

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 92-6-CUPCUP Date Submitted 3/19/92

Filing Fee \$135.00

Applicant M.C. Sealock D.V.M., P.C.

Address 1300 Town East suite 107 Phone No. 214-686-5011
Mesquite, TX. 75150

Owner _____ Tenant¹ X 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

See Aetna attachments A and B.

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

A small animal Veterinary Hospital.

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.

M.C. Sealock CEO + Veterinarian

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.



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

(214) 771-7700

Cash Receipt

Name Dr. Mike Sealock Date 3

Mailing Address _____

Job Address _____ Permit No. _____

Check

Cash

Other

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Cod
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	135.00	Portable Meter Deposit	02-2311
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		Marina Lease	08-3810
Misc. Income	01-3819		Cemetery Receipts	10-3830
Sale of Supplies	01-3807		PID	13-3828
Recreation Fees	01-3401		Street	14-3828
			Assessment-Ph#2	14-3830
			Hotel/Motel Tax	15-3206

TOTAL OF COLUMN

TOTAL OF COLUMN

TOTAL DUE

135.00

Received by [Signature]

ROCKWALL VILLAGE SHOPPING CENTER

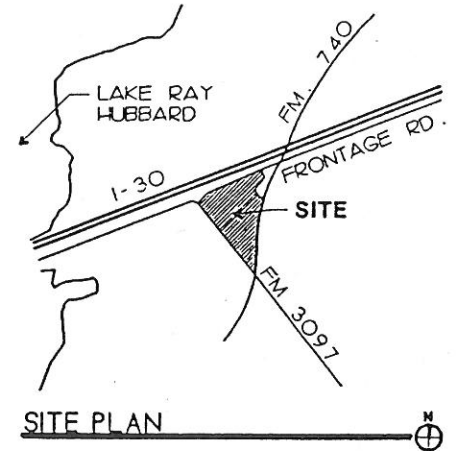
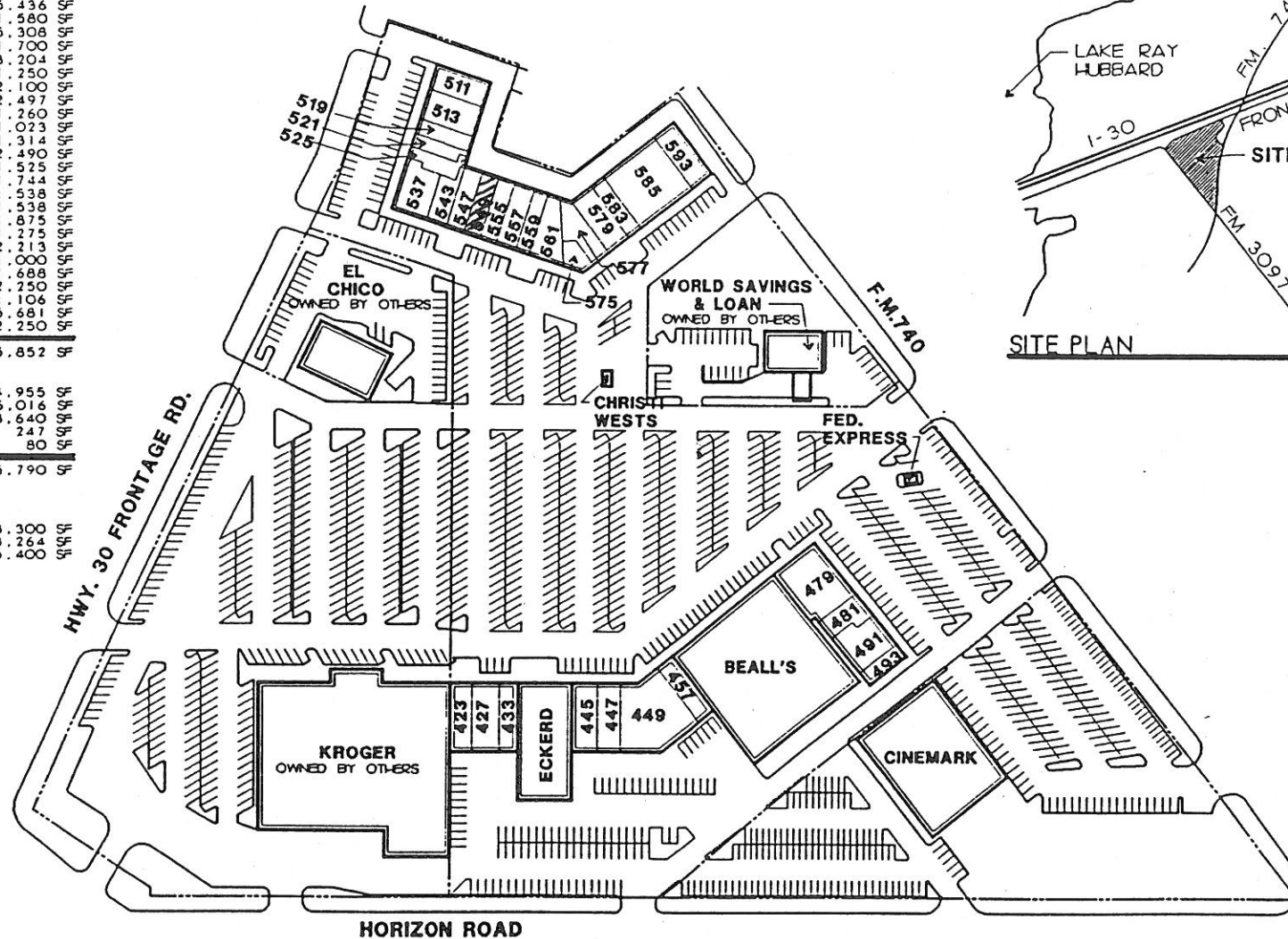


