

Call Harold

CITY OF ROCKWALL
102 East Washington
Rockwall, Texas

APPLICATION FOR ZONING CHANGE + SITE PLAN / Plat

Case No. P47 83-36-2 Filing Fee \$210.00 Date 9/7/83

Applicant Gene Burks Phone 722 6708

Mailing Address #603 Wooded Trail - Rockwall, Tex

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.)
Legal description is attached to application

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

L1 District Classification
to PD District Classification

for the following reasons: (attach separate sheet if necessary)
attached is site plan

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 Gene Burks

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.

Bob O. Brown
Surveyor or Attorney for Applicant
(Mark out one)

EXHIBIT "A"

Being all of the following described real property in Rockwall County, Texas, to-wit:

Situated in Rockwall County, Texas, a part of the R. Ballard Survey and being the North 11 1/3 acres out of the Northeast corner of the said R. Ballard Survey and out of an 18 1/3 acre tract described in a deed from A. E. Williams to M. S. Mason and recorded in Volume 18, Page 16 Deed Records of Rockwall County, Texas, and described as follows:

BEGINNING at the Northeast corner of said R. Ballard Survey, a point in the middle of the road;
THENCE West 505 feet to a point in the bank of creek, the Northeast corner of a 27.07 acre tract formally owned by W. F. Leonard et als;
THENCE up said creek with its meanderings as follows: South 29 1/2 East 159 feet; South 12 West 61 feet; South 59 West 143 feet; North 84 1/2 West 143 feet; South 21 1/4 West 56 feet; South 36 3/4 East 106 feet; North 39 East 50 feet; South 60 East 201 feet; South 45 West 103 feet; North 49 1/2 West 90 feet; South 38 West 59 feet; South 44 1/2 East 113 feet; South 179 feet; South 88 1/2 West 139 feet to a point in creek in the West line of said 18 1/3 acre tract, 530 feet North of the Southwest corner thereof;
THENCE South 95 feet to the Northwest corner of a 7 acre tract of the South end of said 18 1/3 acre tract;
THENCE East 701 feet to the East line of said R. Ballard Survey, the Northeast corner of said 7 acre tract;
THENCE North with the said East line, 875 feet to the place of the beginning, containing 11 1/3 acres of land and being the same land conveyed to C. H. Fox by W. F. Leonard and wife, Ina Leonard by deed recorded in Volume 26, Page 346 of the Deed Records of Rockwall County, Texas.

SAVE AND EXCEPT the following tract of land heretofore conveyed out of the above described tract:

Lot, tract or parcel of land being a one acre tract out of the R. Ballard Survey, Rockwall County, Texas and being part of that 11 1/2 acre tract of land conveyed to C. H. Fox by W. F. Leonard and wife, Ina Leonard by Deed recorded in Volume 26, Page 346 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:
BEGINNING at the point of intersection of the East line of said 11 1/3 acre tract and the South R.O.W. line of State Highway No. 66 for an iron rod;
THENCE West along the South R.O.W. line of State Highway No. 66 a distance of 150.00 feet to an iron rod for a corner;
THENCE South 1° 10' West a distance of 290.46 feet to an iron rod for a corner;
THENCE East a distance of 150.0 feet to an iron rod in the East line of said 11 1/2 acre tract for a corner;
THENCE North 1° 10' East along the East line of said 11 1/2 acre tract a distance of 290.46 feet to the Point of Beginning and containing 1.000 acres of land, and being the same land described in Deed dated February 18, 1976, from Ewell Burks and wife, Lois Ford Burks, to James R. Thornhill, of record in Volume 120, Page 577, Deed Records, Rockwall County, Texas.

The conveyance evidenced by this deed is made subject to any and all easements, restrictions, covenants, conditions, and reservations of record, if any, applicable to the herein conveyed property or any part thereof.

