

CITY OF ROCKWALL

ORDINANCE NO. 13-46

SPECIFIC USE PERMIT NO. S-115

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "PAWNSHOP" ON A PORTION OF A 0.423-ACRE PARCEL OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS "SUITE 1" AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, AND LOCATED AT 1901 S. GOLIAD STREET, AND ZONED COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a Specific Use Permit (SUP) for a "Pawnshop" within a Commercial (C) zoning district has been requested by Rockwall Gold & Silver and on behalf of Donna Pritchard (property owner), on a portion of a 0.423-acre parcel of land, and more specifically identified as "Suite 1" as depicted in Exhibit "A" attached hereto, and described as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition City of Rockwall, Rockwall County, Texas, which is situated at the southeast corner of SH-205 and Yellow Jacket Lane, and also known as 1901 S. Goliad Street, which herein after 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, 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a "Pawnshop" within a Commercial (C) zoning district as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the Subject Property shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a "Pawnshop" as a use for an existing commercial facility on the *Subject Property*, and conformance to these operational conditions on required for continued operations:

1. The "Pawnshop" shall be limited in its operations to an area of approximately nine (900) hundred square feet for the area designated as "Suite 1" as depicted in Exhibit "A" attached hereto and;
2. That incidental display and outside storage shall be strictly prohibited.
3. This Specific Use Permit (SUP) shall be valid for a period of two (2) years from the date of approval as granted upon herein, and the City Council reserves the right to renew the SUP granted herein upon the expiration of the two (2) year period from the date hereof.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. 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 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, 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 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 2nd DAY OF DECEMBER, 2013.**



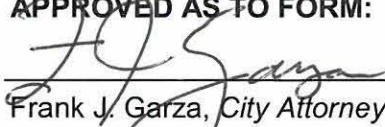
David Sweet, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: 11-18-13

2nd Reading: 12-02-13



Exhibit "A"

