



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # M152020-012 P&Z DATE 10/13/20 CC DATE 10/19/20 APPROVED/DENIED \_\_\_\_\_  
ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

ZONING APPLICATION
<input type="checkbox"/> SPECIFIC USE PERMIT
<input type="checkbox"/> ZONING CHANGE
<input type="checkbox"/> PD CONCEPT PLAN
<input type="checkbox"/> PD DEVELOPMENT PLAN

SITE PLAN APPLICATION
<input type="checkbox"/> SITE PLAN
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN
<input type="checkbox"/> PHOTOMETRIC PLAN
<input type="checkbox"/> BUILDING ELEVATIONS
<input type="checkbox"/> MATERIAL SAMPLES
<input type="checkbox"/> COLOR RENDERING

PLATTING APPLICATION
<input type="checkbox"/> MASTER PLAT
<input type="checkbox"/> PRELIMINARY PLAT
<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REPLAT
<input type="checkbox"/> ADMINISTRATIVE/MINOR PLAT
<input type="checkbox"/> VACATION PLAT
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN

<input type="checkbox"/> COPY OF ORDINANCE (ORD.# _____)
<input checked="" type="checkbox"/> APPLICATIONS
<input checked="" type="checkbox"/> RECEIPT
<input checked="" type="checkbox"/> LOCATION MAP
<input type="checkbox"/> HOA MAP
<input type="checkbox"/> PON MAP
<input type="checkbox"/> FLU MAP
<input type="checkbox"/> NEWSPAPER PUBLIC NOTICE
<input type="checkbox"/> 500-FT. BUFFER PUBLIC NOTICE
<input type="checkbox"/> PROJECT REVIEW
<input type="checkbox"/> STAFF REPORT
<input type="checkbox"/> CORRESPONDENCE
<input type="checkbox"/> COPY-ALL PLANS REQUIRED
<input type="checkbox"/> COPY-MARK-UPS
<input type="checkbox"/> CITY COUNCIL MINUTES-LASERFICHE
<input type="checkbox"/> MINUTES-LASERFICHE
<input type="checkbox"/> PLAT FILED DATE _____
<input type="checkbox"/> CABINET # _____
<input type="checkbox"/> SLIDE # _____
<b>NOTES:</b> _____
_____
_____
_____
_____
<b>ZONING MAP UPDATED</b> _____



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. MIS2020-012

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE 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> \$303.60
- Amending or Minor Plat (\$150.00)
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### Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 848 & 840 LAKESIDE DRIVE  
 Subdivision ROCKWALL LAKESTATES 1 REPLAT Lot 280 + 281 Block B  
 General Location LAKESIDE & TRUIT

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning R Current Use RESIDENTIAL  
 Proposed Zoning R Proposed Use RESIDENTIAL  
 Acreage \_\_\_\_\_ Lots [Current] 2 Lots [Proposed] 2

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input checked="" type="checkbox"/> Owner	ROBERT AVALOS & LATONIA BAKER	<input checked="" type="checkbox"/> Applicant	HAROLD D. FETTY III
Contact Person	ROBERT	Contact Person	
Address	848 LAKESIDE DRIVE	Address	6770 FM 1565
City, State & Zip	ROCKWALL, TX 75082	City, State & Zip	ROYSE CITY, TX 75189
Phone	469-338-9245	Phone	972-635-2255
E-Mail		E-Mail	tracy.e.hdfetty.com

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am 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."

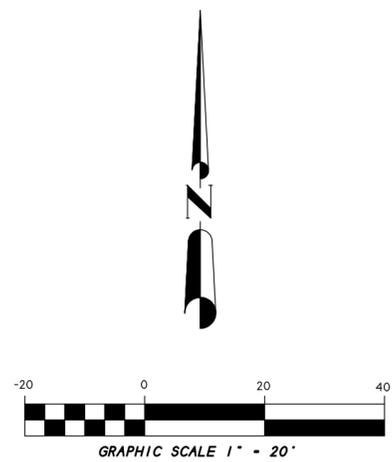
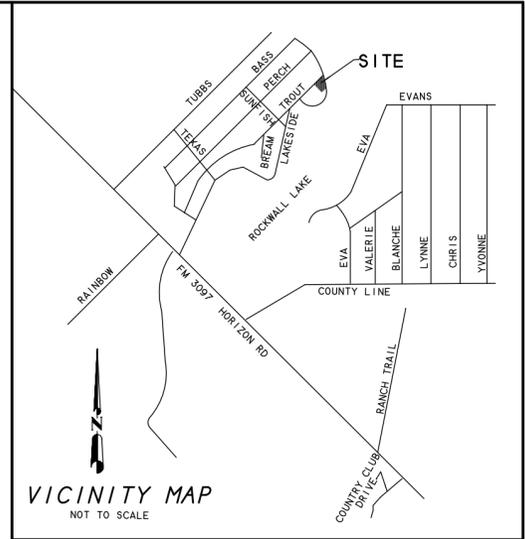
Given under my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Owner's Signature

Notary Public in and for the State of Texas

My Commission Expires

CURVE TABLE						
NUMBER	RADIUS	ARC	CHORD	TANGENT	BEARING	CENTRAL ANGLE
C1	345.00	60.73	60.65	30.44	S 11°13'42"E	10°05'07"



FINAL PLAT  
**ROCKWALL LAKE ESTATES WEST**  
**LOTS 1 & 2, BLOCK L**

BEING A REPLAT OF  
 LOTS 280 & 281  
 BLOCK B  
 AN ADDITION TO THE  
 CITY OF ROCKWALL  
 BEING 7965 S.F. OR 0.18 ACRES  
 WELLS SURVEY, A-219  
 ROCKWALL COUNTY, TEXAS

