

CITY OF ROCKWALL  
205 West Rusk  
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 91-34- CUP

Date Submitted 08-26-91

Filing Fee \$ 101.00

Applicant Ricky D. Smith

Address 2122 Turtle Cove Blvd.  
Rockwall, Texas 75087

Phone No. (214) 771-1164

Owner  Tenant<sup>1</sup>  Prospective Purchaser <sup>1</sup>

Legal description of property for which Conditional Use Permit is requested (if additional space is needed, the description may be typed legibly on a separate sheet and attached hereto:)<sup>2</sup>

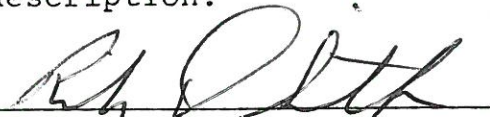
Lot 9, in Block C, of TURTLE COVE, an Addition in the city of Rockwall, Rockwall County, Texas, according to the Map thereof recorded in Slide B, Page 235, Map Records, Rockwall County, Texas;

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

Refer to Attachment number 1.

*line* The current zoning on this property is PD 2.  
There <sup>space</sup> ~~are~~ are not deed restrictions pertaining to the intended use of this property.

I have attached hereto as Exhibit A a plat showing the property which is the subject of this requested Conditional Use Permit and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

  
Ricky D. Smith

<sup>1</sup>If the applicant is someone other than the owner, written acknowledgement by the owner of the request must also be submitted.

<sup>2</sup>The legal description is used to publish the notice of the required hearing and in the preparation of the final ordinance granting the Conditional Use Permit. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

ITEMIZED COST APPLICATION

DATE: 8-26-91

GENERAL CONTRACTOR NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE NO. \_\_\_\_\_

JOB ADDRESS \_\_\_\_\_

OWNER NAME RICKY SMITH

ADDRESS 2122 TURTLE COVE

PHONE NUMBER 771-1164

GENERAL FUND  
ACCT. NO.

WATER FUND  
ACCT. NO.

00-3601 CERT. OF OCCUPANCY: \_\_\_\_\_

WATER SERVICES

00-3601 BUILDING PERMIT: \_\_\_\_\_

00-3311 MATERIAL, LABOR & EQUIP. FEE: \_\_\_\_\_

00-3602 FENCE PERMIT: \_\_\_\_\_

00-3311 10% FEE: \_\_\_\_\_

00-3604 ELECTRICAL PERMIT: \_\_\_\_\_

00-2201 METER DEPOSIT: \_\_\_\_\_

00-3607 PLUMBING PERMIT: \_\_\_\_\_

00-3819 MISCELLANEOUS: \_\_\_\_\_

00-3610 MECHANICAL PERMIT: \_\_\_\_\_

33-3835 WATER AVAILABILITY: \_\_\_\_\_

00-3828 SIGN PERMIT: \_\_\_\_\_

SEWER SERVICES

00-3631 HEALTH PERMIT: \_\_\_\_\_

00-3314 MATERIAL, LABOR & EQUIP. FEE: \_\_\_\_\_

00-3613 ELEC. LIC.: CONTRACTOR, MASTERS  
JOURNEYMAN & TEST FEE: \_\_\_\_\_

34-3836 SEWER AVAILABILITY: \_\_\_\_\_

00-3613 OTHER LIC.: \_\_\_\_\_

TOTAL WATER & SEWER \_\_\_\_\_

00-3819 MISCELLANEOUS: COPY FILING FEE 101.00

TOTAL GENERAL: 101.00

TOTAL AMOUNT DUE: 101.00

ATTACHMENT NUMBER 1

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

The installation of a 10 foot Satellite Dish to be mounted on a 15 foot pole (20 feet total from the ground to the top of the satellite dish) to accomplish receipt of a satellite television signal. The satellite dish cannot otherwise be mounted to the rear of the residence in such a manner as to receive adequate reception.

The proposed dish will be located approximately 27 inches behind the home and will be located approximately 13 feet from the rear property line, 29 feet from the northeast property line and 40 feet from the southwest property line. The pole will be supported by 3/4 inch bolts mounted into a three(3) feet long, Three (3) feet wide by two (2) feet deep concrete slab (approximately 2/3 yard of concrete). The pole will also be supported by a metal mount attached to the residence approximately eight (8) feet from the ground.

The home is a Two (2) story structure and the peak of the roof is approximately 22 feet from the ground. The dish will not be visible to the front.

The dish pole will be enclosed on one (1) side by the brick structure of the home and on three (3) sides by large scrubs (azalia and rose of shannon).

The dish was purchased because cable television is not available and we were told that cable would not be available until several other homes were built in the subdivision.



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*Ricky Smith  
Satellite Request*

