☐ TREESCAPE PLAN

PLANNING AND ZONING CASE CHECKLIST

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

| Z DATE 09/15/20 | CC DATE 09 21 20 | _ APPROVED/DENIED |
|-----------------|---|---|
| ATE HE | PAB DATE PARK | BOARD DATE |
| ON | APPLICATIONS RECEIPT LOCATION MAP HOA MAP PON MAP FLU MAP NEWSPAPER PUBLIC N 500-FT. BUFFER PUBLIC PROJECT REVIEW STAFF REPORT CORRESPONDENCE COPY-ALL PLANS REQU COPY-MARK-UPS CITY COUNCIL MINUT MINUTES-LASERFICHE PLAT FILED DATE CABINET # | JIRED ES-LASERFICHE |
| | NOTES: | - |
| ON R PLAT | ZONING MAP UPDATED_ | |
| | ON ON | RECEIPT LOCATION MAP HOA MAP PON MAP FLU MAP NEWSPAPER PUBLIC N SOO-FT. BUFFER PUBLIC PROJECT REVIEW STAFF REPORT CORRESPONDENCE COPY-ALL PLANS REQU COPY-MARK-UPS CITY COUNCIL MINUTE MINUTES-LASERFICHE PLAT FILED DATE CABINET # SLIDE # NOTES: |



DEVELOPMENT APPLICATION . CITY OF NOC

DEVELOPMENT APPLICATION

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

STAFF USE ONLY -

PLANNING & ZONING CASE NO.

P2020-031

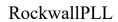
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

(X 75087 • [P] (972) 771-7745 • [F] (972) 771-7727

DIRECTOR OF PLANNING:

CITY ENGINEER:

| Please check the ap | opropriate box below to indicat | e the type of develop | oment request [SELEC | I ONLY ONE BOXJ: | |
|--|--|--|--|---|---|
| [] Preliminary Pl. [| at (\$200.00 + \$15.00 Acre) ¹ at (\$200.00 + \$15.00 Acre) ¹ 00.00 + \$20.00 Acre) ¹ 00 + \$20.00 Acre) ¹ Minor Plat (\$150.00) ment Request (\$100.00) | ı (\$100.00) | [] Specific Use Per [] PD Developmen Other Application F [] Tree Removal (\$ [] Variance Reque Notes: 1: In determining the fe | (\$200.00 + \$15.00 Acre) ¹ rmit (\$200.00 + \$15.00 Acre) ht Plans (\$200.00 + \$15.00 Acre) Fees: \$75.00) | cre) ¹ |
| PROPERTY INFO | DRMATION [PLEASE PRINT] | | | | |
| | | and Red | Rockwall | TX 798 | 7 |
| Subdivision | Soucks = | Eix Addis | hon | Lot | Block A |
| General Location | 224 Old Millar Sparks S A0194 Si | MMONS TA | Fet 2.88 | bues | |
| | LAN AND PLATTING INFO | | | | |
| Current Zoning | | | Current Use | | |
| Proposed Zoning | | | Proposed Use | | |
| Acreage | | Lots [Current] | | Lots [Proposed] | |
| | D PLATS: By checking this box you ack ure to address any of staff's comments | | | | |
| OWNER/APPLIC | CANT/AGENT INFORMATI | ON [PLEASE PRINT/CHI | ECK THE PRIMARY CONTA | CT/ORIGINAL SIGNATURES ARI | REQUIRED] |
| [Owner | Kerry Joshun Son | 3651 | [] Applicant | | |
| Contact Person | Josh SpA | rks | Contact Person | | |
| Address | 224 Old Millwood | nd Rd | Address | | |
| City, State & Zip | P 1 T | -V -000 | City, State & Zip | | |
| Phone | Kookwall T. | 1 150. | Phone | | |
| E-Mail | | 3 | | | |
| NIOTARY VERIEI | CATION (REQUIRED) | | | | |
| Before me, the undersig | ICATION [REQUIRED] gned authority, on this day personally a ue and certified the following: | ippeared Kerry Ju | oshua Sparkstov | vner] the undersigned, who st | ated the information on |
| cover the cost of this ap that the City of Rockwo | om the owner for the purpose of this ap oplication, has been paid to the City of F all (i.e. "City") is authorized and permi any copyrighted information submitte | Rockwall on this the 22 tted to provide informati | on contained within this | , 20 <u>ZO</u> . By signing application to the public. The Coduction is associated or in respo | ng this application, I agree City is also authorized and Inse to a request for public |
| Given under my hand a | nd seal of office on this the <u>23</u> | day of One | , 20 <u>20</u> . | Notar | AARIBEL SILVA ry ID #125704273 ommission Expires |
| | Owner's Signature | ROC | 20 | | May 24, 2022 |
| Motory Public in | and for the State of Texas | 101 | VA | My Commission Expires | MALL DU STOSS |





Receipt#: 1061 Date: 8/13/2020

Payment Receipt

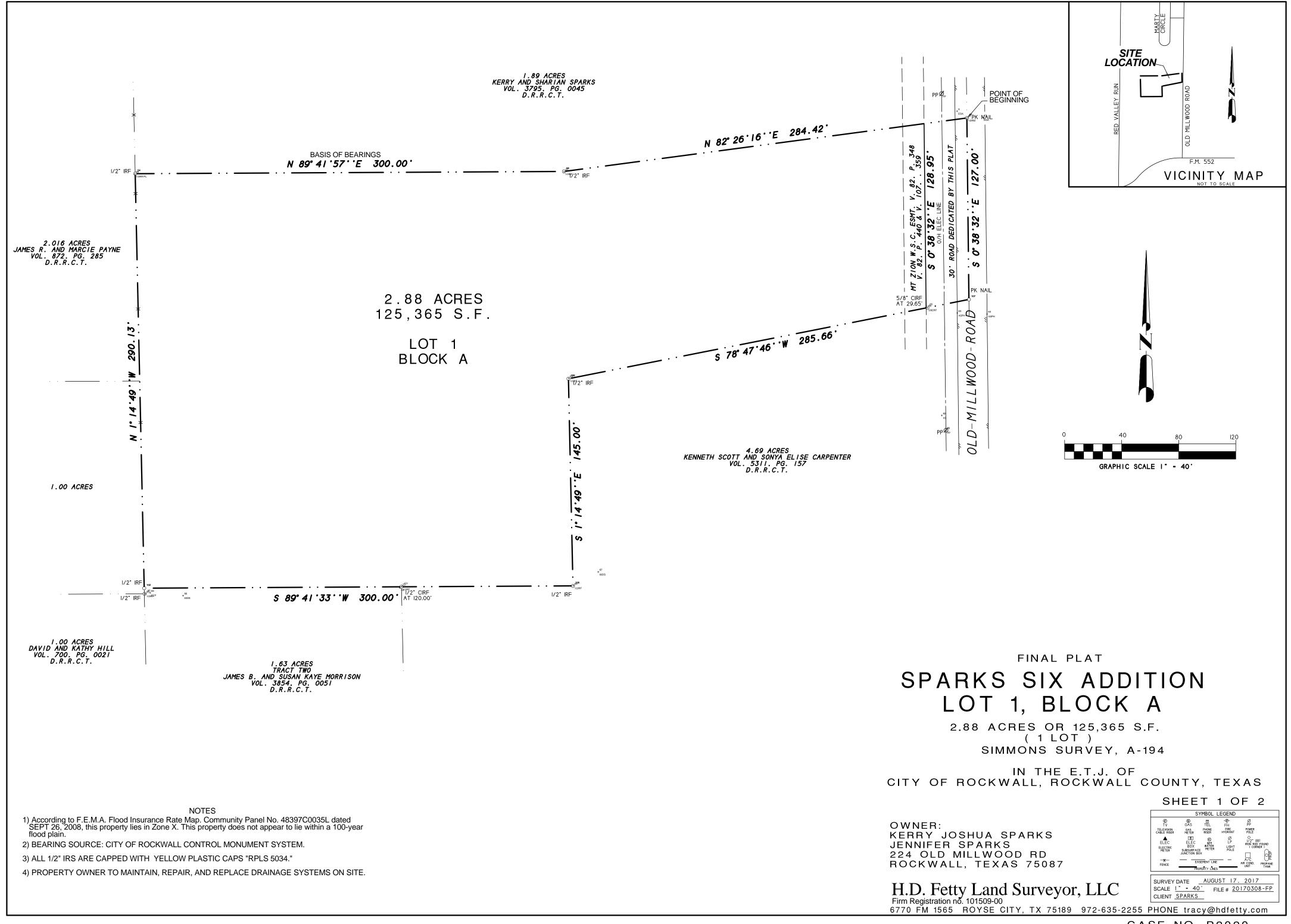
| <u> </u> | | | | |
|-----------|-----------|-------------|------------|--|
| Invoice # | Case Type | Case Number | Sub Type | |
| | PZPLATAPP | P2020-031 | PZFINALPLA | |

| Tender Type / Description | Amount |
|---------------------------|--------|
| CHECK- CHECK | 357.60 |
| | |
| | |
| Sub Total: | 357.60 |

Fees:

| Fee Codes / Description | Amount |
|-------------------------------------|--------|
| PZFINAPLAT- PZ - Final Plat App Fee | 357.60 |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| Sub Total: | 357.60 |

Total Amount Due: 357.60
Total Payment: 357.60



STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS Kerry Joshua Sparks and Jennifer Sparks, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, Rockwall County, Texas, and being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated September 10, 1976 and being recorded in Volume 123, Page 866 of the Real Estate Records of Rockwall County, Texas, and also being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 16, 1982 and being recorded in Volume 166, Page 428 of the Real Property Records of Rockwall County, Texas, and also being all of the 0.879 acres tract of land as described in a Warranty from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 19, 1984 and being recorded in Volume 203, Page 596 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows: Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a P-K nail for corner in the center of Old Millwood Road, at the northeast corner of said 0.879 acres tract of land and at the southeast corner of a 1.89 acres tract of land as described in a Warranty deed from Kerry Sparks to Sherian Sparks, dated November 22, 2004 and being recorded in Volume 3795, Page 45 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 38 min. 32 sec. E. along the center of said road and the east line of said 0.879 acres tract, a distance of 127.00 feet to a P-K nail found in center of road for corner at the southeast corner of said tract;