OWNER:  
 ROBERTO AVALOS  
 848 LAKESIDE DRIVE  
 ROCKWALL, TEXAS 75032

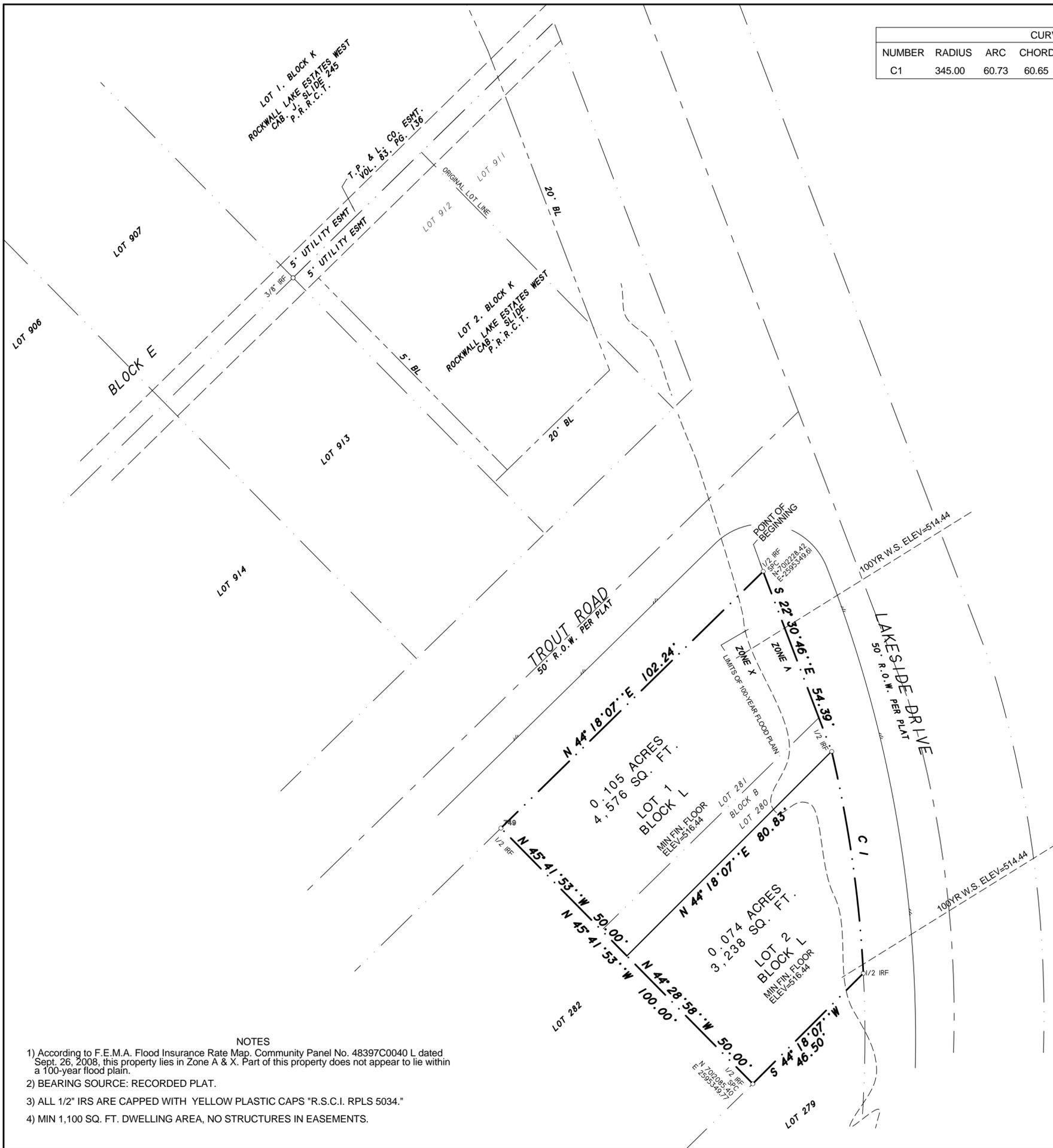
LATONIA BAKER  
 840 LAKESIDE DRIVE  
 ROCKWALL, TEXAS 75032

**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

**SHEET 1 OF 2**

SURVEY DATE AUGUST 30, 2020  
 SCALE 1" = 20' FILE # 20050067-RP  
 CLIENT AVALOS



- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0040 L dated Sept. 26, 2008, this property lies in Zone A & X. Part of this property does not appear to lie within a 100-year flood plain.
  - 2) BEARING SOURCE: RECORDED PLAT.
  - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."
  - 4) MIN 1,100 SQ. FT. DWELLING AREA, NO STRUCTURES IN EASEMENTS.

OWNER'S CERTIFICATE  
(Public Dedication)

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS, ROBERTO AVALOS and LATONIA BAKER, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING known as Lots 280 and Lot 281 in Block E, of ROCKWALL LAKE DEVELOPMENT NO. 1 formerly LAKE ECHO, an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 29 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the south right-of-way of Trout Road (50' right-of-way) and the west right-of-way of Lakeside Drive (50' right-of-way ) and at the northeast corner of Lot 281;

THENCE S. 22 deg. 30 min. 46 sec. E. along the west right-of-way line of Lakeside Drive, a distance of 54.39 feet to a 1/2" iron rod found for corner;

THENCE along a curve to the right having a central angle of 10°05'07", a radius of 345.00 feet, a tangent of 30.44 feet, a chord of S. 11 deg. 13 min. 42 sec. E., 60.65 feet and along the southwest right-of-way of Lakeside Drive, an arc distance of 60.73 feet to a 1/2" iron rod found for corner;

THENCE S. 44 deg. 18 min. 07 sec. W. a distance of 46.50 feet to a 1/2" iron rod found for corner;

THENCE N. 45 deg. 41 min. 53 sec. W. a distance of 100.00 feet to a 1/2" iron rod found for corner in the south right-of-way line of Trout Road;

THENCE N. 44 deg. 18 min. 07 sec. W. along said right-of-way line of Trout Road, a distance of 102.24 feet to the POINT OF BEGINNING and containing 7,813 square feet or 0.18 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 ROCKWALL LAKE ESTATES WEST, LOTS 1 & 2, BLOCK L, an Addition to the City of Rockwall, Texas and whose name is subscribed hereto, hereby dedicated to the use of public forever all streets, alleys parks water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in ROCKWALL LAKE ESTATES WEST, LOTS 1 & 2, BLOCK L 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:

1. No buildings shall be constructed or placed upon, over, or across the utility 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 maintaining, 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.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasional by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such properties within the drainage area are not adversely affected by storm drainage from the development.
6. 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 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, water and sewer, drainage structures, storm 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 and/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 progress 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 may have as a result of the dedication of exaction's made herein.

ROBERTO AVALOS \_\_\_\_\_

LATONIA BAKER \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared ROBERTO AVALOS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas      My Commission Expires:

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared LATONIA BAKER known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas      My Commission Expires:

NOTE: 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 for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

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



RECOMMENDED FOR FINAL APPROVAL

Chairman, Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of ROCKWALL LAKE ESTATES WEST, LOTS 1 & 2, BLOCK L, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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 eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

FINAL PLAT  
ROCKWALL LAKE ESTATES WEST  
LOTS 1 & 2, BLOCK L

BEING A REPLAT OF  
LOTS 280 & 281  
BLOCK B

AN ADDITION TO THE  
CITY OF ROCKWALL  
BEING 7965 S.F. OR 0.18ACRES  
WELLS SURVEY, A-219  
ROCKWALL COUNTY, TEXAS

OWNER:  
ROBERTO AVALOS  
848 LAKESIDE DRIVE  
ROCKWALL, TEXAS 75032

LATONIA BAKER  
840 LAKESIDE DRIVE  
ROCKWALL, TEXAS 75032

SHEET 2 OF 2

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

SURVEY DATE AUGUST 30, 2020  
SCALE 1" = 20' FILE # 20050067-RP  
CLIENT AVALOS

LAKE ECHO  
Sub-Division  
Block E a Continuation  
of Block a & B

Beginning at the North East Corner of Block "a" Unit # 1; Thence N 45 deg 30' E 1235 ft. to a point in County Road, being the N E Corner of Lake Echo Property;  
Thence S 45 deg 30' E 200 ft. with fence line;  
Thence N 63 deg 30' E 3 ft. to N E Corner of lot # 177;  
Thence: In a Southeasterly direction, curve to right, 605 ft.;  
Thence: In Southeasterly direction with curve 660 ft.  
Thence: S 14 deg 30' E 320 ft. to N.E. Corner of lot # 145 section # 1.  
Thence N 88 deg W 160 ft.;  
Thence N 42 deg E 20 ft.;  
Thence N 42 deg 30' E 920 ft. to place of beginning;

I, John Miller owner of the above described property, do hereby adopt the foregoing plan and place same of record for the sole purpose affording the purchasers and owners of lots a convenient legal means of describing said lots without deducting or granting any rights in lakes, roads, alleys, or any portion of said premises and all said roads and alleys shall hence be construed as a grant to the public use, to the contrary of private ways reserved unto ourselves and grantees.

