



CASE COVER SHEET

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

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

- MASTER PLAT
- PRELIMINARY PLAT
- FINAL PLAT
- REPLAT
- AMENDING OR MINOR PLAT
- PLAT REINSTATEMENT REQUEST

SITE PLAN APPLICATION

- SITE PLAN
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

- ZONING CHANGE
- SPECIFIC USE PERMIT
- PD DEVELOPMENT PLAN

OTHER APPLICATION

- TREE REMOVAL
- VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD

PLANNING AND ZONING COMMISSION

CITY COUNCIL READING #1

CITY COUNCIL READING #2

CONDITIONS OF APPROVAL

NOTES



DEVELOPMENT APPLICATION

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

USE ONLY
 PLANNING & ZONING CASE NO. 22023-006
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: <input type="checkbox"/> MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹ <input type="checkbox"/> PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹ <input checked="" type="checkbox"/> FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> REPLAT (\$300.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> AMENDING OR MINOR PLAT (\$150.00) <input type="checkbox"/> PLAT REINSTATEMENT REQUEST (\$100.00) SITE PLAN APPLICATION FEES: <input type="checkbox"/> SITE PLAN (\$250.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)	ZONING APPLICATION FEES: <input checked="" type="checkbox"/> ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹ <input type="checkbox"/> SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2} <input type="checkbox"/> PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹ OTHER APPLICATION FEES: <input type="checkbox"/> TREE REMOVAL (\$75.00) <input type="checkbox"/> VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ² NOTES: ¹ : IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE. ² : 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 626 CULLINS ROAD
 SUBDIVISION W.W. FORD SURVEY A-B0 LOT BLOCK
 GENERAL LOCATION CULLINS + FM 549

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING CURRENT USE
 PROPOSED ZONING PROPOSED USE
 ACREAGE 5.41 ACRES LOTS [CURRENT] 1 LOTS [PROPOSED] 1

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

<input checked="" type="checkbox"/> OWNER <u>GENE and BROOKE ROGERS</u>	<input type="checkbox"/> APPLICANT <u>HO FETTY LAND SURVEYOR</u>
CONTACT PERSON	CONTACT PERSON <u>Harold Fetty</u>
ADDRESS <u>626 CULLINS ROAD</u>	ADDRESS <u>6770 FM 1565</u>
CITY, STATE & ZIP <u>Rockwall, TX 75087</u>	CITY, STATE & ZIP <u>Royse City TX 75189</u>
PHONE	PHONE <u>972-635-2255</u>
E-MAIL	E-MAIL <u>tracyendfetty.com</u>

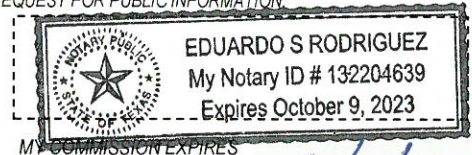
NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GENE ROGERS [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 \$ 286.77 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20th DAY OF January, 2023 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 20th DAY OF January, 2023
 OWNER'S SIGNATURE [Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES

10/9/2023

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0110 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) Property owners are responsible for maintenance, repair and replacement of all retaining walls, the HOA and the owner are responsible for drainage and detention systems in easements.

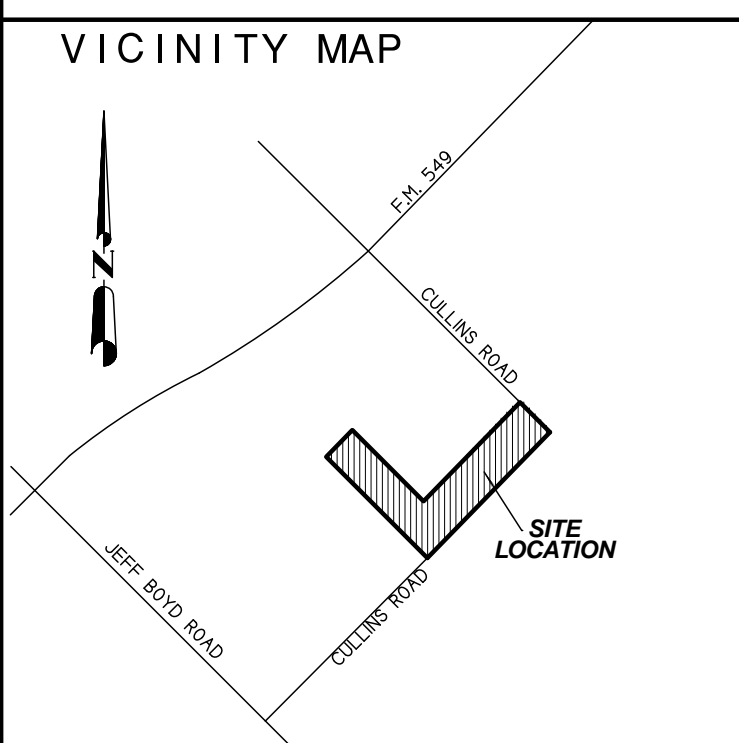
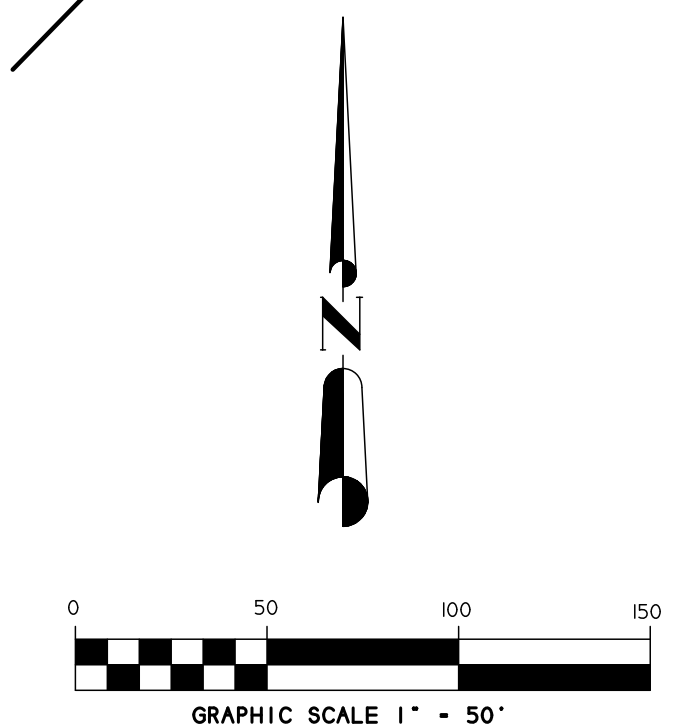
27.87 ACRES
WILKIE HUGH BOYD
V. 4804, PG. 254

3.00 ACRES
LESLIE HOPE
DARYL HOPE
DOC#20160000016212
O.P.R.R.C.T.

3.00 ACRES
JORGE ABREU
TAHSA ABREU
DOC#20210000014188
O.P.R.R.C.T.

TONY POPE
KAREN POPE
V. 7050, PG. 91

LOT 1
BLOCK A
5.41 ACRES
235,559 SQ. FT.



FINAL PLAT
G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

SYMBOL LEGEND			
⊗	TV	⊗	TEL
⊗	GAS	⊗	PH
⊗	METER	⊗	FIRE
⊗	CABLE RISER	⊗	HYDRANT
⊗	ELEC	⊗	POWER
⊗	BOX	⊗	POLE
⊗	SUBSURFACE	⊗	LP
⊗	JUNCTION BOX	⊗	WTR
⊗	METER	⊗	LP
⊗	POLE	⊗	NON ASD FOUND
⊗	POLE	⊗	1/2" IRF
⊗	POLE	⊗	CORNER 1
⊗	POLE	⊗	POLE
⊗	POLE	⊗	POLE

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

H.D. Fetty Land Surveyor, LLC

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

CITY CASE P2023-

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

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

All that certain lot, tract or parcel of land situated in the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated June 14, 1994 and being recorded in Volume 915, Page 141 of the Real Property Records of Rockwall County, Texas, and being part of a 90 acre tract as recorded in Volume 67, Page 417, Deed Records, Rockwall County, Texas, and being a part of a 23.429 acres tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated December 15, 2012 and being recorded in Volume 7050, Page 91 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/4" iron rod found for corner at the intersection of a turn in Cullins Road, said point being at the east most corner of said Pope tract and 90 acres tract of land;

THENCE S. 44 deg. 16 min. 14 sec. W. along the center of Cullins Road and southeast boundary of said Pope tract and 90 acres tract, a distance of 626.49 feet to a 1/2" iron rod found for corner;

THENCE S. 43 deg. 43 min. 03 sec. W. along the pavement of Cullins Road and southeast boundary of said Pope 23.429 acres tract, a distance of 161.97 feet to a Mag Nail set for corner;

THENCE N. 45 deg. 00 min. 00 sec. W., at 28.5 feet pass a 1/2" iron rod set for witness and continuing for a total distance of 647.33 feet to a 1/2" iron rod set for corner in the northwest boundary line of said pope 23.429 acres tract of land;

THENCE N. 44 deg. 14 min. 20 sec. E. along the northwest boundary of Pope 23.429 acres tract, a distance of 162.29 feet to a 1/2" iron rod found for corner at the north most corner of Pope 23.429 acres tract of land;

THENCE S. 44 deg. 58 min. 59 sec. E. a distance of 437.15 feet to a 1/2" iron rod found for corner at the west corner of said 3.00 acres tract;

THENCE N. 44 deg. 16 min. 14 sec. E. at 600.0 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 626.21 feet to a point for corner in Cullins Road;

THENCE S. 45 deg. 01 min. 11 sec. E. along the center of Cullins Road, a distance of 208.71 feet to the POINT OF BEGINNING and containing 235,559 square feet or 5.41 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

We also understand the following:

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

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

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

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

GENE ROGERS _____

BROOKE ROGERS _____

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

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

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

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

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of G & B ROGERS ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, _____.

