

APPLICATION AND FINAL PLAT CHECKLIST

Date 8-20-87

Name of Proposed Development Barz Acre

Name of Developer Gregg Barz

Address 4008 Barnes Bridge Road, Dallas, Texas 75228 Phone 681-3953

Owner of Record same as above

Address _____ Phone _____

Name of Land Planner/Surveyor/Engineer B.L.S. & Associates

Address Rt. 1 Box 142-E Sids Road, Rockwall, Texas 75087 Phone 722-3036

Total Acreage 0.917 acres Current Zoning S.F. 10

Number of Lots/Units One

Signed *Bob O. Brewer*

The Final Plat shall generally conform to the Preliminary Plat, as approved by the City Council and shall be drawn to legibly show all data on a satisfactory scale, usually not smaller than one inch equals 100 feet. The Final Plat shall be submitted on a drawing which is 18" x 24".

The following Final Plat Checklist is a summary of the requirements listed under Section VIII of the Rockwall Subdivision Ordinance. Section VIII should be reviewed and followed when preparing a Final Plat. The following checklist is intended only as a reminder and a guide for those requirements.

INFORMATION

<u>Provided or</u>	<u>Not</u>
<u>Shown on Plat</u>	<u>Applicable</u>

1. Title or name of development, written and graphic scale, north point, date of plat and key map

2. Location of the development by City, County and State

3. Location of development tied to a USGS monument, Texas highway monument or other approved benchmark

4. Accurate boundary survey and property description with tract boundary lines indicated by heavy lines

5. If no engineering is provided show contours of 5 ft. intervals

6. Accurate plat dimensions with all engineering information necessary to reproduce plat on the ground

7. Approved name and right-of-way width of each street, both within and adjacent to the development

8. Locations, dimensions and purposes of any easements or other rights-of-way

9. Identification of each lot or site and block by letter and number and building lines

10. Record owners of contiguous parcels of unsubdivided land, names and lot patterns of contiguous subdivisions, approved Concept Plans, reference recorded subdivision plats or adjoining platted land by record name and by deed record volume and page

11. Boundary lines, dimensions and descriptions of open spaces to be dedicated for public use of the inhabitants of the development

12. Certificate of dedication of all streets, alleys, parks and other public uses signed by the owner or owners (see wording)

13. Designation of the entity responsible for the operation and maintenance of any commonly held property and a waiver releasing the City of such responsibility, a waiver releasing the City for damages in establishment or alteration of grades (see wording)

14. Statement of developer responsibility for storm drainage improvements (see wording)

15. Instrument of dedication or adoption signed by the owner or owners (see wording)

16. Space for signatures attesting approval of the plat (see wording)

17. Seal and signature of the surveyor and/or engineer responsible for surveying the development and/or the preparation of the plat (see wording)

18. Compliance with all special requirements developed in preliminary plat review

19. Statements indicating that no building permits will be issued until all public improvements are accepted by the City (see wording)

