

CITY HALL

ROCKWALL TEXAS

APPLICATION FOR ZONING CHANGE

Case No. \_\_\_\_\_ Filing Fee 50.00 Date 10-26-77

Applicant Mrs. Jimmie Starr

Mailing Address 402 Nash, Rockwall, Tx. Phone No. 722-6878

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 description

I hereby request that the above described property be changed from its present zoning which is "SF 3" "Single Family III" District Classification to a "special use" District Classification

for the following reasons: (Attach separate sheet if necessary.)

1. After school day-care.
- 2.
- 3.

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

STATUS OF APPLICANT: Owner yes 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.

Jimmie Starr  
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.

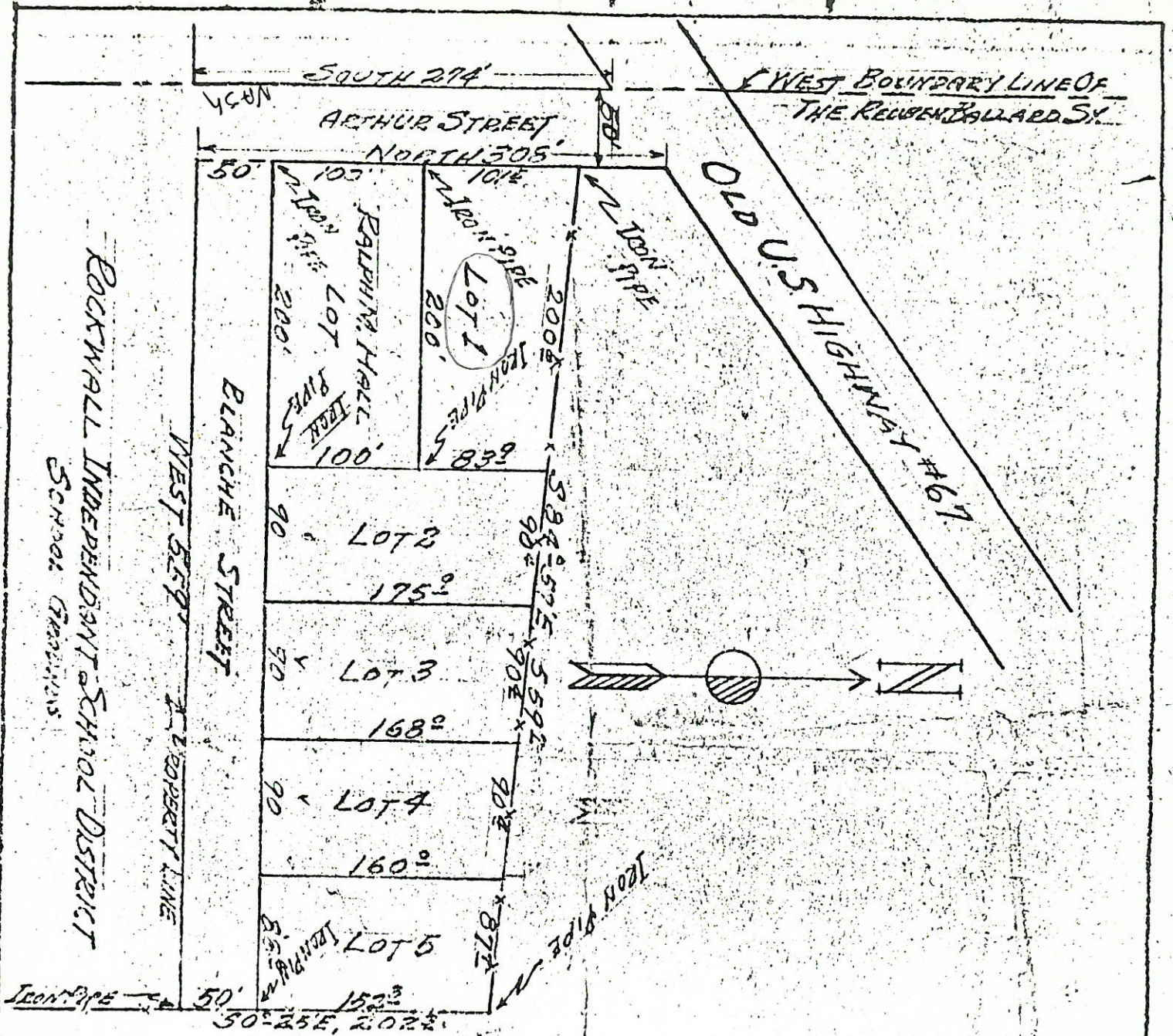
(The following Certificate may be used by the applicant to give notice to the City of the sufficiency of the legal description, however, the same is not a requirement of the Application.)