SF-10

PD-4

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PD-2

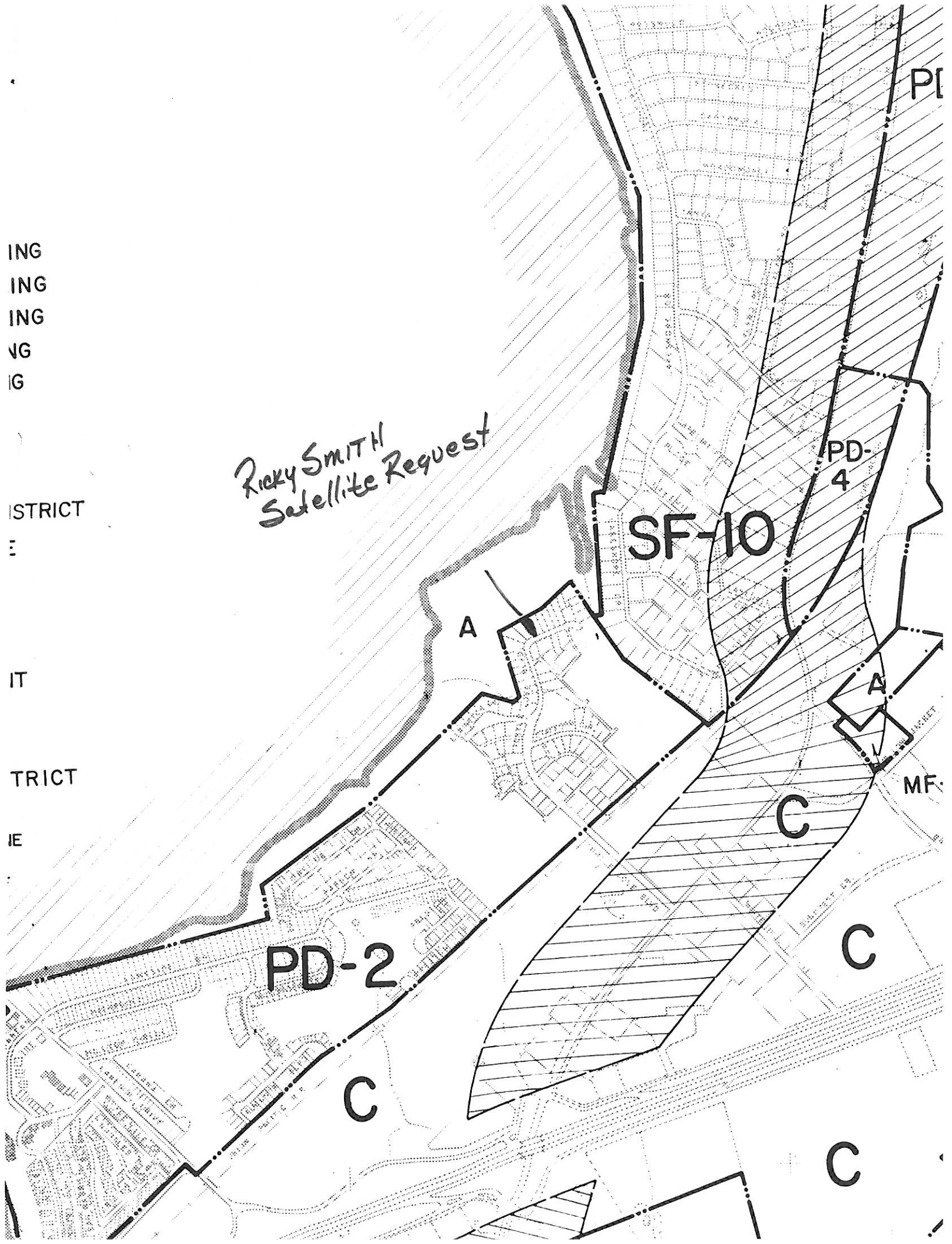
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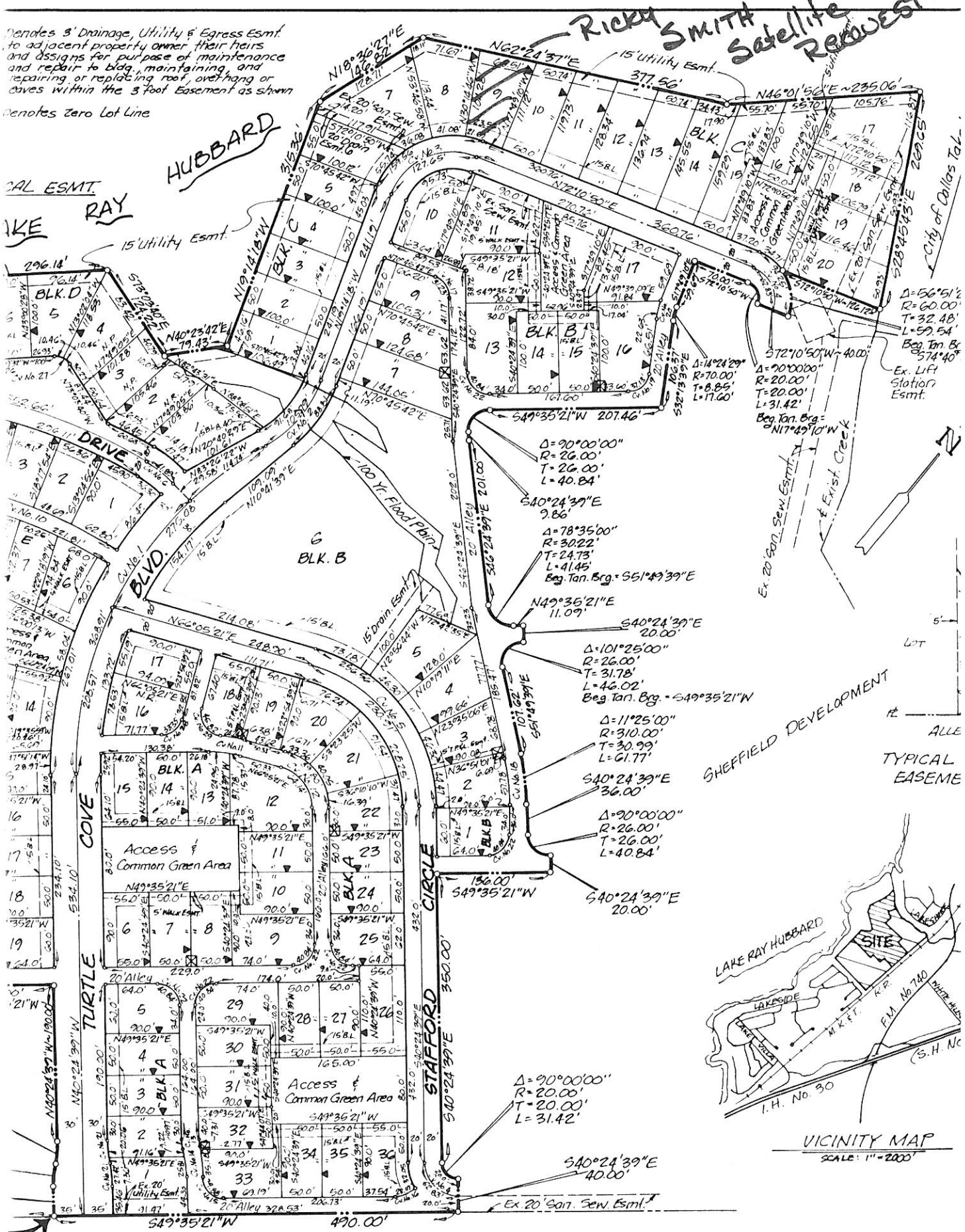
Denotes 3' Drainage, Utility & Egress Esmt. to adjacent property owner their heirs and assigns for purpose of maintenance and repair of bldg, maintaining and repairing or replacing roof, overhang or eaves within the 3 foot Easement as shown

Denotes zero Lot Line

RICKY SMITH  
Satellite  
REQUEST

CAL ESMT

LAKE RAY  
15' Utility Esmt.



