

CITY OF ROCKWALL

ORDINANCE NO 05-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS AS PREVIOUSLY AMENDED SO AS TO CHANGE THE ZONING FROM (C) COMMERCIAL DISTRICT TO (PD) PLANNED DEVELOPMENT DISTRICT ON A 1.0-ACRE TRACT KNOWN AS TRACT 19 ABSTRACT 146, S.S MCCOURRY SURVEY AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT A ATTACHED HERETO CORRECTING THE OFFICIAL ZONING MAP PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING FOR A REPEALER CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS** the City has initiated a change in zoning from (C) Commercial district to (PD) Planned Development district on a 1 0-acre tract known as Tract 19 Abstract 146 S S McCourry Survey and more specifically described in Exhibit A attached hereto and made a part hereof for all purposes, 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 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 Unified Development Code (Ord No 04-38) of the City of Rockwall Texas as heretofore amended be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit A from (C) Commercial district to (PD) Planned Development district, and

**Section 2** That the property described herein shall be used only in the manner and for the purposes provided for in **Article V Section 4.2 – Residential Office (RO) District** of the Unified Development Code (Ord No 04-38) 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 and be subject to the following conditions

- 1 That the property be subject to area requirements of the 'RO' Residential Office District and limited to the following permitted uses (the + symbol indicates that the use is conditional and has special standards or requirements which it must meet in order to be allowed as specified in Article IV of the City's Unified Development Code)

Agricultural uses on un-platted land  
Accessory Building +  
Convent or Monastery  
Garage (accessory use)  
Single Family Detached +  
Single Family Zero Lot Line +  
Swimming Pool Private (accessory use)  
Day Care (7 or more children) +  
Assisted Living Facility +  
Convalescent Care Facility/Nursing Home +  
Library Art Gallery or Museum (public and private)  
Office General  
Office Building Less than 5 000 s f  
Fund Raising Events by Non-Profit, Indoor or Outdoor (Temporary) +

- 2 That the following uses may be permitted only after approval of a Specific Use Permit (SUP) as set forth in Article IV of the Unified Development Code

Hair Salon Manicurist  
Residential Care Facility  
Tennis Court (private)  
Office Building 5 000 s f or more  
Astrologer Hypnotist, or Psychic Art & Science  
Massage Therapist  
Studio – Art, Photography or Music

- 3 That the property be subject to future site plan review and subject to all development requirements of the Unified Development Code (Ord 04-38)
- 4 That a 20 foot landscape buffer strip be required on the frontage of the property facing Mims Road
- 5 That all permanent free standing signs shall be limited to monument signs not exceeding (5) feet in height or a maximum of sixty (60) square feet in area per sign face
- 6 That in addition to the requirements of the outdoor lighting requirements no light pole pole base or combination thereof shall exceed fifteen (15) feet and all lighting fixtures shall focus light downward and be contained on the site
- 7 That any building constructed on this site shall be limited to single story
- 8 Any building constructed on this tract shall be designed with a pitched roof system

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

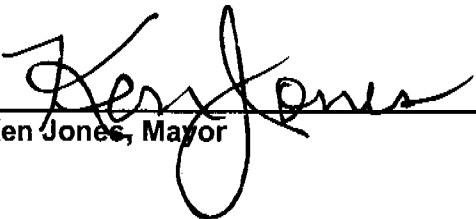
**Section 4** Any person firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2 000 00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense

**Section 5.** If any section 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 Unified Development Code 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.

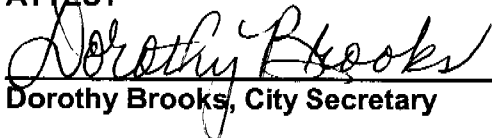
**Section 6.** That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

