



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # 22021-053 P&Z DATE 1/11/22 CC DATE 01/18/22 APPROVED/DENIED  
ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

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

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

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

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



# DEVELOPMENT APPLICATION

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

### STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-053

**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>
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- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

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### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 803 Austin street. Rockwall, Texas 75032

SUBDIVISION F and M Addition LOT 9 BLOCK PT

GENERAL LOCATION

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

CURRENT ZONING CURRENT USE

PROPOSED ZONING PROPOSED USE

ACREAGE 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 Javier Silva JMS Custom Homes  APPLICANT

CONTACT PERSON Javier Silva (JMS Custom Homes) CONTACT PERSON

ADDRESS 58 Windsor Dr. ADDRESS

CITY, STATE & ZIP Rockwall, TX, 75032 CITY, STATE & ZIP

PHONE 972-814-9462 PHONE

E-MAIL support@jmscustomhomes.net E-MAIL

### NOTARY VERIFICATION [REQUIRED]

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

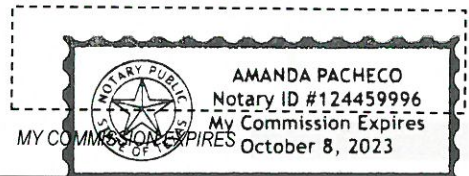
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING 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 15<sup>th</sup> DAY OF Dec., 2022.

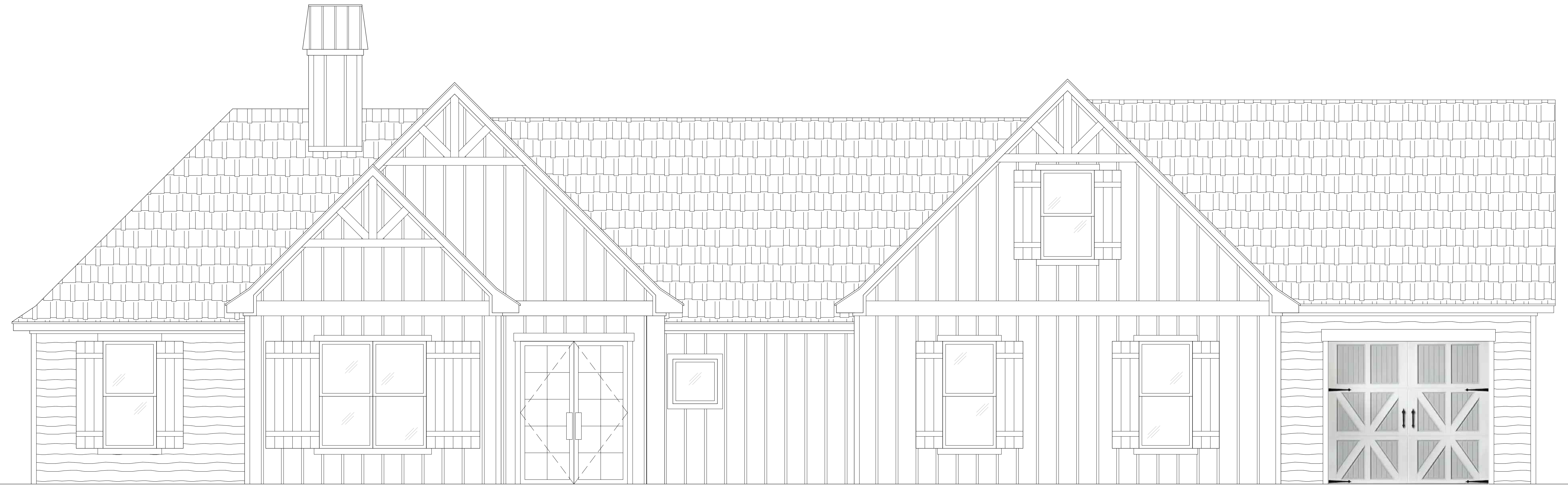
OWNER'S SIGNATURE

*[Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



NEW RESIDENCE  
AT  
803 AUSTIN  
STREET  
ROCKWALL, TX



FRONT ELEVATION  
**NEW RESIDENCE**

803 AUSTIN STREET  
ROCKWALL, TX

**ISSUE LOG**

DATE ISSUE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

**REVISION LOG**

DATE ISSUE	DESCRIPTION	REV. NO.

**ISSUED FOR:**

- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION



SHEET INDEX		DATE	REV	DATE
A-1.0	COVER SHEET			
A-2.1	ARCHITECTURAL SITE PLAN			
A-3.1	NOTES, DETAILS, SCHEDULES			
A-3.2	ARCHITECTURAL SLAB PLAN			
A-3.3	FIRST & SECOND FLOOR PLANS			
A-4.1	ROOF PLAN			
A-5.1	ELEVATIONS			
A-5.2	ELEVATIONS			
A-6.1	FIRST & SECOND POWER PLANS			

ARCH. PROJ. #: 21921	SCALE:
	REF. DRAWING

SHEET NO.

**A1.0**

COVER SHEET

A RESIDENCE AT  
XXX AUSTIN  
STREET  
ROCKWALL, TX

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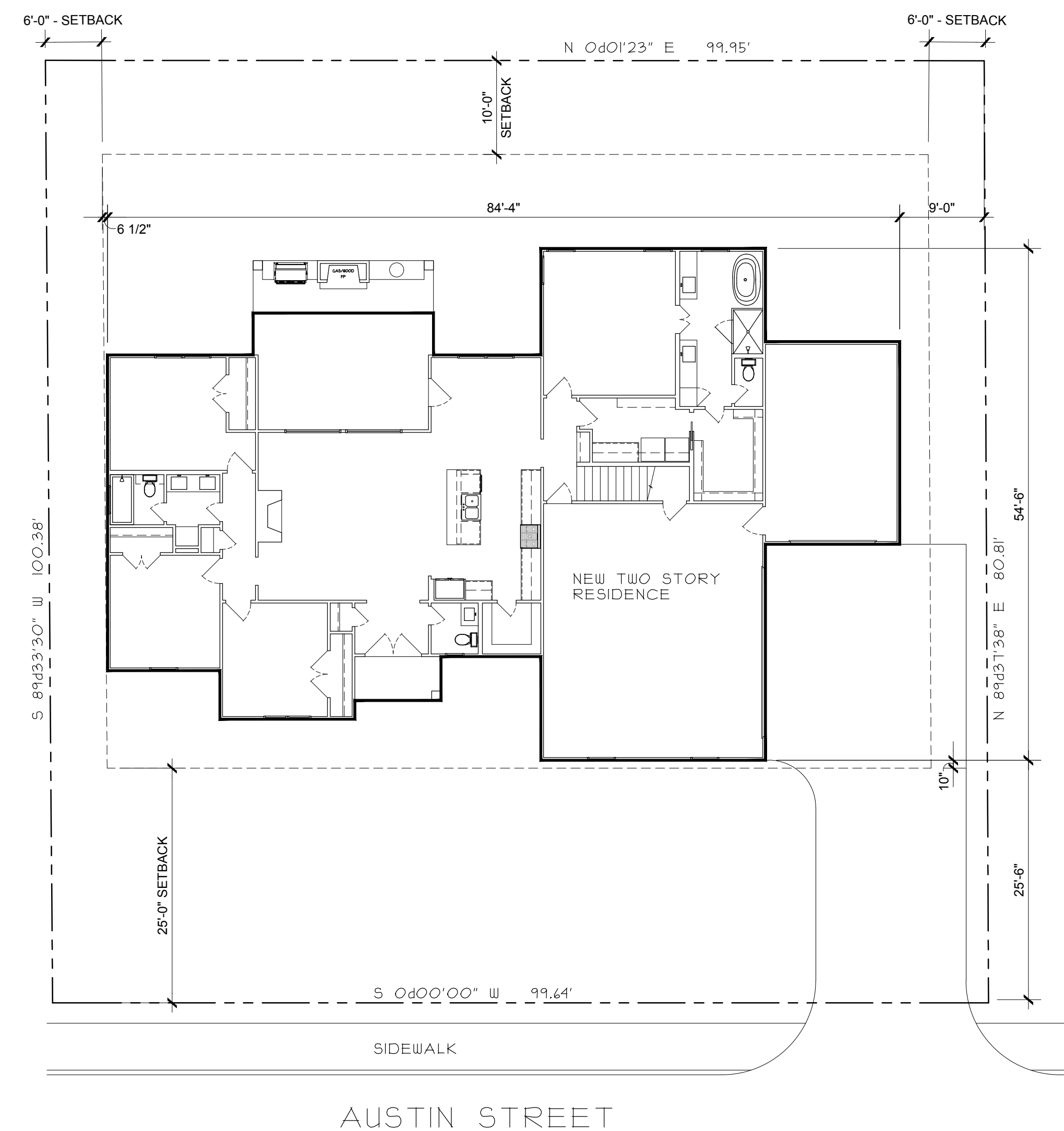
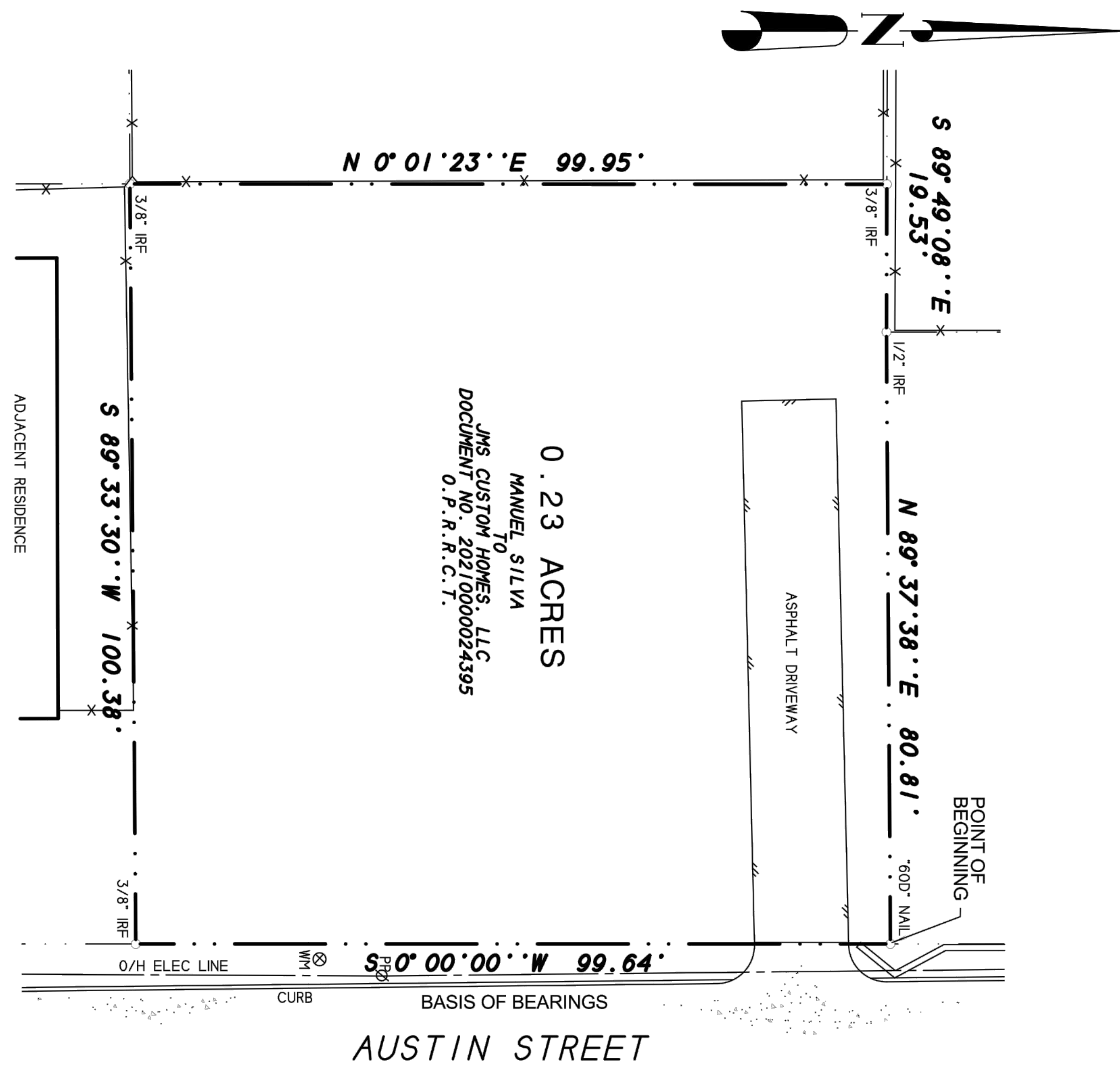
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ARCH. PROJ. # 21921	SCALE: REF. DRAWING
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SHEET NO.

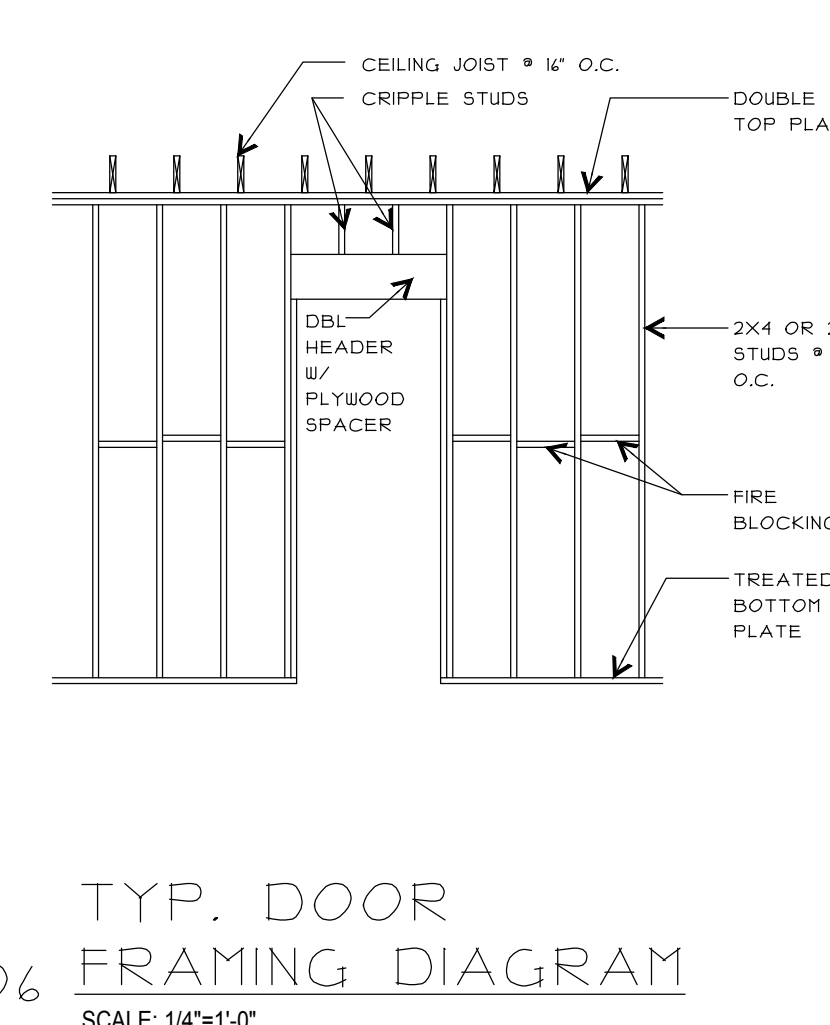
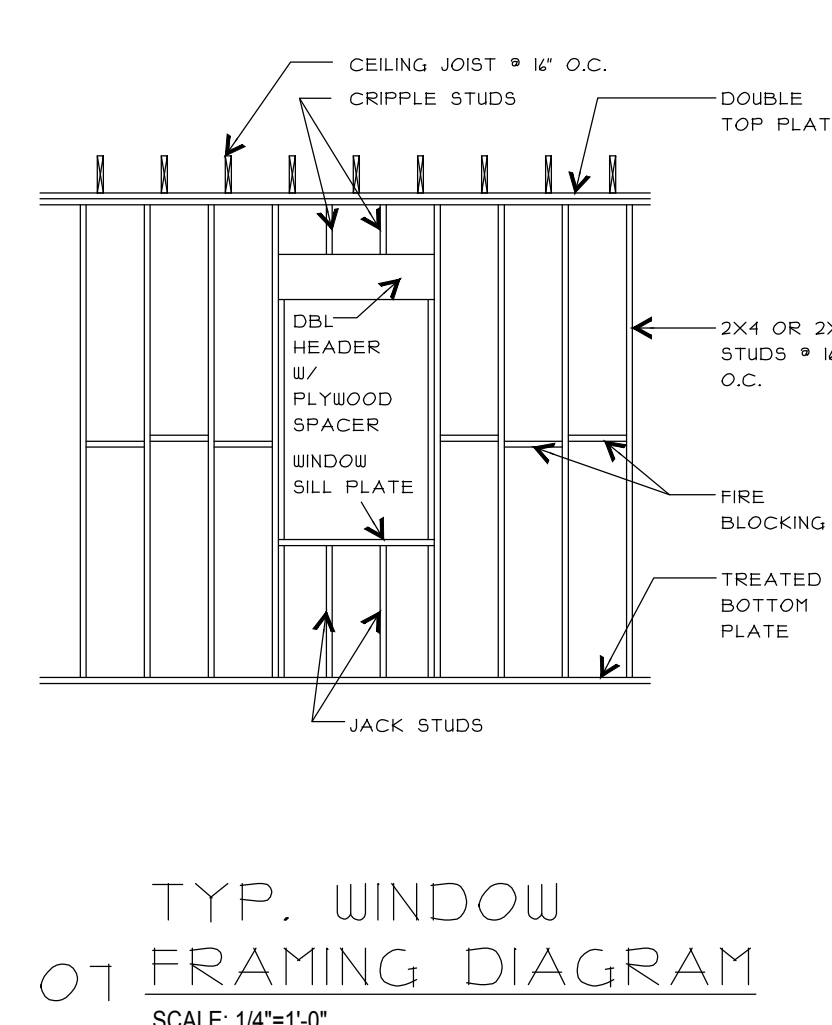
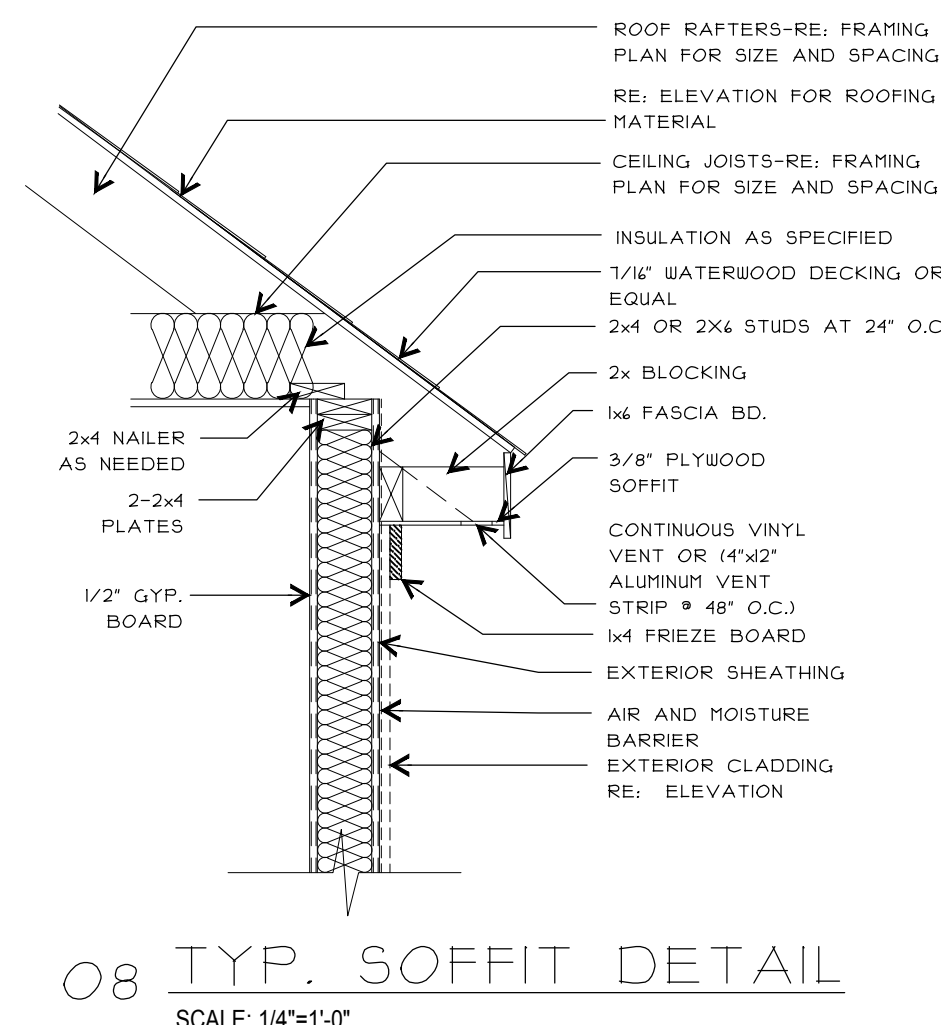
**A2.1**

ARCHITECTURAL  
SITE PLAN



**GENERAL NOTES:**

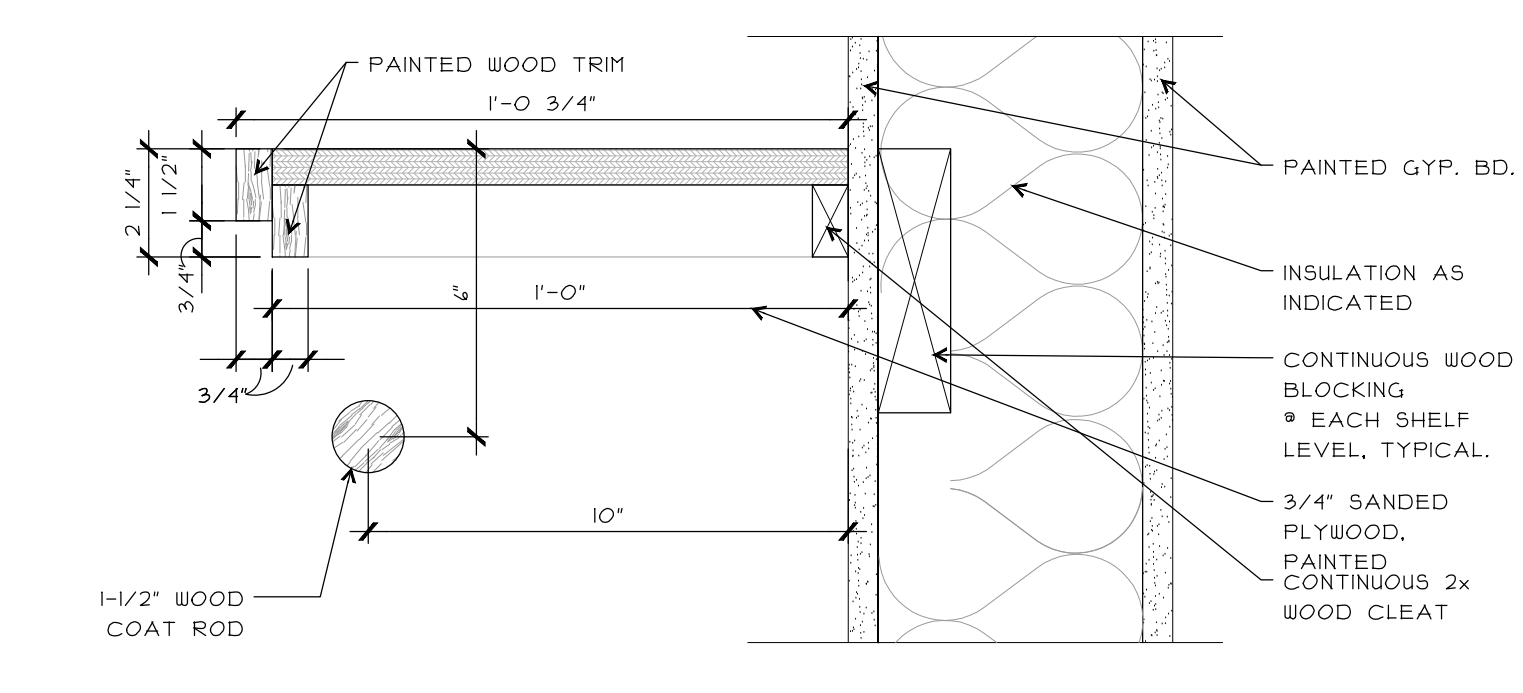
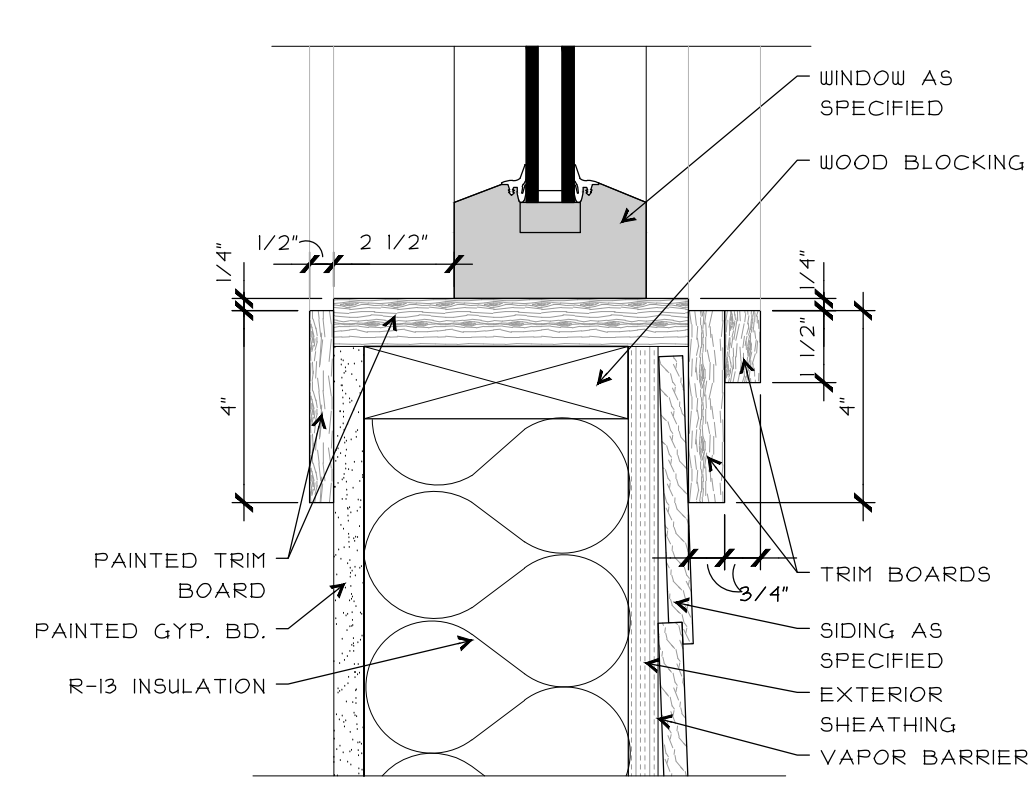
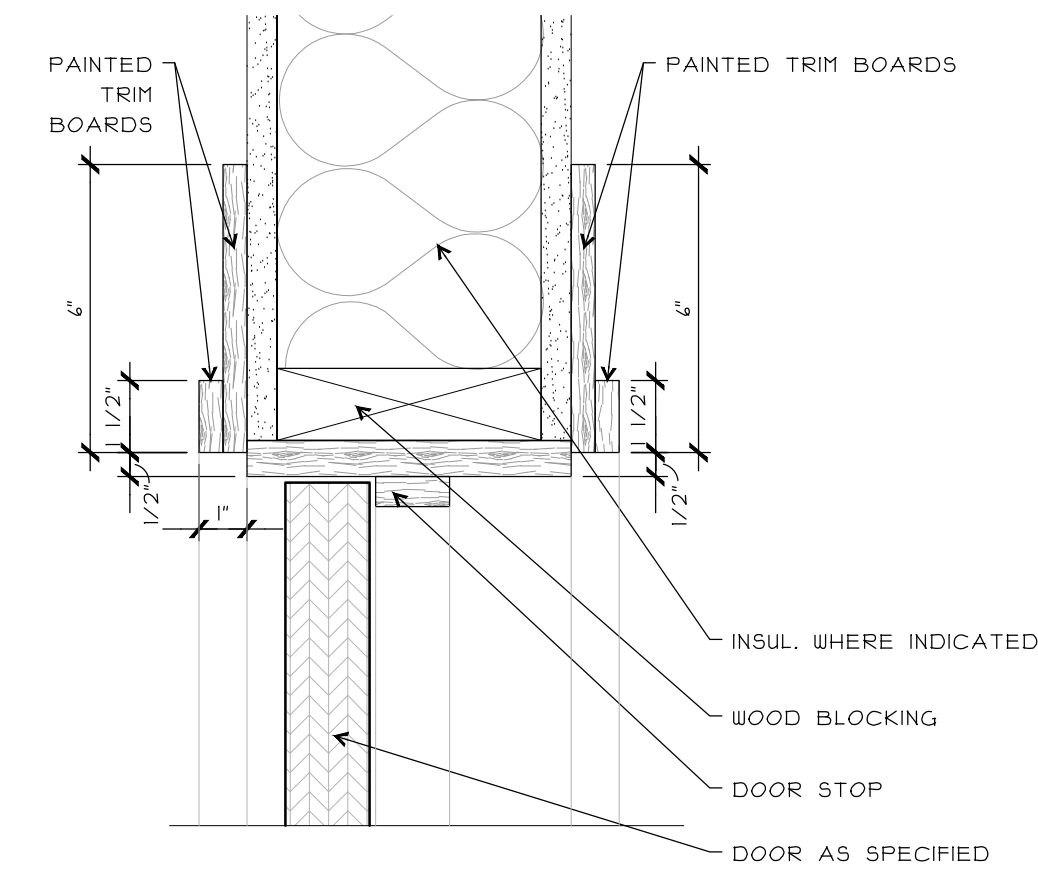
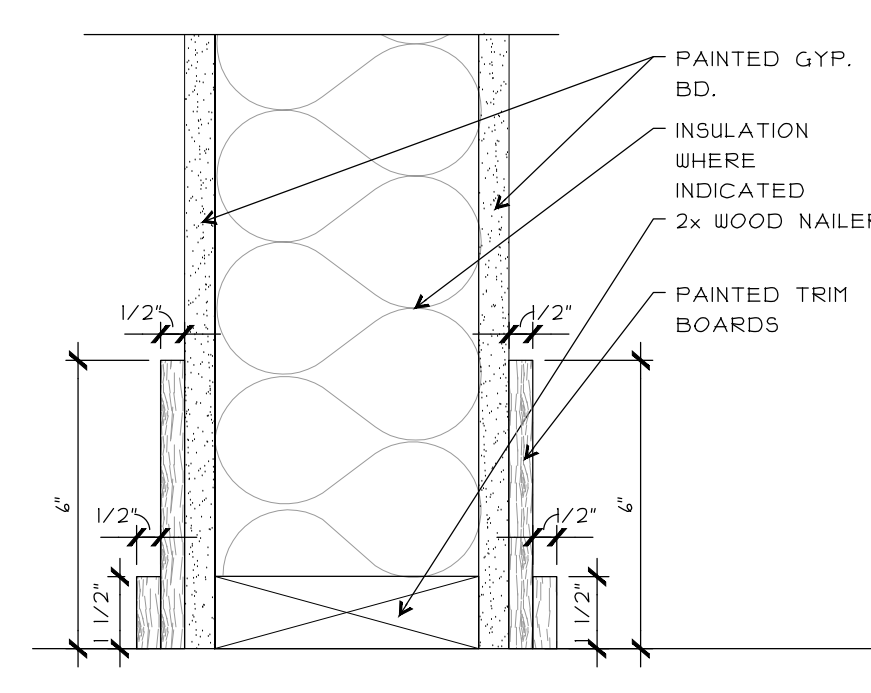
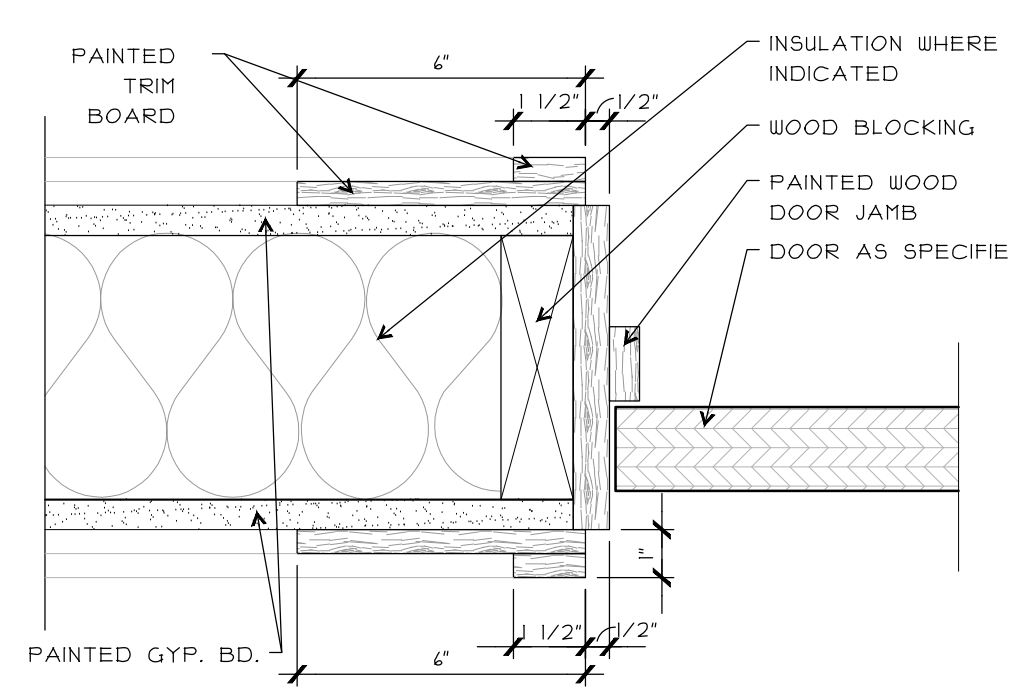
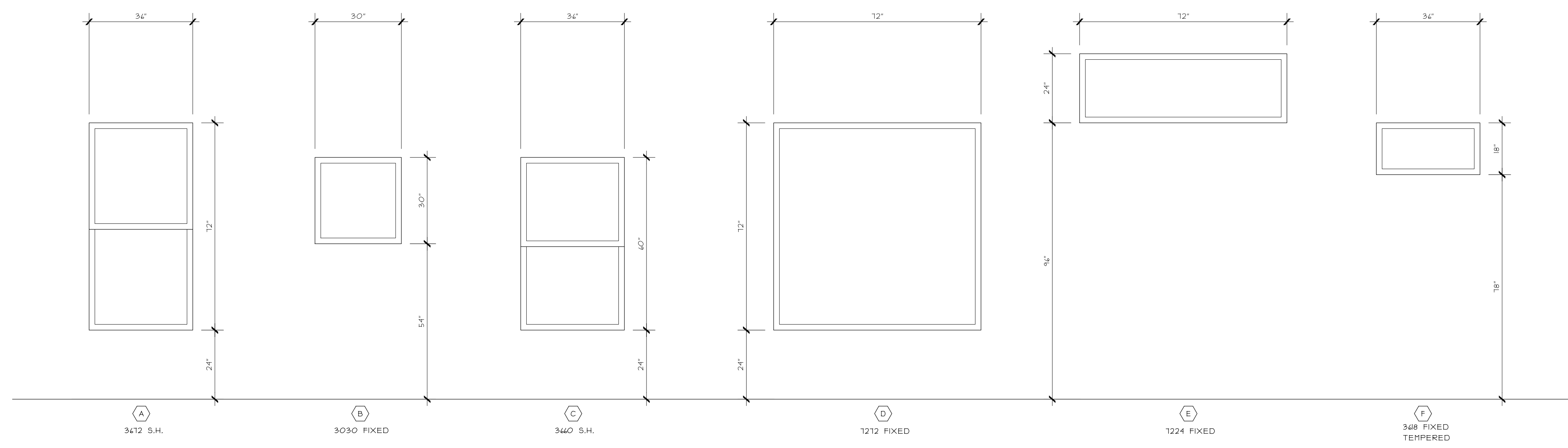
- 1.) COMPLY WITH ALL STATE AND LOCAL BUILDING CODES, ORDINANCES REGULATIONS CONCERNING AND PERTAINING TO CONSTRUCTION
- 2.) CONNECT ALL WATER, GAS, ELECTRIC, ETC., TO EXISTING UTILITIES IN ACCORDANCE WITH LOCAL CITY BUILDING CODES.
- 3.) PROVIDE TERMITE PROTECTION OVER COMPACTED OR GRANULAR FILL CODE.
- 4.) ALL FOOTINGS ARE TO EXTEND 12" BELOW GRADE MINIMUM PER LOCAL CODE.
- 5.) PROVIDE VENTILATION EQUAL TO 1 SQ. FT. PER. 150 SQ. FT. OF ATTIC OR PER LOCAL CODES.
- 6.) 1/2" MIN. DRYWALL THROUGHOUT. 5/8" TYPE "X" AT GARAGE CEILING AT WALLS COMMON TO LIVING AREAS AND ENCLOSED SPACES OR PER PLANS.
- 7.) GYPSUM WALLBOARD INSTALLED AS A BACKING IN SHOWERS, TUB AREAS, LAUNDRY SPACES AND OTHER WET AREAS TO TYPE W.R. IDENTIFIED AND REFERRED TO AS "GREEN BOARD" OR EQUIVALENT.
- 8.) ALL EXTERIOR AND INTERIOR GLAZING TO COMPLY WITH LOCAL CODES.



