 degrees 43 minutes West, a distance of 28.5 feet to an iron rod found for a corner in said Public Road;

THENCE South 89 degrees 58 minutes 12 seconds East, a distance of 631.37 feet to the Place of Beginning and containing 222,220.851 square feet or 5.101 acres gross-less 18,690.228 square feet in Public Road and right-of-way Easement leaving 4.672 acres net.

PD-11 First Texas (North Lakeshore Dr. South of PD-3)
 Ord. 73-52
 Ord. 80-13 - Revised

CITY OF ROCKWALL

ORDINANCE NO. 04-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AND ORDINANCE NO. 01-08, AS HERETOFORE AMENDED, SO AS TO AMEND "PD-11" PLANNED DEVELOPMENT DISTRICT NO. 11 TO REQUIRE A MINIMUM FRONT YARD SETBACK OF TWENTY (20) FEET ON AN APPROXIMATE 37.423-ACRE TRACT OF LAND KNOWN AS HILLCREST SHORES PHASE 3 AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR AREA REQUIREMENTS; PROVIDING FOR A DEVELOPMENT PLAN; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND EVERY DAY THE OFFENSE CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Joey Howell of Rockwall Shores, Ltd., for an amendment to PD-11, Planned Development District No. 11 for an approximate 37.423-acre tract known as Hillcrest Shores Phase 3 and more specifically described in 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, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance (Ord. No. 83-23) and Ordinance No. 01-08 of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended so as to require a minimum front yard setback of twenty (20) feet on the property more specifically described in Exhibit "A" attached hereto.

Section 2. That the portion of Planned Development District No. 11 as described above shall be used only in the manner and for the purposes authorized by the Comprehensive Zoning Ordinance (Ord. No. 83-23) and Ordinance No. 01-08 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. 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 4. 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, 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.

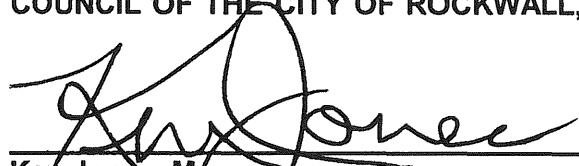
Section 5. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this ordinance.

Section 6. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

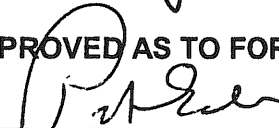
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of June, 2004.

ATTEST:


Dorothy Brooks, City Secretary

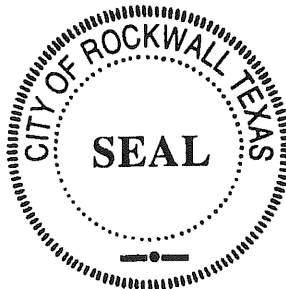

Ken Jones, Mayor

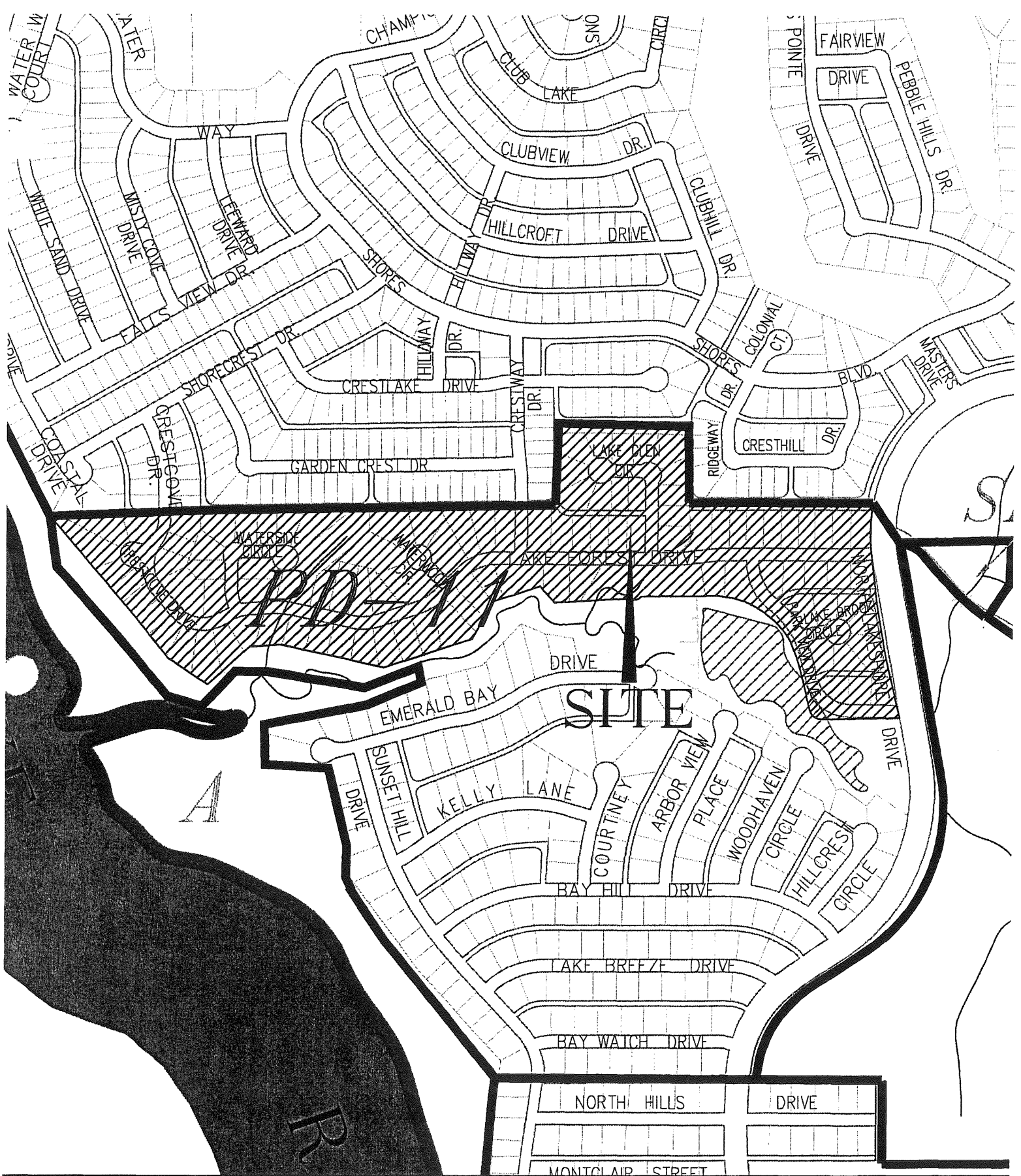
APPROVED AS TO FORM:


Pete Eckert, City Attorney

1st Reading: May 17, 2004

2nd Reading: June 7, 2004





Z2004-020

20-ft Front Yard Setback

PD-11 Amendment (Hillcrest Shores 3)



1" = 500'