20. Submit Along with plat a calculation sheet indicating the area of each lot.

21. Attach copy of any proposed deed restrictions for proposed subdivision.

Page 4 of 4

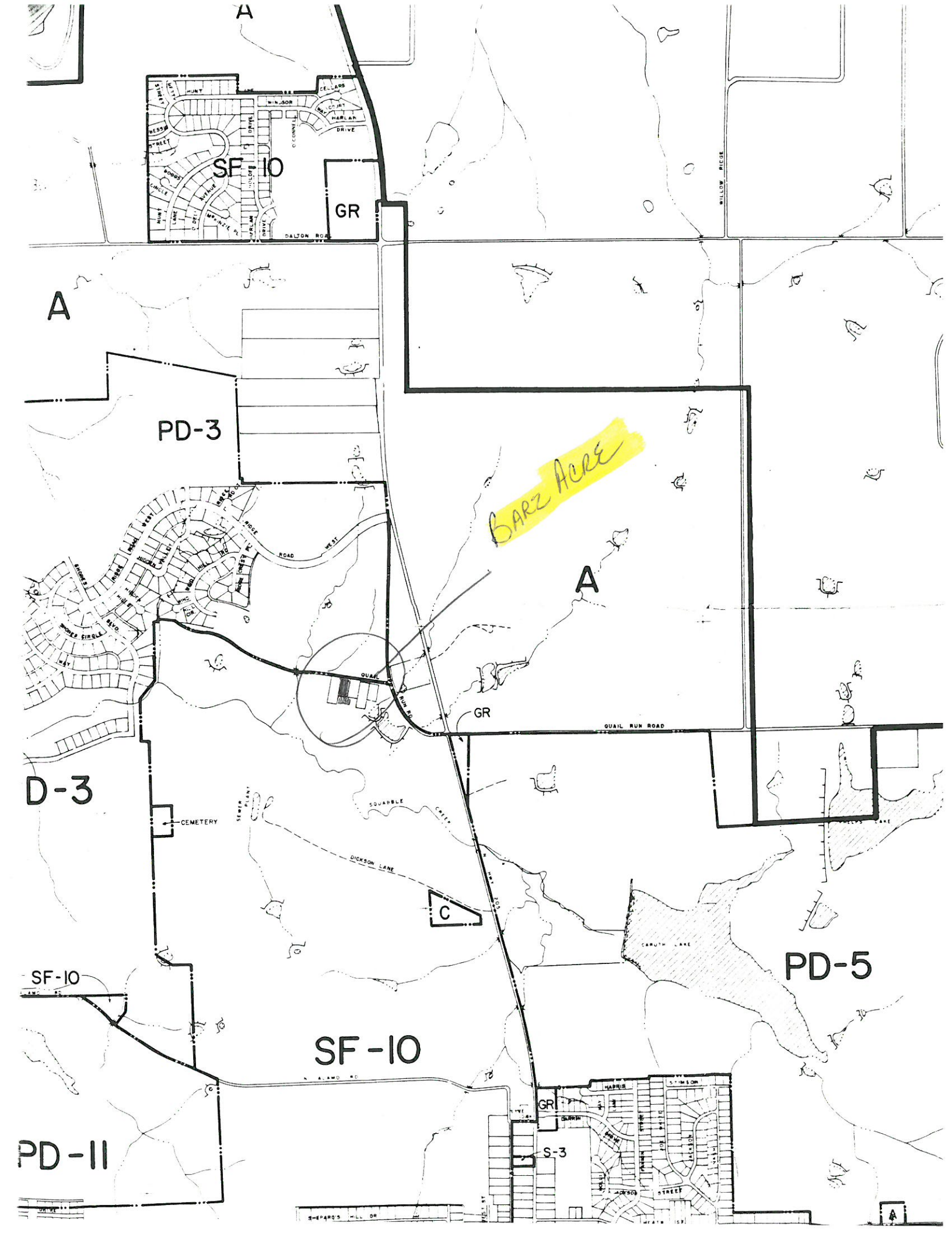
Taken by: _____

File No.: _____

Date: _____

Fee: _____

Receipt No.: _____



SF-10

GR

A

PD-3

BARZ Acre

A

GR

D-3

CEMETERY

SQUABBLE CREEK

DICKSON LANE

C

QUAIL RUN ROAD

CARUTH LAKE

PD-5

SF-10

SF-10

PD-II

GR

S-3

A

PLAT REVIEW

* Preliminary Plat

* Final Plat

* Name of Proposed Subdivision BARZ ACRE

* Location of Proposed Subdivision 222 QUAIL RUN ROAD

* Name of Subdivider GREG BARZ

* Date Submitted 8/21/87 Date of Review _____

* Total Acreage .917 * No. of Lots 1

Review Checklist

	<u>Yes</u>	<u>No</u>	<u>N/A</u>
* 1. Was the proper application submitted and checklist? (attach copy)			
* 2. Were the proper number of copies submitted?	<u>✓</u>	_____	_____
* 3. Is scale 1" = 100' (Specify scale if different) Scale = _____	<u>✓</u>	_____	_____
* 4. Is the subdivision name acceptable?	<u>✓</u>	_____	_____
5. Comments:			

Planning and Zoning

1. What is the proposed use? SF
 2. What is the proposed density? N/A
 3. What is the existing zoning? SF-10
- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 4. Is the plan zoned properly? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Does the use conform to the Land Use Plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Is this tract taken out of a larger tract | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Will the development landlock another property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Is this project subject to the provisions of the Concept Plan Ordinance? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Has a Concept Plan been been Provided and Approved | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Does the plan conform to the Master Park Plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Does plan conform to the Comprehensive Zoning Ordinance of approved PD Ordinance? | | | |
| a. Lot Size | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Building Line | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Parking | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Buffering | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Site Plan | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Other | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Has the City Planner reviewed and commented on the plan? (If so, attach copy of Review) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

13. Does the plan exhibit good planning in general layout, access, and vehicular and pedestrian circulation? _____
14. Comments: _____

Yes No N/A

Engineering

1. Streets and Traffic

- a. Does the plan conform to the Master Thoroughfare Plan? _____
- b. Is adequate right-of-way provided for any major thoroughfares or collectors? _____
- c. Is any additional right-of-way provided for all streets and alleys? _____
- d. Is any additional right-of-way required? _____
- e. Is there adequate road access to the proposed project? _____
- f. Will escrowing of funds or construction of sub-standard roads be required? _____
was waived
- g. Do proposed streets and alleys align with adjacent right-of-way? _____
- h. Do the streets and alleys conform to City regulations and specifications? _____

- * i. Are the street names acceptable? NA _____
- j. Is a traffic analysis needed? _____ ✓
- k. Comments: _____

2. Utilities

- a. Does the Plan conform to the Master Utility Plan? _____
- b. Are all lines sized adequately to handle development?
 - 1. Water _____ ✓
 - 2. Sewer *none* _____
- c. Is additional line size needed to handle future development?
 - 1. Water _____ ✓
 - 2. Sewer *none* _____
- d. Is there adequate capacity in sewer outfall mains, treatment plants and water transmission lines to handle the proposed development? _____ ✓
- e. Are all necessary easements provided? _____
- f. Do all easements have adequate access? _____
- g. Are any off site easements required? _____ ✓
- h. Have all appropriate agencies reviewed and approved plans?
 - 1. Electric _____ ✓
 - 2. Gas _____ ✓
 - 3. Telephone _____ ✓
 - 4. Cable _____ ✓

