CITY OF ROCKWALL 205 West Rusk Rockwall, Texas

APPLICATION FOR ZONING CHANGE

	Case No. $9/-23-2$ Filing Fee 10 Date $1/22/91$
	Applicant DAWAS FloRAL MARKET, INC. Phone 148-9242
	Mailing Address PO BOX 85-810
	MESQUITE, TEXAS 75185-0810
	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.)
	905 HIBH SCHOOL ROAD (TRACT 9 ROCKWAII, TEXAS 75087 A0099 A. HANNA
	I hereby request that the above described property be changed from its present zoning which is
	LIGHT INOUSTRIAL District Classification to
omn	for the following reasons: (attach separate sheet if necessary)
Jarde	OUTSIDE STORAGE (Shrubbery, Soils, POTS, LANDSCAPE EQUIP + MAT. ET
0 000	There (are) (are not) deed restrictions pertaining to the intended use of the property.
	Status of Applicant: Owner Tenant
	Prospective Purchaser
7	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 <u>Hamela Stevens</u> / Ken Stevens

Page 2 of 2 NOTE:

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.

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



"THE NEW HORIZON" Rockwall, Texas 75087-3628

(214) 771-1111

Cash Receipt

Name The	Dall	as 7 l	ORa	e moohit	Date_		
Mailing Address	14 				20 10		
Job Address	S. (Pern	nit No		
Check 6	72605	Cash [Other			
DESCRIPTION	Acct. Code	Amoun	t	DESCRIPTION	Acct. Code		
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	06-3835		
Mechanical Permit	01-3610			Sewer Availability	07-3836		
Municipal Pool	01-3402			Meter Deposit	02-2201		
Zoning, Planning, B.O.A.	01-3411	110	W	Portable Meter Deposit	02-2202		
Subdivision Plats	01-3412			Misc. Income	02-3819		
Sign Permits	01-3628			NSF Check	02-1128		
Health Permits	01-3631			Meter Rent	02-3406		
Misc. Permits	01-3625			Penalties	20-3117		
Misc. Income	01-3819			Hanger Rent	20-3406		
Sale of Supplies	01-3807			Tie Down Fees	20-3407		
Marina Lease	08-3810			Land Lease	20-3804		
Cemetery Receipts	10-3830			Sale of Supplies	20-3807		
PID	13-3828			Airport Cred. Cd.	20-1132		
Street	14-3828			Fuel Sales	20-3809		
Hotel/Motel Tax	15-3206						
TOTAL OF CO			TOTAL OF COLUMN				
TO	110	w	Received By				

WHITMORE COURT PLACE OF BEGINNING EAST 191.20' 17.5' - 4'x4' Conc. DRAIN 10 Conc. RUNNER 41957.9406 SQ. FT. 0.9632 Ac. 0 GREEN HOUSE 56.8 #905 16.0 ONE STORY BRICK ONE STORY ALUN ON 00 00 0 P. E. NAIL N89º20'19"W 204.17'

PROPERTY DESCRIPTION

BEING a tract of land situated in the A. Hannah Survey, Abstract No. 99, a part of a tract conveyed to B.W. Browning, recorded in Volume 65, Page 630, Deed Records, Rockwall County, Texas and a part of a 99.958 acre tract, recorded in Volume 14, Page 267, Deed Records, Rockwall County, Texas and more particularly described as follows:

BEGINNING at a P.K. Nail set at the Northwest corner of the said Browning tract and the 99.958 acre tract at the intersection of High School Road and Whitmore Ct.;

THENCE East with the centerline of said Whitmore Ct., a distance of 191.20 feet to an "X" set in concrete for corner;

THENCE South 01 degrees 30 minutes East, a distance of 213.50 feet to a chain link fence post for corner;

THENCE North 89 degrees 20 minutes 19 seconds West, a distance of 204.17 feet to a P.K. Nail set for corner in the centerline of said High School Road;

THENCE North 02 degrees 00 minutes East, with the centerline of said High School Road, a distance of 211.20 feet to the PLACE OF BEGINNING and CONTAINING 41957.9406 square feet or 0.9632 acres of land.

SURVEYOR'S CERTIFICATE

The undersigned Registered Professional Surveyor (Doug Connally) hereby certifies to ROCKWALL COUNTY ABSTRACT & TITLE COMPANY

that (a) this plat of survey and the property description set forth hereon are true and correct and were prepared from an actual on-the-ground survey of the real property (the "Property") shown hereon; (b) such survey was conducted by the Surveyor or under his supervision; (c) all monuments shown hereon actually exist and the location, size and type of material thereof are correctly shown; (d) except as shown hereon, there are no encroachments onto the Property of protrusions therefrom, there are no improvements on the Property, there are no visible discrepancies, conflicts, shortages in area, or boundary line conflicts; (e) the size, location and type of improvements are as shown hereon, and all are located within the boundaries of the Property and set back from the Property lines the distance indicated; (f) the distance from the nearest intersecting street or road is as shown; (g) the Property has access to and from a public roadway; and (i) the boundaries, dimensions and other details shown hereon are true and correct.