THENCE S. 78 deg. 47 min. 46 sec. W. at 29.65 feet pass a 5/8" iron rod found for witness and continuing for a total distance of 285.66 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.879 acres

THENCE S. 01 deg. 14 min. 49 sec. E. a distance of 145.00 feet to a 1/2" iron rod found for corner at the southeast corner of said 0.999 acres tract;

THENCE S. 89 deg. 41 min. 33 sec. W. a distance of 300.00 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.999 acres tract;

THENCE N. 01 deg. 14 min. 49 sec. W. a distance of 290.13 feet to 1/2" iron rod found for corner at the southwest corner of said 1.89 acres tract;

THENCE N. 89 deg. 41 min. 57 sec. E. along the south line of said 1.89 acres tract of land, a distance of 300.00 feet to a 1/2" iron rod found for corner at the northwest corner of said 0.879 acres tract;

THENCE N. 82 deg. 26 min. 16 sec. E. along the south line of said 1.89 acres tract of land, a distance of 284.42 feet to the POINT OF BEGINNING and containing 125,365 square feet or 2.88 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 SPARKS SIX ADDITION, LOT 1, BLOCK A, 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. I further certify that all other parties who have a mortgage or lien interest in SPARKS SIX ADDITION, LOT 1, BLOCK A, have been notified and signed this plat.

I 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.

I also understand the following;

- 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 the ir 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.
- 3. 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.
- 4. The developer and subdivision engineer shall bear total responsibility for storm drain
- 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.
- 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 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, water 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.

I 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; I, my 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.

| KERRY JOSHUA SPARKS | |
|---------------------|--|
| | |
| | |
| JENNIFER SPARKS | |

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, as required under Ordinance 83-54.

| STATE OF | TEXAS |
|----------|------------|
| | F ROCKWALL |

Before me, the undersigned authority, on this day personally appeared KERRY JOSHUA SPARKS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and

consideration therein stated. Given upon my hand and seal of office this _____day of ___

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 JENNIFER SPARKS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and

consideration therein stated.

Given upon my hand and seal of office this _day of _

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW. THEREFORE KNOW ALL MEN BY THESE PRESENTS:

Harolo

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.

| | ON REGISTERED TO |
|---|--|
| D. Fetty, III ered Professional Land Surveyor No. 5034 | HAROLD D. FETTY III \$\int_{OFESS}^{5034} \int_{OFESS}^{10} |
| | SURVE |

Planning and Zoning Commission Date

APPROVED

RECOMMENDED FOR FINAL APPROVAL

I hereby certify that the above and foregoing plat of SPARKS SIX ADDITION, LOT 1, BLOCK A, 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

| WITNESS OUR HANDS, this day | of |
|-----------------------------|---------------------------------|
| Mayor, City of Rockwall | City Secretary City of Rockwall |
| City Engineer | |

FINAL PLAT

SPARKS SIX ADDITION LOT 1, BLOCK A

2.88 ACRES OR 125,365 S.F. (1 LOT) SIMMONS SURVEY, A-194

IN THE E.T.J. OF CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER: KERRY JOSHUA SPARKS JENNIFER SPARKS 224 OLD MILLWOOD RD ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SYMBOL LEGEND ⊗ Ø WM LP WATER LIGHT METER POLE O I/2" IRF IRON ROD FOUND (CORNER) ELECTRIC METER EASEMENT LINE SURVEY DATE AUGUST 17. 2017 SCALE | - 40 FILE # 20170308-FP CLIENT SPARKS



DEVELOPMENT APPLICATION . CITY OF NOC

DEVELOPMENT APPLICATION

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

STAFF USE ONLY -

PLANNING & ZONING CASE NO.

P2020-031

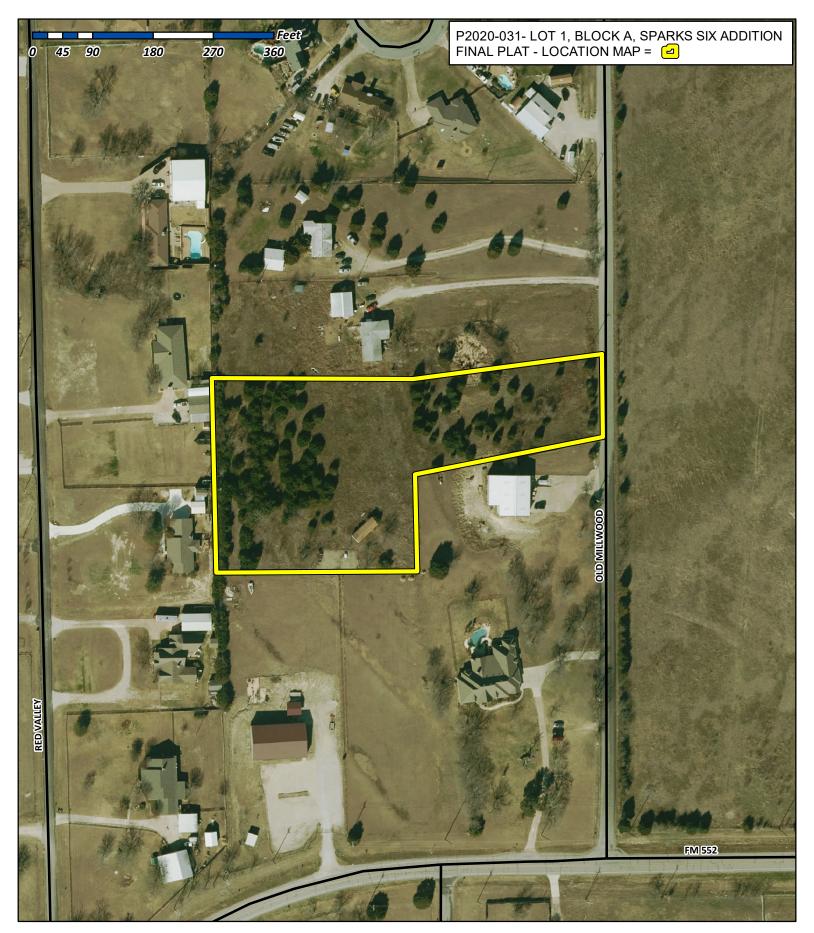
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

(X 75087 • [P] (972) 771-7745 • [F] (972) 771-7727

DIRECTOR OF PLANNING:

CITY ENGINEER:

| Please check the ap | opropriate box below to indicat | e the type of develop | oment request [SELEC | I ONLY ONE BOXJ: | |
|--|--|--|--|---|---|
| [] Preliminary Pl. [| at (\$200.00 + \$15.00 Acre) ¹ at (\$200.00 + \$15.00 Acre) ¹ 00.00 + \$20.00 Acre) ¹ 00 + \$20.00 Acre) ¹ Minor Plat (\$150.00) ment Request (\$100.00) | ı (\$100.00) | [] Specific Use Per [] PD Developmen Other Application F [] Tree Removal (\$ [] Variance Reque Notes: 1: In determining the fe | (\$200.00 + \$15.00 Acre) ¹ rmit (\$200.00 + \$15.00 Acre) ht Plans (\$200.00 + \$15.00 Acre) Fees: \$75.00) | cre) ¹ |
| PROPERTY INFO | DRMATION [PLEASE PRINT] | | | | |
| | | and Red | Rockwall | TX 798 | 7 |
| Subdivision | Soucks = | Eix Addis | hon | Lot | Block A |
| General Location | 224 Old Millar Sparks S A0194 Si | MMONS TA | Fet 2.88 | bues | |
| | LAN AND PLATTING INFO | | | | |
| Current Zoning | | | Current Use | | |
| Proposed Zoning | | | Proposed Use | | |
| Acreage | | Lots [Current] | | Lots [Proposed] | |
| | D PLATS: By checking this box you ack ure to address any of staff's comments | | | | |
| OWNER/APPLIC | CANT/AGENT INFORMATI | ON [PLEASE PRINT/CHI | ECK THE PRIMARY CONTA | CT/ORIGINAL SIGNATURES ARI | REQUIRED] |
| [Owner | Kerry Joshun Son | 3651 | [] Applicant | | |
| Contact Person | Josh SpA | rks | Contact Person | | |
| Address | 224 Old Millwood | nd Rd | Address | | |
| City, State & Zip | P 1 T | -V -000 | City, State & Zip | | |
| Phone | Kookwall T. | 1 150. | Phone | | |
| E-Mail | | 3 | | | |
| NIOTARY VERIEI | CATION (REQUIRED) | | | | |
| Before me, the undersig | ICATION [REQUIRED] gned authority, on this day personally a ue and certified the following: | ippeared Kerry Ju | oshua Sparkstov | vner] the undersigned, who st | ated the information on |
| cover the cost of this ap that the City of Rockwo | om the owner for the purpose of this ap oplication, has been paid to the City of F all (i.e. "City") is authorized and permi any copyrighted information submitte | Rockwall on this the 22 tted to provide informati | on contained within this | , 20 <u>ZO</u> . By signing application to the public. The Coduction is associated or in respo | ng this application, I agree City is also authorized and Inse to a request for public |
| Given under my hand a | nd seal of office on this the <u>23</u> | day of One | , 20 <u>20</u> . | Notar | AARIBEL SILVA ry ID #125704273 ommission Expires |
| | Owner's Signature | ROC | 20 | | May 24, 2022 |
| Motory Public in | and for the State of Texas | 101 | VA | My Commission Expires | MALL DU STOSS |