John Miller, Owner.

I, R. L. Halford Rockwall County Surveyor, do hereby certify that I made a survey of the above described property, in the month of July, 1956, and that this plat is made in accordance of the field notes of the same.

R. L. Halford, County Surveyor.

APPROVED FOR FILING:

Ray W. Hall County Judge

ROCKWALL County COMMISSIONERS.

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned Notary Public in and for Rockwall County, Texas, on this day personally appeared John Miller known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Notary Public, Rockwall, Texas.

26 day of October 1956  
DERWOOD WIMPLES  
Notary Public, Rockwall, Texas

N 45°30'E 1235 FT COUNTY ROAD

801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823
846	845	844	843	842	841	840	839	838	837	836	835	834	833	832	831	830	829	828	827	826	825	824

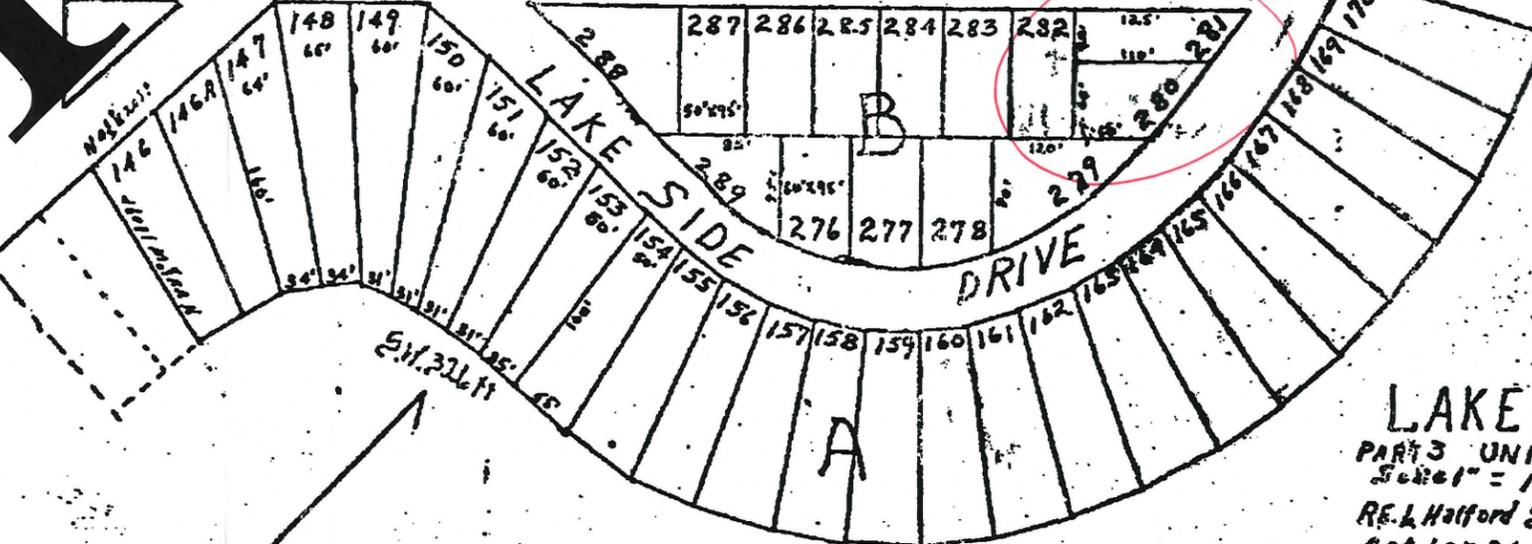
BASS ROAD

847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866
890	889	888	887	886	885	884	883	882	881	880	879	878	877	876	875	874	873	872	871

PERCH ROAD

893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	
929	928	927	926	925	924	923	922	921	920	919	918	917	916	915	914	913	912

TROUT ROAD



LAKE ECHO  
PARTS UNIT #1  
Scale 1" = 100 FT.  
R. L. Halford Surveyor  
October 21, 1956  
Approved by [Signature]

S 45° 30' E 250 FT.

Page 2



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. MIS2020-012

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Contact Person	ROBERT	Contact Person	
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City, State & Zip	ROCKWALL, TX 75082	City, State & Zip	ROYSE CITY, TX 75189
Phone	469-338-9245	Phone	972-635-2255
E-Mail		E-Mail	tracy.e.hdfetty.com

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Owner's Signature

Notary Public in and for the State of Texas

My Commission Expires

0 12.5 25 50 75 100 Feet

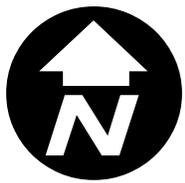
MIS2020-012- VARIANCE REQUEST FOR 848 & 840 LAKESIDE DRIVE  
MISCELLANEOUS - LOCATION MAP = 



## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://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.



**From:** [Tracy Fetty](#)  
**To:** [Miller, Ryan](#)  
**Subject:** 840-848 LAKESIDE  
**Date:** Monday, September 21, 2020 1:43:16 PM  
**Attachments:** [20050067-RP1.PDF](#)  
[20050067-RP2.PDF](#)  
[20200921131318PLT.pdf](#)  
[20200921131156APP.pdf](#)

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See attached plat we discussed this morning.

They have occupied these lots as 50 feet wide each since the houses were built, however no one caught that a replat had not been filed and now one is being sold and a surveyor discovered it.

The two owners would like to replat them as quickly as we can so the sale can happen.

See attached original plat and application as well.

