



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:
CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address ADJACENT TO 330 H. WALLACE LN. ROCKWALL, TX 75032

Subdivision WALLACE TRACT Lot Block

General Location HORIZON / WALLACE LN.

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	<u>AG/FARM</u>	Current Use	<u>AG/FARM</u>
Proposed Zoning	<u>RESIDENTIAL</u>	Proposed Use	<u>SINGLE FAMILY RES.</u>
Acreage	<u>2</u>	Lots [Current]	<u>1</u>
		Lots [Proposed]	<u>1</u>

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

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

<input checked="" type="checkbox"/> Owner	<u>DONALD & CATHY WALLACE</u>	<input type="checkbox"/> Applicant	
Contact Person	<u>CATHY WALLACE</u>	Contact Person	
Address	<u>330 H. WALLACE LN</u>	Address	
City, State & Zip	<u>ROCKWALL, TX 75032</u>	City, State & Zip	
Phone	<u>214-668-7752</u>	Phone	
E-Mail	<u>catlyn52@gmail.com</u>	E-Mail	

NOTARY VERIFICATION [REQUIRED]

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

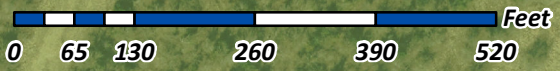
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 260.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 15 day of JUNE, 2020. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 15th day of JUNE, 2020.

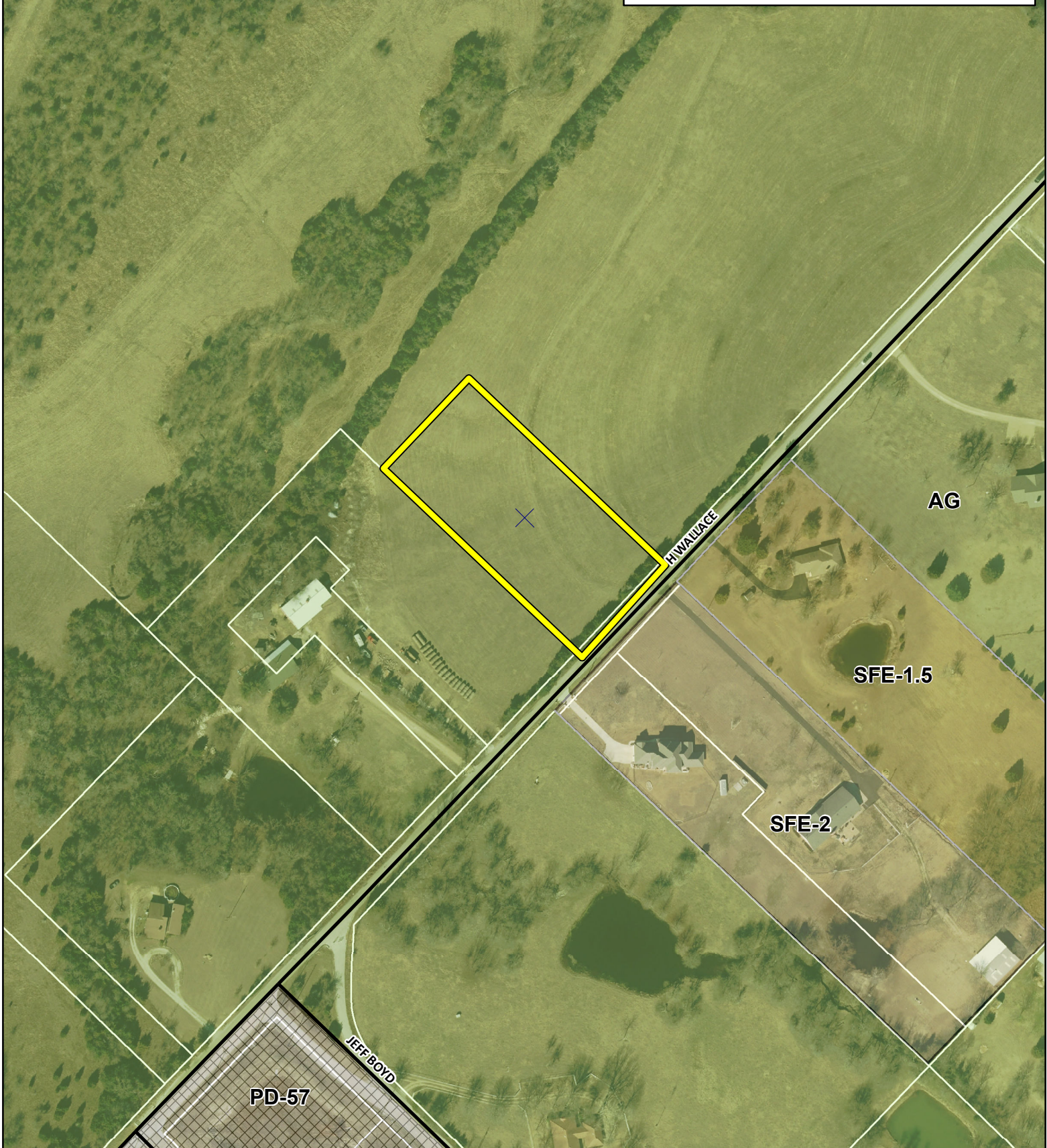
Owner's Signature Cathy Wallace

Notary Public in and for the State of Texas Misti A. Jones





Z2020-029- ZONING CHANGE (AG TO SFE 2.0)
ZONING - LOCATION MAP =



City of Rockwall

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

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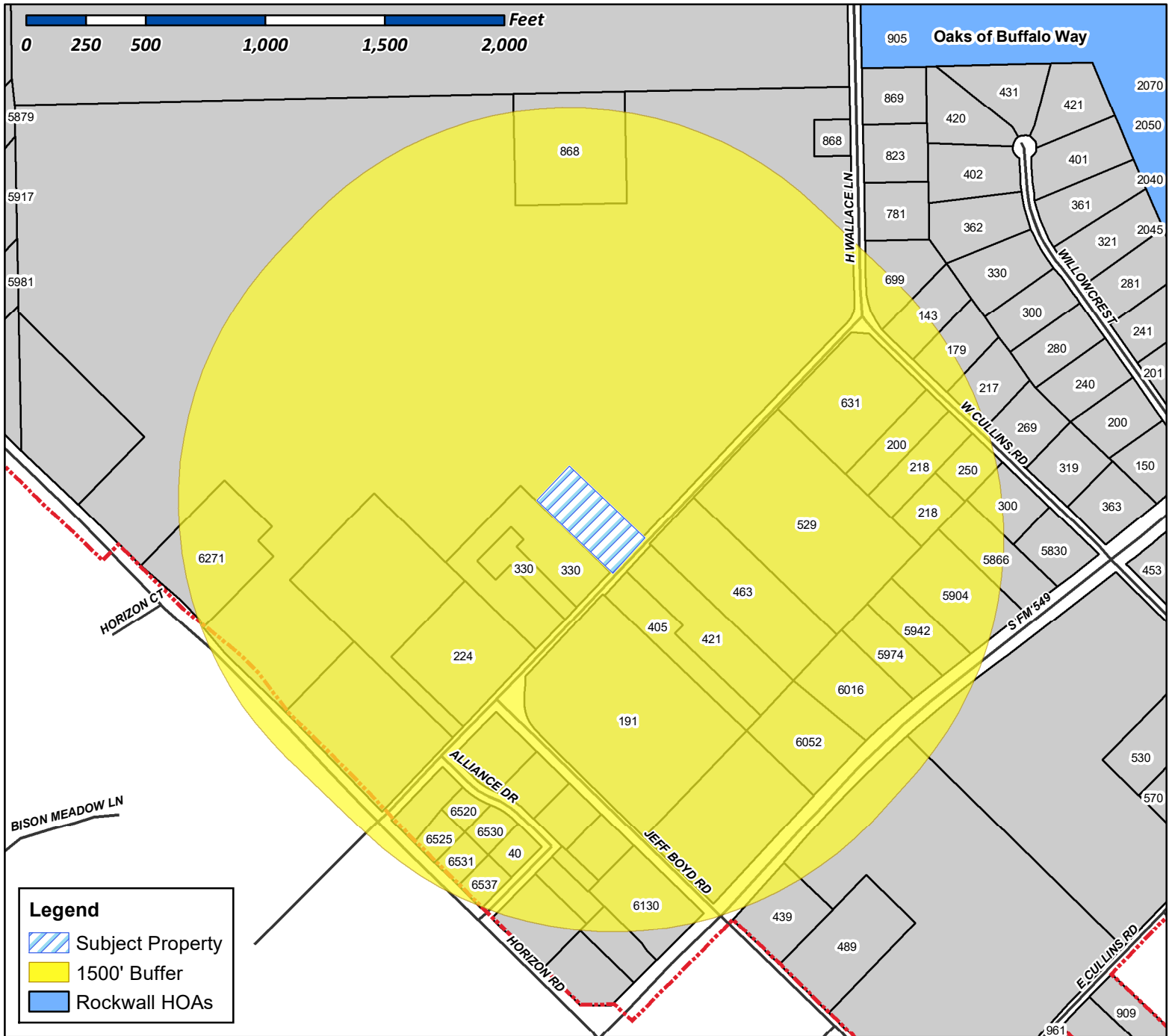




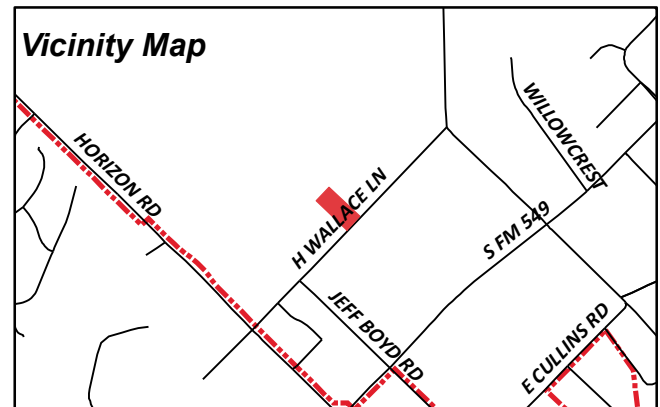
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Case Number: Z2020-029
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property



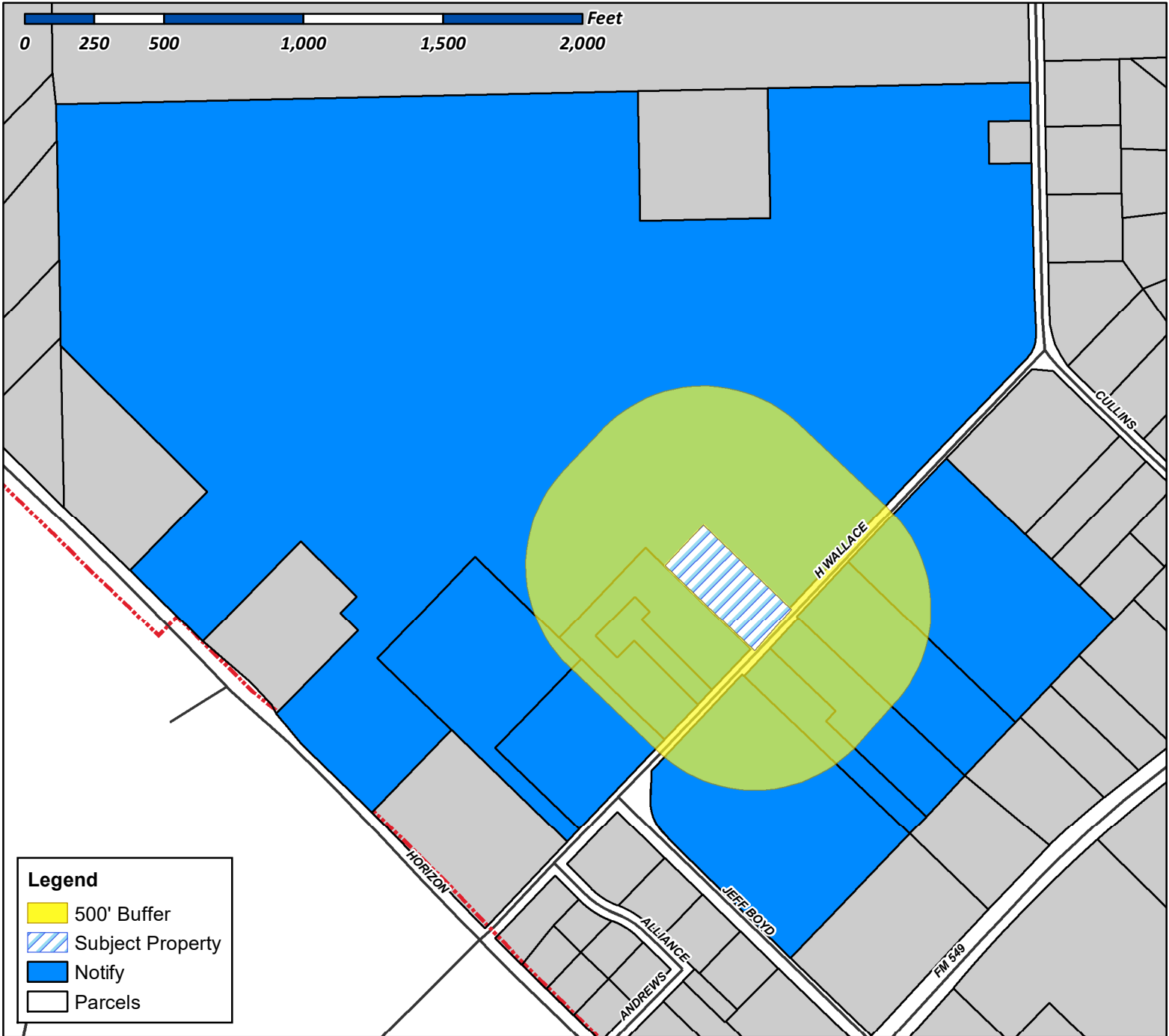
Date Created: 6/22/2020
For Questions on this Case Call (972) 771-7745



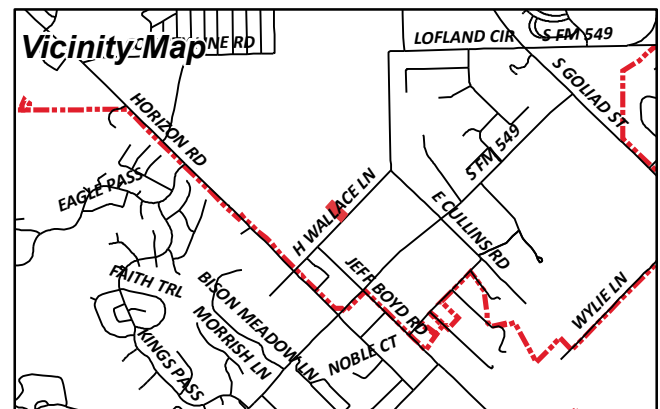
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Case Number: Z2020-021
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property



Date Created: 6/22/2020
 For Questions on this Case Call (972) 771-7745

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2020-029: Zoning Change (AG to SFE 2.0) for the Wallace Tract

Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, July 20, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2020-029: Zoning Change (AG to SFE 2.0) for the Wallace Tract

Please place a check mark on the appropriate line below:

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

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

6-15-20

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

RE: Rezoning Request

To Whom it May Concern,

Please accept this letter as a request to rezone *two(2)* total acres of our property, directly adjacent to 330 H. Wallace Lane, Rockwall, Tx. 75032, from Agriculture/Farming, to Residential/Single-Family Housing. Once the property has been rezoned, it is our goal to sell/gift the property to our son and daughter so that they will be able to build a home on the property.

If you should have any questions or concerns, please do not hesitate to give me a call.

