

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 91-38- CUP Date Submitted 9/23/91

Filing Fee \$ 101.00

Applicant Virginia B. Ellis

722-9858 work.

Address 104 S. San Jacinto
Rockwall Texas 75087

Phone No. 771-6144

Owner Tenant¹ Prospective Purchaser ¹

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

On separate sheet.

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

Residential quarters in CBD.

line The current zoning on this property is CBD.
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.

Virginia B. Ellis

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

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.

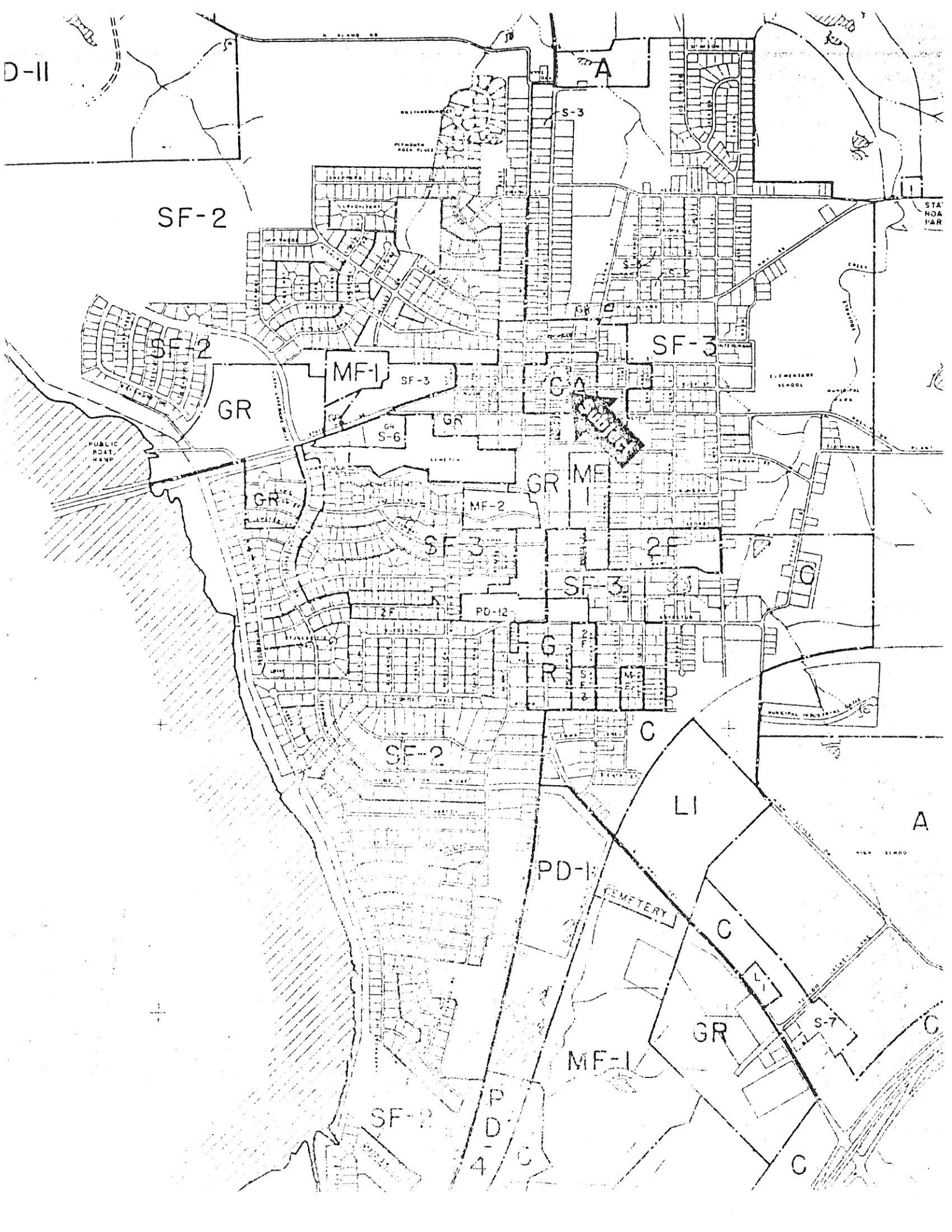
PROPERTY IDENTIFICATION

The property is located at the southwest corner of East Rusk and South San Jacinto in the City of Rockwall. It consists of 5,000 square feet of land, as shown on the enclosed plat, and a building of approximately 4,370 square feet. This location is at the southeast corner of the town square, which houses the County Court House in the center and retail and commercial buildings around the perimeter.

The buildings age is estimated to be 80 to 100 years old. As it now exists, only the original shell exists, which consists of one foot thick brick walls. Inside the building has been completely rebuilt and a new roof installed. This reconstruction consists of approximately 1,500 square feet of office space fronting on East Rusk and 2,870 square feet of dental office fronting on South San Jacinto. Floors, walls, suspended ceilings, skylighting in the inner office area, and completely new plumbing and electrical have been completed this year. The front of the building has been restored to its original appearance. The business offices are divided into two suites, each with a separate entrance. The dental office has the reception area at the rear of the building and the rear 12.6 feet of land will be developed into an open landscaped court area.

This building, as it has been reconstructed, can be considered as prime office and dental office space. The parking is head-in angle parking along both frontages.