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)





**HAYS ADDITION**

TO THE TOWN OF ROCKWALL, ROCKWALL COUNTY, TEXAS, OUT OF THE LANDS OF THE ESTATE OF F. E. WILLIAMS, AND IN THE REUBEN BALLARD SURVEY.  
 DATE - DEC. 13, 1954

SCALE 1 INCH = 100 FEET

**CERTIFICATE:** I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT OF THESE LANDS, AND THAT THE DIMENSIONS INDICATED ARE FROM ACTUAL MEASUREMENTS MADE BY ME ON THE GROUNDS.

*Frank A. Royse*  
 REGISTERED PROFESSIONAL ENGINEER,  
 COUNTY SURVEYOR ROCKWALL COUNTY, TEXAS.



Jimmie Starr Location

✓ Mrs. Blanche Hays Est. ✓ C/O <u>Celia Hays</u> Rt. 2	97 Boydston-Ballard 121 D Boydston
✓ Mike Williams 8209 Edgemere St. El Paso 79925	97 Boydston
✓ Laura Gene Scott 8209 Edgemere St. El Paso 79925	97 Boydston
✓ Jeanne M. Fortenberry ✓ 306 N. Clark	121 A & E Ballard
✓ A. L. Stoval 704 Williams	121 B Ballard
✓ Harry Duke <i>1144 Edna</i> 802 Williams	121 B Ballard
✓ R. F. Stokes 902 Williams	96 B Ballard
✓ Robert H. Sheets ✓ 906 Williams	96 Ballard
✓ Jimmy Babb ✓ 908 Williams	96 Ballard
✓ Mrs. L. C. Stevenson 904 Williams	96 B Ballard
✓ RISD 101 S. Clark	98 A Boydston 40 & 41 Boydston
✓ Alma C. Gaines 304 N. Clark	98A Ballard
✓ Assy of God Church 609 E. Rusk	120 Boydston
✓ A. L. Richardson 504 Nash	2 Leonard Adams
James Watson 301 Nash	98 Boydston

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BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at City Hall o'clock 7:30 P.M., on the 17 day of November, 19 77, in the Rockwall City Hall, Rockwall Texas, on the request of Mrs. Jimmie Starr for a change of zoning from "SF-3" Single Family III District Classification to "SU" Special Use District Classification on the following described property:

402 Nash St. Lot 1 of the Hays Addition as recorded in Vol. 49, Page 544, Deed Records of Rockwall County, Texas

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. 77-12.

\_\_\_\_\_  
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: 77-12

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



BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

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for a change of zoning from "SF-3" Single family III  
District Classification to "SU" Special use  
District Classification on the following described property:

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Ed Heath  
City of Rockwall, Texas

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Commission, 102 E. Washington, Rockwall, Texas 75087.

Case Number: \_\_\_\_\_

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. I live on this street & want to keep it Single Family
2. Could possibly lower value of property
3. The street is already worn & full of holes from school traffic & unkept by city to the extent that more traffic would make it still worse

Signature James H. Watson  
Address 301 Nash - Rockwall

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

Thank You,  
CITY OF ROCKWALL, TEXAS



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402 Nash St. Lot 1 of the Hays addition as recorded in Vol. 49, Page 544, Deed Records of Rockwall County, Texas.

*This property will be used for a Day Care Center after school hours*

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. 77-12.

*Ed Heath*  
City of Rockwall, Texas

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Case Number: \_\_\_\_\_

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 A. F. Hooker  
Address 902 Williams

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

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402 Nash Street Lot 1 of the Hays Addition as recorded in Vol. 49, Page 544, Deed Records of Rockwall County, Texas.

Reason for Change:

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

I am opposed to the request for the following reasons: no change in zoning S4-3.

- 1.
- 2.
- 3.

Signature Mrs. R. E. Grains  
Address 304 North Clark

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

Thank You,  
CITY OF ROCKWALL, TEXAS



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Case Number: 77-12

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. Other property possibly to be zoned other than SF 3.
2. Already have sewer line problems as now zoned.
- 3.