SQUARE FOOTAGE	AREAS
2089	1ST FLOOR PLAN
333	2ND FLOOR PLAN
2422	TOTAL CONDITIONED
975	GARAGE
43	COVERED PORCH
230	COVERED PATIO
1248	TOTAL UNCONDITIONED
3670	TOTAL UNDER ROOF

**NOTE:**

1. VERIFY ALL WINDOWS SIZES WITH MANUFACTURER FOR ALL FRAMING AND ROUGH OPENING DIMENSIONS.
2. FINAL MULLION DESIGN TO BE BY OWNER.



NEW RESIDENCE  
AT  
803 AUSTIN  
STREET  
ROCKWALL, TX

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**WINDOW TYPES**

**TYPICAL DETAILS**

ARCH. PROJ. #	SCALE:
21921	REF. DRAWING

SHEET NO.  
**A3.1**  
NOTES, DETAILS  
SCHEDULES

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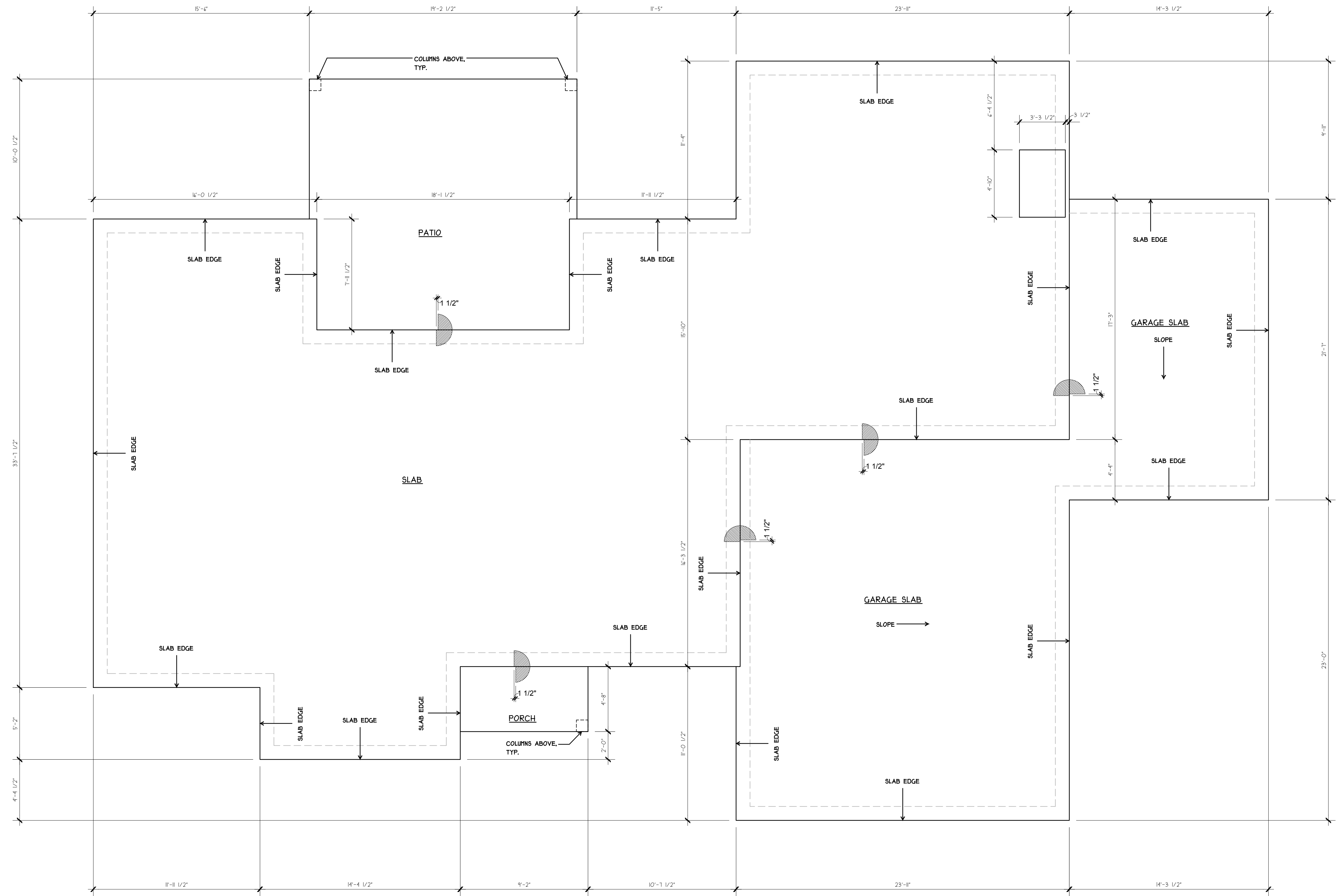
ARCH. PROJ. #: 21921	SCALE: REF. DRAWING
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SHEET NO.

**A3.2**

ARCHITECTURAL SLAB  
PLAN

GENERAL NOTE:  
SLAB PLAN AND DIMENSIONS ARE PROVIDED AS A COURTESY AND SHOULD NOT BE USED IN PLACE OF AN ENGINEERED FOUNDATION PLAN. ALL SLAB AND BRICK LEDGE DIMENSIONS MUST BE VERIFIED BY GC TO THE FOUNDATION PLAN PROVIDED BY A LICENSED STRUCTURAL ENGINEER.



01

ARCHITECTURAL SLAB PLAN  
SCALE: 1/4"=1'-0"



**FRAMING AND LUMBER NOTES:**

- 1.) ALL SAW LUMBER SHALL BEAR STAMP OF WWPA OR APPROVED TESTING AGENCY
- 2.) ROOF JOIST, FLOOR JOIST, LEDGERS AND PLATES TO BE DOUGLAS FIR #2 OR BETTER
- 3.) ALL STUDS TO DOUGLAS FIR STUD GRADE OR APPROVED EQUIVALENT
- 4.) ROOF PLYWOOD SHEATHING TO 5/8" STANDARD 5-PLY WITH EXTERIOR GLUE WITH STAMP OF APPROVED TESTING AGENCY OR AS NOTED ON TYPICAL WALL SHEET
- 5.) FRAMING CONNECTIONS OR BE SIMPSON OR EQUIVALENT
- 6.) ALL BEARING STUD WALLS TO BE 2X6 AT 16" O.C. UNLESS NOTED OTHERWISE.
- 7.) ALL BEARING PARTITIONS SHALL HAVE DOUBLE TOP PLATES
- 8.) ALL INTERIOR HEADERS TO BE (2)2X12'S UNLESS NOTED OTHERWISE
- 9.) ALL EXTERIOR HEADERS TO BE (3)2X12'S UNLESS NOTED OTHERWISE
- 10.) CUTTING, NOTCHING, AND DRILLING OF WOOD MEMBERS SHALL COMPLY TO THE UNIFORM BUILDING CODE AND LOCAL AND STATE BUILDING CODES
- 11.) ALL CONVENTIONAL FRAMING SHALL COMPLY TO ALL LOCAL CODES
- 12.) ROOF TRUSSES TO BE MANUFACTURED BY AN APPROVED FABRICATOR
- 13.) ALL LUMBER SHALL BE F=1400 KILN DRIED SOUTHERN PINE, DOUGLAS FIR, OR HEMLOCK
- 14.) ALL EXTERIOR DOORS SHALL BE 1 1/2" THICK SOLID CORE 1 1/2" PR. BUTTS OR METAL INSULATION AS SHOWN ON DRAWINGS

ALL HEADERS SHALL BE (3) 2X12 EXTERIOR & INTERIOR BEARING WALLS UNLESS NOTED OTHERWISE.  
MIN.-1 JACK STUD EA. SIDE OF OPG. TO 8' WIDE  
MIN.-2 JACK STUD EA. SIDE OF OPG. TO 8' WIDE  
MIN.-3 JACK STUD EA. SIDE OF OPG. TO 12' WIDE  
ALL HEADERS (ANY SIZE) SHALL BE 1/2" PLYWOOD FILLERS.  
GLUE & NAILED W/ 16D NAILS

**ROOF CONSTRUCTION NOTES:**

1. ROOF OVERHANG TO BE 18" U.N.O.
2. ROOF PITCH TO BE 10/12 U.N.O.
3. PROVIDE ATTIC VENTS AS SPECIFIED IN WALL SECTIONS IF APPLICABLE
4. TIE ROOF TRUSSES OR RAFTER TO INTERIOR PARTITIONS WITH METAL CLIPS, TIES OR STRAPS AS SPECIFIED IN STRAPPING SCHEDULE, ABOVE.
5. FIRST SHEET OF PLYWOOD ALONG EAVES TO BE GLUED AND NAILED AS DESCRIBED IN SHEATHING NAILING SCHEDULE ABOVE.
6. TRUSS DESIGNS REQUIRE THE SIGNATURE AND SEAL OF A STATE CERTIFIED ENGINEER
7. PROVIDE ALL REQUIRED TRUSS BRACING AS SPECIFIED ON ENGINEERED TRUSS PLAN.

**ISSUE LOG**

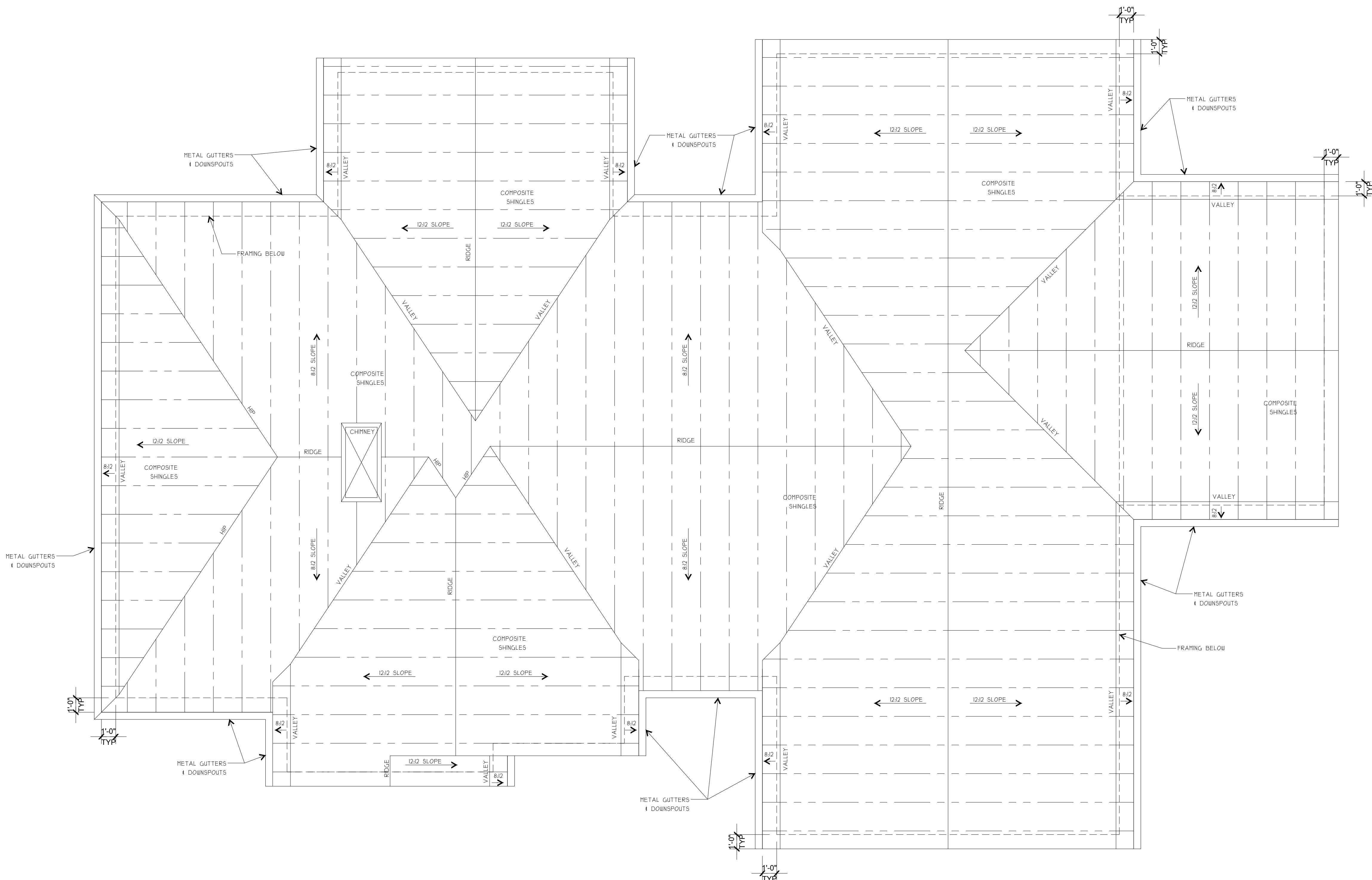
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803 AUSTIN  
STREET  
ROCKWALL, TX

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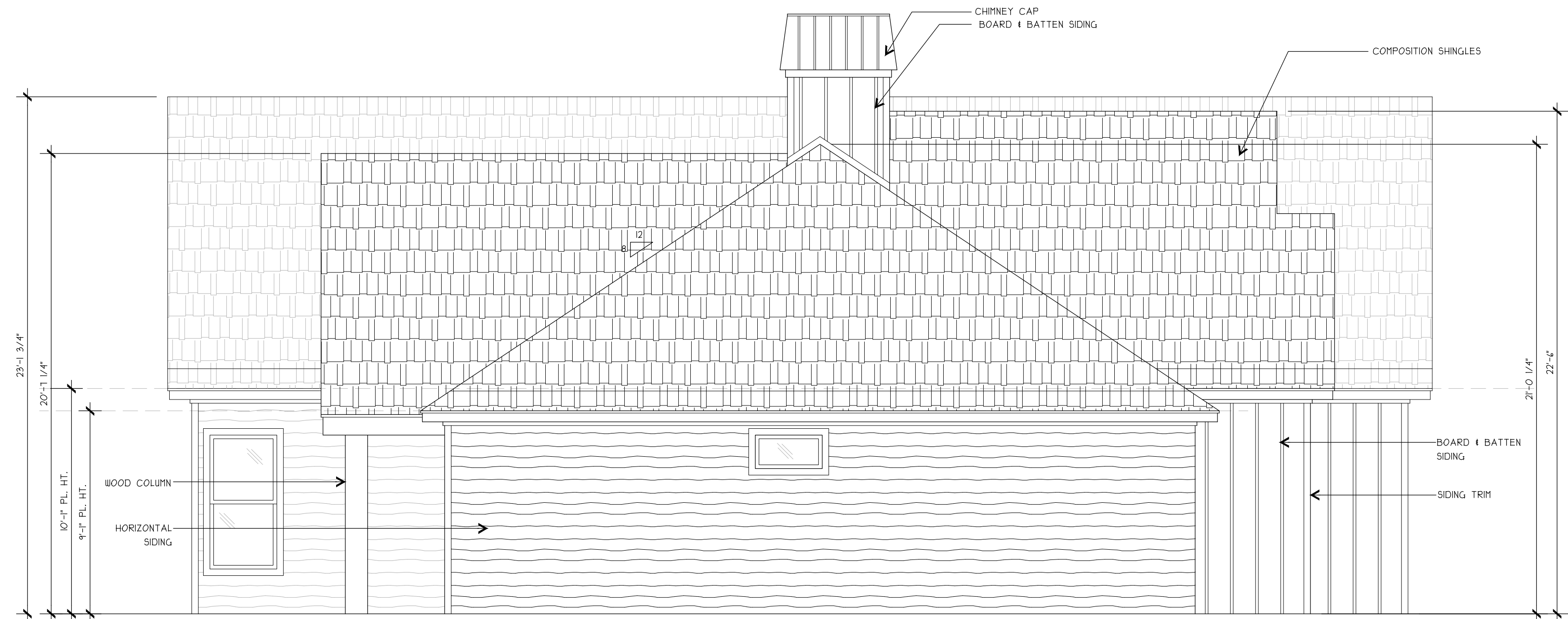


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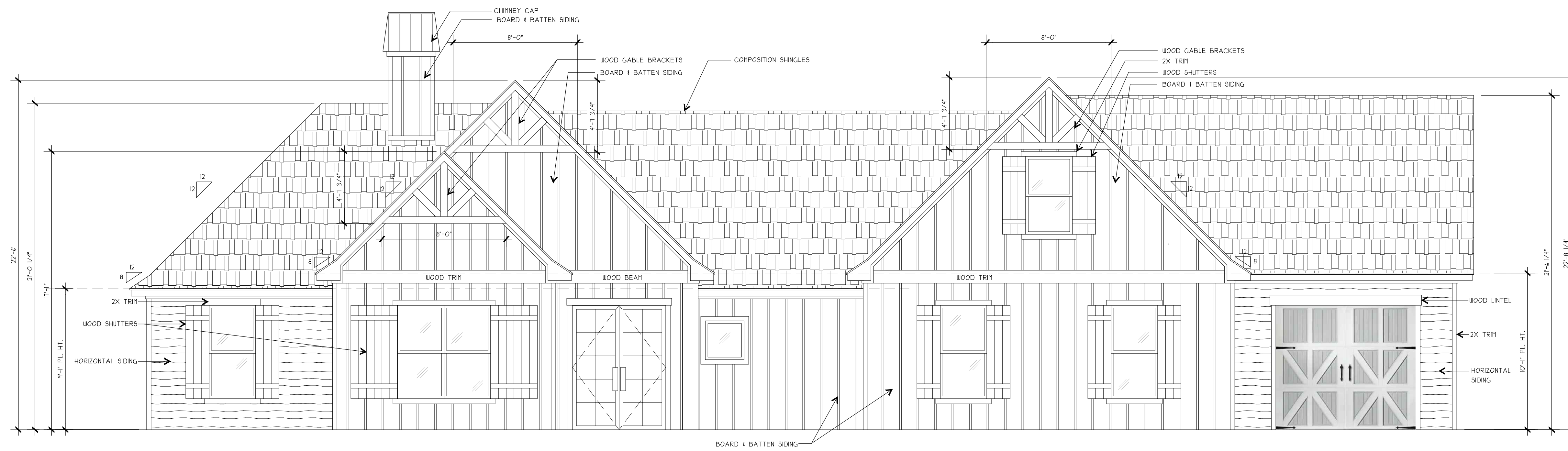
**A5.1**

ELEVATIONS



**02 SOUTH ELEVATION**

SCALE: 1/4"=1'-0"



**01 EAST ELEVATION**

SCALE: 1/4"=1'-0"

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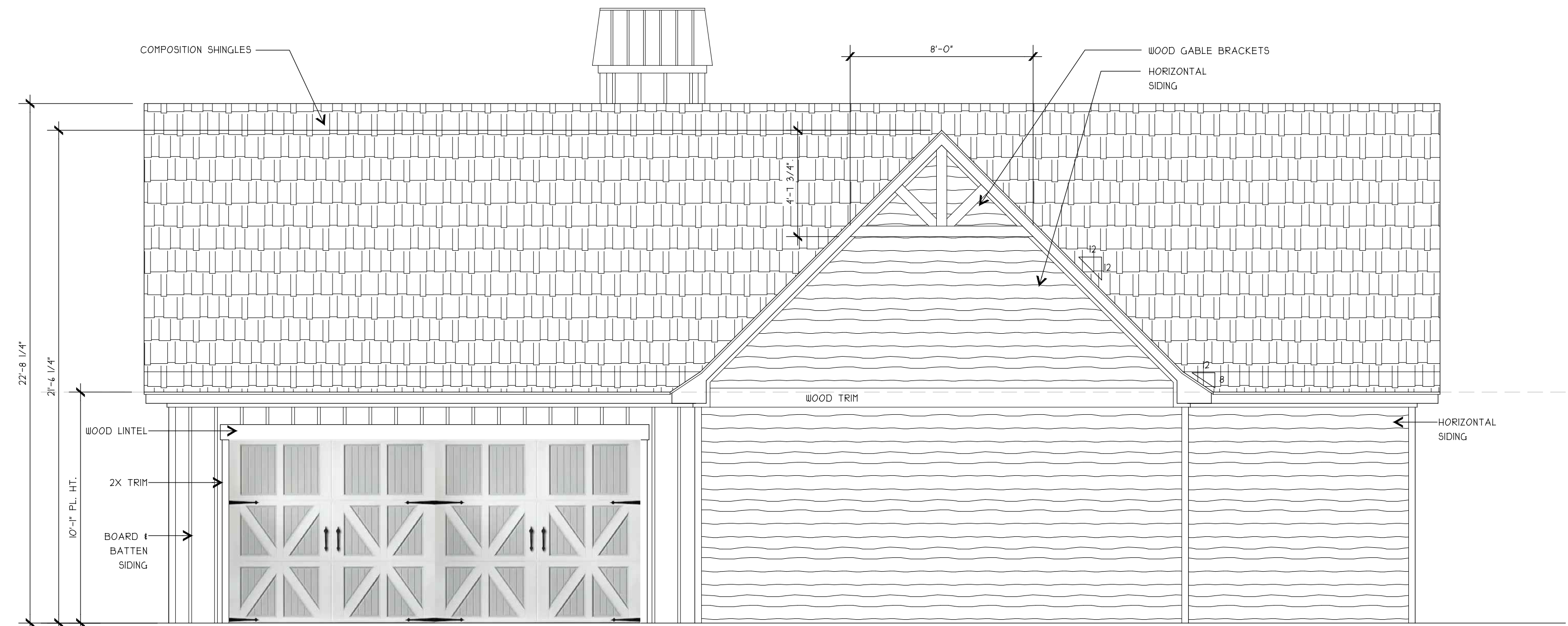


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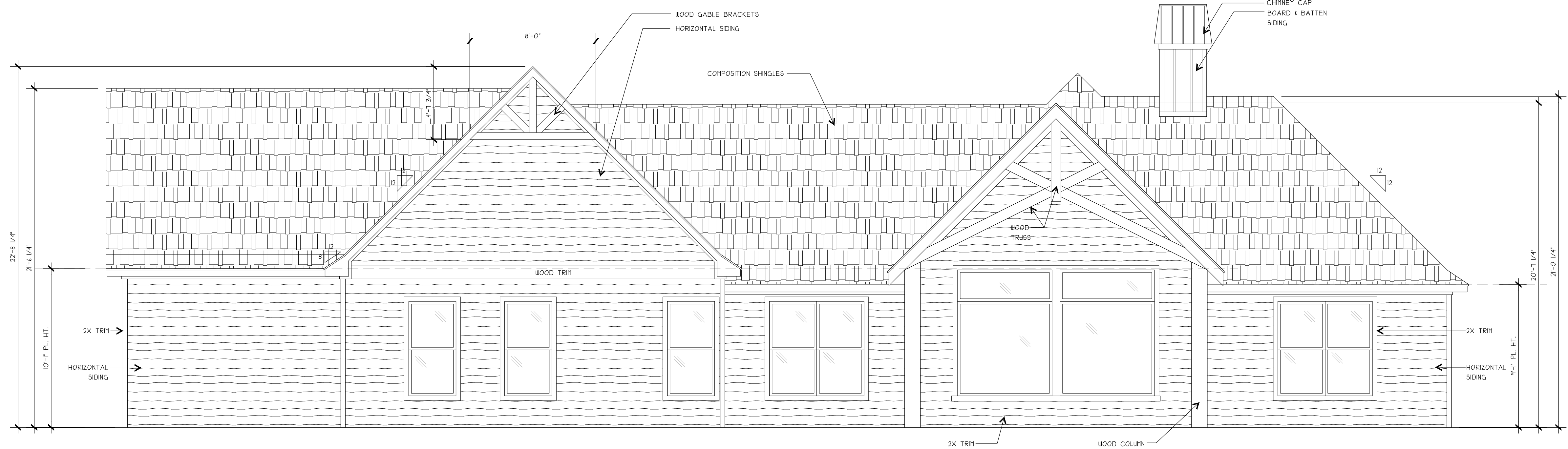
**A5.2**

ELEVATIONS



**02 NORTH ELEVATION**

SCALE: 1/4"=1'-0"



**01 WEST ELEVATION**

SCALE: 1/4"=1'-0"





# DEVELOPMENT APPLICATION

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

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PLANNING & ZONING CASE NO. 22021-053

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SUBDIVISION F and M Addition LOT 9 BLOCK PT

GENERAL LOCATION

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CURRENT ZONING CURRENT USE

PROPOSED ZONING PROPOSED USE

ACREAGE LOTS [CURRENT] LOTS [PROPOSED]

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OWNER Javier Silva JMS Custom Homes  APPLICANT

CONTACT PERSON Javier Silva (JMS Custom Homes) CONTACT PERSON

ADDRESS 58 Windsor Dr. ADDRESS

CITY, STATE & ZIP Rockwall, TX, 75032 CITY, STATE & ZIP

PHONE 972-814-9462 PHONE

E-MAIL support@jmscustomhomes.net E-MAIL

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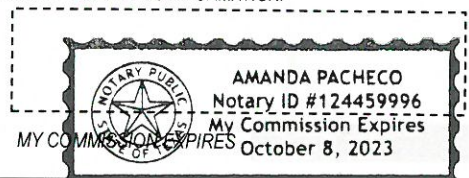
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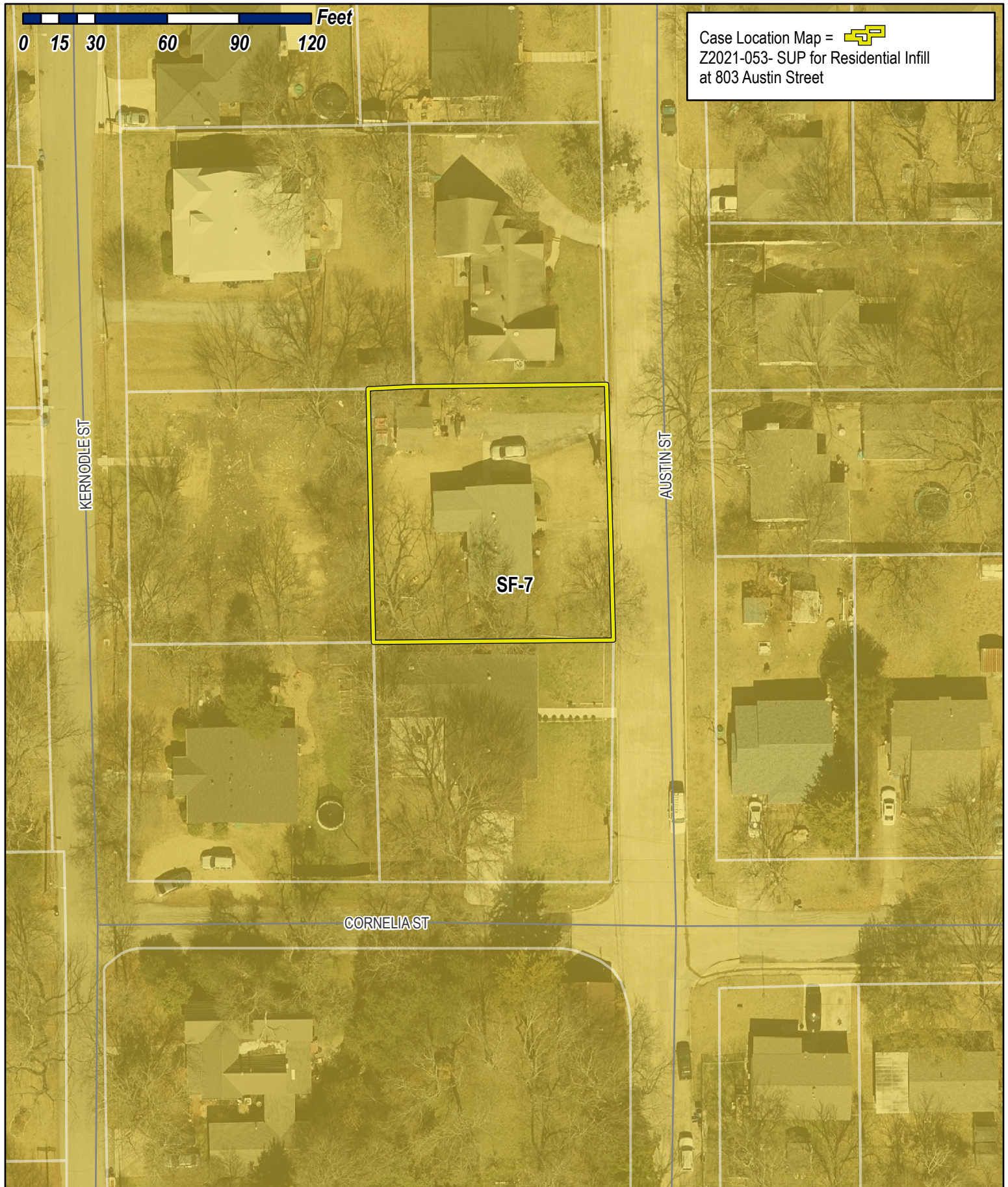
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GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15<sup>th</sup> DAY OF Dec., 2022.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





