

APPLICATION FOR ZONING CHANGE

Case No. 86-33-2 Filing Fee \$534.13 Date 4/9/86  
Applicant NAN A. SMARTT, JULIANA BOND AND Phone 722-5212  
WILLIAM I. LOFLAND  
Mailing Address 105 East Kaufman, Rockwall, Texas

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.)

Situated in the City of Rockwall, Texas and being a 96.826 acre tract of land described in the attached Exhibit "A" to which reference is here made for all purposes.

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

"A" agricultural District Classification  
to "LI" light industrial District Classification

for the following reasons: (attach separate sheet if necessary)  
This change in zoning will be compatible with the new land use plan for the City of Rockwall, Texas.

There ~~(are)~~ deed restrictions pertaining to the intended use of the property. (Are Not)

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.

W. I. Lofland Nan A. Smartt Juliana Bond  
Signed \_\_\_\_\_

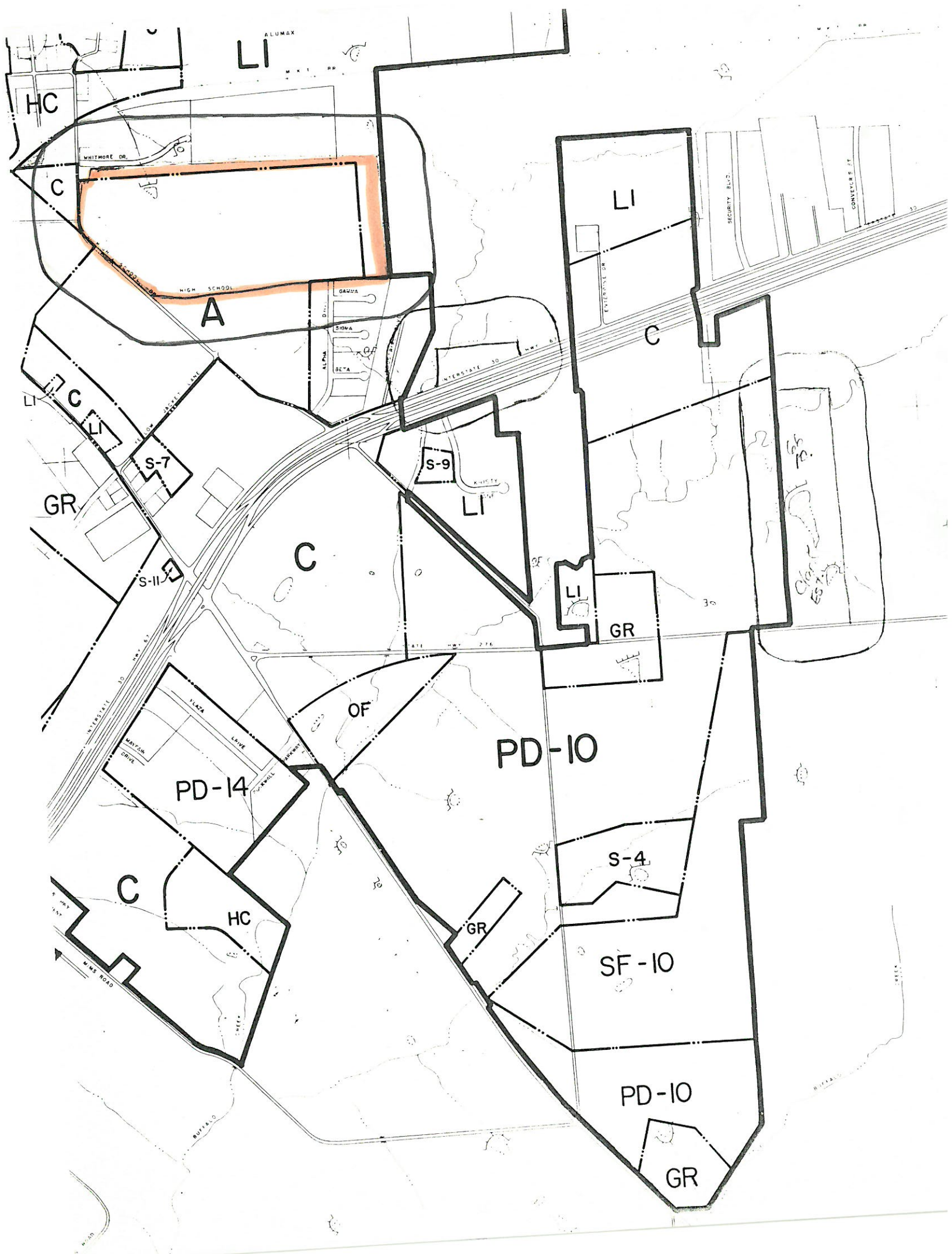
NOTE: The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each 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.