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

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

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall _____ City Secretary City of Rockwall _____

City Engineer _____ Date _____

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

FINAL PLAT

G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.

W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND			
TV TELEVISION CABLE WIRE	⊕ GAS	⊖ TEL	⊕ FIRE
⊕ WETER	⊕ PHONE	⊕ FIRE	⊕ POWER
	⊕ HOSE	⊕ HOVANT	⊕ POLE
[E] ELEC BOX	⊕ WTR	⊕ LP	⊕ USE
⊕ SUBSURFACE JUNCTION BOX	⊕ WTR	⊕ LIGHT	⊕ R/W END CORNER
	⊕ FILTER	⊕ POLE	⊕ CORNER
EASEMENT LINE			
PROPERTY LINES			

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

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

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
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 PLAT REINSTATEMENT REQUEST (\$100.00)
SITE PLAN APPLICATION FEES:
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 AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

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 SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
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 GENERAL LOCATION CULLINS + FM 549

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 PROPOSED ZONING PROPOSED USE
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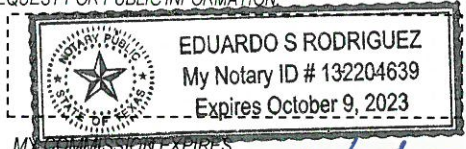
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CONTACT PERSON	CONTACT PERSON <u>Harold Fetty</u>
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CITY, STATE & ZIP <u>Rockwall, TX 75087</u>	CITY, STATE & ZIP <u>Royse City TX 75189</u>
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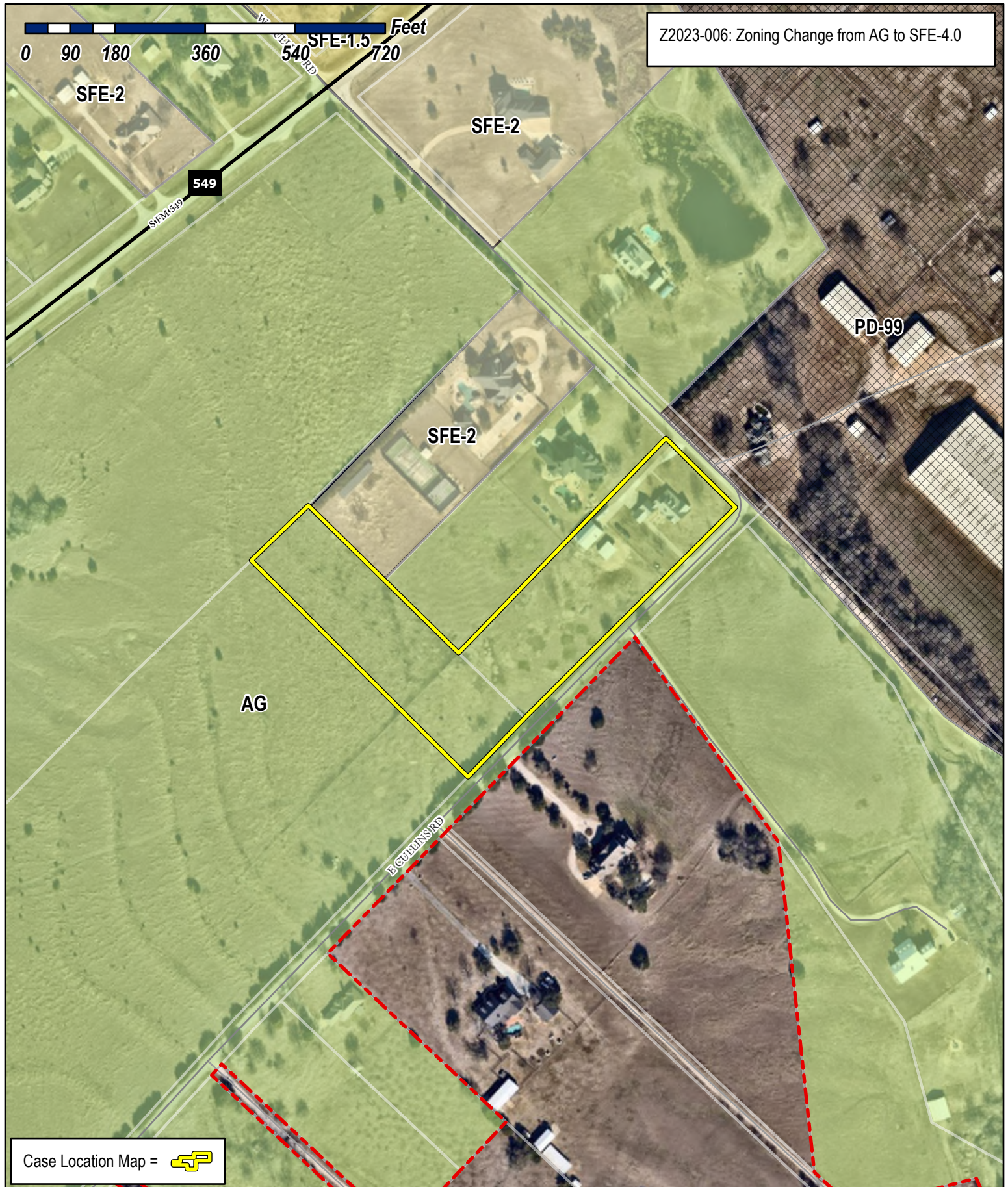
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GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 20th DAY OF January, 2023
 OWNER'S SIGNATURE [Signature]
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]





Z2023-006: Zoning Change from AG to SFE-4.0

0 90 180 360 540 720 Feet

SFE-2


SFE-2

PD-99

SFE-2

AG

BOULINSRD

Case Location Map = 



City of Rockwall

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

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

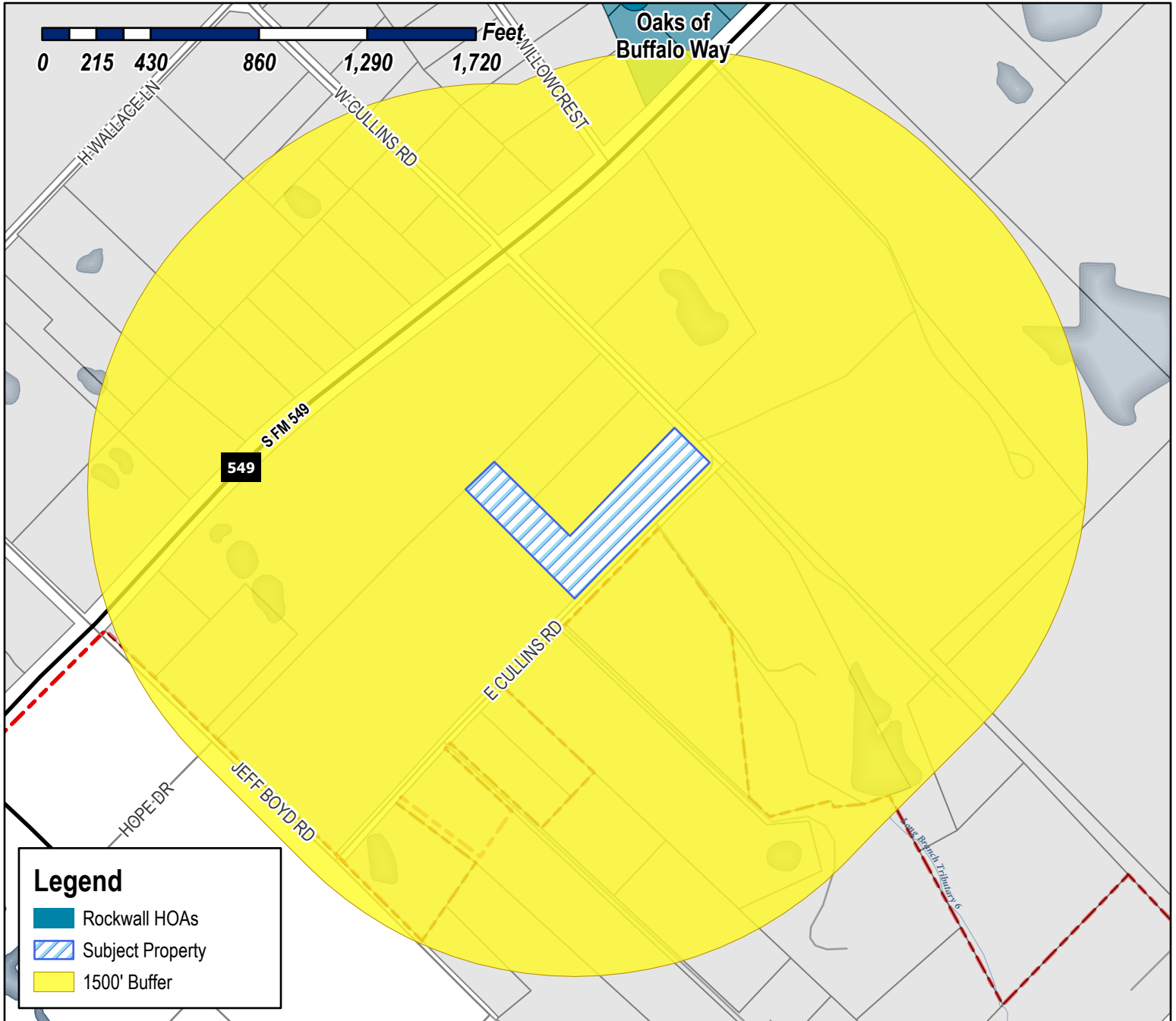




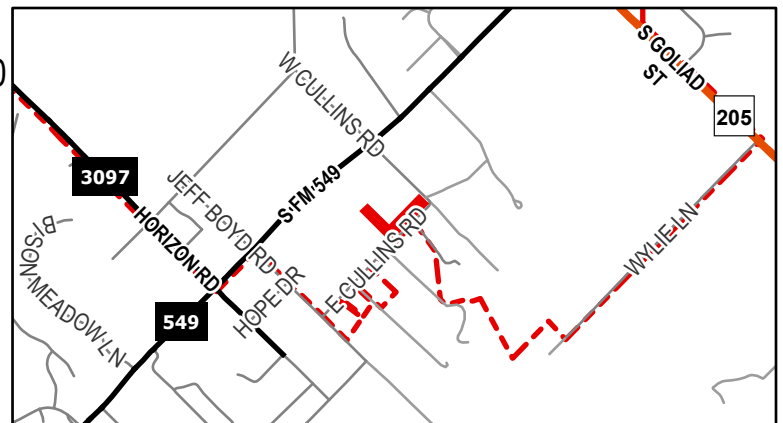
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2023-006
Case Name: Zoning Change From AG to SFE-4.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 626 Cullins Road