Case Location Map =   
 Z2021-053- SUP for Residential Infill  
 at 803 Austin Street



# 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)

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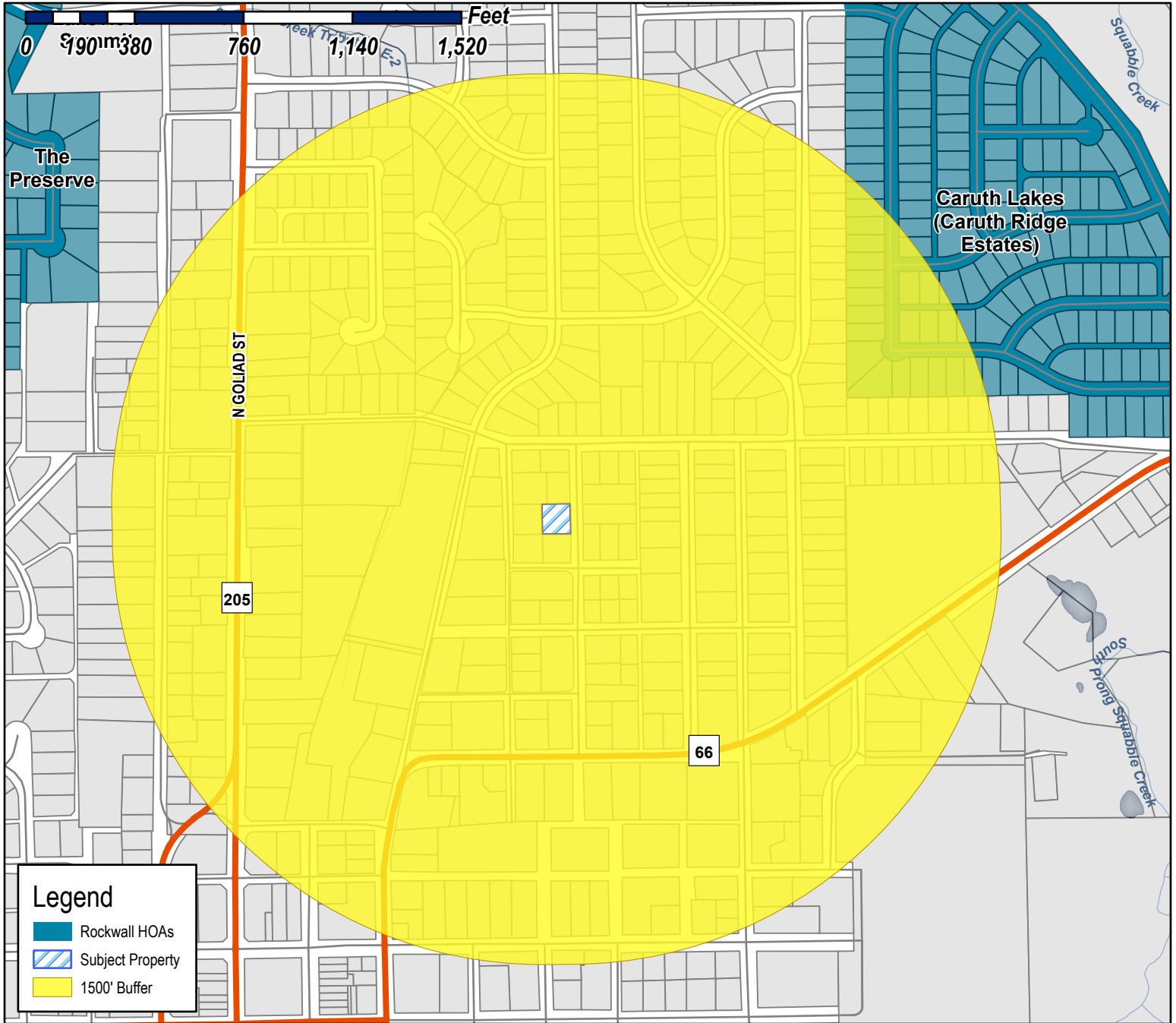




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2021-053  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Single-Family 7 (SF-7) District  
**Case Address:** 803 Austin Street

**Date Saved:** 12/16/2021  
 For Questions on this Case Call (972) 771-7745

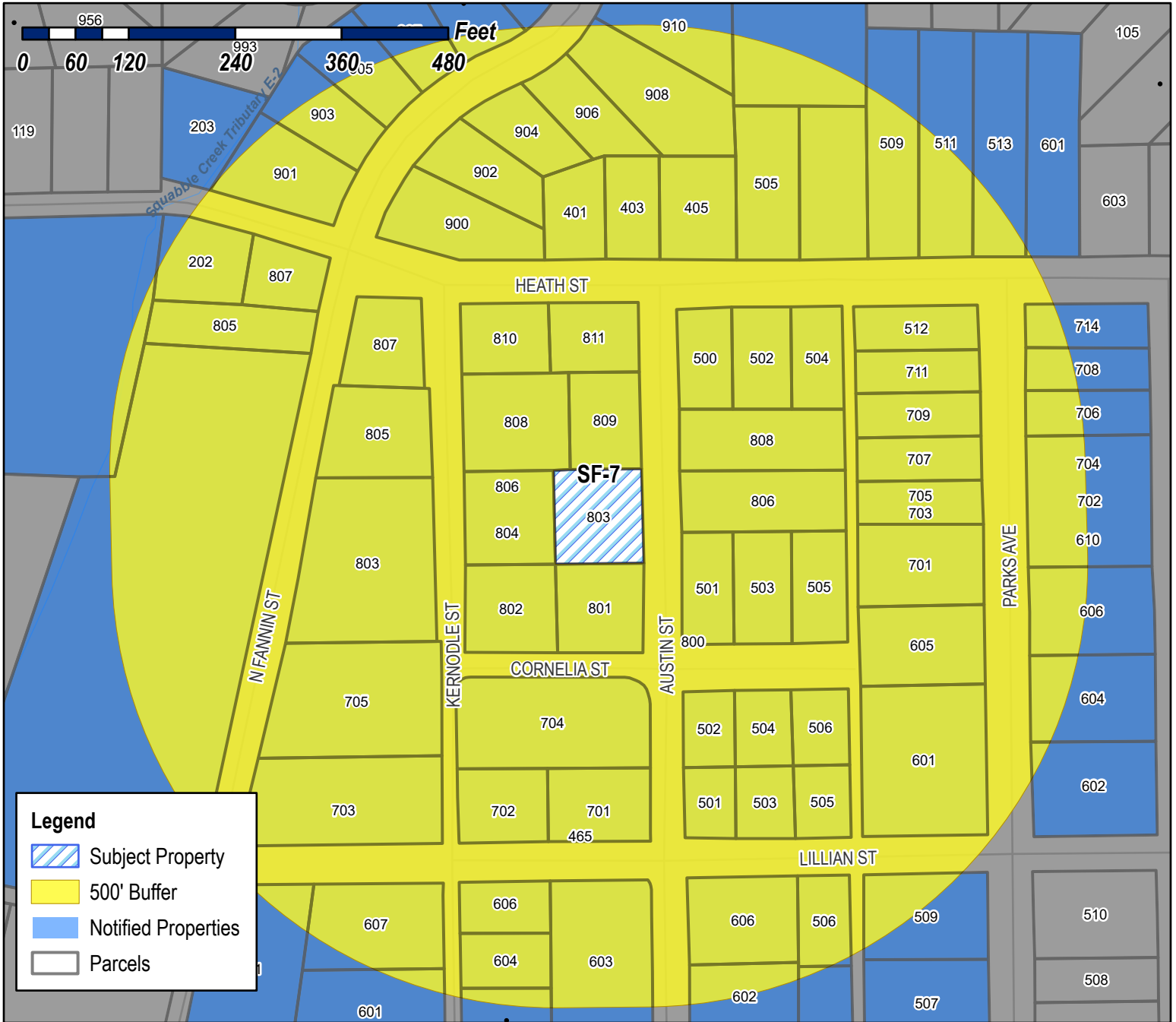




# City of Rockwall

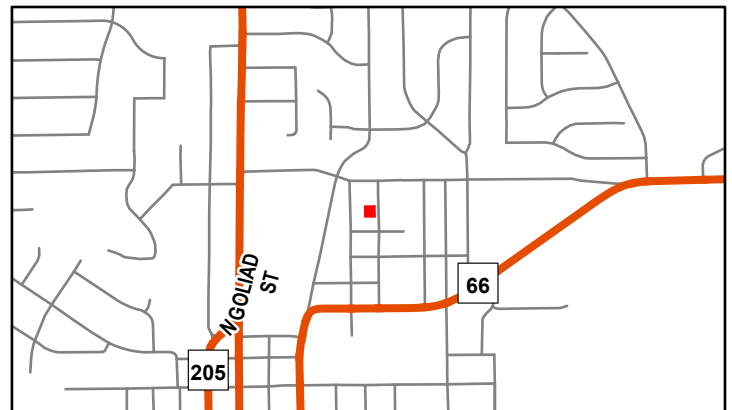
Planning & Zoning Department  
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 For Questions on this Case Call (972) 771-7745



A RESIDENCE AT  
XXX AUSTIN  
STREET  
ROCKWALL, TX

**ISSUE LOG**

DATE ISSUE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

**REVISION LOG**

DATE ISSUE	DESCRIPTION	REV. NO.

**ISSUED FOR:**

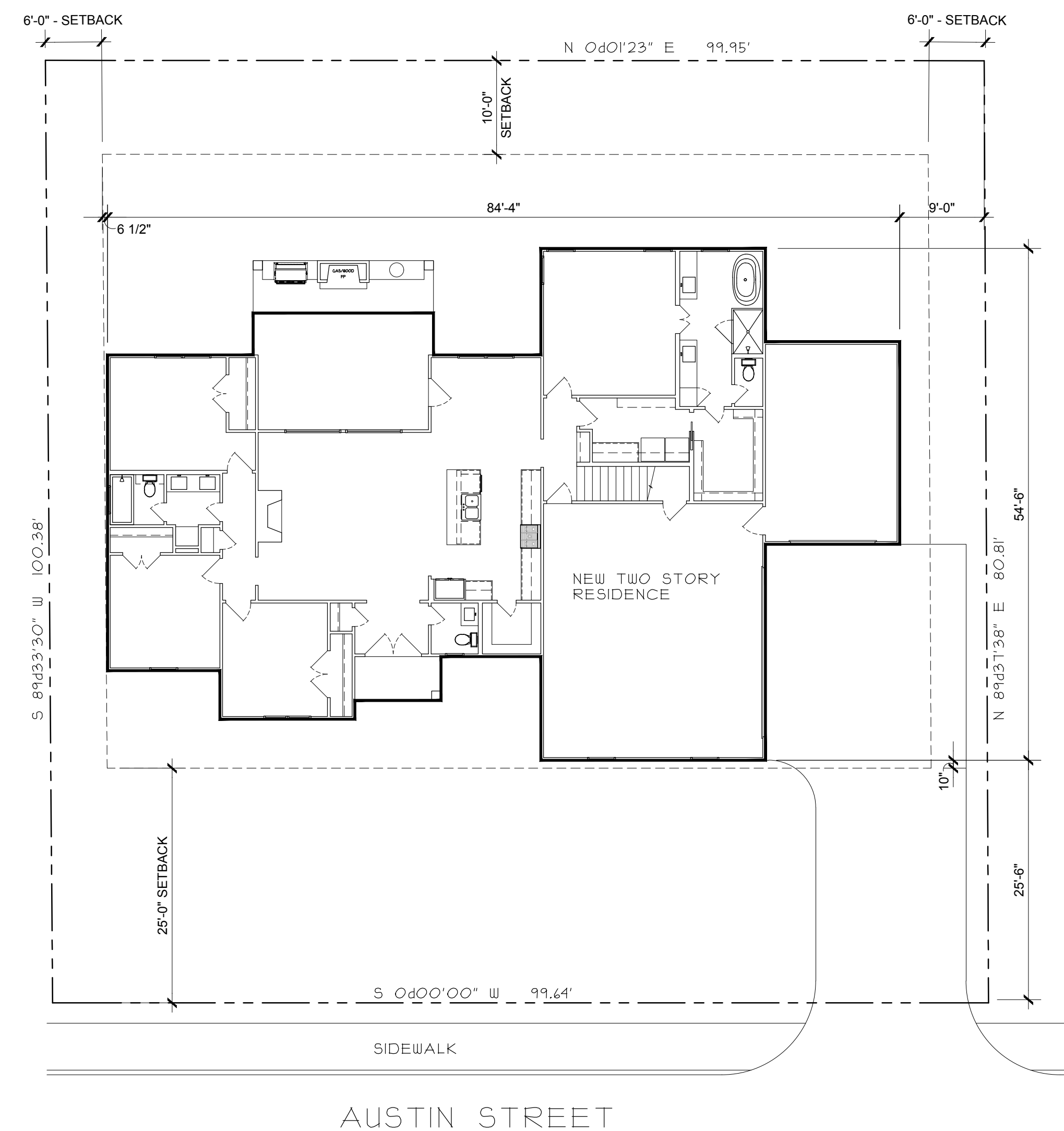
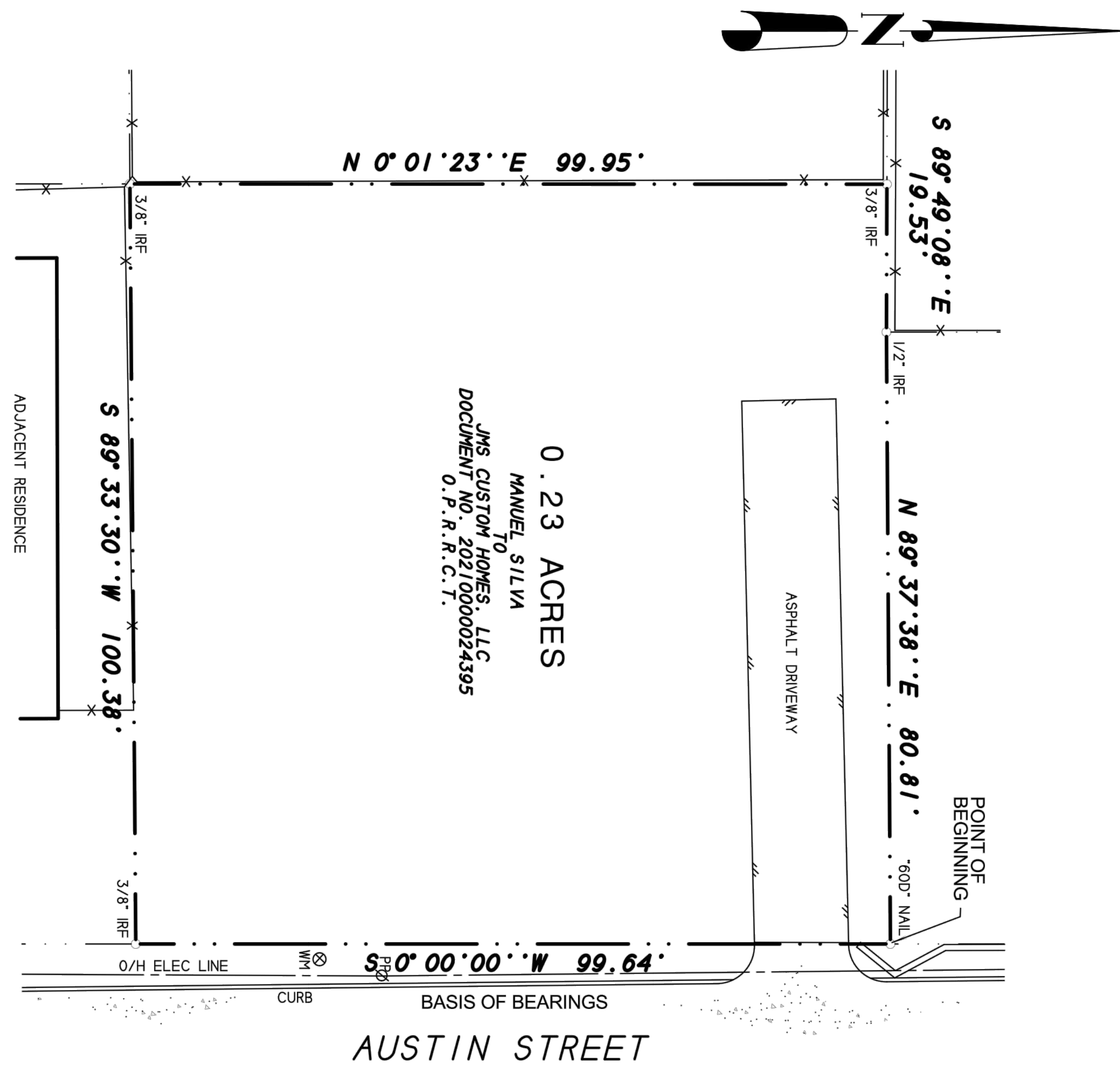
- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION

ARCH. PROJ. # 21921	SCALE: REF. DRAWING
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SHEET NO.

**A2.1**

ARCHITECTURAL  
SITE PLAN





NEW RESIDENCE  
AT  
803 AUSTIN  
STREET  
ROCKWALL, TX

**ISSUE LOG**

DATE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

**REVISION LOG**

DATE	DESCRIPTION	REV. NO.
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**ISSUED FOR:**

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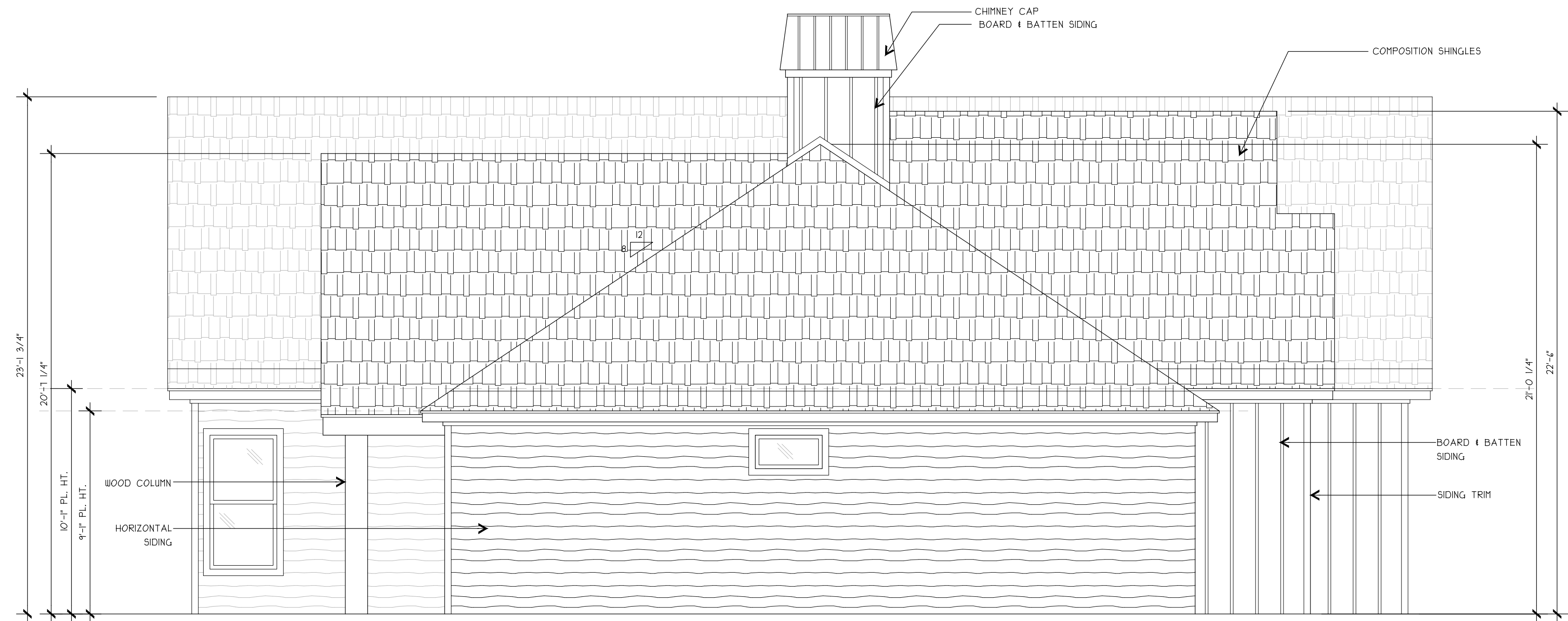


ARCH. PROJ. #:	SCALE:
21921	REF. DRAWING

SHEET NO.

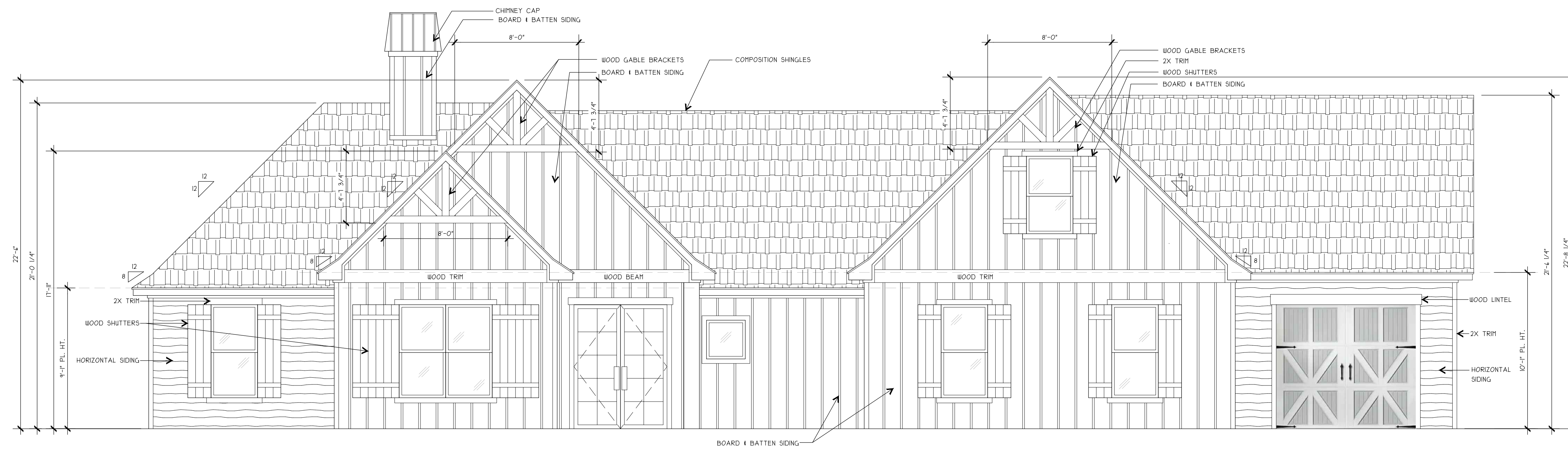
**A5.1**

ELEVATIONS



**02 SOUTH ELEVATION**

SCALE: 1/4"=1'-0"



**01 EAST ELEVATION**

SCALE: 1/4"=1'-0"

**ISSUE LOG**

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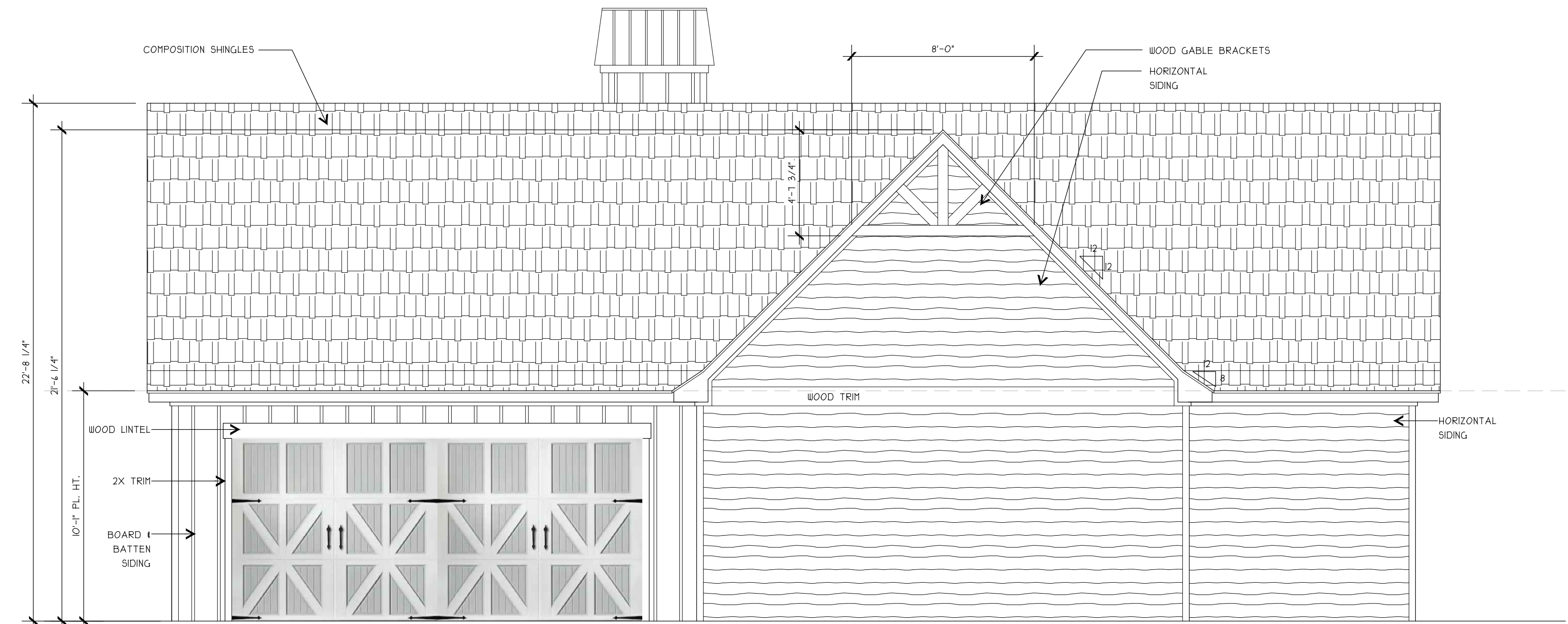


ARCH. PROJ. # 21921	SCALE: REF. DRAWING
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SHEET NO.

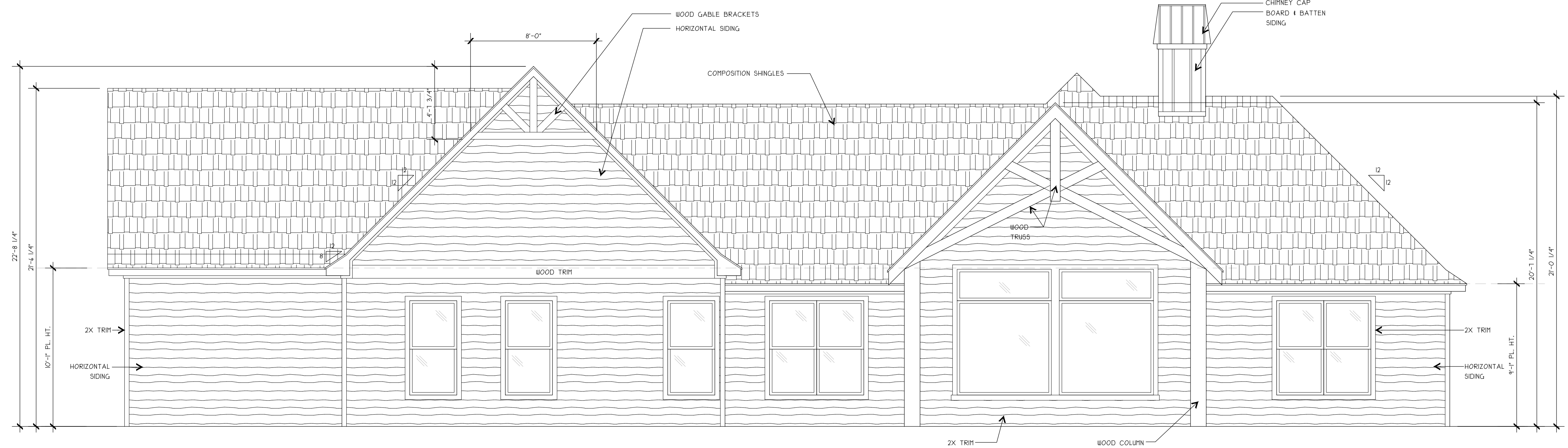
**A5.2**

ELEVATIONS



**02 NORTH ELEVATION**

SCALE: 1/4"=1'-0"



**01 WEST ELEVATION**

SCALE: 1/4"=1'-0"



**FRAMING AND LUMBER NOTES:**

- 1.) ALL SAW LUMBER SHALL BEAR STAMP OF WWPA OR APPROVED TESTING AGENCY
- 2.) ROOF JOIST, FLOOR JOIST, LEDGERS AND PLATES TO BE DOUGLAS FIR #2 OR BETTER
- 3.) ALL STUDS TO DOUGLAS FIR STUD GRADE OR APPROVED EQUIVALENT
- 4.) ROOF PLYWOOD SHEATHING TO 5/8" STANDARD 5-PLY WITH EXTERIOR GLUE WITH STAMP OF APPROVED TESTING AGENCY OR AS NOTED ON TYPICAL WALL SHEET
- 5.) FRAMING CONNECTIONS OR BE SIMPSON OR EQUIVALENT
- 6.) ALL BEARING STUD WALLS TO BE 2X6 AT 16" O.C. UNLESS NOTED OTHERWISE.
- 7.) ALL BEARING PARTITIONS SHALL HAVE DOUBLE TOP PLATES
- 8.) ALL INTERIOR HEADERS TO BE (2)2X12'S UNLESS NOTED OTHERWISE
- 9.) ALL EXTERIOR HEADERS TO BE (3)2X12'S UNLESS NOTED OTHERWISE
- 10.) CUTTING, NOTCHING, AND DRILLING OF WOOD MEMBERS SHALL COMPLY TO THE UNIFORM BUILDING CODE AND LOCAL AND STATE BUILDING CODES
- 11.) ALL CONVENTIONAL FRAMING SHALL COMPLY TO ALL LOCAL CODES
- 12.) ROOF TRUSSES TO BE MANUFACTURED BY AN APPROVED FABRICATOR
- 13.) ALL LUMBER SHALL BE F=1400 KILN DRIED SOUTHERN PINE, DOUGLAS FIR, OR HEMLOCK
- 14.) ALL EXTERIOR DOORS SHALL BE 1 1/2" THICK SOLID CORE 1 1/2" PR. BUTTS OR METAL INSULATION AS SHOWN ON DRAWINGS

ALL HEADERS SHALL BE (3) 2X12 EXTERIOR & INTERIOR BEARING WALLS UNLESS NOTED OTHERWISE.  
MIN.-1-JACK STUD EA. SIDE OF OPG. TO 6' WIDE  
MIN.-2-JACK STUD EA. SIDE OF OPG. TO 8' WIDE  
MIN.-3 JACK STUD EA. SIDE OF OPG. TO 12' WIDE  
ALL HEADERS (ANY SIZE) SHALL BE 1/2" PLYWOOD FILLERS.  
GLUE & NAILED W/ 16D NAILS

**ROOF CONSTRUCTION NOTES:**

1. ROOF OVERHANG TO BE 18" U.N.O.
2. ROOF PITCH TO BE 10/12 U.N.O.
3. PROVIDE ATTIC VENTS AS SPECIFIED IN WALL SECTIONS IF APPLICABLE
4. TIE ROOF TRUSSES OR RAFTER TO INTERIOR PARTITIONS WITH METAL CLIPS, TIES OR STRAPS AS SPECIFIED IN STRAPPING SCHEDULE, ABOVE.
5. FIRST SHEET OF PLYWOOD ALONG EAVES TO BE GLUED AND NAILED AS DESCRIBED IN SHEATHING NAILING SCHEDULE ABOVE.
6. TRUSS DESIGNS REQUIRE THE SIGNATURE AND SEAL OF A STATE CERTIFIED ENGINEER
7. PROVIDE ALL REQUIRED TRUSS BRACING AS SPECIFIED ON ENGINEERED TRUSS PLAN.