Signature Robert H. Sheets  
Address 906 Williams

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

Thank You,  
CITY OF ROCKWALL, TEXAS



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Case Number: 77-12

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. We want to keep this a residential section
2. Have had too many sewage problems in neighborhood to add a daycare center with its increase usage on sewage lines.
- 3.

Signature \_\_\_\_\_

Address 908 Williams

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

Thank You,  
CITY OF ROCKWALL, TEXAS



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Case Number: 77-12

Reason for Change:

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

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

1. *We want to keep this neighborhood strictly residential! We still have our sewer problem and don't need an increase in use on it.*
2. *We have 2 day care centers within 5 blocks of this address and we feel that's enough for our area.*
3. *Mrs Starr already has 2 day care centers in Rockwall why does she need another one in our neighborhood?*

Signature Ann & Jimmy Babb

Address 908 Williams

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Case Number: 77-12

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. As now zoned we have sewer line problems which would increase if changed to S.U. zoning.
2. Do not want area changed from single family
3. residence zoning.

Signature Mrs L.C. Stevenson  
Address 904 Williams

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

Thank You,  
CITY OF ROCKWALL, TEXAS

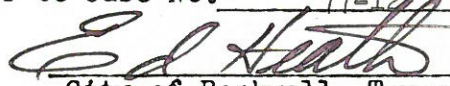
BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing  
at City Hall o'clock 7:30 p.M, on the 15th day of  
December, 19 77, in the Rockwall City Hall, Rockwall  
Texas, on the request of Mrs. Jimmie Starr  
for a change of zoning from "SF-3" "Single Family III  
District Classification to "SU" "Special Use  
District Classification on the following described property:

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Deed Records of Rockwall County, TX

This property will be used for a Day Care Center.

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  
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City of Rockwall, Texas

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Reason for Change:

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

- 1.
- 2.
- 3.

Signature \_\_\_\_\_

Address \_\_\_\_\_

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Ed Heath  
City of Rockwall, Texas

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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. *I want to keep it residential - this would open the door for other businesses.*
2. *When property was purchased, owner knew it was not zoned for business.*
3. *The sewer line is far from adequate for this part of town. Many requests have been made for improvement, but no action has been taken. We certainly do not need more people on our line.*

Signature Mrs L. Stevenson

Address 904 Williams St

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

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CITY OF ROCKWALL, TEXAS

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Case Number: 77-12

Reason for Change:

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

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

- 1.
- 2.
- 3.

Signature D. F. [unclear]  
Address 902 Wellborn

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 City Hall o'clock 7:30 p M, on the 26th day of  
January, 19 78, in the Rockwall City Hall, Rockwall  
Texas, on the request of Mrs Jimmie Star  
for a change of zoning from "SF-3" Single Family III  
District Classification to "SU" Special Use  
District Classification on the following described property:

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Case Number: 77-12

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 Harry A. Duke

Address 802 Williams

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

Thank You,  
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BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

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Case Number: 77-12

Reason for Change:

I am in favor of the request for the following reasons: for the benefit to the children / working mothers

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

1.

2.

3.

Signature Jeanne M. Forti

Address 306 N. Clark

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

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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 R E Quinn

Address Rockwall Tex

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City of Rockwall, Texas

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Reason for Change:

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

I am opposed to the request for the following reasons: X

1. The sewer lines in this area are already overloaded as evidenced by the many calls the city has had and has been unable to relieve the problem.
2. Mrs. Star should have been aware of the zoning when she purchased the property. There seems little need for a third as she reportedly owns 2 others in the city - one of which is within four blocks of the above property.

Signature Mrs L.C. Stevenson

Address 904 Williams Street

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

Thank You,  
CITY OF ROCKWALL, TEXAS

*3. Exceptionally heavy <sup>auto and bus</sup> traffic spurs around the properties from those going to the middle school, the elementary, and the intermediate schools, thus making the children at the proposed nursery more liable to serious injury.*



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

I am opposed to the request for the following reasons: ✓

1. A sewage problem that would be created.
2. Property is lowered in value by Special Use
3. Mrs. Star has two Day Care Centers now, why monopolize?

Signature Celia Hays

Address Rt. 2 Box 45, Rockwall

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

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Case Number: 77-12

Reason for Change:

I am in favor of the request for the following reasons: OK With me

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

- 1.
- 2.
- 3.

