

APPLICATION AND
FINAL PLAT CHECKLIST

DATE: 5-27-88

Name of Proposed Subdivision GAMEZ ADDITION
 Name of Subdivider DAVID GAMEZ, ETUX, JAIME GAMEZ AND REFUGIO GAMEZ
 Address P.O. Box 125 FATE, TX. Phone 722-3679
 Owner of Record DAVID GAMEZ, ETUX, JAIME GAMEZ AND REFUGIO GAMEZ
 Address P.O. Box 125 FATE, TX. Phone 722-3679
 Name of Land Planner/Surveyor/Engineer HAROLD C. EVANS AND ASSOCIATES
 Address 2331 GUS THOMASSON DALLAS, TX Phone 328-8133
 Total Acreage 0.3570 ACRE Current Zoning _____
 Number of Lots/Units 1 Signed [Signature]

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 into a satisfactory scale, usually not smaller than one inch equals 100 feet.

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 Shown on Plat</u>	<u>Not Applicable</u>	
<u>✓</u>	_____	1. Title or name of subdivision, written and graphic scale, north point, date of plat, and key map
<u>✓</u>	_____	2. Location of the subdivision by City, County and State
_____	<u>✓</u>	3. Location of subdivision tied to a USGS monument, Texas highway monument or other approved benchmark
<u>✓</u>	_____	4. Accurate boundary survey and property description with tract boundary lines indicated by heavy lines
<u>✓</u>	_____	5. Accurate plat dimensions with all engineering information necessary to reproduce plat on the ground

APPLICATION AND
FINAL PLAT CHECKLIST

- | | | |
|----------|----------|--|
| <u>✓</u> | _____ | 6. Approved name and right-of-way width of each street, both within and adjacent to the subdivision |
| <u>✓</u> | _____ | 7. Locations, dimensions and purposes of any easements or other rights-of-way |
| <u>✓</u> | _____ | 8. Identification of each lot or site and block by letter or number and building lines of residential lots |
| <u>✓</u> | _____ | 9. The 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 deed record volume and page |
| <u>✓</u> | _____ | 10. Boundary lines, dimensions and descriptions of open spaces to be dedicated for public use of the inhabitants of the subdivision |
| <u>✓</u> | _____ | 11. A certificate of dedication of all streets, alleys, parks and other public uses, signed by the owner or owners |
| <u>✓</u> | _____ | 12. The 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 |
| <u>✓</u> | _____ | 13. An instrument of dedication or adoption signed by the owner or owners |
| <u>✓</u> | _____ | 14. Space for signatures attesting approval of the plat |
| <u>✓</u> | _____ | 15. The seal and signature of the surveyor and/or engineer responsible for surveying the subdivision and/or the preparation of the plat |
| _____ | <u>✓</u> | 16. Complies with all special requirements developed in preliminary plat review |

