



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # P2021-011 P&Z DATE 04/13/21 CC DATE 04/19/21 APPROVED/DENIED

ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

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

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

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

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





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-011

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

### PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

### NOTES:

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 171 Birds Nest Ln

SUBDIVISION Birds Nest Addition

LOT 1 & 2 BLOCK A

GENERAL LOCATION

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

CURRENT ZONING

CURRENT USE Vacant

PROPOSED ZONING

PROPOSED USE Residential

ACREAGE 4.02

LOTS [CURRENT]

LOTS [PROPOSED]

**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 Mike + Cheryl Birdwell

APPLICANT

CONTACT PERSON Mike + Cheryl

CONTACT PERSON

ADDRESS 171 Birds Nest Ln

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE 214-773-4527

PHONE

E-MAIL birdwellc@garlandtx.gov

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

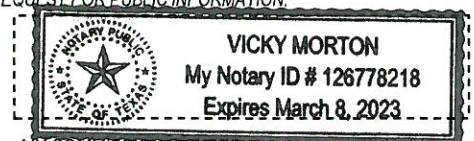
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17 DAY OF March, 2021.

OWNER'S SIGNATURE M. Birdwell

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Vicky Morton



MY COMMISSION EXPIRES

March 8, 2023



OWNER'S CERTIFICATE  
(Public Dedication)  
STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS Mike and Cheryl Birdwell, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the JAMES SMITH SURVEY, ABSTRACT NO. 191, Rockwall County, Texas, and being a part of that 6.238 acres tract of land as described in a Warranty deed from William James Russell, et al to Michael G. Birdwell and wife, Cheryl L. Birdwell, dated March 13, 1992 and being recorded in Volume 676, Page 247 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found for corner at the Northwest corner of said 6.238 acres tract of land, said point being in a turn in Camp Creek Road;

THENCE N. 67 deg. 35 min. 46 sec. E. along Camp Creek Road, a distance of 321.63 feet to a "PK" nail found for corner;

THENCE S. 00 deg. 02 min. 00 sec. E. a distance of 653.36 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" found for corner;

THENCE S. 88 deg. 08 min. 57 sec. W. a distance of 289.05 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE N. 00 deg. 26 min. 30 sec. W. along said west boundary line, a distance of 133.99 feet to a 1/2" iron rod found for corner;

THENCE N. 01 deg. 06 min. 01 sec. W. along the west boundary line of said tract, a distance of 406.20 feet to the POINT OF BEGINNING and containing 4.02 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, an Addition to the County of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City and County of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications required by the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality entered into by the City of Rockwall and County; or
- Property owner shall be responsible for maintaining, repairing and replacing all systems within the drainage and detention easements.

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

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

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

MIKE BIRDWELL

CHERYL BIRDWELL

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date \_\_\_\_\_

APPROVED

I hereby certify that the above and foregoing plat of BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, an addition to the Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_\_ day of \_\_\_\_\_ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction ( ETJ) of the City entered into by the City of Rockwall and Rockwall County.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

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

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date \_\_\_\_\_

Rockwall County Judge

Date \_\_\_\_\_

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

FINAL PLAT  
**BIRDS NEST ADDITION**  
**LOT 1 & 2, BLOCK A**  
4.02 ACRES OR 174,910 S.F.  
( 2 LOTS )  
JAMES SMITH SURVEY, A-191  
IN THE E.T.J. OF  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND	
TV TELEVISION CABLE TIE	⊗ GAS METER
⊗ TEL. POLE	⊗ FIRE HYDRANT
⊗ POWER POLE	⊗ LP GAS
⊗ ELEC. METER	⊗ ELEC. BOX
⊗ WATER METER	⊗ LIGHT POLE
⊗ SUBSURFACE SANCTION BOX	⊗ 1/2" IRON ROD FOUND AT CORNER
⊗ FENCE	⊗ EASEMENT LINE
⊗ PROPERTY LINE	⊗ A/C UNIT
⊗ PREPARE TANK	

OWNER:  
MIKE BIRDWELL  
CHERYL BIRDWELL  
171 BIRDS NEST  
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE MARCH 19, 2021  
SCALE 1" = 100' FILE # 20010726-FP  
CLIENT BIRDWELL

CASE NO. P2021-





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-011

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CITY ENGINEER:

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## PROPERTY INFORMATION [PLEASE PRINT]

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SUBDIVISION Birds Nest Addition

LOT 1 & 2 BLOCK A

GENERAL LOCATION

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CURRENT ZONING

CURRENT USE Vacant

PROPOSED ZONING

PROPOSED USE Residential

ACREAGE 4.02

LOTS [CURRENT]

LOTS [PROPOSED]

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

OWNER Mike + Cheryl Birdwell

APPLICANT

CONTACT PERSON Mike + Cheryl

CONTACT PERSON

ADDRESS 171 Birds Nest Ln

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE 214-773-4527

PHONE

E-MAIL birdwellc@garlandtx.gov

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

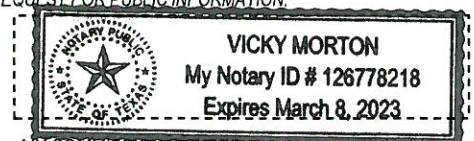
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GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17 DAY OF March, 2021.

OWNER'S SIGNATURE M. Birdwell

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Vicky Morton



MY COMMISSION EXPIRES

March 8, 2023





P2021-011- LOT 1 & 2, BLOCK A, BIRDS NEST ADDITION  
REPLAT - LOCATION MAP =



# City of Rockwall

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

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.











# PROJECT COMMENTS



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

DATE: 3/25/2021

PROJECT NUMBER: P2021-011  
PROJECT NAME: Lot 1 & 2, Block A, Birds Nest Addition  
SITE ADDRESS/LOCATIONS: 171 BIRDS NEST LN, ROCKWALL COUNTY

CASE MANAGER: Henry Lee  
CASE MANAGER PHONE: 972.772.6434  
CASE MANAGER EMAIL: hlee@rockwall.com

CASE CAPTION: Discuss and consider a request by Mike and Cheryl Birdwell for the approval of a Final Plat for Lots 1 & 2, Block A, Birds Nest Addition being a 4.02-acre tract of land identified as Tract 15 of the J. Smith Survey, Abstract No. 191, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 171 Birds Nest Lane, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	Henry Lee	03/24/2021	Approved w/ Comments

03/24/2021: P2021-011; Final Plat for Lots 1 & 2, Block A, Birds Nest Addition - ETJ

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

I.1 This is a request for the approval of a Final Plat for Lots 1 & 2, Block A, Birds Nest Addition being a 4.02-acre tract of land identified as Tract 15 of the J. Smith Survey, Abstract No. 191, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 171 Birds Nest Lane.

I.2 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6434 or email hlee@rockwall.com.

M.3 For reference, include the case number (P2021-011) in the lower right-hand corner of all pages of all revised plan submittals (i.e. Final Plat).

I.4 This project is subject to all requirements stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Interlocal Agreement between Rockwall County and the City of Rockwall that are applicable to the subject property.

I.5 The final plat shall conform to all standards and requirements of Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Interlocal Agreement between Rockwall County and the City of Rockwall, the staff comments provided by the Planning, Engineering, and Fire Department as indicated in the Project Plan Review document.

I.6 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections and return to staff as soon as practical, and provide any additional information that is requested.

M.7 See comments identified on plat by staff and make the following corrections as noted:

1. For reference, include the case number (P2021-0011) in the lower right-hand corner of all pages on future submittals.
2. Tie two corners of the subject property to state plane coordinates (NAD 83 State Plane Texas, North Central [7202], US Survey Feet).
3. Include the build lines adjacent to a street.
4. Include the name of all proposed and existing street. Also include the centerline for Camp Creek.

I.8 Please provide two (2) large copies [18" X 24" FOLDED] on bonded paper and one PDF version for a subsequent/final review by staff.

M.9 Please note that once the plat has been approved by the Planning and Zoning Commission and City Council, all staff comments are to be addressed and all revisions are to be approved (by staff) prior to the plat being submitted on mylar for filing.

I.10 Please note the scheduled meetings for this case:

- 1) Planning & Zoning Work Session meeting will be held on March 30, 2021.
- 2) Planning & Zoning Public Hearing meeting will be held on April 13, 2021
- 3) City Council meeting will be held on April 19, 2021.

I.11 Staff recommends that a representative be present for the meetings as scheduled above, but is not required. The Planning and Zoning and City Council meetings will be held in the City's Council Chambers, and are scheduled to begin at 6:00 p.m.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	03/24/2021	Needs Review

03/24/2021: M - Label the distance from the northwest property corner to the edge of the end of lot 1.

M - Must tie two points to Rockwall GPS. N: E:

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	03/22/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	03/24/2021	Approved w/ Comments

03/24/2021: The Needed Fire Flow shall be provided to each lot upon development.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	03/22/2021	Approved w/ Comments

03/22/2021: Please add State Plane Coordinates (NAD83,NCTX 4202 Grid) to two corners.

