

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 87-9-2 Filing Fee \$115.00 Date 2/16/87
Applicant HAROLD CHENAULT Phone 934-3422
Mailing Address 12900 Preston Rd. S. 1212 DALLAS, TX 75230

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.)

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

Ag District Classification
to SF-16 District Classification
for the following reasons: (attach separate sheet if necessary)

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.

Signed [Signature]

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)

**APPLICATION AND
PRELIMINARY PLAT CHECKLIST**

Name of Proposed Subdivision Club Hill Estates

Name of Subdivider Harold Chenault

Address 12900 Preston Road - Suite 1212 - Dallas, Texas 75230 Phone 934-3422

Owner of Record Harold Chenault

Address 12900 Preston Road - Suite 1212 - Dallas, Texas 75230 Phone 934-3422

Name of Land Planner/Surveyor/Engineer Harold L. Evans & Associates

Address 2331 Gus Thomasson Road Dallas, Texas 75238 Phone 328-8133

Total Acreage 14.66

Current Zoning A

No. of Lots/Units 3

Signed 

The following Preliminary Plat Checklist is a summary of the requirements listed under Section VII of the Rockwall Subdivision Ordinance. Section should be reviewed and followed when preparing a Preliminary Plat. The following checklist is intended only as a reminder and a guide for those requirements. Use the space at the left to verify the completeness of the information you are submitting. If an item is not applicable to your plan, indicate by placing a check mark.

INFORMATION

| <u>Provided or Shown on Plat</u> | <u>Not Applicable</u> |
|--------------------------------------|---------------------------|
|--------------------------------------|---------------------------|

I. General Information

- | | | |
|----------|-----------------|---|
| <u>X</u> | <u> </u> | A. Vicinity map |
| <u>X</u> | <u> </u> | B. Subdivision Name |
| <u>X</u> | <u> </u> | C. Name of record owner, subdivider, land planner/engineer |
| <u>X</u> | <u> </u> | D. Date of plat preparation, scale and north point |

II. Subject Property

- | | | |
|----------|-----------------|--|
| <u>X</u> | <u> </u> | A. Subdivision boundary lines |
| <u>X</u> | <u> </u> | B. Identification of each lot and block by number or letter |

PLAT REVIEW

Preliminary Plat
 Final Plat

Name of Proposed Subdivision Club Hill Estates
Location of Proposed Subdivision SF-205
Name of Subdivider Harold Chenault
Date Submitted 2/23/87 Date of Review 2/25/87
Total Acreage 14.66 ac. Number of Lots 3

Review Checklist

| | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
|--|-------------------------------------|--------------------------|--------------------------|
| 1. Was the proper application submitted and checked? (attach copy) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Were the proper number of copies submitted? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Is scale 1" = 100' (Specify scale if different _____) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Comments | | | |

Planning and Zoning

| | | | |
|---|-------------------------------------|-------------------------------------|--------------------------|
| 1. What is the proposed land use? | <u>SF-16</u> | | |
| 2. What is the proposed density? | <u>N/A</u> | | |
| 3. What is existing zoning? | <u>"Ag"</u> | | |
| 4. Is the plan zoned properly? <u>app has been made</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Does the use conform to the Land Use Plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Is this project subject to the provisions of the Concept Plan Ordinance? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Has a Concept Plan been provided and approved? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Does the plan conform to the Master Park Plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
|--|------------|-----------|------------|
| 9. Does plan conform to the Comprehensive Zoning Ordinance or approved "PD" Ordinance? | | | |
| a. Lot size | ✓ | | |
| b. Building Line | ✓ | | |
| c. Parking | | | ✓ |
| d. Buffering | | | ✓ |
| e. Site Plan | | | ✓ |
| f. Other | | | ✓ |
| 10. Has the City Planner reviewed and commented on the plan? (If so, attach copy of review.) | | ✓ | |
| 11. Does the plan exhibit good planning in general layout, access, and vehicular and pedestrian circulation? | ✓ | | |
| <p><i>There is however one lot that only has access to 205 via an access easement - this will require a variance from BOA - application has been made.</i></p> | | | |
| 12. Comments: | | | |

Engineering

1. Streets and Traffic

| | | | |
|---|---|---|--|
| a. Does the plan conform to the Master Thoroughfare Plan? | ✓ | | |
| b. Is adequate right-of-way provided for any major thoroughfares or collectors? | ✓ | ✓ | |
| c. Is any additional right-of-way provided for all streets and alleys? | ✓ | | |
| d. Is any additional right-of-way required? | ✓ | | |
| e. Is there adequate road access to the proposed project? | ✓ | | |
| <p><i>except for the one lot w/ only an access easement</i></p> | | | |
| f. Will escrowing of funds or construction of substandard roads be required? | ✓ | | |
| <p><i>a waiver will be requested</i></p> | | | |

| | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
|--|------------|-----------|------------|
| g. Do proposed streets and alleys align with adjacent right-of-way? | _____ | _____ | _____ ✓ |
| h. Do the streets and alleys conform to City regulations and specifications? | _____ | _____ | _____ ✓ |
| i. Comments | | | |

2. Utilities

| | | | |
|---|-------|-------|---------|
| a. Does the Plan conform to the Master Utility Plan? | _____ | _____ | _____ |
| b. Are all lines sized adequately to handle development? | | | |
| 1. Water | _____ | _____ | _____ |
| 2. Sewer | _____ | _____ | _____ ✓ |
| c. Is additional line size needed to handle future development? | | | |
| 1. Water | _____ | _____ | _____ |
| 2. Sewer | _____ | _____ | _____ ✓ |
| d. Is there adequate capacity in sewer outfall mains, treatment plants and water transmission lines to handle the proposed development? | _____ | _____ | _____ |
| e. Are all necessary easements provided? | _____ | _____ | _____ |
| f. Do all easements have adequate access? | _____ | _____ | _____ |
| g. Are any offsite easements required? | _____ | _____ | _____ |
| h. Have all appropriate agencies reviewed and approved plans? | | | |
| 1. Electric | _____ | _____ | _____ |
| 2. Gas | _____ | _____ | _____ |
| 3. Telephone | _____ | _____ | _____ |
| i. Does the drainage conform to City regulations and specifications? | _____ | _____ | _____ |
| j. Do the water and sewer plans conform to City regulations and specifications? | _____ | _____ | _____ |

Yes No N/A

k. Comments:

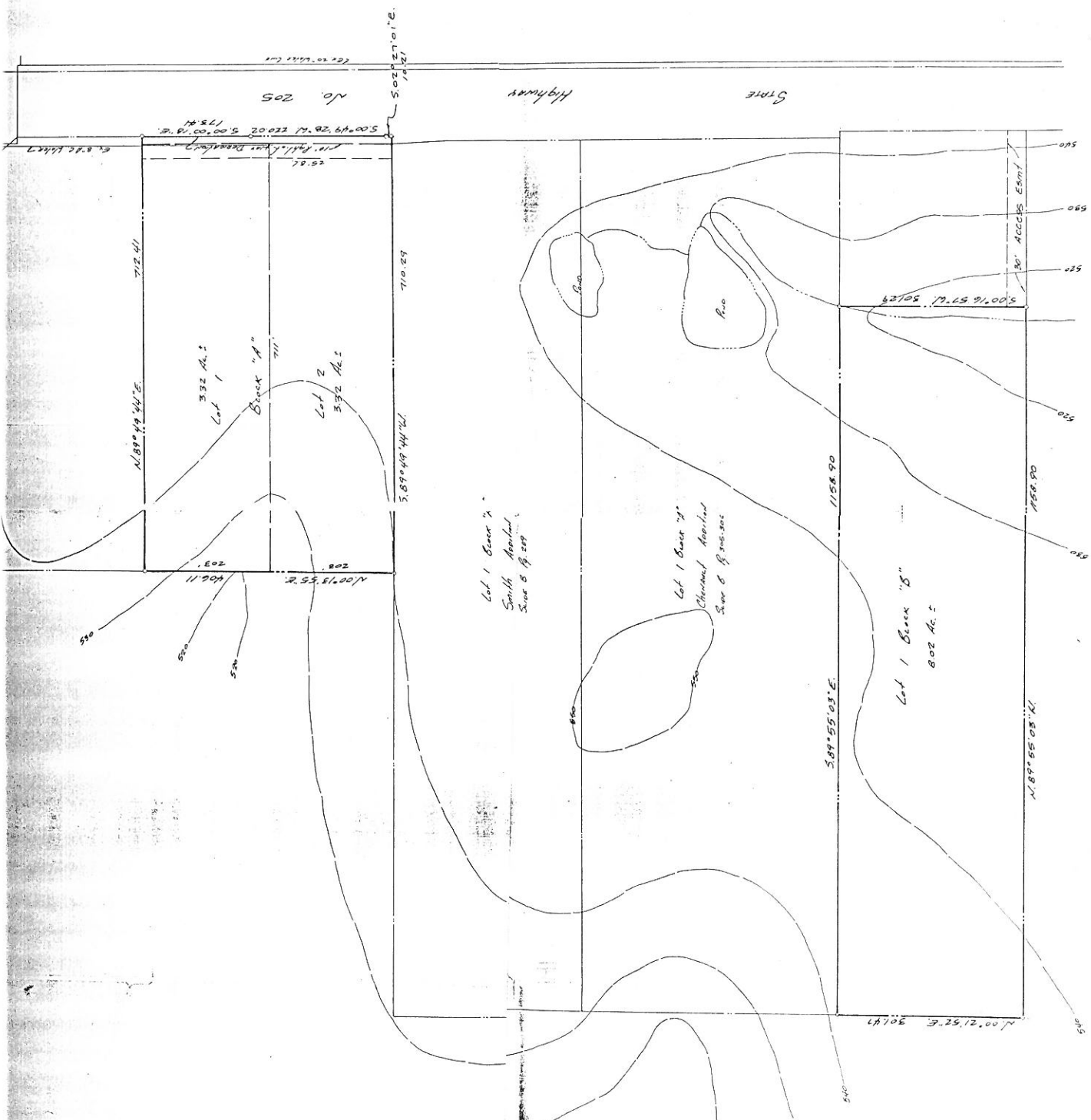
General Requirements

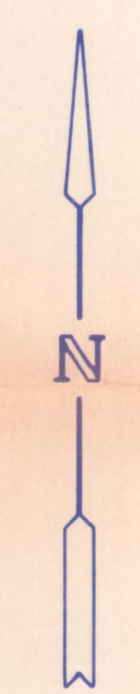
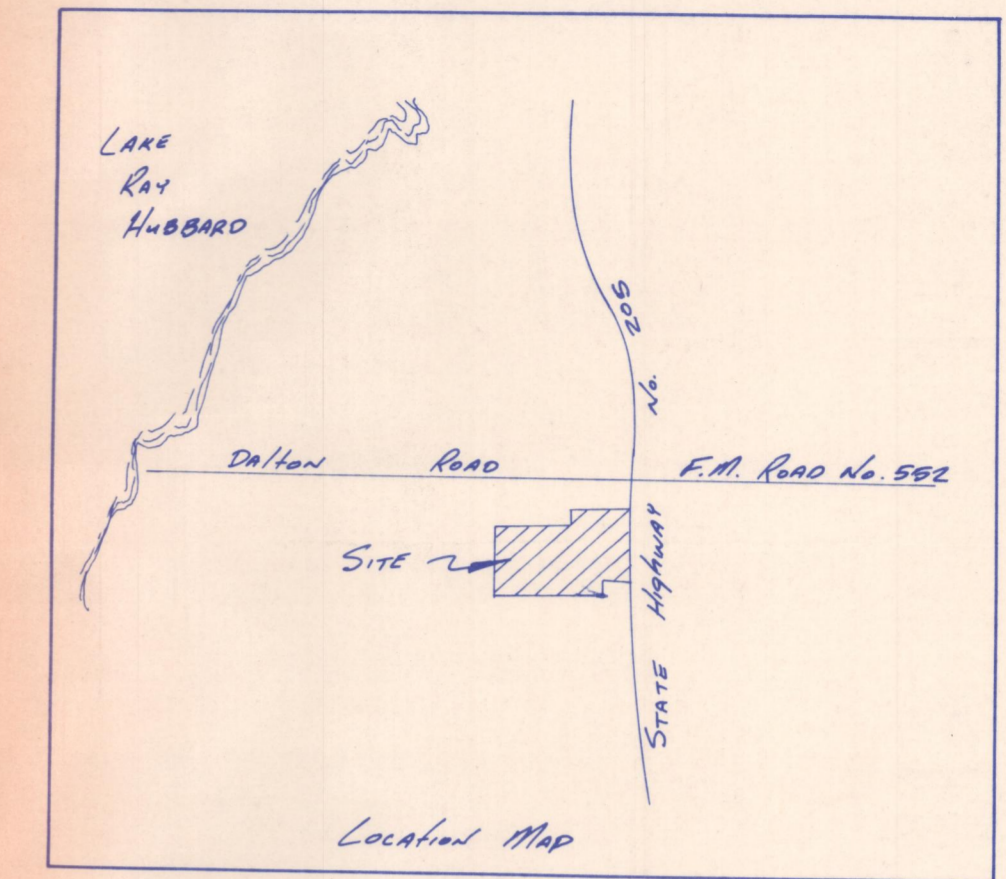
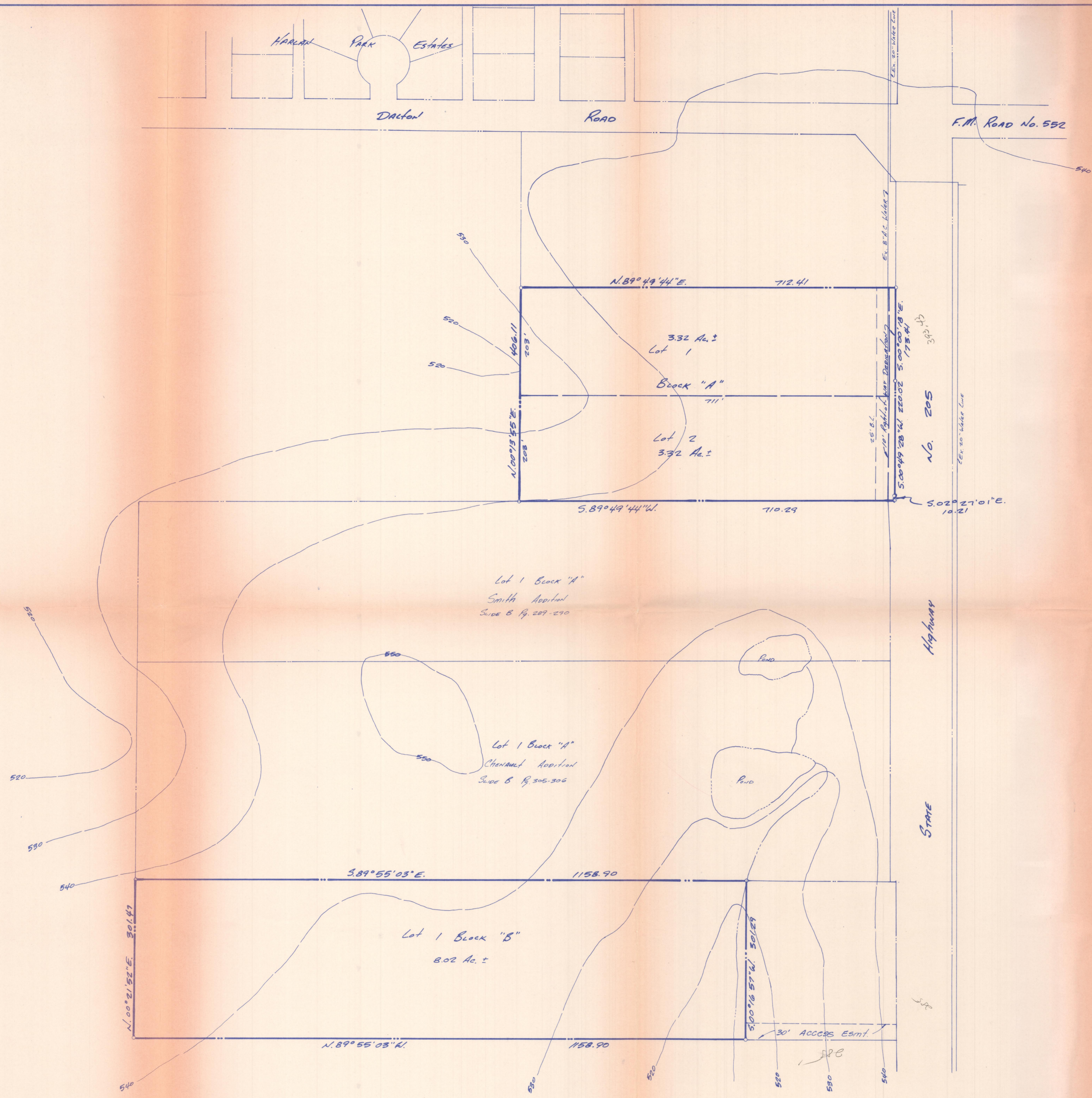
1. Has the City Engineer reviewed and approved the plan?
2. Does the final plat conform to the City's Flood Plain Regulations?
3. Does the final plat conform to the preliminary plat as approved?
4. Staff Comments:

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Time Spent on Review

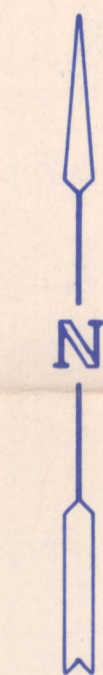
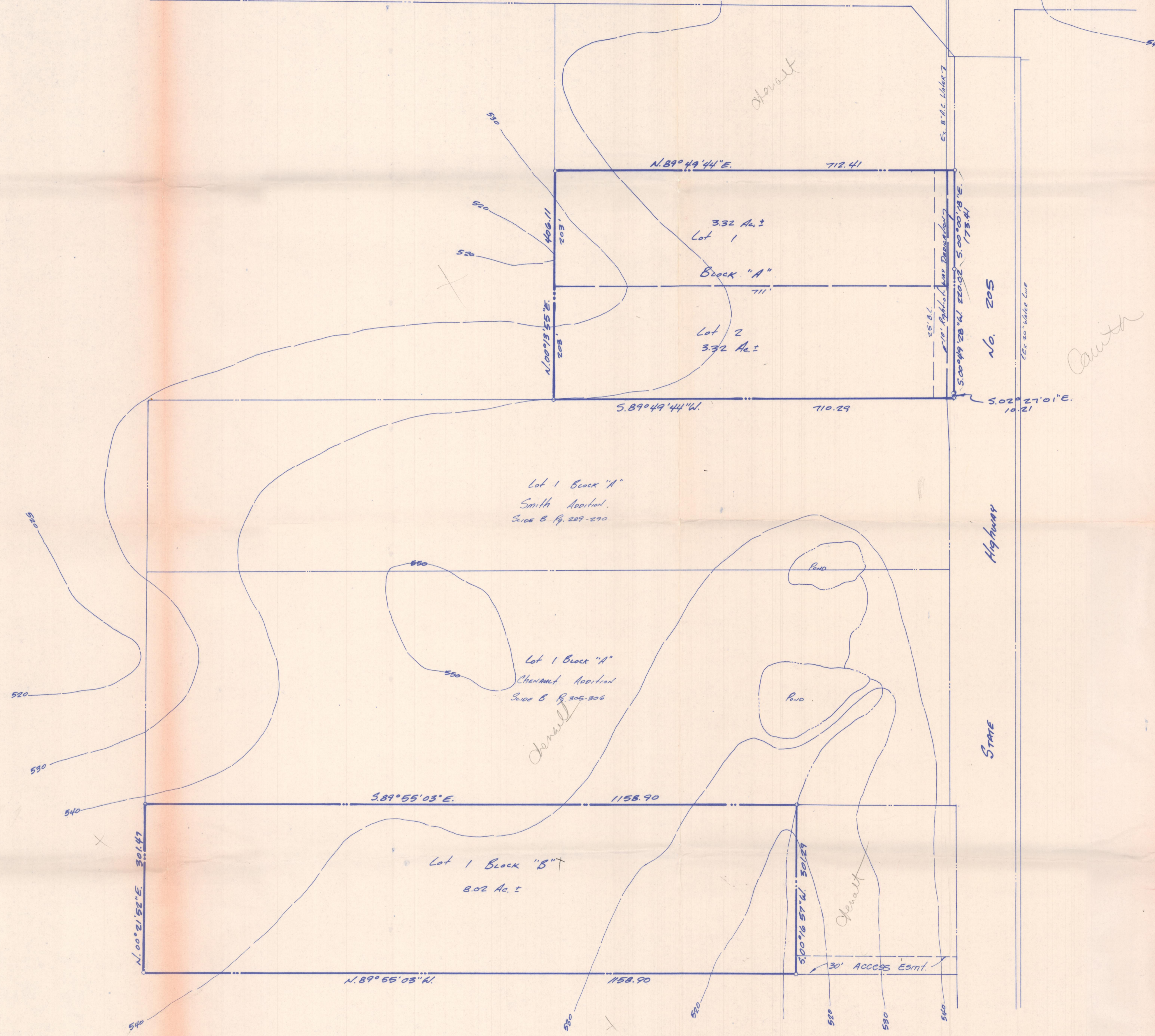
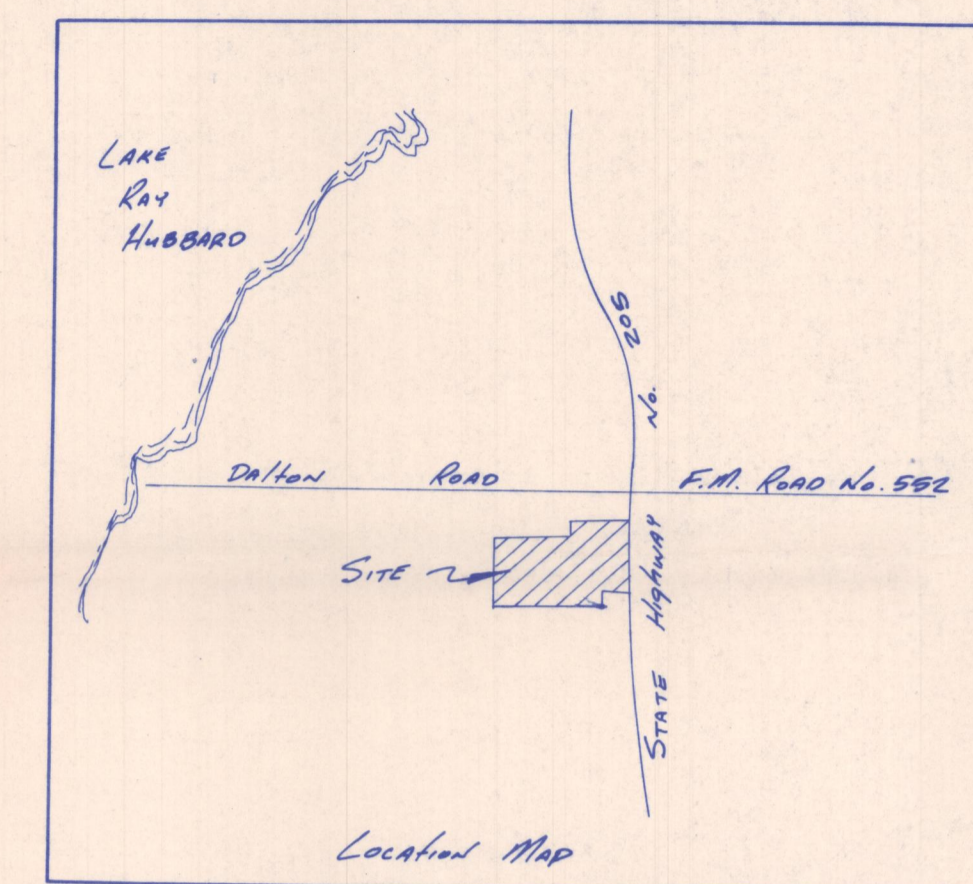
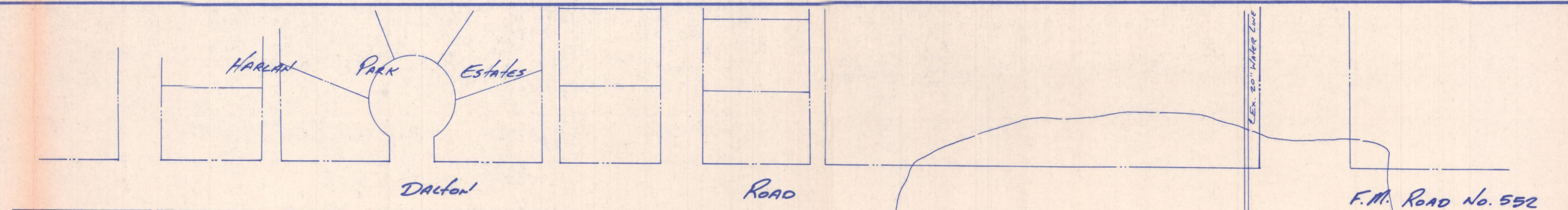
| <u>Name</u> | <u>Date</u> | <u>Time Spent (hours)</u> |
|-------------|-------------|---------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
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| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |





CLUB HILL ESTATES

| | | | | | | | |
|----------------------|---------|---------|--------|-------|---|--|-----------------|
| REVISION DESCRIPTION | DATE | SCALE | DESIGN | DRAWN | HAROLD L. EVANS & ASSOCIATES Consulting Engineers P. O. Box 28355 2331 Gus Thomasson Road, Suite 102 Dallas, Texas 75228 (214) 328-8133 | SHEET NO. PRELIMINARY Plat W. G. DEWESE SURVEY Abstract No. 71 City of Rockwall Rockwall County, Texas | JOB NO. 8520 |
| | 2-11-87 | 1"=100' | | | | | |



CLUB HILL ESTATES

| | | | | | | | |
|----------------------|---------|---------|--------|-------|---|--|------------------------------|
| REVISION DESCRIPTION | DATE | SCALE | DESIGN | DRAWN | HAROLD L. EVANS & ASSOCIATES Consulting Engineers P.O. Box 28355 2331 Gus Thomasson Road, Suite 102 Dallas, Texas 75228 (214) 328-8133 | PRELIMINARY PLAT W. G. DEWEESE SURVEY Abstract No. 71 City of Rockwall Rockwall County, TEXAS | SHEET NO. JOB NO. 8520 |
| | 2-11-87 | 1"=100' | | | | | |

Club Hill Estates
Sent for BOA notices

Being a tract of land in the W. G. DeWeese Survey, Abstract No. 71, Rock-wall, Texas, Beginning at a point and thence north $00^{\circ} 21' 52''$ East, a distance of 301.47 feet to a point for a corner;

Thence: South $89^{\circ} 55' 03''$ East, a distance of 1,158.90 feet to a point for a corner;

Thence: South $00^{\circ} 16' 57''$ West, a distance of 301.29 feet to a point for a corner;

Thence: North $89^{\circ} 55' 03''$ West, a distance of 1,158.90 feet to the point of beginning and containing approximately 8.02 acres of land.

JUDY CLARK & ASSOCIATES

REAL ESTATE • APPRAISALS

102 E. ROSS • ROCKWALL, TEXAS • 75087 • 722-3180 • 226-0259

March 4, 1987

Mr. Rick Crowley
City of Rockwall
205 West Rusk
Rockwall, Texas 75087

Dear Mr. Crowley,

Being the undersigned I have personally inspected the lot located on Hunt Lane, being further known as Lot 14, Block "C", Heritage Heights Addition, City of Rockwall, Rockwall County, Texas as you requested and to the best of my knowledge and belief the statements contained in this report are true and correct, and that neither the employment to make this appraisal nor the compensation is contingent upon the value reported and that in my opinion the Market Value as of the 4th day of March, 1987 is:

THIRTEEN THOUSAND SEVEN HUNDRED DOLLARS
(\$13,700.)

} = \$42,615.22/acre

The appraisal was appraised as a whole, owned in fee simple title and unencumbered, subject to the statement of contingent and limiting conditions outlined herein.

The data supporting this value is on permanent records in my files located at the above address.


Judy A. Clark, Appraiser

PURPOSE AND SCOPE OF THE APPRAISAL

The purpose and scope of this appraisal was to estimate market value of the subject property as of March 4, 1987. As though individually owned in fee simple, under prudent management and competent ownership. Personal property other than that listed in the report was not considered to the value estimate. Business goodwill and prestige were not considered in the value estimated.

DEFINITION OF MARKET VALUE

Market Value is defined in Real Estate Appraisal Terminology jointly published by the American Institute of Real Estate Appraisers and the society of Real Estate Appraisers as follows:

The most probable price in terms of money which a property will bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus.

Implicit in this definition is the consumation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated.
2. Both parties are well informed or well advised, and each acting: in what he considers his own best interest.
3. A reasonable time is allowed for exposure in the open market.
4. Payment is made in cash or its equivalent.
5. Financing, if any, is on terms generally available in the community at the specified date and typical for the property type in its locale.
6. The price represents a normal consideration for the property sold unaffected by special financing; amounts and/or terms, services, fees, costs, or credits incurred in the transaction.

NEIGHBORHOOD ANALYSIS

The subject neighborhood is considered the City of Rockwall, Texas.

The City of Rockwall is the county seat of Rockwall County and was originally a farming community.

Rockwall has very little industry to support the residents and growth was slow until completion of Lake Ray Hubbard.

Presently, Rockwall is a lake oriented community with a major share of the residents commuting to Dallas and Garland to work.

Access is considered adequate via I.H. No 30 and S.H. 66, both connecting to I.H. No. 635 (LBJ Frwy) to Dallas and Garland.

All of the usual public utilities are available to the neighborhood and are considered reliable and adequate.

Shopping, services, school, and recreation are above average for a city of this size.

Lake Ray Hubbard is the largest attraction in the area with easy access for water sports and other outdoor activities. There are three yacht clubs and an 18 hole golf course on the lake.

Lake Ray Hubbard has attracted developers of residential property in a wide price range, with +122% percent housing change from 1970 to 1980. * From past trends it appears that the city of Rockwall will enjoy continual growth for the immediate future.

* Total Population:

| | | | |
|-------|--------|---------------------------------|------|
| 1980: | 14,528 | Rockwall County-percent change: | 106% |
| 1970: | 7,046 | Rockwall County-percent change: | 27% |

* Source: Bureau of the Census
Washington, D.C. 20233

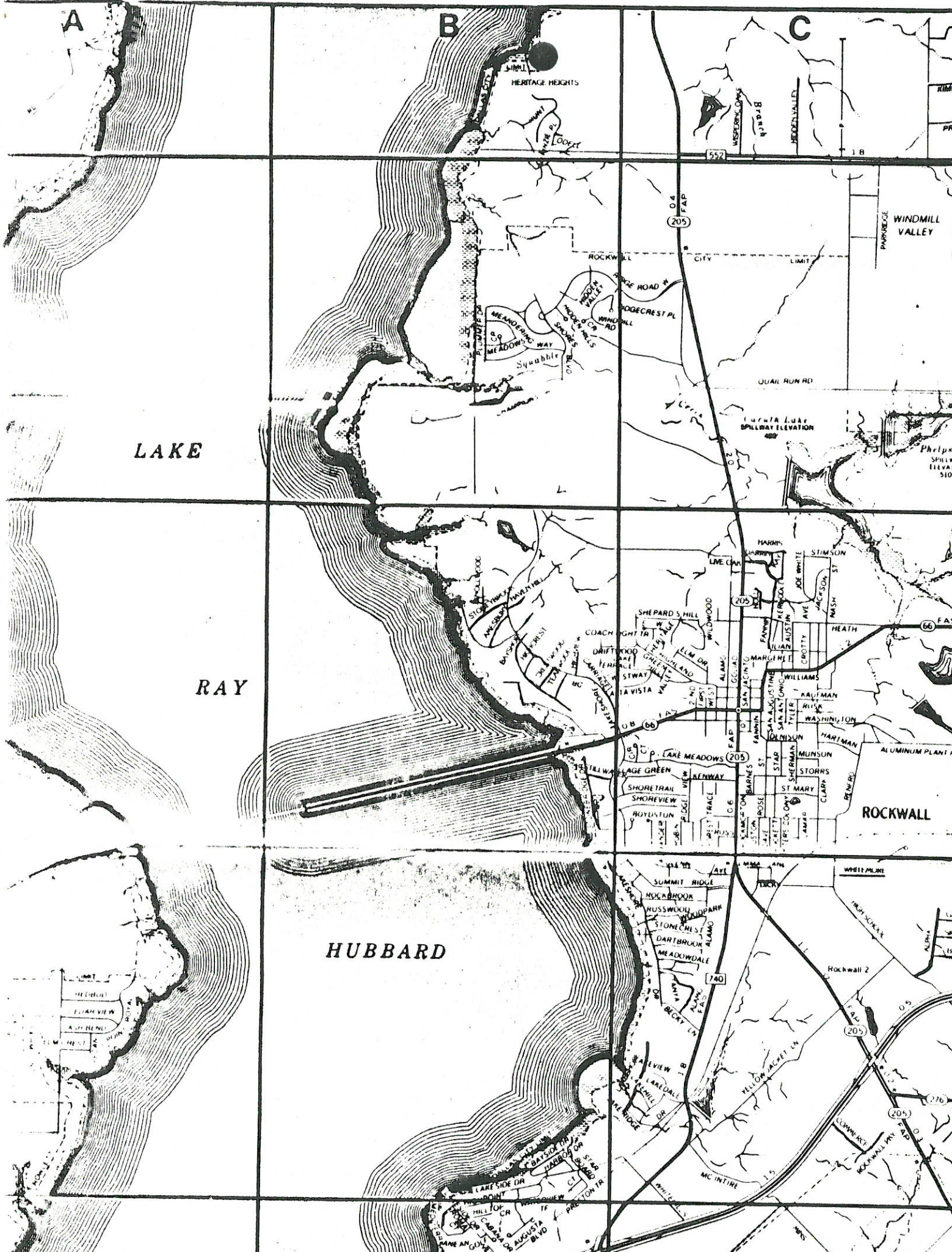
SITE DATA

The subject site is located North of downtown Rockwall and Interstate Highway 30 and is composed of custom built BV homes of good quality. Many of the sites have a lakeview and most are under one half acre in size. The soil appears to be black clay and limestone. The subject site has a drainage easement on the South side which drains to a small lake that adjoins the site on the West back boundary line.

