

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 87-58-2/FP Filing Fee \$100.00 Date _____
Applicant Dosville Peoples Phone 722-3313
Mailing Address 208 W. Heath
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

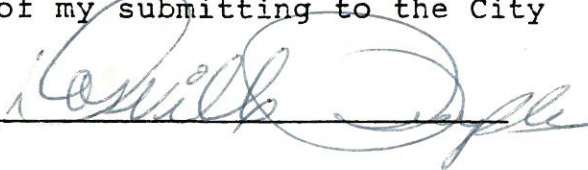
I hereby request that the above described property be changed from its present zoning which is

Single Family District Classification to
Commercial District Classification for
for the following reasons: (attach separate sheet if necessary)

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 

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.

APPLICATION AND FINAL PLAT CHECKLIST

Date 9 -21-87

Name of Proposed Development Replat of Lots 4& 5 and part of Block A,R.F.Canup
Subdivision

Name of Developer Dosville Peoples

Address 208 W. Heath Rockwall, Texas Phone 722-3313

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, Texas Phone 722-3036

Total Acreage 0.638 ac. Current Zoning Commercial & S.F. 7

Number of Lots/Units 1

Signed *Bob O. Brown*

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" x 24".

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. The following checklist is intended only as a reminder and a guide for those requirements.

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

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | _____ | 3. Location of development tied to a USGS monument, Texas highway monument or other approved benchmark |
| <input checked="" type="checkbox"/> | _____ | 4. Accurate boundary survey and property description with tract boundary lines indicated by heavy lines |
| _____ | <input checked="" type="checkbox"/> | 5. If no engineering is provided show contours of 5 ft. intervals |
| <input checked="" type="checkbox"/> | _____ | 6. Accurate plat dimensions with all engineering information necessary to reproduce plat on the ground |
| <input checked="" type="checkbox"/> | _____ | 7. Approved name and right-of-way width of each street, both within and adjacent to the development |
| <input checked="" type="checkbox"/> | _____ | 8. Locations, dimensions and purposes of any easements or other rights-of-way |
| <input checked="" type="checkbox"/> | _____ | 9. Identification of each lot or site and block by letter and number and building lines |
| <input checked="" type="checkbox"/> | _____ | 10. Record owners of contiguous parcels of unsubdivided land, names and lot patterns of contiguous subdivisions, approved Concept Plans, reference recorded subdivision plats or adjoining platted land by record name and by deed record volume and page |
| _____ | <input checked="" type="checkbox"/> | 11. Boundary lines, dimensions and descriptions of open spaces to be dedicated for public use of the inhabitants of the development |
| <input checked="" type="checkbox"/> | _____ | 12. Certificate of dedication of all streets, alleys, parks and other public uses signed by the owner or owners (see wording) |

✓ _____

13. 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 (see wording)

14. Statement of developer responsibility for storm drainage improvements (see wording)

✓ _____

15. Instrument of dedication or adoption signed by the owner or owners (see wording)

✓ _____

16. Space for signatures attesting approval of the plat (see wording)

J _____

17. Seal and signature of the surveyor and/or engineer responsible for surveying the development and/or the preparation of the plat (see wording)

18. Compliance with all special requirements developed in preliminary plat review

✓ _____

19. Statements indicating that no building permits will be issued until all public improvements are accepted by the City (see wording)

✓ _____

20. Submit Along with plat a calculation sheet indicating the area of each lot.

21. Attach copy of any proposed deed restrictions for proposed subdivision.

COMMERCIAL ZONING REVIEW CHECKLIST

* Applicant Margie Peoples
 * Current Zoning SF-7 Land Use Plan Indicates _____
 * Proposed Zoning C
 * Location Emma Jane - Lot east of SH-205

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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1. Is the parcel(s) too shallow? (200 foot depth minimum)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Is the parcel(s) owned in small pieces by different owners?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is there a potential for an excess of curb cuts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Is the proposed commercial use incompatible with existing adjacent land uses, or existing commercial uses in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Will the proposed activities disturb adjacent residential areas, or depreciate surrounding property with noise, pollution, traffic or other factors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Does the proposed rezoning or development disrupt the orderly development of adjacent neighborhoods?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Is the buffering inadequate and/or is the parcel too small to allow for adequate open space, landscaping and buffering?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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? "C", SF-7"

1. What is the predominant zoning in the area? "C", SF-7"

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?