**ISSUE LOG**

DATE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

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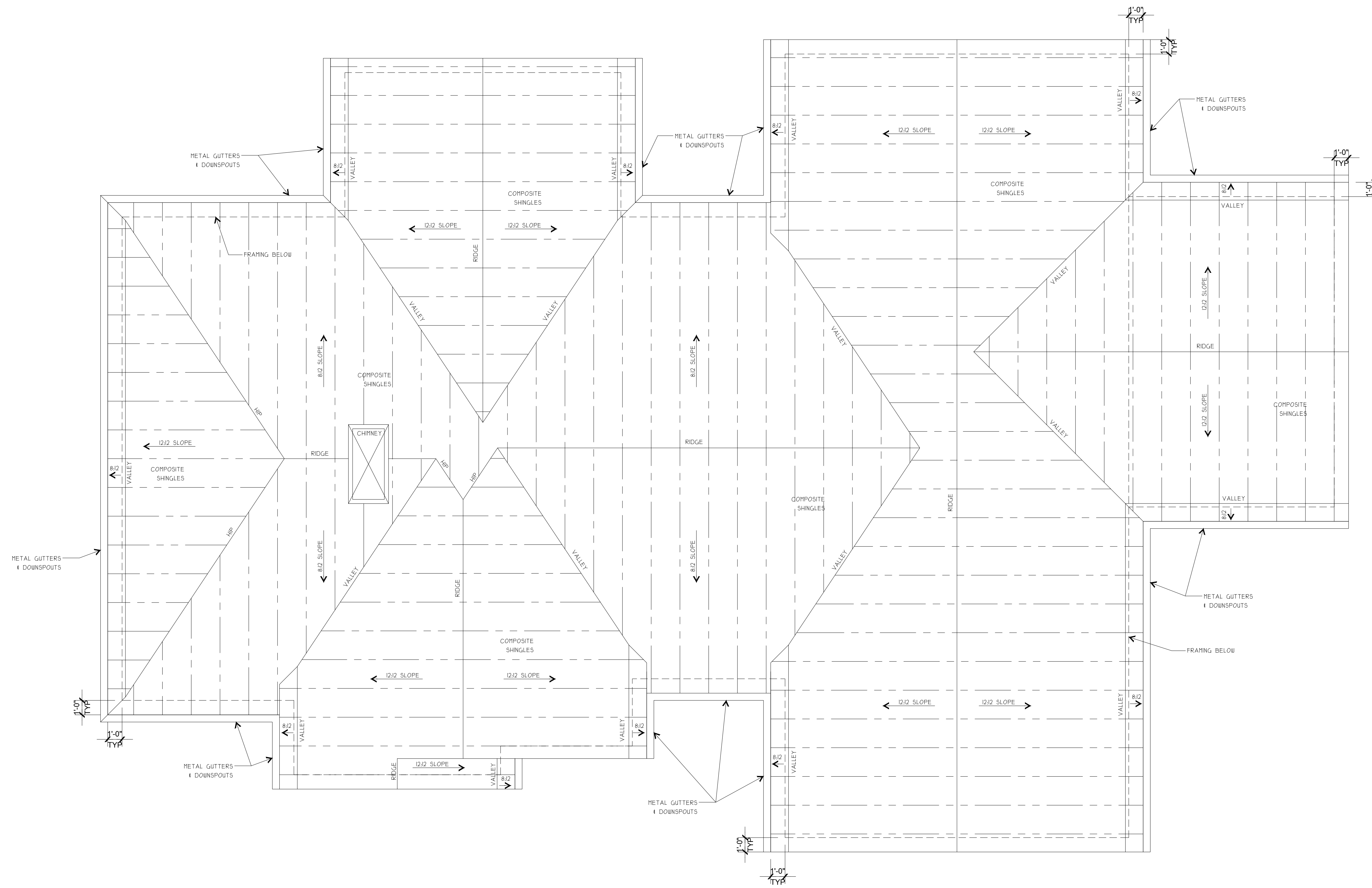


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SHEET NO.

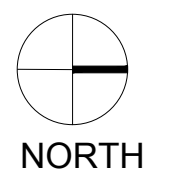
**A4.1**

ROOF PLAN



**01 ROOF FRAMING PLAN**

SCALE: 1/4"=1'-0"



# PROJECT COMMENTS



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

DATE: 12/22/2021

PROJECT NUMBER: Z2021-053  
PROJECT NAME: Specific Use Permit for 803 Austin Street  
SITE ADDRESS/LOCATIONS: 803 AUSTIN ST, ROCKWALL, 75087

CASE MANAGER: Angelica Gamez  
CASE MANAGER PHONE: 972-772-6438  
CASE MANAGER EMAIL: agamez@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Angelica Gamez	12/22/2021	Approved w/ Comments

12/22/2021: Z2021-053; Specific Use Permit (SUP) for Residential Infill for 803 Austin Street  
Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

I.2 For questions or comments concerning this case please contact Angelica Gamez in the Planning Department at (972) 772-6438 or email agamez@rockwall.com.

M.3 For reference, include the case number (Z2021-053) in the lower right-hand corner of all pages on future submittals.

I.4 According to Subsection 02.03(B) (11), Residential Infill in or Adjacent to an Established Subdivision, of Article 05, District Development Standards, of the Unified Development Code (UDC), an Established Subdivision is defined as any subdivision that [1] consists of five (5) or more lots, [2] that is 90% or more developed, and [3] that has been in existence for more than ten (10) years. In this case, the subject property is located within the F & M Subdivision, which consists of 5 or more lots, is 90% or more developed and has been in existence for more than 10 years.

I.5 Subsection 02.03(B)(11), Residential Infill in or Adjacent to an Established Subdivision, of Article 05, District Development Standards, of the Unified Development Code (UDC), states that "(i)n reviewing the Specific Use Permit (SUP), the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing in the Established Subdivision ... [and] all housing proposed under this section shall be constructed to be architecturally and visually similar or complimentary to the existing housing in the Established Subdivision."

I.7 According to Subsection 04.01(B), Lots Less Than Five Acres, of Article 06, Parking and Loading, garages located in single family districts must be located 20-feet behind the front façade of the building unless it is a J-Swing garage where the garage door is perpendicular to the street. In this case the garages are j-swing and are in compliance with the requirements of the UDC.

M.8 Please review the attached Draft Ordinance prior to the December 28, 2021 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than January 4, 2022.

I.9 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on January 4, 2022; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the January 11, 2022 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on December 28, 2021.

I.10 The projected City Council meeting dates for this case will be January 18, 2022 [1st Reading] and February 7, 2022 [2nd Reading].

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Amy Williams	12/20/2021	Approved w/ Comments

12/20/2021: - The building permit will require a grading plan for the property. This will need to show the property draining to the northeast corner of the lot.  
 - The water and sewer lines are under the roadway. Full panel concrete replacement is required for the taps.  
 - Install 5' sidewalk 2' inside the right-of-way

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	12/20/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	12/20/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	12/16/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Angelica Gamez	12/22/2021	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Angelica Gamez	12/22/2021	N/A

No Comments



# DEVELOPMENT APPLICATION

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

### STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-053

**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&2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

#### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

#### 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.  
<sup>2</sup> A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 803 Austin Street, Rockwall, Texas 75032

SUBDIVISION F and M Addition LOT 9 BLOCK PT

GENERAL LOCATION

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

CURRENT ZONING \_\_\_\_\_ CURRENT USE \_\_\_\_\_

PROPOSED ZONING \_\_\_\_\_ PROPOSED USE \_\_\_\_\_

ACREAGE \_\_\_\_\_ 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 Javier Silva JMS Custom Homes  APPLICANT

CONTACT PERSON Javier Silva (JMS Custom Homes) CONTACT PERSON

ADDRESS 58 Windsor Dr. ADDRESS

CITY, STATE & ZIP Rockwall, TX, 75032 CITY, STATE & ZIP

PHONE 972-814-9462 PHONE

E-MAIL support@jmscustomhomes.net E-MAIL

### NOTARY VERIFICATION [REQUIRED]

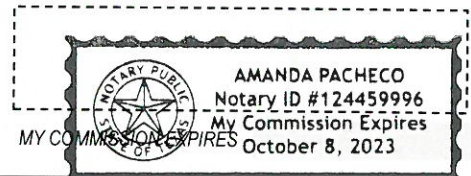
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Javier Silva [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

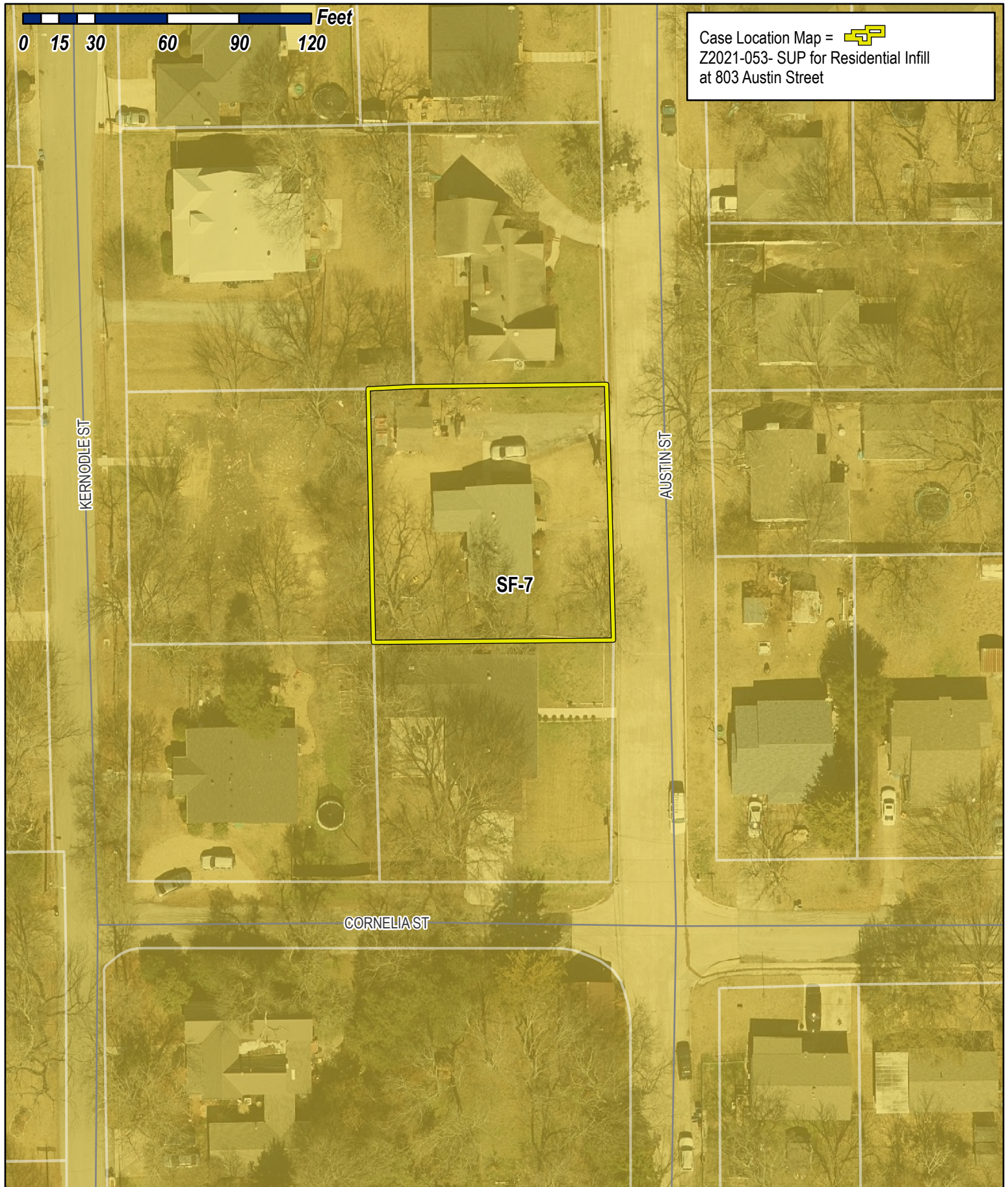
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING 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 15<sup>th</sup> DAY OF Dec., 2022.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

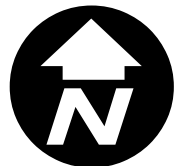




# City of Rockwall

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

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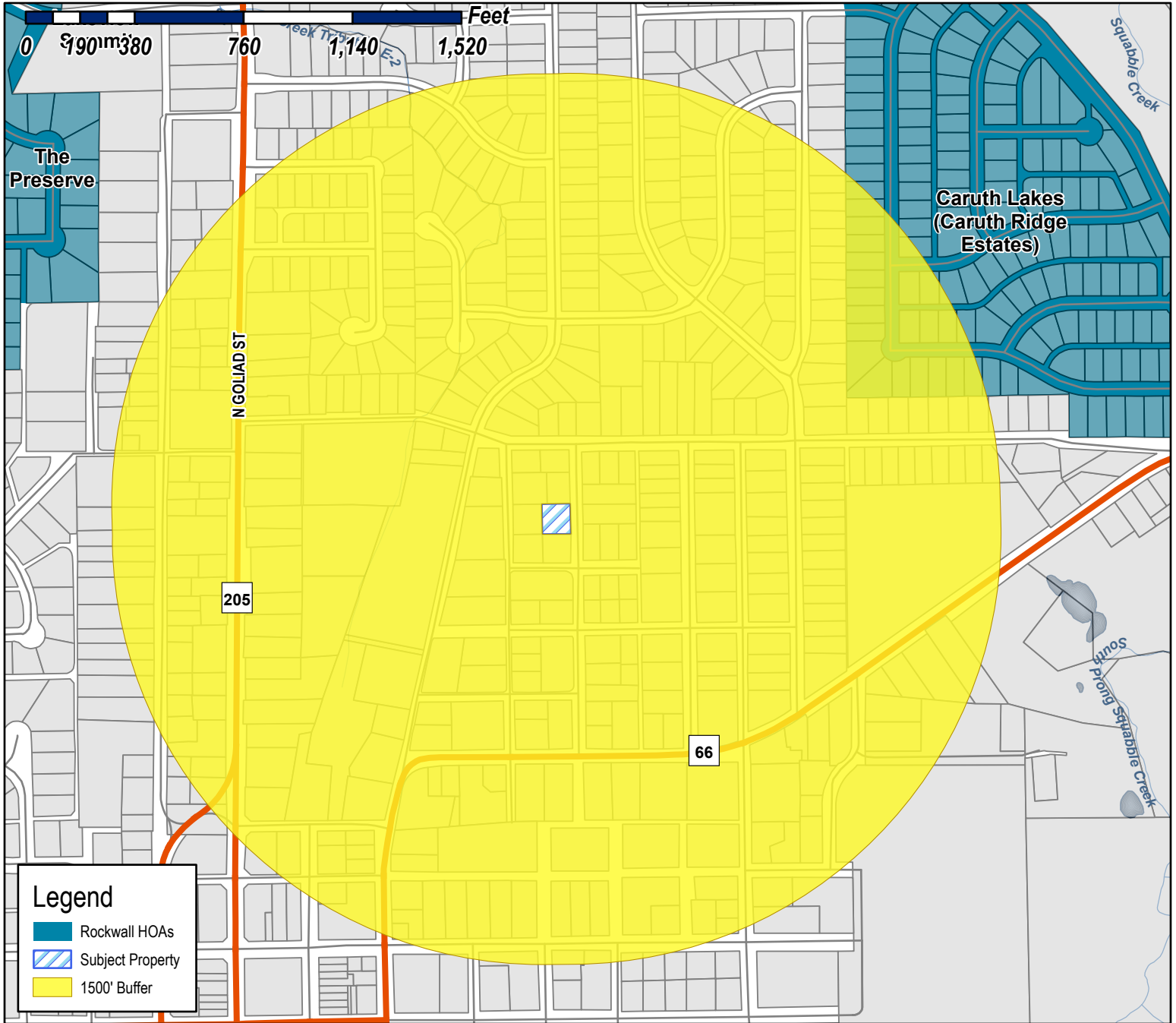




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**Date Saved:** 12/16/2021  
 For Questions on this Case Call (972) 771-7745



## Miller, Ryan

---

**From:** Gamez, Angelica  
**Sent:** Tuesday, December 21, 2021 10:52 AM  
**Cc:** Miller, Ryan; Lee, Henry  
**Subject:** Neighborhood Notification Program [Z2021-053]  
**Attachments:** Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 24, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 11, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 18, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2021-053: SUP for Residential Infill at 803 Austin Street**

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

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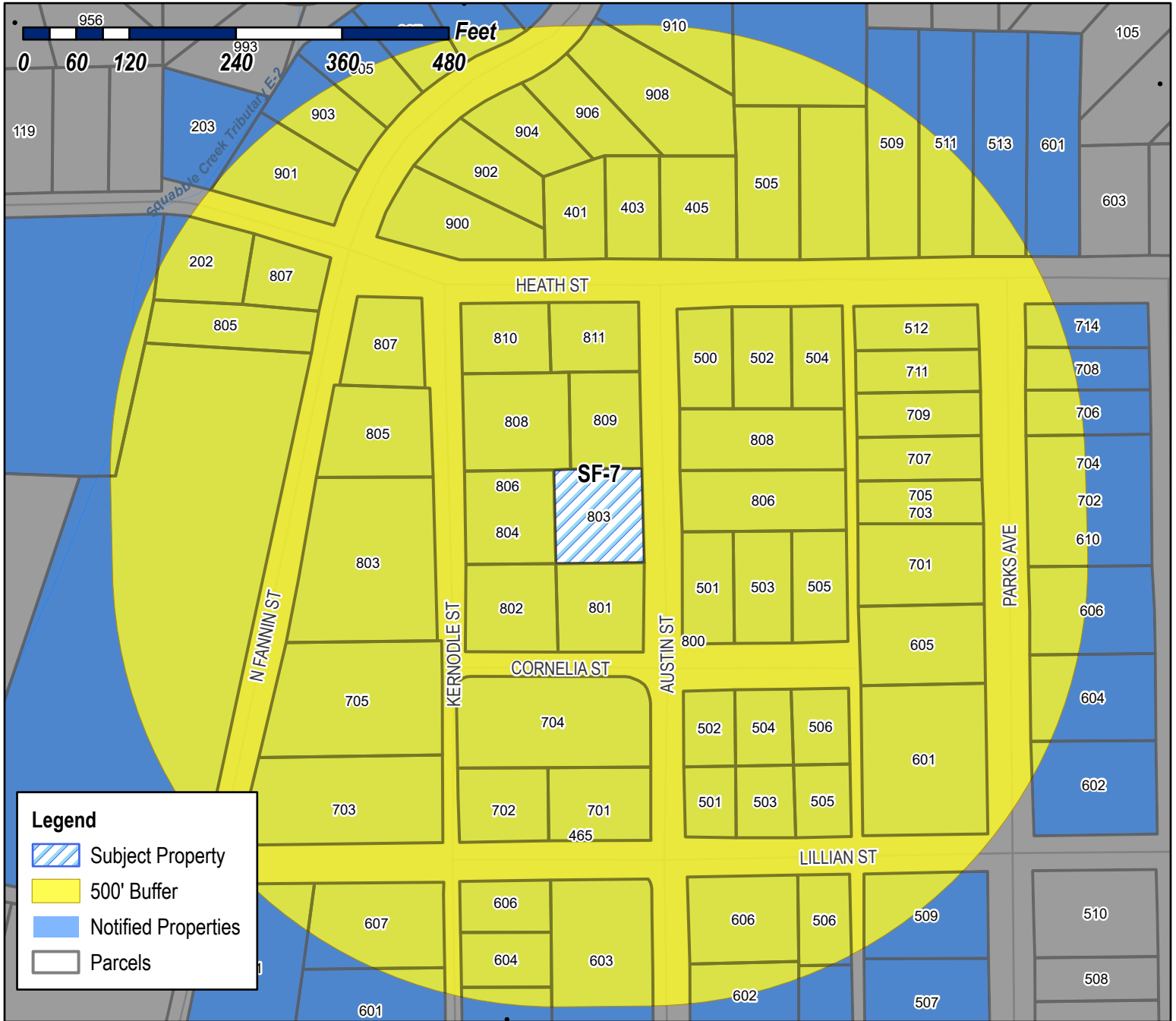
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# City of Rockwall

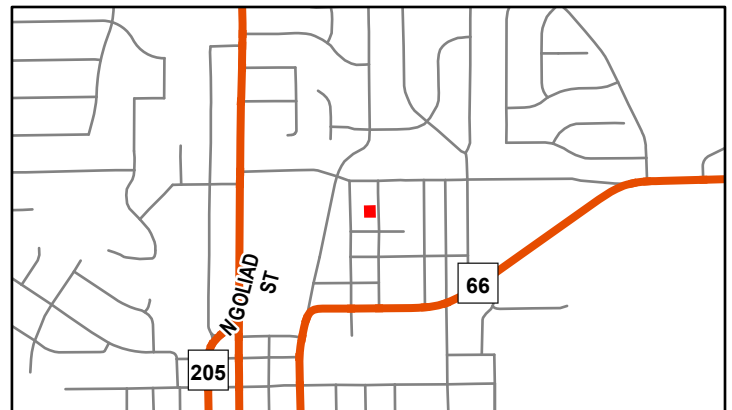
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SILVA MANUEL  
1041 E FM 552  
ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC  
1215 THOMASVILLE COURT  
GARLAND, TX 75044

KINSEY DONALD H & TARI L  
2 MANOR COURT  
HEATH, TX 75032

VANILLA BEAN PROPERTIES SERIES 10 LLC  
2 MANOR COURT  
HEATH, TX 75032

RICE GARRETT R AND JAMIE B  
202 E HEATH ST  
ROCKWALL, TX 75087

BLANKENSHIP JAMES WISE & LISA  
203 E HEATH ST  
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES  
213 SOVEREIGN CT  
ROCKWALL, TX 75032

PARK STUFF LLC  
2301 LAFAYETTE DR  
HEATH, TX 75032

ORTAMOND DONALD J & JANA R  
301 MARGARET ST  
ROCKWALL, TX 75087

WILLIAM AND HANNA MIGNEAULT LIVING  
TRUST  
WILLIAM H AND HANNA H MIGNEAULT-  
TRUSTEES  
3625 SIERRA RD  
SAN JOSE, CA 95132

TIPPING VIVIAN E AND  
EARNEST TIPPING  
401 EAST HEATH STREET  
ROCKWALL, TX 75087

DOLLINS ROBIN KAY AND GEORGE OEN  
403 E HEATH  
ROCKWALL, TX 75087

PARK STUFF LLC  
405 E HEATH ST  
ROCKWALL, TX 75087

KIRKPATRICK DAVID S & RHONDA D  
500 E HEATH ST  
ROCKWALL, TX 75087

HOLZHEIMER THOMAS R AND NICOLE M  
501 CORNELIA ST  
ROCKWALL, TX 75087

GREENAWALT PATRICK ALAN  
501 LILLIAN ST  
ROCKWALL, TX 75087

BARNETT GEORGE S  
502 CORNELIA ST  
ROCKWALL, TX 75087

MCINTIRE J M & ERLINDA  
502 E HEATH ST  
ROCKWALL, TX 75087

PARTNER UP HOMES LLC  
503 LILLIAN ST  
ROCKWALL, TX 75087

TANTON MELVIN V JR  
504 E HEATH ST  
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR  
504 CORNELIA  
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR  
505 CARRIAGE TR  
ROCKWALL, TX 75087

WILLIAMS JULI ANN AND JOH CHRISTOPHER  
AND  
MICHAEL ANTHONY BOSMA AND LAURA L  
BOSMA  
505 CORNELIA ST  
ROCKWALL, TX 75087

ZYLKA PROPERTIES LLC  
505 EHEATH ST  
ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC  
505 LILLIAN ST  
ROCKWALL, TX 75087

UC RUBEN & EDITH CORTE DE  
506 LILLIAN ST  
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR  
506 CORNELIA  
ROCKWALL, TX 75087

YOUNG MOLLIE AND JAY CHANCE  
507 PARKS AVENUE  
ROCKWALL, TX 75087

DOROTIK DAVID W  
509 PARKS AVE  
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES  
509 E HEATH ST  
ROCKWALL, TX 75087

RICHARDSON PATRICE  
510 COVE RIDGE RD  
HEATH, TX 75032

RICHARDSON PATRICE  
511 E HEATH ST  
ROCKWALL, TX 75087

COATS LOIS LOUISE  
512 E HEATH ST  
ROCKWALL, TX 75087

GREENAWALT PATRICK AND COURTNEY  
513 E HEATH ST  
ROCKWALL, TX 75087

FANG PROPERTIES LLC  
536 LOMA VISTA  
HEATH, TX 75032

EICH CHRIS AND ELENA  
601 PARKS AVENUE  
ROCKWALL, TX 75087

STARK ROBERT C  
601 E HEATH ST  
ROCKWALL, TX 75087

BROWN JONATHAN R & CHRISTY A  
601 KERNODLE ST  
ROCKWALL, TX 75087

GASKIN STEVE AND  
MICHAEL FLANARY  
602 KERNODLE STREET  
ROCKWALL, TX 75087

MURPHY MICHAEL  
602 PARKS AVE  
ROCKWALL, TX 75087

PEOPLES MICHAEL L &  
LINDA CAUBLE  
602 AUSTIN ST  
ROCKWALL, TX 75087

LOFLAND JANA J  
603 AUSTIN ST  
ROCKWALL, TX 75087

FUNK TED FREDRICK AND REBECCA LYNN  
604 KERNODLE  
ROCKWALL, TX 75087

FUQUA MATTHEW  
604 PARKS AVE  
ROCKWALL, TX 75087

DINGWELL MARGUERITE NASH & ADAM  
605 PARKS AVE  
ROCKWALL, TX 75087

DANIEL RODNEY  
606 AUSTIN ST  
ROCKWALL, TX 75087

MATA JAIME AND TRINA THOMAS  
606 KERNODLE ST  
ROCKWALL, TX 75087

WILLIAM AND HANNA MIGNEAULT LIVING  
TRUST  
WILLIAM H AND HANNA H MIGNEAULT-  
TRUSTEES  
606 PARKS AVE  
ROCKWALL, TX 75087

MULLINS CHRISTOPHER CHARLES AND ARYN  
ELISE  
607 KERNODLE ST  
ROCKWALL, TX 75087

CASTRO RENE & BETSY  
700 WINDSONG LN  
ROCKWALL, TX 75032

ESTATE OF BEULAH CHRISTINE MOONEY  
701 AUSTIN ST  
ROCKWALL, TX 75087

CASTILLO AGAPITO & ESTELA  
701 PARKS AVE  
ROCKWALL, TX 75087

HENRY AMANDA A  
702 PARKS AVE  
ROCKWALL, TX 75087

KINSEY TARI L AND DONALD H  
702 KERNODLE ST  
ROCKWALL, TX 75087

TIBBETTS ELAINE  
703 KERNODLE ST  
ROCKWALL, TX 75087

HANSON BRANDON R  
703 PARKS AVE  
ROCKWALL, TX 75087

FRASIER MICHAEL & MARY GRACE  
704 JACKSON ST  
ROCKWALL, TX 75087

THOMAS TRACY  
704 KERNODLE ST  
ROCKWALL, TX 75087

ZIMMERMAN CAROLYN  
705 KERNODLE ST  
ROCKWALL, TX 75087

PECINA JOE & LORETHIA ANN  
706 PARKS AVE  
ROCKWALL, TX 75087

BELANGER CORKY  
707 PARKS AVE  
ROCKWALL, TX 75087

KOLWINSKA GERALDINE D  
708 PARKS AVE  
ROCKWALL, TX 75087

BARRON ARMANDO  
709 PARKS AVE  
ROCKWALL, TX 75087

PARTNER UP HOMES LLC  
709 W RUSK SUITE B #905  
ROCKWALL, TX 75087

STARK ROBERT C  
710 AGAPE ST  
ROCKWALL, TX 75087

NIXON LINDA LOUISE  
711 PARKS AVENUE  
ROCKWALL, TX 75087

MEINECKE JEFFREY AND ANGELA  
714 PARKS AVE  
ROCKWALL, TX 75087

MATA JAIME AND TRINA THOMAS  
752 WINDSONG LN  
ROCKWALL, TX 75032

BROWN JONATHAN R & CHRISTY A  
7814 KILLARNEY LANE  
ROWLETT, TX 75089

BEASLEY GEORGE  
801 AUSTIN ST  
ROCKWALL, TX 75087

KINSEY DONALD H AND TARI L  
802 KERNODLE ST  
ROCKWALL, TX 75087

JOHNSON BRADLEY K AND GINGER M  
803 KERNODLE ST  
ROCKWALL, TX 75087

SILVA MANUEL  
803 AUSTIN ST  
ROCKWALL, TX 75087

BUSHNELL MICHAEL S & TIFFANIE C  
805 KERNODLE ST  
ROCKWALL, TX 75087

ORTIZ ENRIQUE AROZLA  
805 N FANNIN ST  
ROCKWALL, TX 75087

AUSTIN TRENTON C  
806 AUSTIN ST  
ROCKWALL, TX 75087

VANILLA BEAN PROPERTIES SERIES 10 LLC  
806 KERNODLE ST  
ROCKWALL, TX 75087

DEL BOSQUE MARIO ETUX  
807 KERNODLE ST  
ROCKWALL, TX 75087

MEJIA JULIO & MARIA R  
807 N FANNIN ST  
ROCKWALL, TX 75087

CASTRO RENE & BETSY  
808 AUSTIN ST  
ROCKWALL, TX 75087

KINSEY DONALD H & TARI L  
808 KERNODLE ST  
ROCKWALL, TX 75087

KINDRED ROBERT M  
809 AUSTIN ST  
ROCKWALL, TX 75087

JOSEY BROOKE  
810 KERNODLE ST  
ROCKWALL, TX 75087

JENNINGS AMANDA L  
811 AUSTIN ST  
ROCKWALL, TX 75087

WIEHE JOHN THOMAS  
900 N FANNIN ST  
ROCKWALL, TX 75087

CROWDER GERALDINE  
901 N FANNIN ST  
ROCKWALL, TX 75087

FINK BEVERLY A & ROYCE G  
902 N FANNIN STREET  
ROCKWALL, TX 75087

HEMPHILL REBECCA  
903 N FANNIN ST  
ROCKWALL, TX 75087

HALL WYNNE &  
JOANN CAMPBELL  
904 N FANNIN ST  
ROCKWALL, TX 75087

ROSS THOMAS II & LACY  
905 N FANNIN ST  
ROCKWALL, TX 75087

WILLIAMS BROOKS  
906 FANNIN STREET  
ROCKWALL, TX 75087

ROE JOHN A AND PATRICIA K  
907 N FANNIN ST  
ROCKWALL, TX 75087

MCKNIGHT DOROTHY  
908 N FANNIN  
ROCKWALL, TX 75087

J J M B INVESTMENT LP  
909 FANNIN ST  
ROCKWALL, TX 75087

DAVID JESSEE AND A JANE JESSEE FAMILY  
LIVING TRUST  
DAVID JESSEE AND A JANE JESSEE- TRUSTEES  
910 N FANNIN STREET  
ROCKWALL, TX 75087

HUME LINDA L  
911 N FANNIN ST  
ROCKWALL, TX 75087

BELANGER CORKY  
921 N ALAMO RD  
ROCKWALL, TX 75087

KINDRED ROBERT M  
P.O. BOX 261638  
PLANO, TX 75026

PEOPLES MICHAEL L &  
LINDA CAUBLE  
PO BOX 41  
ROCKWALL, TX 75087

J J M B INVESTMENT LP  
PO BOX 460247  
GARLAND, TX 75046

# 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. Z2021-053: SUP for Residential Infill at 803 Austin Street**

*Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, 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, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 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:

**Angelica Gamez**  
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](mailto: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 Tuesday, January 18, 2022 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. Z2021-053: SUP for Residential Infill at 803 Austin Street**

**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



A RESIDENCE AT  
XXX AUSTIN  
STREET  
ROCKWALL, TX

**ISSUE LOG**

DATE ISSUE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

**REVISION LOG**

DATE ISSUE	DESCRIPTION	REV. NO.