The site is located on Hunt Lane, within 9 lots North of Dalton Road. Immediate access to the site is from Dalton Road, via State Highway 205. The subject neighborhood is located in the City Limits of Rockwall and utilities to the site are water, electrical and telephone. At the present time there is no sewer to the addition and the subject lot size does not meet city requirements to install a septic system. The developer has offered the addition on the open market for \$735,000. with 49 residential lots remaining, with an estimated cost from Harold Evans Engineering to bring the lot up to city standards at \$1200. per lot.

6

The subject neighborhood has been annexed into the city limits with no sewer at the present time. City and county regulations state that in order to install a septic system, lots have to be a minimum of 1.5 acres of ground area. The subject lot does not meet the requirements to install a septic system and the addition is restricted to Single Family homes, which eliminates the use, therefore in my opinion this creates a curable Economic Obsolescence. The cure is to have the city sewer at the site or to increase the lot size to 1.5 acres by combining more than one lot since land is not considered a wasting asset, it does not depreciate from use, however, Economic Obsolescence is a loss of value from causes outside the property itself. Zoning changes, proximity to nuisances and changes in land use can all be causes of Economic Obsolescence. From the estimated costs furnished to bring the lot up to the city requirements, the pro-rata share for each lot in Heritage Heights is approximately \$1200. In my opinion since the land is not a wasting asset, a curable Economic Obsolescence of \$1200. is estimated.



A

B

C

LAKE

RAY

HUBBARD

HERITAGE HEIGHTS

WINDMILL VALLEY

ROCKWALL

205

205

205

740

18

66

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LAKE RAY
HUBBARD

HERITAGE
HEIGHTS



DALTON DRIVE

HWY 205

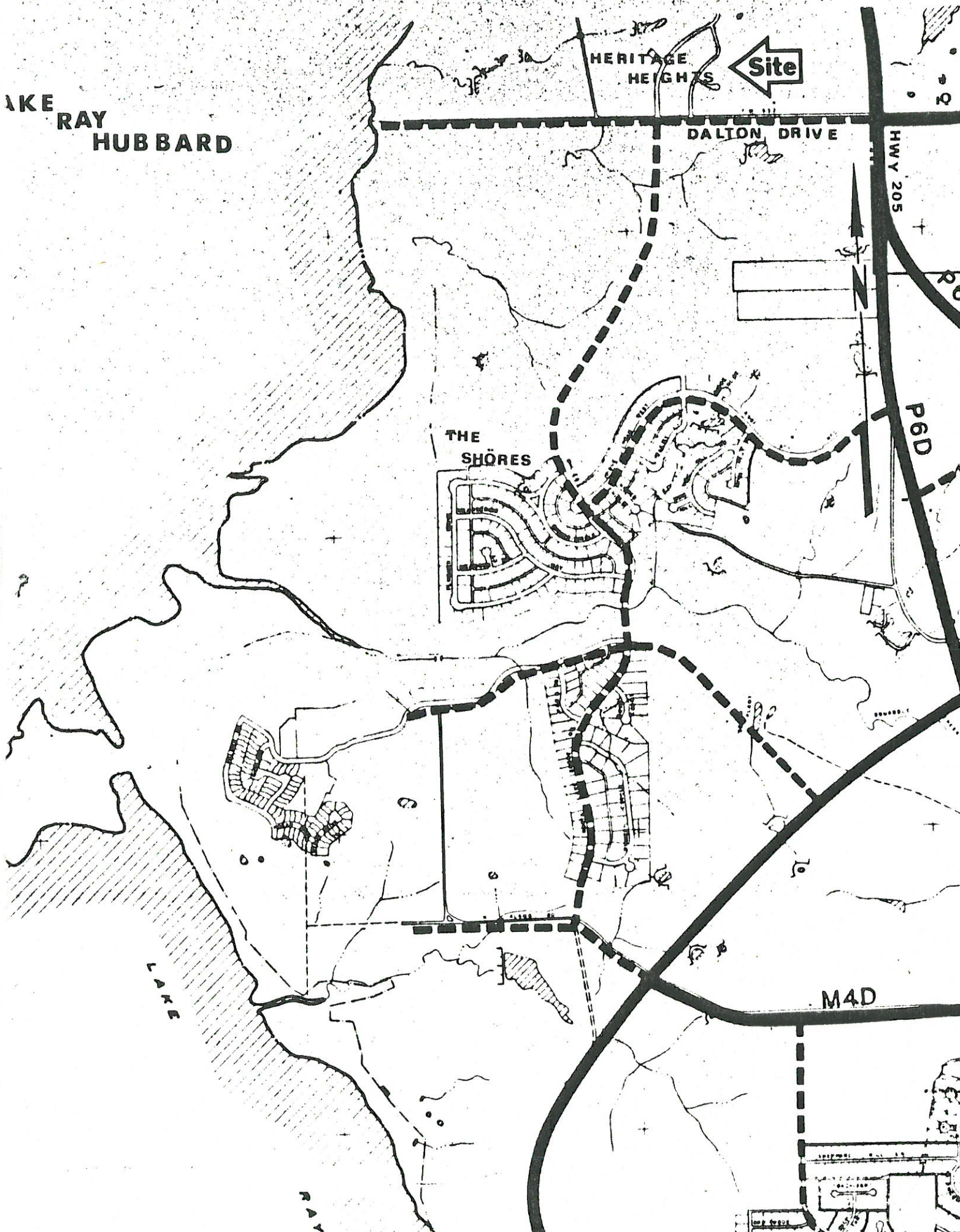
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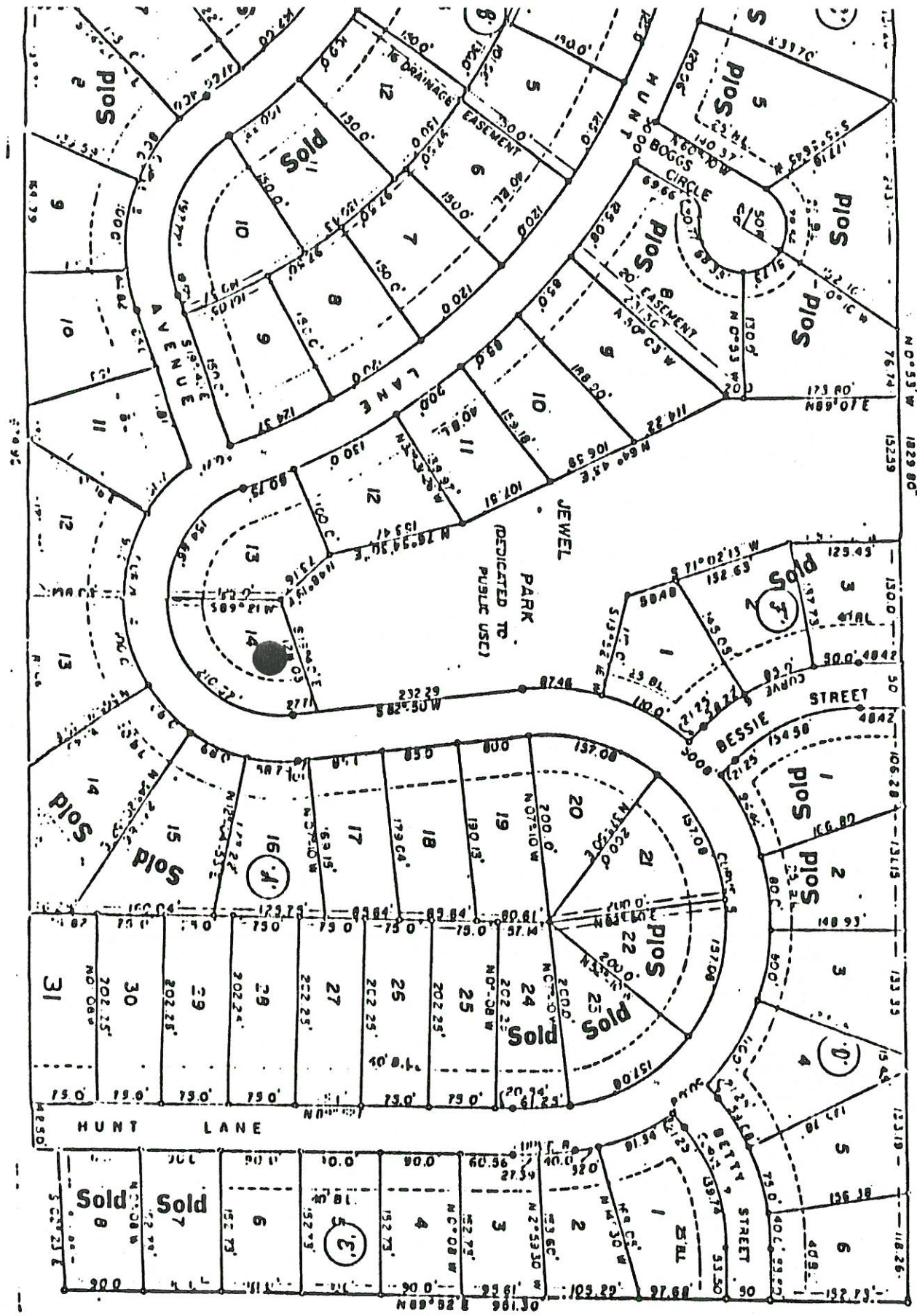
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SHORES

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HERITAGE HEIGHTS ADDITION

Lot No.14, Blk. C
Heritage Heights Addition
Rockwall, Texas 75087



LAND VALUE ESTIMATE

The proper method for estimating value for unimproved land is the Market Data Approach to Value. For standardized goods and services, prices paid at "arm's length" bargaining in an open and normal market provide a reliable index of value.

With real estate, which is heterogeneous in character, exact comparability can never be obtained, if only because of differences in fixed geographical location of the property. It is possible, nevertheless, through a study and analysis of market operations, to adjust for price effects caused by difference in "physical" characteristics in order to obtain "economic" equality essential to an accurate estimate of market value.

The greater the number and the more recent the sales of comparable properties, the greater the accuracy of the market approach as an indication of value. Therefore, quality and quantity of the comparable sales is of the greatest importance.

The following sales were inspected and investigated by this appraiser on or about March 4, 1987. These properties are similar to the subject property, and the sales were adjusted accordingly for physical and economic variables as explained. Following is a description of comparable sales.

Sale No. 1

Location: Maytona Ranch Estates, Rockwall Co. Texas

Grantor: Geo. May

Grantee: Dennis Anderson

Land: 4 lots .65 acres each lot

Date: July 9, 1986

Price: \$67,200. or \$16,800. per lot

Zoning: none-deed restricted to SF homes, outside City Limits

Utilities: all at site except natural gas & sewer

Building: none-vacant land

Intended Usage: homesites

Verified By: appraisers files and selling agent

Comments: concrete street, superior location to subject. Within
2 miles S.E. of subject.

Sale No. 2

Location: Kimberly Lane, Rockwall Co. Texas

Grantor: Bounds Sr.

Grantee: Vernon R. Goodman

Land: 2.37 acres

Date: March 17, 1986

Price: \$23,500.

Zoning: none-deed restricted to SF homes, outside City Limits

Utilities: all at site except natural gas and sewer

Building: none-vacant land

Intended Usage: homesite

Verified By: MLS, appraisers files and Alice Miller, agent.

Comments: similar type addition to subject in streets, within 1 miles East.

Sale No. 3

Location: Lot 9, Sunnycrest Estates, Rockwall Co. Texas

Grantor: Hinkle

Grantee: Davidson

Land: 2.0 acres

Date: June, 1986

Price: \$30,000.

Zoning: none-deed restricted, outside City Limits

Utilities: all at site except septic and natural gas

Building: none-vacant land

Intended Usage: homesite

Verified By: MLS and selling agent

Comments: concrete street, underground utilities, within 5 miles South of subject.

