

(APPENDIX FORM B)

Case No. _____

Date 5/22/72

REQUEST FOR ZONING AMENDMENT
TO THE CITY COUNCIL AND PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

Application is hereby made to the City Council to amend the Zoning Ordinance and to change the Zoning District Map of the City of Rockwall as hereinafter set forth, and in support of such request the following facts are shown:

APPLICANT James W. Reese, 408 S. Goliad, Rockwall, Texas
(name) (mailing address)

DESCRIPTION OF PROPERTY see attached

LOT _____ BLOCK 129 B.J.T. Lewis STREET NO. 408 S. Goliad

FRONTAGE IN FEET 400' ON None STREET

DEPTH IN FEET 625

APPLICANT'S INTEREST IN PROPERTY owner
(owner, agent, lease, option, etc.)

CHANGE REQUESTED FROM SF-3 DISTRICT TO MF-1 DISTRICT

REASON FOR REQUEST _____

PROPOSED USE OF PROPERTY Multi family dwellings

SETBACKS, YARDS, PARKING SPACES, ETC., PROPOSED as required by
Rockwall Zoning Ordinance
(plan may be attached)

ARE THERE DEED RESTRICTIONS WHICH WOULD PREVENT THIS PROPERTY BEING USED IN THE MANNER HEREIN PROPOSED? No

James W. Reese
(signature of applicant)

5/22/72
(date)

THE ROCKWALL TEXAS SUCCE
ROCKWALL COUNTY, TEXAS,

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE ROCKWALL CITY COUNCIL AT 7:30 P. M. ON MONDAY, JULY 3, 1972, IN THE CITY HALL TO DETERMINE IF THE PROPERTY DESCRIBED BELOW SHALL BE REZONED. THIS NOTICE IS GIVEN IN COMPLIANCE WITH THE LAWS OF THE STATE OF TEXAS.

SF-3 to MF-1

Part of that certain tract of land out of the B. F. Boydstun Survey situated in the City and County of Rockwall, State of Texas, out of the J. W. Reese, Jr. tract, recorded in Volume 43, page 148 of the Deed Records, Rockwall County, Texas and more particularly described as follows:

BEGINNING at a point in the south boundary of said J. W. Reese, Jr. tract, said point being 200 ft. west of the southeast corner of said tract;

THENCE north approximately 387.5 ft. to a point in the north boundary of said tract;

THENCE north $87^{\circ} 18' 59''$ west, a distance of 625 ft. to a point in center line of creek;

THENCE south $0^{\circ} 26' 11''$ west, a distance of 423.63 ft. to an iron rod in fence;

THENCE north $88^{\circ} 4' 38''$ east, a distance of 625' to the point of Beginning.

Galen Williams

City Secretary (1TC)

City of Rockwall

102 EAST WASHINGTON

ROCKWALL, TEXAS 75087

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE ROCKWALL PLANNING AND ZONING COMMISSION AT 6:30 P.M. ON WEDNESDAY, JUNE 7, 1972, IN THE CITY HALL TO DETERMINE IF THE PROPERTY DESCRIBED BELOW SHALL BE REZONED. THIS NOTICE IS GIVEN IN COMPLIANCE WITH THE LAWS OF THE STATE OF TEXAS.

SF-3 to MF-1

Part of that certain tract of land out of the B. F. Boydston Survey situated in the City and County of Rockwall, State of Texas, out of the J. W. Reese, Jr. tract, recorded in Volume 43, page 148 of the Deed Records, Rockwall County, Texas and more particularly described as follows:

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THENCE south $0^{\circ} 26' 11''$ west, a distance of 423.63 ft. to an iron rod in fence;

THENCE north $88^{\circ} 4' 38''$ east, a distance of ^{608.28'} 625' to the point of Beginning.

Containing 4.5 acres more or less.

Being all of said ~~tract~~ J. W. Reese, Jr. 6.98 acre tract, ~~save~~ & except that portion currently zoned DR & containing 4.5 acres more or less.

Galen Williams
City Secretary



JACK HUPPERT CO., INC.