83-36-2

CITY OF ROCKWALL OFFICIAL RECEIPT

NAME D+B Const. DATE 9-7-83
ADDRESS _____

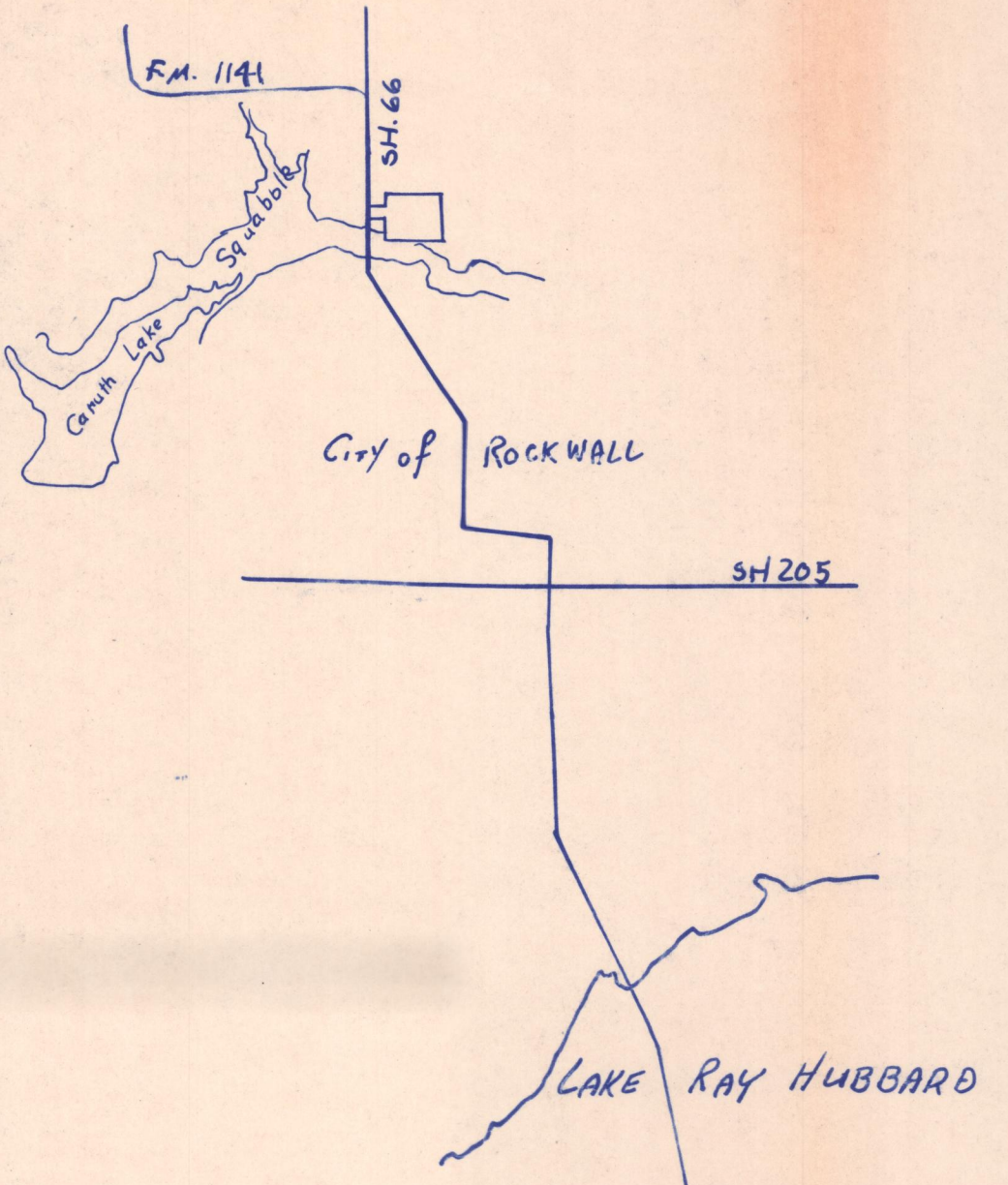
Cash Check Other

GARBAGE		
LAND FILL PERMIT		
GARAGE SALES		
SOLICATORS PERMIT		
RENT		
MISCELLANEOUS WATER SALES		
<u>Site Plan &</u>		
<u> zoning Charge</u>	<u>210.00</u>	