CITY OF ROCKWALL

"THE NEW HORIZON"
Rockwall, Texas 75087-3628

No 8901

(214) 771-1111

Cash Receipt

Name Yvonne Slaughter Date 6-22-88

Mailing Address _____

Job Address _____ Permit No. _____

Check Cash Other

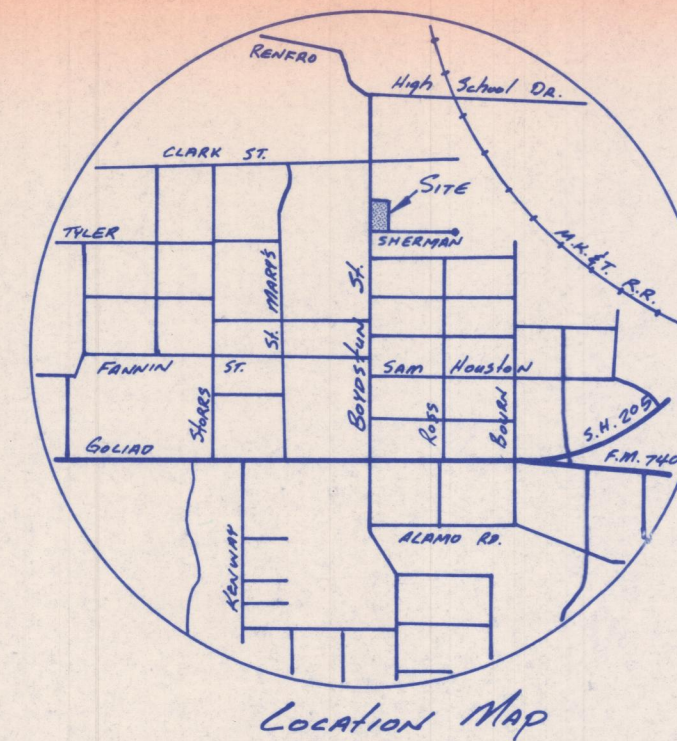
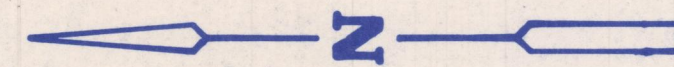
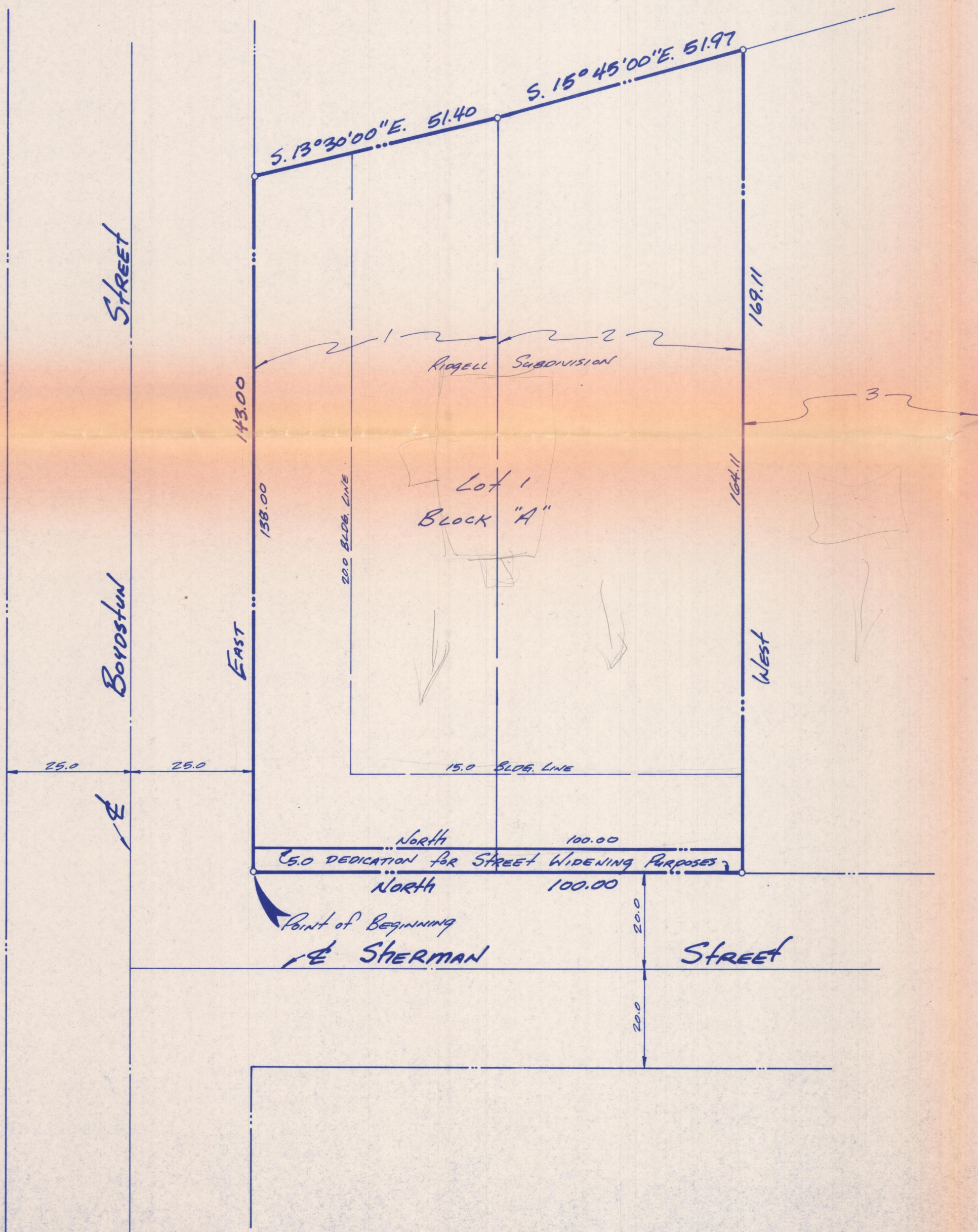
DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
Building Permit	01-3601		Water Tap	02-3311	
Fence Permit	01-3602		10% Fee	02-3311	
Electrical Permit	01-3604		Sewer Tap	02-3314	
Plumbing Permit	01-3607		Water Availability	33-3835	
Mechanical Permit	01-3610		Sewer Availability	34-3836	
Zoning, Planning, Board of Adj.	01-3411	110.00	Meter Deposit	02-2201	
Subdivision Plats	01-3412		Portable Meter Deposit	02-2202	
Sign Permits	01-3628		Misc. Income	02-3819	
Health Permits	01-3631		NSF Check	02-1128	
Misc. Permits	01-3625		Meter Rent	02-3406	
Misc. Income	01-3819		Penalties	20-3117	
Sale of Supplies	01-3807		Hanger Rent	20-3406	
Municipal Pool	01-3402		Tie Down Fees	20-3407	
Cemetery Receipts	10-3830		Land Lease	20-3804	
Hotel/Motel Tax	15-3206		Sale of Supplies	20-3807	
Marina Lease	08-3810		Exxon Payment	20-1132	
Street Assessment	25-3828		Fuel Sales	20-3809	
TOTAL OF COLUMN			TOTAL OF COLUMN		

TOTAL DUE

110.00

Received by

[Signature]



1
2

HAROLD L. EVANS
CONSULTING ENGINEER
 2331 GUS THOMASSON RD. SUITE 102
 DALLAS, TEXAS 75228
 PHONE (214) 328-8133

SCALE	DATE	JOB NO.
1" = 20'	5-27-88	8859

GAMEZ ADDITION
A Replat of Lot 1 & 2 of RIDGELL SUBDIVISION
CITY OF ROCKWALL **ROCKWALL COUNTY, TEXAS**
 DAVID GAMEZ, et al, JAIME GAMEZ and Refugio GAMEZ OWNERS
 P.O. Box 125 FATE, TX. 75032