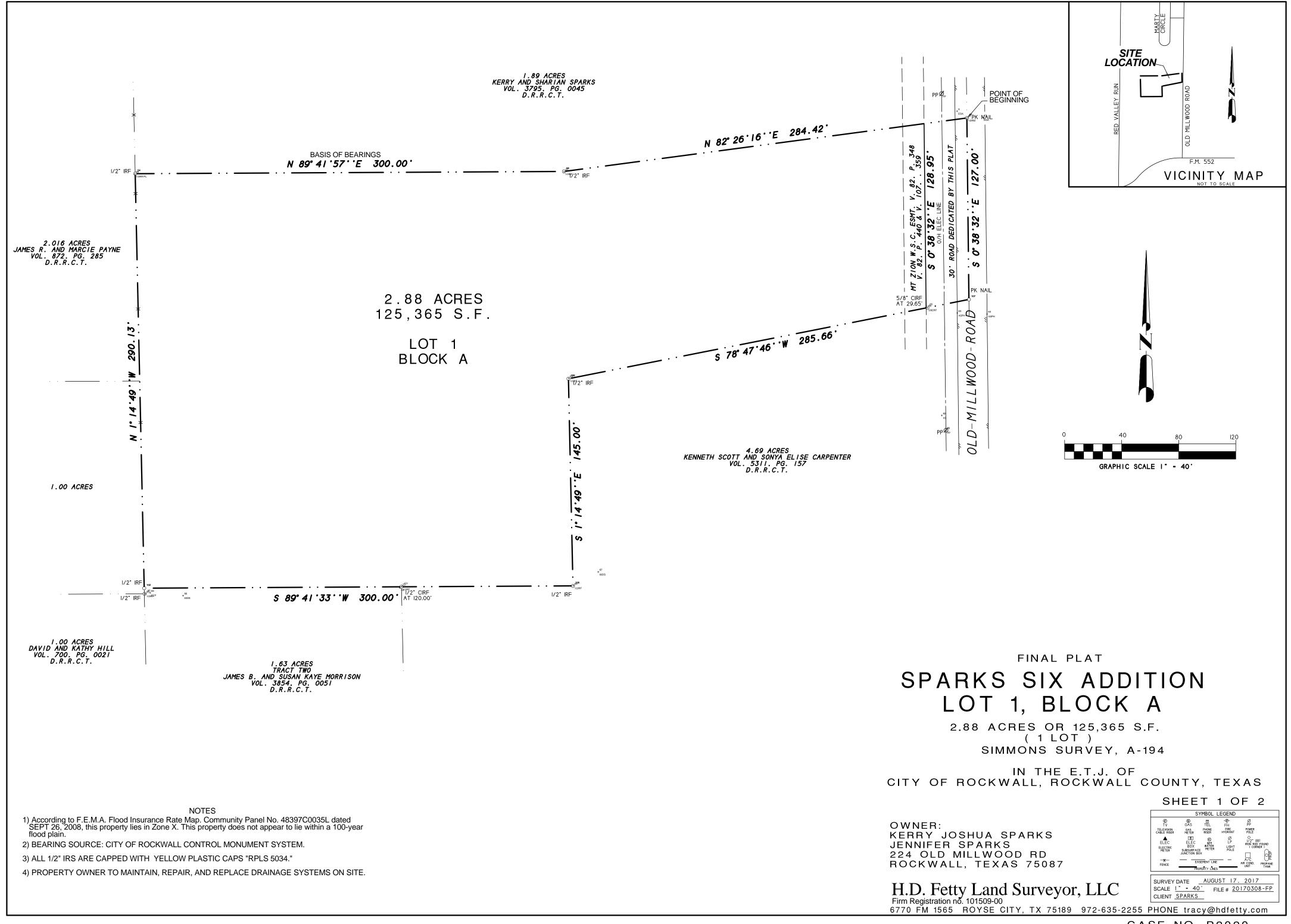




City of Rockwall

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.





STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS Kerry Joshua Sparks and Jennifer Sparks, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, Rockwall County, Texas, and being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated September 10, 1976 and being recorded in Volume 123, Page 866 of the Real Estate Records of Rockwall County, Texas, and also being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 16, 1982 and being recorded in Volume 166, Page 428 of the Real Property Records of Rockwall County, Texas, and also being all of the 0.879 acres tract of land as described in a Warranty from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 19, 1984 and being recorded in Volume 203, Page 596 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows: Rockwall County, Texas, and being more particularly described as follows:

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THENCE S. 00 deg. 38 min. 32 sec. E. along the center of said road and the east line of said 0.879 acres tract, a distance of 127.00 feet to a P-K nail found in center of road for corner at the southeast corner of said 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 SPARKS SIX ADDITION, LOT 1, BLOCK A, 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. I further certify that all other parties who have a mortgage or lien interest in SPARKS SIX ADDITION, LOT 1, BLOCK A, have been notified and signed this plat.

I 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.

I also understand the following;

- 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 the ir 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.
- 3. 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.
- 4. The developer and subdivision engineer shall bear total responsibility for storm drain
- 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.
- 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 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, water 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

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| KERRY JOSHUA SPARKS | |
|---------------------|--|
| | |
| | |
| JENNIFER SPARKS | |

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| STATE OF | TEXAS |
|----------|------------|
| | F ROCKWALL |

Before me, the undersigned authority, on this day personally appeared KERRY JOSHUA SPARKS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and

consideration therein stated. Given upon my hand and seal of office this _____day of ___

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 JENNIFER SPARKS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and

consideration therein stated.

Given upon my hand and seal of office this _day of _

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW. THEREFORE KNOW ALL MEN BY THESE PRESENTS:

Harolo

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.

| | ON REGISTERED TO |
|---|--|
| D. Fetty, III ered Professional Land Surveyor No. 5034 | HAROLD D. FETTY III \$\int_{OFESS}^{5034} \int_{OFESS}^{10} |
| | SURVE |

Planning and Zoning Commission Date

APPROVED

RECOMMENDED FOR FINAL APPROVAL

I hereby certify that the above and foregoing plat of SPARKS SIX ADDITION, LOT 1, BLOCK A, 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

| WITNESS OUR HANDS, this day | of |
|-----------------------------|---------------------------------|
| Mayor, City of Rockwall | City Secretary City of Rockwall |
| City Engineer | |

FINAL PLAT

SPARKS SIX ADDITION LOT 1, BLOCK A

2.88 ACRES OR 125,365 S.F. (1 LOT) SIMMONS SURVEY, A-194

IN THE E.T.J. OF CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER: KERRY JOSHUA SPARKS JENNIFER SPARKS 224 OLD MILLWOOD RD ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SYMBOL LEGEND ⊗ Ø WM LP WATER LIGHT METER POLE O I/2" IRF IRON ROD FOUND (CORNER) ELECTRIC METER EASEMENT LINE SURVEY DATE AUGUST 17. 2017 SCALE | - 40 FILE # 20170308-FP CLIENT SPARKS



TO: Planning and Zoning Commission

DATE: August 25, 2020
APPLICANT: Kerry Joshua Sparks

CASE NUMBER: P2020-031; Lot 1, Block A, Sparks Six Addition (ETJ)

SUMMARY

Consider a request by Kerry Joshua Sparks for the approval of a <u>Final Plat</u> for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a *Final Plat* for a 2.88-acre tract of land, creating *Lot 1, Block A, Sparks Six Addition,* which is identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, and is situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). The purpose of the final plat is to construct a single-family home on the subject property, which is generally located on the west side of Old Mill Road, and is in Rockwall County, Texas.
- ☑ The proposed final plat is subject to the requirements of Chapter 38, Subdivisions, of the City's Municipal Code of Ordinances, the City's Standards of Design and Construction Manual, and Exhibit 'A', Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, of the Interim Interlocal Agreement between Rockwall County and the City of Rockwall.
- According to Exhibit 'A' of the Interim Interlocal Agreement, "(a)|| lots or tracts of land shall be required to have frontage on an existing public or private street that is based on the size of the lot." For lots greater than one (1) acre but less than three (3) acres the minimum lot frontage is 150-feet. In this case, the subject property is 2.88-acre tract of land that has 128.95-feet of frontage along Old Millwood Road. After reviewing [1] the configuration of the adjacent tracts of land and [2] the existing and adjacent subdivisions of land, staff determined that the variance was minor enough that it could be considered with the approval of the final plat. The Interim Interlocal Agreement grants the City Council the ability to approve such exceptions and/or variances to the Subdivision Regulations, which are stipulated in [1] the City's Standards of Design and Construction manual, [2] Chapter 38, Subdivisions, of the City's Municipal Code of Ordinances, and [3] Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City. In granting these requests the Interim Interlocal Agreement states that "...the City Council should take into consideration the unique or extraordinary circumstance or hardship that prevents the developer or property owner from meeting the stated requirement." Staff should point out that there are several adjacent, unplatted tracts of land that currently would not meet the frontage requirements. With this being said the approval of a variance to the requirements of the Interim Interlocal Agreement is a discretionary decision for the City Council.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall -- 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 Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall.*

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the replat for *Lot 1, Block A, Sparks Six Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to filing of the plat with Rockwall County; and,
- (2) The applicant shall have the city approved plat mylar signed by the Rockwall County Judge prior to staff accepting the plat for filing purposes; and,
- (3) A variance to the lot frontage requirements of the *Interim Interlocal Agreement* shall be approved allowing this subdivision of land a minimum lot frontage requirement of 128.95-feet; and,
- (4) 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.

