

CITY HALL

ROCKWALL TEXAS

APPLICATION FOR ZONING CHANGE

Case No. \_\_\_\_\_ Filing Fee \_\_\_\_\_ Date 7-15-77

Applicant Ted Cain

Mailing Address 812 S. Goliad, Rockwall, Tx. Phone No. 722-5404

LEGAL DESCRIPTION OF PROPERTY SOUGHT TO BE REZONED:

(if additional space is needed for description, the description may be put on a separate sheet and attached hereto.)

See attached sheet.

I hereby request that the above described property be changed from its present zoning which is "GR" District Classification to a "C" District Classification for the following reasons: (Attach separate sheet if necessary.)

1. To sell used cars.
- 2.
- 3.

THERE <sup>(ARE)</sup> ~~(ARE NOT)~~ DEED RESTRICTIONS PERTAINING TO THE INTENDED USE OF THE PROPERTY.

STATUS OF APPLICANT: Owner  Tenant \_\_\_\_\_ Prospective Purchaser \_\_\_\_\_

I have attached hereto as Exhibit "A" a Plat showing the property which is the subject of this requested zoning change and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

Ted Cain  
APPLICANT

NOTE: The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

(The following Certificate may be used by the applicant to give notice to the City of the sufficiency of the legal description, however, the same is not a requirement of the Application.)

CERTIFICATE

I hereby certify that I have checked the legal description of the property described in this Application and the same describes the tract of land shown on the Plat attached hereto as Exhibit "A" and said description is sufficient to allow qualified surveyor to locate and mark off said tract on the ground

\_\_\_\_\_  
Surveyor or Attorney for Applicant  
(Mark out one)



No. \_\_\_\_\_

DATE July 18 19 77

RECEIVED FROM

Ed Cain

DOLLARS \$ 50.00

FOR

Buying change

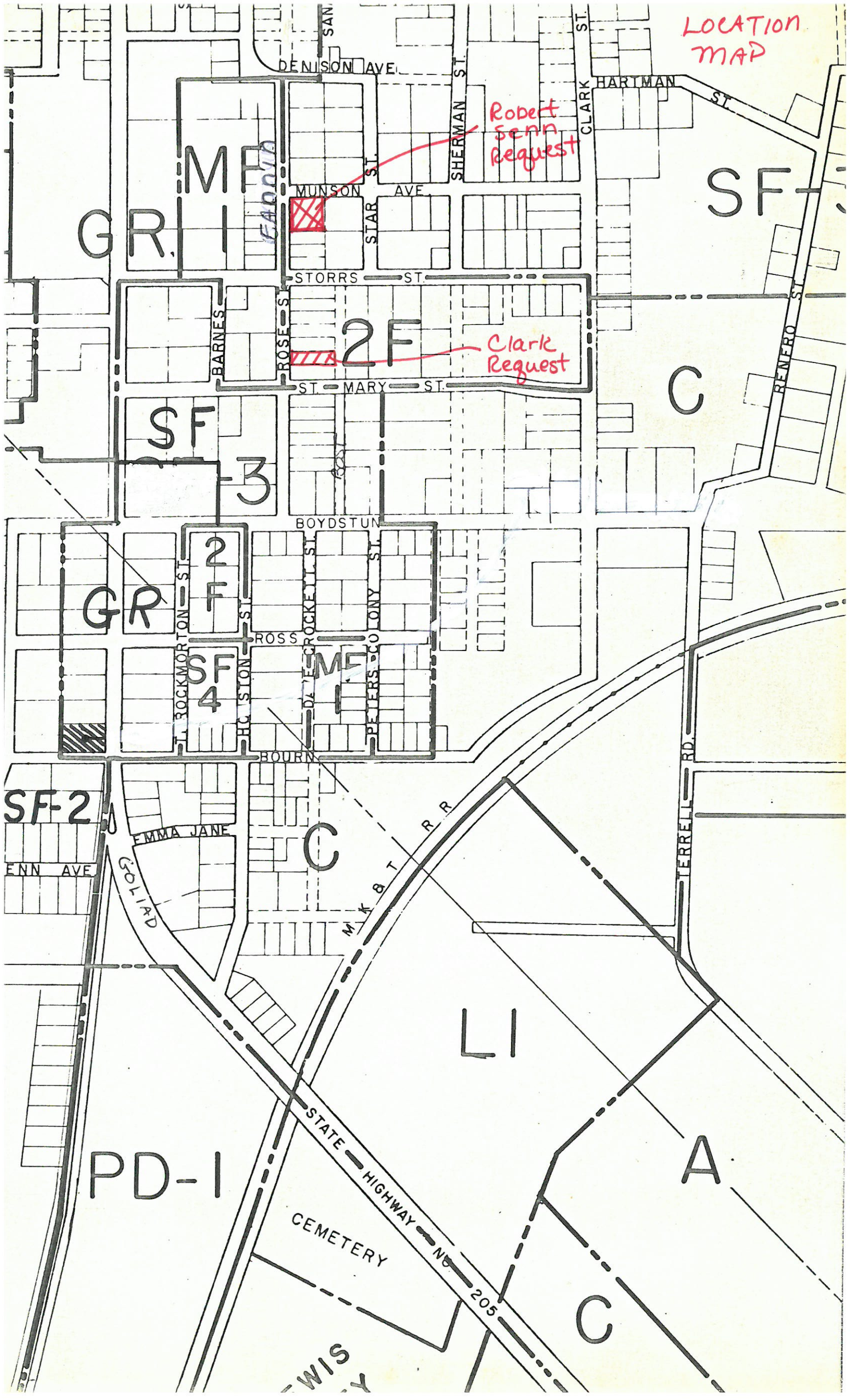
|                   |            |  |            |  |
|-------------------|------------|--|------------|--|
| Amount of Account |            |  | Paid Cash  |  |
| Amount Paid       | <u>237</u> |  | Check      |  |
| Balance Due       |            |  | Money Ord. |  |

