

APPLICATION AND
FINAL PLAT CHECKLIST

DATE: 2-18-87

Name of Proposed Development Revised Carroll Estates Subdivision

Name of Developer Mike Rogers & Clayvon Carroll

Address 305 Point Royal Dr. Rockwall Phone 475-2148

Owner of Record same as above

Address _____ Phone _____

Name of Land Planner/Surveyor/Engineer B.L.S. & Associates Inc.

Address Rt. 1 Box 142 E Rockwall Tx. Phone 722-3036

Total Acreage 2.876 Current Zoning S.F. 10

Number of Lots/Units 3

Signed [Signature]

The Final Plat shall generally conform to the Preliminary Plat, as approved by the City Council and shall be drawn to legibly show all data on a satisfactory scale, usually not smaller than one inch equals 100 feet. The final plat shall be submitted on a drawing which is 18 inches by 24 inches.

The following Final Plat Checklist is a summary of the requirements listed under Section VIII of the Rockwall Subdivision Ordinance. Section VIII should be reviewed and followed when preparing a final plat. This checklist is intended only as a reminder and a guide for the preparer's use.

INFORMATION

Provided or
Shown on Plat

Not
Applicable

✓

1. Title or name of development written and graphic scale, north point, date of plat and key map

✓

2. Location of the development by City, County and State

✓

3. Location of development tied to a USGS monument, Texas highway monument or other approved benchmark

✓

4. Accurate boundary survey and property description with tract boundary lines indicated by heavy lines

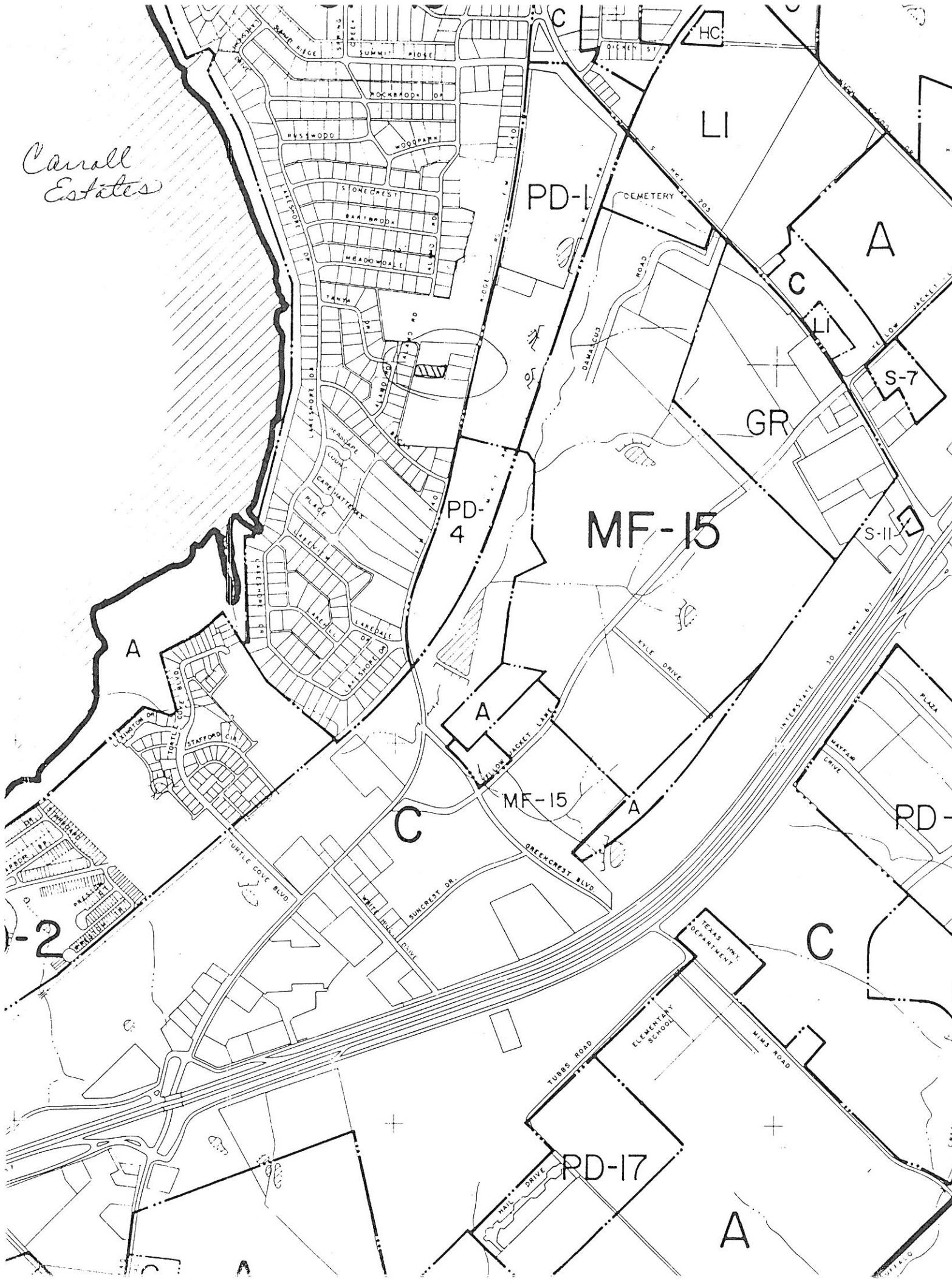
Provided or Shown on Plat	Not Applicable	
✓		5. Accurate plat dimensions with all engineering information necessary to reproduce plat on the ground
	✓	6. Approved name and right-of-way width of each street, both within and adjacent to the development
✓		7. Locations, dimensions and purposes of any easements or other rights-of-way
✓		8. Identification of each lot or site and block by letter and building lines or regions at least
✓		9. Record owners of contiguous parcels of unsubdivided land, names and lot patterns of contiguous subdivisions, approved Concept Plans referred by recorded subdivision plats or adjoining platted land by record name and by deed record volume and page
	✓	10. Boundary lines, dimensions and descriptions of open spaces to be dedicated for public use of the inhabitants of the development
	✓	11. Certificate of dedication of all streets, alleys, parks and other public uses signed by the owner or owners
		12. Designation of the entity responsible for the operation and maintenance of any commonly held property and a waiver releasing the City of such responsibility, a waiver releasing the City for damages in establishment or alteration of grades
✓		13. Instrument of dedication or adoption signed by the owner or owners
✓		14. Space for signatures attesting approval of the plat
✓		15. Seal and signatures of the surveyor and/or engineer responsible for surveying the development and/or the preparation of the plat

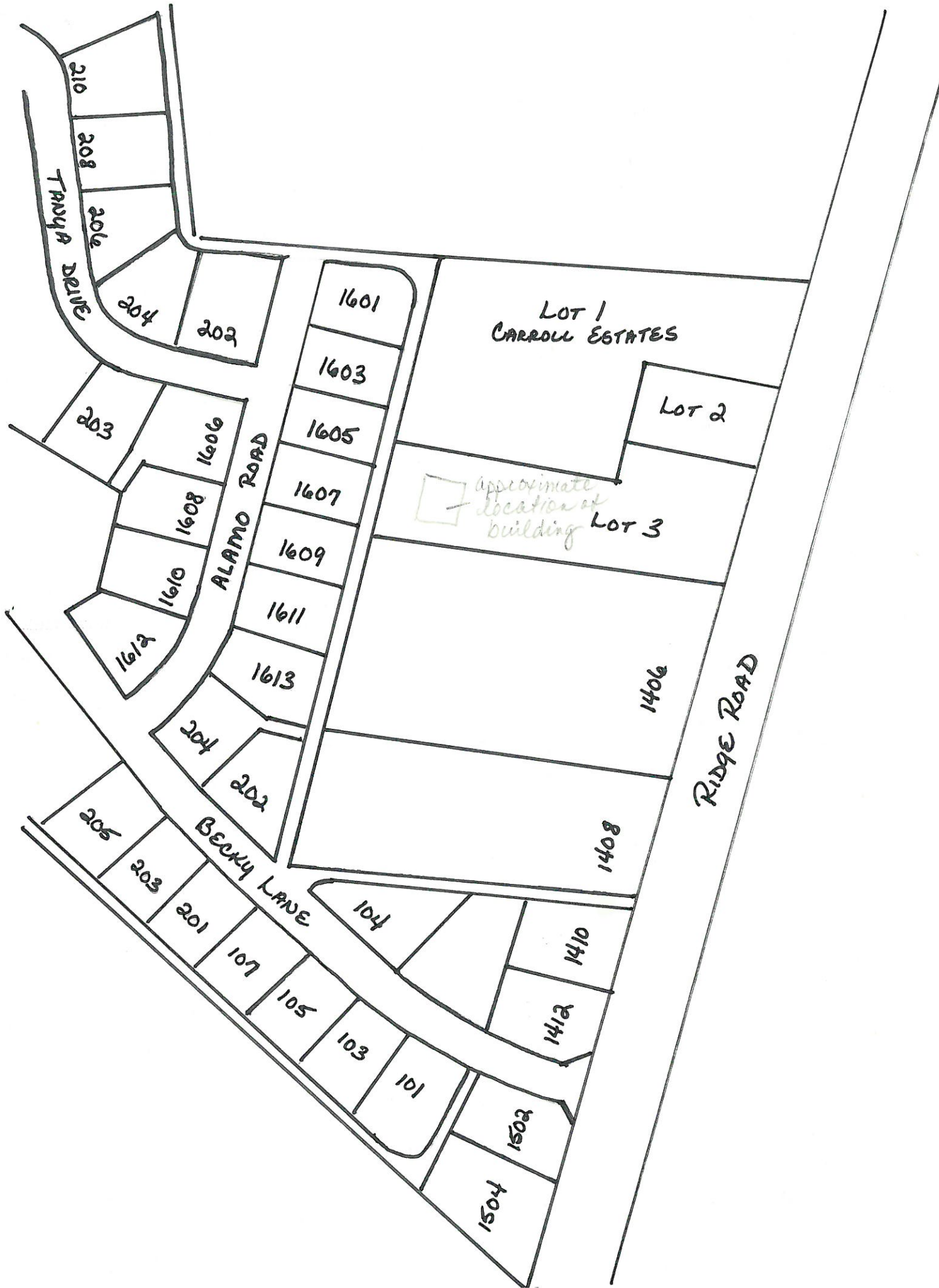
<u>Provided or</u> <u>Shown on Plat</u>	<u>Not</u> <u>Applicable</u>
--	---------------------------------

_____	_____
_____	_____
_____	_____

16. Compliance with all special requirements developed in preliminary plat review
17. Waiver of drainage liability by the City due to development's design
18. Statements indicating that no building permits will be issued until all public improvements are accepted by the City.

Carroll Estates





CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. _____ CUP _____ Date Submitted _____

Filing Fee \$ _____

Applicant MIKE ROGERS

Address 701 CROTTY
ROCKWALL, TX. 75087

Phone Number 722-3341

Owner

Tenant _____

Prospective Purchaser _____

Legal description of property for which Conditional Use Permit is requested (if additional space is needed, the description may be typed legibly on a separate sheet and attached hereto):

BEING ALL OF LOT 3 + 90' OFF THE ENTIRE SOUTH END OF LOT 1, ALL IN BLOCK A OF CARROLL ESTATES SUBDIVISIONS, AN ADDITION TO THE CITY OF R/W, TEXAS ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME B, PAGE 211, MAP RECORDS OF ROCKWALL CO. TEXAS, AND ALSO BEING ALL OF LOT 3, REVISED CARROLL

I hereby request that a Conditional Use Permit be issued for the *ESTATES* above described property for:

VARIANCE TO MIN. HEIGHT REQUIREMENT FOR AN ACCESSORY BLDG.

The current zoning on this property is S.F. 10.
There ~~are~~ are not deed restrictions pertaining to the intended use of this property.

I have attached hereto as Exhibit A a plat showing the property which is the subject of this requested Conditional Use Permit and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

Signed *Mike Rogers*

Note: The legal description is used to publish the notice of the required hearing and in the preparation of the final ordinance granting the Conditional Use Permit. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

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

CERTIFICATE

I hereby certify that I have checked the legal description of the property described in this Application and the same describes the tract of land shown on the Plat attached hereto as "Exhibit A" and said description is sufficient to allow qualified surveyor to locate and mark off said tract on the ground.

Bob O. Brown
Surveyor or Attorney for Applicant



CITY OF ROCKWALL
 "THE NEW HORIZON"
 Rockwall, Texas 75087-3628

No 5954

205 West Rusk

(214) 722-1111
 Metro 226-7885

Cash Receipt

Name Bob Brown Date 2-18-87
 Mailing Address _____
 Job Address _____ Permit No. _____

Check Cash Other

1407

General Fund Revenue 01			W & S Fund Revenue 02		
DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
General Sales Tax	00-00-3201		RCH	00-00-3211	
Beverage Tax	00-00-3204		Blackland	00-00-3214	
Building Permit	00-00-3601		Water Tap	00-00-3311	
Fence Permit	00-00-3602		10% Fee	00-00-3311	
Electrical Permit	00-00-3604		Sewer Tap	00-00-3314	
Plumbing Permit	00-00-3607		Reconnect Fees	00-00-3318	
Mechanical Permit	00-00-3610		Water Availability	33-00-3835	
Zoning, Planning, Board of Adj.	00-00-3616	35.00	Sewer Availability	34-00-3836	
Subdivision Plats	00-00-3619		Meter Deposit	00-00-2201	
Sign Permits	00-00-3628		Portable Meter Deposit	00-00-2202	
Health Permits	00-00-3631		Misc. Income	00-00-3819	
Garage Sales	00-00-3625		Extra Trash	00-00-1129	
Misc. Permits	00-00-3625		Check Charge	00-00-3819	
Misc. License	00-00-3613		NSF Check	00-00-1128	
Misc. Income	00-00-3819				
Sale of Supplies	00-00-3807				
TOTAL GENERAL			TOTAL WATER		

TOTAL DUE

35.00

Received by

[Signature]



CITY OF ROCKWALL
 "THE NEW HORIZON"
 Rockwall, Texas 75087-3628

No. 6599

205 West Rusk

(214) 722-1111
 Metro 226-7885

Cash Receipt

Name Mike Rodgers Date 5/22/97

Mailing Address _____

Job Address _____ Permit No. _____

Check

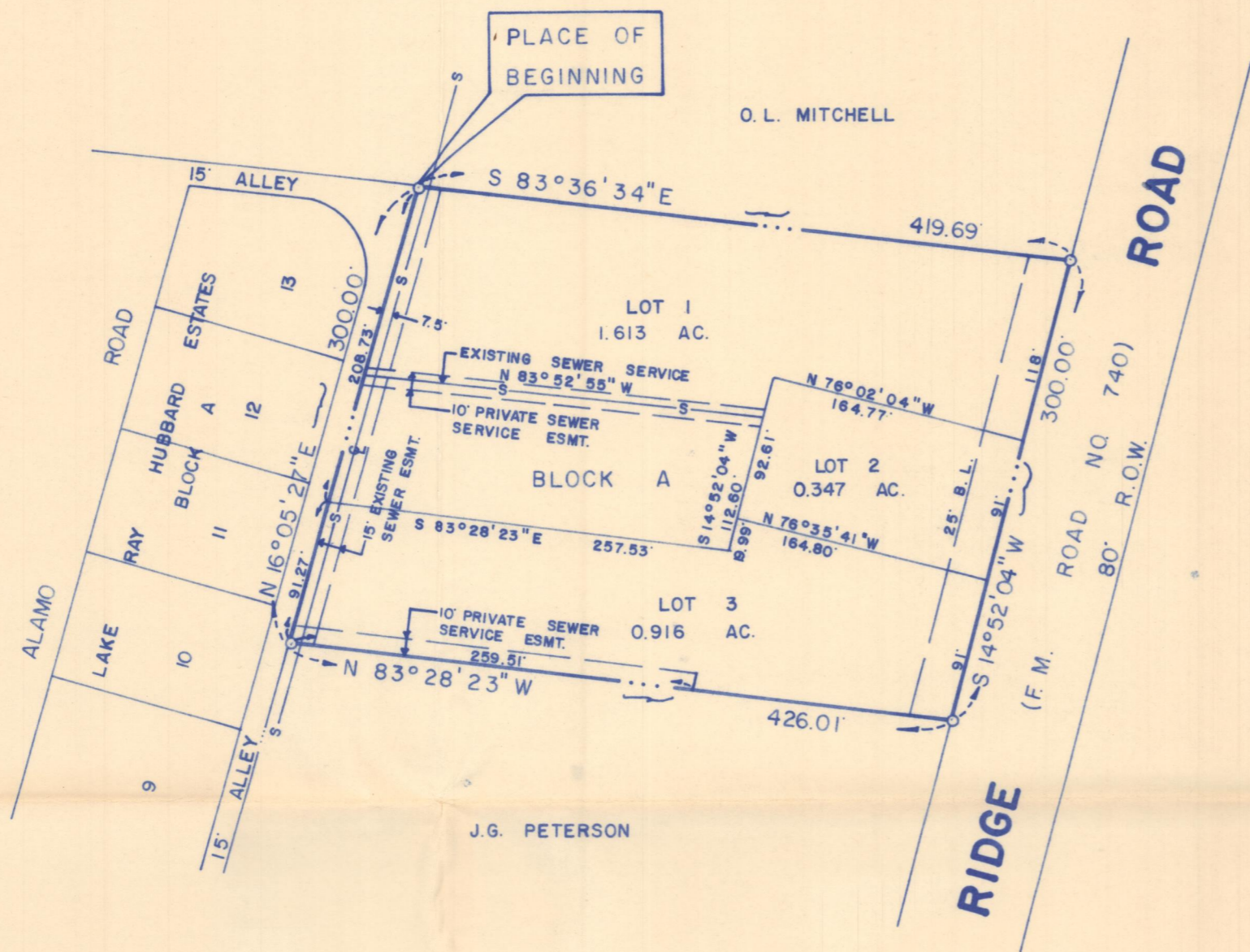
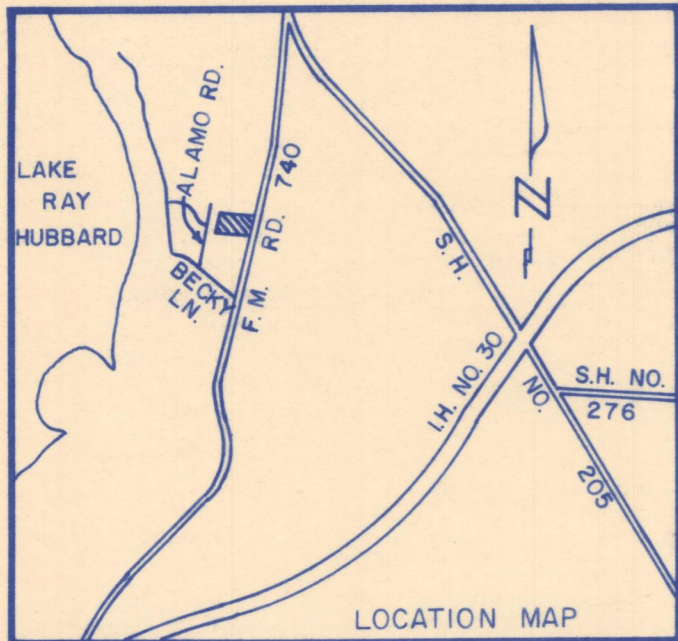
Cash