Tracy Fetty

H.D. Fetty Land Surveyor, LLC  
6770 FM 1565  
Royse City, Texas 75189

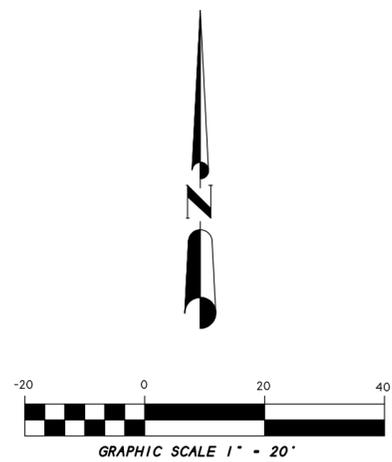
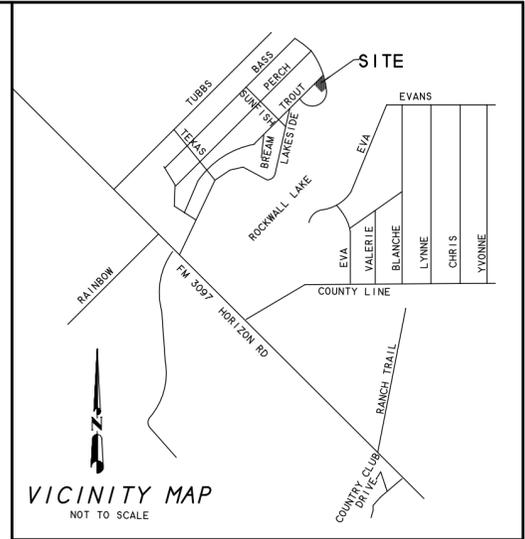
972-635-2255

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CURVE TABLE						
NUMBER	RADIUS	ARC	CHORD	TANGENT	BEARING	CENTRAL ANGLE
C1	345.00	60.73	60.65	30.44	S 11°13'42"E	10°05'07"



FINAL PLAT  
**ROCKWALL LAKE ESTATES WEST**  
**LOTS 1 & 2, BLOCK L**

BEING A REPLAT OF  
 LOTS 280 & 281  
 BLOCK B  
 AN ADDITION TO THE  
 CITY OF ROCKWALL  
 BEING 7965 S.F. OR 0.18 ACRES  
 WELLS SURVEY, A-219  
 ROCKWALL COUNTY, TEXAS

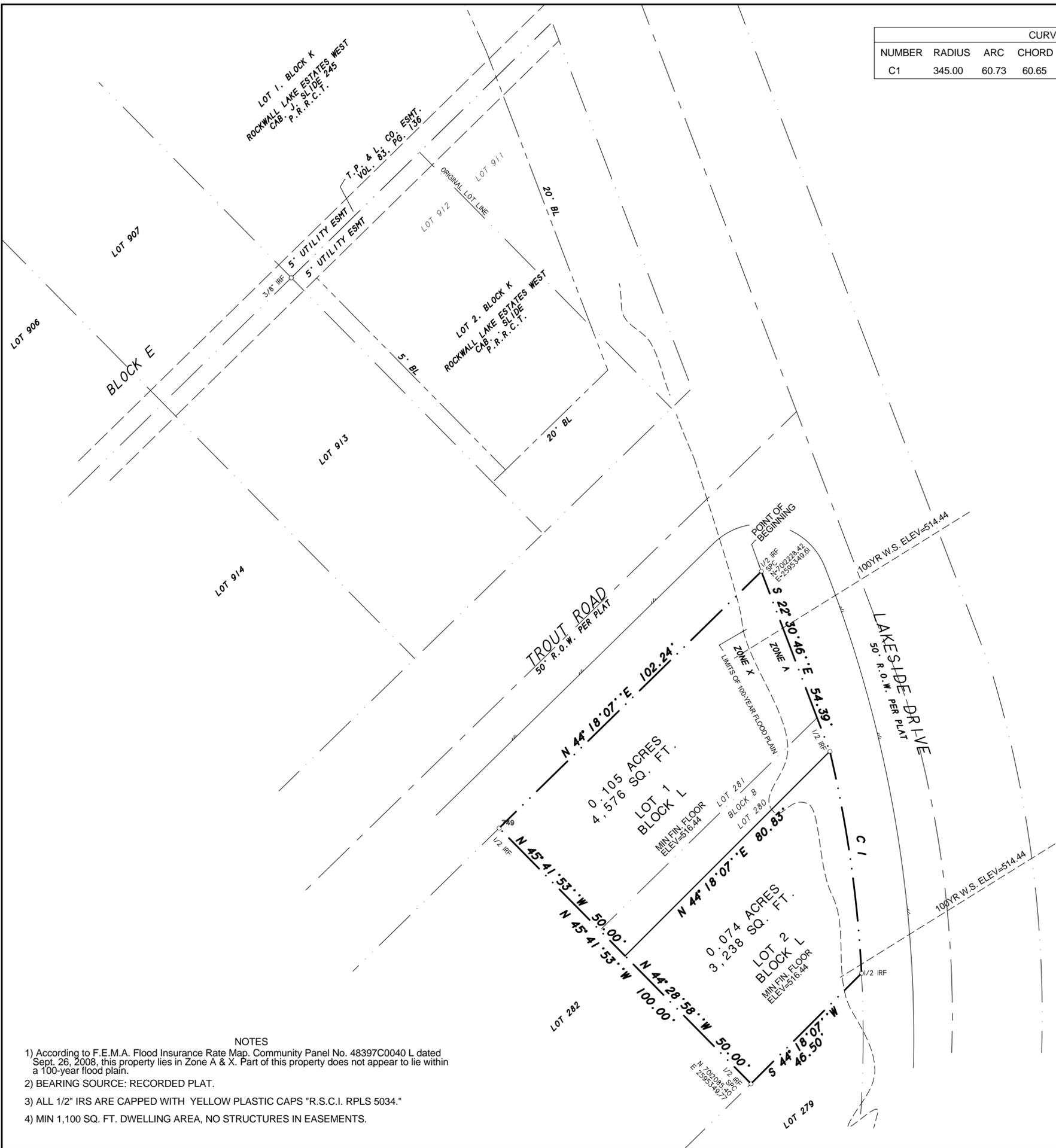
OWNER:  
 ROBERTO AVALOS  
 848 LAKESIDE DRIVE  
 ROCKWALL, TEXAS 75032

LATONIA BAKER  
 840 LAKESIDE DRIVE  
 ROCKWALL, TEXAS 75032

**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

SHEET 1 OF 2  
 SURVEY DATE AUGUST 30, 2020  
 SCALE 1" = 20' FILE # 20050067-RP  
 CLIENT AVALOS



- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0040 L dated Sept. 26, 2008, this property lies in Zone A & X. Part of this property does not appear to lie within a 100-year flood plain.
  - 2) BEARING SOURCE: RECORDED PLAT.
  - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."
  - 4) MIN 1,100 SQ. FT. DWELLING AREA, NO STRUCTURES IN EASEMENTS.

OWNER'S CERTIFICATE  
(Public Dedication)

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS, ROBERTO AVALOS and LATONIA BAKER, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING known as Lots 280 and Lot 281 in Block E, of ROCKWALL LAKE DEVELOPMENT NO. 1 formerly LAKE ECHO, an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 29 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the south right-of-way of Trout Road (50' right-of-way) and the west right-of-way of Lakeside Drive (50' right-of-way ) and at the northeast corner of Lot 281;

THENCE S. 22 deg. 30 min. 46 sec. E. along the west right-of-way line of Lakeside Drive, a distance of 54.39 feet to a 1/2" iron rod found for corner;

THENCE along a curve to the right having a central angle of 10°05'07", a radius of 345.00 feet, a tangent of 30.44 feet, a chord of S. 11 deg. 13 min. 42 sec. E., 60.65 feet and along the southwest right-of-way of Lakeside Drive, an arc distance of 60.73 feet to a 1/2" iron rod found for corner;

THENCE S. 44 deg. 18 min. 07 sec. W. a distance of 46.50 feet to a 1/2" iron rod found for corner;

THENCE N. 45 deg. 41 min. 53 sec. W. a distance of 100.00 feet to a 1/2" iron rod found for corner in the south right-of-way line of Trout Road;

THENCE N. 44 deg. 18 min. 07 sec. W. along said right-of-way line of Trout Road, a distance of 102.24 feet to the POINT OF BEGINNING and containing 7,813 square feet or 0.18 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 ROCKWALL LAKE ESTATES WEST, LOTS 1 & 2, BLOCK L, an Addition to the City of Rockwall, Texas and whose name is subscribed hereto, hereby dedicated to the use of public forever all streets, alleys parks water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in ROCKWALL LAKE ESTATES WEST, LOTS 1 & 2, BLOCK L 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:

1. No buildings shall be constructed or placed upon, over, or across the utility 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 maintaining, 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.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasional by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such properties within the drainage area are not adversely affected by storm drainage from the development.
6. 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 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, water and sewer, drainage structures, storm 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 and/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 progress 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 may have as a result of the dedication of exaction's made herein.