W. I. Lofland  
Surveyor or Attorney for Applicant  
(Mark out one)



## EXHIBIT "A"

BEING a tract of land situated in the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, and also being that tract as recorded in Volume 14, Page 267, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the South line of Municipal Industrial Drive, said point being S. 85 deg. 35 min. 16 sec. E., a distance of 169.71 feet from the East Line of Terrell Road, a  $\frac{1}{2}$ " iron stake set for corner;

THENCE, along the said South line of Municipal Industrial Drive and around a curve to the left having a central angle of 2 deg. 52 min., a radius of 1030.00 feet, a distance of 51.53 feet to the end of said curve, a  $\frac{1}{2}$ " iron stake set for corner;

THENCE, S. 88 deg. 27 min. 16 sec. E., along the South line of Municipal Industrial Park Addition, a distance of 767.24 feet to a  $\frac{1}{2}$ " iron stake set for corner;

THENCE, S. 87 deg. 59 min. 20 sec. E., along the South line of Municipal Industrial Park, M.I.F. joint venture & J. W. McKnight property, a distance of 2618.35 feet to a  $\frac{1}{2}$ " iron stake set for corner;

THENCE, S. 1 deg. 39 min. 04 sec. W., along the West line of the K. Dade property, a distance of 1376.55 feet to a  $\frac{1}{2}$ " iron stake set for corner;

THENCE, N. 88 deg. 30 min. 35 sec. W., along the North line of Industrial Park to Rockwall and the E. Pullen property, a distance of 1279.65 feet to a  $\frac{1}{2}$ " iron stake found for corner;

THENCE, N. 66 deg. 13 min. 25 sec. W., along the Northerly line of Rockwall Independent School District property, a distance of 1709.54 feet to a  $\frac{1}{2}$ " iron stake set for corner;

THENCE, S. 4 deg. 51 min. W., along the West line of Rockwall Ind. School District property, a distance of 729.45 feet to a point on the Northeast line of High School Drive, a  $\frac{1}{2}$ " iron stake set for corner;

THENCE, N. 40 deg. 55 min. 45 sec. W., along the Northeast line of High School Drive, a distance of 1084.33 feet to a  $\frac{1}{2}$ " iron stake set for corner;

THENCE, N. 4 deg. 13 min. 44 sec. E., along the East line of Terrell Road, a distance of 243.89 feet to a  $\frac{1}{2}$ " iron stake set for corner;

THENCE, leaving the said East line of Terrell Road and along the W.B. Kearney property the following:

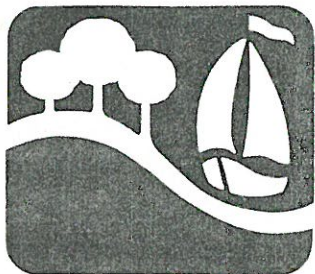
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THENCE, N. 1 deg. 49 min. 43 sec. E., along the East line of the W.B. Kearney property and the J. Gamble property, a distance of 351.67 feet to the PLACE OF BEGINNING and containing 96.826 acres of land. This description is based on the Land Title Survey and plat made by Bob O. Brown, Registered Public Surveyor on April 8, 1980.





**CITY OF ROCKWALL**  
**"THE NEW HORIZON"**

June 11, 1986

Mr. William I. Lofland  
Ms. Nan A. Smartt  
Mr. Juliana Bond  
105 East Kaufman  
Rockwall, TX 75087

RE: Case No. P&Z 86-33-Z - Lofland/Bond/Smartt

Dear Mr. Lofland, Ms. Smartt & Mr. Bond:

On 6-9-86, the Rockwall City Council voted to approve your request from a zone change from "A" Agricultural to "LI" Light Industrial on 96.826 acres of land located on High School Road.

If you should have any questions regarding this matter, please do not hesitate to call.

Sincerely,

Jennifer Jarrett  
Administrative Aide

JJ/ss

cc: Bldg. Insp.  
File

III. C. P&Z 86-33-Z - Hold Public Hearing and Consider Approval of a Request from Lofland/Smartt/Bond for a Change in Zoning from "AG", Agricultural, to "LI", Light Industrial on a 96.826 Acre Tract of Land Located on High School Road

Action Needed: Approval or Denial of a zone change from Agricultural to Light Industrial.

We have received a request from Bill Lofland and his sisters for a change in zoning on their 96 acre tract located just north of the High School on High School Road from Agricultural to Light Industrial. Our Land Use Plan does indicate Light Industrial around High School. There is Light Industrial directly to the north, with the Whitmore Manufacturing Plant and the other manufacturing uses, as well as Light Industrial to the east of the High School. This request is in conformance with the proposed Land Use Plan as it currently is drafted. A copy of the location map is attached.

