## PLANNING AND ZONING CASE CHECKLIST



City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087

P&Z CASE # 2019-011 P&Z DATE 3/24	119 CC DATE	APPROVED/DENIED
ARCHITECTURAL REVIEW BOARD DATE	_ HPAB DATE	PARK BOARD DATE
ZONING APPLICATION         SPECIFIC USE PERMIT         ZONING CHANGE         PD CONCEPT PLAN         PD DEVELOPMENT PLAN         SITE PLAN APPLICATION	<ul> <li>APPLICAT</li> <li>RECEIPT</li> <li>LOCATION</li> <li>HOA MAF</li> <li>PON MAF</li> <li>FLU MAP</li> <li>NEWSPAF</li> <li>500-FT. B</li> <li>PROJECT</li> <li>STAFF REI</li> <li>CORRESPO</li> </ul>	N MAP PER PUBLIC NOTICE UFFER PUBLIC NOTICE REVIEW PORT ONDENCE
<ul> <li>SITE PLAN</li> <li>LANDSCAPE PLAN</li> <li>TREESCAPE PLAN</li> <li>PHOTOMETRIC PLAN</li> <li>BUILDING ELEVATIONS</li> <li>MATERIAL SAMPLES</li> <li>COLOR RENDERING</li> </ul>	COPY-MA CITY COU MINUTES PLAT FILE CABINE	NCIL MINUTES-LASERFICHE
PLATTING APPLICATION	NOTES:	
<ul> <li>MASTER PLAT</li> <li>PRELIMINARY PLAT</li> <li>FINAL PLAT</li> <li>REPLAT</li> <li>ADMINISTRATIVE/MINOR PLAT</li> <li>VACATION PLAT</li> <li>LANDSCAPE PLAN</li> <li>TREESCAPE PLAN</li> </ul>	ZONING MAP	PUPDATED

	C				_			
	DEVELOPM		TION		FUSEON	ASE NO.	2019-1	211
	City of Rockwall				THE APPLICATION	. (	DERED ACCEP	TED BY THE
	Planning and Zo	nt	and the second sec	INTIL THE PLANNIN D BELOW.	NG DIRECTOR A	ND CITY ENGI	NEER HAVE	
	385 S. Goliad Stre			DIREC	TOR OF PLANNING	5:		
	Rockwall, Texas 7	5087	1	CITY E	NGINEER:			
Please check the ap	propriate box below to ir	ndicate the type of deve	elopment req	uest (R	esolution No. (	05-22) [SELE	CT ONLY OI	VE BOX]:
Platting Application Fees: [] Master Plat (\$100.00 + \$15.00 Acre) <sup>1</sup> [] Preliminary Plat (\$200.00 + \$15.00 Acre) <sup>1</sup> Final Plat (\$300.00 + \$20.00 Acre) <sup>1</sup> [] Replat (\$300.00 + \$20.00 Acre) <sup>1</sup> [] Amending or Minor Plat (\$150.00) [] Plat Reinstatement Request (\$100.00)		Zoning Application Fees:         [] Zoning Change (\$200.00 + \$15.00 Acre) <sup>1</sup> [] Specific Use Permit (\$200.00 + \$15.00 Acre) <sup>1</sup> [] PD Development Plans (\$200.00 + \$15.00 Acre) <sup>1</sup> Other Application Fees:         [] Tree Removal (\$75.00)						
	<b>ion Fees:</b> ).00 + \$20.00 Acre) <sup>1</sup> Plan/Elevations/Landscapin	g Plan (\$100.00)	Notes: <sup>1</sup> : In dete the per fee" is re	acre amo	the fee, please us punt. For request	e the exact acro s on less than	eage when mu one acre, onl	ultiplying by y the "base
PROPERTY INFO		1						
Address	556 N Fm	-						
Subdivision	DEVOL PL		J		Lot	1	Block	4
General Location								
ZONING, SITE PI	AN AND PLATTING I		SE PRINT]					
Current Zoning	SF 1.5		Curren	t Use	AG			
Proposed Zoning	SF 1.5		Propose	d Use	RESIDEN	MAL/	AG	
Acreage	6.96	Lots [Current]	1			[Proposed]	1	
[ ] <b>Required for Pla</b> 212.009 of the l	<b>ats:</b> By checking the box at the cost of the box at the cost of t	he left you agree to waive	the statutory	time lin	nit for plat appro	oval in accord	lance with Se	ection
OWNER/APPLIC	ANT/AGENT INFORM	ATION [PLEASE PRINT/C	CHECK THE PRIN	/ARY CO	NTACT/ORIGINAL	SIGNATURES	ARE REQUIREI	D]
[ ] Owner	Judy K	Larson	[ ] Appli					
Contact Person			Contact Pe	rson				
Address	P.0, Box 1	33	Ado	lress				
City, State & Zip	Fate TX	75132	City, State 8	& Zip				
Phone	214 244-	8526	Pł	none				
🔆 E-Mail	Phone 214 244-8526 Phone XE-Mail JKLQuilts@New@grail. E-Mail							
<b>NOTARY VERIFIC</b> Before me, the undersign	ATION [REQUIRED] ned authority, on this day perso	nally appeared	con		[Owner/Applicant	t <i>Name</i> ] the u	ndersigned, v	who stated the
information on this application to be true and certified the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$, to cover the cost of this application, has been paid to the City of Rockwall on this the day of, 20 By signing this application I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."								
	d seal of office on this the	0	, 20	•	8 9 8			
Owner	's/Applicant's Signature	Judy Kota	ason		<u> </u>			j
Notary Public in a	nd for the State of Texas	S			My Com	mission Expires	5	



### DEVELOPMENT REVIEW COMMITTEE (DRC) CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

Phone: (972) 771-7745 Email: Planning@Rockwall.com

External Review: Wayne Carter, Charter Communications Jim Friske, Charter Communications Dinah Wood, Atmos Randy Voight, Oncor Phillip Dickerson, Oncor Brian Duncan, AT&T Javier Fernandez, RISD Brenda Callaway, TXDOT Stephen Geiger, Farmer's Electric Frank Spataro, Farmer's Electric

Internal Review: Amy Williams, Engineering John Shannon, Building Inspections Ariana Hargrove, Fire Andy Hesser, Parks Andy Villarreal, Police

From: Planning & Zoning Department

Date: 3/14/2019

To assist the Planning Department in evaluating the attached request, we are sending it to you for your review and comments. Please return any comments and/or plan mark-ups to us within five (5) days. Internal staff will also be required to have all comments input into CRW no later than Friday, 03/22/2019. Planning staff will assemble all comments received in time for our regularly scheduled DRC meeting on 3/26/2019 at 2:00 p.m. The Planning and Zoning Commission work session will be held on 3/26/2019 at 6:00 p.m. You are welcome to attend both meetings. If you have any questions, please contact us at (972) 771-7745.

