

ORDINANCE NO. 96-37

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "A" AGRICULTURAL CLASSIFICATION TO PLANNED DEVELOPMENT ZONING "PD- 43 PLANNED DEVELOPMENT NUMBER 43 ; 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 S and A Systems 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, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give "Planned Development District No. 43 classification to the tract of land described in Exhibit "A".

SECTION 2. That the property described in Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning 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. The granting of this zoning classification for the property as described in Exhibit "A" is subject to the following special conditions:

A. The use of the property shall be regulated by the following requirements:

1. The uses, area requirements and development standards of the Commercial zoning category of the Comprehensive Zoning ordinance as currently adopted,

or as revised in the future, except as otherwise provided for in this ordinance and the following additional permitted uses:

- a. Warehousing
- b. Light assembly

2. Outside storage and display of materials, products or equipment shall conform to the requirements established in the Commercial Zoning classification.

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. 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 5. 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 6. 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 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 case provides.

DULY PASSED AND APPROVED this 15th day of October, 1996.

APPROVED:



Mayor

ATTEST:

BY


1st reading 10/07/96

2nd reading 10/15/96

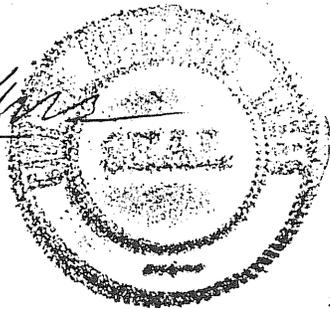


EXHIBIT "A"

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS S & A Systems, Inc. BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:
BEING situated in the W. H. Barnes Survey, Abstract No. 26, Rockwall County, Texas and being a 2.00 acre tract of land as recorded in Book 1096, Page 134 of the Deed Records of Rockwall County, Texas and being a part of a 109.582 acre tract as recorded in Volume 45 Page 558 of the Deed Of Trust Records of Rockwall County, Texas and being located on Sids Road in the City of Rockwall, Rockwall County, Texas and being more particularly described as follows:
BEGINNING at a 3/8" iron stake found for corner in the southeast R.O.W. line of Sids Road (40' R.O.W.) and being the north corner of said S & A Systems, Inc. 2.00 acre tract, said stake also being located South 45 deg. 14 min. 31 sec. West a distance of 866.45 feet from the north corner of said 109.582 acre tract;
THENCE South 44 deg. 47 min. 39 sec. East leaving Sids Road and along the northeast line of said S & A Systems, Inc. 2.00 acre tract 351.38 feet to 1/2" iron stake found for corner;
THENCE South 45 deg. 24 min. 02 sec. West along the southeast line of said S & A Systems, Inc. 2.00 acre tract 248.04 feet to 1/2" iron stake found for corner;
THENCE North 44 deg. 47 min. 39 sec. West along the southwest line of said S & A Systems, Inc. 2.00 acre tract 351.57 feet to a 60D nail found for corner in said southeast R.O.W. line of Sids Road (40' R.O.W.) and being the west corner of said 2.00 acre tract;
THENCE North 45 deg. 26 min. 41 sec. East along the northwest line of said S & A Systems, Inc. 2.00 acre tract and along said southeast R.O.W. line of Sids Road (40' R.O.W.) 248.04 feet to PLACE OF BEGINNING and containing 2.00 acres of land, more or less.