PROJECT COMMENTS



Angelica Gamez

agamez@rockwall.com

CASE MANAGER:

CASE MANAGER EMAIL:

DATE: 8/20/2020

PROJECT NUMBER: P2020-031

PROJECT NAME: Lot 1, Block A, Sparks Six Addition CASE MANAGER PHONE: 972-772-6438

SITE ADDRESS/LOCATIONS: 224 Old Millwood Circle

CASE CAPTION: Consider a request by Kerry Joshua Sparks for the approval of a Final Plat for Lot 1, Block A, Sparks Six Addition being a 2.88-acre

tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the

intersection of Old Millwood Road and FM-552, and take any action necessary.

| DEPARTMENT | REVIEWER | DATE OF REVIEW | STATUS OF PROJECT | |
|------------|----------------|----------------|-------------------|--|
| PLANNING | David Gonzales | 08/20/2020 | Needs Review | |

08/20/2020: P2020-031; Final Plat for Sparks Six Addition - ETJ

Please address the following comments (M= Mandatory Comments; I = Informational Comments)

- I.1 This is a request for the approval of a Final Plat for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552.
- 1.2 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6488 or email dgonzales@rockwall.com.
- M.3 For reference, include the case number (P2020-031) in the lower right-hand corner of all pages of all revised plan submittals (i.e. site plan and landscape plan). (§01.02(D), Art. 11, UDC)
- 1.4 This project is subject to all requirements stipulated by Chapter 38, Subdivisions of the Code of Ordinances of The City of Rockwall and the Interim Interlocal Cooperation Agreement for Subdivision Regulation between Rockwall County and the City of Rockwall (ILA). (§01.02(D), Art. 11, UDC)
- M.5 The location of the development is required to be tied to a Rockwall monument, or tie two (2) corners to state plan coordinates (NAD 83 State Plane Texas, North Central [7202], US Survey Feet). Tie two (2) corners to City monumentation. (Chapter 38, Subdivision Regulations, Municipal Code of Ordinances)
- M.6 Label the building lines where adjacent to a street. (Section (C)(1), Building Setback Requirements Adjacent to a Public Street, Exhibit 'A', ILA)
- M.7 All lots or tracts of land shall be required to have frontage on an existing public or private street that is based on the size of the lot. For lots greater than one (1) acre but less than three (3) acres the minimum lot frontage is 150-feet. The proposed lot frontage does not meet this requirement and requires approval of a variance from the City Council of the City of Rockwall prior to approval of the plat. (Section (C)(2), Minimum Lot Frontage on a Street, Exhibit 'A', ILA)
- M. 8 Please refer to the Checklist for Plat Submittals as found in the Interim Interlocal Cooperative Agreement for Subdivision Regulation (ILA) document and make the following corrections and/or provide a statement for each of the following items: (Exhibit 'A', ILA)

- a) Provide the appropriate plat wording provided in the application packet that details the designation of the entity responsible for the operation and maintenance of any commonly held property and a waiver releasing the city of such responsibility, a waiver releasing the City for damages in establishment or alteration of grade. (Section (5)(a)(b), Certification and Dedication Language, Exhibit 'A', ILA)
- b) Provide the instrument of dedication or adoption signed by the owners, which is provided in the agreement. (Section (5)(a)(b), Certification and Dedication Language, Exhibit 'A', ILA)
- c) Provide a space for signatures attesting approval of the plat. This will require the appropriate signature block for the County Judge. (Section (5)(d), Signature Block, Exhibit 'A', ILA)
- M.9 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions/corrections and return to staff by 3:00 p.m. on Tuesday, September 1, 2020. When resubmitting, please provide two (2) large copies (18" X 24" FOLDED) and one PDF version for a subsequent review by staff. (§01.02(D), Art. 11, UDC)
- I.10 Please note that once the plat has been approved by the Planning and Zoning Commission and City Council, all staff comments are to be addressed and all revisions are to be approved (by staff) prior to the plat being submitted on mylar for filing.
- M.11 The plat mylars require a signature by the County Judge. You must obtain the County Judge's signature prior to submitting the plat and all necessary documents (i.e. mylar copies, tax certificate(s), and filing fees) with the City for filing with Rockwall County. (Section (5)(d), Signature Blocks, of Exhibit 'A', ILA)
- I.12 The Planning and Zoning Work Session Meeting will be held on August 25, 2020.
- I.13 The Planning and Zoning Regular Meeting will be held on September 15, 2020.

DEPARTMENT

ENGINEERING

POLICE

PARKS

No Comments

DEPARTMENT

08/19/2020: - Label 2 Points: Northing, Easting - Label Distance on line for ROW Dedication

I.14 The City Council meeting for this case is scheduled to be held on September 21, 2020.

REVIEWER

Jeremy White

David Gonzales

REVIEWER

Travis Sales

I.15 All meetings will be held in person and in the City's Council Chambers. All meetings listed above are scheduled to begin at 6:00 p.m. The City prefers that a representative(s) be present for these meetings. During the upcoming work session meeting with the Planning and Zoning Commission, representative(s) are expected to present their case and answer any questions the Planning Commission may have regarding this request.

| DEPARTMENT | REVIEWER | DATE OF REVIEW | STATUS OF PROJECT |
|-------------|-----------------|----------------|----------------------|
| BUILDING | Rusty McDowell | 08/18/2020 | Approved |
| No Comments | | | |
| DEPARTMENT | REVIEWER | DATE OF REVIEW | STATUS OF PROJECT |
| FIRE | Kevin Clark | 08/18/2020 | Approved |
| No Comments | | | |
| DEPARTMENT | REVIEWER | DATE OF REVIEW | STATUS OF PROJECT |
| GIS | Lance Singleton | 08/19/2020 | Approved w/ Comments |

08/20/2020

08/17/2020

DATE OF REVIEW

DATE OF REVIEW

08/19/2020

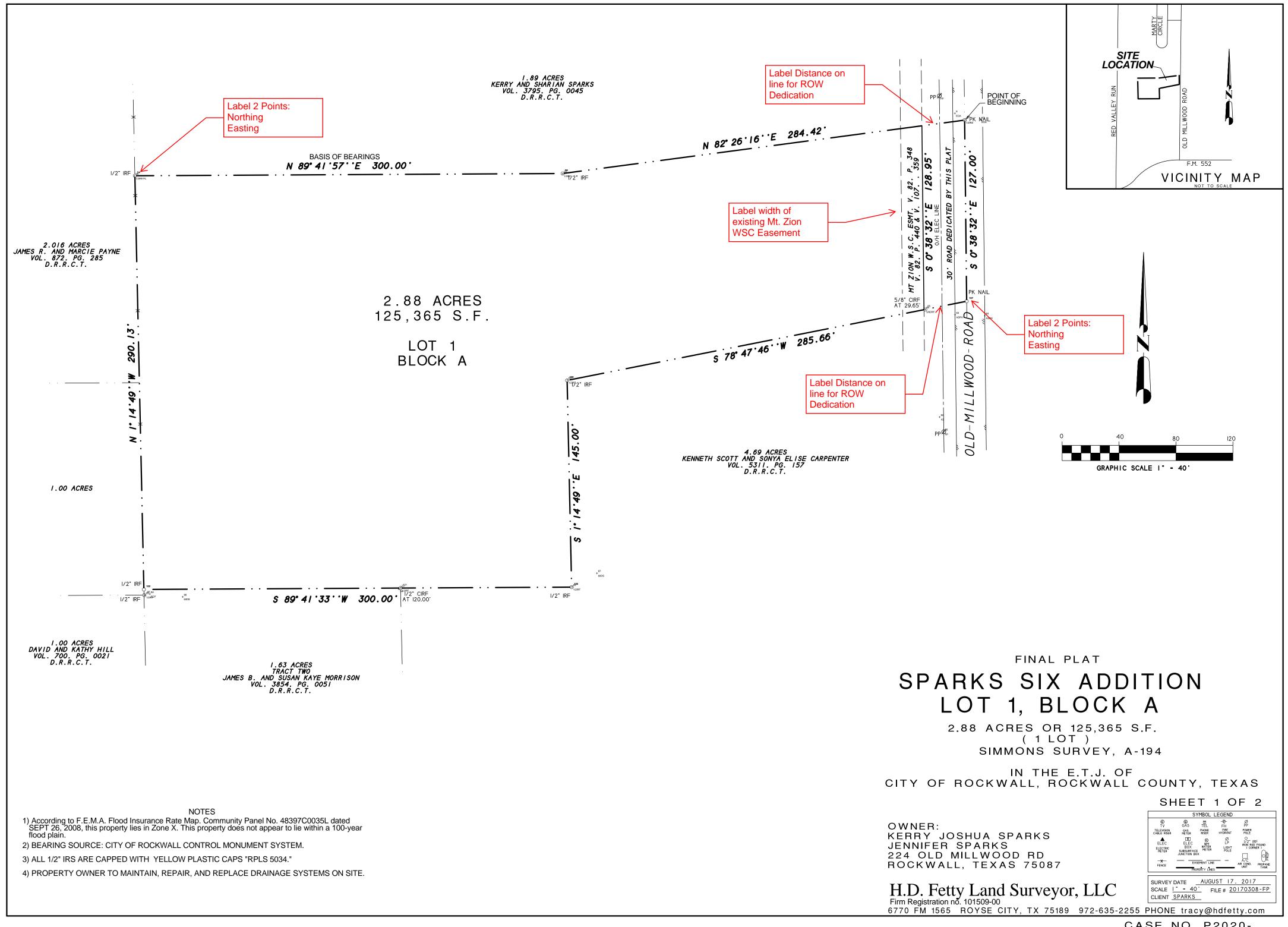
STATUS OF PROJECT

Approved w/ Comments

N/A

Approved

STATUS OF PROJECT



STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS Kerry Joshua Sparks and Jennifer Sparks, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, Rockwall County, Texas, and being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated September 10, 1976 and being recorded in Volume 123, Page 866 of the Real Estate Records of Rockwall County, Texas, and also being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 16, 1982 and being recorded in Volume 166, Page 428 of the Real Property Records of Rockwall County, Texas, and also being all of the 0.879 acres tract of land as described in a Warranty from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 19, 1984 and being recorded in Volume 203, Page 596 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a P-K nail for corner in the center of Old Millwood Road, at the northeast corner of said 0.879 acres tract of land and at the southeast corner of a 1.89 acres tract of land as described in a Warranty deed from Kerry Sparks to Sherian Sparks, dated November 22, 2004 and being recorded in Volume 3795, Page 45 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 38 min. 32 sec. E. along the center of said road and the east line of said 0.879 acres tract, a distance of 127.00 feet to a P-K nail found in center of road for corner at the southeast corner of said tract;

THENCE S. 78 deg. 47 min. 46 sec. W. at 29.65 feet pass a 5/8" iron rod found for witness and continuing for a total distance of 285.66 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.879 acres and the northeast corner of said 0.999 acres tract;

THENCE S. 01 deg. 14 min. 49 sec. E. a distance of 145.00 feet to a 1/2" iron rod found for corner at the southeast corner of said 0.999 acres tract;

THENCE S. 89 deg. 41 min. 33 sec. W. a distance of 300.00 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.999 acres tract;

THENCE N. 01 deg. 14 min. 49 sec. W. a distance of 290.13 feet to 1/2" iron rod found for corner at the southwest corner of said 1.89 acres tract;

THENCE N. 89 deg. 41 min. 57 sec. E. along the south line of said 1.89 acres tract of land, a distance of 300.00 feet to a 1/2" iron rod found for corner at the northwest corner of said 0.879 acres tract;

THENCE N. 82 deg. 26 min. 16 sec. E. along the south line of said 1.89 acres tract of land, a distance of 284.42 feet to the POINT OF BEGINNING and containing 125,365 square feet or 2.88 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 SPARKS SIX ADDITION, LOT 1, BLOCK A, 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. I further certify that all other parties who have a mortgage or lien interest in SPARKS SIX ADDITION, LOT 1, BLOCK A, have been notified and signed this plat.