DOUG CONNALLY

3935
SURVE
SURV

0.9632 Ac. - 905 HIGH SCHOOL ROAD

DOUG CONNALLY & ASSOC., INC.

ROCKWALL

LEGEND

○ 1/2" IRON ROD FOUND — X X CHAIN LINK FENCE ⊗ 1/2" IRON ROD SET — # WOOD FENCE ○ 1" IRON PIPE FOUND — ## ## BARBED WIRE

OVERHEAD ELECTRIC

CONCRETE PAVING

A A A GRAVEL ROAD OR DRIVE

OVERHEAD ELECTRIC SERVICE LINE OVERHEAD POWER LINE

A A A GRAVEL ROAD OR DRIVE

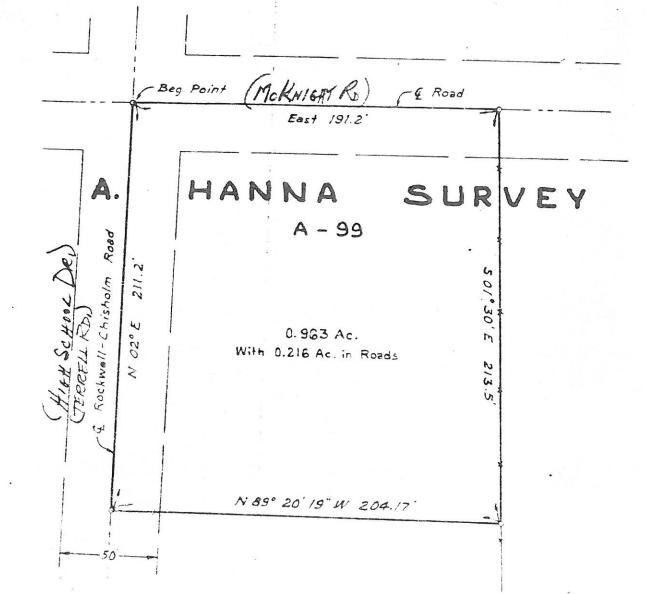
/// ASPHALT PAVING

COVERED PORCH, DECK OR CARPORT

9726 SKILLMAN STREET DALLAS, TEXAS 75243 PHONE (214) 349-9485 FAX (214) 349-2216

SCALE: DATE: JOB No. G.F.No. DRAWN BY
1"=20' Z-Z8-95 95-538 95023564 L.Owings

Note: According to the F.I.R.M. in Community Panel No. <u>480547 0005C</u>, this property does lie in Zone <u>X</u> and does not lie within the 100 year flood zone.



Being a tract of land situated in the A. Hannan Survey, Abstract No. 99. A part of a tract conveyed to B. W. Browning, of record in Volume 65, Page 630. Deed Records, Pockwall County, Texas and a part of a 99.058 acre tract of record in Volume 14, Page 267, Deed Records, Rockwall County, Texas and more particularly described as follows:

BEGINNING at the Northwest corner of the said Browning tract and the 99.958 acre tract at the intersection of two roads;

THENCE East, with the centerline of a gravel road, 191.20 feet to a point for corner:

THENCE South D1 deg. 30 min. East, with a fence line, 213.50 feet to an iron rod in fence line for corner;

THENCE North 89 deg. 20 min. 19 sec. West, 202.17 feet to a point in the centerline of the Rockwall - Caisholm road:

THENCE North 02 dec. 00 min. East, with the centerline of said road, 211.23 feet to the place of beginning and containing 0.963 acres of land more or less.

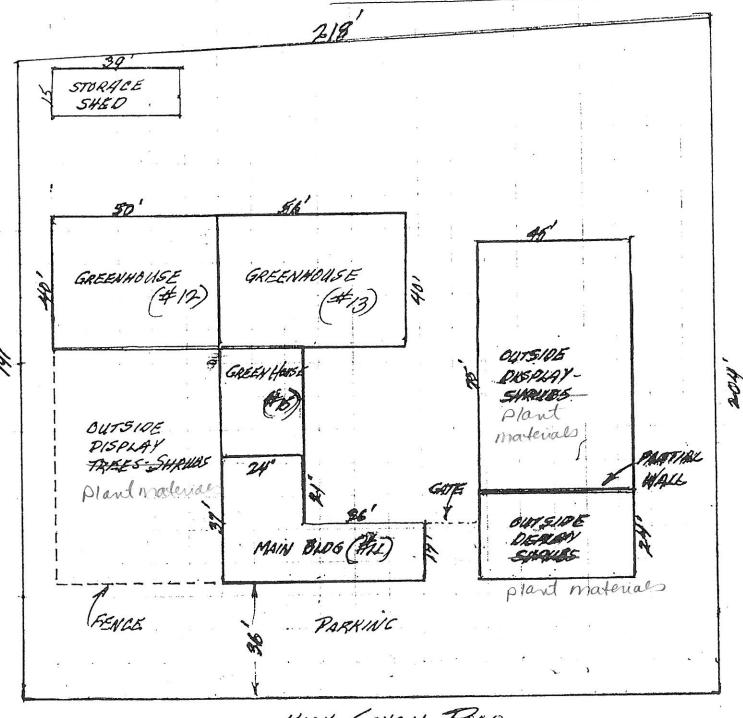
I do hereby certify that the plat shown hereon represents the results of an on the ground survey made under my direction and that all corners are marked as shown and there are no visible encroanoments or conflicts other than shown.