5719 MOBUD SAN ANTONIO, TEXAS

Manufacturer of Nationally Used Bacto-Fun-Zyme & Fonzimatic

Notices Mailed

YOUR AREA SALES REPRESENTATIVE
GEORGE HEUSSNER
401 CLINTON DR.
WACO, TEXAS 76710

1. Whitehead + Steger
2. Lakeside Village
3. R. L. Hunt
4. City of Dallas
5. R. S. Folsom
6. Earl Hollandsworth
7. Ward Hudspeeth
8. J. P. Johnson

*Biological Additives for Improvement of Waste Water
Plant Efficiency • Digester Enlivening • Odor Control*

City of Rockwall

102 EAST WASHINGTON
ROCKWALL, TEXAS 75087

MEETING OF THE PLANNING AND ZONING COMMISSION HELD June 7, 1972

The Rockwall Planning and Zoning Commission met in its regularly scheduled meeting on June 7, 1972, at 6:30 P.M., in the City Hall. The following members were present: Kenneth Glasscock, Bob May, Kenneth Smith and Jess Whittle, chairman.

Mr. and Mrs Joe Smartt's application for a change in zoning classification, from A to MF-1, of 29.724 acres, located in the D. Atkins Survey, near IH 30, was presented. There was no opposition to the zoning change, and after brief discussion, Commissioner Smith moved that the Commission recommend the City Council grant the requested change. Commissioner May seconded this motion and the Commission voted unanimously in favor of the motion.

Mr. James Reese's request for rezoning of approximately 4.5 acres, located in the B. F. Boydston Survey from SF-3 to MF-1. A brief use of the area was presented by Mr. W. M. Snodgrass, the potential developer of this tract. After discussion, Commissioner Smith made a motion that the zoning change be recommended to the City Council. This motion received a second by Commissioner May, and the unanimous approval of the Commission.

Mr. Moser's request to change the name of Boydston Street, from Goliad west, to Cardinal Lane was presented. After discussion, the Commission voted unanimously that in order to avoid the confusion of having one street bearing two names that the name of this street not be changed, after a motion by Commissioner Glasscock was seconded Commissioner Smith.

In reviewing the plat of High Ridge Estates, the Commission voted to recommend that Ridgeview Drive be relocated to conform to the preliminary plat approved by the Plan Commission. (The Commission further agreed to call to the Council's attention to the fact that the sub-division ordinance requires 15' alleys and to recommend that such 15' alleys be required in subject sub-division in order to conform to the law.)

A motion to adjourn was made, seconded and received unanimous approval of the Commission.

Dated 6/7/72

S/ Jess Whittle, Chairman
Plan Commission

motion by Alderman Tate recieved a second by Alderman Khulman.

The 1972-73 budget was reviewed and it was obvious that certain requested items must be omitted. After discussion, the following action was taken: eliminate the purchase of a used pickup for the street department but leave the money previously allocated for that purpose in the capital items allocation, reduce the street department salaries by \$5,000. by not increasing the number of employees, eliminate police department dispatchers, eliminate police department salary increases and eliminate the purchase of radio equipment. After this action, Alderman Tate made a motion that the budget be approved. Alderman Kuhlman seconded this motion and an unanimous vote of approval was cast.

No further business came before the Council, and the meeting was adjourned.

Harold Myers
Mayor

ATTEST:

Daniel Williams
City Secretary

REGULAR MEETING OF THE CITY COUNCIL HELD
July 3, 1972

The Rockwall City Council held its regularly scheduled meeting in the City Hall on July 3, 1972, at 7:30 P.M. The following members of the Council were present, and Mayor Harry F. Myers presided: Roger McCallum, Arthur Kuhlman, Randolph Gheen and Harry Knight. Alderman Garvin Tate was absent.

Also present were the following: Gerald Burgamy, Tommy Singleton, Jake Moser, Lou Horne, H. E. Camp, Mr. & Mrs. Fred Thompson, Mr. & Mrs. Virgil Wood, Mr. & Mrs. Ron Skalberg, Mr. & Mrs. D. H. Milliken, Mr. & Mrs. Bob Stannert, Richard Harris, Max Scheid, Bruce Clark, Bill Lofland, Joe Smartt, Mike McCauly, Wayne Rogers, Thomas Nalls, Elroy Foerster, O. L. Steger, Jr., R. A. Williams, Jr, Glen Burks, Glen Burks, Paul Merritt, Mr & Mrs. Henry Mims, Sammy Buffington, Mr. & Mrs. Eddie Scott, Tony Chuoke, Haywood Eason and Bob Nichols.

