

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 87-49-2 Filing Fee _____ Date July 13, 1987
Applicant Eloise Cullum Phone 714-6371
Mailing Address 708 South Goliad
Rockwall Texas 75087

LEGAL DESCRIPTION OF PROPERTY SOUGHT TO BE REZONED: (If additional space is needed for description, the description may be put on a separate sheet and attached hereto.)¹

East 70 feet Lot 5, Block F, Sanger Brothers Addition known as 106 Ross Avenue

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

Residential District Classification to

General Retail District Classification for

for the following reasons: (attach separate sheet if necessary) it squares off the half block that is Goliad Place Shopping Complex and follows the west line of same from Boydston to Ross

There (are) (are not) deed restrictions pertaining to the intended use of the property.

Status of Applicant:² Owner Tenant _____

Prospective Purchaser _____

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

Signed Eloise Cullum

NOTE:

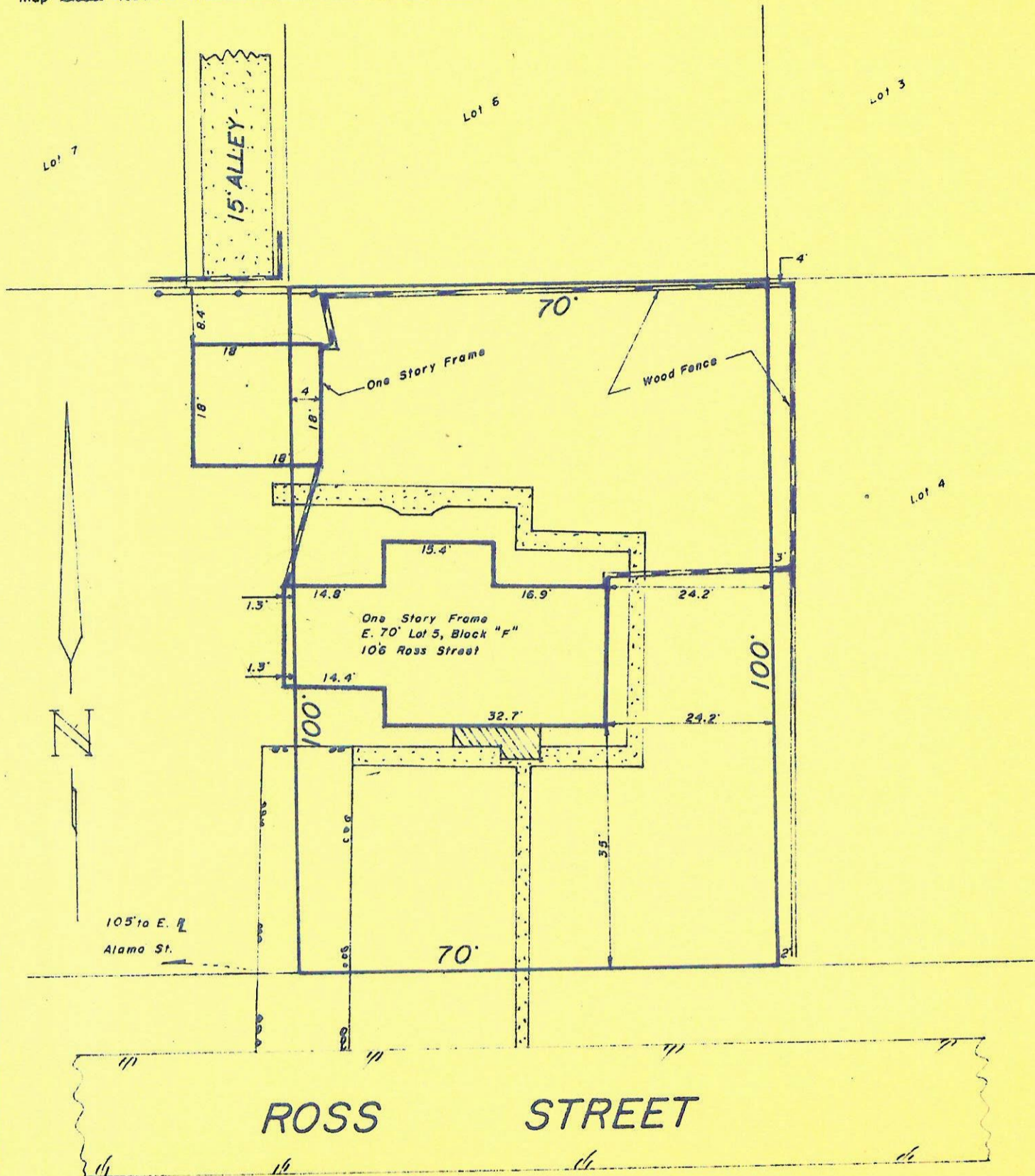
¹The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

²If the applicant is someone other than the owner, written acknowledgement by the owner of the zoning request must also be submitted.

