

(APPENDIX FORM B)

Case No. _____

Date 8/18/72

REQUEST FOR ZONING AMENDMENT
TO THE CITY COUNCIL AND PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

Application is hereby made to the City Council to amend the Zoning Ordinance and to change the Zoning District Map of the City of Rockwall as hereinafter set forth, and in support of such request the following facts are shown:

APPLICANT Ronald Burgamy Rockwall, Texas
(name) (mailing address)

DESCRIPTION OF PROPERTY see attached

LOT _____ BLOCK _____ STREET NO. _____

FRONTAGE IN FEET 798' ON State Highway 66 STREET

DEPTH IN FEET 379'

APPLICANT'S INTEREST IN PROPERTY agent
(owner, agent, lease, option, etc.)

CHANGE REQUESTED FROM SF-3 DISTRICT TO C&R DISTRICT

REASON FOR REQUEST To Allow retail development

PROPOSED USE OF PROPERTY ?

SETBACKS, YARDS, PARKING SPACES, ETC., PROPOSED _____

(plan may be attached)

ARE THERE DEED RESTRICTIONS WHICH WOULD PREVENT THIS PROPERTY BEING USED IN THE MANNER HEREIN PROPOSED? None

Ronald Burgamy
(signature of applicant)

Aug 18, 1972
(date)

Sept 6. SF-3 to WR

Lot tract or parcel of land situated in the City of Rockwall and more fully described as lot number 3 of share number 3 allotted to Earl Lowe in the partition of the estate of Mrs. R. B. Lowe, deceased, which is shown of record in the probate records of Rockwall County, Texas, volume 1 page 25 and being a part of the B. F. Boydston survey about 1/4 mile ~~west of the town or Rockwall~~ and being a part of an original 40 acre tract owned by the estate of Mr. R. B. Lowe.

\$11,750.00

Beginning at the south margin of Washington street 390' west from the NW corner of block number 14 of Lowe and Allen Addition at a stake for the NW corner of lot number 2 of share number 4 of the partition;

Thence south 379' to a stake and fence for the SW corner of said lot number 2 of share number 4;

Thence; west at the south line of said original 40 acre tract 1250' to corner in deep ravine south of State Highway number 1;

Thence; north 69-3/4 degrees east along the SE margin of State Highway 1096' to the intersection of the south margin of Washington Street; thence east 200' to the point of beginning containing 6.4 acres of land more or less and being the same land purchased by Warranty Deed dated January 13, 1955 from William O. Lowe and wife Margaret Lowe.

and being the same land purchased by Warranty Deed dated January 13, 1955 from William O. Lowe and wife Margaret Lowe.
Galen Williams
City Secretary
(ITC)

Legal Notice

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE CITY OF ROCKWALL'S CITY COUNCIL, IN THE CITY HALL AT 7:30 P. M. ON MONDAY, OCTOBER 2, 1972, TO DETERMINE IF THE PROPERTY DESCRIBED BELOW SHALL BE REZONED AS REQUESTED. THIS NOTICE IS GIVEN IN COMPLIANCE WITH THE LAWS OF THE STATE OF TEXAS.

SF-3 to GR

Being a lot, tract or parcel of land situated in the City of Rockwall and more fully described as Lot number 3 of share number 3 allotted to Earl Lowe in the partition of the estate of Mrs. R. B. Lowe, deceased, which is shown of record in the probate records of Rockwall County, Texas, volume 1, page 25, and being a part of the B. F. Boydston Survey about 1/4 mile west of the town of Rockwall and being a part of an original 40 acre tract owned by the estate of Mr. R. B. Lowe.