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNERS CERTIFICATE

WHEREAS, David Gamez and wife Maria Guadalupe Gamez, Jaime Gamez and Refugio Gamez are the owners of a tract of land situated in the B.F. Boydston Survey, Abstract No. 14, Rockwall County, Texas, and being All of Lots 1 & 2 of the Ridgell Subdivision, an addition to the City of Rockwall, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner at the intersection of the South line of Boydston Street and the East line of Sherman Street, said iron rod also being the Northwest corner of said Lot 1 of Ridgell Subdivision;
THENCE: East a distance of 143.00 feet along the said South line of Boydston Street to an iron rod for a corner;
THENCE: South 13° 30' 00" East a distance of 51.40 feet to an iron rod for a corner, being the Southeast corner of said Lot 1 and the Northeast corner of said Lot 2;
THENCE: South 15° 45' 00" East a distance of 51.97 feet to an iron rod for a corner, being the Southeast corner of said Lot 2;
THENCE: West a distance of 169.11 feet to an iron rod for a corner, being the Southwest corner of said Lot 2 and on the East line of said Sherman Street;
THENCE: North, along said Sherman Street a distance of 100.00 feet to the Point of Beginning and Containing 15,553 Square Feet or 0.3570 Acres of Land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
THAT David Gamez and wife, Maria Guadalupe Gamez, Jaime Gamez and Refugio Gamez are the owners, and does hereby vacate Lots 1 & 2, Ridgell Subdivision, and does hereby adopt this plat designating the hereinabove property as Gamez Addition, City of Rockwall, Rockwall County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown thereon, and does hereby reserve the easement strips shown on this plat for the purposes 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 and keep removed 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 system on any of these easement strips; and any public utility shall have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity at any time of 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 grade of streets in the subdivision;

No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until such time as the developer has complied with all requirements of the Platting Ordinance of the City of Rockwall, regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, drainage structures, storm sewers, water, sanitary sewer and alleys, all according to the specifications of the City of Rockwall;

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. 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, as required under Ordinance 83-54.

WITNESS OUR HANDS, this _____ day of _____, 1988.

David Gamez _____ Jaime Gamez _____
Maria Guadalupe Gamez _____ Refugio Gamez _____

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 1988, by David Gamez.

Notary Public
My Commission Expires _____

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 1988, by Maria Guadalupe Gamez.

Notary Public
My Commission Expires _____

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 1988, by Jaime Gamez.

Notary Public
My Commission Expires _____

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 1988, by Refugio Gamez.

Notary Public
My Commission Expires _____

SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
THAT I, Harold L. Evans, 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.

Harold L. Evans, P.E, Registered Public Surveyor No. 2146

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on the _____ day of _____, 1988, by Harold L. Evans.

Notary Public
My Commission Expires _____

RECOMMENDED FOR FINAL APPROVAL

City Manager _____ Date _____
APPROVED
Chairman, Planning & Zoning Commission _____

I hereby certify that the above and foregoing plat of Gamez Addition, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 1988.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred twenty (120) days from said date of final approval. Said addition shall be subject to all the requirements of the Platting Ordinance of the City of Rockwall.

WITNESS OUR HANDS this _____ day of _____, 1988.

Mayor, City of Rockwall _____ City Secretary, City of Rockwall _____

2
2

HAROLD L. EVANS
CONSULTING ENGINEER
2331 GUS THOMASSON RD. SUITE 102
DALLAS, TEXAS 75228
PHONE (214) 328-8133
SCALE DATE JOB NO.
5-27-88 8859

GAMEZ Addition
A Replat of Lot 1 & 2 of RIDGELL SUBDIVISION
City of Rockwall Rockwall County, TEXAS
DAVID GAMEZ, et ux, JAIME GAMEZ and REFUGIO GAMEZ OWNERS
P.O. Box 125 FATE, TX 75032

PLAT REVIEW

* Preliminary Plat

* Final Plat

* Name of Proposed Subdivision Panney add.

* Location of Proposed Subdivision _____

* Name of Subdivider _____

* Date Submitted _____ Date of Review _____

* Total Acreage _____ * No. of Lots _____

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?	_____	_____	_____
* 3. Is scale 1" = 100' (Specify scale if different) Scale = <u>1=20</u>	_____	_____	_____
* 4. Is the subdivision name acceptable?	_____	_____	_____
5. Comments:			

*Park Escrow
Wainu Iron Street escrow -
need a letter*

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-7

	<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 type="checkbox"/>	<input checked="" 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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? _____ ✓ *need to check on bypass* _____
- 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? _____ ✓ *unless a waiver is granted* _____
- 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?
- 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
- c. Is additional line size needed to handle future development?
 - 1. Water
 - 2. Sewer
- 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

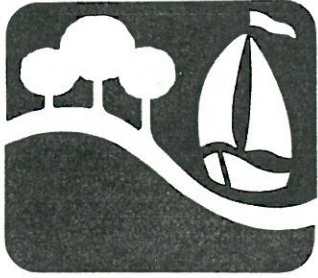
- | | | | |
|---|--------|-------|--------|
| i. Does the drainage conform to City regulations and specifications? | _____ | _____ | _____✓ |
| j. Do the water and sewer plans conform to City regulations and specifications? | _____ | _____ | _____✓ |
| k. Is there adequate fire protection existing or 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>
<i>Julia Lou</i>		<i>30 min</i>



CITY OF ROCKWALL
"THE NEW HORIZON"

June 23, 1988

Mr. David Gamez
P. O. Box 125
Fate, Texas 75032

Dear Mr. Gamez:

Your application and filing fee have been received for your request for a replat of Lots 1 and 2 of the Ridgell Subdivision.

The Planning and Zoning Commission will hold a public hearing on July 14, 1988, at 7:30 P.M. in City Hall, 205 West Rusk and consider approval of your request. As the applicant, it is important that you be represented at this meeting.