Received By _____

2035

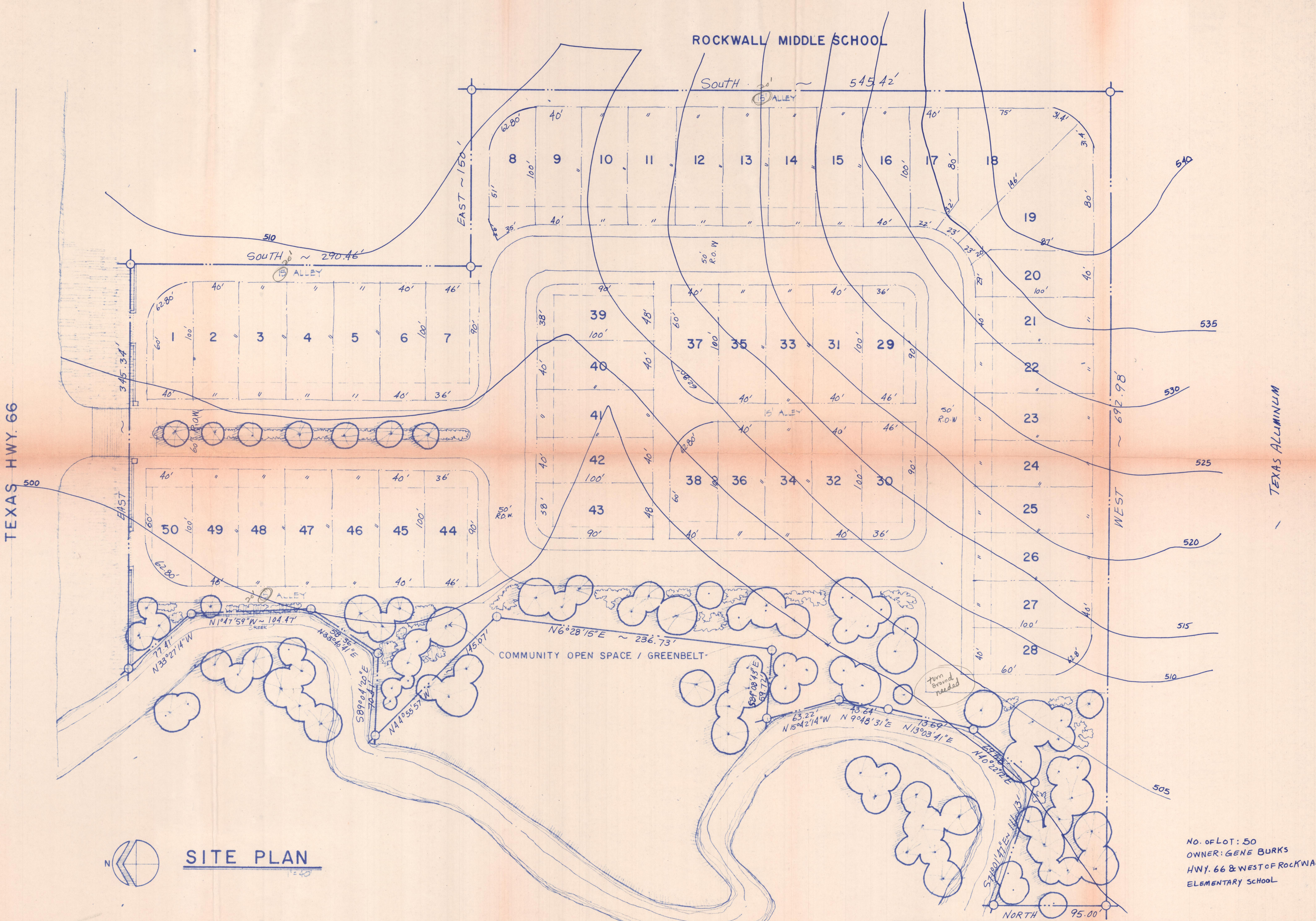
FORM G-1



LOCATION MAP
1" = 2000'

1. REVIEWED FOR PRELIMINARY APPROVAL:
 PLANNING & ZONING CHAIRMAN _____ DATE _____

2. APPROVED FOR PREPARATION OF FINAL PLAT:
 MAYOR, CITY OF ROCKWALL _____ DATE _____



SITE PLAN
1" = 40'

NO. OF LOT: 50
 OWNER: GENE BURKS
 HWY. 66 & WEST OF ROCKWALL
 ELEMENTARY SCHOOL

HAROLD L. EVANS
 CONSULTING ENGINEER
 2331 GUS THOMASSON RD. SUITE 102
 DALLAS, TEXAS 75228
 PHONE (214) 328-8133

SCALE	DATE	JOB NO.
1" = 40'	Sep-21-1983	83199

PRELIMINARY PLAT
 VILLAGE CREEK ADDITION
 CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS

STATE HIGHWAY 66

N33°27'14"W EAST 495.34'
77.41'

N1°47'59"W 107.47'