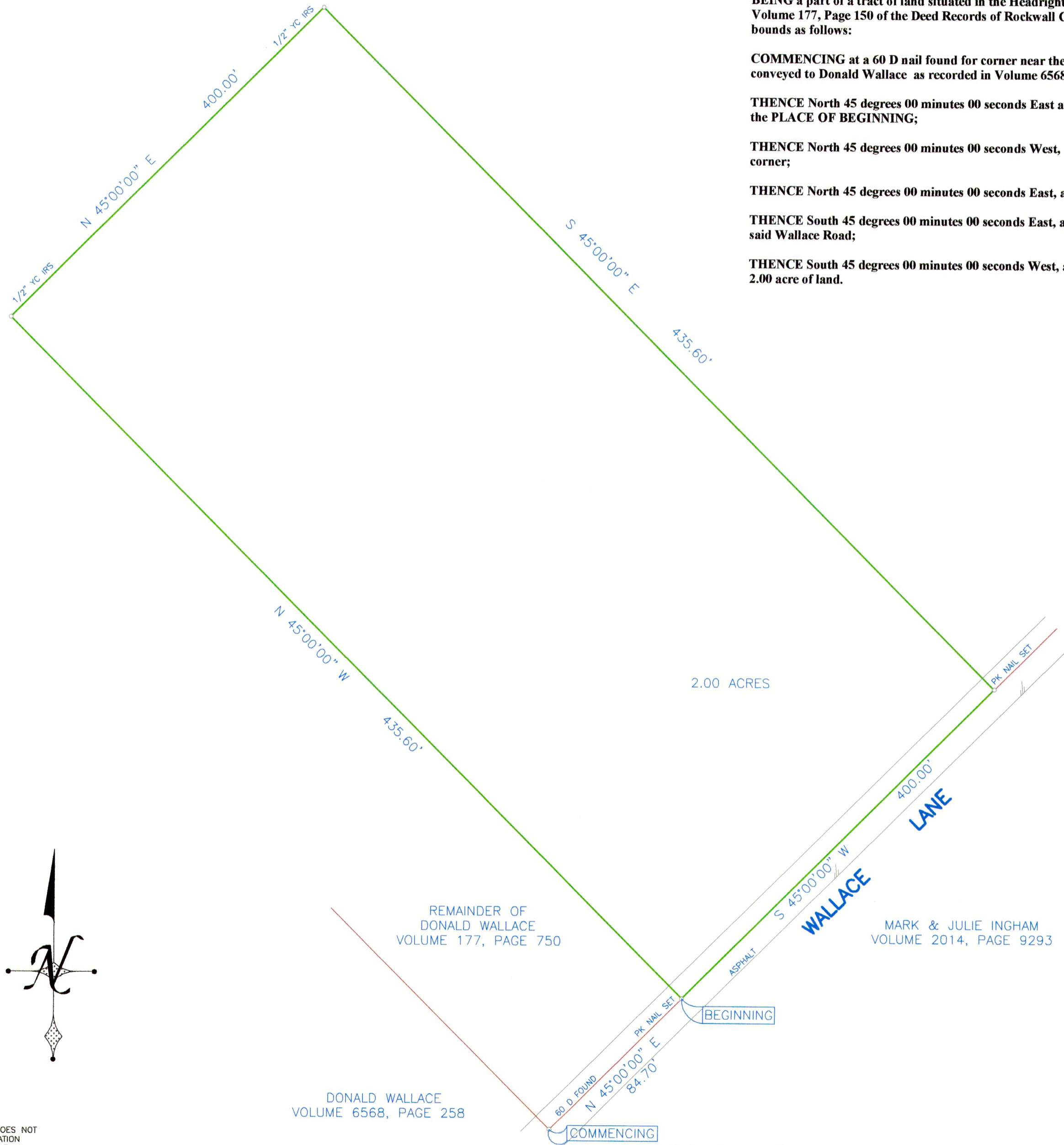
Thank you for your time and consideration ~

Regards,

A handwritten signature in cursive script that reads "Donald & Cathy Wallace". The signature is written in black ink and is positioned above the printed name.

Donald & Cathy Wallace

REMAINDER OF
DONALD WALLACE
VOLUME 177, PAGE 750



STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a part of a tract of land situated in the Headright Survey of W.W. Ford conveyed to Donald Wallace as recorded in Volume 177, Page 150 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 60 D nail found for corner near the centerline of Wallace Lane, a being the Southeast corner of a tract conveyed to Donald Wallace as recorded in Volume 6568, Page 258 of the Deed Records of Rockwall County, Texas;

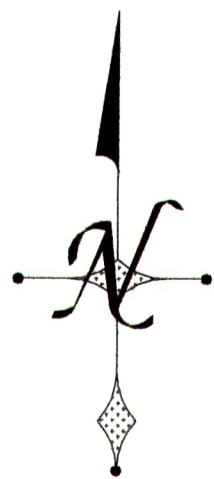
THENCE North 45 degrees 00 minutes 00 seconds East a distance of 84.70 feet to a PK nail set for corner and said point being the PLACE OF BEGINNING;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 435.60 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds East, a distance of 400.00 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 00 minutes 00 seconds East, a distance of 435.60 feet to a PK nail set for corner near the centerline of said Wallace Road;

THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 400.00 feet to the PLACE OF BEGINNING and containing 2.00 acre of land.



REMAINDER OF
DONALD WALLACE
VOLUME 177, PAGE 750

DONALD WALLACE
VOLUME 6568, PAGE 258

MARK & JULIE INGHAM
VOLUME 2014, PAGE 9293

2.00 ACRES

RHODES
Surveying
WWW.RHODESURVEYING.COM

SURVEY PLAT

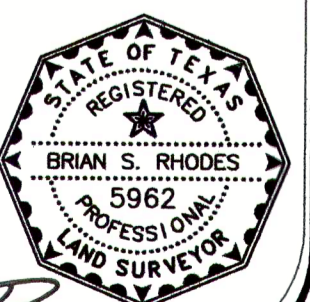
BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. WALLACE LANE, in the city of ROCKWALL, ROCKWALL COUNTY Texas.

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 40'
Date: 07/25/2014
G. F. No.:
Job no.: 83951-A
Drawn by: CW

P.O. BOX 175
FATE TEXAS 75132
PHONE 972-475-8940
FAX 972-475-9036

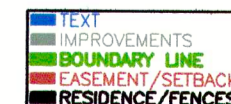


THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

TITLE AND ABSTRACTING WORK FURNISHED BY DON WALLACE

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR DON WALLACE

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.





DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

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- Master Plat (\$100.00 + \$15.00 Acre)¹
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- Variance Request (\$100.00)

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address ADJACENT TO 330 H. WALLACE LN. ROCKWALL, TX 75032

Subdivision WALLACE TRACT Lot Block

General Location HORIZON / WALLACE LN.

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	<u>AG/FARM</u>	Current Use	<u>AG/FARM</u>
Proposed Zoning	<u>RESIDENTIAL</u>	Proposed Use	<u>SINGLE FAMILY RES.</u>
Acreage	<u>2</u>	Lots [Current]	<u>1</u>
		Lots [Proposed]	<u>1</u>

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

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

<input checked="" type="checkbox"/> Owner	<u>DONALD & CATHY WALLACE</u>	<input type="checkbox"/> Applicant	
Contact Person	<u>CATHY WALLACE</u>	Contact Person	
Address	<u>330 H. WALLACE LN</u>	Address	
City, State & Zip	<u>ROCKWALL, TX 75032</u>	City, State & Zip	
Phone	<u>214-668-7752</u>	Phone	
E-Mail	<u>catlyn52@gmail.com</u>	E-Mail	

NOTARY VERIFICATION [REQUIRED]

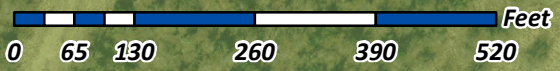
Before me, the undersigned authority, on this day personally appeared CATHY WALLACE [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 260.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 15 day of JUNE, 2020. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

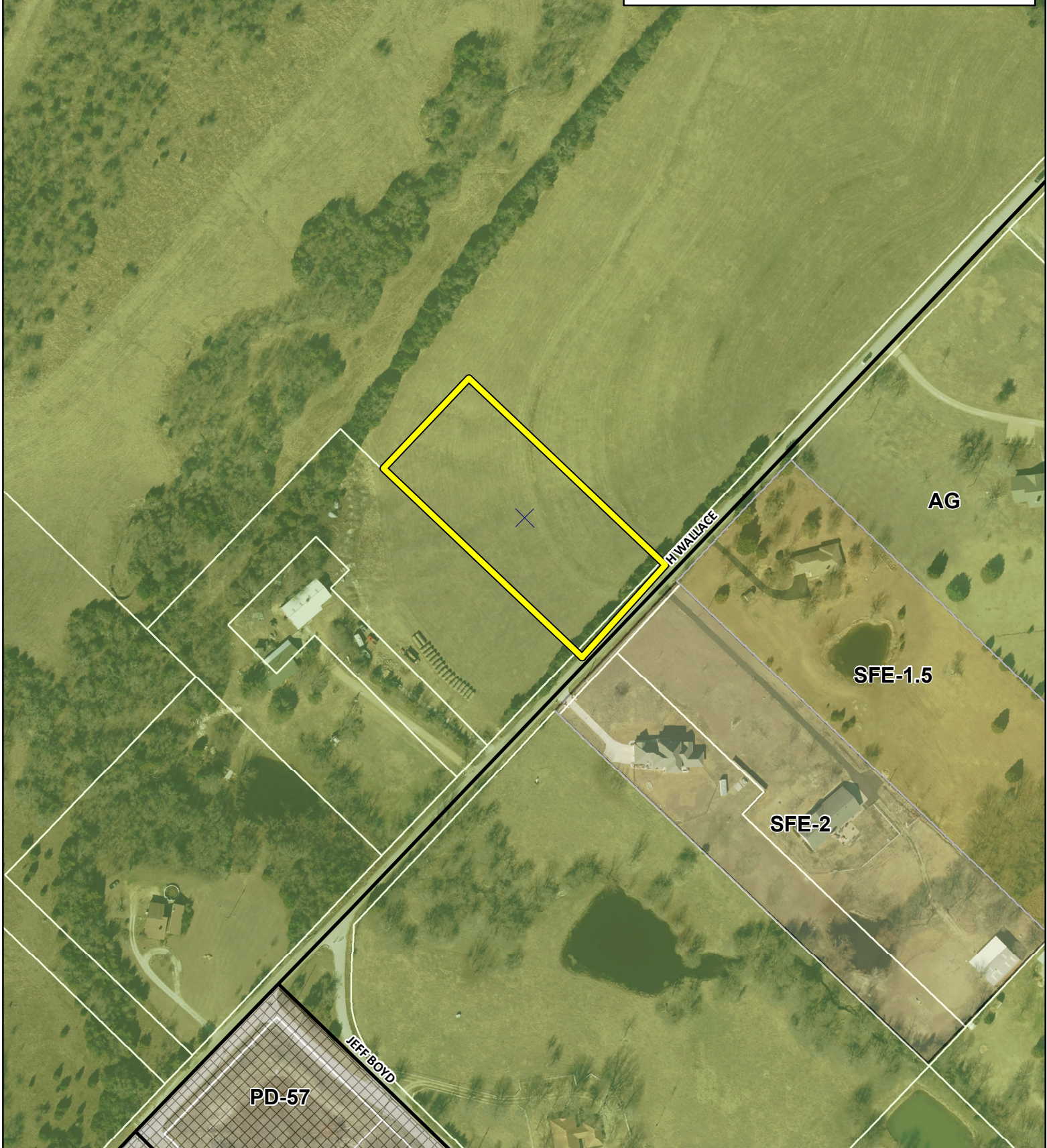
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Owner's Signature Cathy Wallace
Cathy Wallace
Notary Public in and for the State of Texas Misti A. Jones





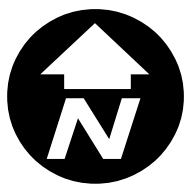
Z2020-029- ZONING CHANGE (AG TO SFE 2.0)
ZONING - LOCATION MAP =



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Rockwall, Texas 75032
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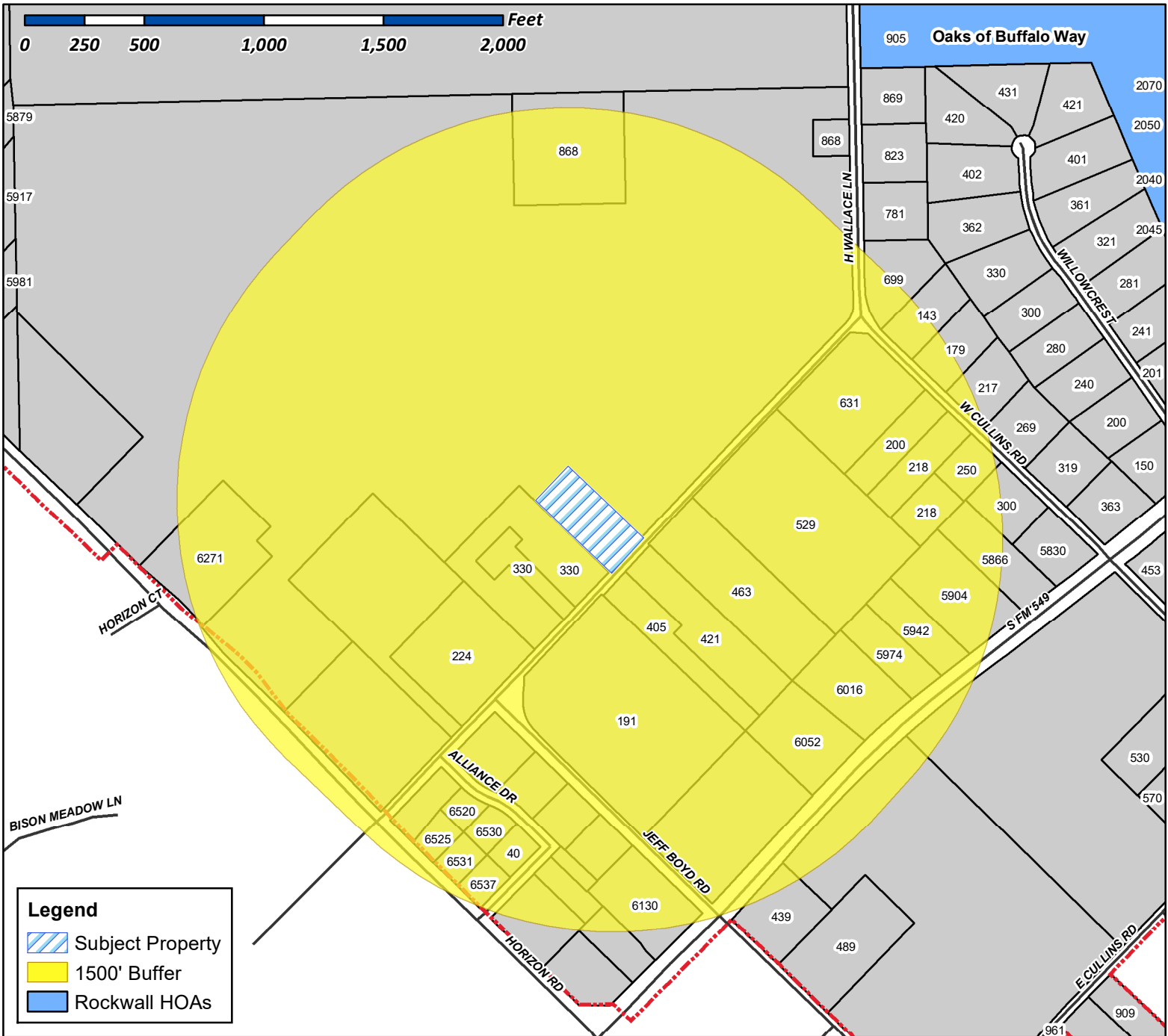




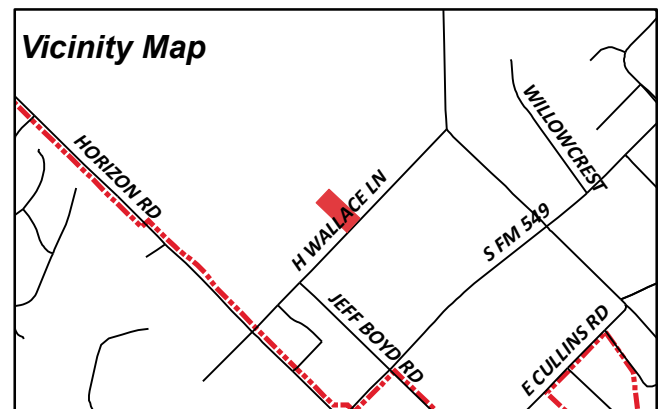
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Case Number: Z2020-029
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property