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THENCE west at the south line of said original 40 acre tract 1250' to corner in deep ravine south of State Highway Number 1;

THENCE north 69-3/4 degrees east along the SE margin of State Highway 1096' to the intersection of the south margin of Washington Street;

THENCE east 200' to the point of Beginning, containing 6.4 acres of land more or less

Letters mailed to: 8/18/72

- W. F. Simmons, 712 W. Rusk St, Rockwall
- Dr. Sherman Sparks, 406 W. Rusk " "
- City of Dallas, MAIN & HARWOOD, DALLAS, TEXAS
- Rockwall Joint Center, c/o Robt. S. Folsom, 4000 Spring Valley Rd, Dallas
- Mrs. Mae Camp, c/o D.W. Camp, 702 W. Rusk, Rockwall
- D.W. Camp, " " "
- Mrs. Wilson Camp, Route 2, Box 83A, Winnsboro, Tex.
- Mrs. Lew Lowe, 405 N. Goliad, Rockwall
- Texas Highway Dept., ^{c/o: John D. Keller, P.O. Box 3067, DALLAS, 75221}
- Crow-Coker Realty Co., 4427 Herschel, DALLAS, TEX

City of Rockwall

102 EAST WASHINGTON
ROCKWALL, TEXAS 75087

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE CITY OF ROCKWALL'S PLANNING AND ZONING COMMISSION IN THE CITY HALL AT 6:30 P.M. ON WEDNESDAY, SEPTEMBER 6, 1972, TO DETERMINE IF THE PROPERTY DESCRIBED BELOW SHALL BE REZONED AS REQUESTED. THIS NOTICE IS GIVEN IN COMPLIANCE WITH THE LAWS OF THE STATE OF TEXAS.

SF-3 to GR

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Galen Williams
City Secretary

City of Rockwall

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Galen Williams
City Secretary

City of Rockwall

102 EAST WASHINGTON

ROCKWALL, TEXAS 75087

August 31, 1972

The Following matters will be presented to the Planning and Zoning Commission at their meeting on September 6, 1972:

1. Plans for development of the James Reese tract recently zoned MF-1.
- ✓ 2. Issuance of a specific use permit for a public library on Lot B, Block 4 of the F & M Addition.
- ✓ 3. Request for a zoning change on approximately 6 acres adjacent to State Highway 66, just west of the City of Rockwall cemetery.
4. Greenlee sub-division outside city limits.
- ✓ 5. Development plans for installment #1 of Northshore owned by R.S.F. Development Co.
- ✓ 6. Development plans for installment #1 of Saddle Brook Valley owned by Hillcrest properties.

Galen Williams
City Secretary

MRS. MAY CANUP
DAVID W. CANUP
WILSON CANUP

TEXAS Hwy
DEP +

W.E. KIMMONS

MRS. LEON
LOWE

WASHINGTON ST

DR. SPARKS
CITY OF DALLAS
ROCKWALL JOINT VENTURE
HWY 66

EARL
HOOTEN

City of Rockwall
102 EAST WASHINGTON
ROCKWALL, TEXAS 75087

200'

798'

6 ACRES

379'

CEM

115'

