

ORDINANCE NO. 94-7

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-40" PLANNED DEVELOPMENT NUMBER 40; 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- 40 " Planned Development 40 on the property described on Exhibit "A" has been requested 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 areas, 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. 40 on the property specifically described in Exhibit "A", attached hereto and made a part hereof.

SECTION 2. That Planned Development District Number 40 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. 40 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. 40 shall be in accordance with the provisions of this ordinance and the list of approved uses. Any development of the property covered by Planned Development No. 40 shall be in compliance with the preliminary plan attached hereto as Exhibit "B", and made a part

hereof, and no substantial change in the development shall be permitted, except after obtaining approval of the change of such preliminary plan in the manner required for changes and amendments to the Comprehensive Zoning Ordinance.

B. Development of Planned Development District No. 40 shall be regulated by the following requirements:

1. PD- 40 hereby authorizes the uses, area requirements, and development standards of the SF-10 zoning category of the Comprehensive Zoning Ordinance as currently adopted, or as revised in the future, except as otherwise provided in this ordinance as follows:
 - a. That the minimum dwelling size shall be 2,500 sq.ft.
 - b. That the lot sizes shall generally be in conformance with the preliminary plan attached hereto.
 - c. That the screening, landscaping, and/or decorative walks be described on the development plan.
 - d. That the applicant include the area requirements on the development plan.
 - e. That the building lines not be less than 50 feet in width.
 - f. That the fire lane between lots 16 and 17 be shown as an emergency access easement and shall be subject to approval by the Fire Marshal.

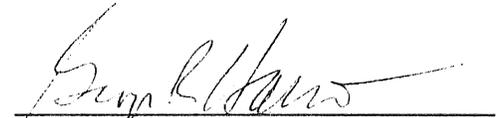
SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000) for each offense and each and every day such offense continues shall be deemed to constitute a separate offense.

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.

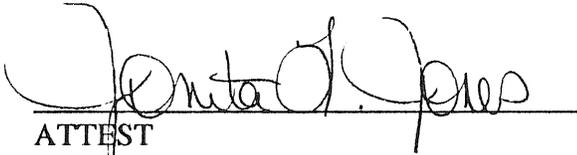
SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed to the extent of that conflict.

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 7th day of February, 1994.



APPROVED *Mayor Pro Tem*



ATTEST

1st Reading: 01-17-94

2nd Reading: 02-07-94

BEING a tract of land situated in the E. Teal Survey, Abstract No. 2072 and being part of that tract of land conveyed as First Tract to Kirby Albright in deed executed by Christine Zollner Ellis, Independent Executrix under the Will of Lucy Zollner Wilkerson, Deceased, and recorded in Volume 69, Page 501, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point in the East line of F.M. Road No. 740 (a 80.0' R.O.W.), said point also being the Southwest corner of that 5.00 acre tract of land conveyed to Kirby Albright by deed recorded in Volume 80, Page 9, Deed Records, Rockwall County, Texas;

THENCE: South 84° 30' East a distance of 1122.20 feet along the South line of said 5.00 acre tract to a point for a corner;

THENCE: North 06° 03' East a distance of 250.00 feet to a point for a corner on the South line of Shadydale Lane;

THENCE: South 84° 30' East a distance of 261.67 feet along said Shadydale Lane to a point at an "ell" corner of Country Highland, Section 1, an addition to the City of Rockwall, Rockwall County, Texas;

THENCE: South 01° 19' 08" West a distance of 904.46 feet along the most Southerly West line of said Country Highlands, Section 1, to a point for a corner;

THENCE: North 67° 07' 24" West a distance of 442.81 feet to a point for a corner;

THENCE: South 86° 26' 17" West a distance of 392.73 feet to a point for a corner;

THENCE: North 62° 45' 08" West a distance of 83.77 feet to a point for a corner;

THENCE: North 84° 30' West a distance of 576.76 feet to a point for a corner in the said East line of F.M. Road No. 740;

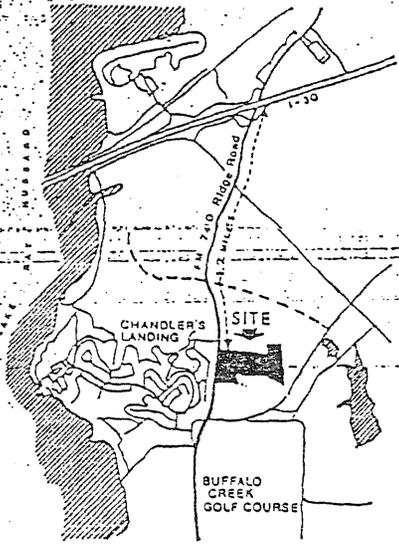
THENCE: North 06° 49' 48" East a distance of 550.78 feet along said East line to the Point of Beginning and Containing 20.01 Acres of Land.