Project Number:	P2019-011
Project Name:	Lot 1, Block A, Devoll Place Addition
Project Type:	PLAT
Applicant Name:	JUDY K. LARSON
Owner Name:	JUDY K. LARSON
Project Description:	

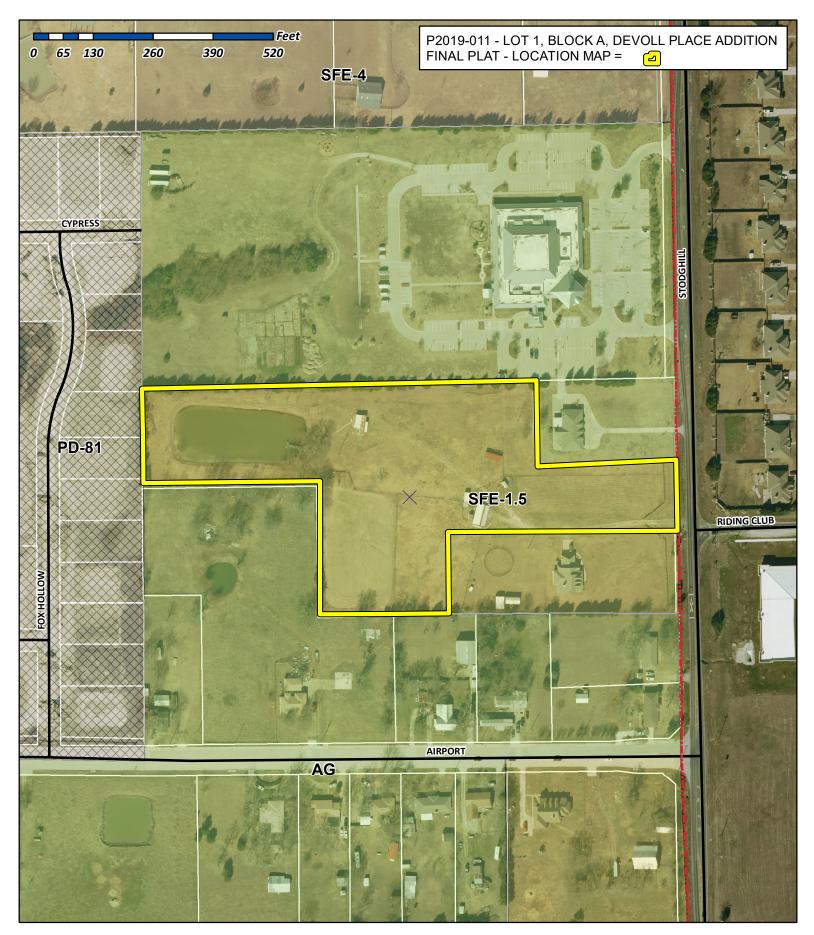


# RECEIPT

### Project Number: P2019-011 Job Address: 556 FM3549 STODGHILL RD ROCKWALL, TX 75087

Account Number	Fee Amount
01-4280	\$ 439.20
	Account Number

01-4280

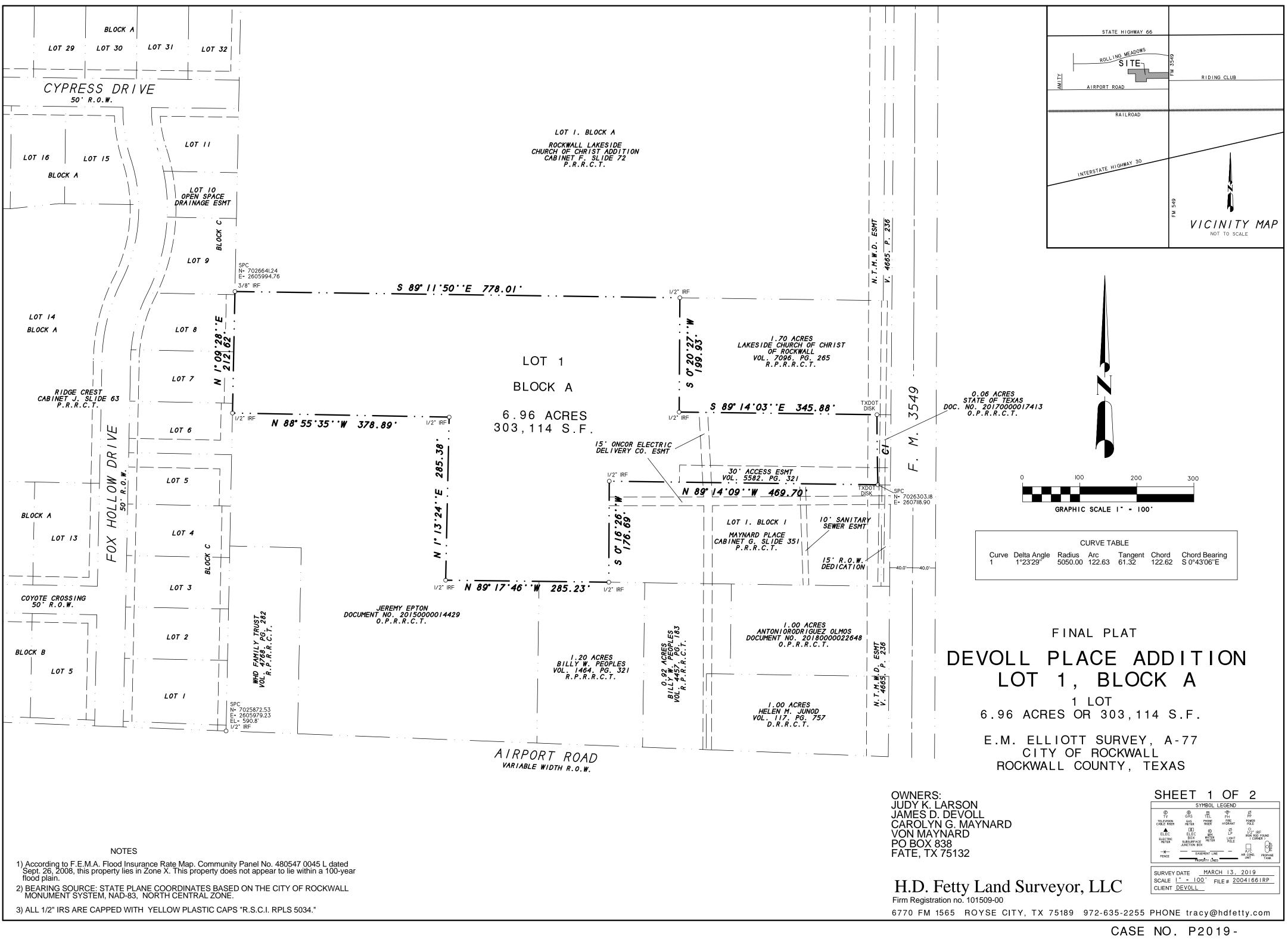




# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





#### **OWNER'S CERTIFICATE** (Public Dedication)

STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS JUDY K. LARSON, JAMES D. DEVOLL, VON and CAROLYN MAYNARD, BEING THE OWNERS OF A TRACT OF land in the City of Rockwall, County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. 77, City of Rockwall, Rockwall County, Texas, and being a part of that 9.033 acres tract as described in a Warranty deed from Cal Cary and Betty Cary to Jess Devoll and Pat J. Devoll, dated September 18, 2000 and being recorded in Volume 1967, Page 79 of the Real Property Records of Rockwall County, Texas, and being more particularly described as

BEGINNING at a 1/2" iron rod found for corner at the southwest corner of Lot 1, Block A, Maynard Place, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 351 of the Plat Records of Rockwall County, Texas and being N. 89 deg. 08 min. 37 sec. W., a distance of 492.01 feet from a 1/2" iron rod pipe in the West right-of-way line of F.M. Highway 3549 at the southeast corner of said Devoll tract;

THENCE N. 89 deg. 17 min. 46 sec. W. a distance of 285.23 feet to a 1/2" iron rod found for corner at the south most southwest corner of said Devoll tract;

THENCE N. 01 deg. 13 min. 24 sec. E. a distance of 285.38 feet to a 1/2" iron rod found for corner

THENCE N. 88 deg. 55 min. 35 sec. W. a distance of 378.89 feet to a 1/2" iron rod found for corner at the west most southwest corner of said Devoll tract and in the east boundary line of Ridge Crest Addition, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet J. Slide 63 of the Plat Records of Rockwall County, Texas;

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THENCE S. 89 deg. 11 min. 50 sec. E. a distance of 778.01 feet to a 1/2" iron rod found for corner:

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THENCE S. 89 deg. 14 min. 03 sec. E. a distance of 345.88 feet to a TXDOT disk monument found for corner in the west right-of-way line of F.M. 3549;

THENCE along a curve to the left having a central angle of 01°23'29", a radius of 5050.00 feet, a tangent of 61.32 feet, a chord bearing of S. 00 deg. 43 min. 06 sec. E., chord distance of 122.62 feet, along said right-of-way, an arch length 122.63 feet, to a TXDOT disk monument found for corner:

THENCE N. 89 deg. 14 min. 03 sec. W. a distance of 169.70 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE S. 00 deg. 16 min. 26 sec. W. along the west boundary line of Maynard Place, a distance of 176.69 feet to the POINT OF BEGINNING and containing 303,114 square feet or 6.96 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as DEVOLL PLACE ADDITION, LOT 1, BLOCK 1, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do 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.

We also understand the following;

No buildings shall be constructed or placed upon, over, or across the utility 1. easements as described herein.

2. 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 at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system 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 grade of streets in the subdivision.