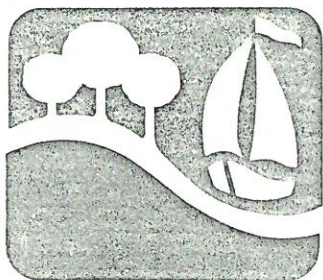
Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mary Nichols".

Mary Nichols
Administrative Assistant

CC: Harold Evans & Assoc.
MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

July 26, 1988

Mr. David Gamez
P.O. Box 125
Fate, Texas 75032

Dear Mr. Gamez:

On July 14, 1988, the Rockwall Planning and Zoning Commission held a public hearing and recommended approval of a replat of a portion of the Ridgell Addition.

The Rockwall City Council will hold a public hearing on Monday, August 1, 1988, at 7:00 P.M. in City Hall and consider approval of your request.

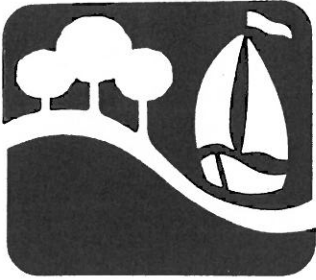
As the applicant, it is important that you be represented at this meeting.

Sincerely,

A handwritten signature in cursive script that reads "Mary Nichols".

Mary Nichols
Asst. City Secretary

MN/gl



CITY OF ROCKWALL
"THE NEW HORIZON"

August 11, 1988

Mr. David Gamez
P. O. Box 125
Fate, Texas 75032

Dear Mr. Gamez:

On August 1st the Rockwall City Council held a public hearing and approved a replat of a portion of the Ridgell Addition - a final plat for the Gamez Addition.

A final plat must be filed with the County by this office within 120 days of the approval date or the approval becomes void. Please return 16 executed copies to this office not later than November 8, 1988. WE cannot guarantee timely filing of plats returned after this date.

Please call me if you have any questions.

Sincerely,

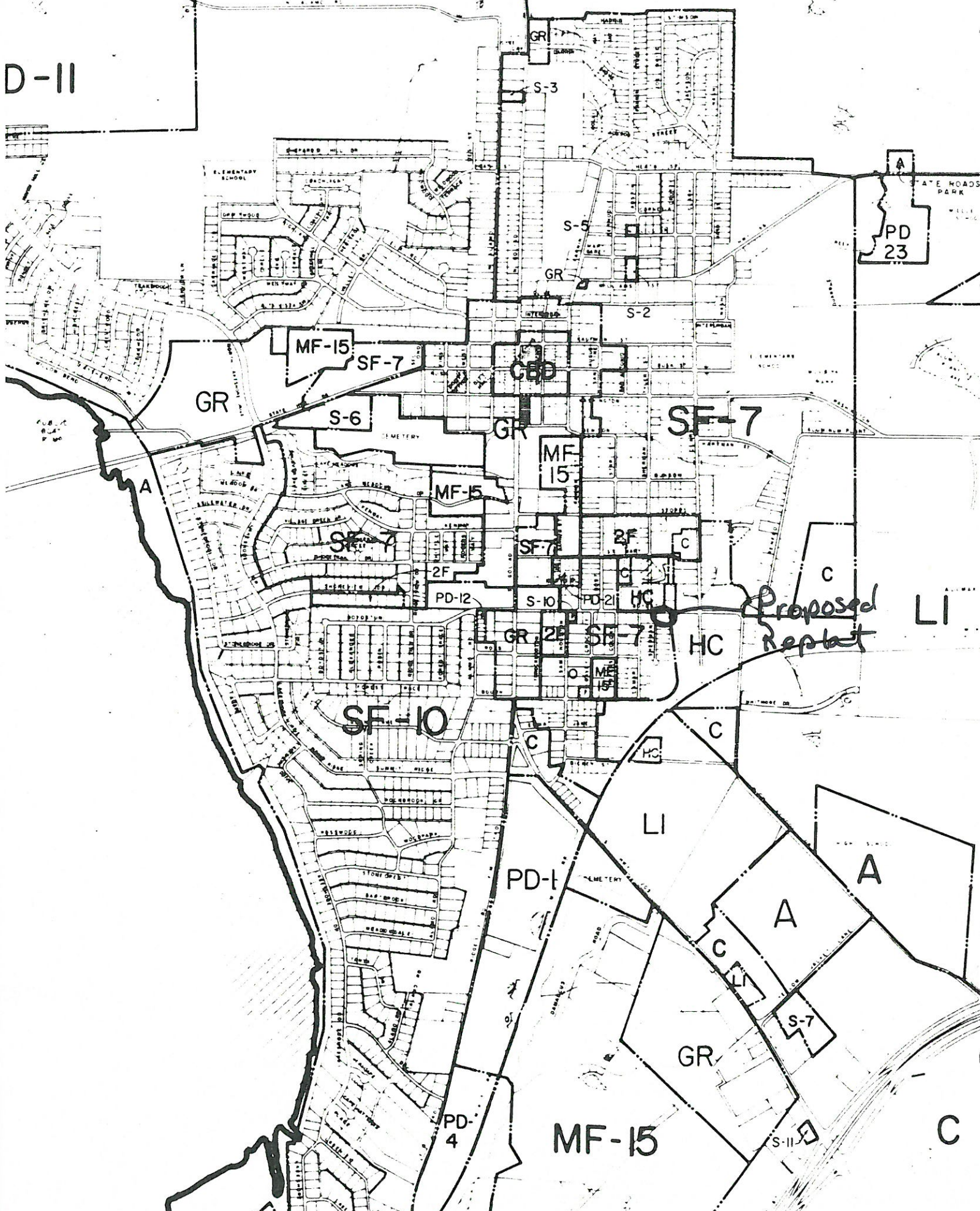
Mary Nichols

Mary Nichols
Administrative Assistant

CC: Harold Evans
MN/mmp

SF-10

D-II





New Approach
 Scale 1" = 20'

CITY OF ROCKWALL

Planning and Zoning Agenda

AGENDA DATE: July 14, 1988

AGENDA NO. III.A.