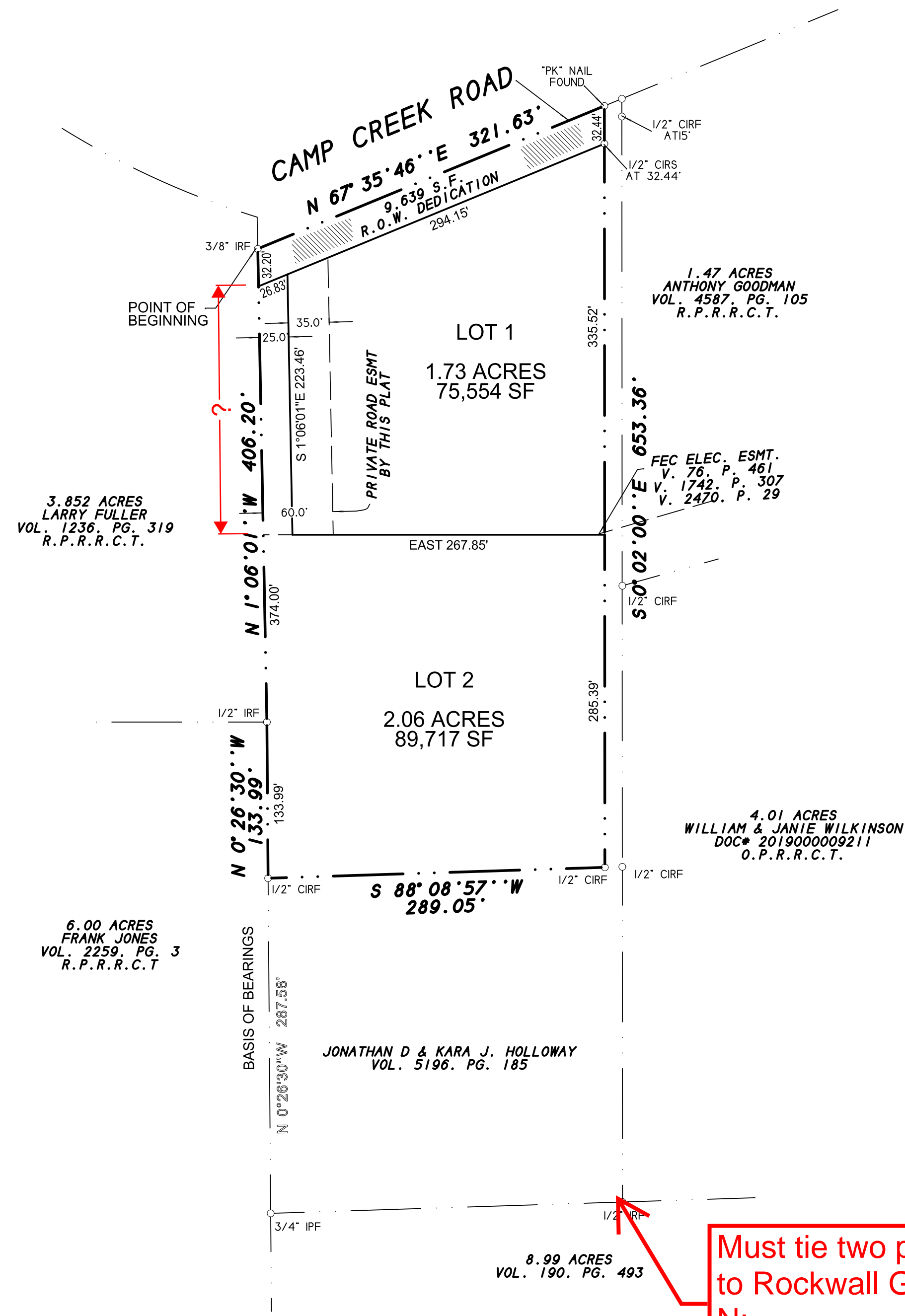
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Henry Lee	03/25/2021	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	03/22/2021	Approved

03/22/2021: No comments





3.852 ACRES  
LARRY FULLER  
VOL. 1236, PG. 319  
R.P.R.R.C.T.

6.00 ACRES  
FRANK JONES  
VOL. 2259, PG. 3  
R.P.R.R.C.T.

1.47 ACRES  
ANTHONY GOODMAN  
VOL. 4587, PG. 105  
R.P.R.R.C.T.

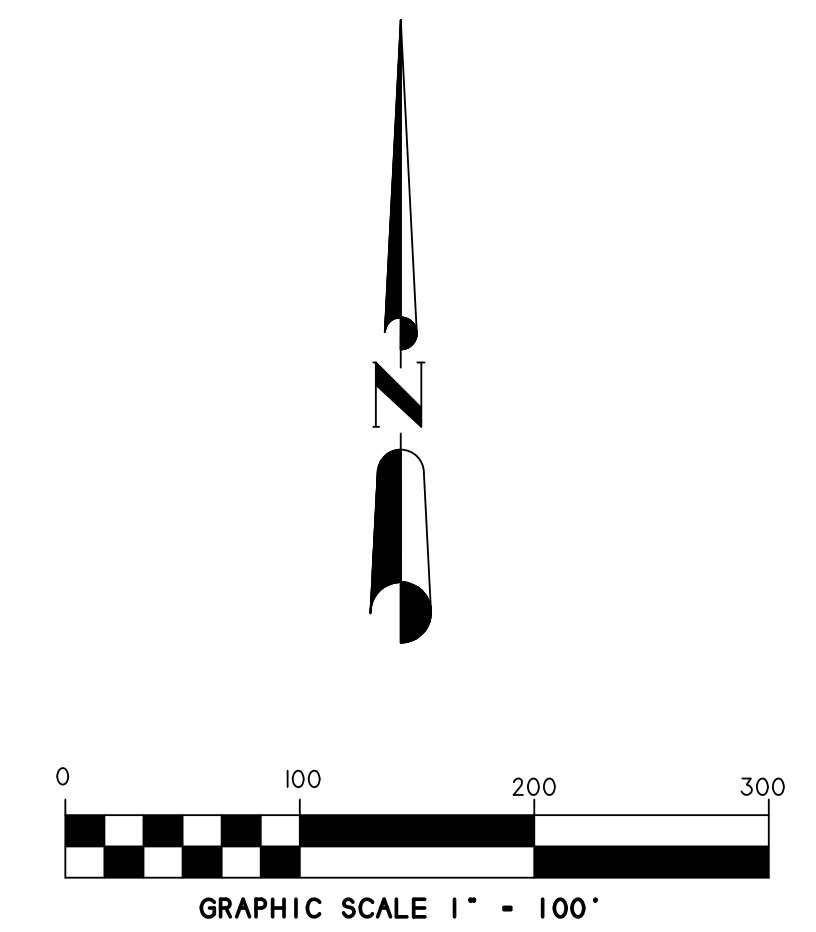
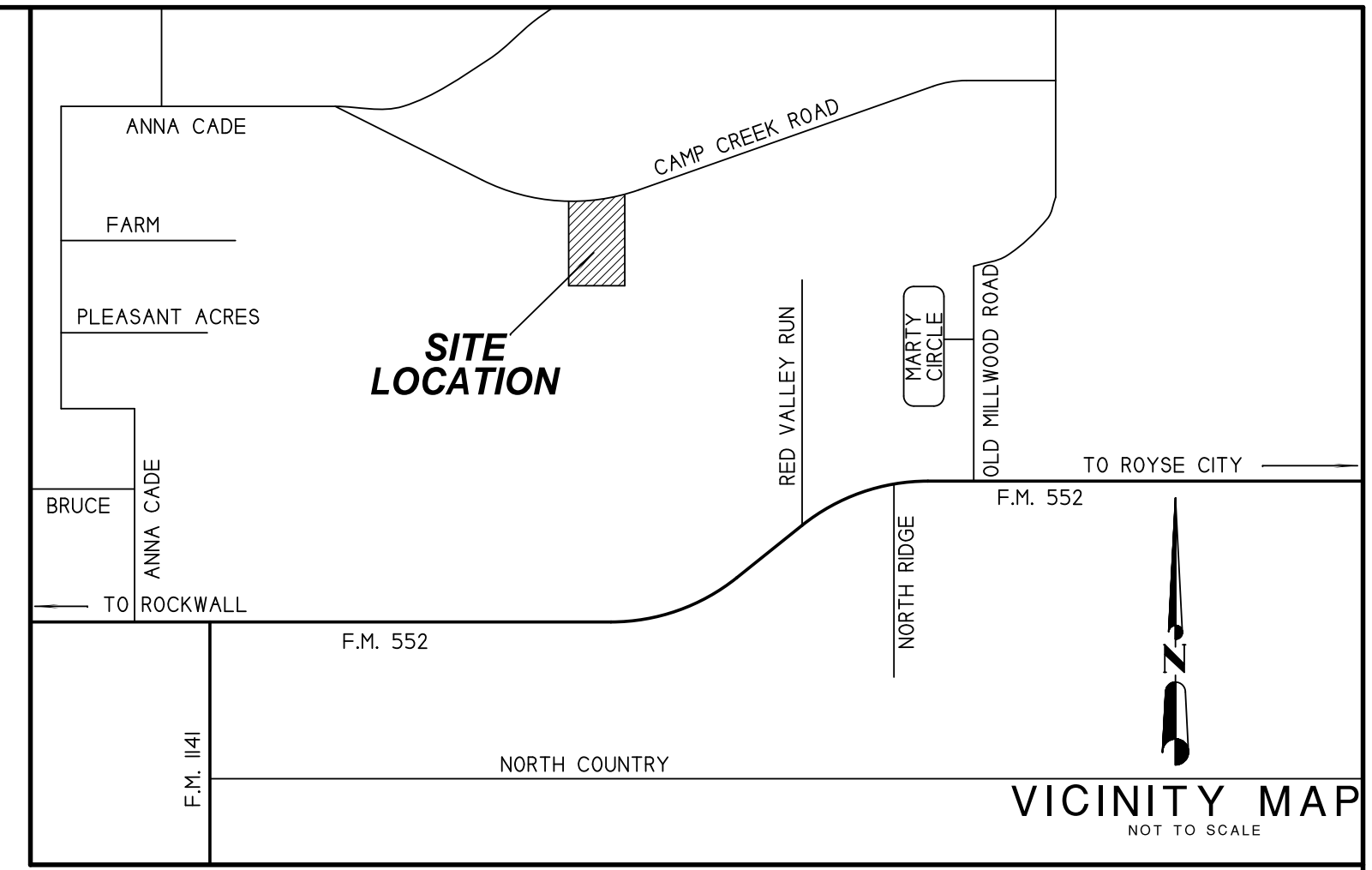
FEC ELEC. ESMT.  
V. 76, P. 461  
V. 1742, P. 307  
V. 2420, P. 29

4.01 ACRES  
WILLIAM & JAVIE WILKINSON  
DOC# 201900009211  
O.P.R.R.C.T.

JONATHAN D & KARA J. HOLLOWAY  
VOL. 5196, PG. 185

8.99 ACRES  
VOL. 190, PG. 493

Must tie two points  
to Rockwall GPS.  
N:  
E:



FINAL PLAT  
**BIRDS NEST ADDITION**  
**LOT 1 & 2, BLOCK A**

4.02 ACRES OR 174,910 S.F.  
( 2 LOTS )  
JAMES SMITH SURVEY, A-191

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

- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
  - 2) BEARING SOURCE: RECORDED DEED IN VOLUME 676, PAGE 247, R.P.R.R.C.T.
  - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
  - 4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.

OWNER:  
MIKE BIRDWELL  
CHERYL BIRDWELL  
171 BIRDS NEST  
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC  
Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SHEET 1 OF 2

SYMBOL LEGEND	
TV	TELEVISION
CO	CABLE
GA	GAS
EL	ELECTRIC
WA	WATER
SE	SEWER
PH	PHONE
HY	HYDRANT
PP	POWER POLE
IF	IRREGULAR
RF	ROCK AND SAND CORNER
ATC	AIR CONTROL TOWER
PR	PRIVACY
FE	FENCE
EX	EXERCISE LINE
AR	AIR CONTROL TOWER
PR	PRIVACY

SURVEY DATE MARCH 19, 2021  
SCALE 1" = 100' FILE # 20010726-FP  
CLIENT BIRDWELL



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-011

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

### PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

### NOTES:

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 171 Birds Nest Ln

SUBDIVISION Birds Nest Addition

LOT 1 & 2 BLOCK A

GENERAL LOCATION

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

CURRENT ZONING

CURRENT USE Vacant

PROPOSED ZONING

PROPOSED USE Residential

ACREAGE 4.02

LOTS [CURRENT]

LOTS [PROPOSED]

**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 Mike + Cheryl Birdwell

APPLICANT

CONTACT PERSON Mike + Cheryl

CONTACT PERSON

ADDRESS 171 Birds Nest Ln

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE 214-773-4527

PHONE

E-MAIL birdwellc@garlandtx.gov

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

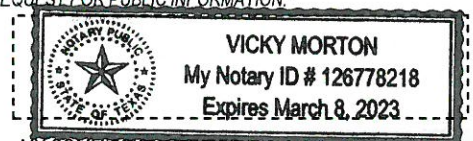
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17 DAY OF March, 2021.

