

PLANNED DEVELOPMENT DISTRICT - 2 - Yacht Club, Marina, Cabana Club and Beach, Lodge Tower, Apartments, Shopping Village, Golf Course, Pro Shop and Health Club, Apartments, Nursery, Townhouses, Villas, Recreation Area, Lodges and Tennis Courts (Symbol designation PD-2-Multiple Uses).

Planned Development District permitting uses for a yacht club, marina, cabana club, lodge tower, multiple family apartments, shopping village, golf course, pro shop and health club, nursery, townhouses, villas, recreation areas, lodges and tennis courts, 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, recreation 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 property shall be developed in accordance with the site plan attached to and made a part of this ordinance, and such proposed use and development shall not be substantially different from said site plan, without first, after public hearings, obtaining approval from the City Planning and Zoning Commission and City Council.

The density, coverage, height, park and offstreet loading standards shall be as set forth on the site plan. The requisite site plan attached hereto shall govern the development, provided, however, that such development may be in whole or in part provided the elements influencing the development of the entire tract, such as access, parking and circulation are considered and maintained according to said site plan.

ORDINANCE NO. 73-33

An Ordinance amending the basic Zoning Ordinances of the City of Rockwall as enacted by the City Council by permitting the property described in Exhibit A to this Ordinance to be used under Planned Development District No. 2 for single family dwellings, multiple family dwellings, neighborhood service uses, office or shopping center uses, and private community center; That Planned Development District No. 2 for single family dwellings, multiple family dwellings, neighborhood service uses, office or shopping center uses, and private community center shall be granted with reference to the property described in Exhibit A, subject, however, to the special conditions hereinafter more fully expressed; Providing for a fine of not more than Two Hundred Dollars (\$200.00) for each violation hereof; Providing for a Severability Clause; and Providing an effective date.

WHEREAS, the City Plan Commission of the City of Rockwall and the Governing Body of the City of Rockwall in compliance with the Charter of the City of Rockwall and the State Law with reference to the granting of Planned Development Districts under the Zoning Ordinance Regulations, 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 the persons interested situated in the affected area and in the vicinity thereof regarding the rezoning, proposed use or improvement of the property described in Exhibit A, the Governing Body of the City of Rockwall is of the opinion that said Planned Development District should be granted, subject to the conditions set out herein;

Now, Therefore,

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

SECTION 1. That the basic Zoning Ordinances of the City of Rockwall as enacted by the City Council be, and they are hereby amended insofar as they apply to the property described in Exhibit A which shall be used under Planned Development District No. _____ for single family dwellings, multiple family dwellings, neighborhood service uses, office or shopping center uses, and private community center.

SECTION 2. That this Planned Development District No. _____ for single family dwellings, multiple family dwellings, neighborhood service uses, office or shopping center uses, and private community center with reference to the property described in Exhibit A is approved and granted upon the following express conditions, and adopted as part of the City of Rockwall Zoning Ordinances:

- (1) DEVELOPMENT PLAN: There is attached to and made a part of this ordinance a Development Plan composed of one (1) plat for development titled Lakeside Village Phase VI. All development shall be in general conformance with the attached development plat.
- (2) DEVELOPMENT SCHEDULE: All development within this Planned Development District shall be in phases in accordance with the plat.
- (3) SUBDIVISION PLAT: The above described plat shall constitute the subdivision plat for the portion of Lakeside Village represented and for this Planned Development District upon filing for record with the County Clerk, Rockwall County, Texas.
- (4) USES: Uses of property in this Planned Development District No. _____ shall be consistent with the Declaration of Covenants, Conditions and Restrictions of Lakeside Village approved by the City Council and filed of record in Vol. 99, Pg. 130, Deed Records, Rockwall County, Texas, and the plat described above.

(5) BUILDING LOCATION AND SPACING: The location and spacing of all main and accessory buildings, the distance between buildings, between buildings and property lines, street lines, alley lines, right-of-way for vehicular access, and easements, shall be consistent with the plat. The dimensions for and arrangement of off-street parking spaces and vehicular access to dwelling units shall be as indicated on the plat.

(6) MAXIMUM HEIGHT: The maximum height of all buildings shall not exceed three stories.

(7) LOT WIDTH: The minimum lot width shall be as shown on the plat.

(8) LOT DEPTH: The minimum lot depth shall be as shown on the plat.

(9) DENSITY: Maximum density of dwelling units permitted shall be one per lot on the lots described in the plat.

(10) OFF-STREET PARKING: All off-street parking shall be located as shown on the plat.

(11) LOT LOCATION AND SPACING: The location and spacing of all lots shall be as shown on the plat.

(12) SIGNS: Pole signs shall be permitted in this Planned Development District, which shall have a maximum height of 30 feet, and shall be set back from all property lines a minimum distance of 15 feet. All other signs in the area of residential lots shall comply with requirements of the City of Rockwall Zoning Ordinances. No advertising signs shall be permitted in the Planned Development District except in the area of any shopping center or shopping units. Except in shopping areas, wall signs shall be for building identification only and ground signs shall be for community information, building identification, or directions only. No signs of a revolving, flashing, or intermittently lighted type shall be permitted in this Planned Development District except in a shopping area.

(13) ACCESS: Vehicular access to the area within this Planned Development District shall be located as shown on the approved plat.

(14) LANDSCAPING: Landscaping of all common areas within the development shall be the responsibility of the Homeowners Association.

(15) BUILDING EXTERIOR: All exterior walls of buildings shall be consistent with the Declaration of Covenants, Conditions and Restrictions.

(16) OPEN SPACE: Required open space may contain the ordinary facilities provided in a public park or playground and shall be located as shown on the development plat.

(17) DEDICATIONS: Easements for public utilities shall be as shown in the plat. No public dedication of streets, drives or other property shall be required except as shown in the plat.

(18) PAVING: All driveways, entrances, parking areas, and all streets shall be paved in an adequate manner consistent with common practice in the City of Rockwall. The developer shall bear the total cost and maintenance of all such improvements, including curb and drainage structures that may be necessary until such time as such improvements are conveyed to the Homeowners Association, from which time the Homeowners Association shall bear the total cost and maintenance of all such improvements.

(19) UTILITIES AND DRAINAGE: All on-site utilities shall be underground and all requirements of departments of the City of Rockwall regarding utilities and drainage structures shall be met. Each single family dwelling shall have separate utilities.

(20) LIGHTING: No light poles in residential areas shall exceed 30 feet in height.

(21) REFUSE CONTAINMENT: All containers for litter and refuse shall be visually screened by planted or masonry screens on all sides except a side adjacent to an alley or easement used for garbage pickup.

(22) HOMEOWNERS ASSOCIATION REQUIRED: In connection with the property to be designated as common areas in the developments, proper evidence showing the execution and filing of deeds conveying such common areas to the Homeowners Association shall be submitted to the City Plan Commission prior to the completion of the development. The structure of such association shall be consistent with the Bylaws and Declaration of Covenants, Conditions and Restrictions approved by the City Council on the 7th day of September, 1971, and filed with the City Secretary. Such deeds and the deeds to individual property owners in the development shall provide for the following:

(A) MAINTENANCE RESPONSIBILITY: The property owner or owners of the development shall be responsible for the development and maintenance of all common facilities and easements except easements dedicated to a municipal, county, or state authority.

1. Each owner of property within the Development shall be a member of the Homeowners Association and shall have rights to the use of all common facilities and easements within the common areas and facilities of the Development.

2. The Homeowners Association shall be responsible for the operation and continuing maintenance of all common facilities and easements with the exception of easements dedicated to a municipal, county, or state authority.

3. Continuous maintenance of these areas of responsibility shall be financed by assessments levied against each property owner within the Development; such assessments shall be of sufficient amounts to insure adequate maintenance.

(B) That such deeds shall constitute a covenants binding on each property owner within this described area, their heirs or successors in title, and shall run with the land.

(23) FIRE LANES: Fire lanes shall be provided in accordance with the requirements of the Fire Department.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, shall be constructed in a manner consistent with standard City of Rockwall specifications adopted for such purpose.

SECTION 4. That any person, firm or corporation violating any of the terms and provisions of this Ordinance shall be subject to the penalties provided for herein.

SECTION 5. Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this Ordinance, and same are deemed severable for this purpose.

(19) UTILITIES AND DRAINAGE: All on-site utilities shall be underground and all requirements of departments of the City of Rockwall regarding utilities and drainage structures shall be met. Each single family dwelling shall have separate utilities.

(20) LIGHTING: No light poles in residential areas shall exceed 30 feet in height.

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(A) MAINTENANCE RESPONSIBILITY: The property owner or owners of the development shall be responsible for the development and maintenance of all common facilities and easements except easements dedicated to a municipal, county, or state authority.

1. Each owner of property within the Development shall be a member of the Homeowners Association and shall have rights to the use of all common facilities and easements within the common areas and facilities of the Development.

2. The Homeowners Association shall be responsible for the operation and continuing maintenance of all common facilities and easements with the exception of easements dedicated to a municipal, county, or state authority.

3. Continuous maintenance of these areas of responsibility shall be financed by assessments levied against each property owner within the Development; such assessments shall be of sufficient amounts to insure adequate maintenance.

(B) That such deeds shall constitute a covenants binding on each property owner within this described area, their heirs or successors in title, and shall run with the land.

(23) FIRE LANES: Fire lanes shall be provided in accordance with the requirements of the Fire Department.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, shall be constructed in a manner consistent with standard City of Rockwall specifications adopted for such purpose.

SECTION 4. That any person, firm or corporation violating any of the terms and provisions of this Ordinance shall be subject to the penalties provided for herein.

SECTION 5. Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this Ordinance, and same are deemed severable for this purpose.

SECTION 6. PENALTY CLAUSE: Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction in Municipal Court shall be subject to a fine not to exceed Two Hundred (\$200.00) Dollars for each offense and each and every day any violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. WHEREAS, it appears that the subject property of this Ordinance is to be used under Planned Development District No. _____ for single family dwellings, multiple family dwellings, neighborhood services uses, office or shopping center uses, and private community center, and this Ordinance shall take effect immediately from and after its passage, in accordance with the provisions of the Charter of the City of Rockwall and it is accordingly so ordained.

APPROVED AS TO FORM:

City Attorney

Passed on the 4th day of September,
1973.