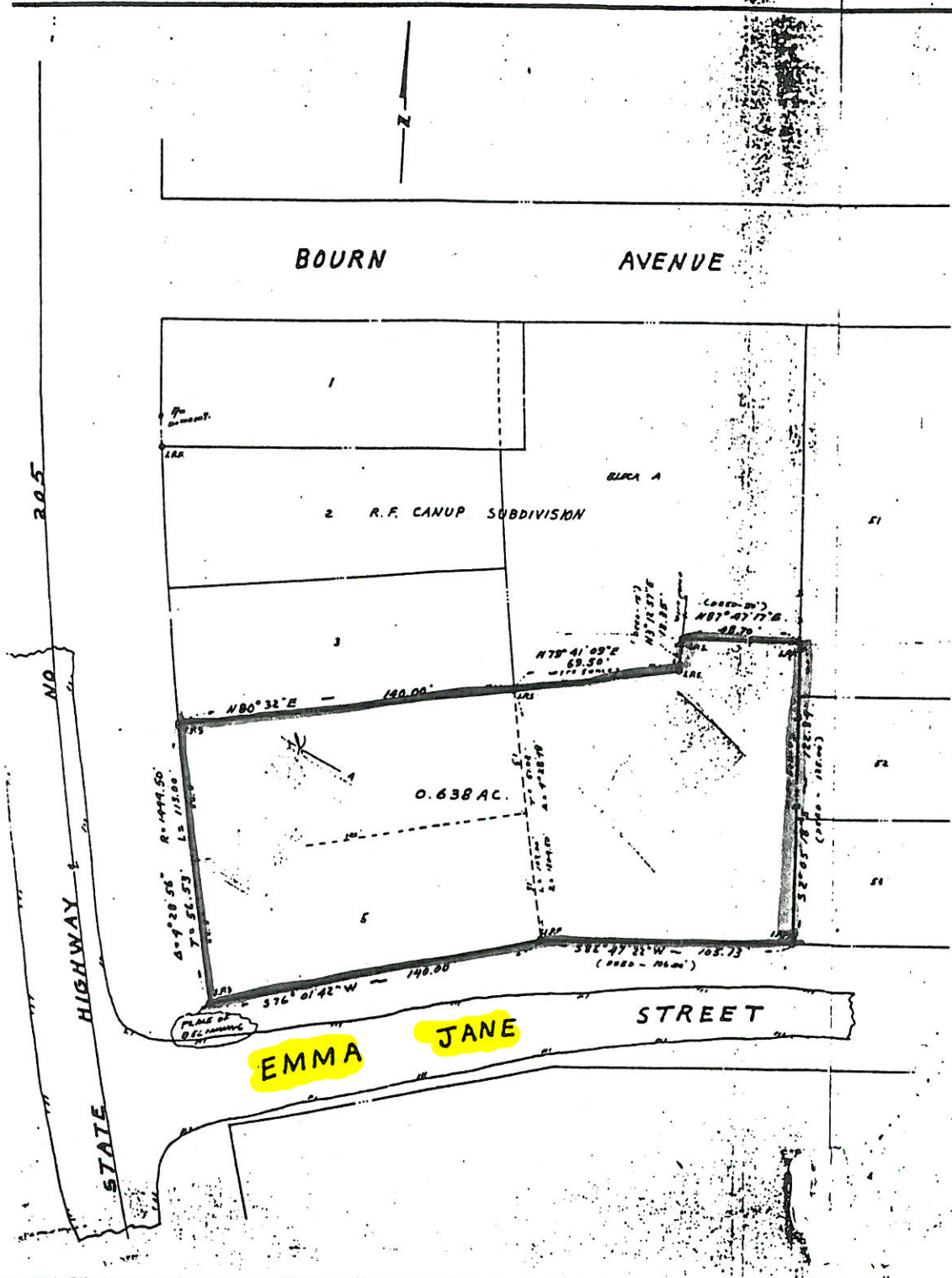
✓ _____

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? mask from Restaurant

Comments: this zoning would allow a developable
depth for a commercial tract,



FIELD NOTES
 BEING, a tract of land situated in the B.J.T. LEWIS Survey, Abstract No. 225, City of Rockwall, Rockwall County, Texas and further being all of Lots 4 & 5, and part of Block A, of R.F. CANUP SUBDIVISION to the City of Rockwall, Texas and also being the same property as recorded in Volume 109, page 698, Deed records, Rockwall County, Texas, and being more particularly described as follows:
BEGINNING, at the point of intersection of the Northline of Emma Jane Street with the East line of State Highway No. 205, an iron stake set for corner.
THENCE, along the east line of State Highway No. 205, and around a curve to the right, having a back tangent bearing of S. 12 deg. 11 min. 28 sec. E., a central angle of 4 deg. 28 min. 56 sec., and a radius of 1444.50 feet, a distance of 113.00 feet to the end of said curve, an iron stake set for corner.
THENCE, N. 80 deg. 32 min. E., leaving the said eastline of State Highway No. 205 and along the common line of Lots 3 & 4, a distance of 140.00 feet to an iron stake set for corner.
THENCE, N. 79 deg. 41 min. 09 sec. E., a distance of 69.50 feet to an iron stake set for corner.
THENCE, N. 3 deg. 12 min. 57 sec. E., a distance of 13.35 feet to an iron stake set for corner.
THENCE, N. 87 deg. 47 min. 17 sec. E., a distance of 48.70 feet to an iron stake found for corner.
THENCE, S. 2 deg. 05 min. 18 sec. E., along the west line of Lots 51, 52, and 53, a distance of 122.34 feet to an iron stake found for corner.
THENCE, along the northline of Emma Jane St. the following:
 S. 86 deg. 47 min. 22 sec. W., a distance of 105.13 feet to an iron stake found for corner.
 S. 76 deg. 01 min. 42 sec. W., a distance of 140.00 feet to the PLACE OF BEGINNING, and containing 0.638 acres of land.

[Handwritten mark]

CERTIFICATION

I, Bob O. Brown, do hereby certify that the plat shown hereon represents the results of an on the ground survey made under my direction and that all corners are marked as shown and there are no visible conflicts or encroachments other than shown.