- i. Does the drainage conform to City regulations and specifications?
- j. Do the water and sewer plans conform to City regulations and specifications?
- k. Is there adequate fire protection existing or planned?
- l. Comments:

_____	_____	_____
_____	_____	_____✓
_____✓	_____	_____

General Requirements

- 1. Has the City Engineer reviewed and approved the plan?
- 2. Does the final plat conform to the City's Flood Plain Regulations?
- 3. Does the final plat conform to the preliminary plat as approved?
- 4. Staff Comments:

_____	_____	_____
_____✓	_____	_____
_____	_____	_____✓

Time Spent on Review

<u>Name</u>	<u>Date</u>	<u>Time Spent (hours)</u>
<u>Julie Lamb</u>	<u>9/7/07</u>	<u>30 min</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____



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

No. **7189**

205 West Rusk

(214) 722-1111
 Metro 226-7885

Cash Receipt

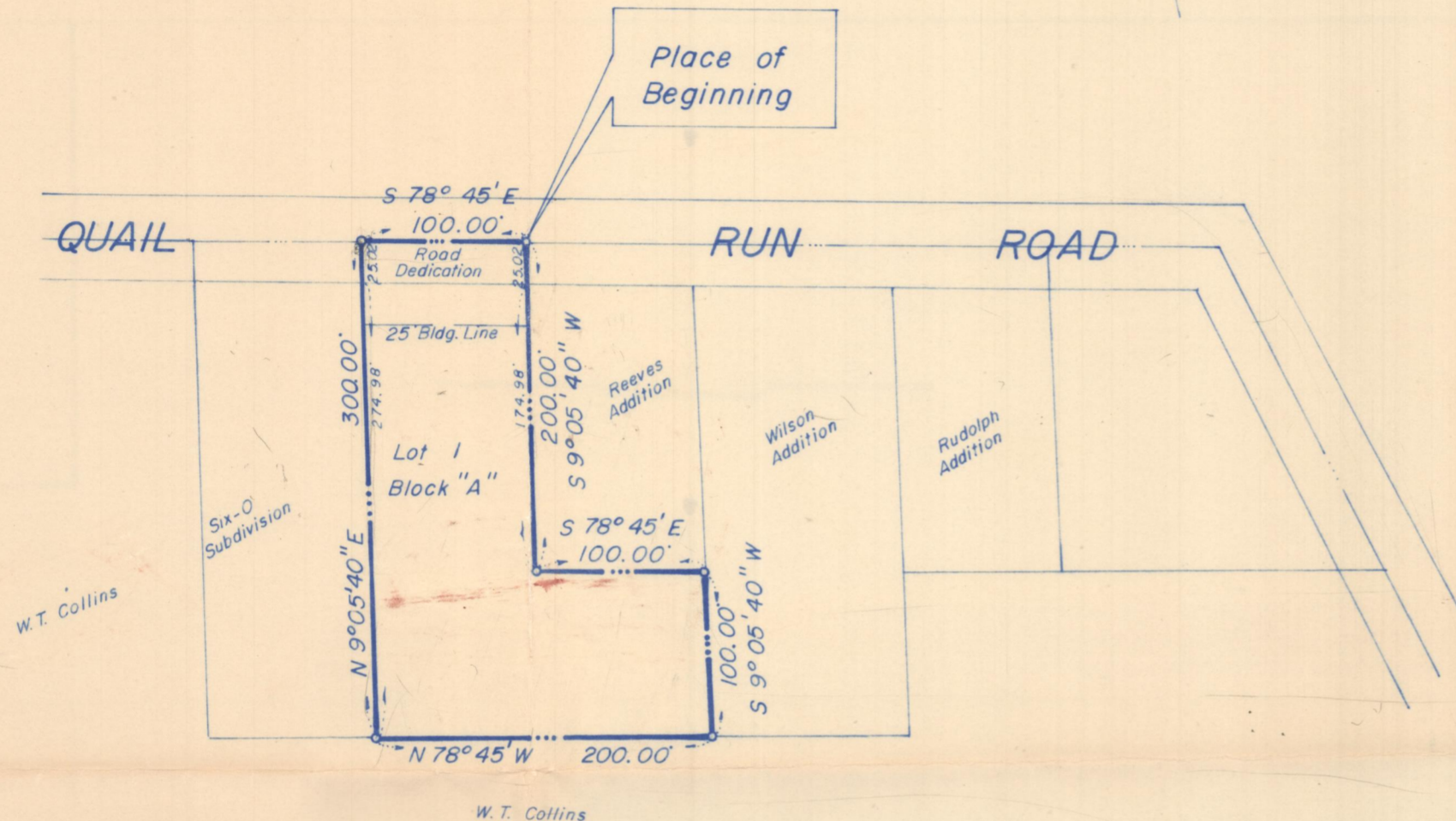
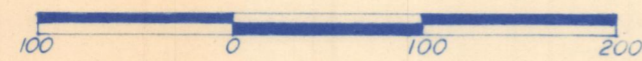
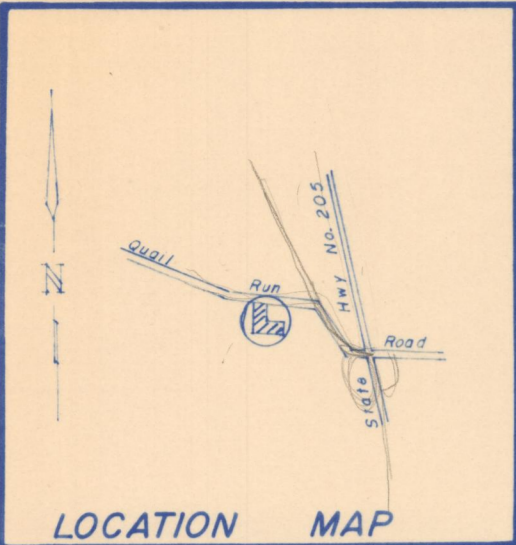
Name BLS and Associates Date 8-21-87
 Mailing Address PO BOX 105, ROCKWALL TX 75087
 Job Address _____ Permit No. _____

