

ORDINANCE NO. 01-61

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM "A", AGRICULTURAL DISTRICT TO "PD-51", PLANNED DEVELOPMENT DISTRICT NO. 51, CONTAINING 10.43 ACRES OF LAND; 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; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a zoning change from "A", Agricultural to "PD-51", Planned Development District No. 51, has been requested by Marc Bentley on the property described in Exhibit "A", 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 the approval of a zoning change from "A", Agricultural to "PD-51", Planned Development District No. 51, on the property described on Exhibit "A", attached hereto and made a part hereof.

Section 2. That the tract of land described in the attached 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 approval shall affect only the property described in the attached 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 the area within Exhibit "A" shall be limited to uses and requirements listed in **Section 2.1A (SF-E) Single Family Estate District** of the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No. 83-23).

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

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

Section 6. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, 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 7. 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 8. 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 19 day of November, 2001.


APPROVED

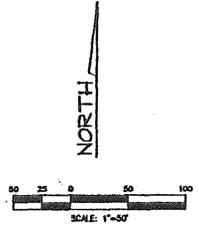
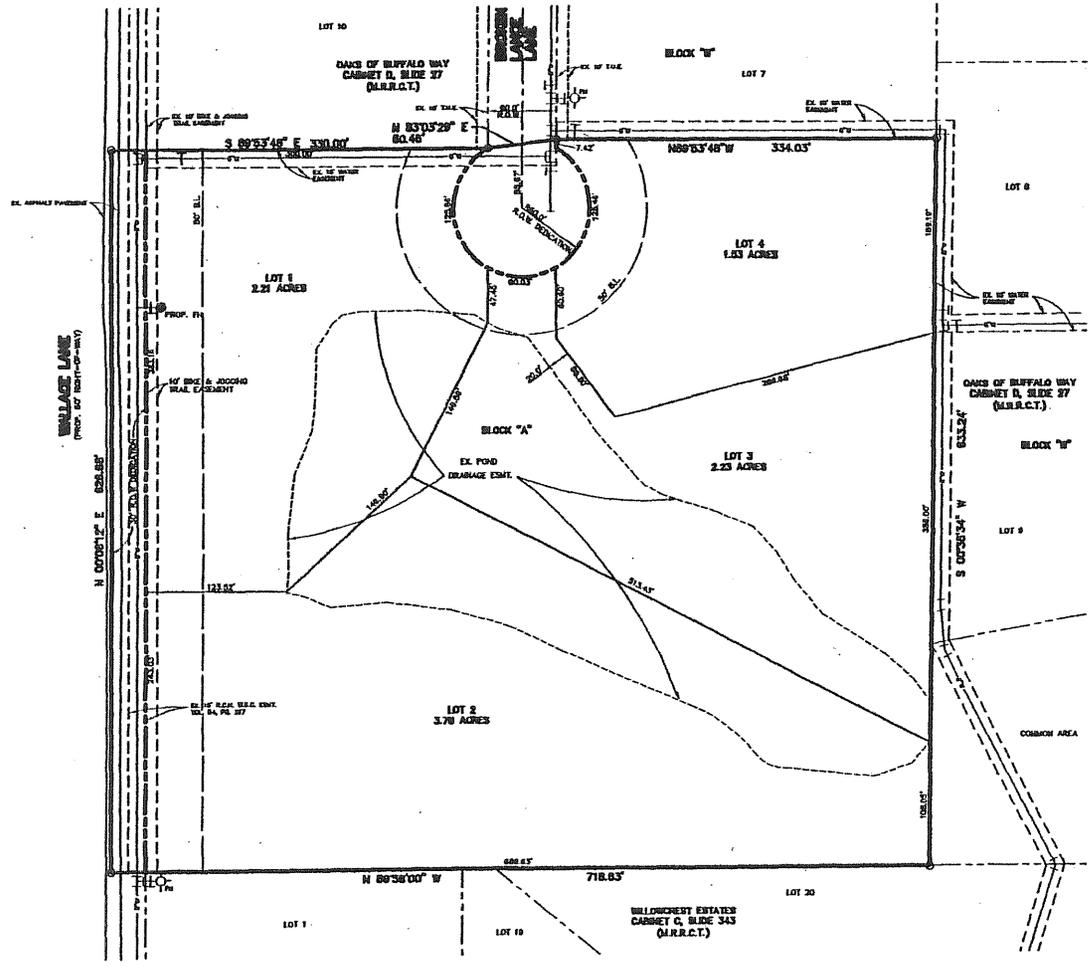
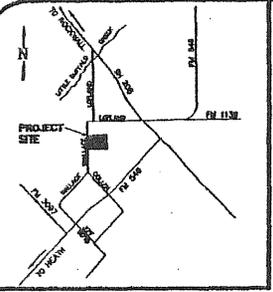
Cheryl Austin
ATTEST City Secretary

1st Reading 11-5-01

2nd Reading 11-19-01



EXHIBIT "A"



NOTE:
ALL LOTS SHALL HAVE SEPTIC SYSTEMS FOR SANITARY SEWER FACILITIES.

**PD - EXHIBIT
FOR
THE OAKS OF
BUFFALO WAY - PHASE II**

10.43 ACRES
4 SINGLE FAMILY RESIDENTIAL LOTS
LOCATED IN THE W.M. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

NEWM HALL **OWNER**
811 YELLOW JACKET, SUITE 107 872-771-4248
ROCKWALL, TEXAS 75087 75087

TEXAS CEDARS **SURVEYOR**
P.O. BOX 430 872-475-4466
ROBLET, TEXAS 75030 75030

CONTACT: BEHLEY ENGINEERING, INC.
702 GARWOOD DRIVE
GARLAND, TX 75043
872-240-4821

AUGUST 2001

EXHIBIT "A"

(1 OF 1)

PZ-2001-83 Z/PD Oaks of Buffalo Way II