

~~101.00~~ \$101.00

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 88-44- CUP

Date Submitted 8/4/88

Filing Fee \$ 101.00

Applicant 1ST ASSEMBLY OF GOD

Address 901 WILLIAMS
ROCKWALL

Phone No. 771-3926

Owner _____ Tenant¹ _____ Prospective Purchaser¹ _____

Legal description of property for which Conditional Use Permit is requested (if additional space is needed, the description may be typed legibly on a separate sheet and attached hereto:)²

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

line The current zoning on this property is _____.
There ^{space} are/are not ^{space} deed restrictions pertaining to the intended use of this property.

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

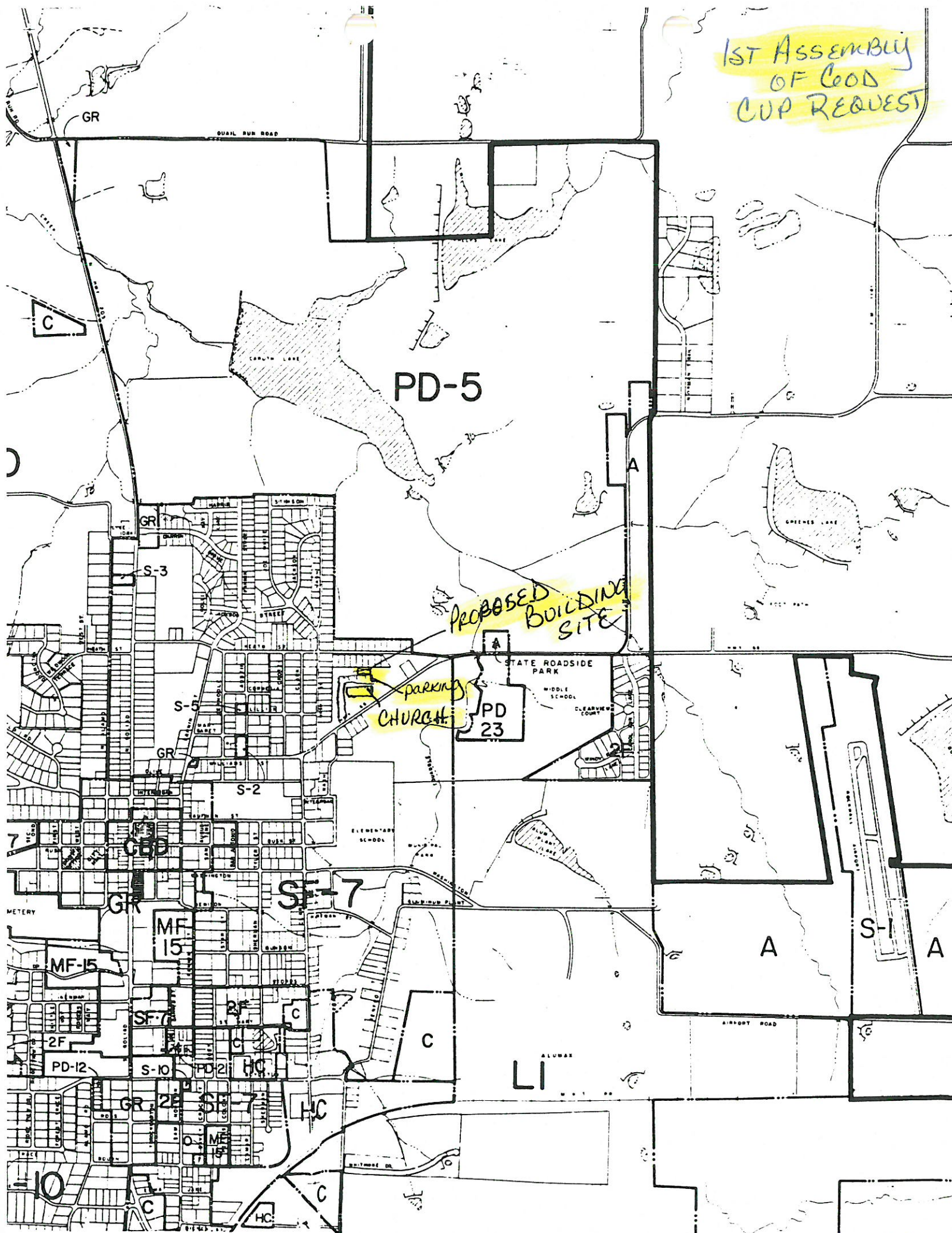
Michael B. Bridges

¹If the applicant is someone other than the owner, written acknowledgement by the owner of the request must also be submitted.

MIKE BRIDGES 771-4333

²The legal description is used to publish the notice of the required hearing and in the preparation of the final ordinance granting the Conditional Use Permit. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

1st Assembly
of COOD
CUP REQUEST



PD-5

PROPOSED BUILDING SITE

parking CHURCH

PD 23

STATE ROADSIDE PARK

MIDDLE SCHOOL

CLEARVIEW COUNTY

ELEMENTARY SCHOOL

A

S-1

A

LI

10

MF-15

PD-12

GR

S-5

S-3

C

GR



CITY OF ROCKWALL

"THE NEW HORIZON"
Rockwall, Texas 75087-3628

No 9467

(214) 771-1111

Cash Receipt

Name First Assembly of God Date 8-4-88

Mailing Address _____

Job Address _____ Permit No. _____

Check 6763 Cash Other

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
Building Permit	01-3601		Water Tap	02-3311	
Fence Permit	01-3602		10% Fee	02-3311	
Electrical Permit	01-3604		Sewer Tap	02-3314	
Plumbing Permit	01-3607		Water Availability	33-3835	
Mechanical Permit	01-3610		Sewer Availability	34-3836	
Zoning, Planning, Board of Adj.	01-3411	101.00	Meter Deposit	02-2201	
Subdivision Plats	01-3412		Portable Meter Deposit	02-2202	
Sign Permits	01-3628		Misc. Income	02-3819	
Health Permits	01-3631		NSF Check	02-1128	
Misc. Permits	01-3625		Meter Rent	02-3406	
Misc. Income	01-3819		Penalties	20-3117	
Sale of Supplies	01-3807		Hanger Rent	20-3406	
Municipal Pool	01-3402		Tie Down Fees	20-3407	
Cemetery Receipts	10-3830		Land Lease	20-3804	
Hotel/Motel Tax	15-3206		Sale of Supplies	20-3807	
Marina Lease	08-3810		Exxon Payment	20-1132	
Street Assessment	25-3828		Fuel Sales	20-3809	
TOTAL OF COLUMN			TOTAL OF COLUMN		