RAILROAD

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

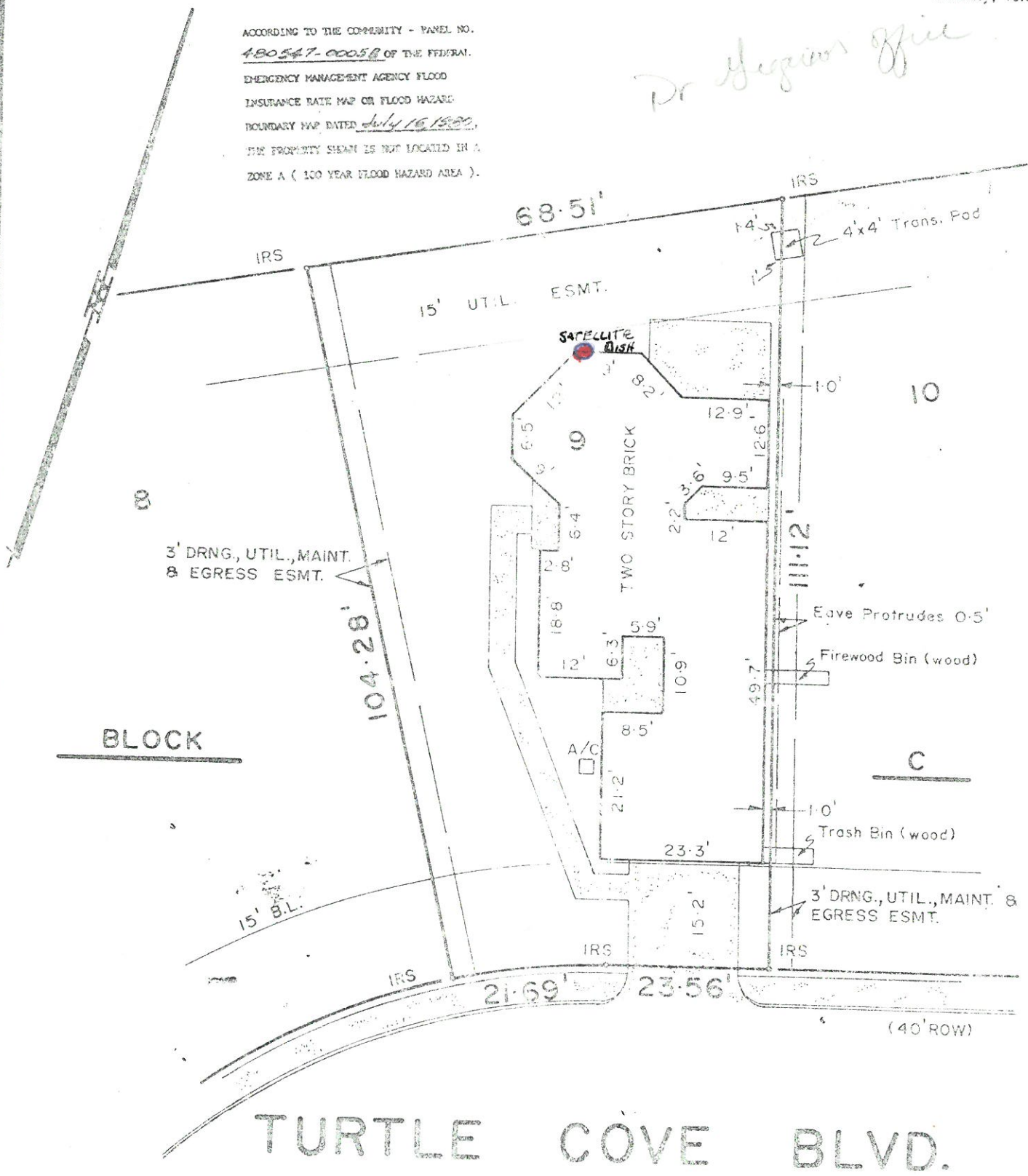
TURTLE COVE  
E. P. GAINES CHISUM SURVEY ~ AB  
ROCKWALL COUNTY, TEXA

# SURVEY PLAT

This is to certify that I have, this date, made a careful and accurate survey, on the ground, of property located at  
 No. 2122 Turtle Cove Blvd. in the City of Rockwall, Texas, being Lot  
 No. 9, Block C, of TURTLE COVE,  
 an addition to the City of Rockwall, Rockwall County, Texas, according to the Map thereof, recorded  
 in Slide B, Page 235, Map Records of Rockwall County, Texas.

ACCORDING TO THE COMMERITY - PANEL NO.  
480547-0005B OF THE FEDERAL  
 EMERGENCY MANAGEMENT AGENCY FLOOD  
 INSURANCE RATE MAP OR FLOOD HAZARD  
 BOUNDARY MAP DATED July 16, 1980,  
 THE PROPERTY SHOWN IS NOT LOCATED IN A  
 ZONE A ( 100 YEAR FLOOD HAZARD AREA ).