Date Saved: 1/21/2023

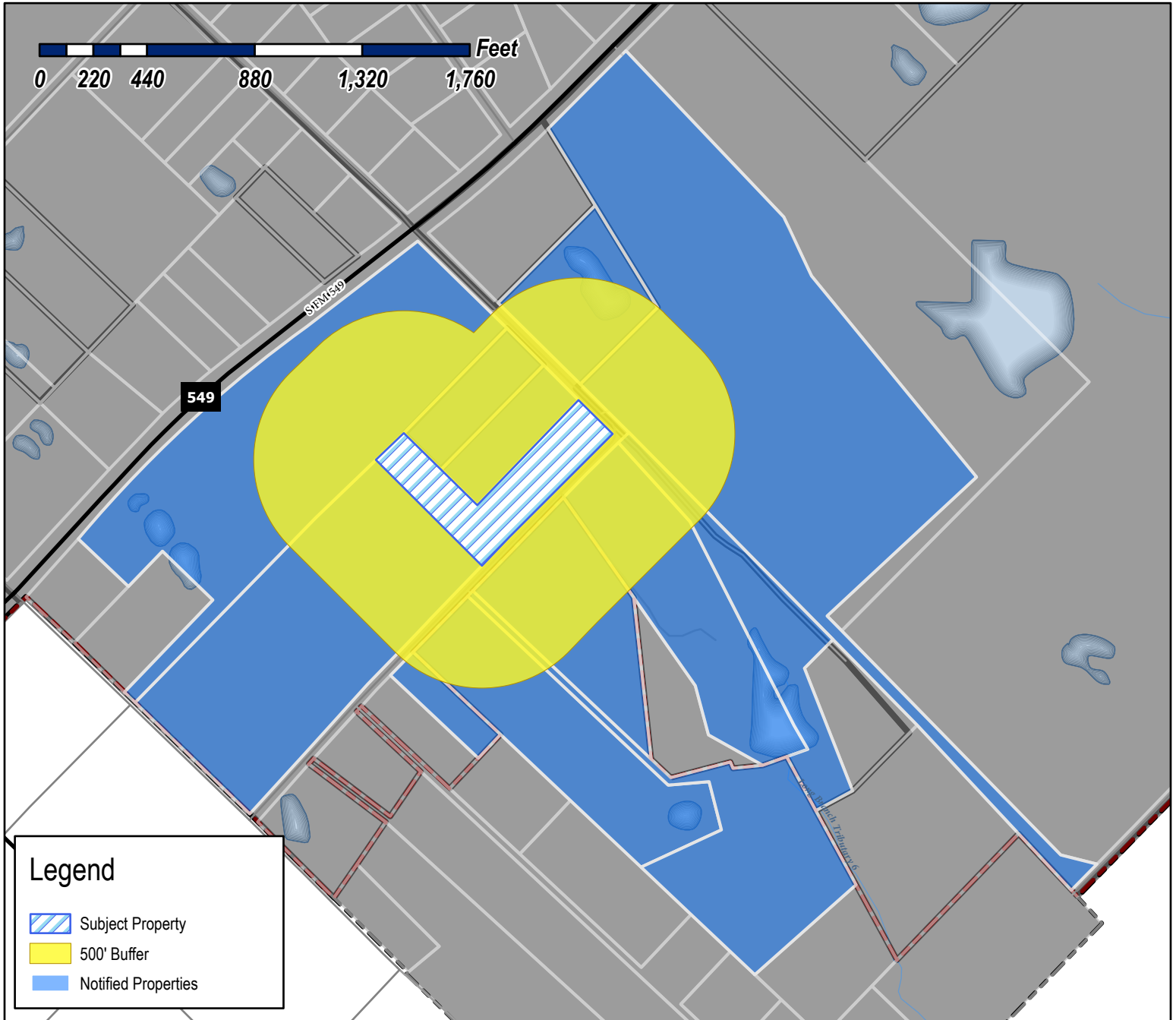
For Questions on this Case Call (972) 771-7745



City of Rockwall

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

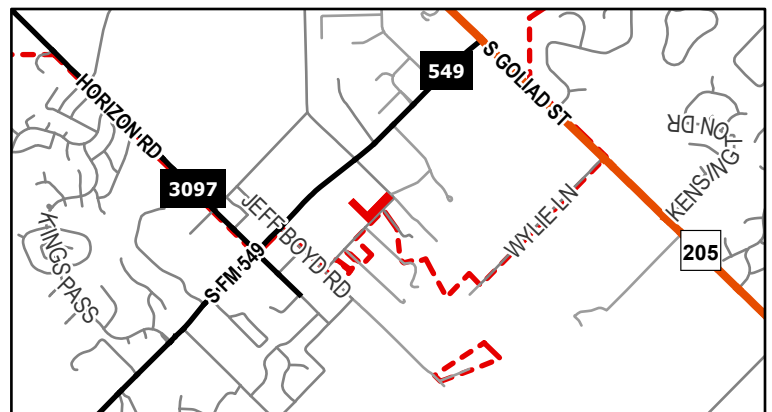
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Case Number: Z2023-006
Case Name: Zoning Change from AG to SFE-4.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 626 Cullins Road

Date Saved: 1/20/2023

For Questions on this Case Call: (972) 771-7746



ABREU JORGE AND TASHA
570 CULLINS RD
ROCKWALL, TX 75032

POPE TONY & KAREN
626 E CULLINS RD
ROCKWALL, TX 75032

HOPE LESLIE AND DARYL
530 CULLINS
ROCKWALL, TX 75032

HOLLAND SAUNDRA G
909 E CULLINS RD
ROCKWALL, TX 75032

WILSON BRET A & LESLIE
535 E CULLINS RD
ROCKWALL, TX 75032

BYRD GARY ETUX
707 E CULLINS RD
ROCKWALL, TX 75032

ROCKWALL HIGHGATE LTD
C/O SCOTT ASBURY
13155 NOEL RD # 900
DALLAS, TX 75240

OCCUPANT
326 CULLINS RD
ROCKWALL, TX 75032

FOLEY-TRAVIS LE'ARDEN J
403 TRAVIS LANE
ROCKWALL, TX 75032

KOHORST ED & OLIVIA CASEY
831 CULLINS RD
ROCKWALL, TX 75032

KEELING GEORGE W & BONNIE C
C/O MARTHA YELLE
3025 EVENING BREEZE WAY
PFLUGERVILLE, TX 78660

POPE TONY W & KARREN L
626 E CULLINS ROAD
ROCKWALL, TX 75032

BOYD WILKIE HUGH
489 JEFF BOYD RD
ROCKWALL, TX 75032

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0110 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) Property owners are responsible for maintenance, repair and replacement of all retaining walls, the HOA and the owner are responsible for drainage and detention systems in easements.