TOTAL DUE

101.00

Received by

[Signature]

City of Rockwall
Planning and Zoning Applicant Receipt

Date 8/4/88

Applicant Mike Budges Phone _____

Address _____

Development 1st Assembly of God

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 # _____
- _____ () sets/final plats - Submission # _____
- _____ () sets/executed final plats/mylars
- _____ () sets/engineer drawings - Submission # _____
- Filing fee \$ 161.00
- _____ Other _____

** need plat plan*

With this application, you are scheduled to appear before the
Planning & Zoning Commission
on August 11, 1988
at 7:30 P.M. at City Hall, 205 W. Rusk, Rockwall,
Texas.

Received By: Mary Nichols

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

ACTION RECORD

Case No: 88-43-Z

Location: 1st Assembly of Cood

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..... 8/11

Notice Sent:

Newspaper.....

Surrounding property owners.....

Sign placed on property.....

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....._____

Notice sent to newspaper....._____

Notice sent to property owners....._____

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)....._____

12 x 24 portable building

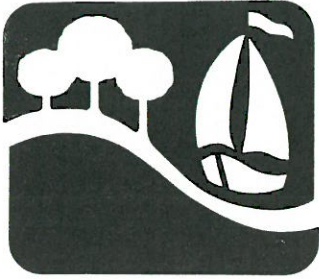
to be placed at rear of
building out of street view

side adjacent to residences to
have no windows

building of wood painted to
match church

want portable so can move
if need to expand
parking

will be used for storage
of equipment & supplies -
will not be used as a
classroom



CITY OF ROCKWALL
"THE NEW HORIZON"

August 9, 1988

Mr. Mike Bridges
First Assembly of God Church
901 Williams
Rockwall, Texas 75087

Dear Mr. Bridges:

Your application and filing the fee of \$101.00 have been received for your request for a Conditional Use Permit for a portable building to be located at 609 East Williams.

The Planning and Zoning Commission will hold a public hearing on August 11, 1988, at 7:30 P.M. in City Hall, 205 West Rusk. As the applicant, it is important that you be represented at this meeting.

Please call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Assistant

MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

August 15, 1988

Mr. Mike Bridges
First Assembly of God Church
901 Williams
Rockwall, Texas 75087

Dear Mr. Williams: *Bridges*

On August 11, 1988, the Planning and Zoning Commission held a public hearing and tabled consideration of your request for a Conditional Use Permit for a portable building in excess of 120 square feet in a residential zoning category. The Commission took this action due to lack of applicant representation.

The Commission will consider approval of your request on August 25, 1988, at 7:00 P.M. in City Hall, 205 West Rusk. It is important that the applicant be represented at this meeting.

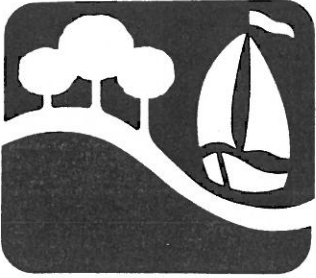
Please call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Assistant

MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

August 17, 1988

Mr. Mike Bridges
First Assembly of God Church
901 Williams
Rockwall, Texas 75087

Dear Mr. Bridges:

My previous correspondence indicated that the City Council would consider your Conditional Use Permit request on September 6th. Due to an anticipated long agenda on this date, your request will be considered on September 19, 1988, at 7:00 P.M. in City Hall, 205 West Rusk.

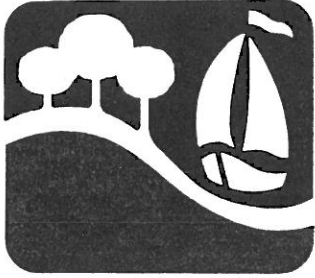
Please call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Assistant

MN/mmp



CITY OF ROCKWALL

"THE NEW HORIZON"

September 21, 1988

Mr. Mike Bridges
First Assembly of God Church
901 Williams
Rockwall, Texas 75087

Dear Mr. Bridges:

On September 19, 1988, the Rockwall City Council held a public hearing and approved a Conditional Use Permit for a portable building exceeding the maximum size in a residential zoning category subject to the following conditions:

- *valid for two (2) years
- *the portable building must be constructed of wood and painted to match the building
- *the building may have no windows on the side facing residences
- *the building must be located in the rear of the lot
- *the size is limited to 12 x 24 feet.

An ordinance authorizing the CUP was approved on first reading. An ordinance of this nature must be approved at two separate meetings of Council. The second reading will be on October 3rd. If approved, a building permit maybe issued after that date.

Please call me if you have any questions.