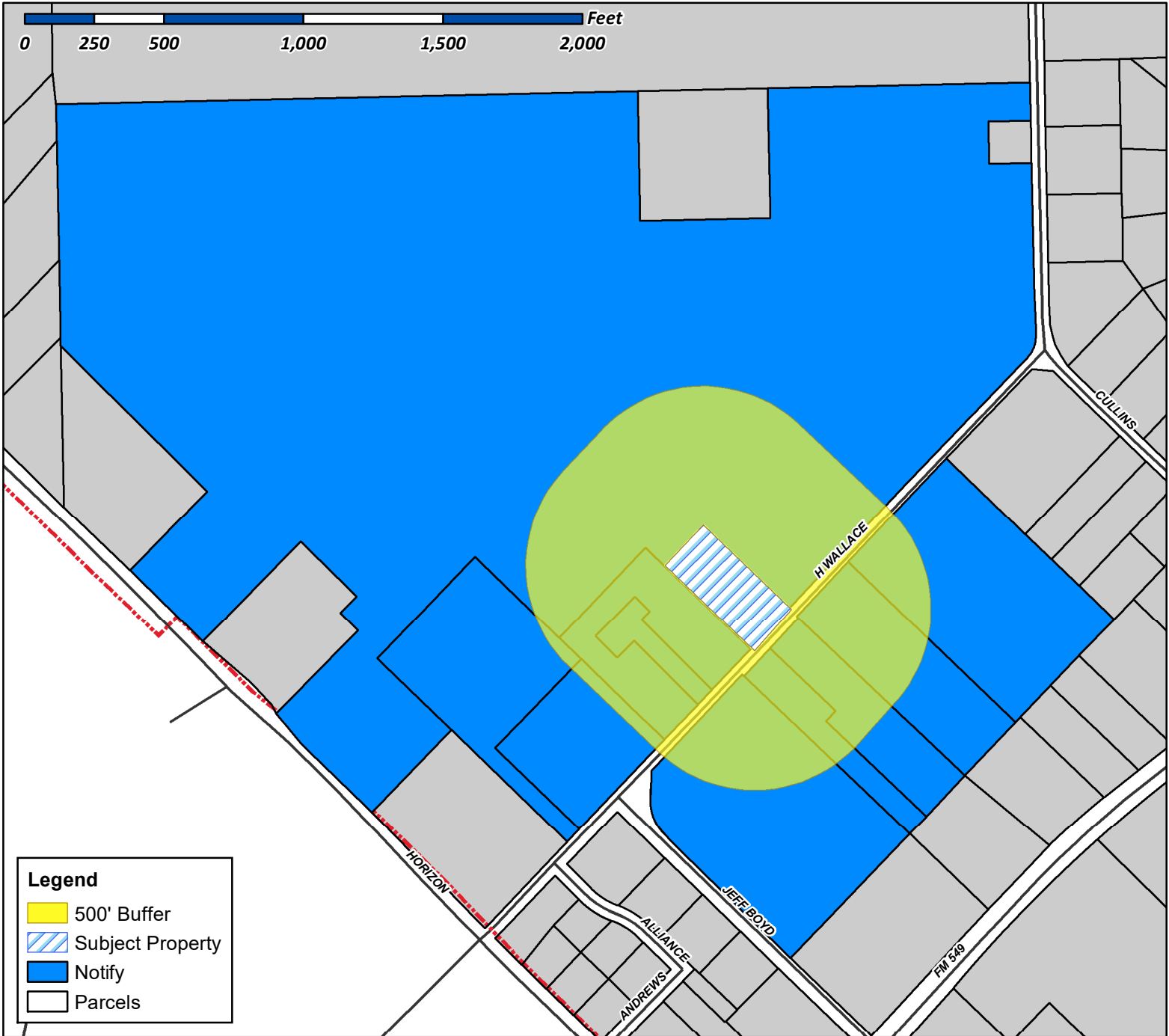
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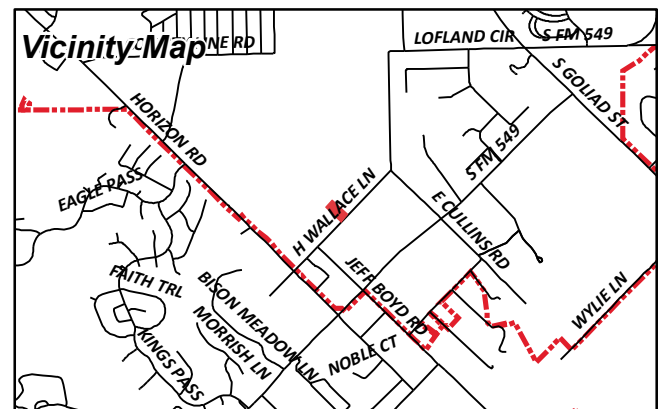
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Case Number: Z2020-021
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property

Date Created: 6/22/2020
 For Questions on this Case Call (972) 771-7745



PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2020-029: Zoning Change (AG to SFE 2.0) for the Wallace Tract

Please place a check mark on the appropriate line below:

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Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

6-15-20

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

RE: Rezoning Request

To Whom it May Concern,

Please accept this letter as a request to rezone *two(2)* total acres of our property, directly adjacent to 330 H. Wallace Lane, Rockwall, Tx. 75032, from Agriculture/Farming, to Residential/Single-Family Housing. Once the property has been rezoned, it is our goal to sell/gift the property to our son and daughter so that they will be able to build a home on the property.

If you should have any questions or concerns, please do not hesitate to give me a call.

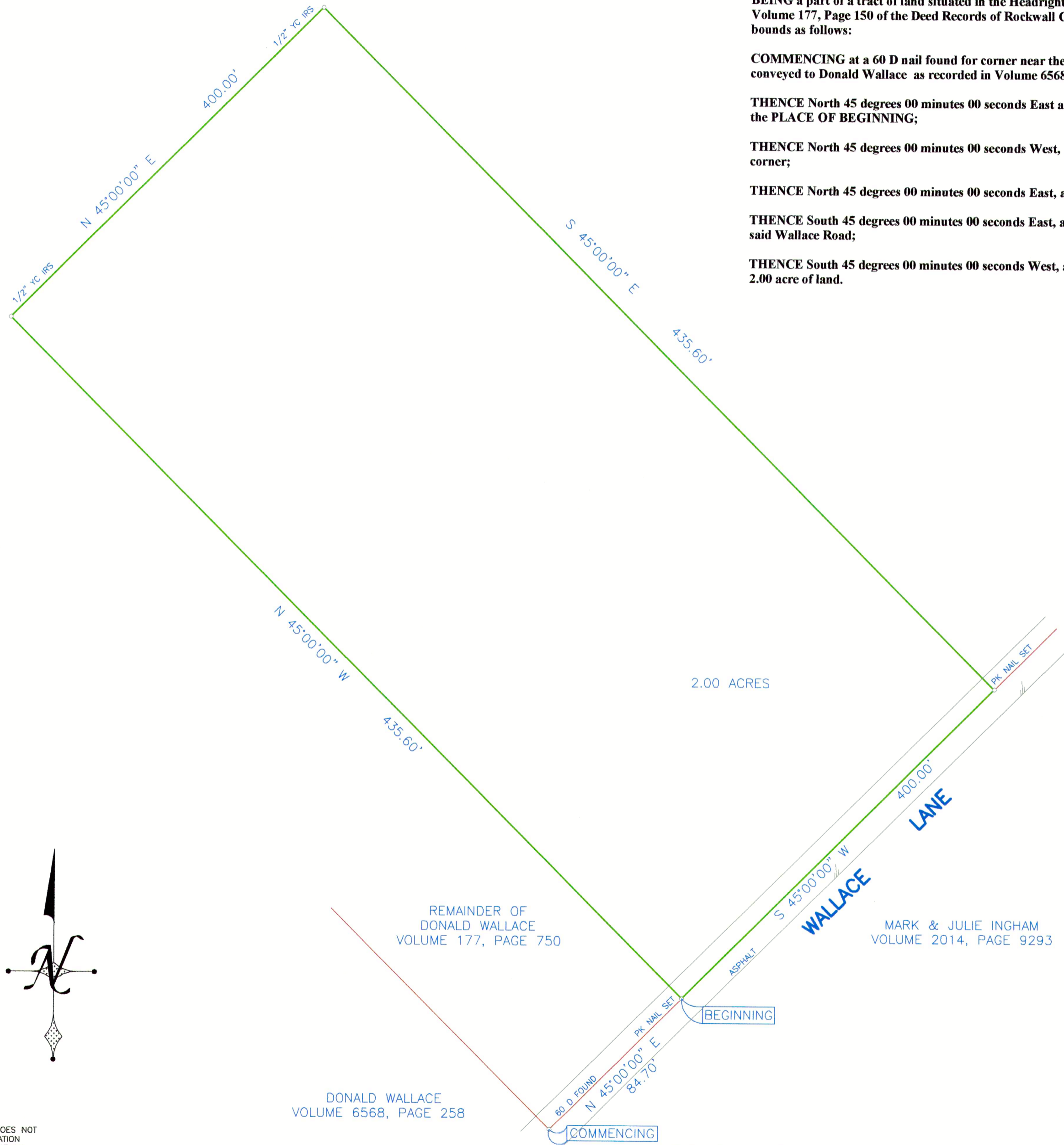
Thank you for your time and consideration ~

Regards,

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Donald & Cathy Wallace

REMAINDER OF
DONALD WALLACE
VOLUME 177, PAGE 750



STATE OF TEXAS:
COUNTY OF ROCKWALL:

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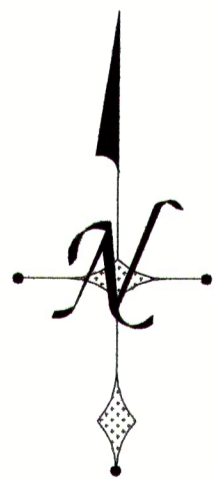
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REMAINDER OF
DONALD WALLACE
VOLUME 177, PAGE 750

DONALD WALLACE
VOLUME 6568, PAGE 258

MARK & JULIE INGHAM
VOLUME 2014, PAGE 9293

2.00 ACRES

RHODES
Surveying
WWW.RHODESURVEYING.COM

SURVEY PLAT

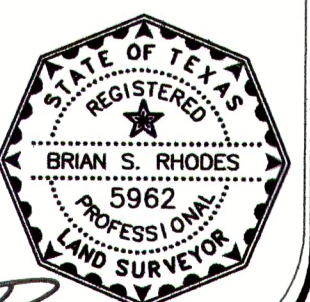
BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. WALLACE LANE, in the city of ROCKWALL, ROCKWALL COUNTY Texas.

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 40'
Date: 07/25/2014
G. F. No.:
Job no.: 83951-A
Drawn by: CW

P.O. BOX 175
FATE TEXAS 75132
PHONE 972-475-8940
FAX 972-475-9036

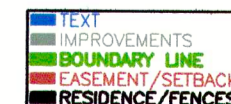


THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

TITLE AND ABSTRACTING WORK FURNISHED BY DON WALLACE

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR DON WALLACE

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.



PROJECT COMMENTS



CITY OF ROCKWALL
385 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
PHONE: (972) 771-7700

DATE: 6/26/2020

PROJECT NUMBER: Z2020-029
PROJECT NAME: Zoning Change (AG to SFE 2.0) for the Wallace Tract
SITE ADDRESS/LOCATIONS: Wallace Lane

CASE MANAGER: David Gonzales
CASE MANAGER PHONE: 972-772-6488
CASE MANAGER EMAIL: dgonzales@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	David Gonzales	06/24/2020	Needs Review

06/25/2020:

Z2020-029; Change of Zoning from AG to SFE-2.0 – Wallace Lane

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

I.1 This is a request for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097].

I.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.

I.3 This project is subject to all requirements stipulated by the Unified Development Code (UDC), and the Development Standards of Article IV & Article V that are applicable to the subject property. It should be noted that upon approval of the zoning change, and at the time of final plat, the subject property will be required to dedicate right-of-way along Wallace Lane per the Master Thoroughfare Plan located within the OURHometown 2040 Comprehensive Plan.

I.4 Please note the scheduled meetings for this case:

- 1) Planning & Zoning Work Session meeting will be held on June 30, 2020.
- 2) Planning & Zoning Public Hearing meeting will be held on July 14, 2020.
- 3) City Council Public Hearing will be held on July 20, 2020. (1st Reading of Ordinance)
- 4) City Council meeting will be held on August 3, 2020. (2nd Reading of Ordinance)

I.5 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.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	06/25/2020	Needs Review

06/25/2020: M - Must replat the property to subdivide.

M - Must verify there is 30' of ROW dedicated to the centerline of Wallace Lane. If 30' is not there, the distance must be dedicated.

- M - Must dedicate 20' water line easement along frontage of property.
- M - Property owner shall maintain, replace, and reconstruct drainage and detention easements on site
- M - Must meet the engineering standards of design.

The following is for your information for engineering design.

- I - Contact Ron Merritt with Rockwall County for septic system availability.
- I - 4% Engineering inspection fees
- I - Water, Wastewater and Roadway impact fees I - Min 20' utility easements, no structures in easements (Section 3.1 and 5.3.1)
- I - Walls 3' and over must be engineered and all retaining walls to be rock or stone face no smooth concrete walls (Section 7.5)
- I - Need to show existing and proposed utilities
- I - Show parking dimensions/Drive aisle dimensions Section 3.2.7.6 2.15
- I - Detention is required. Manning's C-value will got from a 0.35 to a 0.5 for residential use.
- I - 4:1 max slope for grading Section 3.2.7.2
- I - If the creek runs through the back of the lot, no development or improvements can be in the floodplain area without a flood study.
- I - Must meet the engineering standards of design.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	06/25/2020	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	06/24/2020	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	06/23/2020	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	06/23/2020	Approved

06/23/2020: No comment

I - If the creek runs through the back of the lot, no development or improvements can be in the floodplain area without a flood study.

REMAINDER OF DONALD WALLACE VOLUME 177, PAGE 750

STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a part of a tract of land situated in the Hendright Survey of W.W. Ford conveyed to Donald Wallace as recorded in Volume 177, Page 150 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 60 D nail found for corner near the centerline of Wallace Lane, a being the Southeast corner of a tract conveyed to Donald Wallace, as recorded in Volume 656B, Page 258 of the Deed Records of Rockwall County, Texas;

THENCE North 45 degrees 00 minutes 00 seconds East a distance of 84.70 feet to a PK nail set for corner and said point being the PLACE OF BEGINNING;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 435.60 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds East, a distance of 400.00 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 00 minutes 00 seconds East, a distance of 435.60 feet to a PK nail set for corner near the centerline of said Wallace Road;

THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 400.00 feet to the PLACE OF BEGINNING and containing 2.00 acre of land.



M - 20' Water line easement for future 12" line

M - Must replat the property to subdivide.
M - Must verify there is 30' of ROW dedicated to the centerline of Wallace Lane. If 30' is not there, the distance must be dedicated.
M - Must dedicate 20' water line easement along frontage of property.
M - Property owner shall maintain, replace, and reconstruct drainage and detention easements on site
M - Must meet the engineering standards of design.

The following is for your information for engineering design.
I - Contact Ron Merritt with Rockwall County for septic system availability.
I - 4% Engineering inspection fees
I - Water, Wastewater and Roadway impact fees
I - Min 20' utility easements, no structures in easements (Section 3.1 and 5.3.1)
I - Walls 3' and over must be engineered and all retaining walls to be rock or stone face no smooth concrete walls (Section 7.5)
I - Need to show existing and proposed utilities
I - Show parking dimensions/Drive aisle dimensions Section 3.2.7.6 2.15
I - Detention is required. Manning's C-value will get from a 0.35 to a 0.5 for residential use.
I - 4:1 max slope for grading Section 3.2.7.2
I - Must meet the engineering standards of design.

M - ROW dedication



THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT REVEAL.

TITLE AND ABSTRACTING WORK FURNISHED BY DON WALLACE

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR DON WALLACE
USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.



BRIAN S. Ingham
This is to certify that I am a duly licensed Professional Engineer in the State of Texas, and I am the author of the above described survey, the plat of which is attached to this report.

Scale: 1" = 40'
Date: 07/22/2014
G. F. No.:
Job no.: 83551-A
Drawn by: CW

P.O. BOX 175
FAIRBANKS, TEXAS 75132
PHONE: 972-475-8940
FAX: 972-475-9036

County of property: Rockwall, Texas





DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address ADJACENT TO 330 H. WALLACE LN. ROCKWALL, TX 75032

Subdivision WALLACE TRACT Lot Block

General Location HORIZON / WALLACE LN.

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	<u>AG/FARM</u>	Current Use	<u>AG/FARM</u>
Proposed Zoning	<u>RESIDENTIAL</u>	Proposed Use	<u>SINGLE FAMILY RES.</u>
Acreage	<u>2</u>	Lots [Current]	<u>1</u>
		Lots [Proposed]	<u>1</u>

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

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

Owner DONALD & CATHY WALLACE Applicant

Contact Person CATHY WALLACE Contact Person

Address 330 H. WALLACE LN Address

City, State & Zip ROCKWALL, TX 75032 City, State & Zip

Phone 214-668-7752 Phone

E-Mail catlyn52@gmail.com E-Mail

NOTARY VERIFICATION [REQUIRED]

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

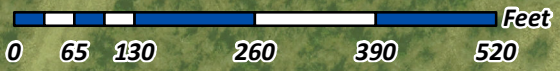
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 260.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 15 day of JUNE, 2020. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 15th day of JUNE, 2020.

