

CITY OF ROCKWALL
102 East Washington
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 1983-09-SP Filing Fee 50.00 Date 2/28/83
Applicant Ted Cain Phone _____
Mailing Address _____

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 notes

I hereby request that the above described property be changed from its present zoning which is

PD-1 District Classification
to PD-1 revised District Classification

for the following reasons: (attach separate sheet if necessary)
File a temporary site plan for a temporary retail use and to add office uses to the list of approved uses.

There (Are) 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.

Signed *Ted Cain*

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.

NA
Surveyor or Attorney for Applicant
(Mark out one)

AGREEMENT FOR DIVISION OF INTEREST

It is hereby agreed between Ted Cain and Bill R. Cameron and Raymond B. Cameron, each owning an equal one-third (1/3) undivided interest in the following described property lying and being situated in Rockwall County, Texas, to-wit:

All that certain lot, tract or parcel of land, lying in and situated in the City of Rockwall, Rockwall County, Texas, a part of the B. J. T. Lewis and Daniel Atkins Surveys as subdivided- by C. F. Rhoades and wife, and being the same land conveyed to Al I. Folsom and Arthur A. Folsom, by three Deeds, dated November 28, 1965, by C. F. Rhoades and wife, and of record in Volume 48, Page 62 (First Tract) , 60 (Second Tract, and 59 (Third Tract) , less a strip off the West side of each of said three tracts conveyed to the State of Texas for right-of-way purposes and described as follows:

FIRST TRACT: BEGINNING at a concrete marker in the South right-of-way line of State Highway No. 205, and the West right-of-way line of the M-K-T Railroad; THENCE South 18° 43' West, 732.8 feet with the West right-of-way line of said railroad to a stake in fence line; THENCE North 71° 17' West 584.2 feet, right angle to said railroad, to a stake in the East right-of-way line of F.M. Road 740; THENCE with East right-of-way of said Road, N. 12° 26' East, 114 feet, N. 10° 49' E., 109.8 feet; N. 7° 30' E., 108.5 feet; N. 5° 56' E. 399 feet, and N. 6° 00' E., 334.5 feet to an iron pin in the N. W. corner of said tract; THENCE South 81° 00' East 202 feet to a concrete marker in the South right-of-way line of State Highway #205; THENCE South 38° 00' East, 204.2 feet with said Highway to a marker; THENCE South 42° 25' East 487 feet to the place of BEGINNING, containing 14.257 acres in the B. J. T. Lewis Survey.

SECOND TRACT: BEGINNING at a stake in the Southeast corner of above said First Tract, said point being 634 feet N. 18° 43' E. of the B. J. T. Lewis Survey line at the intersection of the West right-of-way line of said Railroad; THENCE South 18° 43' West crossing into the Daniel Atkins Survey at 634 feet, continuing 758 feet in all to a point in said right-of-way; THENCE North 71° 17' West 500 feet, right angle to said railroad to a stake in the East right-of-way of said F. M. Road 740; THENCE North 12° 26' East crossing survey line at 400 feet continuing 762.8 feet in all with said F. M. Road to a stake for a corner; THENCE South 71° 17' East 584.2 feet to the place of BEGINNING , containing 6.335 acres in the B. J. T. Lewis Survey and 3.099 acres in the Daniel Atkins Survey, a total of 9.434 acres in all.

139 north east property description
THIRD TRACT: BEGINNING at a stake in the West right-of-way line of M-K-T Railroad, 124 feet South 18° 43' West of the Daniel Atkins Survey N. E. line; THENCE South 18° 43' West 908 feet with said railroad right-of-way to a stake for corner; THENCE North 71° 17' West 399.5 feet, right angle to said railroad, to stake in the East line of said F. M. Road; THENCE North 12° 26' East 914 feet with said road to a stake for a corner; THENCE South 71° 17' East, 500 feet to the place of BEGINNING , and containing 9.373 acres of land in the Daniel Atkins Survey;

12.5
That Ted Cain shall receive for his divided interest, 12.5 acres off the South end of the property, a line perpendicular to the present South boundary line between the existing M-K-T Railroad in a 90° angle and F. M. Road 740.