*Dr. Ferguson*





ZONING CHANGE/CONDITIONAL USE PERMIT/PLANNED DEVELOPMENT/  
PRELIMINARY PLAN/DEVELOPMENT PLAN

ACTION RECORD

Case No: 91-34-CUP  
Location: 2122 Turtle Cone

- Application Reviewed..... \_\_\_\_\_
- File Created ..... ✓
- Filing Fee Paid/Receipt in File..... ✓
- Issued Receipt for Application..... \_\_\_\_\_
- Review form prepared/<sup>initial</sup>partial review completed..... \_\_\_\_\_
- Circulated Review through:
  - Staff Review:..... \_\_\_\_\_
  - Assistant City Manager..... \_\_\_\_\_
- Scheduled for P&Z meeting..... 9/12
- Notice Sent:
  - Newspaper..... 8/27
  - Surrounding property owners..... 8/30
- Sign placed on property..... 9/2
- Tallied responses to notices ..... \_\_\_\_\_
- Prepared notes and supporting information for P&Z..... \_\_\_\_\_
- Notified applicant of results <sup>and of</sup> Council date..... \_\_\_\_\_

after Pt 2 consideration.

~~If approved:~~

- Scheduled for City Council.....\_\_\_\_\_
- Notice sent to newspaper.....\_\_\_\_\_
- Notice sent to property owners.....\_\_\_\_\_
- Prepared notes and supporting information for City Council.....\_\_\_\_\_

If approved:

- Notified applicant of results.....\_\_\_\_\_
- Prepared ordinance.....\_\_\_\_\_
  - 1st reading of ordinance.....\_\_\_\_\_
  - 2nd reading of ordinance.....\_\_\_\_\_
  - Caption to newspaper.....\_\_\_\_\_
- Update office map.....\_\_\_\_\_
- Notified Inspection Dept. of change.....\_\_\_\_\_
- Included map in update file.....\_\_\_\_\_
- Included in CUP list (if applicable).....\_\_\_\_\_
- Permit activated within 6 months.....\_\_\_\_\_
- If not activated, applicant notified permit is void.....\_\_\_\_\_
- Included in PD file (if applicable).....\_\_\_\_\_





CITY OF ROCKWALL  
 205 West Rusk Street  
 Rockwall, Texas 75087

APPLICATION FOR CONSTRUCTION PERMIT

BUILDING PERMIT

APPLICANT TO COMPLETE ALL  
 PERTINENT ITEMS WITHIN  
 HEAVY LINES. PLEASE PRINT  
 OR TYPE.

Date 7/23/91	Use of Property Res.	Address of Proposed Work (Include Suite Number If Applicable) 2122 Turtle Cove Blvd
Description of Proposed Work Install satellite receiver		
Owner or Tenant Ricky D. Smith	Address same	Total Value of Work \$500
Contractor	Business Address	
<p>I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AGREE TO COMPLY WITH ALL PROPERTY RESTRICTIONS. I AM THE OWNER OF THE ABOVE PROPERTY OR HIS DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS.</p>		
APPLICANT'S NAME (PLEASE PRINT) <u>Mr. Ricky D. Smith</u>		SOC. SEC. NO.
APPLICANT'S SIGNATURE _____		PHONE <u>771-4164</u>
Call 771-1111 for Setback, Foundation, Framing and Final Inspection.		

BELOW FOR OFFICE USE ONLY

Block	Lot	Zoning	Plat #	Type Const	Occ	Landscaping	Living Area	Sub Total	Sub Total	
Building Area		Max Coverage	Lot Area	Depth	Frontage	Bath	Liv Units	Garage Area	Sub Total	
Front Bldg Line	Rear Bldg. Line	Side Bldg. Line	Height	Stories	Sidewalk Req. Yes No	Patio Area			Sub Total	
Remarks				NEED TWO (2) COPIES OF: Plat Detailed Site Plan Drainage Plan If Post Tension Letter From Engineer On Foundation Engineered Foundation Plan					Permit Fee Water <u>10.00</u> Sewer Total Due Approved <u>WBC</u> <u>7-23-91</u>	

ROUTE TO	CH'KD	DATE	COMMENTS
PRE-INSPECTION			
ZONING			
BUILDING			
ELECTRICAL			
MECHANICAL			
PLUMBING			
TRAFFIC			
WATER			
HEALTH			
FIRE MARSHAL			
MAPS AND PLATS			





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

(214) 771-1111

Cash Receipt

Name Ricky D. Smith Date \_\_\_\_\_  
 Mailing Address \_\_\_\_\_

Job Address 2000 J. Kelly Ct Permit No. \_\_\_\_\_

Check  Cash  Other

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code
Building Permit	01-3601		Water Tap	02-3311
Fence Permit	01-3602		10% Fee	02-3311
Electrical Permit	01-3604		Sewer Tap	02-3314
Plumbing Permit	01-3607		Water Availability	06-3835
Mechanical Permit	01-3610		Sewer Availability	07-3836
Municipal Pool	01-3402		Meter Deposit	02-2201
Zoning, Planning, B.O.A.	01-3411		Portable Meter Deposit	02-2202
Subdivision Plats	01-3412		Misc. Income	02-3819
Sign Permits	01-3628		NSF Check	02-1128
Health Permits	01-3631		Meter Rent	02-3406
Misc. Permits	01-3625	10.00	Penalties	20-3117
Misc. Income	01-3819		Hanger Rent	20-3406
Sale of Supplies	01-3807		Tie Down Fees	20-3407
Marina Lease	08-3810		Land Lease	20-3804
Cemetery Receipts	10-3830		Sale of Supplies	20-3807
PID	13-3828		Airport Cred. Cd.	20-1132
Street	14-3828		Fuel Sales	20-3809
Hotel/Motel Tax	15-3206			
<b>TOTAL OF COLUMN</b>			<b>TOTAL OF COLUMN</b>	

**TOTAL DUE** 10.00 Received By [Signature]

Ricky D. Smith  
2122 Turtle Cove  
Rockwall, Texas 75087

City Of Rockwall  
William Curry  
205 W. Rusk  
Rockwall, Texas 75087

Dear Mr. Curry,

This is to inform you that I desire to install a satellite dish at my residence at 2122 Turtle Cove in Rockwall.

This dish is a ten foot oval dish that will be located behind my home. The dish must be mounted on a fifteen foot pole, however my residence is a two story structure and the dish will not be visible to the front.

