

ORDINANCE NO. 92-36

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 DESCRIBED HEREIN; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "AG" AGRICULTURAL TO "PD-36" PLANNED DEVELOPMENT NUMBER 36; 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 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a change in zoning from "A" Agricultural to "PD-36" Planned Development 36 on the property described on Exhibit "A" has been requested by JJS Investments; 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 Agricultural to "PD" Planned Development District No. 36 on the property specifically described in Exhibit "A".

SECTION 2. That Planned Development District Number 36 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. 36 to the above described tract of land is subject to the following special conditions:

A. The use of the property covered by Planned Development District No. 36 shall be in accordance with the provisions of this ordinance and the list of approved uses. Any redevelopment of or building expansion on the property covered by Planned Development No. 36 shall first be submitted for site plan approval and, 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.

B. Development of Planned Development District No. 36 shall be regulated by the following requirements:

1. PD- 36 hereby authorizes the uses, area requirements, and development standards of the Highway Commercial zoning category of the Comprehensive Zoning Ordinance as currently adopted, or as revised in the future, except as otherwise provided in this ordinance, and the following additional permitted uses:
 - a. Automotive, paint and body, and other repair services, excluding wrecking yards.
 - b. Tool, dye, guage and machine shop.
 - c. Warehousing and storage.
 - d. The assembly of previously prepared electronic components.
2. Outside storage and display of materials, products, or equipment shall conform to requirements established in the Highway Commerical Zoning Classification.

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) for each offense and each and every day such offense continues 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 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 5th day of October, 1992.


APPROVED

Hilda Crangle
ATTEST

1ST READING 9/21/92

2ND READING 10/5/92

EXHIBIT "A"

of the County of Rockwall State of Texas all that certain
lot, tract or parcel of land situated in Rockwall County, Texas, and being 2.00 acres
out of the A. Hanna Survey, Abstract No. 99, in the City of Rockwall, Texas, according
to the plat/map recorded in Vol. 185, Page 221, of the Map/Plat Records of Rockwall
County, Texas, and being more particularly described as follows:
Being a tract of land situated in the A. Hanna Survey, Abstract No. 99, Rockwall County,
Texas, and being that same tract of land conveyed to James A. Brent and Dwayne Cox, and
recorded in Vol. 86, Page 161 of the Deed Records of Rockwall County, Texas;
BEGINNING at a 1/2 inch iron rod found at the Southeast corner of said 2.0 acre tract,
and being on the North line of Interstate-30, and the East line of said Hanna Survey;
THENCE: South $73^{\circ} 51' 00''$ West, along said North line, 201.15 to a fence corner post,
being at the Southwest corner of said 2.00 acres;
THENCE: North $00^{\circ} 51' 46''$ West, departing said North line, along and near a fence
478.47 feet to a 1/2 inch iron rod set in an existing fence line, and being the North-
west corner of said 2.00 acre tract;
THENCE: South $89^{\circ} 18' 02''$ East, along and near a fence, 194.04 feet to a 1/2 inch iron
rod found at the base of a fence corner post, being at the Northeast corner of said
2.00 acre tract;
THENCE: South $00^{\circ} 51' 17''$ East, 420.14 feet to the PLACE OF BEGINNING, and containing
2.00 acres of land, as surveyed by John B. Fincher, Registered Public Surveyor, by
survey dated March 25, 1987.