CITY OF ROCKWALL
OFFICIAL RECEIPT

NAME Jed Cain DATE 2-1-83
ADDRESS _____

Cash Check Other

GARBAGE		
LAND FILL PERMIT		
GARAGE SALES		
SOLICATORS PERMIT		
RENT		
MISCELLANEOUS WATER SALES		
<i>Zoning Request</i>		<i>5000</i>

Received By _____

1719

FORM G-1

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 10th day of March, 1983, in
District Courtroom, Rockwall County Courthouse

Rockwall, Texas, on the request of Ted Cain
for approval of a temporary site plan and the addition of office
uses for "PD-1" Planned Development

on the following described property:

See attached property description and project
description.

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. 83-9



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. 83-9

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

PROJECT DESCRIPTION

Ted Cain has submitted a request for approval of a temporary site plan for this property and the addition of office uses to the list of approved uses for the Planned Development. The property owner would like to temporarily locate a drive through doughnut business on the property for a period of one to two years.

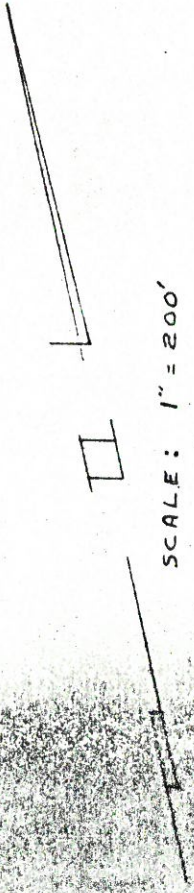
PROPERTY DESCRIPTION

BEGINNING at a stake in the West right-of-way line of M-K-T Railroad, 139 feet North $18^{\circ} 43'$ East of the Daniel Atkins Survey N. E. line; THENCE South $18^{\circ} 43'$ West 1171 feet with said railroad right-of-way to a stake for corner; THENCE North $71^{\circ} 17'$ West 399.5 feet, right angle to said railroad, to stake in the East line of said FM Road; THENCE North $12^{\circ} 26'$ East 1178.3 feet with said road to a stake for a corner; THENCE South $71^{\circ} 17'$ East, 530.5 feet to the place of BEGINNING, and containing 12.50 acres of land in the Daniel Atkins Survey.