Vary L. Myers
Mayor

ATTEST:

Ramona Williams
City Secretary

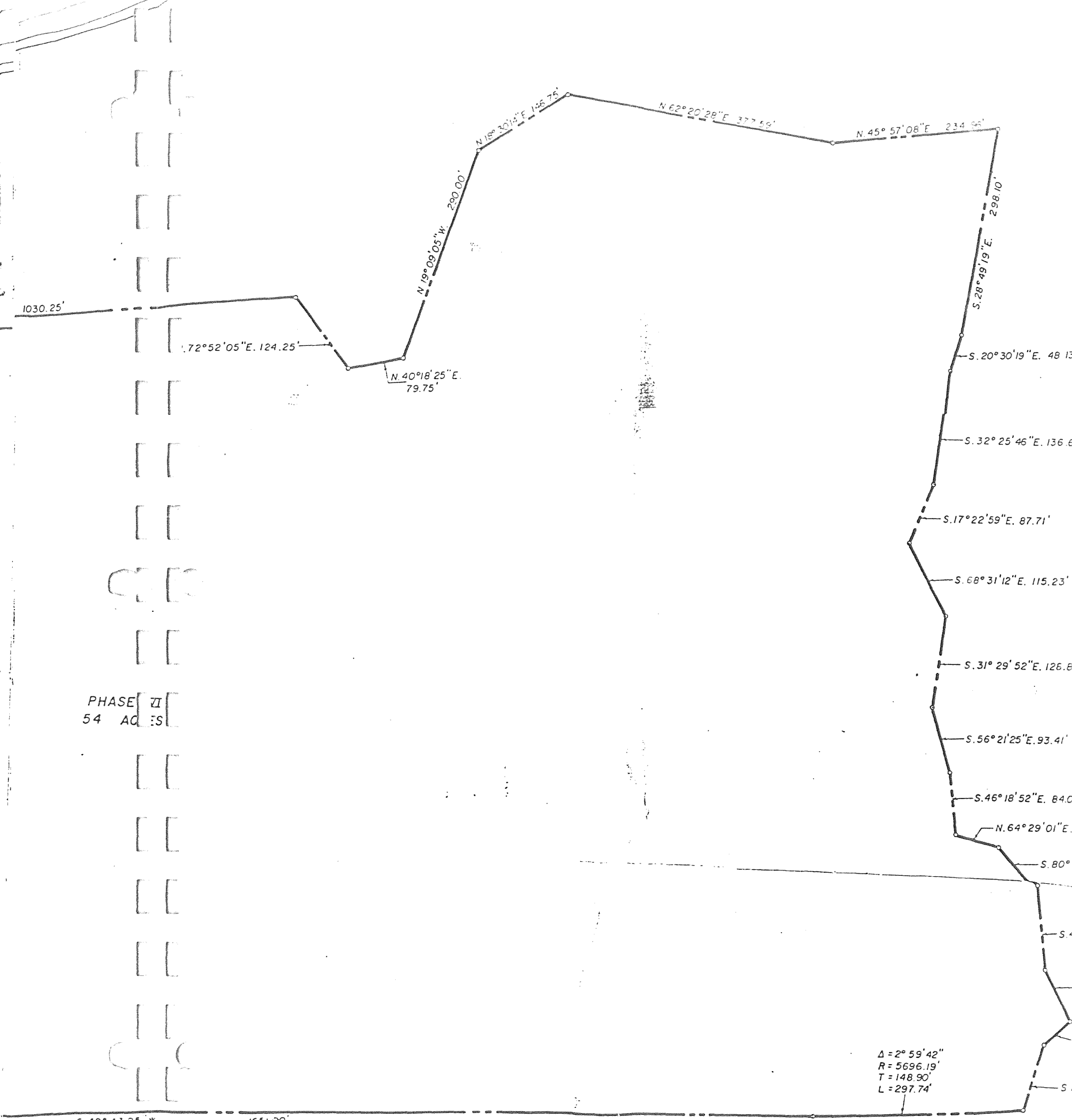
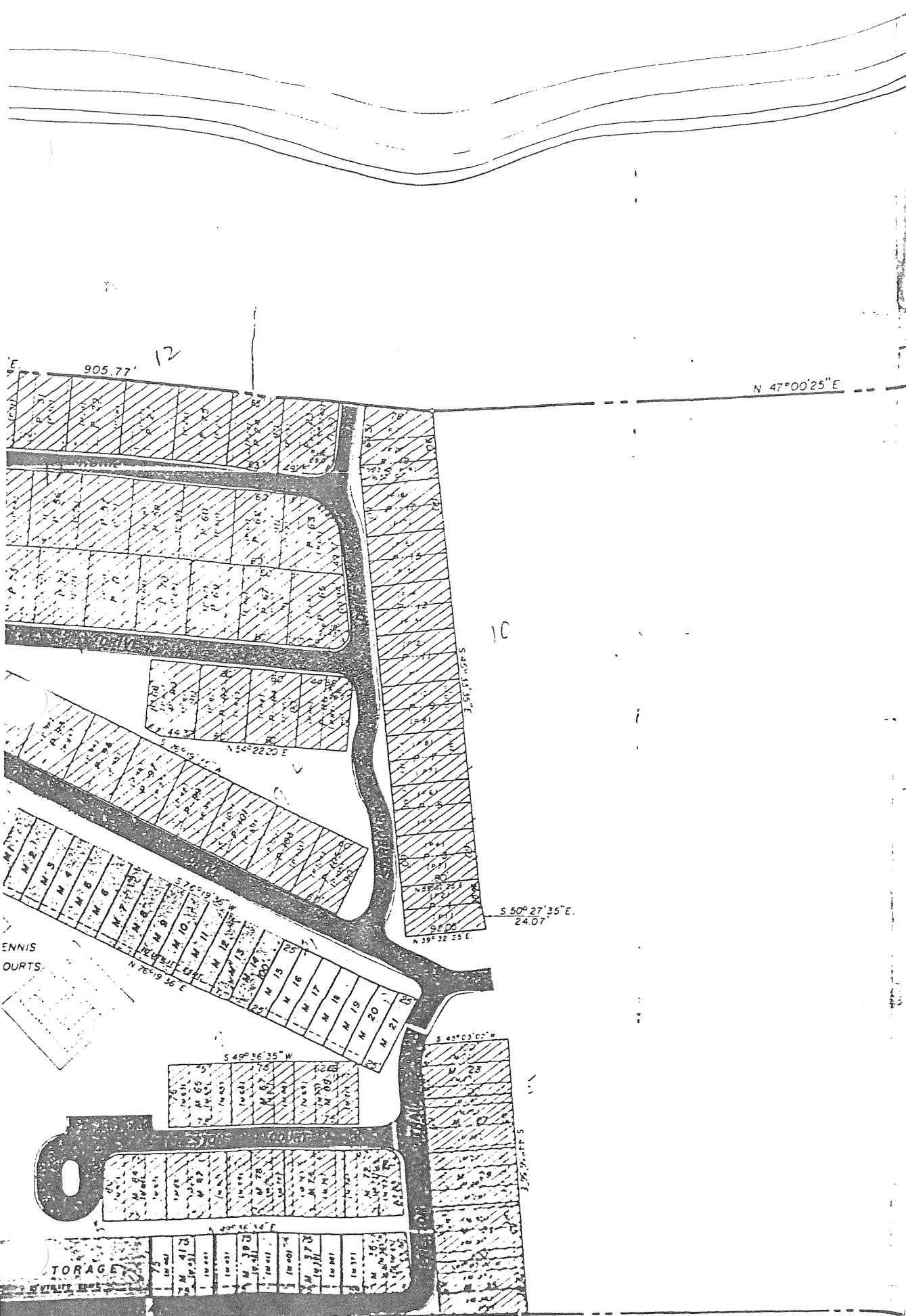
EXHIBIT A

ING a tract or parcel of land in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas, being a part of a 106.66 acre tract of land conveyed to James W. Reese, Jr., by partition deed dated 25, 1956, and recorded in Volume 53, Page 373, and all of a 20.28 acre tract of land in said survey conveyed to Gifco Development Company from the City of Dallas by deed recorded in Volume 109, Page 405, Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the West line of said 106.66 acre tract, also being in the Northwest Right of Way line of Missouri-Kansas-Texas Railroad, a 100-foot Right of Way, said point also being the Southeast corner of Lakeside Village Phase III, a subdivision to the City of Rockwall, Texas;

- HENCE: North 44° 56' 56" West along the West boundary of said 106.66 acre tract a distance of 391.82 feet to a point for a corner;
- HENCE: North 50° 27' 35" West 103.37 feet to a point for a corner;
- HENCE: North 45° 33' 35" West 606.01 feet to a point in the Northeast corner of Lakeside Village Phase III for a corner;
- HENCE: North 47° 0' 25" East 1,030.25 feet to a point for a corner;
- HENCE: South 72° 52' 05" East 124.25 feet to a point for a corner;
- HENCE: North 40° 18' 25" East 79.75 feet to a point for a corner;
- HENCE: North 19° 09' 05" West 290.00 feet to a monument for a corner;
- HENCE: North 19° 18' 26" West 25.00 feet to a point for a corner;
- HENCE: North 18° 30' 14" East 146.75 feet to a point for a corner;
- HENCE: North 62° 20' 28" East 377.59 feet to a point for a corner;
- HENCE: North 45° 57' 08" East 234.96 feet to a point for a corner;
- HENCE: South 28° 49' 19" East 298.10 feet to a point for a corner;
- HENCE: South 20° 30' 19" East 48.13 feet to a point for a corner;
- HENCE: South 32° 25' 46" East 136.61 feet to a point for a corner;
- HENCE: South 17° 22' 59" East 87.71 feet to a point for a corner;
- HENCE: South 68° 31' 12" East 115.23 feet to a point for a corner;
- HENCE: South 31° 29' 52" East 128.86 feet to a point for a corner;
- HENCE: South 56° 21' 25" East 93.41 feet to a point for a corner;
- HENCE: South 46° 18' 52" East 84.06 feet to a point for a corner;
- HENCE: North 64° 29' 01" East 63.62 feet to a point for a corner;
- HENCE: South 80° 45' 59" East 82.71 feet to a point for a corner;
- HENCE: South 45° 19' 39" East 117.46 feet to a point for a corner;
- HENCE: South 66° 51' 26" East 80.50 feet to a point for a corner;
- HENCE: South 10° 00' 07" West 48.69 feet to a point for a corner;
- HENCE: South 23° 16' 20" East 93.92 feet to a monument in the Northwest line of Missouri-Kansas-Texas Railroad Right of Way, a 100-foot Right of Way;
- HENCE: In a Southwesterly direction along the Northwest Right of Way line of said Missouri-Kansas-Texas Railroad Right of Way along a circular curve to the right having a radius of 5,696.19 feet, through a central angle of 2° 59' 42", an arc distance of 297.74 feet to the Point of Tangency for a corner;
- HENCE: South 49° 38' 28" West 1,651.00 feet to the Point of Beginning and containing 53.67 acres of land.

