

CITY OF ROCKWALL  
205 West Rusk  
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 92-16- CUP Date Submitted 4-27-92

Filing Fee \$ 135.00

Applicant DARLENE HAWK

Address 1415 HWY 276  
ROCKWALL TX 75087

Phone No. 771-1693  
WORK 771-1233

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 \_\_\_\_\_.  
There <sup>space</sup> are/are not <sup>space</sup> 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.

Darlene Hawk

<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.

CITY OF ROCKWALL  
205 West Rusk  
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 92-16-2 Filing Fee \$135.00 Date 4-27-92

Applicant DARLENE HAWK Phone 771-1699

Mailing Address 1415 HWY 276 WORK 771-1233  
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

\_\_\_\_\_ District Classification to

\_\_\_\_\_ 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 \_\_\_\_\_ 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 Darlene Hawk

SITE PLAN APPLICATION

Date \_\_\_\_\_

NAME OF PROPOSED DEVELOPMENT \_\_\_\_\_

NAME OF PROPERTY OWNER/DEVELOPER \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

NAME OF LAND PLANNER/ENGINEER \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

TOTAL ACREAGE \_\_\_\_\_ CURRENT ZONING \_\_\_\_\_

NUMBER OF LOTS/UNITS \_\_\_\_\_

SIGNED \_\_\_\_\_

Following is a checklist of items that may be required as a part of the site plan. In addition, other information may be required if it is necessary for an adequate review of a specific development proposal. All information should be provided on a scaled drawing generally not exceeding 18" x 24".

<u>Provided or Shown</u> <u>On Site Plan</u>	<u>Not</u> <u>Applicable</u>
---	---------------------------------

\_\_\_\_\_

1. Total lot or site area - if the site is part of a larger tract include a key map showing entire tract and location of site being planned

\_\_\_\_\_

2. Location, dimensions, and size of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 ft.

\_\_\_\_\_

3. Location and type of landscaping, lighting, fencing and/or screening of yards and setback areas

\_\_\_\_\_

4. Calculation of landscaped area provided

\_\_\_\_\_

5. Location and dimensions of ingress and egress

\_\_\_\_\_  
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6. Location, number and dimensions of off-street parking and loading facilities
7. Height of all structures
8. Proposed uses of all structures
9. Location and types of all signs, including lighting and heights
10. Elevation drawings citing proposed exterior finish materials and proposed structural materials
11. Location and screening of trash facilities
12. Location of nearest fire hydrant within 500 ft.
13. Street names on proposed streets
14. The following additional information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the site plan is required as a preliminary or development plan under a Planned Development Zoning Classification, the attached applicable items specified for preliminary plans or development plans must be included.

Taken by \_\_\_\_\_

File No. 92-16-CUP/2

Date 4/27/92

Fee \$ 135.00



**NOTICE**

Prepared by the State Bar of Texas for use by Lawyers only. Revised 1-1-76  
To select the proper form, fill in blank spaces, strike out form provisions or  
insert special terms constitutes the practice of law. No "standard form" can  
meet all requirements.

**DEED OF TRUST TO SECURE ASSUMPTION**

(WHERE BENEFICIARY IS LIABLE ON NOTE ASSUMED)

THE STATE OF TEXAS  
COUNTY OF ROCKWALL

}

KNOW ALL MEN BY THESE PRESENTS:

That I, DARLENE C. HAWK,

of.....Rockwall.....County, Texas, hereinafter called Grantors (whether one or more) for the purpose of securing the indebtedness hereinafter described, and in consideration of the sum of TEN DOLLARS (\$10.00) to us in hand paid by the Trustee hereinafter named, the receipt of which is hereby acknowledged, and for the further consideration of the uses, purposes and trusts hereinafter set forth, have granted, sold and conveyed, and by these presents do grant, sell and convey unto EDMUND R. WOOD....., Trustee, of .....Dallas..... County, Texas, and his substitutes or successors, all of the following described property situated in .....Rockwall..... County, Texas, to-wit:

Being a tract of land in the N. M. BALLARD SURVEY, ABSTRACT NO. 24 and being part of the First and Second Tracts of land conveyed to J. C. Tadlock and wife, Eva E. Tadlock of record in Volume 48, Page 493, Deed Records of Rockwall County, Texas and being more particularly described as follows:

- BEGINNING at an iron rod for corner in the North line of State Highway 276, South 87 degrees 18 minutes 09 seconds West 197.3 feet from Southeast corner of the N. M. Ballard Survey, Abstract No. 24;
- THENCE South 87 degrees 18 minutes 09 seconds West, with the Right of Way of Highway 276, 117.5 feet to an iron rod for corner;
- THENCE North 02 degrees 41 minutes 51 seconds West 185.00 feet to an iron rod for corner;
- THENCE North 87 degrees 18 minutes 09 seconds East, 117.5 feet to an iron rod for corner;
- THENCE South 02 degrees 41 minutes 51 seconds West, 185.00 feet to the place of beginning and containing .5 acres of land.