ROBERTO AVALOS \_\_\_\_\_

LATONIA BAKER \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared ROBERTO AVALOS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas      My Commission Expires:

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared LATONIA BAKER known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas      My Commission Expires:

NOTE: 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 for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

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



RECOMMENDED FOR FINAL APPROVAL

Chairman, Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of ROCKWALL LAKE ESTATES WEST, LOTS 1 & 2, BLOCK L, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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 eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

FINAL PLAT  
ROCKWALL LAKE ESTATES WEST  
LOTS 1 & 2, BLOCK L

BEING A REPLAT OF  
LOTS 280 & 281  
BLOCK B

AN ADDITION TO THE  
CITY OF ROCKWALL  
BEING 7965 S.F. OR 0.18ACRES  
WELLS SURVEY, A-219  
ROCKWALL COUNTY, TEXAS

OWNER:  
ROBERTO AVALOS  
848 LAKESIDE DRIVE  
ROCKWALL, TEXAS 75032

LATONIA BAKER  
840 LAKESIDE DRIVE  
ROCKWALL, TEXAS 75032

SHEET 2 OF 2

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

SURVEY DATE AUGUST 30, 2020  
SCALE 1" = 20' FILE # 20050067-RP  
CLIENT AVALOS



# 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:** September 29, 2020  
**APPLICANT:** Harold D. Fetty III; *H.D. Fetty Land Surveyor, LLC*  
**CASE NUMBER:** MIS2020-012; *Special Request for 840 & 848 Lakeside Drive*

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### SUMMARY

Discuss and consider a request by Harold D. Fetty III on behalf of Robert Avalos and Latonia Baker for the approval of a Miscellaneous Case for a special request in accordance with the requirements of Planned Development District 75 (PD-75) [Ordinance No. 16-01] for a 0.179-acre tract of land identified as Lots 280 & 281, Block B, Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 840 & 848 Lakeside Drive, and take any action necessary.

### BACKGROUND

The subject properties were originally platted as Lots 280 & 281 of the Lake Echo Subdivision on October 26, 1956. These properties were later replatted as Lots 280 & 281, Block B, Rockwall Lake Estates #1 Addition. According to the Rockwall Central Appraisal District (RCAD), a single-family home was constructed on each of these lots in 2005. Based on aerial imagery from June 27, 2005, the driveway of the property at 848 Lakeside Drive (*i.e. Lot 281*) appears to be located partially on the property at 840 Lakeside Drive (*i.e. Lot 280*). On February 17, 2009, the subject properties -- *along with the rest of the Lake Rockwall Estates Subdivision* -- was annexed into the City of Rockwall by Ordinance No. 09-07. No changes have been made to these properties since they were annexed. According to the applicant, one (1) of the two (2) properties (*i.e. 848 Lakeside Drive*) is in the process of being sold, and the encroachment of the driveway was discovered by the surveyor. This issue needs to be corrected by replat before the conveyance can be completed.

### PURPOSE

On September 18, 2020, the applicant -- *Harold D. Fetty III of H.D. Fetty Land Surveyor, LLC* -- submitted an appeal for a special request in accordance with the requirements of Planned Development 75 (PD-75) [Ordinance No. 16-01]. The purpose of this request is to clear up an existing encroachment issue in order to facilitate the sale of 848 Lakeside Drive (*i.e. Lot 281*).

### ADJACENT LAND USES AND ACCESS

The subject properties are addressed as 840 & 848 Lakeside Drive. The land uses adjacent to these properties are as follows:

North: Directly north of the subject properties is the intersection of Trout Road and Lakeside Drive. Both of these roadways are classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this intersection are several residential lots zoned Planned Development 75 (PD-75) for Single-Family 7 (SF-7) District land uses. Two (2) of these lots are developed with mobile/manufactured homes. The remaining lots are vacant and situated within the 100-year floodplain. Beyond this is an 11.38-acre parcel of vacant land (*i.e. Lot 1, Block D, Lynden Park Estates, Phase 4*), owned by the City of Rockwall, zoned Planned Development 17 (PD-17) for single-family land uses.

South: Directly south of the subject properties are several lots zoned Planned Development 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These lots are developed with detached single-family homes. Beyond this is Lakeside

Drive, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several more lots zoned Planned Development 75 (PD-75) for Single-Family 7 (SF-7) District land uses. The lots are developed with detached single-family homes. Beyond this is Rockwall Lake.

East: Directly east of the subject properties are two (2) lots zoned Planned Development 75 (PD-75) for Single-Family 7 (SF-7) District land uses. One (1) of the two (2) lots is developed with a detached single-family home and the other lot has a mobile/manufactured home. Beyond this is the northern most point of Rockwall Lake. Beyond this is a 90.5-acre vacant tract of land (*i.e. Tract 3 of the G. Wells Survey, Abstract No. 219*) that is zoned Agriculture (AG) District.

West: Directly west of the subject properties is Trout Road, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are numerous lots zoned Planned Development 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These lots are developed with detached single-family homes. Beyond this is Perch Road, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

**CHARACTERISTICS OF THE REQUEST:**

Based on the concept plan contained within Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] the subject property is located within *Area 1* and is subject to the requirements stipulated in *Ordinance No. 16-01* and the Single-Family 7 (SF-7) District. These requirements are summarized as follows:

Density and Dimensional Requirements	Area 1
Minimum Number of Single-Family Units Per Lot	1
Minimum Lot Width/Frontage <sup>(1)</sup>	50-Feet
Minimum Lot Depth <sup>(1)</sup>	100-Feet
Minimum Lot Area <sup>(1)</sup>	5,000-SF
Minimum Front Yard Setback <sup>(1)</sup>	20-Feet
Minimum Side Yard Setback (Internal Lot) <sup>(1)</sup>	5-Feet
Minimum Side Yard Setback (Adjacent to a Street) <sup>(1)</sup>	20-Feet
Minimum Distance Between Buildings on the Same Lot	10-Feet
Minimum Length of Driveway Pavement <sup>(2)</sup>	20-Feet
Minimum Number of Off-Street Parking Spaces <sup>(3) &amp; (4)</sup>	2
Maximum Height	32-Feet
Minimum Rear Yard Setback	10-Feet
Minimum Area/Dwelling Unit (SF)	1,100-SF
Maximum Lot Coverage	45 %

