

CITY OF ROCKWALL  
205 West Rusk  
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 90-27-2 Filing Fee \_\_\_\_\_ Date 7/30/90  
Applicant LARRY & Jenny Cleghorn Phone 214-771-0579  
Mailing Address 1720 Hwy 276  
Rockwall, TX 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.)<sup>1</sup>

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

Agricultural District Classification to  
Highway 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:<sup>2</sup> Owner X 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 Larry Dale Cleghorn

NOTE:

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

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

DESCRIPTION

BEING, a tract of land situated in the J.M. Allen Survey, Abstract No. 2, Rockwall County, Texas, and being part of a 66.26 acre tract as recorded in Volume 82, Page 87, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the North line of State Highway No. 276, with the East line of said 66.26 acre tract, a ½" iron stake found for corner.

1 { THENCE, N. 89° 44' 04" W., along the North line of State Highway No. 276, a distance of 150.00 feet to a ½" iron stake set for corner.

2 { THENCE, N. 0° 28' 53" W., leaving the North line of State Highway No. 276, a distance of 290.42 feet to a ½" iron stake set for corner.

3 { THENCE, S. 89° 44' 04" E., a distance of 150.00 feet to a ½" iron stake set for corner.

THENCE, S. 0° 28' 53" E., a distance of 290.42 feet to the PLACE OF BEGINNING and containing 1.00 acres of land. This description is based on the Land Title Survey and Plat made by Kenneth E. Brown, Registered Public Surveyor on March 7, 1985.

CERTIFICATION

I, Kenneth E. Brown, do hereby certify that this survey was made on the ground, under my direction, that this plat correctly represents the facts found at the time of survey and that all corners are marked as shown and there are no visible conflicts or encroachments other than shown and that this service conforms to the current Texas Surveyors Association Standards and Specifications for a category 1-A condition 3 survey. This plat is for the exclusive use of Larry Cleghorn, and the undersigned surveyor is not responsible to any others.

  
Kenneth E. Brown, Registered Public Surveyor

CITY OF ROCKWALL  
205 West Rusk  
Rockwall, Texas

424-6563

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 90-27- CUP

Date Submitted 7/30/90

Filing Fee \$ \_\_\_\_\_

Applicant LARRY & JENNY CLEGGAN & JOE GIBB JR.

Address 1720 Hwy 27c

Phone No. 214-971-0575

ROCKWALL, TX 75074

Owner  Tenant<sup>1</sup>  Prospective Purchaser <sup>1</sup>

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:)<sup>2</sup>

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

line The current zoning on this property is Agricultural.  
There <sup>space</sup> are/are <sup>space</sup> not deed restrictions pertaining to the intended use of this property.

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

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

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



# M - TEX SEAT COMPANY

2440 Dowell Road  
Rockwall, Texas 75087  
214/771-9133

July 30, 1990

City of Rockwall  
Rockwall, TX

Re: Proposed Business Operation at Highway 276, 143A, Rockwall, Texas

To Whom It May Concern,

I, Joe Gibbs, Jr., am the owner of M-Tex Seat Company which is currently doing business at 2440 Dowell Road in Rockwall. It is my intention to lease the referenced property at Highway 276, 143A.

The operation of my business includes the manufacture of electric cart seats as well as the manufacture and repair of boat interiors. On occasion, one or two boats may be located on the premise for short periods while the interiors are being reworked. Additionally, I may park a company trailer behind the building that is used to transport completed products to customers.

I trust this information will satisfy your needs in the determination of zoning for this location. If you require additional information, however, please do not hesitate to contact me.

Respectfully Submitted,

Joe Gibbs, Jr.  
Owner

JG/kh

**CITY OF ROCKWALL**  
**Planning and Zoning Agenda**

**Agenda Date:** September 13, 1990

**Agenda No:** III. B.

**Agenda Item:** P&Z 90-27-Z/CUP - Hold Public Hearing and Consider Recommending Approval of a Request from Larry Kleghorn for Establishment of Permanent Zoning of Highway Commercial with a Conditional Use Permit for a Commercial Upholstery Business on a Tract of Land Located on SH-276 West of FM-549

**Item Generated By:** Applicant, Larry Kleghorn

**Action Needed:** Hold public hearing and consider recommending approval of the application with any conditions included in the motion.

**Background Information:**

We have received our first request for Highway Commercial Zoning. This site was previously occupied by a feed store on SH-276. The tenant does not plan to expand the existing building which will become nonconforming if the zoning is approved. It is a metal building. He plans to operate a wholesale upholstery business for boat and golf cart seats. He will also do some retail upholstery on boats. The use will take place entirely inside the building and he does not plan to have any outside storage with the exception of a trailer that is used in the wholesale business. He understands that the trailer would have to be stored entirely behind the building and screened with a masonry wall on both sides if he stores the trailer there. The owner is not required to site plan or plat until the building is replaced or expanded. We would recommend the following conditions on the CUP:

1. That the CUP be granted for the wholesale and retail assembly, installation and repair of boat and golf cart upholstered interiors.
2. That any outside storage shall be located behind the building and screened in accordance with the Highway Commercial District.
3. That any expansion of the existing building or construction of additional buildings shall require submission of a site plan to the Planning and Zoning Commission and City Council.