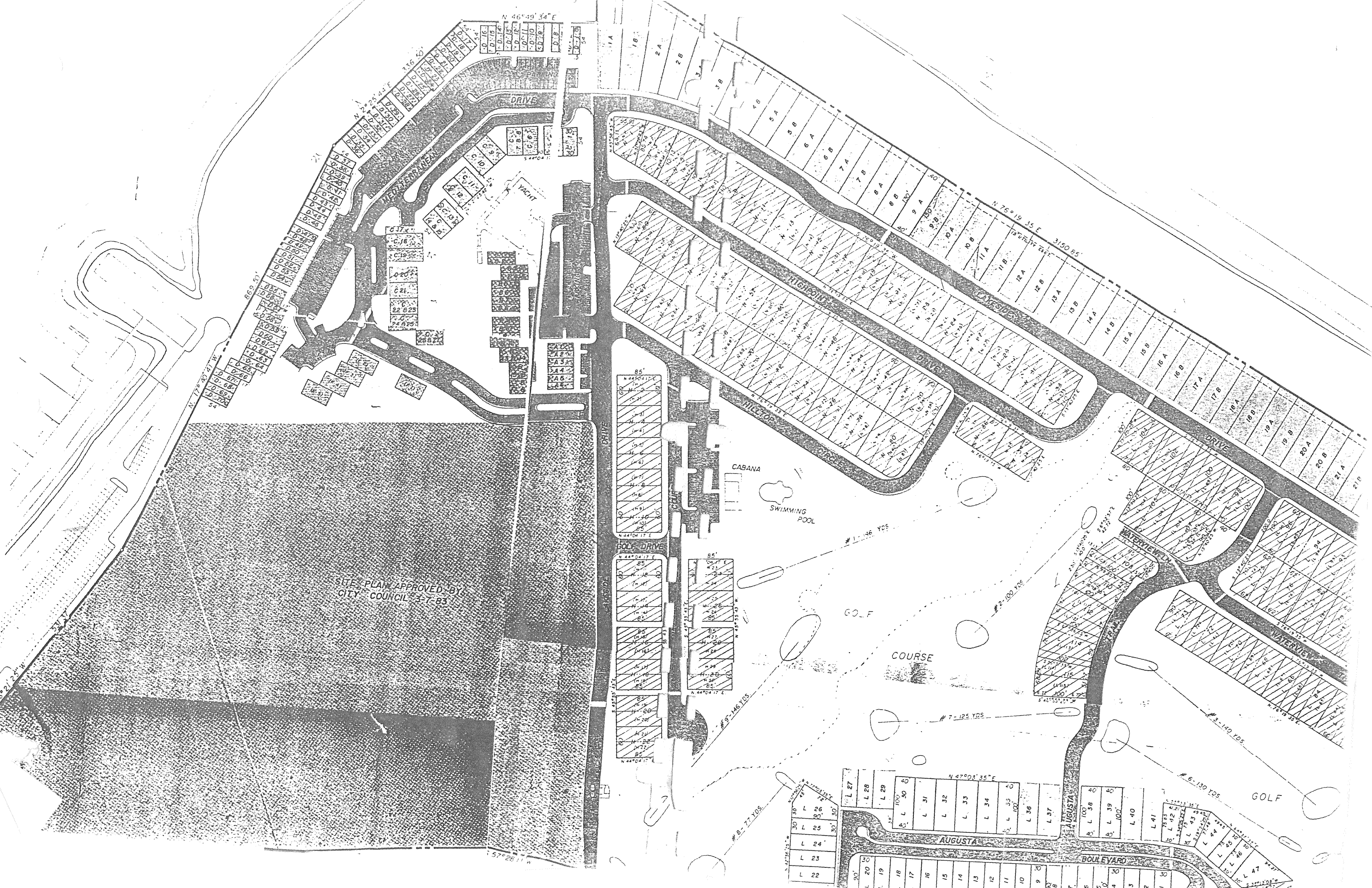
EXHIBIT A

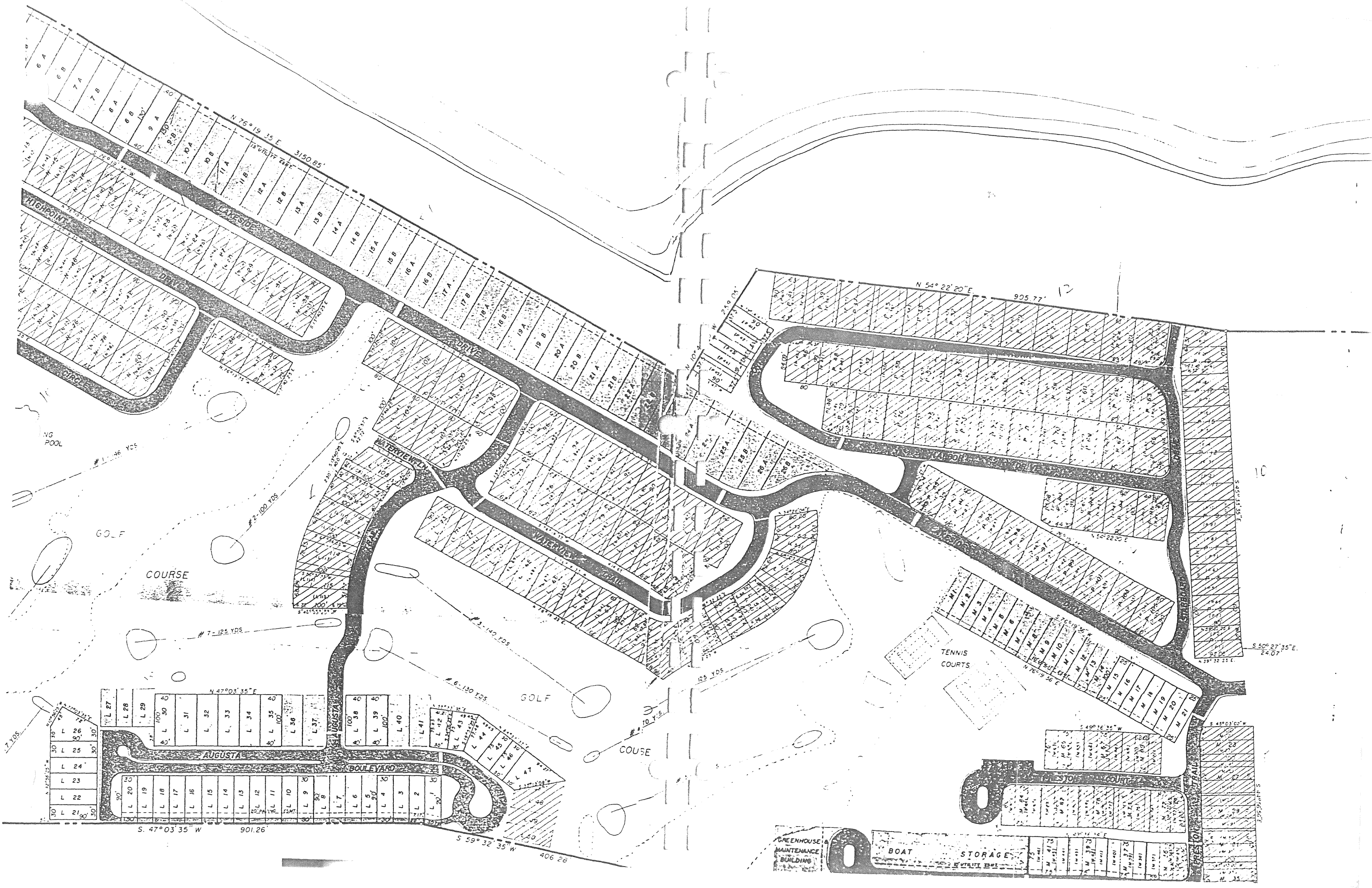


PHASE II
54 ACRES

$\Delta = 2^\circ 59' 42''$
 $R = 5696.19'$
 $T = 148.90'$
 $L = 297.74'$

1216 79' TEXAS RAILROAD 1651.00'





N 75° 19' 35" E 3150.85'

HIGHPOINT DRIVE

6A 6B 7A 7B 8A 8B 9A 9B 10A 10B 11A 11B 12A 12B 13A 13B 14A 14B 15A 15B 16A 16B 17A 17B 18A 18B 19A 19B 20A 20B 21A 21B

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S 47° 03' 35" W 901.26'

S 59° 32' 35" W 406.28'

10

24.07

24.07

ORDINANCE NO. 80-19

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND THE APPROVED SITE PLAN OF PD-2 PLANNED DEVELOPMENT DISTRICT NUMBER 2 TO PERMIT USE OF THE FOLLOWING DESCRIBED PROPERTY FOR A CABLE TELEVISION MONITORING STATION, SUCH TRACT BEING DESCRIBED AS FOLLOWS:

Being a tract of land situated in the William Blevins Survey, Abstract No. 9, Rockwall County, Texas, and being a part of Lakeside Village Phase 2, an addition to the City of Rockwall as recorded in Volume 3, Page 4, Plat Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a point at the South corner of Lot M-62 and on the Northwesterly line of the M.K.&T. Railroad;
THENCE: South 49 deg. 36' 35" West a distance of 100.00 feet along said line of the M.K.&T. Railroad to a point for a corner;
THENCE: North 40 deg. 20' 25" West a distance of 40 feet to a point for a corner;
THENCE: North 49 deg. 36' 35" East a distance of 100 feet to a point for a corner on the Southwest line of M-61;
THENCE: South 40 deg. 20' 25" East a distance of 40 feet with said Southwest line of M-61 and M-62 to the Point of Beginning and Containing 4,000 square feet of Land.

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 approved site plan for "PD-2" Planned Development District Number 2 to permit the use of the following described tract for a cable television monitoring station, said tract being described as follows:

Being a tract of land situated in the William Blevins Survey, Abstract No. 9, Rockwall County, Texas, and being a part of Lakeside Village Phase 2, an addition to the City of Rockwall as recorded in Volume 3, Page 4, Plat Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a point at the South corner of Lot M-62 and on the Northwesterly line of the M.K.&T. Railroad;
THENCE: South 49 deg. 36' 35" West a distance of 100.00 feet along said line of the M.K.&T. Railroad to a point for a corner;
THENCE: North 40 deg. 20' 25" West a distance of 40 feet to a point for a corner;
THENCE: North 49 deg. 36' 35" East a distance of 100 feet to a point for a corner on the Southwest line of M-61;
THENCE: South 40 deg. 20' 25" East a distance of 40 feet with said Southwest line of M-61 and M-62 to the Point of Beginning and Containing 4,000 square feet of Land.