The developer and subdivision engineer shall bear total responsibility for storm drain improvement

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall 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, wate and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We ,our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

VUN	MAYNARD	

CAROLYN MAYNARD

STATE OF TEXAS COUNTY OF ROCKWALL
Defense was the undersigned suther

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoi to me that he executed the same for the purpose and consideration the Given upon my hand and seal of office this \_\_\_\_\_day of \_\_

Notary Public in and for the State of Texas

### STATE OF TEXAS COUNTY OF ROCKWALL

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Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I from an actual and accurate survey of the land, and that the corner mo were properly placed under my personal supervision.

Harold D. Fetty, III Registered Professional Land Surveyor No. 5034



JUDY	K.	LARSON

JAMES D. DEVOLL

appeared VON MAYNARD, ne foregoing instrument, and acknowledged ration therein stated.	NOTE: It shall be the policy of the City of Rockwall to wit all streets, water, sewer and storm drainage systems ha	hhold issuing building permits until ve been accepted by the City. The
My Commission Expires:	NOTE: It shall be the policy of the City of Rockwall to wit all streets, water, sewer and storm drainage systems har approval of a plat by the City does not constitute any rep that any building within such plat shall be approved, auth nor shall such approval constitute any representation, as the adequacy and availability for w ater for personal use as required under Ordinance 83-54.	presenta tion, assurance or guarantee horized or permit therefore issued, ssurance or guarantee by the City of and fire protection within such plat,
appeared CAROLYN MAYNARD, ne foregoing instrument, and acknowledged pration therein stated.	RECOMMENDED FOR FINAL APPROVAL	
,	Planning and Zoning Commission Date	
My Commission Expires:	APPROVED I hereby certify that the above and foregoing plat of DEV an addition to the City of Rockwall, Texas, was approved	OLL PLACE ADDITION, LOT 1, BLOCK A, by the City Council of the City of Rockwall
appeared JUDY K. LARSON, ne foregoing instrument, and acknowledged rration therein stated.	on the day of,,,, This approval shall be invalid unless the approved plat for office of the County Clerk of Rockwall, County, Texas, w from said date of final approval.	or such addition is recorded in the ithin one hundred eighty (180) days
,	Said addition shall be subject to all the requirements of t City of Rockwall.	
My Commission Expires:	WITNESS OUR HANDS, this day of	,
appeared JAMES D. DEVOLL, ne foregoing instrument, and acknowledged eration therein stated.	Mayor, City of Rockwall City	Secretary City of Rockwall
,	City Engineer	
My Commission Expires:		
TS:		
tify that I prepared this plat corner monuments shown thereon		CE ADDITION
TE OF TE+ TE+ Seconstered REGISTERED TO TE+ TO TE+ TO TO TE+ TO TE+ TO TO TO TE+ TO TO TO TO TO TO TO TO TO TO		BLOCK A
HAROLD D. FETTY III		LOT { 303,114 S.F.
SURVE	CITY OF	SURVEY, A-77 ROCKWALL DUNTY, TEXAS
	OWNERS: JUDY K. LARSON JAMES D. DEVOLL	SHEET 2 OF 2
	CAROLYN G. MAYNARD VON MAYNARD PO BOX 838 FATE, TX 75132	© © GAS TEL FH PP TELEVISION GAS PHONE FIRE POLE CABLE RISER NEER RISER HYDRAKIN ELEC ELEC WIM ELECTIC ELEC WIM HETER JUNCTION BOX - EASEMENT_LINE - AR COND. PROPANE UNIT TANK