Other

General Fund Revenue 01			W & S Fund Revenue 02		
DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
General Sales Tax	00-00-3201		RCH	00-00-3211	
Beverage Tax	00-00-3204		Blackland	00-00-3214	
Building Permit	00-00-3601		Water Tap	00-00-3311	
Fence Permit	00-00-3602		10% Fee	00-00-3311	
Electrical Permit	00-00-3604		Sewer Tap	00-00-3314	
Plumbing Permit	00-00-3607		Reconnect Fees	00-00-3318	
Mechanical Permit	00-00-3610		Water Availability	33-00-3835	
Zoning, Planning, Board of Adj.	00-00-3616		Sewer Availability	34-00-3836	
Subdivision Plats	00-00-3619		Meter Deposit	00-00-2201	
Sign Permits	00-00-3628		Portable Meter Deposit	00-00-2202	
Health Permits	00-00-3631		Misc. Income	00-00-3819	
Garage Sales	00-00-3625		Extra Trash	00-00-1129	
Misc. Permits	00-00-3625		Check Charge	00-00-3819	
Misc. License	00-00-3613		NSF Check	00-00-1128	
Misc. Income	00-00-3819				
Sale of Supplies	00-00-3807	12 00			
<i>Council tapes</i>					
TOTAL GENERAL		12 00	TOTAL WATER		

TOTAL DUE

Received by



REVISIED FINAL PLAT

CARROLL ESTATES SUBDIVISION

CITY OF ROCKWALL

DANIEL ATKINS SURVEY - ABSTRACT NO. 1
ROCKWALL COUNTY, TEXAS

CLAYVON & ESTELLE CARROLL, & MIKE ROGERS OWNERS

305 POINT ROYAL DRIVE ROCKWALL, TEXAS 75087

B.L.S. & ASSOCIATES, INC. SURVEYORS

RT. 1, BOX 142 E, P.O. BOX 65 ROCKWALL, TEXAS 75087

SCALE 1" = 100' FEBRUARY 17, 1987

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Clayvon Carroll, Estelle Carroll and Mike Rogers, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING, a tract of land situated in the Daniel Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, and being that tract as recorded in Volume 198, Page 121, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING, at a Northeast corner of Lake Ray Hubbard Estates, in Block A of said Subdivision, an iron stake for corner;
THENCE, S. 83° 36' 34" E., leaving said Subdivision, a distance of 419.69 feet to a point on the West line of F.M. Road No. 740, an iron stake for corner;
THENCE, S. 14° 52' 04" W., along the West line of F.M. Road No. 740, a distance of 300.00 feet to an iron stake for corner;
THENCE, N. 83° 28' 23" W., leaving F.M. Road No. 740, a distance of 426.01 feet to a point on the East line of Lake Ray Hubbard Estates, an iron stake for corner;
THENCE, N. 16° 05' 27" E., along the East line of Lake Ray Hubbard Estates, a distance of 300.00 feet to the PLACE OF BEGINNING and containing 2.876 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That Clayvon Carroll, Estelle Carroll and Mike Rogers, being owners, do hereby vacate the Plat of **CARROLL ESTATES SUBDIVISION**, including any easements, streets, alleys or rights-of-way, as recorded in Slide B, Page 211, of the Map Records of Rockwall County, Texas, and does hereby adopt this plat designating the herein above described property as **REVISED FINAL PLAT OF CARROLL ESTATES SUBDIVISION**, to the City of Rockwall, Rockwall County, Texas, and do hereby dedicate to the public use forever, the streets and alleys shown thereon and do hereby reserve the right-of-way and easement strips shown on this plat for the purpose stated and for the mutual use and accommodation of all utilities desiring to use or using same, any public utility shall have the right to remove all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective systems on any of the right-of-way and easement strips; and any public utility shall have the right of ingress and egress to, from and upon the said right-of-way and easement strips for the purpose of construction, reconstruction, patrolling, maintaining and either adding to or removing all or part of their respective systems without the necessity of at any time procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grades of streets in this addition. A) It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. B) The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability of water for personal use and fire protection within such plat.

WITNESS our hand at Rockwall, Texas this 20th day of APRIL A.D. 1987

BY Clayvon Carroll Estelle Carroll Mike Rogers
Clayvon Carroll Owner Estelle Carroll Owner Mike Rogers Owner

STATE OF TEXAS

Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Clayvon Carroll, Estelle Carroll and Mike Rogers, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration herein expressed.

GIVEN under my hand and seal of office this 20th day of APRIL A.D. 1987.

Bob O. Brown
Notary Public for the State of Texas
My Commission Expires 3-12-91

SURVEYORS CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Bob O. Brown, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.

Bob O. Brown
Bob O. Brown, Registered Public Surveyor No. 1744

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Bob O. Brown, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration herein expressed.

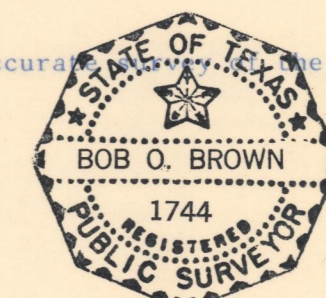
GIVEN under my hand and seal of office this 20th day of April A.D. 1987.

Maxine Brown
Notary Public for the State of Texas
My Commission Expires 3-23-91

RECOMMENDED FOR FINAL APPROVAL:

William Eise 5/22/87
City Manager Date

APPROVED: [Signature] 5/14/87
Chairman Planning and Zoning Commission Date



I hereby certify that the above and foregoing plat of **REVISED FINAL PLAT OF CARROLL ESTATES SUBDIVISION** to the City of Rockwall, was approved by the City Council of the City of Rockwall, Texas on the

6th day of April A.D. 1987.

WITNESS our hand this

26th day of May A.D. 1987.

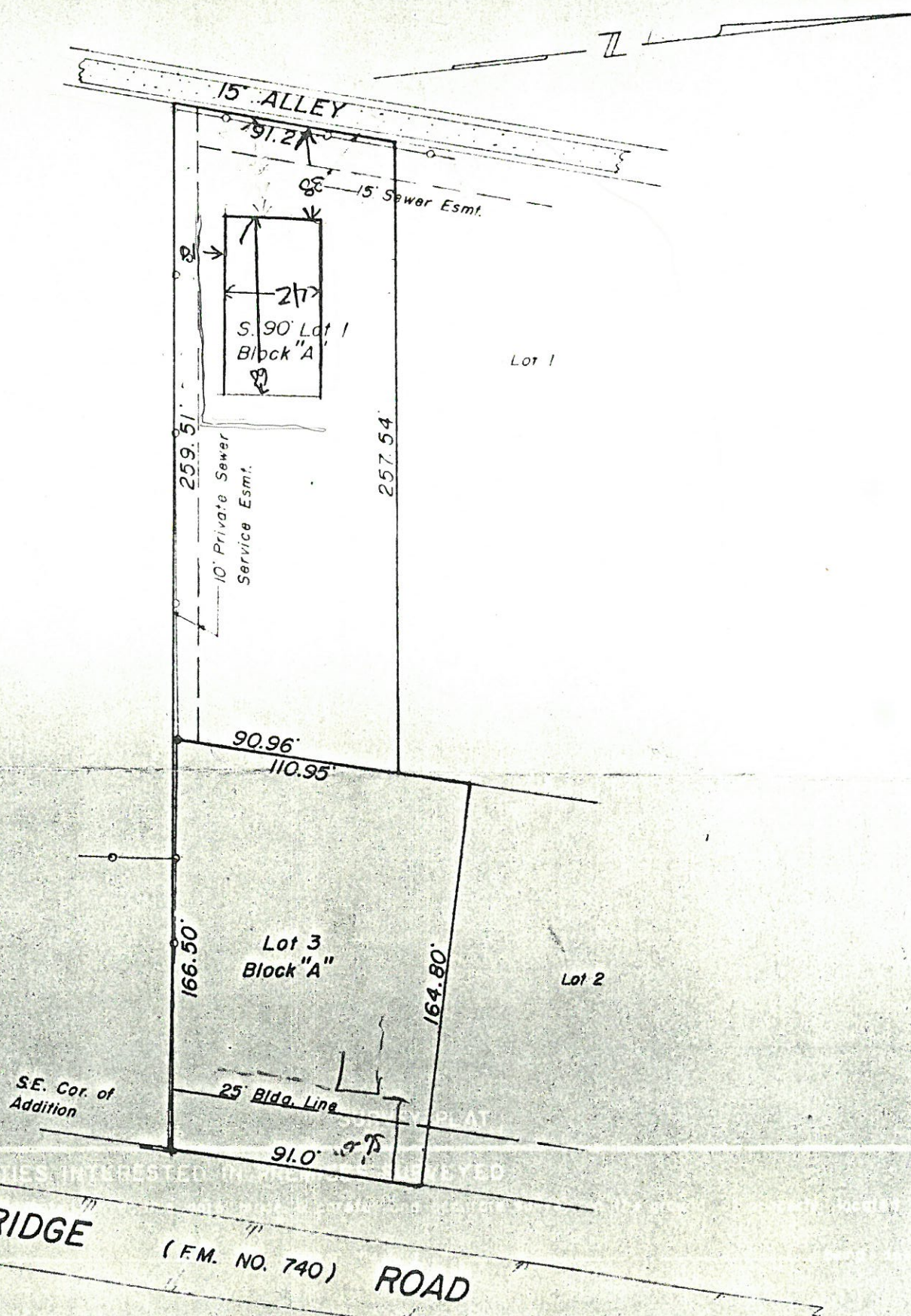
[Signature]
Mayor

[Signature]
City Secretary

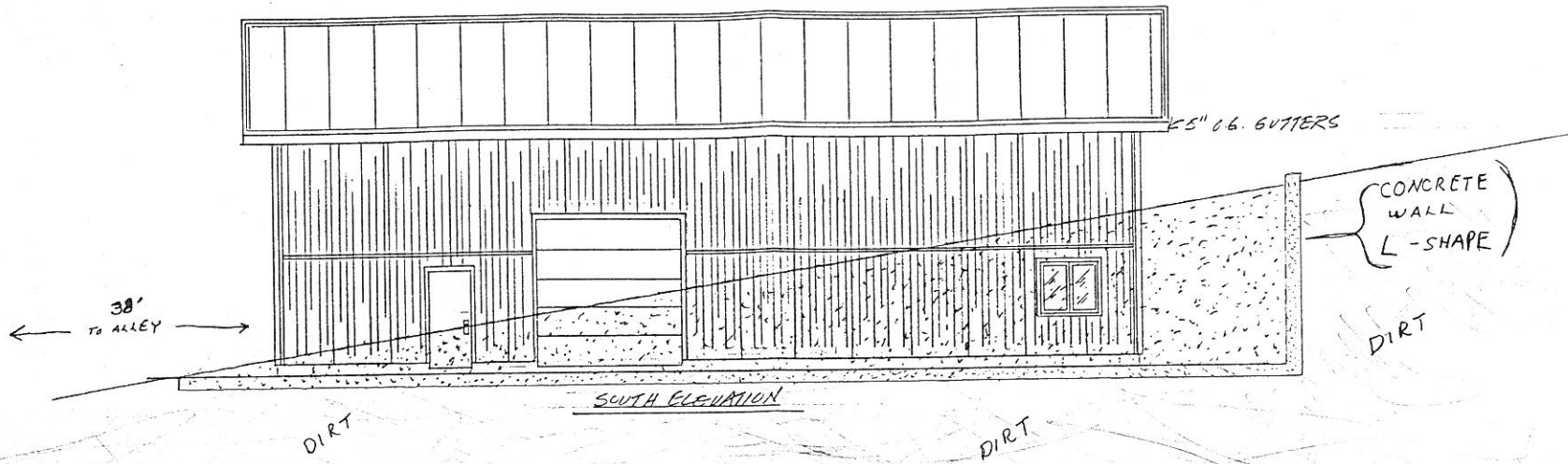
SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

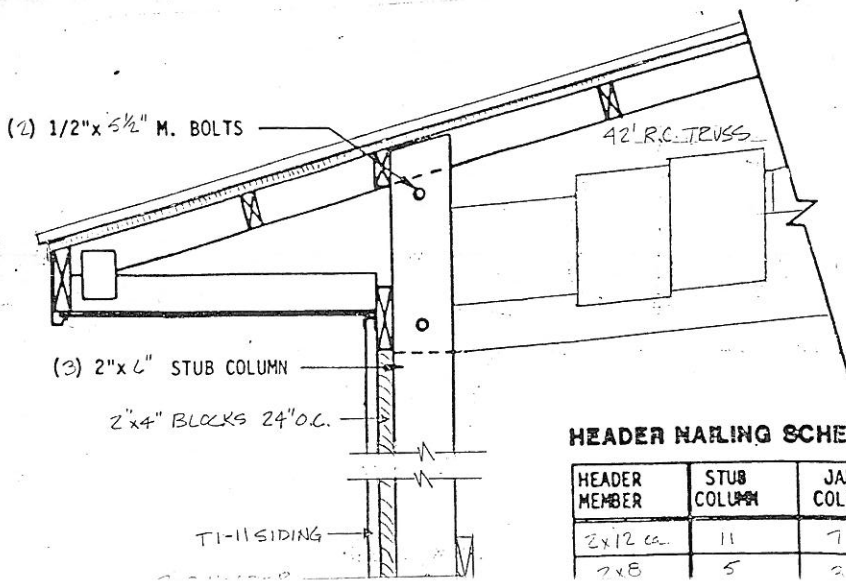
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. Ridge Road (F.M. Road No. 740) in the City of Rockwall, being described as follows:
All of Lot 3
 Lot No. S. 90 feet of Lot 1, Block No. A, City Block No. _____
 of Carroll Estates, an addition to the City of Rockwall
 Texas, according to the filed plat thereof recorded in Slide- B ~~XXX~~, at page 211 of the Plat
 Map Deed Records of Rockwall County, Texas



The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on said plat.