27.87 ACRES
WILKIE HUGH BOYD
V. 4804. PG. 254

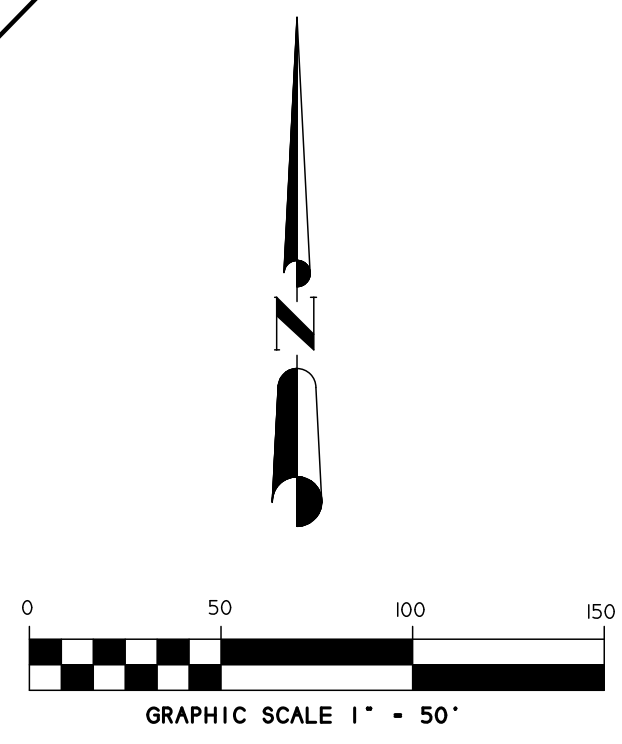
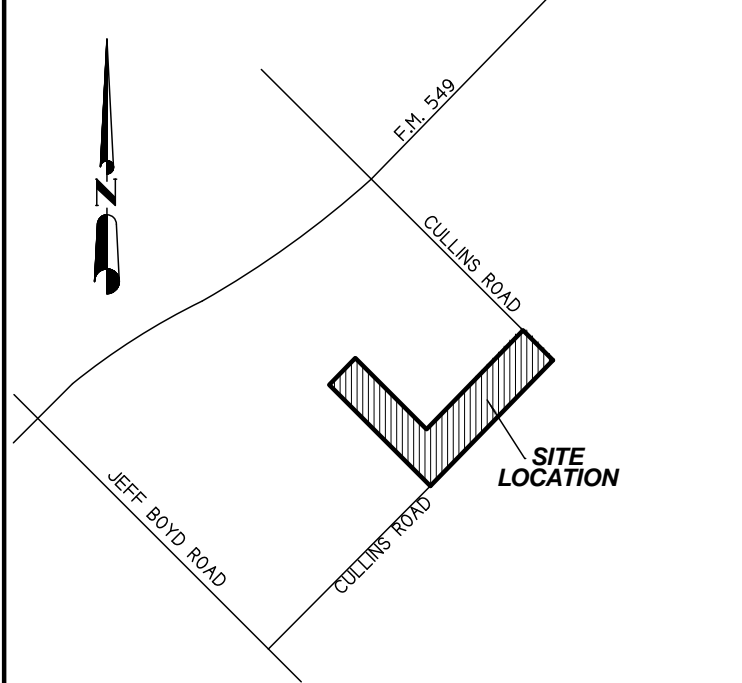
3.00 ACRES
LESLIE HOPE
DARYL HOPE
DOC#20160000016212
O.P.R.R.C.T.

3.00 ACRES
JORGE ABREU
TAHSA ABREU
DOC#20210000014188
O.P.R.R.C.T.

TONY POPE
KAREN POPE
V. 7050. PG. 91

LOT 1
BLOCK A
5.41 ACRES
235,559 SQ. FT.

VICINITY MAP



FINAL PLAT
G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

SYMBOL LEGEND	
	TELEVISION
	C&S
	METER
	CABLE RISE
	TEL
	PHONE
	RISE
	FIRE
	HYDRANT
	ELEC
	BOX
	SUBSURFACE
	JUNCTION BOX
	LP
	METER
	LIGHT
	POLE
	NON ADJ FOUND
	1/2" IR
	CORNER 1
	EASEMENT LINE
	PROPERTY LINE

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

H.D. Fetty Land Surveyor, LLC

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

CITY CASE P2023-

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

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

All that certain lot, tract or parcel of land situated in the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated June 14, 1994 and being recorded in Volume 915, Page 141 of the Real Property Records of Rockwall County, Texas, and being part of a 90 acre tract as recorded in Volume 67, Page 417, Deed Records, Rockwall County, Texas, and being a part of a 23.429 acres tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated December 15, 2012 and being recorded in Volume 7050, Page 91 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/4" iron rod found for corner at the intersection of a turn in Cullins Road, said point being at the east most corner of said Pope tract and 90 acres tract of land;

THENCE S. 44 deg. 16 min. 14 sec. W. along the center of Cullins Road and southeast boundary of said Pope tract and 90 acres tract, a distance of 626.49 feet to a 1/2" iron rod found for corner;

THENCE S. 43 deg. 43 min. 03 sec. W. along the pavement of Cullins Road and southeast boundary of said Pope 23.429 acres tract, a distance of 161.97 feet to a Mag Nail set for corner;

THENCE N. 45 deg. 00 min. 00 sec. W., at 28.5 feet pass a 1/2" iron rod set for witness and continuing for a total distance of 647.33 feet to a 1/2" iron rod set for corner in the northwest boundary line of said pope 23.429 acres tract of land;

THENCE N. 44 deg. 14 min. 20 sec. E. along the northwest boundary of Pope 23.429 acres tract, a distance of 162.29 feet to a 1/2" iron rod found for corner at the north most corner of Pope 23.429 acres tract of land;

THENCE S. 44 deg. 58 min. 59 sec. E. a distance of 437.15 feet to a 1/2" iron rod found for corner at the west corner of said 3.00 acres tract;

THENCE N. 44 deg. 16 min. 14 sec. E. at 600.0 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 626.21 feet to a point for corner in Cullins Road;

THENCE S. 45 deg. 01 min. 11 sec. E. along the center of Cullins Road, a distance of 208.71 feet to the POINT OF BEGINNING and containing 235,559 square feet or 5.41 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

We also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or
Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

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

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

GENE ROGERS

BROOKE ROGERS

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of G & B ROGERS ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, _____.

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

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

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

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

FINAL PLAT

G & B ROGERS ADDITION LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.

W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND	
TV TELEVISION CABLE WIRE	TEL TELEPHONE WIRE
PH POWER POLE	FF FIRE HYDRANT
WTR WATER	EP ELEVATION POINT
ELEC ELECTRIC BOX	LP LIGHT POLE
SB SUBSURFACE JUNCTION BOX	RF RAILROAD RIGHT OF WAY
ES EASEMENT LINE	PR PROPERTY LINE

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

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

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

CITY CASE P2023-

PROJECT COMMENTS



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

DATE: 1/27/2023

PROJECT NUMBER: Z2023-006
 PROJECT NAME: Zoning Change from AG to SFE-4.0
 SITE ADDRESS/LOCATIONS: 626 E CULLINS RD

CASE MANAGER: Bethany Ross
 CASE MANAGER PHONE: (972) 772-6488
 CASE MANAGER EMAIL: bross@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Henry Lee	01/27/2023	Approved w/ Comments

01/27/2023: Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road.

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

M.3 For reference, include the case number (Z2023-006) in the lower right-hand corner of all pages on future submittals.

M.4 Please review the attached draft ordinance prior to the January 31, 2023 Planning & Zoning Commission meeting, and provide staff with your markups by February 7, 2023.

I.5 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 February 7, 2023; 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 February 14, 2023 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on January 31, 2023.

I.6 The projected City Council meeting dates for this case will be February 21, 2023 (1st Reading) and March 6, 2023 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	01/26/2023	Needs Review

01/26/2023: - Show width of dedication. Must be 30' from the centerline of the ex. road.
 - Show 10' utility easement along both roadways.
 - Show width of dedication. Must be 25' from the centerline of the ex. road.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Craig Foshee	01/25/2023	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	01/24/2023	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	01/23/2023	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Chris Cleveland	01/23/2023	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	01/23/2023	Approved
No Comments			

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0110 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) Property owners are responsible for maintenance, repair and replacement of all retaining walls, the HOA and the owner are responsible for drainage and detention systems in easements.

27.87 ACRES
WILKIE HUGH BOYD
V. 4804. PG. 254

3.00 ACRES
LESLIE HOPE
DARYL HOPE
DOC#20160000016212
O.P.R.R.C.T.

3.00 ACRES
JORGE ABREU
TAHSA ABREU
DOC#20210000014188
O.P.R.R.C.T.

TONY POPE
KAREN POPE
V. 7050. PG. 91

LOT 1
BLOCK A
5.41 ACRES
235,559 SQ. FT.

Show width of dedication. Must be 30' from the centerline of the ex. road.

Show 10' utility easement along both roadways

Show width of dedication. Must be 25' from the centerline of the ex. road.



GRAPHIC SCALE 1" = 50'

FINAL PLAT
G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

SYMBOL LEGEND							
⊙	TV	⊙	TEL	⊙	CH	⊙	FF
⊙	CAS	⊙	PHSE	⊙	FIRE	⊙	POWER
⊙	METER	⊙	RISER	⊙	HYDRANT	⊙	POLE
⊙	ELEC	⊙	LP	⊙	LP	⊙	1/2" IRF
⊙	BOX	⊙	METER	⊙	POLE	⊙	NON ASD FOUND
⊙	SUBSURFACE	⊙	JUNCTION BOX	⊙	POLE	⊙	1" CORNER
---	EASEMENT LINE	---	PROPERTY LINE				

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

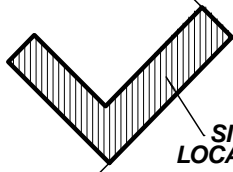
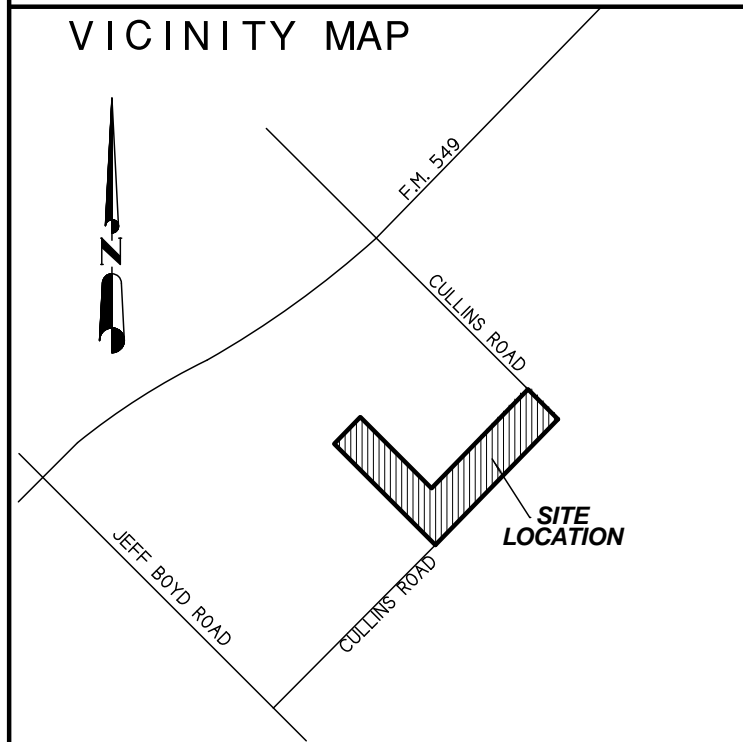
H.D. Fetty Land Surveyor, LLC

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

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

CITY CASE P2023-

VICINITY MAP



SITE LOCATION

DOC#20210000014188
O.P.R.R.C.T.