Sale No. 4

Location: Lot 21, Twin View Estates, Heath

Grantor: Boggs

Grantee: Harding

Land: .5 acre

Date: April, 1986

Price: \$15,500.

Zoning: none-deed restricted, outside City Limits

Utilities: all at site except natural gas and septic

Building: none-vacant land

Intended Usage: homesite

Verified By: MLS and Bennie George, agent

Comments: lakeview, rock street, within 6 miles South of subject.

An analysis of the sales are as follows:

| <u>No.</u> | <u>Size</u> | <u>Date</u> | <u>Price</u> | <u>Location</u> |
|------------|-------------|-------------|--------------|--------------------|
| 1. | .65 acre | 7-86 | \$16,800. | no lakeview/street |
| 2. | 2.37 acres | 3-86 | 23,500. | no lakeview |
| 3. | 2.0 acres | 6-86 | 30,000. | lakeview |
| 4. | .5 acre | 4-86 | 15,500. | lakeview |

Using the four preceeding sales a range of \$16,800. to \$30,000. per lot is achieved, with the higher range being the larger lots, thus narrowing the range to \$15,500. to \$16,800 per lot. Sale No. 1 is larger than subject with a concrete street, but not lakeview. Sale No 4 is a lakeview lot and nearer subject size. A downward adjustment is used due to the time at 1/2% per month of \$620. plus an economic obsolescence of \$1200. The value calculation is as follows:

| | |
|------------------------------|--------------------|
| Estimated Value | = \$15,500. |
| Less Time Adjustment | = 620. |
| Less Economic Obsolescence | = <u>\$ 1,200.</u> |
| Total Estimated Market Value | \$13,680. |
| ROUNDED TO | \$13,700. |

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

CERTIFICATION AND STATEMENT OF LIMITING CONDITIONS

CERTIFICATION: The Appraiser certifies and agrees that:

1. The Appraiser has no present or contemplated future interest in the property appraised; and neither the employment to make the appraisal, nor the compensation for it, is contingent upon the appraised value of the property.
2. The Appraiser has no personal interest in or bias with respect to the subject matter of the appraisal report or the participants to the sale. The "Estimate of Market Value" in the appraisal report is not based in whole or in part upon the race, color, or national origin of the prospective owners or occupants of the property appraised, or upon the race, color or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.
3. The Appraiser has personally inspected the property, both inside and out, and has made an exterior inspection of all comparable sales listed in the report. To the best of the Appraiser's knowledge and belief, all statements and information in this report are true and correct, and the Appraiser has not knowingly withheld any significant information.
4. All contingent and limiting conditions are contained herein (imposed by the terms of the assignment or by the under-signed affecting the analyses, opinions, and conclusions contained in the report).
5. This appraisal report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics and Standards of Professional Conduct of the appraisal organizations with which the Appraiser is affiliated.
6. All conclusions and opinions concerning the real estate that are set forth in the appraisal report were prepared by the Appraiser whose signature appears on the appraisal report, unless indicated as "Review Appraiser." No change of any item in the appraisal report shall be made by anyone other than the Appraiser, and the Appraiser shall have no responsibility for any such unauthorized change.

CONTINGENT AND LIMITING CONDITIONS: The certification of the Appraiser appearing in the appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Appraiser in the report.

1. The Appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or the title there-to, nor does the Appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
2. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the prop-erty. The Appraiser has made no survey of the property.
3. The Appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made therefor.
4. Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.
5. The Appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The Appraiser assumes no responsibility for such conditions, or for engineering which might be required to discover such factors.
6. Information, estimates, and opinions furnished to the Appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the Appraiser can be assumed by the Appraiser.
7. Disclosure of the contents of the appraisal report is governed by the Bylaws and Regulations of the professional appraisal organizations with which the Appraiser is affiliated.
8. Neither all, nor any part of the content of the report, or copy thereof (including conclusions as to the property value, the identity of the Appraiser, professional designations, reference to any professional appraisal organizations, or the firm with which the Appraiser is connected), shall be used for any purposes by anyone but the client specified in the report, the borrower if appraisal fee paid by same, the mortgagee or its successors and assigns, mortgage insurers, consultants, professional appraisal organizations, any state or federally approved financial institution, any department, agency, or instrumentality of the United States or any state or the District of Columbia, without the previous written consent of the Appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the Appraiser.
9. On all appraisals, subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner.

This appraisal report is invalid without an original signature.

Date: March 4, 1987 Appraiser(s) Judy A. Clark

QUALIFICATIONS OF APPRAISER-----JUDY A. CLARK

EDUCATION

Appraisal 1 course given by Dallas Independent School District Continuing Education Programs; 8-3 course given by the American Institute of Real Estate Appraisers.

PROFESSIONAL MEMBERSHIP

Member: Rockwall Board of Realtors, Greater Dallas Board of Realtors, Texas Association of Realtors. National Association of Realtors, Associate member American Society of Appraisers, RM Candidate American Institutions of Real Estate Appraisers, and Licensed Real Estate Broker---State of Texas.

EXPERIENCE

Owner: Judy Clark & Associates, Real Estate and Appraisals, 1980 to present. Sales manager and appraisals, Ted Cain Real Estate, 1972 - 1980. Organizing member of Rockwall County Board of Realtors. Chairman of Professional Standards Committee 1975 to 1984 Rockwall County Board of Realtors. Chairman of Grievance Committee 1984 to 1986: Rockwall County Board of Realtors. Prepared Indoctrination Course on Code of Ethics for Rockwall County Board of Realtors 1981 and 1982.

APPRAISAL EXPERIENCE AND CLIENTS

Appraisals for purpose of mortgage loans, buyers, sellers, estates, vacant land, special purposes, have been made for the following partial list of clients in the State of Texas.

INDEPENDENT BANK N.A.
LAKE SIDE NATIONAL BANK
FIRST STATE BANK
CITY OF ROCKWALL
MODERN SAVINGS AND LOAN
CES MORTGAGE
RALPH HALL-ATTORNEY AT LAW
DON STODCHILL-ATTORNEY AT LAW
LEON SMITH-ATTORNEY AT LAW
BLAKELY HALL-ATTORNEY AT LAW
NATIONAL HERITAGE MORTGAGE CORP.
S&L FINANCIAL
LOMAS & NETTLETON MORTGAGE CORP.
REPUBLIC BANK-DALLAS & GARLAND
EXECUTRANS
HOME EQUITY
VEREX
METROPOLITAN NATIONAL BANK
FIRST SOUTHWEST MORTGAGE
FIRST TEXAS SAVINGS
FIRST GARLAND SAVINGS
PARAMOUNT MORTGAGE
SUNBELT NATIONAL MORTGAGE

AMERICAN NATIONAL BANK-TERRELL
SOUTHLAND MORTGAGE
BANKTEXAS-McKINNEY
FORT WORTH MORTGAGE
TERRELL STATE BANK
COMMODORE S&L
BILL BRIGGS LOFLAND-ATTORNEY AT LAW
REPUBLIC BANK OAK CLIFF
NORTHWEST MORTGAGE CO.
GUARANTY BANK
CITY OF HEATH
ROCKWALL INDEPENDENT SCHOOL DISTRICT
REPUBLIC BANK BROWNWOOD
INDIVIDUALS

Club Hill Estates escrow on 205
3/8/87

1. 6" Concrete Pavement

1 lane 12' wide @ \$20.00/sy
 $394' \times 12' \times \frac{\$20}{sy} \times \frac{sy}{9ft^2} \times \$10,507.00$

2. 6" Lime Stab. Subgrade

$\$2.00/sy \times \frac{sy}{9sf} \times 13 \times 394 = \1138

$.0146 \frac{tn}{sy}$

3. Hydrated lime

$13 \times 394' \times \frac{1}{9} \times \frac{.0146tn}{sy} = 8.3 \text{ tons}$

$\$90/tn \times 8.3 = \748.00

4. Curb/gutter

$394' \times \$12.00/ft = \4728

5. 4' Wide Sidewalk

@ 2.50/sf.

$4 \times 394 \times 2.50/sf = \3940

6. Earthwork -

\$2000

Total

\$23,061.00

per ord.

x

15%

26,520.00

MANDATORY PARKLAND DEDICATION
NEIGHBORHOOD PARKLAND
CALCULATION SHEET

P&Z Case NO. 87-9-Z/PP

Submitted by H. Chenault

Description Club Hill Estates

NP District NP 1

Calculation Information

I. Total number of residential units which 3 is projected to have when fully developed.

.Total projected population NP 1 (Park Plan): 2,277

.Mean Household Size (NCTCOG): 2.82

Calculation

$$2,277 \div 2.82 = \underline{807.45}$$

II. Pro rata share of required dedication for Club Hill Estates

.Total number of residential units which NP 1 is projected to have when fully developed: 807.45

.Total number of units proposed for Club Hill Estates = 3

Calculation

3 units is .371% of 807.45

.371% of 3.0 acres (total Neighborhood Park requirement of NP 1 from Park Plan) = .0111 acres

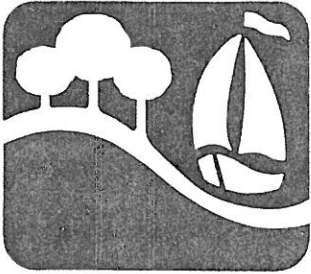
Staff
~~Park Board~~ Recommendation

Developer pro rata share: .0111 acres

Contribution: Cash (by Ordinance)

Per Acre Amount: _____ (by appraisal)

Contribution:



CITY OF ROCKWALL

"THE NEW HORIZON"

March 16, 1987

Mr. Harold Chenault
12900 Preston Road, Suite 1212
Dallas, Texas 75230

Dear Mr. Chenault:

On March 12, 1987, the Rockwall Planning and Zoning Commission recommended approval of a change in zoning from "A" Agricultural to "SF-16" Single Family on approximately 14 acres and a preliminary plat located generally on SH-205 south of Dalton subject to the following conditions:

1. approval by the Board of Adjustments for a variance from the minimum lot frontage requirements
2. escrowing of park land dedication funds in the amount of \$473.02

The Rockwall City Council will hold a public hearing and consider approval of your request on April 6, 1987, at 7:00 P.M. in City hall, 205 West Rusk.

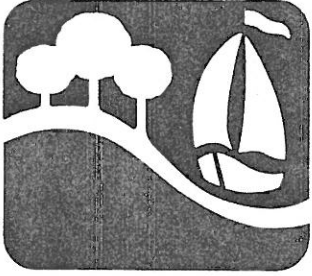
Please feel free to call if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: Harold Evans
MN/rmp



CITY OF ROCKWALL
"THE NEW HORIZON"

April 9, 1987

Mr. Harold Chenault
12900 Preston Road, Suite 1212
Dallas, Texas 75230

Dear Mr. Chenault:

On April 6, 1987, the Rockwall City Council approved a change in zoning from "A" Agricultural to "SF-16" on three tracts of land, two tracts that each contain 3.32 acres and one tract containing 8.02 acres, located on SH-205 south of Dalton Road.

The Council also approved a preliminary plat on a one lot subdivision, 8.02 acres, and tabled consideration of the preliminary plat for two lots with SH-205 frontage, pending further study of escrow requirements for street improvements. This plat will be considered April 20, 1987, at 7:00 P.M. in City Hall.