N33°40'41"E 58.36'

S89°04'20"E 70.41'

N44°55'57"W 145.07'

R. BALLARD SURVEY

A-29

9.702 Ac.

S84°08'43"E 59.72'

N15°42'14"W 63.22'

N9°48'37"E 43.64'

N13°03'41"E 73.69'

N40°22'12"E 69.68'

S77°01'47"E 111.13'

NORTH 95.00'

WEST 692.98'

WEST 150'

1.000 ACRES

EAST 150.0'

STAR GAS PIPELINE

8558'

SOUTH



SCALE: 1"=100'

Harold Evans

328-8133

D. B. 102

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THENCE up said creek with its meanderings as follows: South 29 1/2 East 159 feet; South 12 West 61 feet; South 59 West 143 feet; North 84 1/2 West 143 feet; South 21 1/4 West 56 feet; South 36 3/4 East 106 feet; North 39 East 50 feet; South 60 East 201 feet; South 45 West 103 feet; North 49 1/2 West 90 feet; South 38 West 59 feet; South 44 1/2 East 113 feet; South 179 feet; South 88 1/2 West 139 feet to a point in creek in the West line of said 18 1/3 acre tract, 530 feet North of the Southwest corner thereof;

THENCE South 95 feet to the Northwest corner of a 7 acre tract of the South end of said 18 1/3 acre tract;

THENCE East 701 feet to the East line of said R. Ballard Survey, the Northeast corner of said 7 acre tract;

THENCE North with the said East line, 875 feet to the place of the beginning, containing 11 1/3 acres of land and being the same land conveyed to C. H. Fox by W. F. Leonard and wife, Ina Leonard by deed recorded in Volume 26, Page 346 of the Deed Records of Rockwall County, Texas.

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BEGINNING at the point of intersection of the East line of said 11 1/3 acre tract and the South R.O.W. line of State Highway No. 66 for an iron rod;

THENCE West along the South R.O.W. line of State Highway No. 66 a distance of 150.00 feet to an iron rod for a corner;

THENCE South 1° 10' West a distance of 290.46 feet to an iron rod for a corner;

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93-36-2

minus this
one acre
shaded on
other legal
description



STATE HWY NO 66
65' R.O.W.

5.0'

WEST 150.0'

POINT
BEGIN

1.000 ACRE

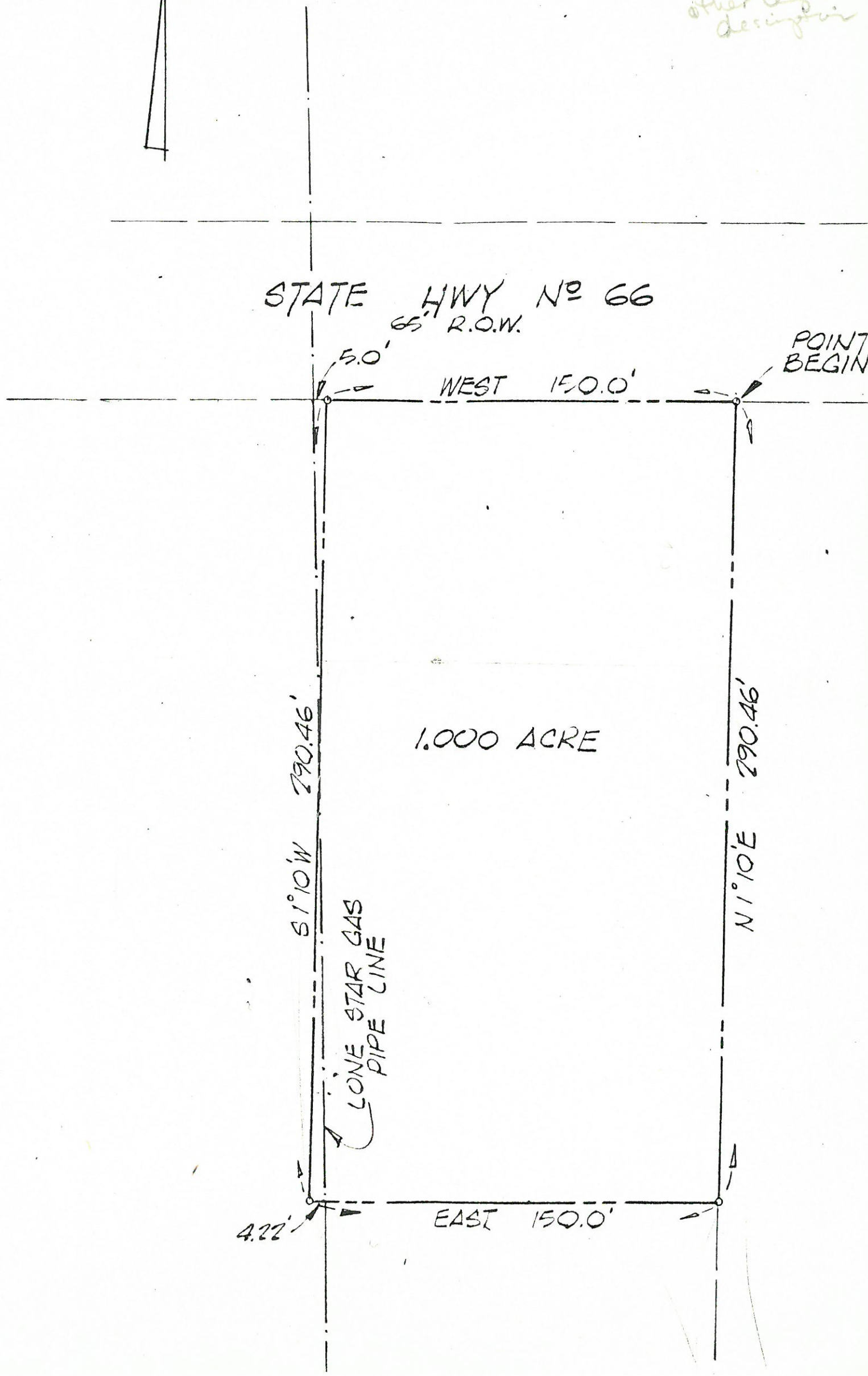
S 1° 10' W 290.46'