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ROCKWALL, TEXAS 75087

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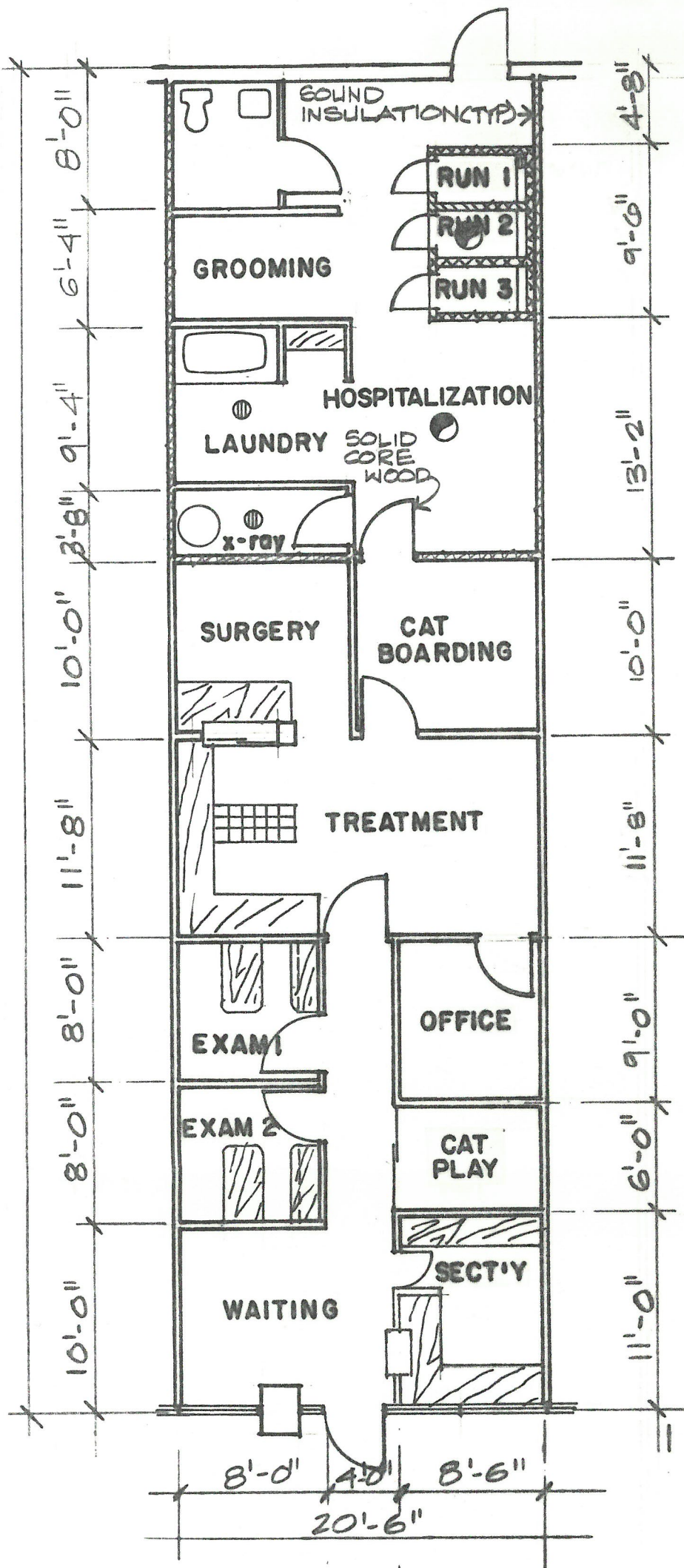
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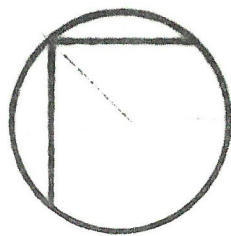
Ridge Road Animal Hospital will occupy suite 549.