Please feel free to call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: Harold Evans
MN/mmp

MANDATORY PARKLAND DEDICATION
NEIGHBORHOOD PARKLAND
CALCULATION SHEET

P&Z Case NO. 87-9-Z/PP

Submitted by H. Chenault

Description Club Hill Estates

NP District NP 1

Calculation Information

I. Total number of residential units which 3 is projected to have when fully developed.

.Total projected population NP 1 (Park Plan): 2,277

.Mean Household Size (NCTCOG): 2.82

Calculation

$$2,277 \div 2.82 = \underline{807.45}$$

II. Pro rata share of required dedication for Club Hill Estates

.Total number of residential units which NP 1 is projected to have when fully developed: 807.45

.Total number of units proposed for Club Hill Estates = 3

Calculation

3 units is .371% of 807.45

.371% of 3.0 acres (total Neighborhood Park requirement of NP 1 from Park Plan) = .0111 acres

Park Board Recommendation

Developer pro rata share: .0111 acres

Contribution: Cash (by Ordinance)

Per Acre Amount: \$42,615.22 (by appraisal)

Contribution: \$42,615.22 X .0111 Acres = \$473.02

JUDY CLARK & ASSOCIATES

REAL ESTATE • APPRAISALS

102 E. ROSS • ROCKWALL, TEXAS • 75087 • 722-3180 • 226-0259

March 4, 1987

Mr. Rick Crowley
City of Rockwall
205 West Rusk
Rockwall, Texas 75087

Dear Mr. Crowley,

Being the undersigned I have personally inspected the lot located on Hunt Lane, being further known as Lot 14, Block "C", Heritage Heights Addition, City of Rockwall, Rockwall County, Texas as you requested and to the best of my knowledge and belief the statements contained in this report are true and correct, and that neither the employment to make this appraisal nor the compensation is contingent upon the value reported and that in my opinion the Market Value as of the 4th day of March, 1987 is:

THIRTEEN THOUSAND SEVEN HUNDRED DOLLARS
(\$13,700.)

} = \$42,615.22/acre

The appraisal was appraised as a whole, owned in fee simple title and unencumbered, subject to the statement of contingent and limiting conditions outlined herein.

The data supporting this value is on permanent records in my files located at the above address.


Judy A. Clark, Appraiser

Agenda Notes

P&Z - 31287

III. B. P&Z 87-9-Z/PP - Hold Public Hearing and Consider Approval of a Request from Harold Chenault for a Change in Zoning From "A" Agricultural to "SF-16" Single Family on Approximately 14 Acres, Generally Located on SH-205 South of Dalton, and a Preliminary Plat

We have received a request from Harold Chenault for a change of zoning to "SF-16" on three lots located north of town on SH-205 in the area of his one lot subdivision that was approved in 1985, just south of Dalton Road. This area is currently zoned Agricultural. The Land Use Plan proposes low density residential in this area; therefore the zoning request is in conformance with the Land Use Plan. A location map is attached.

Mr. Chenault is also requesting approval of a preliminary plat for these three lots. Two of the lots are proposed to front on SH-205 and will meet all of the "SF-16" requirements. Each lot contains over 3 acres in area. The third lot is located behind an existing house located on SH-205. Mr. Chenault is proposing to put in an access easement from the frontage tract to provide access to the third lot. In order to do this, he will have to receive a variance from the Board of Adjustments to the lot frontage requirements. Under the Zoning Ordinance he is required to have a minimum of 60 ft. on a public or private street. The only way that this lot could get frontage on a street would be to build a street from SH-205 to serve this single lot. He is, therefore, applying for a variance. He will appear before the Board next week prior to appearing before the City Council for approval. Your approval would be subject to the Board's approval of the variance.

As you know, our Subdivision Regulations require that funds be escrowed for 50% of the required paving improvements plus storm sewer, sidewalk and curb and gutter. We estimate his cost of escrow for the two lots to be \$26,520. Mr. Chenault is asking for a waiver to this requirement just as he did on his one lot subdivision.

Another item that needs to be addressed regarding the preliminary plat is the implementation of the mandatory park land dedication ordinance. As you are aware, the City now has an ordinance that requires either the dedication of or escrowing of funds for the provision of parks. Under the provisions of the ordinance the calculated amount of escrow for Mr. Chenault's 3 lots will be approximately \$150.00. We will have a final estimate for you Thursday night.

A copy of the preliminary plat is attached.

Chenault

MINUTES OF THE PLANNING AND ZONING COMMISSION

March 12, 1987

Chairman Don Smith called the meeting to order at 7:30 P.M. with the following members present: Bob McCall, Norm Seligman, Bill Sinclair, Hank Crumbley and Tom Quinn.

The Commission considered approval of the Consent Agenda which consisted of the minutes of February 12, 1987, and a vacation of and replat for the Goldencrest Subdivision. McCall made a motion to approve the Consent Agenda. Seligman seconded the motion. The motion was voted on and passed unanimously.

Smith then opened a public hearing on a request from Westerfield/Tomlinson for a change in zoning from "A" Agricultural to "C" Commercial on 19.705 acres and "HC" Heavy Commercial on 56.980 acres, both located at SH-205 south off Sids Road and East of Mims Road. Assistant City Manager Julie Couch explained the location of the property and how it related to the Land Use Plan. Couch added that if the request were approved, Staff recommended a 200 ft. depth of Commercial zoning along Mims Road and that the Land Use Plan be amended to reflect the area as Heavy Commercial and Commercial instead of Single Family.

Bob Brown, representing the applicants, explained that the 400 foot depth of Commercial along SH-205 was to be consistent with existing development and that a large depth of Commercial on Mims Road would minimize useable Heavy Commercial property. Bill Lofland, representing Evelyn Lofland, pointed out how Mims Road related to the Thoroughfare Plan and requested a 400 foot deep buffer of Commercial zoning along the frontage of Mims. As there was no one else wishing to address this matter, the public hearing was closed.

Couch noted that of 19 public notices mailed, three were returned in favor and one, Evelyn Lofland's, in favor with a Commercial depth along Mims. After discussion, Seligman made a motion to approve the zone change including a 250 ft. depth of Commercial zoning along Mims and to recommend to the City Council revising the Land Use Plan to reflect Commercial use in that area. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Harold Chenault for a change in zoning from "A" Agricultural to "SF-16" Single Family and a preliminary plat on approximately 14 acres, generally located on SH-205 south of Dalton Road. Couch explained that the request consisted of the rezoning, a preliminary plat and a request for a waiver of street escrow requirements. She added that one of the three lots didn't have street frontage which would require a variance from the minimum lot frontage requirements of the Zoning Ordinance and would be

considered by the Board of Adjustments on March 19th. She also stated that the three lots must meet the requirements of the Park Land Dedication Ordinance.

Harold Chenault addressed the Commission and explained his request. He said that the property would not be salable with street escrow attached to it. As there was no one else wishing to address the Commission with regard to this matter, the public hearing was closed. Smith stated that this house was being sold and escrow would not necessarily cause financial hardship on an individual but on the sale of a piece of property.

Smith told the Commission that no precedent had been set with regard to escrow waivers. Seligman made a motion to approve the preliminary plat and the change in zoning subject to approval by the Board of Adjustments for a variance to the minimum lot frontage requirement and recognizing escrow for compliance with the Park Land Dedication Ordinance in the amount of \$473.02. Sinclair seconded the motion. The motion was voted on and passed, 5 to 1, with Crumbley voting against the motion.

The Commission then held a public hearing and considered approval of a request from Joanne Sidlinger for a change in zoning from "A" Agricultural to "LI" Light Industrial on a .988 acre tract of land located off Airport Road adjacent to the Rockwall Municipal Airport. Couch explained the applicant's request, the location of the property and that "LI" zoning was in conformance with the Comprehensive Land Use Plan. Robert Hager, Attorney representing the applicant, explained that the existing building on the property was being used for storage for an off-premise business but that the use had since ceased. He added that the property needed permanent zoning before the application could get a Certificate of Occupancy for a future use. As there was no one else wishing to address the Commission with regard to this matter, the public hearing was closed. McCall confirmed with Staff that the property would still need to be platted. Sinclair made a motion to approve the zone change. Seligman seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Frank Springer for a Conditional Use Permit for a temporary gun club and target range on a tract of land located on FM-549 between I-30 and SH-276. Couch explained the applicant's request and recommended that if the Planning and Zoning Commission chose to approve the CUP, that it be temporary and allowing adjacent developments to trigger review of the permit. James Needleman addressed the Commission and explained that the new proposed building would be portable and that the gun club would be strictly skeet shooting. As there was no one else wishing to address the Commission on this matter, the public hearing was closed. The Commission discussed the request and the time limit for the permit. Crumbley made a motion to approve the Conditional Use Permit for one year. Seligman offered a substitute motion to approve the CUP for one year, to review the CUP at any point in time

when adjacent or nearby property develops, and to issue a building permit without requiring the property to be platted as the usage was temporary. Sinclair seconded the motion. The motion was voted on and passed unanimously.

Next the Commission held a public hearing and considered approval of a request from Mike Rogers for a Conditional Use Permit for an accessory structure over the maximum height requirement in an "SF-10" classification, and a vacation of and replat for the Carroll Estates. Couch explained that the structure was seven feet over the maximum height and that the building would cut into the hillside, providing minimal visibility from Ridge Road.

Wayne Rogers told the Commission that the height was needed to enclose a car carrier and show cars. He added that it would be 38 feet from the alley and utilizing roll-up doors. Chip Gehle of 1316 South Alamo said that a residential area was not a safe location for such storage, that the building would add noise and deteriorate the neighborhood. Smith confirmed the size, 42 ft. by 60 ft. with Mr. Rogers. He added that the issue at hand was height, not whether or not he could construct the building. Lorraine Burns pointed out that property owners who were present were confused with regard to the proposed height. Rogers stated that with a CUP the structure would be 22 ft. high. J. D. Shriber, 204 Becky Lane, said that the height would be detrimental to the neighborhood. Inez Shriber stated that the permit would defeat the purpose of the high development standards in Rockwall. The Commission discussed the appearance of the building, usage of the structure, and a possible periodic review of the permit. Smith then closed the public hearing. Seligman made a motion to approve the vacation and replat prior to further discussion regarding the permit. Quinn seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed the appearance of the building and concerns of the residents present who were nearest to the proposed building. Smith pointed out that the Commission hadn't seen all sides of the building. Mike Rogers offered some additional drawings and assured the Commission that the structure would be used solely for storage. Sinclair made a motion to deny the CUP request for the height restrictions. Seligman seconded the motion. The motion was voted on and passed 4 to 2, with McCall and Crumbley voting against the motion.

The Commission then held a public hearing and considered approval of a request from Burgy/Miller, Inc. for a change in zoning from "GR" General Retail to "SF-10" Single Family and approval of a preliminary plat. Couch explained the application, the location of the tract, and that the preliminary plat was in compliance with the Land Use Plan. She stated that they were asking for a waiver to alley requirements for homes that backed up to the lake and that they were subject to escrow of \$2,709.45 to comply with the Mandatory Park Land Dedication Ordinance.

Harold Evans, Consulting Engineer for the applicants, explained the locations of General Retail in the area and the need for additional Single Family. Nora Myers, 1100 Teakwood, expressed support for additional residential although she had hoped for a community park at this location. Suzanne Ingram, 1101 Bayshore, expressed her favor for the change to Single Family. As there was no one else wishing to address the Commission on this matter, the public hearing was closed. Seligman made a motion to approve the change in zoning and preliminary plat recognizing a requirement of \$2,709.45 in escrow to comply with the Mandatory Park Land Dedication Ordinance. Quinn seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered changing the zoning or modifying the preliminary plan for PD-19 located west of FM-740 on Summer Lea Drive. Couch explained that the property was undeveloped and zoned for "MF-15". Bryan Marcus, Nelson Corporation, stated that the new ownership only recently became aware of the PD review and requested tabling the PD review until the new owner, Robert Greenberg, had the opportunity to submit a plan. Clark Beard confirmed with Planning and Zoning Commission that "MF-15" was the only use allowed. As there was no one further wishing to speak on the matter, Smith closed the public hearing. Seligman made a motion to table the review of PD-19 until May 14th. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered changing the zoning or modifying the preliminary plan for PD-20 located west of FM-740 on Summer Lea Drive. Couch explained that only six acres remained undeveloped in the PD and the rest of the property was being developed as Orleans on the Lake. Richard Harris, developer of Orleans on the Lake, asked the Commission to make no changes with regard to this area. Smith stated that Orleans was platted and not the concern at present, but the remainder of the PD was subject to review. Clark Beard, owner of the six acres in question, explained that he had misunderstood the object of the review and requested action be deferred as on PD-19. Sinclair made a motion to table review of PD-20 until May 14th. Crumbley seconded the motion. The motion was voted on and passed unanimously.