The Plan Commission's recommendation that a 4½ acre tract of land, owned by James Reese, be rezoned SF-3 to MF-1 as requested, was presented. After reviewing the plat of the area and brief discussion, Alderman Gheen made a motion that the subject property be rezoned as recommended by the Plan Commission. Alderman Knight seconded this motion and the Council voted unanimous approval and Ordinance #72-10 was adopted.

The Plan Commission's recommendation that 29.74 acres, owned by Mr. & Mrs. Joe B. Smartt, be rezoned from A to MF-1 was presented. Mr. Scheid stated that he failed to receive written

notice of the Plan Commission's hearing on the above zoning. He said that he felt that there would be no objection, on his part, to the proposed zoning and requested one week to study the plan before action was taken by the Council. Alderman McCallum stated that he believed that Mr. Scheid should have an opportunity to study the plan, and the Council agreed to delay action on the matter until 7:30 P.M. on July 10, 1972.

A petition, bearing the names of some eleven owners of property adjacent to proposed High Ridge Estates, requesting that the City Council waive the requirement for paving of the alley at the rear of their properties was presented. Mr. Moser, developer of High Ridge Estates stated that he had no objections to such waiver and Mr. Nichols, The City's engineer, said that he saw no reason this could not be waived. After additional discussion, Alderman Knight made a motion that the requirement for paving of subject alley be waived, but requiring a 10 foot easement.

Mr. O. L. Steger, Jr., Fire Chief and spokesman for the Rockwall Voluntary Fire Department, related to the Council the action taken some 23 years ago to increase revenues for support of the local fire department. Mr. Steger gave an itemized account of Fire Department Equipment Funds disbursements during the fiscal year ended April 30, 1972.

It was pointed out by Mr. Steger that in the 1949 meeting the Council had agreed to pay utilities, gas and oil for fire trucks and operating expenses, except equipment repairs from the City's General Fund. Since no record of the meeting referred to by Mr. Steger could be located, the Council voted that Mr. Steger and the City Secretary prepare an itemized account of expected annual expenses and present this to the Council at the meeting scheduled for July 10, 1972, for its consideration.

The High Ridge Estates final plat was presented and was re-approved by the City Council, subject to provision of storm drainage satisfactory to the City's engineers and further subject to the providing of a 15 foot utility easement and alley along the south boundary of the sub-division with 5 foot of the alley and easement to be dedicated to the City and a 10 foot permanent easement across the entire sub-division be granted.

The matter of negotiating a contract with Crow-Coker to install and operate a marina on Lake Ray Hubbard's east shore line in Rockwall was presented. The Mayor explained that Rockwall could authorize operation of marinas and collect a percentage of gross revenues derived from the operation. He advised Crow-Coker people that final marina plans should be presented to Rockwall's City Council, then to Dallas City Council then a contract written and signed by Rockwall and Crow-Coker. The City Secretary was instructed to forward a copy of the City of Garland's marina contract to Louis Nichols for approval.

The Crow-Coker people asked that a temporary cul-de-sac be permitted at the south end of Stone Bridge drive. Mr. Nichols stated that he saw no objection. Alderman Kuhlman moved approval,

This was seconded by Alderman McCallum, and the Council voted to permit location of cul-de-sac as requested with Crow-Coker bearing the expense of removing excess paving when area south of this sub-division is developed.

Lake Ray Hubbard Estates' final sub-division plat was presented along with John Nall's letter of comments. Mr. Nichols pointed out that no alley next to Lake is provided but has been waived. Also that the street radius does not conform to 150° requirement.

Mr. J. P. Benbrook's letter concerning an addition to a kennel and advising that Mrs. Miller had not complied with instructions to remove the violation of the Zoning Ordinance. The City Secretary advised the Council that Mr. Ralph Hall called to say that he was attempting to work out something satisfactory to all concerned and asked for an extension of time. The Council took no action other than instruct the Secretary to contact Mr. Hall for progress report.