D-II



This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at:

116 E. Rusk in the City of Rockwall, Texas, being described

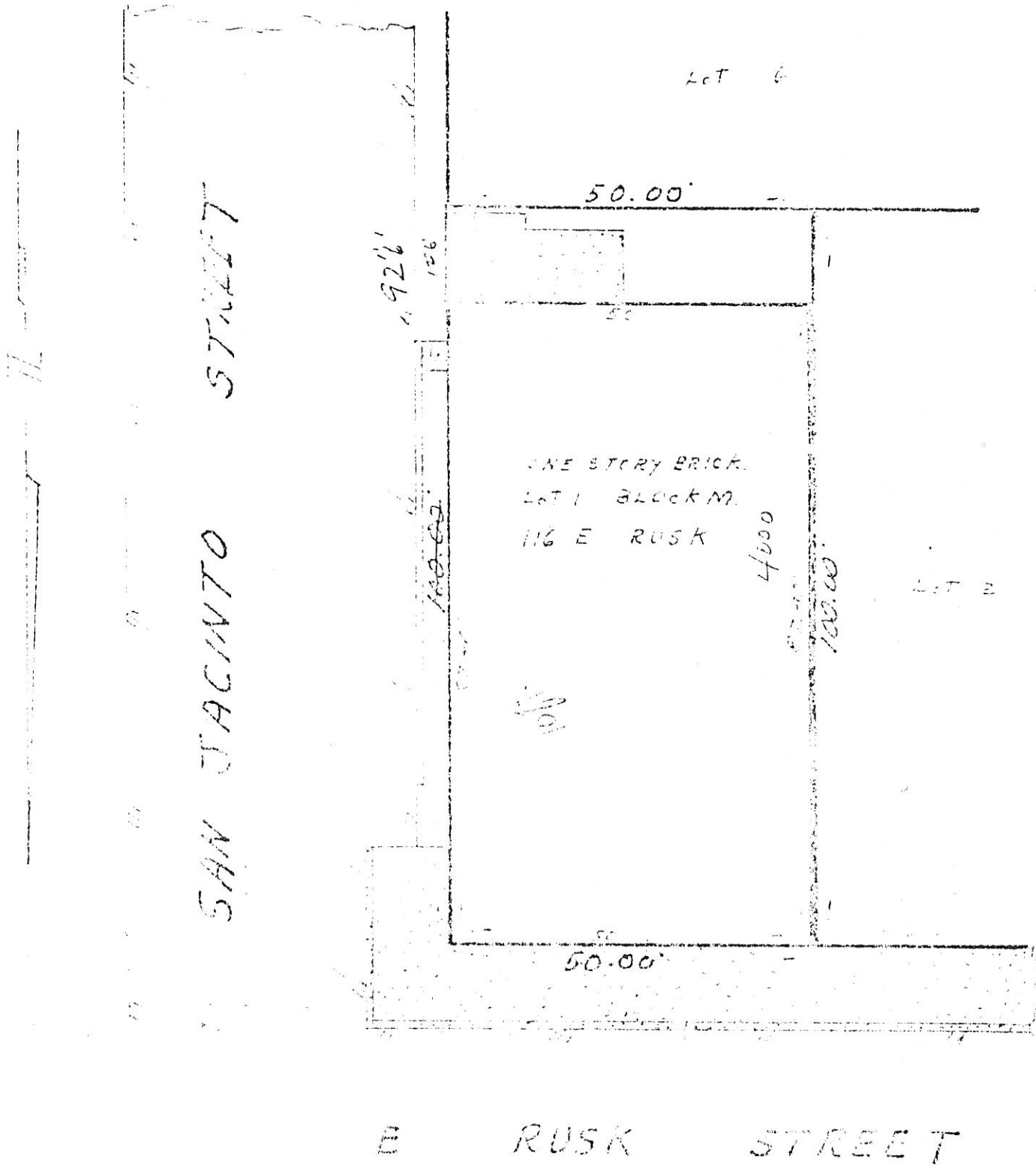
as follows:

Lot No. 1, Block No. M, City Block No. _____

of original Town of Rockwall, an addition to the City of Rockwall

Texas, according to the _____ plat thereof recorded in Vol. _____ at page 535 of the _____

Map Dred Records of Rockwall County, Texas



City of Rockwall Planning and Zoning Applicant Receipt

Date 9/23/91

Applicant Virginia Ellis 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 # _____

_____ () sets/final plats - Submission # _____

_____ () sets/executed final plats/mylars

_____ () sets/engineer drawings - Submission # _____

Filing fee \$ 250.00

_____ Other _____

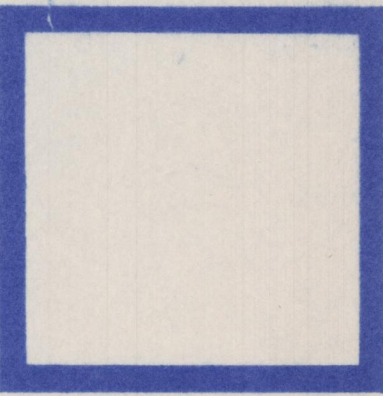
With this application, you are scheduled to appear before the