Bob O. Brown
 Registered Public Surveyor



EXHIBIT "A"

SURVEY PLAT					
R.F. CANUP		SUBDIVISION			
ROCKWALL		TEXAS			
BOB O. BROWN - LAND SURVEYOR					
402 S. GOLIAD - ROCKWALL TEXAS					
DESIGN	DRAWN	DATE	SCALE	NOTES	JOB NO.
		8-6-77	1"=40'	K.B.	5086



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

Nº **7208**

205 West Rusk

(214) 722-1111
 Metro 226-7885

Cash Receipt

Name Margie Peoples Date 8-25-87
 Mailing Address _____
 Job Address _____ Permit No. _____

Check 1890 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	<u>100.00</u>	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 100.00 Received by [Signature]

City of Rockwall Planning and Zoning Applicant Receipt

Date 10/13/87

Applicant Peoples Phone _____

Address _____

Development _____

The following items have been received on this date by the City of Rockwall Administrative Office:

_____ Site Plan Application

_____ Prel. Plat Application

_____ Final Plat Application

_____ Zone Change Application

_____ Sign Board Application

_____ Board of Adj. Application

_____ Front Yard Fence Application

_____ CUP Application

_____ () sets/site plans - Submission # _____

_____ () sets/prel. plats - Submission # _____

✓ (9) sets/final plats - Submission # revised #1

_____ () sets/executed final plats/mylars

_____ () sets/engineer drawings - Submission # _____

_____ Filing fee \$ _____

_____ Other _____

With this application, you are scheduled to appear before the

City Council

on 11/12/87, _____

at 7:00 P.M. at City Hall, 205 W. Rusk, Rockwall,

Texas.

Received By: Mary Nichols



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

Peoples

No. **7347**

205 West Rusk

(214) 722-1111
 Metro 226-7885

Cash Receipt

Name *B.L.S. and Associates* Date *9-23-8*

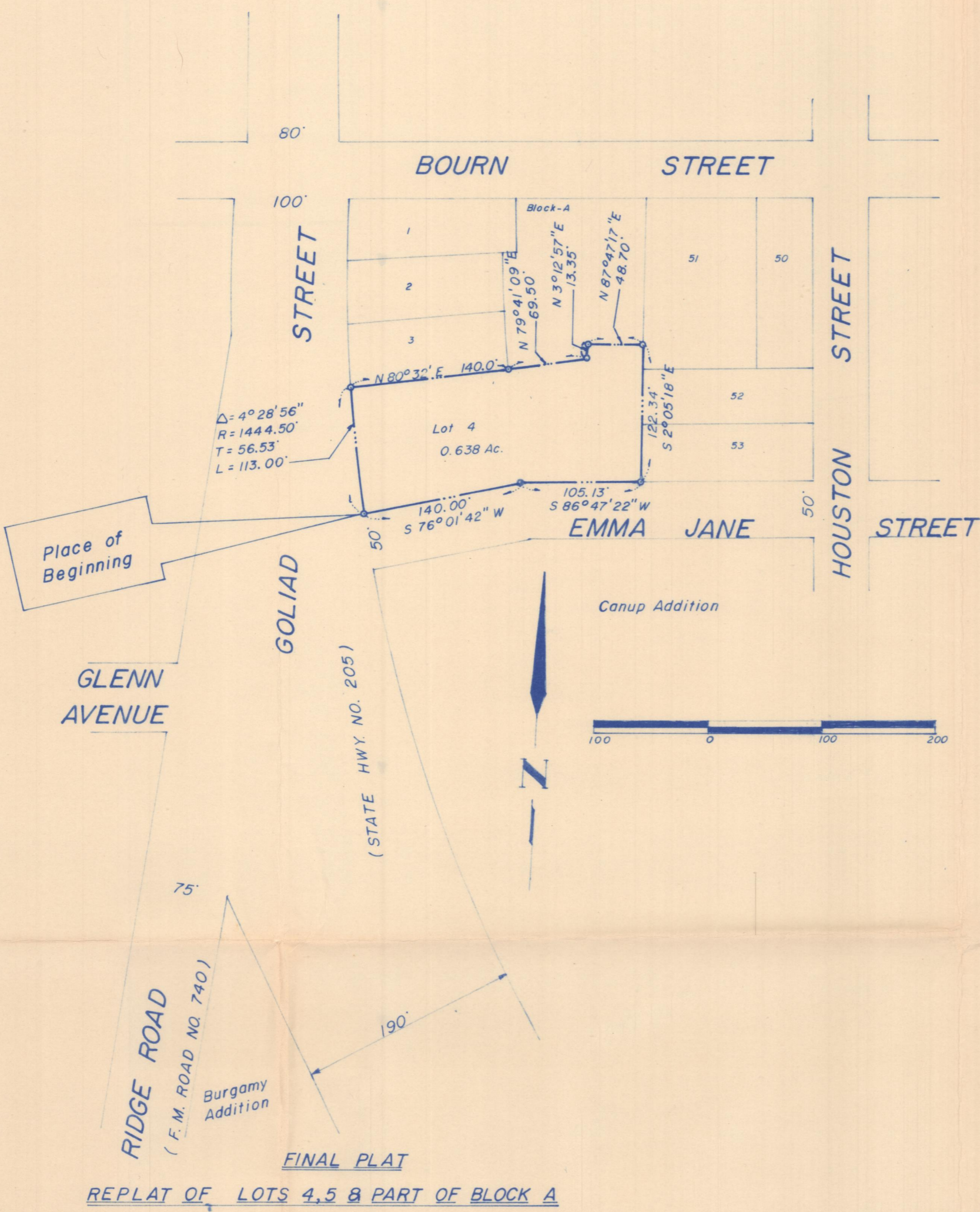
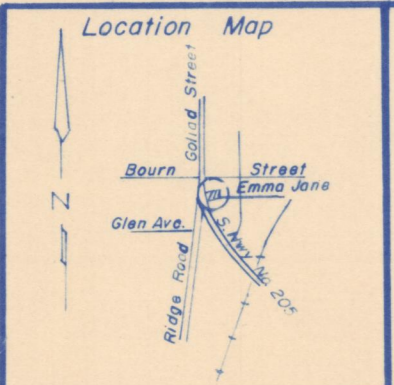
Mailing Address _____