AGENDA ITEM: Hold Public Hearing and Consider Approval of a Replat of the Ridgell Addition

ITEM GENERATED BY: Applicant - David Gamez

ACTION NEEDED: Hold Public Hearing and consider approval of the replat and a waiver to the escrow requirements for Sherman and Boydston Streets

BACKGROUND INFORMATION:

We have received a request from the current owner of Lots 1 and 2 of the Ridgell Addition located on Boydston and Sherman Streets to replat the lots into one lot. The current lots face Sherman Street. Mr. Gamez' house is located in the center of the two lots and was originally designed to face Boydston Street. At some point in time the front door was relocated to face Sherman Street. Mr Gamez wishes to combine the two lots he owns into one lot, and to designate the front yard on Boydston Street rather than on Sherman Street, so that he may make a request in the future for permission to place a fence along his property line on Sherman. As long as the Sherman side is designated as his front yard he is unable to request a fence along this property line. While he understands that a variance to the fence location may or may not be granted in the future, replatting does remove the lot line that currently goes through his house.

We have requested that an additional 5 feet be dedicated along the Sherman Street side in order to provide 50 feet of ROW. The plat reflects this dedication. In addition, under our escrow requirements Mr. Gamez would be required to escrow 1/2 of the estimated cost of the improvements to Boydston and Sherman Streets because they are both substandard. This is a one lot subdivision and it is owner occupied and the owner is requesting a waiver to the escrow requirements. A copy of the plat is attached.

ATTACHMENTS:

1. Location Map
2. Plat

AGENDA ITEM: Replat of Ridgell Add.

ITEM NO: III.A.

Final plat Coney

MINUTES OF THE PLANNING AND ZONING COMMISSION

July 14, 1988

Chairman Tom Quinn called the meeting to order with the following members present; Bob McCall, Leigh Plagens, and Hank Crumbley. The Commission first considered approval of the minutes of June 9, 1988. Plagens made a motion to approve the minutes as submitted. Crumbley seconded the motion. The motion was voted on and passed unanimously.

Quinn opened a public hearing and the Commission considered approval of a replat of a portion of the Ridgell Addition. Assistant City Manager Julie Couch explained that the current owner of Lots 1 and 2 of the Ridgell Addition has a residence that is in the middle of these two lots. He wished to combine the two lots into one lot and eliminate the lot that went through the center of his house. At this time Mike Reid joined the meeting. Couch explained that an additional five feet of right of way had been requested along the Sherman Street side and that the plat reflected the dedication. She further stated that the applicant was requesting a waiver of the requirement that 1/2 of the estimated cost of the improvements to Boydston and Sherman Streets be escrowed as this would be a one lot owner occupied subdivision. Harold Evans addressed the Commission on behalf of the applicant. McCall made a motion to approve the replat including the recommendation that the waiver request be approved. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a replat of a portion of Phase 18, Section II, Chandlers Landing. At this time Bill Sinclair joined the meeting. Couch explained that the applicant proposed to make the unsold lots in the area larger and was therefore wanting to combine smaller lots. She explained that the average lot would increase in size from 4,000 feet to 7,500 square feet. She pointed out that the Commission would be receiving an application at their next meeting to redesignate the lots along the lake as Single Family as opposed to the present zero lot line. Harold Evans, engineer representing the applicant, explained the proposed changes in the lots. Bob McCloy, a property owner, question a greenbelt area near his lot. Evans explained that the greenbelt would not be affected by the changes. Rob Whittle stated for the record that FraCorp wouldn't contractually agree to allow expansion in Phase 17. As there was no one else wishing to address the commission on this issue, the public hearing was closed. Plagens made a motion to approve the replat. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission the held a public hearing and considered approval of a request from Rockwall harbor Corporation for a Conditional Use Permit for a building over 5000 square feet with less than 100% non-combustible materials for proposed restaurant to be located on Lot 4, the Harbor Phase I. Couch explained that the applicants wanted to use wood frame construction and also wanted some exposed beams in the interior of the building. She pointed out that in similar applications, a condition was added that the structure be sprinklered and that non-combustible materials be used in the kitchen area. Rob Whittle, Rockwall Harbor Corporation, stated that the underground plumbing had already been completed for a sprinkler system, that they proposed an open beam look on the interior, a wood structure, stucco and tile roof, and a concrete block wall common with the future adjacent building. As