on Monday, _____

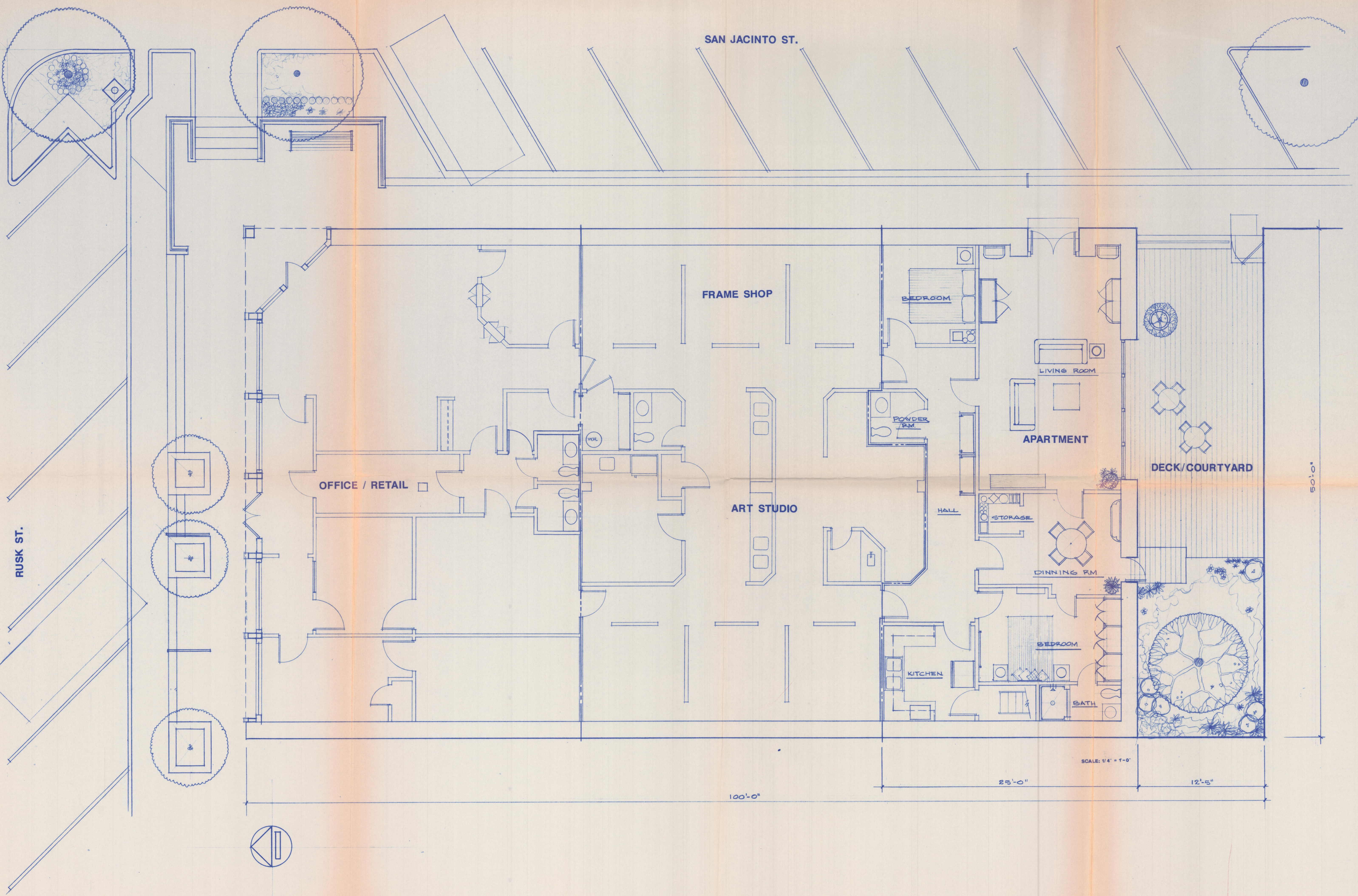
at _____ P.M. at City Hall, 205 W. Rusk, Rockwall, Texas.

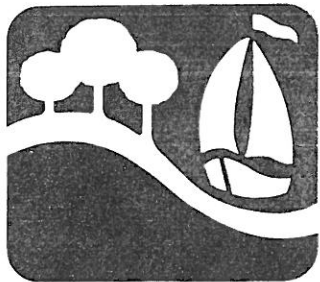
Received By: ME

Handwritten notes:
City Council 10/10/91 7pm
Council 10/21/91 7pm



9 - 19 - 91





CITY OF ROCKWALL
"THE NEW HORIZON"

October 14, 1991

Ms. Virginia Ellis
104 S. San Jacinto
Rockwall, Texas 75087

Dear Ms. Ellis:

On October 10 the Planning and Zoning Commission recommended approval of your request for a Conditional Use Permit for a residential use in the Central Business District. This request is scheduled to be considered by the City Council on October 21 at 7:00 p.m. You or someone representing you needs to be present at that meeting to present your application.

If you have any questions please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie Couch".

Julie Couch
Assistant City Manager

hcc

cc: Jim Hendricks

**CITY OF ROCKWALL
Planning and Zoning Agenda**

Agenda Date: October 10, 1991

Agenda No: III. D.

Agenda Item: P&Z 91-38-CUP - Hold Public Hearing and Consider Recommending Approval of a Request from Virginia Ellis for a Conditional Use Permit for a Residential use within the Central Business District

Item Generated By: Applicant, Virginia Ellis

Action Needed: Hold public hearing and take any necessary action.

Background Information:

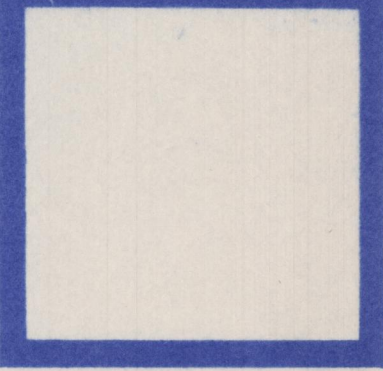
We have received a request for a CUP for a residential use as an accessory to the main use in the CBD. Ms. Ellis has acquired the Ellis building on Rusk and San Jacinto and wants to use a portion of the building for her living quarters. In the CBD such a use is allowed with a CUP. Attached is a copy of her proposed layout. We see no problems with the proposed use.

Attachments:

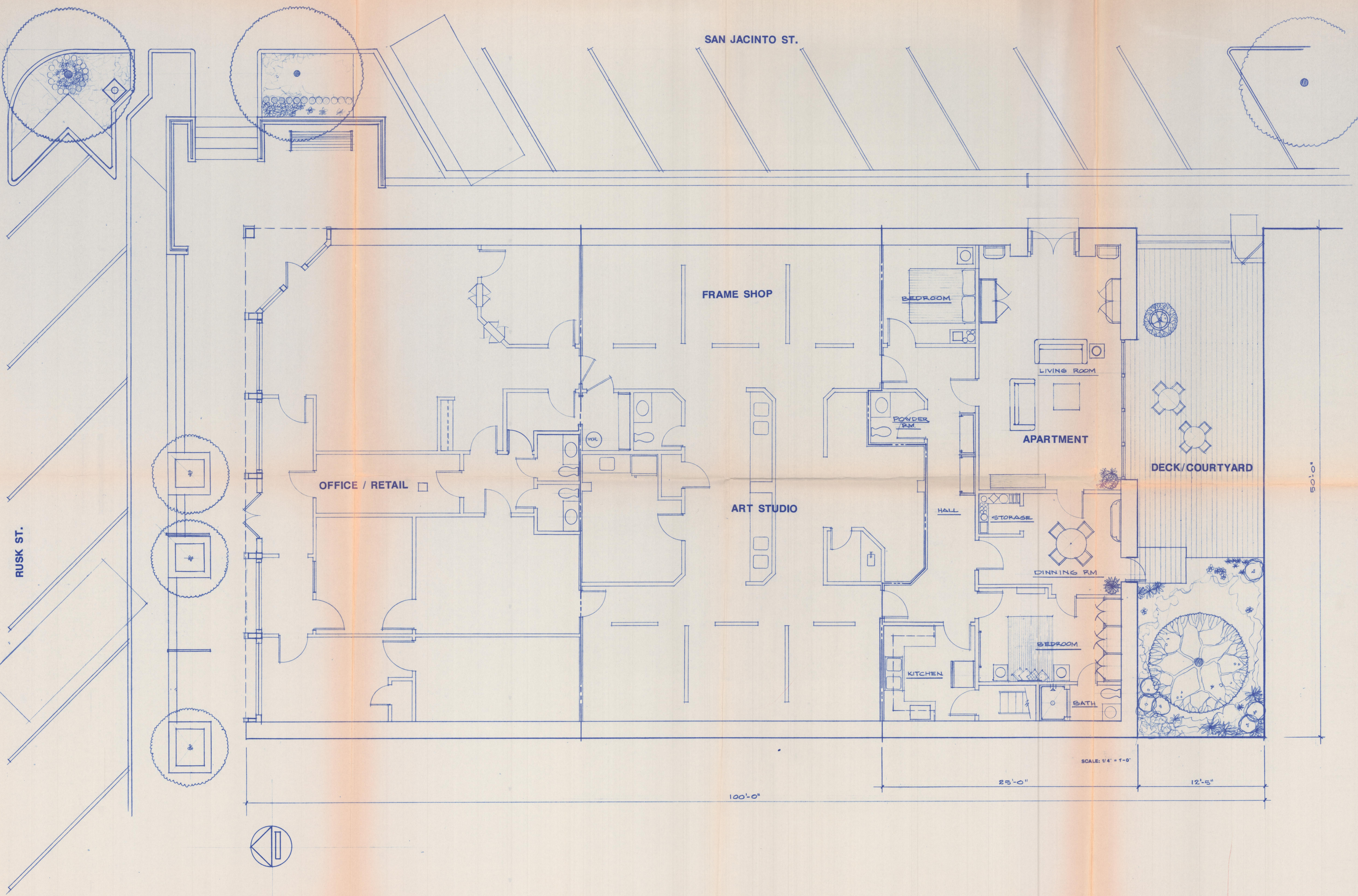
1. Floor Plan

Agenda Item: CUP for Residential in CBD

Item No: III. D.



9 - 19 - 91



**CITY OF ROCKWALL
City Council Agenda**

Agenda Date: October 21, 1991

Agenda No: VI. C.

Agenda Item: P&Z 91-38-CUP - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Virginia Ellis for a Conditional Use Permit for a Residential Use within the Central Business District (1st Reading)

Item Generated By: Applicant, Virginia Ellis

Action Needed: Hold public hearing and take any necessary action.

Background Information:

We have received a request for a CUP for a residential use as an accessory to the main use in the CBD. Ms. Ellis has acquired the Ellis building on Rusk and San Jacinto and wants to use a portion of the building for her living quarters. She plans to have the front of the building for office space, the middle section for an art studio and the back would be used for her residence. In the CBD such a use is allowed with a CUP. Attached is a copy of her proposed layout. We see no problems with the proposed use.

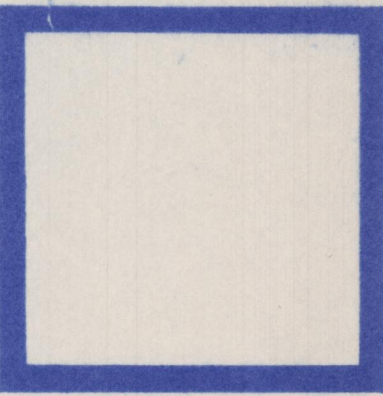
The Planning and Zoning Commission has recommended approval of the use.

Attachments:

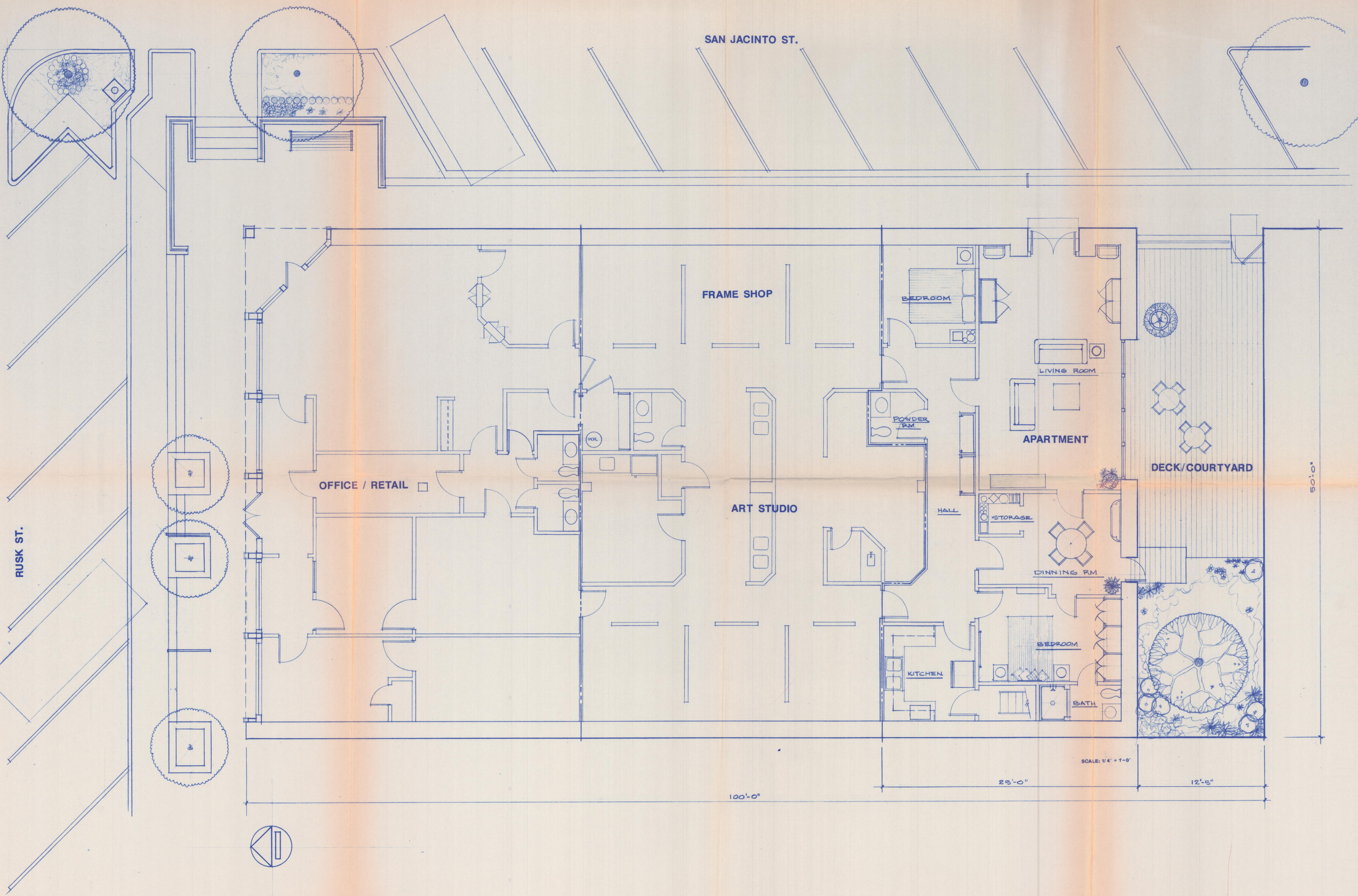
1. Floor Plan
2. Ordinance

Agenda Item: CUP for Residential in CBD

Item No: VI. C.



9 - 19 - 91



P2-91-38

ORDINANCE NO. 91-56

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 A RESIDENTIAL USE AS AN ACCESSORY USE TO PERMITTED USE IN THE CENTRAL BUSINESS DISTRICT ON A TRACT OF LAND FURTHER DESCRIBED HEREIN; 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; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A Conditional Use Permit for a Residential Use as an accessory to a permitted use in the Central Business District has been requested by Virginia Ellis for the property described herein and attached hereto as Exhibit "A"; 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 so as to grant a Conditional Use Permit for a residential use as an accessory to a permitted use in the Central Business District on the property described on Exhibit "A" attached hereto.

Section 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. Any significant changes in the floor plan of the facility attached hereto as Exhibit "B" must be approved by the Planning and Zoning Commission.

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 Conditional Use Permit and as may be amended in the future.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. 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 DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. 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 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 4 day of November, 1991.

Mary Nichols
ATTEST

John Menden
APPROVED

1st Reading 10/21/91

2nd Reading 11/4/91



EXHIBIT "A"

PROPERTY IDENTIFICATION

The property is located at the southwest corner of East Rusk and South San Jacinto in the City of Rockwall. It consists of 5,000 square feet of land, as shown on the enclosed plat, and a building of approximately 4,370 square feet. This location is at the southeast corner of the town square, which houses the County Court House in the center and retail and commercial buildings around the perimeter.

The buildings age is estimated to be 80 to 100 years old. As it now exists, only the original shell exists, which consists of one foot thick brick walls. Inside the building has been completely rebuilt and a new roof installed. This reconstruction consists of approximately 1,500 square feet of office space fronting on East Rusk and 2,870 square feet of dental office fronting on South San Jacinto. Floors, walls, suspended ceilings, skylighting in the inner office area, and completely new plumbing and electrical have been completed this year. The front of the building has been restored to its original appearance. The business offices are divided into two suites, each with a separate entrance. The dental office has the reception area at the rear of the building and the rear 12.5 feet of land will be developed into an open landscaped court area.

This building, as it has been reconstructed, can be considered as prime office and dental office space. The parking is head-in angle parking along both frontages.

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 116 E. Rusk in the City of Rockwall, Texas, being described

as follows:

Lot No. 1, Block No. 31, City Block No.

of in addition to the City of

Texas, according to the plat thereof recorded in Vol. , at page of the

Map Dred Records of County,

Lot 6

50.00'

19.22'