**ISSUED FOR:**

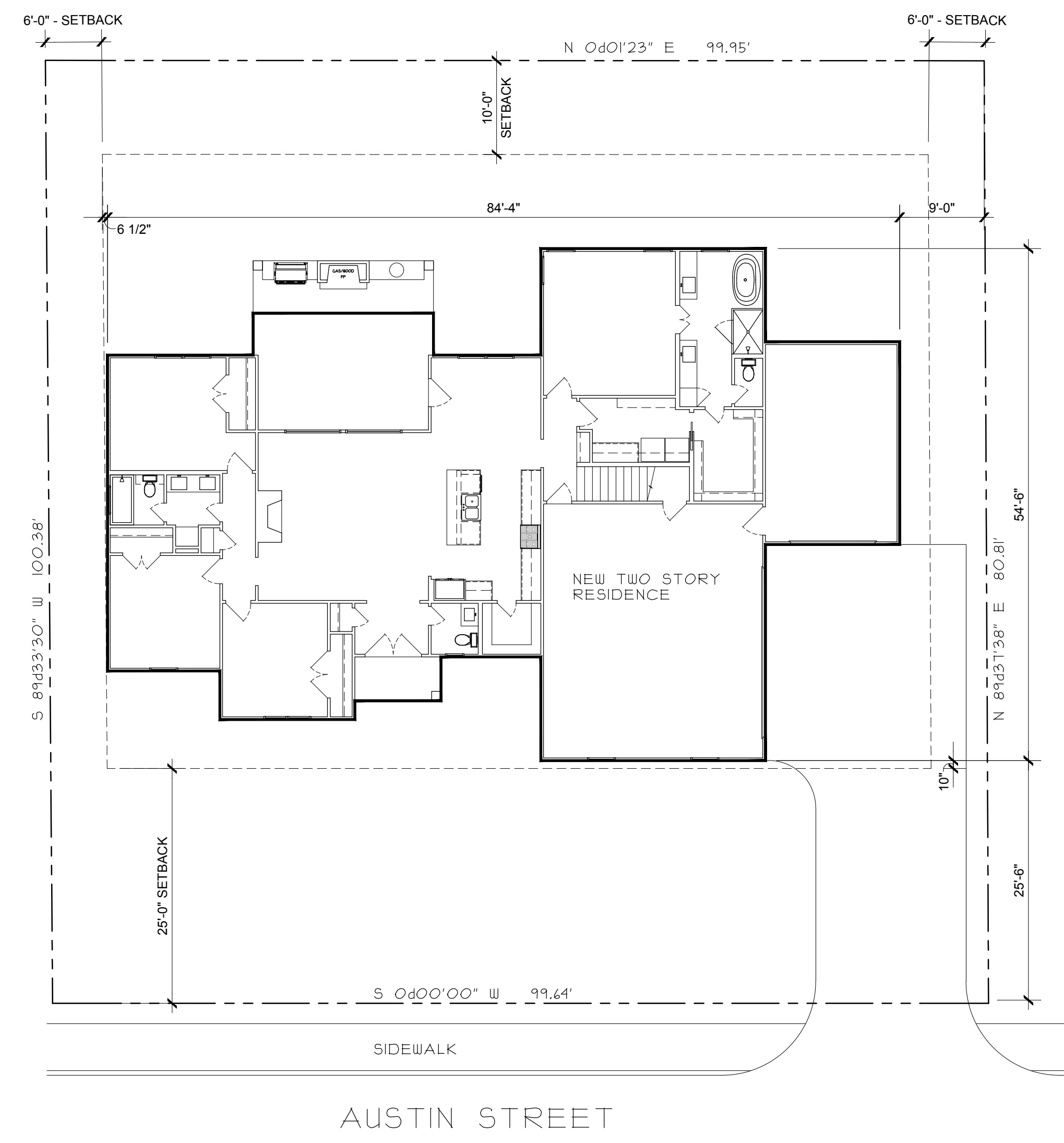
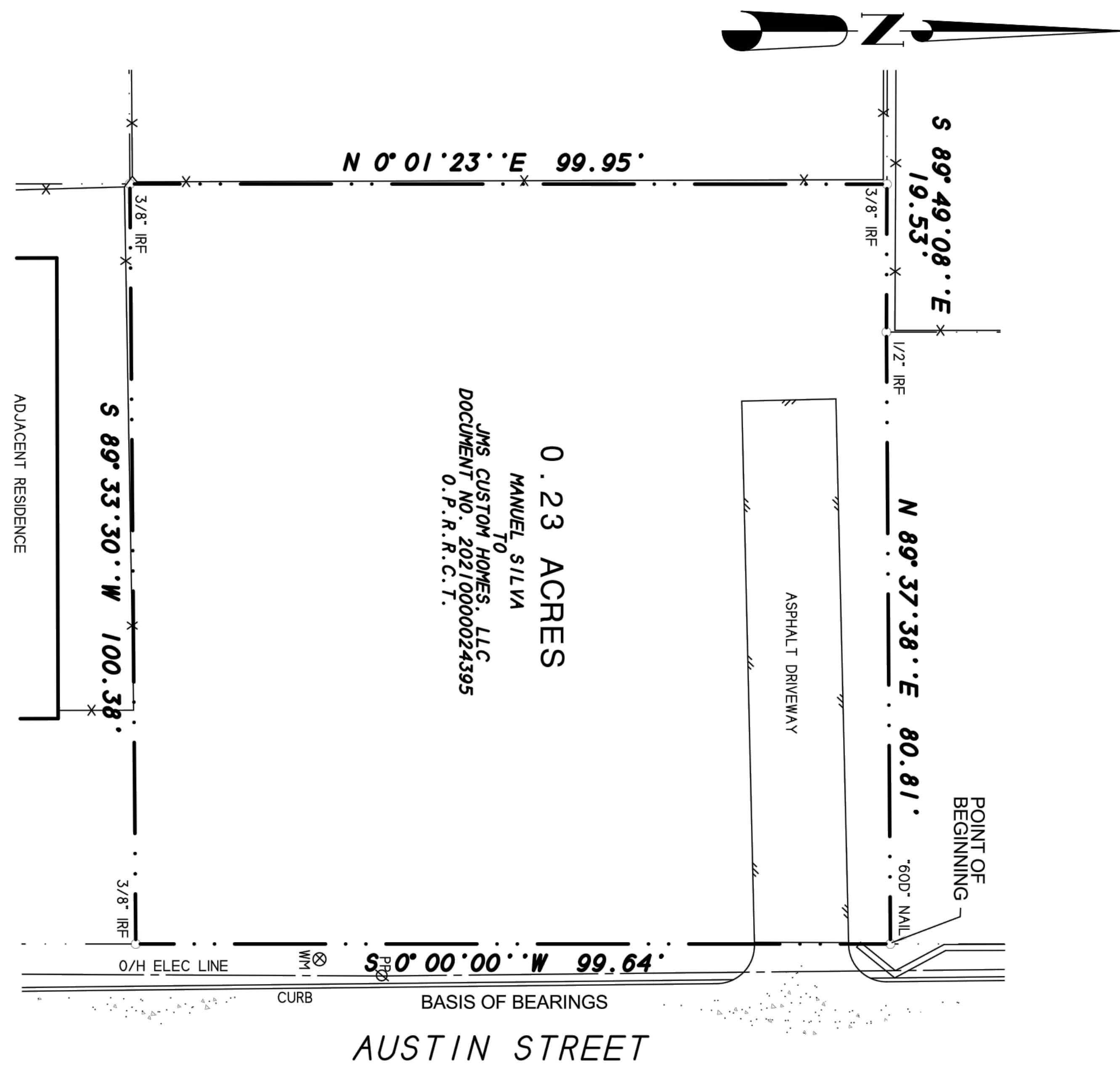
- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION

ARCH. PROJ. # 21921	SCALE: REF. DRAWING
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SHEET NO.

**A2.1**

ARCHITECTURAL  
SITE PLAN



NEW RESIDENCE  
AT  
803 AUSTIN  
STREET  
ROCKWALL, TX

**ISSUE LOG**

DATE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

**REVISION LOG**

DATE	DESCRIPTION	REV. NO.
------	-------------	----------

**ISSUED FOR:**

- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION

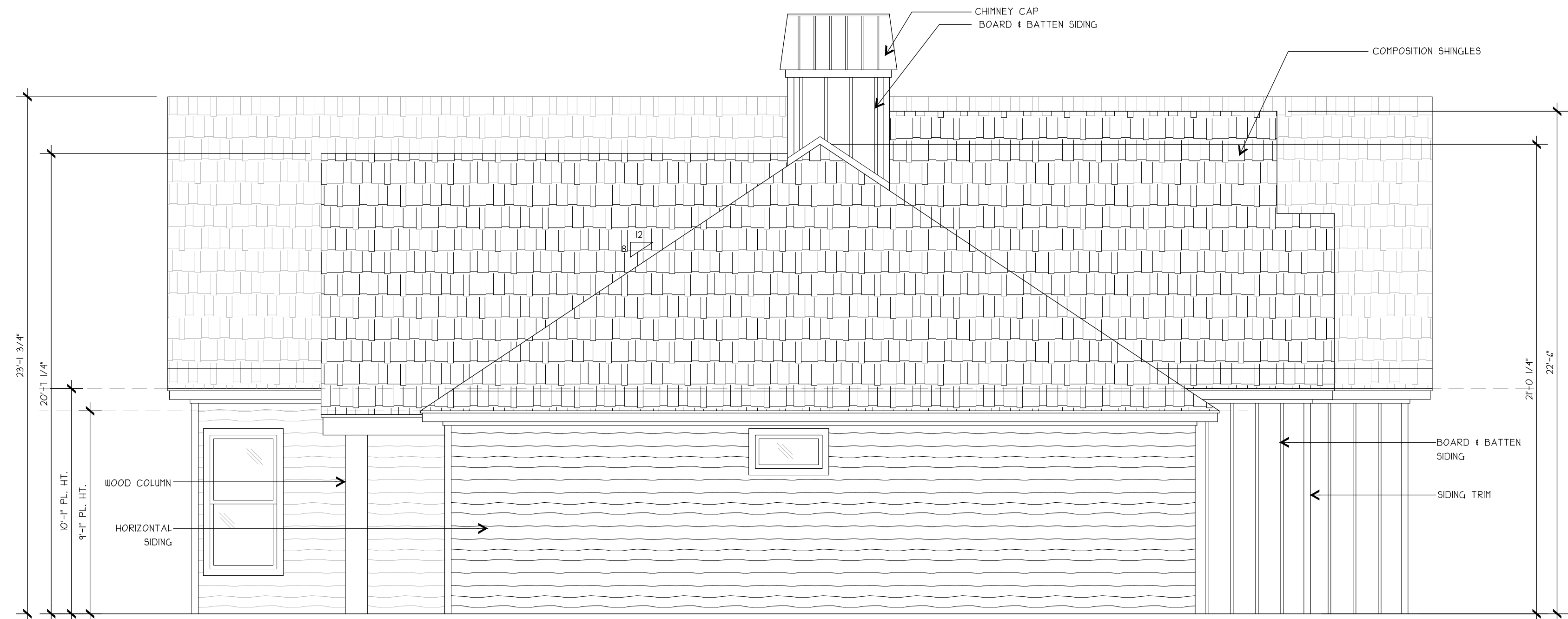


ARCH. PROJ. #:	SCALE:
21921	REF. DRAWING

SHEET NO.

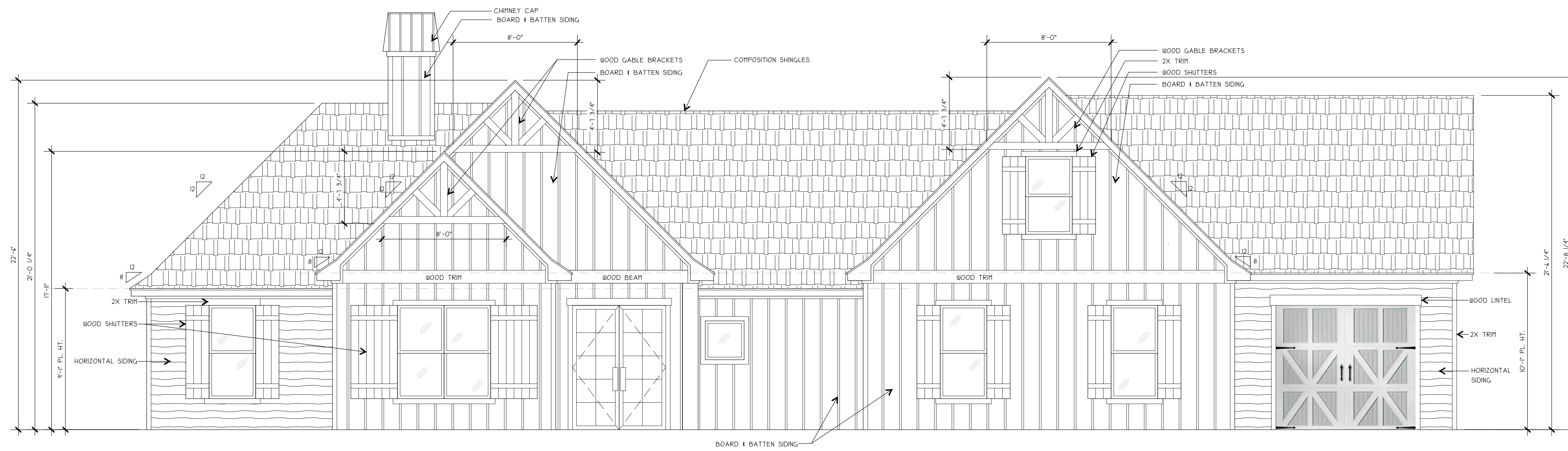
**A5.1**

ELEVATIONS



**02 SOUTH ELEVATION**

SCALE: 1/4"=1'-0"



**01 EAST ELEVATION**

SCALE: 1/4"=1'-0"





**FRAMING AND LUMBER NOTES:**

- 1.) ALL SAW LUMBER SHALL BEAR STAMP OF WWPA OR APPROVED TESTING AGENCY
- 2.) ROOF JOIST, FLOOR JOIST, LEDGERS AND PLATES TO BE DOUGLAS FIR #2 OR BETTER
- 3.) ALL STUDS TO DOUGLAS FIR STUD GRADE OR APPROVED EQUIVALENT
- 4.) ROOF PLYWOOD SHEATHING TO 5/8" STANDARD 5-PLY WITH EXTERIOR GLUE WITH STAMP OF APPROVED TESTING AGENCY OR AS NOTED ON TYPICAL WALL SHEET
- 5.) FRAMING CONNECTIONS OR BE SIMPSON OR EQUIVALENT
- 6.) ALL BEARING STUD WALLS TO BE 2X6 AT 16" O.C. UNLESS NOTED OTHERWISE.
- 7.) ALL BEARING PARTITIONS SHALL HAVE DOUBLE TOP PLATES
- 8.) ALL INTERIOR HEADERS TO BE (2)2X12'S UNLESS NOTED OTHERWISE
- 9.) ALL EXTERIOR HEADERS TO BE (3)2X12'S UNLESS NOTED OTHERWISE
- 10.) CUTTING, NOTCHING, AND DRILLING OF WOOD MEMBERS SHALL COMPLY TO THE UNIFORM BUILDING CODE AND LOCAL AND STATE BUILDING CODES
- 11.) ALL CONVENTIONAL FRAMING SHALL COMPLY TO ALL LOCAL CODES
- 12.) ROOF TRUSSES TO BE MANUFACTURED BY AN APPROVED FABRICATOR
- 13.) ALL LUMBER SHALL BE F=1400 KILN DRIED SOUTHERN PINE, DOUGLAS FIR, OR HEMLOCK
- 14.) ALL EXTERIOR DOORS SHALL BE 1 1/2" THICK SOLID CORE 1 1/2" PR. BUTTS OR METAL INSULATION AS SHOWN ON DRAWINGS

ALL HEADERS SHALL BE (3) 2X12 EXTERIOR & INTERIOR BEARING WALLS UNLESS NOTED OTHERWISE.  
MIN.-1-JACK STUD EA. SIDE OF OPG. TO 6' WIDE  
MIN.-2-JACK STUD EA. SIDE OF OPG. TO 8' WIDE  
MIN.-3 JACK STUD EA. SIDE OF OPG. TO 12' WIDE  
ALL HEADERS (ANY SIZE) SHALL BE 1/2" PLYWOOD FILLERS.  
GLUE & NAILED W/ 16D NAILS

**ROOF CONSTRUCTION NOTES:**

1. ROOF OVERHANG TO BE 18" U.N.O.
2. ROOF PITCH TO BE 10/12 U.N.O.
3. PROVIDE ATTIC VENTS AS SPECIFIED IN WALL SECTIONS IF APPLICABLE
4. TIE ROOF TRUSSES OR RAFTER TO INTERIOR PARTITIONS WITH METAL CLIPS, TIES OR STRAPS AS SPECIFIED IN STRAPPING SCHEDULE, ABOVE.
5. FIRST SHEET OF PLYWOOD ALONG EAVES TO BE GLUED AND NAILED AS DESCRIBED IN SHEATHING NAILING SCHEDULE ABOVE.
6. TRUSS DESIGNS REQUIRE THE SIGNATURE AND SEAL OF A STATE CERTIFIED ENGINEER
7. PROVIDE ALL REQUIRED TRUSS BRACING AS SPECIFIED ON ENGINEERED TRUSS PLAN.

**ISSUE LOG**

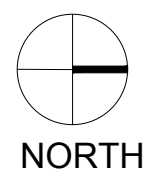
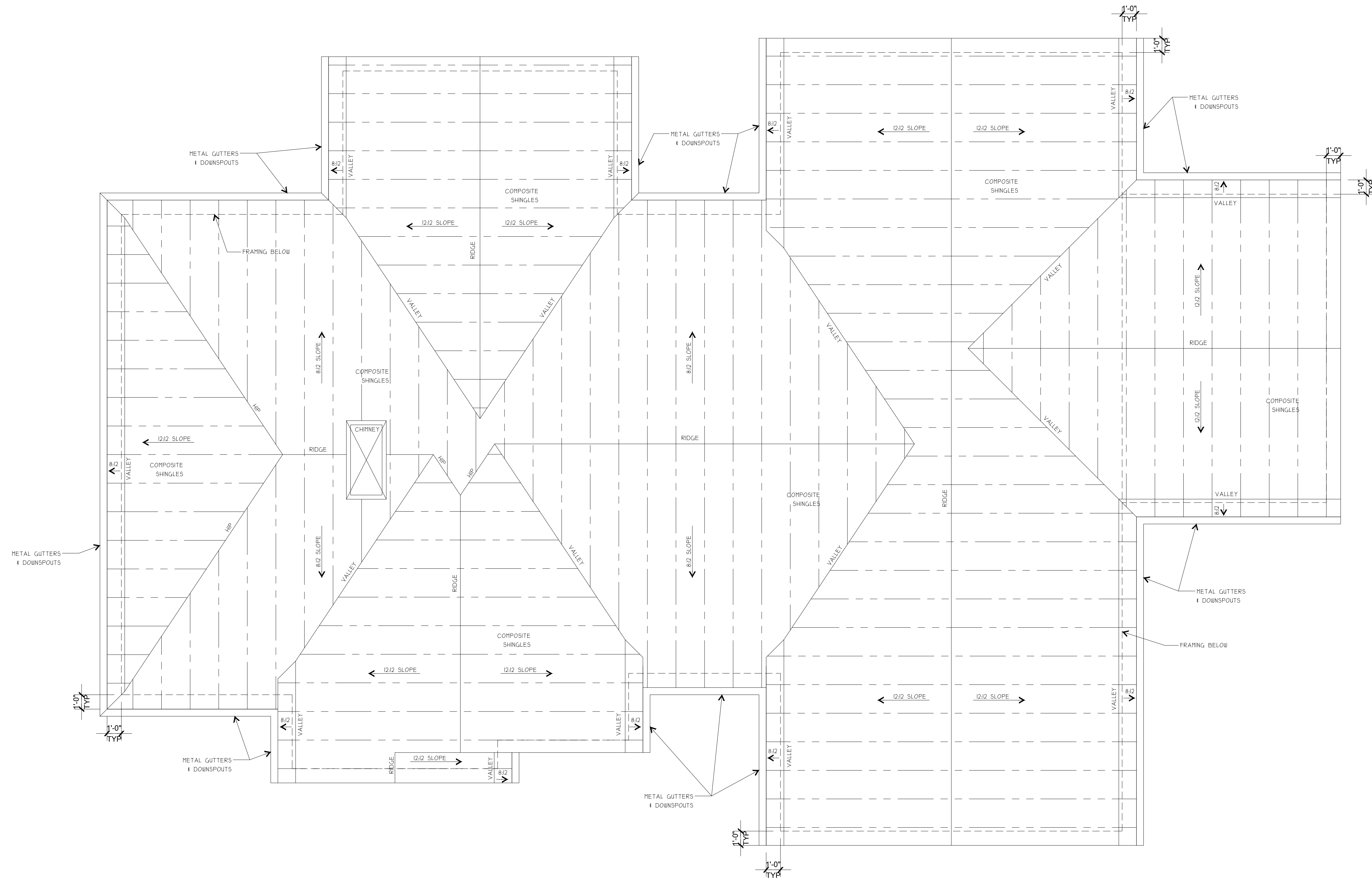
DATE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

**REVISION LOG**

DATE	DESCRIPTION	REV. NO.

**ISSUED FOR:**

- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION



Adjacent Housing Attributes

Address	Housing Type	Year Built	House SF	Accessory Building SF	Exterior Materials
501 Cornelia	Single-Family Home	1975	1440	100	Siding
806 Austin	Single-Family Home	1952	1214	480	Siding
808 Austin	Single-Family Home	1959	1388		Siding
500 E. Heath	Single-Family Home	1995	1144	840	Brick
809 Austin	Single-Family Home	1991	1351		Siding
811 Austin	Single-Family Home	1985	1080		Siding
810 Kernodle	Single-Family Home	1986	1435	80	Brick
808 Kernodle	Single-Family Home	1914	2358	100	Siding
806 Kernodle	Vacant	N/A	N/A	N/A	N/A
802 Kernodle	Single-Family Home	1939	1554	80	Siding
801 Austin	Single-Family Home	1980	2256		Brick
Averages:		1967.6	1522	280	



501 Cornelia



806 Austin



808 Austin



500 E. Heath



809 Austin



811 Austin





810 Kernodle



808 Kernodle



806 Kernodle



802 Kernodle



801 Austin

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS PORTION OF BLOCK 9 OF THE F&M ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND 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 Javier Silva for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.23-acre parcel of land being described as portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall 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 (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and

with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** 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 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 7<sup>TH</sup> DAY OF FEBRUARY, 2022.

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: January 18, 2022

2<sup>nd</sup> Reading: February 7, 2022

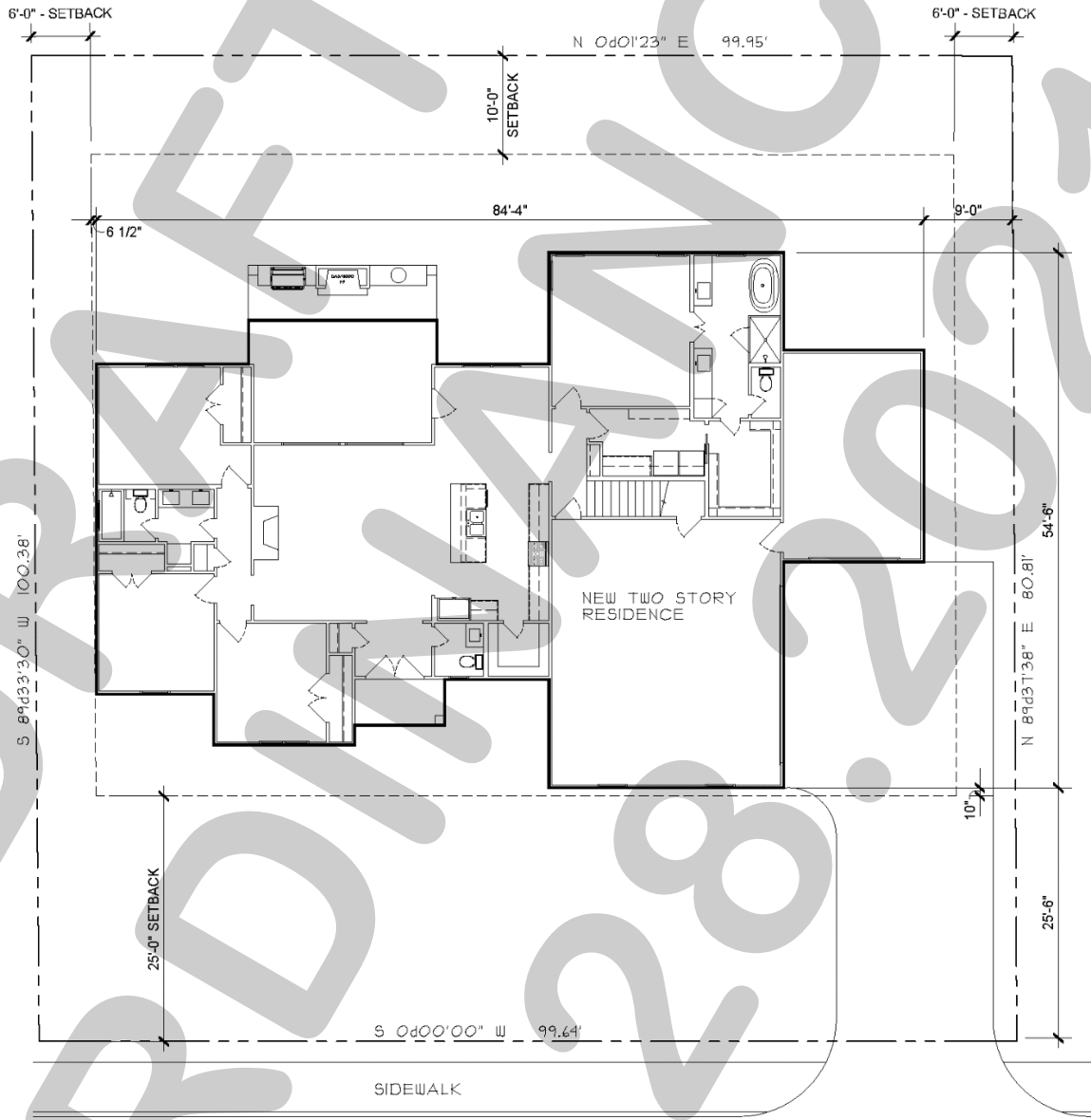
**Exhibit 'A'**  
*Location Map and Survey*

Address: 803 Austin Street

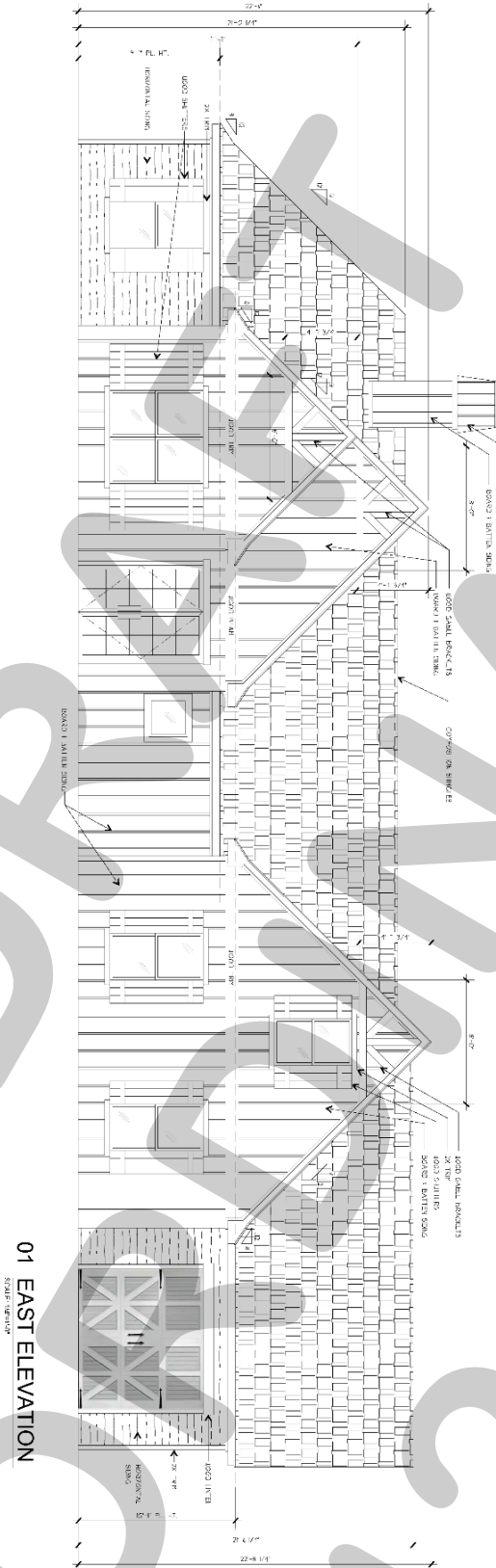
Legal Description: A Portion of Block 9 of the F&M Addition



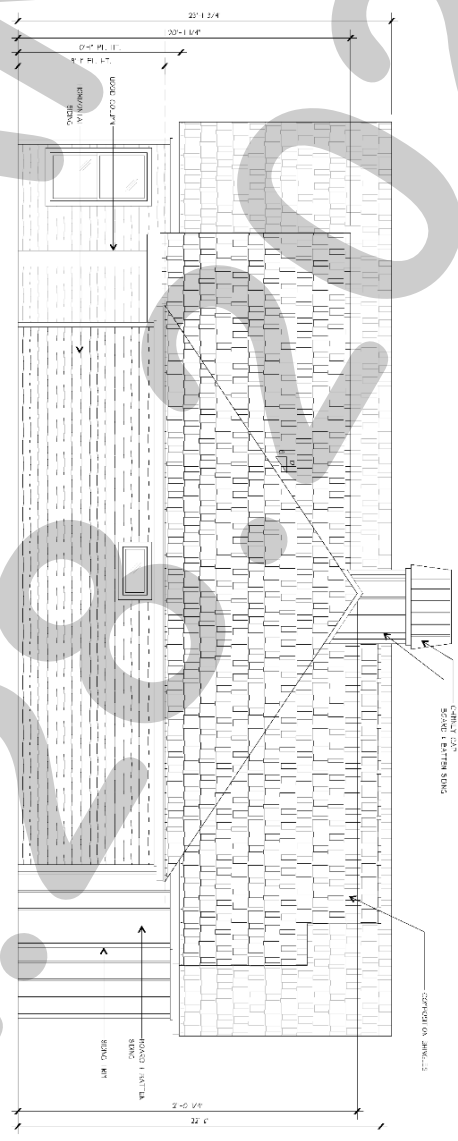
**Exhibit 'B':**  
**Residential Plot Plan**



**Exhibit 'C':**  
**Building Elevations**



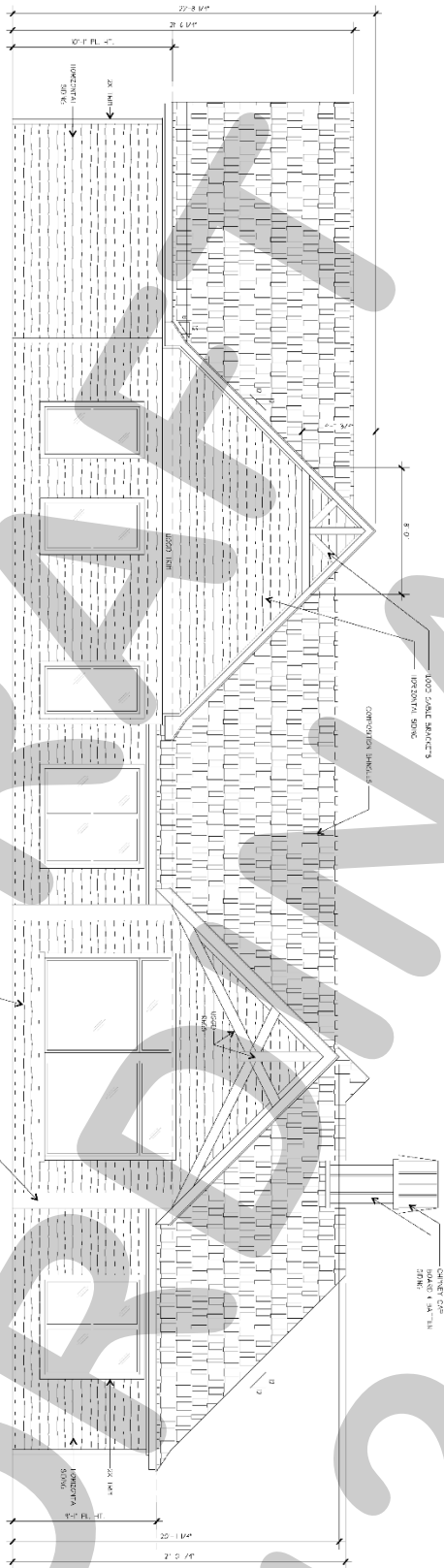
**01 EAST ELEVATION**  
SCALE: 1/8"=1'-0"



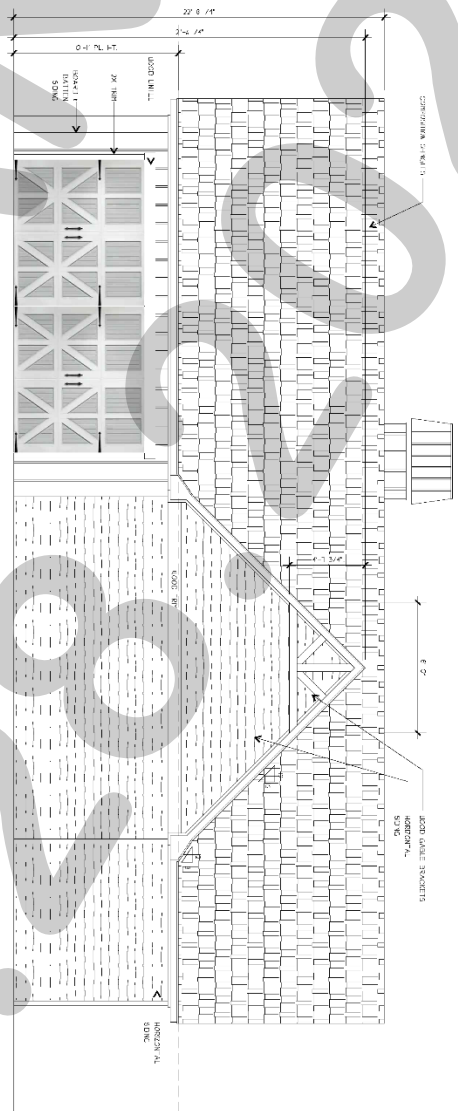
**02 SOUTH ELEVATION**  
SCALE: 1/8"=1'-0"



**Exhibit 'C':  
Building Elevations**



**01 WEST ELEVATION**  
SCALE: 1/4\"/>



**02 NORTH ELEVATION**  
SCALE: 1/4\"/>



# CITY OF ROCKWALL

## PLANNING AND ZONING COMMISSION MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Planning and Zoning Commission  
**DATE:** January 14, 2022  
**APPLICANT:** Javier Silva; *JMS Custom Homes*  
**CASE NUMBER:** Z2021-053; *Specific Use Permit (SUP) for a Residential Infill for 803 Austin Street*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

### BACKGROUND

The subject property was annexed prior to 1934 based on the August 25, 1934 Sanborn Map. On September 15, 1896, the subject property was platted with the F & M Addition, and is currently identified as a portion of Block 9 of the F&M Addition. According to the City's historic zoning maps, the subject property was zoned Single-Family 3 (SF-3) District as of January 3, 1972. This designation changed between January 4, 1972 and May 15, 1983 to a Single-Family 7 (SF-7) District based on the May 16, 1983 zoning map. According to the Rockwall Central Appraisal District (RCAD), a 1,000 SF single-family home constructed in 1985 is currently situated on the subject property.

### PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 803 Austin Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are two (2) parcels of land (*i.e. 809 & 811 Kernodle Street*) that are developed with single-family homes and zoned Single-Family 7 (SF-7) District. Beyond this is Heath Street, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is Austin Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. Beyond this there are multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes. Beyond this is Parks Avenue, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is Cornelia Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. This is followed by multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes. Beyond this is Lillian Street, which is

classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Kernodle Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes.

**CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY’S CODES**

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” The subject property is part of the F&M Addition, which has been in existence since prior to 1896, consists of approximately 64 lots, and is more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Single-Family 7 (SF-7) District requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, “...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [*i.e. Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ...” The following is a summary of observations concerning the housing on Austin Street, Cornelia Street, E. Heath Street and Kernodle Street compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Austin Street, E. Heath Street and Kernodle Street	Proposed Housing
Building Height	One (1) Story	Two (2) Story
Building Orientation	Most of the homes located along Austin Street and Kernodle Street are oriented towards the street	The front elevation of the home will face onto Austin Street.
Year Built	1914-1995	N/A
Building SF on Property	1,080 SF – 2,358 SF	3,670 SF
Building Architecture	Single-Family Homes	Comparable Architecture to Newer Single-Family Homes in the Area
Building Setbacks:		
Front	Estimated Between 15-Feet and 20-Feet	25-Feet along Austin Street
Side	The side yard setbacks appear to be between zero (0) and greater than six (6) feet.	6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	10-Feet
Building Materials	Hardie Board Siding and Brick.	Combination of Board & Batten Hardie Board Siding with Wood Columns, Wood Gable Brackets, and Wood Shutters
Paint and Color	Yellow, Tan, Brown, White, Blue, Green, and Red	<i>Undefined by the Applicant</i>
Roofs	Asphalt Composite Shingles	Asphalt Composite Shingle
Driveways/Garages	The majority of the driveways are in the front of the home and visible from Austin Street; however, a few of the homes have driveways located in the rear yard. Only a few of the homes have enclosed garages.	The proposed home will have a j-swing three (3) car garage on the east side of the home.

The proposed single-family home meets all of the zoning requirements for a property located in a Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Austin Street, Cornelia Street, E. Heath Street and Kernodle Street and the proposed building elevations in

the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

## **NOTIFICATIONS**

On December 21, 2021, staff mailed 100 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes Homeowner's Association (HOA) as it was the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices in regards to the applicant's request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) to construct a single-family home as a Residential Infill within an Established Subdivision, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) Development of the Subject Property shall generally conform to the Residential Plot Plan as depicted in Exhibit 'B' of the draft ordinance.
  - (b) Construction of a single-family home on the Subject Property shall generally conform to the Building Elevations depicted in Exhibit 'C' of the draft ordinance; and,
  - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) 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. 22021-053

**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&2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

#### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

#### 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.  
<sup>2</sup> A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 803 Austin Street, Rockwall, Texas 75032

SUBDIVISION F and M Addition LOT 9 BLOCK PT

GENERAL LOCATION

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

CURRENT ZONING \_\_\_\_\_ CURRENT USE \_\_\_\_\_

PROPOSED ZONING \_\_\_\_\_ PROPOSED USE \_\_\_\_\_

ACREAGE \_\_\_\_\_ 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 Javier Silva JMS Custom Homes  APPLICANT

CONTACT PERSON Javier Silva (JMS Custom Homes) CONTACT PERSON

ADDRESS 58 Windsor Dr. ADDRESS

CITY, STATE & ZIP Rockwall, TX, 75032 CITY, STATE & ZIP

PHONE 972-814-9462 PHONE

E-MAIL support@jmscustomhomes.net E-MAIL

### NOTARY VERIFICATION [REQUIRED]

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

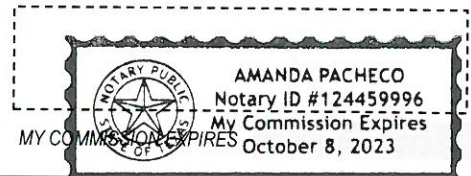
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING 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 15<sup>th</sup> DAY OF Dec., 2022.

OWNER'S SIGNATURE

*[Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





# 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.

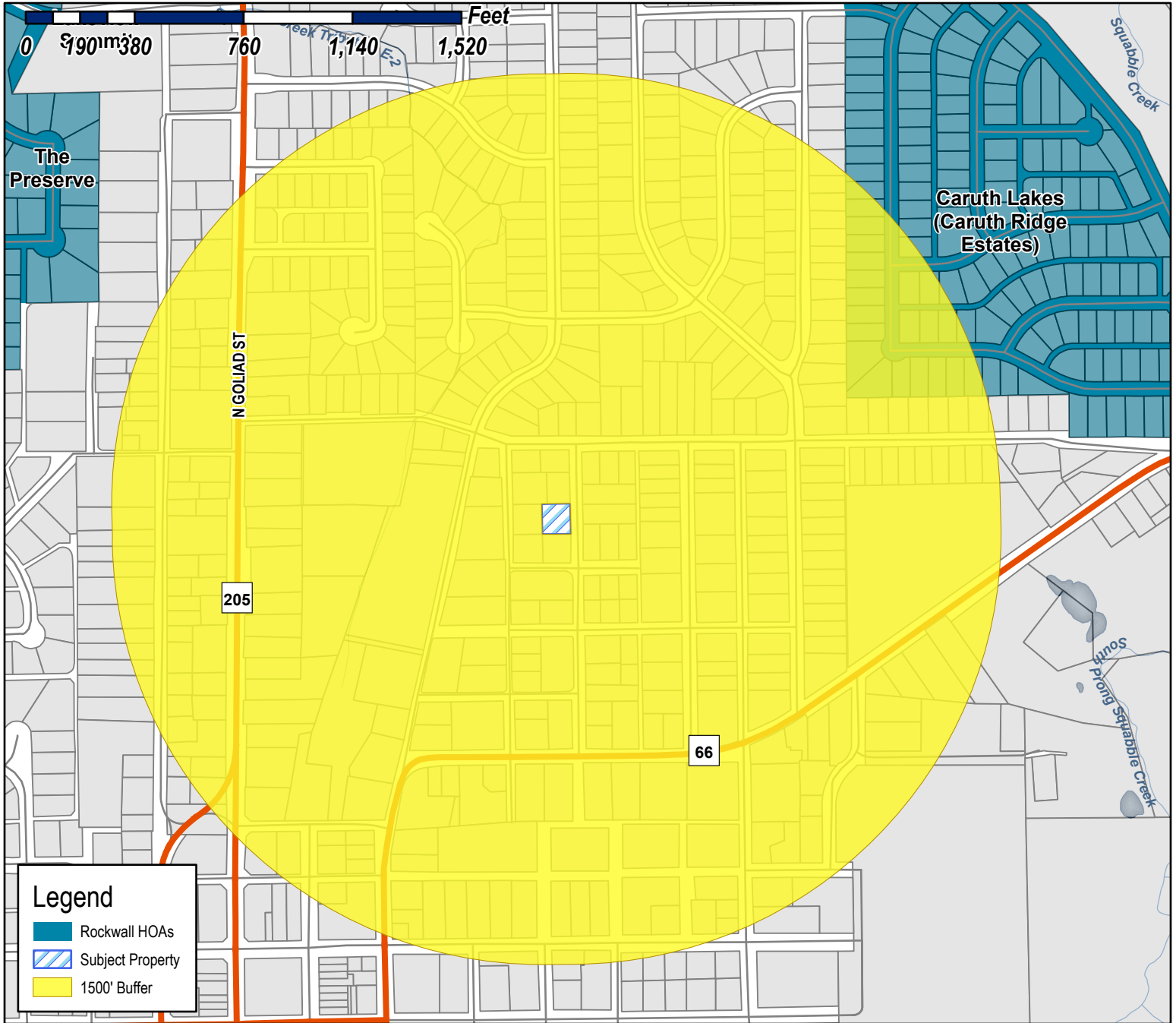




# City of Rockwall

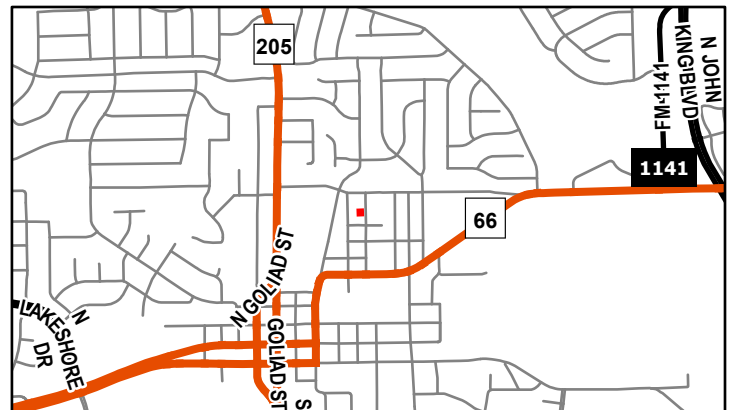
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**Case Number:** Z2021-053  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Single-Family 7 (SF-7) District  
**Case Address:** 803 Austin Street

**Date Saved:** 12/16/2021  
 For Questions on this Case Call (972) 771-7745



## Miller, Ryan

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**From:** Gamez, Angelica  
**Sent:** Tuesday, December 21, 2021 10:52 AM  
**Cc:** Miller, Ryan; Lee, Henry  
**Subject:** Neighborhood Notification Program [Z2021-053]  
**Attachments:** Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 24, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 11, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 18, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2021-053: SUP for Residential Infill at 803 Austin Street**

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

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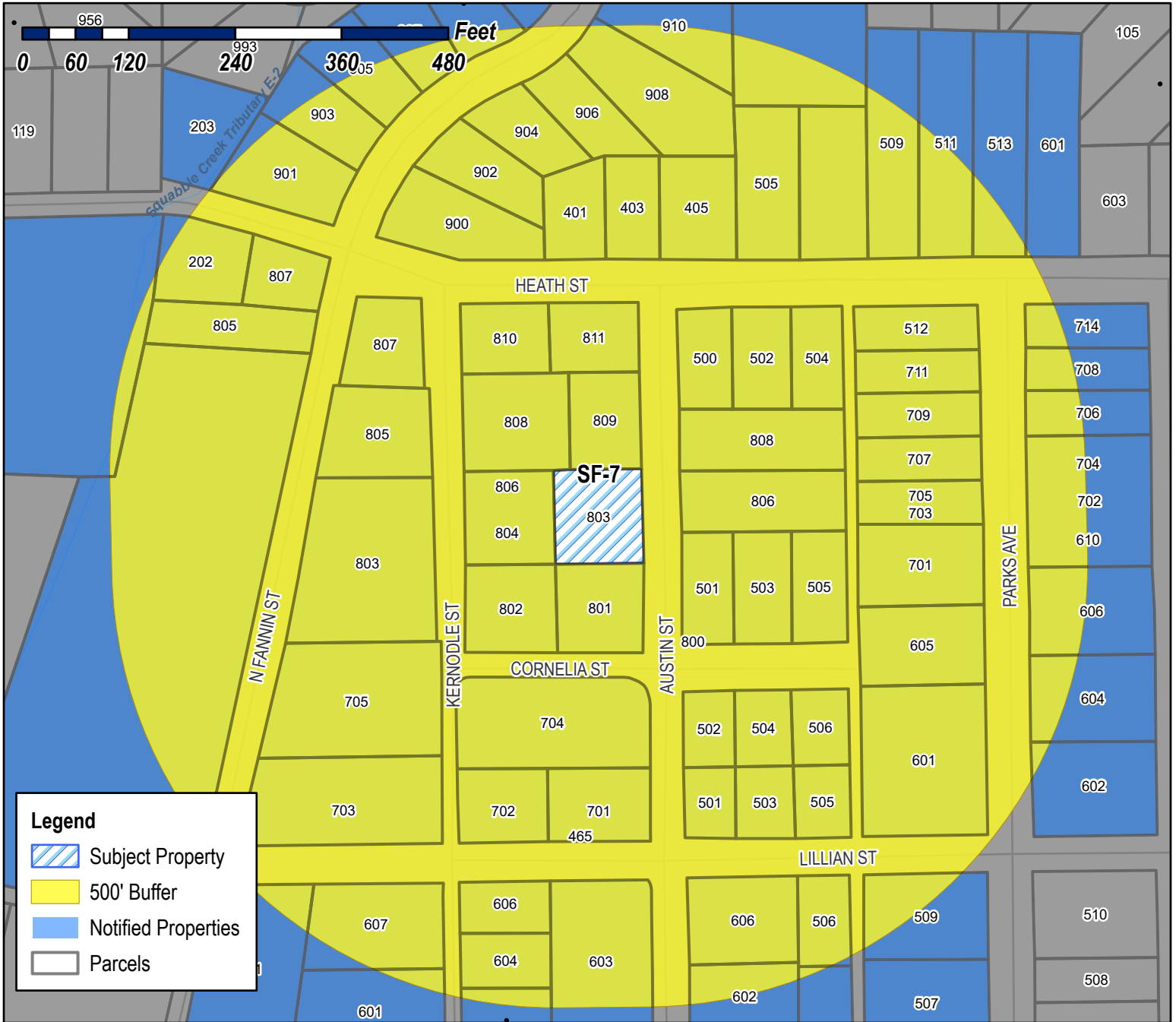




# City of Rockwall

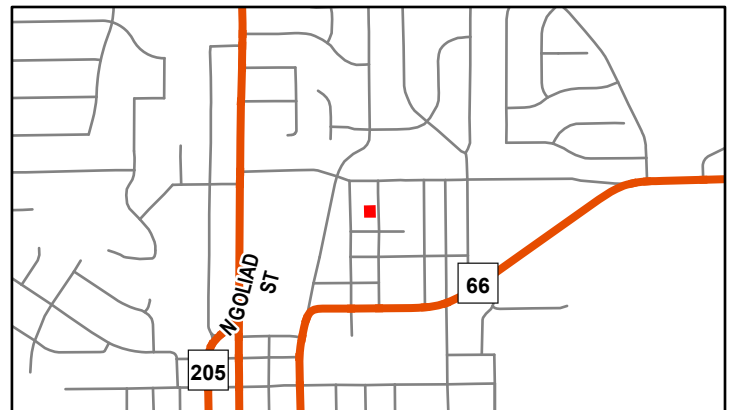
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**Case Number:** Z2021-053  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Single-Family 7 (SF-7) District  
**Case Address:** 803 Austin Street

**Date Saved:** 12/16/2021  
 For Questions on this Case Call (972) 771-7745



SILVA MANUEL  
1041 E FM 552  
ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC  
1215 THOMASVILLE COURT  
GARLAND, TX 75044

KINSEY DONALD H & TARI L  
2 MANOR COURT  
HEATH, TX 75032

VANILLA BEAN PROPERTIES SERIES 10 LLC  
2 MANOR COURT  
HEATH, TX 75032

RICE GARRETT R AND JAMIE B  
202 E HEATH ST  
ROCKWALL, TX 75087

BLANKENSHIP JAMES WISE & LISA  
203 E HEATH ST  
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES  
213 SOVEREIGN CT  
ROCKWALL, TX 75032

PARK STUFF LLC  
2301 LAFAYETTE DR  
HEATH, TX 75032

ORTAMOND DONALD J & JANA R  
301 MARGARET ST  
ROCKWALL, TX 75087

WILLIAM AND HANNA MIGNEAULT LIVING  
TRUST  
WILLIAM H AND HANNA H MIGNEAULT-  
TRUSTEES  
3625 SIERRA RD  
SAN JOSE, CA 95132

TIPPING VIVIAN E AND  
EARNEST TIPPING  
401 EAST HEATH STREET  
ROCKWALL, TX 75087

DOLLINS ROBIN KAY AND GEORGE OEN  
403 E HEATH  
ROCKWALL, TX 75087

PARK STUFF LLC  
405 E HEATH ST  
ROCKWALL, TX 75087

KIRKPATRICK DAVID S & RHONDA D  
500 E HEATH ST  
ROCKWALL, TX 75087

HOLZHEIMER THOMAS R AND NICOLE M  
501 CORNELIA ST  
ROCKWALL, TX 75087

GREENAWALT PATRICK ALAN  
501 LILLIAN ST  
ROCKWALL, TX 75087

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ROCKWALL, TX 75087

MCINTIRE J M & ERLINDA  
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ROCKWALL, TX 75087

PARTNER UP HOMES LLC  
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ROCKWALL, TX 75087

TANTON MELVIN V JR  
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ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR  
504 CORNELIA  
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR  
505 CARRIAGE TR  
ROCKWALL, TX 75087

WILLIAMS JULI ANN AND JOH CHRISTOPHER  
AND  
MICHAEL ANTHONY BOSMA AND LAURA L  
BOSMA  
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ROCKWALL, TX 75087

ZYLKA PROPERTIES LLC  
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ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC  
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ROCKWALL, TX 75087

UC RUBEN & EDITH CORTE DE  
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ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR  
506 CORNELIA  
ROCKWALL, TX 75087

YOUNG MOLLIE AND JAY CHANCE  
507 PARKS AVENUE  
ROCKWALL, TX 75087

DOROTIK DAVID W  
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ROCKWALL, TX 75087

REDDEN POLLY PEOPLES  
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ROCKWALL, TX 75087

RICHARDSON PATRICE  
510 COVE RIDGE RD  
HEATH, TX 75032

RICHARDSON PATRICE  
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COATS LOIS LOUISE  
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GREENAWALT PATRICK AND COURTNEY  
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ROCKWALL, TX 75087

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536 LOMA VISTA  
HEATH, TX 75032

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MICHAEL FLANARY  
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ROCKWALL, TX 75087

MURPHY MICHAEL  
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ROCKWALL, TX 75087

PEOPLES MICHAEL L &  
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LOFLAND JANA J  
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ROCKWALL, TX 75087

FUNK TED FREDRICK AND REBECCA LYNN  
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ROCKWALL, TX 75087

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ROCKWALL, TX 75087

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ROCKWALL, TX 75087

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ROCKWALL, TX 75087

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TRUST  
WILLIAM H AND HANNA H MIGNEAULT-  
TRUSTEES  
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ROCKWALL, TX 75087

MULLINS CHRISTOPHER CHARLES AND ARYN  
ELISE  
607 KERNODLE ST  
ROCKWALL, TX 75087

CASTRO RENE & BETSY  
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ROCKWALL, TX 75032

ESTATE OF BEULAH CHRISTINE MOONEY  
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CASTILLO AGAPITO & ESTELA  
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ROCKWALL, TX 75087

HENRY AMANDA A  
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ROCKWALL, TX 75087

KINSEY TARI L AND DONALD H  
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ROCKWALL, TX 75087

TIBBETTS ELAINE  
703 KERNODLE ST  
ROCKWALL, TX 75087

HANSON BRANDON R  
703 PARKS AVE  
ROCKWALL, TX 75087

FRASIER MICHAEL & MARY GRACE  
704 JACKSON ST  
ROCKWALL, TX 75087

THOMAS TRACY  
704 KERNODLE ST  
ROCKWALL, TX 75087

ZIMMERMAN CAROLYN  
705 KERNODLE ST  
ROCKWALL, TX 75087

PECINA JOE & LORETHIA ANN  
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ROCKWALL, TX 75087

BELANGER CORKY  
707 PARKS AVE  
ROCKWALL, TX 75087

KOLWINSKA GERALDINE D  
708 PARKS AVE  
ROCKWALL, TX 75087

BARRON ARMANDO  
709 PARKS AVE  
ROCKWALL, TX 75087

PARTNER UP HOMES LLC  
709 W RUSK SUITE B #905  
ROCKWALL, TX 75087

STARK ROBERT C  
710 AGAPE ST  
ROCKWALL, TX 75087

NIXON LINDA LOUISE  
711 PARKS AVENUE  
ROCKWALL, TX 75087

MEINECKE JEFFREY AND ANGELA  
714 PARKS AVE  
ROCKWALL, TX 75087

MATA JAIME AND TRINA THOMAS  
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ROCKWALL, TX 75032

BROWN JONATHAN R & CHRISTY A  
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ROWLETT, TX 75089

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KINSEY DONALD H AND TARI L  
802 KERNODLE ST  
ROCKWALL, TX 75087

JOHNSON BRADLEY K AND GINGER M  
803 KERNODLE ST  
ROCKWALL, TX 75087

SILVA MANUEL  
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ROCKWALL, TX 75087

BUSHNELL MICHAEL S & TIFFANIE C  
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ROCKWALL, TX 75087

ORTIZ ENRIQUE AROZLA  
805 N FANNIN ST  
ROCKWALL, TX 75087

AUSTIN TRENTON C  
806 AUSTIN ST  
ROCKWALL, TX 75087

VANILLA BEAN PROPERTIES SERIES 10 LLC  
806 KERNODLE ST  
ROCKWALL, TX 75087

DEL BOSQUE MARIO ETUX  
807 KERNODLE ST  
ROCKWALL, TX 75087

MEJIA JULIO & MARIA R  
807 N FANNIN ST  
ROCKWALL, TX 75087

CASTRO RENE & BETSY  
808 AUSTIN ST  
ROCKWALL, TX 75087

KINSEY DONALD H & TARI L  
808 KERNODLE ST  
ROCKWALL, TX 75087

KINDRED ROBERT M  
809 AUSTIN ST  
ROCKWALL, TX 75087

JOSEY BROOKE  
810 KERNODLE ST  
ROCKWALL, TX 75087

JENNINGS AMANDA L  
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ROCKWALL, TX 75087

WIEHE JOHN THOMAS  
900 N FANNIN ST  
ROCKWALL, TX 75087

CROWDER GERALDINE  
901 N FANNIN ST  
ROCKWALL, TX 75087

FINK BEVERLY A & ROYCE G  
902 N FANNIN STREET  
ROCKWALL, TX 75087

HEMPHILL REBECCA  
903 N FANNIN ST  
ROCKWALL, TX 75087

HALL WYNNE &  
JOANN CAMPBELL  
904 N FANNIN ST  
ROCKWALL, TX 75087

ROSS THOMAS II & LACY  
905 N FANNIN ST  
ROCKWALL, TX 75087

WILLIAMS BROOKS  
906 FANNIN STREET  
ROCKWALL, TX 75087

ROE JOHN A AND PATRICIA K  
907 N FANNIN ST  
ROCKWALL, TX 75087

MCKNIGHT DOROTHY  
908 N FANNIN  
ROCKWALL, TX 75087

J J M B INVESTMENT LP  
909 FANNIN ST  
ROCKWALL, TX 75087

DAVID JESSEE AND A JANE JESSEE FAMILY  
LIVING TRUST  
DAVID JESSEE AND A JANE JESSEE- TRUSTEES  
910 N FANNIN STREET  
ROCKWALL, TX 75087

HUME LINDA L  
911 N FANNIN ST  
ROCKWALL, TX 75087

BELANGER CORKY  
921 N ALAMO RD  
ROCKWALL, TX 75087

KINDRED ROBERT M  
P.O. BOX 261638  
PLANO, TX 75026

PEOPLES MICHAEL L &  
LINDA CAUBLE  
PO BOX 41  
ROCKWALL, TX 75087

J J M B INVESTMENT LP  
PO BOX 460247  
GARLAND, TX 75046

# 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. Z2021-053: SUP for Residential Infill at 803 Austin Street**

*Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, 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, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 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:

**Angelica Gamez**  
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](mailto: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 Tuesday, January 18, 2022 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. Z2021-053: SUP for Residential Infill at 803 Austin Street**

**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

A RESIDENCE AT  
XXX AUSTIN  
STREET  
ROCKWALL, TX

**ISSUE LOG**

DATE ISSUE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

**REVISION LOG**

DATE ISSUE	DESCRIPTION	REV. NO.

**ISSUED FOR:**

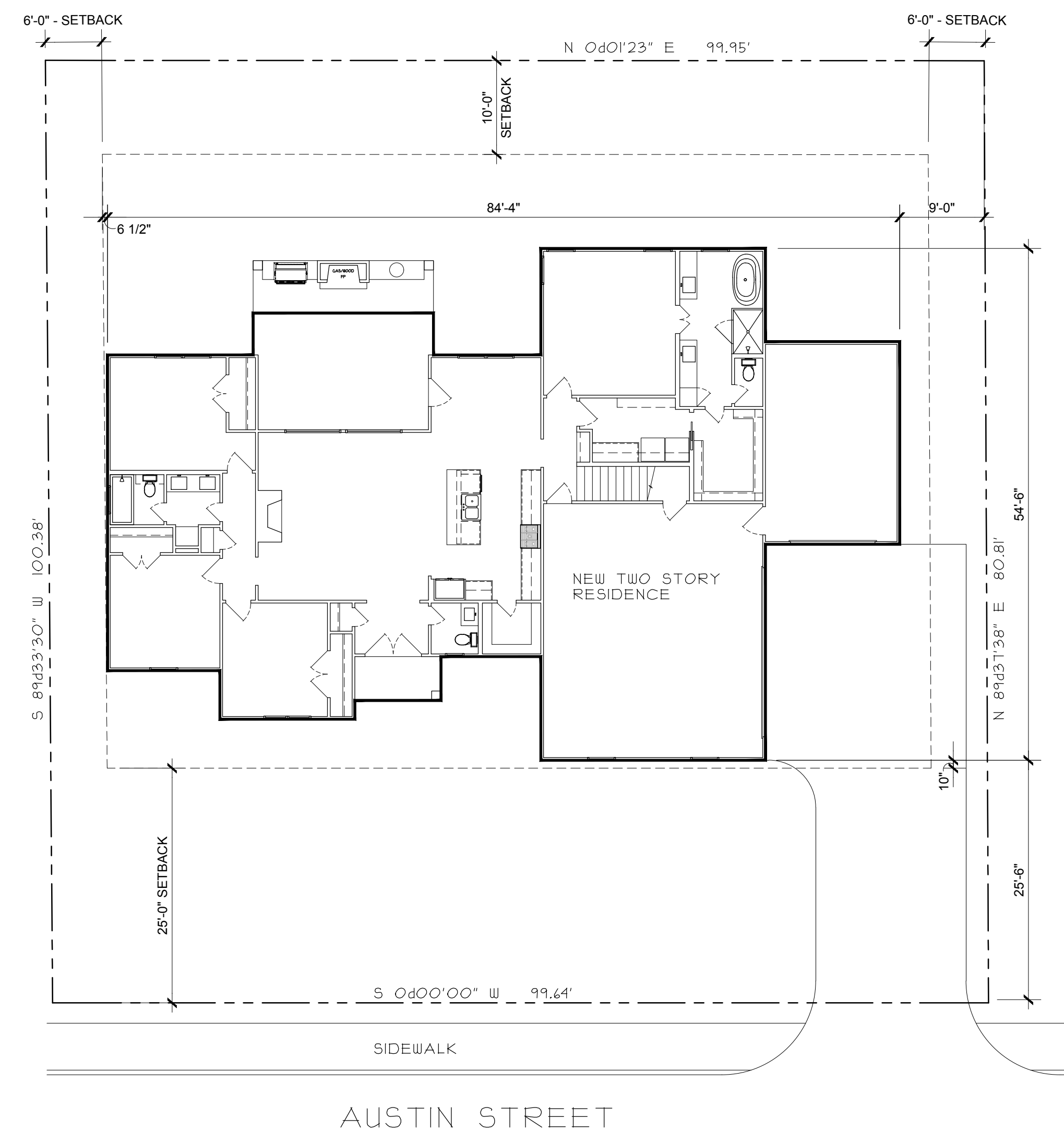
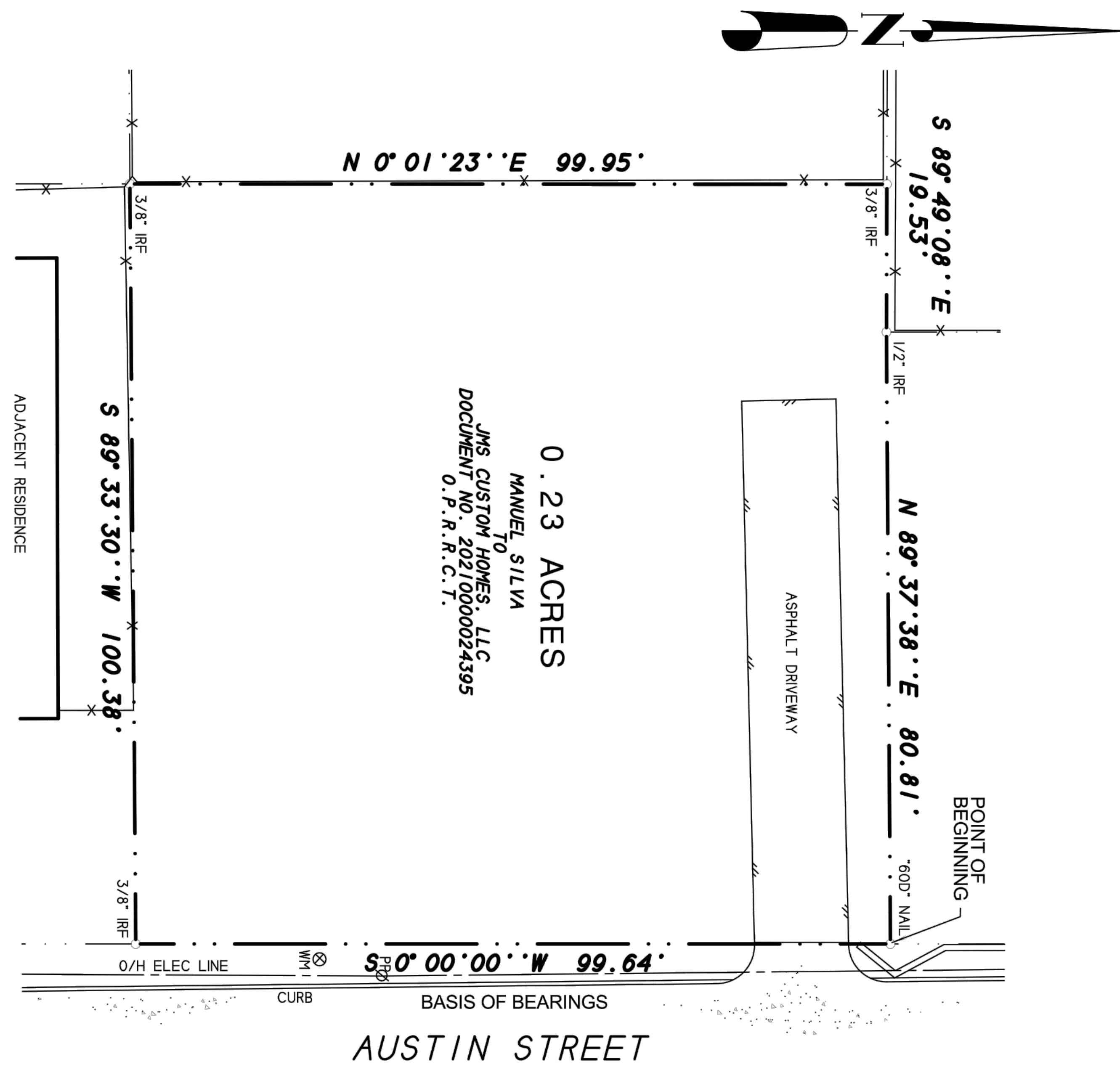
- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION

ARCH. PROJ. # 21921	SCALE: REF. DRAWING
------------------------	------------------------

SHEET NO.