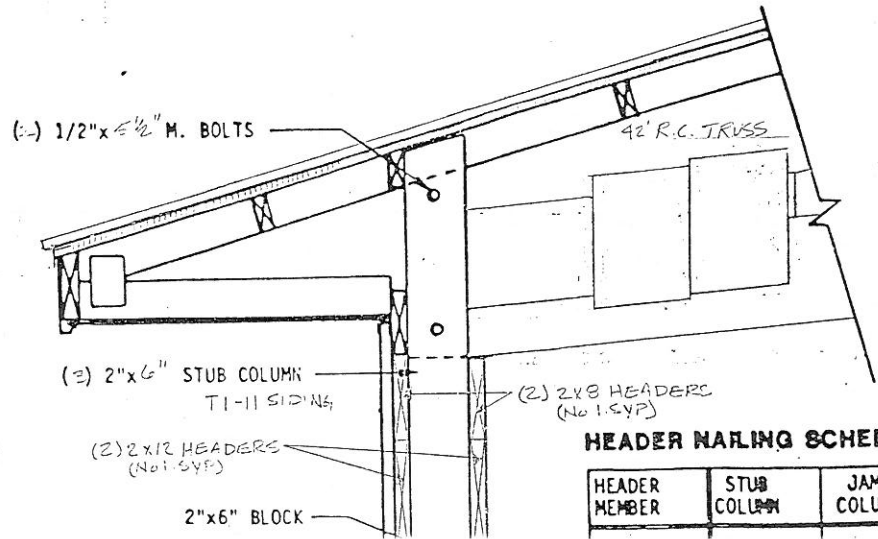


- 2"x4"
- 5" O.G. GUTTER
- 2"x6" BEV. FAS
- SR90 FASCIA CO
- PRECUT SOFFI
- 2"x6" OVERHANG



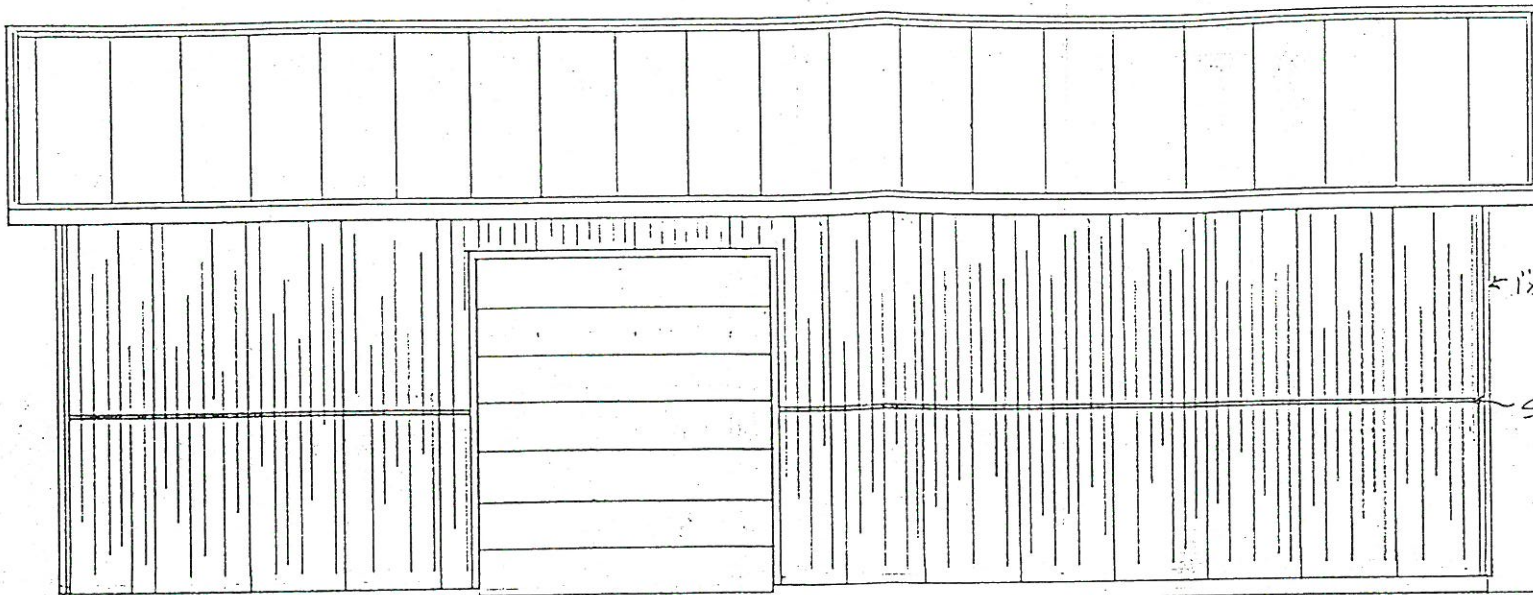
HEADER NAILING SCHEDULE

HEADER MEMBER	STUB COLUMN	JAMB COLUMN
2x12 ca.	11	7
2x8	5	2



HEADER NAILING SCHEDULE

HEADER MEMBER	STUB COLUMN	JAMB COLUMN
2x12 ca.	11	7
2x8	5	2

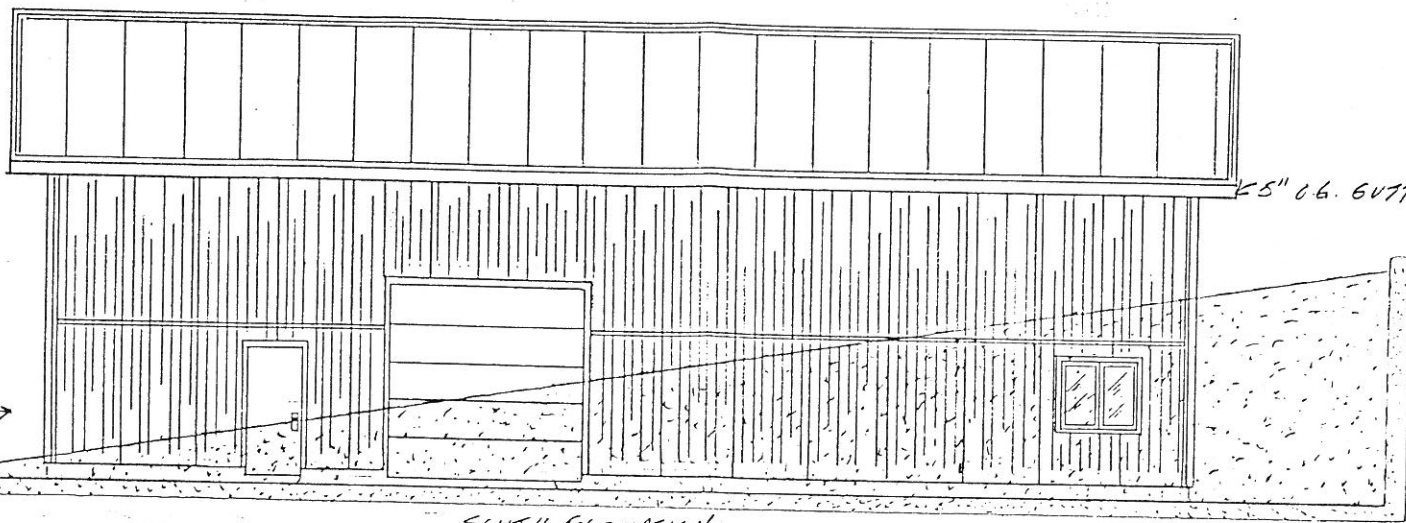


5 1/2 x 4" WOOD TRIM

SR59 T1-11 SPUCE TRIM

NORTH ELEVATION

38'
ALLEY
TO BUILDING



5" O.G. GUTTERS

CONCRETE
WALL
L-SHAPE

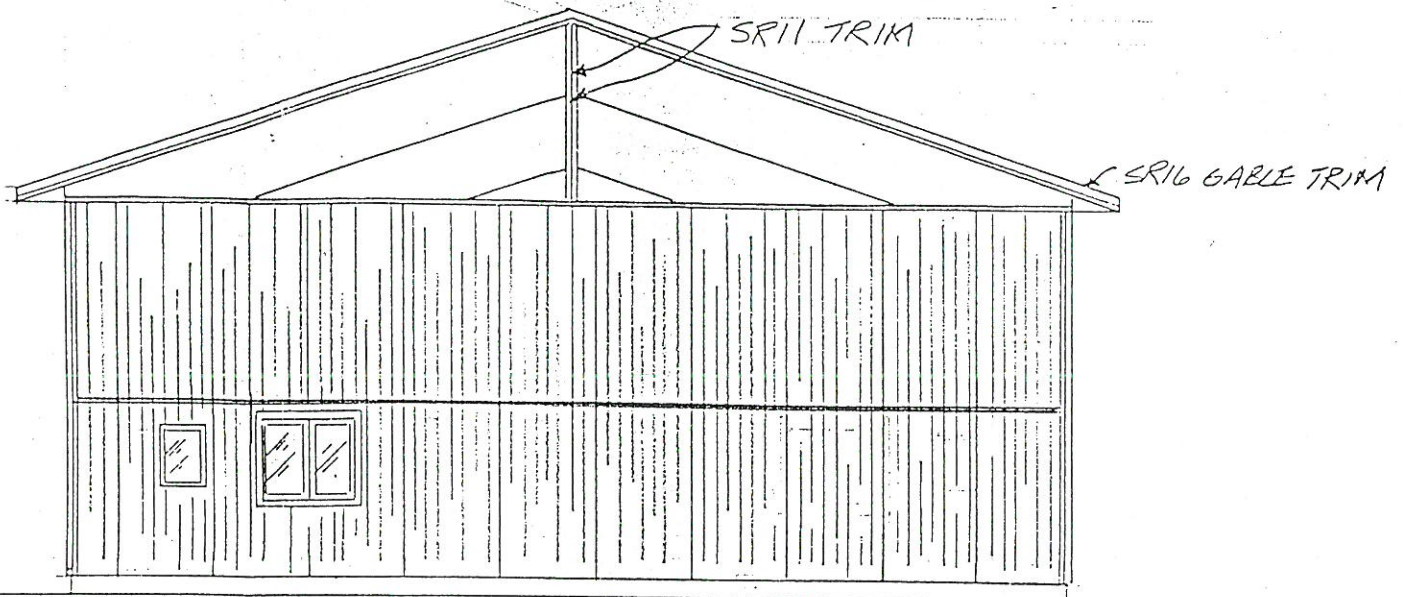
DIRT

DIRT

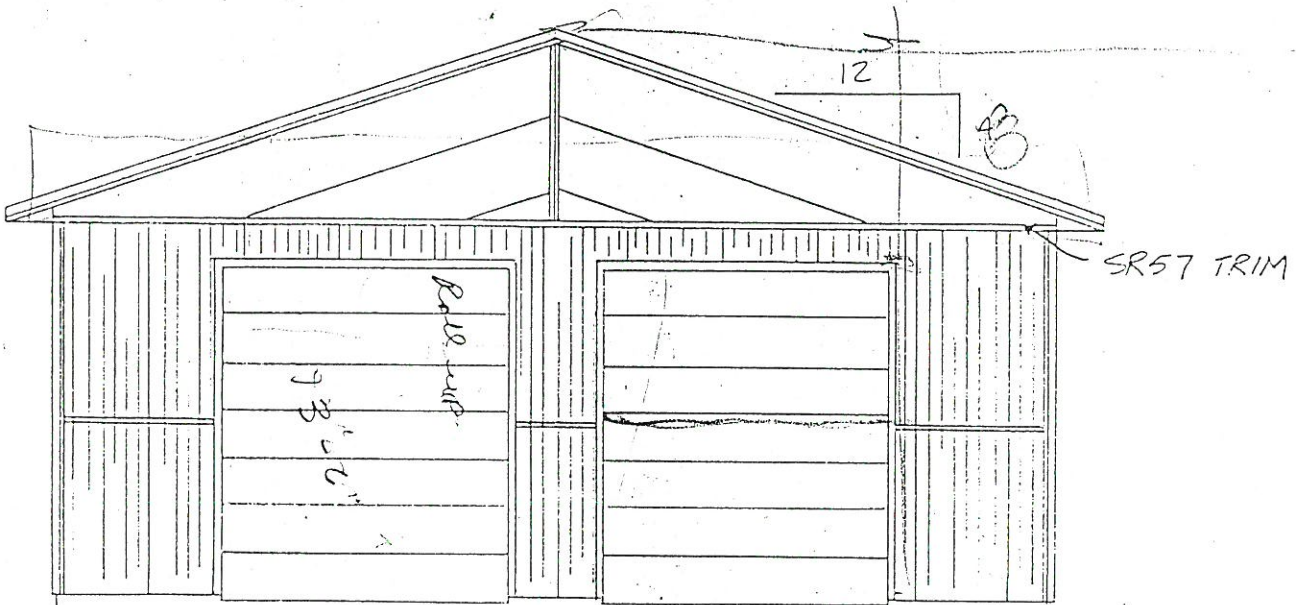
SOUTH ELEVATION

DIRT

5" ()
2"x6
SR90
PF
2"x6



EAST ELEVATION



WEST ELEVATION

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE OVER THE MAXIMUM HEIGHT REQUIREMENTS IN AN "SF-10" CLASSIFICATION ON THE TRACT OF LAND DESCRIBED AS LOT 3, BLOCK A, CARROLL ESTATES; PROVIDING FOR CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; 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 grant a Conditional Use Permit for an accessory structure over the

maximum height requirement in an "SF-10" classification on the property described as Lot 3, Block A, Carroll Estates.

SECTION 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. There shall be no time limit.
2. The permit shall only apply to one accessory structure proposed for location on the lot as shown on the site plan, attached as Exhibit "A".
3. The building shall not be allowed to exceed 22 feet in height.
4. Structure will comply with all other requirements not waived by issuance of this permit.

SECTION 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance 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 4. That the above described tract of land 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 5. 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 and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 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 of this ordinance are declared to be severable.

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 day of

APPROVED:

ATTEST:

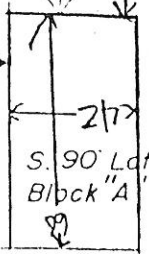
By: _____

7

15 ALLEY

791.21

15' Sewer Esmt.



S. 90' Lot 1
Block "A"

Lot 1

259.51

10' Private Sewer
Service Esmt.

257.54

90.96'

110.95'

166.50

Lot 3
Block "A"

Lot 2

164.80

S.E. Cor. of
Addition

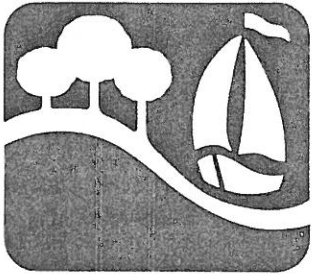
25' Bldg. Line

91.0'

RIDGE

(F.M. NO. 740)

ROAD



CITY OF ROCKWALL
"THE NEW HORIZON"

March 16, 1987

Mr. Mike Rogers
305 Point Royal Drive
Rockwall, Texas 75087

Dear Mr. Rogers:

On March 12, 1987, the Rockwall Planning and Zoning Commission recommended approval of a vacation of and replat for the Carroll Estates and recommended denial of a request for a Conditional Use Permit for a structure over the maximum height requirement in an "SF-10" classification.

The Rockwall City Council will hold a public hearing and consider approval of your requests on April 6th at 7:00 P.M. in City Hall, 205 West Rusk. A 3/4 vote of Council will be required to approve the CUP as a result of the Planning and Zoning Commission recommendation.

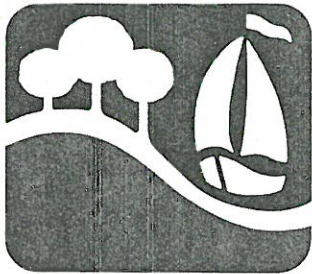
Please feel free to call if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: Bob Brown
MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

April 8, 1987

Mike Rogers
701 Crotty
Rockwall, Texas 75087

Dear Mr. Rogers:

On April 6, 1987, the Rockwall City Council approved a vacation of and replat for the Carroll Estates and a Conditional Use Permit for an accessory structure over the maximum height requirements in a "SF-10" classification.

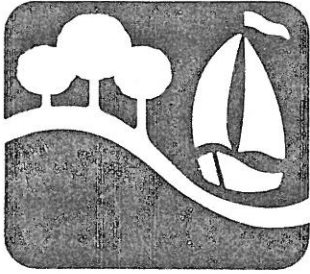
Please feel free to call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mary Nichols".

Mary Nichols
Administrative Aide

CC: Clayvon Carroll
MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

April 17, 1987

Mr. Mike Rogers
701 Crotty
Rockwall, Texas 75087

Dear Mr. Rogers:

The Rockwall City Council approved a vacation/replat of the Carroll Estates on April 6, 1987. The replat must be filed with the County Clerk's office by me within 120 days of the approval date or the approval becomes void. In order to do this, you are required to provide at least nine executed blue line copies of the replat and two mylars to this office within 100 days.

Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mary Nichols". The ink is dark and the signature is fluid and legible.

Mary Nichols
Administrative Aide

CC: Bob Brown, BLS
MN/mmp

BARBARA HENSLEY



REALTORS

P.O. Box 315

Rockwall, Texas 75087

(214) 226-2299 • (214) 722-9001

May 13, 1987

Honorable Frank Miller, Mayor
City of Rockwall
Rockwall, Texas 75087

Dear Mr. Mayor:

Attached is a copy of a letter that was brought to my attention today. This is an unsigned letter regarding a building being constructed in the 1600 block of Ridge Road. At the bottom of the letter it says, "As realtors, we are bound to promote the highest and best use of land. We do not feel that a variance is in order in this case."

This is the first I have heard of the building and the first I have heard of this letter. I would like to tell you and the members of the Planning and Zoning Board that I, as a Realtor, have not been contacted about this and that I do not have an opinion since I do not know all the information.

I object to a letter being circulated which groups all Realtors together voicing an opinion. I wish to make it known that I am not one of the Realtors contesting this issue. Likewise, I am not supporting the issue since I am not aware of all the facts in the case.

Thanks for your consideration in keeping my name out of this issue by making it known that this letter is NOT supported by ALL Realtors in the area as the letter seems to suggest.

Sincerely,



BARBARA HENSLEY

May 1987

To Members of the Rockwall City Council;

We are concerned citizens of Rockwall. We have a height restriction on secondary buildings in residential neighborhoods that is being whimsically enforced. In the 1600 block of Ridge Road (Carrol Estates) a variance is about to be granted by you against the recommendation of planning and zoning, on excessive height for a 2400' frame building for the use of a race car hobbyist.

This structure is already under construction, in spite of the fact that you have not issued final approval for this variance, which we understand is scheduled to happen on May 18th, and which is "not a public hearing". (A building permit has already been issued by Larry Bennett.)

We are a community with many sailors. for one thing. There would be a number of residents with a potential "need" for height variances for boat storage. We feel that our law needs to be carefully reviewed by the council before any height variances are granted, additionally.

The current applicant could conduct his hobby within the current restrictions. if he chose to do so.

As neighbors and/or residents, we are concerned about the appearance and quality of our city. We do not feel that a variance is in order in this case.

O. L. Mitchell and Company
Consultants

P. O. DRAW ~~XXXXXXXX~~

ROCKWALL, TEXAS 75087

LEE MITCHELL
SENIOR OFFICER

May 17, 1987

Honorable Mayor
City Council Members

RE: Mike Rogers, Carrol Estates
Review of Building Permit.