Check 71009 Cash Other

General Fund Revenue 01			W & S Fund Revenue 02		
DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
General Sales Tax	00-00-3201		RCH	00-00-3211	
Beverage Tax	00-00-3204		Blackland	00-00-3214	
Building Permit	00-00-3601		Water Tap	00-00-3311	
Fence Permit	00-00-3602		10% Fee	00-00-3311	
Electrical Permit	00-00-3604		Sewer Tap	00-00-3314	
Plumbing Permit	00-00-3607		Reconnect Fees	00-00-3318	
Mechanical Permit	00-00-3610		Water Availability	33-00-3835	
Zoning, Planning, Board of Adj.	00-00-3616		Sewer Availability	34-00-3836	
Subdivision Plats	00-00-3619	35.00	Meter Deposit	00-00-2201	
Sign Permits	00-00-3628		Portable Meter Deposit	00-00-2202	
Health Permits	00-00-3631		Misc. Income	00-00-3819	
Garage Sales	00-00-3625		Extra Trash	00-00-1129	
Misc. Permits	00-00-3625		Check Charge	00-00-3819	
Misc. License	00-00-3613		NSF Check	00-00-1128	
Misc. Income	00-00-3819				
Sale of Supplies	00-00-3807				
TOTAL GENERAL			TOTAL WATER		

TOTAL DUE 35.00 Received by [Signature]

LOCATION MAP



FINAL PLAT

BARZ **ACRE**

CITY OF ROCKWALL

S. KING SURVEY ABSTRACT NO. 131

ROCKWALL COUNTY, TEXAS

GREGG BARZ **OWNER**

4008 BARNES BRIDGE ROAD (1-214-681-3953) DALLAS, TEXAS 75228

B.L.S. & ASSOCIATES, INC. **SURVEYORS**

RT. 1 BOX 142-E SIDS ROAD (1-214-722-3036) ROCKWALL, TEXAS 75087

SCALE 1" = 100' AUGUST 18, 1987

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

Whereas, Gregg Barz, being owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Being, a tract of land situated in the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, and being part of a tract as recorded in Volume 59, page 456, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning, at a point in the center of Quail Run Road, said point being the northwest corner of Reeves Addition, an addition to the City of Rockwall, an iron stake for corner;
Thence, S. 9° 05' 40" W., leaving the said center of Quail Run Road, a distance of 200.00 feet to an iron stake for corner;
Thence, S. 78° 45' E., a distance of 100.00 feet to an iron stake for corner;
Thence, S. 9° 05' 40" W., a distance of 100.00 feet to an iron stake for corner;
Thence, N. 78° 45' W., a distance of 200.00 feet to an iron stake for corner;
Thence, N. 9° 05' 40" E., a distance of 300.00 feet to a point in the center of Quail Run Road, an iron stake for corner;
Thence, S. 78° 45' E., along the center of Quail Run Road, a distance of 100.00 feet to the PLACE OF BEGINNING and containing 0.917 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That Gregg Barz, being owner, does hereby adopt this plat designating the herein aboved described property as Barz Acre, to the City of Rockwall, Rockwall County, Texas, and does hereby dedicate to the public use forever, the streets and alleys shown thereon and do hereby reserve the right-of-way and easement strips shown on this plat for the purpose stated and for the mutual use and accommodation of all utilities desiring to use or using same, any public utility shall have the right to remove all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective systems on any of the right-of-way and easement strips: and any public utility shall have the right of ingress and egress to, from and upon the said right-of-way and easement strips for the purpose of construction, reconstruction, patrolling, maintaining and either adding to or removing all or part of their respective systems without the necessity of at any time procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grades of streets in this addition A) It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. B) The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability of water for personal use and fire protection within such plat.

WITNESS our hand at Rockwall, Texas, this _____ day of _____ A.D. 1987.

By _____
Gregg Barz Owner

State OF TEXAS

Before Me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Gregg Barz, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration herein expressed.