SECTION 2. 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 3. That the above described tract 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 hereby, provided that the amendment of the approved site plan for Planned Development District Number 2 shall affect only the property described herein and said property shall be limited to use for a cable television monitoring station only, subject to the following special conditions:

(a) Prior to the issuance of any building permit for the construction or installation of a cable television monitoring station on the tract of land described herein, a revised site plan for such area shall be filed with and included as Exhibit "A" and made a part of this ordinance for all purposes.

(b) No customer service or sales may be conducted on the tract described herein by any person, whether it be by a licensee or other person operating the cable television monitoring station.

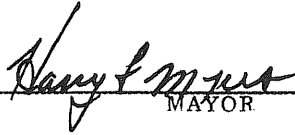
(c) The tower or antenna or any other appurtenance used in connection with the operation of a cable television monitoring station to be placed on the tract described herein shall not exceed a maximum height of fifteen feet (15').

SECTION 4. 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 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 5. 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 8th DAY OF SEPTEMBER, 1980.

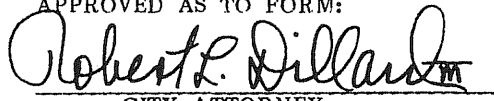
APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY

ORDINANCE NO. 84-53

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 83-23 OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED, SO AS TO AMEND THE APPROVED DEVELOPMENT PLAN AND AREA REQUIREMENTS FOR PHASES I, II, III AND IV PD-2 LAKESIDE VILLAGE; ATTACHING THE APPROVED DEVELOPMENT PLAN AS EXHIBIT "A"; PROVIDING FOR AREA REQUIREMENTS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR 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, 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, provided that the amendment of the approved development plan for Phases I, II, III, and IV of Planned Development No. 2 shall affect only the property shown thereon and said property shall be limited to the uses, area, setback and other requirements set forth thereon and in this ordinance subject to the following conditions:

- (a) That the development plan attached hereto as Exhibit "A" and made a part hereof shall control the development of Phases I, II, III, and IV of PD No. 2 and any and all such development shall be in strict accordance with such development plan.
- (b) That the area requirements attached hereto as Exhibit "B" and made a part hereof shall apply to all development of Phases I, II, III, and IV of PD No. 2 and any and all such development shall be in strict conformance with such area requirements.

(c) No substantial change in development of Lakeside Village Phases I, II, III, or IV shall be permitted except after obtaining approval of the change of such development through amendment of this development plan or other changes in the Comprehensive Zoning Ordinance applicable to PD No. 2 in the manner required for changes or amendments to the Comprehensive Zoning Ordinance.

SECTION 2. 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 ONE THOUSAND DOLLARS (\$1,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

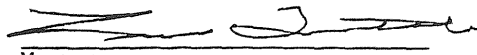
SECTION 3. If any section subsection, sentence, phrase, word, paragraph, provision of this ordinance or the application of that section, subsection, sentence, phrase, paragraph, or provision to any person, firm, corporation, situation, circumstance if for any reason is judged invalid, the adjudication shall not affect any other section, sentence, phrase, word, paragraph, or provision of this ordinance or the application of any other section, subsection, sentence, phrase, paragraph or provision to any other person, firm, corporation, situation, or circumstance, nor shall adjudication affect any other section, subsection, sentence, phrase, paragraph, or provision of the Comprehensive Zoning Ordinance 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 the provisions of this ordinance are declared to be severable.

SECTION 4. 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 5. 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 5th day of November, 1984,

APPROVED:



Mayor

ATTEST:



City Secretary

EXHIBIT "B"

LAKESIDE VILLAGE PHASES I, II, III, IV

AREA REQUIREMENTS

There shall be three type of designations in the development: Single Family Detached (SFD), Single Family Attached (SFA), and Townhouse (TH).

1. Maximum number of single family dwellings per lot - SFD - 1
SFA - 1
TH - 1
2. Minimum lot area - SFD - 2,700 square feet
SFA - 2,700 square feet
TH - 750 square feet
3. Minimum square footage per dwelling unit - SFD - 1,200 square feet
SFA - 1,200 square feet
TH - 800 square feet
4. Minimum frontage on street - SFD - 15 feet
SFA - 15 feet
TH - Not applicable
5. Minimum lot depth - SFD - 70 feet
SFA - 70 feet
TH - 50 feet
6. Minimum depth of front setback -
 - a) Front Entry Garage - SFD - 20 feet
SFA - 20 feet
TH - Not applicable
 - b) Rear or Side Entry Garage - SFD - 10 feet
SFA - 10 feet
TH - Not applicable
7. Minimum width of side setback -
 - a) Abutting Structures separated by a fire retardant wall - SFD - N/A
SFA - 0 ft
TH - 0 Ft
 - b) Internal lot - SFD - 5 feet
SFA - 5 feet
TH - 5 ft.
 - c) Zero lot line abutting adjacent side yard - SFD - 0 feet
SFA - 0 feet
TH - 0 feet
 - d) Side yard setback abutting street -
SFA - Lots with widths of less than 30 feet - 0 feet
Lots with widths of at least 30 feet - 10 feet
TH - Lots with widths of less than 30 feet - 0 feet
Lots with widths of at least 30 feet - 10 feet
SFD - 10 ft.

Townhouses separated by fire retardant walls meeting the requirements of the building code may build to the property line where such structures abut.

Where one or more lots have been combined to establish new property lines, all references to the side lot line shall refer to the new property line.

8. Minimum rear setback - SFD - 7½ feet
SFA - Lots L1 - L20 - 20 feet
All other lots - 7½ feet
TH - 7½ feet
9. Minimum separation between attached buildings -
SFD - Not applicable
SFA - Every 250 feet there shall be a minimum of 10 feet between buildings
TH - Every 250 feet there shall be a minimum of 10 feet between buildings
10. Maximum number of attached units -
SFD - Not applicable
SFA - 12 units up to a maximum of 250 feet
TH - 12 units up to a maximum of 250 feet
11. Maximum height of structures - SFD - 42 feet
SFA - 42 feet
TH - 42 feet
12. Minimum number of off-street parking spaces - SFD - 2 spaces
SFA - 2 spaces
TH - 2 spaces

An enclosed garage shall not be considered in meeting the off-street parking requirements.

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 AND APPROVE A DEVELOPMENT PLAN FOR PD-2: TURTLE COVE, MORE FULLY DESCRIBED HEREIN; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR 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 approve a zoning change and development plan for "PD" Planned Development District Number 2: Turtle Cove on the property specifically described in Exhibit "A".

SECTION 2. That Planned Development District Number 2: Turtle Cove 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. 2: Turtle Cove to the above described tract of land is subject to the following special conditions:

- A. Prior to the issuance of any building permit in Planned Development District No. 2: Turtle Cove, a comprehensive development plan shall be filed with the Planning and Zoning Commission, and after appropriate recommendation by the Commission, and after hearing, the City Council shall approve a final development plan, which shall be filed and included as Exhibit "B" and made a part of this ordinance for all purposes. Such development 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. All development of property covered by Planned Development District No. 2: Turtle Cove shall be in accordance with the provisions of this ordinance and the finally approved comprehensive site plan and list of approved uses, 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.
- C. Development of Planned Development Number 2: Turtle Cove shall be regulated by the requirements listed in Exhibit "C".

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 ONE THOUSAND DOLLARS (\$1,000) 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, subsection, sentence, phrase, paragraph, provision of this ordinance or the application of that section, subsection, sentence, phrase, paragraph, or provision to any person, firm, corporation, situation, circumstance is for any reason judged invalid, the adjudication shall not affect any other section, sentence, phrase, word, paragraph, or provision of this ordinance or the application of any other section, subsection, sentence, phrase, paragraph or provision to any other person, firm, corporation, situation, or circumstance, nor shall adjudication affect any other section, subsection, sentence, phrase, 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 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 18th day of March, 1985.

ATTEST:

APPROVED:



City Secretary



Mayor

EXHIBIT A

BEING a tract or parcel of land in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas, and being a part of a 106.66 acre tract of land conveyed to James W. Reese, Jr., by partition deed dated January 25, 1956, and recorded in Volume 53, Page 373, and all of a 20.28 acre tract of land in said survey conveyed to Gifco Development Company from the City of Dallas by deed recorded in Volume 109, Page 405, Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the West line of said 106.66 acre tract, also being in the Northwest Right of Way Line of Missouri-Kansas-Texas Railroad, a 100-foot Right of Way, said point also being the Southeast corner of Lakeside Village Phase III, a subdivision to the City of Rockwall, Texas;

THENCE: North 44° 56' 56" West along the West boundary of said 106.66 acre tract a distance of 391.82 feet to a point for a corner;

THENCE: North 50° 27' 35" West 103.37 feet to a point for a corner;

THENCE: North 45° 33' 35" West 606.01 feet to a point in the Northeast corner of Lakeside Village Phase III for a corner;

THENCE: North 47° 0' 25" East 1,030.25 feet to a point for a corner;

THENCE: South 72° 52' 05" East 124.25 feet to a point for a corner;

THENCE: North 40° 18' 25" East 79.75 feet to a point for a corner;

THENCE: North 19° 09' 05" West 290.00 feet to a monument for a corner;

THENCE: North 19° 18' 26" West 25.00 feet to a point for a corner;

THENCE: North 18° 30' 14" East 146.75 feet to a point for a corner;

THENCE: North 62° 20' 28" East 377.59 feet to a point for a corner;

THENCE: North 45° 57' 08" East 234.96 feet to a point for a corner;

THENCE: South 28° 49' 19" East 298.10 feet to a point for a corner;

THENCE: South 20° 30' 19" East 48.13 feet to a point for a corner;

THENCE: South 32° 25' 46" East 136.61 feet to a point for a corner;

THENCE: South 17° 22' 59" East 87.71 feet to a point for a corner;

THENCE: South 68° 31' 12" East 115.23 feet to a point for a corner;

THENCE: South 31° 29' 52" East 128.86 feet to a point for a corner;

THENCE: South 56° 21' 25" East 93.41 feet to a point for a corner;

THENCE: South 46° 18' 52" East 84.06 feet to a point for a corner;

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THENCE: South 80° 45' 59" East 82.71 feet to a point for a corner;

THENCE: South 45° 19' 39" East 117.46 feet to a point for a corner;

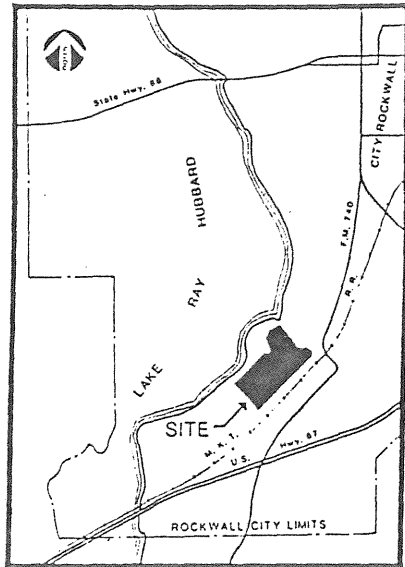
THENCE: South 66° 51' 26" East 80.50 feet to a point for a corner;

