

CITY OF ROCKWALL

ORDINANCE NO. 04-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (A), AGRICULTURAL DISTRICT TO (SF-E/4.0), SINGLE FAMILY ESTATE DISTRICT, ON A TRACT OF LAND CONTAINING 10.00 ACRES AND KNOWN AS LOT 4, THE MCLENDON COMPANIES ADDITION; 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, 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 change the zoning on a 10.0-acre tract of land known as Lot 4, The McLendon Companies Addition and more fully described herein as Exhibit "A" from (A), Agricultural District to (SF-E/4.0), Single Family Estate District, and;

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in **§2.1C – Single-Family Estate District** of 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.

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 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 5. 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 Subdivision Regulations 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 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

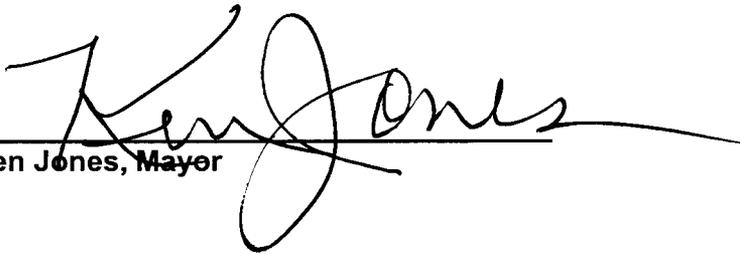
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of April, 2004.

ATTEST:



Dorothy Brooks, City Secretary



Ken Jones, Mayor

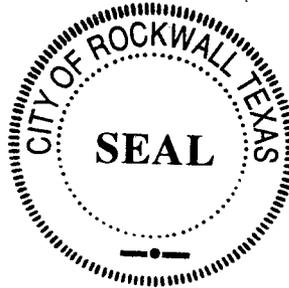
APPROVED AS TO FORM:

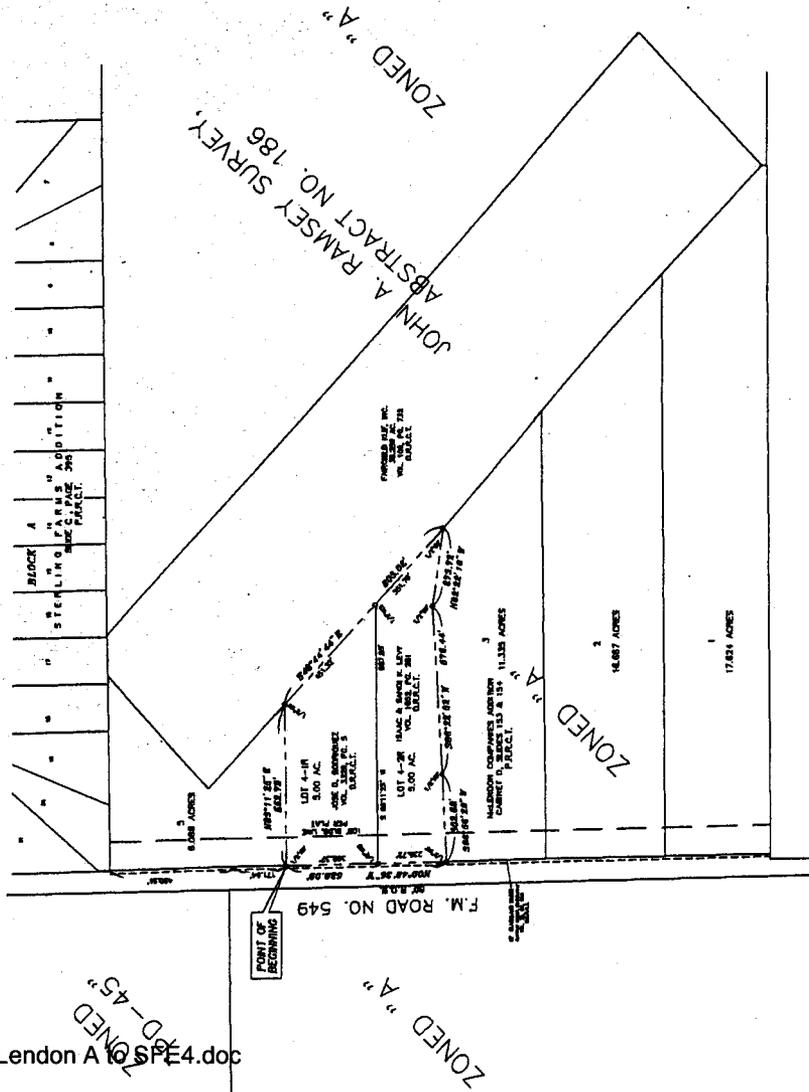
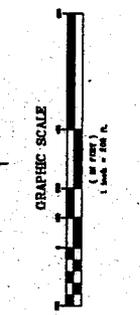
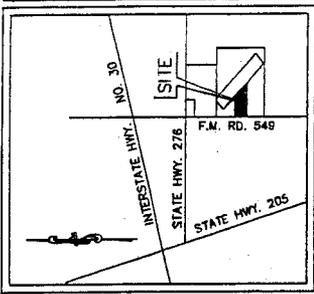


Pete Eckert, City Attorney

First Reading: 04/05/04

Second Reading: 04/19/04





LEGAL DESCRIPTION

BEING all of Lot 4 of McLendon Companies Addition, an Addition to the City of Rockwall as recorded in Cabinet D, Pages 153 and 154 of the Plat Records of Rockwall County, Texas, and being more particularly described by meter and bearings as follows:

BEARING of a 1/2" line road found on the easterly line of F.M. Road No. 549, well point being the southeast corner of said Lot 4 and the southwest corner of Lot 5 of said Addition:

THENCE North 88 degrees 11 minutes 25 seconds East, leaving F.M. Road No. 549 and along the northerly line of said Lot 4, a distance of 552.79 feet to a 1/2" line road found for corner of the northeast corner of said Lot 4;

THENCE South 88 degrees 11 minutes 25 seconds West, a distance of 552.79 feet to a 1/2" line road found for corner of the northeast corner of said Lot 4;

THENCE North 82 degrees 23 minutes 18 seconds West, a distance of 213.72 feet to a 1/2" line road found for corner;

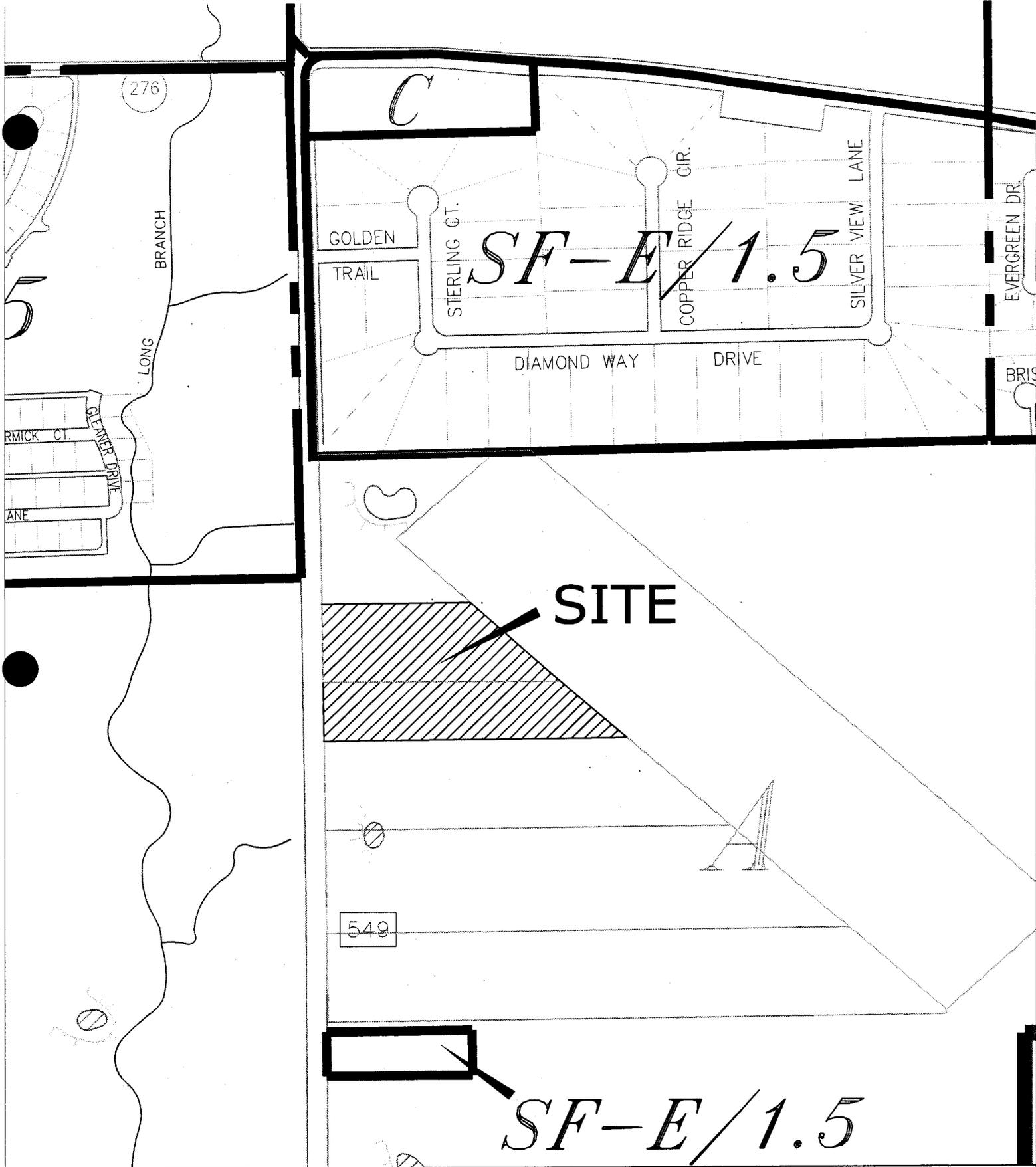
THENCE South 88 degrees 11 minutes 25 seconds West, a distance of 578.14 feet to a 1/2" line road found for corner;

THENCE South 88 degrees 11 minutes 25 seconds West, a distance of 552.08 feet to a 1/2" line road found on the easterly line of F.M. Road No. 549 at the southeast corner of said Lot 4;

THENCE North 00 degrees 00 minutes 00 seconds West along the easterly line of F.M. Road No. 549, a distance of 518.09 feet to the POINT OF BEGINNING and containing 10.00 acres of land.

EXHIBIT "A"

OWNER	OWNER	ENGINEER/SURVEYOR
JOSE D. RODRIGUEZ 1791 F.M. 549 ROCKWALL, TEXAS 75032	ISAAC LEVY & SANDI K. LEVY 702 W. BOYDSTUN AVE. ROCKWALL, TEXAS 75087 (972) 771-6400	DOUPHRATE & ASSOC., INC. 2235 RIDGE ROAD, SUITE 200 ROCKWALL, TEXAS 75087 (972) 771-9004



Z2004-007

The McLendon Companies, Lots 4-1R & 4-2R

10.0 Acres on FM 549

Rezone from (A) to (SF-E/4.0)



1" = 500'