GIVEN under my hand and seal of office this _____ day of _____ A.D. 1987.

Notary Public for the State of Texas
My Commission Expires _____

SURVEYORS CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Bob O. Brown, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.

Bob O. Brown, Registered Public Surveyor # 1744

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned Notary Public in and for the State of Texas, on this day personally appeared Bob O. Brown, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration herein expressed.

GIVEN under my hand and seal of office this _____ day of _____ A.D. 1987.

Notary Public for the State of Texas

My Commission Expires _____

RECOMMENDED FOR FINAL APPROVAL:

APPROVED

City Manager

Chairman Planning and Zoning Commission

I hereby certify that the above foregoing plat of Barz Acre to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall, Texas, on the

_____ day of _____ A.D. 1987.

WITNESS our hand this

_____ day of _____ A.D. 1987.

Mayor

City Secretary

PRELIMINARY/FINAL PLAT

ACTION RECORD

Project Name: BARZ ACRE

Case No.: P&Z 87-55-FP

Application Reviewed..... ✓

File Created..... ✓

Fee paid/receipt in file..... ✓

Issued receipt for application..... ✓

Review Form prepared/initial review completed..... ✓

Circulated review through:

Staff Review.....

Assistant City Manager..... ✓

Community Services.....

Engineering.....

Scheduled for P&Z meeting..... 9/10/87

Prepared notes & supporting documents for P&Z..... ✓

Notified applicant of results of P&Z meeting and date of Council meeting..... 9/11

If Approved:

Scheduled for City Council..... 9/21/87

Prepared notes and supporting information for council..... ✓

Notified applicant of results.....

If final plat approved:

Changes required made to plat.....

Copies of plat signed by:

Owner..... ✓

Surveyor..... ✓

Notary..... ✓

Approval dates for P&Z & Council on plats.....

Plats signed by:

P&Z Chairman..... ✓

Mayor..... ✓

City Secretary..... ✓

Mylar filed with County..... ✓

Slide No. recorded on all others..... ✓

Listed in Plat Indexes..... ✓

Added ~~to~~ Plat to plat map
Copy files with:

Permanent Plat File (Mylar)..... ✓

Map update file..... ✓

RISD (residential)..... ✓

Inspection Department..... (3-1 for Finance and 1 for Post Office after addresses assigned) ✓

Street Department.....
~~(3-1 for Finance after addresses and 1 for Post Office after addresses)~~

Water and Sewer Department..... ✓

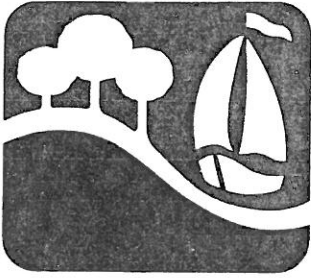
Case File..... ✓

Beta Cable..... ✓

Southwestern Bell..... ✓

Lone Star Gas..... ✓

Texas Utilities.....	<u>✓</u>
County Tax office.....	<u>✓</u>
Property Owner.....	<u>✓</u>
Chamber of Commerce.....	<u>✓</u>
Appraisal District.....	<u>✓</u>



CITY OF ROCKWALL
"THE NEW HORIZON"

September 3, 1987

Mr. Greg Barz
4008 Barnes Bridge Road
Dallas, Texas 75228

Dear Mr. Barz:

Your application for a final plat and \$35.00 filing fee have been received by this office. Your request is scheduled to be considered by the Planning and Zoning Commission on September 10, 1987, at 7:30 P.M. and by the City Council on September 21, 1987, at 7:00 P.M. in City Hall, 205 West Rusk.

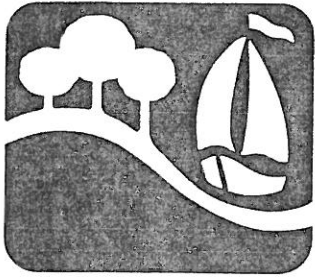
Please make certain that one week prior to the Council date we receive an additional seven copies of the plat for Council review. Do not hesitate to call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: B.L.S. & Associates
MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

September 11, 1987

Mr. Greg Barz
4008 Barnes Bridge Rd.
Dallas, TX 75228

Dear Mr. Barz,

On September 10, 1987, the Planning and Zoning Commission recommended approval of a final plat for the Barz Acre with the following conditions:

- (1) dedication of required right-of-way
- (2) waiving escrow requirement for street improvements

The Rockwall City Council will consider approval of the plat on September 21, 1987, at 7:00 P.M. in City Hall, 205 West Rusk.

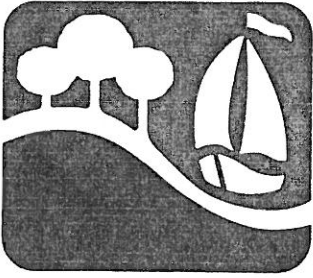
Please call me, if you have any questions.