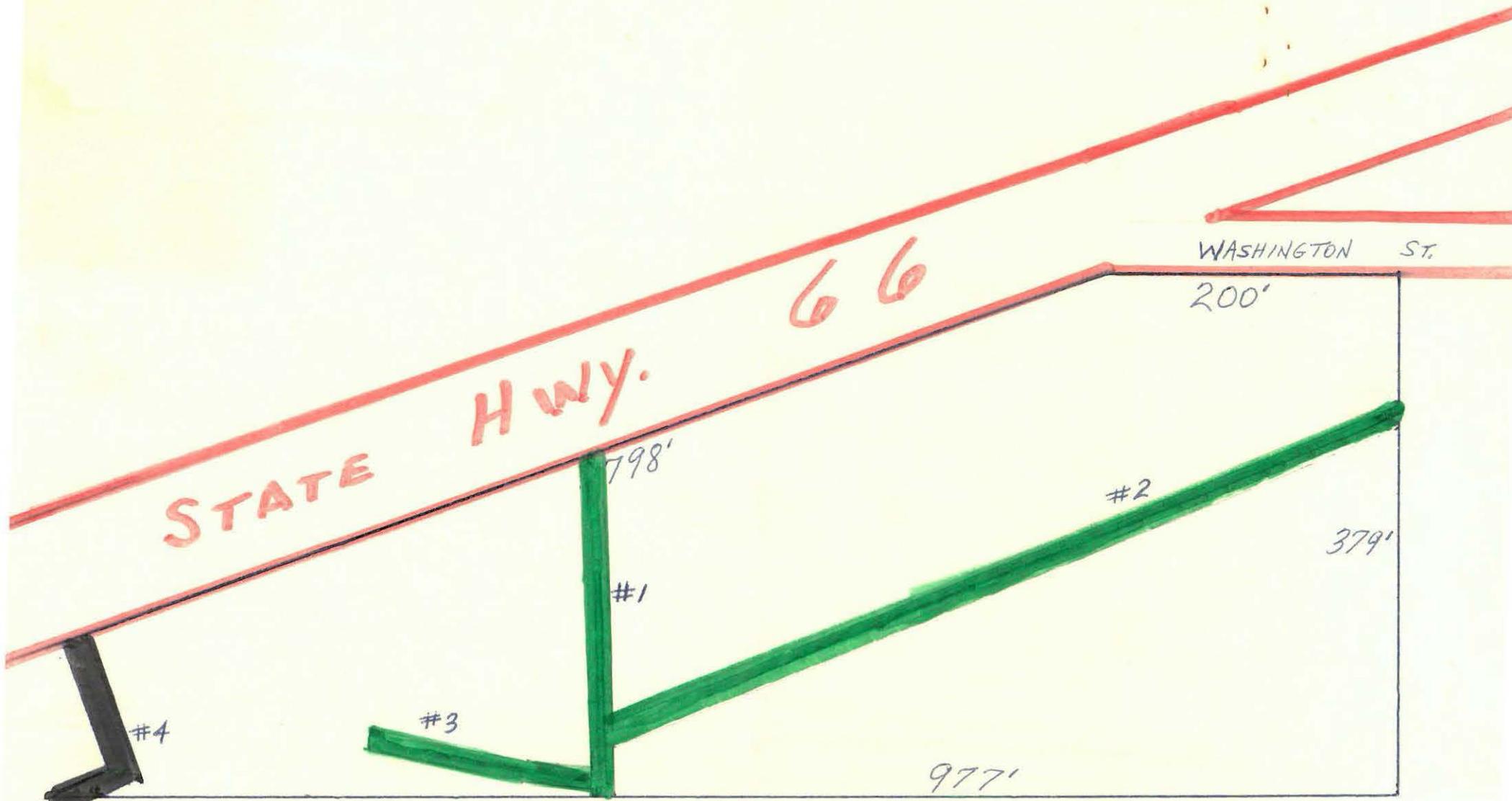
44'

977'

CROW-COKER

CITY

A7-3 to G.R.



EASEMENT #1: 15 ft. City of Rockwall sewer easement
 #2: " " " " " " " " " "
 #3: " " " " " " " " " "
 #4: 15 ft. Bell Telephone easement

City of Rockwall

102 EAST WASHINGTON

ROCKWALL, TEXAS 75087

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION HELD September 6, 1972

The Rockwall Planning and Zoning Commission met in its regularly scheduled meeting on September 6, 1972 at 6:30 P.M. in the City Hall. Members present were: Kenneth Smith, Kenneth Glasscock and Jess Whittle, Chairman.

Mr. Johnny Singleton, representative of owners of property known as the Jim Reese property, adjacent to S. Goliad Street, was present to request the opinion of the Commission with regard to request a change from recently granted MF-1 zoning to GR on subject property. After discussion, the Commission advised Mr. Singleton that the zoning request would have to be PD or that a request for specific use permit as indicated by Mr. Singleton.