Sincerely,

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

Mary Nichols
Administrative Assistant

CC: Johnie Davis, Bldg. Inspector
MN/mmp

HAL PHELPS ADDN

HEATH

GREEN MEADOWS

4A

FOARDREN

ADAMS

121

38A
38B

98C

98D

TR 8 Bldg Location
6.283 ACS

church

MELTON

DUKE

ROCKWALL SCHOOL ADDN # 1

MUNICIPAL PARK ADDN

G.W. RIDLI

47
48

49
50
51

105

107

TR 60-1
2.65 ACS

TR 60
1.44 AC

TR 22
1.05 AC

TR 21
1.23 AC

TR 34
1.640 AC

RICHARD HARRIS SUBD # 2

TR 18-1
TR 18
TR 18-2
TR 18-3

TR 25
2.6 ACS

TR 54
1.49 AC

TR 28

TR 29

47

44-1

FOR INFORMATION ONLY

TR 3

TR 3
2.57 ACS

TR 9
1.51 AC

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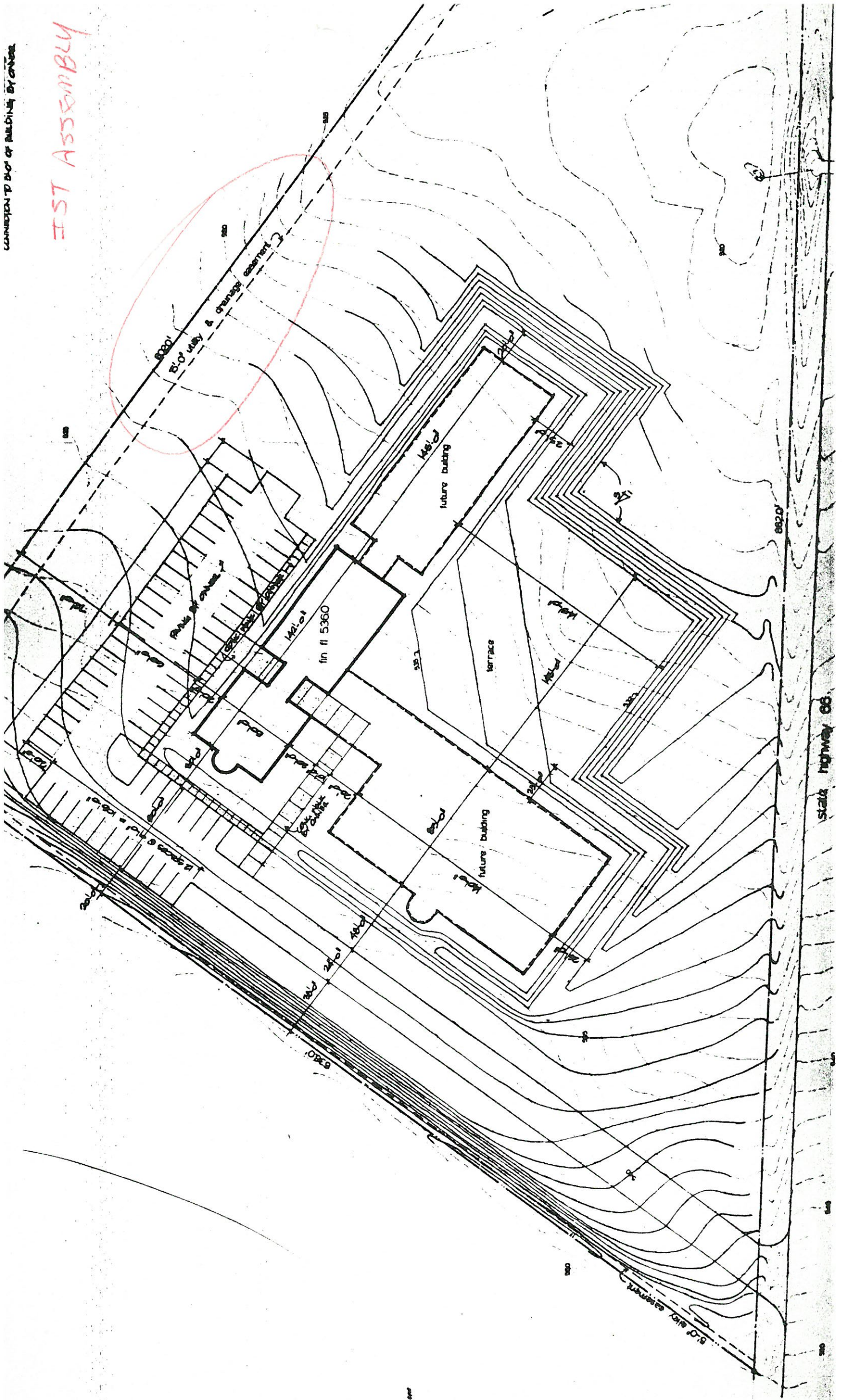
TR 7
21.41 ACS

R. BALLARD A-29

TR 5
8.869 ACS
TR 5-1
1 AC
TR 7
21.41 ACS

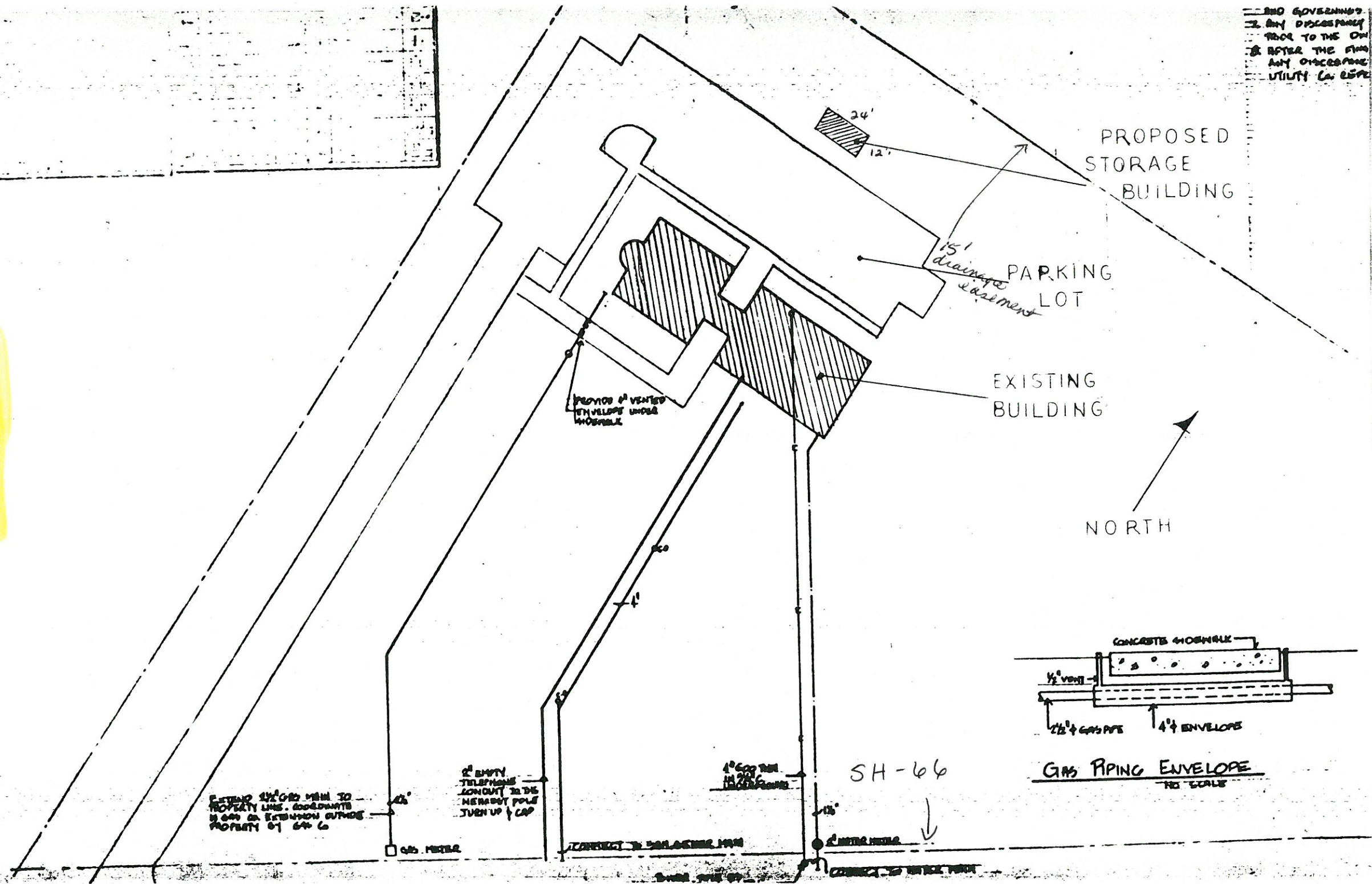
CONNECTION TO DUCT OF BUILDING BY CANALS