Job Address _____ Permit No. _____

Check *4635* 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	<u><i>35 00</i></u>	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]*



FINAL PLAT
REPLAT OF LOTS 4, 5 & PART OF BLOCK A

R.F. CANUP SUBDIVISION

CITY OF ROCKWALL

B.J.T. LEWIS SURVEY ABSTRACT NO. 225
ROCKWALL COUNTY, TEXAS

DOSVILLE PEOPLES **OWNER**
208 W. HEATH (722-3313) ROCKWALL, TEXAS 75087

B.L.S. & ASSOCIATES, INC. **SURVEYORS**
RT. 1 BOX 142 E. SIDS ROAD (722-3036) ROCKWALL, TEXAS 75087

SCALE 1"=100' SEPTEMBER 21, 1987

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

Whereas, Dosville Peoples, being owner 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 B.J.T. Lewis Survey, Abstract No. 225, City of Rockwall, Rockwall County, Texas and further being all of Lots 4, 5 and part of Block A, of R.F. Canup Subdivision to the City of Rockwall, Texas and also being the same property as recorded in Volume 109, Page 698, Deed Records Rockwall County, Texas and also being the same property as recorded in Volume 109, Page 698, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the North line of Emma Jane Street with the East line of State Highway No. 205, an iron stake for corner.
THENCE, along the east line of State Highway No. 205 and around a curve to the right having a back tangent bearing of S. 12°11'28"E., a central angle of 4°28'56" and a radius of 1444.50 feet, a distance of 13.00 feet to the end of said curve, an iron stake for corner;
THENCE, N. 80°32'E. leaving the said east line of State Highway No. 205 and along the common line of Lots 3 & 4, a distance of 140.00 feet to an iron stake for corner.
THENCE, N. 79°41'09"E. a distance of 69.50 feet to an iron stake for corner.
THENCE, N. 3°12'57"E, a distance of 13.35 feet to an iron stake for corner.
THENCE, N. 87°47'17"E, a distance of 48.70 feet to an iron stake for corner.
THENCE, S. 2°05'18"E. along the west line of Lots 51, 52 and 53, a distance of 122.34 feet to an iron stake for corner.
THENCE, along the north line of Emma Jane Street the following:
S. 86°47'22"W. a distance of 105.13 feet to an iron stake for corner.
S. 76°01'42"W. a distance of 140.00 feet to the PLACE OF BEGINNING and containing 0.638 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
That Dosville Peoples, being owner does hereby adopt this plat designating the herein above described property as Replat of Lots 4, 5 and part of Block A, R.F. Canup Subdivision, to the City of Rockwall, Rockwall County, Texas and does 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 _____ day of _____ A.D. 1987.

By _____
Dosville Peoples Owner

STATE OF TEXAS
Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Dosville Peoples, 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 _____ day of _____ A.D. 1987.

Notary Public for the State of Texas
My Commission Expires _____

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, Registered Public Surveyor # 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 _____ day of _____ A.D. 1987.

Notary Public for the State of Texas
My Commission Expires _____

RECOMMENDED FOR FINAL APPROVAL

APPROVED

City Manager

Chairman Planning and Zoning Commission

I hereby certify that the above and foregoing Replat of Lots 4, 5 and part of Block A, R.F. Canup Subdivision, to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall, Texas on the _____

day of _____ A.D. 1987

WITNESS our hand this _____ day of _____ A.D. 1987.

Mayor

City Secretary

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

ACTION RECORD

Case No: 87-58-2

Location: Emma Jane/SH205

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..... 10/8/87

Notice Sent:

Newspaper..... 9/22/87 ✓

Surrounding property owners..... 9/25 ✓

Sign placed on property..... 9/28 ✓

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..... 11/2
- Notice sent to newspaper..... 10/13/89
- Notice sent to property owners..... 10/23

Prepared notes and supporting information for City Council..... _____

If approved:

- Notified applicant of results..... _____
- Prepared ordinance..... _____
 - 1st reading of ordinance..... _____
 - 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)..... _____