LONE STAR GAS
PIPE LINE

N 1° 10' E 290.46'

4.22'

EAST 150.0'



V.C.1.

PLANNING AND ZONING COMMISSION
ZONING CHANGE FACT SHEET

Case No: P&Z -83-36-Z

Applicant: Gene Burks

Location of Property: SH-66 West of Middle School

Acreage: 9.702

Current Zoning: LI

Surrounding Zoning: LI to west, PD-5 to north, LI to east

Requested Zoning: PD - Residential

Reason for Request: Wants to build single family residential,
townhouse size lots.

<u>Notices:</u>	Sent:	<u>7</u>
	Favorable:	<u>0</u>
	Unfavorable:	<u>4</u>

Description: Rectangular tract south of State roadside park, west
of Middle School with creek along west side.

Staff Comments:

See attached sheet.

Planning and Zoning Commission Recommendations:

10/13/83 Approval

Council Decision:

11/7/83

Take under advisement until December 5, 1983, meeting

3/5/84 - Continue

4/2/84 - Continue

ZONING CHANGE/PD PRELIMINARY DEVELOPMENT PLAN

Action Record

Case No. P&Z 23-36-2
CC _____

Application/Plan Submitted 9/7/83
Approved by P&Z _____
Approved by Council _____

File Created ✓
Case Number Assigned ✓
Application Reviewed ✓
Filing Fee Paid/receipt in file ✓
Review form prepared ✓

Circulated Review through:
Administrator _____
Asst. Administrator _____
Community Services _____
Building Official X
Engineering _____
Planning _____

Scheduled for P&Z meeting ✓

Notice Sent:
Newspaper _____
Surrounding property owners _____
Set up on property
Tallied responses _____

Prepared notes & fact sheet for P&Z _____

If approved:
Scheduled for City Council _____
Notice sent to newspaper _____
set up on property
Prepared notes & fact sheet for Council _____

If approved:
Updated Office map _____
Sent description of change to engineers _____

Closed file

ZONING CHANGE/PD PRELIMINARY/DEVELOPMENT PLAN
PROCESSING PROCEDURE

1. Property owner or representative submits application to Administrative Assistant.
2. Applicant pays filing fee and receipt obtained for file.
3. Assign Planning and Zoning case number.
(The year followed by an ascending series of numbers, starting with "1" each January.)
4. Create and maintain file for case containing:
 - a. Application (checked for completeness)
 - b. Fee receipt
 - c. Review form
 - d. Action record form
 - e. Additional correspondence and information
5. Circulate review form to each reviewer listed.
6. Schedule on Planning and Zoning Commission agenda
7. Send notice to newspaper.
8. Send notice to surrounding property owners.
9. Tally responses.
10. Prepare Commission fact sheet and agenda notes.
11. If approved, schedule on City Council agenda.
12. Send notice to newspaper.
13. Prepare agenda notes and fact sheets for City Council.
14. If approved, send description of change to engineers and mark office map.