It is my understanding that a building permit for a secondary structure with height variance was issued to Mike Rogers, and that the building is partially completed with a considerable sum of money expended. It is also my understanding that this permit will be reviewed Monday night May 18th.

I personally have no objections to the construction of this building and favor this action to the two (2) possible alternates:

- 1) Reduction in height of the structure, thereby limiting the intended use of the building, or
- 2) Cancellation of the permit.

Each of these alternates has substantial potential liabilities for the city and therefore the tax payer. Thus it appears considering the subject moot and allowing the building to be completed is a viable action.


Lee Mitchell.

To the Rockwall City Council

Re: Rogers building on Ridge Road.

We are not able to attend the Council meeting, Monday, May 18, 1987, thus this letter to express our opinion.

We reside immediately next door to the property in question. The Rogers proposed building is closer to our property than any other property concerned.

Our original statement supported the proposal - 1) in a survey form presented to the Council, and
2) in a personal appearance and recorded statement before the Council.

Mike Rogers has assured us that there will be no commercial use of the structure. We feel that the proposed structure plan, as is, will cause no reduction in property values. Certainly it is much preferred to have the building rather than vehicles standing uncovered and in the open.

We encourage the City Council to confirm their previous endorsement.

Respectfully
Carmel J. Gordon Peterson

18 May 1987
1406 Ridge Road
722-5482

507 Crotty
Rockwall, Texas
May 15, 1985

Rockwall City Council
Rockwall, Texas

Dear Council Members:

I am upset to learn that Mike Roger's permit to build has been cancelled, after being issued, and after he has gone far enough in building to have his first inspection. I'm sure he has spent a great deal of money already.

This nice young man has lived on our street for years and has never bothered anyone with his show cars. He has had enough sadness in his life to last forever. It is a shame to add this disappointment.

You issued this permit and I feel you should abide by it. Surely we can depend on our council to be fair and do what is right.

Respectfully
Mary Groen

Rockwall, Tex
May 15, 1987

Dr. Frank Miller - Mayor
& City Council:

I am a neighbor of Mike Rogers and have been for years. He is a very good neighbor and bothers no one.

Since he was given the permit to go ahead with his building, I sure think he should have the right to continue.

When we give our word to do something, I believe that it is correct and right to stand by our word. We hope he will be allowed to continue with his building project.

Sincerely
Corry Parks

LORRAINE BURNS

Broker - Owner

Received May 19 '87

Rockwall (214) 722-5745
Metro (214) 226-1650
Residence (214) 722-9394
Car 850-0888

Mayor Miller,

This is a copy of a letter which is circulating for signatures. The structure in question happens to be nearly in my backyard, but I am trying to be very objective about it.

Restrictions which are not uniformly enforced are, in my opinion, bad government - corrupt government, in time. Either the height restriction should be dropped or guidelines established as to which hobbies deserve variances. A

town full of barns could develop -

Century 21
REAL ESTATE

**We're National,
but we're Neighborly.**

Thanks,
Lorraine Burns
MLS

GOLD KEY, REALTORS®

IH 30 at FM 740, Rockwall, Texas 75087

Office Telephones: Metro (214) 226-1650 Rockwall (214) 722-5745

Agenda Notes
P&Z - 3/12/87

III. E. P&Z 87-10-FP/CUP - Hold Public Hearing and Consider 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

We have received a request from Mike Rogers for a Conditional Use Permit for an accessory structure exceeding the maximum height of 15 ft. Mr. Rogers is proposing to construct a 2,000 sq. ft. garage that would be 22 feet in height. The square footage is within the maximum coverage allowed, but the height of the building exceeds the maximum height by 7 ft. He intends to build the building 30 feet from the alleyway as seen on the attached location map. He also intends to cut the building substantially into the hillside so that it would only extend above grade at the back by approximately 15 ft. Attached also is a drawing showing how it would be cut in. The structure will have a metal roof and wood siding.

Mr. Rogers has also submitted a replat of the Carroll Estates for his lot. He has acquired a portion of Lot 1, Carroll Estates from Mr. Carroll. Before he can build on this portion of the lot he must replat both lots to add the area to his lot. Because the subdivision only has 3 lots in it they are replatting the entire subdivision. The plat does meet all of our requirements.

A copy of the plat is attached.

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

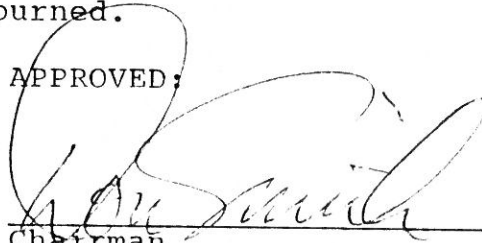
discussed this point with the applicants and encouraged some design improvements. Quinn made a motion to approve the site plan with the stipulation that an improved design be submitted to the City Council and recognizing that this use was inappropriate, although allowed. He further recommended that Council 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.

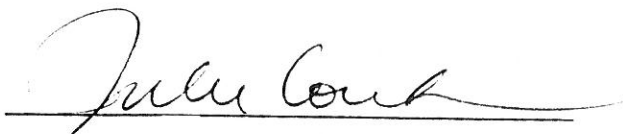
The Commission then considered approval of a final plat for Rockwall Towne Centre Phase III located on the north service road of I-30. Couch explained that the only concern regarding the plat was the need for an access easement along the front of the property and the 20 ft. setback needed to meet the 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. G. P&Z 87-10-FP/CUP - Hold Public Hearing and Consider 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

We have received a request from Mike Rogers for a Conditional Use Permit for an accessory structure exceeding the maximum height of 15 ft. Mr. Rogers is proposing to construct a 2,000 sq. ft. garage that would be 22 ft. in height. The square footage is within the maximum coverage allowed, but the height of the building exceeds the maximum height by 7 ft. He intends to build the building 30 ft. from the alleyway as seen on the attached location map. He also intends to cut the building substantially into the hillside so that it would only extend above grade at the back by approximately 15 ft. Attached also is a drawing showing how it would be cut in. The structure will have a metal roof and wood siding.

Mr. Rogers has also submitted a replat of the Carroll Estates for his lot. He has acquired a portion of Lot 1, Carroll Estates from Mr. Carroll. Before he can build on this portion of the lot he must replat both lots to add the area to his lot. Because the subdivision only has 3 lots in it they are replatting the entire subdivision. The plat does meet all of our requirements.

The Planning and Zoning Commission unanimously recommended approval of the replat but recommended denial of the Conditional Use Permit with a 4 to 2 vote.

MINUTES OF THE ROCKWALL CITY COUNCIL

April 6, 1987

Mayor Leon Tuttle called the meeting to order with the following members present: Nell Welborn, Ken Jones, Jean Holt, John Bullock and Frank Miller. Mayor Tuttle appointed Bullock, Holt and Welborn to canvass the votes of the 1987 City Officers' Election. After the committee canvassed the votes, Welborn reported that for the Office of Mayor, 1,102 votes were received for Frank Miller and 277 for Ken Jones, making Frank Miller the winner. For Place 1, 600 votes were received for James Hendricks and 634 votes were received for Pat Luby, making Pat Luby the winner. Place 3 was uncontested, with John Bullock receiving 1,000 votes. Place 5 was uncontested with Nell Welborn receiving 982 votes. Jones made a motion to approve an order declaring the results of the election as stated. Holt seconded the motion. The motion was voted on and passed unanimously.

At this time Mayor Tuttle swore in Frank Miller as the new Mayor of Rockwall. After taking his Oath of Office, Mayor Miller swore in Bullock, Welborn and Pat Luby. The newly sworn in Mayor and Councilmembers took their seats and resumed business.

Council considered approval of the Consent Agenda which consisted of: a) the minutes of March 16, 1987, b) an ordinance amending PD-7 to revise the preliminary plan on second reading, c) an ordinance amending the Comprehensive Zoning Ordinance to remove SUP-2 located at Williams and Austin issued for a day care on second reading, d) an ordinance amending the Comprehensive Zoning Ordinance to remove SUP-10 located at East Boydston and Sam Houston issued for a day care on second reading, e) an ordinance amending the Comprehensive Zoning Ordinance to modify SUP-6 located on Washington at SH-66 issued for a car wash on first reading, f) an ordinance re-establishing the Texas Power and Light Company franchise on second reading, g) a resolution appointing Mary Nichols as Assistant City Secretary, and h) an ordinance amending the designated time for regular City Council meetings on first reading.

City Manager Bill Eisen read the ordinance captions. Welborn requested that Item A be removed from the Consent Agenda. Miller pulled Item E. Bullock made a motion to approve the Consent Agenda with the exceptions of Items A and E. Welborn seconded the motion. The motion was voted on and passed unanimously. Welborn pointed out that the minutes did not include some specific direction that each Councilmember had recommended with regard to PD-5. Eisen

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

told Council that the building would pose no aesthetic problems. Council discussed the materials, the use, and the view from FM-740. Bullock made a motion to approve the Conditional Use Permit and the vacation of and replat for the Carroll Estates. 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 Burgy-Miller, Inc. for a change in zoning from "GR" General Retail to "SF-10" Single Family and a preliminary plat for Northshore Phase IV. Eisen explained that this plat would fall under the Park Land Dedication Ordinance. Rick Burgy was available to answer questions. Council discussed the distance separating this tract from adjacent General Retail property, screening, and depth necessary for a 2 to 1 slope berm. Don Smith told Council that the previous Northshore development where screening was a concern applied to residences that were bought with Single Family zoning behind them. In this case residences would be bought knowing they were adjacent to General Retail space. The public hearing was closed and Holt made a motion to approve the change in zoning and preliminary plat. Bullock seconded the motion. The motion was voted on and passed unanimously.

After a brief recess Council held a public hearing and considered revising the Thoroughfare Plan with regard to FM-740. Traffic Engineer John Reglin addressed Council and explained his recommendations which including making FM-740 a four-lane divided south of Goliad and reducing the presently planned six-lane divided south of I-30. Wally Wadsworth urged Council to consider traffic signals and safety measures. Ed Eubanks objected to curb cuts that would be inconvenient for property owners along Ridge Road. He stated that widening FM-740 could cause a bottleneck situation at Goliad, increase traffic hazards as well as require additional right-of-way. Ernie Hughes stated objection to a raised median on FM-740 at I-30. The public hearing was closed and Council discussed safety hazards, visibility problems, and other negative aspects of both a continuous turn lane and raised median. Reglin pointed out that although the State could make the final decision, City recommendations would be taken into account regarding the ultimate design. After further discussion, Welborn made a motion to revise the Thoroughfare Plan with regard to FM-740 by making it a four-lane divided from SH-205 to Rockwall's south City Limits. Bullock seconded the motion. The motion was voted on and passed unanimously.

Bill Eisen then gave the City Manager's Report and addressed the quarterly report from Southwestern Bell regarding EAS, the completion schedule for the new booster

pump, and the street improvements program. Welborn asked Eisen to update Council on the Waters Trego Study at the next meeting.

Council then discussed a site plan for a Quick Lube located on Ridge Road. Joe Fulgham. Car Wash Equipment Company, presented a revised elevation design from the one submitted to the Planning and Zoning Commission. He stated that a stipulation to the Commission's recommendation for approval was a revised design and that he had contracted Chuck Hodges to redesign the building. Council discussed a possible one-entry garage, turning the building ninety degrees and the location in general. Welborn pointed out that the location was not suitable; however, the applicant had greatly improved the elevations. She made a motion to approve the site plan with the elevation improvements. Holt seconded the motion. Don Smith stated that the design was much more than the Planning and Zoning Commission had requested and that the motion would specify these elevations. Welborn restated the motion to approve the site plan with elevation designs as submitted on this date. Holt seconded the motion. The motion was voted on and passed 3 to 1, with Miller voting against the motion, Jones and Bullock abstaining.

Richard Harris addressed Council at this time expressing concern for turn lane plans on FM-740 just north of I-30. He stated that when businesses were built in this area, there were no setback requirements to benefit future road expansions. He added that in previous meetings with the Mayor, property owners, and traffic engineers, he had understood that a continuous turn lane was by far the most suitable solution, although not necessarily a perfect one.

Tom Simberly distributed copies of the State's design of this area. He pointed out that a continuous turn lane could handle peak traffic while a raised median could cause congestion and rear-end collision situations. Haywood Eason told Council that a continuous turn lane would provide more maneuverability. Janice Maddox stated that a raised median would deny access to many businesses. Dr. Richard Brooks expressed favor for a raised median. Ernie Hughes stated that a raised median would be an unnecessary expense. After further discussion, Jones made a motion to approve a continuous turn lane on Ridge Road from North of I-30 to just south of Turtle Cove as indicated in drawings submitted by John Reglin. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then discussed curb cuts with regard to Yellowjacket Lane. John Reglin presented drawings and

explained the locations of proposed median cuts. At this time, 11:15 P.M., John Bullock left the meeting. Welborn made a motion to approve the plan for curb cuts on Yellowjacket. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then discussed a resolution establishing a tax abatement policy. Eisen outlined the policy and the criteria for qualification. Holt made a motion to approve the resolution. Jones seconded the motion. Miller suggested that existing businesses should be eligible with as sufficient amount of expansions. Eisen stated that the resolution could be revised to include existing businesses which expanded by 50 or more employees and met the other criteria. Holt restated her motion to include the change as stated by the City Manager. Jones seconded the motion. The motion was voted on and passed unanimously.

Dr. Miller then discussed the need for the City to cooperate with the Industrial Foundation in reaching solutions to items of mutual interest. Gary Johnson, Chamber of Commerce Chairman, told Council that although the foundation dissolved in 1982, he liked the idea of a Council liaison to help investigate the options and opportunities of a joint foundation. Johnson recommended that the City Manager and a member of Council be appointed to serve in this capacity. Miller suggested that these appointments be placed on the next Agenda.

Council then considered approval of contracts with the Chamber of Commerce. Eisen explained how these related to hotel/motel taxes and what provisions would have to be made in next year's budget. Jones made a motion to approve the contracts. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then considered initiating public hearings on possible overlay zoning requirements on Ridge Road. Welborn made a motion to initiate hearings and approve a resolution establishing a moratorium on Ridge Road. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a contractual agreement with the County. Eisen explained that the agreement with the County was regarding waivers attached to approval of the site plan for the new jail. He stated that some of the stipulations in the motion were ambiguous and could be revised if necessary. Miller asked the wording to specify that escrow had to be provided in the 1988 budget. Jones made a motion to approve the contract with the wording change requested by Miller. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then adjourned into Executive Session under Article 6252-17 V.A.C.S. to discuss land acquisition. As there was no further action necessary as a result of the Executive Session, the meeting was adjourned.

APPROVED:

Mayor

ATTEST:

By _____

MINUTES OF THE ROCKWALL CITY COUNCIL

April 20, 1987

Mayor Frank Miller called the meeting to order with the following members present: Nell Welborn, Ken Jones, Frank Miller, John Bullock, Bill Fox and Pat Luby.

The Council first considered approval of the Consent Agenda which consisted of a) the minutes of March 16 and April 6, 1987; b) an ordinance amending the Comprehensive Zoning Ordinance to modify SUP-6 located at Washington and SH-66 on second reading; c) an ordinance amending the designated time for regular City Council meetings on second reading; d) an ordinance authorizing a change in zoning from "A" Agricultural to "HC" Heavy Commercial and "C" Commercial on 76.685 acres located off SH-205 south of Sids Road on first reading; e) a resolution expressing appreciation to Harold Adair; f) and ordinance authorizing a change in zoning from "A" Agricultural to "SF-16" Single Family on three tracts of land located on SH-205 south of Dalton Road on first reading; g) an ordinance authorizing the change in zoning from "A" Agricultural to "LI" Light Industrial on a tract of land located off Airport Road on first reading; h) an ordinance authorizing a Conditional Use Permit for a temporary gun club and target range on first reading; i) an ordinance authorizing a Conditional Use Permit for a structure over the maximum height restrictions located in the Carroll Estates on first reading; j) an ordinance authorizing a change in zoning from "GR" General Retail to "SF-10" Single Family on a tract of land located north of SH-66 and west of North Lakeshore Drive on first reading. Assistant City Manager Julie Couch read the ordinance captions. Fox asked Item B to be removed from the Consent Agent. Welborn made a motion to approve the Consent Agenda with the exception of Item B. Bullock seconded the motion. The motion was voted on and passed unanimously.

Regarding Item B, Fox stated that as the SUP for a car wash was located at an entryway to the City of Rockwall he would continue to vote against it. Welborn noted that the applicants who submitted a site plan for a car wash at that location had consented to provide additional landscaping, screening, and improved equipment an effort to meet Council's concerns. Council discussed the possibility of moving the location of the car wash to another section of the tract of property. Don Smith, Chairman of the Planning and Zoning Commission, told Council that the Commission had investigated the possibility of moving the car wash to another section of the property, but that the design of the property, the irrigation and the natural terrain of the property prevented moving the location without spoiling the

remainder of the tract. After further discussion Bullock made a motion to table the second reading of this ordinance. Jones seconded the motion. The motion was voted on and passed unanimously.

Chairman Don Smith then gave the Planning and Zoning Commission Chairman's report. He stated that the site plans and plats that the Commission had made recommendations on were all fairly standard and that the Commission had recommended approval of all of these with a few contingencies. Fox questioned whether the twelve foot rule had been taken into consideration with regard to the preliminary plat for Harbor Landing Phase II. Smith explained that the plat was two dimensional and the twelve foot rule had not been discussed.

The Council then considered approval of a site plan submitted by Cecil Self in the Bodin Industrial Park located in I-30. Couch explained the applicant's request and added that Mr. Self needed to add one additional parking space in order to meet the City's parking requirements. Cecil Self addressed the Council and explained that the shell building was intended for lease and that he would add the additional space. Miller confirmed that the site plan met the City's landscaping requirements. Fox then made a motion to approve the site plan with the addition of one parking space. Bullock seconded the motion. The motion was voted on and passed unanimously.