Pet D. Presley

Registered Public Surveyor

900 HIGH SOHOOK KU

CHANGE SUBMITTED BY DALLAS FLORAL MAT. INC



HIBH SCHOOL ROAD

(1) NUMBERS IN PARENTHESES REFER TO ATTACHED TAXING DOCUMENTS

RECOMMENDED CONDITIONS FOR PENDING CASES

- I. CUP for garden center -
 - 1. That the site be maintained at all times
 - 2. That the existing buildings be upgraded within 6 months of the approval
 - 3. That the outside storage be limited to the areas indicated on the site plan and used as indicated for plantage on the site plan and used
 - 4. That should the area of outside storage be expanded or significantly altered it must first be approved by the Commission
- II. CUP for school -
 - 1. That the CUP be limited to the buildings as shown on the site plan
 - 2. Any additions or significant expansions must first be approved by the Commission
- III. Expansion of the CUP for Kids Night Out (if the Commission wishes to expand the existing permit) -
 - 1. That the maximum ages of children be raised from 12 to 14
 - 2. That the hours be expanded from 7:30 P.M. 11:30 P.M. to between the hours of 8:00 A.M. to Midnight daily, for group sponsored activities such as daycare businesses, and church groups; the Kids Night Out program on weekend evenings; and for evening lock-in programs. > permon w
 - 3. That the number of machines be increased from 25 to 40.

Dallas Floral Market

a Hanna ab 99 Je 9V Jr41, de 20 In 20,20-1

Rockwall Ciny Law Ent Center Ball 029 Tr 25 Ballard a48 Ist Securely

Municipal Industrial Park 1, A

Hockencia Rhima 4302 Old Dominion Cf alington, TX

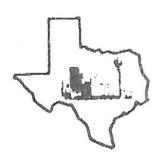
B.W. Browning Box 5

Smorth, Lafland & Bond 603 5 Ceoliad St

Kenneth Cornett 329 Shephards Hill

Rockwall Ind. East C/o Ken adrews P.O. Box 489 Leagoville 75159

County Courthouse



Rhima's Commercial Properties

4302 Old Dominion Road ♠ Arlington, Texas 76016

Metro (817) 572-2838 ♠ Local (817) 483-5725 ♠ Fax (817) 572-4914 ♠ Voice Mail (817) 588-4697

7/26/91

Mary Nichols Rockwall Zoning Dept. 205 W. Rusk Rockwall, TX 75087

Dear Ms. Nichols:

I own the property located at 905 High School Rd. in Rockwall. I am in agreement that the zoning should be changed from Light Industrial to E Commercial. Mr. Andy Moreland has my permission to make the zoning change request.

If you should have any questions, please call me at the phone number above.

Thank you for your cooperation in this matter.

Sincerely,

Hortencia Rhima

Hatin Rh.

Brokerage • Management

Investment • Development



"THE NEW HORIZON"

August 15, 1991

Pamela Stevens Dallas Floral Market P.O. Box 85-810 Mesquite, TX 75184-0810

Dear Ms. Stevens:

On August 8, 1991, the Rockwall Planning and Zoning Commission recommended approval of your request for a change in zoning from Light Industrial to Commercial with a Conditional Use Permit for a Garden Center.

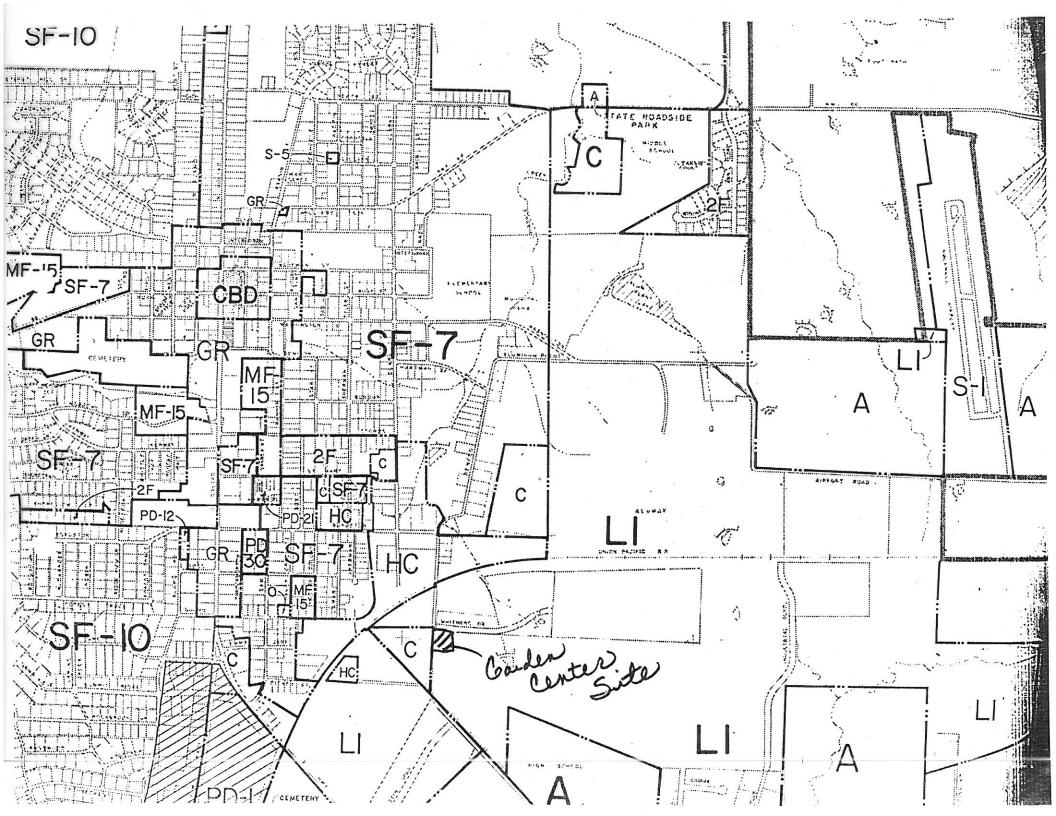
On Monday, August 19, 1991, at 7:00 P.M. in City Hall, the Rockwall City Council will hold a public hearing to consider approval of your request. You or your designated representative should be present at this hearing. Lack of representation will delay the approval process.