Next, the Commission considered approval of a site plan for a Quick Lube located on Ridge Road. Couch explained revisions to the plan that had been done at Staff or Planning and Zoning Commission's recommendation and briefly reviewed the plan. Sh added that FM-740 in this area was indicated as a scenic route in the Land Use Plan. John Fulgham, Car Wash Equipment Company, outlined the appearance of the building, the materials, the landscaping, and expressed his willingness to comply with recommendations of the Commission. Quinn pointed out that although a Quick Lube was an allowed use in this area, and even though the plan was well-done, this was an inappropriate business for an area designated as a scenic route. He recommended that the City pursue the possibility of establishing overlay zoning requirements for scenic routes. The Commission


discussed this point with the applicants and encouraged some design improvements. Quinn made a motion to approve the site plan with the stipulation that an improved design be submitted to the City Council and recognizing that this use was inappropriate, although allowed. He further recommended that Council consider initiating a study of possible overlay requirements for scenic routes. Crumbley seconded the motion. The motion was voted on and passed 5 to 1, with McCall voting against the motion.

The Commission then considered approval of a site plan/preliminary plat for the Rockwall County Jail site located on High School Road. Couch explained the location of the site, the existing gravel drive and the proposed drive. She added that the County was requesting a waiver to irrigation requirements, to be allowed a temporary gravel drive and to be given a waiver of escrow for substandard paving until next budget year. Chuck Hodges was available to answer questions. Seligman made a motion to approve the site plan/preliminary plat allowing a gravel drive, waiving irrigation requirements, waiving escrow for street improvements, and temporarily waiving escrow for storm sewer, curb and gutter, and sidewalk. Quinn offered a substitute motion to include a time limit of not more than one budget year to the temporary waiver of escrow. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a final plat for Rockwall Towne Centre Phase III located on the north service road of I-30. Couch explained that the only concern regarding the plat was the need for an access easement along the front of the property and the 20 ft. setback needed to meet the required 25 feet. Pat Donovan, Dunning Development, explained that both the requirements could be met and that the same brick would be used on all the businesses locating in the Centre. Seligman made a motion to approve the plat contingent to provision of an access easement through the lots and the required 25 foot setback being met. Crumbley seconded the motion. The motion was voted on and passed unanimously.

As there was no further business to come before the Commission for consideration, the meeting was adjourned.

APPROVED:



Chairman

ATTEST:



Agenda Notes

City Council - 4/6/87

V. D. P&Z 87-9-Z/PP Hold Public Hearing and Consider Approval of a Request from Harold Chenault for a Change in Zoning from "A" Agricultural to "SF-16" Single Family on Approximately 14 Acres, Generally Located on SH-205 South of Dalton, and a Preliminary Plat

We have received a request from Harold Chenault for a change of zoning to "SF-16" on three lots located north of town on SH-205 in the area of his one lot subdivision that was approved in 1985, just south of Dalton Road. This area is currently zoned Agricultural. The Land Use Plan proposes low density residential in this area; therefore, the zoning request is in conformance with the Land Use Plan. A location map is attached.

Mr. Chenault is also requesting approval of a preliminary plat for these three lots. Two of the lots are proposed to front on SH-205 and will meet all of the "SF-16" requirements. Each lot contains over 3 acres in area. The third lot is located behind an existing house located on SH-205. Mr. Chenault is proposing to put in an access easement from the frontage tract to provide access to the third lot. Under the Zoning Ordinance he is required to have a minimum of 60 ft. on a public or private street. The only way that this lot could get frontage on a street would be to build a street from SH-205 to serve this single lot. He has applied and been granted a variance to the minimum lot frontage requirement by the Board of Adjustments.

As you know, our Subdivision Regulations require that funds be escrowed for 50% of the required paving improvements plus storm sewer, sidewalk and curb and gutter. We estimate his cost of escrow for the two lots to be \$26,520. Mr. Chenault is asking for a waiver to this requirement just as he did on his one lot subdivision.

Another item that needs to be addressed regarding the preliminary plat is the implementation of the mandatory Park Land Dedication Ordinance. As you are aware, the City now has an ordinance that requires either the dedication of or escrowing of funds for the provision of parks. Under the provisions of the ordinance the calculated amount of escrow for Mr. Chenault's 3 lots will be \$473.02.

The Planning and Zoning Commission has recommended approval of the zone change and preliminary plat subject to compliance with the Park Land Dedication Ordinance and approval by the Board of Adjustments for a variance to the minimum lot frontage requirements of the Zoning Ordinance. Again, the variance was approved March 19th and you have already received a copy of the minutes of that meeting.

The Planning and Zoning Commission did not, however, recommend approval of the escrow waiver for storm sewer, sidewalk, and curb and gutter. A copy of the plat is attached.

explained that the minutes would be revised for consideration at the next meeting. Miller told Council that he had wished to vote on Item E separately. Holt made a motion to approve the ordinance. Bullock seconded the motion. The motion was voted on and passed five to 1, with Miller voting against the motion.

At this time Don Smith gave the Planning and Zoning Commission Chairman's Report. Smith outlined items on the Agenda that the Commission had considered and explained the recommendation on each.

Mr. Frank Barber then addressed Council to express his discontent with being denied de-annexation from the City Limits. Miller reminded Barber that Council had heard his request and taken action accordingly. Barber asked that if signs were going to be controlled because of City incorporation, high weeds and grass be maintained as well. Miller told Barber that now that Council and Staff were aware a problem existed, it would be closely monitored.

Council then held a public hearing and considered approval of a request from Westerfield-Tomlinson for a change in zoning from "A" Agricultural to "C" Commercial on 31.979 acres and "A" Agricultural to "HC" Heavy Commercial on 44.706 acres, both tracts located at SH-205 south off Sids Road and east of Mims Road. Eisen outlined the request, the location of the property and how the proposed zone change conflicted with the Land Use Plan. Bob Brown, B.L.S. and Associates, told Council that adjacent properties within the vicinity of this tract already had Heavy Commercial use. Miller confirmed that a larger percentage of the property was flood plain. Eisen explained that the park location for this district was undetermined and that the Park Land Dedication Ordinance only applied to residential developments. Bullock stated favor for amending the Land Use Plan to indicate Heavy Commercial in this area. Holt made a motion to approve the change in zoning as submitted. Bullock seconded the motion. Miller confirmed that 250 ft. of Commercial depth would be functional along Mims Road after future right-of-way dedication. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a request from Harold Chenault for a change in zoning from "A" Agricultural to "SF-16" Single Family on approximately 14 acres, generally located on SH-205 south of Dalton, and a preliminary plat. Eisen told Council that two items connected with the request were escrow for street improvements for the two lots with frontage on SH-205 and escrow of funds for compliance with the Park Land Dedication Ordinance. Harold Chenault told the

Council that two lots couldn't absorb the cost of street improvements although if he platted 140 lots, it could be absorbed with no problem. He was, therefore, requesting a waiver to the requirement and also asked for plat approval of only the one lot with no frontage if the waiver was denied.

Bullock confirmed that Chenault intended to comply with the Park Land Dedication Ordinance. Welborn pointed out that sooner or later somebody would have to pay for the street improvements. Chenault stated he opposed escrowing funds for a street that may or may not be improved within the next 20 years. Holt suggested that lot size have some bearing on escrow requirements. Council discussed the possibility of a partial waiver, whether or not a Work Session would benefit Council in this aspect, and whether or not Council could approve a portion of the plat. After further discussion, Welborn made a motion to approve the change in zoning and continue the public hearing and table consideration of the plat. Bullock seconded the motion. Eisen clarified that continuance of the hearing wouldn't be necessary regarding plat consideration. Welborn amended the motion to remove the continuance of the hearing. Bullock seconded the amendment. The amendment was voted on and passed unanimously. The motion as amended was voted on and passed unanimously.]

Council then held a public hearing and considered approval of a request from Joanne Sidlinger for a change in zoning from "A" Agricultural to "LI" Light Industrial on .988 acres located off Airport Road adjacent to the Rockwall Municipal Airport. Eisen explained that the Land Use Plan indicated Light Industrial in this area and that an access agreement would be necessary at the platting state. Robert Hemphill, representing the applicant, stated that the land was appropriate for this use. Bullock then made a motion to approve the zone change with the condition that an access easement is worked out at the time the property is platted. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a request from Mike Rogers for a Conditional Use Permit for an accessory structure over the maximum height requirement in an "SF-10" classification and a vacation of and replat for the Carroll Estates. Eisen briefly outlined the request. Wayne Rogers addressed Council and explained the location, appearance and proposed use of the structure. He supplied Council with photos of the proposed structure. Gordon Peterson told Council that as a resident of the area he had no complaints. Bernice Peoples stated that the building wouldn't be detrimental to the neighborhood. John Weddle

Agenda Notes
City Council - 4/20/87

VI. B. Discuss and Consider Approval of a Preliminary Plat
for Club Hill Estates Located on SH-205 South of
Dalton Road

At the last meeting the Council tabled this item so that we could review the escrow requirements for road improvements for residential property. The Council now needs to take action on this preliminary plat. A copy is attached. The notes from the last meeting are also attached.

revised preliminary plan for PD-5. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then discussed provisions of the Subdivision Regulations for street escrow for residential subdivisions. Eisen pointed out that a question had come up at the last meeting with regard to escrow requirements for large one and two lot subdivisions. He told Council that one option could be to modify the ordinance to indicate a maximum escrow amount per lot. He stated that a \$1,500 maximum requirement on State roads and a \$3,000 maximum requirement on non-State roads would grant some relief to larger one and two lot subdivisions. He stated another option would be to grant a partial waiver. Council then discussed requirements in other cities with regard to escrow to street improvements, past cases where a waiver had been turned down for a non-owner occupied request, and where the funds for State improvements would come from if escrow requirements were waived. Miller pointed out that the request that prompted this review was from Mr. Chenault, who could sell the property and let individuals apply for entire waivers as had been granted in the past. Additionally, Council discussed whether or not to revise the ordinance and what criteria to use to determine the amount of the waiver and the amount of the required escrow. Holt stated that the situation didn't arise often enough to consider revising the ordinance and that she would favor a partial waiver. After further discussion Bullock made a motion to table consideration of the revised Street Escrow Ordinance and to consider approval of the next item which was a preliminary plat for Club Hill Estates located on SH-205 south of Dalton Road. Jones seconded the motion. Council then discussed whether or not tabling the item would be productive. Jones stated the need to encourage low density development. Holt pointed out that without a waiver ability low density developers would be penalized. Harold Chenault addressed the Council and explained that his attorney had stated cities could not require escrow for State road improvements. After further discussion Mr. Chenault stated that he would withdraw his application. The motion was voted on and passed unanimously. Welborn pointed out that this was an item that needed to be addressed extensively in a Work Session. She made a motion to review this item at a Work Session and to develop some guidelines for escrow requirements along State highways. Bullock seconded the motion. The motion was voted on and passed unanimously.