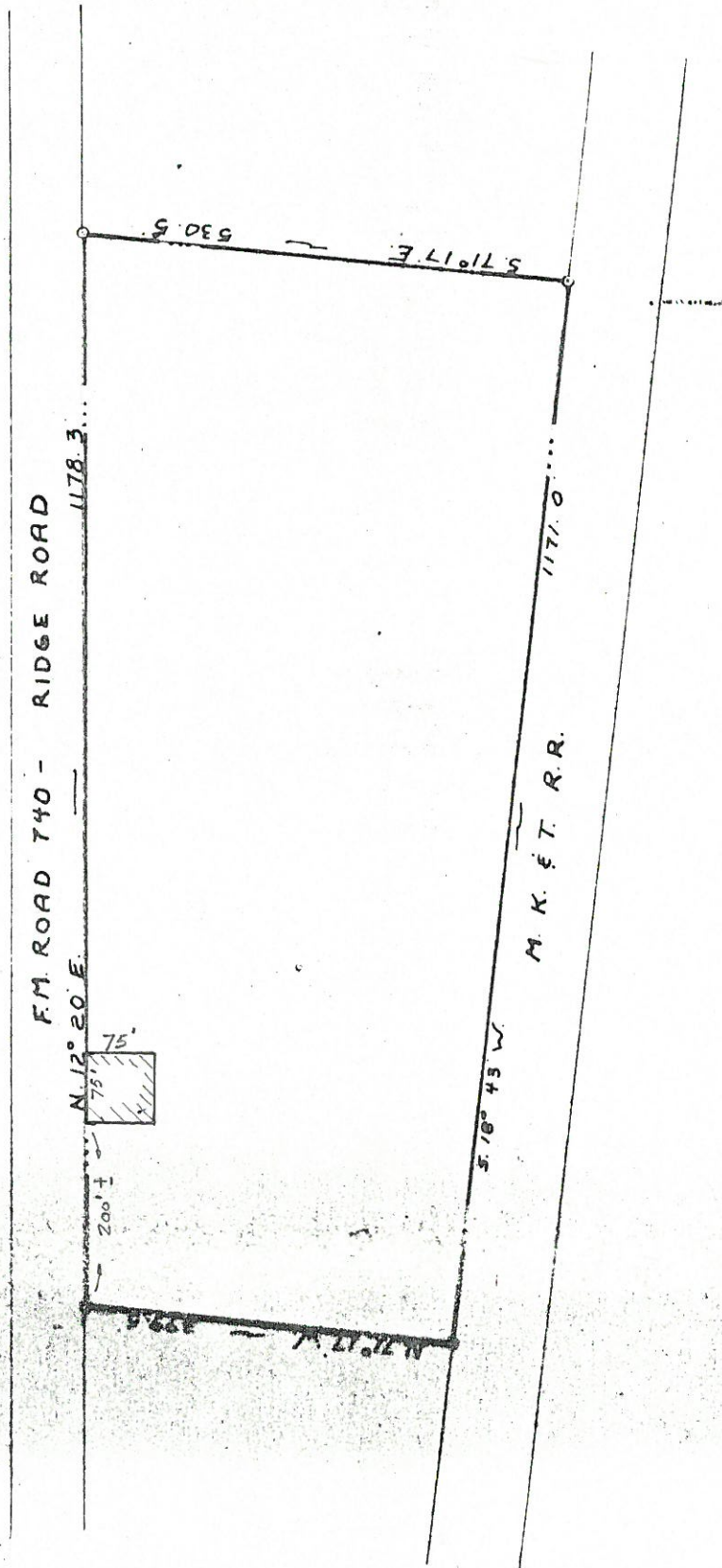
Jack Cain

B. J. T. Jewell/Martin
12.50 apc

- 1) Raymond Cameron, 301 Lake Terrace Box 36425
- 2) Johnson Inv., Property Tax Analysts Inc., Dallas 75235
- 3) James P. Swarud, ^{Box 41} 122 Shepard Glenn Rd.,
- 4) Richard Cullins, PO Box 764
- 5) Ellen Edwards Renniker, Rt 3, Box 12
- 6) Billy Peoples, PO Box 35
- 7) Owen L. Mitchell, Rt 3, Box 14
- 8) A.C. Williams, Rt 3, Box 15
- 9) Gordon Peterson, Rt 3, 1406 Ridge Road
- 10) M.C. Parks, Box 123
- 11) Ed Eubanks, Rt 3, 1410 Ridge Road
- 12) Paige Dayand, 2420 W. Miller, Garland 75040
- 13) A.L. White, Box 598, Lewisville, Ark.
- 14) Kenneth Jones, Rt 3, Box 19
- 15) Cecil J. Unruth, Rt 3, Box 17
- 16) O. K. Copeland, Rt. 3, Box 18
- 17) James Ridings, ^{Rt 3} 1412 Ridge Road
- 18) Marilyn Sue Cheek, Rt 3, 1502 Ridge Rd.
- 19) Bob Lackland, ^{Rt 3} 1504 Ridge Road
- 20) J. E. Clay, 340 35th SE., Paris 75460



SCALE: 1" = 200'



12.50 ACRES OUT OF THE
 DANIEL ATKINS SURVEY
 City of Rockwall, Texas
 Vol. 78, Page 322
 Deed Records
 ROCKWALL COUNTY, TEXAS

D.H.

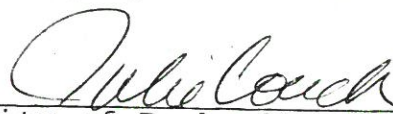
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City of Rockwall, Texas

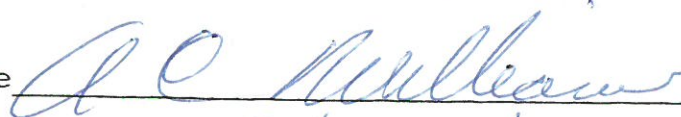
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Case No. 83-9

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

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

1. Opposed to temporary site plan but not necessarily the addition of office uses to PD-1.
2. Due to short drive traffic would back up onto Ridge Rd.
- 3.