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

Sincerely,

Mary Nichols City Secretary

lay Michels



CITY OF ROCKWALL Planning and Zoning Agenda

Agenda Date:

August 8, 1991

Agenda No: IV. A.

Agenda Item:

Hold Public Hearing and Consider Recommending Approval for a Request from Dallas Floral Market for a Change in Zoning from "LI" to "C" with a Conditional

Use Permit for a Garden Center at 905 High School Road

Item Generated By:

Applicant, Mr. and Mrs. Stevens

Action Needed:

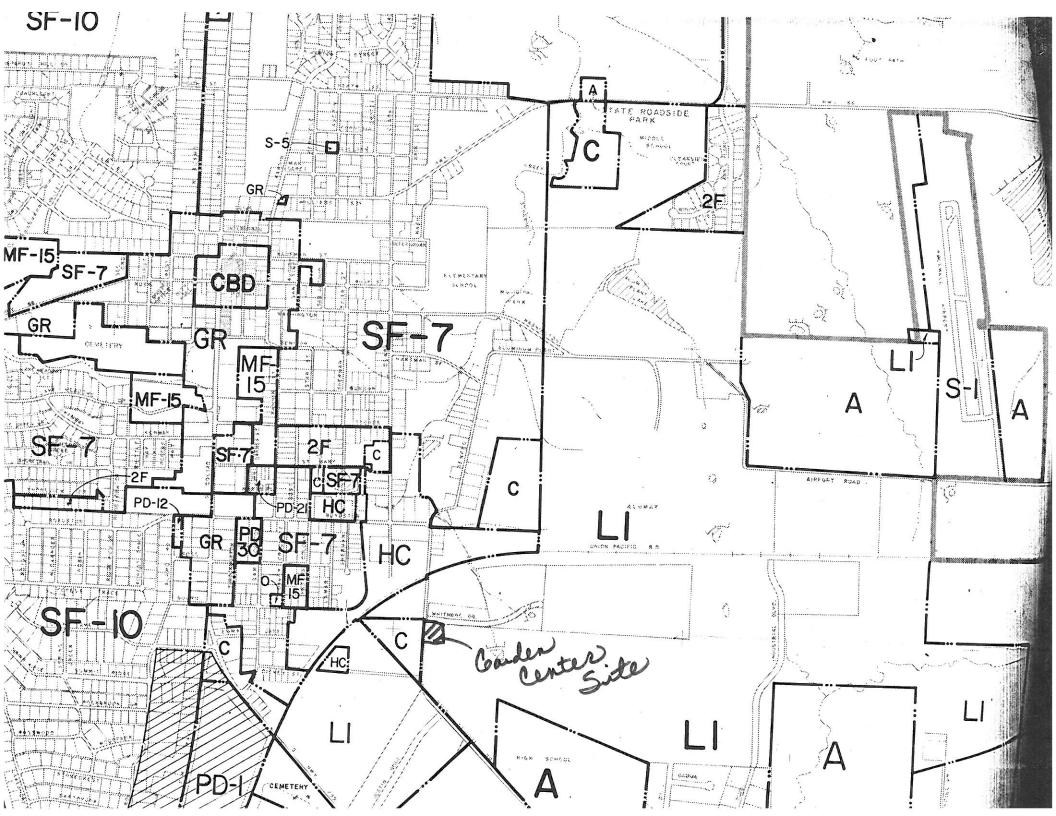
Hold public hearing and take any necessary action.

Background Information:

We have received a request for a change in zoning for the location at the corner of High School Road and Whitmore Drive. This site has been used as a garden center for many years. Under the current zoning, LI, the outside storage is not allowed. The prospective buyers have made application to rezone the site to Commercial with a CUP specifically for a garden center. Attached you will find a location map and a site plan for the center. They do not want to add any additional buildings, but repair and maintain what is already there. We would recommend that any approval contain a condition that the outside storage be limited to the areas indicated on the plan and that any significant expansions or additions be brought back to the Commission for approval.