SITE PLAN

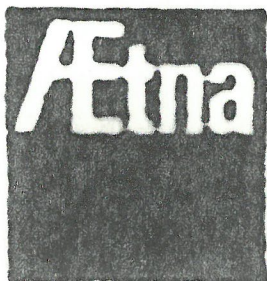


FLOOR PLAN

1/8" = 1'-0"



LEASE AREA 1,538 SF



carlos fernandez architects
 1330 e arapaho road, suite 234
 richardson, texas 75081
 214 / 234 - 1764

drawn	by	
checked	by	
approved	by	

DR. SEALOCK

SUITE 549
 ROCKWALL VILLAGE
 ROCKWALL, TEXAS

date 3/17/92 sheet 1
 of 1
 job 9203.46

Against issuing a conditional use permit to permit
a veterinary clinic to be located in Suite 549 in
Rockwall Village Shopping Center

Dr. Daniel P. McNew	# 559	- Dentist
Darvette McNew, D.D.S.		
Terry Bomar	# 547	- Hair Motions
Bill Ray - Blockbuster Video	# 537	-
DR. Terry Spence	# 514	- CHIROPRACTOR
Stephanie Spence	# 54	-
Carolyne DeGloay	573	Sabrina Florist
Claudette McNew	559	

Dr. Sealock 4/6/92

cages cats - 8
dogs - 10 total

Exercise - kennel 3-4 runs inside -
grassy area outside by the Road
Runner - they will clean it up

Noise - 4 walls between - sound board
on all 4 walls in hospital area.

Odor - well situs 2 vents

pests - have not been a problem

disposal of dead animals - Pet nest will pick
them up

Hazardous waste - does not go in dumpster
follows OSHA ~~for~~ guidelines unless

dogs & cats - birds

drain in kennel area
will have tile on floor

proximity to nest - will not

they are dipped & bathed - at time they are
brought in.

— dog walky area for customers
& ~~clients~~ boarders

what about the other tenants

- what type of ~~the~~ animals
- what about drains in the facility
- what about odor & insects

what about proximity to restaurants

- what about codes for x ray Dully codes

Problem with location

check w/ other tenants



Aetna Realty Investors, Inc.

Suite 275
14785 Preston Road
Dallas, TX 75240
214-458-7535
Fax: 214-490-9440

March 16, 1992

Ms. Julie Couch
Planning & Zoning, City of Rockwall
Rockwall, Texas 75087

RE: Michael Sealock, D.V.M.

Dear Ms. Couch,

Please be advised that as the owner of Rockwall Village Shopping Center, Aetna Life Insurance Company has entered into a lease agreement with Michael Sealock, D.V.M. for space at Rockwall Village.

If you have any questions regarding the lease agreement or the shopping center, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Mary Ellen Ewing". The signature is written in a cursive, flowing style.

Mary Ellen Ewing
Asset Manager



DANIEL P. McNEW, D.D.S.
DANETTE C. McNEW, D.D.S.

Rockwall Village
559 East Interstate 30
Rockwall, Texas 75087
Phone: (214) 722-0629
Metro: 771-2213

April 7, 1992
City of Rockwall
205 W. Rusk St.
Rockwall, TX 75087

Attn: Julie Couch

To Whom It May Concern:

I am replying to the notice dated March 28, 1992 and so stated, I am quoting; "Please be advised that a public hearing will be held at the City of Rockwall Planning and Zoning Meeting, April 9th, 1992 at The City Hall regarding a conditional use permit to permit a veterinary clinic to be located in Suite 549 (i.e., between Pizza Ghetti and Blockbuster Video). If you wish to attend and/or provide your input please plan accordingly."

I am Dr. Daniel P. McNew and this is my input. I have practiced dentistry for 29 years in Dallas, Texas. I have recently opened another office in The Rockwall Village. My address is 559 E. I-30. This is my experience with animal clinic-type businesses. There was for many years a pet grooming and boarding business next to my office at Dallas. In Dallas, a pet grooming business was not allowed to board but did so anyway. There was also a Veterinary Clinic in the same shopping center for several years. I will relate to you the problems which incurred during the time the animals were around our office area. Please note the following:

- 1.) The noise from the barking dogs was very disturbing to our patients in the waiting room area as well as to myself and employees.
- 2.) The smell which did permeate through the walls was gross. Our office would rather smell antiseptic rather than uric.
- 3.) Flea population was large and migratory. This is definitely a health hazard!
- 4.) The care-takers and groomers were sloppy in their methods of bathing the animals. Water was splashed out of the bathing tubs on the floor and overflowed into our office under the walls damaging carpet and tile.
- 5.) The owners of the animals allowed their animals to defecate on the sidewalk. Many times our patients had to walk around such droppings to come in our door.
- 6.) Pet owners walked into our office with their animals.
We do put much effort to keep our area sterile!

I know there are some differences between a veterinary clinic and a grooming salon but the dogs don't; therefore, there will be similar problems.

I have several Vet friends, and these doctors have concluded that their own building with a green belt has been the best solution for their clients as well as their neighbors. I do like animals but for the record I am not in favor of allowing a permit to be issued for a vet clinic in this shopping center. It would be a health hazard, unsightly, and mar the clean and tranquil setting of Rockwall Village.