OWNER'S SIGNATURE M. Birdwell

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Vicky Morton



MY COMMISSION EXPIRES

March 8, 2023



0 80 160 320 480 640 Feet

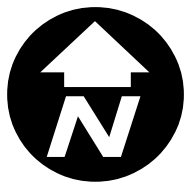
P2021-011- LOT 1 & 2, BLOCK A, BIRDS NEST ADDITION  
REPLAT - LOCATION MAP = 



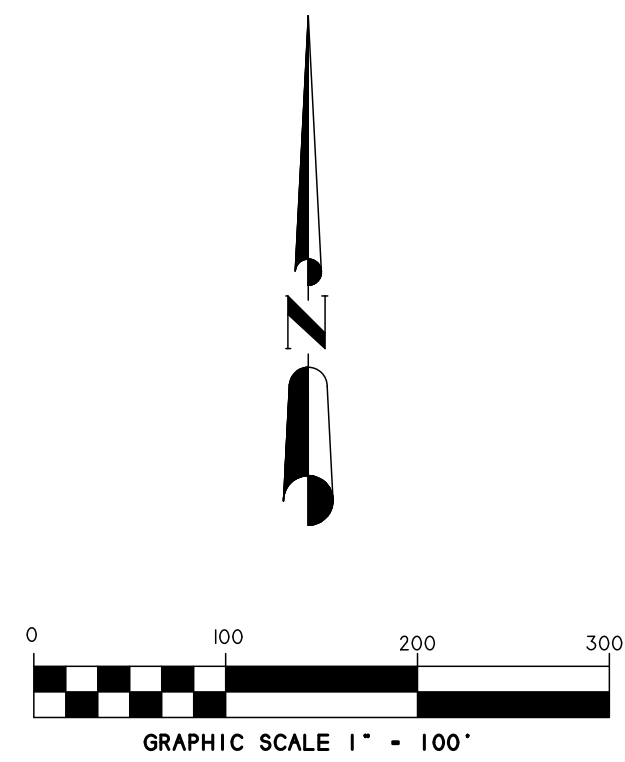
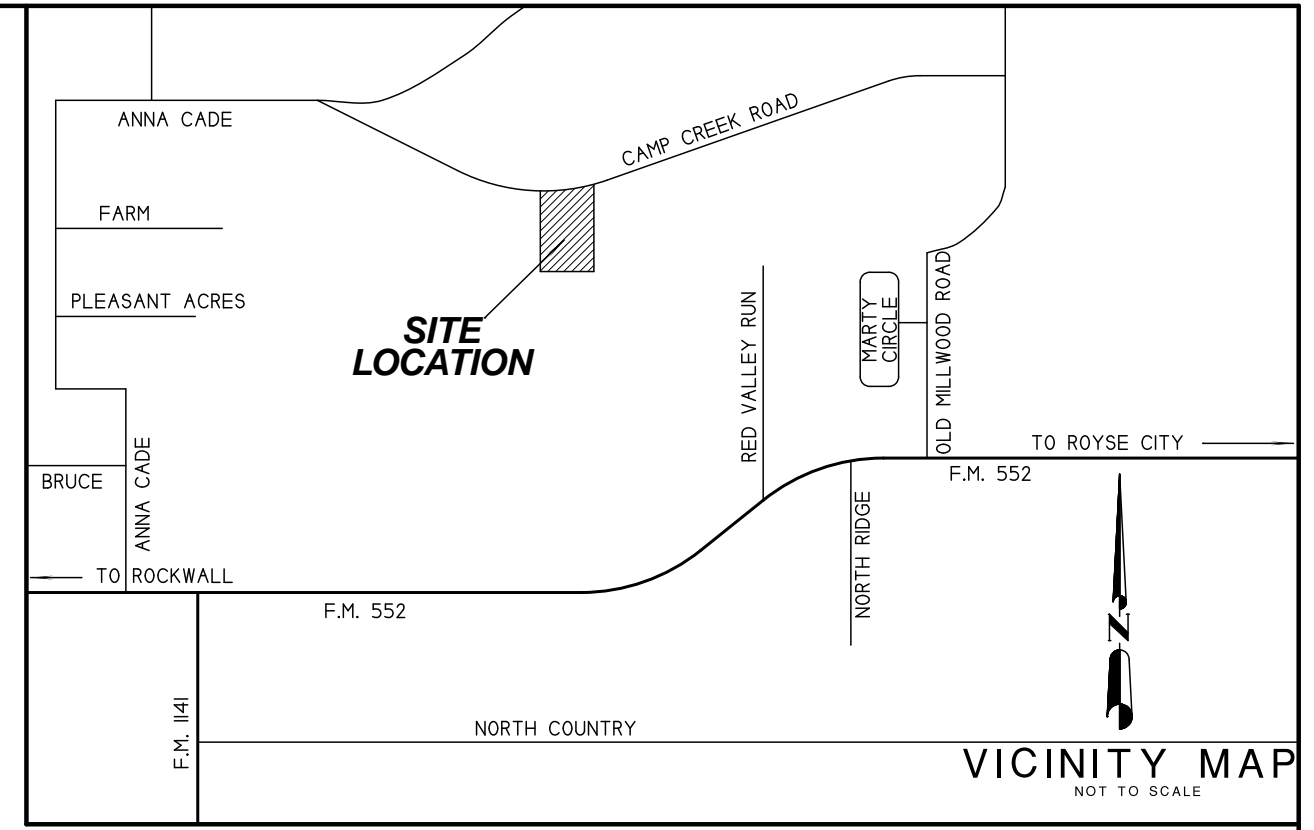
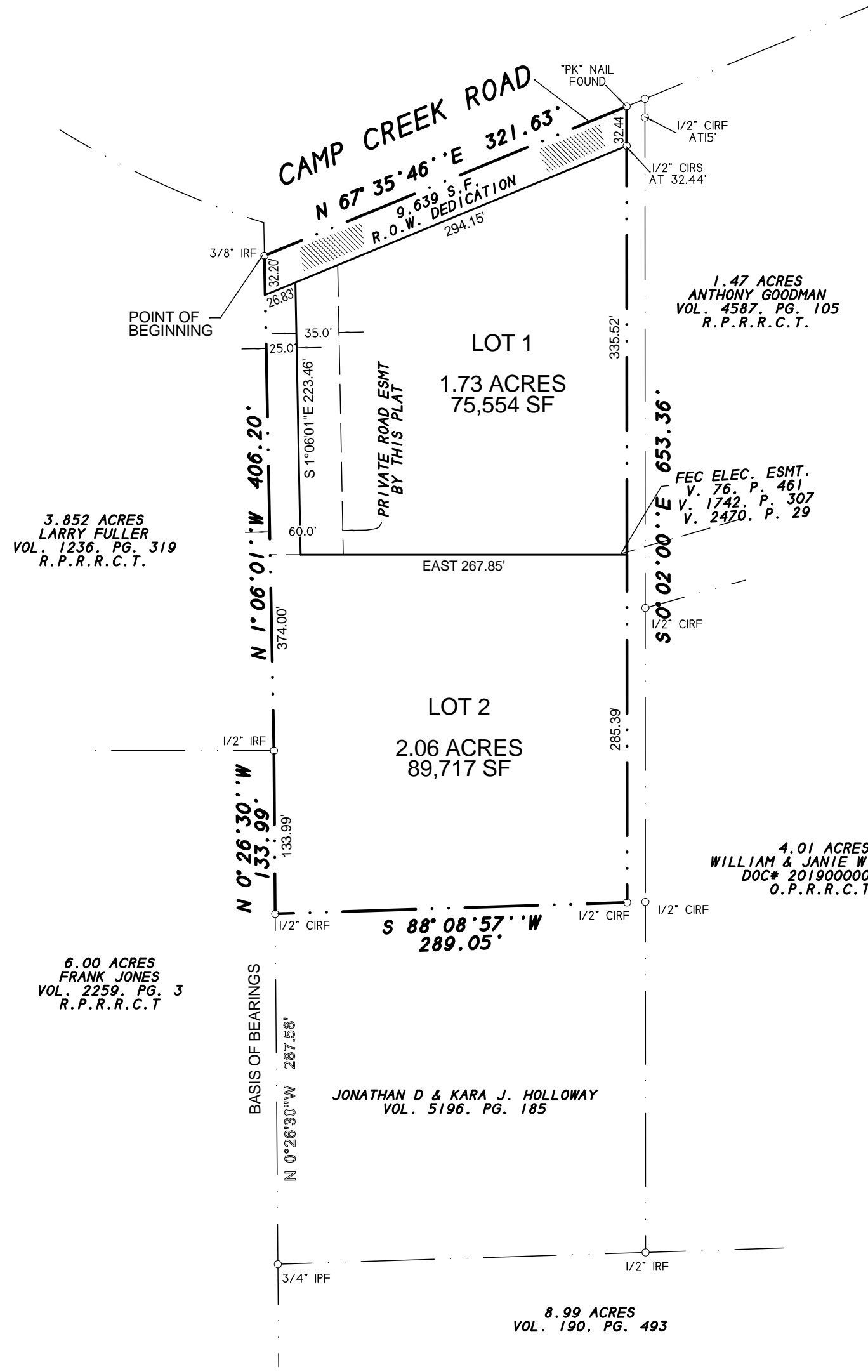
## City of Rockwall

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

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.