The Council then considered approval of a preliminary plat for Harbor Landing Phase II. Couch noted a few technical changes that Staff had requested the applicants to make, including changing certain street names and certain lot lines. She added that the Staff and Planning and Zoning Commission did not discuss grades or elevations. City Manager Bill Eisen explained that litigation was pending in Court regarding elevations in Harbor Landing Phase I. He stated that a Court decision would be necessary prior to beginning of construction. Council discussed whether or not to table the plat and whether the City could approve the preliminary plat prior to a Court decision. Van Hall, Consulting Engineer, explained the lot layouts, the dimensions, and added that at this point it was necessary to proceed with engineering. City Attorney Pete Eckert explained that Council still had the option to deny or table the application at the final plat stage. Luby stated that he liked the layout, but the grade levels and heights needed to be addressed prior to approval of the plat. After further discussion Welborn made a motion to approve the preliminary plat. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a site plan for Texas Fried Chicken and Mesquite Grille located on SH-205 and approval of ordinances authorizing easement abandonment and relocation. Couch explained that the application was based on expansions and renovating that Grandma's Fried Chicken would be doing. She stated that all three parties involved had signed off on the easement to be abandoned and that the second easement needed to be relocated by the City in order to allow some additional footage for expansion. Fox made a motion to approve the site plan and the two ordinances authorizing easement abandonment and relocation. Luby seconded the motion. The motion was voted on and passed unanimously.

The Council then considered approval of a preliminary plat for Buffalo Creek Office Park located on FM-3097. Couch explained that this was a portion of a business park in PD-9. She stated that adequate right-of-way was already dedicated and that the applicant had been asked to change a street name as there was already a Rainbow in Rockwall. Rob Whittle of Whittle Development stated that this was the first lot in what he hoped to be a large business park development. Fox questioned the adequacy of drive turn around space. Van Hall, Consulting Engineer, indicated that it conformed with City standards. Jones made a motion to approve the preliminary plat. Bullock seconded the motion. Fox reminded Jones that Staff had recommended changing the street name. Jones restated his motion to include the changing of "Rainbow" to another street name. The motion was voted on and passed unanimously.

Council then considered approval of a final plat for Lane Business Park located at 1520 East I-30. At this time Councilmember Jean Holt joined the meeting. Couch explained that the plat represented property that was recently rezoned to Planned Development and that the plat as submitted met all City requirements. Bullock made a motion to approve the final plat. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered action on a revised preliminary plan for PD-5 located on SH-205 at Quail Run Road. J. T. Dunkin addressed Council and outlined changes that had been made in the preliminary plan and addressed some of Council's concerns indicated at the previous meeting. He pointed out multifamily areas that had been changed to cluster housing, seven units to the acre; a change in the Quail Run Road extension; and a revision of some Agricultural tracts. Welborn questioned the amount of property that would be dedicated for parkland use. Dunkin explained that 161 acres would be available for City dedication. Holt made a motion to approve the

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

at the previous meeting FM-740 from I-30 to Turtle Cove had been designated as a a four-lane divided with a continuous turn lane. He discussed pros and cons of a continuous turn land as opposed to a raised median with curb cuts. Reglin provided Council with drawings indicating proposed locations for median cuts and median lengths. He explained that although the State would make the final decision with regard to improvements on FM-740, City recommendations were usually taken into consideration and the State tried to follow them.

Martin Parks addressed the Council and urged the acquisition of right-of-way on the east side of FM-740 where presently no structures existed as opposed to the disruption of residential neighborhoods by acquiring additional right-of-way on the west side of FM-740. Ed Eubanks agreed with Mr. Parks and explained that he was concerned that yards would be cut if right-of-way was not obtained from the east instead of the west. Gordon Peterson addressed Council and expressed his support for right-of-way being obtained from the east side of Ridge Road. Cecil Unruh addressed the Council and expressed his preference for a continuous turn lane. He also encouraged the Council to make sure sidewalks were provided on each side of Ridge Road. Richard Cullins addressed Council and encouraged right-of-way acquisition from the east side of FM-740. Eisen explained that the estimations for required right-of-way did include sidewalks on both sides of Ridge Road. Sherry Lackland explained that her circle drive was currently being used as a turn-around. She stated that although this would continue regardless of what expansions were done, a raised median would provide more occasions for making U-turns. Fox suggested that the Staff and Mr. Reglin investigate the possibility of homeowners buying back existing right-of-way on the west side and using those funds towards the purchase of additional right-of-way on the east side of Ridge Road. Melvin Willess questioned the additional amount of right-of-way necessary for sidewalks. Eisen explained that the 85 ft. total estimation of required right-of-way included sidewalks on both sides. Reglin explained that when FM-740 was expanded the elevation would be lowered, thus solving some visibility and sight distance problems. After further discussion Fox made a motion to approve a four-lane divided with a raised median on Ridge Road and to recommend the sale of right-of-way on the west side of Ridge Road to provide funds to purchase additional right-of-way on the east side of Ridge Road. Holt asked Fox to separate his motion into two motions. The motion died for lack of a second. Jones then made a motion to approve the widening of FM-740 to a four-lane divided with a continuous center turn lane as opposed to a raised median. Eisen confirmed that Jones did not intend FM-740 south of I-30 to be included in his motion. Holt seconded

the motion. The motion was voted on and failed, two to five, with Holt and Jones voting in favor of the motion. Fox then restated his previous motion to approve a raised median, to recommend the sale of right-of-way on the west side of Ridge Road to promote funds to go toward the purchase of right-of-way on the east side of Ridge Road, and that any additional right-of-way be obtained from the east side. Bullock seconded the motion. Holt again requested that the motion be divided into two motions. Fox then clarified his motion to limit it only to approval of a raised median. Bullock seconded the motion. Miller suggested that Fox restate his motion to include FM-740 from I-30 to the south City Limits. The motion as amended was voted on and passed, five to two, with Jones and Holt voting against the motion. Fox then made a motion to recommend the sale of right-of-way on the west side of Ridge Road with funds to go toward the purchase of necessary right-of-way on the east side of Ridge Road, and to obtain any additional right-of-way from the east side as well. Bullock seconded the motion. Eisen clarified that this motion only applied to the property north of that which was previously designated as a continuous turn lane. The motion was voted on and passed unanimously.

Council then discussed the employee assessment program as recommended by Waters, Trego and Davis. Welborn stated that she felt like this item deserved extensive review and that she would favor a Workshop. Bullock made a motion to table the review of this item for a future Work Session. Fox seconded the motion. The motion was voted on and passed unanimously.

The Council then considered appointing one or more Council members to investigate re-establishment of an industrial foundation. Miller appointed Bullock and Holt to serve in this capacity as well as Bill Eisen. He added that he would like to be an unofficial liaison as he had initiated interest in this item. Fox then made a motion to appoint Bullock, Holt and Eisen to serve on this committee. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a resolution naming the Ballfield Park the "Leon Tuttle Ballfield Park". Jones made a motion to approve the resolution. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a resolution changing the official name of the municipal airport. Council discussed naming the airport after Congressman Ralph Hall and yet retaining the name of the City in the title of the airport. After further discussion Bullock made a motion to approve the resolution changing the name

of the airport to "The Ralph M. Hall/Rockwall Municipal Airport". Jones seconded the motion. The motion was voted on and passed unanimously.

At this time City Attorney Pete Eckert explained that as the hour was late he would be providing a report with regard to satellite dishes in writing to each Council member as opposed to giving a verbal report.

The Council then adjourned into Executive Session under Article 6252-17 V.A.C.S. to discuss and consider personnel with regard to appointments and land acquisition.

Upon reconvening into regular session, Jones made a motion to reappoint Brett Hall to the North Texas Municipal Water District Board of Directors. Fox seconded the motion. The motion was voted on and passed unanimously.

Bullock then made a motion to table the appointment for a Mayor Pro Tem. Holt seconded the motion. The motion was voted on and passed unanimously.

The Council then considered an appointment to the Fire Department Pension Board. Jones made a motion to appoint Pat Luby. Bullock seconded the motion. The motion was voted on and passed unanimously.

The Council then considered an appointment to the North Central Texas Council of Governments Board of Directors. Luby made a motion to appoint Ken Jones. Fox seconded the motion. The motion was voted on and passed unanimously.

The Council then considered an appointment as liaison to the Rockwall Independent School Site Committee. Holt made a motion to appoint Mayor Miller. Bullock seconded the motion. The motion was voted on and passed unanimously.

The Council then discussed the policy whereby City Council, except in the case of a public hearing or Executive Session, would not consider any item after 11:00 P.M. Jones explained that he had recommended this item be placed on the Agenda as some of the Council meetings had become extensive and that items that were not considered emergencies or priority items could be held over until the next meeting. Holt stated that if this were the case, many items could be held over from one meeting to the next and that Agendas would become lengthy as weeks went by. Miller agreed that all items on the Agenda needed to be heard. After further discussion Council decided not to utilize this policy.

Council then discussed a policy to limit presentations made by citizens in the Appointment Section of the Agenda to five minutes. Jones stated that in many cases where several citizens needed to speak, a five minute limit would allow each person a reasonable amount of time to express his concerns. Fox stated that most citizens who chose to speak to Council were directly affected by the item at hand and that the Mayor had the ability to limit or regulate presentations if the speaker became redundant. After further discussion Miller suggested that on a case by case basis he would attempt to limit verbose speakers and would attempt to make sure that everyone present had an opportunity to speak.

Since there were no further items to come before Council for consideration, the meeting was adjourned.

APPROVED:

Mayor

ATTEST:

By _____

MINUTES OF THE ROCKWALL CITY COUNCIL

May 4, 1987

Mayor Frank Miller called the meeting to order with the following members present: Nell Welborn, Jean Holt, Bill Fox, Pat Luby, and Ken Jones.

Council first considered approval of the Consent Agenda which consisted of A) the Minutes of April 20, 1987; B) a resolution requesting the State to provide a continuous turn lane for a certain area on FM-740 and a raised median in other areas; C) an ordinance authorizing a change in zoning from "A" Agricultural to "HC" Heavy Commercial and "C" Commercial on 76.685 acres located off SH-205 south of Sids Road on second reading; D) an ordinance authorizing a change in zoning from "A" Agricultural to "SF-16 Single Family on three tracts of land located on SH-205 south of Dalton Road on second reading; E) an ordinance authorizing a change in zoning from "A" Agricultural to "LI" Light Industrial on a tract of land located off Airport Road on second reading; F) an ordinance authorizing a Conditional Use Permit for a temporary gun club and target range on second reading; G) an ordinance issuing a Conditional Use Permit for a structure over the maximum height restrictions in an "SF-10" Single Family classification located in the Carroll Estates on second reading; H) an ordinance authorizing a change in zoning from "GR" General Retail to "SF-10" Single Family on a tract of land located north of SH-66 and west of North Lakeshore Drive on second reading; I) an ordinance abandoning an access easement on SH-205 south of Yellowjacket on second reading; J) an ordinance abandoning a portion of a utility easement located at 1903 South Goliad on second reading; K) an ordinance amending the Comprehensive Zoning Ordinance to revise the preliminary plan for PD-5 on first reading. Assistant City Manager Julie Couch read the ordinance captions. Bill Fox asked that Item G be pulled from the Consent Agenda. Welborn made a motion to approve the Consent Agenda including the revised Minutes and the with exception of Item G. Jones seconded the motion. The motion was voted on and passed unanimously.

Fox asked Council to brief him on Council's basis for approval of Item G as he had not been present when the item was discussed and the Planning and Zoning Commission had recommended denial. Miller explained that the property owners who were present did not object to the structure, that the applicant was willing to cut further into the hillside if necessary, the structure would be used strictly for storage of vehicles, it would be the same composition as the future house, and the building would not obstruct view areas. Welborn stated that photographs presented had shown the view from Ridge Road and a recreational vehicle parked

behind a house had looked more unsightly than the proposed building. Miller stated that the applicant could have shortened the height by two feet but it would have made for a less attractive structure. He added that the structure was designed in good taste and would not be offensive. After further discussion, Holt made a motion to approve Item G. Welborn seconded the motion. The motion was voted on with four in favor and Fox and Luby voting against the motion.

Eisen confirmed with the City Attorney that as the Planning and Zoning Commission had recommended denial, a three quarter vote, or six votes of the Council, would be required to approve the ordinance on second reading. Norm Seligman, Vice Chairman of the Planning and Zoning Commission, addressed the Council and explained that neighbors present at the Planning and Zoning Commission who objected to the request objected to the potential use of the building, not the height of the structure. He stated that residents were concerned about the potential for Commercial use and possible auto repair. Miller added that the applicant had probably made a better presentation before Council than before the Planning and Zoning Commission. Holt explained that a structure lower in height, which would be allowed, would require more pillars and would restrict maneuverability within the structure, thus restricting also the number of vehicles that could be stored in the building. Miller asked Fox to review the item prior to voting against it. Fox then made a motion to reconsider the item and table it until the May 18th meeting. Luby seconded the motion. The motion was voted on and passed unanimously.

Norm Seligman, Vice Chairman of the Planning and Zoning Commission, then gave a brief summary of items on Council's Agenda on which the Commission had made recommendations, including a request from the Masonic Lodge for a waiver of escrow requirements, zone change request from Don Cameron, zone change request and final plat from Sherman Sparks, zone change request and replat of a portion of Lofland Industrial Park, and outlined the Commission's basis for recommendation on each item.

The Council then considered approval of a waiver of escrow requirements for the Masonic Lodge located on Tubbs Road. Couch explained the location of the property and that without the waiver the Lodge would be required to escrow \$23,770 for street improvements on both Mims Road and Tubbs Road. Joe Richland, representing the Masonic Lodge, explained to Council that the Lodge was a non-profit organization and that with the escrow requirement a large portion of the funds that were proposed for construction of the building would be absorbed. He added that as all

their funds came from private donations, they would not be able to raise enough money for both the escrow and the construction of the building. Raymond Cameron addressed the Council and expressed opposition to requiring the escrow for street improvements as he had been primarily responsible for the construction of the school road from the Amanda Rochell School and that he felt like the Lodge's share of street improvements had already been provided. Miller pointed out that without the escrow requirement the City would be responsible for funding the street improvements. Fox added that churches in the past had been required to comply with the escrow requirements. Couch showed Council on the map the general location of the property and the three streets that bounded it. Jones reminded Council that they had in the past granted a waiver to the Soroptomists for the Children's Shelter and that he would favor a waiver for the Lodge. Welborn suggested partial payment at the time of construction and the remainder of the payment when the improvements were done. Richland stated that he could discuss the possibility of deferred payment and/or a partial waiver with the Lodge, but that he would need the item to be tabled enabling him to do so. After further discussion, Fox made a motion to table consideration of the waiver until June 1st. Welborn seconded the motion. The motion was voted on and passed unanimously. Fox suggested that each member view the site to get a better understanding of the location.

The Council then held a public hearing and considered approval of a request from Don Cameron for a change in zoning from "MF-15" Multifamily to "PD" Planned Development on a tract of land located on Damascus Road south of SH-205 and a preliminary plat. Rex Cameron addressed the Council to explain the plan and the proposed uses of the property. Raymond Cameron addressed the Council and briefly explained the background of the property and his theory for the retirement community. Fox confirmed that the Camerons would be responsible for the building of the development and that the architects could meet the required setbacks. Welborn then made a motion to approve the change in zoning to Planned Development with uses as submitted, including a restaurant and general retail store, meeting the requirements of "MF-15" zoning with regard to setbacks and density, and with heights not to exceed 62.5 ft. in Phase I and limited to four stories in Phase II. Jones seconded the motion. Seligman then confirmed that 14 units per acre would equal 151 units. Welborn then amended her motion to clarify the density at 14 units per acre, equaling 151 units. Jones seconded the amendment. The amendment was voted on and passed unanimously. The motion as amended was voted on and passed unanimously. Welborn then made a motion to approve the preliminary plat with the stipulation that at the final plat stage a more detailed development

plan would be provided. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a request from Julia Richey for a variance to the setback and distance separation requirements of the Sign Ordinance and approval of a sign plan to be located on the 700 block of South Goliad. Couch explained that Mrs. Richey's hair salon located at 706 Throckmorton was situated on a single lot along with Balloons and Goodies Galore which fronted Goliad. She explained that one free standing sign was allowed per premise with less than 5 acres without prior approval by the City Council and that Balloons and Goodies Galore already had one free standing sign located on the property. She added that Mrs. Richey intended to place her sign along Goliad and placing the sign as such would not meet distance, separation and setback requirements. Julia Richey addressed the Council and explained that although she could erect the sign on Throckmorton, she was attempting to establish a clientele and that a sign on Goliad would be more visible than a sign located on Throckmorton. She added that there was a drive servicing the back portion of the lot from Goliad and that she proposed to place the sign adjacent to that driveway. Fox pointed out that similar variances had been allowed for property located across the street at Goliad Place. Miller pointed out that his property was adjacent to this lot and that he would abstain from voting on it; however, he had no objection to approval of the request. Fox then made a motion to approve the request. Jones seconded the motion. Welborn offered an amendment to permit the variance for a period of one year. Holt seconded the amendment. The amendment was voted on and passed with all voting in favor except Miller who abstained. The motion as amended was voted on and passed with all voting in favor except Miller who abstained.