H.D. Fetty Land Surveyor, LLC Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CASE NO. P2019-

CLIENT DEVOLL

SURVEY DATE MARCH 13, 2019

SCALE 1" - 100' FILE # 20041661RP



### CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT 385 S. GOLIAD STREET • ROCKWALL, TX 75087 PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Planning and Zoning Commission
DATE:	July 9, 2019
APPLICANT:	Judy Larson
CASE NUMBER:	P2019-011; Lot 1, Block A, Devoll Place Addition

#### **SUMMARY**

Discuss and consider a request by Judy K. Larson for the approval of a final plat for Lot 1, Block A, Devoll Place Addition being a 6.96-acre tract of land identified as Tract 26-2 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, situated within the FM-549 Overlay (FM-549 OV) District, addressed as 556 N. FM-3549, and take any action necessary.

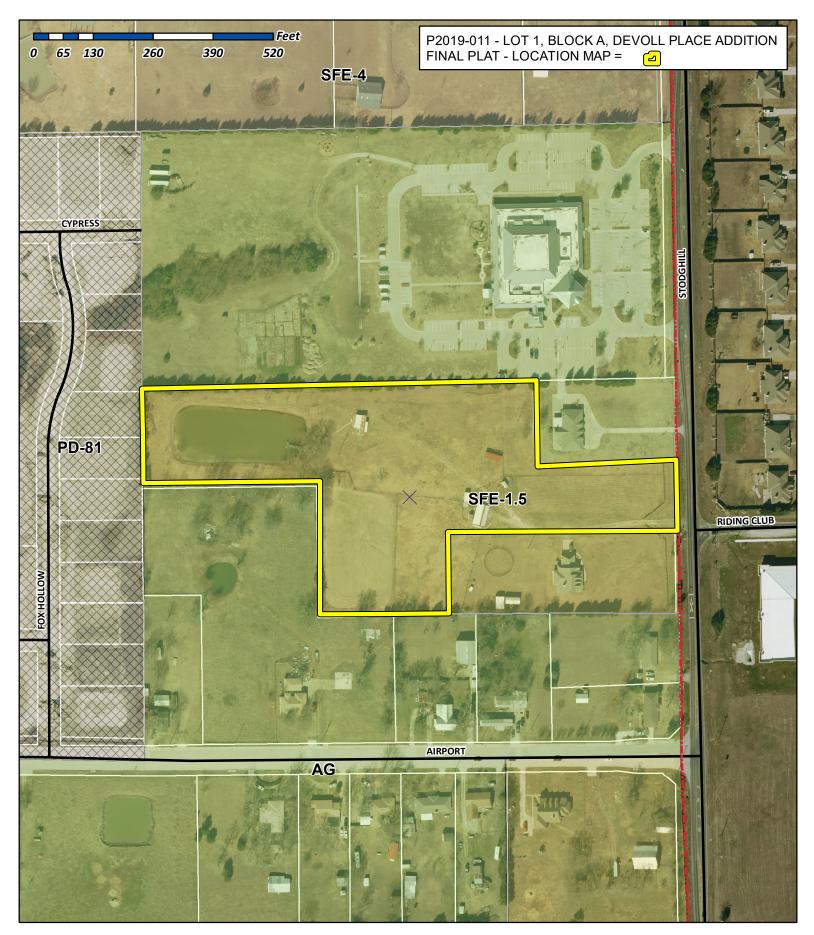
#### PLAT INFORMATION

- ☑ The applicant is requesting to final plat a 6.69-acre tract of land (*i.e. Tract 26-2 of the E. M. Survey, Abstract No.* 77) into one (1) lot (*i.e. Lot 1, Block A, Devoll Place Addition*) for the purpose of constructing a single-family home on Lot 1.
- ☑ The subject property is a 6.69-acre tract of land that was annexed in 1998 [Ordinance No. 98-10]. On September 4, 2018, the City Council approved a change in zoning [Ordinance No. 18-36] from an Agricultural (AG) District to a Single-Family Estate (SFE-1.5) District for the subject property.
- ☑ On June 27, 2019, the Board of Adjustments (BOA) approved a variance [Order No. BOA 2019-6-V] to reduce [1] the required side setback to from 25-feet to six (6) feet, [2] to reduce the minimum lot frontage from 150-feet to 122-feet, and [3] to allow a 1,200 SF accessory building on the subject property. The applicant is also requesting a masonry exception [Case No. MIS2019-007] for the 1,200 SF accessory building [Case No. MIS2019-010].
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

#### CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the final plat for *Lot 1*, *Block A, Devoll Place Addition,* staff would propose the following conditions of approval:

- (1) The Final Plat shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

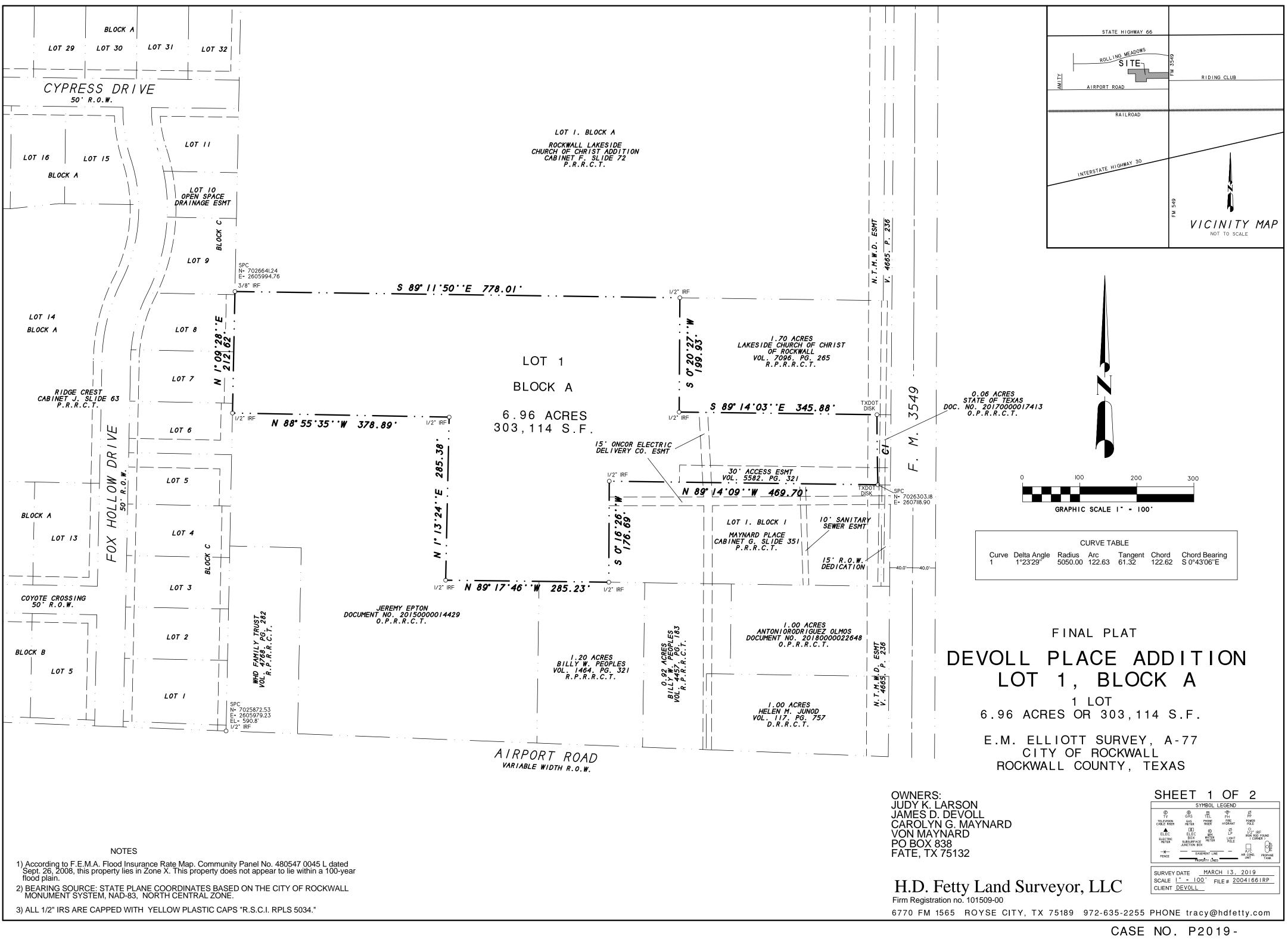




# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





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All that certain lot, tract or parcel of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. 77, City of Rockwall, Rockwall County, Texas, and being a part of that 9.033 acres tract as described in a Warranty deed from Cal Cary and Betty Cary to Jess Devoll and Pat J. Devoll, dated September 18, 2000 and being recorded in Volume 1967, Page 79 of the Real Property Records of Rockwall County, Texas, and being more particularly described as

BEGINNING at a 1/2" iron rod found for corner at the southwest corner of Lot 1, Block A, Maynard Place, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 351 of the Plat Records of Rockwall County, Texas and being N. 89 deg. 08 min. 37 sec. W., a distance of 492.01 feet from a 1/2" iron rod pipe in the West right-of-way line of F.M. Highway 3549 at the southeast corner of said Devoll tract;

THENCE N. 89 deg. 17 min. 46 sec. W. a distance of 285.23 feet to a 1/2" iron rod found for corner at the south most southwest corner of said Devoll tract;

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NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as DEVOLL PLACE ADDITION, LOT 1, BLOCK 1, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do 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.

We also understand the following;

No buildings shall be constructed or placed upon, over, or across the utility 1. easements as described herein.

2. 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 at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

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5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall 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, wate and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We ,our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

VUN	MAYNARD	

CAROLYN MAYNARD

STATE OF TEXAS COUNTY OF ROCKWALL
Defense was the undersigned suther

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoi to me that he executed the same for the purpose and consideration the Given upon my hand and seal of office this \_\_\_\_\_day of \_\_

Notary Public in and for the State of Texas

### STATE OF TEXAS COUNTY OF ROCKWALL

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Notary Public in and for the State of Texas

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Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I from an actual and accurate survey of the land, and that the corner mo were properly placed under my personal supervision.

Harold D. Fetty, III Registered Professional Land Surveyor No. 5034



JUDY	K.	LARSON

JAMES D. DEVOLL

appeared VON MAYNARD, ne foregoing instrument, and acknowledged ration therein stated.	NOTE: It shall be the policy of the City of Rockwall to all streets, water, sewer and storm drainage systems it	withhold issuing building permits until have been accepted by the City. The
My Commission Expires:	NOTE: It shall be the policy of the City of Rockwall to all streets, water, sewer and storm drainage systems is approval of a plat by the City does not constitute any r that any building within such plat shall be approved, an nor shall such approval constitute any representation, the adequacy and availability for w ater for personal us as required under Ordinance 83-54.	epresenta tion, assurance or guarantee uthorized or permit therefore issued, assurance or guarantee by the City of se and fire protection within such plat,
appeared CAROLYN MAYNARD, ne foregoing instrument, and acknowledged pration therein stated.	RECOMMENDED FOR FINAL APPROVAL	
,	Planning and Zoning Commission Date	
My Commission Expires:	APPROVED I hereby certify that the above and foregoing plat of DI an addition to the City of Rockwall, Texas, was approv	EVOLL PLACE ADDITION, LOT 1, BLOCK A, /ed by the City Council of the City of Rockwall
appeared JUDY K. LARSON, ne foregoing instrument, and acknowledged rration therein stated.	JUDY K. LARSON. This approval shall be invalid unless the approved plat for such addition is recorded	
,	Said addition shall be subject to all the requirements of City of Rockwall.	
My Commission Expires:	WITNESS OUR HANDS, this day of	,
appeared JAMES D. DEVOLL, ne foregoing instrument, and acknowledged eration therein stated.	Mayor, City of Rockwall Ci	ity Secretary City of Rockwall
,	City Engineer	
My Commission Expires:		
TS:		
tify that I prepared this plat corner monuments shown thereon		AL PLAT
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$\begin{array}{c} & 5034 \\ & & 6_{ESS} \times 0^{N} \\ & & & 6_{SS} \times 0^{N} \\ \end{array}$		LOT DR 303,114 S.F.
SURVE SURVE	CITY OF	T SURVEY, A-77 ROCKWALL COUNTY, TEXAS
	OWNERS: JUDY K. LARSON JAMES D. DEVOLL	SHEET 2 OF 2 SYMBOL LEGEND © TV © AS TEL PP PP

H.D. Fetty Land Surveyor, LLC Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CASE NO. P2019-

CLIENT DEVOLL

SURVEY DATE MARCH 13, 2019

SCALE 1" - 100' FILE # 20041661RP

### ORDER OF THE BOARD OF ADJUSTMENT OF THE CITY OF ROCKWALL, TEXAS

### ORDER NO. BOA 2019-6-V

WHEREAS, the Board of Adjustment held a public hearing on the 27th day of June, 2019, to consider the application of Judy Larson, as owner for the tract of land described below, for a variance from the Residential Single Family Zoning to reduce the required side lot set back, and minimum lot frontage from 150 ft. to 122.63 ft. known as 556 N. FM 3549, in order to construct a new free standing 1200 ft. accessary building.