Sincerely,

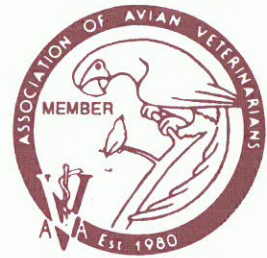
Daniel P. McNew, D.D.S.
DPM/ck

Copies: Mary Ellen Ewing
14785 Preston Rd. Suite 275
Dallas, TX 75240

Jan Sullivan, Property Manager
Gross-Lamctom and Co.
1152 N. Buckner Blvd. Suite 211



DR. MIKE SEALOCK
1300 N. Town East Blvd.
Suite 107
Mesquite, Texas 75150
(214) 686-5011



Attention City of Rockwall Office of Zoning and Planing:

Please find inclosed the following articles to be used for application for a conditional use permit for The Ridge Road Animal Hospital in the Rockwall Village Shopping Center.

- 1) Application for a conditional use permit
- 2) Plat of the Rockwall Village Shopping Center with suite 549 marked for Ridge Road Animal Hospital.
- 3) Floor plan for Ridge Road Animal Hospital.
- 4) Letter of approval from owner of shopping center.
- 5) Legal description of the property of Rockwall Village Shopping Center.
- 6) A check for the filing of \$135.00.

Please review this application and advise me as soon as possible of any deficiency as the filing deadline is rapidly approaching.

Mike Sealock D.V.M., C.E.O.

M.C. Sealock D.V.M. P.C.

CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: April 9, 1992

Agenda No: III. B.

Agenda Item: P&Z 92-6-CUP - Hold Public Hearing and Consider a Request from Dr. Sealock for a Conditional Use Permit to Allow a Veterinary Clinic in a Commercial Zoning Classification to be Located in the Rockwall Village Shopping Center

Item Generated By: Dr. Sealock

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

Background Information:

We have received a request from Dr. Sealock to locate a small animal vet clinic in the Rockwall Village Shopping Center. They would be located in the building that is occupied by Blockbuster and a number of other tenants, including two restaurants and a dentist's office. Several year's ago we amended our zoning requirements to permit vet clinics in commercial and general retail districts with a CUP. We have approved one previous application for a clinic in the Ridge Road Shopping Center, but it was never activated. The only condition attached to that CUP was that any significant change to the floor plan must be submitted to the Commission for approval. It was not going to be located next to a restaurant but it would have been several lease spaces down from the TCBY.

During the worksession there were a number of questions raised by the Commission regarding the location and the impact of this use on adjacent uses. These concerns have been expressed to the applicant and he will be prepared to address them on Thursday. The items raised and the applicant's response include the following:

1. Noise and odor and pests - the hospital area would be constructed with soundboard on all four walls. the facility would be maintained and no odor would be transmitted to other tenants. All animals to be boarded or hospitalized would be bathed and dipped at the time they are brought in.
2. Proximity to restaurants and other tenants - there is not a restaurant adjacent to the proposed facility. The Le Cafe restaurant is separated from this site by one lease space. The applicant has spoken to the tenants in the area and he indicates that no one except for Dr. McNew is concerned with his planned operation.
3. Outside exercise area for dogs - The runs would be used for the exercise of most dogs. If there is a need to exercise a larger dog the applicant plans to use the grassy area between the Road Runner and the shopping center. He indicated that they would remove any waste produced by the dogs in this area. He indicated that owners bringing their animals normally don't have a problem without a grassy area adjacent to the facility.
4. Disposal of dead animals - Dr. Sealock would contract with a service to remove any dead animals. He is required to follow very strict guidelines in the disposal of waste.
5. Floor drains within the facility - He does plan to install a floor drain under the kennel area.

I have heard from one existing tenant, Dr. McNew, who is opposed to the application. He has been in a shopping center close to a dog grooming facility that he felt was a problem due to noise and fleas. Dr. Sealock has been in other shopping centers and indicates that he has not had any complaints. it is likely that a vet clinic would be a cleaner operation than just due to the nature of each business. However, the quality of either such business could vary from one owner to another.

If the Commission does approve the request we would recommend that the floor plan be approved and that any significant changes must be approved by the Commission. You may also want to include some of the above items as conditions of approval. We will have a prepared list of items from those identified above that could be included Thursday night.

Attachments:

1. Location Map
2. Site Plan
3. Floor Plan

Agenda Item: CUP for Vet Clinic

Item No: III. B.