**CITY OF ROCKWALL**  
"THE NEW HORIZON"

June 5, 1992

Ms. Darlene Hawk  
1415 Hwy 276  
Rockwall, Texas 75087

Dear Ms. Hawk:

On Monday, June 1, 1992 the Rockwall City Council approved your request for a change in zoning from Agriculture to Single Family 7 and for a conditional use permit for guest quarters on a tract of land located at 1415 Hwy 276 with the condition that it not be used for rental purposes.

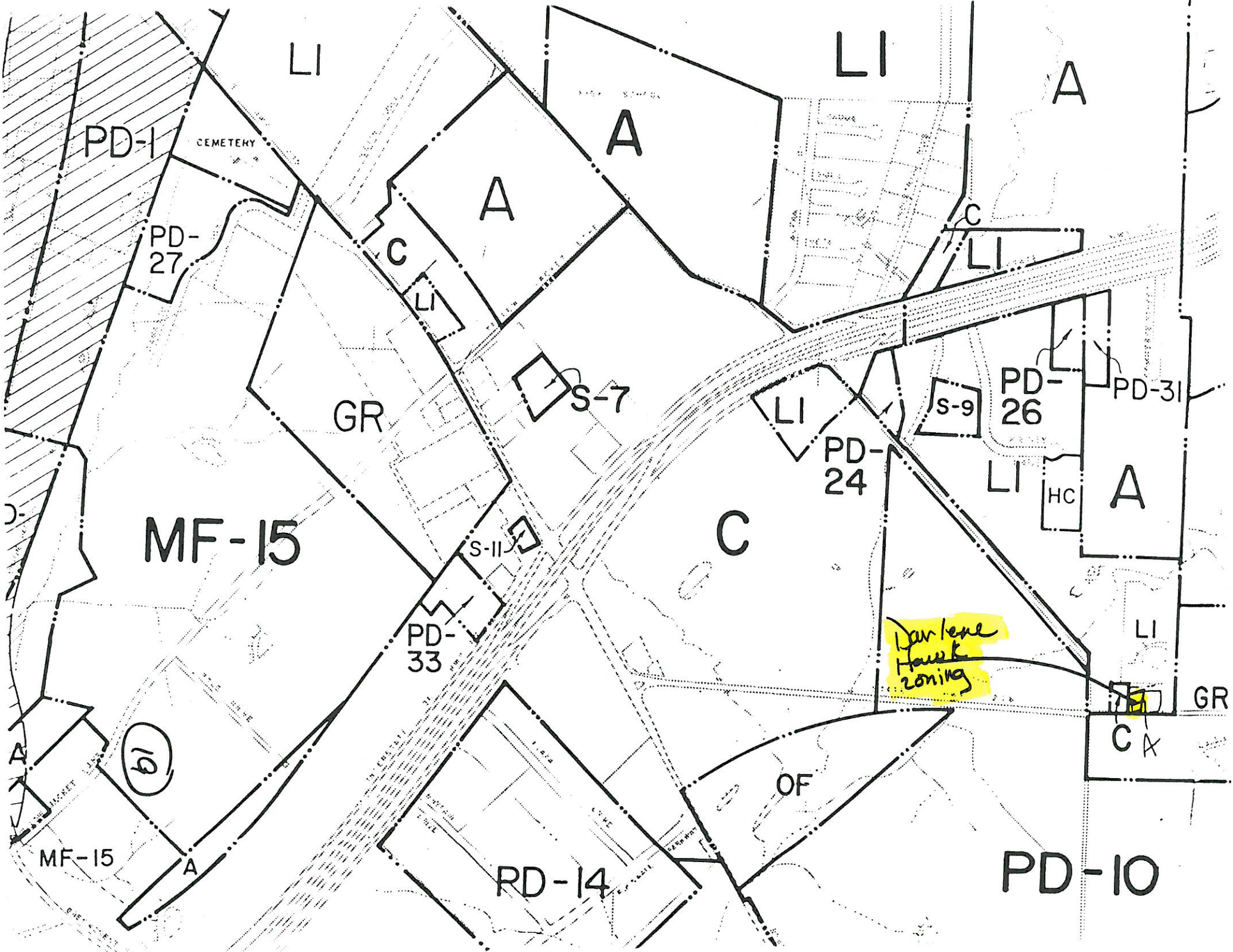
You will need to submit your plans for the guest apartment to the Inspection Department for permit issuance prior to beginning any work. If you have any questions please don't hesitate to call.