EST ASSEMBLY



NO GOVERNMENT
 ANY DISCREPANCY
 TO THE OWN
 AFTER THE FIRM
 ANY DISCREPANCY
 UTILITY CO. ETC.

EXHIBIT "A"



EXTEND 1 1/2" GAS MAIN TO PROPERTY LINE. GOOD POINTS IN GAS OR EXTENSION OUTSIDE PROPERTY BY 6" G

2" EMPTY TELEPHONE CONDUIT TO BE NERABUT POLE TURN UP & CAP

1" GAS PIPE IN 2" CONDUIT

SH-66

GAS PIPING ENVELOPE
 NO SCALE

Planning and Zoning Agenda

AGENDA DATE: August 11, 1988 AGENDA NO. III.E.

AGENDA ITEM: Hold Public Hearing and Consider approval of a Request from First Assembly of God Church for Renewal of a Conditional Use Permit for a Portable Building exceeding the Maximum Permitted Area in an "SF-7" Single Family Classification

ITEM GENERATED BY: First Assembly of God Church

ACTION NEEDED: Hold public hearing and recommend approval or denial of request.

BACKGROUND INFORMATION:

We have received a request for approval of a CUP for a portable building to be used for storage that exceeds 125 sq. ft. in an SF-7 zoning classification for the First Assembly of God church located on Williams Street. Approximately 2 years ago they received approval for this storage building. Under our ordinances if a CUP is not activated within 6 months of approval it becomes void. The church did not activate the permit and it is therefore void. They have now made application to in effect renew the permit. Their request is the same as it was 2 years ago and it is for a 12' by 24' portable building located at the rear of the property. The conditions that were placed on the request are as follows:

1. That the building be constructed of wood and painted to blend with the color of the Church.
2. That the side of the portable building facing residences contain no windows.

They are willing to meet these conditions in conjunction with this request.

ATTACHMENTS:

1. Location map
2. Plot plan

AGENDA ITEM: Assembly of God - CUP Renewal ITEM NO: III. E.

M:PZ08113E.AGN

Minutes of the Planning and Zoning Commission
August 11, 1988

Vice Chairman Bill Sinclair called the meeting to order with the following members present: Bob McCall, Leigh Plagens, Robert Wilson and Hank Crumbley.

The Commission first considered approval of the minutes of July 14 and July 25, 1988. Plagens made a motion to approve both sets of minutes with the correction of certain typographical errors. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Eugene and Luanne Franks for a Conditional Use Permit for a single family use on less than ten acres in an Agricultural Zoning Classification on a tract of land located at FM-740 and Shadydale Lane. Assistant City Manager, Julie Couch explained that the applicants wished to build a garage to house a semi-truck. She stated that no building permit could be issued until permanent zoning was established or a CUP was issued. She explained that the applicants didn't wish to rezone to single family because they would not be allowed to park the truck in single family zoning.

Luanne Franks told the Commission that the garage would be located to the rear of lot and was 4 to 6 feet lower than the house on the lot. She stated that the garage would have an automatic door, would be built to match the house with three feet of brick around the sides, and would completely conceal the truck.

Bob McKinney, No. 3 Shadydale, stated the Shadydale Lane would not withstand regular truck traffic and he was opposed to the CUP. George Hatfield, No. 1 Shadydale, stated that he lived directly across from the applicant's lot, he was opposed to allowing the permit, and that the asphalt road wouldn't withstand the weight of the truck. Mrs. Franks stated that the truck weighted 17,500 pounds which was less than the city garbage truck. Anita McKinney voiced her opposition. Sarah Whittle stated that she was unopposed. McCall confirmed with Rob Whittle that Shadydale would eventually tie into Phase III of Foxchase. Don Smith, a resident of Chandler's Landing, stated that with or without the garage a truck could be parked in Agricultural Zoning but that a truck parking there was temporary and a garage was permanent. He was opposed to the CUP. Sue O'Brian, No. 5 Shadydale stated that the lots in the City Limits deserved the protection of City Ordinances.