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

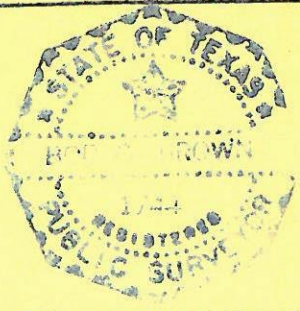
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 106 Ross Street in the City of Rockwall, being described as follows:
 Lot No. E 70' Lot 5, Block No. F, City Block No. _____
 of Sanger Brothers Addition, an addition to the City of Rockwall
 Texas, according to the _____ plot thereof recorded in Vol. Q, at page 100 of the Plat
 Map ~~DATA~~ 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.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.
 This plat is for the exclusive use of Safeco Title Co., Hal E. Davenport and Eloise Cullum,
 and the undersigned surveyor is not responsible to any others.

SCALE: 1" = 20'
 DATE: 7-20-87
 RE-SURVEY: _____



B.L.S. and ASSOCIATES, INC.
 Sids Road, P.O. Box 65
 Rockwall, Texas 75087
 Rockwall 722-3036 Dallas 226-7522
Bob C. Brewer
REGISTERED PUBLIC SURVEYOR

DRAWN	CHECKED
B.B.	

COMMERCIAL ZONING REVIEW CHECKLIST

* Applicant Moise Cullam
 * Current Zoning SF10 Land Use Plan Indicates _____
 * Proposed Zoning CR
 * Location 106 Ross Avenue located in Cahid Place
E 70 feet of Lot 5 Block 4 Sanger Addn

There are only two reasons why zoning should be changed. Either the original zoning was applied in error or conditions have changed to warrant a change in land use in the area. Any changes must be in accordance with the Comprehensive Plan.

I. Planning and Engineering

	<u>Yes</u>	<u>No</u>
A. Is the proposed zoning (development) strip development?	_____	_____ ✓
1. Is the parcel(s) too shallow? (200 foot depth minimum)	_____	_____ ✓
2. Is the parcel(s) owned in small pieces by different owners?	_____	_____ ✓
3. Is there a potential for an excess of curb cuts?	_____	_____ ✓
C. Is the proposed commercial use incompatible with existing adjacent land uses, or existing commercial uses in the area?	_____	_____ ✓
D. Will the proposed activities disturb adjacent residential areas, or depreciate surrounding property with noise, pollution, traffic or other factors?	_____	_____ ✓
E. Does the proposed rezoning or development disrupt the orderly development of adjacent neighborhoods?	_____	_____ ✓
F. Is the buffering inadequate and/or is the parcel too small to allow for adequate open space, landscaping and buffering?	_____	_____ ✓

- G. Is the parcel too small for the proposed use with inadequate parking and/or truck loading areas? _____ ✓
- H. Does the proposed development force commercial traffic through residential neighborhoods or onto residential sized streets? _____ ✓
- I. Does the proposed development mix traffic generated from retail activity with wholesale trucking operations? _____ ✓
- J. Is the overall transportation system adequate to handle the additional traffic? ✓ _____
- K. Are the public facilities and services inadequate to support such development i.e., sewer, water, drainage, electricity, fire protection? ✓ _____
1. If public facilities are not adequate, is the parcel outside an active growth area and not adjacent to existing facilities and services? _____ _____
- L. Are there any pollution or environmental hazards and other objectionable hazards affecting the proposed use? _____ ✓
- M. Does the proposed rezoning significantly alter the desired percentage of land uses? _____ ✓
- N. Is the proposed zoning change in conflict with the Master Plan? _____ ✓
- O. Has there been a lack of significant change since the Master Plan Update was adopted that would favor approval of the request though not in conformance with the existing Master Plan? (Substantial zoning changes dictate modification of the Master Plan.) _____ ✓

P. Could the request be considered premature? (Are other things required to happen before the use recommended becomes viable?) _____ ✓

II. Existing Zoning Pattern (Neighborhood)

A. What is the existing zoning adjacent to site? SF-10 GR _____

1. What is the predominant zoning in the area? GR _____

2. Is the area developed the same as it is zoned? _____ ✓

B. Is the requested zoning incompatible with the existing zoning pattern? _____ ✓

C. Will the requested change alter a logical transition between zoning types? _____ ✓

D. Will the proposed use change the stability of the zoning pattern? _____ ✓

E. Could this property be effectively utilized without the zoning being changed? _____ ✓

F. Is there another, less intense zoning classification that permits the proposed use? _____ ✓

G. Are there any "peculiarities" of the proposed new use that are likely to affect neighboring properties? i.e., unusual or long hours, heavy "come and go" traffic, lights, trash? _____ ✓

If "yes", what are they? _____

Comments: _____

John Love

9/7/87

30 min

ZONING CHANGE/CONDITIONAL USE PERMIT/PLANNED DEVELOPMENT/
PRELIMINARY PLAN/DEVELOPMENT PLAN

ACTION RECORD

Case No: Cotliad Place

Location: P+2 87-49-2

- Application Reviewed.....
- File Created ✓
- Filing Fee Paid/Receipt in File..... ✓
- Issued Receipt for Application.....
- Review form prepared/^{initial}partial review completed..... ✓
- Circulated Review through:
 - Staff Review:.....
 - Assistant City Manager.....
 - Scheduled for P&Z meeting..... 9/10
- Notice Sent:
 - Newspaper..... Aug 25 ✓
 - Surrounding property owners..... Aug 28 ✓
 - Sign placed on property..... 9/1
 - Tallied responses to notices ✓
 - Prepared notes and supporting information for P&Z..... ✓
 - Notified applicant of results and of Council date..... ✓

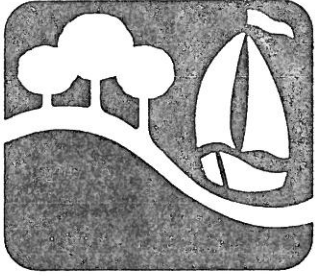
After Pt 2 consideration.