Thank You

BY Lesley Tyson



LOCATION  
MAP



Robert  
Senn  
Request



Clark  
Request

2F

ST MARY ST

2F

SF 4

SF-2

PD-1

CEMETERY

205

WIS Y



336 THE STATE OF TEXAS, }  
COUNTY OF ROCKWALL

KNOW ALL MEN BY THESE PRESENTS:

That I, Pansy Dobbs, Individually and as Independent Executrix of the estate of Robert Howard Dobbs, deceased,

of the County of Rockwall State of Texas, for and in consideration of

the sum of TEN THOUSAND AND NO/100 (\$10,000.00)-----

DOLLARS,

cash

to me in hand paid by Ted Cain and wife, Maurine W. Cain,

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said Ted Cain and wife, Maurine W. Cain

of the County of Rockwall, State of Texas, all that certain lot, tract or parcel of land situated in Rockwall County, Texas, in the City of Rockwall, and being parts of lots Numbers 3 & 4, Block "M" of Sanger Brothers Addition to the City of Rockwall, being all of said lots save and except however, a strip deeded off the East ends of said lots to the State of Texas for highway 205, and a strip off the West ends of said lots deeded to M. L. Halford and S.M. Fondren. Beginning on the S line of Lot Number 4 at a point where the S line of said Lot 4 intersects the W line of Highway No. 205; Thence North with W. line of highway 205, being originally designated on the Map of Sanger Brothers Addition as Goliad St. a distance of 140 feet to Shirley Barnes S E corn. Thence West with his South line 108 feet more or less corner; Thence South with Willess' E line 140 feet to N. line of Bourn Ave. Thence East with N line of Bourn Ave. and the S line of Lot 4, 108 ft. more or less to the place of beginning, being same and identical lots conveyed to N. Futrell and wife, by Clemmie Fondren, by deed dated Mar. 28, 1951, of record in Vol. 47, page 207, Deed Records of Rockwall County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said Ted Cain and wife, Maruine W. Cain, their heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators, to Warrant and Forever Defend all and singular the said premises unto the said Ted Cain and wife, Maurine W. Cain, their heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

Witness my hand at Rockwall, Texas

this 17th day of September, A. D. 19 70.