The Council then held a public hearing and considered approval of a request from Sherman Sparks for a change in zoning from "MF-15" Multifamily to "SF-10" Single Family on a tract of land located east of North Lakeshore Drive north of SH-66 and south of Alta Vista and approval of a final plat. Couch explained the applicant's request and added that as this proposed lot was surrounded on three sides by undeveloped property, they proposed to provide only temporary access until such a time as the property is permanently developed. They also proposed an all-weather gravel drive as opposed to concrete. The Planning and Zoning Commission had recommended approval with the condition that the plat stipulate that the City makes no guarantee of access along the private access easement, that the drive be an all-weather drive, and that when adjacent property develops, permanent access is provided. Van Hall, Consulting Engineer, explained the location of the lot and

the location of the temporary access easement. After Council discussion, Fox made a motion to approve the request for the change in zoning and the final plat with conditions as recommended by the Planning and Zoning Commission. Jones seconded the motion. The motion was voted on and passed, with all voting in favor except Miller who abstained.

The Council then held a public hearing and considered approval of a request for a change in zoning from "A" Agricultural to "LI" Light Industrial on a tract of land adjacent to Lofland Industrial Park and a replat of a portion of Lofland Industrial Park. Couch explained that Lofland Industrial Park was zoned Light Industrial and that the replat would incorporate additional property into a lot of Light Industrial in order to allow adequate acreage for the construction of a nursing home. She explained that although one sewer line would have to be relocated, there were no other problems with the plat as submitted. Van Hall addressed the Council and further explained the location of the lot in comparison with the rest of Lofland Industrial Park. James Newman, representing the Cherry Creek Corporation, presented renderings of the proposed facility and explained its care capacity and required construction date. Welborn confirmed with Newman that he understood the allowed uses in a Light Industrial zoning classification and also understood what potential uses could be installed on adjacent property to the proposed nursing home. Miller stated that he wanted both the applicant and the Camerons, who own the property, to understand the possible future conflicts of uses. After further discussion, Holt made a motion to approve the change in zoning and the replat. Luby seconded the motion. The motion was voted on and passed unanimously.

The Council then held a public hearing and considered approval of Reinvestment Zone No. 1 pursuant to Article 1066f VATS on a tract of land located on FM-3097 and approval of an ordinance establishing Reinvestment Zone No. 1. Eisen explained that this was the first application for a reinvestment zone as a result of Council's recent approval of a tax abatement policy. Dennis Bailey from the Chamber of Commerce urged Council to approve the reinvestment zone as it would attract clean industry to the City of Rockwall. Rob Whittle, developer of the property, explained that this section of the proposed Buffalo Creek Office Park would set a precedent to attract clean industry. Couch read the ordinance caption of the ordinance establishing Reinvestment Zone No. 1. Eisen explained that he recommended that this zone be given a time period of four years and added that it would be necessary to enter into a contractual agreement at a future meeting with regard to streets and other improvements. Welborn made a motion to approve the ordinance including a

four year term. Jones seconded the motion. The motion was voted on and passed unanimously.

Bill Eisen then gave the City Manager's report in which he addressed restaurant inspections; an itemized breakdown of the cost of issuance of bonds for construction of streets; a North Texas Municipal Water District update, including the appointment of Nick Woodall to the NTMWD Board of Directors; construction of a supply pipeline from the water treatment plant in Wylie to Rockwall; an update on two bills pending before the Texas Legislature; a re-estimate of projected revenues for the 1986-87 fiscal year; a County meeting scheduled for May 19th with regard to the ambulance service status; and the scheduling of a Work Session with regard to the Waters, Trego Personnel Study. Miller suggested that as all members of the Council try to attend the County meeting. With regard to revenue projections, Fox requested that the additional Police Officer position be filled and cutbacks be taken from somewhere else in the budget. Miller polled the other Council members who all agreed with Councilman Fox.

The Council then considered approval of an ordinance amending the Comprehensive Zoning Ordinance to modify SUP-6 located at Washington and SH-66 on second reading. Couch pointed out that the applicants who had submitted a site plan for a car wash at this location had requested that Council consider tabling the item until the May 18th meeting when they would be able to be present. Holt made a motion to table the item until May 18th. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered award of bids for a filtration system for the Municipal Pool. Eisen stated that the low bid had been received from Pool Kare of Carrollton in the amount of \$4,960.95. Jones made a motion to award the bid to Pool Kare. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then considered awarding the bid for mowing. Eisen stated that the one bid received was from Jim Moore in the amounts of \$16.50 per hour for an 8 ft. mower size, \$13.50 per hour for a 6 ft. mower size, and \$32.00 per hour for a 15 ft. mower size. Eisen added that these were acceptable by Staff. Fox made a motion to award the bid to Jim Moore. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then considered awarding the bid for Paving, Drainage, and Utility Improvements. Eisen stated that if the bids were awarded to the two low bidders, Triple H Construction's utility bid of \$199,463.72, and Angel Concrete Company's paving bid of \$538,507.43, total cost of the project would come in below the Engineer's estimate of

\$850,000.00. Welborn pointed out that Triple H's bid was tremendously lower than C&W Utility Contracting who bid \$410,871.00. She confirmed with Staff Triple H did meet all the specs and could complete the project within the same 100 working days that C&W predicted the project in. Eisen explained that Triple H did meet all the specs, that they had done some work for the City in the past, and that there were periodic inspections done during the work to insure that work was not substandard. Welborn then made a motion to accept the bids as recommended by the City Manager. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then considered award of bids for hot mix asphalt. Eisen explained that this bid was accepted every 90 days and that Staff recommended the bid be awarded as follows: curb and gutter to Roy L. Willis at \$6.75 per linear foot; sidewalks, alleys, streets, cement stabilization and hot mix installation all to Evans Contracting. Holt made a motion to accept the bids as recommended. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an ordinance prohibiting the sale, possession or use of fire works within 5,000 ft. of the City Limits. Eisen explained that this would protect the City Limits for a distance of 5,000 ft. and would be effective unless it encroached into another city's limits or into another city's ETJ. Jones made a motion to approve the ordinance on first reading. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then heard a report from City Attorney Pete Eckert regarding satellite dishes and the required screening. Eckert explained that the Staff had recently mailed out a number of letters to residents who had satellite dishes which were visible from the street and were not screened as required by ordinance. He stated that he had received a few phone calls from citizens who were not in compliance and were opposed to the screening requirements. Council discussed the possibility of grandfathering in existing dishes, the fine for violation of the ordinance, and whether the ordinance was designed to protect the view from the street or from the adjacent properties as well.

Council then considered approval of a self-insurance program and a Section 125 Program for City employees' benefits. Eisen explained the group life insurance and health benefit plan and added that a reinsurance plan would take effect after \$89,000.00 in claims had been paid. He added that for \$300.00 per month a third party firm would adjudicate the claims. Council discussed the employee

benefits of the plan, the total savings to the City, and the method of reimbursement with regard to the 125 Program. After further discussion, Jones made a motion to approve the insurance program and the 125 Program. Fox seconded the motion. He asked Staff to report on the progress of both programs six months after they had taken effect. The motion was voted on and passed unanimously.

Council then considered approval of a resolution urging the Interstate Commerce Commission to deny a request for the closing of a certain railroad line. Eisen explained the intent of the resolution and how the closing of a section of this line could indirectly affect Rockwall. Welborn made a motion to approve the resolution. Holt seconded the motion. The motion was voted on and passed unanimously. Fox asked Staff to be sure that Congressman Ralph Hall got a copy of this resolution.

The Council then adjourned into Executive Session under Article 6252-17 V.A.C.S. to discuss personnel regarding an appointment of the Mayor Pro Tem, litigation regarding Harbor Landing Phase I, and land acquisition for City facilities. Upon reconvening, as there was no further action necessary by Council, Holt made a motion to adjourn. Jones seconded the motion. The motion was voted on and passed unanimously. The meeting was adjourned.

APPROVED:

Mayor

ATTEST:

By _____

Agenda Notes

City Council - 5/18/87

- IV. C. Appointment with Property Owners to Speak Regarding Conditional Use Approval for structure Over Maximum Height in an "SF-10" Classification
- D. Discuss and Consider Approval of an Ordinance Issuing a Conditional Use Permit for a Structure Over the Maximum Height Restrictions in an "SF-10" Classification Located in the Carroll Estates (2nd reading)

A number of property owners plan to be at the meeting Monday night regarding this item. The ordinance is back on the Agenda for consideration of second reading as required at the last meeting.

MINUTES OF ROCKWALL CITY COUNCIL
May 18, 1987

Mayor Frank Miller called the meeting to order with the following members present: Nell Welborn, Jean Holt, John Bullock, Bill Fox, Pat Luby and Ken Jones.

The Council first considered approval of the Consent Agenda which consisted of : a) the minutes of May 4, 1987; b) an ordinance amending the Comprehensive Zoning Ordinance to revise the preliminary plan for PD-5 on second reading; c) an ordinance authorizing a change in zoning from "MF-15" to "PD" Planned Development on a tract of land located on Damascus Road south of SH-205 on first reading; d) an ordinance authorizing a change in zoning from "MF-15" to "SF-10" Single Family on a tract of land located north of SH-66 and east of North Lakeshore Drive on first reading; e) an ordinance authorizing a change in zoning form "A" to "LI" Light Industrial on a tract of land located adjacent to Lofland Industrial Park on first reading; and f) an ordinance establishing Reinvestment Zone No. 1 on second reading. Assistant City Manager Julie Couch read the ordinance captions. Welborn made a motion to approve the Consent Agenda. Jones seconded the motion. The motion was voted on and passed unanimously.

Ron Clower, Attorney for James Brown, addressed the Council to voice his client's opposition to the approval of an ordinance prohibiting the sale, use or possession of fireworks within 5,000 feet of the City Limits. He stated that the statute under which the City could pass this ordinance referred to prohibition of nuisances where health, safety, or general welfare was affected. He requested Council to review the ordinance and amend the ordinance to provide restriction only if a particular sale location becomes a nuisance. Clower added that although he had campaigned against fireworks sales at the State Legislature, the State had chosen to permit the sale and therefore sales should be allowed outside City Limits. Welborn stated that fireworks did affect safety, health and general welfare and that the City could not regulate only certain areas. Clower suggested that sales be allowed on a permit basis, giving the opportunity to judge safe or unsafe locations.

Council then considered approval of an ordinance prohibiting the sale, use, or possession of fireworks within 5,000 feet of the Rockwall City Limits. Couch read the ordinance caption. Fox made a motion to approve the ordinance on second reading. Luby seconded the motion. The motion was voted on and passed unanimously.

[At this time property owners and a representative of the applicant addressed Council regarding the approval of a Conditional Use Permit for an accessory structure over the maximum height restrictions in an "SF-10" classification.

Miller summarized the series of events that had been prompted by the application. He explained that although the Planning and Zoning Commission had recommended denial of the permit, Council had overridden the recommendation by voting to approve with three quarters (6 votes) of the Council. He stated that a permit was issued and construction begun prior to the tabling of the ordinance authorizing the permit on second reading. By second reading Council had received an indication of the opposition of the adjacent property owners although none had spoken in opposition at the hearing conducted by Council.

Bill Wolf, attorney representing Mike Rogers, addressed the Council and explained that Rogers had been totally unprepared at the Planning and Zoning hearing. Wolf stated that Rogers was better prepared for the council meeting and was able to satisfactorily address Council's concerns. The Council had approved the request, a building permit was issued, and Rogers began preliminary construction on the building after expending \$20,000 on materials. Wolf stated that although the first reading was passed unanimously, second reading was tabled and Rogers was advised to delay construction until the second reading. He added that later the next day a green tag was issued and construction resumed.

Miller suggested that Wolf save the remainder of his presentation until all the objections had been voiced, whereby he may be able to satisfy some concerns. Welborn suggested that the Mayor rotate the speakers by alternating one in favor of the permit and one opposed. Couch provided a transparency depicting the location of the building in relation to adjacent properties and their street addresses.

Chip Gehle, 1613 South Alamo, spoke in opposition to the permit explaining that the structure was out of character with a residential neighborhood and would generate additional traffic. Wayne Rogers addressed the Council and stated that all City requirements had been met, a building permit had been issued, that \$40,000 had been expended and that Mike Rogers was not at fault. Luke Campbell, 1609 South Alamo, stated that the structure was a warehouse and had no place in a residential neighborhood. H. C. Northcutt, an area builder, told Council that the City should stand behind the permit it issued and that although Rogers could build a building 15 ft. high and meet height restrictions, the structure would be unattractive. Lorraine Burns, 1605 South Alamo, presented pictures of the building under construction. She told Council that she had attended the Planning and Zoning Commission hearing as did many property owners in opposition and that until the Zoning Ordinance was amended an accessory building was limited to 225 square feet. Burns pointed out that the proposed structure was 2,520 square feet and over ten times the original allowed size. She stated that the 16 feet overhead doors were larger than the 12 foot restriction in industrial areas and urged Council to rigidly enforce zoning regulations in single family

classifications. Clayvon Carroll argued that a building in compliance would have a tar flat top far more unsightly than the presently planned roof, that the building would not decrease property values, and that 95% of homes being built had inadequate storage space. Randy Simmons, 1611 South Alamo, stated he had moved to Rockwall because of the beautiful, well-manicured homes. He told Council that although he had originally approved of the building, he hadn't realized the magnitude until it was under construction. He said the structure would decrease property value and urged Council to minimize damage already done by denying the second reading. Bernice Peoples, 1308 Ridge Road, stated that the building had been begun because it was allowed and that she knew the structure would be used for nothing more than storage if that was what Rogers had said it would be used for. Ken Dickson, 205 Meadowdale, stated that the building was not atune to the neighborhood but that he hoped a compromise could be reached on an issue that was dividing the neighborhood. Frank Smith stated that as an ex-member of Council, he felt the City was obligated to allow the permit issued as it was issued to begin and complete construction. Ines Schreiber, 204 Becky Lane, stated her opposition and explained that many property owners were present who didn't wish to speak but needed to make their feelings known. She urged Council to stand behind the high quality and readdress the regulations that governed the size of accessory buildings. Miller asked Wolf if he would like to address concerns raised so far. Wolf offered to show building plans and Miller suggested he save those for the rebuttal at the end.

John Petty, 106 Joe White Street, stated that a permit was basically a contract and the City was obligated to let Rogers fulfill the intent of the permit as issued. Olivia Barstow, 1510 South Alamo, stated that she had not understood the size of the building when Rogers showed her the plans. She said she did not want the building in the neighborhood. John Weddle, 1601 South Alamo, told Council that Rogers had informed him in the beginning that if there was much opposition he wouldn't apply for a permit, but that the building was now too far into construction to revoke the permit. Wayne Rogers confirmed that Council had seen a letter of approval from Lee Mitchell. Miller told the audience that Council had received copies of letters both opposed to and in favor of the request. He then polled the other residents present who did not wish to address Council but whose opinion was germane to Council's decision. The following residents stated opposition to the Building: Donna Walter -1608 South Alamo, Martha Sue Keegan - 207 Meadowdale, Charles Pannell - 1425 South Alamo, Phyllis Heron - 203 Meadowdale, and Paul Botsacos - 104 Becky Lane. Wolf then concluded his presentation by saying that however Council chose to revise the issuance of permits and accessory buildings standards should apply to only those structures not presently under construction and that revocation of this permit could result in litigation. Lorraine Burns concluded her statements

as representative of residents in opposition by saying that property owners were unaware of Council's hearing of the case and they were, therefore, not represented at the meeting. She added that the opposition present clearly called for denial of the ordinance. Don Smith, Chairman of the Planning and Zoning Commission, then addressed Council and assured the members that the Commission's recommendation had resulted from careful review and consideration of all parties affected. He stated that many times different jurisdictions don't connect, that no permit guarantees absolute freedom, and that if an error was made Council was within its right to correct it.

Welborn questioned the revision of the Zoning Ordinance that allowed a building this size. Couch explained that originally the ordinance did not address garages although it did restrict portable and storage buildings. The modification included one title "accessory" building for all three types. Council discussed the requirements for accessory buildings regarding the detached garage, on what basis Council approved the permit originally, and whether the structure could affect property values as stated by one resident. Fox pointed out the Council's obligation to preserve the quality of life in Rockwall. Luby urged Council to look for an ethical solution. Miller stated that the issue at hand was whether the building would have a flat roof at 15 feet or a gabled roof at 22 feet. Holt reiterated for the sake of the audience understanding that under the current ordinance, Council was addressing only the height, not the size or overall square footage.

After extensive discussion, Council considered approval of an ordinance authorizing a Conditional Use Permit for a structure over the maximum height restrictions in an "SF-10" classification to be located in the Carroll Estates on second reading. Couch read the ordinance caption. Jones made a motion to recess. The motion died for lack of a second. Welborn made a motion to disapprove the second reading. Fox seconded the motion. Eisen explained that the applicant could not reapply within one year. Welborn then amended her motion to deny the permit without prejudice. Fox seconded the amendment. The amendment was voted on and passed unanimously. The motion as amended was voted on and passed unanimously.]

After a brief recess, Council reconvened and Don Smith gave the Planning and Zoning Chairman's report. He told Council that he would stress at each meeting that the Commission's action was only a recommendation. He then explained the recommendation made with regard to a revised site plan for a Quick Lube and said he would be available to answer questions on any other items as they were considered by Council.