FINAL PLAT  
**BIRDS NEST ADDITION**  
**LOT 1 & 2, BLOCK A**  
 4.02 ACRES OR 174,910 S.F.  
 ( 2 LOTS )  
 JAMES SMITH SURVEY, A-191  
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**OWNER:**  
 MIKE BIRDWELL  
 CHERYL BIRDWELL  
 171 BIRDS NEST  
 ROCKWALL, TEXAS 75087

SHEET 1 OF 2

SYMBOL LEGEND	
	TV
	CABLE BOX
	GAS METER
	ELECTRIC METER
	ELECTRIC BOX
	SUBSURFACE JUNCTION BOX
	FENCE
	EASEMENT LINE
	PROPERTY LINES
	TEL POLE
	FIRE HYDRANT
	POWER POLE
	WATER METER
	LIGHT POLE
	IRON NAIL FOUND IN CORNER
	A/C UNIT
	PROPANE TANK

**H.D. Fetty Land Surveyor, LLC**  
 Firm Registration no. 101509-00  
 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE MARCH 19, 2021  
 SCALE 1" = 100' FILE# 20010726-FP  
 CLIENT BIRDWELL

OWNER'S CERTIFICATE  
(Public Dedication)  
STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS Mike and Cheryl Birdwell, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the JAMES SMITH SURVEY, ABSTRACT NO. 191, Rockwall County, Texas, and being a part of that 6.238 acres tract of land as described in a Warranty deed from William James Russell, et al to Michael G. Birdwell and wife, Cheryl L. Birdwell, dated March 13, 1992 and being recorded in Volume 676, Page 247 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found for corner at the Northwest corner of said 6.238 acres tract of land, said point being in a turn in Camp Creek Road;

THENCE N. 67 deg. 35 min. 46 sec. E. along Camp Creek Road, a distance of 321.63 feet to a "PK" nail found for corner;

THENCE S. 00 deg. 02 min. 00 sec. E. a distance of 653.36 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" found for corner;

THENCE S. 88 deg. 08 min. 57 sec. W. a distance of 289.05 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE N. 00 deg. 26 min. 30 sec. W. along said west boundary line, a distance of 133.99 feet to a 1/2" iron rod found for corner;

THENCE N. 01 deg. 06 min. 01 sec. W. along the west boundary line of said tract, a distance of 406.20 feet to the POINT OF BEGINNING and containing 4.02 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, an Addition to the County of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City and County of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications required by the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality entered into by the City of Rockwall and County; or
- Property owner shall be responsible for maintaining, repairing and replacing all systems within the drainage and detention easements.

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

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

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

MIKE BIRDWELL

CHERYL BIRDWELL

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date \_\_\_\_\_

APPROVED

I hereby certify that the above and foregoing plat of BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, an addition to the Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_\_ day of \_\_\_\_\_ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction ( ETJ) of the City entered into by the City of Rockwall and Rockwall County.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

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

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date \_\_\_\_\_

Rockwall County Judge

Date \_\_\_\_\_

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

FINAL PLAT  
**BIRDS NEST ADDITION**  
**LOT 1 & 2, BLOCK A**  
4.02 ACRES OR 174,910 S.F.  
( 2 LOTS )  
JAMES SMITH SURVEY, A-191  
IN THE E.T.J. OF  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND	
⊗ TV TELEVISION CABLE TIE	⊗ GAS
⊗ TEL	⊗ FIRE HYDRANT
⊗ FIBER OPTIC	⊗ POWER POLE
⊗ ELEC. METER	⊗ ELEC. BOX
⊗ ELEC. METER	⊗ WATER METER
⊗ SUBSURFACE SANCTION BOX	⊗ LP GAS
⊗ 1/2" IRON ROD FOUND AT CORNER	⊗ 1/2" IRON ROD FOUND AT CORNER
⊗ FENCE	⊗ EASEMENT LINE
⊗ PROPERTY LINE	⊗ A/C UNIT
⊗	⊗ FIRE TANK

OWNER:  
MIKE BIRDWELL  
CHERYL BIRDWELL  
171 BIRDS NEST  
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE MARCH 19, 2021  
SCALE 1" = 100' FILE # 20010726-FP  
CLIENT BIRDWELL

CASE NO. P2021-



# 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:** April 13, 2021  
**APPLICANT:** Mike and Cheryl Birdwell  
**CASE NUMBER:** P2021-011; *Final Plat for Lots 1 & 2, Block A, Birds Nest Addition*

---

### SUMMARY

Consider a request by Mike and Cheryl Birdwell for the approval of a Final Plat for Lots 1 & 2, Block A, Birds Nest Addition being a 4.02-acre tract of land identified as Tract 15 of the J. Smith Survey, Abstract No. 191, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 171 Birds Nest Lane, and take any action necessary.

### PLAT INFORMATION

- The applicants are requesting the approval of a Final Plat to subdivide one (1) tract of land (*i.e. Tract 15 of the J. Smith Survey, Abstract No. 191*) into two (2) parcels of land (*i.e. Lots 1 & 2, Block A, Birds Nest Addition*) for the purpose of conveying one (1) lot (*i.e. Lot 2, Block A; the lot with the existing single-family home*) and constructing a single-family home on one (1) lot (*i.e. Lot 1, Block A*). According to the subdivision plat, each of the two (2) residential lots will be a minimum of 1½-acres in size, and be accessible via the existing private road (*i.e. Birds Nest Lane*). The plat also shows that an additional 32-feet of right-of-way will be dedicated to the existing right-of-way for Camp Creek Road. This dedication conforms to the *Rockwall County Thoroughfare Plan*.
- The proposed Final Plat appears to be in conformance with the requirements of Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's Standards of Design and Construction Manual, and Exhibit 'A', *Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall*, of the Interim Interlocal Agreement between Rockwall County and the City of Rockwall.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

### CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the Final Plat for *Lots 1 & 2, Block A, Birds Nest Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.



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

# PROJECT COMMENTS



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

DATE: 3/25/2021

PROJECT NUMBER: P2021-011  
PROJECT NAME: Lot 1 & 2, Block A, Birds Nest Addition  
SITE ADDRESS/LOCATIONS: 171 BIRDS NEST LN, ROCKWALL COUNTY

CASE MANAGER: Henry Lee  
CASE MANAGER PHONE: 972.772.6434  
CASE MANAGER EMAIL: hlee@rockwall.com

CASE CAPTION: Discuss and consider a request by Mike and Cheryl Birdwell for the approval of a Final Plat for Lots 1 & 2, Block A, Birds Nest Addition being a 4.02-acre tract of land identified as Tract 15 of the J. Smith Survey, Abstract No. 191, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 171 Birds Nest Lane, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	Henry Lee	03/24/2021	Approved w/ Comments

03/24/2021: P2021-011; Final Plat for Lots 1 & 2, Block A, Birds Nest Addition - ETJ

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

I.1 This is a request for the approval of a Final Plat for Lots 1 & 2, Block A, Birds Nest Addition being a 4.02-acre tract of land identified as Tract 15 of the J. Smith Survey, Abstract No. 191, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 171 Birds Nest Lane.

I.2 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6434 or email hlee@rockwall.com.

M.3 For reference, include the case number (P2021-011) in the lower right-hand corner of all pages of all revised plan submittals (i.e. Final Plat).

I.4 This project is subject to all requirements stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Interlocal Agreement between Rockwall County and the City of Rockwall that are applicable to the subject property.

I.5 The final plat shall conform to all standards and requirements of Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Interlocal Agreement between Rockwall County and the City of Rockwall, the staff comments provided by the Planning, Engineering, and Fire Department as indicated in the Project Plan Review document.

I.6 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections and return to staff as soon as practical, and provide any additional information that is requested.

M.7 See comments identified on plat by staff and make the following corrections as noted:

1. For reference, include the case number (P2021-0011) in the lower right-hand corner of all pages on future submittals.
2. Tie two corners of the subject property to state plane coordinates (NAD 83 State Plane Texas, North Central [7202], US Survey Feet).
3. Include the build lines adjacent to a street.
4. Include the name of all proposed and existing street. Also include the centerline for Camp Creek.

I.8 Please provide two (2) large copies [18" X 24" FOLDED] on bonded paper and one PDF version for a subsequent/final review by staff.

M.9 Please note that once the plat has been approved by the Planning and Zoning Commission and City Council, all staff comments are to be addressed and all revisions are to be approved (by staff) prior to the plat being submitted on mylar for filing.

I.10 Please note the scheduled meetings for this case:

- 1) Planning & Zoning Work Session meeting will be held on March 30, 2021.
- 2) Planning & Zoning Public Hearing meeting will be held on April 13, 2021
- 3) City Council meeting will be held on April 19, 2021.

I.11 Staff recommends that a representative be present for the meetings as scheduled above, but is not required. The Planning and Zoning and City Council meetings will be held in the City's Council Chambers, and are scheduled to begin at 6:00 p.m.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	03/24/2021	Needs Review

03/24/2021: M - Label the distance from the northwest property corner to the edge of the end of lot 1.

M - Must tie two points to Rockwall GPS. N: E:

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	03/22/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	03/24/2021	Approved w/ Comments

03/24/2021: The Needed Fire Flow shall be provided to each lot upon development.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	03/22/2021	Approved w/ Comments