WHEREAS, the applicant requested a variance from the said zoning which requires 25' side lot set back for property within the SFE 1.5 district. To allow a 6' side lot set-back, and minimum lot frontage from 150 ft. to 122.63 ft. for Lot 556 N FM 3549.

WHEREAS, after due consideration and discussion it appears that the granting of such variances would not cause an adverse effect on the surrounding properties and would not be contrary to the public interest.

#### NOW, THEREFORE BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF ROCKWALL, TEXAS:

<u>Section 1.</u> That all of the above premises are found and determined to be true and correct and are incorporated into the body of this order as if copied in their entirety.

Section 2. That the request from the applicant for this Board to grant a variance from the zoning, be and in the same is hereby granted so as to allow 6' lot set back and minimum lot frontage from 150 ft. to 122.63 ft. on the North West side of lot 556 N. FM 3549

Section 3. That the Building Official of the City is hereby authorized and directed to issue the appropriate permits, if any, for the above described property under the terms and conditions of this Order.

Section 4. That this Order was passed by the concurring vote of at least four (4) members of the Board of Adjustment and is effective as of the 27th day of June, 2019,

TTES ecretary

**APPROVED:** Chairman



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087 PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council	
DATE:	July 15, 2019	
APPLICANT:	Judy Larson	
CASE NUMBER:	P2019-011; Lot 1, Block A, Devoll Place Addition	

#### **SUMMARY**

Discuss and consider a request by Judy K. Larson for the approval of a final plat for Lot 1, Block A, Devoll Place Addition being a 6.96-acre tract of land identified as Tract 26-2 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, situated within the FM-549 Overlay (FM-549 OV) District, addressed as 556 N. FM-3549, and take any action necessary.

#### PLAT INFORMATION

- ☑ The applicant is requesting to final plat a 6.69-acre tract of land (*i.e. Tract 26-2 of the E. M. Survey, Abstract No.* 77) into one (1) lot (*i.e. Lot 1, Block A, Devoll Place Addition*) for the purpose of constructing a single-family home on Lot 1.
- ☑ The subject property is a 6.69-acre tract of land that was annexed in 1998 [Ordinance No. 98-10]. On September 4, 2018, the City Council approved a change in zoning [Ordinance No. 18-36] from an Agricultural (AG) District to a Single-Family Estate (SFE-1.5) District for the subject property.
- ☑ On June 27, 2019, the Board of Adjustments (BOA) approved a variance [Order No. BOA 2019-6-V] to reduce [1] the required side setback to from 25-feet to six (6) feet, [2] to reduce the minimum lot frontage from 150-feet to 122-feet, and [3] to allow a 1,200 SF accessory building on the subject property. The applicant is also requesting a masonry exception [Case No. MIS2019-007] for the 1,200 SF accessory building [Case No. MIS2019-010].
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

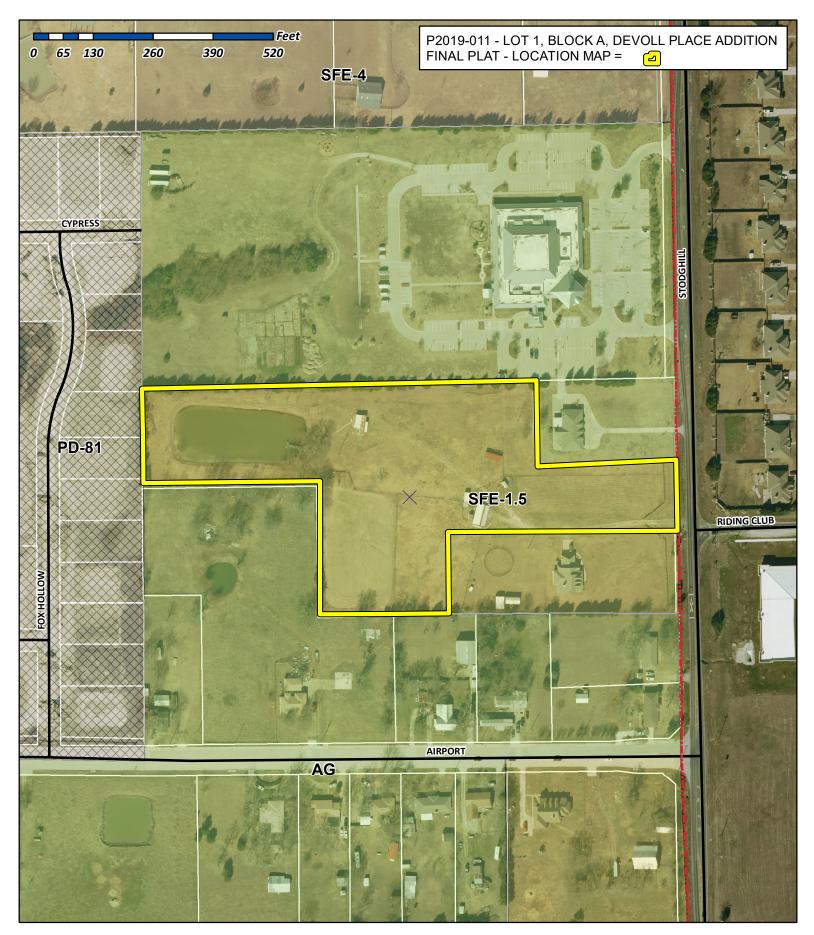
#### CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the final plat for *Lot 1*, *Block A, Devoll Place Addition*, staff would propose the following conditions of approval:

- (1) The Final Plat shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### PLANNING AND ZONING COMMISSION

On July 9, 2019, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commissioner Fishman absent.