Witnesses at Request of Grantor:

*Pansy Dobbs*



....all that certain lot, tract or parcel of land situated in Rockwall County, Texas, in the City of Rockwall, and being parts of lots Numbers 3 & 4, Block "M" of Sanger Brothers Addition to the City of Rockwall, being all of said lots save and except however, a strip deeded off the East ends of said lots to the State of Texas for highway 205, and a strip off the west ends of said lots deeded to M. L. Halford and S. M. Fondren. Beginning on the S line of Lot Number 4 at a point where the S line of said Lot 4 intersects the W line of Highway No. 205; Thence North with W. Line of highway 205, being originally designated on the Map of Sanger Brothers Addition as Goliad St. a distance of 140 feet to Shirley Barnes S E corn. Thence West with his South line 108 feet more or less corner; Thence South with Willess' E line 140 feet to N. line of Bourn Ave. Thence East with N line of Bourn Ave. and the S line of Lot 4, 108 ft. more or less to the place of beginning, being same and identical lots conveyed to N. Futrell and wife, by Clemmie Fondren, by deed dated Mar. 28, 1951, of record in Vol. 47, page 207, Deed Records of Rockwall County, Texas.

# City of Rockwall

102 EAST WASHINGTON

ROCKWALL, TEXAS 75087

July 22, 1977


Mr. Ted Cain  
812 South Goliad  
Rockwall, Texas 75087

Ted:

On May 31st of this year I wrote you the letter about the used car parking lot that you are operating adjacent to your real estate office on South Goliad. It is my hope that it will not be necessary for me to turn this over to our City Attorney for formal action, but this will be necessary unless you do one of two things in the next ten days. The first and obvious thing is to cease the use of this property for a used car sales lot. The second thing would be to make application within the next ten days for a rezoning of the property to "C" zoning which is the highest use permitted under our ordinance for used car sales lots.

I am not encouraging you to file for this zoning because my impression is that the Planning and Zoning Commission has recently indicated their objections to converting "GR" Zoning to any lower class for that area of Goliad Street. But regardless of my comments, it is your right to file for whatever you wish. I ask that you contact this office or Ed Heath, who would handle a zoning request, not later than Friday, July 22nd.

Sincerely yours,

  
John Sellon  
City Administrator

JS/mmp  
CC: Ed Heath

# *City of Rockwall*

102 EAST WASHINGTON

**ROCKWALL, TEXAS 75087**

July 26, 1977

Mr. Ted Cain  
812 S. Goliad  
Rockwall, Texas 75087

Dear Mr. Cain:

Your application for a change in zoning for your property on South Goliad street has been scheduled for the Planning and Zoning Commission meeting on July 28th at 7:30 at the Rockwall City Hall. A copy of the Agenda for that meeting is enclosed.

Sincerely yours,

Jesse E. Gilbert, Jr.  
City Administrator

Enclosure  
JEG/mmp



# hart graphics

& OFFICE CENTERS, INC.

P.O. BOX 968, AUSTIN, TX 78767 • 1/800/252-9648 TOLL FREE

STAN RANDALL, Sales Representative

1 RW Phyllis

2nd Bx 7rd  
Box 50688  
PO Box 51000575  
Dallas  
75250

- (1) James L. Wilkes (estate) 1420-073
- (2) C. W. Falls - Health PO Box 7
- (3) Carolina Motor Parts 121 Kenway
- (4) A. J. Canup Sr. (estate) @ P. pages 906 S. Dalead
- (5) A. J. Canup Jr. 903 S. aland
- (6) Elizabeth Sears 901 S. Jolud
- (7) C. O. Lofland (estate) allie 3600  
Coyland Rd  
Tyler  
15701
- (8) FRANK Kendle - 811 S 2
- (9) ~~FRANK~~ WATKINS - 809 - S 2
- (10) J. R. Falls (ESTATE) - Health ?  
204 N. Jannin
- (11) Lois Holt - ~~SS Lambill~~  
Tommy McCain  
Cummings  
Comline, Tex

11 Notices mailed July 11, 1979

Mailed 7/18/79

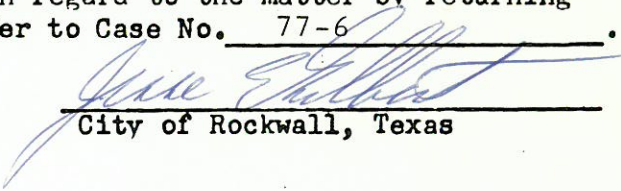
~~at~~  
~~Letters~~



BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing  
at 7:30 o'clock P. M, on the 28th day of  
July, 1977, in the Rockwall City Hall, Rockwall  
Texas, on the request of Ted Cain  
for a change of zoning from "GR" "General Retail  
District Classification to "C" "Commercial  
District Classification on the following described property:

As an interested property owner, it is important that you attend this hearing  
or notify the committee of your feeling in regard to the matter by returning  
the below form. In replying, please refer to Case No. 77-6.