THENCE: South 10° 00' 07" West 48.69 feet to a point for a corner;

THENCE: South 23° 16' 20" East 93.92 feet to a monument in the Northwest line of Missouri-Kansas-Texas Railroad Right of Way, a 100-foot Right of Way;

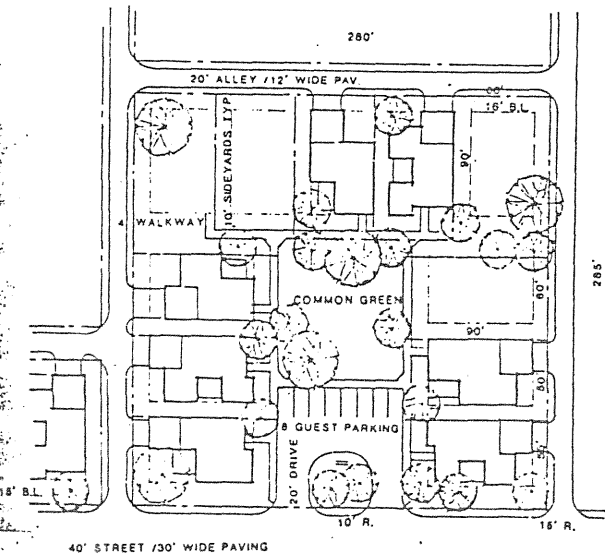
THENCE: In a Southwesterly direction along the Northwest Right of Way line of said Missouri-Kansas-Texas Railroad Right of Way along a circular curve to the right having a radius of 5,696.19 feet, through a central angle of 2° 59' 42", an arc distance of 297.74 feet to the Point of Tangency for a corner;

THENCE: South 49° 38' 28" West 1,651.00 feet to the Point of Beginning and containing 53.67 acres of land



LOCATION MAP

LAKESIDE DRIVE TO BE AN OPEN STREET OR EMERGENCY ACCESS PER DECISIONS OF HOMEOWNERS ASSOCIATIONS



PATIO HOME CLUSTER LAYOUT
4,500 S.F. MINIMUM LOT SIZE

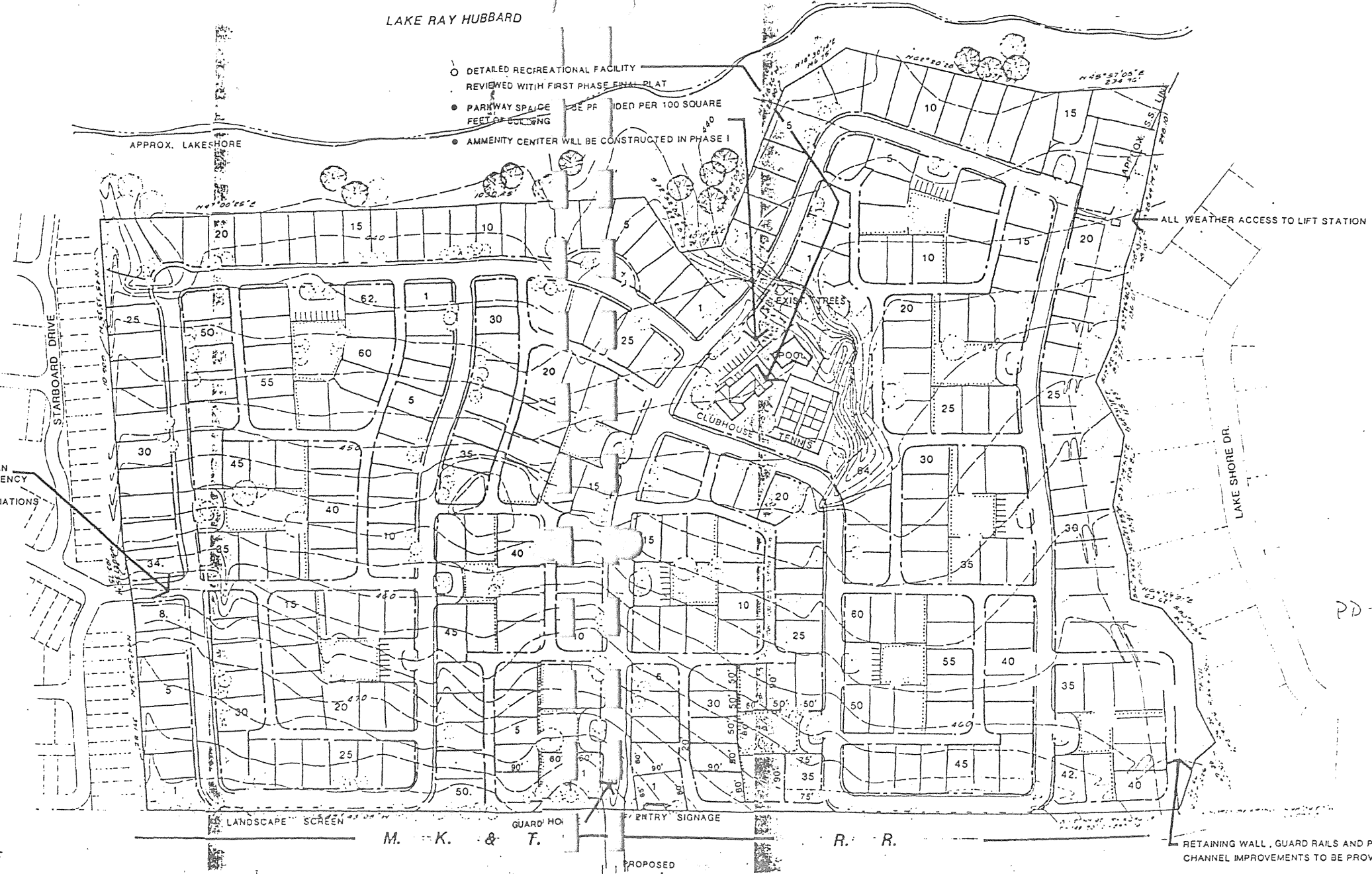
GENERAL NOTES

- RESTRICT PARKING TO ONE SIDE OF STREET WHERE REAR ENTRY HOUSES FACE EACH OTHER
- REQUIRE GARAGES TO HAVE GARAGE DOOR OPENERS BY COVENANT
- ALL OPEN SPACE AND COMMON AREAS TO BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION
- ALL FRONT ENTRY LOTS WILL HAVE A 20' BLDG. SET BACK AND REQUIRE PAVED PARKING FOR TWO CARS OUTSIDE THE GARAGE
- MAXIMUM HEIGHT OF 2 STORIES AND 28 FEET
- MINIMUM 75% MASONRY FACADES
- SPRINKLER SYSTEMS IN COMMON AREAS AND YARDS
- PHASES DEFINED WITH FIRST FINAL PLAT

219 50'x90' REAR ENTRY CLUSTER LOTS
& 76 50'x100' FRONT ENTRY LOTS
WITH 6.4 ACRE COMMON GREEN OPEN SPACES
& 61 GUEST PARKING SPACES.

PRELIMINARY DEVELOPMENT PLAN
TURTLE COVE
Rockwall, Texas

A CLUSTER PATIO HOME DEVELOPMENT
BY SHEFFIELD DEVELOPMENT COMPANY



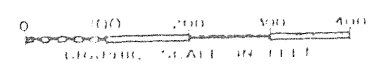
- DETAILED RECREATIONAL FACILITY REVIEWED WITH FIRST PHASE FINAL PLAT
- PARKWAY SPACE TO BE PROVIDED PER 100 SQUARE FEET OF BUILDING
- AMMENITY CENTER WILL BE CONSTRUCTED IN PHASE I

RETAINING WALL, GUARD RAILS AND POST CHANNEL IMPROVEMENTS TO BE PROVIDED

PD-2

PD-2

CARTER & BURGESS, INC.
ENGINEERS - PLANNERS



3rd approved

Exhibit "C" Continued

6. Retaining wall and guard rail provided along northeast alley.
7. All-weather access to lift station.
8. Open space and take line property maintained by homeowners' association.
9. Sprinkler system in common areas and yards.
10. Detailed recreation facility plan with parking reviewed with first phase final plat.
11. Phasing to follow Exhibit "D".
12. No additional drainage onto Lake Ridge Park.
13. All lots above flood level.

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO AMEND THE PRELIMINARY PLAN FOR PD-2, LAKESIDE VILLAGE; PROVIDING FOR A PRIVATE CLUB AS AN ACCESSORY TO A GENERAL RESTAURANT ON THE TRACT MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR 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, 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 so as to approve a change in the preliminary plan for "PD-2" Planned Development District No. 2 to provide for a private club as an accessory to a general restaurant on the tract of land as described in Exhibit "A".

Section 2. That the granting of the change in the preliminary plan "PD-2" Lakeside Village for a private club shall be subject to the following conditions:

The private club shall meet all conditions for the issuance of private club permits set out by the City Council in Ordinance No. 85-2 and any future regulatory ordinances.

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 tract of land described as Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Ordinance 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 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 ONE THOUSAND DOLLARS (\$1,000.00) for each offense 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 or situation 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 or situation, 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 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.

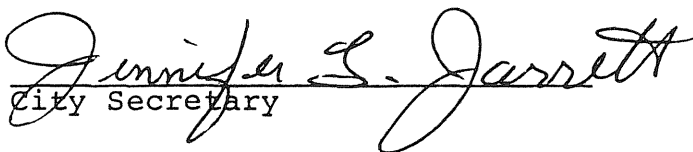
DULY PASSED AND APPROVED this 21st day of April, 1986.

APPROVED:



Mayor

ATTEST:



City Secretary

1st reading 4/14/86

2nd reading 4/21/86

EXHIBIT "A"

LAKESIDE VILLAGE PROPERTY DESCRIPTION

Beginning at a concrete monument stamped X7-6, said monument being the most northerly corner of a 27.72 acre tract of land remaining after a 41.0 acre conveyance to the City of Dallas from said tract;

Thence: south 45°55'43" east a distance of 709.0 ft. to an iron pin for a corner;

Thence: south 43°56'35" west a distance of 820.81 ft. to an iron pin for a corner set on the takeline of Lake Ray Hubbard;

Thence: following said takeline north 17°40'41" west a distance of 569.5 ft. to a concrete monument stamped X7-4 north 2°25'44" east a distance of 336.5 ft. to a monument stamped X7-5 and north 46°49'34" east a distance of 300.13 ft. to the Place of Beginning and containing 10.0 acres of land, but expressly excluding all land within the boundaries of any and all platted lots contained in the above described property.

