



after Pt 2 consideration.  
~~If approved:~~

Scheduled for City Council.....

Notice sent to newspaper.....

Notice sent to property owners.....

Prepared notes and supporting  
information for City Council.....

If approved:

Notified applicant of results.....

Prepared ordinance.....

1st reading of ordinance.....

2nd reading of ordinance.....

Caption to newspaper.....

Update office map.....

Notified Inspection Dept. of change.....

Included map in update file.....

Included in CUP list (if applicable).....

↪ Permit activated within 6 months.....

↪ If not activated, applicant  
notified permit is void.....

Included in PD file (if applicable).....

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AN AMENDED, IN ARTICLE XIII BOARD OF ADJUSTMENT BY AMENDING SECTION 13.2(D) OPERATIONAL PROCEDURES BY PROVIDING FOR SUBSECTION 6-TERMINATION OF NON- CONFORMING USES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That the Comprehensive Zoning Ordinance is hereby amended in Article XIII - Board of Adjustment by adding Subsection 6 to Section 13.2(D) so that said subsection shall hereafter read as follows:

"6. Termination of Non-Conforming Uses.

The Board may require the discontinuance of non-conforming uses of land or structures under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity of all property to conform to the regulations of this Ordinance. All actions to discontinue a non-conforming use of land or structure shall be taken with due regard to the property rights of the persons affected when considered in light of the public welfare and the character of the area surrounding the designated non-conforming use and the conservation and preservation of the property. The Board may, from time to time, on its own motion, or upon cause presented by interested property owners inquire into the existence, continuation or maintenance of any non-conforming use within the city."

*upon direction from the City Council,*

Section 2. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions

of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. That this Resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS this \_\_\_ day of \_\_\_\_\_, 1988.

\_\_\_\_\_  
Mayor Frank Miller  
City of Rockwall, Texas

ATTEST:

\_\_\_\_\_  
City Secretary, City of Rockwall, Texas

[SEAL]

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney, City of Rockwall, Texas

PLANNING AND ZONING ACTION SHEET

Applicant City Initiated Case No. 88-49.2

Property Description \_\_\_\_\_

Case Subject Matter Amendment to Comp for Ord. re: duties of Board of Adjustments re: non conforming status

CASE ACTION

Date to P&Z 10/13 Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Tabled \_\_\_\_\_

Conditions \_\_\_\_\_

Date to City Council \_\_\_\_\_

Conditions \_\_\_\_\_

Ordinance no. \_\_\_\_\_ Date \_\_\_\_\_

ITEMS IN FILE

Zoning Cases

- \_\_\_ Application
- \_\_\_ Site Plan
- \_\_\_ Filing Fee
- \_\_\_ Notice to Paper
- \_\_\_ Notice to Residents
- \_\_\_ List of Residents Notified
- \_\_\_ Residents' Responses
- \_\_\_ Consultant's Review
- \_\_\_ Agenda Notes
- \_\_\_ Minutes
- \_\_\_ Ordinance
- \_\_\_ Correspondence
- \_\_\_ Applicant Receipts

Plat/Site Plan Cases

- \_\_\_ Application
- \_\_\_ Filing Fee
- \_\_\_ Plat/Plan
- \_\_\_ Engineer's Review
- \_\_\_ Consultant's Review
- \_\_\_ Agenda Notes
- \_\_\_ Minutes
- \_\_\_ Correspondence
- \_\_\_ County File Number
- \_\_\_ Applicant Receipts

## PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on October 13, 1988, at 7:30 P.M. in City Hall, 205 West Rusk, to consider the following:

1. An amendment to the Comprehensive Zoning Ordinance as it pertains to the powers and duties of the Zoning Board of Adjustments
2. A replat of Lot 3, Block D, Lakeside Village Phase One