  
\_\_\_\_\_  
City of Rockwall, Texas

-----

The following form may be filled out and mailed to the City Planning & Zoning  
Commission, 102 E. Washington, Rockwall, Texas 75087.

Case Number: 77-6

Reason for Change:

I am in favor of the request for the following reasons: \_\_\_\_\_

I am opposed to the request for the following reasons: \_\_\_\_\_

- 1.
- 2.
- 3.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,  
CITY OF ROCKWALL, TEXAS



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See Attached Plat

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City of Rockwall, Texas

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Case Number: 77-6

Reason for Change:

I am in favor of the request for the following reasons: ✓

I am opposed to the request for the following reasons: \_\_\_\_\_

1. Helps the looks of our street to have new building
2. and lights.
3. \_\_\_\_\_

Signature A.J. + Eloise Campy  
Address 103 So. Alamo

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,  
CITY OF ROCKWALL, TEXAS

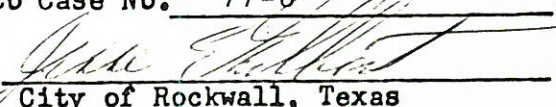


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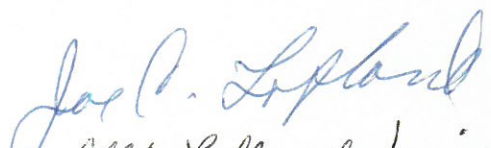
Case Number: 77-6

Reason for Change:

I am in favor of the request for the following reasons: ✓

I am opposed to the request for the following reasons: \_\_\_\_\_

- 1.
- 2.
- 3.

  
Signature Allie Leland Smith  
Address 3600 Copeland Rd. Tyler, Tex 75701

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,  
CITY OF ROCKWALL, TEXAS



BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at  
7:30 o'clock P.M., on the 25th day of October,  
1979, in the Rockwall City Hall, Rockwall Texas, on the request of  
Ted Cain for a change of zoning from  
"GR" General Retail District Classification,  
to "C" Commercial District Classification,  
on the following described property:

(See Attached)

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. \_\_\_\_\_.

  
\_\_\_\_\_  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 77-6

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. \_\_\_\_\_

1.

2.

3.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall



The following form may be filled out and mailed to the City Planning & Zoning Commission, 102 E. Washington, Rockwall, Texas 75087.

Case Number: 77-6

Reason for Change:

I am in favor of the request for the following reasons: ✓

I am opposed to the request for the following reasons: \_\_\_\_\_

1. *Because of the neatness Mr. Cain has*
2. *manufactured on subject property*
3.

Signature Mr. Frank Watkins

Address 809 S. Goliad

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,  
CITY OF ROCKWALL, TEXAS



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Case Number: 77-6

Reason for Change:

I am in favor of the request for the following reasons: ✓

I am opposed to the request for the following reasons: \_\_\_\_\_

- 1.
- 2.
- 3.

Signature Mrs A. P. Yeager

Address 906 S. Galia

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,  
CITY OF ROCKWALL, TEXAS

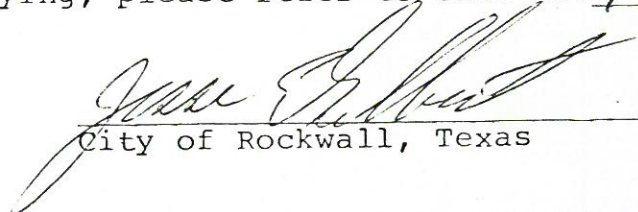


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\_\_\_\_\_  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 77-6

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

1. I own property in that vicinity and
2. would like to sell.

3.