ORDINANCE NO. 92-8

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ORDINANCE NO. 85-16 OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A ZONING CHANGE AND AMEND A PRELIMINARY PLAN FOR PD-2, TURTLE COVE, MORE FULLY DESCRIBED HEREINAFTER; 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, DCT Investment Corp., has requested consideration of an amendment to a portion of PD-2 known as Turtle Cove, further described herein, to amend certain area requirements 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 and Ordinance No. 85-16 of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended so as to approve a change in the approved Exhibit "C" attached to Ordinance 85-16 to amend the Minimum side setback requirements to read as follows for "PD-2" Planned Development District No. 2, Turtle Cove, further described on the attached Exhibit "A", which is made a part hereof.

EXHIBIT C

Minimum Side Setback _____ "10% of lot width"
Adjoining street _____ 15 ft.

All area requirements not specifically listed herein shall comply with the requirements set forth on Exhibit "C" attached to Ordinance 85-16, or, if not listed under Ordinance 85-16, as set forth in the corresponding standard zoning classification for such use.

Section 2. All development of property covered by Planned Development District No. 2, Turtle Cove, 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.

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.

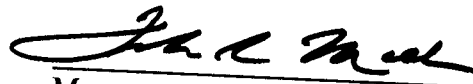
Section 4. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation, or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application 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.

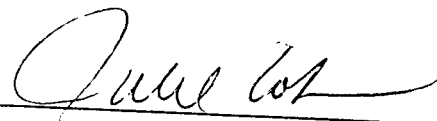
DULY PASSED AND APPROVED this 6th day of April, 1991.

APPROVED:



Mayor

ATTEST:

By: 

1st reading March 16, 1992
2nd reading April 6, 1992

EXHIBIT A

BEING a tract or parcel of land in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas and being a part of a 106.66 acre tract of land conveyed to James W. Reese, Jr., by partition deed dated January 25, 1956, and recorded in Volume 53, Page 373, and all of a 20.28 acre tract of land in said survey conveyed to Gifco Development Company from the City of Dallas by deed recorded in Volume 109, Page 405, Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the West line of said 106.66 acre tract, also being in the Northwest Right of Way Line of Missouri-Kansas-Texas Railroad, a 100-foot Right of Way, said point also being the Southeast corner of Lakeside Village Phase III, a subdivision to the City of Rockwall, Texas;

THENCE: North 44° 56' 56" West along the West boundary of said 106.66 acre tract a distance of 391.82 feet to a point for a corner;

THENCE: North 50° 27' 35" West 103.37 feet to a point for a corner;

THENCE: North 45° 33' 35" West 606.01 feet to a point in the Northeast corner of Lakeside Village Phase III for a corner;

THENCE: North 47° 0' 25" East 1,030.25 feet to a point for a corner;

THENCE: South 72° 52' 05" East 124.25 feet to a point for a corner;

THENCE: North 40° 18' 25" East 79.75 feet to a point for a corner;

THENCE: North 19° 09' 05" West 290.00 feet to a monument for a corner;

THENCE: North 19° 18' 26" West 25.00 feet to a point for a corner;

THENCE: North 18° 30' 14" East 146.75 feet to a point for a corner;

THENCE: North 62° 20' 28" East 377.59 feet to a point for a corner;

THENCE: North 45° 57' 08" East 234.96 feet to a point for a corner;

THENCE: South 28° 49' 19" East 298.10 feet to a point for a corner;

THENCE: South 20° 30' 19" East 48.13 feet to a point for a corner;

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THENCE: South 68° 31' 12" East 115.23 feet to a point for a corner;

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THENCE: South 46° 18' 52" East 84.06 feet to a point for a corner;

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THENCE: South 45° 19' 39" East 117.46 feet to a point for a corner;

THENCE: South 66° 51' 26" East 80.50 feet to a point for a corner;

THENCE: South 10° 00' 07" West 48.69 feet to a point for a corner;

THENCE: South 23° 16' 20" East 93.92 feet to a monument in the Northwest line of Missouri-Kansas-Texas Railroad Right of Way, a 100-foot Right of Way;

THENCE: In a Southwesterly direction along the Northwest Right of Way line of said Missouri-Kansas-Texas Railroad Right of Way along a circular curve to the right having a radius of 5,696.19 feet, through a center angle of 2° 59' 42", an arc distance of 297.74 feet to the Point of Tangency for a corner;

THENCE: South 49° 38' 28" West 1,651.00 feet to the Point of Beginning and containing 53.67 acres of land

ORDINANCE NO. 92-23

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ORDINANCE NO. 84-53 OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A ZONING CHANGE AND AMEND A PRELIMINARY PLAN FOR PD-2, LAKESIDE VILLAGE, MORE FULLY DESCRIBED HEREINAFTER; 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, the Lakeside Village Homeowners Association has requested consideration of an amendment to a portion of PD-2 known as Phases 1, 2, 3, and 4 of Lakeside Village to amend certain area requirements 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 84-53 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 and Ordinance No. 84-53 of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended so as to approve a change in the approved Exhibit "B" attached to Ordinance 84-53 to amend the minimum square footage per dwelling unit requirements, and rear setback requirements on certain lots to read as follows for "PD-2" Planned Development District No. 2, Lakeside Village, further described as all of Phases 1, 2, 3, and 4 of Lakeside Village filed of record as additions to the City of Rockwall. (Added language shown in bold.)

EXHIBIT B

1. Minimum square footage per dwelling unit, excluding garage -

SFD - 1800 square feet

SFA - 1800 square feet

TH - 1200 square feet"

8. Minimum Rear Setback -

SFD - 7 1/2 feet

SFA - Lots L1 - L20 - 20 feet

All other lots - 7 1/2 feet

TH - "Lots D63-D70, and Lots F1-F5 - 0 feet

All other lots" - 7 1/2 feet

Section 2. All development of property covered by Planned Development District No. 2, Lakeside Village, 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.

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 17th day of August, 1992.

APPROVED:



Mayor

ATTEST:

By: Hilda Crangle

1st reading August 3, 1992
2nd reading August 17, 1992

ORDINANCE NO. 96-6

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED AND ORDINANCE ~~85-16~~SO AS TO AMEND A PORTION OF PLANNED DEVELOPMENT NO.2, "PD-2" WHICH IS MORE FULLY DESCRIBED IN EXHIBIT "A", BY ALLOWING "SINGLE FAMILY", "OPEN SPACE", "RECREATION USES ", AND MUNICIPAL USES MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; AMENDING THE DEVELOPMENT PLAN FOR A PORTION OF PD-2; ADOPTING AREA REQUIREMENTS; CORRECTING THE OFFICIAL ZONING MAP; 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; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a change in the classification of a zoning district has been requested by Ashton Custer ,LLC for the property more specifically described in Exhibit "A" attached hereto; 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, and ordinance~~85-16~~ be and the same are hereby amended by amending a portion of Planned Development No. 2, "PD-2", further described in Exhibit "A", attached hereto and made a part hereof.

SECTION 2. That the property described in Exhibit "A" shall be used only in the manner and for the purposes and with the conditions provided for in Exhibits "B", & "C" and the Comprehensive Zoning Ordinance and the Standards of Design 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. Items not specifically addressed in this ordinance shall comply with the Zoning Ordinance No. 83.23 as amended, Engineering Standards of Design and Code of Ordinances, as currently approved or 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, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 shall remain in full force and effect.

SECTION 5. 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 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 case provides.

DULY PASSED AND APPROVED this 4th day of March, 1996

ATTEST:

APPROVED:

BY 


Mayor

1st reading 2-19-96

2nd reading 3-4-96

EXHIBIT "A"

ITC10448

BEING a tract of land situated in the E.P. Gains Chism Survey, Abstract No. 64, in the City of Rockwall, Rockwall County, Texas, and being part of a 106.66 acre tract of land conveyed to James W. Reese, Jr., by partition Deed recorded in Volume 53, Page 373, Deed Records, Rockwall County a part of now being platted as Turtle Cove, an Addition to the City of Rockwall, Texas, recorded in Slide B, Pages 235-236, and the replat of Turtle Cove Addition, Blocks C and D, recorded in Slide C, Pages 164-165, Plat Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for a corner in the northwesterly right of way of the M.K. & T. Railroad (a 100' R.O.W.) said corner also being the southeast corner of Lakeside Village, Phase 3, an Addition to the City of Rockwall, recorded in Volume 3, Page 18, Plat Records of Rockwall County, Texas;

THENCE N 44 deg. 58' 27" W, along the northeast line of said addition a distance of 391.82 feet to a 5/8" iron rod found for corner,

THENCE N 50 deg. 29' 22" W, continuing with said northeast line a distance of 103.65 feet to a 5/8" iron rod found for corner,

THENCE N 45 deg. 33' 32" W, continuing with said northeast line a distance of 606.00 feet to a 1/2" iron rod found for corner at the north corner of the aforementioned Lakeside Village, Phase 3 addition and on the City of Dallas Take Line for Lake Ray Hubbard;

THENCE along said Take Line the following:

N 46 deg. 59' 32" E a distance of 1029.96 feet to a concrete monument marked X2-2;

S 73 deg. 08' 40" E a distance of 124.22 feet to a concrete monument marked X2-3;

N 40 deg. 28' 42" E a distance of 79.43 feet to a concrete monument marked X2-4

N 19 deg. 14' 18" W a distance of 315.36 feet to a concrete monument with a broken top;

N 18 deg. 36' 27" E a distance of 146.82 feet to a concrete monument with a broken top;

N 62 deg. 24' 37" E a distance of 377.56 feet to a 5/8" iron rod found;

N 46 deg. 01' 56" E a distance of 235.06 feet to a 5/8" iron rod found;

1060

113

PAGE

PAGE 114
VOL 1060

S 28 deg. 45' 43" E a distance of 298.16 feet to a 5/8" iron rod found in the bed of a creek on the southwesterly line of Lake Ridge Park, an Addition to the City of Rockwall;

THENCE along the southwesterly line of Lake Ridge Park and the meanders of said creek the following:

S 20 deg. 52' 17" E a distance of 48.01 feet;

S 32 deg. 13' 39" E a distance of 136.61 feet;

S 17 deg. 19' 55" E a distance of 87.71 feet;

S 68 deg. 28' 08" E a distance of 115.23 feet;

S 31 deg. 26' 48" E a distance of 128.86 feet;

S 56 deg. 18' 21" E a distance of 93.41 feet;

S 46 deg. 15' 48" E a distance of 84.06 feet;

N 64 deg. 32' 05" E a distance of 63.62 feet;

S 80 deg. 42' 55" E a distance of 82.71 feet;

S 45 deg. 16' 35" E a distance of 117.46 feet;

S 66 deg. 48' 22" E a distance of 80.50 feet;

S 10 deg. 03' 11" W a distance of 48.69 feet;

S 23 deg. 04' 06" E a distance of 93.78 feet to a concrete monument marked X1-5 on the aforementioned northwest line of the M.K. & T. Railroad right of way and also being the beginning of a curve to the right having a central angle of 2 deg. 46' 02" a radius of 5696.19 and a chord bearing of S 48 deg. 12' 20" W, 275.07 feet;

THENCE along said curver and northwest line in a southwesterly direction an arc distance of 275.11 feet to a 5/8" iron rod found for corner;

THENCE: S 49 deg. 35' 21" W continuing along said northwest line a distance of 1671.74 feet to the POINT OF BEGINNING and containing 53.6337 acres of land.