Signature A L Richardson  
Address 504 W. Wash St

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

Thank You,  
CITY OF ROCKWALL, TEXAS



NOTICE OF PUBLIC HEARING  
BEFORE THE PLANNING AND ZONING COMMISSION  
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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 \_\_\_\_\_

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Case Number: 77-12

Reason for Change:

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

I am opposed to the request for the following reasons: XXX

AS STATED PREVIOUSLY:

1. Do not wish to have zoning changed from residential.
2. Have a sewer line problem on our street and feel this would add to our problems.
3. Mrs. Starr already has two (2) child care facilities in Rockwall--one within four blocks from this location and do not see any need to add another.

Signature Robert D. Sheets

Address 906 Williams

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

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CITY OF ROCKWALL, TEXAS



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Reason for Change:

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

I am opposed to the request for the following reasons: XXXXXXXX

1. This is a residential area and we would really like to keep it as a neighborhood area
2. Our sewage problems are still not cleared up and we don't really need a day care center with its added usage on it.
3. Mrs. Starr already has two centers in Rockwall, one of which is within 5 blocks of this location. We don't feel its necessary to put another one, even an afterschool one, in our neighborhood!

Signature Ann & Jimmy Cobb

Address 908 Williams

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Reason for Change:

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

I am opposed to the request for the following reasons: XXX

1. Do not want area changed from residential zoning.
2. Until sewer line problems are resolved this would create more waste and therefore more problems for this area.
3. Mrs. Starr already has a child care center facility at another location of the city and do not see need for another one here.

Signature Robert D. Sheets

Address 906 Williams

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

Thank You,  
CITY OF ROCKWALL, TEXAS



SPECIAL MEETING

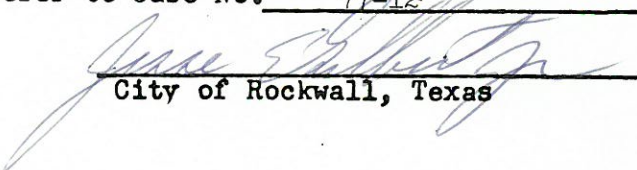
BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing  
at 7:30 o'clock P.M., on the 9th day of  
February, 1978, in the Rockwall City Hall, Rockwall  
Texas, on the request of Mrs. Jimmie Starr  
for a change of zoning from "SF-3" Single Family III  
District Classification to "SP U" Special Use (see below)\*  
District Classification on the following described property:

402 Nash St., Lot 1 of the Hays Addition as recorded in Vol. 49, Page 544,  
Deed Records of Rockwall County Texas

\*This property will be used for a Day Care Center

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. 77-12.

  
\_\_\_\_\_  
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: 77-12

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

SPECIAL MEETING

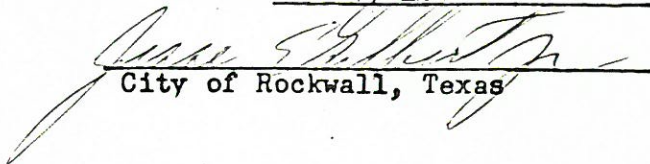
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City of Rockwall, Texas

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

Case Number: 77-12

Reason for Change:

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

I am opposed to the request for the following reasons: XXX AS STATED PREVIOUSLY:

1. Do not wish to have zoning changed from residential. Mrs. Starr was well aware of zoning in this area when property purchased.
2. Have a sewer line problem that has been worse this past year and we feel this would compound our problems.
3. Mrs. Starr already has two (2) child care facilities in Rockwall--One is within four blocks from this location (which she purchased incidentally after the first hearing for rezoning) and do not see any need to add another.

Signature Robert H. Sheets  
Address 906 Williams

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

Thank You,  
CITY OF ROCKWALL, TEXAS

Feb 1, 1978



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

Case Number: 77-12

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. We feel that we'd like to keep our neighborhood strictly residential.
2. We have a day care center 4 blocks from us and we don't feel we need another one in our neighborhood.
3. Our continuing sewage problems make it undesirable to have a day care here at present.

Signature Jim & Ann Babb

Address 908 Williams

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

Thank You,  
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: 77-12

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. *I think the value of surrounding property is lowered in value*
2. *A sewage problem now exists and it would add more*
3. *problems.*

Signature Celia Hays

Address Rt. 2 Box 45, Rockwall

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

Thank You,  
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: 77-12

Reason for Change:

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

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

- 1.
- 2.
- 3.