Signature Allie Leland Smith  
Address 3600 Copeland Rd. Tyler Tex

Check one item PLEASE and return the notice to this office IMMEDIATELY. 75701

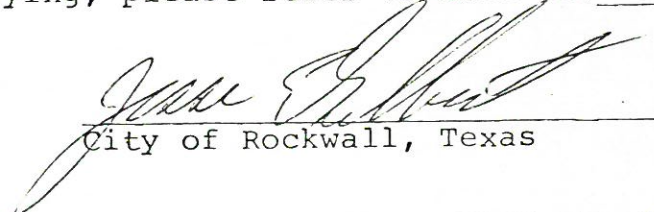
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\_\_\_\_\_  
City of Rockwall, Texas

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Case No. 77-6

I am in favor of the request for the reasons listed below. Yes

I am opposed to the request for the reasons listed below. \_\_\_\_\_

1. Property owner in <sup>single</sup> area under discussion
2. Plan to build Auto Parts store on lot I own.
3. \_\_\_\_\_

Signature Arvid Kevanek Bütz

Address 402 W. Boydston

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall





TO WHOM IT MAY CONERN:

We the undersigned, being residents in the neighborhood, adjacent to the proposed re-zoning, have no objections to the change:

James Willess Est.

Geo. Kirk King  
Caroline Motor Parts

A. J. + Elsie Canup Jr.  
A. J. Canup Jr.

Elizabeth Sears  
Elizabeth Sears

Mrs F. R. Falls  
Frank Kendall Est.

C. W. Falls  
J. R. Falls Est.

Edna Kendall  
Christina Withers

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Charles W. Falls  
Charles Falls

A. J. Canup Est.

Ebie Yeager  
Ebie Yeager

E. O. Lofland  
E. O. Lofland

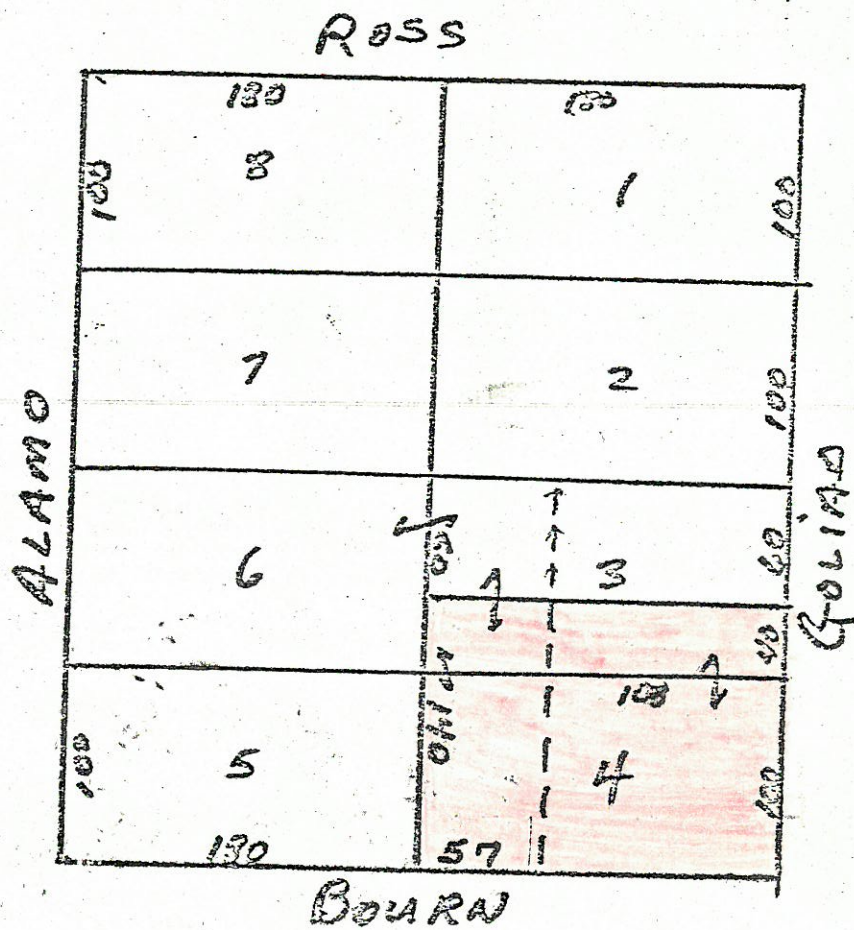
Frank Watkins Est.

Lois Holt

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



BLOCK M  
SANGER ADD.