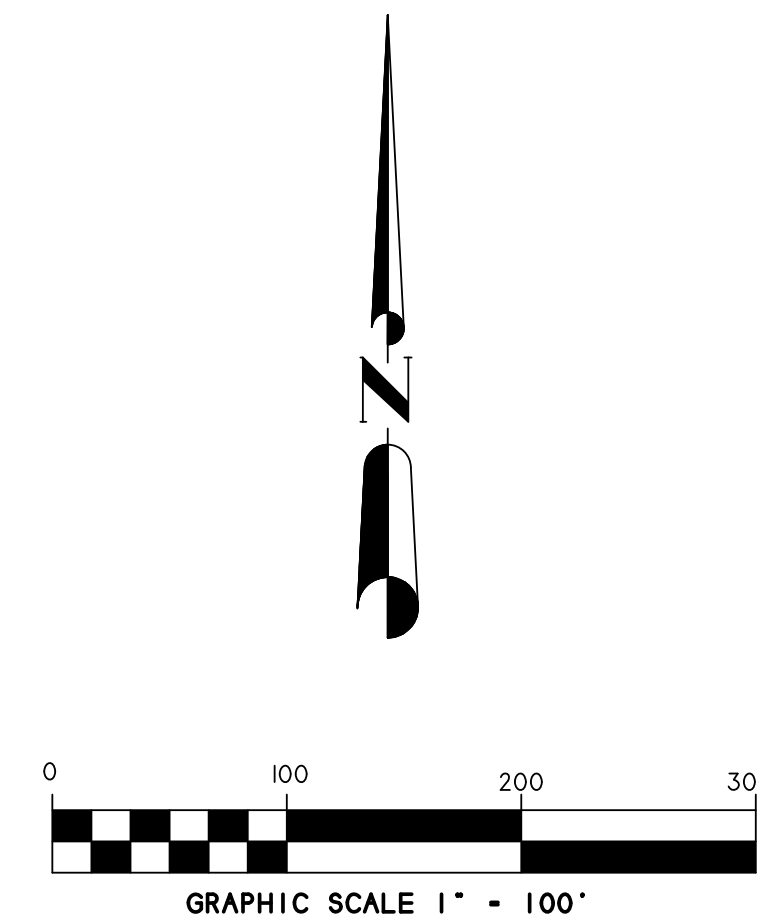
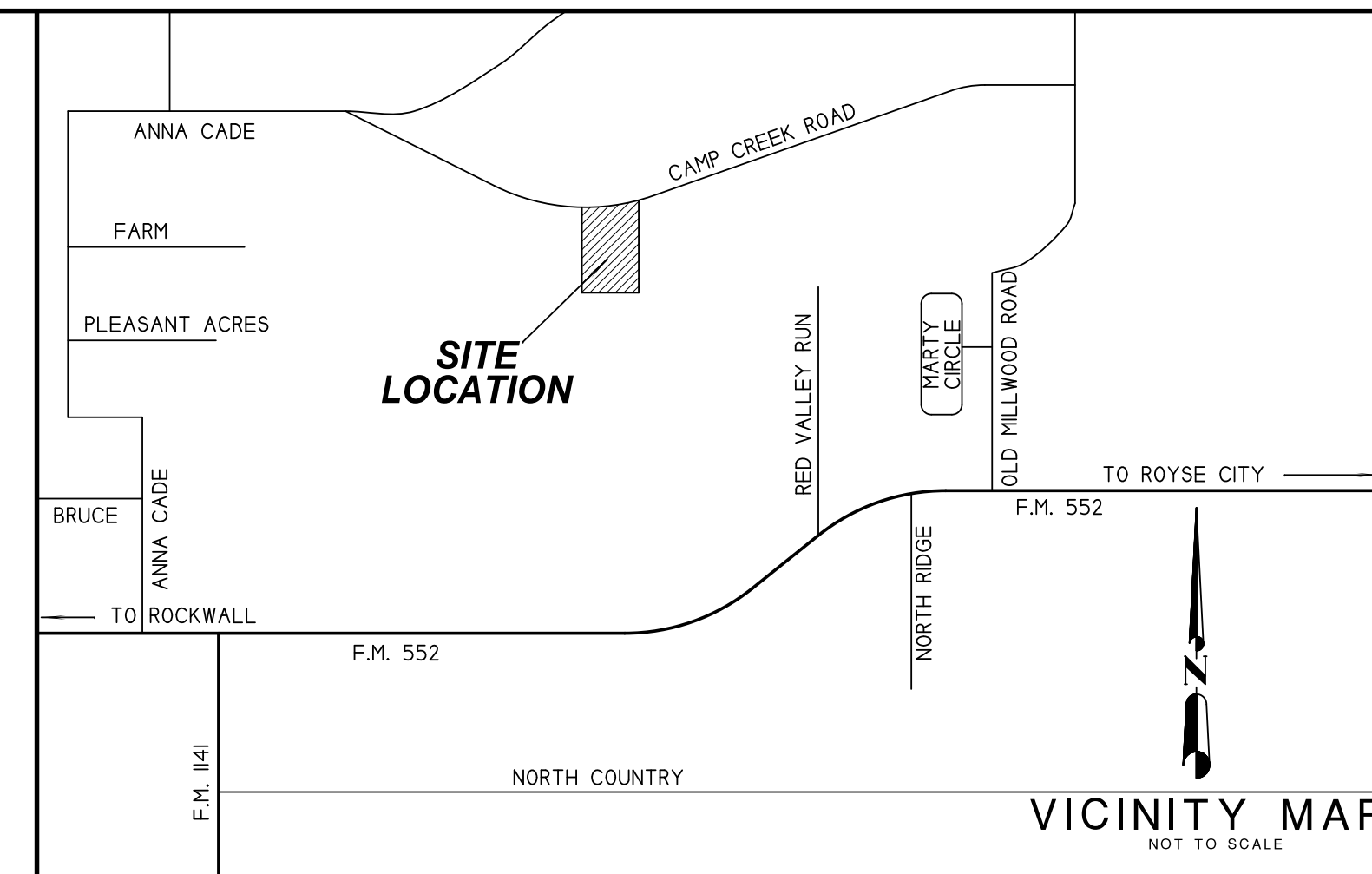
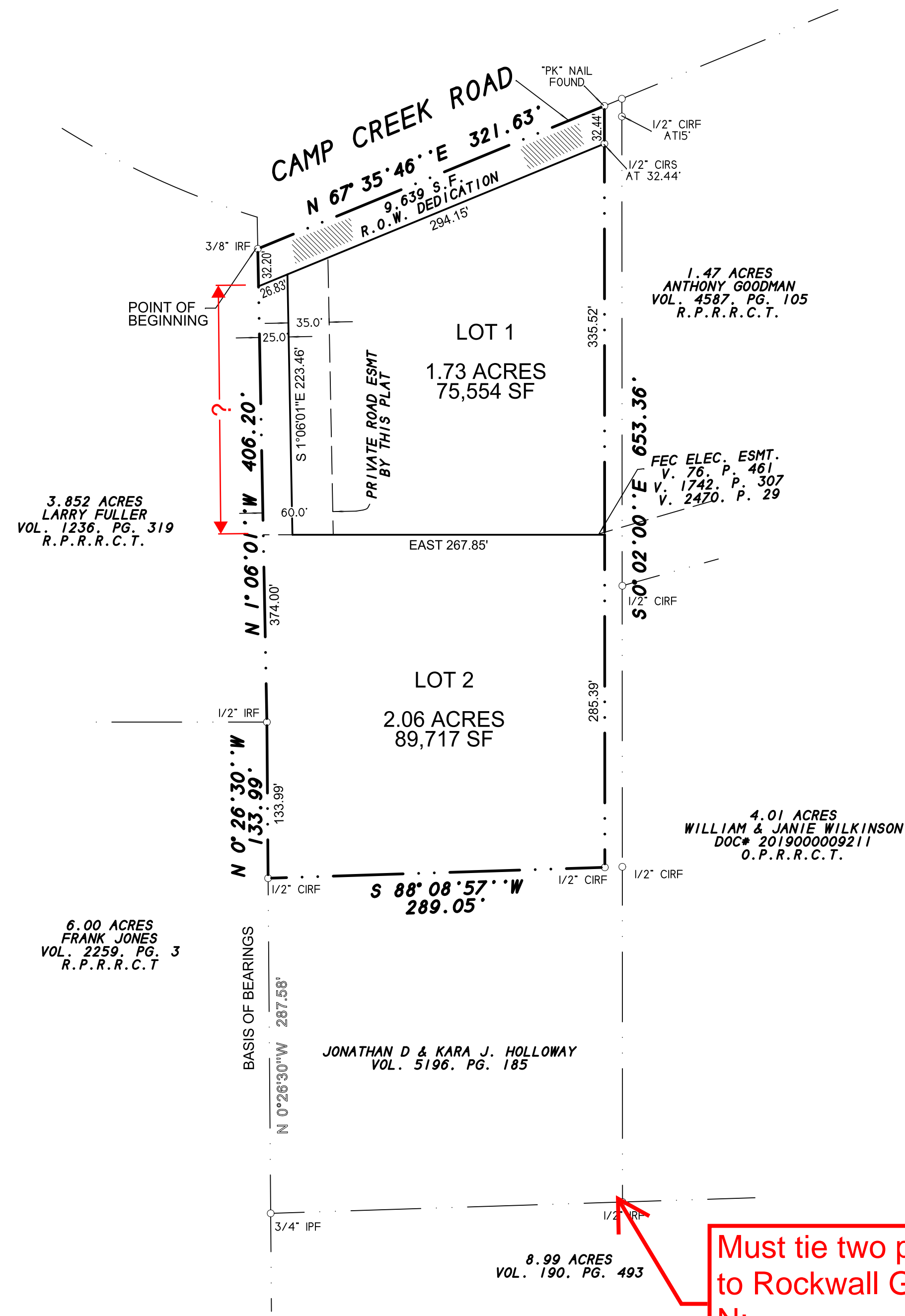
03/22/2021: Please add State Plane Coordinates (NAD83,NCTX 4202 Grid) to two corners.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Henry Lee	03/25/2021	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	03/22/2021	Approved

03/22/2021: No comments



FINAL PLAT  
**BIRDS NEST ADDITION**  
**LOT 1 & 2, BLOCK A**

4.02 ACRES OR 174,910 S.F.  
 ( 2 LOTS )  
 JAMES SMITH SURVEY, A-191

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

SHEET 1 OF 2

SYMBOL LEGEND	
TV	TELEVISION
CO	CABLE
GA	GAS
PH	PHONE
EL	ELECTRIC
W	WATER
SE	SEWER
ATC	AIR CONDITIONING
PP	POWER POLE
HY	HYDRANT
IF	IRREGULAR
RF	ROCK AND IRON
CO	CORNER
ATC	AIR CONDITIONING
PP	POWER POLE
HY	HYDRANT
IF	IRREGULAR
RF	ROCK AND IRON
CO	CORNER
ATC	AIR CONDITIONING
PP	POWER POLE
HY	HYDRANT
IF	IRREGULAR
RF	ROCK AND IRON
CO	CORNER

OWNER:  
 MIKE BIRDWELL  
 CHERYL BIRDWELL  
 171 BIRDS NEST  
 ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00  
 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE MARCH 19, 2021  
 SCALE 1" = 100' FILE # 20010726-FP  
 CLIENT BIRDWELL

- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
  - 2) BEARING SOURCE: RECORDED DEED IN VOLUME 676, PAGE 247, R.P.R.C.T.
  - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
  - 4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-011

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

### PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>
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- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
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- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

### NOTES:

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 171 Birds Nest Ln

SUBDIVISION Birds Nest Addition

LOT 1 & 2 BLOCK A

GENERAL LOCATION

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

CURRENT ZONING

CURRENT USE Vacant

PROPOSED ZONING

PROPOSED USE Residential

ACREAGE 4.02

LOTS [CURRENT]

LOTS [PROPOSED]

**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 Mike + Cheryl Birdwell

APPLICANT

CONTACT PERSON Mike + Cheryl

CONTACT PERSON

ADDRESS 171 Birds Nest Ln

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE 214-773-4527

PHONE

E-MAIL birdwellc@garlandtx.gov

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

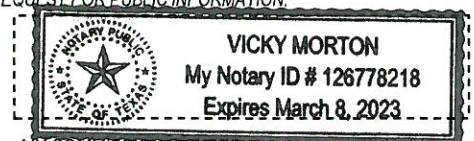
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17 DAY OF March, 2021.