Signature A. L. Richardson

Address Rockwall Texas

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

Thank You,  
CITY OF ROCKWALL, TEXAS

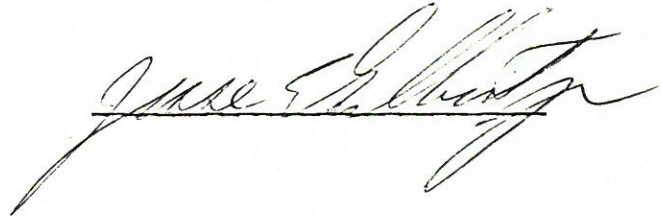
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NOTICE

January 30, 1978

Because of a lack of a quorum, the regularly scheduled meeting of Rock-wall's Planning and Zoning Commission has been rescheduled for February 9, 1978, at 7:30 P.M.

If you have already indicated approval or objection to this zoning case, it will not be necessary for you to return the enclosed form.

A handwritten signature in cursive script, appearing to read "James E. Blunt", is written over a horizontal line. The signature is located in the lower right quadrant of the page.



# *City of Rockwall*

102 EAST WASHINGTON  
ROCKWALL, TEXAS 75087

March 7, 1978

Mrs. Jimmie Starr  
402 Nash Street  
Rockwall, Texas 75087

Subject: Special Use Permit for Day Care Center

Dear Mrs. Starr:

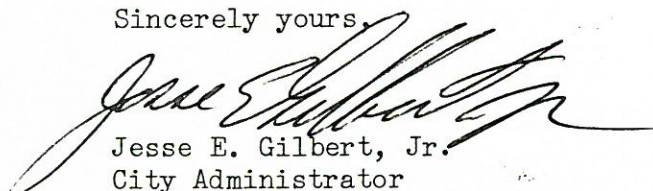
The Rockwall City Council at its regular meeting on March 6, 1978, approved a Special Use Permit for a Day Care Center at 402 Nash Street with the following limitations:

The facility will be for after school care only for no more than twelve children, and will be operated only on week days (Monday through Friday) from 11:00 A.M. to 6:00 P.M.

This permit does not constitute authority to take out a building permit to construct a separate building to house the facility.

In the event the property is leased, sold, or by any means conveyed, this permit will be null and void.

Sincerely yours,



Jesse E. Gilbert, Jr.  
City Administrator

JEG/mmp

MINUTES OF THE PLANNING AND ZONING COMMISSION

December 15, 1977

The December 15, 1977, 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, Commissioners Bob Coats, Earl Slaughter, and Wayne Fisher were present. The Chairman asked for any additions or corrections to the minutes of the previous meeting; there being none, the minutes were declared to be approved as presented.

The Chairman opened the public hearing on an ordinance entitled "An Ordinance of the City of Rockwall, Texas, adopting regulations designed to minimize flood losses in flood-hazard areas of Rockwall which are subject to periodic inundation; providing definitions; establishing the duties and responsibilities of the Chief Building Inspector; providing for variances, and establishing standards; providing for a penalty not to exceed two hundred dollars (\$200.00) for each offense; providing a severability clause and an effective date".

The Commission asked the City Administrator to briefly outline the provisions of the Flood Plain Ordinance. Following the City Administrator's presentation, there being no one present who wished to speak for or against the ordinance, the Chairman declared the public hearing closed.

Commissioner Coats moved that the ordinance be recommended to the City Council. The motion was seconded by Commissioner Fisher and the vote for was unanimous.

The Chairman opened the public hearing on an ordinance amending the Comprehensive Zoning of the City of Rockwall to include a classification entitled "Mini-warehouse" and to add this use to those uses currently permitted in Commercial Zoning Districts.