MINUTES OF THE PLANNING AND ZONING COMMISSION

July 28, 1977

The July 28th meeting of the Planning and Zoning Commission was called to order by Chairman Kenneth Glasscock at 7:35 P.M. In addition to the Chairman members Kenneth Smith, Wayne Rogers, Joe Holt, Bob Coats, Wayne Fisher and Earl Slaughter were present.

Chairman Glasscock then asked for any additions or corrections to the Minutes of the previous meeting; there being none, the Minutes were declared to be satisfactory as presented.

Chairman Glasscock then suggested that the second item on the Agenda, Historical Landmark Preservation, be moved to the last item on the Agenda.

Chairman Glasscock then introduced the request of Ted Cain for a change in zoning from GR to C on the property on the northwest corner of South Goliad and Bourn. Ted Cain then presented the facts involved in the request for this change of zoning which primarily centered on the use of part of his property as a used car lot. His immediate interest was to pave the lot and improve it for the sale of his used cars. He did mention that at the time of building the building which does conform to the GR zoning that he had not asked the question about the operation of a used car lot, nor had it been pointed out to him by the Administration that a used car lot was illegal in GR zoning at the time he was constructing the building. The discussion followed on a number of questions and was quite lengthy. Questions that were asked and discussed were: 1. what can be put in C zoning; what is the future of Goliad Street from this point into the Square; if the present adjoining owners find that the present use is not objectionable, what could be done to changing categories in the Zoning Ordinance to provide for such uses along South Goliad Street; are changes in C zoning necessary as a means of breaking it down into a greater number of categories that would put more restrictions on certain classifications on C zoning. The question of a Special Use permit was then discussed and it was pointed out that our Zoning Ordinance lists those items which can be classified as Special Use, and a Used Car Sales Lot is not one. Therefore, a Special Use permit cannot be considered at this time. It was moved by Mr. Rogers that the request for this change in zoning from GR to C be tabled until the Commission has had time to study specific classifications of breaking C zoning into a number of uses and that the used car lot be permitted until such time as this review has been completed. Mr. Holt seconded the motion, and the vote for was unan-



the Light Industrial behind the C zoning which fronts on SH-66 to construct a mini warehouse. The Board then brought up the question of the broad uses that are permitted in these two districts. The discussion was similar to the discussion on the Ted Cain zoning case, citing the many uses that could be objectionable to existing and proposed residential development in this area. It was moved by Mr. Fisher to table this request pending the outcome of the study of land uses for the area and various other categorical changes in the C District. Wayne Rogers seconded the motion and the vote was unanimously affirmative.

Mr. Burgamy then asked if they could not approve a Special Permit in the GR district for a car wash, which is approved in our present Zoning Ordinance. The City Administrator pointed out that procedures for zoning must be followed and since this request was not made, and therefore notices to the adjoining property owners given in the proper procedure, that such a request could not be considered at this meeting. It would have to be requested in the normal course of zoning requests. The Commission then discussed this question and indicated that if Mr. Burgamy wished to come in with a Special Permit request for a car wash in the GR district that they felt that it could be given favorable consideration.

The next item on the Agenda was the request by Stonebridge Meadows for a change in zoning from MF-2 and 2-F to SF-2 and SF-3. Larry Peebles presented the specific detailed plans of the platting of this land and showed how its use would be compatible with adjoining properties and requested this change to meet with their master plan. Commissioner Holt moved approval of the request for a change from MF-2 and 2-F to SF-2 and SF-3. Commissioner Coats seconded the motion, and the vote for was unanimous.

The Wilson Addition, which is a final plat on a single lot development, was presented. There had been a request on the part of the Administration for a 25' dedication of right-of-way along the south side of this property in order to provide sufficient right-of-way for a permanent thoroughfare that would meet City standards on an existing road that had once been a County Road. Commissioner Slaughter moved approval of the Wilson Addition as presented, Mr. Smith seconded the motion and the vote for was unanimous.

Chairman Glasscock and other members of the Commission that had been participating in the Citizen's Planning Committee then discussed the

Chairman Glasscock stated that since all of the business of the Commission that was on the Agenda had been resolved and that there was no further business before the Commission that the meeting be adjourned. The meeting was so adjourned at 9:30 P.M.

K. L. Glasscock

ATTESTED

Jesse E. Allen



Denial P42

10-25-79

TED CAIN - ZONING

77-6  
1979