After a recess Council discussed designs for proposed improvements on FM-740. John Reglin, Traffic Engineer, discussed the proposed four-lane divided roadway on Ridge Road north of Turtle Cove to SH-205 and on FM-740 south of I-30 to the south City Limits. He reminded Council that

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 12th day of March, 1987 in
the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the re-
quest of Harold Chenault
for a change in zoning from "A" Agricultural to "SF-16"

on the following described property:

A 14.66 acre tract of land generally located on SH-205 south
of Dalton Road.

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 87-9-Z/PP

Mary Nichols
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 87-9-Z/PP

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

Tr 1-1
1.24 Ac.

Tr B-1 1Ac
Tr B-2 11Ac.

Lot 1 BKA
Lot 2 BKA Chena H

69.77Ac
166/765
Shores 205 S/U
1675 Plummer
Lockwall

Tr 8
35.26 Ac.

Chena H

Tr 3 1/3 Int.
Tr 3-1 1/3 Int.
Tr 3-2 1/3 Int.
8.0 Ac.
1105.0 Chena H

289.5
Tr 6
1.965 Ac.
Chena H

CHAPMAN ADDN.

WINKLER ADDN.

Tr 5
10.0 Ac

1.057Ac
166/765 Charles Yang

1089.65
18.25Ac
166/765

Tr 12
2.17Ac.

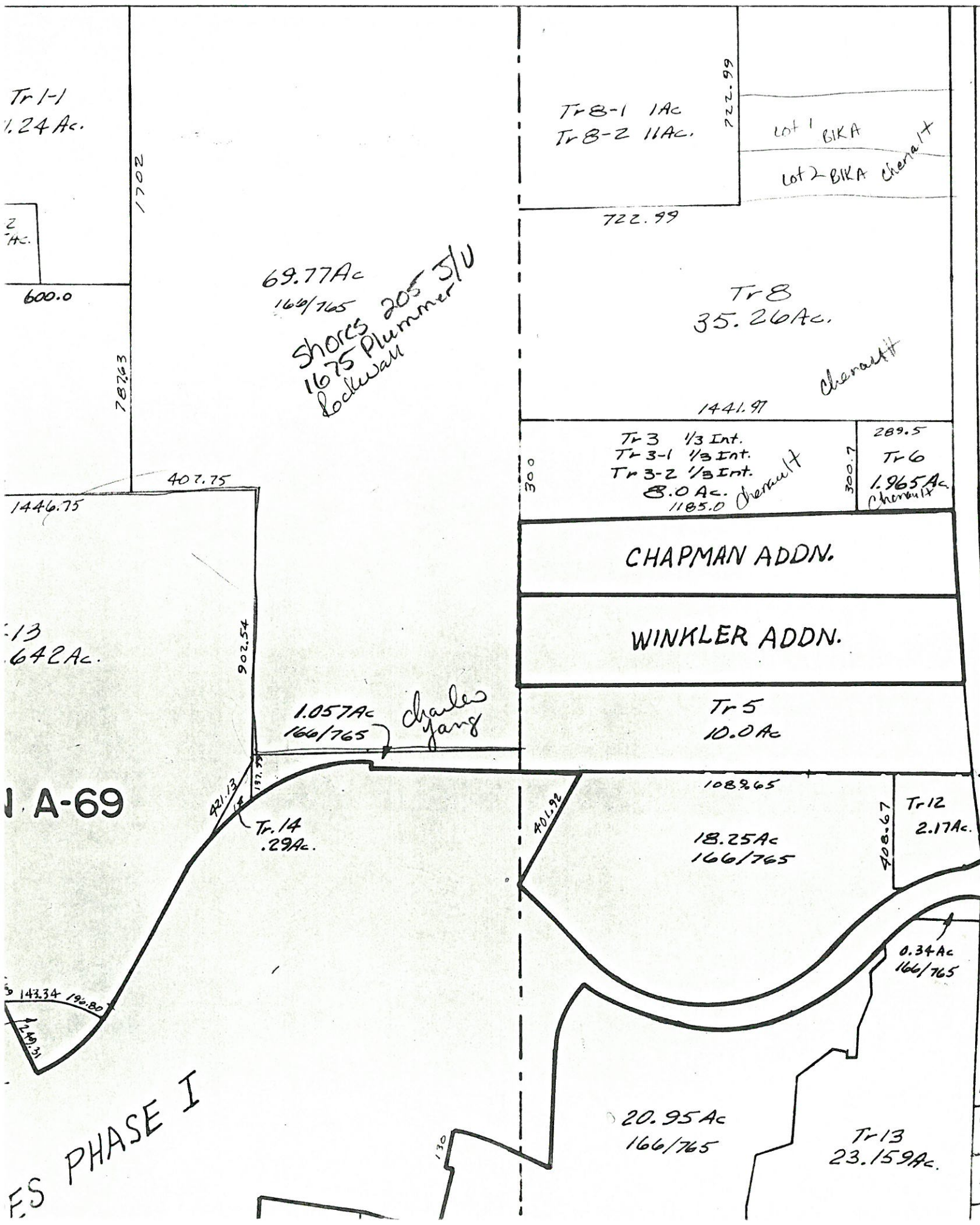
Tr. 14
.29Ac.

20.95 Ac
166/765

Tr 13
23.159Ac.

A-69

ES PHASE I



STATE OF TEXAS
COUNTY OF ROCKWALL

BEING a tract of land situated in the W. T. DeWeese Survey, Abstract No. 71, Rockwall County, Texas, and being part of that 47.26 acre tract of land conveyed to The Cambridge Companies, Inc., Trustee, by Deed Recorded in Volume 102, Page 800, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at an iron rod set in Dalton Road at the right-of-way cut-back in the West line of State Highway 205;
THENCE: South 42° 08' 17" East a distance of 141.92 feet along said cut-back to an iron rod set for a corner on the West line of State Highway 205, a 100 foot right-of-way;
THENCE: South 0° 00' 18" East a distance of 204.54 feet along said West line to an iron rod set for a corner for the Point of Beginning;
THENCE: South 00° 00' 18" East a distance of 173.41 feet along said West line to an iron rod for a corner;
THENCE: South 00° 49' 28" West a distance of 220.02 feet along said West line to an iron rod for a corner;
THENCE: South 02° 27' 01" East a distance of 10.21 feet along said West line to an iron rod for a corner;
THENCE: South 89° 49' 44" West a distance of 710.29 feet to an iron rod for a corner;
THENCE: North 00° 13' 55" East a distance of 406.11 feet to an iron rod for a corner;
THENCE: North 89° 49' 44" East a distance of 712.41 feet to the Point of Beginning and containing 6.64 acres of land.

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING a tract of land situated in the W.T. DeWeese Survey, Abstract No. 71, Rockwall County, Texas, and being that certain 8.0 acre tract of land conveyed to Francis P. Dyer according to the deed recorded in Volume 105, Page 232 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner at the Northeast corner of said 8.0 acre tract, said corner being North 89° 55' 03" West a distance of 282.97 feet from the West line of State Highway No. 205;
THENCE: South 00° 16' 57" West a distance of 301.29 feet to an iron rod for a corner at the Southeast corner of said 8.0 acre tract;
THENCE: North 89° 55' 03" West a distance of 1158.90 feet to an iron rod for a corner at the Southwest corner of said 8.0 acre tract;
THENCE: North 00° 16' 57" East a distance of 301.29 feet to an iron rod for a corner at the Northwest corner of said 8.0 acre tract;
THENCE: South 89° 55' 03" East a distance of 1158.90 feet to the Point of Beginning and Containing 8.0156 Acres of Land.

Club Hill Estates
Cherault - Lot 1, BIK. B

Nelson D. Chapman
3055 N. Goliad
Rockwall

Edward G. Winkler
3053 N. Goliad
Rockwall

Shores 205 S/V
1675 Plummer
Rockwall

3

Club Hill Estates
Chenault - Lots 1 & 2 BIR. A.

Shares 205 J/V.
1675 Plummer
Rockwall

Richard H. Peterson
803 Dalton Rd.
Rockwall

W. W. Caruth, SR.
P.O. Box 31170
Dallas 75231

Chenault

ORDINANCE NO. 87-20

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 TRACTS OF LAND WHICH ARE MORE FULLY DESCRIBED HEREIN FROM "A" AGRICULTURAL CLASSIFICATION TO "SF-16" SINGLE FAMILY CLASSIFICATION; 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 "SF-16" Single Family

District classification to the tract of land described in Exhibit "A" and Exhibit "B".

SECTION 2. That the property described in Exhibit "A" and Exhibit "B" 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 punished by a penalty of fine not to exceed the sum of ONE THOUSAND DOLLARS (\$1,000.00) for each offense and 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 of 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 case provides.

DULY PASSED AND APPROVED this 4th day of May, 1987.

APPROVED:



Mayor

ATTEST:

By 

1st reading 4/20/87
2nd reading 5/4/87

EXHIBIT "A"

STATE OF TEXAS
COUNTY OF ROCKWALL

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THENCE: South $00^{\circ} 00' 18''$ East a distance of 173.41 feet along said West line to an iron rod for a corner;

THENCE: South $00^{\circ} 49' 28''$ West a distance of 220.02 feet along said West line to an iron rod for a corner;

THENCE: South $02^{\circ} 27' 01''$ East a distance of 10.21 feet along said West line to an iron rod for a corner;

THENCE: South $89^{\circ} 49' 44''$ West a distance of 710.29 feet to an iron rod for a corner;

THENCE: North $00^{\circ} 13' 55''$ East a distance of 406.11 feet to an iron rod for a corner;

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EXHIBIT "B"

STATE OF TEXAS
COUNTY OF ROCKWALL

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PLANNING AND ZONING ACTION SHEET

Applicant Harold Chenault Case No. P+Z 87-9-2

Property Description SH-205 south of Dalton

Case Subject Matter zone change from "A" to "SF-16"

CASE ACTION

Date to P&Z March 12 Approved Disapproved Tabled

Conditions approval by BOA for variance to minimum lot frontage requirements - compliance with Park Land dedication bid / escrow \$473.02

Date to City Council April 6 Approved Disapproved Tabled

Conditions _____

Ordinance no. 87-20 Date _____

ITEMS IN FILE

Zoning Cases

- Application
- Site Plan
- Filing Fee
- Notice to Paper
- Notice to Residents
- List of Residents Notified
- Residents' Responses
- Consultant's Review
- Agenda Notes
- Minutes
- Ordinance
- Correspondence
- Applicant Receipts

Plat/Site Plan Cases

- Application
- Filing Fee
- Plat/Plan
- Engineer's Review
- Consultant's Review
- Agenda Notes
- Minutes
- Correspondence
- County File Number
- Applicant Receipts

PUBLIC NOTICE

The Rockwall Planning and Zoning Commisison will hold public hearings on March 12, 1987, at 7:30 P.M. in City Hall, 205 West Rusk to consider the following requests:

1. A request from Harold Chenault for a change in zoning from "A" to "SF-16" on a 14.66 acre tract of land generally located on SH-205 south of Dalton Road
2. A request from Frank Springer for a Conditional Use Permit for a temporary gun club and target range on a tract of land on FM-549 between I-30 and SH-276.
3. A request from Mike Rogers for a Conditional Use Permit for an accessory structure over the maximum height requirement in an "SF-10" classification on a 2.876 acre tract located in the Carroll Estates on Ridge Road
4. A request from Burgy-Miller, Inc. for a change in zoning from "GR" to "SF-10" on a 10.88 acre tract of land located on North Lakeshore Drive north of SH-66.