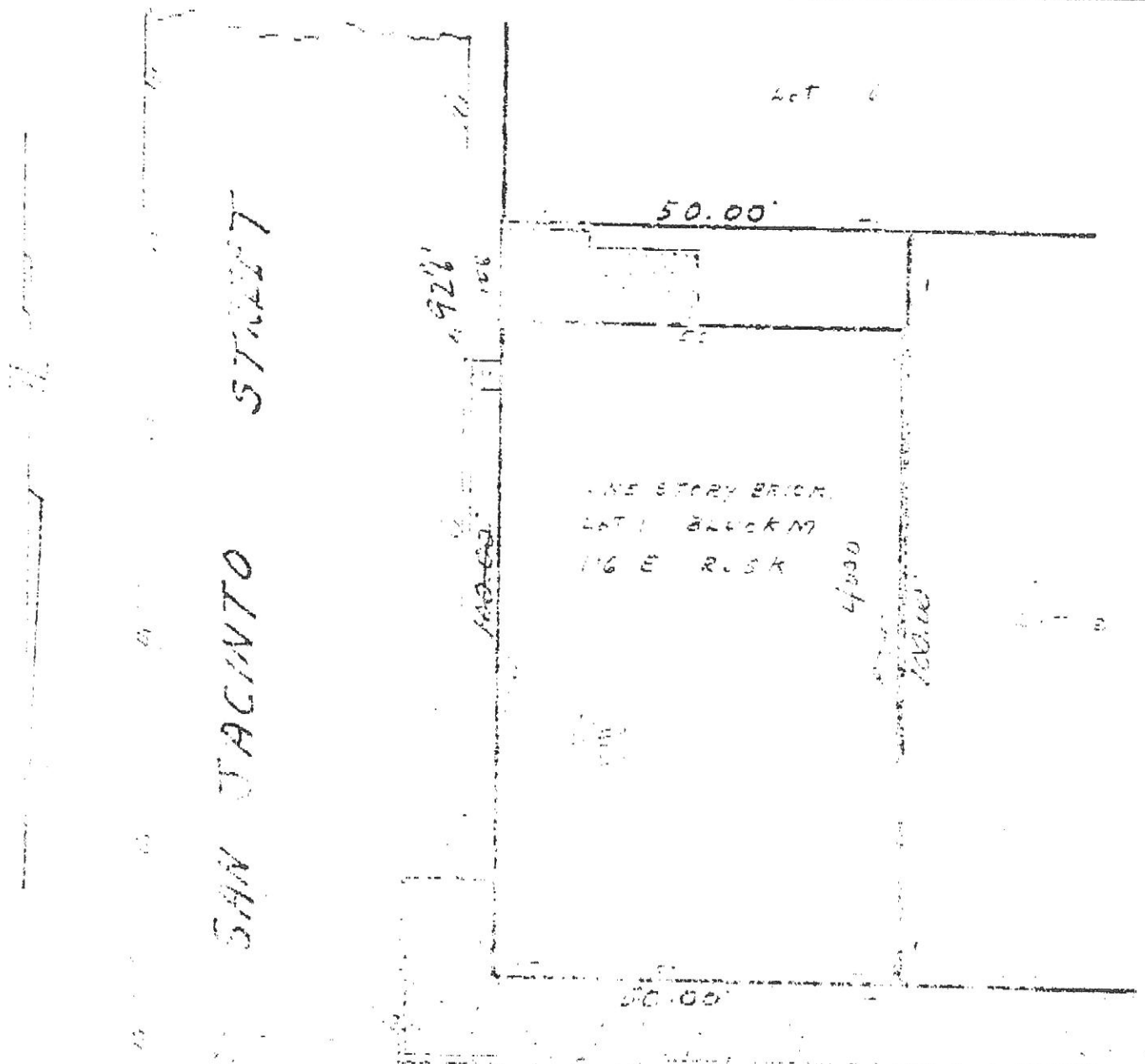
ONE STORY BRICK
LOT 6 BLOCK 31
116 E RUSK

4000

50.00'