MAG. INCL. SET IN POINT

POINT OF BEGINNING

N 44° 14' 20" E 162.29'
N 44° 14' 20" E 162.29'

S 44° 58' 59" E 437.15'
S 44° 58' 59" E 437.15'

N 44° 16' 14" E 626.21'
N 44° 16' 14" E 600.00'

S 44° 16' 14" W 782.22'
S 44° 16' 14" W 626.49'

N 45° 00' 00" W 620.76'
N 45° 00' 00" W 647.33'

S 43° 43' 03" W 161.97'

CULLINS ROAD
BASIS OF BEARINGS

S 45° 01' 11" E 208.21'
S 45° 01' 11" E 183.70'

DOC#20210000014188
O.P.R.R.C.T.

1/2" IRF

POINT OF BEGINNING

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

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1/2" IRF



DEVELOPMENT APPLICATION

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

USE ONLY
 PLANNING & ZONING CASE NO. 22023-006
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]:

<p>PLATTING APPLICATION FEES:</p> <p><input type="checkbox"/> MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹</p> <p><input type="checkbox"/> PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹</p> <p><input checked="" type="checkbox"/> FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹</p> <p><input type="checkbox"/> REPLAT (\$300.00 + \$20.00 ACRE) ¹</p> <p><input type="checkbox"/> AMENDING OR MINOR PLAT (\$150.00)</p> <p><input type="checkbox"/> PLAT REINSTATEMENT REQUEST (\$100.00)</p> <p>SITE PLAN APPLICATION FEES:</p> <p><input type="checkbox"/> SITE PLAN (\$250.00 + \$20.00 ACRE) ¹</p> <p><input type="checkbox"/> AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)</p>	<p>ZONING APPLICATION FEES:</p> <p><input checked="" type="checkbox"/> ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹</p> <p><input type="checkbox"/> SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}</p> <p><input type="checkbox"/> PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹</p> <p>OTHER APPLICATION FEES:</p> <p><input type="checkbox"/> TREE REMOVAL (\$75.00)</p> <p><input type="checkbox"/> VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²</p> <p>NOTES:</p> <p>¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.</p> <p>²: 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.</p>
--	--

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 626 CULLINS ROAD

SUBDIVISION W.W. FORD SURVEY A-B0 LOT BLOCK

GENERAL LOCATION CULLINS + FM 549

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING CURRENT USE

PROPOSED ZONING PROPOSED USE

ACREAGE 5.41 ACRES LOTS [CURRENT] 1 LOTS [PROPOSED] 1

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

<input checked="" type="checkbox"/> OWNER <u>GENE and BROOKE ROGERS</u>	<input type="checkbox"/> APPLICANT <u>HD FETTY LAND SURVEYOR</u>
CONTACT PERSON	CONTACT PERSON <u>Harold Fetty</u>
ADDRESS <u>626 CULLINS ROAD</u>	ADDRESS <u>6770 FM 1565</u>
CITY, STATE & ZIP <u>Rockwall, TX 75087</u>	CITY, STATE & ZIP <u>Royse City TX 75189</u>
PHONE	PHONE <u>972-635-2255</u>
E-MAIL	E-MAIL <u>tracyendfetty.com</u>

NOTARY VERIFICATION [REQUIRED]

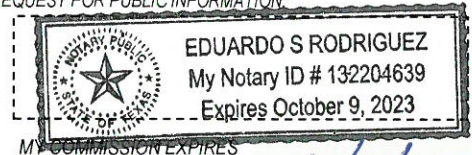
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GENE ROGERS [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

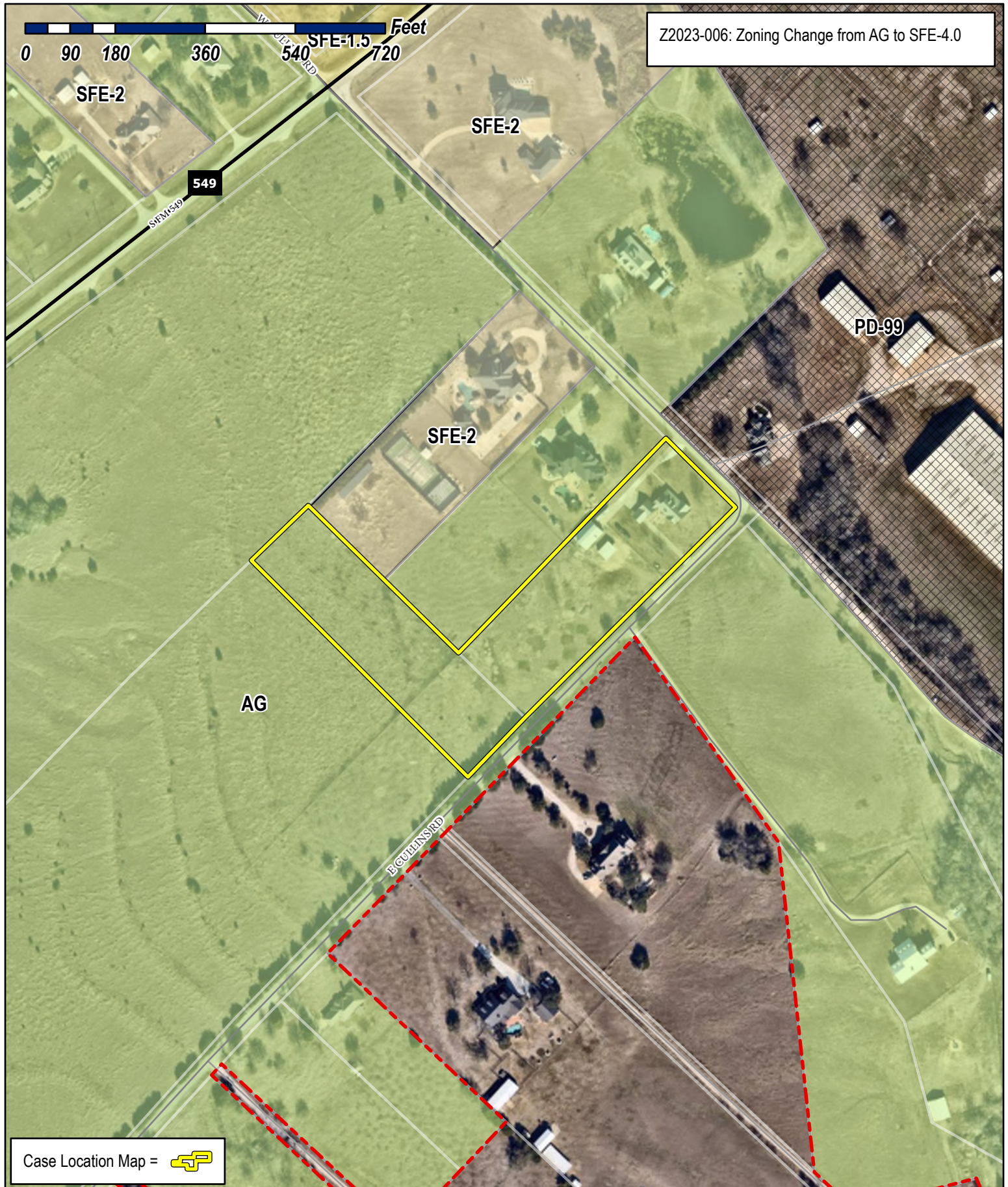
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 286.77 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20th DAY OF January, 2023 BY SIGNING THIS APPLICATION, 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 20th DAY OF January, 2023