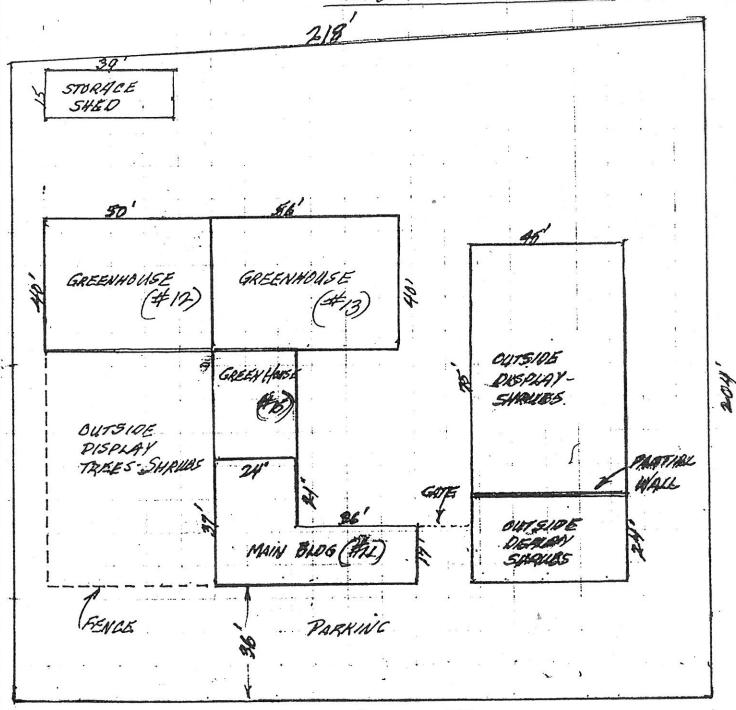
Attachments:

- Location Map 1.
- Plot plan 2.



900 HIGH SOMOK FU

CHANGE SUBMITTED BY DALLAS FLORAL MAT. INC.



HIGH GCHOOL ROAD

(1) NUMBERS IN PARENTHESES REFER TO ATTACHED TAXING DOCUMENTS

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CITY OF ROCKWALL City Council Agenda

Agenda Date:

August 19, 1991

Agenda No: V. B.

Agenda Item:

<u>P&Z 91-23-Z/CUP</u> - Hold Public Hearing to Consider Approval of an Ordinance Granting a Request from Dallas Floral Market for a Change in Zoning from "LI" to "C" (1st Reading) and a Conditional Use Permit for a Garden Center (1st

Reading) at 905 High School Road

Item Generated By:

Applicant, Mr. and Mrs. Stevens

Action Needed:

Hold public hearing and take any necessary action.

Background Information:

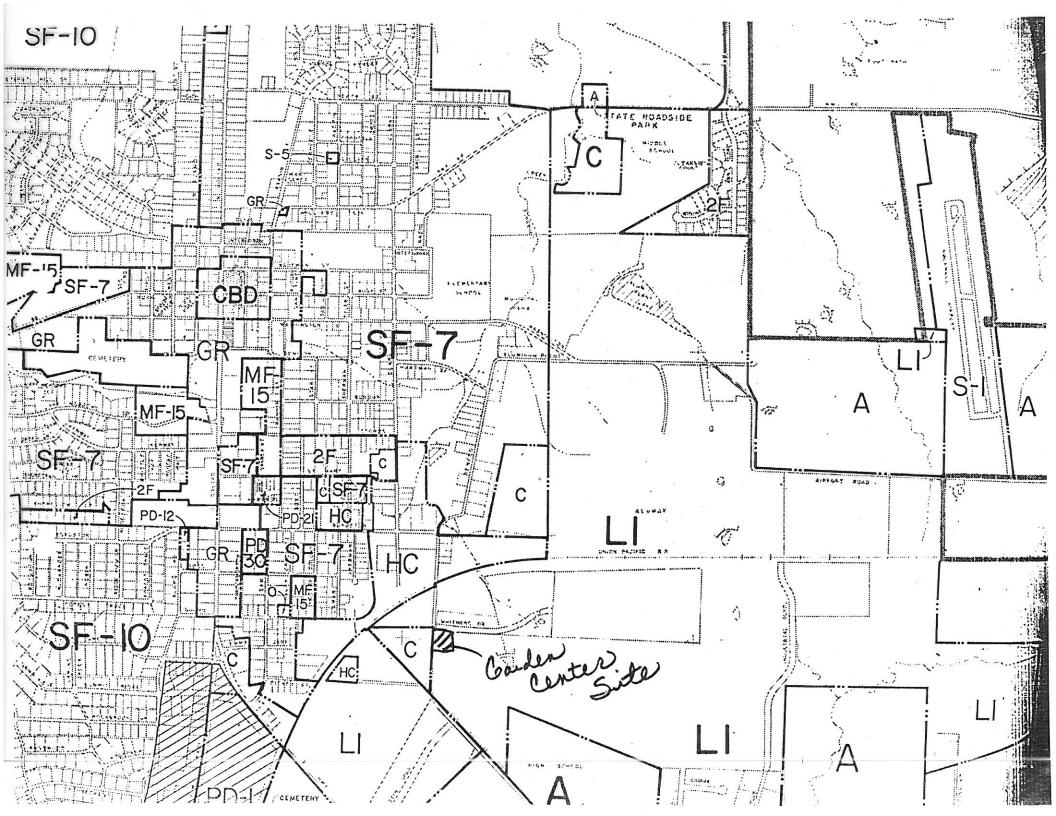
We have received a request for a change in zoning for the location at the corner of High School Road and Whitmore Drive. This site has been used as a garden center for many years. Under the current zoning, LI, the outside storage is not allowed. The prospective buyers have made application to rezone the site to Commercial with a CUP specifically for a garden center. Attached you will find a location map and a site plan for the center. They do not want to add any additional buildings, but repair and maintain what is already there.