Sincerely,

Mary Nichols
Mary Nichols
Assistant City Secretary

MN/ss

cc B.L.S. and Associates



CITY OF ROCKWALL
"THE NEW HORIZON"

September 25, 1987

Mr. Greg Barz
4008 Barnes Bridge Rd.
Dallas, TX 75228

Dear Mr. Barz,

On September 21, the City Council approved a final plat on the Barz Acre, subject to the following conditions:

1. dedication of 25 feet of right-of-way
2. waiving street escrow requirements

All final plats must be filed of record at the County Courthouse by this office within 120 days of approval or the approval becomes void. Please submit sixteen executed copies of the plat and two mylars not later than December 30. Plats submitted late cannot be guaranteed timely filing.

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

Sincerely,

Mary Nichols
Mary Nichols
Assistant City Secretary

MN/ss

cc: B.L.S. & Associates

Agenda Notes

Planning & Zoning Commission - 9/10/87

- V. A. P&Z 87-55-FP - Discuss and Consider Approval of a Final Plat for the Barz Acres, a .917 Acre Tract of Land Located at 222 Quail Run Road

An additional item needs to be addressed regarding the final plat application for Greg Barz. Mr. Barz is platting a lot that is currently located on what we would classify as a substandard road. Quail Run Road is a residential street that currently has 8 houses that access it. It is unlikely that we will have more than one or two additional homes built that would access it. The Shores owns all of the property on the north side of Quail Run and they plan to put all of their access to Ridge Road West. There is only room for one or two lots on the south side due to the Squabble Creek flood plain.

Under our Street Improvement Ordinance Mr. Barz would be required to dedicate his portion of the right-of-way and also escrow the cost of 1/2 of the road. Mr. Barz is dedicating 25 feet of ROW. He is requesting a waiver from the escrow requirements on the same basis that other waivers have been considered. This is his home and because he was unaware of this requirement he did not include it in the construction cost of his house. We estimate that his escrow requirement would amount to \$4,600.00. Mr. Barz will address this Thursday night.

Agenda Notes

Planning and Zoning Commission - 9/10/87

- V. A. P&Z 87-55-FP - Discuss and Consider Approval of a Final Plat for the Barz Acre, a .917 Acre Tract of Land Located at 222 Quail Run Road

We have received a request from Greg Barz for approval of a final plat for a single lot subdivision located on Quail Run Road. The plat as submitted meets all of our requirements with the exception that it does not meet the lot size requirements for a lot with a septic tank. Mr. Barz did take a request for a variance to the lot size requirements to the Board of Adjustments several months ago and was granted a variance.

At the time Mr. Barz applied for his variance he indicated that he owned a platted lot on Quail Run that had been platted prior to the current requirements known as the Reeves Addition. We processed his application under the assumption that he was planning to build on the Reeves. The variance was granted and a building permit was issued. The house is now almost complete. Several weeks ago it came to our attention through the title company that Mr. Barz was not building on the lot we thought he was, but on an unplatted lot of identical size next door.

We then contacted Mr. Barz and indicated that a Certificate of Occupancy could not be issued on the house until the property was platted. He has now submitted a plat for the site where his house is located. A copy of the plat is enclosed.

Agenda Notes
City Council - 9/21/87

P&Z 87-55-FP - Discuss and Consider Approval of a Final Plat for the Barz Acre, a .917 Acre Tract of Land Located at 222 Quail Run Road

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The Planning and Zoning Commission has recommended approval of the plat and has also recommended that the waiver be granted.

MINUTES OF THE ROCKWALL CITY COUNCIL
September 21, 1987

Mayor Frank Miller called the meeting to order at 7:00 P.M. with the following members present: Nell Wellborn, Ken Jones, Jean Holt, John Bullock, Bill Fox and Pat Luby.

The Council first considered approval of the Consent Agenda which consisted of: (a) the minutes of the regular meeting and Special Session September 8, 1987 (b) an ordinance regulating the temporary sale of Christmas Trees on second reading (c) an ordinance amending Ordinance 86-51 pertaining to conformance with screening requirements on second reading (d) an ordinance amending the Comprehensive Zoning Ordinance as it pertains to accessory structures in residential areas on second reading (e) an ordinance amending the Code of Ordinances to regulate parades within the City on second reading (f) an ordinance regulating wrecker operations within the City on second reading (g) an ordinance regulating mass gatherings on second reading (h) a resolution commending Fran Bagley for community involvement, and (i) a resolution commending Barbara Hill for community involvement. Assistant City Manager Julie Couch read the ordinance captions. Welborn pulled the minutes of September 8. Holt pulled items H and I. Bullock made a motion to approve the Consent Agenda minus these items. Jones seconded the motion. The same was voted on and carried unanimously.

Welborn pointed out a verbal correction in the minutes. She made a motion to approve the minutes with the correction. Bullock seconded the motion. The motion was voted on and passed unanimously. Holt requested items H and I be read in their entirety. Couch read both resolutions aloud. Jones made a motion to approve both resolutions. Holt seconded the motion. The motion was voted on and passed unanimously. Miller presented framed resolutions to Ms. Bagley and Ms. Hill and thanked them for their contributions toward a better community.

Don Smith gave the Planning & Zoning Chairman's report in which he discussed items on the agenda which had been considered by the Commission and he outlined the Commission's recommendation on each.