~~If approved:~~

- Scheduled for City Council..... 9/21
- Notice sent to newspaper..... Sept 1 ✓
- Notice sent to property owners..... Sept 11 ✓
- Prepared notes and supporting information for City Council..... ✓

If approved:

- Notified applicant of results..... 9/22
- Prepared ordinance..... ✓
- 1st reading of ordinance..... 9/21
- 2nd reading of ordinance..... _____
- Caption to newspaper..... _____
- Update office map..... _____
- Notified Inspection Dept. of change..... _____
- Included map in update file..... _____
- Included in CUP list (if applicable)..... _____
- ↳ Permit activated within 6 months..... _____
- ↳ If not activated, applicant notified permit is void..... _____
- Included in PD file (if applicable)..... _____



CITY OF ROCKWALL
"THE NEW HORIZON"

August 6, 1987

Ms. Eloise Cullum
708 South Goliad
Rockwall, Texas 75087

Dear Ms. Cullum:

Your request for a change in zoning from "SF-10" Single Family to "GR" General Retail on a lot located within Goliad Place has been scheduled to be considered by the Planning and Zoning Commission on September 10, 1987, at 7:30 P.M. in City Hall. The City Council will consider the recommendation of the Commission and consider your request on September 21, 1987, at 7:00 P.M. in City Hall.

As the applicant, it is important that you are represented at these meetings.

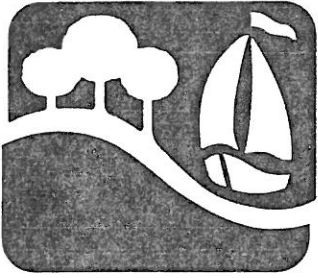
Please feel free to call me if you have any questions.

Sincerely,

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

Mary Nichols
Administrative Aide

MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

September 11, 1987

Ms. Eloise Cullum
708 S. Goliad
Rockwall, TX 75087

Dear Ms. Cullum,

On September 10, 1987, the Rockwall Planning and Zoning Commission recommend approval of your request for a change in zoning from "SF-10" single family to "GR" general retail on a portion of a lot located at 106 Ross Avenue.

On September 21, 1987, the Rockwall City Council will hold a public hearing at 7:00 P.M. in City Hall, 205 West Rusk, to consider approval of your request.

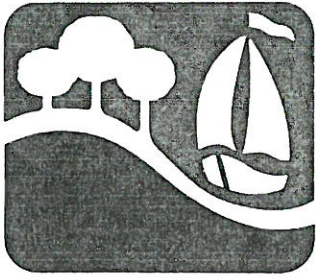
Please feel free to call me, if you have any questions.

Sincerely,

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

Mary Nichols
Assistant City Secretary

MN/ss



CITY OF ROCKWALL
"THE NEW HORIZON"

September 25, 1987

Ms. Eloise Cullum
708 S. Goliad
Rockwall, TX 75087

Dear Ms. Cullum,

On September 21, the City Council approved a change in zoning from "SF-10" to General Retail at 106 Ross and an ordinance authorizing the zone change on first reading. An ordinance of this nature must be read at two separate meetings of Council. The second reading is scheduled for October 5, and the zoning will be finalized upon approval of the second reading.

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

Sincerely,

Mary Nichols

Mary Nichols
Assistant City Secretary

MN/ss

Agenda Notes

Planning and Zoning Commission - 9/10/87

- IV. A. P&Z 87-49-Z - Hold Public Hearing and Consider Approval of a Request from Eloise Cullum for a Change in Zoning from "SF-10" Single Family to "GR" General Retail on a Portion of a Lot Located at 106 Ross Avenue

Eloise Cullum has acquired a piece of land that fronts on Ross Street adjacent to her Goliad Place development and she wishes to zone the property from "SF-10" to "GR" to conform to the zoning in her development. This property makes Goliad Place a rectangle and would remove the existing jog in the zoning line in this block. If the zoning is granted she will have to extend the existing screening fence along the length of this property to separate the retail from the residential. There is an existing house on the site that she intends to clean up and use for storage. She does not plan to use the building for retail purposes at this time.

Attached you will find a location map and a survey plat of the site.

CITY OF ROCKWALL
Council Agenda

AGENDA DATE September 21, 1987

AGENDA NO. IV.E

AGENDA ITEM P&Z 87-49-Z - Hold Public Hearing and Consider Approval of an Ordinance Authorizing a Change in Zoning from "SF-10" Single Family to "GR" General Retail on a Portion of a Lot Located at 106 Ross Avenue (1st reading)

ITEM GENERATED BY Eloise Cullum

ACTION NEEDED Hold public hearing and approve or deny ordinance adopting zone change. denial of request would be with prejudice unless specifically stated otherwise.

BACKGROUND INFORMATION

Eloise Cullum has acquired a piece of land that fronts on Ross Street adjacent to her Goliad Place development and she wishes to zone the property from "SF-10" to "GR" to conform to the zoning in her development. This property makes Goliad Place a rectangle and would remove the existing jog in the zoning line in this block. If the zoning is granted she will have to extend the existing screening fence along the length of this property to separate the retail from the residential. There is an existing house on the site that she intends to clean up and use for storage. She does not plan to use the building for retail purposes at this time.