**A2.1**

ARCHITECTURAL  
SITE PLAN



NEW RESIDENCE  
AT  
803 AUSTIN  
STREET  
ROCKWALL, TX

**ISSUE LOG**

DATE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

**REVISION LOG**

DATE	DESCRIPTION	REV. NO.
------	-------------	----------

**ISSUED FOR:**

- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION

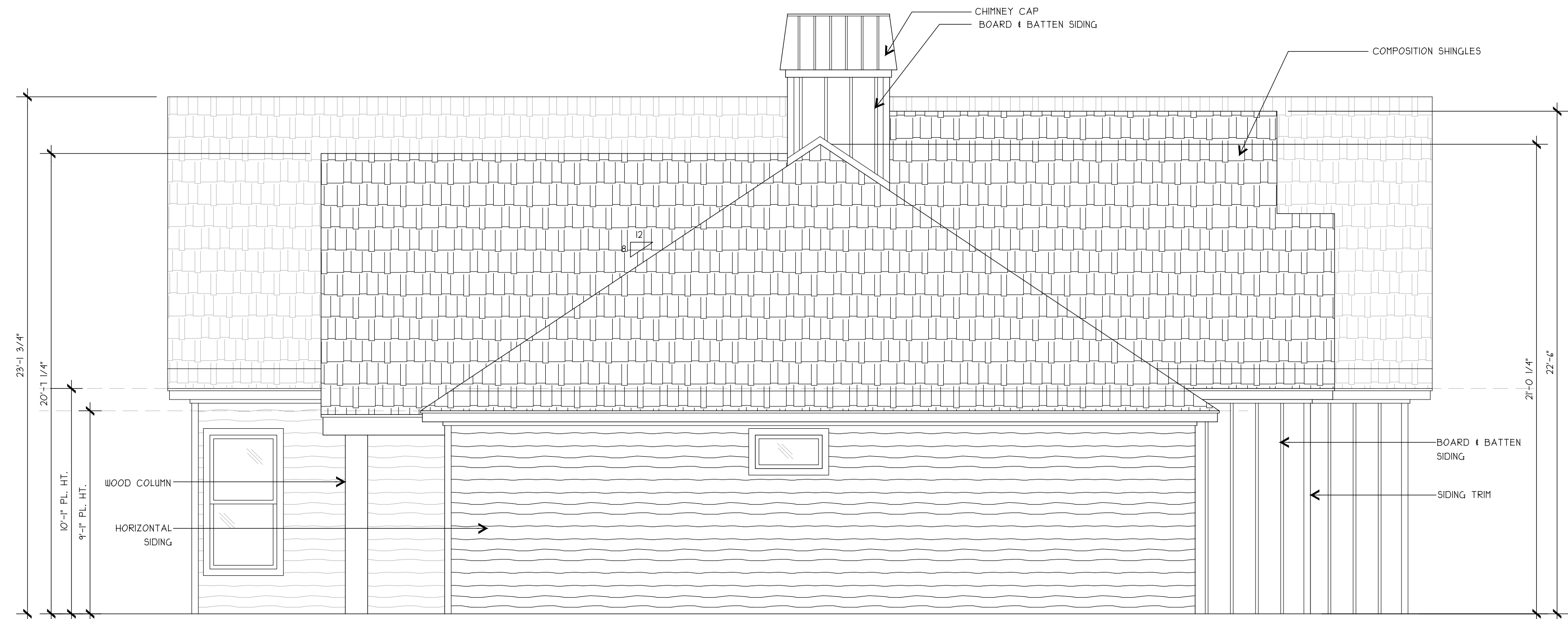


ARCH. PROJ. #:	SCALE:
21921	REF. DRAWING

SHEET NO.

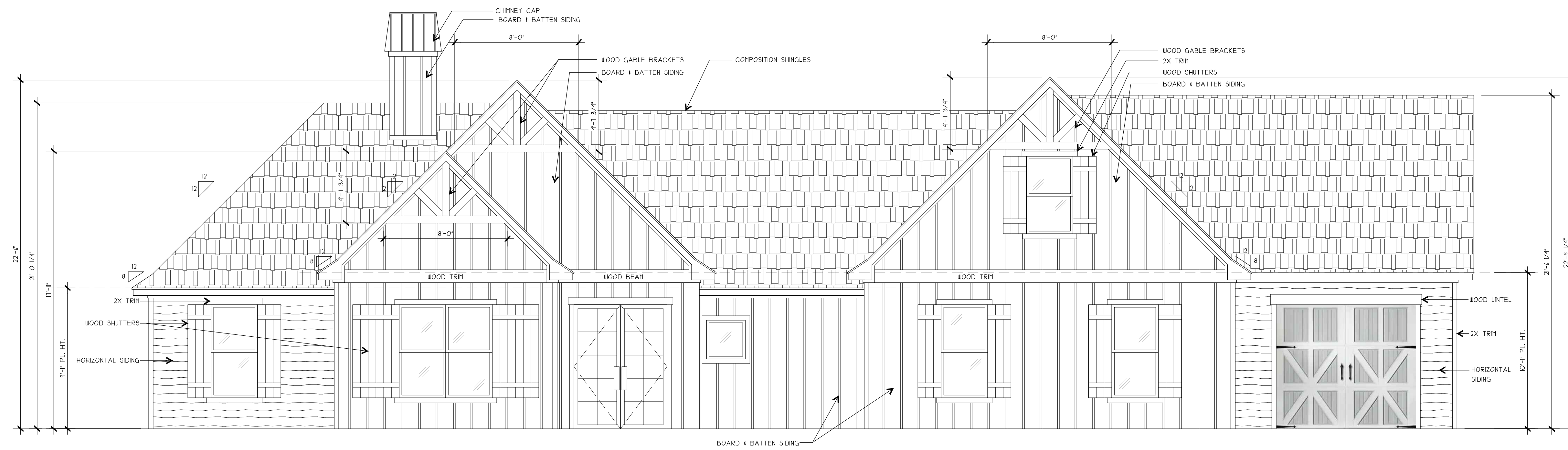
**A5.1**

ELEVATIONS



**02 SOUTH ELEVATION**

SCALE: 1/4"=1'-0"



**01 EAST ELEVATION**

SCALE: 1/4"=1'-0"









Adjacent Housing Attributes

Address	Housing Type	Year Built	House SF	Accessory Building SF	Exterior Materials
501 Cornelia	Single-Family Home	1975	1440	100	Siding
806 Austin	Single-Family Home	1952	1214	480	Siding
808 Austin	Single-Family Home	1959	1388		Siding
500 E. Heath	Single-Family Home	1995	1144	840	Brick
809 Austin	Single-Family Home	1991	1351		Siding
811 Austin	Single-Family Home	1985	1080		Siding
810 Kernodle	Single-Family Home	1986	1435	80	Brick
808 Kernodle	Single-Family Home	1914	2358	100	Siding
806 Kernodle	Vacant	N/A	N/A	N/A	N/A
802 Kernodle	Single-Family Home	1939	1554	80	Siding
801 Austin	Single-Family Home	1980	2256		Brick
Averages:		1967.6	1522	280	



501 Cornelia



806 Austin



808 Austin



500 E. Heath



809 Austin



811 Austin



810 Kernodle



808 Kernodle



806 Kernodle



802 Kernodle



801 Austin



CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS PORTION OF BLOCK 9 OF THE F&M ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND 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 Javier Silva for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.23-acre parcel of land being described as portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall 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 (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and

with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** 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 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 7<sup>TH</sup> DAY OF FEBRUARY, 2022.

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: January 18, 2022

2<sup>nd</sup> Reading: February 7, 2022

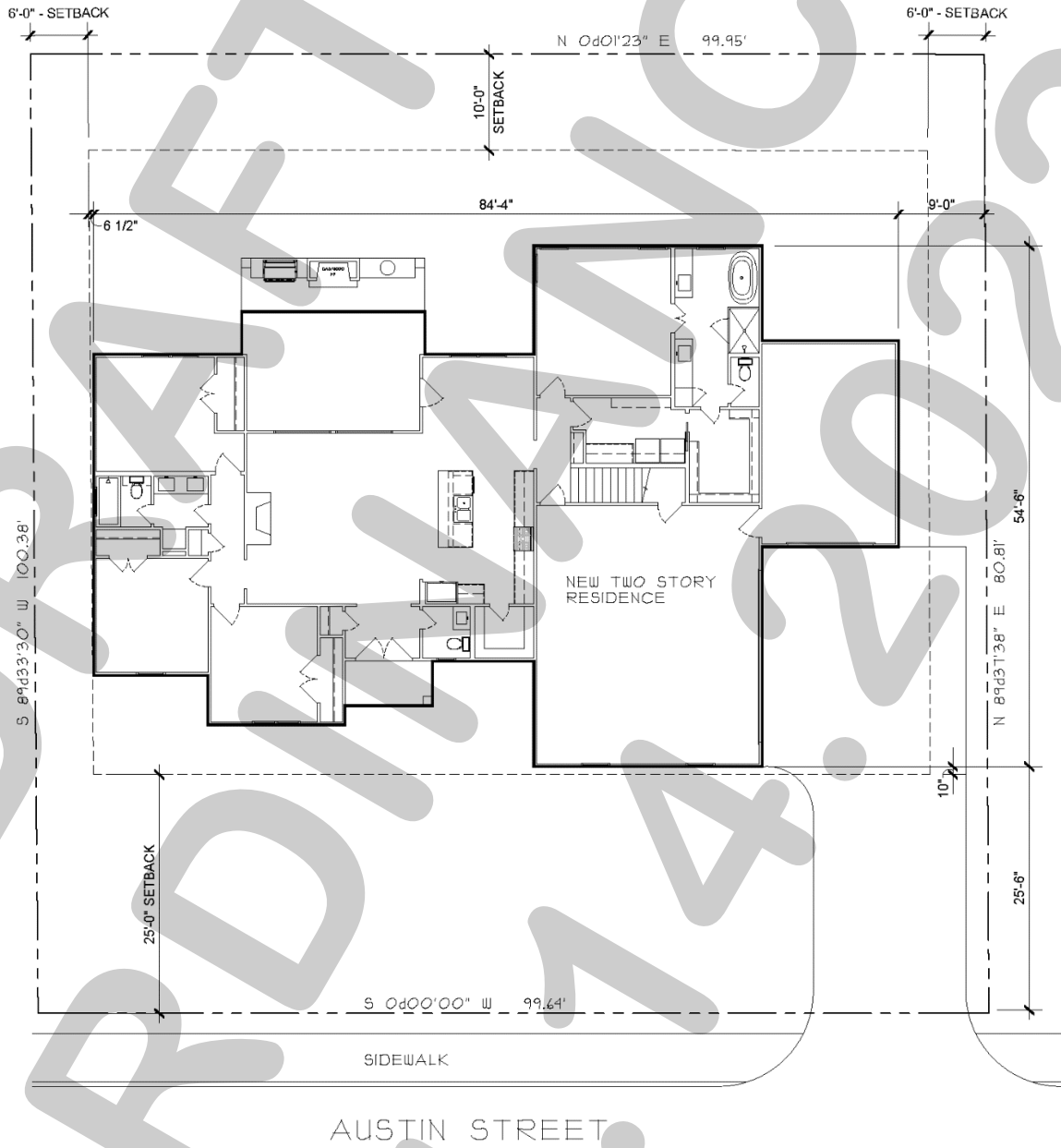
**Exhibit 'A'**  
*Location Map and Survey*

Address: 803 Austin Street

Legal Description: A Portion of Block 9 of the F&M Addition

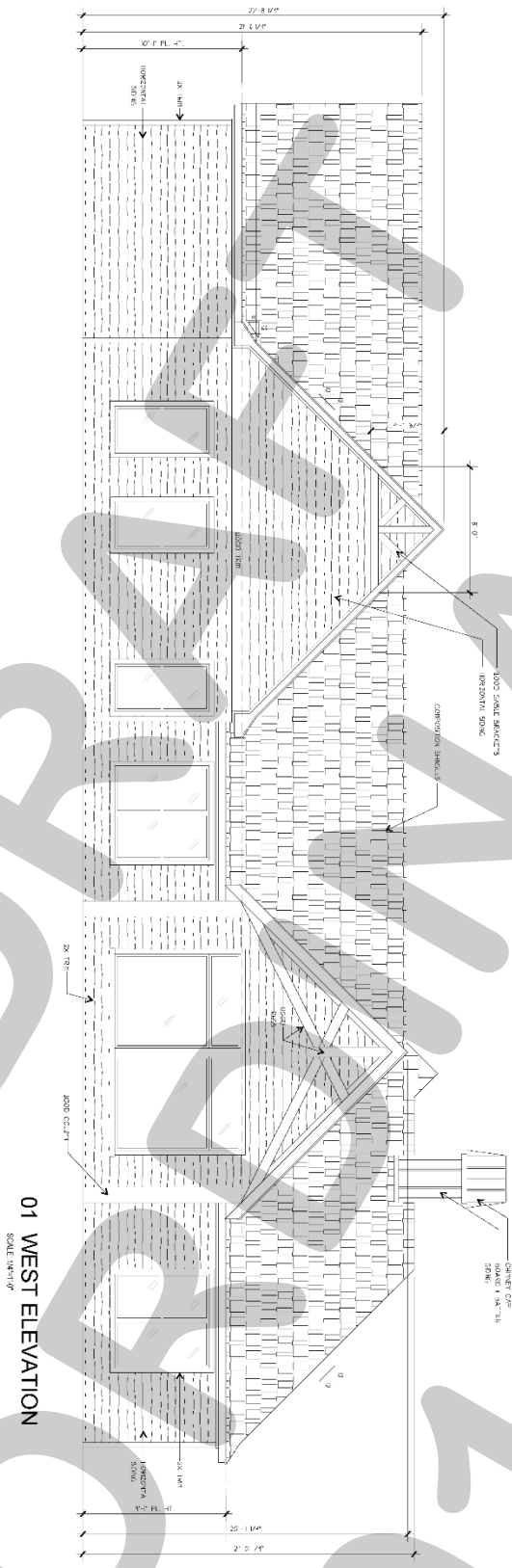


**Exhibit 'B':**  
**Residential Plot Plan**

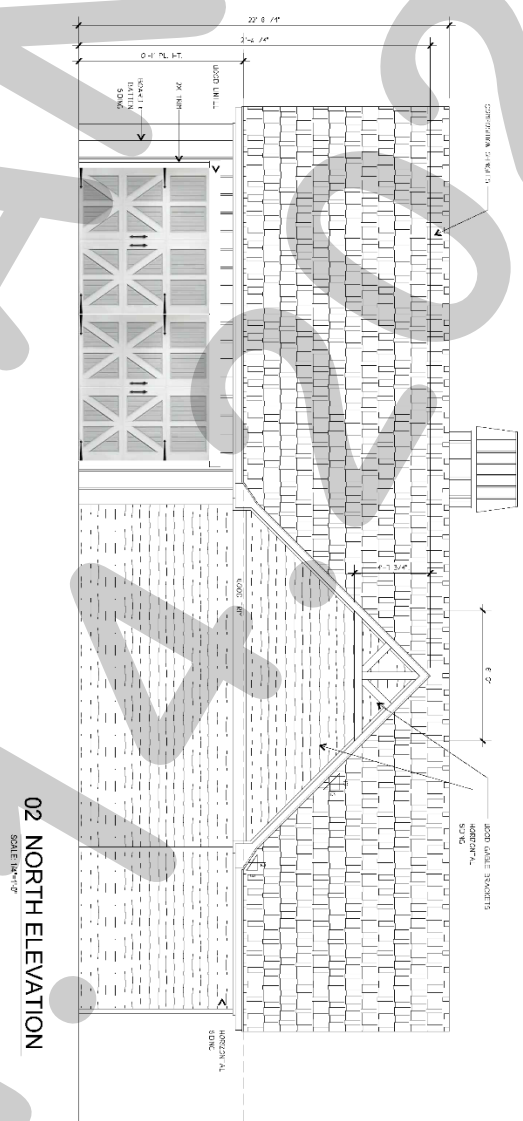




**Exhibit 'C':  
Building Elevations**



**01 WEST ELEVATION**  
SCALE: 1/4\"/>



**02 NORTH ELEVATION**  
SCALE: 1/4\"/>



# 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:** January 18, 2022  
**APPLICANT:** Javier Silva; *JMS Custom Homes*  
**CASE NUMBER:** Z2021-053; *Specific Use Permit (SUP) for a Residential Infill for 803 Austin Street*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

### BACKGROUND

The subject property was annexed prior to 1934 based on the August 25, 1934 Sanborn Map. On September 15, 1896, the subject property was platted with the F & M Addition, and is currently identified as a portion of Block 9 of the F&M Addition. According to the City's historic zoning maps, the subject property was zoned Single-Family 3 (SF-3) District as of January 3, 1972. This designation changed between January 4, 1972 and May 15, 1983 to a Single-Family 7 (SF-7) District based on the May 16, 1983 zoning map. According to the Rockwall Central Appraisal District (RCAD), a 1,000 SF single-family home constructed in 1985 is currently situated on the subject property.

### PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 803 Austin Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are two (2) parcels of land (*i.e. 809 & 811 Kernodle Street*) that are developed with single-family homes and zoned Single-Family 7 (SF-7) District. Beyond this is Heath Street, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is Austin Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. Beyond this there are multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes. Beyond this is Parks Avenue, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is Cornelia Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. This is followed by multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes. Beyond this is Lillian Street, which is



classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Kernodle Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes.

**CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY’S CODES**

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” The subject property is part of the F&M Addition, which has been in existence since prior to 1896, consists of approximately 64 lots, and is more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Single-Family 7 (SF-7) District requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, “...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [*i.e. Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ...” The following is a summary of observations concerning the housing on Austin Street, Cornelia Street, E. Heath Street and Kernodle Street compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Austin Street, E. Heath Street and Kernodle Street	Proposed Housing
Building Height	One (1) Story	Two (2) Story
Building Orientation	Most of the homes located along Austin Street and Kernodle Street are oriented towards the street	The front elevation of the home will face onto Austin Street.
Year Built	1914-1995	N/A
Building SF on Property	1,080 SF – 2,358 SF	3,670 SF
Building Architecture	Single-Family Homes	Comparable Architecture to Newer Single-Family Homes in the Area
Building Setbacks:		
Front	Estimated Between 15-Feet and 20-Feet	25-Feet along Austin Street
Side	The side yard setbacks appear to be between zero (0) and greater than six (6) feet.	6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	10-Feet
Building Materials	Hardie Board Siding and Brick.	Combination of Board & Batten Hardie Board Siding with Wood Columns, Wood Gable Brackets, and Wood Shutters
Paint and Color	Yellow, Tan, Brown, White, Blue, Green, and Red	<i>Undefined by the Applicant</i>
Roofs	Asphalt Composite Shingles	Asphalt Composite Shingle
Driveways/Garages	The majority of the driveways are in the front of the home and visible from Austin Street; however, a few of the homes have driveways located in the rear yard. Only a few of the homes have enclosed garages.	The proposed home will have a j-swing three (3) car garage on the east side of the home.

The proposed single-family home meets all of the zoning requirements for a property located in a Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Austin Street, Cornelia Street, E. Heath Street and Kernodle Street and the proposed building elevations in

the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

## **NOTIFICATIONS**

On December 21, 2021, staff mailed 100 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes Homeowner's Association (HOA) as it was the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices in regards to the applicant's request.

## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
  - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the draft ordinance; and,
  - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) 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 January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 6-0, with Commissioner Thomas absent.



# DEVELOPMENT APPLICATION

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

### STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-053

**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&2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

#### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

#### 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.  
<sup>2</sup> A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 803 Austin Street, Rockwall, Texas 75032

SUBDIVISION F and M Addition LOT 9 BLOCK PT

GENERAL LOCATION

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

CURRENT ZONING CURRENT USE

PROPOSED ZONING PROPOSED USE

ACREAGE 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 Javier Silva JMS Custom Homes  APPLICANT

CONTACT PERSON Javier Silva (JMS Custom Homes) CONTACT PERSON

ADDRESS 58 Windsor Dr. ADDRESS

CITY, STATE & ZIP Rockwall, TX, 75032 CITY, STATE & ZIP

PHONE 972-814-9462 PHONE

E-MAIL support@jmscustomhomes.net E-MAIL

### NOTARY VERIFICATION [REQUIRED]

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

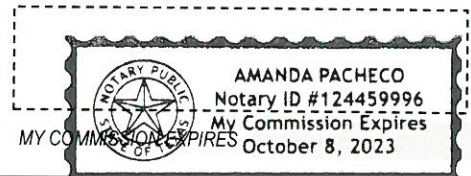
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING 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 15<sup>th</sup> DAY OF Dec., 2022.


OWNER'S SIGNATURE

*[Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





Case Location Map =   
 Z2021-053- SUP for Residential Infill  
 at 803 Austin Street



# 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.

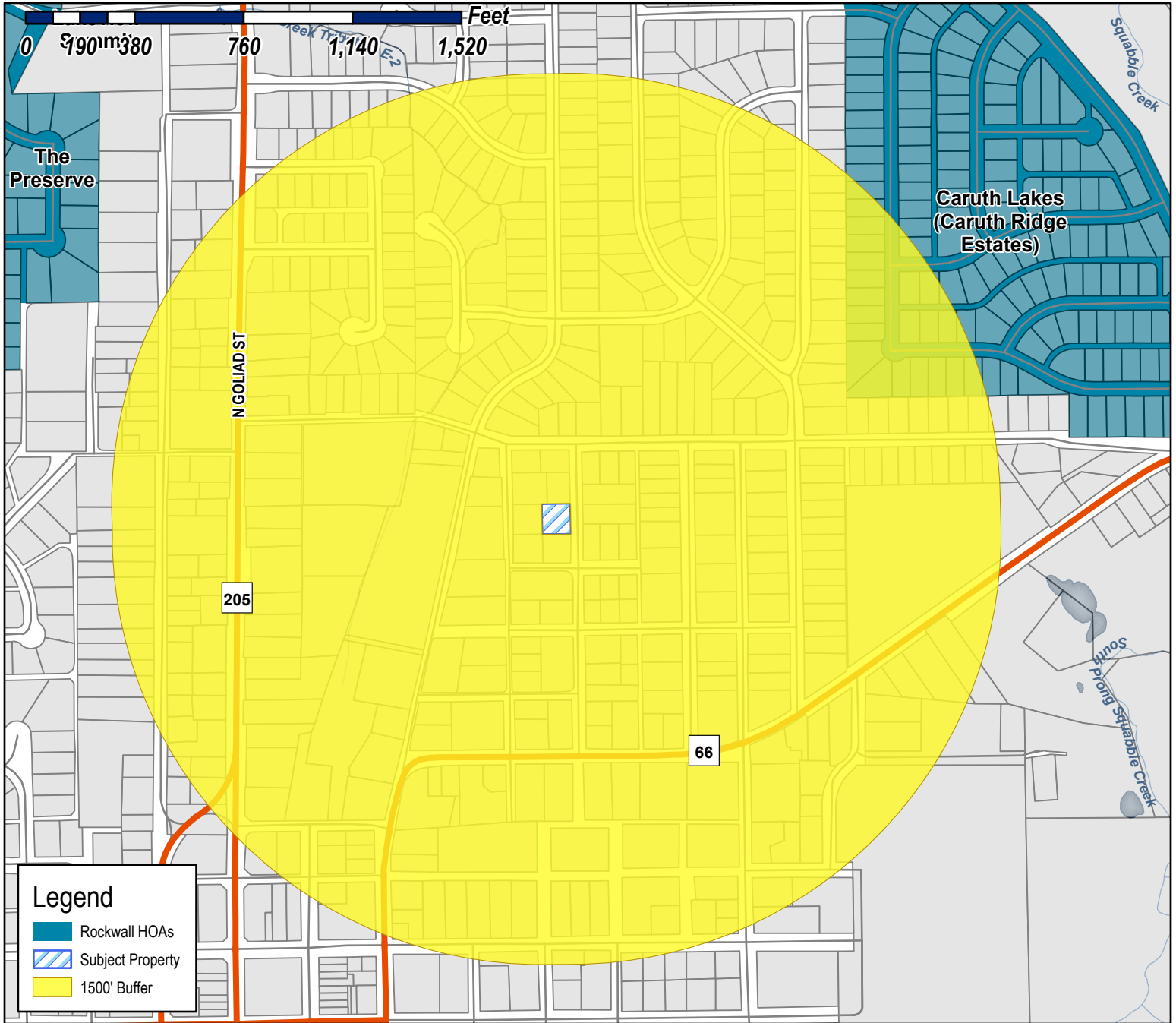




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2021-053  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Single-Family 7 (SF-7) District  
**Case Address:** 803 Austin Street

**Date Saved:** 12/16/2021  
 For Questions on this Case Call (972) 771-7745



## Miller, Ryan

---

**From:** Gamez, Angelica  
**Sent:** Tuesday, December 21, 2021 10:52 AM  
**Cc:** Miller, Ryan; Lee, Henry  
**Subject:** Neighborhood Notification Program [Z2021-053]  
**Attachments:** Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 24, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 11, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 18, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2021-053: SUP for Residential Infill at 803 Austin Street**

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

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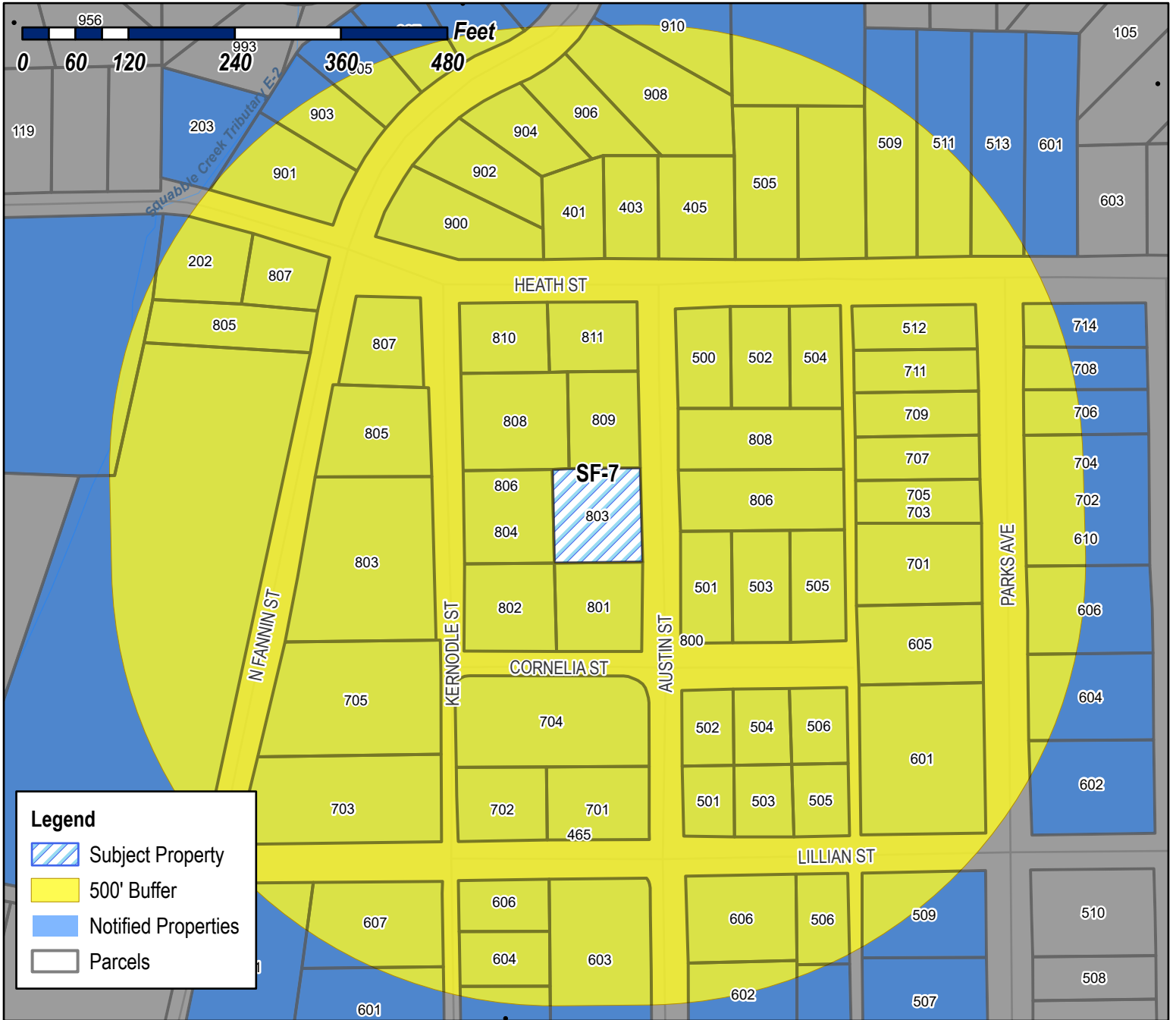
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# City of Rockwall