Council then held a public hearing and considered approval of an ordinance amending PD-9 to revise the preliminary plan to include the manufacturing of wiring harnesses as an allowed use and amend the square footage requirements for buildings and

landscaping in Office/Warehouse. Couch explained that the applicant was requesting a 30,000 square foot maximum building size to allow for larger industries or smaller ones which needed to expand. She explained that although the current plat submitted for Buffalo Creek Office Park showed 12.9% landscaping, the applicant was requesting the 20% requirement to be reduced to 5% as currently required in Light Industrial zoning. Miller stated that the 20% was necessary to beautify loading areas and the Light Industrial area in general. Welborn pointed out that the intent of the landscaping requirement had been to give the area a campus atmosphere. Council discussed the requirement with regard to the Buffalo Creek final plat, whether to address landscaping on a case by case basis within PD-9, and whether or not to decrease the percentage for the PD as a whole. Don Smith told Council that although the Buffalo Creek plat only had 12.9%, the main concentration was in the front. Council discussed the potential for back to back parking lots, a possible buffering or screening requirement between business parks, and the request for an increased maximum building size. Couch read the ordinance caption. Welborn made a motion to approve the ordinance amend PD-9 to increase the maximum building size in Office/Warehouse to 30,000 square feet, to include manufacturing of wiring harnesses as an allowed use in Office/Warehouse, retaining a 20% landscaping requirement with the exception of the tract platted as Buffalo Creek Office Park, allowing a minimum of 12.9% landscaping on that tract, and requiring parkways adjacent to the tract to be landscaped. Fox seconded the motion. The motion was voted on and passed unanimously.

The Council then discussed and considered approval of a development plan and final plat for Buffalo Creek Office Park. Couch explained that the final plat and development plan as submitted met all the City requirements with the exception of a few technical corrections. She explained that the 10 ft. easement to the rear needed to be changed to 15 ft., that the 5 ft. dedication of right-of-way shown on FM-3097 needed to be increased by an addition 5 ft. to provide for a future 6-lane roadway, and that the plat needed to reflect that Rainbow Lake Road tied into Lincoln Drive rather than running alongside of it. Harold Evans, Consulting Engineer, presented a larger rendering of the plat and explained that the applicant could meet all of Staff's recommendations. Welborn made a motion to approve the final plat and development plan for Buffalo Creek Office Park with the stipulations as recommended by Staff. Holt seconded the motion. The motion was voted on and passed unanimously.

The Council then considered approval of a final plat for Northshore Phase IV, a 45 lot subdivision located on North Lakeshore Drive north of SH-66. Couch explained that the plat as submitted met all the City's requirements and that the only recommendation was that the street name "Highpoint Circle" be

changed as there was a Highpoint located in Lakeside Village. Miller confirmed that there was adequate right-of-way for future road expansion of SH-66. Holt made a motion to approve the final plat with the stipulation that the street name "Highpoint Circle" be changed. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a preliminary plat for Randy's Place, an 8.0156 acre lot located off SH-205 south of Dalton Road. Couch outlined the applicant's request and explained that although a public street did not serve the lot, the Board of Adjustments had granted a variance from the minimum lot frontage requirements and access would be provided through the lot facing SH-205. Welborn made a motion to approve the preliminary plat with the stipulation that the plat indicate that the City does not guarantee access along the private drive access easement. Bullock seconded the motion. The motion was voted on and passed unanimously.

The Council then considered approval of a final plat for the Rockwall County Jail located on High School Road. Couch suggested that the Council consider this item in conjunction with a revised contract with the County regarding the Rockwall County Jail which was an item to be considered later in the Agenda. Council discussed the waivers that they had previously granted at the preliminary platting stage of the County Jail and whether or not they could insure compliance with the stipulation that escrow for street improvements be provided in the 1988 budget. Welborn suggested that the City withhold issuance of a Certificate of Occupancy until the funds were received. City Attorney Pete Eckert pointed out that although it was a good solution, if the contract was not signed it would not be enforceable. After further discussion, Welborn made a motion to approve the agreement with the revision that a Certificate of Occupancy would not be issued prior to the escrowing of funds for street improvements in the 1988 budget. Miller asked Eisen to clarify the wording with regard to the statement in the contract that stated that escrow would be provided for the amount of the property being developed for the jail. Eisen explained that that phrase referred to the total square footage of the tract of property and that could be clarified in the agreement. The motion was voted on and passed unanimously.

Council then considered approval of the final plat. Jones then made a motion to approve final plat for the County Jail with the waivers as recommended by the Planning and Zoning Commission and stipulated in the contract. Bullock seconded the motion. Fox confirmed that the sealcoat drives were addressed in the contract. The motion was voted on and passed unanimously.

Council next considered approval of a replat of portions of Ellis Centre Phase I and Phase II located on High School Road.

Couch outlined the applicant's request and explained that the moving of the building line was in order to allow expansion of the building already on one portion of the property. David Ellis explained that moving the plat line would allow room to double the building size on one lot. Fox made a motion to approve the replat. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a revised site plan for a Quick Lube to be located on Ridge Road. Couch explained that the applicants proposed to have two drives rather than one drive in order to retain a large tree located in the middle of the original driveway. She stated that what they were proposing would not meet the minimum separation requirement between drives which was 200 ft. as the entire lot was only 100 ft. wide. She explained the drives would be a 20 ft. entrance separated by 30 ft. and a 20 ft. exit drive. She explained that the Planning and Zoning Commission had recommended these drives be one way drives signed with low rise signs indicating entrance and exit only, and that, if technically possible and approved by the State, a culvert would be installed all the way between both drives and that this area would be landscaped and curbed. Welborn made a motion to approve the revised site plan with the stipulations recommended by the Planning and Zoning Commission, including that if technically possible the culvert would be installed as recommended, landscaped and curbed. Luby seconded the motion. The motion was voted on and passed unanimously.

The Council then considered calling public hearings to review SUP-7, a Specific Use Permit issued for miniwarehouses on Yellowjacket at SH-205. Couch explained that the SUP had been issued in 1978 for the site where Mitchell's hardware building was currently located. She explained that nothing had been built in the area where the miniwarehouses were planned to go and that the current Zoning Ordinance did not allow miniwarehouses, either as a permitted or a conditional use in a Commercial classification. She added that as this area did have an underlying Commercial zoning, the Planning and Zoning Commission had recommended initiating public hearings. Fox made a motion to initiate public hearings remanding the SUP back to the Planning and Zoning Commission. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then discussed and considered approval of an ordinance amending the Comprehensive Zoning Ordinance to modify SUP-6, a Specific Use Permit issued for a car wash at Washington and SH-66 on second reading. David Cook addressed the Council and outlined a history of the site plan for Hubbard Car Wash which had prompted the review of Specific Use Permits. He explained that his application was in progress prior to the initiation of the review of this permit that the Planning and Zoning Commission had recommended approval of the original site plan for Hubbard Car Wash and that the City

Council had overturned their recommendation because of the car wash's proximity to the cemetery and not due to noncompliance. He outlined the review process that had taken place on SUP-6 including the Planning and Zoning Commission's recommendations that the permit be removed from the entire tract of property with the exception of that area that had been previously site planned as Hubbard Car Wash. He added that Council had also approved by majority the continuance of the permit on that same section as recommended by the Planning and Zoning Commission. Gerald Burgamy addressed the City Council and explained that he and Bill Way were co-owners of the property and that the new lots in the cemetery had been put in after the City had approved the Specific Use Permit for a car wash. He stated that the lots were put in knowing that the adjacent property was zoned for a car wash. Cook added that the City probably had had intentions of developing that tract even so far back as when the permit was issued. Burgamy explained also that he had requested the property be zoned for a car wash to provide a buffer for the cemetery. He added that he had been able to find no other suitable business that wanted to be located adjacent to a cemetery. Council discussed the original site plan, the basis for denial, and the development of the cemetery since the original issuance of the permit. Holt pointed out that although the Cemetery Association did state opposition, there were at least three members of the Association she had spoken to who were unopposed. Couch read the ordinance caption. Bullock made a motion to approve the second reading of the ordinance. Jones seconded the motion. Fox pointed out that although there may be a few members of the Cemetery Association who were unopposed to the car wash, the majority voted against it. The motion was voted on and passed 4 to 3, with Miller, Luby and Fox voting against the motion.

At this point John Bullock left the meeting and Council discussed the annual budget Retreat. Eisen stated that preliminary planning had revealed that August 7th and 8th, a Friday and Saturday, appeared to be the convenient dates for the Retreat. Welborn suggested the Holiday Inn in Greenville as a possible location for the Retreat. Miller stated through previous experience he had found that the Radison Suites in Arlington were economical, would not add costly travel expenses, and would be far enough away from Rockwall to be productive. Luby stated his preference for a hotel that was local as well. Fox stated that Shreveport was only a three hours drive. Jones stated favor for Shreveport as well. Eisen said that based on Council's direction Staff would comprise some preliminary information on these areas.

Council then discussed the status of the Animal Control contract with Rockwall County. Eisen explained that the County had cancelled the Animal Control Contract with the City of Rockwall and that an Animal Control Officer had resigned. He stated that funds from the contract were intended to provide an additional vehicle and an additional employee. He explained

that it would now not be necessary to refill the position that had recently been vacated and that the City would have eventually had to purchase another vehicle as the other vehicle had become unreliable. Fox pointed out that the City had reduced the amount for storage of animals picked up in the County. Eisen added that the County had paid a portion of their Animal Control bill but had not as yet paid the balance of the bill.

Council then discussed and considered approval of an emergency ordinance requiring businesses operating in Lake Ray Hubbard out of areas leased by the City of Rockwall to obtain a permit for such operation. Couch read the ordinance caption. Fox made a motion to approve the ordinance. Holt seconded the motion. Fox asked if any further controls were necessary to regulate businesses out of areas leased by the City. Pete Eckert outlined the intent of the ordinance and the City's ability to enforce it. The motion was voted on and passed unanimously.

Jones then made a motion to table the Executive Session and any consideration to the appointments to the Board of Adjustments and for the Mayor Pro Tem. Holt seconded the motion. The motion was voted on and passed unanimously.

As there were no further items to come before the City Council for consideration, the meeting was adjourned.

APPROVED:

Mayor

ATTEST:

By _____

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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SF-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

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 87-10-FP/CUP

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.

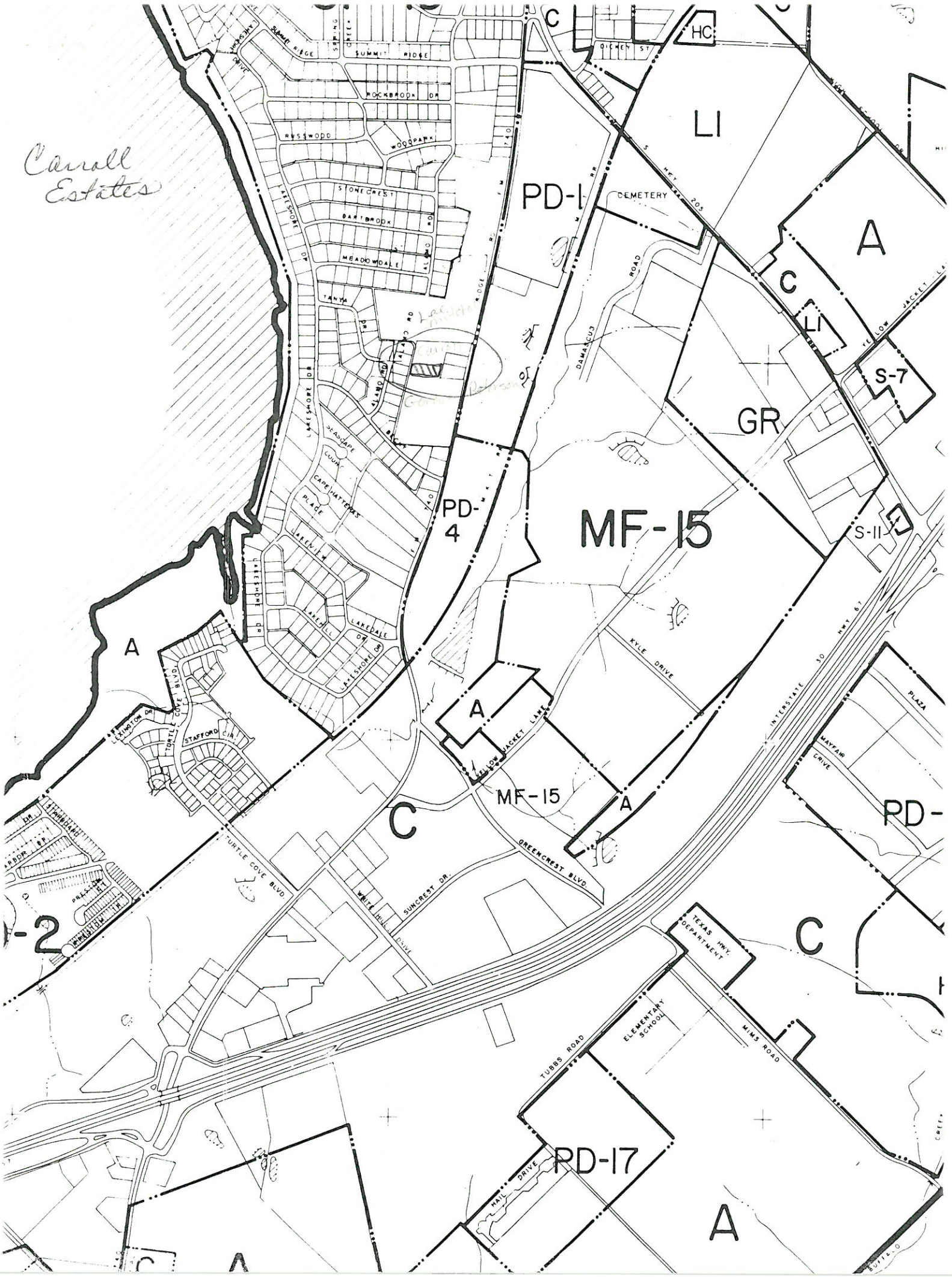
Signature _____

Address _____

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

Thank you,
City of Rockwall

Carroll Estates



Mike Rogers

✓ Richard L. Perry
208 Tanya
Rockwall C, 4

✓ Thomas ~~Q~~ Quinn
205 Tanya
Rockwall D, 15

✓ Wallace C. Cook
210 Tanya
Rockwall C, 5

✓ Wm. R. Birkenback
207 Tanya
Rockwall D, 16

✓ William McClure
212 Tanya
Rockwall C, 6

✓ James L. Greenwalt
209 Tanya
Rockwall D, 17

✓ Roland L. Jameson
1612 S. Alamo
Rockwall D, 10

✓ Billy Peoples
Box 35
Rockwall

✓ Olivia H. Barstow
1610^S Alamo
Rockwall D, 11

✓ Paige Bayoud, BMD
6211 W. NW. Hwy.
Dallas 75225

✓ Frank Houston Walters
1608 S. Alamo
Rockwall D, 12

Block A 5, 7, 10, 11, 12, 13
Block B 13
Block C 1

✓ Lloyd Glenn Peck
1606 S. Alamo
Rockwall

5 for 2 opposed
6 opposed 2 for
29 cont
11 within 200 ft 4 for 1 opposed
18 cont 5 opposed

✓ Horace E. Haire
203 Tanya
Rockwall D, 14

75 total

11 for 8 opposed

202, 14, 13

Mike Rogers

29

✓ Clayvon Carroll BKA, 49 Arthur & Frances Campbell
305 Point Royal 1609 S. Alamo
Rockwall Rockwall

X Martin C. Parks BKA, 410 Kirk V. Smith
Box 132 1607 S. Alamo
Rockwall Rockwall

✓ Gordon S. Peterson BKA, 411 Lorraine Marietti Burns
P.O. Box 704 1605 S. Alamo
Rockwall Rockwall

✓ Owen L. Mitchell BKA, 416 Roy L. LeTourneau
1402 Ridge Rd. 1603 S. Alamo
Rockwall Rockwall

X Robert D. Reeves BKA, 413 John C. Weddle
202 Becky Ln. 1601 S. Alamo
Rockwall A, 5 Rockwall

X Jimmy D. Schreider BKA, 411 William R. E Furd
204 Becky Ln. 202 Tanya
Rockwall A, 4 Rockwall

X William F. Gehle, Sr. X John Redmond
16135 Mame 2007 Lakeshore
Rockwall A, 1 Rockwall C, 2

BKA, 408 Randy Simmons
1611 S. Alamo
Rockwall

X Elton E. Evans
206 Tanya
Rockwall C, 3

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

Mary Nichols
City of Rockwall, Texas

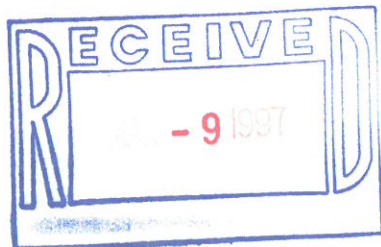
The following form may be filled out and mailed to the City Planning and
Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case NO. P&Z 87-10-FP/CUP

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

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

1. See attachment.
- 2.
- 3.



Signature Janine Burns
Address 1605 So. Alamo

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

Thank you,
City of Rockwall

I would ask that the planning and zoning commission look at this case as greater than the individual request involved. We have, along Ridge Road, a long stretch of properties, about 20, that are similarly narrow and deep, and that are one a more acres each in size, but not large enough for property owners to have animals. They all are well suited to hobby buildings and to volume storage structures, as are any other large unrestricted lots in the city. Present residential code, as I am told, puts no limitations on secondary building size nor minimum grade of materials. (Or number of buildings?) Therefore, such lots provide excellent alternatives for businesses who could use convenient warehouse space in less expensive buildings than would be permitted in any commercial zoning. This could, as time goes on, become a difficult to enforce situation.

This particular stretch of properties also are in the path of the entrance to the city, and the question is, whether an assortment of wood and metal buildings should be encouraged by granting a waiver of the only restriction we have, height. This does encourage larger scale buildings.