Signature 
Address 1404 Ridge Rd

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

Thank you,
City of Rockwall

DH

BEFORE THE PLANNING AND ZONING COMMISSION
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on the following described property:

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Julio Couch
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. 83-9

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

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

1. No Temporary Structures should be allowed
- 2.
- 3.

Signature *Alvond + Jeannette Lumb*
Address 1410 Red Oak Road

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

Thank you,
City of Rockwall

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

D4

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City of Rockwall, Texas

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Case No. 83-9

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

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

1. We only want quality permanent buildings, no temporary buildings
- 2.
- 3.

Signature [Signature]
Address 1728 Ridge Rd, Rockwall

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

Thank you,
City of Rockwall

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

DA

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City of Rockwall, Texas

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Case No. 83-9

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

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

1. Traffic on 740 is already becoming too heavy. This potential in and out flow will add to that problem.
2. Allowing changes and such concessions creates openings for all sorts of shops and entrepreneur ventures totally inconsistent with wise long range city programming.
3. The potential effect on property values, which could certainly be reduced by such traffic and programs of irregular variances from original planning, is not to be overlooked.

Ted Cain may be better off by placing the doughnut stand where he plans to put permanently instead of on this

Signature J. Gordon Peterson
Address 1406 Ridge Road

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

proposed temporary site!

Thank you,
City of Rockwall

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Case No. 83-9

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

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

1. No in the interest of best development
2. of area.
- 3.

Signature Ellen Renneker 

Address 1306 Ridge Rd

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

Thank you,
City of Rockwall

DT

BEFORE THE PLANNING AND ZONING COMMISSION
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Case No. 83-9

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.

Please refer to attached sheet.

Signature Martin C. Parks

Address 1408 Riley Road

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

Thank you,
City of Rockwall

I am not opposed to the addition of office uses for "PD-1" Planned Development.

I am vigorously opposed to the approval of a temporary site plan for the following reasons:

- ① It is detrimental economically to the property values of nearby home owners.
- ② It will create additional traffic problems on an already overloaded artery in a residential area.
- ③ It continues the destruction of the esthetics of this approach to our city.
- ④ It ignores and abandons sane and sensible city planning in deference to "individual selfish interests," an ever present danger to be dealt with in city planning.

Respectfully submitted
Martin C. Parks

D-1

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Case No. 83-9

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

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

1. There is already too much traffic on 740 and would create further
accident potential to have people entering the hiway with hands
2. full of donuts & coffee.
Any kind of a "temporary" shop is not usually an attractive establishment
3. and if any business is built in Rockwall I would like it to have at least
an attractive store front.

Signature M. A. Couch

Address Rt. 3 Box 15C Rockwall, Tx. 75087

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

Thank you,
City of Rockwall

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

- 1.
- 2.
- 3.

Signature _____

Address _____

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City of Rockwall

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Julio Couch
City of Rockwall, Texas

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Case No. 83-9

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 Carl Muesel
Address 1607 Ridge Rd

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

Thank you,
City of Rockwall

ACTION RECORD

CASE NAME: Ted Cain zoning - PD-1 for office CASE NO.: 83-9

Planning and Zoning
Commission

City Council Date

	<u>Approved.</u>	<u>Disapproved</u>	<u>Approved</u>	<u>Disapproved</u>	
Preliminary Plat	_____	_____	_____	_____	_____
Final Plat	_____	_____	_____	_____	_____
Zoning	✓	_____	<u>3/10/83</u>	✓	<u>4-4-83</u>

Changes: Plz approved the addition of office uses in PD -
request for temp. site plan was withdrawn by applicant
Council approved the addition of office uses

consider a request for approval of the addition of office uses for PD-1 Planned Development, a 12.5 acre tract of land located on the east side of FM-740 south Ridge Road Shopping Center, more particularly described as follows: BEGINNING at a stake in the West right-of-way line of M.K.T. Railroad, 139 feet North 18 degrees 43' East of the Daniel Atkins Survey N.E. Line:
 THENCE: South 18 degrees 43' West 1171 feet with said railroad right-of-way to a stake for corner;
 THENCE: North 71 degrees 17' West 399.5 feet, right angle to said railroad, to stake in the East line of said FM Road;
 THENCE: North 12 degrees 26' East 1178.3 feet with said road to a stake for a corner;
 THENCE: South 71 degrees 17' East, 530.5 feet to the place of BEGINNING and containing 12.50 acres of land in the Daniel Atkins Survey.