OWNER'S SIGNATURE [Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





Z2023-006: Zoning Change from AG to SFE-4.0

0 90 180 360 540 720 Feet

SFE-2


SFE-2

PD-99

SFE-2

AG

BOULINSRD

Case Location Map = 



City of Rockwall

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

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

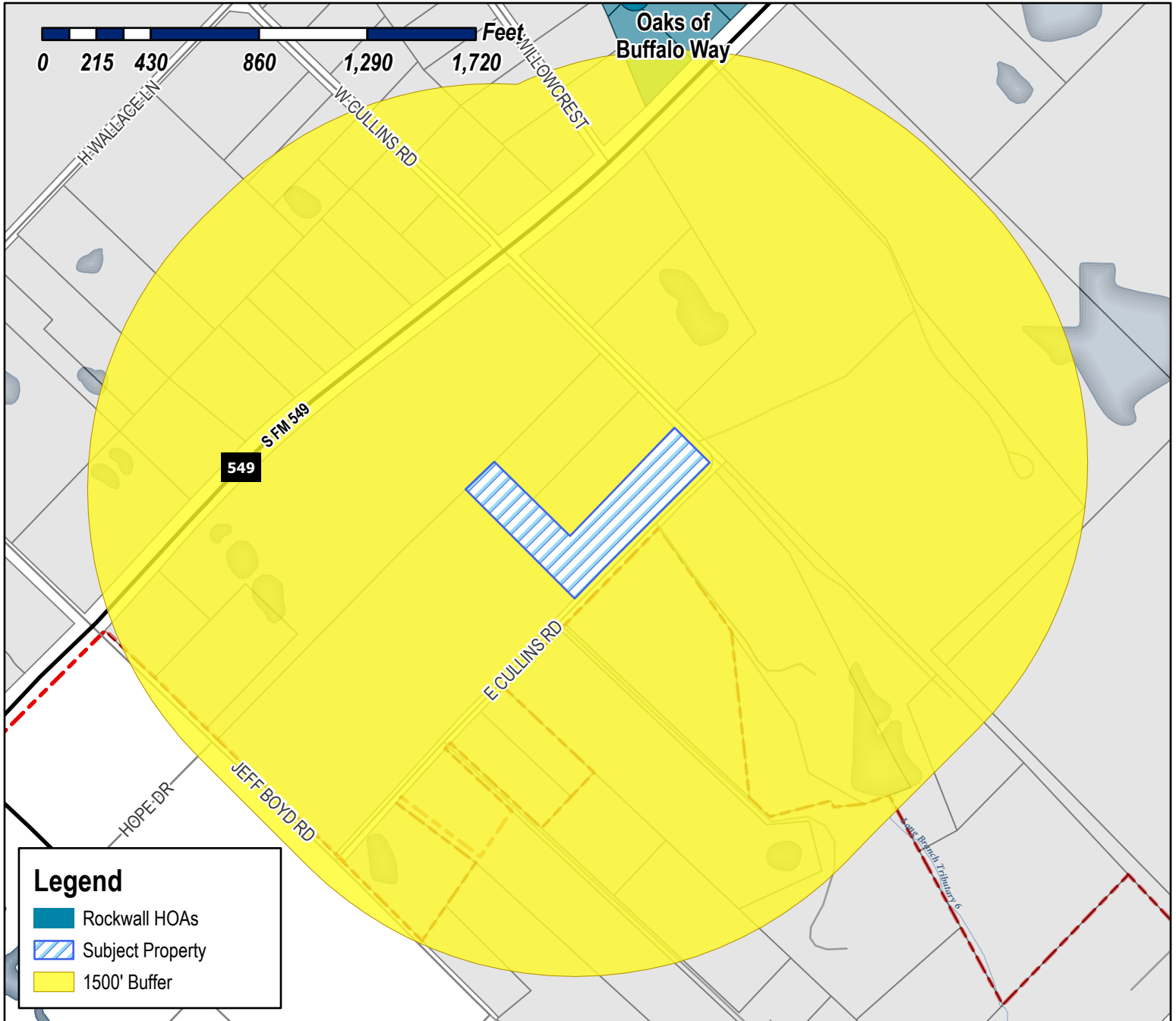




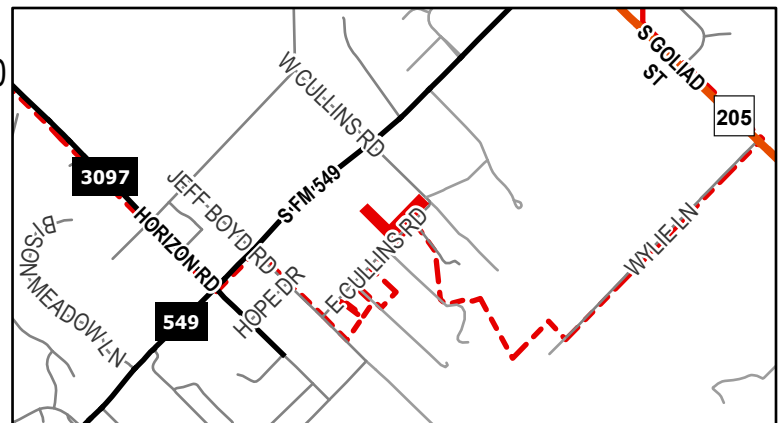
City of Rockwall

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

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Case Number: Z2023-006
Case Name: Zoning Change From AG to SFE-4.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 626 Cullins Road



Date Saved: 1/21/2023

For Questions on this Case Call (972) 771-7745

Lee, Henry

From: Chapin, Sarah
Sent: Thursday, January 26, 2023 12:24 PM
Cc: Miller, Ryan; Lee, Henry; Ross, Bethany
Subject: Neighborhood Notification Program [Z2023-006]
Attachments: HOA Map (01.21.2023).pdf; Public Notice Z2023-006.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 *January 27, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, February 14, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, February 21, 2023 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 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>.

Z2023-006: Zoning Change for AG to SFE-4.0

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and take any action necessary.

Thank you,

Sarah Chapin

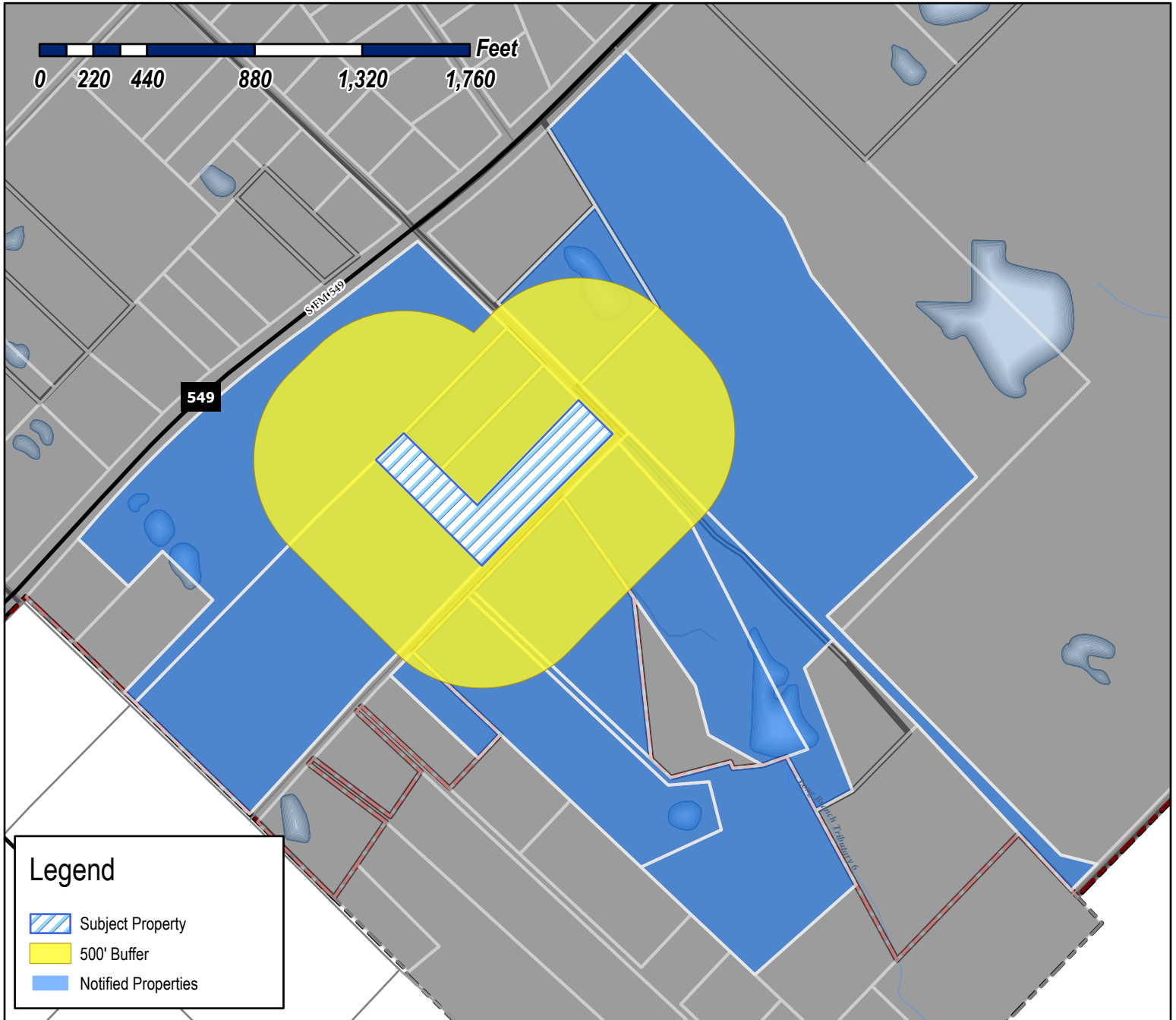
Planning Coordinator
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6568



City of Rockwall

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

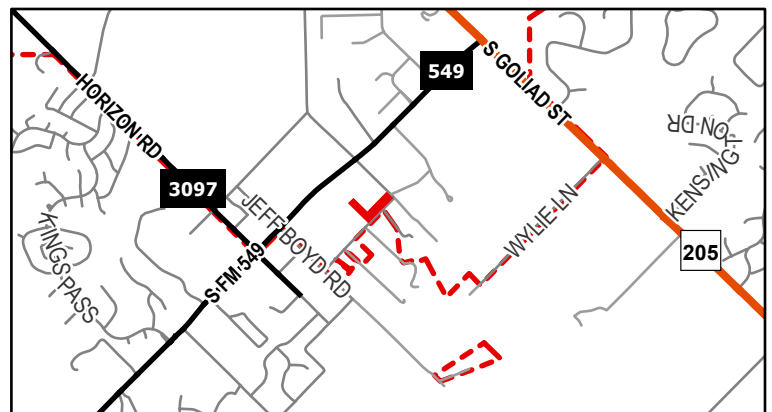
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Case Number: Z2023-006
Case Name: Zoning Change from AG to SFE-4.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 626 Cullins Road

Date Saved: 1/20/2023

For Questions on this Case Call: (972) 771-7746



ABREU JORGE AND TASHA
570 CULLINS RD
ROCKWALL, TX 75032

POPE TONY & KAREN
626 E CULLINS RD
ROCKWALL, TX 75032

HOPE LESLIE AND DARYL
530 CULLINS
ROCKWALL, TX 75032

HOLLAND SAUNDRA G
909 E CULLINS RD
ROCKWALL, TX 75032

WILSON BRET A & LESLIE
535 E CULLINS RD
ROCKWALL, TX 75032

BYRD GARY ETUX
707 E CULLINS RD
ROCKWALL, TX 75032

ROCKWALL HIGHGATE LTD
C/O SCOTT ASBURY
13155 NOEL RD # 900
DALLAS, TX 75240

OCCUPANT
326 CULLINS RD
ROCKWALL, TX 75032

FOLEY-TRAVIS LE'ARDEN J
403 TRAVIS LANE
ROCKWALL, TX 75032

KOHORST ED & OLIVIA CASEY
831 CULLINS RD
ROCKWALL, TX 75032

KEELING GEORGE W & BONNIE C
C/O MARTHA YELLE
3025 EVENING BREEZE WAY
PFLUGERVILLE, TX 78660

POPE TONY W & KARREN L
626 E CULLINS ROAD
ROCKWALL, TX 75032

BOYD WILKIE HUGH
489 JEFF BOYD RD
ROCKWALL, TX 75032

PUBLIC NOTICE



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

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

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

Z2023-006: Zoning Change from AG to SFE-4.0

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, 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, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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:

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-006: Zoning Change from AG to SFE-4.0

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.