I 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.

I 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, 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.
- 3. 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.
- 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 that 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 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, water 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.

I 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; I, my 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.

| KERRY JOSHUA SPARKS | |
|---------------------|--|
| | |
| | |
| JENNIFER SPARKS | |

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 representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

7. Drainage/ Detention Easements/Facilities shall be owned operated, maintained and repaired by property owner.

Given upon my hand and seal of office this

| STATE OF TEXAS |
|--------------------|
| COUNTY OF ROCKWALL |

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

| Civen apon my hand and sear or office thisday or | _, |
|--|----|
| | |
| | |
| | |
| | |
| | |

| Notary Public in and for the State of Texas | Mv Commission Expires: |
|---|------------------------|

STATE OF TEXAS COUNTY OF ROCKWALL

consideration therein stated.

Before me, the undersigned authority, on this day personally appeared JENNIFER SPARKS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and

Given upon my hand and seal of office this _____day of ______, _____.

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

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 HAROLD D. FETTY SURVEY SURVEY PAROLD D. FETTY SURVEY SURVEY PAROLD D. FETTY SURVEY PAROLD D. FETTY SURVEY PAROLD D. FETTY PAROLD D. FETTY SURVEY PAROLD D. FETTY PAROLD D. FETTY SURVEY PAROLD D. FETTY PAROLD D. |
|--|
| RECOMMENDED FOR FINAL APPROVAL |
| Planning and Zoning Commission Date |
| APPROVED |
| I hereby certify that the above and foregoing plat of SPARKS SIX ADDITION, LOT 1, BLOCK A, 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 |
| |

FINAL PLAT

Date

SPARKS SIX ADDITION LOT 1, BLOCK A

2.88 ACRES OR 125,365 S.F. (1 LOT) SIMMONS SURVEY, A-194

IN THE E.T.J. OF CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER: KERRY JOSHUA SPARKS JENNIFER SPARKS 224 OLD MILLWOOD RD ROCKWALL, TEXAS 75087

City Engineer

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





DEVELOPMENT APPLICATION . CITY OF NOC

DEVELOPMENT APPLICATION

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

STAFF USE ONLY -

PLANNING & ZONING CASE NO.

P2020-031

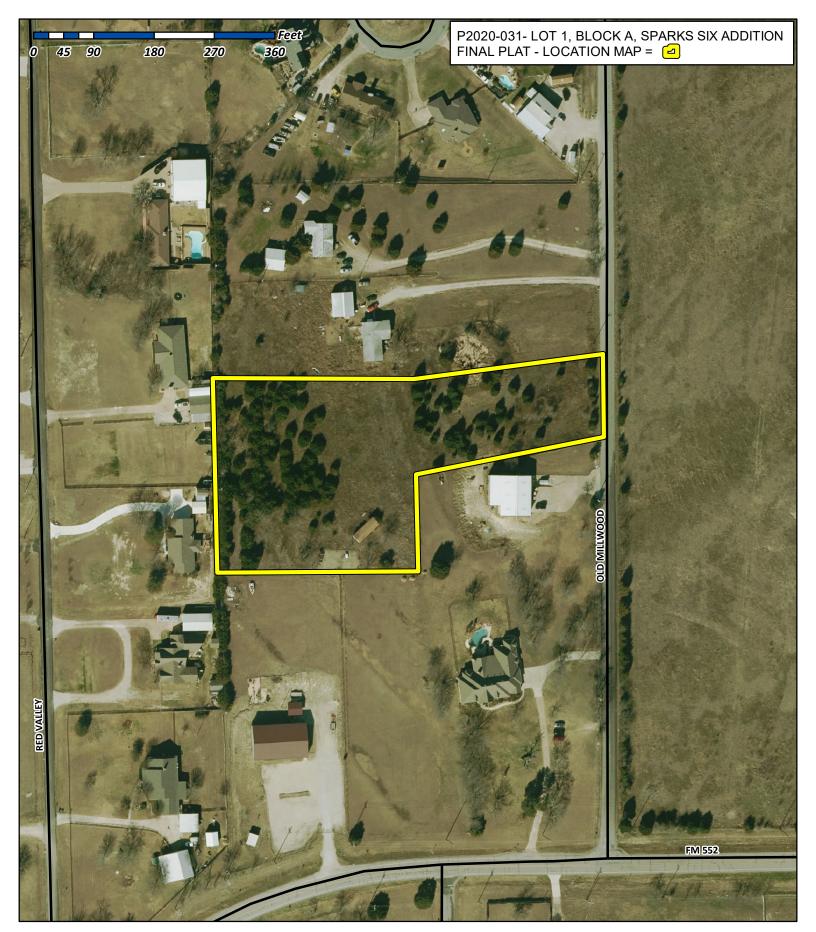
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

(X 75087 • [P] (972) 771-7745 • [F] (972) 771-7727

DIRECTOR OF PLANNING:

CITY ENGINEER:

| Please check the ap | opropriate box below to indicat | e tne type of develo | oment request (SELE) | IT ONLY ONE BOXJ: | |
|--|--|--|---|---|------------------------------------|
| [] Preliminary Pl. [| at (\$200.00 + \$15.00 Acre) ¹ at (\$200.00 + \$15.00 Acre) ¹ 00.00 + \$20.00 Acre) ¹ 00 + \$20.00 Acre) ¹ Minor Plat (\$150.00) ment Request (\$100.00) | (\$100.00) | [] Specific Use Per [] PD Developmer Other Application I [] Tree Removal (! [] Variance Reque Notes: 1: In determining the fe | (\$200.00 + \$15.00 Acre) ¹ rmit (\$200.00 + \$15.00 Acre) ¹ nt Plans (\$200.00 + \$15.00 Acre) ¹ Fees: \$75.00) | , . |
| PROPERTY INFO | DRMATION [PLEASE PRINT] | | | | |
| | | and Red | Rockwall | TX 75087 | |
| Subdivision | Soucks 5 | ix Addis | hon | Lot / Block | A |
| General Location | 224 Old Millar Sparks S A0194 Si | MMONS TI | set 2.88 | bues | |
| | LAN AND PLATTING INFO | | | | |
| Current Zoning | | | Current Use | | |
| Proposed Zoning | | | Proposed Use | | |
| Acreage | | Lots [Current] | | Lots [Proposed] | |
| | D PLATS: By checking this box you ack ure to address any of staff's comments | | | c City no longer has flexibility with regard r will result in the denial of your case. | to its approval |
| OWNER/APPLIC | CANT/AGENT INFORMATI | ON [PLEASE PRINT/CHI | ECK THE PRIMARY CONTA | ACT/ORIGINAL SIGNATURES ARE REQUIRED |)] |
| [Owner | Kerry Joshun Son | gets | [] Applicant | | |
| Contact Person | Josh SpA | rks | Contact Person | | |
| Address | 224 Old Millwood | nd Rd | Address | | |
| City, State & Zip | P 1 T | -V -000 | City, State & Zip | | |
| Phone | Kookwall T. | 1 150. | Phone | | |
| E-Mail | | 3 | | | |
| NIOTADY VEDICI | CATION (REQUIRED) | | | | |
| Before me, the undersig | gned authority, on this day personally a ue and certified the following: | ippeared Kerry Ju | oshva Sparkston | wner] the undersigned, who stated the i | nformation on |
| cover the cost of this ap that the City of Rockwo | oplication, has been paid to the City of F all (i.e. "City") is authorized and permi | Rockwall on this the 22 tted to provide informati | day of Jone doncton contained within this | and correct; and the application fee of \$ | authorized and quest for public |
| Given under my hand a | nd seal of office on this the <u>23</u> | day of One | , 20 <u>20</u> . | MARIBEL SII Notary ID #125' My Commission | 704273 |
| | Owner's Signature | RO | 20 | May 24, 20 | |
| Motory Public in | and for the State of Texas | 1011 | V | My Commission Expires MALL DU | 1 2022 |