Randy Taggart at 403 E. Boydston addressed the Council to request a 30 day extension regarding enforcement of special restrictions in the revised animal control ordinance pertaining to Pit Bull dogs. He asked Council to consider amending the ordinance to enforce the same requirements for pit bulls on other potentially dangerous dog breeds. Council discussed the insurance requirement, the severity of injuries inflicted by

pit bulls as opposed to other breeds, and the number of identified pit bulls within the City limits. Police Chief Bruce Beaty told Council that within the last six months, the last five dog bite fatalities had been inflicted by pit bulls. He added that 8% of all dog related fatalities were by pit bulls, a breed that represents only 2% of the dog population in the U.S. Frank Faus told Council that pit bulls had gained notoriety through irresponsible owners. He asked Council to regulate vicious dogs as done in Farmers Branch without singling out one breed. Welborn made a motion to postpone implementation of specific requirements for pit bulls until November 1 pending further study of the ordinance regarding the inclusion of other vicious breeds. Jones seconded the motion. Bullock offered an amendment to the motion to include in the study, a review of the Farmers Branch ordinance. Miller seconded the motion. The amendment was voted on and passed unanimously. The motion as amended passed 6 to 1 with Luby voting against the motion.

Virginia Peddie of 106 Joe White told Council that the ordinance was discriminatory. She complained of ill treatment upon receipt of a notice of violation to the ordinance. Welborn stated that Chief Beaty had probably reviewed the circumstances and that conduct of personnel should be discussed in Executive Session. John Peddie expressed displeasure regarding the incident and stated that he didn't think the number of dogs a person owned should be governed by ordinance.

Ray Helm addressed Council to discuss procedures for determining appraisal values, particularly agricultural properties. He outlined guidelines of the State for determining agricultural exemptions, provided a survey of other cities' total appraised values compared to amounts of agricultural exemptions, and discussed the appeal process for persons denied an agricultural exemption. Council discussed with Helm the amount of exemptions in Rockwall, percentages of increased value assigned by the State, and a State requirement that tied an agricultural exemption to the use of the land and not the percentages of income received from the land. Hal Davenport, a member of the Appraisal District Board of Directors, stated that the same concerns expressed by the Council were problems that existed all over the State.

Bob Dransfield then addressed Council to discuss self-insurance. He explained some advantages of self-insurance, discussed re-insurance and pointed out the need for actuarial studies due to a lack of accumulated research on history of claims.

Council then considered approval of an agreement with the Wyatt Company for actuarial services. Welborn made a motion to approve the agreement. Bullock seconded the motion. Council briefly discussed insurance bids that would be advertised in January. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance authorizing a change in zoning from "SF-10" Single Family to "GR" General Retail on a portion of a lot located at 106 Ross Avenue. Eloise Cullum told Council that the existing building was being renovated in an attempt to upgrade the area. She stated that she did intend to curb and gutter. Jones made a motion to approve the request and the ordinance on first reading. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance authorizing a conditional use permit for a church site located at SH-205 and Damascus Rd. Couch explained that the church existed when the Zoning Ordinance was adopted requiring a CUP for church facilities in residential areas. The First Methodist Church was now required to obtain a CUP prior to expansion. Richard Slaughter told Council that the church proposed to add a music room, classrooms and a fellowship hall. Couch read the ordinance caption, Bullock made a motion to approve the ordinance. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a temporary change in zoning from "C" Commercial to "PD" Planned Development with auto repair, retail and office uses. Couch explained that the applicant had leased the property thinking auto repair was an allowed use. The only other appropriate zoning category would be heavy commercial. Couch pointed out that the Land Use Plan recommended heavy commercial to be located away from the interstate, and the applicant had therefore requested PD zoning for 2 years, allowing time to relocate. She explained the recommendations of the Planning and Zoning Commission, outlined the site plan and discussed proposed improvements. Diane Payne explained that the location was temporary as she preferred another location and the owner intended to use the property for auto sales in the future. Council discussed prohibiting outside storage, paint and body, and construction of additional buildings. After additional discussion, Fox made a motion to approve the site plan and an ordinance authorizing a change in zoning subject to (1) no outside storage (2) no paint and body (3) no additional construction (4) review of zoning by the Commission in six months for compliance with parking, landscaping, and outside storage requirements, and (5) all the recommendations of the Commission which were to change

the zoning back to Commercial in 2 years or when the company changes in name, ownership or organization if said changes take place prior to two years, requiring all improvements to be completed within 60 days of issuance of a certificate of occupancy, waiving irrigation requirements and allowing a gravel drive. Bullock seconded the motion. The motion was voted on and passed unanimously. Fox then made a motion to approve a final plat for Newman Center No. 1. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a final plat for the Barz Acre, a .917 acre tract of land located at 222 Quail Run Road. Couch outlined circumstances surrounding the issuance of a building permit to build a house on an unplatted lot, explained that the applicant would need to dedicate 25 feet of right-of-way and that the Commission had recommended a waiver of escrow requirements estimated at \$4600. Fox confirmed that when sewer became available the applicant would be required to tie on. Welborn made a motion to approve the final plat requiring dedication of 25 feet of right-of-way and waiving street escrow requirements. Bullock seconded the motion. The motion was voted on and passed unanimously.