OWNER'S SIGNATURE M. Birdwell

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Vicky Morton



MY COMMISSION EXPIRES

March 8, 2023



0 80 160 320 480 640 Feet

P2021-011- LOT 1 & 2, BLOCK A, BIRDS NEST ADDITION  
REPLAT - LOCATION MAP = 



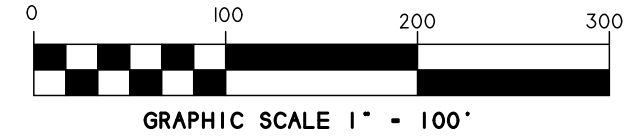
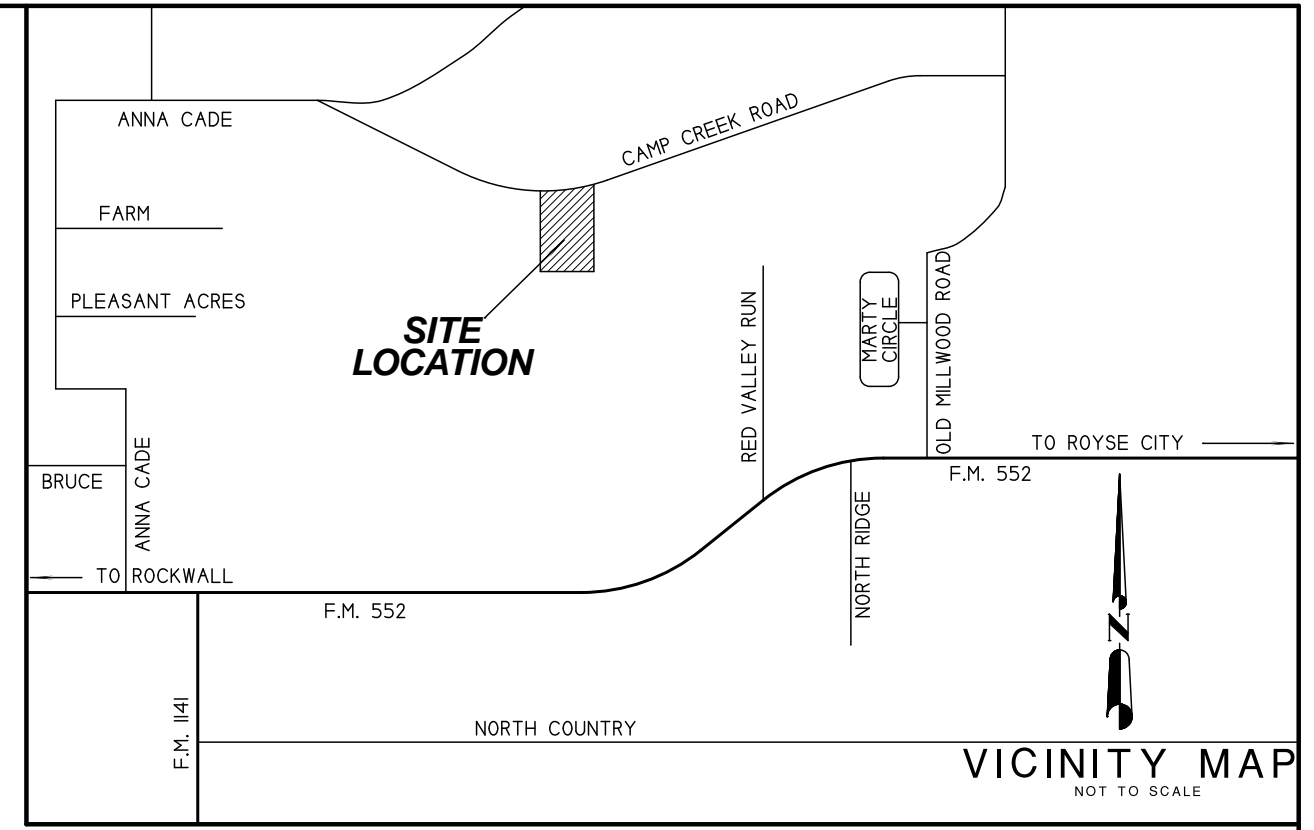
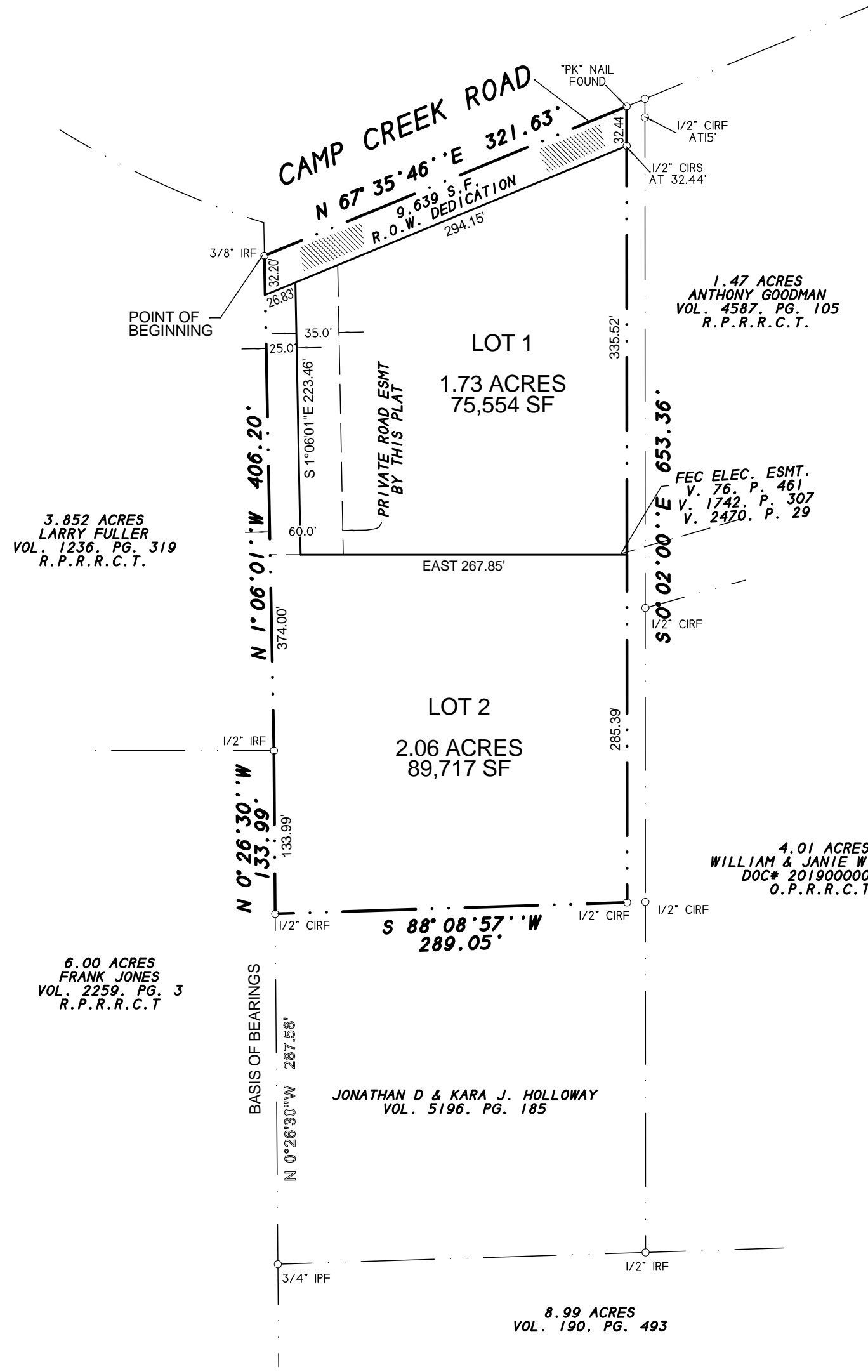
## City of Rockwall

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

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.







FINAL PLAT  
**BIRDS NEST ADDITION**  
**LOT 1 & 2, BLOCK A**  
 4.02 ACRES OR 174,910 S.F.  
 ( 2 LOTS )  
 JAMES SMITH SURVEY, A-191  
 IN THE E.T.J. OF  
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SHEET 1 OF 2

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**OWNER:**  
 MIKE BIRDWELL  
 CHERYL BIRDWELL  
 171 BIRDS NEST  
 ROCKWALL, TEXAS 75087

SYMBOL LEGEND	
	TV
	CABLE BOX
	GAS METER
	ELECTRIC METER
	ELECTRIC BOX
	WATER METER
	SUBSURFACE JUNCTION BOX
	FENCE
	EASEMENT LINE
	PROPERTY LINES
	TEL. POLE
	FIRE HYDRANT
	POWER POLE
	L.P. LIGHT POLE
	IRON NAIL FOUND (CORNER)
	A/C UNIT
	PROPANE TANK

**H.D. Fetty Land Surveyor, LLC**  
 Firm Registration no. 101509-00  
 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE MARCH 19, 2021  
 SCALE 1" = 100' FILE # 20010726-FP  
 CLIENT BIRDWELL



OWNER'S CERTIFICATE  
(Public Dedication)  
STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS Mike and Cheryl Birdwell, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the JAMES SMITH SURVEY, ABSTRACT NO. 191, Rockwall County, Texas, and being a part of that 6.238 acres tract of land as described in a Warranty deed from William James Russell, et al to Michael G. Birdwell and wife, Cheryl L. Birdwell, dated March 13, 1992 and being recorded in Volume 676, Page 247 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found for corner at the Northwest corner of said 6.238 acres tract of land, said point being in a turn in Camp Creek Road;

THENCE N. 67 deg. 35 min. 46 sec. E. along Camp Creek Road, a distance of 321.63 feet to a "PK" nail found for corner;

THENCE S. 00 deg. 02 min. 00 sec. E. a distance of 653.36 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" found for corner;

THENCE S. 88 deg. 08 min. 57 sec. W. a distance of 289.05 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE N. 00 deg. 26 min. 30 sec. W. along said west boundary line, a distance of 133.99 feet to a 1/2" iron rod found for corner;

THENCE N. 01 deg. 06 min. 01 sec. W. along the west boundary line of said tract, a distance of 406.20 feet to the POINT OF BEGINNING and containing 4.02 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, an Addition to the County of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City and County of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications required by the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality entered into by the City of Rockwall and County; or
- Property owner shall be responsible for maintaining, repairing and replacing all systems within the drainage and detention easements.

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

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

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

MIKE BIRDWELL

CHERYL BIRDWELL

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date \_\_\_\_\_

APPROVED

I hereby certify that the above and foregoing plat of BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, an addition to the Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_\_ day of \_\_\_\_\_ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction ( ETJ) of the City entered into by the City of Rockwall and Rockwall County.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

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

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

Rockwall County Judge

Date

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

FINAL PLAT  
**BIRDS NEST ADDITION**  
**LOT 1 & 2, BLOCK A**  
4.02 ACRES OR 174,910 S.F.  
( 2 LOTS )  
JAMES SMITH SURVEY, A-191  
IN THE E.T.J. OF  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND	
⊗ TV TELEVISION CABLE TIE	⊗ GAS
⊗ TEL	⊗ FIRE HYDRANT
⊗ FIBER OPTIC	⊗ POWER POLE
⊗ ELEC. METER	⊗ ELEC. BOX
⊗ ELEC. METER	⊗ WATER METER
⊗ SUBSURFACE SANCTION BOX	⊗ LP GAS
⊗ 1/2" IRON ROD FOUND AT CORNER	⊗ 1/2" IRON ROD FOUND AT CORNER
⊗ FENCE	⊗ EASEMENT LINE
⊗ PROPERTY LINE	⊗ A/C UNIT
⊗	⊗ FIRE TANK

OWNER:  
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CHERYL BIRDWELL  
171 BIRDS NEST  
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SURVEY DATE MARCH 19, 2021  
SCALE 1" = 100' FILE # 20010726-FP  
CLIENT BIRDWELL

CASE NO. P2021-



# 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:** April 19, 2021  
**APPLICANT:** Mike and Cheryl Birdwell  
**CASE NUMBER:** P2021-011; *Final Plat for Lots 1 & 2, Block A, Birds Nest Addition*

---

### SUMMARY

Consider a request by Mike and Cheryl Birdwell for the approval of a Final Plat for Lots 1 & 2, Block A, Birds Nest Addition being a 4.02-acre tract of land identified as Tract 15 of the J. Smith Survey, Abstract No. 191, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 171 Birds Nest Lane, and take any action necessary.