Ptz mailed 9/23

Dosville Peoples

Elizabeth Sears
901 S Coliad

Rockwall Floor Covering
903 S Coliad

Jerry Larue
903 S Coliad

Dosville Peoples
208 W Heath

Senic Drive In
1001 S Coliad

D+H Leasing C
208 W Heath

BATRES
Salvador ~~Bates~~ Sr
P.O. Box 912

William Paul Davis Jr
101 N Coliad

Cleo Williams
% Beatrice Douglas
905 Sam Houston

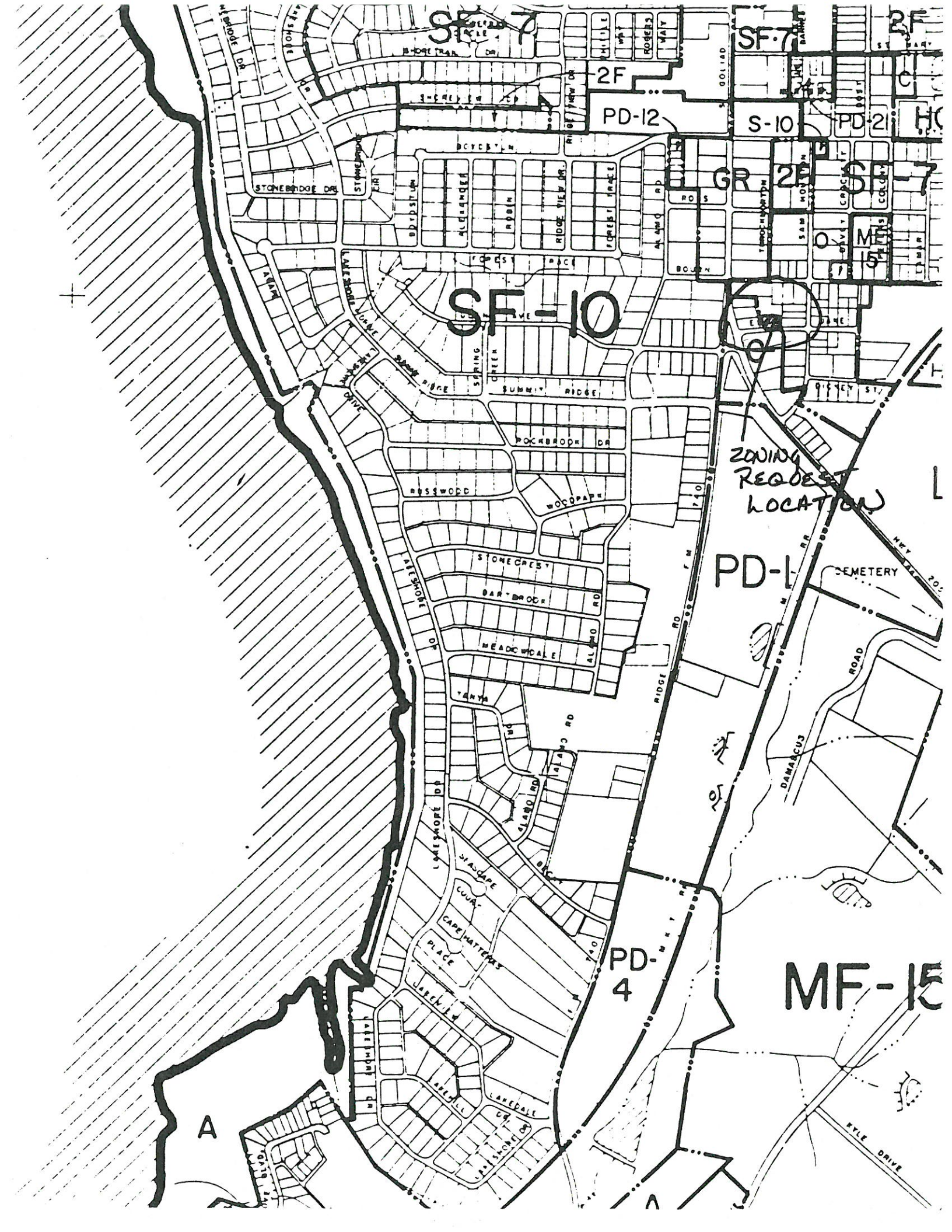
Leonard Guthrie
% Ernestine Thomas
3333 Edgewood St
#1310
Dallas 75215

James Todd
620 W 48th St Apt 5
Los Angeles CA 90037

Richard Howard
208 Baum Ave

Henry Mims
206 Emma Jane

U.S. Government Housing
Authority
802 N Coliad



SF-10

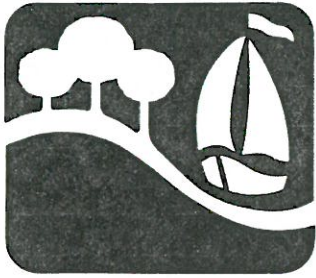
ZONING REQUEST LOCATION

PD-1

MF-15

A

A



CITY OF ROCKWALL

"THE NEW HORIZON"

October 23, 1987

Mr. Dosville Peoples
208 West Heath
Rockwall, Texas 75087

Dear Mr. Peoples:

On October 8, 1987, the Planning and Zoning Commission held a public hearing and recommended approval of:

1. a change in zoning from "SF-7" Single Family to "C" Commercial on a portion of Block A, Canup Addition
2. a replat of the R. F. Canup Addition, Lot 4 subject to dedication of 5 feet of right-of-way
3. a waiver of street escrow requirements subject to provision of curb and gutter