Attached you will find a location map and a survey plat of the site.

ATTACHMENTS

1. Location map
2. Survey plat
3. Draft ordinance adopting zone change

MINUTES OF THE ROCKWALL CITY COUNCIL
September 21, 1987

Mayor Frank Miller called the meeting to order at 7:00 P.M. with the following members present: Nell Wellborn, Ken Jones, Jean Holt, John Bullock, Bill Fox and Pat Luby.

The Council first considered approval of the Consent Agenda which consisted of: (a) the minutes of the regular meeting and Special Session September 8, 1987 (b) an ordinance regulating the temporary sale of Christmas Trees on second reading (c) an ordinance amending Ordinance 86-51 pertaining to conformance with screening requirements on second reading (d) an ordinance amending the Comprehensive Zoning Ordinance as it pertains to accessory structures in residential areas on second reading (e) an ordinance amending the Code of Ordinances to regulate parades within the City on second reading (f) an ordinance regulating wrecker operations within the City on second reading (g) an ordinance regulating mass gatherings on second reading (h) a resolution commending Fran Bagley for community involvement, and (i) a resolution commending Barbara Hill for community involvement. Assistant City Manager Julie Couch read the ordinance captions. Welborn pulled the minutes of September 8. Holt pulled items H and I. Bullock made a motion to approve the Consent Agenda minus these items. Jones seconded the motion. The same was voted on and carried unanimously.

Welborn pointed out a verbal correction in the minutes. She made a motion to approve the minutes with the correction. Bullock seconded the motion. The motion was voted on and passed unanimously. Holt requested items H and I be read in their entirety. Couch read both resolutions aloud. Jones made a motion to approve both resolutions. Holt seconded the motion. The motion was voted on and passed unanimously. Miller presented framed resolutions to Ms. Bagley and Ms. Hill and thanked them for their contributions toward a better community.

Don Smith gave the Planning & Zoning Chairman's report in which he discussed items on the agenda which had been considered by the Commission and he outlined the Commission's recommendation on each.

Randy Taggart at 403 E. Boydston addressed the Council to request a 30 day extension regarding enforcement of special restrictions in the revised animal control ordinance pertaining to Pit Bull dogs. He asked Council to consider amending the ordinance to enforce the same requirements for pit bulls on other potentially dangerous dog breeds. Council discussed the insurance requirement, the severity of injuries inflicted by

pit bulls as opposed to other breeds, and the number of identified pit bulls within the City limits. Police Chief Bruce Beaty told Council that within the last six months, the last five dog bite fatalities had been inflicted by pit bulls. He added that 8% of all dog related fatalities were by pit bulls, a breed that represents only 2% of the dog population in the U.S. Frank Faus told Council that pit bulls had gained notoriety through irresponsible owners. He asked Council to regulate vicious dogs as done in Farmers Branch without singling out one breed. Welborn made a motion to postpone implementation of specific requirements for pit bulls until November 1 pending further study of the ordinance regarding the inclusion of other vicious breeds. Jones seconded the motion. Bullock offered an amendment to the motion to include in the study, a review of the Farmers Branch ordinance. Miller seconded the motion. The amendment was voted on and passed unanimously. The motion as amended passed 6 to 1 with Luby voting against the motion.

Virginia Peddie of 106 Joe White told Council that the ordinance was discriminatory. She complained of ill treatment upon receipt of a notice of violation to the ordinance. Welborn stated that Chief Beaty had probably reviewed the circumstances and that conduct of personnel should be discussed in Executive Session. John Peddie expressed displeasure regarding the incident and stated that he didn't think the number of dogs a person owned should be governed by ordinance.

Ray Helm addressed Council to discuss procedures for determining appraisal values, particularly agricultural properties. He outlined guidelines of the State for determining agricultural exemptions, provided a survey of other cities' total appraised values compared to amounts of agricultural exemptions, and discussed the appeal process for persons denied an agricultural exemption. Council discussed with Helm the amount of exemptions in Rockwall, percentages of increased value assigned by the State, and a State requirement that tied an agricultural exemption to the use of the land and not the percentages of income received from the land. Hal Davenport, a member of the Appraisal District Board of Directors, stated that the same concerns expressed by the Council were problems that existed all over the State.

Bob Dransfield then addressed Council to discuss self-insurance. He explained some advantages of self-insurance, discussed re-insurance and pointed out the need for actuarial studies due to a lack of accumulated research on history of claims.