SAN JACINTO STREET

RUSK STREET



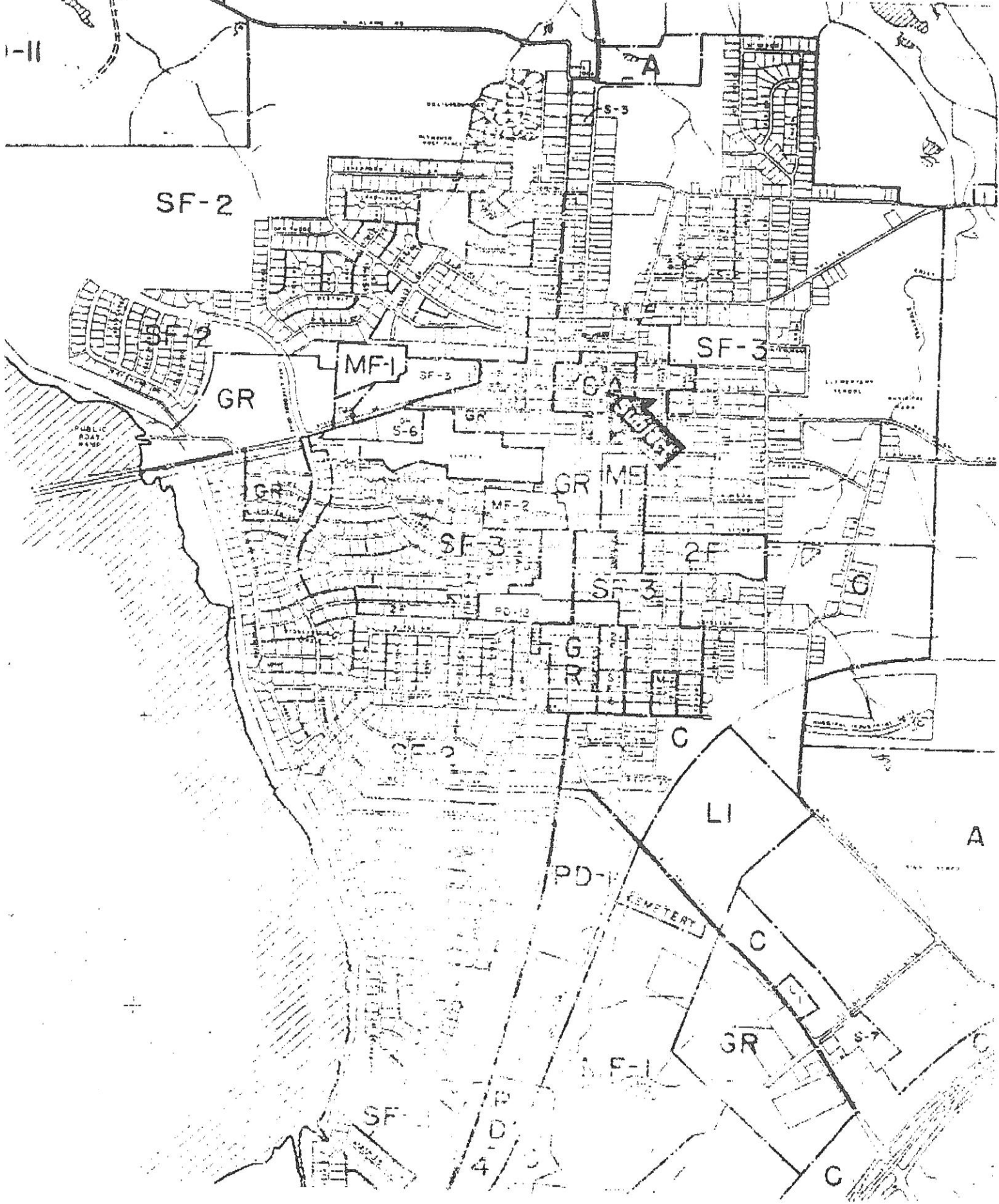
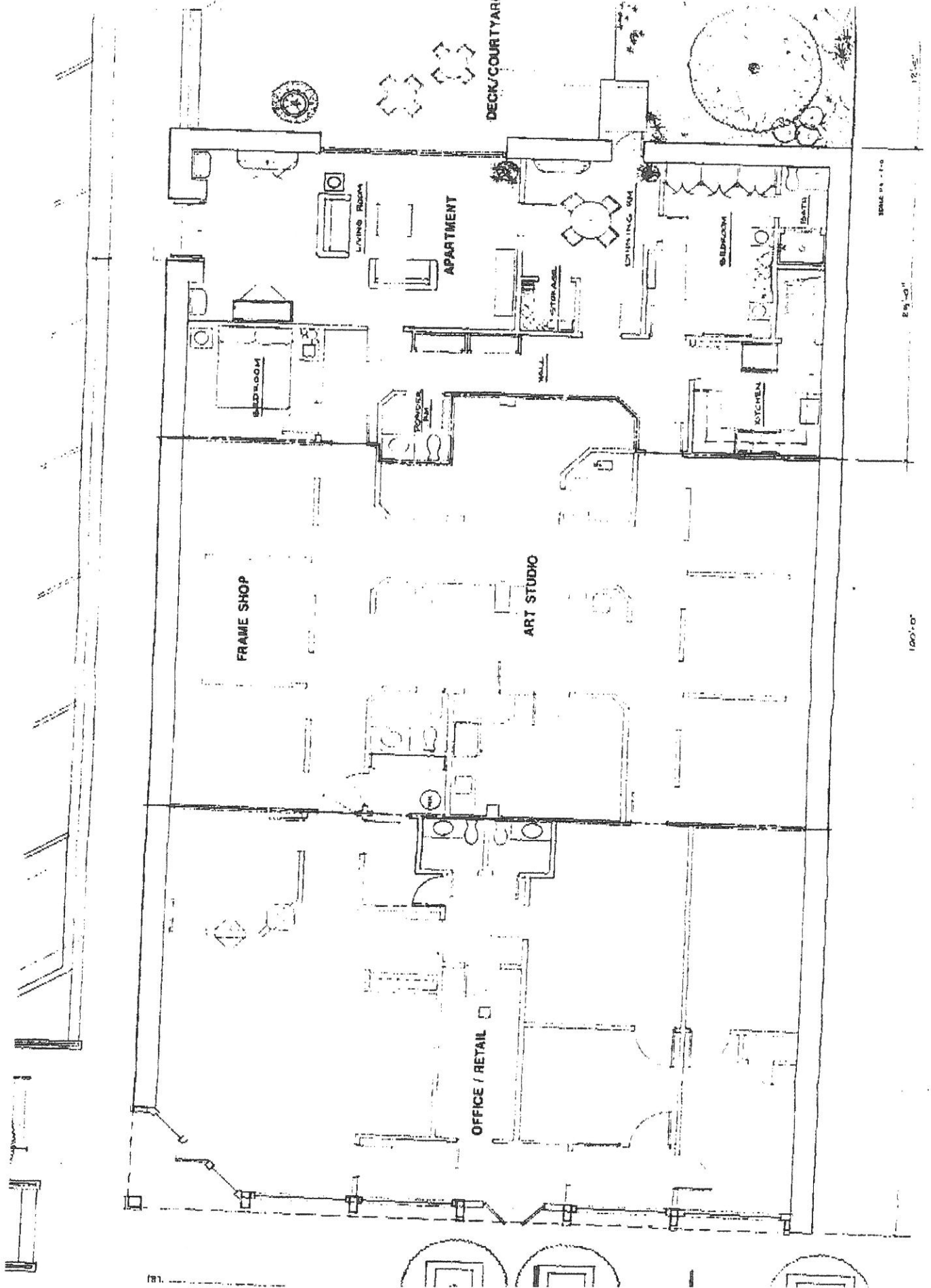


EXHIBIT "B"