In the past, people with special needs, that have not been able to comply with city codes, has had to select the country acreages. Should we, then, be waiving existing requirements or further refining them to prevent areas of Rockwall from becoming subsidiary warehouses and garage repair shops. The subject property is proposed to be the equivalent of a twelve bay, two-story garage, made of wood. This would be, I believe, the largest hobby or business garage in the city.

BEFORE THE PLANNING AND ZONING COMMISSION
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quest of Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SF-10" classification

Lot 1, Block A, Carroll Estates

As an interested property owner, it is important that you attend this hearing or notify the Commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. P&Z 87-10-FP/CUP

Mary Nichols
City of Rockwall, Texas

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Case NO. P&Z 87-10-FP/CUP

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

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

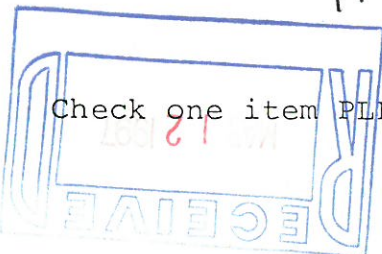
1. Height restriction is only one ~~not~~ now limiting large buildings in area should be no exceptions.
2. Exceptionally large building for private use.
3. Increase Traffic in alley

42x60
19" sides

Signature Mrs Arthur Z Campbell
Address 1609 So Alamo

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

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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

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 87-10-FP/CUP

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 Bruce E. Haine

Address 203 TANYA

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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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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

Mary Nichols
City of Rockwall, Texas

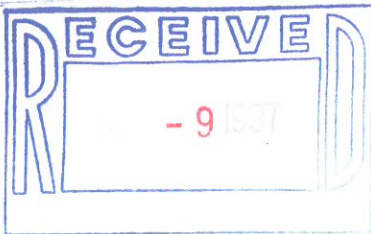
The following form may be filled out and mailed to the City Planning and
Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case NO. P&Z 87-10-FP/CUP

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 J. G. [Signature]
Address 1406 Ridge Rd P.O. Box 704

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

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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

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 87-10-FP/CUP

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 Leslye Pick
Address 1606 Adams

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

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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

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 87-10-FP/CUP

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 Randy Simmons

Address 1611 S Alamo

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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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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

As an interested property owner, it is important that you attend this hearing or notify the Commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. P&Z 87-10-FP/CUP

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 87-10-FP/CUP

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

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

- 1.
- 2.
- 3.

Signature Clayton Carroll
Address 1400 Ridge Rd.

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

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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

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 87-10-FP/CUP

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 Billy Peck
Address 2435

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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the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the re-
quest of Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

Mary Nichols
City of Rockwall, Texas

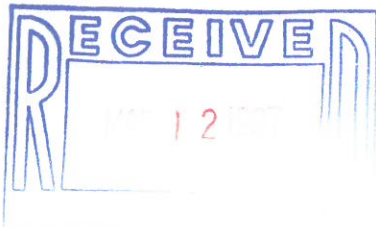
The following form may be filled out and mailed to the City Planning and
Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case NO. P&Z 87-10-FP/CUP

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

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

1. This is not a business area
2. The bldg would look ugly
- 3.



Signature [Signature]

Address 208 [Signature]

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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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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

As an interested property owner, it is important that you attend this hearing or notify the Commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. P&Z 87-10-FP/CUP

Mary Nichols
City of Rockwall, Texas

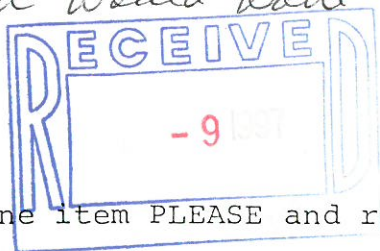
The following form may be filled out and mailed to the City Planning and Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case NO. P&Z 87-10-FP/CUP

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

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

1. There's already one detached bldg. ^{in the neighborhood} these are unsightly!
2. The height requirement classifications are designed to protect residential neighborhoods such as ours.
3. Look at anyone who repairs or re-builds cars and see if you would want them in your neighborhood.



Signature Jimmy D. Schuster

Address 204 BECKY LN.

Rockwall TX 75087

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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quest of Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SF-10" classification

Lot 1, Block A, Carroll Estates

As an interested property owner, it is important that you attend this hearing or notify the Commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. P&Z 87-10-FP/CUP

Mary Nichols
City of Rockwall, Texas

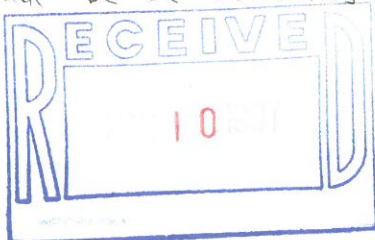
The following form may be filled out and mailed to the City Planning and Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case NO. P&Z 87-10-FP/CUP

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

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

1. We believe this area should remain residential & not allow automotive enterprises/mechanics to create an eyesore in our community.
2. We believe it will lower the value of our home & other homes in the immediate area.
3. It would be a stimulus for us to immediately want to sell our property



Karen & William F. Gelle, Jr.
Signature Karen Gelle & William Gelle
Address 1613 S. Alamo Rockwall, TX

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

Thank you,
City of Rockwall

P+2 87-10-FP/COP - Carroll Estates

- 1) Mrs. William R. Birkenback telephoned 3/12/87 to voice favor for the request.
- 2) Mr and Mrs James L. Greenwalt telephoned 3/11/87 to withdraw their opposition already mailed. She stated after reviewing plans with the applicant, she was satisfied and would favor the request.

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

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 87-10-FP/CUP

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

I am opposed the request for the reasons listed below.

1. The original zoning was enacted for a specific reason. To keep character of neighborhood residential, not resembling manufacturing.
3. The only variance ever given should be for hardship which certainly is not the case in this instance.
This type bldg is hazardous in event of high wind.

Signature John Redmond

Address 2007 LAKE SHORE DR

owner of Lot on TANVA

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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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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SF-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

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 87-10-FP/CUP

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

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

- Property values in area will decline.
- Aesthetics of area will suffer.
- Will set precedent leading to possible further decline of area.

Signature Martin Parker

Address 1408 Ridge Road

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

Thank you,
City of Rockwall

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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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 Mike Rogers
for a Conditional Use Permit for an Accessory Structure Over the Maximum
Height Requirement in an "SE-10" classification

Lot 1, Block A, Carroll Estates

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 87-10-FP/CUP

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 87-10-FP/CUP

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

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

1. DIMINISH AESTETICS OF NEIGHBORHOOD
2. DIMINISH SURROUNDING PROPERTY VALUES
- 3.

for

Signature James L Greenwald
Address 209 TANYA DR.

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

Thank you,
City of Rockwall

PLANNING AND ZONING ACTION SHEET

Applicant Mike Rogers Case No. P+Z 87-10-FP/CUP
Property Description Carroll Estates on Ridge Road
Case Subject Matter final plat/replat and Conditional Use
Permit for bldg over maximum height

CASE ACTION

Approved Disapproved Tabled
Date to P&Z March 12 X
Conditions Replat approved - CUP denied

Date to City Council April 6 X
Conditions Ordinance reading - April 20 approved
2nd Reading May 4 tabled, 2nd Reading May 18 denied

Ordinance no. _____ 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
- B389 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.

PUBLIC NOTICE

The Rockwall City Council will hold public hearings on April 6, 1987, at 7:00 P.M. in City Hall, 205 West Rusk, to consider:

1. A request from Tomlinson-Westerfield Joint Venture for a change in zoning from "A" Agricultural to "C" Commercial on a 19.705 acres tract and "A" Agricultural to "HC" Heavy Commercial on 56.980 acres, both tracts located at SH-205 South off Sids Road and east of Mims Road; the proposed Commercial tract being further described as:

Being, a tract of land situated in the W.H.Barnes Survey, Abstract No.26, City of Rockwall, Rockwall County, Texas, and also being part of a 109.582 acre tract as recorded in Volume 45, Page 558, Deed of Trust Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning, at the point of intersection of the South line of Mims Road, with the Southwest line of State Highway No. 205, a point for corner;

Thence, N.89°04'39"W., along the South line of Mims Road, a distance of 605.06 feet to a point for corner;

Thence, N.28°44'15"W., leaving the said South line of Mims Road, a distance of 1857.56 feet to a point for corner;

Thence, N.61°16'07"E., a distance of 416.96 feet to a point on the Southwest line of State Highway No. 205, a point for corner;

Thence, along the Southwest line of State Highway No. 205, the following;

S.28°44'15"E., a distance of 284.26 feet to a point for corner;

S.61°15'45"W., a distance of 10.00 feet to a point for corner;

S.28°44'15"E., a distance of 300.00 feet to a point for corner;

N.61°15'45"E., a distance of 10.00 feet to a point for corner;

S.28°44'15"E., a distance of 446.55 feet to the beginning of

a curve to the left having a central angle of 11°02'22", and a radius of 5881.03 feet, a point for corner;

Around said curve a distance of 1133.11 feet to the end of said curve, to the PLACE OF BEGINNING, and containing 19.705 acres of land,

and the proposed Heavy Commercial tract being described as:

Being, a tract of land situated in the W.H.Barnes Survey, Abstract No.26, City of Rockwall, Rockwall County, Texas, and also being part of a 109.582 acre tract as recorded in Volume 45, Page 558, Deed of Trust Records, Rockwall County, Texas, and being more particularly described as follows;

Beginning, at a point on the South line of Mims Road, said point being N.89°04'39"W., a distance of 605.06 feet from the point of intersection of the South line of Mims Road, with the Southwest line of State Highway No. 205, a point for corner;

Thence, N.89°04'39"W., along the South line of Mims Road, a distance of 751.33 feet to a point for corner;

Thence, N.87°30'23"W., continuing along the South line of Mims Road, a distance of 1292.29 feet to a point for corner;

Thence, N.40°59'17"W., along the center of Mims Road, a distance of 600.30 feet to a point for corner;

Thence, N.46°23'21"E., leaving the said center of Mims Road, a distance of 1609.80 feet to a point for corner;

Thence, N.43°53'57"W., a distance of 351.34 feet to a point on the Southeast line of Sids Road, a point for corner;

Thence, N.46°22'25"E., along the Southeast line of Sids Road, a distance of 60.00 feet to a point for corner;

Thence, S.43°53'57"E., leaving the said Southeast line of Sids Road, a distance of 351.05 feet to a point for corner;

Thence, N.59°20'23"E., a distance of 270.18 feet to a point for corner;

Thence, S.29°08'35"E., a distance of 208.87 feet to a point for corner;

Thence, S.28°44'15"E., a distance of 1857.56 feet to the PLACE OF BEGINNING, and containing 56.980 acres of land.

2. 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 adjacent to the Rockwall Municipal Airport north of Airport Road more fully described as

all that certain

Item #4
lot, tract or parcel of land lying and being situated in Rockwall County, Texas, and being more fully described as follows:

BEING a tract of land in the N. BUTLER SURVEY, A-20, a part of a 14.01 acre tract of record in Volume 52, Page 64, Deed Records, Rockwall County, Texas, and more particularly described as follows:

BEGINNING at the Northeast corner of the said 14.01 acre tract, an iron rod for corner in the margin of a gravel road;

THENCE South with the West margin of said road and the East line of said 14.01 acre tract, 246.2 feet to an iron rod for corner;

THENCE North 246.2 feet to an iron rod on the North line of said 14.01 acre tract in a fence line and hedge row;

THENCE South 88° 15' East with the North line of said 14.01 acre tract and fence line and hedge row, 175.0 feet to the PLACE OF BEGINNING and containing 0.988 acres of land more or less.

and

all that certain

Item #5
lot, tract, or parcel of land situated in Rockwall County, Texas, described as follows:

Property located at Rockwall Airport in Rockwall County, Texas, and being out of the N. BUTLER SURVEY, ABSTRACT NO. 20 and being a part of 14.01 acre tract as described in Volume 52 at page 64 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the Southeast corner of a 0.988 acre tract of land as conveyed to Bruce Sidlinger and wife, Joanne Sidlinger, as filed in Volume 142 at page 85 of the Deed Records of Rockwall County, Texas, said beginning point being located South 246.2 feet from the Northeast corner of said 14.01 acre tract of land;

THENCE South with the east line of said 14.01 acre tract 35 feet to iron stake set for corner;

THENCE North 88 deg. 15 min. West parallel to said 0.988 acre tract and continuing for a total distance of 308.19 feet to iron stake for corner;

THENCE North parallel to the West line of said 0.988 acre tract 281.20 feet to iron stake set in Old fence line and on the North line of said 14.01 acre tract;

3. 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 more fully described as:

All that certain tract or parcel of land situated in Rockwall County, Texas, described as follows:

J.H.B. Jones Survey, Abstract No. 125 and the J. A. Ramsey Survey, Abstract No. 774, described as follows:

BEGINNING at the intersection of the North line of the Rockwall and Nadine road with the East line of the Forney Farmersville public road, said beginning point also being the Southwest corner of this tract of land;

THENCE East along the said North line of said Rockwall and Nadine public road 950 varas to a stake for corner;

THENCE North parallel to the Forney and Farmersville public road 475 varas to a stake for corner;

THENCE West and parallel with the Rockwall and Nadine public road 950 varas to a stake for corner in the East line of said Forney and Farmersville public road;

THENCE South along said road 475 varas to the place of beginning, containing eighty (80) acres of land;

SAVE AND EXCEPT 1.197 acres conveyed off the West end for right-of-way for Farm to Market Road No. 549 by deed recorded in Volume 42, Page 317, Deed Records of Rockwall County, Texas; and

SAVE AND EXCEPT 2.315 acres conveyed off the South side of said tract for right-of-way for Farm to Market Road No. 1143 by Deed recorded in Volume 45, Page 182 Deed Records of Rockwall County, Texas, leaving a net remainder in this tract of 76.488 acres of land.

4. 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 tract of land located on Ridge Road more particularly described as Lot 1, Block A, Carroll Estates.

5. 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 more fully described as:

BEING a tract of land situated in the W. B. Bowles Survey, Abstract No. 12, and the B. F. Boydston Survey, Abstract No. 14, Rockwall County, Texas, and being a part of that tract of land described as tract 4 in deed to First Texas Savings Association and recorded in Volume 147, Page 474, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at the intersection of the City of Dallas take line for Lake Ray Hubbard with the South East line of Northshore Phase 1-A as recorded in Slide A, Page 393, Plat Records, Rockwall County, Texas, said Point being the South East corner of said Northshore Phase 1-A;
THENCE: Along the Easterly lines of said Addition as follows: North $55^{\circ} 47' 23''$ East a distance of 170.00 feet to an iron rod at the point of curvature of a circular curve to the left having a central angle of $21^{\circ} 34' 05''$, a radius of 320.00 feet and a chord that bears North $34^{\circ} 34' 25''$ East a distance of 119.75 feet; along said curve an arc distance of 120.46 feet to an iron rod at the point of circular curvature of a circular curve to the left having a central angle of $21^{\circ} 04' 17''$, a radius of 1173.74 feet, and a chord that bears North $13^{\circ} 15' 14''$ East a distance of 429.23 feet; along said curve to an iron rod for a corner on the present zoning line;
THENCE: East a distance of 682.46 feet with said zoning line to an iron rod on the Westerly line of North Lakeshore Drive, a 100 foot right-Of-Way, said iron rod being on a circular curve to the right having a central angle of $8^{\circ} 26' 52''$, a radius of 621.90 feet, and a chord that bears South $25^{\circ} 14' 00''$ East a distance of 91.61 feet;
THENCE: Along said curve and with said westerly line an arc distance of 91.69 feet to an iron rod for a corner;
THENCE: Leaving said Westerly line and traversing said First Texas tract as follows: South $76^{\circ} 00' 00''$ West a distance of 185.58 feet to an iron rod at the point of curvature of a circular curve to the left having a central angle of $86^{\circ} 15' 00''$, a radius of 35.00 feet and a chord that bears South $32^{\circ} 52' 30''$ West a distance of 47.85 feet; along said curve an arc distance of 52.69 feet to an iron rod for a corner, South $10^{\circ} 15' 00''$ East a distance of 237.83 feet to an iron rod at the point of curvature of a circular curve to the right having a central angle of $10^{\circ} 15' 00''$, a radius of 350.00 feet and a chord that bears South $5^{\circ} 07' 30''$ East a distance of 62.53 feet; along said curve an arc distance of 62.61 feet to an iron rod for a corner, South a distance of 79.61 feet to an iron rod for a corner; South $39^{\circ} 51' 51''$ West a distance of 90.33 feet to an iron rod for a corner; South $87^{\circ} 34' 13''$ West a distance of 109.00 feet to an iron rod for a corner; North $89^{\circ} 44' 10''$ West a distance of 85.00 feet to an iron rod at the point of curvature of a circular curve to the right having a central angle of $22^{\circ} 30' 00''$, a radius of 375.00 feet and a chord that bears North $78^{\circ} 29' 10''$ West a distance of 146.32 feet, along said curve an arc distance of 147.26 feet to an iron rod for a corner, and South $11^{\circ} 39' 14''$ West a distance of 222.94 feet to an iron rod for a corner on the North line of State Hwy. 66;
THENCE: North $89^{\circ} 44' 10''$ West a distance of 298.76 feet with said North line to its intersection with the previously mentioned City of Dallas take line;
THENCE: North $34^{\circ} 12' 37''$ West a distance of 233.64 feet with said take line to the Point of beginning and containing 474,227 square feet or 10.8868 acres of land.

6. A request from Harold Chenault fro a change in zoning from "A" Agricultural to "SF-16" Single Family on 14.66 acres of land generally located on SH-205 south of Dalton Road, two tracts more fully described as:

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.

and

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.