Four horizontal grey bars for providing reasons for support or opposition.

Name: [Grey box]
Address: [Grey box]

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

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	SINGLE FAMILY ESTATE DISTRICTS
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Animal Boarding/Kennel with Outside Pens	(2)	(1)	S
Animal Boarding/Kennel without Outside Pens	(2)	(2)	S
Commercial Horse Corral or Stable	(9)	(5)	S
Private Horse Corral or Stable	(10)	(6)	P
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
Wholesale Nursery (<i>i.e. without Retail Sale On-Site</i>)	(13)		S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Bed and Breakfast	(2)	(2)	S
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A
Home Occupation	(9)	(7)	P
Portable Building	(15)	(10)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Detached Structure	(18)	(13)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Church/House of Worship	(4)	(2)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	SINGLE FAMILY ESTATE DISTRICTS
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna, as an Accessory	(2)	(1)	S
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Railroad Yard or Shop	(14)		S
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall	(21)		S
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0110 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) Property owners are responsible for maintenance, repair and replacement of all retaining walls, the HOA and the owner are responsible for drainage and detention systems in easements.

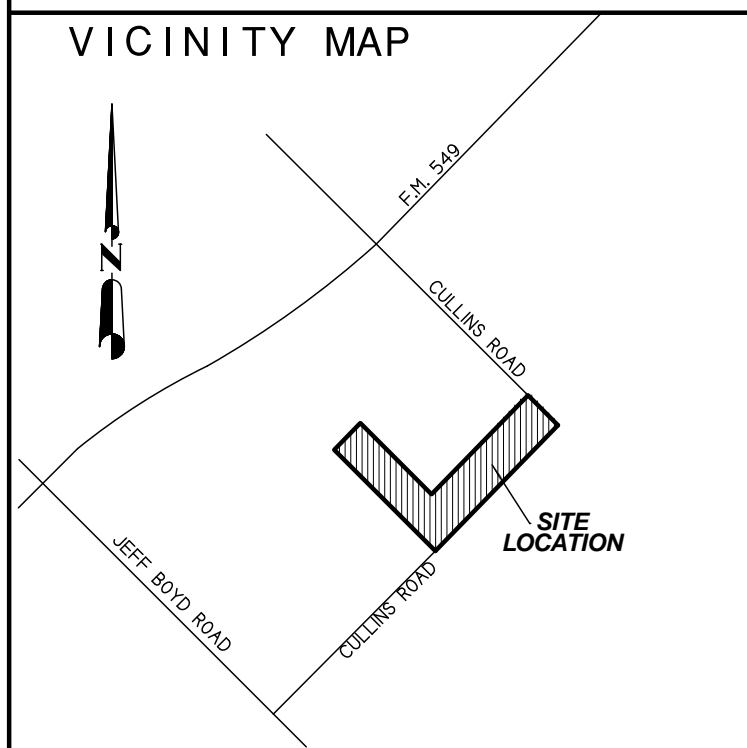
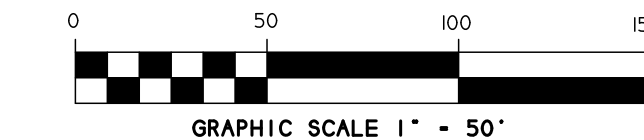
27.87 ACRES
WILKIE HUGH BOYD
V. 4804. PG. 254

3.00 ACRES
LESLIE HOPE
DARYL HOPE
DOC#2016000016212
O.P.R.R.C.T.

3.00 ACRES
JORGE ABREU
TAHSA ABREU
DOC#2021000014188
O.P.R.R.C.T.

TONY POPE
KAREN POPE
V. 7050. PG. 91

LOT 1
BLOCK A
5.41 ACRES
235,559 SQ. FT.



FINAL PLAT
G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

SYMBOL LEGEND			
	TELEVISION		GAS
	CABLE RISE		FIRE HYDRANT
	ELEC BOX		LP
	SUBSURFACE JUNCTION		METER
	EASEMENT LINE		LIGHT POLE
	PROPERTY LINE		NON-ADJ FOUND 1/2\"/>

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

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

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

All that certain lot, tract or parcel of land situated in the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated June 14, 1994 and being recorded in Volume 915, Page 141 of the Real Property Records of Rockwall County, Texas, and being part of a 90 acre tract as recorded in Volume 67, Page 417, Deed Records, Rockwall County, Texas, and being a part of a 23.429 acres tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated December 15, 2012 and being recorded in Volume 7050, Page 91 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/4" iron rod found for corner at the intersection of a turn in Cullins Road, said point being at the east most corner of said Pope tract and 90 acres tract of land;

THENCE S. 44 deg. 16 min. 14 sec. W. along the center of Cullins Road and southeast boundary of said Pope tract and 90 acres tract, a distance of 626.49 feet to a 1/2" iron rod found for corner;

THENCE S. 43 deg. 43 min. 03 sec. W. along the pavement of Cullins Road and southeast boundary of said Pope 23.429 acres tract, a distance of 161.97 feet to a Mag Nail set for corner;

THENCE N. 45 deg. 00 min. 00 sec. W., at 28.5 feet pass a 1/2" iron rod set for witness and continuing for a total distance of 647.33 feet to a 1/2" iron rod set for corner in the northwest boundary line of said pope 23.429 acres tract of land;

THENCE N. 44 deg. 14 min. 20 sec. E. along the northwest boundary of Pope 23.429 acres tract, a distance of 162.29 feet to a 1/2" iron rod found for corner at the north most corner of Pope 23.429 acres tract of land;

THENCE S. 44 deg. 58 min. 59 sec. E. a distance of 437.15 feet to a 1/2" iron rod found for corner at the west corner of said 3.00 acres tract;

THENCE N. 44 deg. 16 min. 14 sec. E. at 600.0 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 626.21 feet to a point for corner in Cullins Road;

THENCE S. 45 deg. 01 min. 11 sec. E. along the center of Cullins Road, a distance of 208.71 feet to the POINT OF BEGINNING and containing 235,559 square feet or 5.41 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

We also understand the following:

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

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

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

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

GENE ROGERS

BROOKE ROGERS

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

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

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

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

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of G & B ROGERS ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, _____.

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

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

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall City Secretary City of Rockwall

City Engineer Date

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

FINAL PLAT
G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND table with various utility symbols and their corresponding labels.

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

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

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT FOR A 5.41-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4-06 AND ALL OF TRACT 4-2 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' AND EXHIBIT 'B' 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 Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rodgers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District for a 5.41-acre tract of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 4.0 (SFE-4.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.04, *Single-Family Estate 4.0 (SFE-4.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MARCH, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