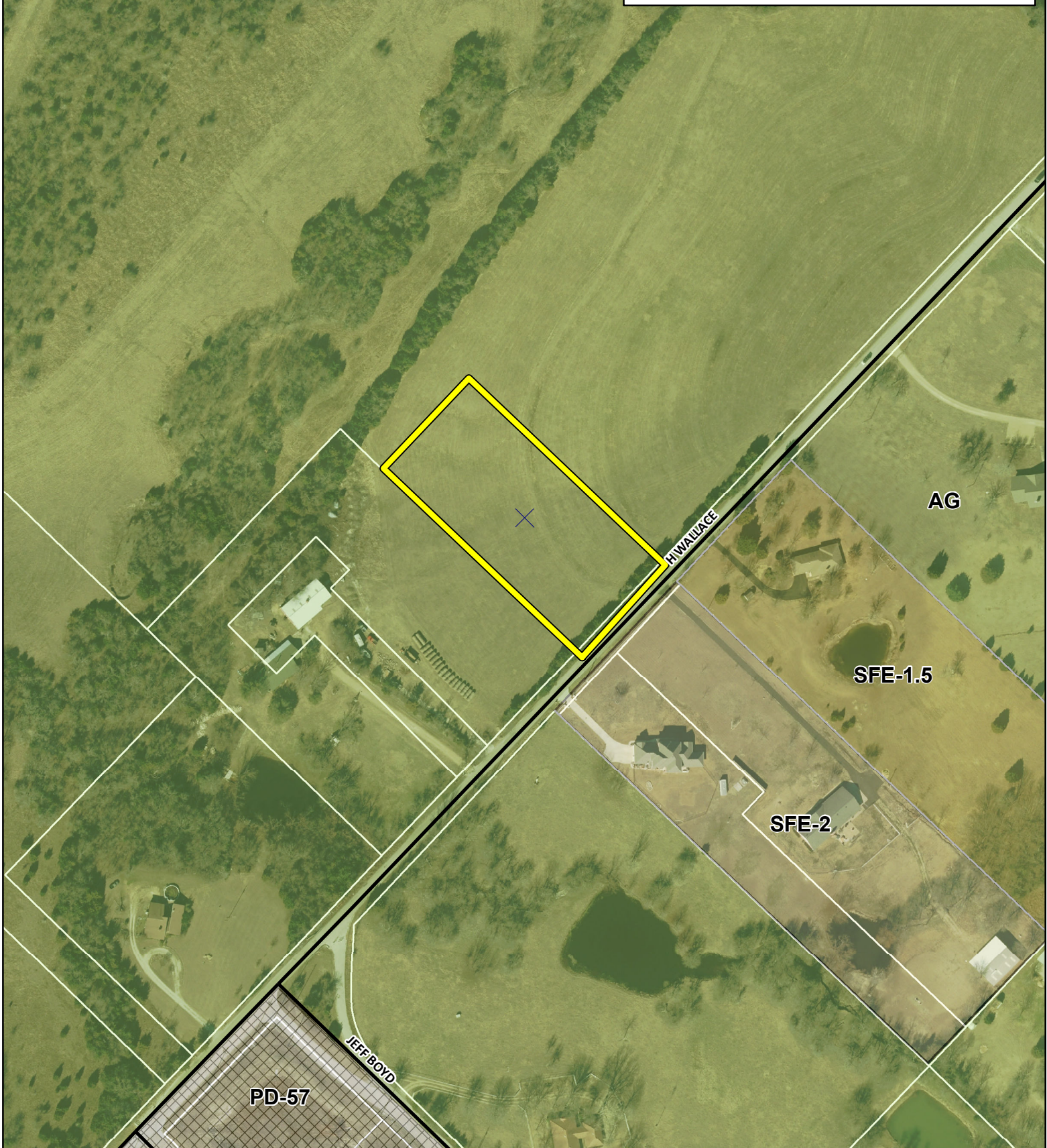
Owner's Signature Cathy Wallace

Notary Public in and for the State of Texas Misti A. Jones





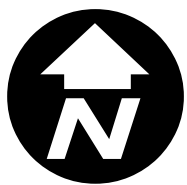
Z2020-029- ZONING CHANGE (AG TO SFE 2.0)
ZONING - LOCATION MAP =



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.

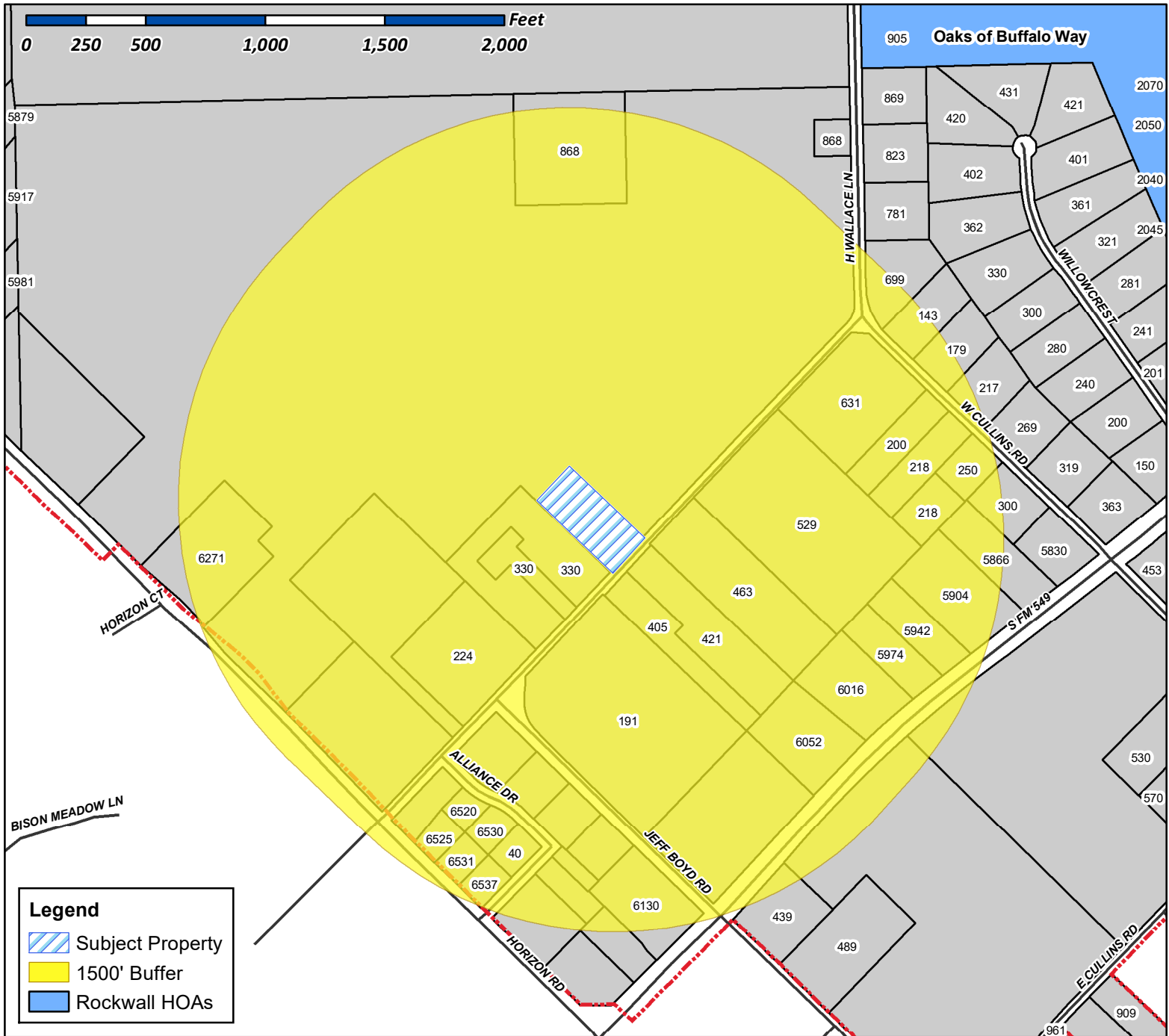




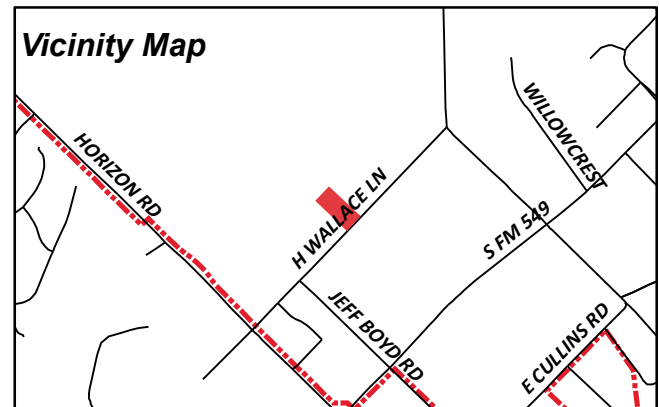
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2020-029
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property



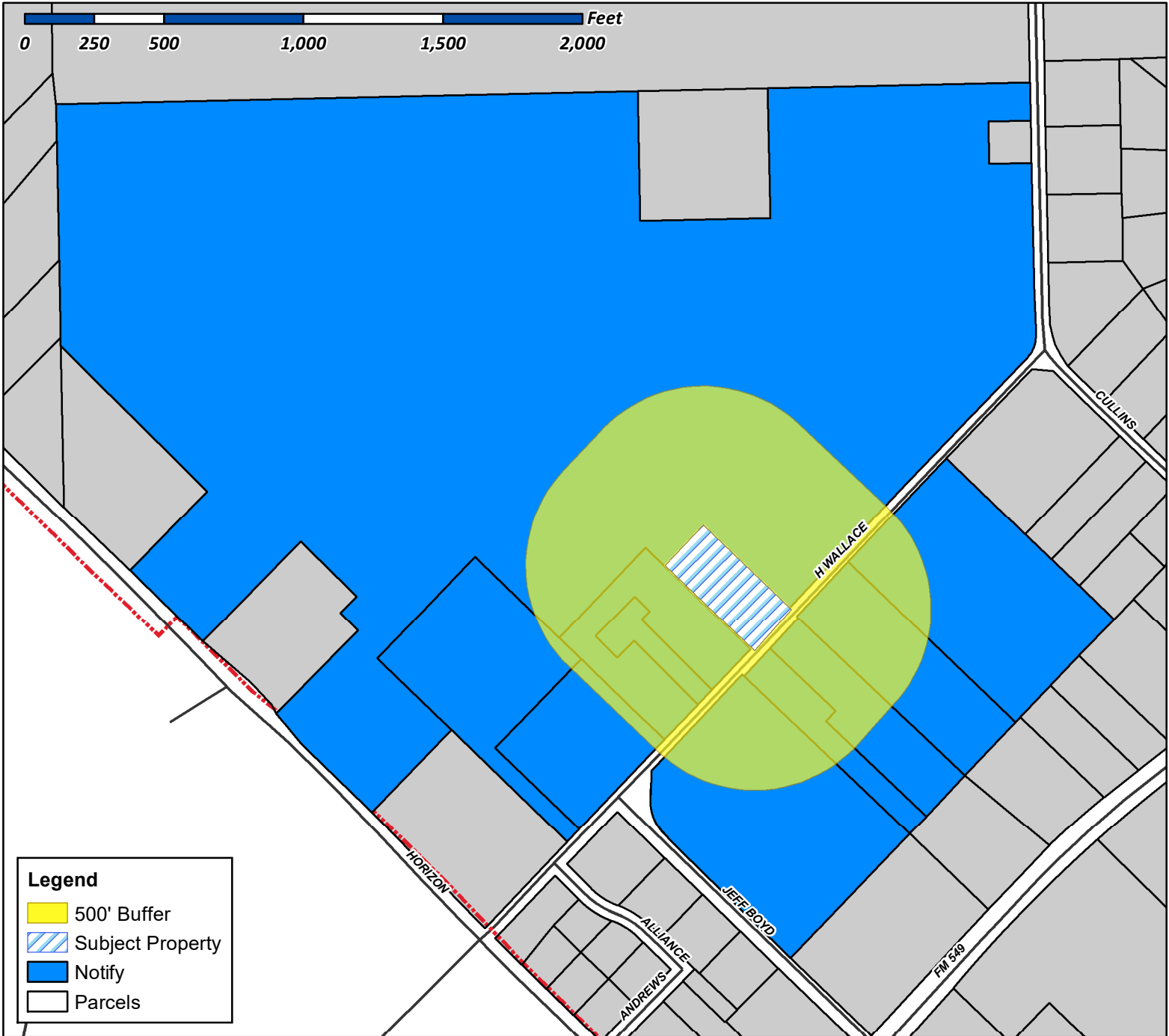
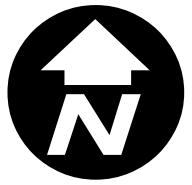
Date Created: 6/22/2020
For Questions on this Case Call (972) 771-7745



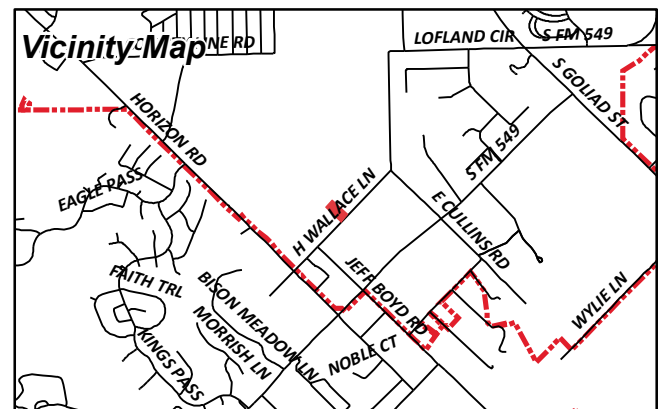
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2020-021
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property



Date Created: 6/22/2020
 For Questions on this Case Call (972) 771-7745

HUNT JACKSON W JR
191 JEFF BOYD RD
ROCKWALL, TX 75032

MORTON MARGARET ANNE WALLACE
224 H WALLACE LN
ROCKWALL, TX 75032

WALLACE DONALD J
330 H WALLACE LN
ROCKWALL, TX 75032

KRECEK RICHARD L AND JANETTE C
405 H WALLACE LN
ROCKWALL, TX 75032

PALOMBA LISA
421 H WALLACE LN
ROCKWALL, TX 75032

WILCK PAUL J JR
463 H WALLACE LN
ROCKWALL, TX 75032

MCCOSH GORDON ETUX
529 H WALLACE LN
ROCKWALL, TX 75032

WALLACE LAND PARTNERS L P
6271 HORIZON RD
ROCKWALL, TX 75032

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2020-029: Zoning Change (AG to SFE 2.0) for the Wallace Tract

Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, July 20, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2020-029: Zoning Change (AG to SFE 2.0) for the Wallace Tract

Please place a check mark on the appropriate line below:

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

[Redacted area]

Name: [Redacted]
Address: [Redacted]

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

6-15-20

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

RE: Rezoning Request

To Whom it May Concern,

Please accept this letter as a request to rezone *two(2)* total acres of our property, directly adjacent to 330 H. Wallace Lane, Rockwall, Tx. 75032, from Agriculture/Farming, to Residential/Single-Family Housing. Once the property has been rezoned, it is our goal to sell/gift the property to our son and daughter so that they will be able to build a home on the property.

If you should have any questions or concerns, please do not hesitate to give me a call.

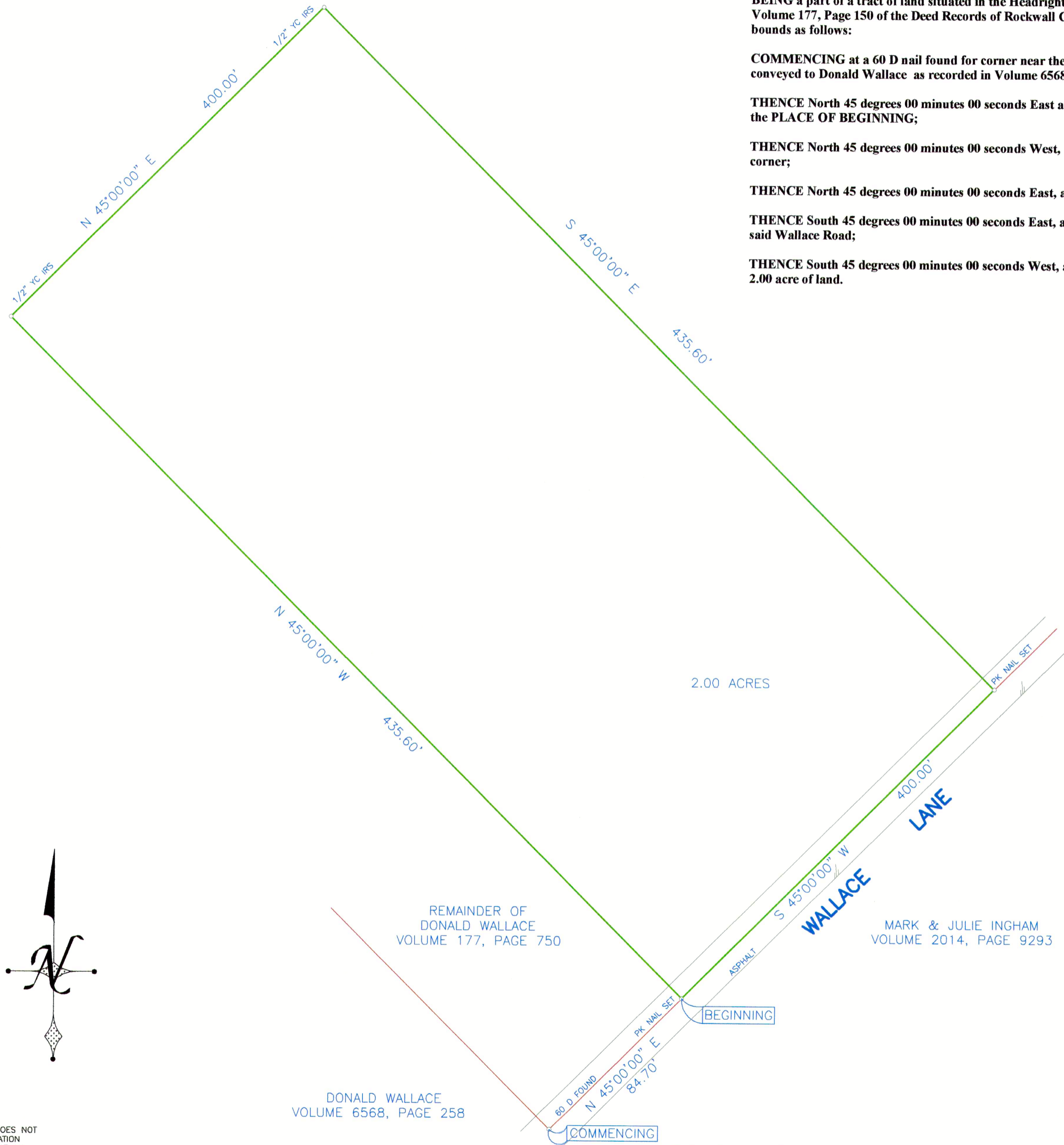
Thank you for your time and consideration ~

Regards,

A handwritten signature in cursive script that reads "Donald & Cathy Wallace". The signature is written in black ink and is positioned above the printed name.