### PLAT INFORMATION

- The applicants are requesting the approval of a Final Plat to subdivide one (1) tract of land (*i.e. Tract 15 of the J. Smith Survey, Abstract No. 191*) into two (2) parcels of land (*i.e. Lots 1 & 2, Block A, Birds Nest Addition*) for the purpose of conveying one (1) lot (*i.e. Lot 2, Block A; the lot with the existing single-family home*) and constructing a single-family home on one (1) lot (*i.e. Lot 1, Block A*). According to the subdivision plat, each of the two (2) residential lots will be a minimum of 1½-acres in size, and be accessible via the existing private road (*i.e. Birds Nest Lane*). The plat also shows that an additional 32-feet of right-of-way will be dedicated to the existing right-of-way for Camp Creek Road. This dedication conforms to the *Rockwall County Thoroughfare Plan*.
- The proposed Final Plat appears to be in conformance with the requirements of Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's Standards of Design and Construction Manual, and Exhibit 'A', *Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall*, of the Interim Interlocal Agreement between Rockwall County and the City of Rockwall.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

### CONDITIONS OF APPROVAL

If the City Council chooses to approve the Final Plat for *Lots 1 & 2, Block A, Birds Nest Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.

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

**PLANNING AND ZONING COMMISSION**

On April 13, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the final plat with the conditions of approval by a vote of 7-0.





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
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STAFF USE ONLY

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SUBDIVISION Birds Nest Addition

LOT 1 & 2 BLOCK A

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ACREAGE 4.02

LOTS [CURRENT]

LOTS [PROPOSED]

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OWNER Mike + Cheryl Birdwell

APPLICANT

CONTACT PERSON Mike + Cheryl

CONTACT PERSON

ADDRESS 171 Birds Nest Ln

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE 214-773-4527

PHONE

E-MAIL birdwellc@garlandtx.gov

E-MAIL

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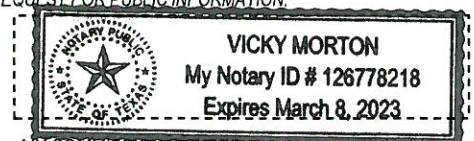
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OWNER'S SIGNATURE M. Birdwell

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Vicky Morton



MY COMMISSION EXPIRES

March 8, 2023



0 80 160 320 480 640 Feet

P2021-011- LOT 1 & 2, BLOCK A, BIRDS NEST ADDITION  
REPLAT - LOCATION MAP = 



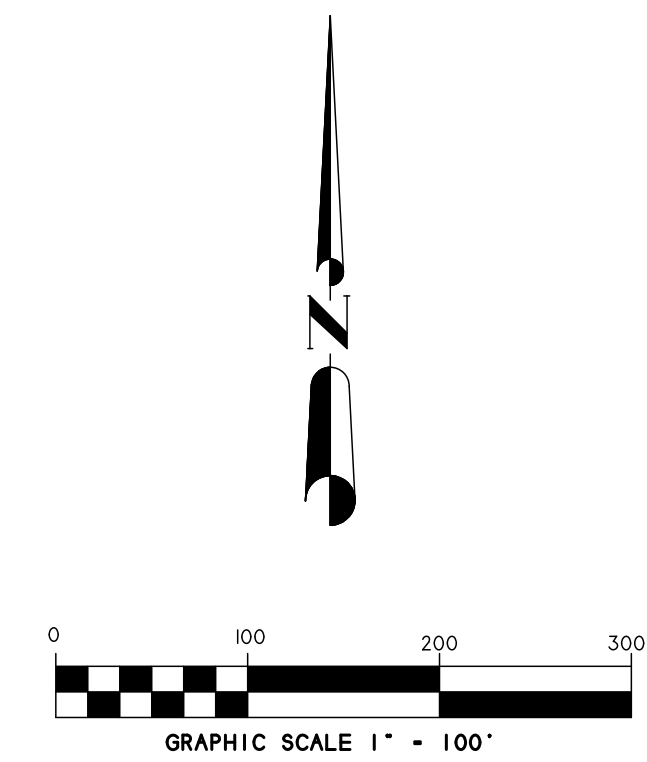
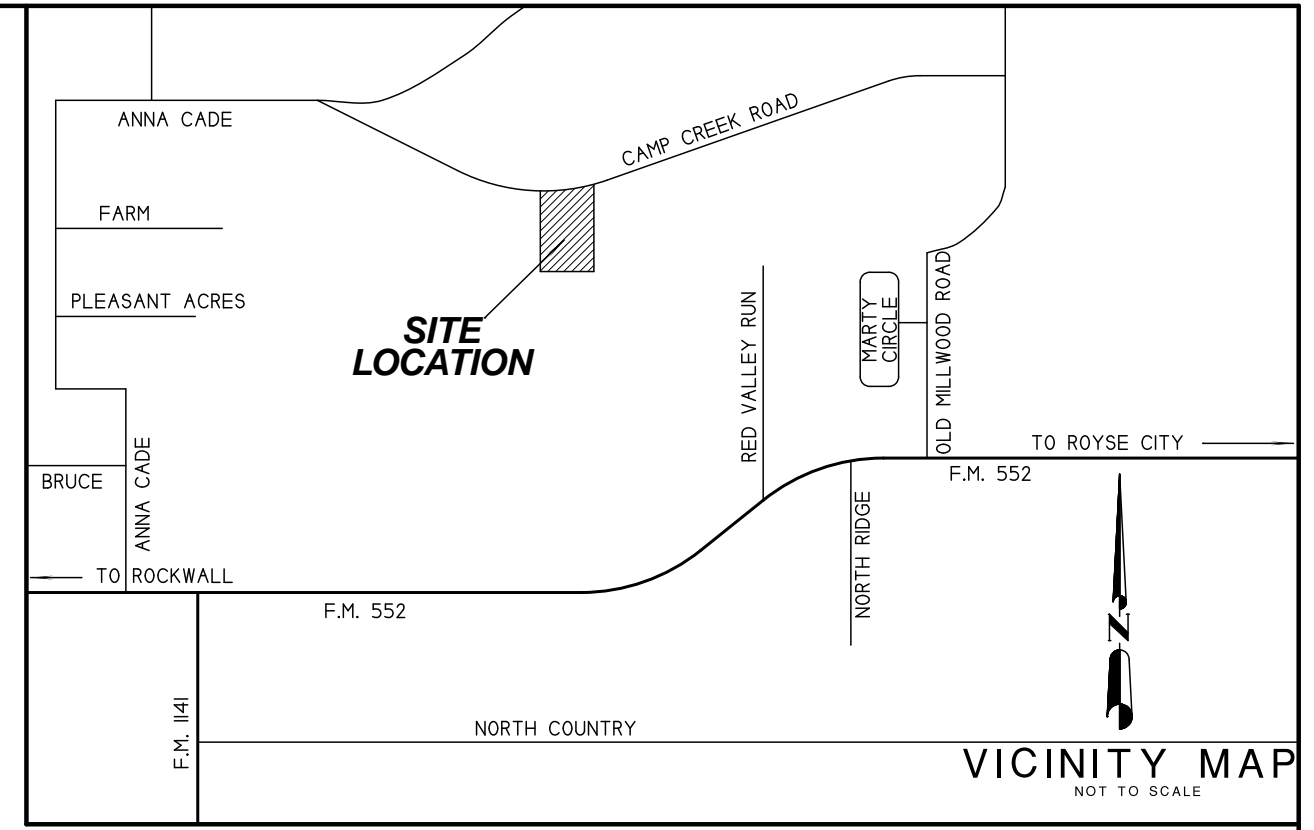
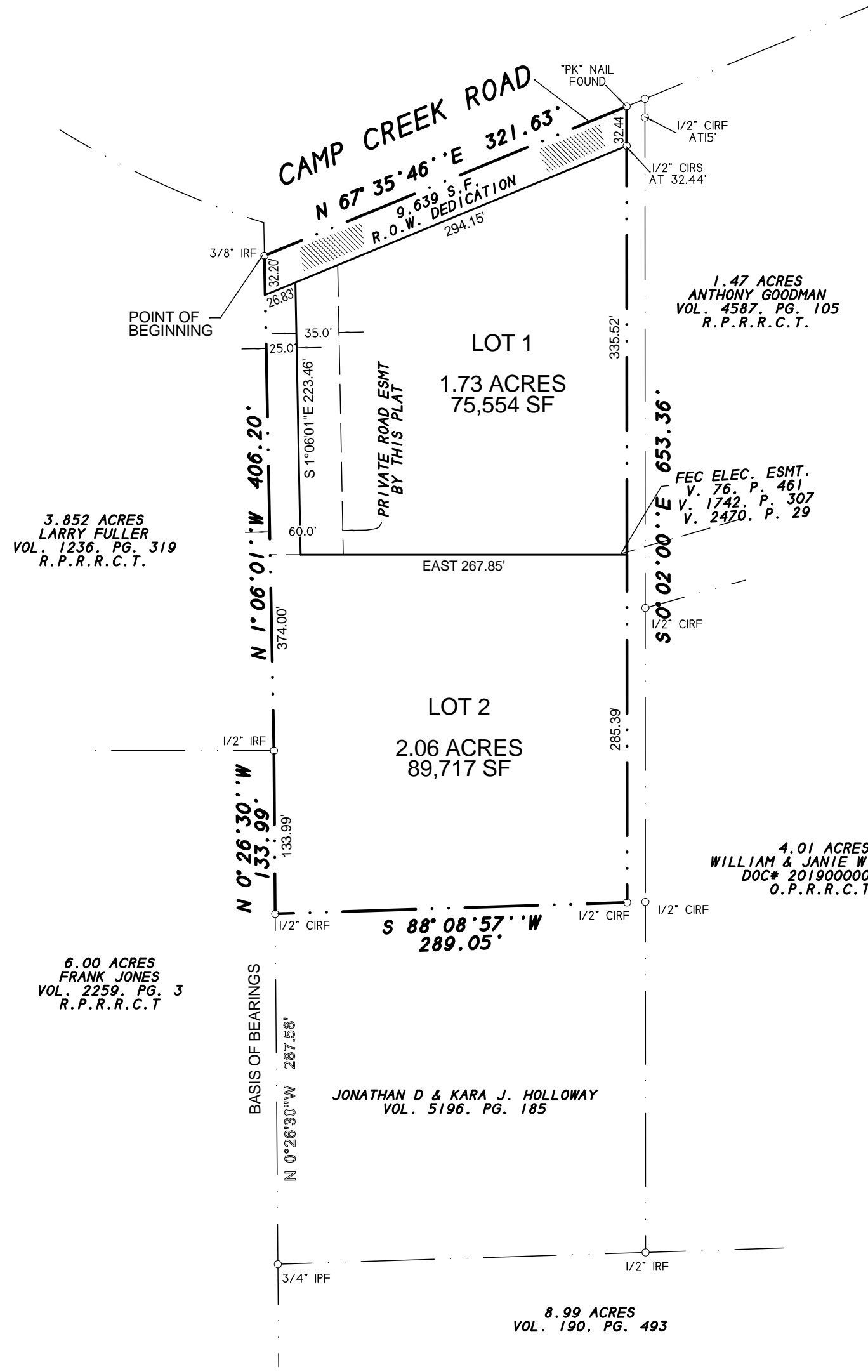
## City of Rockwall

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

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.