Mr. John Sellon, representing the J-Ben Development Corporation, appeared before the Commission to speak in behalf of the zoning ordinance amendment. He stated that he had contacted the planning departments in Mesquite and Dallas and recommended that the definition of mini-warehouse be based on size and use. Mr. Sellon stated that he felt maximum dimensions of mini-warehouse units of 15 ft. by 35 ft. by 10 ft. and clear ceiling height with no exterior opening other than access door, with use restricted to storage of items and no commercial retail or shops or repair businesses to be conducted from the premises of the individual storage units or any place on the premises of the



The City Administrator recommended that the definition of mini-warehouses exclude any utilities being furnished in the building, which would eliminate the possibility of the buildings being used for shops or other uses which could present objectionable features. He stated that he felt that defining the area of the building in terms of 525 sq. ft. with a maximum clear ceiling height of 10 ft. would provide the City staff with a more workable definition. He indicated that he would also recommend that mini-warehouses be permitted by special use permit only. By imposing this restriction it would give the Planning and Zoning Commission and the City Council an opportunity to require the developer to submit an elevation of the proposed structure. This would insure that the architecture would be compatible with the surrounding area. In addition, the Planning and Zoning Commission and City Council could exclude mini-warehouse uses from areas zoned commercial, such as along Ridge Road where development of this type would not be in the best interest of long range City development.

The Chairman declared the public hearing on the proposed amendment closed.

Commissioner Coats moved that the use classification entitled "Mini-warehouses" be added to uses permitted in Commercial, Light Industrial, and High Industrial Districts by special use permit, and defining a mini-warehouse as a structure containing one or more units of no more than 525 sq. ft. with a maximum clear ceiling height of 10 ft., without any utility connections, with use restricted to storage of items, but not permitting commercial or retail sales or shops or other similar businesses to operate out of or within the individual storage units or any place on the premises of the mini-warehouse development. Commissioner Fisher seconded the motion, and the vote for was unanimous.

The Chairman stated the Commission would have to pass Jimmie Starr's request for a special use permit for a day care center at 402 Nash Street until the next meeting as there were not sufficient members of the Planning and Zoning Commission present to vote on a request to which 20% or more of the neighbors living within 200 ft. had indicated opposition to the requested change.

There being no further business, the Chairman adjourned the meeting.

K. L. Glanville

ATTEST:

Joe E. Smith



## REGULAR MEETING OF THE CITY COUNCIL HELD

March 6, 1978

The Rockwall City Council met in its regular session on March 6, 1978, in the Council Chambers of the City Hall. Mayor Myers called the Council to order at 7:30 P.M. The following Councilmen were present: Garvin Tate, Roger McCallum, Jim Bryant and Leland Miller.

The Mayor asked if there were any changes or corrections to the minutes of the Council meeting of February 6, 1978. There being none, the Minutes were approved as published.

The City Administrator informed the Council that he regretted that he had been unable to complete the Minutes of the Special Council meeting of February 27, 1978, prior to the Council meeting and requested that this item be passed over.

Mr. John Sellon appeared before the Council on behalf of J-Ben Development Corporation requesting a Special Use Permit for Miniwarehouses development in Rockwall Business Park.

The City Administrator informed the Council that the Planning and Zoning Commission had recommended approval of the Special Use permit as requested.

Following a lengthy discussion, Councilman McCallum moved to approve a Special Use Permit for the J-Ben Corporation to construct miniwarehouses in the Rockwall Business Park subject to review of drainage plans by the City engineers prior to the issuance of a building permit. The motion was seconded by Councilman Bryant, and the vote for was unanimous.

The City Administrator introduced a recommendation from the Planning and Zoning Commission that Mrs. Jimmie Starr be granted a Special Use Permit for a Daycare Center at 402 Nash Street, a SF-3 Zoning District. He informed the Council that five families had appeared before the Planning and Zoning Commission in opposition to the proposal. They had indicated to the Planning and Zoning Commission that they did not object to the location of the Daycare Center for the usual reasons of noise, traffic, etc., but feared that the additional load placed on the sanitary sewer would cause additional problems above and beyond what they had already experienced with the sewage. The City Administrator explained that the sewer was originally constructed to serve two homes; however, at the present time there were seven homes connected to the line.

Following a brief discussion, Councilman Miller moved that a Special Use Permit be granted for the operation of a commercial Daycare Center at 402 Nash Street, provided that it be limited to after school care for twelve children, Monday through Friday, with operating hours from 11:00 A.M. to 6:00 P.M. The motion was seconded by Councilman Tate and the vote for was unanimous.

The City Administrator presented a plat on the Chapman Addition, a ten acre tract bounded generally by SH-205 on the east and the northernmost City Limits on the north. Following a brief discussion, Councilman Miller moved that the plat be approved as recommended by the Planning and Zoning Commission. The motion was seconded by Councilman Tate, and the vote for was unanimous.