Sincerely,

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

Julie Couch  
Assistant City Manager

hcc



Darlene Hawk zoning

19

CEMETERY

MF-15

RD-14

PD-10

MF-15

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PD-31

PD-33

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

**Agenda Date:** May 14, 1992 **Agenda No:**III. H.

**Agenda Item:** P&Z 92-16-CUP/Z - Hold Public Hearing and Consider Approval of a Request from Darlene Hawk for a Change in Zoning form "A" Agricultural to "SF-7" Single Family and a CUP for Guest Quarters on a Tract of land Located at 1415 Hwy 276

**Item Generated By:** Applicant, Darlene Hawk

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

**Background Information:**

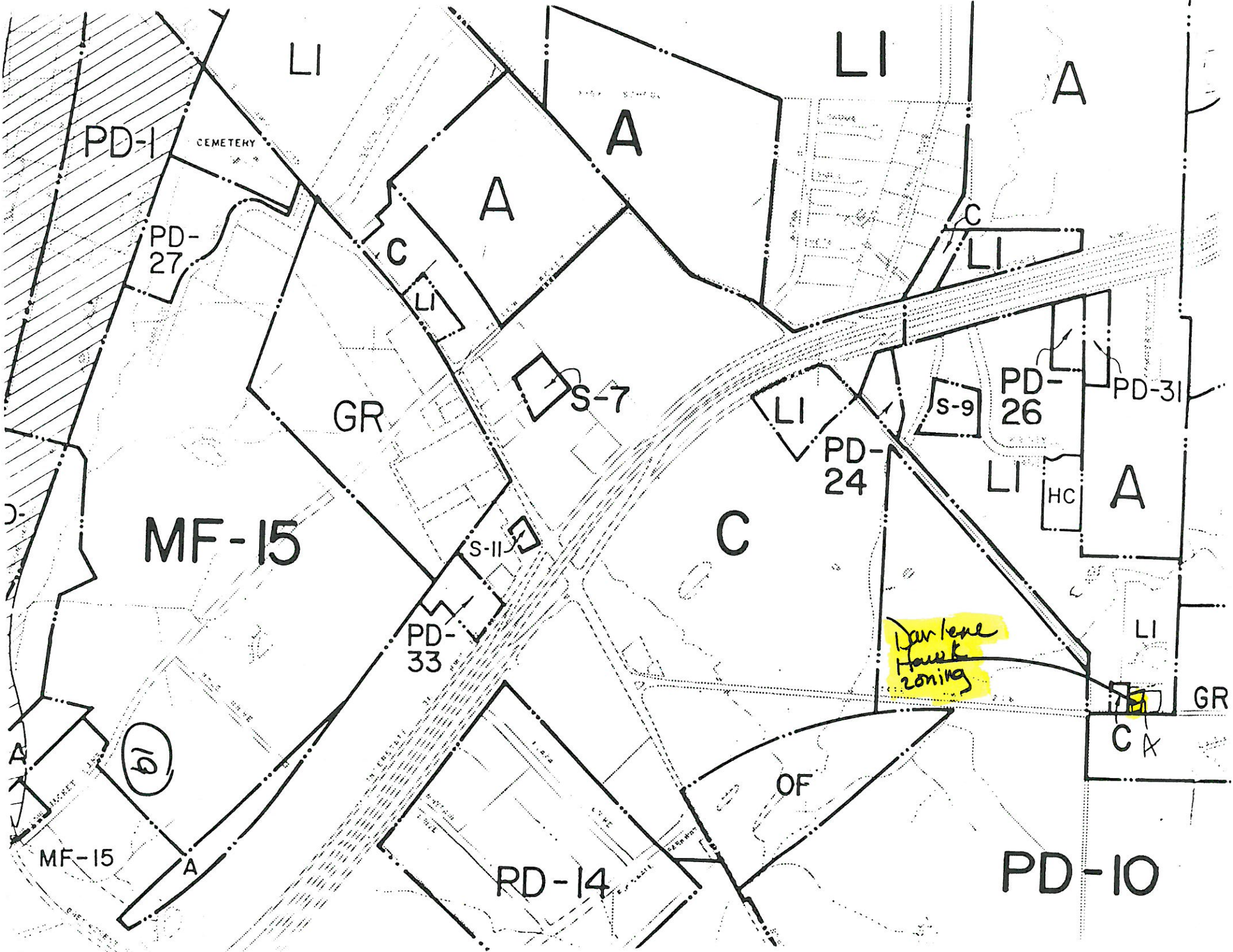
We have received a request for a change in zoning on this tract of land on SH-276. The property was annexed by the City in 1986 and was brought in as Agricultural. There were originally three houses in this area with a concrete plant approved behind the existing homes. There are now two structures being used as residential. Ms. Hawk wants to build a free standing structure to be used as quarters for her elderly mother. We have approved similar requests in the past with the condition that they are not used a rental property. Because the property is zoned Ag Ms. Hawk cannot construct any additional buildings or add onto her existing structure unless the zoning is addressed. While it is not likely that this property will be used for residential long term due to the location of the property and the future uses in the area, residential zoning is the only zoning that will allow Ms. Hawk to continue to use her property as it is currently being used and allow her to expand. We would recommend approval of the requests.