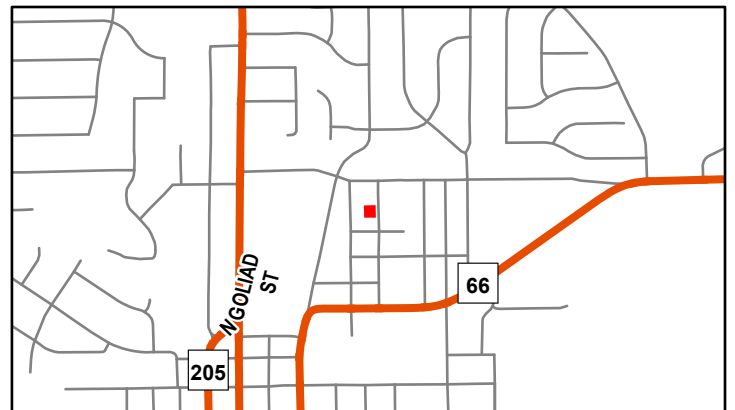
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2021-053  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Single-Family 7 (SF-7) District  
**Case Address:** 803 Austin Street

**Date Saved:** 12/16/2021  
 For Questions on this Case Call (972) 771-7745



SILVA MANUEL  
1041 E FM 552  
ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC  
1215 THOMASVILLE COURT  
GARLAND, TX 75044

KINSEY DONALD H & TARI L  
2 MANOR COURT  
HEATH, TX 75032

VANILLA BEAN PROPERTIES SERIES 10 LLC  
2 MANOR COURT  
HEATH, TX 75032

RICE GARRETT R AND JAMIE B  
202 E HEATH ST  
ROCKWALL, TX 75087

BLANKENSHIP JAMES WISE & LISA  
203 E HEATH ST  
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES  
213 SOVEREIGN CT  
ROCKWALL, TX 75032

PARK STUFF LLC  
2301 LAFAYETTE DR  
HEATH, TX 75032

ORTAMOND DONALD J & JANA R  
301 MARGARET ST  
ROCKWALL, TX 75087

WILLIAM AND HANNA MIGNEAULT LIVING  
TRUST  
WILLIAM H AND HANNA H MIGNEAULT-  
TRUSTEES  
3625 SIERRA RD  
SAN JOSE, CA 95132

TIPPING VIVIAN E AND  
EARNEST TIPPING  
401 EAST HEATH STREET  
ROCKWALL, TX 75087

DOLLINS ROBIN KAY AND GEORGE OEN  
403 E HEATH  
ROCKWALL, TX 75087

PARK STUFF LLC  
405 E HEATH ST  
ROCKWALL, TX 75087

KIRKPATRICK DAVID S & RHONDA D  
500 E HEATH ST  
ROCKWALL, TX 75087

HOLZHEIMER THOMAS R AND NICOLE M  
501 CORNELIA ST  
ROCKWALL, TX 75087

GREENAWALT PATRICK ALAN  
501 LILLIAN ST  
ROCKWALL, TX 75087

BARNETT GEORGE S  
502 CORNELIA ST  
ROCKWALL, TX 75087

MCINTIRE J M & ERLINDA  
502 E HEATH ST  
ROCKWALL, TX 75087

PARTNER UP HOMES LLC  
503 LILLIAN ST  
ROCKWALL, TX 75087

TANTON MELVIN V JR  
504 E HEATH ST  
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR  
504 CORNELIA  
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR  
505 CARRIAGE TR  
ROCKWALL, TX 75087

WILLIAMS JULI ANN AND JOH CHRISTOPHER  
AND  
MICHAEL ANTHONY BOSMA AND LAURA L  
BOSMA  
505 CORNELIA ST  
ROCKWALL, TX 75087

ZYLKA PROPERTIES LLC  
505 EHEATH ST  
ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC  
505 LILLIAN ST  
ROCKWALL, TX 75087

UC RUBEN & EDITH CORTE DE  
506 LILLIAN ST  
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR  
506 CORNELIA  
ROCKWALL, TX 75087

YOUNG MOLLIE AND JAY CHANCE  
507 PARKS AVENUE  
ROCKWALL, TX 75087

DOROTIK DAVID W  
509 PARKS AVE  
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES  
509 E HEATH ST  
ROCKWALL, TX 75087



RICHARDSON PATRICE  
510 COVE RIDGE RD  
HEATH, TX 75032

RICHARDSON PATRICE  
511 E HEATH ST  
ROCKWALL, TX 75087

COATS LOIS LOUISE  
512 E HEATH ST  
ROCKWALL, TX 75087

GREENAWALT PATRICK AND COURTNEY  
513 E HEATH ST  
ROCKWALL, TX 75087

FANG PROPERTIES LLC  
536 LOMA VISTA  
HEATH, TX 75032

EICH CHRIS AND ELENA  
601 PARKS AVENUE  
ROCKWALL, TX 75087

STARK ROBERT C  
601 E HEATH ST  
ROCKWALL, TX 75087

BROWN JONATHAN R & CHRISTY A  
601 KERNODLE ST  
ROCKWALL, TX 75087

GASKIN STEVE AND  
MICHAEL FLANARY  
602 KERNODLE STREET  
ROCKWALL, TX 75087

MURPHY MICHAEL  
602 PARKS AVE  
ROCKWALL, TX 75087

PEOPLES MICHAEL L &  
LINDA CAUBLE  
602 AUSTIN ST  
ROCKWALL, TX 75087

LOFLAND JANA J  
603 AUSTIN ST  
ROCKWALL, TX 75087

FUNK TED FREDRICK AND REBECCA LYNN  
604 KERNODLE  
ROCKWALL, TX 75087

FUQUA MATTHEW  
604 PARKS AVE  
ROCKWALL, TX 75087

DINGWELL MARGUERITE NASH & ADAM  
605 PARKS AVE  
ROCKWALL, TX 75087

DANIEL RODNEY  
606 AUSTIN ST  
ROCKWALL, TX 75087

MATA JAIME AND TRINA THOMAS  
606 KERNODLE ST  
ROCKWALL, TX 75087

WILLIAM AND HANNA MIGNEAULT LIVING  
TRUST  
WILLIAM H AND HANNA H MIGNEAULT-  
TRUSTEES  
606 PARKS AVE  
ROCKWALL, TX 75087

MULLINS CHRISTOPHER CHARLES AND ARYN  
ELISE  
607 KERNODLE ST  
ROCKWALL, TX 75087

CASTRO RENE & BETSY  
700 WINDSONG LN  
ROCKWALL, TX 75032

ESTATE OF BEULAH CHRISTINE MOONEY  
701 AUSTIN ST  
ROCKWALL, TX 75087

CASTILLO AGAPITO & ESTELA  
701 PARKS AVE  
ROCKWALL, TX 75087

HENRY AMANDA A  
702 PARKS AVE  
ROCKWALL, TX 75087

KINSEY TARI L AND DONALD H  
702 KERNODLE ST  
ROCKWALL, TX 75087

TIBBETTS ELAINE  
703 KERNODLE ST  
ROCKWALL, TX 75087

HANSON BRANDON R  
703 PARKS AVE  
ROCKWALL, TX 75087

FRASIER MICHAEL & MARY GRACE  
704 JACKSON ST  
ROCKWALL, TX 75087

THOMAS TRACY  
704 KERNODLE ST  
ROCKWALL, TX 75087

ZIMMERMAN CAROLYN  
705 KERNODLE ST  
ROCKWALL, TX 75087

PECINA JOE & LORETHIA ANN  
706 PARKS AVE  
ROCKWALL, TX 75087

BELANGER CORKY  
707 PARKS AVE  
ROCKWALL, TX 75087

KOLWINSKA GERALDINE D  
708 PARKS AVE  
ROCKWALL, TX 75087

BARRON ARMANDO  
709 PARKS AVE  
ROCKWALL, TX 75087

PARTNER UP HOMES LLC  
709 W RUSK SUITE B #905  
ROCKWALL, TX 75087

STARK ROBERT C  
710 AGAPE ST  
ROCKWALL, TX 75087

NIXON LINDA LOUISE  
711 PARKS AVENUE  
ROCKWALL, TX 75087

MEINECKE JEFFREY AND ANGELA  
714 PARKS AVE  
ROCKWALL, TX 75087

MATA JAIME AND TRINA THOMAS  
752 WINDSONG LN  
ROCKWALL, TX 75032

BROWN JONATHAN R & CHRISTY A  
7814 KILLARNEY LANE  
ROWLETT, TX 75089

BEASLEY GEORGE  
801 AUSTIN ST  
ROCKWALL, TX 75087

KINSEY DONALD H AND TARI L  
802 KERNODLE ST  
ROCKWALL, TX 75087

JOHNSON BRADLEY K AND GINGER M  
803 KERNODLE ST  
ROCKWALL, TX 75087

SILVA MANUEL  
803 AUSTIN ST  
ROCKWALL, TX 75087

BUSHNELL MICHAEL S & TIFFANIE C  
805 KERNODLE ST  
ROCKWALL, TX 75087

ORTIZ ENRIQUE AROZLA  
805 N FANNIN ST  
ROCKWALL, TX 75087

AUSTIN TRENTON C  
806 AUSTIN ST  
ROCKWALL, TX 75087

VANILLA BEAN PROPERTIES SERIES 10 LLC  
806 KERNODLE ST  
ROCKWALL, TX 75087

DEL BOSQUE MARIO ETUX  
807 KERNODLE ST  
ROCKWALL, TX 75087

MEJIA JULIO & MARIA R  
807 N FANNIN ST  
ROCKWALL, TX 75087

CASTRO RENE & BETSY  
808 AUSTIN ST  
ROCKWALL, TX 75087

KINSEY DONALD H & TARI L  
808 KERNODLE ST  
ROCKWALL, TX 75087

KINDRED ROBERT M  
809 AUSTIN ST  
ROCKWALL, TX 75087

JOSEY BROOKE  
810 KERNODLE ST  
ROCKWALL, TX 75087

JENNINGS AMANDA L  
811 AUSTIN ST  
ROCKWALL, TX 75087

WIEHE JOHN THOMAS  
900 N FANNIN ST  
ROCKWALL, TX 75087

CROWDER GERALDINE  
901 N FANNIN ST  
ROCKWALL, TX 75087

FINK BEVERLY A & ROYCE G  
902 N FANNIN STREET  
ROCKWALL, TX 75087

HEMPHILL REBECCA  
903 N FANNIN ST  
ROCKWALL, TX 75087

HALL WYNNE &  
JOANN CAMPBELL  
904 N FANNIN ST  
ROCKWALL, TX 75087

ROSS THOMAS II & LACY  
905 N FANNIN ST  
ROCKWALL, TX 75087

WILLIAMS BROOKS  
906 FANNIN STREET  
ROCKWALL, TX 75087

ROE JOHN A AND PATRICIA K  
907 N FANNIN ST  
ROCKWALL, TX 75087

MCKNIGHT DOROTHY  
908 N FANNIN  
ROCKWALL, TX 75087

J J M B INVESTMENT LP  
909 FANNIN ST  
ROCKWALL, TX 75087

DAVID JESSEE AND A JANE JESSEE FAMILY  
LIVING TRUST  
DAVID JESSEE AND A JANE JESSEE- TRUSTEES  
910 N FANNIN STREET  
ROCKWALL, TX 75087

HUME LINDA L  
911 N FANNIN ST  
ROCKWALL, TX 75087

BELANGER CORKY  
921 N ALAMO RD  
ROCKWALL, TX 75087

KINDRED ROBERT M  
P.O. BOX 261638  
PLANO, TX 75026

PEOPLES MICHAEL L &  
LINDA CAUBLE  
PO BOX 41  
ROCKWALL, TX 75087

J J M B INVESTMENT LP  
PO BOX 460247  
GARLAND, TX 75046

# 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. Z2021-053: SUP for Residential Infill at 803 Austin Street**

*Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, 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, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 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:

**Angelica Gamez**  
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](mailto: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 Tuesday, January 18, 2022 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. Z2021-053: SUP for Residential Infill at 803 Austin Street**

**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



NEW RESIDENCE  
AT  
803 AUSTIN  
STREET  
ROCKWALL, TX

**ISSUE LOG**

DATE ISSUE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

**REVISION LOG**

DATE ISSUE	DESCRIPTION	REV. NO.
---------------	-------------	-------------

**ISSUED FOR:**

- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION

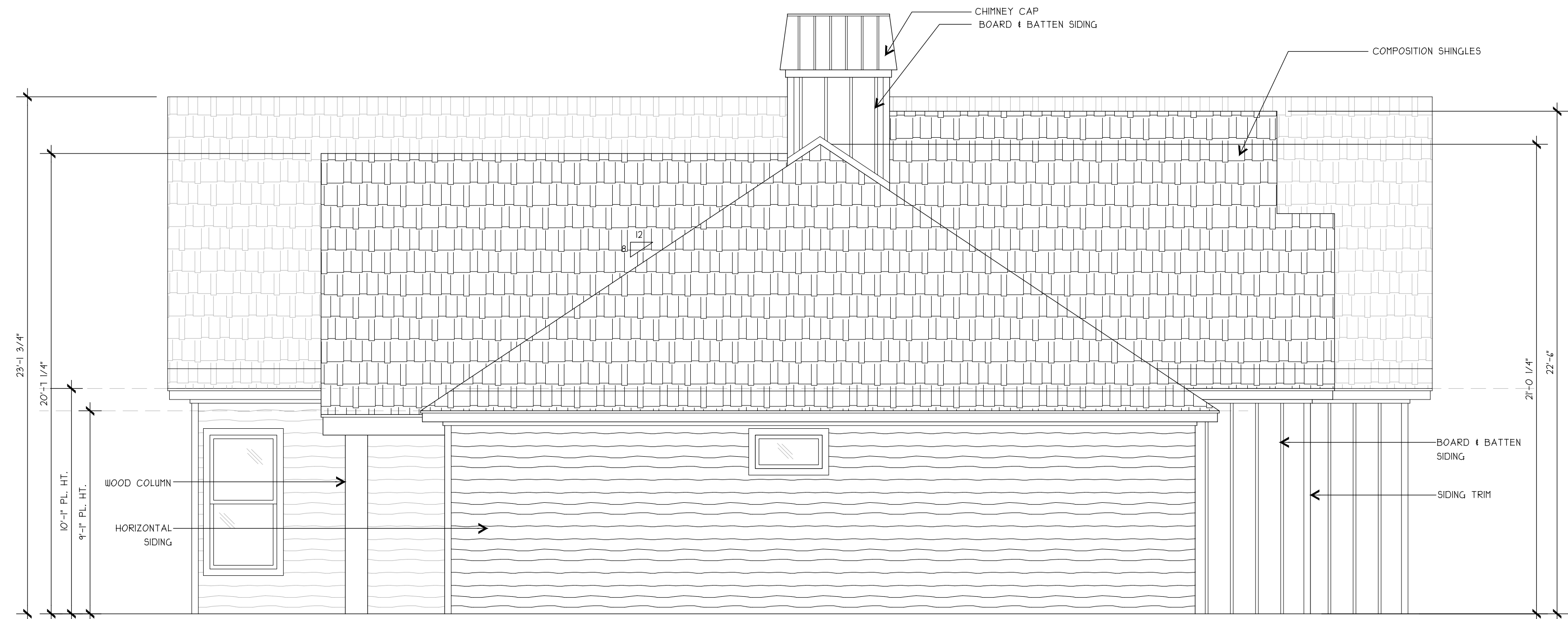


ARCH. PROJ. #: 21921	SCALE: REF. DRAWING
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SHEET NO.

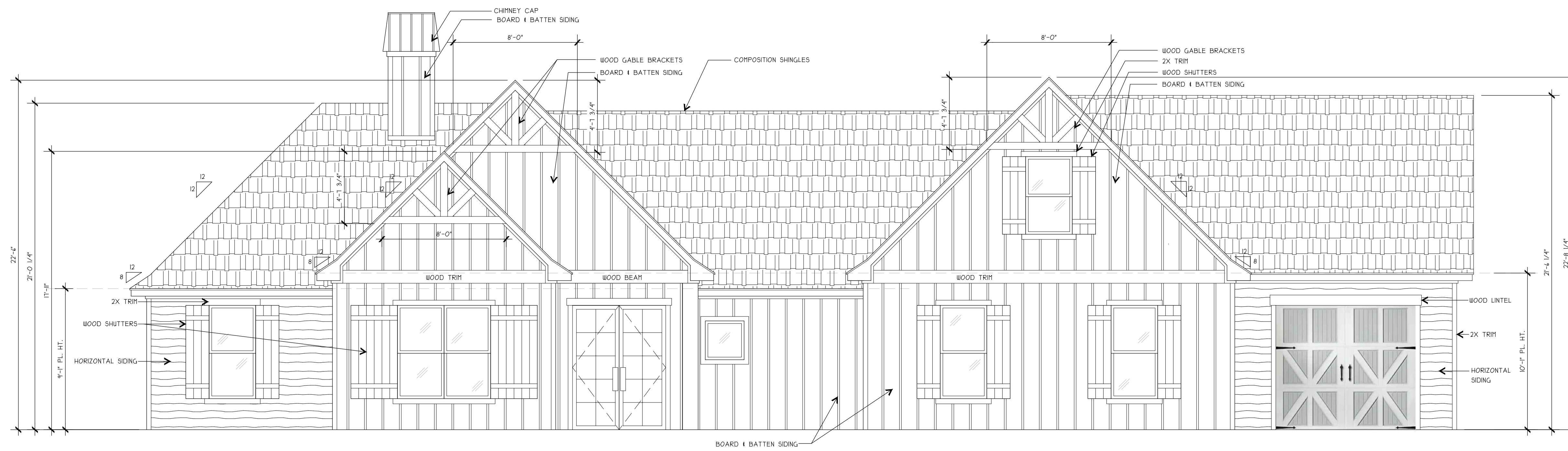
**A5.1**

ELEVATIONS



**02 SOUTH ELEVATION**

SCALE: 1/4"=1'-0"



**01 EAST ELEVATION**

SCALE: 1/4"=1'-0"









Adjacent Housing Attributes

Address	Housing Type	Year Built	House SF	Accessory Building SF	Exterior Materials
501 Cornelia	Single-Family Home	1975	1440	100	Siding
806 Austin	Single-Family Home	1952	1214	480	Siding
808 Austin	Single-Family Home	1959	1388		Siding
500 E. Heath	Single-Family Home	1995	1144	840	Brick
809 Austin	Single-Family Home	1991	1351		Siding
811 Austin	Single-Family Home	1985	1080		Siding
810 Kernodle	Single-Family Home	1986	1435	80	Brick
808 Kernodle	Single-Family Home	1914	2358	100	Siding
806 Kernodle	Vacant	N/A	N/A	N/A	N/A
802 Kernodle	Single-Family Home	1939	1554	80	Siding
801 Austin	Single-Family Home	1980	2256		Brick
Averages:		1967.6	1522	280	



501 Cornelia



806 Austin



808 Austin



500 E. Heath



809 Austin



811 Austin



810 Kernodle



808 Kernodle



806 Kernodle



802 Kernodle



801 Austin

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS PORTION OF BLOCK 9 OF THE F&M ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND 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 Javier Silva for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.23-acre parcel of land being described as portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall 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 (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and

with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** 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 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 7<sup>TH</sup> DAY OF FEBRUARY, 2022.

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: January 18, 2022

2<sup>nd</sup> Reading: February 7, 2022

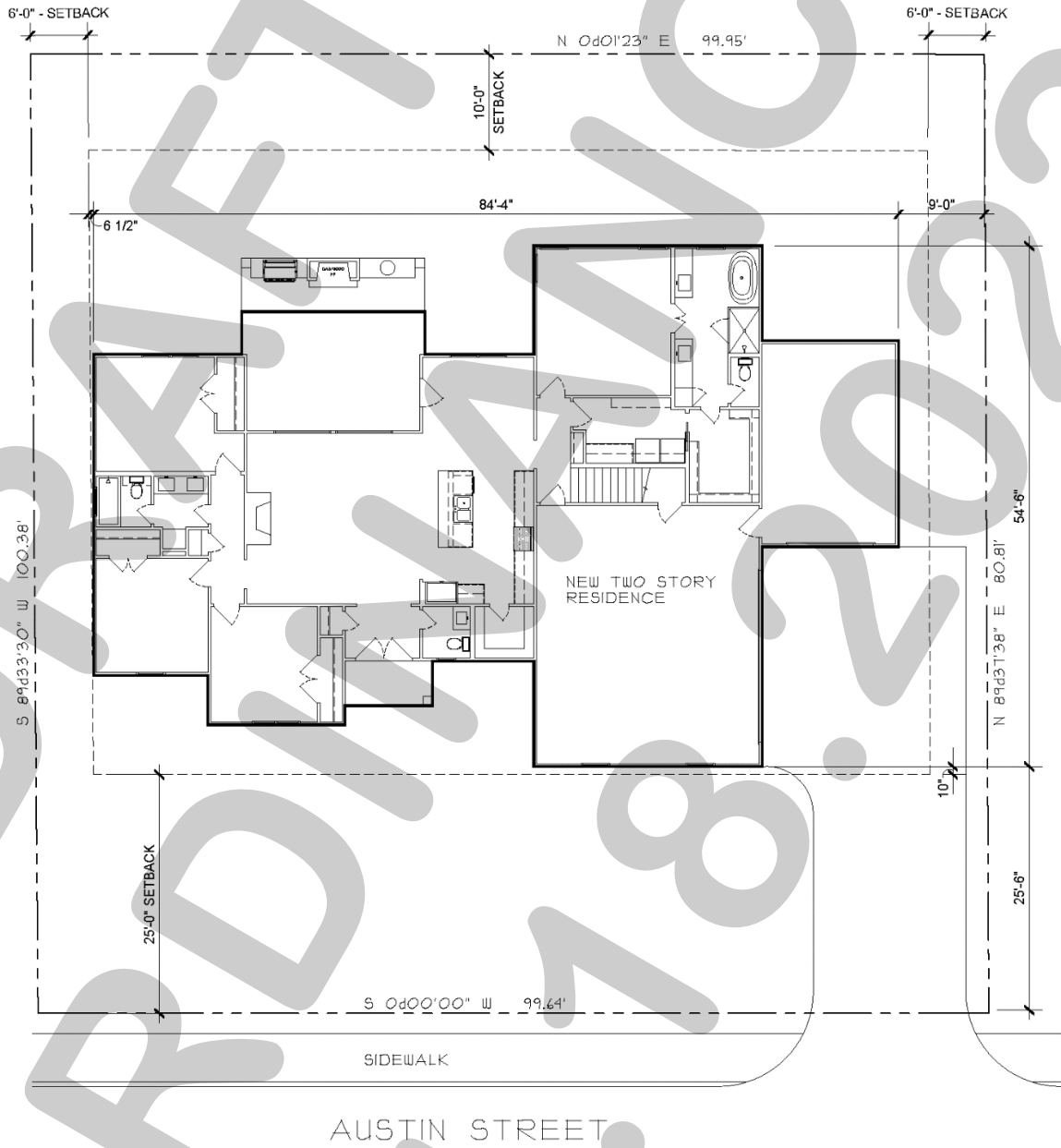
**Exhibit 'A'**  
*Location Map and Survey*

Address: 803 Austin Street

Legal Description: A Portion of Block 9 of the F&M Addition



**Exhibit 'B':**  
**Residential Plot Plan**









February 14, 2022

TO: Javier Silva  
58 Windsor Drive  
Rockwall, TX 75302

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

SUBJECT: Z2021-053; *Specific Use Permit (SUP) for Residential Infill at 803 Austin Street*

Mr. Silva:

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 February 7, 2022. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
  - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the draft ordinance; and,
  - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) 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 January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 6-0, with Commissioner Thomas absent.

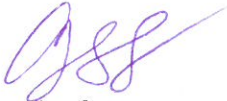
City Council

On January 18, 2022, the City Council approved a motion to approve the SUP with the conditions of approval by a vote of 7-0.

On February 7, 2022, the City Council approved a motion to approve the SUP with the conditions of approval by a vote of 7-0.

Included with this letter is a copy of Ordinance No. 22-06, S-269, 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,



Angelica Gamez  
Planning Coordinator

CITY OF ROCKWALL

ORDINANCE NO. 22-06

SPECIFIC USE PERMIT NO. S-269

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS PORTION OF BLOCK 9 OF THE F&M ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND 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 Javier Silva for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.23-acre parcel of land being described as portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall 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 (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:



## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

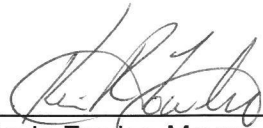
**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** 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 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 7<sup>TH</sup> DAY OF FEBRUARY, 2022.

  
\_\_\_\_\_  
Kevin Fowler, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney



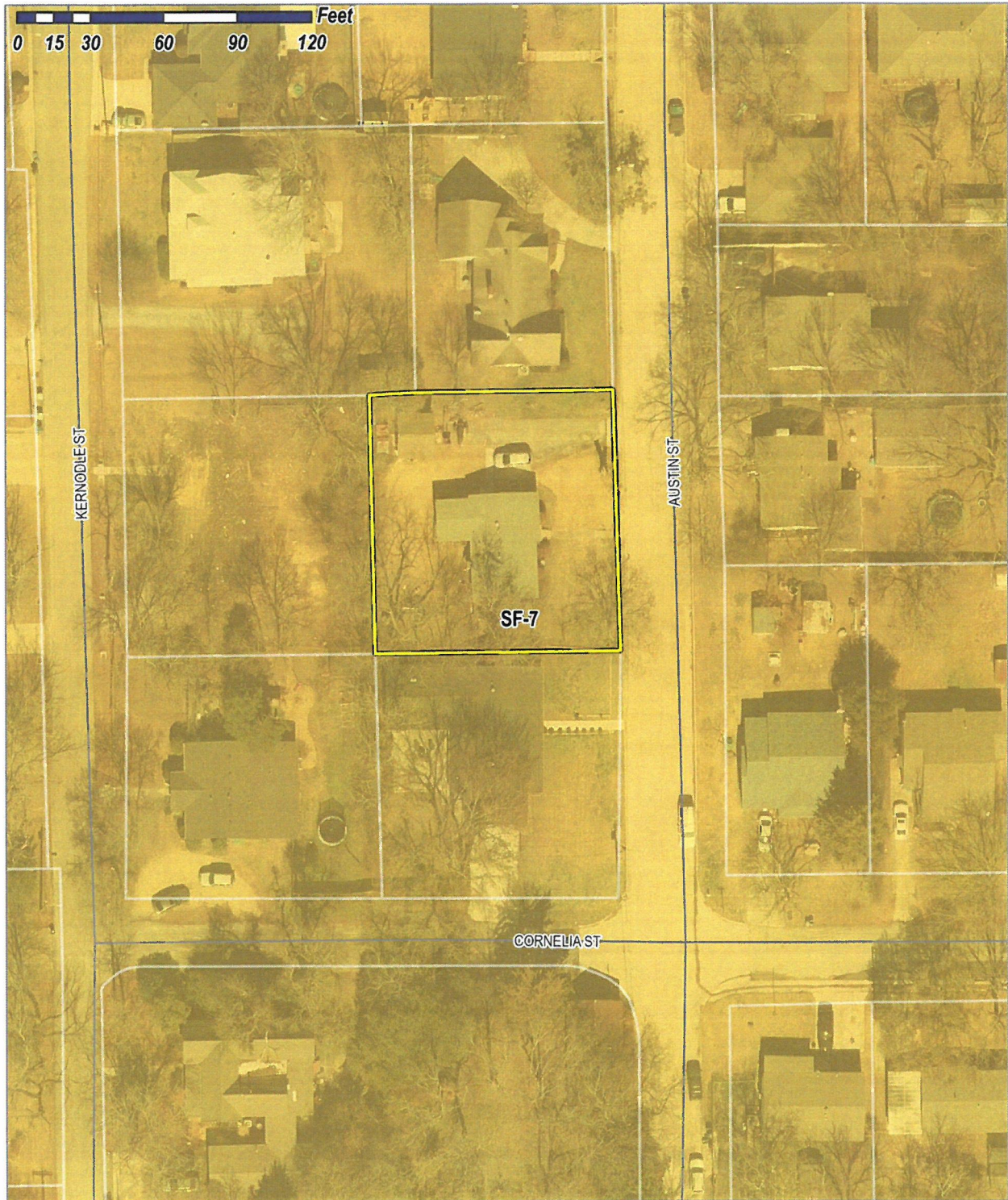
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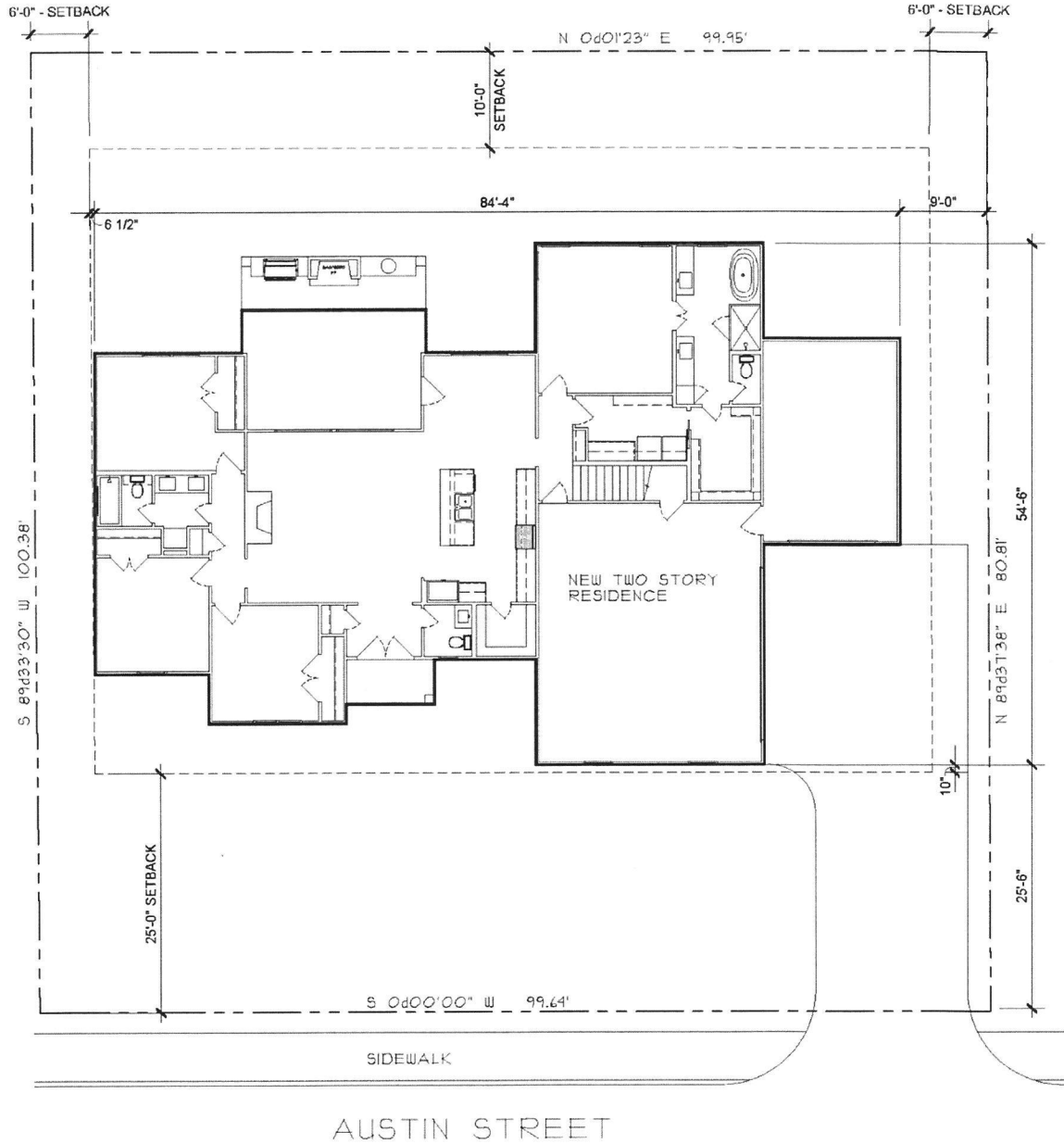
**Exhibit 'A'**  
*Location Map and Survey*

Address: 803 Austin Street

Legal Description: A Portion of Block 9 of the F&M Addition



**Exhibit 'B':**  
*Residential Plot Plan*





**Exhibit 'C':**  
*Building Elevations*