ROCKWALL VILLAGE SHOPPING CENTER

500 INTERSTATE 30 AT HWYWAY 740
ROCKWALL, TEXAS 75087

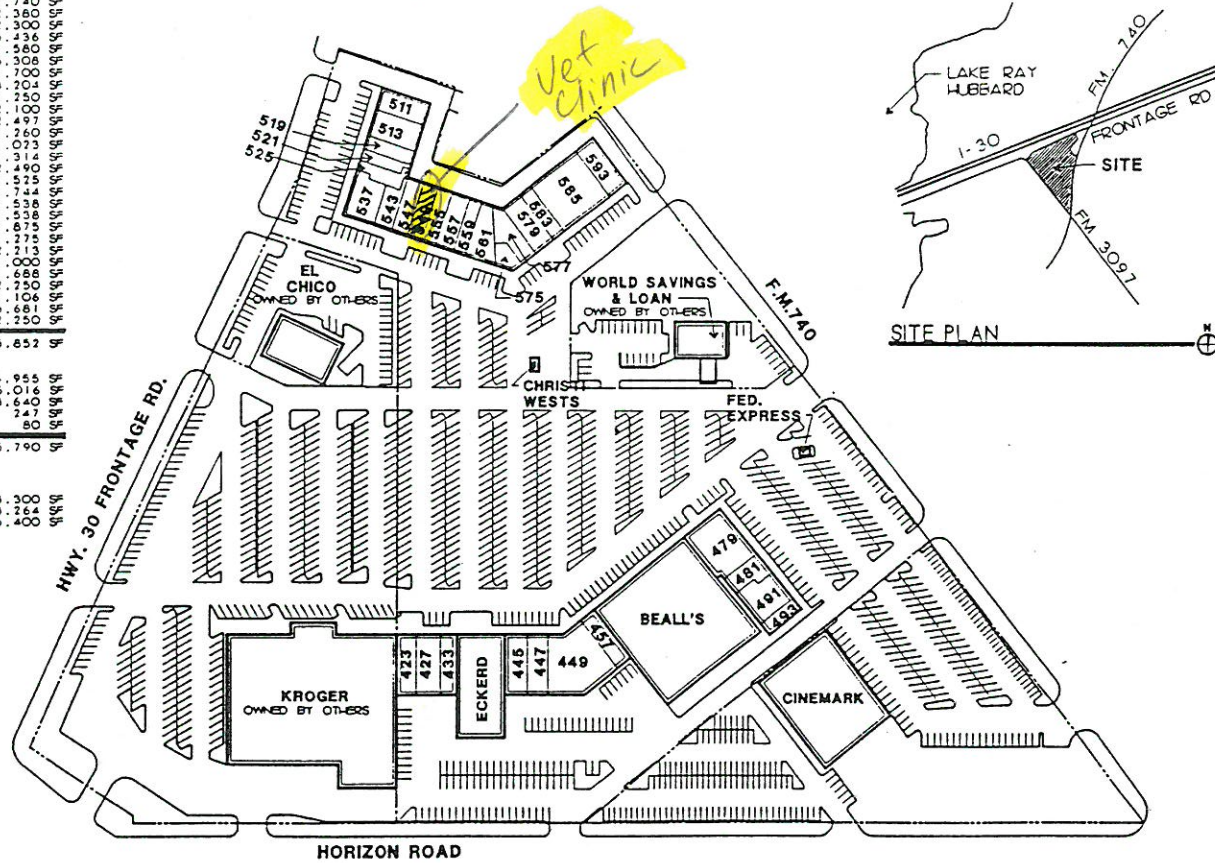


Ridge Road Animal Hospital will occupy suite 549.

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457	CHERRY'S DIAMONDS	1,560
479	COUNTRY STEAKHOUSE	5,308
481	AVAILABLE	1,700
491	RECREATION CENTER	3,204
493	SLIBWAY	1,250
511	ONE HOUR MARTINIZING	2,100
513	AVAILABLE	2,497
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CREDIT WESTS	2,740
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TOTAL	115,790

OWNED BY OTHERS	
KROGER	43,300
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SITE PLAN



Aetna Property Services Inc.

90128.00 03-19-91

A-2

CITY OF ROCKWALL
City Council Agenda

Agenda Date: April 20, 1992

Agenda No: V. C.

Agenda Item: P&Z 92-6-CUP - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Dr. Sealock for a Conditional Use Permit to Allow a Veterinary Clinic in a Commercial Zoning Classification to be Located in the Rockwall Village Shopping Center (1st Reading)

Item Generated By: Dr. Sealock

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

Background Information:

We have received a request from Dr. Sealock to locate a small animal vet clinic in the Rockwall Village Shopping Center. They would be located in the building that is occupied by Blockbuster and a number of other tenants, including two restaurants and a dentist's office. Several year's ago we amended our zoning requirements to permit vet clinics in commercial and general retail districts with a CUP. We have approved one previous application for a clinic in the Ridge Road Shopping Center, but it was never activated. The only condition attached to that CUP was that any significant change to the floor plan must be submitted to the Commission for approval. It was not going to be located next to a restaurant but it would have been several lease spaces down from the TCBY.

A number of items of concern were raised by both the members of the Commission and several of the tenants in the shopping center. The items raised and the applicant's response include the following:

1. Noise and odor and pests - the hospital area would be constructed with soundboard on three walls. The facility would be maintained and no odor would be transmitted to other tenants. All animals to be boarded or hospitalized would be bathed and dipped at the time they are brought in.
2. Proximity to restaurants and other tenants - there is not a restaurant adjacent to the proposed facility. The Le Cafe restaurant is separated from this site by one lease space. The applicant has spoken to the tenants in the area and he indicates that no one except for Dr. McNew is concerned with his planned operation.
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4. Disposal of dead animals - Dr. Sealock would contract with a service to remove any dead animals. He is required to follow very strict guidelines in the disposal of waste.
5. Floor drains within the facility - He does plan to install a floor drain under the kennel area.