**Attachments:**

1. Location Map

**Agenda Item:** Rezoning and CUP for Guest Quarters

**Item No:** III. H.



Darlene Hawk zoning

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CEMETERY

MF-15

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

**Agenda Date:** May 18, 1992 **Agenda No:** VI. H.

**Agenda Item:** P&Z 92-16-CUP/Z - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Darlene Hawk for a Change in Zoning from "A" Agricultural to "SF-7" Single Family and a CUP for Guest Quarters on a Tract of land Located at 1415 Hwy 276 (1st Reading)

**Item Generated By:** Applicant, Darlene Hawk

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

**Background Information:**

There was considerable discussion about the zoning of this tract of land to single family. There was some concern about the establishment of residential zoning in what will ultimately be a nonresidential area. It was pointed out by other Commission members that the two homes in the area are already there and that rezoning was the best way to address the applicant's needs.

The Commission voted three to one to approve the zoning change and CUP with the condition that the guest quarters not be used for rental property. A copy of the ordinances are attached.

**Attachments:**

1. Ordinances

**Agenda Item:** Rezoning and CUP for Guest Quarters

**Item No:** VI. H.

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

**Agenda Date:** May 18, 1992

**Agenda No:** VI. H.

**Agenda Item:** P&Z 92-16-CUP/Z - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Darlene Hawk for a Change in Zoning from "A" Agricultural to "SF-7" Single Family and a CUP for Guest Quarters on a Tract of land Located at 1415 Hwy 276 (1st Reading)

**Item Generated By:** Applicant, Darlene Hawk

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

**Background Information:**

We have received a request for a change in zoning on this tract of land on SH-276. The property was annexed by the City in 1986 and was brought in as Agricultural. There were originally three houses in this area with a concrete plant approved behind the existing homes. There are now two structures being used as residential. Ms. Hawk wants to build a free standing structure to be used as quarters for her elderly mother. We have approved similar requests in the past with the condition that they are not used a rental property. Because the property is zoned Ag Ms. Hawk cannot construct any additional buildings or add onto her existing structure unless the zoning is addressed. While it is not likely that this property will be used for residential long term due to the location of the property and the future uses in the area, residential zoning is the only zoning that will allow Ms. Hawk to continue to use her property as it is currently being used and allow her to expand. We would recommend approval of the requests.