General Notes:

- 1: These setbacks and frontage requirements may be varied in accordance with Section 3.C, *Consideration of a Special Request, of Ordinance No. 61-01.*
- 2: The minimum length of the driveway pavement as measured from public right-of-way for the rear and side-yard.
- 3: An enclosed garage shall not be considered in meeting the off-street parking requirements.
- 4: Number denotes residential property only. For all other land uses, see Article 06, *Parking and Loading, of the Unified Development Code (UDC).*

In order to facilitate the sale of 848 Lakeside Drive, a ten (10) foot strip will need to be incorporated into this property from 840 Lakeside Drive. Currently, 848 Lakeside Drive is estimated to be ~3,751 SF and 840 Lakeside Drive is estimated to be ~3,948 SF. The applicant's request will increase the size of 848 Lakeside Drive to 4,576 SF, but reduce 840 Lakeside Drive to 3,238 SF. While this brings 848 Lakeside Drive closer to conforming to the minimum lot size requirement and brings it into conformance with the lot frontage requirements (*i.e. a minimum of 50-feet*), it increases the non-conformity of the lot size already existing at 840 Lakeside Drive. Typically, these requests are required to be approved by the Board of Adjustments (BOA) on the basis of a hardship; however, Planned Development District 75 (PD-75) allows the City Council to consider a

special request for all issues not relating to land use. According to Planned Development District 75 (PD-75), "(t)he City Council may consider special requests in the Lake Rockwall Estates Subdivision (*i.e. Area 1 and Area 2 as depicted in Exhibit 'B' [the concept plan] of this ordinance*). Such requests may include, but not necessarily be limited to the use of alternate building materials, reductions in the building setbacks, exceptions to the fencing requirements, or other requests submitted for consideration to the Planning and Zoning Department." In this case, the City Council would be considering a request to allow 840 Lakeside Drive to have a minimum lot size of 3,238 SF. All other requirements concerning this request are deemed to be legally non-conforming or conforming; however, staff has requested that the applicant provide a residential plot plan to document the changes to the building setbacks. In considering this request, staff should point out that the Lake Rockwall Estates Subdivision has existed since 1956, and other similar non-conformities have been documented in this area. This is the reason that these types of situations are permitted to be considered through a special request by the City Council; however, any special request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

### **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's appeal for a *special request*, then staff would propose the following conditions of approval:

- (1) The applicant shall submit a residential plot plan showing conformance to the building setbacks; and,
- (2) Any construction resulting from the approval of this case 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.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. MIS2020-012

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE 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> \$303.60
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- Amended Site Plan/Elevations/Landscaping Plan (\$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)
- Variance Request (\$100.00)

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 848 & 840 LAKESIDE DRIVE  
 Subdivision ROCKWALL LAKESTATES 1 REPLAT Lot 280 + 281 Lot 280-281 Block B  
 General Location LAKESIDE & TRUIT

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning R Current Use RESIDENTIAL  
 Proposed Zoning R Proposed Use RESIDENTIAL  
 Acreage \_\_\_\_\_ Lots [Current] 2 Lots [Proposed] 2

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input checked="" type="checkbox"/> Owner	ROBERT AVALOS & LATONIA BAKER	<input checked="" type="checkbox"/> Applicant	HAROLD D. FETTY III
Contact Person	ROBERT	Contact Person	
Address	848 LAKESIDE DRIVE	Address	6770 FM 1565
City, State & Zip	ROCKWALL, TX 75082	City, State & Zip	ROUSE CITY, TX 75089
Phone	469-338-9245	Phone	972-635-2255
E-Mail		E-Mail	tracy.e.hdfetty.com

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am 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."

Given under my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Owner's Signature

Notary Public in and for the State of Texas

My Commission Expires

0 12.5 25 50 75 100 Feet

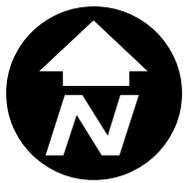
MIS2020-012- VARIANCE REQUEST FOR 848 & 840 LAKESIDE DRIVE  
MISCELLANEOUS - LOCATION MAP = 



## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://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.



**From:** [Tracy Fetty](#)  
**To:** [Miller, Ryan](#)  
**Subject:** 840-848 LAKESIDE  
**Date:** Monday, September 21, 2020 1:43:16 PM  
**Attachments:** [20050067-RP1.PDF](#)  
[20050067-RP2.PDF](#)  
[20200921131318PLT.pdf](#)  
[20200921131156APP.pdf](#)

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See attached plat we discussed this morning.

They have occupied these lots as 50 feet wide each since the houses were built, however no one caught that a replat had not been filed and now one is being sold and a surveyor discovered it.

The two owners would like to replat them as quickly as we can so the sale can happen.

See attached original plat and application as well.

Tracy Fetty

H.D. Fetty Land Surveyor, LLC  
6770 FM 1565  
Royse City, Texas 75189

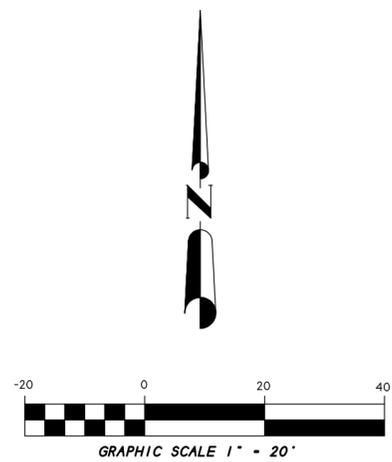
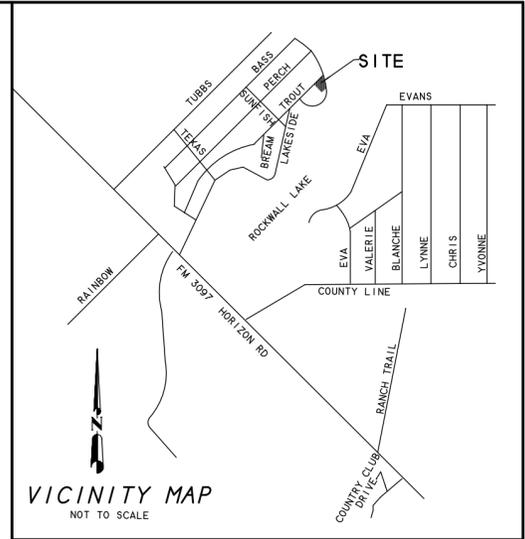
972-635-2255

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CURVE TABLE						
NUMBER	RADIUS	ARC	CHORD	TANGENT	BEARING	CENTRAL ANGLE
C1	345.00	60.73	60.65	30.44	S 11°13'42"E	10°05'07"