As indicated one of the existing tenants, Dr. McNew, who is opposed to the application has been in a shopping center close to a dog grooming facility that he felt was a problem due to noise and fleas. Dr. Sealock has been in other shopping centers and indicates that he has not had any complaints. It is likely that a vet clinic would be a cleaner operation than just due to the nature of each business. However, the quality of either such business could vary from one owner to another.

SEE ATTACHED AGENDA NOTES CONT'D.

Attachments:

1. Location Map
2. Site Plan
3. Floor Plan
4. Ordinance

Agenda Item: CUP for Vet Clinic

Item No: V. C.

AGENDA NOTES CONT'D

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

1. That the entire facility will be constructed with soundboard on all walls except the front glass wall from the floor up to the roof deck. The facility will be maintained and no odor or pests will be transmitted to other tenants from the facility.
2. The facility and the surrounding area shall be maintained and free of animal waste.
3. Floor drains shall be installed in the kennel area of the facility.
4. Any significant change in the floor plan must be submitted for approval by the Commission.
5. That all health codes be met.
6. That no boarding of animals be permitted.

Dr. Sealock may submit a request to the Council that he be permitted to offer limited boarding if he can arrange to a grassed area to exercise the larger animals.

ROCKWALL VILLAGE SHOPPING CENTER

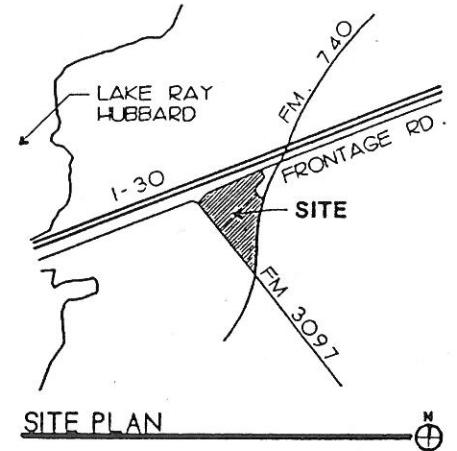
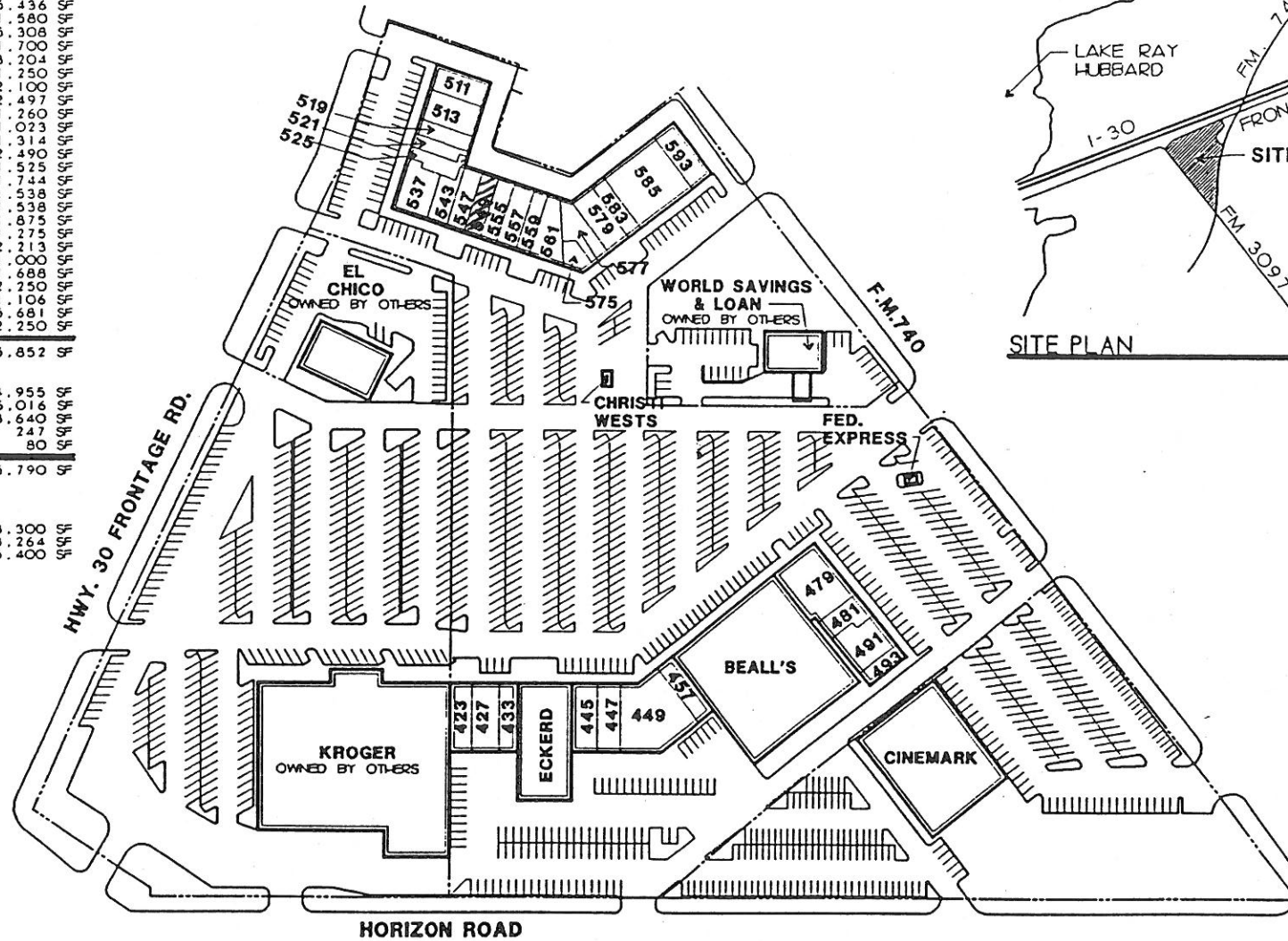