**Attachments:**

1. Location Map

**CITY OF ROCKWALL**  
**City Council Agenda**

**Agenda Date:** September 17, 1990

**Agenda No:** V. D.

**Agenda Item:** P&Z 90-27-Z/CUP - Hold Public Hearing and Consider Approval of an Ordinance Approving a Request from Larry Cleghorn for Establishment of Permanent Zoning of Highway Commercial with a Conditional Use Permit for a Commercial Upholstery Business on a Tract of Land Located on SH-276 West of FM-549

**Item Generated By:** Applicant, Larry Cleghorn

**Action Needed:** Hold public hearing and consider approval of the application with any conditions included in the motion.

**Background Information:**

We have received our first request for Highway Commercial Zoning. This site was previously occupied by a feed store on SH-276. The tenant does not plan to expand the existing building which will become nonconforming if the zoning is approved. It is a metal building. He plans to operate a wholesale upholstery business for boat and golf cart seats. He will also do some retail upholstery on boats. The use will take place entirely inside the building and he does not plan to have any outside storage with the exception of a trailer that is used in the wholesale business. He understands that the trailer would have to be stored entirely behind the building and screened with a masonry wall on both sides if he stores the trailer there. The owner is not required to site plan or plat until the building is replaced or expanded. We would recommend the following conditions on the CUP:

1. That the CUP be granted for the wholesale and retail assembly, installation and repair of boat and golf cart upholstered interiors.
2. That any outside storage shall be located behind the building and screened in accordance with the Highway Commercial District.
3. That any expansion of the existing building or construction of additional buildings shall require submission of a site plan to the Planning and Zoning Commission and City Council.

The Planning and Zoning Commission will hear this request at their meeting on Thursday. We will forward their recommendation and proposed ordinance to you on Friday.

**Attachments:**

1. Location Map



**CITY OF ROCKWALL**  
**City Council Agenda**

**Agenda Date:** September 17, 1990

**Agenda No:** V. D.

**Agenda Item:** P&Z 90-27-Z/CUP - Hold Public Hearing and Consider Approval of an Ordinance Approving a Request from Larry Cleghorn for Establishment of Permanent Zoning of Highway Commercial with a Conditional Use Permit for a Commercial Upholstery Business on a Tract of Land Located on SH-276 West of FM-549 and Approval of a Temporary Certificate of Occupancy (1st Reading)

**Item Generated By:** Applicant, Larry Cleghorn

**Action Needed:** Hold public hearing and consider approval of the application with any conditions included in the motion.

**Background Information:**

The Commission has recommended that the request for Highway Commercial and a CUP for a Commercial upholstery business be approved with the following conditions:

1. That the CUP be granted for the wholesale and retail assembly, installation and repair of boat and golf cart upholstered interiors.
2. That any outside storage shall be located behind the building and screened in accordance with the Highway Commercial District.
3. That any expansion of the existing building or construction of additional buildings shall require submission of a site plan to the Planning and Zoning Commission and City Council.

A copy of the proposed ordinances are attached.

Mr. Clegorn has also requested that if the zoning is approved, the Council consider authorizing the issuance of a temporary C. O. for this use so that Mr. Gibbs, the tenant, may move in and begin setting up. As mentioned in the original notes, Mr. Cleghorn will not be expanding the building or constructing additional buildings, only occupying the existing building. Normally a C. O. will not be issued until the zoning ordinance authorizing a use has been finally approved on second reading. A copy of a letter from Mr. Cleghorn outlining the reason for his request is attached. He states that he understands that if the zoning is not approved on second reading that the tenant would have to cease operation and move out of the building.