Council then considered approval of an agreement with the Wyatt Company for actuarial services. Welborn made a motion to approve the agreement. Bullock seconded the motion. Council briefly discussed insurance bids that would be advertised in January. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance authorizing a change in zoning from "SF-10" Single Family to "GR" General Retail on a portion of a lot located at 106 Ross Avenue. Eloise Cullum told Council that the existing building was being renovated in an attempt to upgrade the area. She stated that she did intend to curb and gutter. Jones made a motion to approve the request and the ordinance on first reading. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance authorizing a conditional use permit for a church site located at SH-205 and Damascus Rd. Couch explained that the church existed when the Zoning Ordinance was adopted requiring a CUP for church facilities in residential areas. The First Methodist Church was now required to obtain a CUP prior to expansion. Richard Slaughter told Council that the church proposed to add a music room, classrooms and a fellowship hall. Couch read the ordinance caption, Bullock made a motion to approve the ordinance. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a temporary change in zoning from "C" Commercial to "PD" Planned Development with auto repair, retail and office uses. Couch explained that the applicant had leased the property thinking auto repair was an allowed use. The only other appropriate zoning category would be heavy commercial. Couch pointed out that the Land Use Plan recommended heavy commercial to be located away from the interstate, and the applicant had therefore requested PD zoning for 2 years, allowing time to relocate. She explained the recommendations of the Planning and Zoning Commission, outlined the site plan and discussed proposed improvements. Diane Payne explained that the location was temporary as she preferred another location and the owner intended to use the property for auto sales in the future. Council discussed prohibiting outside storage, paint and body, and construction of additional buildings. After additional discussion, Fox made a motion to approve the site plan and an ordinance authorizing a change in zoning subject to (1) no outside storage (2) no paint and body (3) no additional construction (4) review of zoning by the Commission in six months for compliance with parking, landscaping, and outside storage requirements, and (5) all the recommendations of the Commission which were to change

the zoning back to Commercial in 2 years or when the company changes in name, ownership or organization if said changes take place prior to two years, requiring all improvements to be completed within 60 days of issuance of a certificate of occupancy, waiving irrigation requirements and allowing a gravel drive. Bullock seconded the motion. The motion was voted on and passed unanimously. Fox then made a motion to approve a final plat for Newman Center No. 1. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a final plat for the Barz Acre, a .917 acre tract of land located at 222 Quail Run Road. Couch outlined circumstances surrounding the issuance of a building permit to build a house on an unplatted lot, explained that the applicant would need to dedicate 25 feet of right-of-way and that the Commission had recommended a waiver of escrow requirements estimated at \$4600. Fox confirmed that when sewer became available the applicant would be required to tie on. Welborn made a motion to approve the final plat requiring dedication of 25 feet of right-of-way and waiving street escrow requirements. Bullock seconded the motion. The motion was voted on and passed unanimously.

James Flinchum, 609 Sunset Hill, addressed Council to discuss a proposed ordinance requiring notification when certain construction takes place in residential areas. Flinchum told Council of an incident where construction in an easement left a deep ditch less than two feet from his residence. He urged Council to require two weeks notice, a contact, a temporary fence and a clear definition of who assumed liability. City Attorney Pete Eckert stated that City requirements regarding direction of screening would result in the City assuming liability. The Council discussed requiring the contractors to return the property to its original condition as opposed to "good maintainable" condition as stated in the proposed ordinance. Director of Public Works Ed Heath pointed out that residents sometimes planted shrubbery, built fences or poured concrete over an easement. Eisen suggested staff review the ordinance and develop another recommendation addressing these items. Holt made a motion to table the ordinance. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then continued a public hearing and considered approval of a change in zoning from "SF-10" Single Family to "PD" Planned Development on 97 acres located North of Alamo. Harold Evans presented a site plan and outlined changes made in the plan based on Council direction indicated at the Worksession. Sanders Thompson asked Council to allow a minimum of 262 lots and a maximum of 275. Council discussed the number of lots

under 8000 square feet, the location of 10,000 square feet and the proposed park land. Eckert reminded Council that by ordinance PD's were reviewed every two years. Couch outlined recommendations of the Commission including (1) a minimum 7000 square foot lot size and 2F-7 area requirements (2) a minimum 1500 square foot dwelling (3) dedication of park land prior to platting (4) completion of a traffic analysis prior to platting (5) determination of the final alignment of North Lakeshore Drive prior to platting and (6) providing a phasing plan prior to development if development is planned in stages. Holt made a motion to approve the zone change including all the previously listed conditions, allowing a minimum of 262 lots with percentages of lot sizes generally as submitted, and providing that 50% of all lots in excess of 262 will be over 8000 square feet. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an ordinance amending the Comprehensive Zoning Ordinance to add a Scenic Overlay District to the list of zoning categories. Couch outlined changes in the ordinance made resulting from direction received in the Worksession. Welborn made a motion to approve the ordinance. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an amendment to the Sign Ordinance to provide special restrictions for signs within the Scenic Overlay District. Couch outlined the requirements in the ordinance and read the ordinance caption. Jones made a motion to approve the ordinance. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of (1) an ordinance setting the 1987 tax rate at .3400 per \$100.00 valuation, levying taxes and continuing the over 65 homestead exemption (2) an ordinance adopting the 1987-1988 operating budget (3) a resolution approving the 1987-88 revenue sharing budget (4) an ordinance approving the amended 1986-87 operating budget and (5) a resolution approving water and sewer rates for 1987-88 fiscal year. Welborn made a motion to approve all five items. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an agreement with the City of Heath for Animal Control. Eisen explained that Rockwall would provide emergency animal control service to Heath as outlined in the agreement. Council discussed the charges for service and impound fees. Jones made a motion to approve the agreement. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then considered appointing auditors to conduct the 1986-87 annual audit. Eisen addressed some concerns Council had regarding contracting Arthur Andersen for another year. Director of Finance Michael Phemister stated that a specific time table would be adhered to and the books would be closed making the audit easier to conduct than in previous years. Fox made a motion to appoint Arthur Andersen to conduct the audit. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a resolution appointing Michael Phemister to the Rockwall Property Finance Authority Board of Directors. Fox made a motion to approve the resolution. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then adjourned into Executive Session to discuss personnel regarding appointments to the Airport Planning Committee. Upon reconvening into regular session, the following people were appointed: John Bullock, Ken Jones, Lyn Broyles, James Flinchum, Keith Barrett and Bobby Holt. Broyles, Flinchum, and Barrett were appointed pending acceptance of the positions and Holt was appointed pending acceptance and confirmation that the Charter allowed the appointment.