FINAL PLAT  
**ROCKWALL LAKE ESTATES WEST**  
**LOTS 1 & 2, BLOCK L**

BEING A REPLAT OF  
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 BLOCK B  
 AN ADDITION TO THE  
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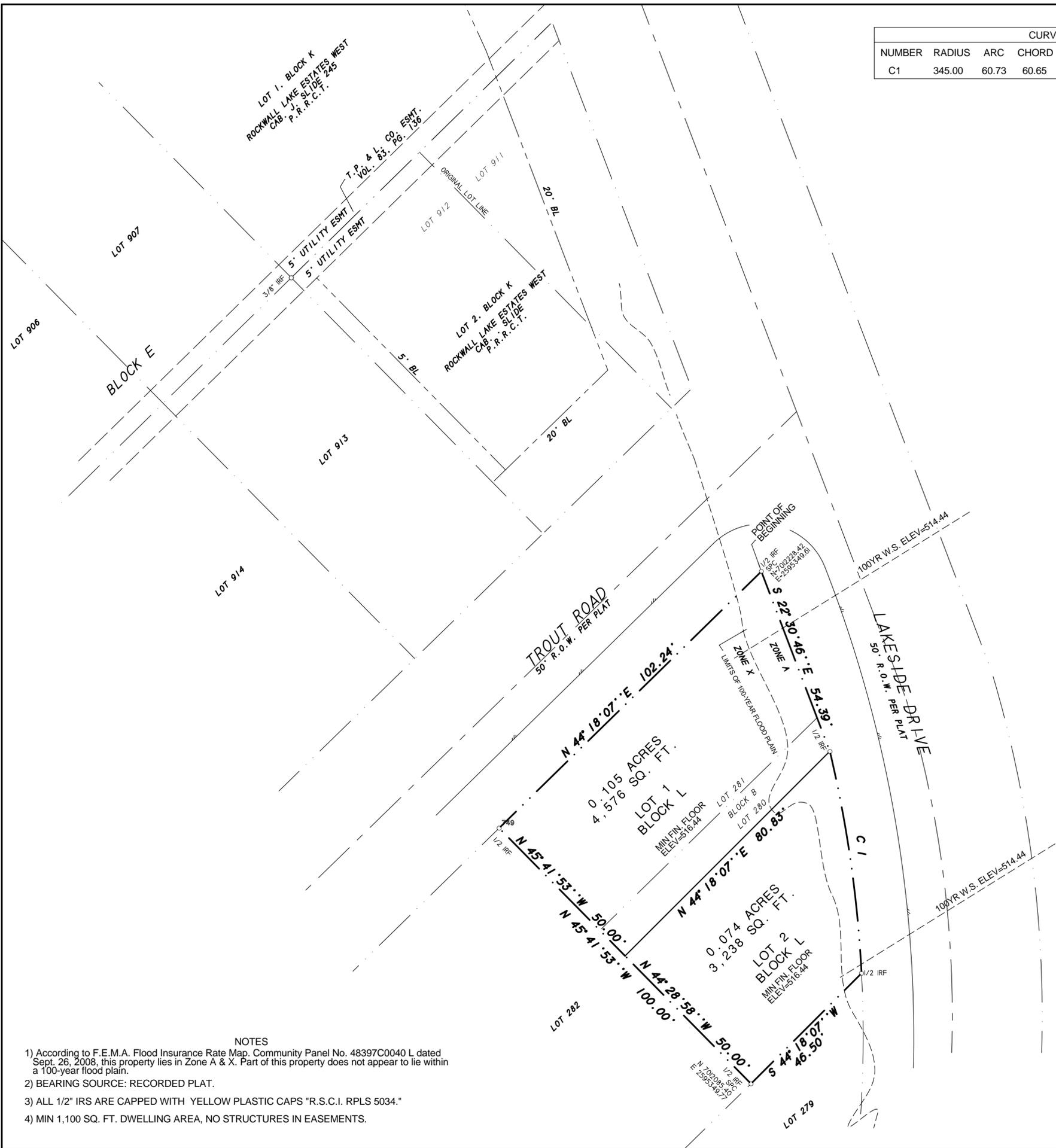
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SHEET 1 OF 2

SURVEY DATE AUGUST 30, 2020  
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BEGINNING at a 1/2" iron rod found in the south right-of-way of Trout Road (50' right-of-way) and the west right-of-way of Lakeside Drive (50' right-of-way ) and at the northeast corner of Lot 281;

THENCE S. 22 deg. 30 min. 46 sec. E. along the west right-of-way line of Lakeside Drive, a distance of 54.39 feet to a 1/2" iron rod found for corner;

THENCE along a curve to the right having a central angle of 10°05'07", a radius of 345.00 feet, a tangent of 30.44 feet, a chord of S. 11 deg. 13 min. 42 sec. E., 60.65 feet and along the southwest right-of-way of Lakeside Drive, an arc distance of 60.73 feet to a 1/2" iron rod found for corner;

THENCE S. 44 deg. 18 min. 07 sec. W. a distance of 46.50 feet to a 1/2" iron rod found for corner;

THENCE N. 45 deg. 41 min. 53 sec. W. a distance of 100.00 feet to a 1/2" iron rod found for corner in the south right-of-way line of Trout Road;

THENCE N. 44 deg. 18 min. 07 sec. W. along said right-of-way line of Trout Road, a distance of 102.24 feet to the POINT OF BEGINNING and containing 7,813 square feet or 0.18 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 ROCKWALL LAKE ESTATES WEST, LOTS 1 & 2, BLOCK L, an Addition to the City of Rockwall, Texas and whose name is subscribed hereto, hereby dedicated to the use of public forever all streets, alleys parks water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in ROCKWALL LAKE ESTATES WEST, LOTS 1 & 2, BLOCK L 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:

1. No buildings shall be constructed or placed upon, over, or across the utility 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 maintaining, 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.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasional by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such properties within the drainage area are not adversely affected by storm drainage from the development.
6. 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 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, water and sewer, drainage structures, storm 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 and/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 progress 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 I may have as a result of the dedication of exaction's made herein.

ROBERTO AVALOS \_\_\_\_\_

LATONIA BAKER \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared ROBERTO AVALOS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas      My Commission Expires:

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared LATONIA BAKER known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas      My Commission Expires:

NOTE: 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 for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

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



RECOMMENDED FOR FINAL APPROVAL

Chairman, Planning and Zoning Commission

\_\_\_\_\_ Date

APPROVED

I hereby certify that the above and foregoing plat of ROCKWALL LAKE ESTATES WEST, LOTS 1 & 2, BLOCK L, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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 eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

\_\_\_\_\_ Date

FINAL PLAT  
ROCKWALL LAKE ESTATES WEST  
LOTS 1 & 2, BLOCK L

BEING A REPLAT OF  
LOTS 280 & 281  
BLOCK B

AN ADDITION TO THE  
CITY OF ROCKWALL  
BEING 7965 S.F. OR 0.18ACRES  
WELLS SURVEY, A-219  
ROCKWALL COUNTY, TEXAS

OWNER:  
ROBERTO AVALOS  
848 LAKESIDE DRIVE  
ROCKWALL, TEXAS 75032

LATONIA BAKER  
840 LAKESIDE DRIVE  
ROCKWALL, TEXAS 75032

SHEET 2 OF 2

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

SURVEY DATE AUGUST 30, 2020  
SCALE 1" = 20' FILE # 20050067-RP  
CLIENT AVALOS

## Lee, Henry

---

**From:** Miller, Ryan  
**Sent:** Monday, September 21, 2020 2:02 PM  
**To:** Gamez, Angelica  
**Cc:** Lee, Henry  
**Subject:** FW: 840-848 LAKESIDE  
**Attachments:** 20050067-RP1.PDF; 20050067-RP2.PDF; 20200921131318PLT.pdf; 20200921131156APP.pdf



**RYAN C. MILLER, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6441 OFFICE  
RMILLER@ROCKWALL.COM  
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE  
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

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**NOTES**

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- 2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

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**From:** Tracy Fetty  
**Sent:** Monday, September 21, 2020 1:43 PM  
**To:** Miller, Ryan  
**Subject:** 840-848 LAKESIDE

See attached plat we discussed this morning.