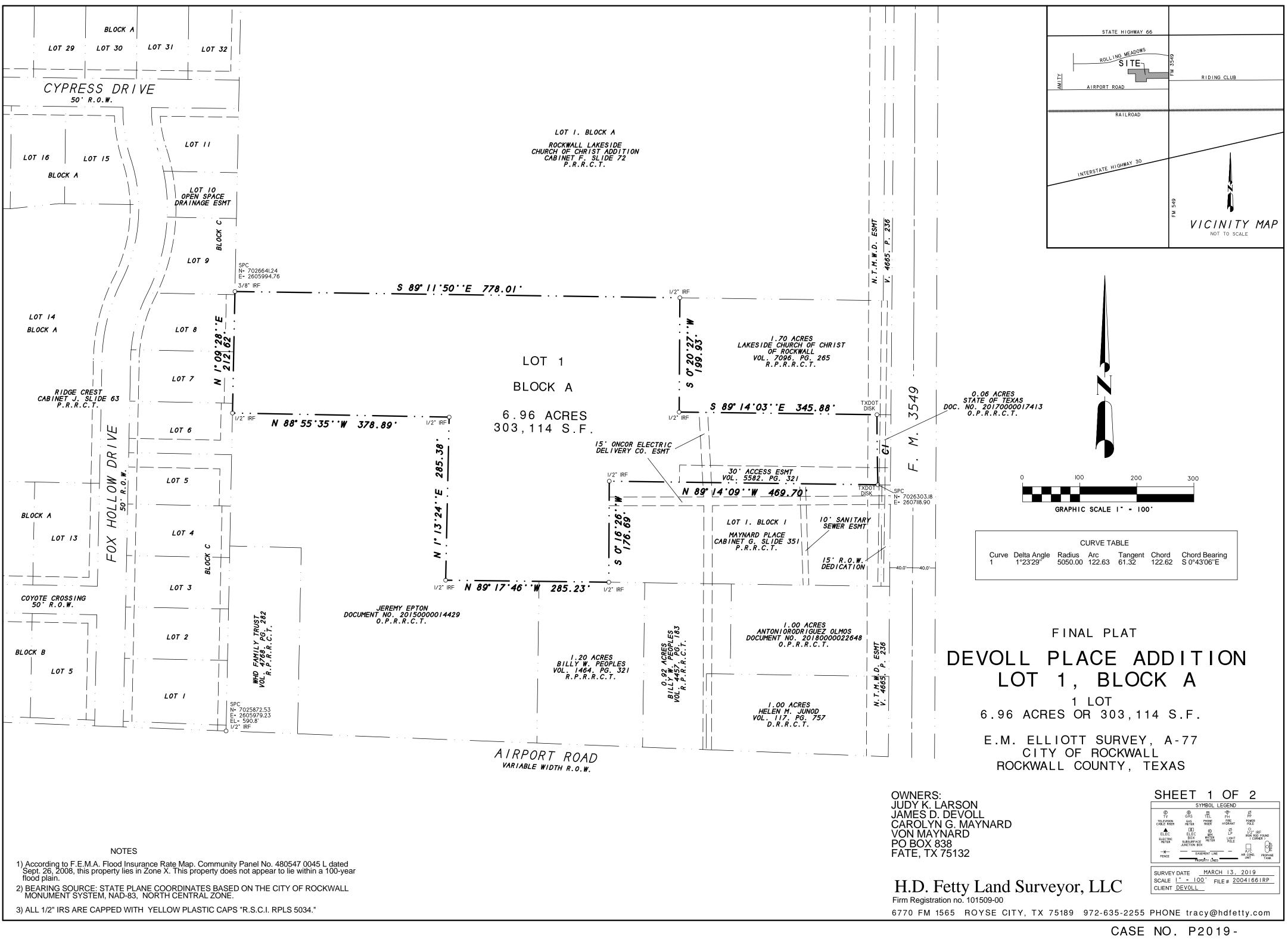




# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





#### **OWNER'S CERTIFICATE** (Public Dedication)

STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS JUDY K. LARSON, JAMES D. DEVOLL, VON and CAROLYN MAYNARD, BEING THE OWNERS OF A TRACT OF land in the City of Rockwall, County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. 77, City of Rockwall, Rockwall County, Texas, and being a part of that 9.033 acres tract as described in a Warranty deed from Cal Cary and Betty Cary to Jess Devoll and Pat J. Devoll, dated September 18, 2000 and being recorded in Volume 1967, Page 79 of the Real Property Records of Rockwall County, Texas, and being more particularly described as

BEGINNING at a 1/2" iron rod found for corner at the southwest corner of Lot 1, Block A, Maynard Place, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 351 of the Plat Records of Rockwall County, Texas and being N. 89 deg. 08 min. 37 sec. W., a distance of 492.01 feet from a 1/2" iron rod pipe in the West right-of-way line of F.M. Highway 3549 at the southeast corner of said Devoll tract;

THENCE N. 89 deg. 17 min. 46 sec. W. a distance of 285.23 feet to a 1/2" iron rod found for corner at the south most southwest corner of said Devoll tract;

THENCE N. 01 deg. 13 min. 24 sec. E. a distance of 285.38 feet to a 1/2" iron rod found for corner

THENCE N. 88 deg. 55 min. 35 sec. W. a distance of 378.89 feet to a 1/2" iron rod found for corner at the west most southwest corner of said Devoll tract and in the east boundary line of Ridge Crest Addition, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet J. Slide 63 of the Plat Records of Rockwall County, Texas;

THENCE N. 01 deg. 09 min. 28 sec. E. a distance of 212.62 feet to a 3/8" iron rod found for corner at the northwest corner of said Devoll tract;

THENCE S. 89 deg. 11 min. 50 sec. E. a distance of 778.01 feet to a 1/2" iron rod found for corner:

THENCE S. 00 deg. 20 min. 27 sec. W. a distance of 199.93 feet to a 1/2" iron rod found for corner:

THENCE S. 89 deg. 14 min. 03 sec. E. a distance of 345.88 feet to a TXDOT disk monument found for corner in the west right-of-way line of F.M. 3549;

THENCE along a curve to the left having a central angle of 01°23'29", a radius of 5050.00 feet, a tangent of 61.32 feet, a chord bearing of S. 00 deg. 43 min. 06 sec. E., chord distance of 122.62 feet, along said right-of-way, an arch length 122.63 feet, to a TXDOT disk monument found for corner:

THENCE N. 89 deg. 14 min. 03 sec. W. a distance of 169.70 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE S. 00 deg. 16 min. 26 sec. W. along the west boundary line of Maynard Place, a distance of 176.69 feet to the POINT OF BEGINNING and containing 303,114 square feet or 6.96 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as DEVOLL PLACE ADDITION, LOT 1, BLOCK 1, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do 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.