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

- 1. That the areas designated for outside storage be limited to plant materials
- 2. That the site be maintained at all times
- 3. That the existing buildings be upgraded to a repaired condition within 6 months of the approval
- 4. That the outside storage be limited to the areas indicated on the site plan and used as indicated
- 5. That should the area of outside storage be expanded or significantly altered it must first be approved by the Commission

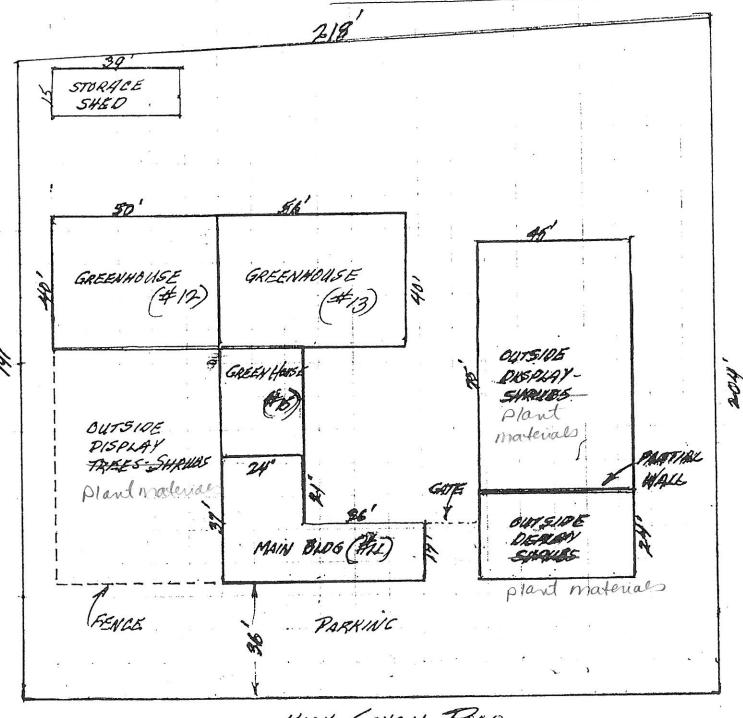
Attachments:

- 1. Location Map
- 2. Plot plan
- 3. Draft Ordinances



900 HIGH SOHOOK KU

CHANGE SUBMITTED BY DALLAS FLORAL MAT. INC



HIBH SCHOOL ROAD

(1) NUMBERS IN PARENTHESES REFER TO ATTACHED TAXING DOCUMENTS



"THE NEW HORIZON"

July 29, 1991 PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, August 8, 1991 at 7:30 P.M. and the Rockwall City Council will hold a public hearing on Monday, August 19, 1991 at 7:00 P.M. at City Hall, 205 W. Rusk to consider approval of a request from Dallas Floral Market, Inc. for a change in zoning from "LI" Light Industrial to "C" Commercial and for a Conditional Use Permit for a Garden Center in Commercial Zoning for a tract of land located at 905 High School Road further described on the reverse of this page.

As an interested property owner, you are encouraged to attend these hearings or notify

the Commission and Council in writing of your feeling regarding this matter by returning the form below. Return the form to: City Secretary, 205 W. Rusk, Rockwall, TX 75087. P&Z 91-23-Z/CUP 905 High School Road "LI" to "C", CUP for Garden Center 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. Name Address

EXHIBIT "A" Dallas Floral Market Inc.

Being a tract of land situated in the A. Hannah Survey, Abstract No. 99, a part of a tract conveyed to B.W.Browning, of record in Volume 65, Page 630, Deed Records, Rockwall County, Texas and a part of a 99.958 acre tract of record in Volume 14, Page 267, Deed Records, Rockwall County, Texas and more particularly described as follows:

BEGINNING at the Northwest corner of the said Browning tract and the 99.958 acre tract at the intersection of two roads;

THENCE East, with the centerline of a gravel road, 191.20 feet to a point for corner;

THENCE South 01 deg. 30 min. East, with a fence line, 213.50 feet to an iron rod in fence line for corner;

THENCE North 89 deg. 20 min. 19 sec. West 204.17 feet to a point in the centerline of the Rockwall - Chisholm road;

THENCE North 02 deg. 00 min. East, with the centerline of said road, 211.20 feet to the place of beginning and containing 0.963 acres of land more or less.