The City Administrator presented a plat on St. Mary's Estates, a three lot subdivision bounded by St. Mary's Street on the north and beginning approximately 98.12 ft. east of the easternmost right of way line of Bost Street. Following a brief discussion, Councilman Bryant moved acceptance of the plat as approved by the Planning and Zoning Commission. The motion was seconded by Councilman Miller, and the vote for was unanimous.

The City Administrator presented an amended plat on The Shores Subdivision, Phase I, adding utility easements for Texas Power and Light to the approved subdivision plat. Councilman Miller moved approval of the plat as recommended by the Planning and Zoning Commission. Councilman Tate seconded the motion and the vote for was unanimous.

The City Administrator presented the plat for Lakehill Subdivision. As the owner of the property was not present, and the City Administrator was unable to answer the questions posed by the Council, consideration of the plat was passed until the next meeting.

The City Administrator informed the Council that the City's Auditor, Dave Vaughn, was not present as the Council had not expressed any interest in addressing additional questions to Mr. Vaughn. Councilman McCallum moved that the audit report be accepted. Councilman Miller seconded the motion, and the vote for was unanimous.

The Mayor presented a request from the County requesting an allocation of \$17,000.00 to assist the County in paying for emergency ambulance service during the County's current fiscal year. Following a lengthy discussion, Councilman Miller moved that \$7,000.00 from General Funds be allocated to assist the County in paying for the ambulance service and that consideration of the authorization of \$10,000.00 be deferred until July, at which time the Council would have a better picture of the demand placed on the budget. The motion was seconded by Councilman McCallum, and the vote for was unanimous.

The City Administrator presented an ordinance entitled "An Ordinance of the City of Rockwall, Texas, Creating the Office of City Administrator for the City of Rockwall, Texas, and Prescribing His Powers and Duties, and Providing for a Severability Clause".

The City Administrator explained to the Council that in order to obtain liability insurance for elected and appointed officials and the Police Department through the International City Management Association it would be necessary to be recognized by the International City Management Association as a city having officially established a position of general administrator. The



ordinance, if adopted by the Council, would be forwarded to the ICMA, at which point they would consider recognizing Rockwall. Recognition by the ICMA would have the effect of the City's becoming a member of the organization and benefiting from its reference and research services.

Following a brief discussion, Councilman Bryant moved adoption of the ordinance as presented. The motion was seconded by Councilman Tate and the vote for was unanimous.

The City Administrator informed the Council that he had received a letter from the Universal Tank Company informing him that there would be an indefinite delay in the date they would begin construction on the plant. This delay was caused by the coal strike which had forced the company to curtail part of their operation.

The City Administrator informed the Council that the Emergency Item placed on the Agenda was at the suggestion of the City's financial advisor. At the Special Council meeting on February 27, 1978, the Council had passed ordinances setting a rate of approximately 78% increase in the City's water and sewer rate.

This rate was prepared at the Council meeting by the City's engineer, Bob Nichols, after the Council had expressed a desire to reduce the scope of the initial sewer project. After Mr. Nichols had had an opportunity to make a detailed study, he had found that an increase approximately 70% would provide sufficient revenues to build the system approved by the Council.

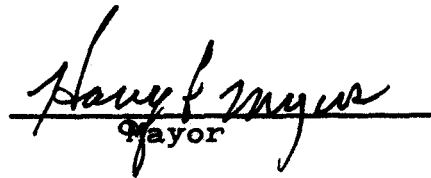
The City Administrator read an ordinance entitled "An Ordinance of the City of Rockwall, Texas, Fixing the Rates to be charged for Sewer Service Furnished by the City, Providing an Effective Date and Declaring an Emergency". Following a brief discussion, Councilman Tate moved adoption of the ordinance. The motion was seconded by Councilman Miller, and the vote for was unanimous.

The City Administrator read an ordinance entitled "An Ordinance of the City of Rockwall, Texas, Fixing the Rate to be Charged for Water Services Furnished by the City, Providing an Effective Date, and Declaring an Emergency". Following a brief discussion, Councilman Miller moved approval of the ordinance. Councilman Bryant seconded the motion, and the vote for was unanimous.

There being no further business, the Mayor declared the Council adjourned at 9:15 P.M.