As there were no further items to come before the Council for consideration, the meeting was adjourned at 12:45 A.M.

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 10th day of September, 1987
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request Eloise Cullum
for a change in zoning from "SF-10" Single Family to "GR" General Retail

on the following described property:

106 Ross Avenue, more fully described as being a portion of
Lot 5, Block F, Sanger Addition

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. The decision of the Planning and Zoning Commission will be a recommendation for approval or denial which will be forwarded to the City Council for a final decision. In replying please refer to Case No. P&Z 87-49-Z

Mary A Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to the City Planning and Zoning Commission, 105 West Rusk Street, Rockwall, Texas 75087.

Case No. P&Z 87-49-Z

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

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

1.

2.

3.

Signature _____

Address _____

Mailed
8/26/89

Lot 5 Block F 13 sent
Sanger Addition

5A B&F	Hal Davenport 803 Lakeshore Dr	Richard C Messiman 710 S Alamo	5, 6 A
3, 4, 6, 7, F	Eloise Cullam 403 Shoreview	Randall Freedman 703 Forest Trace	10-11 A
2F	Robert Cook 304 Shoretrail	TIONG POEI 707 Forest Trace	12-13 A
1m	Dale Trout 802 S Coliad	Charles R Jennings 711 Forest Trace	14 A
6-7-8m	James Willess 2311 Branard Houston 77098		
2m	CW Falls Rt 4 Box 57-W		
W3-4m	Ted Cain 111 E Kautman		
HIGHRIDGE 1A, 7A	Moser Development & Tecom Enterprises 3131 Stemmons Fwy Dallas 75247		
2, 3, 4 A	Charles O Mills 706 S Alamo		

BEFORE THE ROCKWALL CITY COUNCIL
CITY OF ROCKWALL, TEXAS

The Rockwall City Council will hold a public hearing at 7:00
o'clock P.M. on the 21st day of September, 1987
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Eloise Cullum
for a change in zoning from "SF-10" Single Family to "GR" General Retail

on the following described property:

106 Ross Avenue, more fully described as being a portion of Lot 5, Block, F
Sanger Addition

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returning the form below.

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Mary Nichols
City of Rockwall, Texas

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the City Council, 205 West Rusk Street, Rockwall, Texas 75087

Case No. P&Z 87-49-Z

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

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

- 1.
- 2.
- 3.

Signature _____

Address _____

Mailed
8/26/89

Lot 5 Block F 13 sent
Sanger Addition

	1987	1990	
5A B2F	Hal Davenport 803 Lakeshore Dr	Sylvia Frasier 5232 County Rd 710 S Alamo Durango Co. 81301	Richard C Messiman 5,6A
3,4,6,7,F	Elaine Cullam 403 Shoreview	Randall Freedman 703 Forest Trace	10-11A
2F	Robert Cook 304 Shoreview	TIONG POEI 707 Forest Trace	12-13A
1m	Dale Trout 802 S Coliad	Charles R Jennings 711 Forest Trace	14A
1-7-8m	James Willess 2311 Branard Houston 77098		
2m	CW Falls Rt 4 Box 57-W		
W-3-4m	Ted Cain 111 E Kaufman		
HIGH RIDGE 1A, 7A	Moser Development & Tecan Enterprises 3131 Stemmons Fwy Dallas 75247		
2,3,4A	Charles O Mills 706 S Alamo		

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to the City Planning and Zoning Commission, 105 West Rusk Street, Rockwall, Texas 75087.

Case No. P&Z 87-49-Z

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

* See below

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

1.