No further business came before the Council, and the meeting was adjourned.

Harry J. Myers
Mayor

ATTEST:

James C. Williams
City Secretary

CALLED MEETING OF THE CITY COUNCIL HELD
July 10, 1972

The Rockwall City Council met in a called session on July 10, 1972, at 7:30 P.M. in the City Hall. The following members were present: Randolph Gheen, Harry Knight, Arthur Kuhlman, Roger McCallum and Garvin Tate. Alderman Tate, Mayor Pro-tem, presided in the absence of Mayor Harry Myers.

Also present were: Bill Lofland, Mike McCauley and Bruce Clark.

The purpose of the meeting was to consider rezoning of the Joe and Nan Smartt 29.74 acre tract, located in the McFarland Survey, as recommended by the City's Planning and Zoning Commission. Mr. Clark presented a letter from Mr. Max Scheid which requested that building height be restricted to 2 stories. Mr. Lofland, on behalf of the Smartts requested that no such restriction be included in the zoning change if granted. Alderman Kuhlman made a motion that zoning change be granted without restrictions. Alderman Knight seconded this motion and Ordinance #72-5 was adopted by unanimous vote of the Council.

Also to be considered at this called meeting was the Fire Dept.'s proposal for revised method of paying Fire Department expenses.

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 72-6

An ordinance of the City of Rockwall amending the Comprehensive Zoning Ordinance, as heretofore amended, so as to give the following described tracts of land a MF-1 zoning classification for Multi-family dwelling use to be designated as MF-1 said MF-1 being described as follows, to wit: Part of that certain tract of land out of the B. F. Boydston Survey situated in the City and County of Rockwall, State of Texas, out of the J. W. Reese, Jr. tract, recorded in Volume 43, page 148 of the Deed Records, Rockwall County, Texas and more particularly described as follows:

BEGINNING at a point in the south boundary of said J. W. Reese, Jr. tract, said point being 200 ft. west of the southeast corner of said tract;

THENCE north approximately 387.5 ft. to a point in the north boundary of said tract;

THENCE north 87° 18' 59" west, a distance of 625 ft. to a point in center line of creek;

THENCE south 0° 26' 11" west, a distance of 423.63 ft. to an iron rod in fence;

THENCE north 88° 4' 38" east, a distance of 608.28 ft. to the point of Beginning, being all of said J. W. Reese, Jr. 6.98 acre tract save and except that portion currently zoned GR and containing 4.5 acres more or less; providing for certain conditions; providing for a penalty not to exceed the sum of two hundred dollars (\$200.00) for each offense; and declaring an emergency.

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 after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, had concluded that the Comprehensive Zoning Ordinance should be amended; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION I. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be, and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give the following described property the following zoning classification, to-wit:

That the following area be, and the same is hereby zoned MF-1, to-wit:

BEGINNING at a point in the south boundary of said J. W. Reese, Jr. tract, said point being 200 ft. west of the southeast corner of said tract;

THENCE north approximately 387.5 ft. to a point in the north boundary of said tract;

THENCE north 87° 18' 59" west, a distance of 625 ft. to a point in center line of creek;

THENCE south 0° 26' 11" west, a distance of 423.63 ft. to an iron rod in fence;

THENCE north 88° 4' 38" east, a distance of 608.28 ft. the point of Beginning. Being all of said J. W. Reese, Jr. 6.98 acre tract save

and except that portion currently zoned GR and containing 4.5 acres more or less; providing for certain conditions; providing for a penalty not to exceed the sum of two hundred dollars (\$200.00) for each offense, and declaring an emergency.

SECTION 2. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance 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 3. That the above described tracts of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended and as amended herein, by the granting of this zoning change.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

SECTION 5. WHEREAS, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest and general welfare of the City of Rockwall, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires 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.

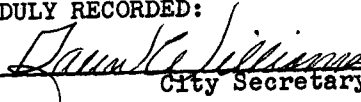
DULY PASSED by the City Council of the City of Rockwall, Texas, on the 3rd day of July, 1972.

APPROVED:



Mayor

DULY RECORDED:



City Secretary