James Flinchum, 609 Sunset Hill, addressed Council to discuss a proposed ordinance requiring notification when certain construction takes place in residential areas. Flinchum told Council of an incident where construction in an easement left a deep ditch less than two feet from his residence. He urged Council to require two weeks notice, a contact, a temporary fence and a clear definition of who assumed liability. City Attorney Pete Eckert stated that City requirements regarding direction of screening would result in the City assuming liability. The Council discussed requiring the contractors to return the property to its original condition as opposed to "good maintainable" condition as stated in the proposed ordinance. Director of Public Works Ed Heath pointed out that residents sometimes planted shrubbery, built fences or poured concrete over an easement. Eisen suggested staff review the ordinance and develop another recommendation addressing these items. Holt made a motion to table the ordinance. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then continued a public hearing and considered approval of a change in zoning from "SF-10" Single Family to "PD" Planned Development on 97 acres located North of Alamo. Harold Evans presented a site plan and outlined changes made in the plan based on Council direction indicated at the Worksession. Sanders Thompson asked Council to allow a minimum of 262 lots and a maximum of 275. Council discussed the number of lots

under 8000 square feet, the location of 10,000 square feet and the proposed park land. Eckert reminded Council that by ordinance PD's were reviewed every two years. Couch outlined recommendations of the Commission including (1) a minimum 7000 square foot lot size and 2F-7 area requirements (2) a minimum 1500 square foot dwelling (3) dedication of park land prior to platting (4) completion of a traffic analysis prior to platting (5) determination of the final alignment of North Lakeshore Drive prior to platting and (6) providing a phasing plan prior to development if development is planned in stages. Holt made a motion to approve the zone change including all the previously listed conditions, allowing a minimum of 262 lots with percentages of lot sizes generally as submitted, and providing that 50% of all lots in excess of 262 will be over 8000 square feet. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an ordinance amending the Comprehensive Zoning Ordinance to add a Scenic Overlay District to the list of zoning categories. Couch outlined changes in the ordinance made resulting from direction received in the Worksession. Welborn made a motion to approve the ordinance. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an amendment to the Sign Ordinance to provide special restrictions for signs within the Scenic Overlay District. Couch outlined the requirements in the ordinance and read the ordinance caption. Jones made a motion to approve the ordinance. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of (1) an ordinance setting the 1987 tax rate at .3400 per \$100.00 valuation, levying taxes and continuing the over 65 homestead exemption (2) an ordinance adopting the 1987-1988 operating budget (3) a resolution approving the 1987-88 revenue sharing budget (4) an ordinance approving the amended 1986-87 operating budget and (5) a resolution approving water and sewer rates for 1987-88 fiscal year. Welborn made a motion to approve all five items. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an agreement with the City of Heath for Animal Control. Eisen explained that Rockwall would provide emergency animal control service to Heath as outlined in the agreement. Council discussed the charges for service and impound fees. Jones made a motion to approve the agreement. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then considered appointing auditors to conduct the 1986-87 annual audit. Eisen addressed some concerns Council had regarding contracting Arthur Andersen for another year. Director of Finance Michael Phemister stated that a specific time table would be adhered to and the books would be closed making the audit easier to conduct than in previous years. Fox made a motion to appoint Arthur Andersen to conduct the audit. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a resolution appointing Michael Phemister to the Rockwall Property Finance Authority Board of Directors. Fox made a motion to approve the resolution. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then adjourned into Executive Session to discuss personnel regarding appointments to the Airport Planning Committee. Upon reconvening into regular session, the following people were appointed: John Bullock, Ken Jones, Lyn Broyles, James Flinchum, Keith Barrett and Bobby Holt. Broyles, Flinchum, and Barrett were appointed pending acceptance of the positions and Holt was appointed pending acceptance and confirmation that the Charter allowed the appointment.

As there were no further items to come before the Council for consideration, the meeting was adjourned at 12:45 A.M.

APPROVED:

Mayor

ATTEST:

By _____

PLANNING AND ZONING ACTION SHEET

PLANNING AND ZONING ACTION SHEET

Applicant Craig Barz Case No. 81-55-FP
Property Description 222 Quail Run Road
Case Subject Matter final plat on .917 acres

CASE ACTION

Approved Disapproved Tabled
Date to P&Z 9/10/89 ✓ _____
Conditions _____

Date to City Council _____ ✓ _____
Conditions 9/21/89
waving street escrow req.
req. 25' of ROW

Ordinance no. _____ Date _____

ITEMS IN FILE

Zoning Cases

- Application
- Site Plan
- Filing Fee
- Notice to Paper
- Notice to Residents
- List of Residents Notified
- Residents' Responses
- Consultant's Review
- Agenda Notes
- Minutes
- Ordinance
- Correspondence
- Applicant Receipts

Plat/Site Plan Cases

- Application
- Filing Fee
- Plat/Plan
- Engineer's Review
- Consultant's Review
- Agenda Notes
- Minutes
- Correspondence
- C14 County File Number
- Applicant Receipts