P2-91-38

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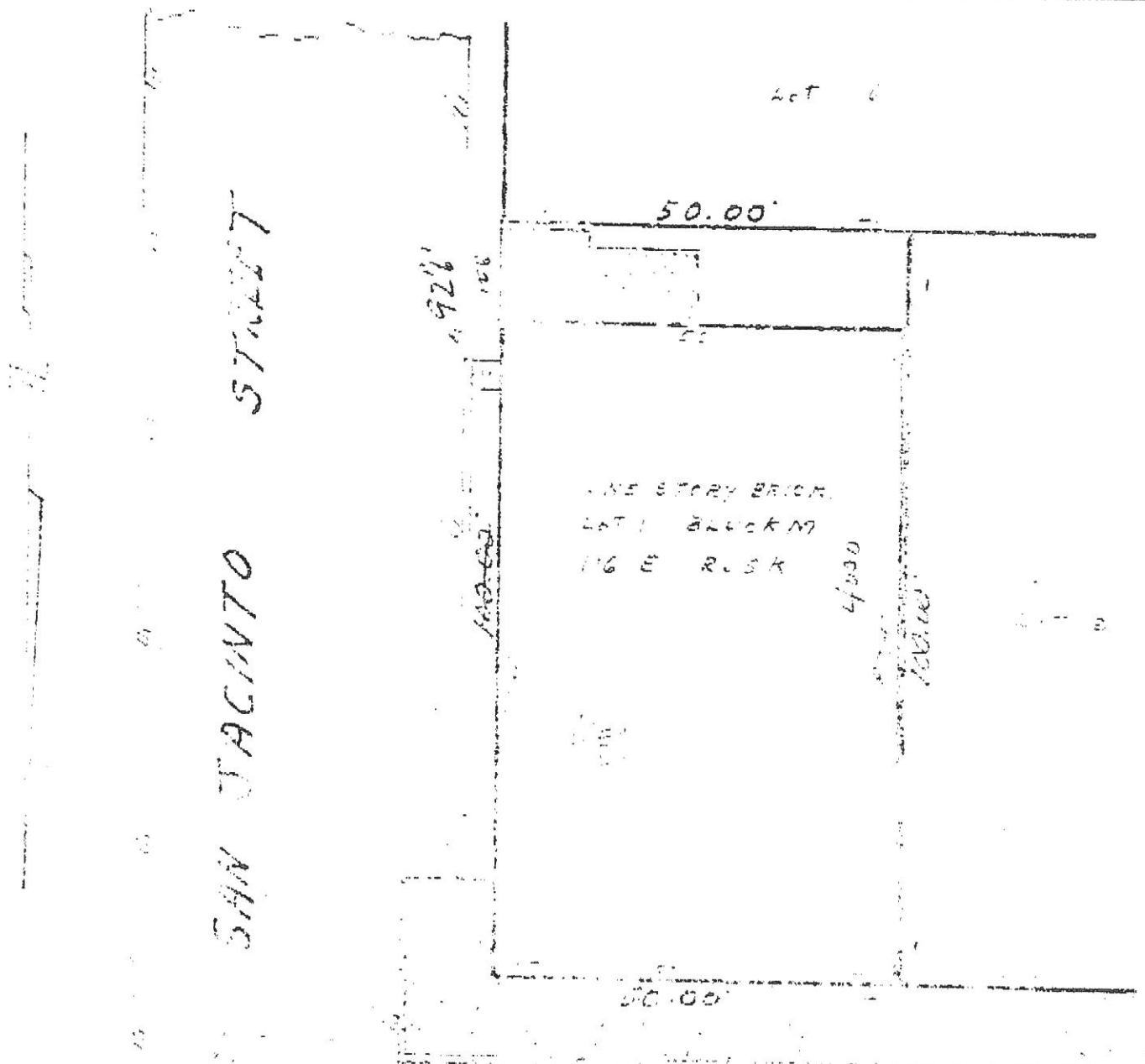
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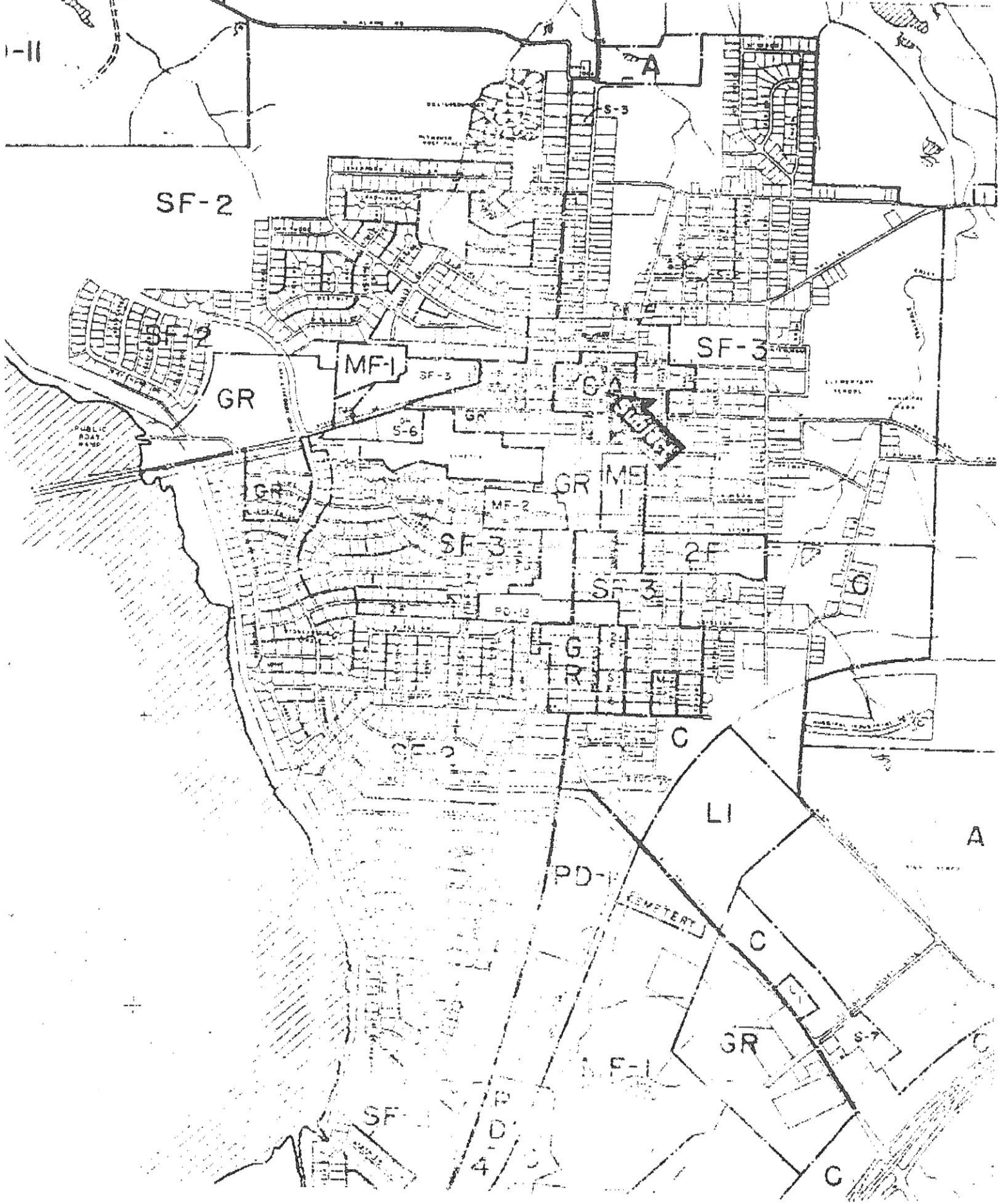


EXHIBIT "B"