LEGAL DESCRIPTION

PROPOSED

LOT#	LOT SIZE														
1	35475 s.f.	6	16800 s.f.	11	14000 s.f.	16	19500 s.f.	21	15300 s.f.	26	14500 s.f.	31	19000 s.f.	36	28000 s.f.
2	19500 s.f.	7	16700 s.f.	12	15000 s.f.	17	16500 s.f.	22	14400 s.f.	27	15300 s.f.	32	22000 s.f.	37	32000 s.f.
3	16200 s.f.	8	16800 s.f.	13	15000 s.f.	18	11900 s.f.	23	17800 s.f.	28	14300 s.f.	33	14000 s.f.	38	32000 s.f.
4	14500 s.f.	9	16400 s.f.	14	14000 s.f.	19	14000 s.f.	24	17200 s.f.	29	17800 s.f.	34	27000 s.f.	39	32000 s.f.
5	21300 s.f.	10	16000 s.f.	15	11800 s.f.	20	14500 s.f.	25	15500 s.f.	30	20800 s.f.	35	32000 s.f.	40	32000 s.f.

NOTE: All dimensions & calculations are close but not necessarily exact.

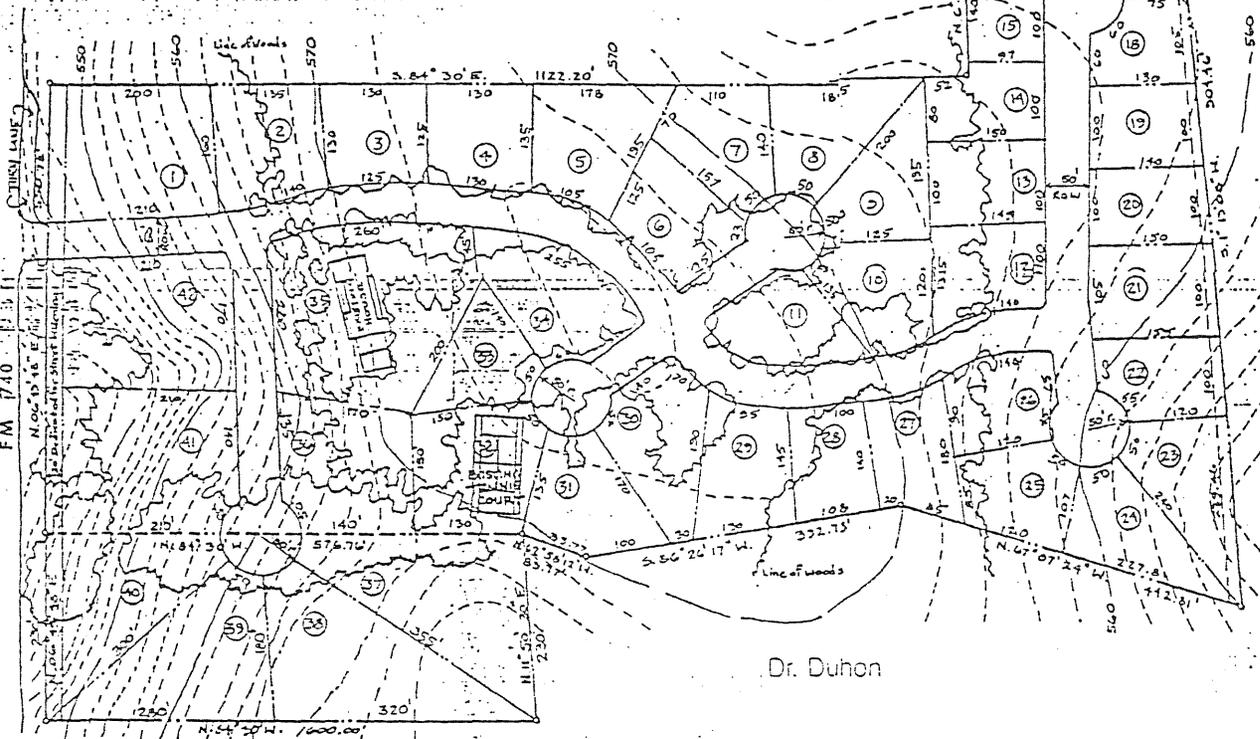


LOCATION MAP

DESIGNED FOR
KIRBY ALBRIGHT
BY
JOHN R. LINDSEY
ROCKWALL, TEXAS

1st (SUBMISSION)

