

ORDINANCE NO. 02-07

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 TO "GR", GENERAL RETAIL DISTRICT, CONTAINING 1.77 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 "GR", General Retail District, has been requested by Chris Cuny for a tract situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, and being a part of Lots 13 and 22, and all of Lot 23, of Lake Ridge Estates, and further described in Exhibit "A" attached hereto and made a part hereof; 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 "GR", General Retail District, 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 2.11 General Retail (GR) District** and **Section 2.18**

**Scenic Overlay (OV) 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 4<sup>th</sup> day of February, 2002.

  
APPROVED

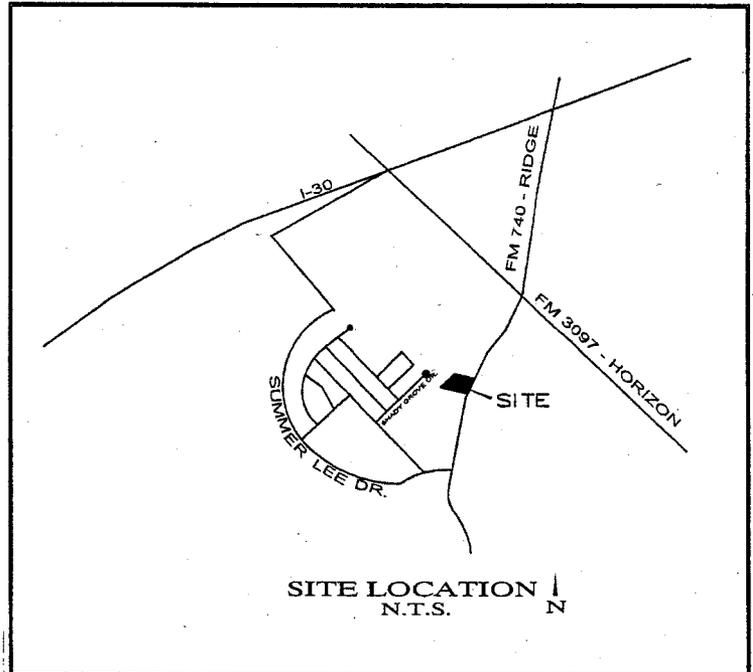
Cheryl Austin  
ATTEST

1st Reading 1-22-02

2nd Reading 2-4-02



## EXHIBIT "A"



### PROPERTY DESCRIPTION

All that certain lot, tract or parcel of land situated in the EDWARD TEAL SURVEY, ABSTRACT NO. 207, City of Rockwall, Rockwall County, Texas, and being a part of Lot 13, Lot 22 and all of Lot 23 of LAKE RIDGE ESTATES, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet A, Slide 10 of the Plat Records of Rockwall County, Texas, and also being all of that 1.710 acres tract of land as described in a Warranty deed from Robert M. Spear, Jr. to I. Lee Wilson and Merte Fay Wilson, as recorded in Volume 93, Page 304 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the Southwest right-of-way line of Cemetery Road ( 40' R.O.W. ) at the East corner of Lot 15, Block F of LAGO VISTA ESTATES, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slide 276 of the Plat Records of Rockwall County, Texas, said point being at the Northwest corner of said 1.710 acres tract;

THENCE S. 72 deg. 00 min. 00 sec. E. ( Controlling bearing line ) along said right-of-way line and the Northeast line of Lot 22 and Lot 23, a distance of 328.40 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Northwest right-of-way line of F.M. Highway 740 ( Ridge Road ) at the Northeast corner of said Lot 23 and said 1.710 acres tract;

THENCE S. 17 deg. 45 min. 16 sec. W. along said right-of-way line, a distance of 201.24 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the Southeast corner of said Lot 23, said point being at the East corner of Lot 2, Block A of ROCKWALL ASSISTED LIVING ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 87 & 88 of the Plat Records of Rockwall County, Texas;

THENCE N. 71 deg. 33 min. 45 sec. W. along the Northeast line of said Lot 2, and the Southwest line of said Lot 23, a distance of 209.06 feet to a 3/4" iron pipe found for corner at the Northwest corner of said Lot 2 and at the East corner of said Lot 13;

THENCE N. 71 deg. 11 min. 19 sec. W. a distance of 236.31 feet to a 1/2" iron rod found for corner in the Southeast line of Lot 14, Block F of LAGO VISTA ESTATES;

THENCE N. 48 deg. 35 min. 50 sec. E. along said Addition line, a distance of 228.04 feet to the POINT OF BEGINNING and containing 1.77 acres of land.