FINAL PLAT  
**BIRDS NEST ADDITION**  
**LOT 1 & 2, BLOCK A**  
 4.02 ACRES OR 174,910 S.F.  
 ( 2 LOTS )  
 JAMES SMITH SURVEY, A-191  
 IN THE E.T.J. OF  
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

- NOTES**
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
  - 2) BEARING SOURCE: RECORDED DEED IN VOLUME 676, PAGE 247, R.P.R.R.C.T.
  - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
  - 4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.

**OWNER:**  
 MIKE BIRDWELL  
 CHERYL BIRDWELL  
 171 BIRDS NEST  
 ROCKWALL, TEXAS 75087

**H.D. Fetty Land Surveyor, LLC**  
 Firm Registration no. 101509-00  
 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

**SHEET 1 OF 2**

**SYMBOL LEGEND**

TV	GAS	TEL	FH	PP
TELEVISION	METER	PIPE	HYDRANT	POWER
CABLE	BOX	WATER	POLE	POLE
ELECTRIC	ELEC.	WATER	LP	1/2" IRF
METER	BOX	WATER	POLE	IRON NAIL FOUND
SUBSURFACE	JUNCTION	BOX	POLE	( CORNER )
PROPERTY	BOUNDARY	LINE	ADJ.	PROPRY
LINE	BOUNDARY	LINE	ADJ.	PROPRY

SURVEY DATE MARCH 19, 2021  
 SCALE 1" = 100' FILE# 20010726-FP  
 CLIENT BIRDWELL



OWNER'S CERTIFICATE  
(Public Dedication)  
STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS Mike and Cheryl Birdwell, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the JAMES SMITH SURVEY, ABSTRACT NO. 191, Rockwall County, Texas, and being a part of that 6.238 acres tract of land as described in a Warranty deed from William James Russell, et al to Michael G. Birdwell and wife, Cheryl L. Birdwell, dated March 13, 1992 and being recorded in Volume 676, Page 247 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found for corner at the Northwest corner of said 6.238 acres tract of land, said point being in a turn in Camp Creek Road;

THENCE N. 67 deg. 35 min. 46 sec. E. along Camp Creek Road, a distance of 321.63 feet to a "PK" nail found for corner;

THENCE S. 00 deg. 02 min. 00 sec. E. a distance of 653.36 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" found for corner;

THENCE S. 88 deg. 08 min. 57 sec. W. a distance of 289.05 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE N. 00 deg. 26 min. 30 sec. W. along said west boundary line, a distance of 133.99 feet to a 1/2" iron rod found for corner;

THENCE N. 01 deg. 06 min. 01 sec. W. along the west boundary line of said tract, a distance of 406.20 feet to the POINT OF BEGINNING and containing 4.02 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, an Addition to the County of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City and County of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications required by the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality entered into by the City of Rockwall and County; or
- Property owner shall be responsible for maintaining, repairing and replacing all systems within the drainage and detention easements.

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

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

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

MIKE BIRDWELL

CHERYL BIRDWELL

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date \_\_\_\_\_

APPROVED

I hereby certify that the above and foregoing plat of BIRDS NEST ADDITION, LOT 1 & 2, BLOCK A, an addition to the Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_\_ day of \_\_\_\_\_ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction ( ETJ) of the City entered into by the City of Rockwall and Rockwall County.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

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

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date \_\_\_\_\_

Rockwall County Judge

Date \_\_\_\_\_

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

FINAL PLAT  
**BIRDS NEST ADDITION**  
**LOT 1 & 2, BLOCK A**  
4.02 ACRES OR 174,910 S.F.  
( 2 LOTS )  
JAMES SMITH SURVEY, A-191  
IN THE E.T.J. OF  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND	
⊗ TV TELEVISION CABLE TIE	⊗ GAS METER
⊗ TEL. POLE	⊗ FIRE HYDRANT
⊗ POWER POLE	⊗ LP GAS
⊗ ELEC. METER	⊗ ELEC. BOX
⊗ WATER METER	⊗ LIGHT POLE
⊗ SUBSURFACE SANCTION BOX	⊗ 1/2" IRON ROD FOUND AT CORNER
⊗ FENCE	⊗ EASEMENT LINE
⊗ PROPERTY LINE	⊗ A/C UNIT
⊗ PREPARE TANK	

OWNER:  
MIKE BIRDWELL  
CHERYL BIRDWELL  
171 BIRDS NEST  
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE MARCH 19, 2021  
SCALE 1" = 100' FILE # 20010726-FP  
CLIENT BIRDWELL

CASE NO. P2021-

## Lee, Henry

---

**From:** Lee, Henry  
**Sent:** Friday, March 26, 2021 1:23 PM  
**To:** 'birdwellc@garlandtx.gov'  
**Subject:** Staff Comments P2021-011  
**Attachments:** Project Comments (03.25.2021).pdf; Engineering Comments (03.26.2021).pdf

Good Afternoon,

Attached are staff comments for your Final Plat P2021-011. The meeting dates for your case are:

Planning and Zoning: March 30<sup>th</sup> at 6pm

Planning and Zoning: April 13<sup>th</sup> at 6pm

It is recommended that you attend these meetings. Revisions based on staff comments are due by April 6th. If you have any questions feel free to contact me.

Thank you,



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

## Lee, Henry

---

**From:** Birdwell, Cheryl <birdwellc@garlandtx.gov>  
**Sent:** Monday, March 29, 2021 8:18 AM  
**To:** Lee, Henry  
**Subject:** RE: Staff Comments P2021-011

Mr. Lee ,  
Just to verify, the meetings are held there at 385 S. Goliad, is that correct?

Cheryl Birdwell

---

**From:** Lee, Henry  
**Sent:** Friday, March 26, 2021 1:23 PM  
**To:** Birdwell, Cheryl  
**Subject:** [EXTERNAL] Staff Comments P2021-011

Good Afternoon,

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Thank you,



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

---

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## Lee, Henry

---

**From:** Lee, Henry  
**Sent:** Monday, March 29, 2021 8:23 AM  
**To:** 'Birdwell, Cheryl'  
**Subject:** RE: Staff Comments P2021-011

Good Morning,

That is correct. They are on the main floor on the left; the large room with the glass wall.  
If you have any questions feel free to contact me.

Thank you,



HENRY LEE  
Planner  
Planning & Zoning Department  
972.772.6434  
[HLee@rockwall.com](mailto:HLee@rockwall.com)  
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Thank you,



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385 S. Goliad Street, Rockwall, TX 75087

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## Lee, Henry

---

**From:** Birdwell, Cheryl <birdwellc@garlandtx.gov>  
**Sent:** Monday, March 29, 2021 8:26 AM  
**To:** Lee, Henry  
**Subject:** RE: Staff Comments P2021-011

Okay thank you for your help.  
Have a nice day!

Cheryl Birdwell

---

**From:** Lee, Henry  
**Sent:** Monday, March 29, 2021 8:23 AM  
**To:** Birdwell, Cheryl  
**Subject:** [EXTERNAL] RE: Staff Comments P2021-011

Good Morning,

That is correct. They are on the main floor on the left; the large room with the glass wall.  
If you have any questions feel free to contact me.

Thank you,



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

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HENRY LEE  
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385 S. Goliad Street, Rockwall, TX 75087

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## Lee, Henry

---

**From:** Birdwell, Cheryl <birdwellc@garlandtx.gov>  
**Sent:** Thursday, April 1, 2021 11:46 AM  
**To:** Lee, Henry  
**Cc:** Miller, Ryan

Okay as ya'll know, Mike and I were there Tuesday, but were pretty much fish out of water. Is there something we need to do before the next meeting? Most of that meeting went right over our heads☺  
Thank you!

Cheryl Birdwell

Garland Police Dept.  
Property-Evidence-Auto Impound  
1640 Commerce St  
Garland TX 75040  
972-205-3437 phone  
972-205-3502 fax

---

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## Lee, Henry

---

**From:** Tracy Fetty <tracy@hdfetty.com>  
**Sent:** Thursday, April 22, 2021 1:48 PM  
**To:** Lee, Henry  
**Subject:** Fw: Staff Comments P2021-011  
**Attachments:** Project Comments (03.25.2021).pdf; 20010726-FP2.PDF; 20010726-FP1.PDF

Corrected .pdf copies for final review attached.

Let me know if we can bring signed copies.

Tracy Fetty

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

972-635-2255

---

**From:** Birdwell, Cheryl  
**Sent:** Friday, April 9, 2021 8:30 AM  
**To:** Tracy Fetty  
**Subject:** FW: Staff Comments P2021-011

Good morning,

Mr. Fetty, Mr. Lee said I needed to forward you this email for the next step. If there is anything you need from us, please let us know.

Thank you, have a great weekend.

Mike and Cheryl Birdwell

---

**From:** Lee, Henry  
**Sent:** Thursday, April 8, 2021 9:46 AM  
**To:** Birdwell, Cheryl  
**Subject:** [EXTERNAL] Staff Comments P2021-011

Good Morning,

Rockwall County informed me that they have no comments for your plat. With this, once staff comments have been addressed and I have approved the plat the mylars may be submitted to me. I have attached staff comments if for easy access. If you have any comments feel free to contact me.

Thank you,



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

---

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DATE: 04/26/2021

TO: Mike & Cheryl Birdwell  
171 Birds Nest Lane  
Rockwall, TX 75087

FROM: Henry Lee  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, TX 75098

SUBJECT: P2021-011; Lots 1 & 2, Block A, Birds Nest Addition (Final Plat)

Mike & Cheryl Birdwell:

This letter serves to notify you that the above referenced case, that you submitted for consideration by the City of Rockwall, was approved by City Council (CC) on 04/19/2021. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and,

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

Planning and Zoning Commission

On April 13, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the consent agenda by a vote of 7-0.

City Council

On April 19, 2021, the City Council approved a motion to approve the final plat with the conditions of approval by a vote of 7-0.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Henry Lee', is written over a white background.

Henry Lee  
Planner