"THE NEW HORIZON"

July 29, 1991 PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, August 8, 1991 at 7:30 P.M. and the Rockwall City Council will hold a public hearing on Monday, August 19, 1991 at 7:00 P.M. at City Hall, 205 W. Rusk to consider approval of a request from Dallas Floral Market, Inc. for a change in zoning from "LI" Light Industrial to "C" Commercial and for a Conditional Use Permit for a Garden Center in Commercial Zoning for a tract of land located at 905 High School Road further described on the reverse of this page.

As an interested property owner, you are encouraged to attend these hearings or notify the Commission and Council in writing of your feeling regarding this matter by returning the form below. Return the form to: City Secretary, 205 W. Rusk, Rockwall, TX 75087.

Form below. Return the form to: City Secretary, 205 W. Rusk, Rockwall, TX 75087.

P&Z 91-23-Z/CUP 905 High School Road "LI" to "C", CUP for Garden Center

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

I am opposed to the request for the reasons listed below

should increase value of partnership property in that area

2.

Name Carl Motheral, Managing General Partner

MIF Joint Venture

P. O. Box 629, Fort Worth, Texas 76101

Address

PUBLIC NOTICE

The Rockwall City Council will hold a public hearing on Monday, August 19, 1991, at 7:00 P.M. in Rockwall City Hall, 205 W. Rusk, to consider approval of the following:

1. a request from Rockwall I.S.D. for a Conditional Use Permit for a school in an Agricultural zoning classification on the property commonly known as Rochelle Elementary located on Tubbs Road at I-30 further described as follows:

Tract 1

BEING a tract or parcel of land situated in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas, and being part of a tract of land conveyed to G. C. Rochell, Jr., by deed recorded in Volume 26, Page 614, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner at the West corner of said hereinabove mentioned tract:

THENCE: North 45° 00' 02" East with the center line of a public road and the Northwest line of said above tract a distance of 445.30 feet to a point for a corner;

THENCE: South 45° 12' 32" East a distance of 490.18 feet to a point for a corner;

THENCE: South 45° 00' 02' West a distance of 443.37 feet to a point for a corner on the Southwest line of said hereinabove mentioned tract; THENCE: North 45° 25' 59" West with said Southwest line a distance of 490.19 feet to the Point of Beginning and Containing 5.00 acres of land.

Tract 2

BEING a tract or parcel of land situated in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas, and being part of a tract of land conveyed to G. C. Rochell, Jr., by deed recorded in Volume 26, Page 614, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner on the Northwest line of the hereinabove mentioned tract, said point bears North 45° 00' 02" East 445.30 feet from the West corner of said tract;

THENCE: North 45° 00' 02" East with the centerline of a public road and the Northwest line of said above tract a distance of 445.30 feet to a point for a corner;

THENCE: South 44° 59' 00" East a distance of 490.17 feet to a point for a corner:

THENCE: South 45° 00' 02" West a distance of 443.37 feet to a point for a corner;

THENCE: North 45° 12' 32" West a distance of 490.18 feet to the Point of Beginning and Containing 5.00 acres of land.

2. a request from Dallas Floral Market, Inc. for a change in zoning from "LI" Light Industrial to "C" Commercial with a Conditional Use Permit for a Garden Center on a tract of land located at 905 High School Road and further described as follows:

Being a tract of land situated in the A. Hannah Survey, Abstract No. 99, a part of a tract conveyed to B.W.Browning, of record in Volume 65, Page 630, Deed Records, Rockwall County, Texas and a part of a 99.958 acre tract of record in Volume 14, Page 267, Deed Records, Rockwall County, Texas and more particularly described as follows:

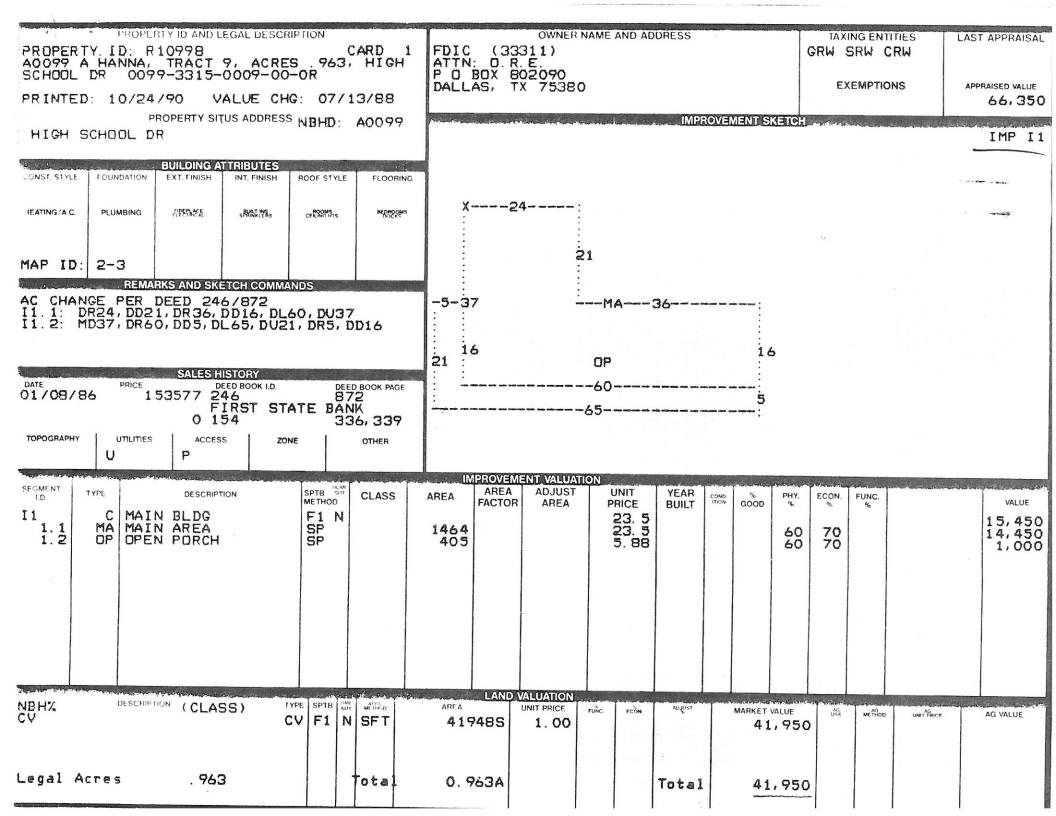
BEGINNING at the Northwest corner of the said Browning tract and the 99.958 acre tract at the intersection of two roads;

THENCE East, with the centerline of a gravel road, 191.20 feet to a point for corner;

THENCE South 01 deg. 30 min. East, with a fence line, 213.50 feet to an iron rod in fence line for corner;

THENCE North 89 deg. 20 min. 19 sec. West 204.17 feet to a point in the centerline of the Rockwall - Chisholm road;

THENCE North 02 deg. 00 min. East, with the centerline of said road, 211.20 feet to the place of beginning and containing 0.963 acres of land more or less.



PROPERTY ID AND LEGAL DESCRIPTION OPERTY. ID: R10998 CARD 2 O99 A HANNA, TRACT 9, ACRES 963, HIGH HOOL DR 0099-3315-0009-00-0R INTED: 10/24/90 VALUE CHG: 07/13/88				OWNER NAME AND ADDRESS FDIC (33311) ATTN: O.R.E. P O BOX 802090 DALLAS, TX 75380						TAXING ENTITIES GRW SRW CRW EXEMPTIONS			APPRAISED VALUE				
ST, STYLE TING/A.C. PID:	FOUNDATION PLUMBING	R BUILDING A EXT. FINISH ATTEMEN	INT. FINISH	ROOF STYLE	FLOORING	X			-50	IMP	ROVEMENT	O O				←	IMP I2
POGRAPHY MENT D.	UTILITIES U TYPE C GREIMA MAII	P DESCRIPT	EED BOOK I.D.		OTHER	AREA 2000	PROVEM AREA FACTOR	ENT VALUATI ADJUST AREA	50 UNIT PRICE 4 4	YEAR BUILT	COND % ITION GOOD	рну. 1	ECON. 70	FUNC.			VALUE 2, 240 2, 240
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PROPERTY ID AND LEGAL DESCRIPTION	OWNER NAME AND ADDRESS	TAXING ENTITIES LAST APPRAISAL
ROPERTY.ID: R10998	FDIC (33311) ATTN: D.R.E. P D BDX 802090	GRW SRW CRW
RINTED: 10/24/90 VALUE CHG: 07/13/88	DALLAS, TX 75380	EXEMPTIONS APPRAISED VALUE 66, 350
PROPERTY SITUS ADDRESS NBHD: A0099	IMPROVEMENT SKETC	A company of the comp
TIGH SCHOOL DR		IMP I3
NST. STYLE FOUNDATION EXT. FINISH INT. FINISH ROOF STYLE FLOORING		
ATING/A.C. PLUMBING ATTENDED SUBSTITUTES CHEROCOMING	X:	
		No.
AP ID: 2-3		
REMARKS AND SKETCH COMMANDS		
3. 1: DR56, DD40, DL56, DU40	40 MA 40	
SALES HISTORY VE PRICE DEED BOOK ID DEED BOOK BACE		
ATE PRICE DEED BOOK I.D. DEED BOOK PAGE		Å.
DPOGRAPHY UTILITIES ACCESS ZONE OTHER		
U P		
GMENT TYPE DESCRIPTION SPTB SITE CLASS	IMPROVEMENT VALUATION AREA ADJUST UNIT YEAR COND % PHY	ECON. FUNC.
3 C GREENHOUSE F1 N	FACTOR AREA PRICE BUILT TON GOOD %	2, 510
3. 1 MA MAIN AREA SP	2240 40	70 2,510
	LAND VALUATION	
3H% DESCRIPTION (CLASS) TYPE SPTB STT WETTOOD	AREA UNIT PRICE RINC ECON NAUST MARKET VALUE	AG VALUE