A request for a change of zoning from SF-3 to GR on 6.4 acres, located in the B. F. Boydston Survey, was presented. After being advised that owners of property had been notified by mail as required by law, Mr. Glasscock made a motion that the requested zoning change be recommended to the Council. Mr. Smith seconded the above motion and the Commission voted unanimously in favor.

A plat of Mr. E. A. Greenlee's sub-division located on the Airport Road, just east of the airport, was presented to the Commission for approval. Mr. Whittle stated a cul-de-sac should be provided at the north end of Greenlee Lane. The City's sub-division ordinance was referred to and it was determined that cul-de-sacs with a 50' radius are required on all dead end streets.

Mr. Smith stated that a turn-around of sufficient diameter to eliminate the necessity of backing would be required by the postal department if rural mail delivery is to be made. After further discussion, Mr. Glasscock made a motion that the Greenlee plat be approved provided a 50' radius cul-de-sac right of way is dedicated. Mr. Smith seconded this motion and the Commission voted unanimous approval.

Phase one of North Shore Addition was presented. Mr. Smith moved that the plat be approved as drawn provided storm drainage plan and names of owners of property located west of this phase of development are shown on plat. Mr. Glasscock seconded this motion which received unanimous vote of approval by the Commission.

The matter of access roads to the property was discussed. Mr. Ratliff, of R.S.F. Development, owners, stated that an access road from the development to State Highway 66 would be built. Access to this sub-division through Heath Street was discussed.

Property owners on each side of Heath Street from the sub-division to Goliad Street will be contacted regarding right of way to permit construction of an access street.

Approval of Phase one of Saddle Brook Valley Addition was recommended after a motion by Mr. Glasscock was seconded by Mr. Smith, subject to showing street names and fulfillment of engineer's suggestions of his letter of September 1, 1972.

A proposed revised site plan for Saddle Brook Valley Addition was presented. The changes included relocation of cluster housing, single family housing, church and nursery, revised golf course layout and others.

The Commission agreed to recommend that credit for the \$25.00 per lot park development fee, recently approved by the Council, be granted the developers of this sub-division to offset a portion of the cost of development of the proposed Public Golf Course and other recreational facilities. In no case shall the amount of credit allowed exceed the \$25.00 per lot.

Mr. Smith made a motion that the Plan Commission recommend acceptance of the revised site plan subject to approval of the development of the City of Dallas owned property adjacent to Saddle Brook Valley by City of Rockwall and City of Dallas, and further subject to agreement by Rockwall and Saddle Brook Valley on a lease of such property. Mr. Glasscock seconded this motion and the Commission voted unanimous approval.

No further business came before the Commission, and the meeting was adjourned.

Galen Williams
City Secretary

REGULAR MEETING OF THE CITY COUNCIL HELD
October 2, 1972

The Rockwall City Council met in its regular meeting on October 2, 1972, at 7:30 P. M. in the City Hall. The following members were present: Harry Knight, Roger McCallum, Garvin Tate, Randolph Gheen and Art Kuhlman. Mayor Harry F. Myers presided.

Also present were: J. P. Benbrook, Don Stodgill, Harold Evans, Bruce Beaty, Buddy Day, Reagan George, Gerald Burgamy and Pat Winters.

The Minutes of July 3, 1972, meeting were approved as read.

Mr. Benbrook was present to request that Mrs. Miller be forced to remove the dog house from her premises. Mr. Stodgill explained that Mrs. Miller's dog house has been in existence since late 1940's and she plans to remove old dog house and move in smaller new house and remove old fence and replace with new, probably chain link fence. She has no dogs in the dog house and has one dog in her residence.

Mr. Benbrook stated that the zoning ordinance makes no provision for an accessor building in a front yard. Article 9-502, paragraph 5 was read.

Alderman Kuhlman moved that the matter be taken under advisement and that a committee of 3 investigate the matter and report to the Council at the November meeting. Alderman Knight seconded the motion and the Council voted unanimous approval.

The Mayor appointed a committee of 3 including Harry Knight, Arthur Kuhlman and Garvin Tate to investigate this matter and make a recommendation to the Council at its November 6, 1972 meeting.