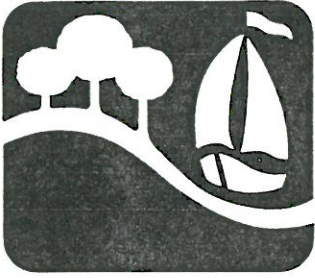
On November 2, 1987, at 7:00 P.M. in City Hall, the City Council will hold a public hearing and consider approval of your requests. Please call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: Bob Brown, BLS & Assoc.
MN/mmp



CITY OF ROCKWALL

"THE NEW HORIZON"

November 4, 1987

Mr. Dosville Peoples
208 West Heath
Rockwall, Texas 75087

Dear Mr. Peoples:

On November 2, 1987, the Rockwall City Council held a public hearing and approved:

1. A change in zoning from "SF-7" Single Family to "C" Commercial on a portion of Block A, Canup Addition
2. A replat of the R. F. Canup Addition, Lot 4 subject to the dedication of 5 ft. of right-of-way.

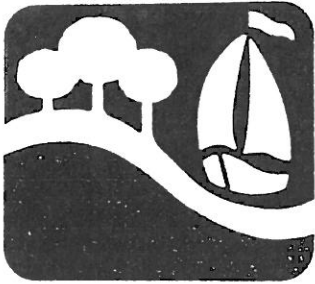
A change in zoning must be adopted by an ordinance read at two separate meetings of the Council. The second reading is scheduled for November 16th. The plat must be filed by this office with the County within 120 days or the approval becomes void. Sixteen executed copies and two mylars must be returned to this office by February 10, 1988, 100 days from the date of approval. Late plats cannot be guaranteed timely filing.

Please contact me if you have any questions.

Sincerely,

Mary Nichols
Administrative Aide

CC: B.L.S. & Associates
MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

Dear Applicant:


Your request to appear before the City of Rockwall _____

Planning & Zoning Commission

has been set for 7:30 P.M. on October 8, 1987.

The meeting will be held at City Hall, 205 W Rusk
Rockwall, Texas.

If you have any questions concerning your Agenda request,
call City Hall at 722-1111.



Julie Couch
Assistant City Manager

Agenda Notes
P&Z - 10/8/87

III.

- D. P&Z 87-58-Z/FP - Hold Public Hearing and Consider Approval of a Request from Dosville Peoples for a Change in Zoning from "SF-7" Single Family to "C" Commercial

Dosville Peoples has submitted a request for a change in zoning from "SF-7" Single Family to "C" Commercial on a tract of land located at the intersection of Goliad and Emma Jane, and a final plat on that same corner. The front portion of the property that has been occupied by the fruit stand is zoned Commercial. The back of the lot is currently zoned "SF-7". The property to the north and east is zoned "SF-7". The property to the west and across the street to the south is zoned Commercial. We have in the past attempted to break zoning districts in the middle of the block so that the districts back up to each other. If the existing lines were tied together this tract would fall into the Commercial zoning. The enclosed location map indicates where this line might fall.

- E. P&Z 87-58-Z/FP - Consider Approval of a Final Plat on a Lot on Emma Jane at SH-205

Mr. Peoples has also submitted a request for a final plat on his entire tract which includes three separate lots. In order to develop the site the interior lot lines must be eliminated. The plat as submitted meets all of our requirements with the exception that 5 feet of right-of-way needs to be dedicated along Emma Jane. This road is shown to be a collector on our Thoroughfare Plan, which is a minimum of 60 feet. There is currently 50 feet of right-of-way. In addition to the dedication, Mr. Peoples will be required to escrow the cost of improving 1/2 of Emma Jane to collector standards because it is currently substandard. The estimated cost is \$18,850.00.

CITY OF ROCKWALL
Council Agenda

AGENDA DATE: November 2, 1987

AGENDA NO. VI. H.

AGENDA ITEM: P&Z 87-58-Z/FP - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Dosville Peoples for a Change in Zoning from "SF-7" Single Family to "C" Commercial (1st reading)

ITEM GENERATED BY: Dosville Peoples, Applicant

ACTION NEEDED: Hold public hearing and approve or deny ordinance granting the change. If it is denied, the denial would be with prejudice unless otherwise stated in the motion.

BACKGROUND INFORMATION:

Dosville Peoples has submitted a request for a change in zoning from "SF-7" Single Family to "C" Commercial on a tract of land located at the intersection of Goliad and Emma Jane, and a final plat on that same corner. The front portion of the property that has been occupied by the fruit stand is zoned Commercial. The back of the lot is currently zoned "SF-7". The property to the north and east is zoned "SF-7". The property to the west and across the street to the south is zoned Commercial. We have in the past attempted to break zoning districts in the middle of the block so that the districts back up to each other. If the existing lines were tied together this tract would fall into the Commercial zoning. The enclosed location map indicates where this line might fall.

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

ATTACHMENTS: 1. Proposed Ordinance

AGENDA ITEM: Peoples' Zone Change

ITEM NO. VI. H.

CITY OF Rockwall
Council Agenda

AGENDA DATE: November 2, 1987

AGENDA ITEM VI. I

AGENDA ITEM: P&Z 87-58-Z/FP - Consider Approval of a Final
Plat on a Lot on Emma Jane at SH-205

ITEM GENERATED BY: Dosville Peoples, Applicant

ACTION NEEDED: Motion to approve or deny final plat.