SAVE AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

FROM HAGEN & PARSONS P.C.

11.21.1995 15:32

NOV 21 '95 03:37PM

OCT-31-95 TUE 11:34

HERITAGE TITLE CO.

~~PHS NO. 2.7~~

1060

115

BEING LOT 12, BLOCK B, AND LOTS 15,16,17 AND 18, BLOCK E OF TURTLE
COVE ADDITION AND LOTS 4,5,AND 9, BLOCK C OF THE REPLAT OF TURTLE
COVE ADDITION.

TURTLE COVE REVISED PD-2 & DEVELOPMENT PLAN
Exhibit C
 February 9, 1996

- * The acreage indicated deletes the 8 owner occupied dwellings.
- ** The lot width may vary to allow flexibility of product widths without revising the Revised Development Plan. The lots shown on the Development Plan with a (*) can have less than 60' of frontage and 4,500 square foot lot area.
- *** The front yard setback at the garage doors will be 20 FT on front entry lots. In the case of swing in garages at the front or corner side yard, the setback at the front garage face at the street facing wall may be 10 foot.
- **** The depth of the drive will be 20 FT on rear loading lots; however, it may overlap 2 FT into the private alley easement.

■ **Other Standards:**

1. All private access utility easements will be privately owned and maintained by the developer and subsequently the Homeowner's Association.
2. Two stack spaces for automobiles will be provided between the guard gate and the MKT Railroad.
3. Lakeside Drive will be an open street or emergency access as decided by the Homeowner's Association.
4. Parking will be restricted to one side of the street where rear entry lots face each other.
5. All weather access will be provided to the lift station as indicated on the Revised Development Plan.
6. Private open space area will be maintained by the Homeowner's Association.
7. The take-line property along Lake Ray Hubbard will be mowed by the Homeowner's Association. Access to the lake property may be provided through the subdivision for the homeowner's use. Neither the Homeowner's Association, nor the developer will be responsible for any erosion control devices or measures or any other maintenance not specifically stated above which may be needed now or in the future within the lake take-line property.
8. Sprinkler systems will be provided in private open space areas.
9. All lots will be above the flood level.
10. The lift station and the lot area it occupies will be deeded over to the City of Rockwall for their ownership and maintenance of the facility, including regular mowing of the lot, similar to the schedule entailed for landscape maintenance of the Private Open Space maintained by the Homeowner's Association.
11. The lift station is currently surrounded by a chain link fence and shrubs which screen the facility from view. The adjacent side yard lot fencing to either side of the lift station will additionally shield the facility from view.
12. A treescape plan will be submitted based on the tree ordinance requirements.

Access for maintenance to the open space adjacent to the creek on the north side of the development must be provided. exact location of access will be determined at the time that phase is platted

TURTLE COVE REVISED PD-2 & DEVELOPMENT PLAN

Exhibit C

February 9, 1996

- **Allowed Uses:** Single Family Detached Dwellings
Recreation Facilities
Guard House and Related Facilities

- **Area Requirements:**

• Total Acreage.....	53.6337 Gross Acres
Rezoning Area.....	52.7225 Net Acres*
• Total Quantity of Lots.....	231
Occupied/Built Lots.....	8
Quantity of Lots in Rezoning Area.....	223
Rear Entry Lots.....	168
Front Entry Lots.....	55
• Overall Dwellings Per Acre.....	4.31 DU's/Gross Acre
• Minimum Lot Area.....	5,400 SF**
• Maximum Units Per Lot.....	1
• Minimum SF Per Unit.....	1,500 SF
• Minimum Lot Width.....	60 FT**
• Minimum Lot Width at Cul-de-sac & Elbow Measured at Setback	50 FT
• Minimum Lot Depth.....	90 FT
• Minimum Front Yard Setback.....	10 FT ***
• Minimum Rear Yard Setback.....	10 FT
• Minimum Side Yard Setback.....	5 FT
• Minimum Side Yard Setback..... Adjoining a Street	10 FT
• Minimum Depth Rear Driveway.....	20 FT*****
• Minimum Depth Front Driveway.....	20 FT***
• Maximum Height.....	2 Stories/34 FT
• Minimum Masonry Facade.....	75 Percent
• Parking:	
At Cluster Areas.....	30
At Recreation Center.....	20
• Private Open Space Area:.....	192,193 SF
• Maximum Lot Coverage.....	60%

ORDINANCE NO. 96-24

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AND ORDINANCE NO, 84-53 AS HERETOFORE AMENDED SO AS TO AMEND THE APPROVED PRELIMINARY PLAN FOR PD-2 ATTACHING THE AMENDING PRELIMINARY PLAN; 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; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the Preliminary Plan for portions of PD-2, as described in Exhibit "A" has been submitted by Kirby Albright; 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 amending the approved Preliminary Plan for PD-2 for the area identified in Exhibit "A". That said amended Preliminary Plan is attached hereto and made apart hereof for all purposes.

SECTION 2. That the tract identified in Exhibit "A" shall be used only in the manner and for the purposes and with the conditions provided for herein and the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting this amendment to the approved Preliminary Plan for PD-2 shall affect only the property described in 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 area in Exhibit "A", shall shall comply with the area, use and all other requirements of the Zero-lot line zoning district requirements of the Comprehensive Zoning Ordinance as currently adopted or as may hereafter amended. Except that

the homes lots can be either have one zero side setback or can be center loaded with a 5' side setback. Once a determination has been made regarding the a zero or center loaded homes, all homes must comply with that determination.

SECTION 4. No substantial change in development of the area as shown in Exhibit "A" shall be permitted except after obtaining approval of the change of such development through amendment of the Preliminary Plan in the manner required for changes or amendments to the Comprehensive Zoning Ordinance.

SECTION 5. Prior to or in conjunction with any plat submittal, a concept plan must be submitted for review and approval by the Planning and Zoning Commission and City Council. The concept plan shall include the following items.

- (I) Identify the location of any amenities planned for the residential areas.
- (ii) A detailed street layout for each phase that will be subject to review and approval by the Planning and Zoning Commission and City Council that identifies the location, type and general design of screening of alleys and along major roads
- (iii) Identify location of neighborhood entry features for each area.

SECTION 8. Items not specifically addressed in this ordinance shall comply with the Zoning Ordinance No. 83.23, Subdivision Ordinance, Engineering Standards of Design, Code of Ordinances, as amended or as may be amended in the future and any other development related ordinances as currently approved or as may be amended or approved in the future.

SECTION 9. 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 10. 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 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 shall remain in full force and effect.

SECTION 11. 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 12. 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 case provides.

DULY PASSED AND APPROVED this 1st day of July, 1996

ATTEST:

APPROVED:

 BY Sheryl R. M... J. Miller
Mayor

1st reading 6/17/96

2nd reading 7/1/96

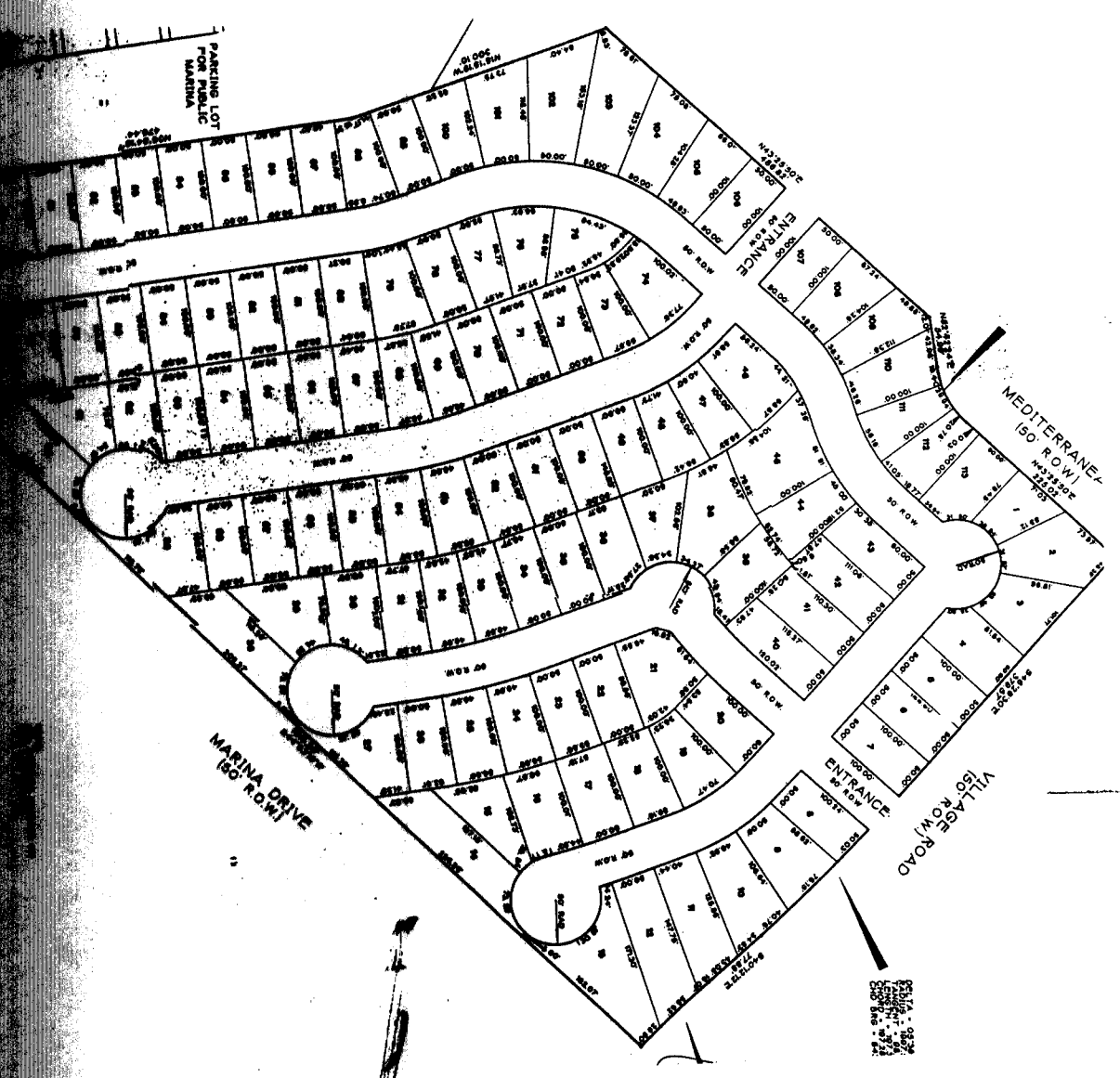


EXHIBIT "A"