there was no one else wishing to address the Commission on this issue, the public hearing was closed. McCall made a motion to approve the Conditional Use Permit with the condition that the structure be sprinklered and that non-combustible materials be used in the kitchen area. Reid seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Elaine Tibbetts for a Conditional Use Permit for a guest house as an accessory to a residence at 703 Kernodle. Couch explained that the applicant proposed to build a guest house for a relative and that staff's only concern was to provide that this portion of the lot was never sold separately or rented separately from the main residence. This was a violation of the Zoning Ordinance in residential zoning. Mrs. Tibbetts addressed the commission and outlined her building and improvement plans. She stated agreement to filing a deed restriction that would address staff's concerns. Sinclair made a motion to recommend approval of the request for a CUP providing that 1) a deed restriction be filed stating that the guest house may not be sold separately or rented separately from the main house and 2) that an annual review be conducted by staff to verify the terms of the ordinance granting the variance are being met. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Gary Bodin for a conditional Use Permit for a truck wash at 2020 Kristy Lane. Couch explained that the applicant met drainage requirements but that the site plan desired some parking adjustments. She told the Commission that access from the adjacent lot was proposed to provide adequate turn space for semi-trucks and that an access easement should be provided. Gary Bodin outlined his proposed plans for improvement of the site but stated that he had already been utilizing the property as a truck wash for the last three years. The Commission discussed the existing miniwarehouses and how this affected the applicant's overall parking requirements, the location of the proposed parking, the lack of striping, possibly prohibiting waiting customers from parking on the street and blocking access to other business on Kristy, and tying the permit to the applicant and not the land. Jim Whitworth, representing the applicant, stated that a verbal access agreement had been made with the adjacent property owner but that a written easement could be obtained. After much discussion, Crumbley made a motion to recommend approval of the permit subject to the following conditions; 1) that parking would be moved closer to the exit drive and striped 2) that the Commission would review the CUP for compliance in one year 3) that an access easement with the adjacent property owner would be filed of record and 4) that the permit would be valid only as long as the applicant was the business operator. McCall seconded the motion. The motion was voted on and passed 5 to 1 with the Chair voting against the motion.

Quinn then opened a public hearing regarding an amendment to the Comprehensive Zoning Ordinance as it pertains to sexually oriented business. As there was no one wishing to address the Commission on this issue the hearing was closed. Couch explained that the City Attorney was in the process of reviewing the proposed amendment and that staff would be prepared to present it to the Commission at the worksession. The Commission discussed the existing definition of a sexually oriented business and the recommendation that the City Attorney was reviewing. Sinclair made a motion to table action

on the item until the July 25th Worksession. Reid seconded the motion. The motion was voted on and passed unanimously.

Couch then outlined a site plan and preliminary plat application for a Roadrunner convenience store to be located on SH-205 at SH-276. Couch explained that due to the odd configuration of the lot the applicant feels the site will not work if they must meet the 20 foot rear setback, and have applied for a variance to the Board of Adjustments to be considered August 4, 1988. She explained that the applicant agreed to meet with the adjacent property owner to determine if joint access for both properties could be located further east of the intersection. In addition, the applicants had agreed to provide some additional trees although the new landscape ordinance was not in effect.

Greg Arnold with Truman Arnold and Associates addressed the Commission and agreed to meet the conditions suggested. Sinclair made a motion to recommend approval of the preliminary plat and to table consideration of the site plan pending revisions to the landscaping and the joint access drive. Reid seconded the motion. The motion was voted on and passed unanimously.

As there was no further business to come before the Commission for consideration, the meeting adjourned.

APPROVED:

Thomas E. Quinn
Chairman

ATTEST:

Julie Couch

CITY OF ROCKWALL

City Council Agenda

AGENDA DATE: August 1, 1988

AGENDA NO. VII.C.

AGENDA ITEM: Hold Public Hearing and Consider Approval of a Replat of the Ridgell Addition

ITEM GENERATED BY: Applicant - David Gamez

ACTION NEEDED: Hold Public Hearing and consider approval of the replat and a waiver to the escrow requirements for Sherman and Boydston Streets

BACKGROUND INFORMATION:

We have received a request from the current owner of Lots 1 and 2 of the Ridgell Addition located on Boydston and Sherman Streets to replat the lots into one lot. The current lots face Sherman Street. Mr. Gamez' house is located in the center of the two lots and was originally designed to face Boydston Street. At some point in time the front door was relocated to face Sherman Street. Mr Gamez wishes to combine the two lots he owns into one lot, and to designate the front yard on Boydston Street rather than on Sherman Street, so that he may make a request in the future for permission to place a fence along his property line on Sherman. As long as the Sherman side is designated as his front yard he is unable to request a fence along this property line. While he understands that a variance to the fence location may or may not be granted in the future, replatting does remove the lot line that currently goes through his house.

We have requested that an additional 5 feet be dedicated along the Sherman Street side in order to provide 50 feet of ROW. The plat reflects this dedication. In addition, under our escrow requirements Mr. Gamez would be required to escrow 1/2 of the estimated cost of the improvements to Boydston and Sherman Streets because they are both considered substandard by our ordinances. This is a one lot subdivision, owner occupied and the owner is requesting a waiver to the escrow requirements. A copy of the plat is attached.

The Planning and Zoning Commission has recommended approval of the replat and the request for a waiver.

ATTACHMENTS:

1. Location Map
2. Plat

AGENDA ITEM: Replat of Ridgell Add.

ITEM NO: VII. C.

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MINUTES OF THE ROCKWALL CITY COUNCIL

August 1, 1988

Mayor Frank Miller called the meeting to order with the following Councilmembers present: John Bullock, Nell Welborn, Pat Luby, Don Smith, Alma Williams, and Norm Seligman. Smith conducted the invocation and led the Pledge of Allegiance. City Secretary Julie Couch then read aloud resolutions expressing appreciation for service of former Councilmembers Bill Fox and Ken Jones. Seligman made a motion to approve the resolutions. Welborn seconded the motion. The motion was voted on and passed unanimously. Mayor Miller then explained although Mr. Fox was unable to attend the meeting, he would be presented with a copy of the resolution and a plaque expressing appreciation at a later date. The Mayor then presented a copy of the resolution and a plaque to former Councilmember Jones. Jones expressed great confidence in the current City Council and stated that it had been a pleasure to serve on the Council.