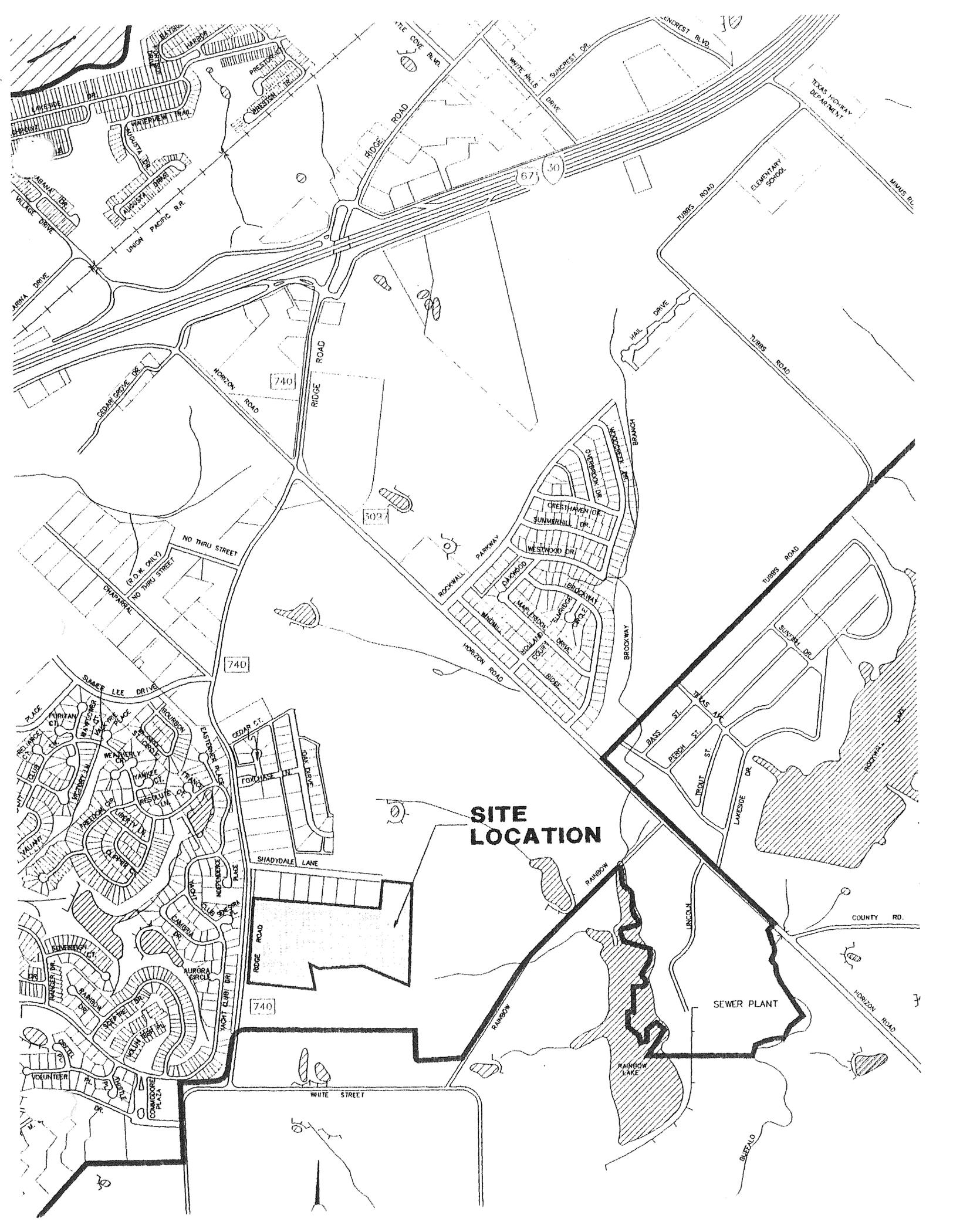
City of Rockwall PD-8, Chandler's Landing



City of Rockwall PD-9 (undeveloped)

DEVELOPMENT PLAN
SINGLE FAMILY RESIDENTIAL ESTATES IN THE WOODS - 23.13 ACRES

Exhibit "B"



**SITE
LOCATION**

SEWER PLANT

RAINBOW LAKE

BUFFALO

COUNTY RD.

HORIZON ROAD

LINCOLN

LAKESIDE DR.

TROUT ST.

PERRO ST.

BASS ST.

TRAVIS AVE.

TURBS ROAD

TURBS ROAD

TURBS ROAD

HILL DRIVE

ENCREST BLVD.

WHITE ANGUS DRIVE

SANROSE DR.

THE COVE BAR

WHITE STREET

740

740

740

3097

67

30

TEXAS HIGHWAY DEPARTMENT

ELEMENTARY SCHOOL

MAVIS RD.

UNION PACIFIC R.R.

AUGUSTA DRIVE

WATERLUM TRAIL

LAUREL DR.

LAUREL DR.