Mrs. Pat Winters was present to discuss with the City council a contract between the law firm of Pemberton and Green and the City of Rockwall for collection of delinquent city taxes. After discussion of the terms of the contract, the following resolution and order was passed by the Council.

RESOLUTION AND ORDER

On this the 2nd day of October, 1972, at a meeting of the City Council for the City of Rockwall of Rockwall County, Texas, there came on for consideration the making of a contract for the collection of delinquent taxes, and motion was made by Alderman Tate, seconded by Alderman Knight, that Harry F. Myers, Mayor, do make and enter into a contract with Bill Pemberton, a licensed attorney, for the latter to collect delinquent taxes in said city for 15% of the amount of all delinquent taxes, penalty, interest, and writing costs collected, said contract to renew itself each July 1st and to contain a provision whereby the city or the attorney may cancel the contract by giving 30 days' written notice, but in either event, allowing the attorney six months in which to conclude any suits that have been filed prior to the termination of said

contract.

Said motion being put to vote, it carried by a vote of 5 to 0.


Mayor, Harry F. Myers

ATTEST:


City Secretary

The Planning and Zoning Commission's recommendation that a tract of land owned by Glynn Montgomery, located in the B. F. Boydston Survey adjacent to State Highway 66, and containing 6.4 acres, be rezoned from SF-3 to GR was presented. The Council was advised that proper notification had been given and that no indications of objection had been filed. The Mayor asked if any were present to object to the recommended zoning change.

Alderman McCallum moved that the zoning change be granted. Alderman Gheen seconded this motion and the Council voted unanimous approval. The City Secretary was instructed to prepare the necessary ordinance to make the zoning change official.

Mr. Evans presented a preliminary plat of Phase I of the Northshore Addition. It was pointed out that this addition when completely developed would provide housing for an estimated 12,000 people and a need for a school site or sites exists. Saddle Brook Addition, adjacent to Northshore Addition has some 14½ acres designated for a school site, however, it was determined that additional school sites would be needed to serve the area. Alderman Kuhlman made a motion that Northshore Addition Phase One preliminary plat be approved. Alderman Knight seconded this motion and the Council voted unanimously in favor.

A preliminary plat of Phase One of Saddle Brook Valley Addition was presented. After reviewing the engineers' comments which included the recommendation that the requirement for an alley behind lots 1 through 19, Block A and 1 through 4, Block D be waived. Alderman Tate moved the plat be approved, and Kuhlman seconded this motion and the Council voted unanimously in favor.

Revised PD-3 was presented for approval by the City Council. Mr. George and Mr. Day explained in detail plans for development of this addition and presented a site plan of the proposed revision of PD-3.

A letter from Mr. Harold Evans to the City of Rockwall requesting prompt action regarding approval of revised PD-3 and development of a proposed golf course was read.

Alderman Gheen made a motion that revised PD-3 be approved. Alderman Knight seconded this motion and the Council voted unanimous approval.

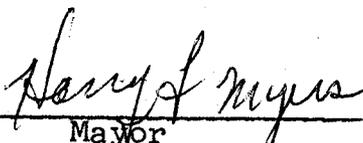
Alderman Knight moved adoption of Ordinance No. 72-11, abandoning portion of Industrial avenue. Alderman Kuhlman seconded this motion and the Council voted unanimously in favor.

Alderman Kuhlman made a motion that the Council have prepared an ordinance to prohibit building in areas subject to flooding during heavy rains. Alderman McCallum seconded this motion and the Council voted unanimous approval.

Sam Holt's complaint that Clifford Dawson is allowing an accumulation of trash on his premises on East Rusk Street was presented. Alderman Knight moved the matter be taken under advisement. Alderman Tate seconded the motion and the Council voted unanimously in favor.

The Mayor advised the council that representatives of the Rockwall Independent School District had requested that the City not charge for a building permit for school additions. The Council agreed to investigate what is done in other cities.