The Commission discussed turn space at Shadydale and FM-740, the Scenic Overlay District, view of the garage from adjacent lots, the height and landscaping around the garage and the current zoning on the lot. Plagens made a motion to recommend approval of the CUP with the following conditions:

1. The sides visible from adjacent residences would be landscaped with evergreen shrubs

2. No truck maintenance or repair would be conducted outside of the garage
3. No other buildings or outside storage would be allowed related to the truck
4. Garage materials would match the house and include three feet of brick around perimeter

McCall seconded. The motion was voted on and passed 3 to 2 with Wilson and Crumbley voting against the motion.

Council then held a public hearing and considered approval of a request from P.D. Crawford for a change in zoning from "GR" general retail to "SF-7" single family on a tract of land located at Kaufman Street and San Augustine and considered approval of a final plat. Couch explained that the applicant lost non-conforming status when his residence burned down. She stated that prior to issuance of a building permit, the property would have to be zoned for residential and platted. She stated that as this would be a one lot owner occupied subdivision, the applicant was requesting a waiver of street escrow requirements. Bob Brown, B.L.S. and Associates was present to represent the applicant. Jimmy Massey, an adjacent property owner confirmed that the zone change would be one lot only. The public hearing was closed. Plagens made a motion to recommend approval of the zone change, final plat, and waiver request. Crumbley seconded the motion. The motion was voted on and passed unanimously.

Couch then outlined a request from Realvest Corporation to amend the Preliminary Plan for PD-8, to change the land use designation on lots 9 through 23, Phase 18, Section 2, from zero lot line to single family and the proposed area requirements. Sinclair opened the public hearing. Harold Evans explained that these lots had recently been replatted and the zone change would contribute to reducing overall density. Rob Whittle told the Commission that Whittle Development owned lots in Phase 17 and was under a contractual obligation not to expand the lots. The public hearing was closed. McCall made a motion to approve the amendment. Plagens seconded the motion. The motion was voted on and passed unanimously.

Sinclair opened a public hearing on a request from Buddy Haldeman for a change in zoning from "A" Agricultural to "C" Commercial on a tract of land located on SH-205 south of Rockwall Parkway. As there was no one present to address this issue, the public hearing was closed. Crumbley made a motion to table consideration until the worksession pending appearance of applicant representation. Plagens seconded the motion. The motion was voted on and passed unanimously.

Couch outlined an application from First Assembly of God Church for renewal of a Conditional Use Permit for a portable building exceeding the maximum permitted area in an "SF-7" Single Family Classification. Sinclair opened the public hearing. As there was no one present wishing to address the Commission on this issue, the public hearing was closed. Plagens made a motion to table the item until the worksession. McCall seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a site plan for a Roadrunner Convenience Store and a final plat for the Haldeman Addition on a tract of land located at SH-205 and SH-276. Couch outlined the application. The Commission discussed the application. The Commission discussed the drive locations, the landscaping and the location of the sewer main. Plagens made a motion to approve the site plan and final plat. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a final plat for Foxchase Phase 1, a 32 lot subdivision on FM-740. Couch explained certain changes recently made in PD-9. She stated that the final plat conformed with the preliminary plat as it was approved and outlined recommended conditions for approval. Rob Whittle, Whittle Development, was present to address questions. The Commission discussed a possible developer's contract pertaining to future park land. Plagens made a motion to recommend approval of the final plat with the following conditions:

1. Any proposed improvements to the median must be approved by Council
2. Execution of a developer's contract regarding future dedication of park land

McCall seconded the motion. The motion was voted on and passed unanimously.

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

Thomas G. Quinn
Chairman

Julie Coet

Minutes of the Planning and Zoning Commission
August 25, 1988

Vice Chairman Bill Sinclair opened the meeting with the following members present: Robert Wilson, Leigh Plagens, and Mike Reid.

The Commission first considered approval of a request from Buddy Haldeman for a change in zoning from "A" Agricultural to "C" Commercial on a tract of land located on SH-205 south of Rockwall Parkway. Jeanie Davis was present to represent the property owner. Assistant City Manager, Julie Couch explained the request. Plagens made a motion to recommend approval of the request. Reid seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a request from the First Assembly of God Church for a Conditional Use Permit for a portable building exceeding the maximum permitted area in an "SF-7" single family classification. A church representative explained the church's need for the building. Plagens made a motion to recommend approval of the permit subject to the following conditions:

1. Limiting the size to 12' x 24"
2. Limiting location to rear of lot
3. The building being constructed of wood
4. The building painted to blend with the church
5. The sides of the building adjacent to residences may contain no windows

Reid seconded the motion. The motion was voted on and passed unanimously.

The Commission then adjourned into a worksession to discuss the upcoming P&Z cases.

Thomas E. Quinn
Chairman

Julie Couch

CITY OF ROCKWALL

City Council Agenda

AGENDA DATE: September 19, 1988 AGENDA NO. V.C.

AGENDA ITEM: Hold Public Hearing and Consider approval of an Ordinance Granting a Request from First Assembly of God Church for Renewal of a Conditional Use Permit for a Portable Building exceeding the Maximum Permitted Area in an "SF-7" Single Family Classification

ITEM GENERATED BY: First Assembly of God Church

ACTION NEEDED: Hold public hearing and consider approval or denial of the ordinance granting the request.

BACKGROUND INFORMATION:

We have received a request for approval of a CUP for a portable building to be used for storage that exceeds 125 sq. ft. in an SF-7 zoning classification for the First Assembly of God church located on Williams Street. Approximately 2 years ago they received approval for this storage building. Under our ordinances if a CUP is not activated within 6 months of approval it becomes void. The church did not activate the permit and it is therefore void. They have now made application to in effect renew the permit. Their request is the same as it was 2 years ago and it is for a 12' by 24' portable building with a composition gable roof located at the rear of the property. The building will meet the maximum height of 15 feet for accessory structures in residential areas. The conditions that were placed on the previous request are as follows:

1. That the building be constructed of wood and painted to blend with the color of the Church.
2. That the side of the portable building facing residences contain no windows.

They are willing to meet these conditions in conjunction with this request. We did receive two returned notices that were in opposition to the request. Both of these property owners were notified prior to the first CUP being approved and they did not respond negatively at that time. The attached location map indicates where these two properties are in relation to the proposed location of the building. A total of 45 property owners were notified of the request.