Donald & Cathy Wallace

REMAINDER OF
DONALD WALLACE
VOLUME 177, PAGE 750



STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a part of a tract of land situated in the Headright Survey of W.W. Ford conveyed to Donald Wallace as recorded in Volume 177, Page 150 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 60 D nail found for corner near the centerline of Wallace Lane, a being the Southeast corner of a tract conveyed to Donald Wallace as recorded in Volume 6568, Page 258 of the Deed Records of Rockwall County, Texas;

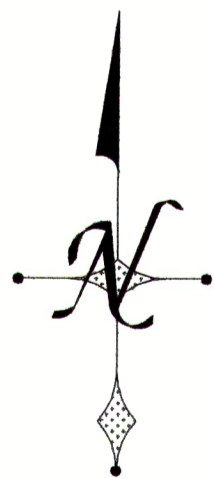
THENCE North 45 degrees 00 minutes 00 seconds East a distance of 84.70 feet to a PK nail set for corner and said point being the PLACE OF BEGINNING;

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THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 400.00 feet to the PLACE OF BEGINNING and containing 2.00 acre of land.



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2.00 ACRES

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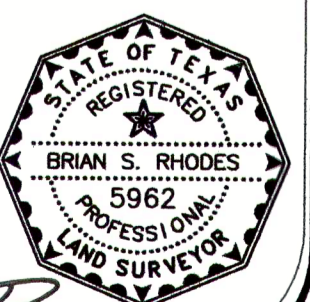
BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. WALLACE LANE, in the city of ROCKWALL, ROCKWALL COUNTY Texas.

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 40'
Date: 07/25/2014
G. F. No.:
Job no.: 83951-A
Drawn by: CW

P.O. BOX 175
FATE TEXAS 75132
PHONE 972-475-8940
FAX 972-475-9036

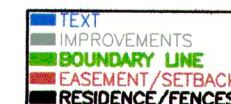


THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

TITLE AND ABSTRACTING WORK FURNISHED BY DON WALLACE

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR DON WALLACE

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A TWO (2) ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 44-01 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Donald and Cathy Wallace for a change in zoning from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SF-2.0) District.

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 2.0 (SFE-2.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future.

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein.

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF AUGUST, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

Exhibit 'A'
Legal Description

TATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a part of a tract of land situated in the Headright Survey of W.W. Ford conveyed to Donald Wallace as recorded in Volume 177, Page 150 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 60 D nail found for corner near the centerline of Wallace Lane, a being the Southeast corner of a tract conveyed to Donald Wallace as recorded in Volume 6568, Page 258 of the Deed Records of Rockwall County, Texas;

THENCE North 45 degrees 00 minutes 00 seconds East a distance of 84.70 feet to a PK nail set for corner and being the PLACE OF BEGINNING;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 435.60 feet to a ½ inch yellow-capped iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds East, a distance of 200.00 feet to a ½ inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 00 minutes 00 seconds East, a distance of 435.60 feet to a PK nail set for corner near the centerline of said Wallace Road;

THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 200.00 feet to the PLACE OF BEGINNING and containing 2.00 acre of land.

Exhibit 'C'
Location Map & Legal Description

General Location: Northeast of the Intersection of H. Wallace Lane and Horizon Road [FM3097]
Legal Description: A Portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission
DATE: July 14, 2020
APPLICANT: Donald and Cathy Wallace
CASE NUMBER: Z2020-029; *Zoning Change from Agricultural (AG) District to Single-Family Estate 2.0 (SFE-2.0) District at Wallace Lane and Horizon Road [FM-3097]*

SUMMARY

Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.

BACKGROUND

The subject property is a two (2) acre portion of a larger 123.00-acre tract of land that is situated within the W.W. Ford Survey, Abstract No. 80. This property is generally located at the northwest quadrant of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and is commonly referred to as the *Wallace Tract*. The City Council approved *Ordinance No. 08-13*, annexing the subject property on February 18, 2008. At the time of annexation, the subject property was zoned as Agricultural (AG) District. No portion of the subject property has been rezoned since the property was annexed.

PURPOSE

On June 19, 2020, the applicants -- *Donald and Cathy Wallace* -- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District.

ADJACENT LAND USES AND ACCESS

The subject property is generally located at the northwest quadrant of the intersection of H. Wallace Lane and Horizon Road [FM-3097]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is County Line Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the Comprehensive Plan. Beyond this thoroughfare is the eastside of the Lake Rockwall Estates subdivision, which is zoned Planned Development District 75 (PD-75) [Ordinance No. 16-01] for Single-Family 7 (SF-7) District land uses. Adjacent to this property on the eastside of Lake Rockwall Estates is an 84.0-acre vacant tract of land being a portion of a larger 144.0-acre tract of land identified as Tract 3 of the J. R. Johnson Survey, Abstract No. 128. This property is zoned Agricultural (AG) District.

South: Directly south of the subject property is Horizon Road [FM-3097], which is designated as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is the City's corporate boundaries followed by the City of Heath. On the eastside, south of the subject property is H. Wallace Lane, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this are several residential land uses zoned Agricultural (AG) and Single-Family Estate 1.5 & 2.0 (SFE-1.5 & SFE-2.0) Districts. In addition, there are several office buildings zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses. These uses are a part of the Alliance Addition office park.

East: Directly east of the subject property is H. Wallace Lane, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this are the Oaks of Buffalo Way and Willowcrest Estates Subdivisions, which consist of 91 single-family residential lots. These subdivisions are zoned Single-Family Estate 1.5 (SFE-1.5) District and Planned Development District 51 (PD-51) for single-family estate land uses.

West: Directly west of the subject property are several non-residential properties zoned Commercial (C) District. Beyond this is Ranch Trail Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the two (2) acre portion of subject property from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for the purpose of constructing a single-family residential home on the two (2) acre lot. It should be noted that the applicant will be required to final plat the two (2) acre tract into a single buildable lot in order to construct the home.

INFRASTRUCTURE

Based on the applicant's submittal the following infrastructure is required:

Water Improvements

The Water Distribution Master Plan indicates that a 12-inch waterline will be constructed in the front of these properties in the future. The applicant will be required to dedicate a 20-foot utility easement at the front property line at the time of platting in order to accommodate the installation of the water line.

Sewer Improvements

Since City sanitary sewer lines are greater than 100-feet from the subject property and the proposed lot will be greater than 1½-acre in size, the applicant will need to provide an On-Site Sewage Facility (OSSF) meeting the City of Rockwall and Rockwall County's standards.

Roadways

The Master Thoroughfare Plan contained in the Comprehensive Plan indicates H. Wallace Lane is identified as a *Minor Collector*, which requires a minimum of a 60-foot right-of-way with a 41-foot, *back-to-back* roadway. The applicant is responsible dedicating any additional right-of-way (*i.e. as measured 30-feet from the centerline of the roadway*) necessary for this roadway at the time final plat.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size ... (t)hese developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area." In this case, this portion of the *Wallace Tract* (*i.e. 259.924-acres*) was annexed into the City in 2008 and is primarily agriculturally used land. Staff should note that the majority of the properties adjacent to H. Wallace Lane are zoned Agricultural (AG) District, with the exception of two (2) properties that were rezoned in the past creating four (4) single-family estate lots (*i.e. SFE-2.0 & SFE-1.5*). If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for the Single-Family Estate 2.0 (SF-2.0) District, which are summarized as follows:

<i>Development Standards</i>	<i>Single-Family Estate 2.0 (SF-2.0) District</i>
<i>Number of Dwelling Units/Lot</i>	<i>1.0</i>
<i>Number of Dwelling Units/Acre</i>	<i>1.0</i>
<i>Minimum Dwelling Unit</i>	<i>2,200 SF</i>
<i>Minimum Lot Area</i>	<i>87,120 SF</i>
<i>Minimum Lot Width</i>	<i>150-Feet</i>
<i>Minimum Lot Depth</i>	<i>250-Feet</i>

<i>Minimum Front Yard Setback</i>	<i>50-Feet</i>
<i>Minimum Rear Yard Setback</i>	<i>10-Feet</i>
<i>Minimum Side Yard Setback</i>	<i>25-Feet</i>
<i>Between Buildings</i>	<i>10-Feet</i>
<i>Building Height</i>	<i>36-Feet</i>
<i>Maximum Lot Coverage</i>	<i>35%</i>
<i>Required Parking Spaces</i>	<i>2</i>

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the *Southwest Residential District* and is designated for Low Density Residential (LDR) land uses. The applicant’s request, to change the zoning of the subject property from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District, is in conformance with the Low Density Residential (LDR) designation. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to “...(p)reserve the City’s current residential to non-residential land use ratio (i.e. 80% Residential; 20% Commercial) in order to maintain a balance mix of land uses for fiscal sustainability ...” [Section 02.01; CH. 1; Page 1-1]. The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential land use balance. Currently, the land use balance is at 75.90% residential land uses to 24.10% non-residential land uses. Since this request is in conformance with the *Land Use Plan*, the land use ratio will remain unchanged if approved.

NOTIFICATIONS

On July 2, 2020, staff notified eight (8) property owners and occupants within 500-feet of the subject property. There are no Homeowners Association’s (HOA’s)/Neighborhood Associations within 1,500-feet of the subject property participating in the HOA/Neighborhood Notification Program. At the time this report was written, staff had not received any notices regarding the applicant’s request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant’s request to rezone the subject property from an *Agricultural (AG) District* to a *Single-Family Estate 2.0 (SFE 2.0) District*, then staff would propose the following conditions of approval:

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



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:
CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address ADJACENT TO 330 H. WALLACE LN. ROCKWALL, TX 75032

Subdivision WALLACE TRACT Lot Block

General Location HORIZON / WALLACE LN.

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	<u>AG/FARM</u>	Current Use	<u>AG/FARM</u>
Proposed Zoning	<u>RESIDENTIAL</u>	Proposed Use	<u>SINGLE FAMILY RES.</u>
Acreage	<u>2</u>	Lots [Current]	<u>1</u>
		Lots [Proposed]	<u>1</u>

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

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

<input checked="" type="checkbox"/> Owner	<u>DONALD & CATHY WALLACE</u>	<input type="checkbox"/> Applicant	
Contact Person	<u>CATHY WALLACE</u>	Contact Person	
Address	<u>330 H. WALLACE LN</u>	Address	
City, State & Zip	<u>ROCKWALL, TX 75032</u>	City, State & Zip	
Phone	<u>214-668-7752</u>	Phone	
E-Mail	<u>catlyn52@gmail.com</u>	E-Mail	

NOTARY VERIFICATION [REQUIRED]

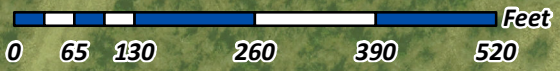
Before me, the undersigned authority, on this day personally appeared CATHY WALLACE [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 260.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 15 day of JUNE, 2020. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

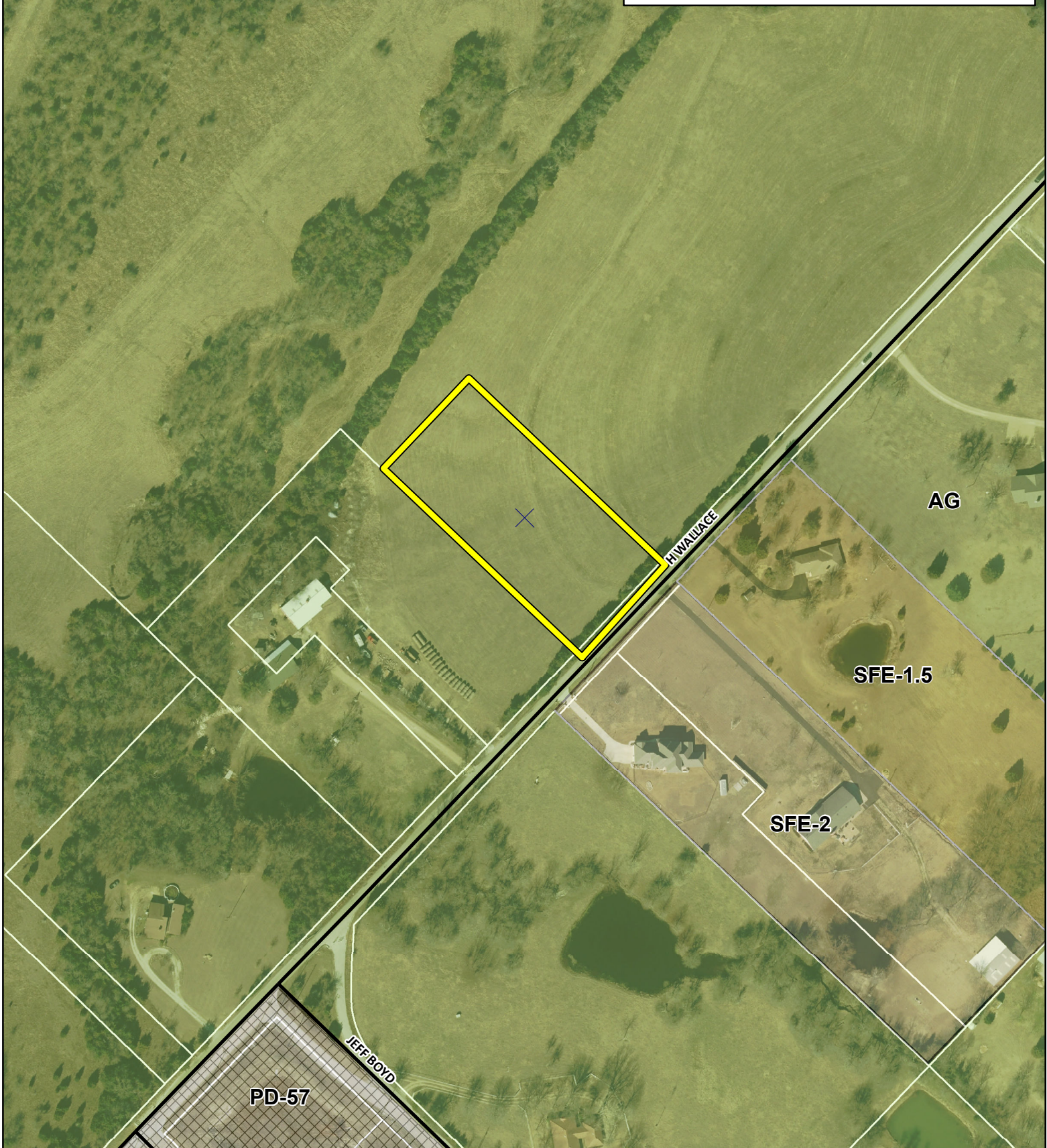
Given under my hand and seal of office on this the 15th day of JUNE, 2020.

Owner's Signature Cathy Wallace
Cathy Wallace
Notary Public in and for the State of Texas Misti A. Jones





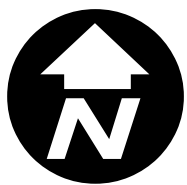
Z2020-029- ZONING CHANGE (AG TO SFE 2.0)
ZONING - LOCATION MAP =



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.