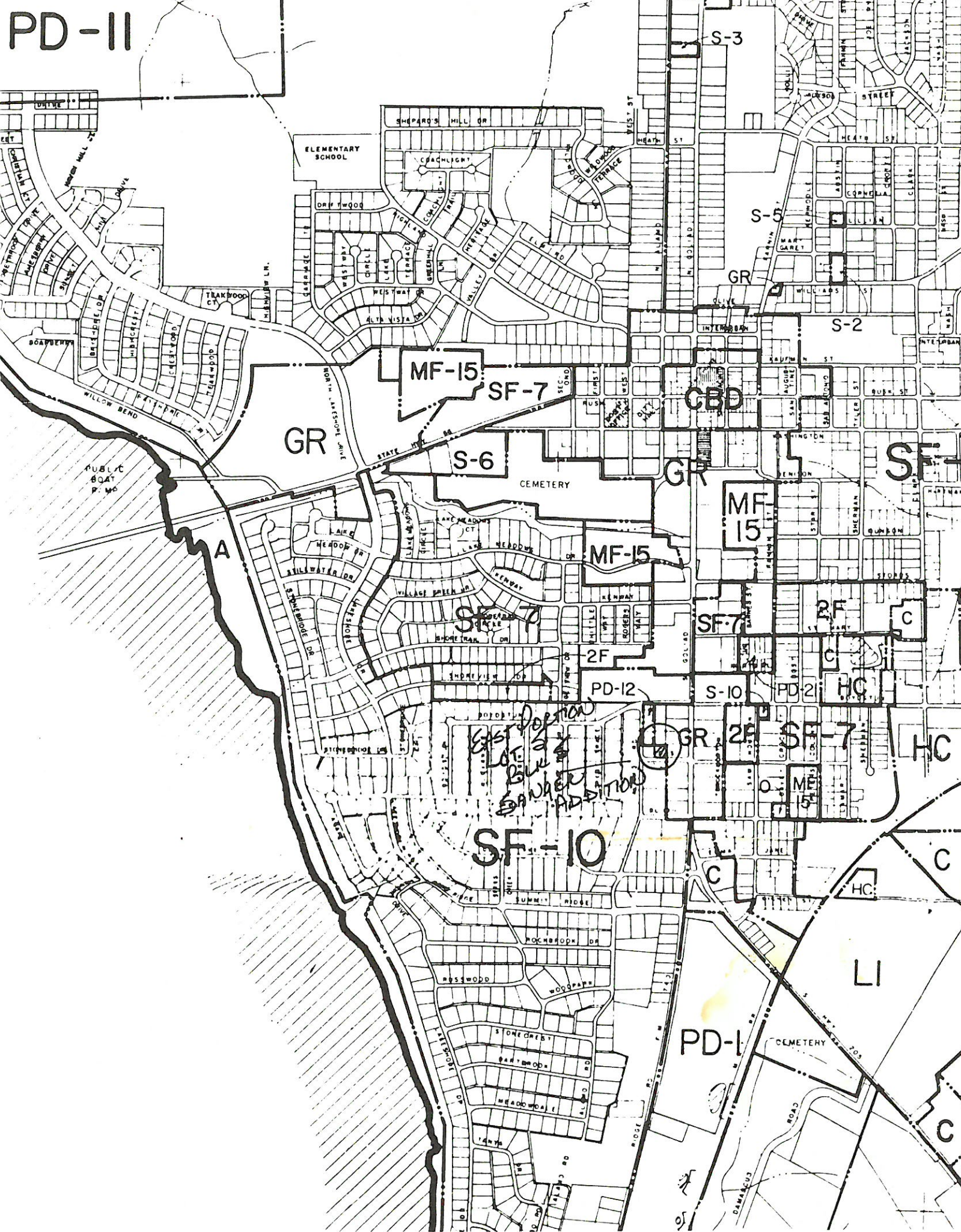
2.

3.

* We applaud Eloise for her efforts toward cleaning up this very neglected property. However, I hope P&Z will uphold the single family zoning on the other portion that is the corner lot at Ross & Alamo.

Signature Barbara Merriman

Address 710 South Alamo St.



BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____
7:30 o'clock P.M. on the 10th day of September, 1987
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request Eloise Cullum
for a change in zoning from "SF-10" Single Family to "GR" General Retail

on the following described property:

106 Ross Avenue, more fully described as being a portion of
Lot 5, Block F, Sanger Addition

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. The decision of the Planning and Zoning Commission will be a recommendation for approval or denial which will be forwarded to the City Council for a final decision. In replying please refer to Case No. P&Z 87-49-Z

Mary A. Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to the City Planning and Zoning Commission, 105 West Rusk Street, Rockwall, Texas 75087.

Case No. P&Z 87-49-Z

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

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

1. Blocks up General Retail
2. Improve site location -
3. Increase potential shoppers -

Signature Laura E. Smith
Address 802 So. Gladiol

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at 7:30 o'clock P.M. on the 10th day of September, 1987
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Mary A Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to the City Planning and Zoning Commission, 105 West Rusk Street, Rockwall, Texas 75087.

Case No. P&Z 87-49-Z

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

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

1. It makes sense to extend the Retail zoning all the way to Ross Avenue
- 2.
- 3.

Signature Robert C. Cook
Address 304 Shortland Drive
Business 704 So. Coliad



BEFORE THE ROCKWALL CITY COUNCIL
CITY OF ROCKWALL, TEXAS

The Rockwall City Council will hold a public hearing at 7:00
o'clock P.M. on the 21st day of September, 1987
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Eloise Cullum
for a change in zoning from "SF-10" Single Family to "GR" General Retail

on the following described property:

106 Ross Avenue, more fully described as being a portion of Lot 5, Block, F
Sanger Addition

As an interested property owner, it is important that you attend this
hearing or notify the Council of your feeling in regard to the matter by
returning the form below.

In replying please refer to Case No. P&Z 87-49-Z

Mary Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to
the City Council, 205 West Rusk Street, Rockwall, Texas 75087

Case No. P&Z 87-49-Z

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

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

- Improve Cosmetic appearance
- Improve & promote business
- Good neighbor -

Signature Law E. Smith
Address 802 So Goliad @ Ross

BEFORE THE ROCKWALL CITY COUNCIL
CITY OF ROCKWALL, TEXAS

The Rockwall City Council will hold a public hearing at 7:00
o'clock P.M. on the 21st day of September, 1987
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Eloise Cullum
for a change in zoning from "SF-10" Single Family to "GR" General Retail

on the following described property:

106 Ross Avenue, more fully described as being a portion of Lot 5, Block, F
Sanger Addition

As an interested property owner, it is important that you attend this
hearing or notify the Council of your feeling in regard to the matter by
returning the form below.