City Secretary

  
Mayor

ORDINANCE NO. 78-11

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR A DAY CARE CENTER IN AN "SF-3" RESIDENTIAL DISTRICT ON A TRACT OF LAND DESCRIBED MORE FULLY HEREIN: 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 have held a joint public hearing 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, 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 grant a specific use permit for a Day Care Center on a tract of land described as follows:

All that certain Lot, tract or parcel of land out of the R. Ballard Survey, in Rockwall County, Texas, and being also out of the lands of the A. E. Williams Estate;

BEGINNING at a stake in the East Line of a 50 foot roadway or street belonging to the Rockwall Independent School District which roadway was conveyed to said district by Mary Blanche Hays and husband, Harold Hays by deed dated May 27, 1949, and recorded in Vol. 45, Page 153, Deed Records of Rockwall County, Texas, said stake



being 100 ft. South of the Northwest corner of the present lands of the said A. E. Williams Estate, and distant 158 ft. South of the most Northern Northeast corner of the before mentioned Rockwall Independent School District Tract;

THENCE South 100 ft. along the East Margin of said roadway to a stake in the North margin of a street along the North side of the said Rockwall Independent School District property, this stake being 50 ft. North of an inside corner of the said School District Lands;

THENCE East 200 ft. along the margin of the street 50 ft. wide which adjoins the North side of the before mentioned School District property, a stake for corner;

THENCE North 100 ft. to a stake for corner;  
THENCE West 200 ft. to the place of beginning, and being the same land described in a certain deed executed by Harold Hays, et ux to Ralph M. Hall, et ux, dated January 18th, 1954, and recorded in Vol. 49, Page 544, Deed Records of Rockwall County, Texas.

SECTION 2. This specific use permit is granted subject to the following conditions:

- (a) The Day Care Center shall be operated only on Mondays through Fridays from 11:00 A.M. to 6:00 P.M.
- (b) After school care shall be limited to no more than Twelve (12) children.
- (c) This permit shall not authorize the issuance of a building permit to construct a separate building to house the facility.
- (d) In the event the property is leased or sold this permit shall terminate.

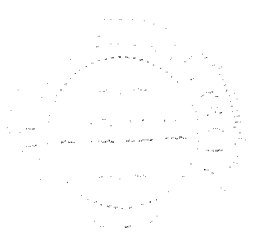
SECTION 3. That the above-described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwell, as heretofore amended, and as amended herein by the granting of this zoning change.

SECTION 4. Any person, firm or corporation violating any of the provisions 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 as amended hereby, and upon conviction shall be punished by a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. Whereas, it appears that the above-described property requires classification so as to grant a specific use permit for a Day Care Center Classification in order to permit its proper development and in order to protect the public interest and general welfare of the City of Rockwall, such requirement creates an urgency and an emergency in the preservation of the public welfare and requires that this ordinance 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 6th day of March, 1978.



APPROVED:

*Harry L. Myers*  
MAYOR

ATTEST:

*June Edwards*  
CITY SECRETARY

APPROVED AS TO FORM:

*B. Robert Baker*  
ATTORNEY



Council

7/21

~~Bob Baker~~

Bob Baker

# INSTANT MEMO

To: \_\_\_\_\_

From: \_\_\_\_\_

Subject: \_\_\_\_\_

Date: \_\_\_\_\_

need to change page  
number to 544 instead  
of 644 this is on  
second page

REVIEW TIME LOG  
Job Name Jimmie's Zoning ~~PLAT~~ Specific Use  
Work Order # 11-1-77-5  
Owner Jimmie Starr  
Date 1/7/77

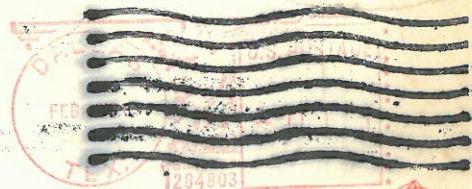
Preliminary

Final

Division	Time	Rate	Charge
1. Ed H.			
2. Jess G.			
3. Freese & Nichol			
4. Bob Baker			
5. Newspaper			
6. Tax office			
7. clerical			
8. Meeting			
9.			
10.			
11.			
12.			
13.			
14.			
15.			



R. H. Sheets  
906 Williams  
Rockwall, TX 75087



City of Rockwall  
City Planning & Zoning Commission  
102 East Washington  
Rockwall, Texas 75087

• Jimmie Star - Zoning Change  
•  
•

Sept 26, 1978

H

Oxford

W No 753 1/3

MADE IN U. S. A.

6878