The dish and mounting pole will be installed approximately three (3) feet from the house and the mounting pole will be supported by attachments to the brick structure and eave of the house. The base of the dish will be attached to a concrete slab by  $\frac{3}{4}$  inch bolts. The concrete slab will be approximately two feet by three feet wide and two feet deep. (Approximately  $\frac{2}{3}$  yard of concrete.)

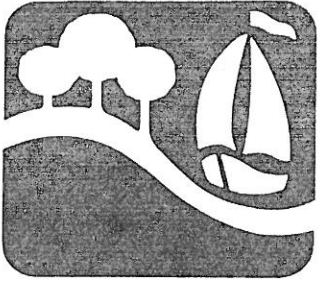
The mounting pole will be enclosed by appropriate scrubs (Azalia and Rose of Shannon) on all sides at an approximate five feet distance from the pole, and the base foundation will be covered with decorative bark nuggets.

The mounting pole is located approximately 13 feet from the rear property line, 38 feet from the southwest property line, and 30 feet from the northeast property line.

I have enclosed a copy of the plat with a red marking of the proposed dish location and a check of \$10.00 for the required licensing fee.

Thank you,

  
Ricky D. Smith



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

August 27, 1991

Mr. Ricky Smith  
2122 Turtle Cove  
Rockwall, TX 75087

Dear Mr. Smith:

Your application for a Conditional Use Permit for a satellite receiver over the maximum height allowed in residential and your filing fee in the amount of \$101.00 have been received by this office.

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, September 12, 1991 at 7:30 P.M. in City Hall and the Rockwall City Council will hold a public hearing on Monday, September 16, 1991 at 7:00 P.M. to consider approval of your request. As the applicant, you or your representative must attend both of these meetings. Lack of applicant representation could delay your approval process.

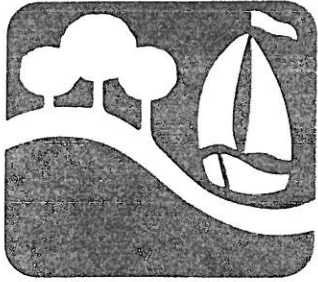
A Conditional Use Permit must be adopted ordinance and approved at two separate meetings of the City Council. The second reading of the ordinance is scheduled for October 7, 1991. The change in the Conditional Use Permit will not be effective until the ordinance has been approved on second reading.

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

Sincerely,

A handwritten signature in cursive script that reads "Mary Nichols". The signature is written in dark ink and is positioned below the word "Sincerely,".

Mary Nichols  
City Secretary



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

September 25, 1991

Mr. Ricky D. Smith  
2122 Turtle Cove Blvd.  
Rockwall, TX 75087

Dear Mr. Smith:

On September 16, 1991, the Rockwall City Council approved your request for a Conditional Use Permit for a satellite receiver in excess of fifteen feet in height in a residential area.

An ordinance authorizing the Conditional Use Permit was also approved on first reading. Ordinances that deal with zoning must be approved at two separate meetings of the City Council. The second reading for your ordinance is scheduled for October 7, 1991. No building permits may be issued until the ordinance is approved on second reading.

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

Sincerely,

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

Mary Nichols  
City Secretary

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

**Agenda Date:** September 12, 1991

**Agenda No:** IV. F.

**Agenda Item:** P&Z 91-34-CUP - Hold Public Hearing and Consider Recommending Approval of a Request from Ricky Smith for a Conditional Use Permit for a Satellite Receiver in Excess of Fifteen Feet in Height in a Residential Area Located at 2122 Turtle Cove

**Item Generated By:** Applicant, Ricky Smith

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

**Background Information:**

We have received a request from the property owner to be able to install a dish at the rear of his house that would exceed the maximum height of 15 feet by 5 feet. He has indicated that he needs to extra height to receive the signal. A site plan is attached.