ORDINANCE NO. 99-46

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED AND ORDINANCE ~~85-16~~ SO AS TO AMEND A PORTION OF PLANNED DEVELOPMENT NO.2, "PD-2" WHICH IS MORE FULLY DESCRIBED IN EXHIBIT "A", BY ALLOWING "SINGLE FAMILY", "OPEN SPACE", "RECREATION USES ", AND MUNICIPAL USES MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; AMENDING THE DEVELOPMENT PLAN FOR A PORTION OF PD-2; ADOPTING AREA REQUIREMENTS; CORRECTING THE OFFICIAL ZONING MAP; 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; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a change in the classification of a zoning district has been requested by Ashton Custer ,LLC for the property more specifically described in Exhibit "A" attached hereto; 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, and ordinance~~85-16~~ be and the same are hereby amended by amending a portion of Planned Development No. 2, "PD-2", further described in Exhibit "A", attached hereto and made a part hereof.

SECTION 2. That the property described in Exhibit "A" shall be used only in the manner and for the purposes and with the conditions provided for in Exhibits "B", & "C" and the Comprehensive Zoning Ordinance and the Standards of Design 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. Items not specifically addressed in this ordinance shall comply with the Zoning Ordinance No. 83.23 as amended, Engineering Standards of Design and Code of Ordinances, as currently approved or 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, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 shall remain in full force and effect.

SECTION 5. 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 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 case provides.

DULY PASSED AND APPROVED this 1st day of November, 1999

ATTEST:

APPROVED:

BY Belinda Page

Scott L. Self
Mayor

1st reading 10-18-99

2nd reading 11-01-99

EXHIBIT "A"

ITC10448

BEING a tract of land situated in the E.P. Gains Chism Survey, Abstract No. 64, in the City of Rockwall, Rockwall County, Texas, and being part of a 106.66 acre tract of land conveyed to James W. Reese, Jr., by partition Deed recorded in Volume 53, Page 373, Deed Records, Rockwall County a part of now being platted as Turtle Cove, an Addition to the City of Rockwall, Texas, recorded in Slide B, Pages 235-236, and the replat of Turtle Cove Addition, Blocks C and D, recorded in Slide C, Pages 164-165, Plat Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for a corner in the northwesterly right of way of the M.K. & T. Railroad (a 100' R.O.W.) said corner also being the southeast corner of Lakeside Village, Phase 3, an Addition to the City of Rockwall, recorded in Volume 3, Page 18, Plat Records of Rockwall County, Texas;

THENCE N 44 deg. 58' 27" W, along the northeast line of said addition a distance of 391.82 feet to a 5/8" iron rod found for corner,

THENCE N 50 deg. 29' 22" W, continuing with said northeast line a distance of 103.65 feet to a 5/8" iron rod found for corner,

THENCE N 45 deg. 33' 32" W, continuing with said northeast line a distance of 606.00 feet to a 1/2" iron rod found for corner at the north corner of the aforementioned Lakeside Village, Phase 3 addition and on the City of Dallas Take Line for Lake Ray Hubbard;

THENCE along said Take Line the following:

N 46 deg. 59' 32" E a distance of 1029.96 feet to a concrete monument marked X2-2;

S 73 deg. 08' 40" E a distance of 124.22 feet to a concrete monument marked X2-3;

N 40 deg. 28' 42" E a distance of 79.43 feet to a concrete monument marked X2-4

N 19 deg. 14' 18" W a distance of 315.36 feet to a concrete monument with a broken top;

N 18 deg. 36' 27" E a distance of 146.82 feet to a concrete monument with a broken top;

N 62 deg. 24' 37" E a distance of 377.56 feet to a 5/8" iron rod found;

N 46 deg. 01' 56" E a distance of 235.06 feet to a 5/8" iron rod found;

1060

113

PAGE

PAGE
114

S 28 deg. 45' 43" E a distance of 298.16 feet to a 5/8" iron rod found in the bed of a creek on the southwesterly line of Lake Ridge Park, an Addition to the City of Rockwall;

VOL
1060

THENCE along the southwesterly line of Lake Ridge Park and the meanders of said creek the following:

S 20 deg. 52' 17" E a distance of 48.01 feet;

S 32 deg. 13' 39" E a distance of 136.61 feet;

S 17 deg. 19' 55" E a distance of 87.71 feet;

S 68 deg. 28' 08" E a distance of 115.23 feet;

S 31 deg. 26' 48" E a distance of 128.86 feet;

S 56 deg. 18' 21" E a distance of 93.41 feet;

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N 64 deg. 32' 05" E a distance of 63.62 feet;

S 80 deg. 42' 55" E a distance of 82.71 feet;

S 45 deg. 16' 35" E a distance of 117.46 feet;

S 66 deg. 48' 22" E a distance of 80.50 feet;

S 10 deg. 03' 11" W a distance of 48.69 feet;

S 23 deg. 04' 06" E a distance of 93.78 feet to a concrete monument marked X1-5 on the aforementioned northwest line of the M.K. & T. Railroad right of way and also being the beginning of a curve to the right having a central angle of 2 deg. 46' 02" a radius of 5696.19 and a chord bearing of S 48 deg. 12' 20" W, 275.07 feet;

THENCE along said curver and northwest line in a southwesterly direction an arc distance of 275.11 feet to a 5/8" iron rod found for corner,

THENCE: S 49 deg. 35' 21" W continuing along said northwest line a distance of 1671.74 feet to the POINT OF BEGINNING and containing 53.6337 acres of land.

SAVE AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

FROM HAGEN & PARSONS P.C.

OCT-31-95 TUE 11:34

HERITAGE TITLE CO.

11.21.1995 15:32

NOV 21 '95 03:37PM

~~PHASYS 2.7~~

~~000~~

~~1/11~~

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BEING LOT 12, BLOCK B, AND LOTS 15,16,17 AND 18, BLOCK E OF TURTLE
COVE ADDITION AND LOTS 4,5,AND 9, BLOCK C OF THE REPLAT OF TURTLE
COVE ADDITION.

TURTLE COVE REVISED PD-2 & DEVELOPMENT PLAN

Exhibit C

February 9, 1996

- * The acreage indicated deletes the 8 owner occupied dwellings.
- ** The lot width may vary to allow flexibility of product widths without revising the Revised Development Plan. The lots shown on the Development Plan with a (*) can have less than 60' of frontage and 4,500 square foot lot area.
- *** The front yard setback at the garage doors will be 20 FT on front entry lots. In the case of swing in garages at the front or corner side yard, the setback at the front garage face at the street facing wall may be 10 foot.
- **** The depth of the drive will be 20 FT on rear loading lots; however, it may overlap 2 FT into the private alley easement.

■ Other Standards:

1. All private access utility easements will be privately owned and maintained by the developer and subsequently the Homeowner's Association.
2. Two stack spaces for automobiles will be provided between the guard gate and the MKT Railroad.
3. Lakeside Drive will be an open street or emergency access as decided by the Homeowner's Association.
4. Parking will be restricted to one side of the street where rear entry lots face each other.
5. All weather access will be provided to the lift station as indicated on the Revised Development Plan.
6. Private open space area will be maintained by the Homeowner's Association.
7. The take-line property along Lake Ray Hubbard will be mowed by the Homeowner's Association. Access to the lake property may be provided through the subdivision for the homeowner's use. Neither the Homeowner's Association, nor the developer will be responsible for any erosion control devices or measures or any other maintenance not specifically stated above which may be needed now or in the future within the lake take-line property.
8. Sprinkler systems will be provided in private open space areas.
9. All lots will be above the flood level.
10. The lift station and the lot area it occupies will be deeded over to the City of Rockwall for their ownership and maintenance of the facility, including regular mowing of the lot, similar to the schedule entailed for landscape maintenance of the Private Open Space maintained by the Homeowner's Association.
11. The lift station is currently surrounded by a chain link fence and shrubs which screen the facility from view. The adjacent side yard lot fencing to either side of the lift station will additionally shield the facility from view.
12. A treescape plan will be submitted based on the tree ordinance requirements.

Access for maintenance to the open space adjacent to the creek on the north side of the development must be provided. exact location of access will be determined at the time that phase is platted

TURTLE COVE REVISED PD-2 & DEVELOPMENT PLAN

Exhibit C

February 9, 1996

- **Allowed Uses:**
 - Single Family Detached Dwellings
 - Recreation Facilities
 - Guard House and Related Facilities

- **Area Requirements:**

• Total Acreage.....	53.6337 Gross Acres
• Rezoning Area.....	52.7225 Net Acres*
• Total Quantity of Lots.....	231
• Occupied/Built Lots.....	8
• Quantity of Lots in Rezoning Area.....	223
• Rear Entry Lots.....	168
• Front Entry Lots.....	55 60 * - REVISED
• Overall Dwellings Per Acre.....	4.31 DU's/Gross Acre
• Minimum Lot Area.....	5,400 SF**
• Maximum Units Per Lot.....	1
• Minimum SF Per Unit.....	1,500 SF
• Minimum Lot Width.....	60 FT**
• Minimum Lot Width at Cul-de-sac & Elbow Measured at Setback	50 FT
• Minimum Lot Depth.....	90 FT
• Minimum Front Yard Setback.....	10 FT ***
• Minimum Rear Yard Setback.....	10 FT
• Minimum Side Yard Setback.....	5 FT
• Minimum Side Yard Setback..... Adjoining a Street	10 FT
• Minimum Depth Rear Driveway.....	20 FT****
• Minimum Depth Front Driveway.....	20 FT***
• Maximum Height.....	2 Stories/34 FT
• Minimum Masonry Facade.....	75 Percent
• Parking:	
At Cluster Areas.....	30
At Recreation Center.....	20
• Private Open Space Area.....	192,193 SF
• Maximum Lot Coverage.....	60%