Council then considered approval of the Consent Agenda which consisted of:

- a) the minutes of July 18, 1988
- b) an ordinance authorizing a Conditional Use Permit for a building over 5,000 square feet and less than 100% non-combustible materials for a proposed restaurant to be located on Lot 4, the Harbor, on first reading
- c) an ordinance amending Ordinance 87-9 pertaining to the use of flexible metal bends on second reading
- d) an ordinance abandoning a portion of a utility easement at 317 Shepherds Hill on second reading.

Couch read the ordinance captions. Williams pulled Item B. Miller pulled the Minutes and Item C. Smith made a motion to approve Item D. Welborn seconded the motion. The motion was voted on and passed unanimously. Williams stated that one of the conditions in the ordinance authorizing the Conditional Use Permit for non-combustible materials needed to clarify that an interior sprinkler system would be installed with adequate water pressure to provide complete fire control throughout the building. Luby refrained from participating in this item and left the room due to a conflict of interest. After additional discussion, Smith made a motion to approve the ordinance on first reading with the changes as specified by Councilmember Williams. Williams seconded the motion. The motion was voted on and passed unanimously.

Miller stated with regard to Item A, the minutes, the staff had recommended these be postponed for consideration at the next regular meeting. He then stated there was a citizen present who wished to speak on Item C, the ordinance regulating the use of mechanical duct materials in residential construction. Tom Bolin addressed the City Council and stated that he was a five year resident of Rockwall and that he supported the

homebuilders freedom of choice to use any air system which was engineered according to Code. Council discussed the recommendations of the Mechanical Board. Seligman made a motion to approve the ordinance on second reading. Smith seconded the motion. The motion was voted on and passed unanimously.

Tom Quinn then addressed the Council and gave the Planning and Zoning Commission Chairman's report in which he addressed the items on the Council Agenda which the Commission had considered at their last regular meeting. He outlined the Commission's recommendations with regard to a proposed revision to the preliminary plan for PD-21, a replat of a portion of the Ridgell Addition, a Conditional Use Permit request for a guest house, a Conditional Use Permit Request for a truck wash, a replat of a portion of Phase 18, Chandlers Landing, and a preliminary plat for a convenience store at SH-205 and SH-276. He further outlined some proposed amendments to the Zoning Ordinance with regard to sexually oriented businesses and explained that this item would come before Council at a later date.

Council then held a public hearing and considered a request from Holley Development for a revision to the preliminary plan for PD-21 to amend the height requirements for certain lots within the Planned Development. Miller asked the Council if there were any further questions or clarifications regarding this case of staff prior to opening the public hearing. There being none, the public hearing was opened and Doris McKee, 108 St. Mary's Street, addressed the Council. She stated that she had built her home in 1949 and had lived in it since. She explained that upon approval of the original Planned Development Ordinance the adjacent homeowners left satisfied that a compromise had been reached and she left with the understanding that no two story homes would be built directly in front of her home. She stated that two story homes meant larger families and more children with no place to play. She advised Council not to change the existing ordinance. Richard Jordan, 109 St. Mary's, stated that he concurred with Mrs. McKee and was opposed to allowing more than the original four two story homes that were approved. Jesse McDaniel, 603 South Fannin, stated that the lots were too small for homes larger than the ones currently approved. Alta Sellers, 222 St. Mary's, stated that at present the children in the neighborhood played in the street and played in her yard. She stated that the lots were too small for two story homes and too small for the additional children that the additional story would attract. Joe Smartt, 603 South Goliad, gave a brief history of these properties and urged the Council to continue to enforce the existing ordinance. Danny Holley, the current builder for St. Mary's, stated that he had bought five lots with the intent to build on them. He explained that the current construction was generating value in the area and that he himself owned a home on St. Mary's. Holley explained that the copy of the Planned Development Ordinance he obtained did not contain the height restrictions in the body of the ordinance. He further explained that he had redrawn the proposed two story homes so that they were only one and one half feet higher than the single story homes already on the street. He explained that he had also redrawn the back of the homes so that it appeared to be a single story home from the rear, particularly the lot facing Mrs. McKee's house. Council discussed the changes that had been made in the elevations of the buildings and questioned the audience as to their opinion of the revised plan. Nan Smartt addressed the Council and explained that she was still opposed to the plan. Doris McKee stated that she disapproved of the revision even though the elevations had been changed. Smith pointed out that the redrawing did not address the

limitation to the number of rooms within the house. After a lengthy discussion, Smith made a motion to deny the request. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a replat of the Ridgell Addition. Couch explained that the applicant wished to combine two lots that he owns into one lot, thus eliminating a lot line that ran through the center of his residence. She stated the applicant was also requesting a waiver of the escrow requirements which would require him to escrow one half of the estimated cost of the improvements to Boydstun and Sherman Streets because they are both considered substandard. She stated that this would be a one lot, owner occupied subdivision. She further explained that he was dedicating an additional five feet of right-of-way along the Sherman side in order to provide 50 ft. of right-of-way. Harold Evans, the engineer, was present to address Council's questions. Welborn made a motion to approve the replat and the waiver request. Seligman seconded the motion. Miller confirmed that Mr. Gamez, the applicant, had been assessed for improvements along Boydstun street. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance authorizing a request from Elaine Tibbetts for a Conditional Use Permit for a guest house as an accessory to a residence at 703 Kernodle. Couch explained that the homeowner at 703 Kernodle proposed to construct a detached garage with guest quarters attached to the garage to house an elderly relative. The structure as proposed met all the material requirements and setback requirements and the Planning and Zoning Commission had recommended that the Council require that a deed restriction be filed that would run with the land stating that quarters could never be sold separately from the main lot and that it would never be rented separately from the main lot. Terry Tibbetts addressed the Council and explained that his original plan had been to divide his lot into two lots, but that he could not meet the necessary requirements in order to do that. Couch read the ordinance caption. Welborn made a motion to approve the request and the ordinance on first reading with the conditions as outlined by the Assistant City Manger. Williams 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 truck wash at 2020 Kristy Lane. Couch explained that the applicant proposed to operate on an existing site which is currently occupied with miniwarehouses. She stated he did not propose to construct any additional physical structures, but to do the washing on the existing drive. She outlined the conditions in the ordinance, including a condition that required filing of an access easement from the adjacent property owner with the County and a condition that the CUP be reviewed by the Planning and Zoning Commission in one year. Gary Bodin addressed the Council and explained his request. Jim Whitworth addressed the Council and stated that the applicant intended to abide by the Code, that the miniwarehouse would not be rented, and that as there is already much traffic on Kristy Lane, the additional truck traffic would not damage the road. Council discussed the landscaping, the adequacy of the sand traps, adequacy of turn-around space for the trucks, and the availability of additional property if the business expanded. Seligman made a motion to approve the request and