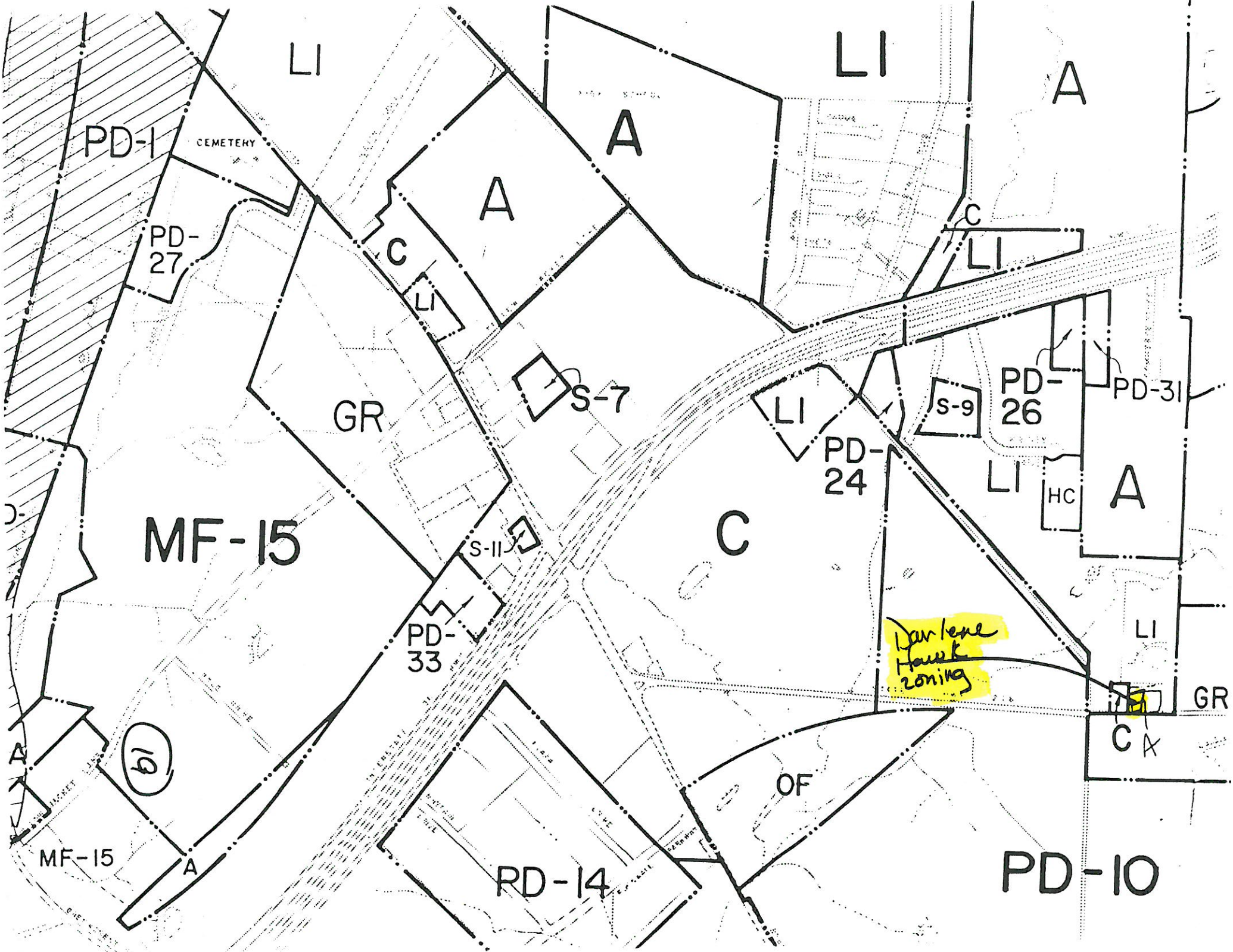
The Commission is considering this item at their meeting on Thursday night. We will forward their recommendation to you on Friday.

**Attachments:**

1. Location Map

**Agenda Item:** Rezoning and CUP for Guest Quarters

**Item No:** VI. H.



Darlene Hawk zoning

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CEMETERY

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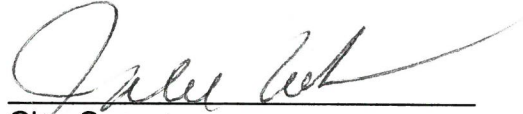


# CITY OF ROCKWALL

"THE NEW HORIZON"

## PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, May 14, 1992 at 7:00 P.M. in City Hall, 205 W. Rusk, and the Rockwall City Council will hold a public hearing on Monday, May 18, 1992 at 7:00 p.m. in City Hall, 205 W. Rusk, Rockwall, Texas to consider approval of a request from Darlene Hawk for a change in zoning from "A" Agriculture zoning classification to "SF-7" Single Family-7 zoning classification, and a conditional use permit for guest quarters on a tract of land located at 1415 Hwy 276, Rockwall, Texas and further described on the reverse side of this notice. As an interested property owner, you are invited to attend this meeting or make your feelings known in writing by returning the form below:

  
\_\_\_\_\_  
City Secretary

-----

Case No. PZ 92-16-CUP/Z

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 \_\_\_\_\_



Being a tract of land in the N. M. BALLARD SURVEY, ABSTRACT NO. 24 and being part of the First and Second Tracts of land conveyed to J. C. Tadlock and wife, Eva E. Tadlock of record in Volume 48, Page 493, Deed Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at an iron rod for corner in the North line of State Highway 276, South 87 degrees 18 minutes 09 seconds West 197.3 feet from Southeast corner of the N. M. Ballard Survey, Abstract No. 24;

THENCE South 87 degrees 18 minutes 09 seconds West, with the Right of Way of Highway 276, 117.5 feet to an iron rod for corner;

THENCE North 02 degrees 41 minutes 51 seconds West 185.00 feet to an iron rod for corner;

THENCE North 87 degrees 18 minutes 09 seconds East, 117.5 feet to an iron rod for corner;

THENCE South 02 degrees 41 minutes 51 seconds West, 185.00 feet to the place of beginning and containing .5 acres of land.

Notices for Darlene Hawk

Robert Evans, Jr.  
1230 Ridge Road  
Rockwall, Texas 75087

G. H. Houser, Inc.  
P. O. box 847  
Rockwall, Texas 75087

Howard Hesson  
1425 Hwy 276  
Rockwall, Texas 75087

Switzer Petroleum Products  
P. O. Box 940247  
Plano, TX 75094-0247

Gary and Janice Thomas  
9834 Wolf Ave.  
Conifer, CO 80433

Cambridge Properties, Inc.  
c/o Garrett Poindexter  
17440 Dallas, Parkway #103  
Dallas, TX 75252

4-29-92

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7. A request from Darlene Hawk for a change in zoning from an Agriculture classification to Single Family-7 zoning classification and a conditional use permit for guest quarters on a tract of land located at 1415 Hwy 276 further described as follows:

Being a tract of land in the N. M. BALLARD SURVEY, ABSTRACT NO. 24 and being part of the First and Second Tracts of land conveyed to J. C. Tadlock and wife, Eva E. Tadlock of record in Volume 48, Page 493, Deed Records of Rockwall County, Texas and being more particularly described as follows:

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THENCE South 87 degrees 18 minutes 09 seconds West, with the Right of Way of Highway 276, 117.5 feet to an iron rod a corner;

THENCE North 02 degree 41 minutes 51 seconds West 185.00 feet to an iron rod for corner;

THENCE North 87 degrees 18 minutes 09 seconds East, 7.5 feet to an iron rod for a corner;

THENCE South 02 degrees 41 minutes 51 seconds West, 185.00 feet to the place of beginning containing .5 acres of land.

All interested person are encourage to attend.

4-29-92

7. A request from Darlene Hawk for a change in zoning from an Agriculture classification to Single Family-7 zoning classification and a conditional use permit for guest quarters on a tract of land located at 1415 Hwy 276 further described as follows:

Being a tract of land in the N. M. BALLARD SURVEY, ABSTRACT NO. 24 and being part of the First and Second Tracts of land conveyed to J. C. Tadlock and wife, Eva E. Tadlock of record in Volume 48, Page 493, Deed Records of Rockwall County, Texas and being more particularly described as follows:

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THENCE South 87 degrees 18 minutes 09 seconds West, with the Right of Way of Highway 276, 117.5 feet to an iron rod a corner;

THENCE North 02 degree 41 minutes 51 seconds West 185.00

**PZ 92-16-CUP/Z Hold Public Hearing and Consider Approval of a Request from Darlene Hawk for a Change in Zoning from "A" Agricultural to "SF-7" Single Family and a CUP for a Guest Quarters on a Tract of Land Located at 1415 Hwy 276** *M.N. 5/14/92*

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Couch outlined the applicant's request. Welborn opened the public hearing. Darlene Hawk addressed the Commission and was available to answer questions. Welborn closed the public hearing. After much discussion Welborn made a motion to recommend approval for a change in zoning from "A" Agriculture to "SF-7" Single Family and to grant a conditional use permit for guest quarters on a tract of land located at 1415 Hwy 276 with the condition that it not be used as rental property. Mitchell seconded the motion. The motion was voted on and carried with Robert Wilson voting against.

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No. F5-15113