In replying please refer to Case No. P&Z 87-49-Z

Mary Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to
the City Council, 205 West Rusk Street, Rockwall, Texas 75087

Case No. P&Z 87-49-Z

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

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

- 1.
- 2.
- 3.

Signature Robert Cook
Address 304 Shortland Drive
(Owner - 704 So. Coliad)
Rockwall

ORDINANCE No. 87-62

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A ZONING CHANGE ON A TRACT OF LAND WHICH IS DESCRIBED HEREIN FROM "SF-10" SINGLE FAMILY CLASSIFICATION TO "GR" GENERAL RETAIL; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings anafforded 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, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Ordinance No. 84-4 of the City of Rockwall should be amended as follows:

NOT, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

SECTION 1. That the Comprehensive Zoning Ordinance and Ordinance 84-4 of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to give "GR" General Retail District classification to the following described property:

The east 70 feet of Lot 5, Block F, Sanger Addition, more generally known as 106 Ross Avenue.

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

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

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

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

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

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

DULY PASSED AND APPROVED THIS 5th day of October, 1987.

APPROVED:


Mayor

ATTEST:

By: 

1st reading 9/21/87

2nd reading 10/5/87

135mm
none returned

PLANNING AND ZONING ACTION SHEET

Applicant Eloise Cullam Case No. P+Z 87-44-2

Property Description 106 Ross Ave - Coliad Place

Case Subject Matter zone change from single family to general retail on east portion of lot 5

CASE ACTION

Date to P&Z 9/10 Approved Disapproved Tabled

Conditions _____

Date to City Council 9/21 Approved Disapproved Tabled

Conditions _____

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
- County File Number
- Applicant Receipts

87-620

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on August 13, 1987, at 7:30 P.M. in City Hall, 205 West Rusk, Rockwall, Texas, to consider the following items:

1. A request from the First United Methodist Church for approval of a Conditional Use Permit for the existing church site on Damascus Road off of SH-205.
2. A request from Eloise Cullum for a change in zoning from "SF-10", Single Family zoning to "GR" General Retail zoning on a portion of Lot 5, Block F, Sanger Addition, more commonly known as 106 Ross Avenue.
3. A request from Mr. Speck for a replat of lots 17 and 18, Block J, The Shores Phase I located on Windhill Road in The Shores into one lot for the purpose of constructing one single family home.

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on September 10, 1987, at 7:30 P.M. in City Hall, 205 West Rusk, to consider:

1. A request from First United Methodist Church for approval of a Conditional Use Permit for the existing church site on Damascus Road off SH-205
2. A request from Eloise Cullum for a change in zoning from "SF-10" Single Family to "GR" General Retail on a portion of Lot 5, Block F, Sanger Addition, more commonly known as 106 Ross Avenue
3. A request from Newman Associates for a change in zoning from "C" Commercial to "PD" Planned Development on 3.3 acres located on North I-30 east of SH-205 for heavy commercial uses including paint and body, automotive repair, accessory retail, and office uses for a period of two years.

PUBLIC NOTICE

The Rockwall City Council will hold a public hearing on September 21, 1987, at 7:00 P.M. in City Hall, 205 West Rusk, to consider:

1. A request from First United Methodist Church for approval of a Conditional Use Permit for the existing church site on Damascus Road off SH-205 more fully described as Lot 1, Block A, First United Methodist Church Addition
2. A request from Eloise Cullum for a change in zoning from "SF-10" Single Family to "GR" General Retail on a portion of Lot 5, Block F, Sanger Addition, more commonly known as 106 Ross Avenue
3. A request from Newman Associates for a change in zoning from "C" Commercial to "PD" Planned Development on 3.3 acres for heavy commercial uses including automotive repair, accessory retail, and office uses for a period of two years located on North I-30 west of SH-205 further described as:

Being, a tract of land situated in the Joseph Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, and being those two tracts as conveyed to D. R. Florence as recorded in Volume 71, page 191 and Volume 64, page 600, Deed records, Rockwall County, Texas, and being more particularly described as follows:

Beginning, at a point on the Northwesterly line of Interstate Highway No. 30, said point being the south corner of Rockwall Central Shopping Center and the east corner of said tract in Volume 64, page 600, an iron stake for corner;

Thence, S. 28°45'06" W., along the northwest line of Interstate Highway No. 30, a distance of 205.55 feet to an iron stake for corner;

Thence, S. 36°38'57" W., along the northwest line of Interstate Highway No. 30, a distance of 90.67 feet to an iron stake for corner;

Thence, N. 44°39'25" W., leaving said Highway, a distance of 351.41 feet to an iron stake for corner;

Thence, S. 45°20'56"W., a distance of 105.08 feet to an iron stake for corner;

Thence, N. 45°34'54"W., a distance of 132.45 to an iron stake for corner;

Thence, N. 45°20'56"E., a distance of 394.52 feet to an iron stake for corner;

Thence, S. 44°33'42"E., a distance of 411.45 feet to the PLACE OF BEGINNING and containing 3.300 acres of land.

