

ORDINANCE NO. 88-55

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO GRANT A ZONING CHANGE ON A TRACT OF LAND MORE FULLY DESCRIBE HEREIN; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM DUPLEX TO "PD" PLANNED DEVELOPMENT NO. 30: PROVIDING 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, PD Zoning has been requested by the Housing Authority of Rockwall for the property described as Lots 1, 2, 3 and 4, Block D, Sanger Brothers Addition, 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 of the City of Rockwall should be amended as follows,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended by amending the Zoning Map of the City of Rockwall so as to grant a zoning change from "2F" Duplex to "PD" Planned Development District Number 30 on the property specifically described as Lots 1, 2, 3, and 4, Block D, Sanger Brothers Addition.

SECTION 2. That Planned Development District Number 30 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 Number 30 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. 30 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 "A" 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. 30 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 District No. 30 shall be regulated by the following requirements:
  - 1. Allowed Uses
    - a. Land uses allowed as permitted uses in the "2F" Duplex zoning classification
    - b. A garage/storage building as shown on the approved site plan attached as Exhibit "A"
  - 2. The storage building shall have a minimum internal ceiling height of 9 feet.
  - 3. The storage building roof will have a 4:12 pitch.
  - 4. Any additional buildings will require amendment to the site plan/development plan approved as part of this ordinance.
  - 5. Evergreen shrubs a type included in the approved plant list of the Landscaping Ordinance, Ord. 88-28, will surround the perimeter of the storage building.

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, 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 of this ordinance are declared to be severable.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this 7th day of November, 1988.

APPROVED:

  
Mayor

ATTEST:



1st reading 10/15/88

2nd reading 11/7/88

TRANSMITTAL FORM  
COUNCIL AND BOARD ACTIONS

*Put in PD index  
behind PD-30*

Completed by: Mary Nichols Date: 11/22/88

Type of Request or Action:  Site Plan/Dev.Plan  Zoning Variance  
 Preliminary Plat  Fence Variance - BOA  
 Final Plat  Fence Variance - Council  
 Conditional Use Permit  Sign Variance - BOA  
 Ordinance No. 88-55  Sign Variance - Council  
 Other \_\_\_\_\_

Summary of Request: \_\_\_\_\_

zone change to PD-30

See Attached Drawing

Applicant: U.S. Housing Authority

Location: \_\_\_\_\_

Development: \_\_\_\_\_

Action Taken:  Approved Date Approved: 11/17/88

Council  Denied Effective Date: \_\_\_\_\_

Bd. of Adj.  Approved w/Conditions Expiration Date: \_\_\_\_\_

CUP void if not activated in 6 months

Zoning Variance - void if not activated in 90 days

Conditions (list or attach if any): \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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Attachments:  Site Plan  Plat  
 Elevations  Ordinance  
 Location Map  Correspondence