Agenda Notes

City Council - 6/9/86

III. D. Hold Public Hearing and Consider Approval of a Request from Lofland/Bond/Smartt for a Zone Change from "A" Agricultural Classification to "LI" Light Industrial Classification on a 96.826 Acre Tract of Land Located on High School Road

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The Planning and Zoning Commission has recommended approval of this request.

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 8th day of May, 1986 in  
the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the re-  
quest of Lofland/Bond/Smartt  
for a Zone change from "A" Agricultural to "LI" Light Industrial  
Classification

on the following described property: 96.826 acres of land located  
on High School Road

(Please see legal description & location map attached)

As an interested property owner, it is important that you attend this hear-  
ing or notify the Commission of your feeling in regard to the matter by re-  
turning the form below. In replying, please refer to Case No. P&Z 86-33-Z

  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and  
Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case NO. P&Z 86-33-Z

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

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

- 1.
- 2.
- 3.

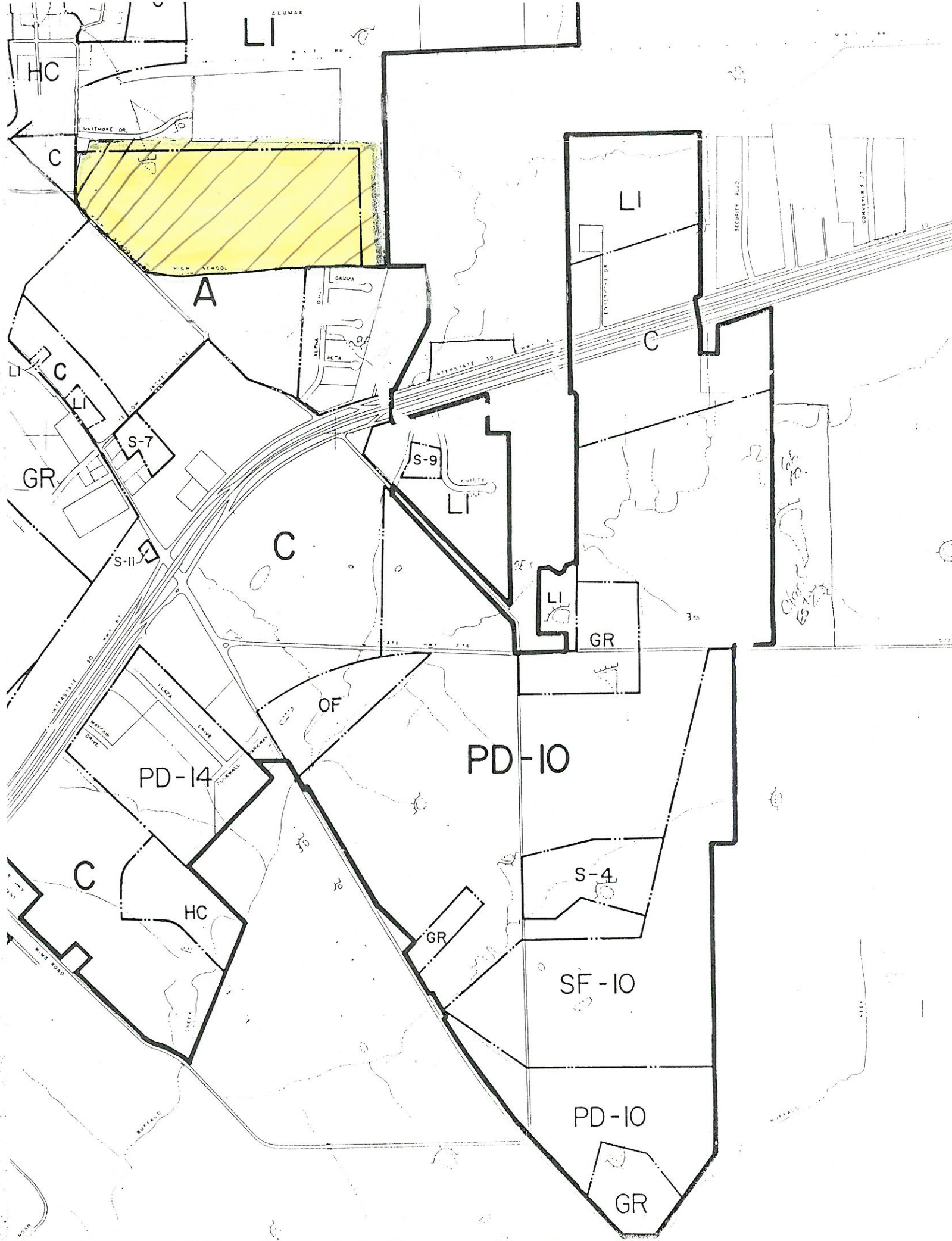
Signature \_\_\_\_\_

Address \_\_\_\_\_

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

Thank you,  
City of Rockwall





## EXHIBIT "A"

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Lofland/Bond/Smartt

Rockwall High Yellow SV  
8235 Wrenshaw Ave  
Suite 1000  
Dallas, Tx. 75225

H.L. Williams  
411 Valley  
Rockwall

Rockwall Independent School District - Edwin H. Morgan  
801 E. Washington  
Rockwall  
905 High School Dr.  
Rockwall