**Attachments:**

1. Ordinances
2. Letter from Mr. Cleghorn



THE DIVERS TRAINING CENTER

---

1108 Dobie Drive

• Plano, Texas 75074 •

(214) 424-6563

---

City Council  
City of Rockwall  
Rockwall, Texas  
75087

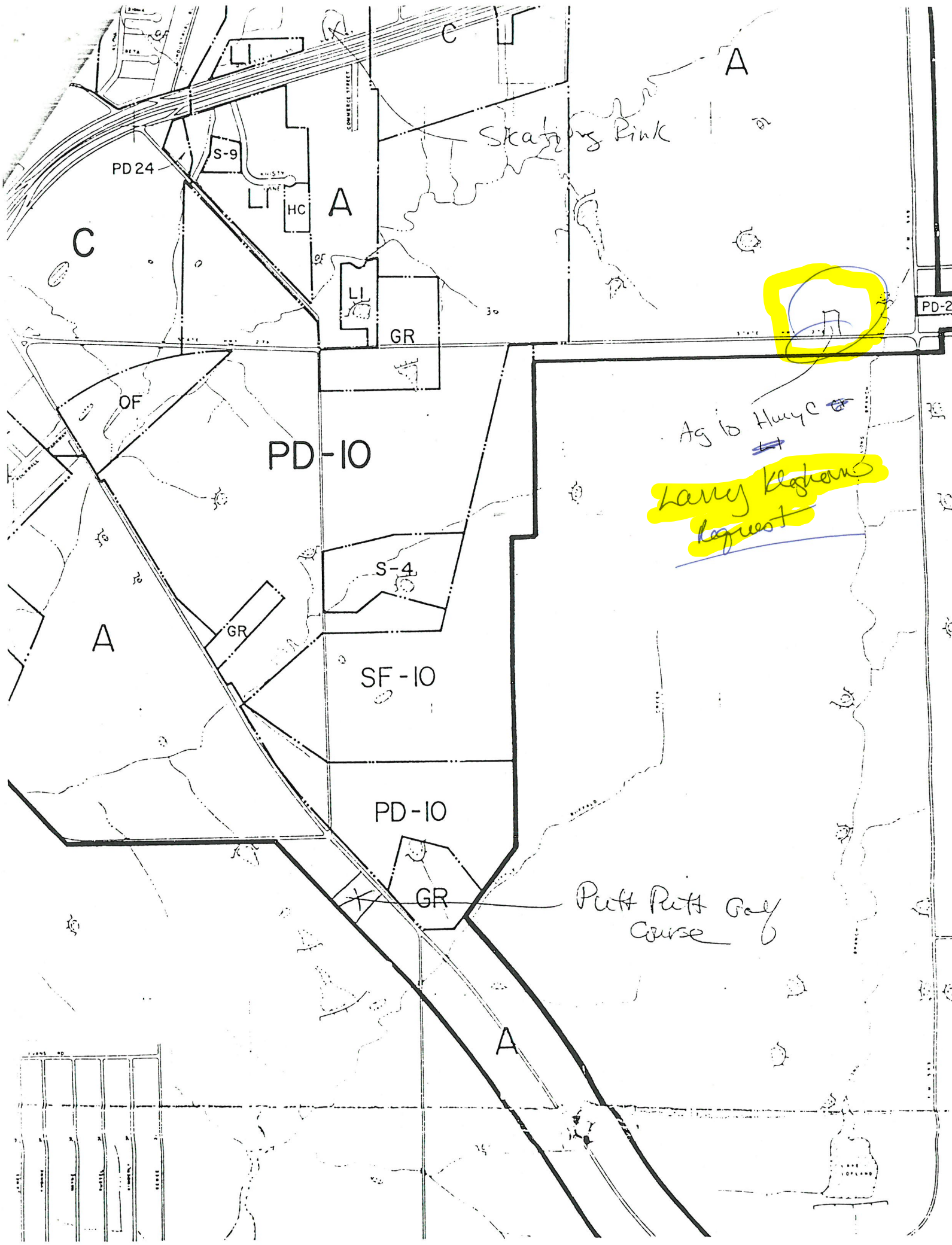
September 10, 1990

Mr. Joe Gibbs, the anticipated tenant of my building on Hwy 276, has a contractual agreement in which time is of the essence. He desperately needs to get his equipment set, even temporarily, to meet his deadline. I am therefore respectfully requesting that he be granted a temporary occupancy permit on the first reading at the City Council. I acknowledge that this would not imply that a permanent Occupancy Permit would not necessarily follow.

Your help and consideration in this matter would be greatly appreciated. If either I or Mr. Gibbs can answer any questions please contact me at the above address and phone.