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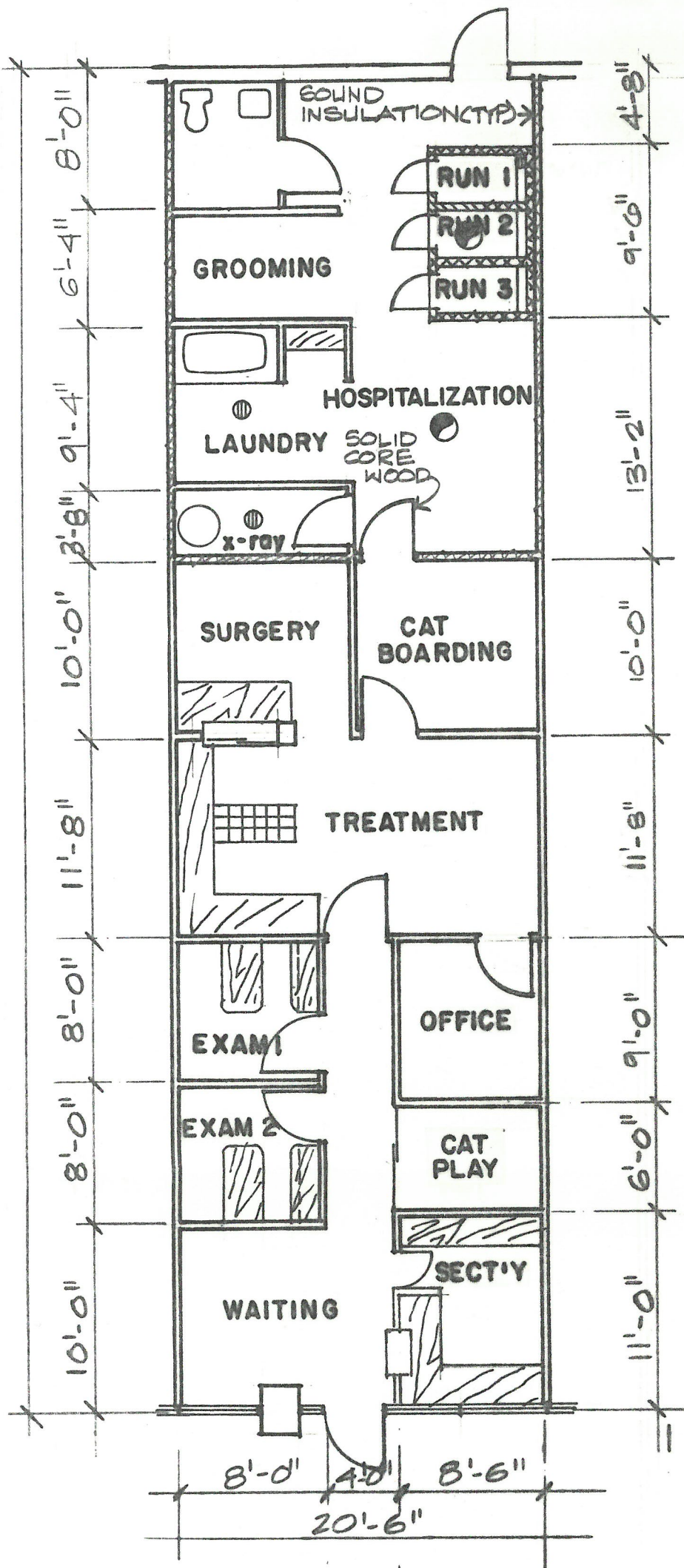
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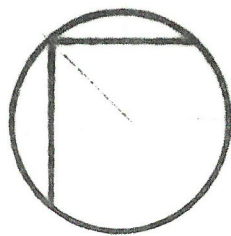
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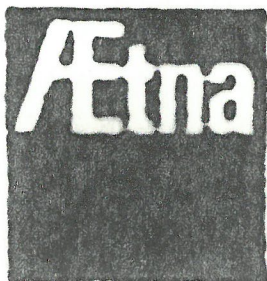