They have occupied these lots as 50 feet wide each since the houses were built, however no one caught that a replat had not been filed and now one is being sold and a surveyor discovered it.

The two owners would like to replat them as quickly as we can so the sale can happen.

See attached original plat and application as well.

Tracy Fetty

H.D. Fetty Land Surveyor, LLC

6770 FM 1565

Royse City, Texas 75189

972-635-2255

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## Lee, Henry

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**From:** Miller, Ryan  
**Sent:** Tuesday, September 22, 2020 7:44 AM  
**To:** 'Tracy Fetty'; Lee, Henry; Gamez, Angelica  
**Subject:** RE: 840-848 LAKESIDE

Tracy ... When you can today please switch the check out for a \$100.00 check. Thanks.



**RYAN C. MILLER, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6441 OFFICE  
RMILLER@ROCKWALL.COM  
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**From:** Tracy Fetty  
**Sent:** Monday, September 21, 2020 3:50 PM  
**To:** Miller, Ryan ; Lee, Henry ; Gamez, Angelica  
**Subject:** Re: 840-848 LAKESIDE

Sorry, I had already left... let me know if I need to switch out the check.

Tracy Fetty

H.D. Fetty Land Surveyor, LLC

6770 FM 1565

Royse City, Texas 75189

972-635-2255

---

**From:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
**Sent:** Monday, September 21, 2020 2:21 PM  
**To:** Tracy Fetty <[tracy@hdfetty.com](mailto:tracy@hdfetty.com)>  
**Subject:** RE: 840-848 LAKESIDE

Tracy ... It is a variance request (not a replat) and the fees are \$100.00. I just wanted to give you a heads up before you got down here. Thanks.



**RYAN C. MILLER, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6441 OFFICE  
RMILLER@ROCKWALL.COM  
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**From:** Tracy Fetty <[tracy@hdfetty.com](mailto:tracy@hdfetty.com)>  
**Sent:** Monday, September 21, 2020 2:10 PM  
**To:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
**Subject:** Re: 840-848 LAKESIDE

App attached, on my way with a check for fee

Tracy Fetty

H.D. Fetty Land Surveyor, LLC

6770 FM 1565

Royse City, Texas 75189

972-635-2255

---

**From:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
**Sent:** Monday, September 21, 2020 2:07 PM  
**To:** Tracy Fetty <[tracy@hdfetty.com](mailto:tracy@hdfetty.com)>  
**Subject:** RE: 840-848 LAKESIDE

Tracy ... We will need an application and application fee for the miscellaneous case. If we can't get this today we will not be able to take this forward until October 13<sup>th</sup> meeting. Let us know as soon as possible. Thanks.



**RYAN C. MILLER, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6441 OFFICE  
RMILLER@ROCKWALL.COM  
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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---

**From:** Tracy Fetty <[tracy@hdfetty.com](mailto:tracy@hdfetty.com)>  
**Sent:** Monday, September 21, 2020 1:43 PM  
**To:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
**Subject:** 840-848 LAKESIDE

See attached plat we discussed this morning.

They have occupied these lots as 50 feet wide each since the houses were built, however no one caught that a replat had not been filed and now one is being sold and a surveyor discovered it.

The two owners would like to replat them as quickly as we can so the sale can happen.

See attached original plat and application as well.

Tracy Fetty

H.D. Fetty Land Surveyor, LLC

6770 FM 1565

Royse City, Texas 75189

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## Lee, Henry

---

**From:** Lee, Henry  
**Sent:** Friday, September 25, 2020 10:53 AM  
**To:** 'tracy@hdfetty.com'  
**Subject:** MIS2020-012 Staff Comments  
**Attachments:** Project Comments (09.24.2020).pdf

Good Morning,

Please find attached staff's project comments for your request. The Planning Commission will be meet in person on Tuesday, September 29, 2020 in the City's Council Chambers. The meeting is scheduled for 6:00 p.m. The City prefers that a representative(s) be present for the meetings.

Planning staff is also requiring that a plot plan be submitted that indicates the lots conformance to the building setback requirements. This will be a condition of approval.

Please see dates for all meetings in the attached project comments.

Do not hesitate to contact me should you have any questions.

Thank you,



HENRY LEE  
Planner  
Planning & Zoning Department  
972.772.6434  
[HLee@rockwall.com](mailto:HLee@rockwall.com)  
385 S. Goliad Street, Rockwall, TX 75087

## Lee, Henry

---

**From:** Lee, Henry  
**Sent:** Tuesday, November 3, 2020 9:10 AM  
**To:** 'tracy@hdfetty.com'  
**Subject:** MIS2020-012 Approval Letter  
**Attachments:** Approval Letter (11.02.2020).pdf

Good Morning,

This email serves to inform you that your miscellaneous case, MIS2020-012, was approved. Attached is the approval letter, which will also be mailed to you. If you have any questions feel free to contact me.

Thank you,



HENRY LEE  
Planner  
Planning & Zoning Department  
972.772.6434  
[HLee@rockwall.com](mailto:HLee@rockwall.com)  
385 S. Goliad Street, Rockwall, TX 75087



November 02, 2020

TO: Harold Fetty  
6770 FM-1565  
Royse City, TX 75189

FROM: Henry Lee  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, TX 75087

SUBJECT: MIS2020-012; *Special Request for 840 & 848 Lakeside Drive*

Mr. Fetty:

This letter serves to notify you that the above referenced miscellaneous case, that you submitted for consideration by the City of Rockwall, was approved by City Council (CC) October 05, 2020. The following is a record of all recommendations, voting records and conditions of approval:

*Conditions of Approval*

- (1) The applicant shall submit a residential plot plan showing conformance to the building setbacks; and,
- (2) Any construction resulting from the approval of this request 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 September 29, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the special request with the conditions of approval by a vote of 7-0.

*City Council*

On October 05, 2020, the City Council made a motion to approve the applicant's request for a special request. The motion passed by a vote of 7-0.

Should you have any questions or concerns regarding your site plan or the site plan process, please feel free to contact me a (972) 771-7745.

Sincerely,

A handwritten signature in black ink, appearing to read 'Henry Lee', is written over a light blue horizontal line.

Henry Lee  
Planner