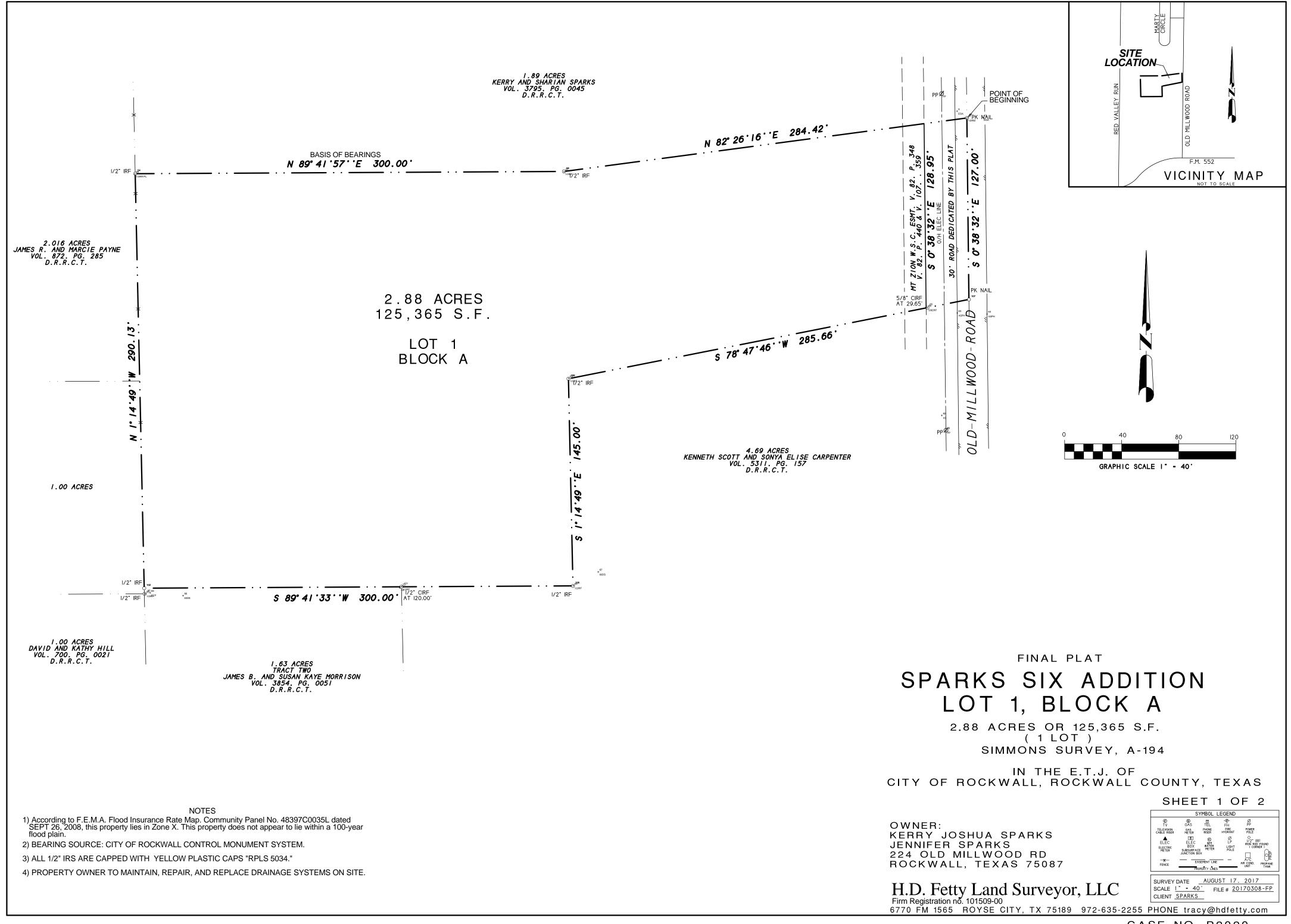




City of Rockwall

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.





STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS Kerry Joshua Sparks and Jennifer Sparks, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, Rockwall County, Texas, and being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated September 10, 1976 and being recorded in Volume 123, Page 866 of the Real Estate Records of Rockwall County, Texas, and also being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 16, 1982 and being recorded in Volume 166, Page 428 of the Real Property Records of Rockwall County, Texas, and also being all of the 0.879 acres tract of land as described in a Warranty from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 19, 1984 and being recorded in Volume 203, Page 596 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows: Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a P-K nail for corner in the center of Old Millwood Road, at the northeast corner of said 0.879 acres tract of land and at the southeast corner of a 1.89 acres tract of land as described in a Warranty deed from Kerry Sparks to Sherian Sparks, dated November 22, 2004 and being recorded in Volume 3795, Page 45 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 38 min. 32 sec. E. along the center of said road and the east line of said 0.879 acres tract, a distance of 127.00 feet to a P-K nail found in center of road for corner at the southeast corner of said tract;

THENCE S. 78 deg. 47 min. 46 sec. W. at 29.65 feet pass a 5/8" iron rod found for witness and continuing for a total distance of 285.66 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.879 acres

THENCE S. 01 deg. 14 min. 49 sec. E. a distance of 145.00 feet to a 1/2" iron rod found for corner at the southeast corner of said 0.999 acres tract;

THENCE S. 89 deg. 41 min. 33 sec. W. a distance of 300.00 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.999 acres tract;

THENCE N. 01 deg. 14 min. 49 sec. W. a distance of 290.13 feet to 1/2" iron rod found for corner at the southwest corner of said 1.89 acres tract;

THENCE N. 89 deg. 41 min. 57 sec. E. along the south line of said 1.89 acres tract of land, a distance of 300.00 feet to a 1/2" iron rod found for corner at the northwest corner of said 0.879 acres tract;

THENCE N. 82 deg. 26 min. 16 sec. E. along the south line of said 1.89 acres tract of land, a distance of 284.42 feet to the POINT OF BEGINNING and containing 125,365 square feet or 2.88 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 SPARKS SIX ADDITION, LOT 1, BLOCK A, 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. I further certify that all other parties who have a mortgage or lien interest in SPARKS SIX ADDITION, LOT 1, BLOCK A, have been notified and signed this plat.

I 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.

I also understand the following;

- 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 the ir 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.
- 3. 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.
- 4. The developer and subdivision engineer shall bear total responsibility for storm drain
- 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.
- 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 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, water 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.

I 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; I, my 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.

| KERRY JOSHUA SPARKS | |
|---------------------|--|
| | |
| | |
| JENNIFER SPARKS | |

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, as required under Ordinance 83-54.

| STATE OF | TEXAS |
|----------|------------|
| | F ROCKWALL |

Before me, the undersigned authority, on this day personally appeared KERRY JOSHUA SPARKS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and

consideration therein stated. Given upon my hand and seal of office this _____day of ___

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 JENNIFER SPARKS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and

consideration therein stated.

Given upon my hand and seal of office this _day of _

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW. THEREFORE KNOW ALL MEN BY THESE PRESENTS:

Harolo

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.

| | ON REGISTERED TO |
|---|--|
| D. Fetty, III ered Professional Land Surveyor No. 5034 | HAROLD D. FETTY III \$\int_{OFESS}^{5034} \int_{OFESS}^{10} |
| | SURVE |

Planning and Zoning Commission Date

APPROVED

RECOMMENDED FOR FINAL APPROVAL

I hereby certify that the above and foregoing plat of SPARKS SIX ADDITION, LOT 1, BLOCK A, 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

| WITNESS OUR HANDS, this day o | of |
|-------------------------------|---------------------------------|
| Mayor, City of Rockwall | City Secretary City of Rockwall |
| City Engineer | Date |

FINAL PLAT

SPARKS SIX ADDITION LOT 1, BLOCK A

2.88 ACRES OR 125,365 S.F. (1 LOT) SIMMONS SURVEY, A-194

IN THE E.T.J. OF CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER: KERRY JOSHUA SPARKS JENNIFER SPARKS 224 OLD MILLWOOD RD ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC



6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com CASE NO. P2020385 S. GOLIAD STREET • ROCKWALL, TX 75087 PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

DATE: September 8, 2020

APPLICANT: Kerry Joshua Sparks

CASE NUMBER: P2020-031; Lot 1, Block A, Sparks Six Addition (ETJ)

SUMMARY

Consider a request by Kerry Joshua Sparks for the approval of a <u>Final Plat</u> for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a *Final Plat* for a 2.88-acre tract of land, creating *Lot 1, Block A, Sparks Six Addition*, which is identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, and is situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). The purpose of the final plat is to construct a single-family home on the subject property, which is generally located on the west side of Old Mill Road, and is in Rockwall County, Texas.
- ☑ The proposed final plat is subject to the requirements of Chapter 38, Subdivisions, of the City's Municipal Code of Ordinances, the City's Standards of Design and Construction Manual, and Exhibit 'A', Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, of the Interim Interlocal Agreement between Rockwall County and the City of Rockwall.
- According to Exhibit 'A' of the Interim Interlocal Agreement, "(a)|| lots or tracts of land shall be required to have frontage on an existing public or private street that is based on the size of the lot." For lots greater than one (1) acre but less than three (3) acres the minimum lot frontage is 150-feet. In this case, the subject property is 2.88-acre tract of land that has 128.95-feet of frontage along Old Millwood Road. After reviewing [1] the configuration of the adjacent tracts of land and [2] the existing and adjacent subdivisions of land, staff determined that the variance was minor enough that it could be considered with the approval of the final plat. The Interim Interlocal Agreement grants the City Council the ability to approve such exceptions and/or variances to the Subdivision Regulations, which are stipulated in [1] the City's Standards of Design and Construction manual, [2] Chapter 38, Subdivisions, of the City's Municipal Code of Ordinances, and [3] Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City. In granting these requests the Interim Interlocal Agreement states that "...the City Council should take into consideration the unique or extraordinary circumstance or hardship that prevents the developer or property owner from meeting the stated requirement." Staff should point out that there are several adjacent, unplatted tracts of land that currently would not meet the frontage requirements. With this being said the approval of a variance to the requirements of the Interim Interlocal Agreement is a discretionary decision for the City Council.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall -- 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 Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the final plat for Lot 1, Block A, Sparks Six Addition, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (i.e. Engineering, Planning and Fire Department) and Rockwall County shall be addressed prior to filing of the plat with Rockwall County; and,
- (2) The applicant shall have the city approved plat mylar signed by the Rockwall County Judge prior to staff accepting the plat for filing purposes; and,
- (3) A variance to the lot frontage requirements of the *Interim Interlocal Agreement* shall be approved allowing this subdivision of land a minimum lot frontage requirement of 128.95-feet; and,
- (4) 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 August 25, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the final plat with the conditions of approval by a vote of 6-0, with Commissioner Moeller absent.



DEVELOPMENT APPLICATION . CITY OF NOC

DEVELOPMENT APPLICATION

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

STAFF USE ONLY -

PLANNING & ZONING CASE NO.