Yours Truly,

  
Larry Cleghorn



Skating Rink

A

PD 24

S-9

A

LI

HC

C

LI

GR

PD-2

OF

PD-10

Ag to Hwy C

Larry Klagans  
request

S-4

A

GR

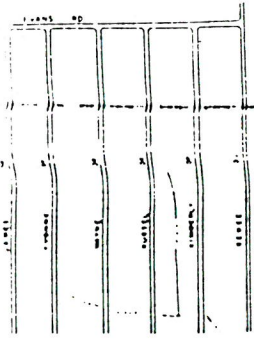
SF-10

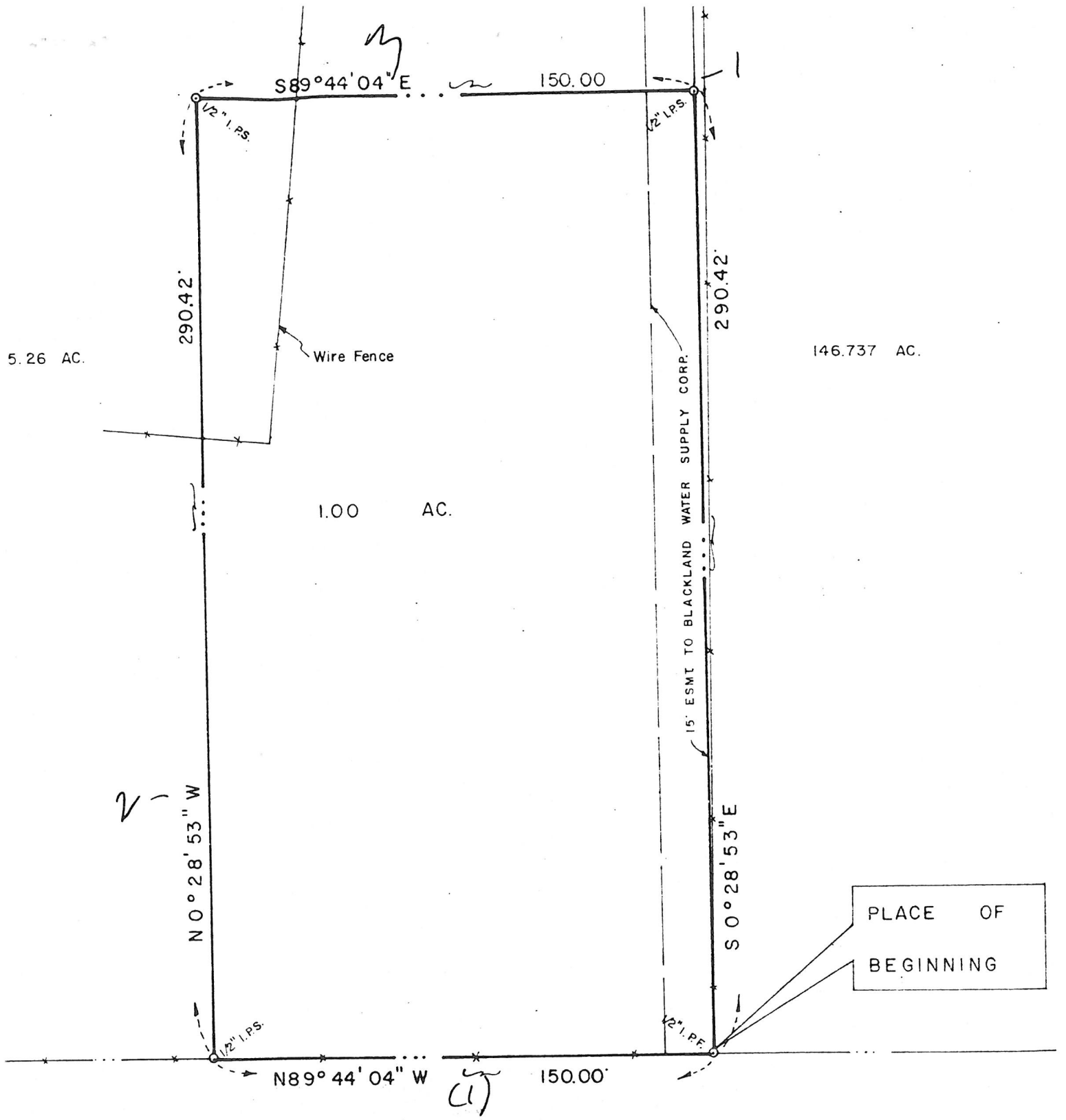
PD-10

GR

Putt Putt Bay  
Course

A





PLACE OF BEGINNING

STATE HWY. NO. 276



# CITY OF ROCKWALL

"THE NEW HORIZON"

August 31, 1990  
PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, September 13, 1990 at 7:30 P.M. in City Hall and the Rockwall City Council will hold a public hearing on Monday, September 17, 1990, at 7:00 P.M. in City Hall, 205 W. Rusk, to consider approval of a request from Larry Cleghorn for establishment of permanent zoning of Highway Commercial with a Conditional Use Permit for a Commercial Upholstery Business and/or Light Industrial on a tract of land located on SH-276 west of FM-549 and further described on the reverse of this page.

As an interested property owner, you are invited to attend these hearings or make your feelings known in writing to the Commission and Council by returning the form below.

-----  
P&Z 90-23-Z/CUP

I am in favor of the request for the following reasons \_\_\_\_\_

I am opposed to the request for the following reasons \_\_\_\_\_

- 1.
- 2.
- 3.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

Larry Cleghorn

Jenny Clarke Cleghorn  
507 Best

D. L. Faulkner  
1785 E I-30  
Garland TX 75043

Chapel View  
2911 Little Creek Blvd  
Suite 1400  
Dallas 75219