Cameron & Cameron  
1101 Ridge Rd.  
Rockwall

B.W. Browning  
Box 5  
Rockwall

William R. Waugh  
6250 LBJ Freeway  
Dallas, 75240

S. I. Davis, Est.  
2623 C Prichard  
Dal. 75227

MIF - A Joint Venture  
To Ken E. Andrews  
P.O. Box 495  
Seagoville, 75159

A.A. Garrett  
302 Valley Dr.  
Rockwall

James Knight & Galen R. Sumrow  
221 Joe White  
Rockwall

Kenneth Garrett  
329 Shepherds Hill  
Rockwall

Gary McKibben  
608 Shoreview  
Rockwall

Rose Cade  
802 N. Goliad  
Rockwall

Katy Railroad &  
To W.R. Green  
Rm. 203  
Depot Building  
Denison, Tx. 75020

Don Flint  
915 Whitmore  
Rockwall

Lofland/Bond/Smartt

Storer Cable TV of Texas Inc

% Colvin & Coe Inc.

1001 Hill Street

Grand Prairie, Tx. 75050

Whitmore Manufacturing Co.

% Ad Valorem Tax Consult

P.O. Box 2010

Lewisville, Tx. 75067-3696

Ellis Co.

1950 Alpha Dr.

Suite 100

Rockwall

Randall L. Platt

1101 Ridge Rd.

Suite 202

Rockwall

Heath Developers Corp. #1

15 Meadowlake

Rockwall

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

RECEIVED APR 29 1986

The Planning and Zoning Commission will hold a public hearing at 7:30  
o'clock P. M. on the 8th day of May, 1986 in  
the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the re-  
quest of Lofland/Bond/Smartt  
for a Zone change from "A" Agricultural to "LI" Light Industrial  
Classification

on the following described property: 96.826 acres of land located  
on High School Road

(Please see legal description & location map attached)

As an interested property owner, it is important that you attend this hear-  
ing or notify the Commission of your feeling in regard to the matter by re-  
turning the form below. In replying, please refer to Case No. P&Z 86-33-Z

Jennifer J. Garrett  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and  
Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case NO. P&Z 86-33-Z

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

I am opposed the request for the reasons listed below.

- 1.
- 2.
- 3.

Signature Dan R. Cameron  
Address 1101 Ridge Rd #105

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

Thank you,  
City of Rockwall

BEFORE THE PLANNING AND ZONING COMMISSION  
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Jennifer L. Garrett  
City of Rockwall, Texas

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Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case NO. P&Z 86-33-Z

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

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

- 1.
- 2.
- 3.

THE WHITMORE MFG Co.  
By Gary L. Smartt

Signature \_\_\_\_\_

Address 930 WHITMORE DR

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

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City of Rockwall, Texas

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Case NO. P&Z 86-33-Z

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

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

- ①. Because the Central Tax Appraisal bases their tax on industrial as best use.
- ②. I am in favor if my adjoining property is zoned the same  
classification.
- ③. The properties to the North & South are presently zoned industrial.

Signature BW Branning  
Address 501 S. C. HARK

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

Thank you,  
City of Rockwall

*Inland/Bond/  
Smartt*

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "A" AGRICULTURAL TO "LI" LIGHT INDUSTRIAL CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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 public hearings 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, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give Light Industrial District Zoning classification to the tract of land described in Exhibit "A".

Section 2. That the property described in Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of ONE THOUSAND DOLLARS (\$1,000.00) for each offense & each and every day such offense shall continue, shall be deemed to constitute a separate offense.

Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the



City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

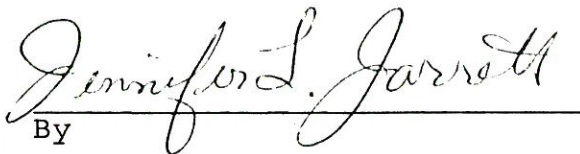
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this 23 day of June , 1986 .

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
By

1st Reading 6/16/86

2nd Reading 6/23/86

EXHIBIT "A"

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