P2020-031

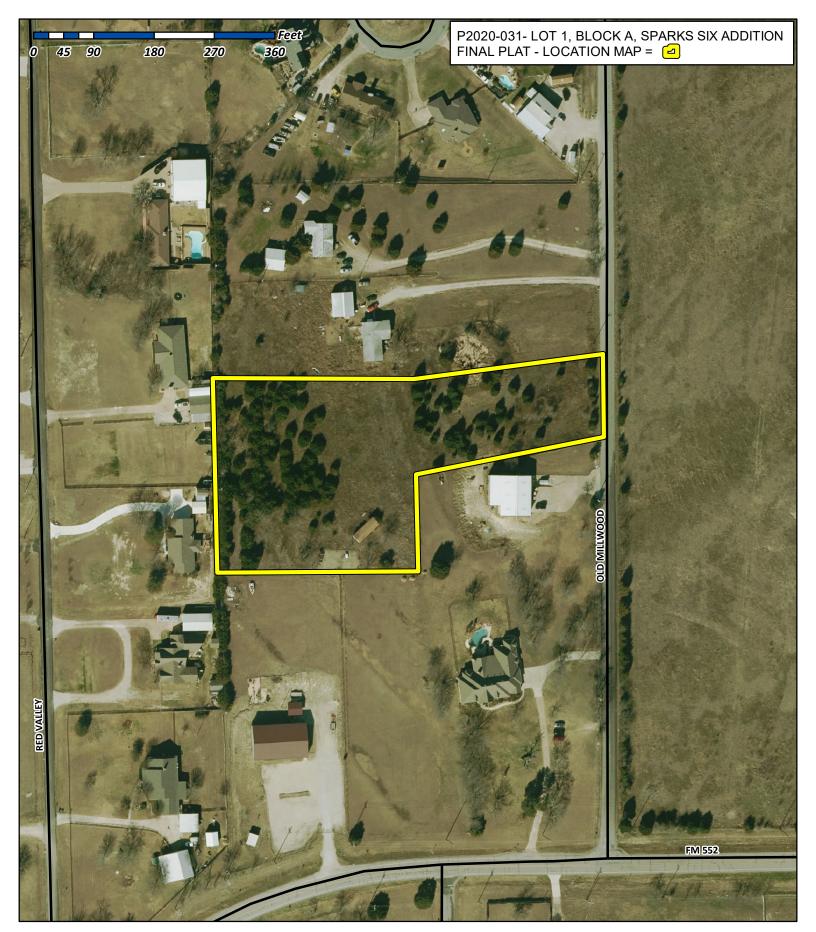
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

(X 75087 • [P] (972) 771-7745 • [F] (972) 771-7727

DIRECTOR OF PLANNING:

CITY ENGINEER:

| Please check the ap | opropriate box below to indicat | e tne type of develo | oment request (SELE) | IT ONLY ONE BOXJ: | |
|--|--|--|---|---|------------------------------------|
| [] Preliminary Pl. [| at (\$200.00 + \$15.00 Acre) ¹ at (\$200.00 + \$15.00 Acre) ¹ 00.00 + \$20.00 Acre) ¹ 00 + \$20.00 Acre) ¹ Minor Plat (\$150.00) ment Request (\$100.00) | (\$100.00) | [] Specific Use Per [] PD Developmer Other Application I [] Tree Removal (! [] Variance Reque Notes: 1: In determining the fe | (\$200.00 + \$15.00 Acre) ¹ rmit (\$200.00 + \$15.00 Acre) ¹ nt Plans (\$200.00 + \$15.00 Acre) ¹ Fees: \$75.00) | , . |
| PROPERTY INFO | DRMATION [PLEASE PRINT] | | | | |
| | | and Red | Rockwall | TX 75087 | |
| Subdivision | Soucks 5 | ix Addis | hon | Lot / Block | A |
| General Location | 224 Old Millar Sparks S A0194 Si | MMONS TI | set 2.88 | bues | |
| | LAN AND PLATTING INFO | | | | |
| Current Zoning | | | Current Use | | |
| Proposed Zoning | | | Proposed Use | | |
| Acreage | | Lots [Current] | | Lots [Proposed] | |
| | D PLATS: By checking this box you ack ure to address any of staff's comments | | | c City no longer has flexibility with regard r will result in the denial of your case. | to its approval |
| OWNER/APPLIC | CANT/AGENT INFORMATI | ON [PLEASE PRINT/CHI | ECK THE PRIMARY CONTA | ACT/ORIGINAL SIGNATURES ARE REQUIRED |)] |
| [Owner | Kerry Joshun Son | gets | [] Applicant | | |
| Contact Person | Josh SpA | rks | Contact Person | | |
| Address | 224 Old Millwood | nd Rd | Address | | |
| City, State & Zip | P 1 T | -V -000 | City, State & Zip | | |
| Phone | Kookwall T. | 1 150. | Phone | | |
| E-Mail | | 3 | | | |
| NIOTADY VEDICI | CATION (REQUIRED) | | | | |
| Before me, the undersig | gned authority, on this day personally a ue and certified the following: | ippeared Kerry Ju | oshva Sparkston | wner] the undersigned, who stated the i | nformation on |
| cover the cost of this ap that the City of Rockwo | oplication, has been paid to the City of F all (i.e. "City") is authorized and permi | Rockwall on this the 22 tted to provide informati | day of Jone doncton contained within this | and correct; and the application fee of \$ | authorized and quest for public |
| Given under my hand a | nd seal of office on this the <u>23</u> | day of One | , 20 <u>20</u> . | MARIBEL SII Notary ID #125' My Commission | 704273 |
| | Owner's Signature | RO | 20 | May 24, 20 | |
| Motory Public in | and for the State of Texas | 1011 | V | My Commission Expires MALL DU | 1 2022 |

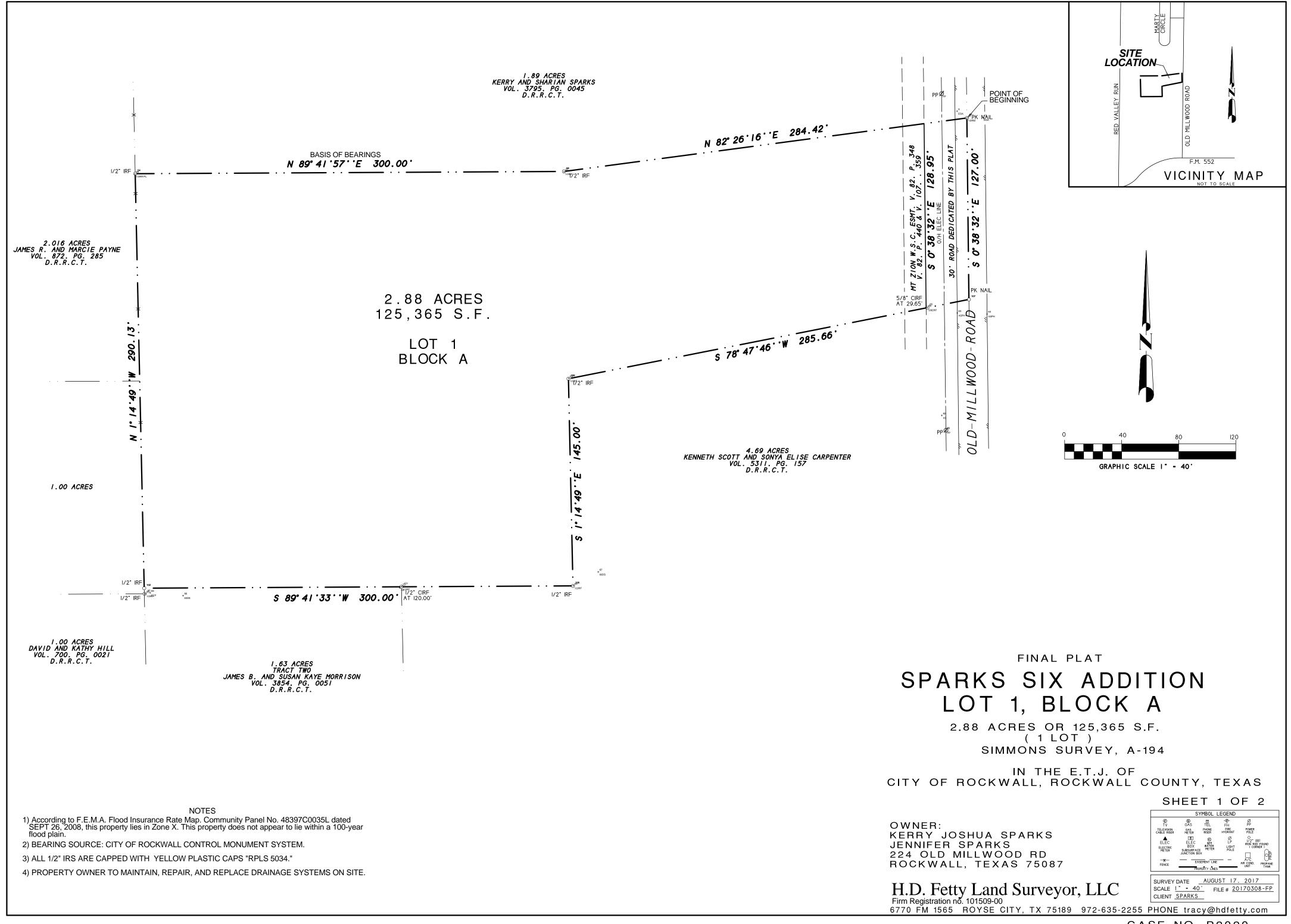




City of Rockwall

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.





STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS Kerry Joshua Sparks and Jennifer Sparks, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, Rockwall County, Texas, and being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated September 10, 1976 and being recorded in Volume 123, Page 866 of the Real Estate Records of Rockwall County, Texas, and also being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 16, 1982 and being recorded in Volume 166, Page 428 of the Real Property Records of Rockwall County, Texas, and also being all of the 0.879 acres tract of land as described in a Warranty from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 19, 1984 and being recorded in Volume 203, Page 596 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows: Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a P-K nail for corner in the center of Old Millwood Road, at the northeast corner of said 0.879 acres tract of land and at the southeast corner of a 1.89 acres tract of land as described in a Warranty deed from Kerry Sparks to Sherian Sparks, dated November 22, 2004 and being recorded in Volume 3795, Page 45 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 38 min. 32 sec. E. along the center of said road and the east line of said 0.879 acres tract, a distance of 127.00 feet to a P-K nail found in center of road for corner at the southeast corner of said tract;

THENCE S. 78 deg. 47 min. 46 sec. W. at 29.65 feet pass a 5/8" iron rod found for witness and continuing for a total distance of 285.66 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.879 acres

THENCE S. 01 deg. 14 min. 49 sec. E. a distance of 145.00 feet to a 1/2" iron rod found for corner at the southeast corner of said 0.999 acres tract;

THENCE S. 89 deg. 41 min. 33 sec. W. a distance of 300.00 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.999 acres tract;

THENCE N. 01 deg. 14 min. 49 sec. W. a distance of 290.13 feet to 1/2" iron rod found for corner at the southwest corner of said 1.89 acres tract;

THENCE N. 89 deg. 41 min. 57 sec. E. along the south line of said 1.89 acres tract of land, a distance of 300.00 feet to a 1/2" iron rod found for corner at the northwest corner of said 0.879 acres tract;

THENCE N. 82 deg. 26 min. 16 sec. E. along the south line of said 1.89 acres tract of land, a distance of 284.42 feet to the POINT OF BEGINNING and containing 125,365 square feet or 2.88 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 SPARKS SIX ADDITION, LOT 1, BLOCK A, 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. I further certify that all other parties who have a mortgage or lien interest in SPARKS SIX ADDITION, LOT 1, BLOCK A, have been notified and signed this plat.

I 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.

I also understand the following;

- 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 the ir 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.
- 3. 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.
- 4. The developer and subdivision engineer shall bear total responsibility for storm drain
- 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.
- 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 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, water 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.

I 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; I, my 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.

| KERRY JOSHUA SPARKS | |
|---------------------|--|
| | |
| | |
| JENNIFER SPARKS | |

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, as required under Ordinance 83-54.

| STATE OF | TEXAS |
|----------|------------|
| | F ROCKWALL |

Before me, the undersigned authority, on this day personally appeared KERRY JOSHUA SPARKS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and

consideration therein stated. Given upon my hand and seal of office this _____day of ___

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 JENNIFER SPARKS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and

consideration therein stated.

Given upon my hand and seal of office this _day of _

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW. THEREFORE KNOW ALL MEN BY THESE PRESENTS:

Harolo

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.

| | ON REGISTERED TO |
|---|--|
| D. Fetty, III ered Professional Land Surveyor No. 5034 | HAROLD D. FETTY III \$\int_{OFESS}^{5034} \int_{OFESS}^{10} |
| | SURVE |

Planning and Zoning Commission Date

APPROVED

RECOMMENDED FOR FINAL APPROVAL

I hereby certify that the above and foregoing plat of SPARKS SIX ADDITION, LOT 1, BLOCK A, 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

| WITNESS OUR HANDS, this day of | |
|--------------------------------|---------------------------------|
| Mayor, City of Rockwall | City Secretary City of Rockwall |
| City Engineer | Date |

FINAL PLAT

SPARKS SIX ADDITION LOT 1, BLOCK A

2.88 ACRES OR 125,365 S.F. (1 LOT) SIMMONS SURVEY, A-194

IN THE E.T.J. OF CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER: KERRY JOSHUA SPARKS JENNIFER SPARKS 224 OLD MILLWOOD RD ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SYMBOL LEGEND ⊗ Ø WM LP WATER LIGHT METER POLE O I/2" IRF IRON ROD FOUND (CORNER) ELECTRIC METER EASEMENT LINE SURVEY DATE AUGUST 17. 2017 SCALE | - 40 FILE # 20170308-FP CLIENT SPARKS

CASE NO. P2020-



September 11, 2020

TO:

Kerry Joshua Sparks 224 Old Millwood Road Rockwall, TX 75225

FROM:

David Gonzales, AICP

City of Rockwall Planning and Zoning Department

385 S. Goliad Street Rockwall, TX 75087

SUBJECT:

P2020-031; Lot 1, Block A, Sparks Six Addition (ETJ)

Kerry Joshua Sparks:

This letter serves to notify you that the above referenced platting case that you submitted for consideration by the City of Rockwall was approved by the City Council on September 8 2020. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

(1) All technical comments from City Staff (i.e. Engineering, Planning and Fire Department) and Rockwall County shall be addressed prior to filing of the plat with Rockwall County;

Planning Staff Comments:

- a) Please refer to the Checklist for Plat Submittals as found in the Interim Interlocal Cooperative Agreement for Subdivision Regulation (ILA) document and make the following corrections and/or provide a statement for each of the following items: (Exhibit 'A', ILA)
 - a. Provide the appropriate plat wording provided in the application packet that details the designation of the entity responsible for the operation and maintenance of any commonly held property and a waiver releasing the city of such responsibility, a waiver releasing the City for damages in establishment or alteration of grade. (Section (5)(a)(b), Certification and Dedication Language, Exhibit 'A', ILA)
 - b. Provide the instrument of dedication or adoption signed by the owners, which is provided in the agreement. (Section (5)(a)(b), Certification and Dedication Language, Exhibit 'A', ILA)
 - c. Provide a space for signatures attesting approval of the plat. This will require the appropriate signature block for the County Judge. (Section (5)(d), Signature Block, Exhibit 'A', ILA)
- b) For reference, include the case number (P2020-031) in the lower right-hand corner of all pages of all revised plan submittals (i.e. site plan and landscape plan). (§01.02(D), Art. 11, UDC)
- c) This project is subject to all requirements stipulated by Chapter 38, Subdivisions of the Code of Ordinances of The City of Rockwall and the Interim Interlocal Cooperation Agreement for Subdivision Regulation between Rockwall County and the City of Rockwall (ILA). (§01.02(D), Art. 11, UDC)
- d) The location of the development is required to be tied to a Rockwall monument, or tie two (2) corners to state plan coordinates (NAD 83 State Plane Texas, North Central [7202], US Survey Feet). Tie two (2) corners to City monumentation. (Chapter 38, Subdivision Regulations, Municipal Code of Ordinances)
- e) Label the building lines where adjacent to a street. (Section (C)(1), Building Setback Requirements Adjacent to a Public Street, Exhibit 'A', ILA)

- f) All lots or tracts of land shall be required to have frontage on an existing public or private street that is based on the size of the lot. For lots greater than one (1) acre but less than three (3) acres the minimum lot frontage is 150-feet. The proposed lot frontage does not meet this requirement and requires approval of a variance from the City Council of the City of Rockwall prior to approval of the plat. [Section (C)(2), Minimum Lot Frontage on a Street, Exhibit 'A', ILA]
- g) Please make these revisions/corrections and provide two (2) large copies (18" X 24" FOLDED) and one PDF version for a subsequent review by staff. (§01.02(D), Art. 11, UDC)
- h) Please note that once the plat has been approved by the Planning and Zoning Commission and City Council, all staff comments are to be addressed and all revisions are to be approved (by staff) prior to the plat being submitted on mylar for filing.
- i) The plat mylars require a signature by the County Judge. You must obtain the County Judge's signature prior to submitting the plat and all necessary documents (i.e. mylar copies, tax certificate(s), and filing fees) with the City for filing with Rockwall County. [Section (5)(d), Signature Blocks, of Exhibit 'A', ILA]
- j) Once staff has approved the plat for filing, the mylar copies must be signed by the Rockwall County Judge prior to staff accepting the plat for filing purposes. [Chapter 38, Subdivision Regulations, Municipal Code of Ordinances]

Engineering Staff Comments:

- a) Label 2 Points: Northing, Easting
- b) Label Distance on line for ROW Dedication
- c) Label width of existing Mt. Zion WSC Easement
- d) Label Distance on line for ROW Dedication
- (2) The applicant shall have the city approved plat mylar signed by the Rockwall County Judge prior to staff accepting the plat for filing purposes; and,
- (3) A variance to the lot frontage requirements of the *Interim Interlocal Agreement* shall be approved allowing this subdivision of land a minimum lot frontage requirement of 128.95-feet; and,
- (4) 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 August 25, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the final plat with the conditions of approval by a vote of 6-0, with Commissioner Moeller absent.

City Council

On September 8, 2020, the City Council approved a motion to approve the final plat with the conditions of approval by a vote of 7-0.

Plat Filing Instructions

Prior to submitting the required materials for filing, please send or submit a physical or digital copy of the plat to allow staff to ensure that all outstanding comments have been addressed. Once staff has verified all comments have been addressed you will be required to submit -- at a minimum -- the following:

(1) A minimum of one (1) set of mylar copies of the plat.

(2) One (1) tax certificate for each property being platted that demonstrates that the current years taxes have been paid.

(3) A check for \$130.00 for the filing fees made out to the *Rockwall County Clerk's Office*. [estimate only, for a two (2) page mylar with one (1) tax certificate. Verify the number of pages and properties, and include an additional \$4.00 for each tax certificate].

Please note that the filling fee amount above is only an estimate and that filing fees are subject to change based on the requirements of the *Rockwall County Clerk's Office*. In addition, if you are submitting mylars between <u>September 1st</u> and <u>December 31st</u>, you will be required to submit the current year's tax receipt showing that all assessed taxes have been paid. If taxes have not been assessed on the

property being platted, a statement from the Rockwall Central Appraisal District is required and an additional \$4.00 filing fee may be assessed and will be in addition to the filing fees for the plat.

All plats must be submitted to the City with the required filing fees and tax certificates a minimum of 180-days from the approval date. Failure to miss this deadline, will result in the plat being expired in accordance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances. Should you have any questions or concerns regarding your plat or the platting process, please feel free to contact me a (972) 771-7745.

David Gonzales, ACP

Sinceret

Planning and Zoning Manager