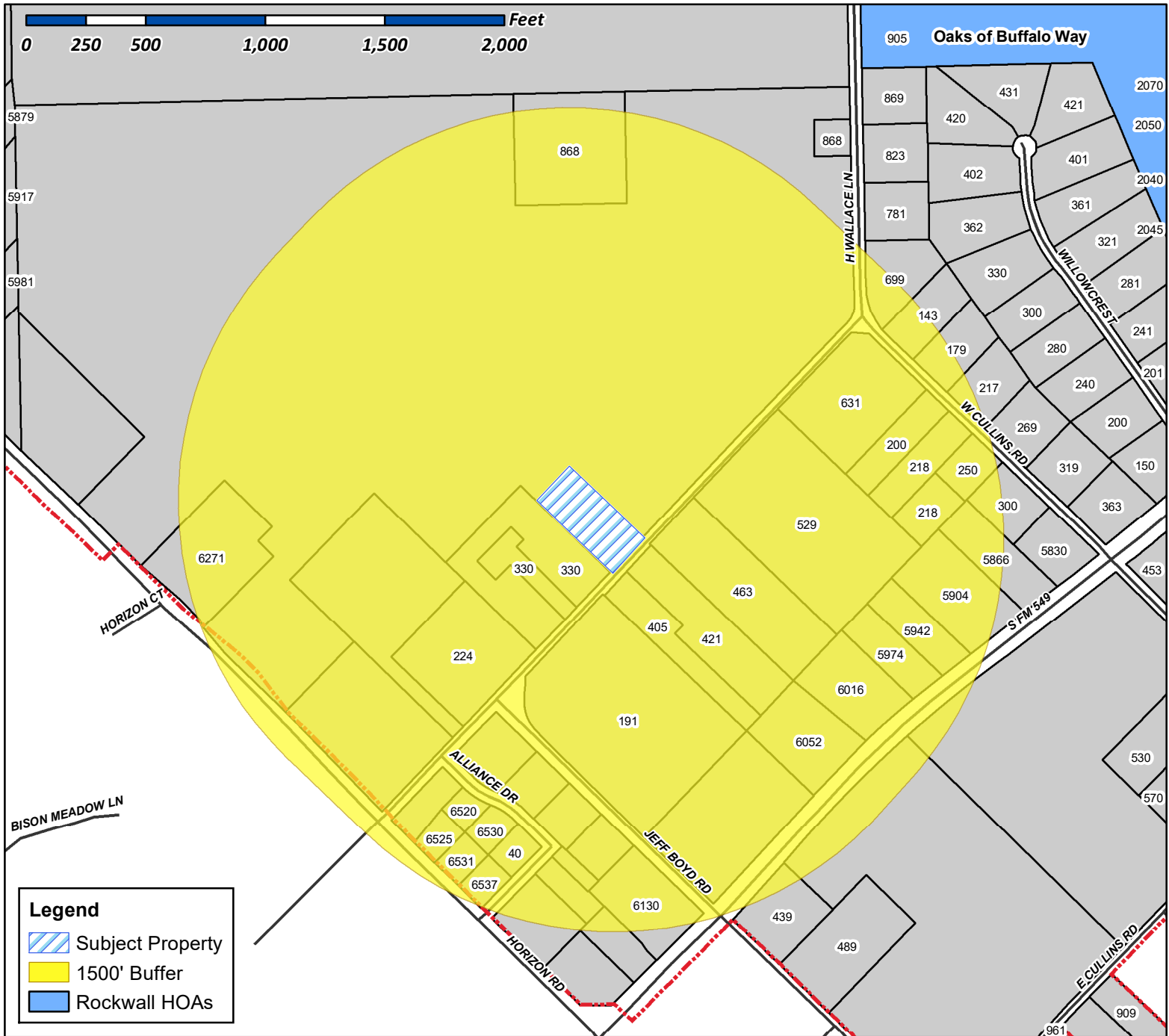




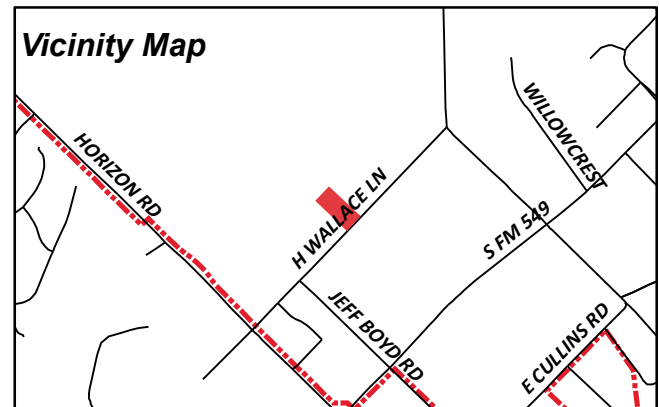
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2020-029
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property



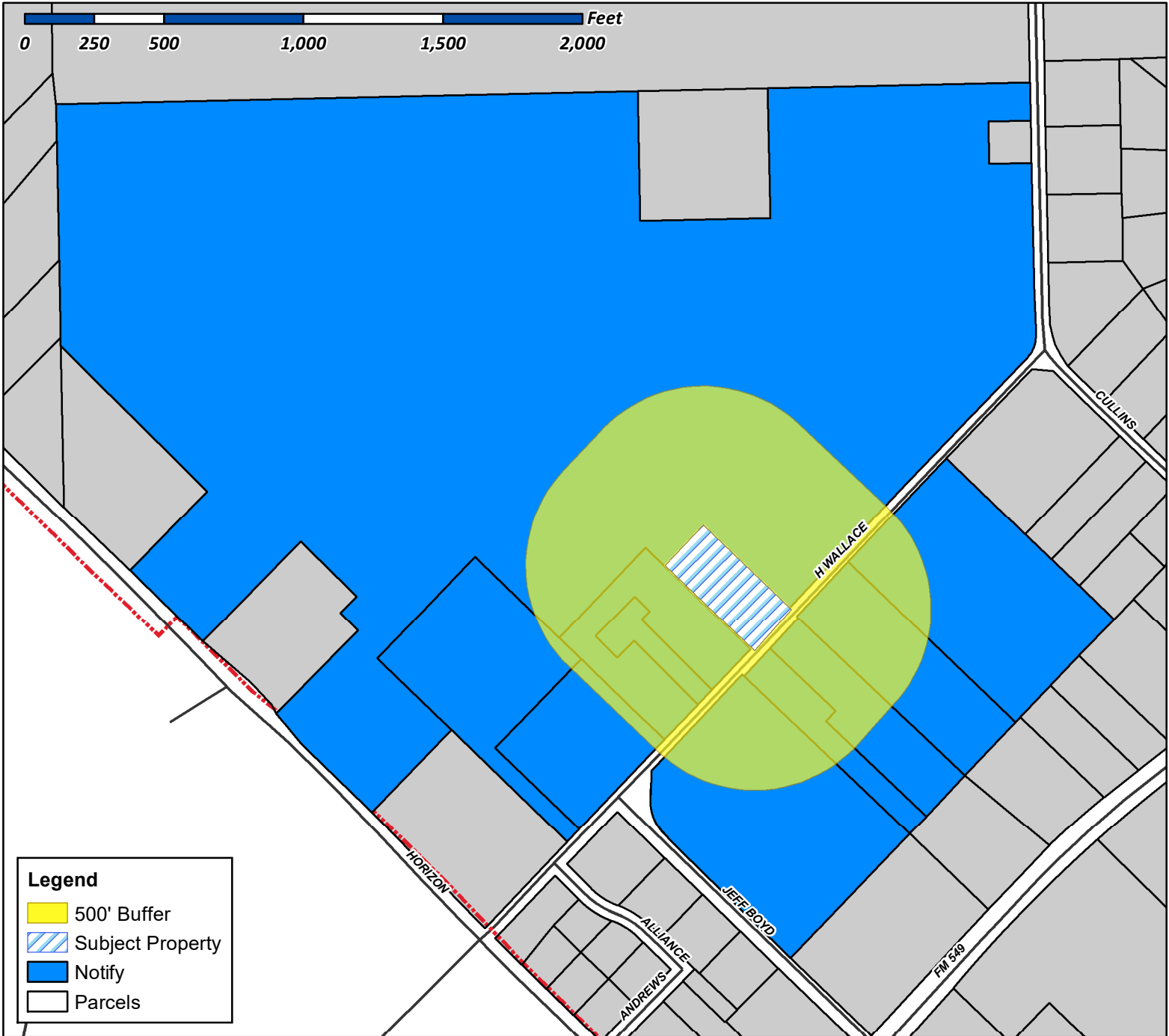
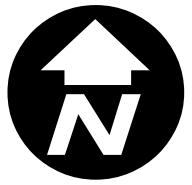
Date Created: 6/22/2020
For Questions on this Case Call (972) 771-7745



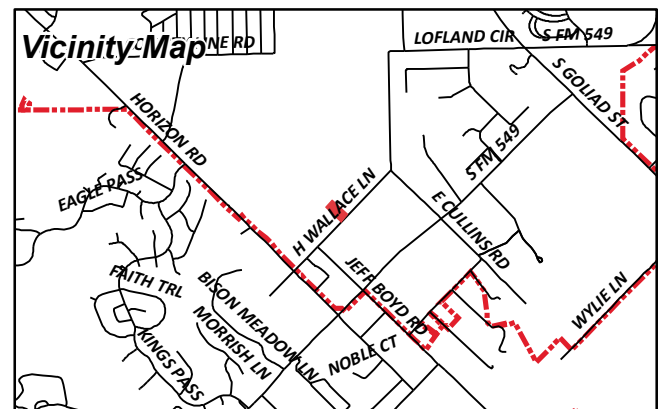
City of Rockwall

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385 S. Goliad Street
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Case Number: Z2020-021
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property



Date Created: 6/22/2020
 For Questions on this Case Call (972) 771-7745

HUNT JACKSON W JR
191 JEFF BOYD RD
ROCKWALL, TX 75032

MORTON MARGARET ANNE WALLACE
224 H WALLACE LN
ROCKWALL, TX 75032

WALLACE DONALD J
330 H WALLACE LN
ROCKWALL, TX 75032

KRECEK RICHARD L AND JANETTE C
405 H WALLACE LN
ROCKWALL, TX 75032

PALOMBA LISA
421 H WALLACE LN
ROCKWALL, TX 75032

WILCK PAUL J JR
463 H WALLACE LN
ROCKWALL, TX 75032

MCCOSH GORDON ETUX
529 H WALLACE LN
ROCKWALL, TX 75032

WALLACE LAND PARTNERS L P
6271 HORIZON RD
ROCKWALL, TX 75032

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2020-029: Zoning Change (AG to SFE 2.0) for the Wallace Tract

Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, July 20, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2020-029: Zoning Change (AG to SFE 2.0) for the Wallace Tract

Please place a check mark on the appropriate line below:

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

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

6-15-20

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

RE: Rezoning Request

To Whom it May Concern,

Please accept this letter as a request to rezone *two(2)* total acres of our property, directly adjacent to 330 H. Wallace Lane, Rockwall, Tx. 75032, from Agriculture/Farming, to Residential/Single-Family Housing. Once the property has been rezoned, it is our goal to sell/gift the property to our son and daughter so that they will be able to build a home on the property.

If you should have any questions or concerns, please do not hesitate to give me a call.

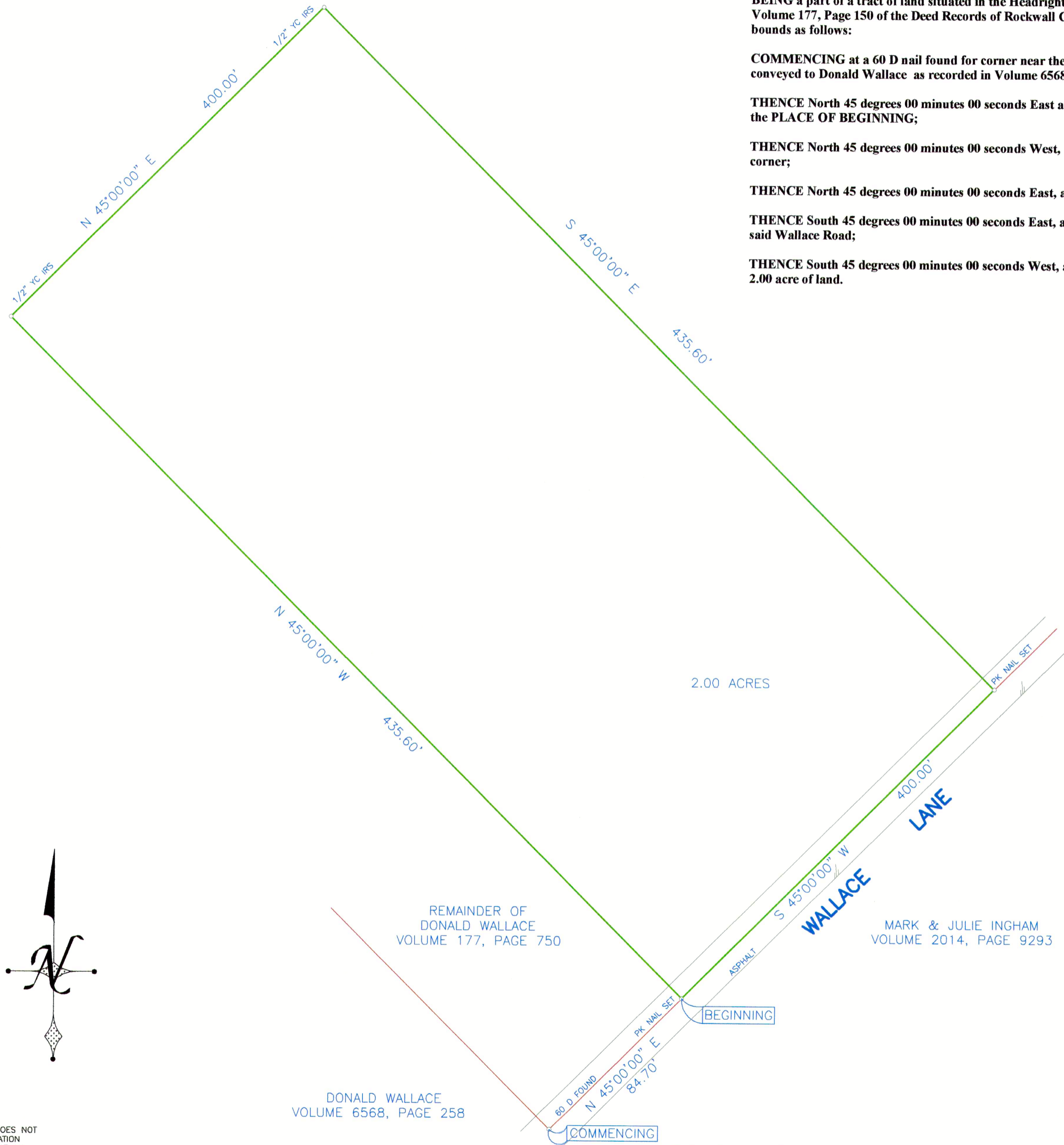
Thank you for your time and consideration ~

Regards,

A handwritten signature in cursive script that reads "Donald Wallace Cathy Wallace". The signature is written in black ink and is positioned above the printed name.

Donald & Cathy Wallace

REMAINDER OF
DONALD WALLACE
VOLUME 177, PAGE 750



STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a part of a tract of land situated in the Headright Survey of W.W. Ford conveyed to Donald Wallace as recorded in Volume 177, Page 150 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 60 D nail found for corner near the centerline of Wallace Lane, a being the Southeast corner of a tract conveyed to Donald Wallace as recorded in Volume 6568, Page 258 of the Deed Records of Rockwall County, Texas;

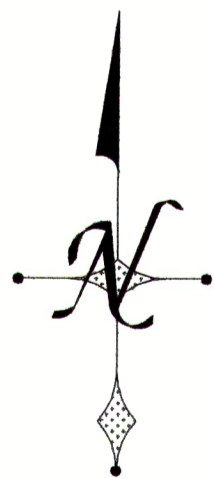
THENCE North 45 degrees 00 minutes 00 seconds East a distance of 84.70 feet to a PK nail set for corner and said point being the PLACE OF BEGINNING;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 435.60 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds East, a distance of 400.00 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 00 minutes 00 seconds East, a distance of 435.60 feet to a PK nail set for corner near the centerline of said Wallace Road;

THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 400.00 feet to the PLACE OF BEGINNING and containing 2.00 acre of land.



REMAINDER OF
DONALD WALLACE
VOLUME 177, PAGE 750

DONALD WALLACE
VOLUME 6568, PAGE 258

MARK & JULIE INGHAM
VOLUME 2014, PAGE 9293

2.00 ACRES

RHODES
Surveying
WWW.RHODESURVEYING.COM

SURVEY PLAT

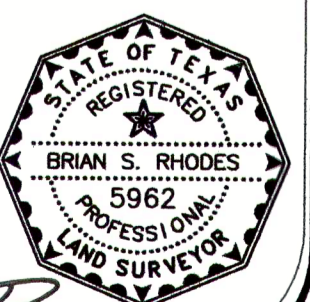
BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. WALLACE LANE, in the city of ROCKWALL, ROCKWALL COUNTY Texas.

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 40'
Date: 07/25/2014
G. F. No.:
Job no.: 83951-A
Drawn by: CW

P.O. BOX 175
FATE TEXAS 75132
PHONE 972-475-8940
FAX 972-475-9036

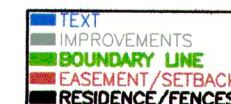


THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

TITLE AND ABSTRACTING WORK FURNISHED BY DON WALLACE

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR DON WALLACE

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A TWO (2) ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 44-01 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Donald and Cathy Wallace for a change in zoning from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SF-2.0) District.

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 2.0 (SFE-2.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future.

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein.

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF AUGUST, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

Exhibit 'A'
Legal Description

TATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a part of a tract of land situated in the Headright Survey of W.W. Ford conveyed to Donald Wallace as recorded in Volume 177, Page 150 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

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THENCE North 45 degrees 00 minutes 00 seconds East a distance of 84.70 feet to a PK nail set for corner and being the PLACE OF BEGINNING;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 435.60 feet to a ½ inch yellow-capped iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds East, a distance of 200.00 feet to a ½ inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 00 minutes 00 seconds East, a distance of 435.60 feet to a PK nail set for corner near the centerline of said Wallace Road;

THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 200.00 feet to the PLACE OF BEGINNING and containing 2.00 acre of land.

Exhibit 'C'
Location Map & Legal Description

General Location: Northeast of the Intersection of H. Wallace Lane and Horizon Road [FM3097]
Legal Description: A Portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80





CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

DATE: July 20, 2020

APPLICANT: Donald and Cathy Wallace

CASE NUMBER: Z2020-029; *Zoning Change from Agricultural (AG) District to Single-Family Estate 2.0 (SFE-2.0) District at Wallace Lane and Horizon Road [FM-3097]*

SUMMARY

Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.

BACKGROUND

The subject property is a two (2) acre portion of a larger 123.00-acre tract of land that is situated within the W.W. Ford Survey, Abstract No. 80. This property is generally located at the northwest quadrant of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and is commonly referred to as the *Wallace Tract*. The City Council approved *Ordinance No. 08-13*, annexing the subject property on February 18, 2008. At the time of annexation, the subject property was zoned as Agricultural (AG) District. No portion of the subject property has been rezoned since the property was annexed.

PURPOSE

On June 19, 2020, the applicants -- *Donald and Cathy Wallace* -- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District.