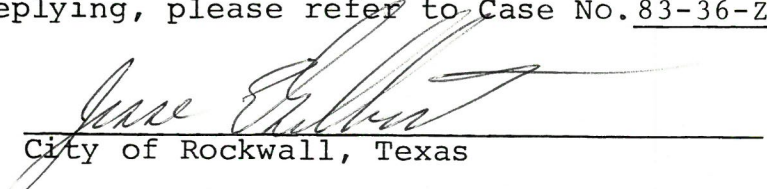
BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at 7:30
o'clock p.m., on the 13 day of October, 1983, in
District Courtroom, Rockwall County Courthouse
Rockwall, Texas, on the request of Gene Burks
for a zoning change from "LI" Light Industrial to "PD" Planned Development
(single family townhomes)

on the following described property:

See attached page

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. 83-36-Z



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. 83-36-Z

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.
- 2.
- 3.

Signature _____

Address _____

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

Thank you,
City of Rockwall

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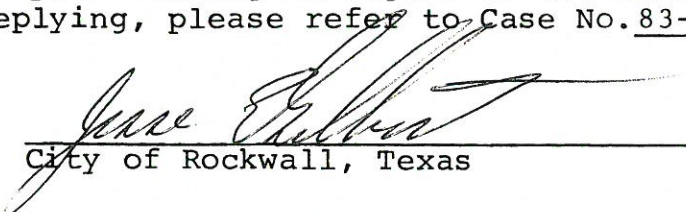
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Case No. 83-36-Z

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

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

- Existing sewer line already over-loaded.
- Congested traffic.
-

Signature Newton E Payne

Address Box 4 Rockwall

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

Thank you,
City of Rockwall

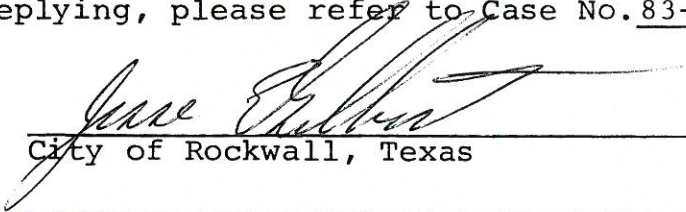
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Case No. 83-36-Z

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. Already over loaded Sewer Line
2. 2 Lane Highway 66 (Williams St.) Congested Now
- 3.

Signature 

Address 940 Williams St.

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

Thank you,
City of Rockwall

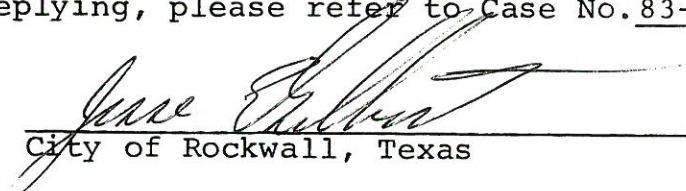
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I am opposed to the request for the reasons listed below. X

1. TRAFFIC PROBLEMS - PRESENT + FUTURE
2. SEWER OVERLOADED AT PRESENT
- 3.

Signature 

Address 1002 SQUABBE CREEK - ROCKWALL

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

Thank you,
City of Rockwall

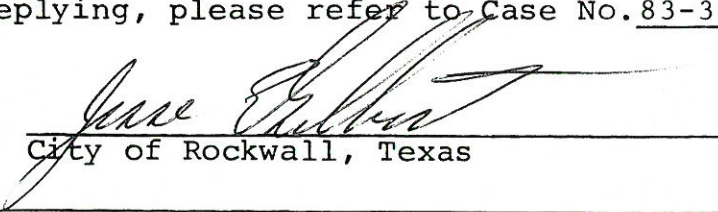
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1. Traffic already a problem
2. Sewer overloaded now
3. If this is changed make all in area P.D. zoning

Signature Ray D McCallum

Address Rt 2 Box 100 Rockwall
75087

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City of Rockwall