The Planning and Zoning Commission has recommended approval of the request with the following conditions:

1. The size of the portable building shall be 12' by 24'
2. The location of the building shall be at the rear of the property as approved on the site plan.
3. The building shall be constructed of wood and shall be painted to match the main structure.
4. The sides of the building adjacent to residences shall contain no windows.

ATTACHMENTS:

1. Location map
2. Plot plan
3. Ordinance

AGENDA ITEM: Assembly of God - CUP Renewal

ITEM NO: V.C.

MINUTES OF THE ROCKWALL CITY COUNCIL

September 19, 1988

Mayor Frank Miller called the meeting to order at 7:00 P.M. with the following Councilmembers present: Don Smith, Alma Williams, Frank Miller, Norm Seligman, Pat Luby and John Bullock.

Council first considered approval of the Consent Agenda which consisted of:

- A) the minutes of September 6, 1988
- B) an ordinance abandoning a drainage easement on Rockwall Parkway on second reading
- C) an ordinance abandoning a TU Electric easement in Stonebridge Meadows on second reading
- D) an ordinance authorizing a change in zoning from "A" Agricultural to "C" Commercial on a tract of land located on SH-205 south of Rockwall Parkway on second reading
- E) an ordinance regulating usage of the jogging trail at Harry Meyers Park on second reading
- F) a resolution urging the State to amend the definition of an emergency vehicle regarding emergency signal lights
- G) a resolution urging TML to support strict qualifying requirements for Agricultural exemption to Ad Valorem taxes.

Assistant City Manager Julie Couch read the ordinance captions. Miller pulled Items F and G. Williams made a motion to approve the Consent Agenda except Items F and G. Seligman seconded the motion. The motion was voted on and passed unanimously. Miller made a motion to approve Item F with a minor change in the wording of one sentence. Luby seconded the motion. The motion was voted on and passed unanimously. Miller then suggested minor wording revisions in Item G and made a motion to approve the resolution with these changes. Smith seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a request from P.D. Crawford for a change in zoning from "GR" General Retail to "SF-7" Single Family on a tract of land located at Kaufman Street and San Augustine, and considered approval of a final plat for the Crawford Addition. Couch outlined the applicant's request and explained that prior to obtaining a building permit to replace a residence that had burned and lost its non-conforming status the property had to be rezoned and platted. Bob Brown, representing the applicant, stated that Mr. Crawford proposed to move an old parsonage onto the lot to be used as his residence. Smith made a motion to approve the request, an ordinance authorizing the zone change on first

reading, the final plat, and a waiver of street escrow requirements. Luby seconded the motion. The motion was voted on and passed unanimously.

The Council then held a public hearing and considered approval of an ordinance granting a request from First Assembly of God Church for renewal of a Conditional Use Permit for a portable building exceeding the maximum size permitted in an "SF-7" Single Family classification. Couch explained that the CUP had been granted previously by the Council but had expired. She stated that the application was the same as the original application and read the ordinance caption. As there was no one present to address the Council on this issue the public hearing was closed. Seligman made a motion to approve the ordinance. Smith seconded the motion. The Mayor offered an amendment to require a two year time limit. Seligman seconded the amendment. The amendment was voted on and passed unanimously. The motion as amended was voted on and passed unanimously.

The Council then held a public hearing and considered approval of a request from Realvest, Inc., for an amendment to the preliminary plan for PD-8, Chandlers Landing to change the land use designation on Lots 9 through 23 in Phase 18, Section 2, from Zero Lot Line to Single Family, and approval of area requirements. Couch explained that the lots had previously been replatted, outlined the proposed area requirements, and read the caption of an ordinance amending the preliminary plan for PD-8. Harold Evans, representing the applicant, addressed the Council's questions regarding the lot sizes and possible tightness of lots. Seligman made a motion to approve the ordinance. Smith seconded the motion. The motion was voted on and passed unanimously.

Miller then opened a public hearing and Council considered amending the Comprehensive Zoning Ordinance to adopt regulations regarding sexually oriented businesses. Couch outlined the regulatory ordinance previously adopted by Council, the recommendation of the Planning and Zoning Commission and the recommendation of the City Attorney to amend the Zoning Ordinance and the Private Club Ordinance to provide regulations for sexually oriented businesses. As there was no one present to address this issue, the public hearing was closed. Williams made a motion to instruct Staff to draft ordinances amending the Comprehensive Zoning Ordinance and Private Club Ordinance regarding sexually oriented businesses. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance adopting the 1988-89 Operating Budget. As there was no one present wishing to address the Council on this issue, the public hearing was closed. Couch read the ordinance caption and City Manager Bill Eisen explained some changes that had been made at Council's direction since the Budget Worksession. Seligman made a motion to approve the ordinance. Smith seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a resolution making application to the Texas Capital Development Fund on behalf of Celebration Cake Company. Eisen explained that funding for business development and business expansion was available through the Texas Department of Commerce and Jim Head, of Celebration Cake Company, had requested the City to sponsor a loan application. He explained that although the City would technically be the recipient of the loan, a limited role would be

Council then considered approval of an ordinance amending the 1987-88 Budget. Couch read the ordinance caption. Williams made a motion to approve the ordinance. Smith seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an ordinance setting the 1988-89 tax rate. Couch read the ordinance caption. Smith made a motion to approve the ordinance. Seligman seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an ordinance prescribing the method for setting rates at the Municipal Airport. Eisen explained that this would allow Airport rates to be set and amended by resolution as water and sewer rates were done. Couch read the ordinance caption. Smith made a motion to approve the ordinance. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a resolution amending water and sewer rates. After a brief Council discussion, Seligman made a motion to approve the resolution. Smith seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an ordinance updating service credit in TMRS and increasing the employee contribution rate. Eisen explained the contents of the ordinance. Couch read the ordinance caption. Smith made a motion to approve the ordinance. Williams seconded the motion. The motion was voted on and passed unanimously.