ADJACENT LAND USES AND ACCESS

The subject property is generally located at the northwest quadrant of the intersection of H. Wallace Lane and Horizon Road [FM-3097]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is County Line Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the Comprehensive Plan. Beyond this thoroughfare is the eastside of the Lake Rockwall Estates subdivision, which is zoned Planned Development District 75 (PD-75) [*Ordinance No. 16-07*] for Single-Family 7 (SF-7) District land uses. Adjacent to this property on the eastside of Lake Rockwall Estates is an 84.0-acre vacant tract of land being a portion of a larger 144.0-acre tract of land identified as Tract 3 of the J. R. Johnson Survey, Abstract No. 128. This property is zoned Agricultural (AG) District.

South: Directly south of the subject property is Horizon Road [FM-3097], which is designated as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is the City's corporate boundaries followed by the City of Heath. On the eastside, south of the subject property is H. Wallace Lane, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this are several residential land uses zoned Agricultural (AG) and Single-Family Estate 1.5 & 2.0 (SFE-1.5 & SFE-2.0) Districts. In addition, there are several office buildings zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses. These uses are a part of the Alliance Addition office park.

East: Directly east of the subject property is H. Wallace Lane, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this are the Oaks of Buffalo Way and Willowcrest Estates Subdivisions, which consist of 91 single-family residential lots. These subdivisions are zoned Single-Family Estate 1.5 (SFE-1.5) District and Planned Development District 51 (PD-51) for single-family estate land uses.

West: Directly west of the subject property are several non-residential properties zoned Commercial (C) District. Beyond this is Ranch Trail Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the two (2) acre portion of subject property from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for the purpose of constructing a single-family residential home on the two (2) acre lot. It should be noted that the applicant will be required to final plat the two (2) acre tract into a single buildable lot in order to construct the home.

INFRASTRUCTURE

Based on the applicant's submittal the following infrastructure is required:

Water Improvements

The Water Distribution Master Plan indicates that a 12-inch waterline will be constructed in the front of these properties in the future. The applicant will be required to dedicate a 20-foot utility easement at the front property line at the time of platting in order to accommodate the installation of the water line.

Sewer Improvements

Since City sanitary sewer lines are greater than 100-feet from the subject property and the proposed lot will be greater than 1½-acre in size, the applicant will need to provide an On-Site Sewage Facility (OSSF) meeting the City of Rockwall and Rockwall County's standards.

Roadways

The Master Thoroughfare Plan contained in the Comprehensive Plan indicates H. Wallace Lane is identified as a *Minor Collector*, which requires a minimum of a 60-foot right-of-way with a 41-foot, *back-to-back* roadway. The applicant is responsible dedicating any additional right-of-way (*i.e. as measured 30-feet from the centerline of the roadway*) necessary for this roadway at the time final plat.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size ... (t)hese developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area." In this case, this portion of the *Wallace Tract (i.e. 259.924-acres)* was annexed into the City in 2008 and is primarily agriculturally used land. Staff should note that the majority of the properties adjacent to H. Wallace Lane are zoned Agricultural (AG) District, with the exception of two (2) properties that were rezoned in the past creating four (4) single-family estate lots (*i.e. SFE-2.0 & SFE-1.5*). If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for the Single-Family Estate 2.0 (SF-2.0) District, which are summarized as follows:

<i>Development Standards</i>	<i>Single-Family Estate 2.0 (SF-2.0) District</i>
<i>Number of Dwelling Units/Lot</i>	<i>1.0</i>
<i>Number of Dwelling Units/Acre</i>	<i>1.0</i>
<i>Minimum Dwelling Unit</i>	<i>2,200 SF</i>
<i>Minimum Lot Area</i>	<i>87,120 SF</i>
<i>Minimum Lot Width</i>	<i>150-Feet</i>
<i>Minimum Lot Depth</i>	<i>250-Feet</i>

<i>Minimum Front Yard Setback</i>	<i>50-Feet</i>
<i>Minimum Rear Yard Setback</i>	<i>10-Feet</i>
<i>Minimum Side Yard Setback</i>	<i>25-Feet</i>
<i>Between Buildings</i>	<i>10-Feet</i>
<i>Building Height</i>	<i>36-Feet</i>
<i>Maximum Lot Coverage</i>	<i>35%</i>
<i>Required Parking Spaces</i>	<i>2</i>

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the *Southwest Residential District* and is designated for Low Density Residential (LDR) land uses. The applicant’s request, to change the zoning of the subject property from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District, is in conformance with the Low Density Residential (LDR) designation. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to “...(p)reserve the City’s current residential to non-residential land use ratio (*i.e. 80% Residential; 20% Commercial*) in order to maintain a balance mix of land uses for fiscal sustainability ...” [Section 02.01; CH. 1; Page 1-1]. The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential land use balance. Currently, the land use balance is at 75.90% residential land uses to 24.10% non-residential land uses. Since this request is in conformance with the *Land Use Plan*, the land use ratio will remain unchanged if approved.

NOTIFICATIONS

On July 2, 2020, staff notified eight (8) property owners and occupants within 500-feet of the subject property. There are no Homeowners Association’s (HOA’s)/Neighborhood Associations within 1,500-feet of the subject property participating in the HOA/Neighborhood Notification Program. At the time this report was written, staff had not received any notices regarding the applicant’s request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant’s request to rezone the subject property from an *Agricultural (AG) District* to a *Single-Family Estate 2.0 (SFE 2.0) District*, then staff would propose the following conditions of approval:

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

PLANNING AND ZONING COMMISSION

On July 14, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the zoning change with the conditions of approval by a vote of 6-0, with Commissioner Moeller absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:
CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address ADJACENT TO 330 H. WALLACE LN. ROCKWALL, TX 75032

Subdivision WALLACE TRACT Lot Block

General Location HORIZON / WALLACE LN.

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	<u>AG/FARM</u>	Current Use	<u>AG/FARM</u>
Proposed Zoning	<u>RESIDENTIAL</u>	Proposed Use	<u>SINGLE FAMILY RES.</u>
Acreage	<u>2</u>	Lots [Current]	<u>1</u>
		Lots [Proposed]	<u>1</u>

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

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

<input checked="" type="checkbox"/> Owner	<u>DONALD & CATHY WALLACE</u>	<input type="checkbox"/> Applicant	
Contact Person	<u>CATHY WALLACE</u>	Contact Person	
Address	<u>330 H. WALLACE LN</u>	Address	
City, State & Zip	<u>ROCKWALL, TX 75032</u>	City, State & Zip	
Phone	<u>214-668-7752</u>	Phone	
E-Mail	<u>catlyn52@gmail.com</u>	E-Mail	

NOTARY VERIFICATION [REQUIRED]

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

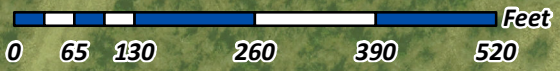
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 260.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 15 day of JUNE, 2020. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 15th day of JUNE, 2020.

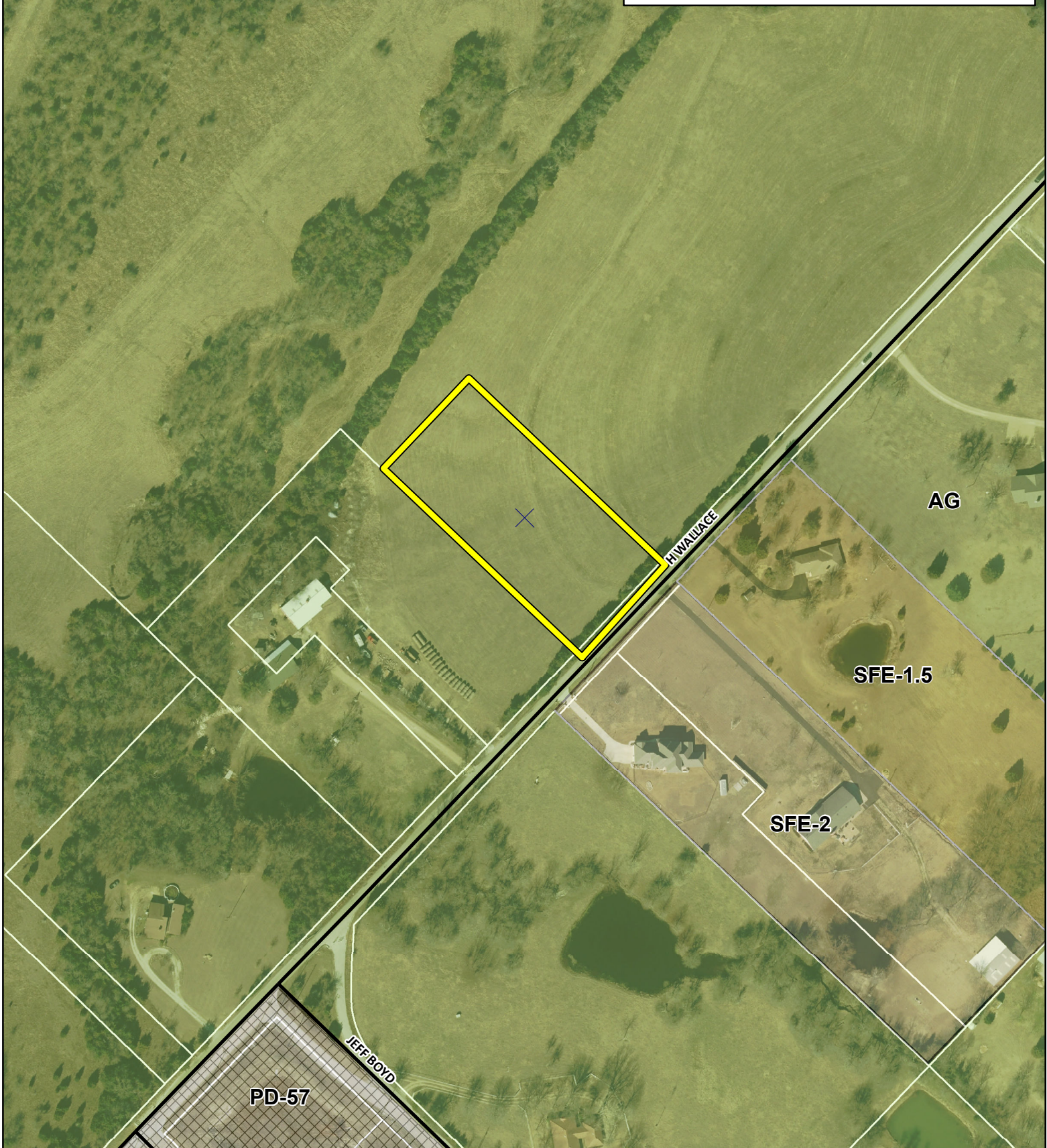
Owner's Signature Cathy Wallace

Notary Public in and for the State of Texas Misti A. Jones





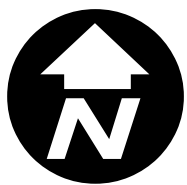
Z2020-029- ZONING CHANGE (AG TO SFE 2.0)
ZONING - LOCATION MAP =



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.

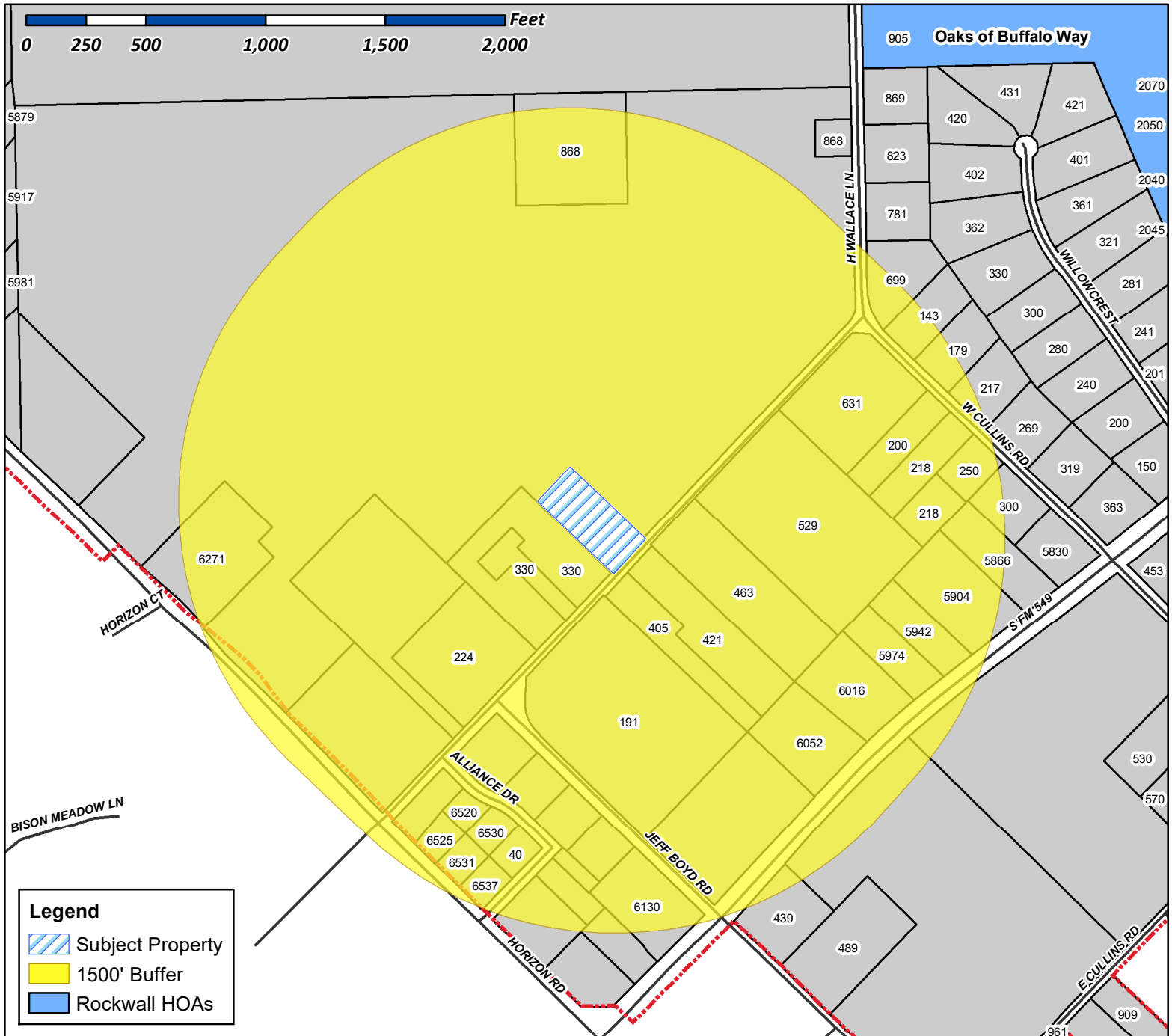




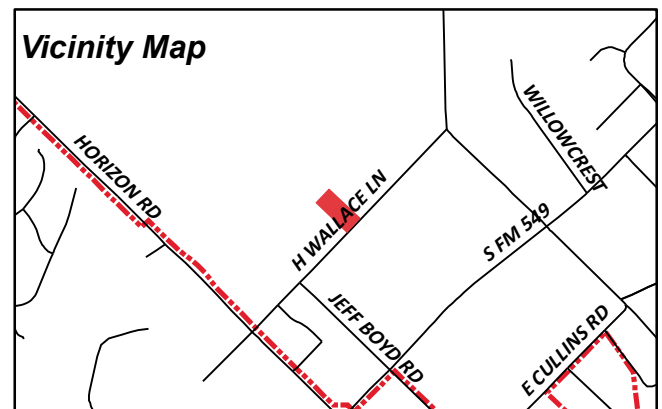
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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Case Number: Z2020-029
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property