BACKGROUND INFORMATION:

Mr. Peoples has also submitted a request for a final plat on his entire tract which includes three separate lots. In order to develop the site the interior lot lines must be eliminated. The plat as submitted meets all of our requirements with the exception that 5 feet of right-of-way needs to be dedicated along Emma Jane. This road is shown to be a collector on our Thoroughfare Plan, which is a minimum of 60 feet. There is currently 50 feet of right-of-way. In addition to the dedication, Mr. Peoples will be required to escrow the cost of improving 1/2 of Emma Jane to collector standards because it is currently substandard. The estimated cost is \$18,850.00. He has requested a waiver to this escrow requirement in lieu of his installing curb and gutter and tying in the curb to the existing street.

The Planning and Zoning Commission has recommended approval of the plat and has also recommended that the waiver be granted subject to curb and gutter being installed. The Commission's discussion of this request centered around the uncertainty of what road improvements will finally be made in this area given the questions that have been raised regarding the use of Sam Houston and Fannin as a couplet with Goliad.

ATTACHMENTS: 1. Location map
2. Plat

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at 7:30
_____ o'clock P.M. on the 8th day of October
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request Dosville Peoples
for a change in zoning from "SF-7" Single Family to "C" Commercial

on the following described property:

A portion of Block A, Canup Addition located on Emma Jane east
of SH-205 further described on the attached.

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 87-58-Z/FP

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, 205 West Rusk Street, Rockwall,
Texas 75087.

Case No. P&Z 87-58-Z/FP ←

I am in favor of the request for the reasons listed below. No

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

1. I am opposed to P&Z 87-58-Z/FP due to
2. the fact block families living era is limited and
need not be changed at all.
3. _____

JAMES TODD
620 W. 48th STREET, #5
LOS ANGELES, CALIF. 90037

Signature (213) 2327729
OR
Address (213) 9785260

Being a tract of land situated in the B.J.T. Lewis Survey, Abstract No. 225, City of Rockwall, Rockwall County, Texas and further being all of Lots 4, 5 and part of Block A, of R.F. Canup Subdivision to the City of Rockwall, Texas and also being the same property as recorded in Volume 109, Page 698, Deed Records Rockwall County, Texas and also being the same property as recorded in Volume 109, Page 698, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the North line of Emma Jane Street with the East line of State Highway No. 205, an iron stake for corner.

THENCE, along the east line of State Highway No. 205 and around a curve to the right having a back tangent bearing of S. 12°11'28"E., a central angle of 4°28'56" and a radius of 1444.50 feet, a distance of 13.00 feet to the end of said curve, an iron stake for corner;

THENCE, N. 80°32'E. leaving the said east line of State Highway No. 205 and along the common line of Lots 3 & 4, a distance of 140.00 feet to an iron stake for corner.

THENCE, N. 79°41'09"E. a distance of 69.50 feet to an iron stake for corner.

THENCE, N. 3°12'57"E. a distance of 13.35 feet to an iron stake for corner.

THENCE, N. 87°47'17"E. a distance of 48.70 feet to an iron stake for corner.

THENCE, S. 2°05'18"E. along the west line of Lots 51, 52 and 53, a distance of 122.34 feet to an iron stake for corner.

THENCE, along the north line of Emma Jane Street the following:

S. 86°47'22"W. a distance of 105.13 feet to an iron stake for corner.

S. 76°01'42"W. a distance of 140.00 feet to the PLACE OF BEGINNING and containing 0.638 acres of land.

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 2nd day of November, 1987,
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Dosville Peoples
for a change in zoning from "SF-7" Single Family to "C" Commercial

on the following described property:

A portion of Block A, Canup Addition located on Emma Jane east
of SH-205 further described on the attached.

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 87-58-Z/FP

Mary A. 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 87-58-Z/FP

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

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

1. I asked him to please stop the
2. kids from parking all right long
3. on this lots, he told me no

way, no way will
I vote for
this.

Signature Elizabeth Sears
Address 901 S Galina

Being a tract of land situated in the B.J.T. Lewis Survey, Abstract No. 225, City of Rockwall, Rockwall County, Texas and further being all of Lots 4, 5 and part of Block A, of R.F. Canup Subdivision to the City of Rockwall, Texas and also being the same property as recorded in Volume 109, Page 698, Deed Records Rockwall County, Texas and also being the same property as recorded in Volume 109, Page 698, Rockwall County, Texas, and being more particularly described as follows:

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THENCE, along the north line of Emma Jane Street the following:

S. 86° 47' 22" W. a distance of 105.13 feet to an iron stake for corner.

S. 76° 01' 42" W. a distance of 140.00 feet to the PLACE OF BEGINNING and containing 0.638 acres of land.

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 2nd day of November, 1987,
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
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for a change in zoning from "SF-7" Single Family to "C" Commercial

on the following described property:

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of SH-205 further described on the attached.

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returning the form below.