**Attachments:**

1. Location Map
2. site plan

**Agenda Item:** CUP for Satellite dish

**Item No:** IV. F.

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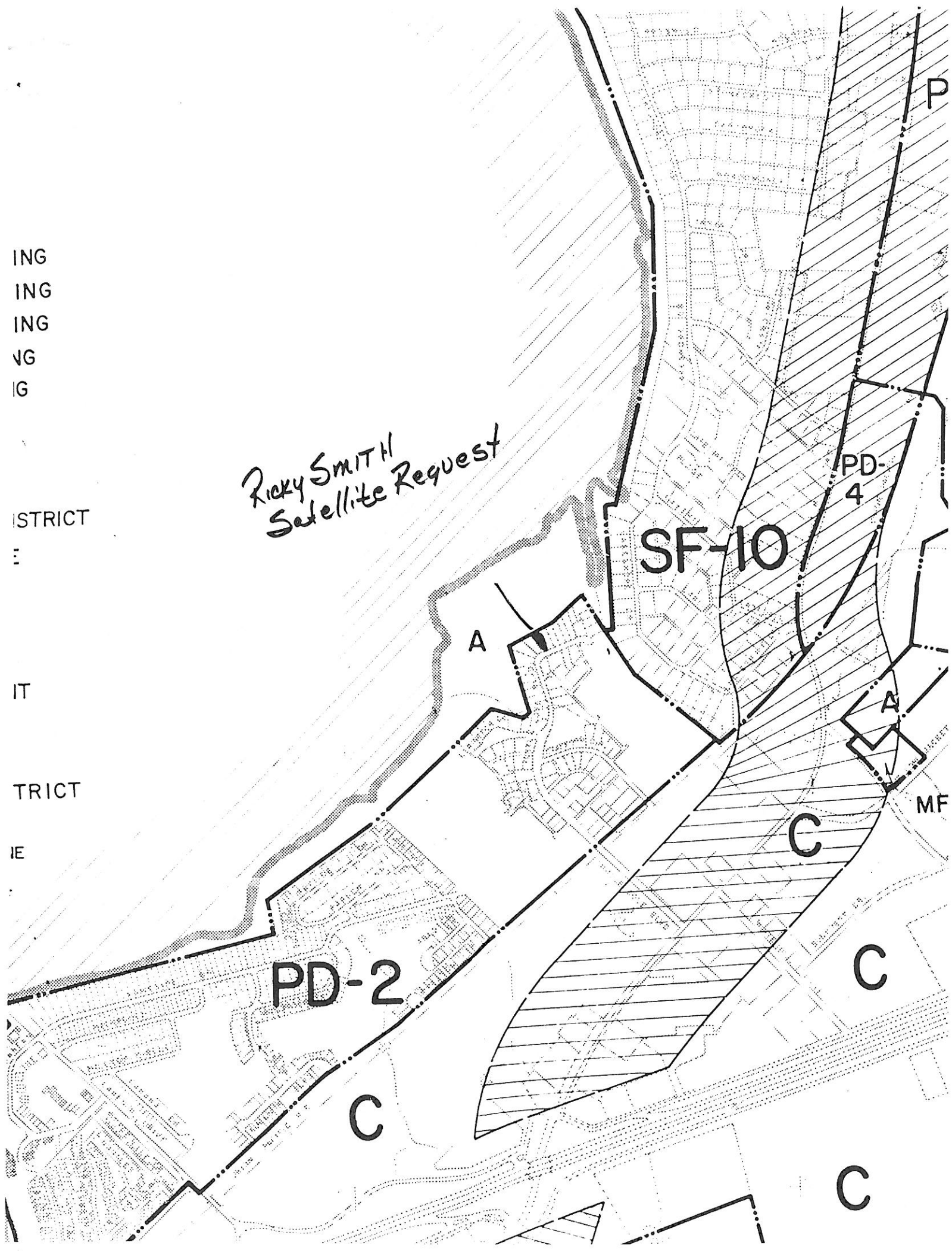
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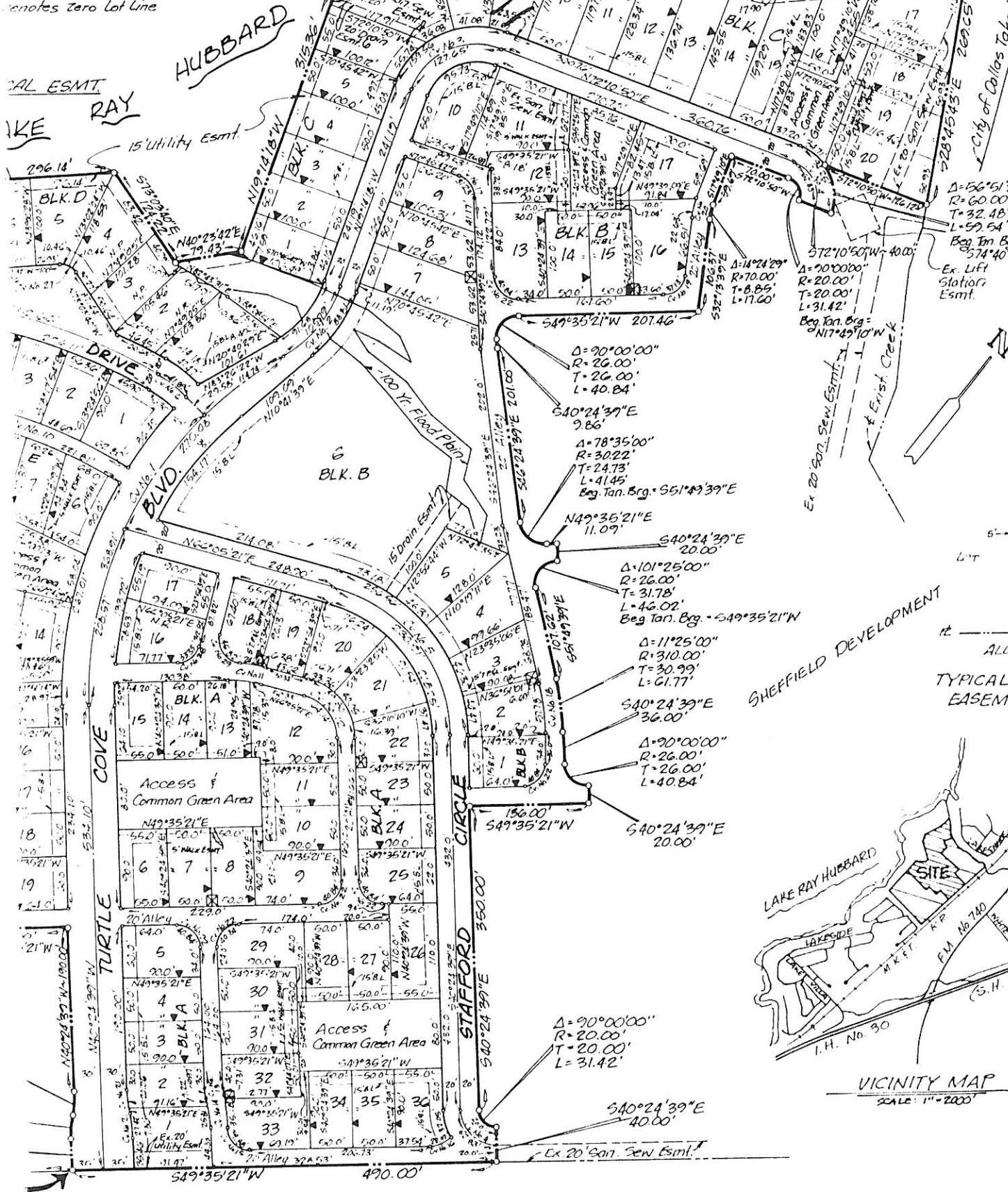
*Ricky Smith  
Satellite Request*





Grades & Drainage, Utility & Egress Esmt to adjacent property owner, their heirs and assigns for purpose of maintenance and repair to bldg, maintaining, and repairing or replacing roof, overhang or eaves within the 3 foot Easement as shown denotes zero Lot Line