Council next considered approval of an resolution fixing a charge for returned checks. Eisen explained the current charge was \$5.00 and the resolution would establish a \$15.00 charge. Bullock questioned the cost of processing an insufficient check. Director of Finance Mike Phemister explained the procedures and stated that \$15.00 was an acceptable amount. Luby made a motion to approve the resolution. Smith seconded the motion. The motion was voted on and passed with all in favor except Bullock who was opposed.

Council discussed a resolution establishing a policy regarding review of newly annexed areas for the purpose of establishing permanent zoning. After discussion regarding the recommendation of the Planning and Zoning Commission, Seligman made a motion to approve the resolution. Williams seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a resolution authorizing establishment of a 9-1-1 Emergency Telephone System and authorizing the levy of a charge to finance the service. Eisen outlined the steps taken to date towards establishing the service and additional procedures to be completed. Smith made a motion to approve the resolution. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then considered award of bid for materials for a 12" water main extension to the Children's Shelter on Airport Road and a 6" water main replacement on the Alumax property. Director of Community Services Ed

Heath recommended award of the bid to Trans Tex Supply and explained that the two lower bidders had not complied with specifications. The bids were as follows:

Daystar Sales	\$14,121.70
Atlas Utility	\$14,657.04
*Trans Tex Supply	\$15,183.99
Bowles and Eden	\$15,863.42
Texas Meter Service	\$15,959.36

Seligman made a motion to award the bid as recommended. Williams seconded the motion. The motion was voted on and passed unanimously.

Council then considered authorizing the City Manager to execute an agreement with Independent Bank for financing a \$77,261.86 note. Mayor Miller turned the chair over to Councilmember Bullock and abstained from participation in the discussion due to a conflict of interest. Eisen explained that a balloon payment was due September 20th on a two year note in the original amount of \$110,000 used for the purchase of land. He stated that it would be a two year note with a three year amortization period at an interest rate of approximately 10% as determined by our depository agreement. Smith made a motion to authorize execution of the agreement. Seligman seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a resolution accepting a donation of .2897 acres of land for use as a City park by Dr. Sherman Sparks and authorizing the City Manager to file a warranty deed effective January 20, 1989. Director of Parks and Recreation Rick Crowley outlined the provisions of the deed and location of the land. Williams made a motion to approve the resolution. Seligman seconded the motion. The motion was voted on and passed unanimously.

Council then considered award of bids for paving, drainage, and utility improvements in the Heritage Heights Subdivision. Eisen explained that FMHA approval still had not been received. Smith made a motion to table the award until October 17th or the next convenient meeting upon receipt of approval. Williams seconded the motion. The motion was voted on and passed unanimously.

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

APPROVED:

ATTEST:

Mayor

By: _____

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____
730 o'clock P.M on the 11th day of August, 1988
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request of First Assembly of God Methodist Church
for a Conditional Use Permit for a storage building in excess of
120 square feet in a residential zoning category

on the following described property:

*609 E Williams also described as
Lot C + D, Green Meadows 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 88-44-CUP

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 88-44- CUP

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 _____

C+D Green Meadows

cm	Remy Cheney 1000 Yellowjacket #2805	W.C. Isaacs 602 Nash	Jordan BKK
	RE Clark 804 Heath	Joseph Caparelli 604 Nash	
	Edwin A Lichwa 9824 Smokeleather Dallas 75243	Joe Griffin 606 Nash	
	Yates A Marsh 808 Heath	Blanche Lay 608 Nash	
	F. E. Martin 810 E Heath	Richard Harris P.O. 279	
	Kenneth R Harrison 812 Heath	Mona Mitchell 702 Nash	
	Joseph Randall Dillard 814 Heath	Charles Braly 704 Nash	
	Mitchell Don Cramer 816 Heath	John Cotten 505 Point Royal	
	Elbert Halland 818 Heath	Jeanine Langly 708 Nash	
		Carilyn Peoples RT 1 Box 96 Purinton TN 75077	

Adams

Virginia Adams
911 N Cahad

William Robert Hill
817 Heath

Pamela J Jones
912 N Alamo

Berry Lane
819 Heath

John Robert Epperson
804 Williams

Coyce Cranberry
821 E Heath

Phelps

Janie Wimpee
801 E Heath

Allen S Wood
404 Nash

Melton

Robert & Wanda Taylor
803 E Heath

Al Stovall
704 Williams

Baydster
121

Alton Marks
805 E Heath

Cyndi Happel
706 Williams

Willie Mitchell
807 E Heath

Timothy Wilcox
802 Williams

E B Watkins
809 E Heath

Arch Edwards
P.O. 253

S
Billie Blythe
~~8~~ 811 E Heath

Stan Cullley
813 E Heath

Milton Nations
815 E Heath

Ballard Jimmy Babb
Rt 2, 98A
Campbell Tx
75422

Rich Falk
P.O. Box 625

Rogee McCallum
928 Williams

Paralee Payne
920 Williams

RH Sheets
906 Williams

L.C. Stephenson
Rt 2 Box 18

William Co Stephenson
Rt 2 Box 18

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____
730 o'clock P.M on the 11th day of August, 1988
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request of First Assembly of God Methodist Church
for a Conditional Use Permit for a storage building in excess of
120 square feet in a residential zoning category

on the following described property:

*609 E Williams also described as
Lot C & D, Career Meadows 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 88-44-CUP

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 88-44- CUP

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

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

- 1. Let them build a warehouse in front of their home.*
- 2. If they need storage space, build on to the present building*
- 3. For 20 yrs. I have lived here & raised our sons here, paid our taxes & where was this group of people. I object to this all the way.*

Signature Mrs. Cayce Granberry
Address 821 E. Hatt

→
See other side

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

① I am opposed to any storage buildings of this size to be constructed in our neighborhood.

② let them make an addition to the present church,

signed Mrs. Elise LaRue

address

819 E. Heath

Rockwall, TX 75087

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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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, 205 West Rusk Street, Rockwall Texas 75087.