In replying please refer to Case No. P&Z 87-58-Z/FP

Mary A. 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 87-58-Z/FP

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 _____

Being a tract of land situated in the B.J.T. Lewis Survey, Abstract No. 225, City of Rockwall, Rockwall County, Texas and further being all of Lots 4, 5 and part of Block A, of R.F. Canup Subdivision to the City of Rockwall, Texas and also being the same property as recorded in Volume 109, Page 698, Deed Records Rockwall County, Texas and also being the same property as recorded in Volume 109, Page 698, Rockwall County, Texas, and being more particularly described as follows:

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Part
mailed 9/23

Dosville Peoples

Elizabeth Sears
901 S Coliad

Rockwall Floor Covering
903 S Coliad

Jerry Larue
903 S Coliad

Dosville Peoples
208 W Heath

Sonic Drive In
1001 S Coliad

D+H Leasing C
208 W Heath

BATRES
Salvador ~~Bates~~ Sr
P.O. Box 912

William Paul Davis Jr
101 N Coliad

Cleo Williams
C/o Beatrice Douglas
905 Sam Houston

Leonard Cuthrie
C/o Ernestine Thomas
3333 Edgewood St
#1310
Dallas 75215

James Todd
620 W 48th St Apt 2
Los Angeles CA 90031

Richard Howard
208 Baum Ave

Henry Mims
206 Emma Jane

U.S. Government Housing
Authority
802 N 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 2nd day of November, 1987,
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Dosville Peoples
for a change in zoning from "SF-7" Single Family to "C" Commercial

on the following described property:

A portion of Block A, Canup Addition located on Emma Jane east
of SH-205 further described on the attached.

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 87-58-Z/FP

Mary A. 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 87-58-Z/FP

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

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

1. Because this is a step to take living people
homes and convert the Commercial Buildings there.
leaving people no place to live.
or go to live.

JAMES TODD
620 W. 48th STREET, #5
LOS ANGELES, CALIF. 90037

Signature James Todd
Address _____

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 2nd day of November, 1987,
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Dosville Peoples
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on the following described property:

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In replying please refer to Case No. P&Z 87-58-Z/FP

Mary A. 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 87-58-Z/FP

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 Richy Carl
Address 1001 S. Holiad

ORDINANCE NO. 87-75

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "SF-7" SINGLE FAMILY CLASSIFICATION TO "C" COMMERCIAL CLASSIFICATION; 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 and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give "C" Commercial District

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

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

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

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) 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 of the City of Rockwall,

Being a tract of land situated in the B.J.T. Lewis Survey, Abstract No. 225, City of Rockwall, Rockwall County, Texas and further being all of Lots 4, 5 and part of Block A, of R.F. Canup Subdivision to the City of Rockwall, Texas and also being the same property as recorded in Volume 109, Page 698, Deed Records Rockwall County, Texas and also being the same property as recorded in Volume 109, Page 698, Rockwall County, Texas, and being more particularly described as follows:

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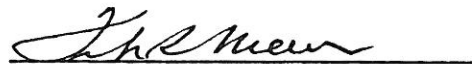
Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

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

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

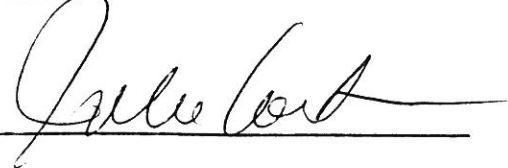
DULY PASSED AND APPROVED this 16th day of November, 1987.

APPROVED:



Mayor

ATTEST:

By 

1st reading 11/2/87

2nd reading 11/16/87

PLANNING AND ZONING ACTION SHEET

Applicant Margie Peoples Case No. 87-58-2
 Property Description Emma Jane / SH 205
 Case Subject Matter SF-7 to C Zone Change

CASE ACTION

	<u>Approved</u>	<u>Disapproved</u>	<u>Tabled</u>
Date to P&Z <u>10/18</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conditions _____			

Date to City Council <u>11/12</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conditions <u>2nd reading 11/16</u>			

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 87-16
- Correspondence
- Applicant Receipts

Plat/Site Plan Cases

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

PUBLIC NOTICE

The Rockwall City Council will hold a public hearing November 2, 1987, at 7:00 P.M. in City Hall, 205 West Rusk, to consider the following:

1. A request from Margie Peoples for a change in zoning from "SF-7" Single Family to "C" Commercial on a portion of a lot located on Emma Jane east of SH-205 further described as follows:

Being a tract of land situated in the B.J.T. Lewis Survey Abstract No. 225, City of Rockwall, Rockwall County, Texas, and further being all of Lots 4, 5, and part of Block A of R..F. Canup Subdivision to the City of Rockwall, Texas, and also being the same property as recorded in Volume 109, Page 698, Deed Records Rockwall County, Texas, and also being the same property as recorded in Volume 109, Page 698, Rockwall County, Texas, and being more particularly described as follows:

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THENCE, along the north line of Emma Jane Street the following:

S.86°47'22" W., a distance of 105.13 feet to an iron stake for corner,

S. 76°, 01'42" W., a distance of 140.00 feet to the PLACE OF BEGINNING and containing 0.638 acres of land.

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on October 8, 1987, at 7:30 P.M. in City Hall, 205 West Rusk, to consider the following:

1. A request from Margie Peoples for a change in zoning from "SF-7" Single Family to "C" Commercial on a portion of a lot located on Emma Jane east of SH-205
2. A request from Michael Brady for a change in zoning from "A" Agricultural to "C" Commercial on .539 acres located on SH-276 east of SH-205
3. A request for a Conditional Use Permit for a private club and less than 100% noncombustible materials for a proposed restaurant to be located within the Rockwall Village Shopping Center off the south I-30 service road west of FM-740