Ricky SMITH Satellite REQUEST



RAILROAD  
BLK. D  
BLK. C  
BLK. B  
BLK. A

RAILROAD

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

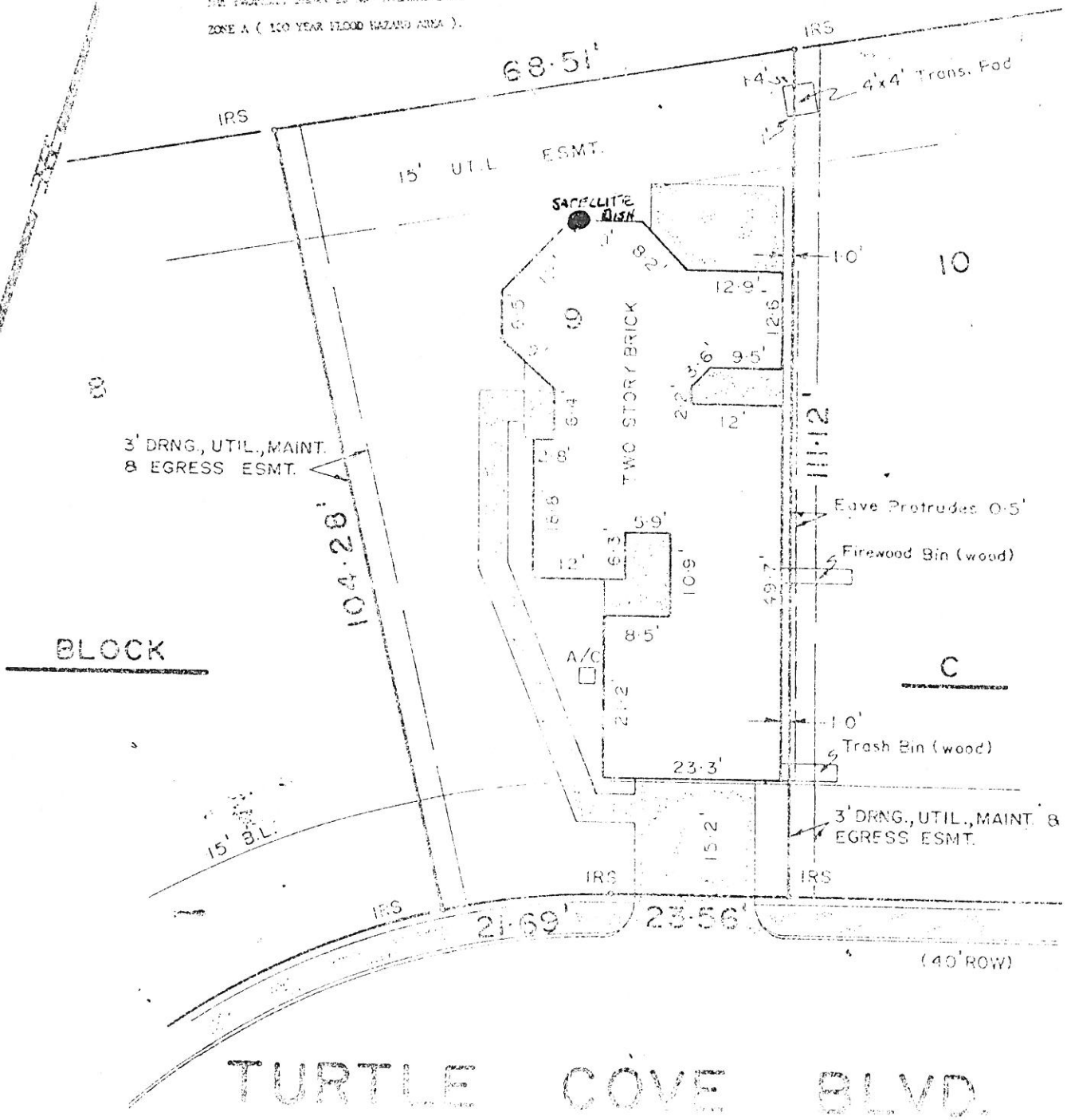
TURTLE COVE  
E. P. GAINES CHISUM SURVEY ~ A.

# SURVEY PLAT

This is to certify that I have, this date, made a careful and accurate survey, on the ground, of property located at  
 No. 2122 Turtle Cove Blvd. in the City of Rockwall, Texas, being Lot  
 No. 9, Block C, of TURTLE COVE,  
 an addition to the City of Rockwall, Rockwall County, Texas, according to the Map thereof, recorded  
 in Slide B, Page 235, Map \_\_\_\_\_ Records of Rockwall County, Texas.

ACCORDING TO THE COMMUNITY - PANEL NO. 180547-00058 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OR FLOOD HAZARD BOUNDARY MAP DATED July 16, 1980, THE PROPERTY SHOWN IS NOT LOCATED IN FLOOD ZONE A ( 100 YEAR FLOOD HAZARD AREA ).

*Handwritten notes:*  
 121  
 11/11/80  
 [Signature]



**CITY OF ROCKWALL  
City Council Agenda**

**Agenda Date:** September 16, 1991

**Agenda No:** V. I.

**Agenda Item:** P&Z 91-34-CUP - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Ricky Smith for a Conditional Use Permit for a Satellite Receiver in Excess of Fifteen Feet in Height in a Residential Area Located at 2122 Turtle Cove (1st Reading)

**Item Generated By:** Applicant, Ricky Smith

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

**Background Information:**

This item was approved by the Commission.

**Attachments:**

1. Ordinance

**Agenda Item:** CUP for Satellite dish

**Item No:** V. I.



# CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE  
August 30, 1991

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, September 12, 1991 at 7:30 P.M. in City Hall, and the Rockwall City Council will hold a public hearing on Monday, September 16, 1991, at 7:00 P.M. in City Hall, to consider approval of a request from Ricky Smith for a Conditional Use Permit for a satellite receiver in excess of fifteen feet in height in a residential area to be located at 2122 Turtle Cove more particularly described as Lot 9, Block C, Turtle Cove.

As an interested property owner, you are encouraged to attend these hearings or make your feelings know by returning the form below and returning it to: City Secretary, 205 W. Rusk, Rockwall, Texas, 75087.

