

**CITY OF ROCKWALL**

**ORDINANCE NO. 07-09**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM "SF-10" SINGLE FAMILY RESIDENTIAL TO "PD-69"; PLANNED DEVELOPMENT DISTRICT NO. 69 ON A 6.9209-ACRE TRACT KNOWN AS PARTS OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9 GREENVALLEY ADDITION AND TRACTS 3, 10, 21, 22, 23, 24, 32, AND 33 OF THE J H B JONES SURVEY, ABSTRACT NO. 124; INCLUDING PROPERTIES ADDRESSED AS 1201, 1203, 1205, 1207, 1209, 1211, 1213, 1215, AND 1401 N. GOLIAD STREET; MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING FOR SPECIAL CONDITIONS; 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 received a request from Lewis Andrews and others for a change in zoning from (SF-10) Single Family Residential district to (PD-69) Planned Development No. 69 district for an approximate 6.9209-acre tract known as parts of Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 Greenvalley Addition and Tracts 3, 10, 21, 22, 23, 24, 32, and 33 of the J H B Jones Survey, Abstract No. 124, including properties addressed as 1201, 1203, 1205, 1207, 1209, 1211, 1213, 1215, and 1401 N. Goliad Street; more specifically 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, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of a change in zoning from (SF-10) Single Family Residential district to (PD-69) Planned Development No. 69 district for an approximate 6.9209-acre tract known as parts of Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 Greenvalley Addition and Tracts 3, 10, 21, 22, 23, 24, 32, and 33 of the J H B Jones Survey, Abstract No. 124, including properties addressed as 1201, 1203, 1205, 1207, 1209, 1211, 1213, 1215, and 1401 N. Goliad Street; more specifically described in Exhibit "A" attached hereto and made a part hereof; and

**Section 2.** That the property described herein shall be used only in the manner and for the purposes provided for in the Unified Development Code 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 subject to the following additional conditions:

1. That the Planned Development be subject to the requirements of the "R-O", Residential Office District.
2. The Planned Development be limited to the following permitted uses:
  - a. Permitted by right:
    - i. Office General
    - ii. Office building less than 5,000 sq. ft.
    - iii. Home Occupation
    - iv. Single-Family Detached
    - v. Bed and Breakfast
    - vi. Studio-Art, Photography or Music
  - b. Permitted with a Specific Use Permit (SUP)
    - i. Residential Care Facility
    - ii. Group/Community Home
3. That joint or shared access be required on all adjoining lots if any property is used for any of the uses listed above other than Single-Family Detached.
4. That parking in the front yard area of any property within this Planned Development District be prohibited and all parking for those uses listed above, other than Single-Family Detached, be located behind the rear facade of the main building structure.
5. That all properties within the Planned Development District shall be subject to site plan review if changing to other than residential use.
6. In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance, a variance can be requested from the City Council.

**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 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 Unified Development Code No. 04-38 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.

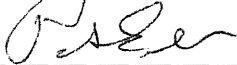
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of March, 2007.**

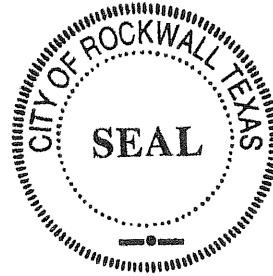
  
\_\_\_\_\_  
William R. Cecil, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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





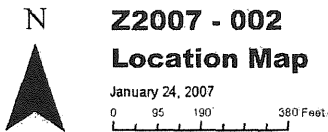
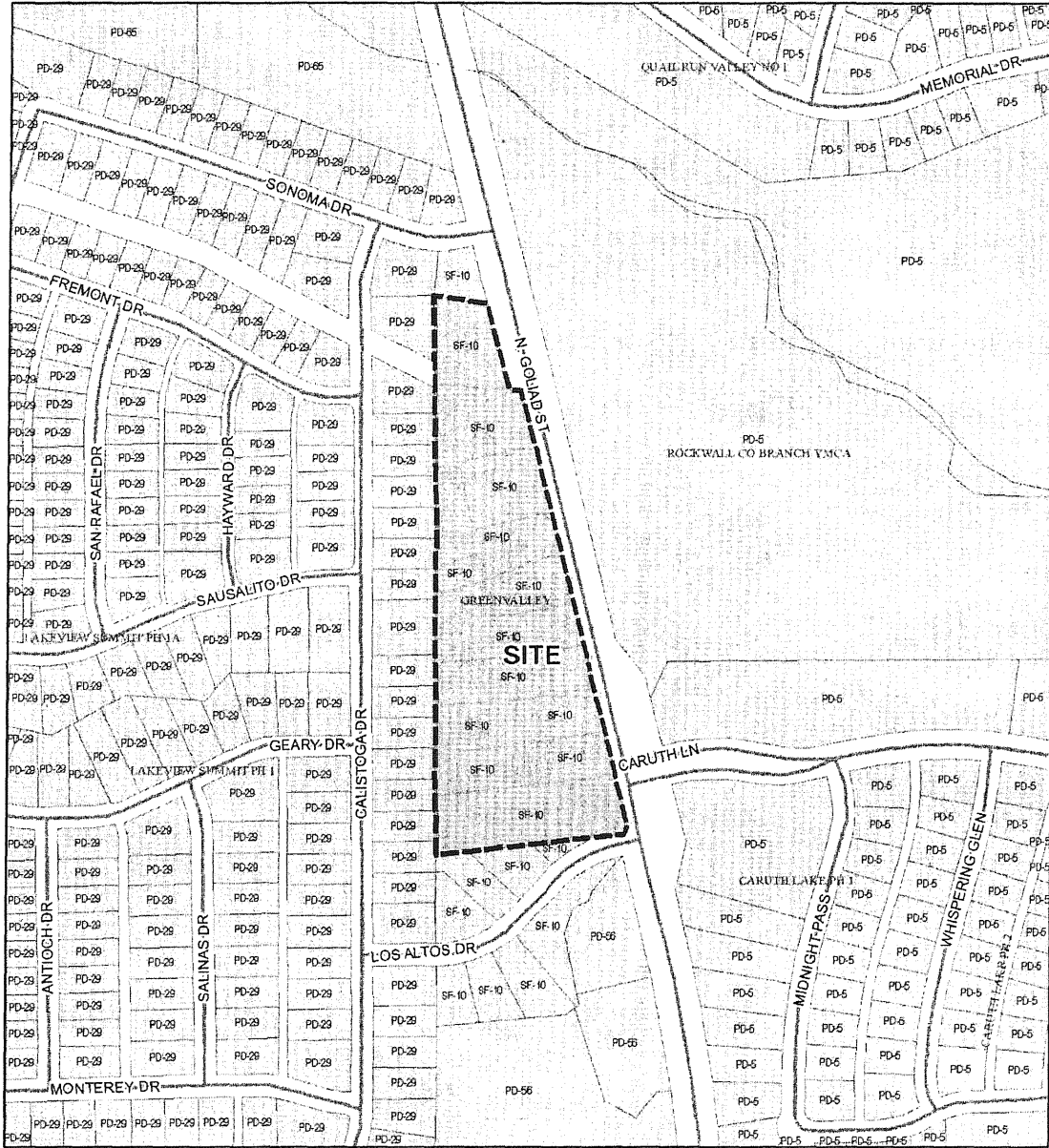
1<sup>st</sup> Reading: 02-19-07

2<sup>nd</sup> Reading: 03-05-07

**Exhibit "A"**

**Legend**

-  Z2007-002 (SUBJECT PROPERTY)
-  PARCELS WITH ZONING



The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.