We also understand the following;

No buildings shall be constructed or placed upon, over, or across the utility 1. easements as described herein.

2. 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 at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system 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 grade of streets in the subdivision.

The developer and subdivision engineer shall bear total responsibility for storm drain improvement

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall 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, wate and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We ,our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

VUN	MAYNARD	

CAROLYN MAYNARD

STATE OF TEXAS COUNTY OF ROCKWALL
Defense was the undersigned suther

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoi to me that he executed the same for the purpose and consideration the Given upon my hand and seal of office this \_\_\_\_\_day of \_\_

Notary Public in and for the State of Texas

### STATE OF TEXAS COUNTY OF ROCKWALL

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Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I from an actual and accurate survey of the land, and that the corner mo were properly placed under my personal supervision.

Harold D. Fetty, III Registered Professional Land Surveyor No. 5034



JUDY	K.	LARSON

JAMES D. DEVOLL

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appeared CAROLYN MAYNARD, ne foregoing instrument, and acknowledged pration therein stated.	RECOMMENDED FOR FINAL APPROVAL	
,	Planning and Zoning Commission Date	
My Commission Expires:	APPROVED I hereby certify that the above and foregoing plat of DI an addition to the City of Rockwall, Texas, was approv	EVOLL PLACE ADDITION, LOT 1, BLOCK A, /ed by the City Council of the City of Rockwall
appeared JUDY K. LARSON, ne foregoing instrument, and acknowledged rration therein stated.	JUDY K. LARSON. This approval shall be invalid unless the approved plat for such addition is recorded	
,	Said addition shall be subject to all the requirements of City of Rockwall.	
My Commission Expires:	WITNESS OUR HANDS, this day of	,
appeared JAMES D. DEVOLL, ne foregoing instrument, and acknowledged eration therein stated.	Mayor, City of Rockwall Ci	ity Secretary City of Rockwall
,	City Engineer	
My Commission Expires:		
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tify that I prepared this plat corner monuments shown thereon		AL PLAT
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SURVE	CITY OF	T SURVEY, A-77 ROCKWALL COUNTY, TEXAS
	OWNERS: JUDY K. LARSON JAMES D. DEVOLL	SHEET 2 OF 2 SYMBOL LEGEND © TV © AS TEL PP PP

H.D. Fetty Land Surveyor, LLC Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CASE NO. P2019-

CLIENT DEVOLL

SURVEY DATE MARCH 13, 2019

SCALE 1" - 100' FILE # 20041661RP

### ORDER OF THE BOARD OF ADJUSTMENT OF THE CITY OF ROCKWALL, TEXAS

### ORDER NO. BOA 2019-6-V

WHEREAS, the Board of Adjustment held a public hearing on the 27th day of June, 2019, to consider the application of Judy Larson, as owner for the tract of land described below, for a variance from the Residential Single Family Zoning to reduce the required side lot set back, and minimum lot frontage from 150 ft. to 122.63 ft. known as 556 N. FM 3549, in order to construct a new free standing 1200 ft. accessary building.

WHEREAS, the applicant requested a variance from the said zoning which requires 25' side lot set back for property within the SFE 1.5 district. To allow a 6' side lot set-back, and minimum lot frontage from 150 ft. to 122.63 ft. for Lot 556 N FM 3549.

WHEREAS, after due consideration and discussion it appears that the granting of such variances would not cause an adverse effect on the surrounding properties and would not be contrary to the public interest.

#### NOW, THEREFORE BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF ROCKWALL, TEXAS:

<u>Section 1.</u> That all of the above premises are found and determined to be true and correct and are incorporated into the body of this order as if copied in their entirety.

Section 2. That the request from the applicant for this Board to grant a variance from the zoning, be and in the same is hereby granted so as to allow 6' lot set back and minimum lot frontage from 150 ft. to 122.63 ft. on the North West side of lot 556 N. FM 3549

Section 3. That the Building Official of the City is hereby authorized and directed to issue the appropriate permits, if any, for the above described property under the terms and conditions of this Order.

Section 4. That this Order was passed by the concurring vote of at least four (4) members of the Board of Adjustment and is effective as of the 27th day of June, 2019,

TTES ecretary

**APPROVED:** Chairman



August 14, 2019

ATTN: JUDY KAY LARSON JUDY K. LARSON P.O. BOX 133, Fate, TX 75132

#### RE: FINAL PLAT (P2019-011), Lot 1, Block A, Devoll Place Addition

Dear Applicant:

This letter serves to notify you that the above referenced platting case that you submitted before the City of Rockwall was approved by City Council on 07/15/2019. The following is a record of all recommendations, voting records and conditions of approval:

#### CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the final plat for Lot 1, Block *A*, Devoll Place Addition, staff would propose the following conditions of approval:

(1) The Final Plat shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On July 9, 2019, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commissioner Fishman absent.

CITY COUNCIL:

On July 15, 2019, the City Council's motion to approve the final plat with staff conditions passed by a vote of 6-0, with Mayor Pruitt absent.

Prior to submitting the required materials for filing please send/submit to staff a bonded or PDF copy of the plat to ensure that all staff's comments have been addressed. Once staff has verified all comments have been addressed, please submit a minimum of one (1) sets of mylars, one (1) tax certificate for each property being platted, and a check made out to the Rockwall County Clerk's Office for the required filing fees. See the following example for calculation of fees: Mylars = \$50 per page (Ex.2 page plat= \$100) Tax Certificates= \$30.00 for the 1st certificate and \$4.00 for each additional certificate. (2 properties= \$30+\$4= \$34. Total filing fees for a 2 page plat with tax certificates = \$134.00. Please note if submitting mylars between September 1st thru December 31st, tax receipts must also be filed with the plat that will incur a fee of \$4.00 per tax receipt.

Please note that all replats or final plats must be filed with Rockwall County within 180 days of the approval date. *If the 180-day deadline is missed, the plat shall be deemed expired and must be resubmitted for approval.* 



For information about the procedures and required materials to file a plat, or for any other additional questions on this matter, please contact Planning staff at (972) 771-7745.

Sincerely,

Korey Brooks, AICP Senior Planner Planning & Zoning Department City of Rockwall, TX