Case No. P&Z 88-44- CUP

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

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

- 1. This is too large a building*
- 2. It will not blend in with neighborhood*
- 3. This is a residential area not business*

Signature Carolyn Peugh

Address 710 Rd
Rockwall

ORDINANCE NO. 88-50

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR THE LOCATION OF ONE (1) PORTABLE BUILDING AT 609 EAST WILLIAMS, MORE FULLY DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a Conditional Use Permit for a portable building has been requested by the First Assembly of God Church for lots C & D, Green Meadows Addition; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to grant a Conditional Use Permit for the location of one (1) portable building on a tract of land more particularly described as Block C and D, Green Meadows Addition.

SECTION 2. This Conditional Use Permit is granted subject to the following conditions:

- A. The portable building must be constructed of wood and painted to blend with the church.
- B. The portable building may have no windows on the side facing residences.
- C. The building must be located at the rear of the lot as shown on the attached site plan as Exhibit "A".
- D. The size of the building is limited to 12 feet by 24 feet.
- E. Limited to two (2) years from the date of approval.

SECTION 3. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

SECTION 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 TWO THOUSAND (\$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, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have

adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions 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 3rd day of October, 1988.

APPROVED:

Jack R. Miller

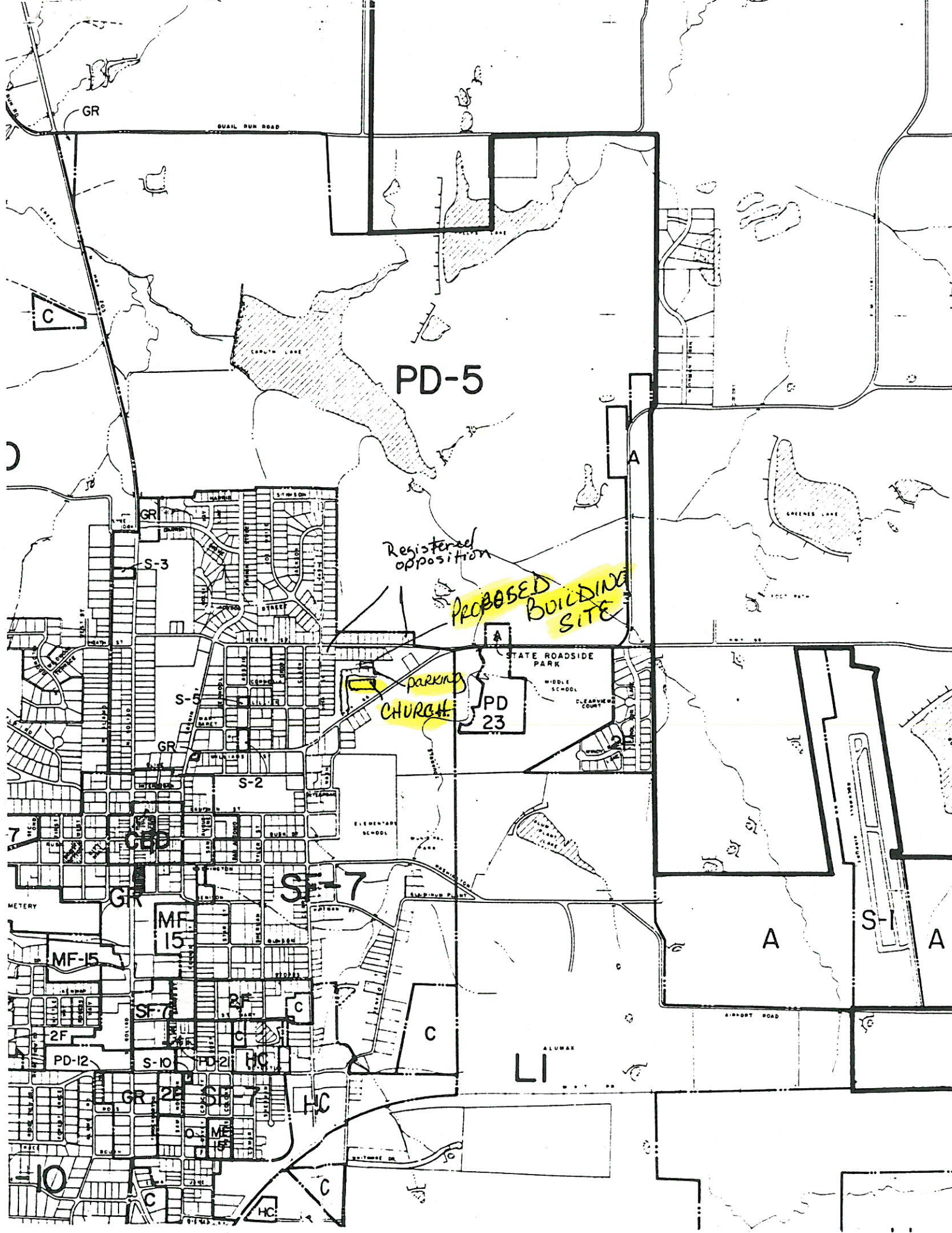
Mayor

ATTEST:

BY: Julie Cook

1st reading 9/19/88

2nd reading 10/3/88



GR

QUAL RUN ROAD

PD-5

Registered opposition

PROPOSED BUILDING SITE

parking CHURCH

STATE ROADSIDE PARK
MIDDLE SCHOOL
CLEARVIEW COURT
PD 23

S-3
S-5
S-2
SF-7
MF-15
PD-12
S-10
PD-21
HC
GR
2F
10
C
HC

ELEBENADE SCHOOL

LI

A

S-1

A

AIRPORT ROAD

ALUMAX

BRITISH DR

GREENES LAKE

CAPTAIN LAKE

C

A

METERY

7

10

GR

2F

MF-15

GR

S-2

S-5

S-3

GR

C

GR

GR

GR

GR

PLANNING AND ZONING ACTION SHEET

Applicant 1st Assembly of Prod Case No. 88-44-cvp
88-43-2
Property Description _____
Case Subject Matter cwp for portable

CASE ACTION

Approved Disapproved Tabled
Date to P&Z August 11 _____ ✓
Conditions August 25 ✓ _____

Date to City Council 9/19 ✓ _____
Conditions _____

Ordinance no. 88-50 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