No further business came before the Council, and the meeting was adjourned.


 Mayor

ATTEST:


 City Secretary

CALLED MEETING OF THE CITY COUNCIL HELD
 October 31, 1972

The Rockwall City Council met in a called meeting on October 31, 1972, at 4:30 P.M. in the City Hall. The following members were present: Roger McCallum, Garvin Tate and Randolph Gheen. Mayor Harry F. Myers presided.

The purpose of the meeting was to decide what action would be taken in regard to the O. L. Mitchell lawsuit.

After thorough discussion, Alderman Tate made a motion that the City instruct Mr. Louis Nichols, City Attorney, to file a motion in County Court that the City be allowed to abandon the sewer line located on Mitchell property and re-route the sewerage to completely miss Mitchell's property. Alderman McCallum seconded this motion and the Council voted unanimously in favor.

No further business came before the Council, and the meeting was adjourned.

ATTEST: City Secretary

Mayor

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 72-12

An ordinance of the City of Rockwall amending the Comprehensive Zoning Ordinance, as heretofore amended, so as to give the following described tracts of land a GR zoning classification for General Retail business use to be designated as GR said GR being described as follows, to wit: Being a lot, tract or parcel of land situated in the City of Rockwall and more fully described as Lot number 3 of share number 3 allotted to Earl Lowe in the partition of the estate of Mrs. R. B. Lowe, deceased, which is shown of record in the probate records of Rockwall County, Texas, volume 1, page 25, and being a part of the B. F. Boydstun Survey about 1/4 mile west of the town of Rockwall and being a part of an original 40 acre tract owned by the estate of Mr. R. B. Lowe, and more particularly described as follows:

BEGINNING at the south margin of Washington Street 390' west from the NW corner of block number 14 of Lowe and Allen Addition at a stake for the NW corner of lot number 2 of share number 4 of the partition;

THENCE south 379' to a stake and fence for the SW corner of said lot number 2 of share number 4;

THENCE west at the south line of said original 40 acre tract 1250' to corner in deep ravine south of State Highway Number 1;

THENCE north 69-3/4 degrees east along the SE margin of State Highway 1096' to the intersection of the south margin of Washington Street;

THENCE east 200' to the point of Beginning, containing 6.4 acres of land more or less and being the same land purchased by Warranty Deed dated January 13, 1955 from William O. Lowe and wife Margaret Lowe; providing for certain conditions; providing for a penalty not to exceed the sum of two hundred dollars (\$200.00) for each offense, and declaring an emergency.

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 after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, had concluded that the Comprehensive Zoning Ordinance should be amended; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION I. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be, and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give the following described property the following zoning classification, to-wit:

That the following area be, and the same is hereby zoned MF-1, to-wit:

BEGINNING at the south margin of Washington Street 390' west from the NW corner of block number 14 of Lowe and Allen Addition at a stake for the NW corner of lot number 2 of share number 4 of the partition;

THENCE south 379' to a stake and fence for the SW corner of said lot number 2 of share number 4;

THENCE west at the south line of said original 40 acre tract 1250' to corner in deep ravine south of State Highway Number 1;

THENCE north 69-3/4 degrees east along the SE margin of State Highway 1096' to the intersection of the south margin of Washington Street;

THENCE east 200' to the point of Beginning, containing 6.4 acres of land more or less and being the same land purchased by Warranty Deed dated January 13, 1955 from William O. Lowe and wife Margaret Lowe; providing for certain conditions; providing for a penalty not to exceed the sum of two hundred dollars (\$200.00) for each offense, and declaring an emergency.

SECTION 2. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That the above described tracts of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended and as amended herein, by the granting of this zoning change.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

SECTION 5. Whereas, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest and general welfare of the City of Rockwall, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and the publication of caption of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Rockwall, Texas, on the 1st day of November, 1972.

APPROVED:

Clary Myers
Mayor

DULY RECORDED:

David C. Williams
City Secretary

Montgomery property