---

2122 Turtle Cove - Request for Conditional Use Permit Re: Satellite

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. \_\_\_\_\_

- 1.
- 2.
- 3.

Name \_\_\_\_\_

Address \_\_\_\_\_



cop for Satellite  
Turtle Cone

Lots 6-8, 10-14 Bk C  
8, 9 10, 11 B

Commodore Financial Service  
46 Real Estate Tax Svc, Inc  
P.O. Box 832310  
Richardson, TX 75083-2310

12B

Linda J. Greenberg  
2119 Turtle Cone Blvd

5C

Kwang Y Liu  
2130 Turtle Cone

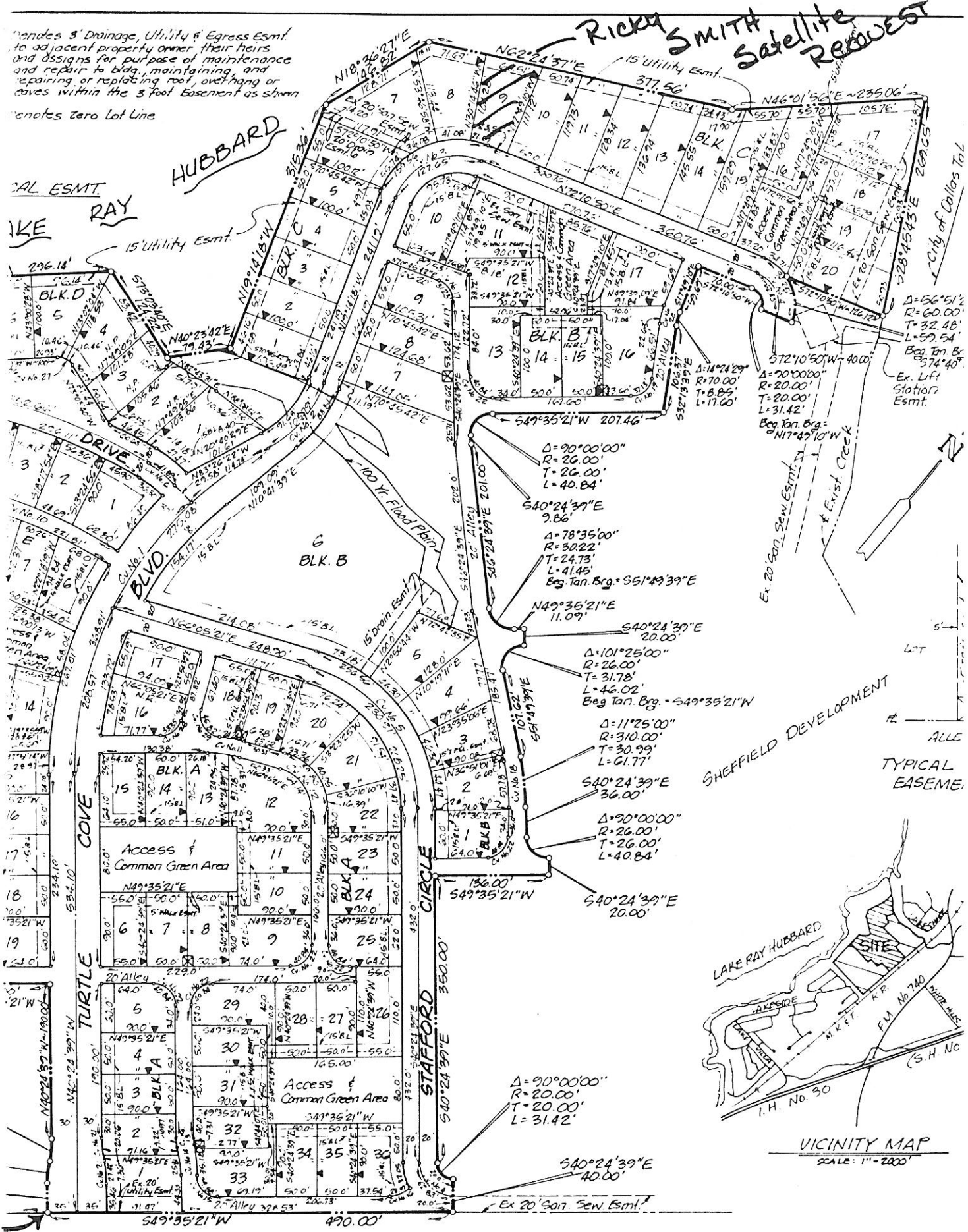
9C

Ricky D. Smith  
2122 Turtle Cone

Denotes 3' Drainage, Utility & Egress Esmt. to adjacent property owner their heirs and assigns for purpose of maintenance and repair to bldg, maintaining, and repairing or replating roof, overhang or eaves within the 3 foot Easement as shown

Denotes zero Lot Line

RICKY SMITH  
Satellite  
REQUEST



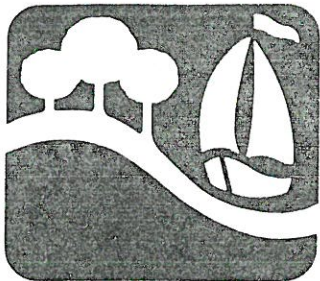
RAILROAD

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

**TURTLE COVE**  
E. P. GAINES CHISUM SURVEY ~ AB  
ROCKWALL COUNTY TEXAS

VICINITY MAP  
SCALE: 1" = 200'





# CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE  
August 30, 1991

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As an interested property owner, you are encouraged to attend these hearings or make your feelings know by returning the form below and returning it to: City Secretary, 205 W. Rusk, Rockwall, Texas, 75087.

2122 Turtle Cove - Request for Conditional Use Permit Re: Satellite

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

1. after discussing this issue with Mr. & Mrs.
2. Smith, I see no reason ~~that~~ for denying
3. them the request to relocate their satellite receiver.

It will in no way distort my view of the lake.

Name

Linda F. Greenberg

Address

9-4-91

Linda F. Greenberg  
2119 Turtle Cove  
Rockwall 75087