**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 7<sup>th</sup> day of March 2005.**

  
\_\_\_\_\_  
Ken Jones, Mayor

ATTEST

  
\_\_\_\_\_  
Dorothy Brooks, City Secretary

APPROVED AS TO FORM

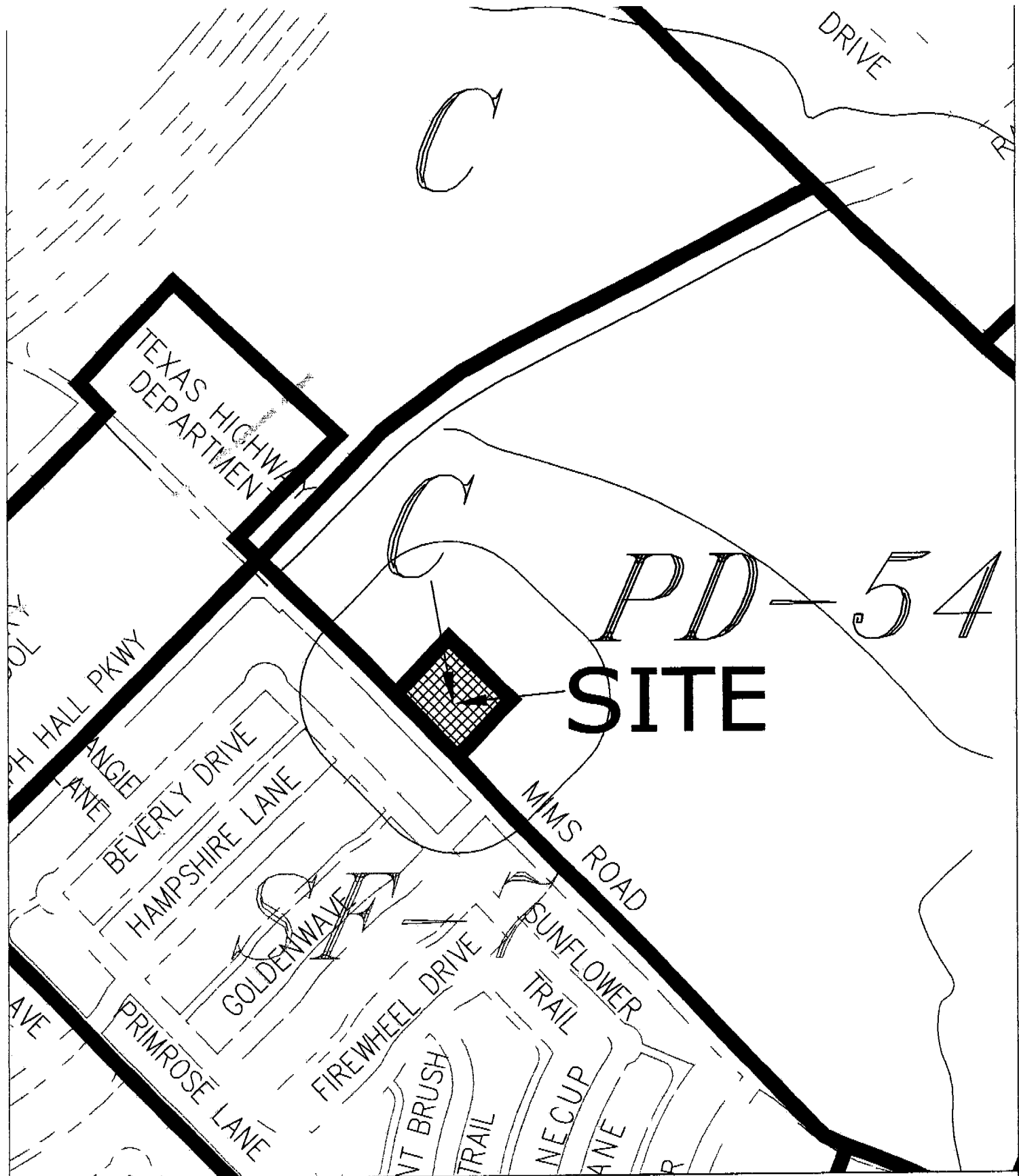
  
\_\_\_\_\_  
Pete Eckert, City Attorney



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1 Reading February 21, 2005

2<sup>nd</sup> Reading March 7, 2005



**Z2004-046**

10-Acre Tract on Mims Rd  
(C) to (PD)



1" = 300'

# Advertising Receipt

**Rockwall County News**

316 S Goliad, Ste 107  
PO BOX 819  
Rockwall, TX 75087  
Phone: 972 722-3099  
Fax: 972 722 3096

ROCKWALL, CITY OF-LEGALS ®  
ATTN DOROTHY BROOKS  
385 SOUTH GOLIAD  
ROCKWALL, TX 75087

**Cust#:** 01100978-000  
**Ad#:** 17525368  
**Phone:** (972)771 7700  
**Date:** 03/11/05

**Ad taker:** 11      **Salesperson:** 6      **Classification:** 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
09 ROCKWALL COUNTY NEWS	03/16/05	03/16/05	1	54.00		54.00

**Payment Reference:**

L# 380832, ORD 05-05

**Total** 54.00  
**T** 0.00  
**Net:** 54.00  
**Prepaid:** 0.00

**Total Due** 54.00

# PUBLISHER'S AFFIDAVIT

## THE STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Michael Gresham, who being by me duly sworn deposes and says that he is the Publisher of *Rockwall County News* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published;
4. it has been published regularly and continuously since 1985; and
5. it is generally circulated within Rockwall County.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

March 16 A.D. 2005



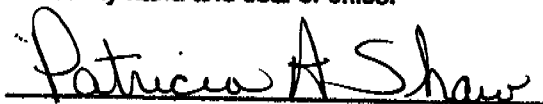
Michael Gresham  
Editor and Publisher

### SUBSCRIBED AND SWORN BEFORE ME

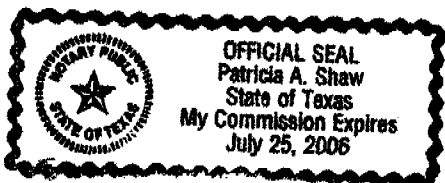
by Michael Gresham, who

- a) is personally known to me, or  
 b) provided the following evidence to establish his/her identity: \_\_\_\_\_

on the 25th day of March, A.D. 2005  
to certify which witness my hand and seal of office.



Notary Public, State of Texas



Clipping (s)

Legal Notices

Legal Notices

### CITY OF ROCKWALL ORDINANCE No. 05-05

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/s/ Ken Jones, Mayor  
/s/ Dorothy Brooks, City Secretary  
1<sup>st</sup> Reading: February 21, 2005  
2<sup>nd</sup> Reading: March 7, 2005