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carlos fernandez architects
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 richardson, texas 75081
 214 / 234 - 1764

drawn	by	
checked	by	
approved	by	

DR. SEALOCK

SUITE 549
 ROCKWALL VILLAGE
 ROCKWALL, TEXAS

date 3/17/92 sheet 1
 of 1
 job 9203.46

PUBLIC HEARING

The Rockwall Planning and Zoning Commission will hold public hearings on April 9, 1992 at 7:00 p.m. in City Hall, 205 W. Rusk to consider the following items:

1. A request from St. Paul A.M.E. Church for a conditional use permit for a church in a residential zoning classification to construct an addition to the church at 805 Peter Colony more specifically described as follows: Lot 2 in Block G of the Sanger Bros. Addition to the City of Rockwall, Texas according to the Plat thereof recorded in Volume Q, Page 100, Deed Records of Rockwall County, Texas.
2. A request from Reubin E and Brenda E. Harle to replat lots 5, 7, and 8 Block A of Zion Hills Estates into one lot, located on Zion Hills Circle.
3. A request from Dr. M. Sealock for a conditional use permit to allow a veterinary clinic in a commercial zoning classification on a portion of Lot 3, Block A, Carlisle Plaza Addition, in the Rockwall Village Shopping Center.
4. A change in the Preliminary Plan for PD-8, Planned Development No. 8, regarding the area requirements, maximum density, and approved land uses applicable to a 6.88 acre tract of land located between Phase 3 of Spyglass Hill and Lake Ray Hubbard off of Henry M. Chandler Drive.

All interested persons are encouraged to attend.

Attn: Rockwall Chronicle
Please publish this public hearing in tomorrow's edition
of March 25, 1992.

Thanks.

Hilda Crangle
City of Rockwall
771-7700 ext. 103

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1. A request from St. Paul A.M.E. Church for a conditional use permit for a church in a residential zoning classification to construct an addition to the church at 805 Peter Colony more specifically described as follows: Lot 2 in Block G of the Sanger Bros. Addition to the City of Rockwall, Texas according to the Plat thereof recorded in Volume Q, Page 100, Deed Records of Rockwall County, Texas.
2. A request from Reubin E and Brenda E. Harle to replat lots 5, 7, and 8 Block A of Zion Hills Estates into one lot, located on Zion Hills Circle.
3. A request from Dr. M. Sealock for a conditional use permit to allow a veterinary clinic in a commercial zoning classification on a portion of Lot 3, Block A, Carlisle Plaza Addition, in the Rockwall Village Shopping Center.

All interested persons are encouraged to attend.

PUBLIC HEARING

The Rockwall City Council will hold a public hearing on April 20, 1992 at 7:00 p.m. in City Hall, 205 W. Rusk to consider a request from Maximum Security Fence for approval to construct a fence in the required front yard at 5912 Yacht Club Drive. All interested persons are encouraged to attend.



CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on April 9, 1992 at 7:00 P.M. in City Hall, 205 W. Rusk, to consider approval of a request from Dr. M. Sealock for a conditional use permit to allow a veterinary clinic in a commercial zoning classification to be located in the Ridge Road Shopping Center further described as a portion of Lot 3, Block A, Carlisle Plaza Addition, in the Rockwall Village Shopping Center. As an interested property owner, you are invited to attend this meeting or make your feelings known in writing by returning the form below:

Julie Couch

City Secretary

Case No. PZ 92-6-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 _____

Emily Sue Whitehead
c/o O. L. Steger, Jr.
304 Highland Drive
Rockwall, Texas 75087

Jemtex Dev. No. 50-A, Inc.
1303 Walnut Hill Lane, Ste. 130
Irving, Texas 75038

Lyn McCreary
Lakeside National Bank
P.O. Box 9
Rockwall, Texas 75087

Billy Peoples & D. Bookout
c/o Truman Arnold Co.
P. O. Box 973
Texarkana, Texas 75504

Food Maker
9330 Balboa Avenue
San Diego, California 92123

World Savings & Loan
P.O. Box 832310
Richardson, Texas 75083

Safeway Stores 82, Inc.
3336 East 3rd. Street, Ste. 217
Tulsa, Oklahoma 74135

Ola Young
c/o E.M. Young
2880 Horizon Road

Rockwall, Tx. 75087

Spatex Group Partnership
3212 Beltline
Dallas, Tx. 75234

Phillip Williams
1624 Highland Road
Dallas, Tx. 75282

Loren W. Gray, Trustee
c/o Gail Blessing
1624 Highland Road
Dallas, Texas 75282

Culpepper Spatex J/V
c/o Gary Shultz
3210 Beltline Road, #126
Farmersbranch, Texas 75234