the ordinance on first reading with an addition of an eighth condition within the ordinance which would specify that the existing buildings would not be used for rental or public storage for the duration of the Conditional Use Permit. Williams seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a replat of a portion of Phase 18, Section 2 Chandlers Landing. Couch explained that the applicant proposed to make the unsold lots in this area larger and was therefore wanting to combine lots. She explained the original plat of the lots averaged 4,000 square feet, and the replat of these lots would average 7,500 square feet. She stated that the replatted lots still met the area requirements for Phase 18 which was designated for Zero Lot Line. She added, however, that they had submitted a request to redesignate the larger lots along the lake as single family. After a brief discussion, Smith made a motion to approve the replat. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a preliminary plat for a proposed convenience store to be located at SH-205 and SH-276. Couch explained that the plat as submitted met all requirements and that the right-of-way on both SH-205 and SH-276 had been found to be adequate in both locations. She explained that while Council was not considering approval of a site plan at this time, approval of the preliminary plat should be subject to approval by the Board of Adjustments of a variance to the rear setback requirements of the Zoning Ordinance which had been submitted in conjunction with the site plan. After a brief discussion, Smith made a motion to approve the preliminary plat subject to approval of the variance by the Board of Adjustments. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an ordinance levying assessment for paving and utility improvements within the Heritage Heights Public Improvements District on first reading. Welborn made a motion to approve the ordinance. Smith seconded the motion. The motion was voted on and passed unanimously. Eisen explained that as this area was formerly a part of the Mt. Zion Water Supply Corporation system, improvements could not begin until a release was obtained from the Farmer's Home Administration. He suggested Council consider tabling the award of bid of the contract for paving, drainage and utility improvements until FMHA approval was received. Smith made a motion to table consideration of the award of the contracts. Williams seconded the motion. The motion was voted on and passed unanimously.

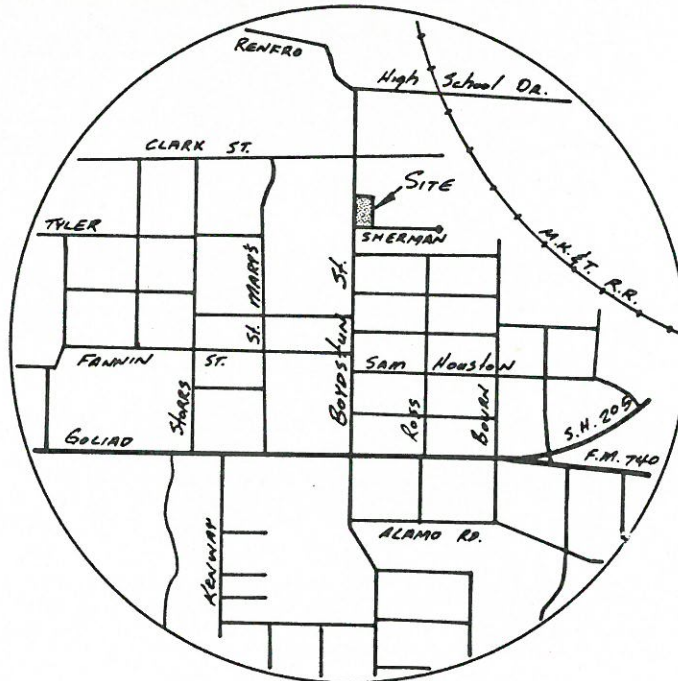
Bill Eisen then gave the City Manager's report in which he discussed the upcoming budget workshop and the planning taking place for a future pump station to accommodate a waterline extension planned by the North Texas Municipal Water District.

Council then discussed the Enhancement Study for Phase II of the Capital Improvements Program and considered approval of an ordinance setting a date for public hearings pertaining to the assessments on second reading. Mark Hipes, of Marlin Blake and Associates, outlined the method of analysis used during the appraisal process of Phase II of the Capital Improvements Program. He explained that enhancement was found equal to or greater than the amount

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on July 14, 1988, at 7:30 P.M. and the Rockwall City Council will hold a public hearing on August 1, 1988, at 7:00 P.M. in City Hall, 205 West Rusk, to consider a request from David Gamez for a replat of Lots 1 and 2 of the Ridgell Subdivision located at Boydston and Sherman Street to create one large lot.

As an interested property owner, it is important that you attend this hearing or notify the Commission and Council in writing of your feeling in regard to the matter.



LOCATION MAP