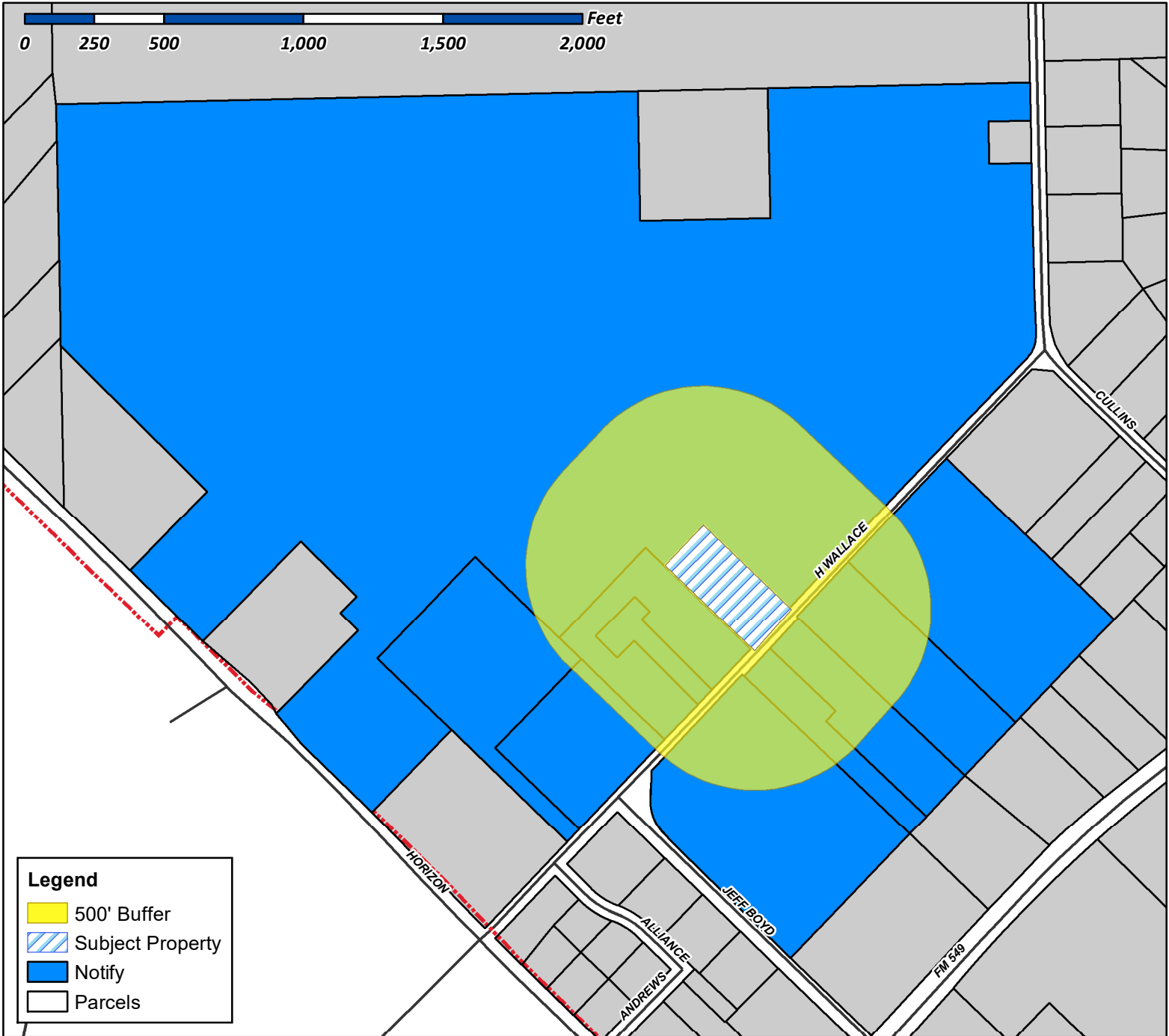
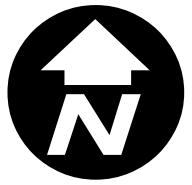
Date Created: 6/22/2020
For Questions on this Case Call (972) 771-7745



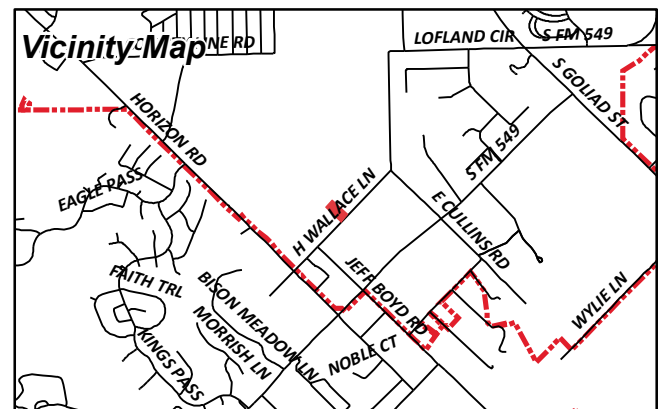
City of Rockwall

Planning & Zoning Department
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Case Number: Z2020-021
Case Name: Zoning Change AG to SFE-2.0
Case Type: Zoning
Zoning: AG
Case Address: Wallace Property



Date Created: 6/22/2020
 For Questions on this Case Call (972) 771-7745

HUNT JACKSON W JR
191 JEFF BOYD RD
ROCKWALL, TX 75032

MORTON MARGARET ANNE WALLACE
224 H WALLACE LN
ROCKWALL, TX 75032

WALLACE DONALD J
330 H WALLACE LN
ROCKWALL, TX 75032

KRECEK RICHARD L AND JANETTE C
405 H WALLACE LN
ROCKWALL, TX 75032

PALOMBA LISA
421 H WALLACE LN
ROCKWALL, TX 75032

WILCK PAUL J JR
463 H WALLACE LN
ROCKWALL, TX 75032

MCCOSH GORDON ETUX
529 H WALLACE LN
ROCKWALL, TX 75032

WALLACE LAND PARTNERS L P
6271 HORIZON RD
ROCKWALL, TX 75032

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2020-029: Zoning Change (AG to SFE 2.0) for the Wallace Tract

Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, July 20, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2020-029: Zoning Change (AG to SFE 2.0) for the Wallace Tract

Please place a check mark on the appropriate line below:

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

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

6-15-20

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

RE: Rezoning Request

To Whom it May Concern,

Please accept this letter as a request to rezone *two(2)* total acres of our property, directly adjacent to 330 H. Wallace Lane, Rockwall, Tx. 75032, from Agriculture/Farming, to Residential/Single-Family Housing. Once the property has been rezoned, it is our goal to sell/gift the property to our son and daughter so that they will be able to build a home on the property.

If you should have any questions or concerns, please do not hesitate to give me a call.

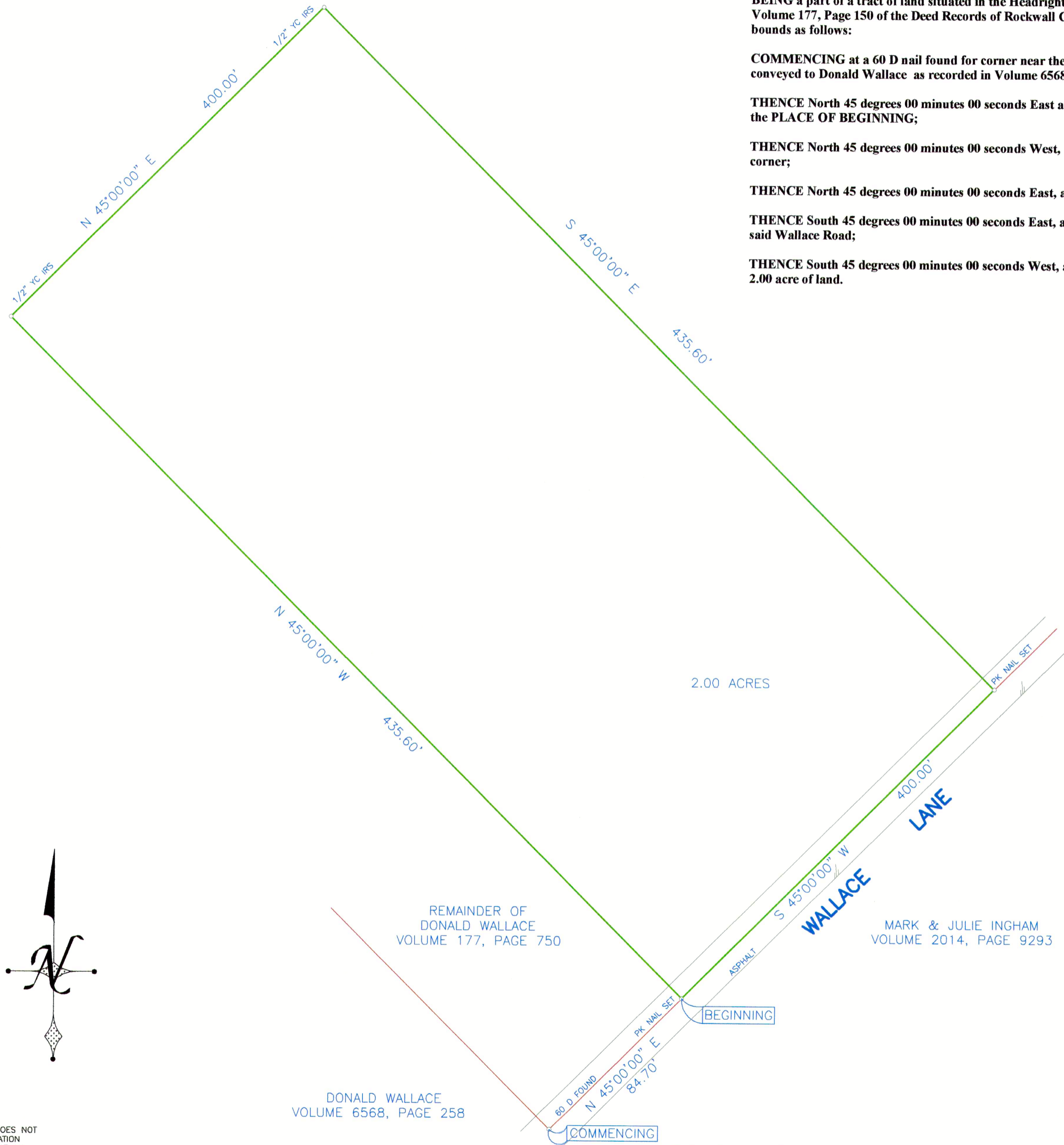
Thank you for your time and consideration ~

Regards,

A handwritten signature in cursive script that reads "Don Wallace Cathy Wallace". The signature is written in black ink and is positioned above the printed name.

Donald & Cathy Wallace

REMAINDER OF
DONALD WALLACE
VOLUME 177, PAGE 750



STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a part of a tract of land situated in the Headright Survey of W.W. Ford conveyed to Donald Wallace as recorded in Volume 177, Page 150 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 60 D nail found for corner near the centerline of Wallace Lane, a being the Southeast corner of a tract conveyed to Donald Wallace as recorded in Volume 6568, Page 258 of the Deed Records of Rockwall County, Texas;

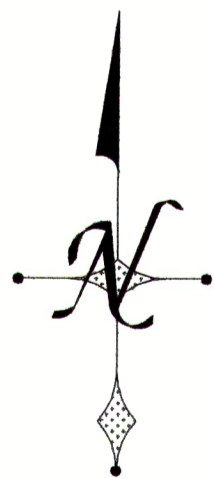
THENCE North 45 degrees 00 minutes 00 seconds East a distance of 84.70 feet to a PK nail set for corner and said point being the PLACE OF BEGINNING;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 435.60 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds East, a distance of 400.00 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 00 minutes 00 seconds East, a distance of 435.60 feet to a PK nail set for corner near the centerline of said Wallace Road;

THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 400.00 feet to the PLACE OF BEGINNING and containing 2.00 acre of land.



REMAINDER OF
DONALD WALLACE
VOLUME 177, PAGE 750

DONALD WALLACE
VOLUME 6568, PAGE 258

MARK & JULIE INGHAM
VOLUME 2014, PAGE 9293

2.00 ACRES

RHODES
Surveying
WWW.RHODESURVEYING.COM

SURVEY PLAT

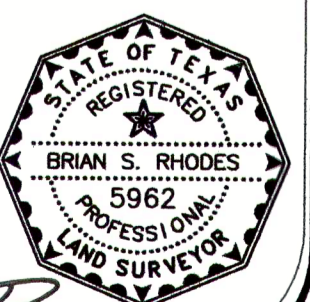
BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. WALLACE LANE, in the city of ROCKWALL, ROCKWALL COUNTY Texas.

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 40'
Date: 07/25/2014
G. F. No.:
Job no.: 83951-A
Drawn by: CW

P.O. BOX 175
FATE TEXAS 75132
PHONE 972-475-8940
FAX 972-475-9036

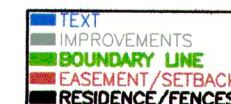


THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

TITLE AND ABSTRACTING WORK FURNISHED BY DON WALLACE

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR DON WALLACE

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A TWO (2) ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 44-01 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Donald and Cathy Wallace for a change in zoning from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SF-2.0) District.

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 2.0 (SFE-2.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future.

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein.

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF AUGUST, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

Exhibit 'A'
Legal Description

TATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a part of a tract of land situated in the Headright Survey of W.W. Ford conveyed to Donald Wallace as recorded in Volume 177, Page 150 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 60 D nail found for corner near the centerline of Wallace Lane, a being the Southeast corner of a tract conveyed to Donald Wallace as recorded in Volume 6568, Page 258 of the Deed Records of Rockwall County, Texas;

THENCE North 45 degrees 00 minutes 00 seconds East a distance of 84.70 feet to a PK nail set for corner and being the PLACE OF BEGINNING;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 435.60 feet to a ½ inch yellow-capped iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds East, a distance of 200.00 feet to a ½ inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 00 minutes 00 seconds East, a distance of 435.60 feet to a PK nail set for corner near the centerline of said Wallace Road;

THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 200.00 feet to the PLACE OF BEGINNING and containing 2.00 acre of land.

Exhibit 'B'
Survey

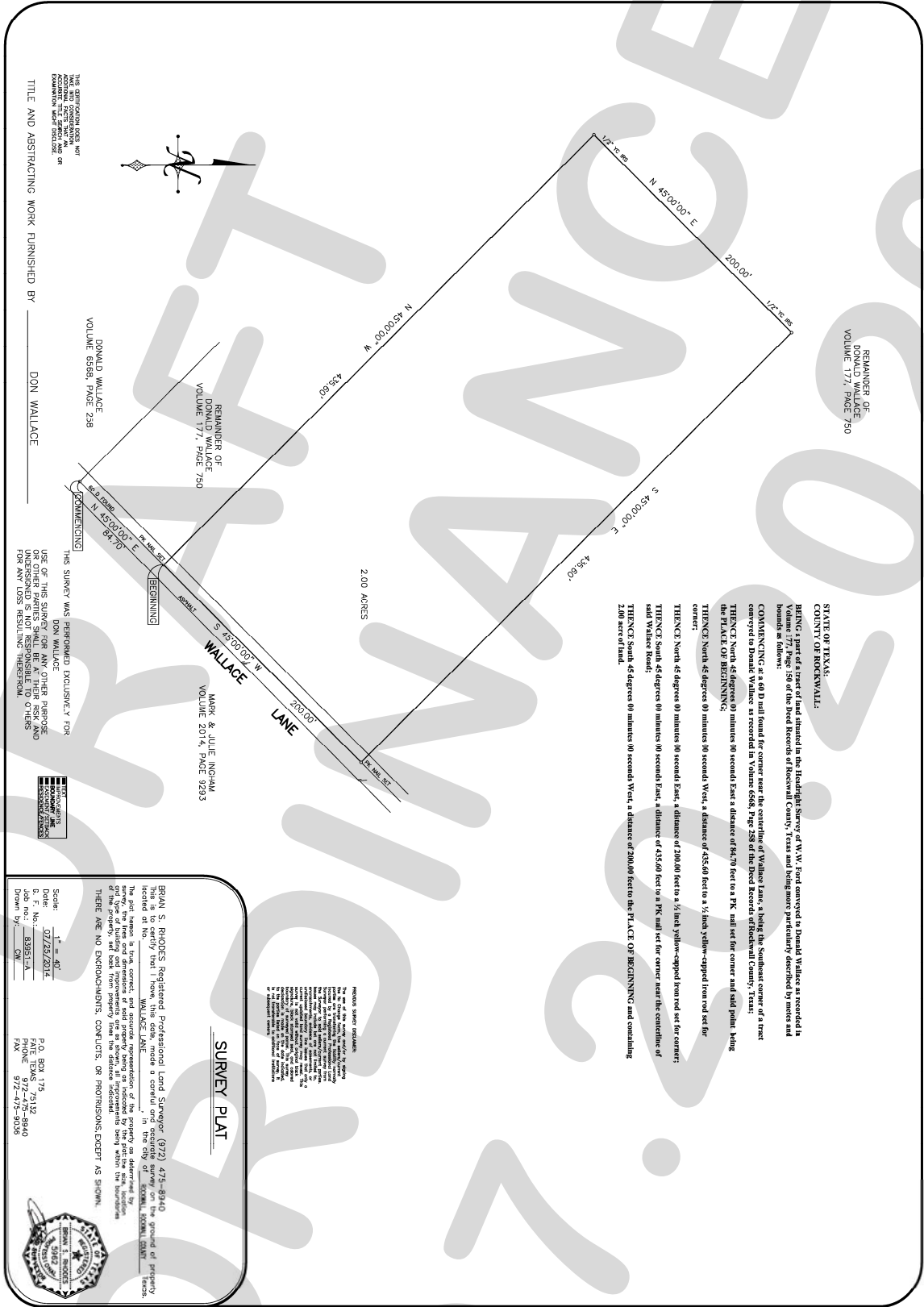


Exhibit 'C'
Location Map & Legal Description

General Location: Northeast of the Intersection of H. Wallace Lane and Horizon Road [FM3097]
Legal Description: A Portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80





August 4, 2020

TO: Donald and Cathy Wallace
330 H. Wallace Lane
Rockwall, TX 75032

FROM: David Gonzales, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: Z2020-029; *Zoning Change from Agricultural (AG) District to Single-Family Estate 2.0 (SFE-2.0) District at Wallace Lane and Horizon Road [FM-3097]*

Donald and Cathy Wallace:

This letter serves to notify you that the above referenced zoning case that you submitted for consideration by the City of Rockwall was approved by the City Council on August 3, 2020. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

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

Planning and Zoning Commission

On July 14, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the zoning change with the conditions of approval by a vote of 6-0, with Commissioner Moeller absent.

City Council

On August 3, 2020, the City Council made a motion to approve the applicant's request. The motion passed by a vote of 6-0, with Council Member Daniels absent.

Included with this letter is a copy of Ordinance No. 20-31, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771-7745.

Sincerely,

David Gonzales, AICP
Planning and Zoning Manager