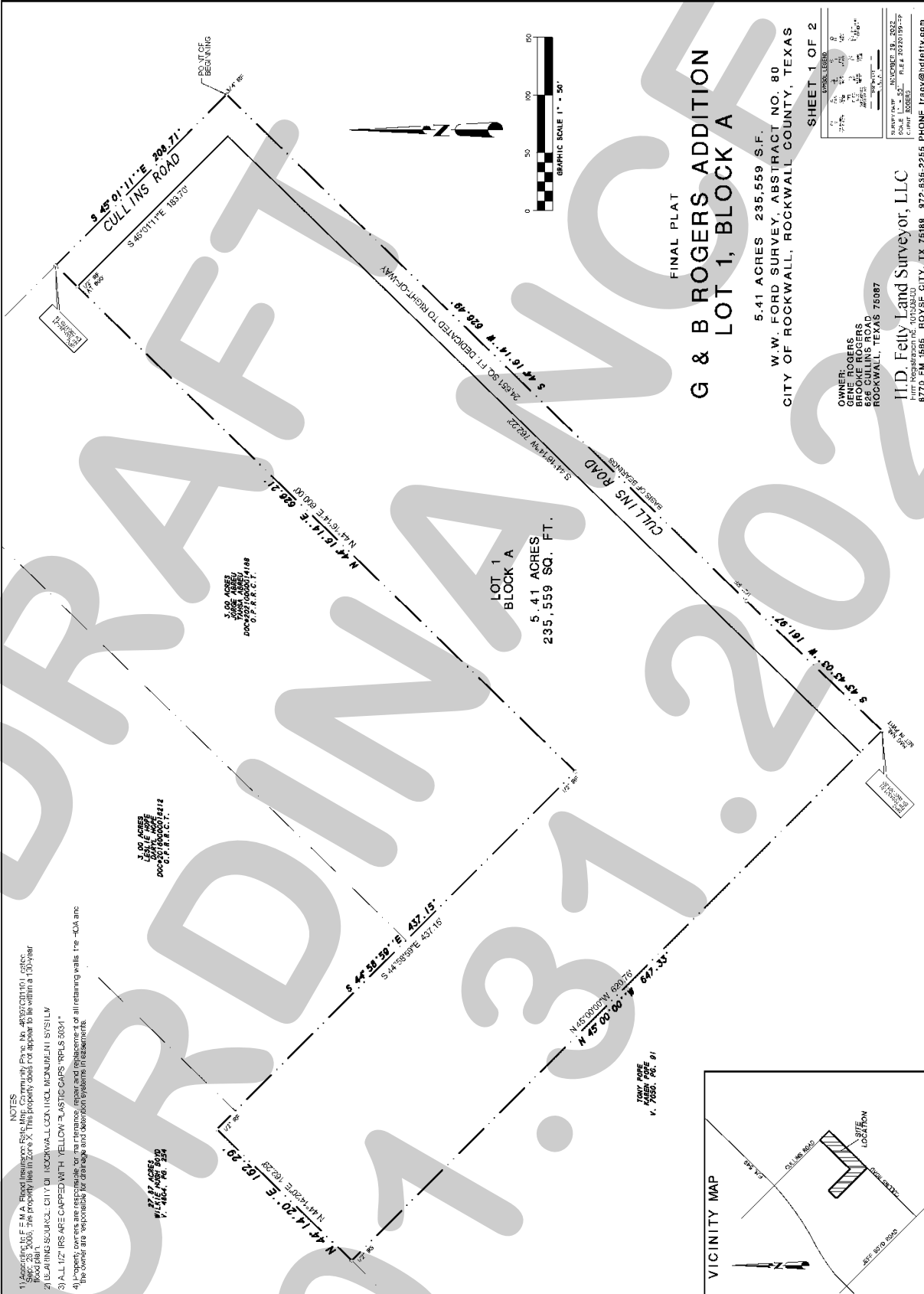
Exhibit 'A'
Legal Description

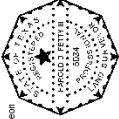
Addressed: 626 Cullins Road

Legal Description: A Portion of Tract 4-06 and All of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80



Exhibit 'B'
Survey





SURVEYOR'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THAT I, Harold D. Feltly, I.R.P.C. No. 5023, do hereby certify that prepared this plat were properly obtained under my personal supervision.

Harold D. Feltly
Registered Professional Land Surveyor No. 5023

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission

Date

APPROVED

I hereby certify that this plat was prepared and approved by G.A. ROGERS, P.L.S., on this _____ day of _____, 2023.

This approval shall be subject to the approval of the City of Rockwall. If the plat is not approved by the City of Rockwall, this plat shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____, 2023.

Mayor, City of Rockwall

City Engineer

NOTE: Rockwall is the only City of Rockwall with the authority to approve plat after approval at a meeting. While other city engineers/planners were approved by the City, the City of Rockwall is the only City of Rockwall with the authority to approve plat after approval at a meeting. Therefore, this plat is subject to the approval of the City of Rockwall.

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given under my hand and seal of office at _____ day of _____, 2023.

Notary Public for the State of Texas

My Commission Expires _____

FINAL PLAT

G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 295,559 S.F.

W.W. FORD SURVEY ABSTRACT NO. 80

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
G & B ROGERS
BROOKE ROGERS
ROCKWALL, TEXAS 75087

H.D. Feltly Land Surveyor, I.C.

6770 FM 1665 ROCKWALL, TEXAS 75087-5325 PHONE 972-835-2255

CITY CASE #23023



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

DATE: February 14, 2023

APPLICANT: Harold Fetty; *HD Fetty Land Surveyor*

CASE NUMBER: Z2023-006; *Zoning Change from Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District*

SUMMARY

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and take any action necessary.

BACKGROUND

The City Council approved *Ordinance No. 04-34* annexing the subject property into the City of Rockwall on May 17, 2004 [*i.e. Case No. A2004-001*]. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a ~1,849 SF single-family home that was constructed in 1994, a 462 SF detached garage also constructed in 1994, a 210 SF storage shed constructed in 1999, and a 378 SF attached carport that was constructed in 2006. No other changes or improvements have been made to the subject property since it was annexed.

PURPOSE

On January 20, 2023, the applicant -- *Harold Fetty of HD Fetty Land Surveyor*-- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District. The purpose of this request is to facilitate the submittal of a final plat to expand the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 626 Cullins Road. The land uses adjacent to the subject property are as follows:

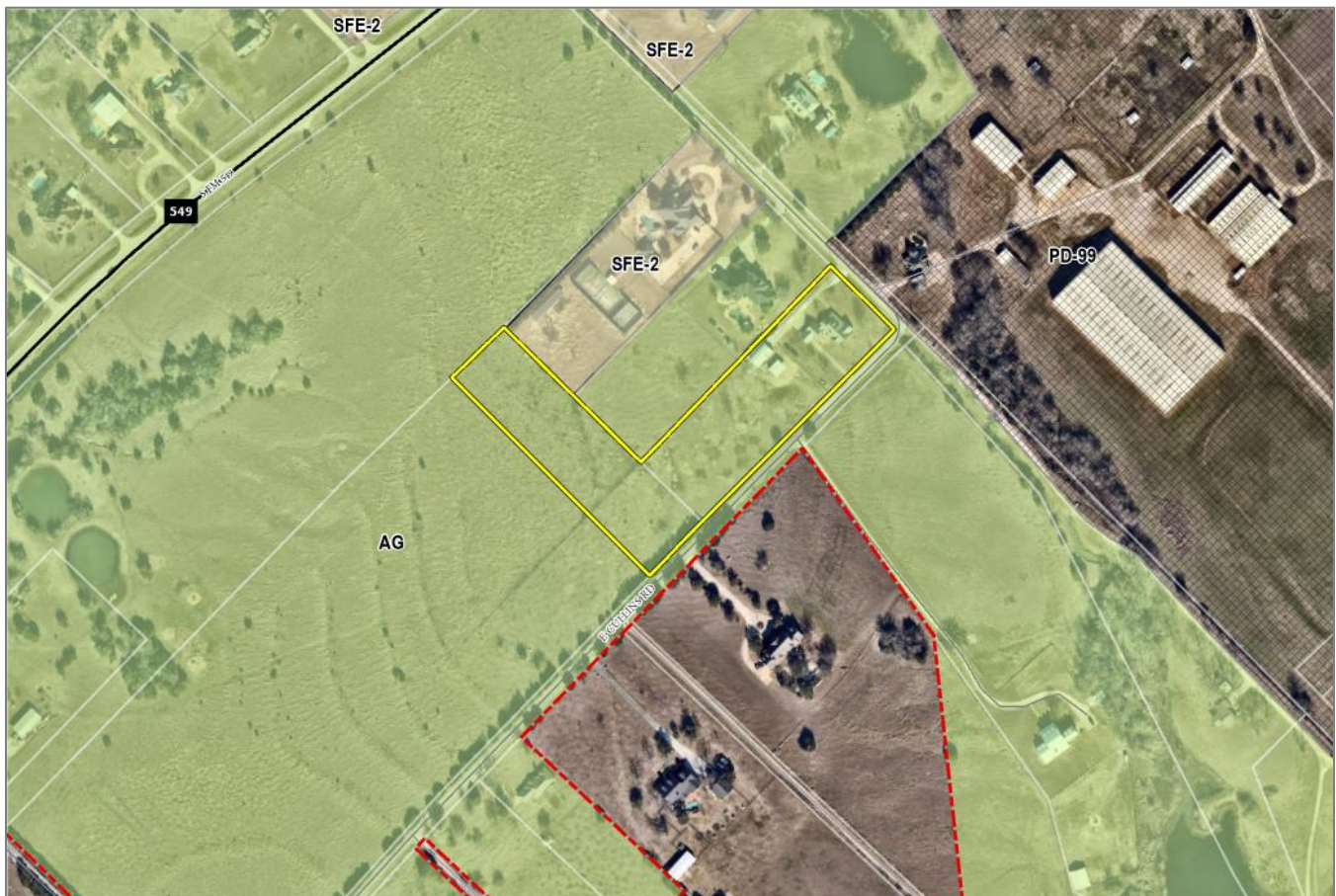
North: Directly north of the subject property is Cullins Road, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 43.30-acre tract of land (*i.e. Tract 17-16 of the W. W. Ford Survey, Abstract No. 80*) developed with a *Commercial Horse Stable*, that is zoned Planned Development District 99 (PD-99) for Single-Family 10 (SF-10) District land uses. Following this is a 5.697-acre tract of land (*i.e. Tract 17-9 of the W. W. Ford Survey, Abstract No. 80*) developed with a single-family home that is zoned Agricultural (AG) District.

South: Directly south of the subject property is Cullins Road, which is classified as an R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the City limits of the City of Rockwall, and a 10.484-acre tract of land (*i.e. Tract 40-3, Abstract 80 of the W. W. Ford Survey*) developed with a single-family home that is zoned Agricultural (AG) District.

East: Directly east of the subject property is the intersection of Cullins Road and Travis Lane, which are classified as a *Minor Collector* and a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 43.30-acre tract of land (*i.e. Tract 17-16 of the W. W. Ford Survey, Abstract No. 80*) developed with a *Commercial Horse Stable* that is zoned Planned Development District 99 (PD-99) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is a 3.00-acre tract of land (*i.e. Tract 4-4, Abstract 80 of the W. W. Ford Survey*) developed with single-family home and zoned Agricultural (AG) District. Beyond this is a 2.921-acre tract of land (*i.e. 4-5, Abstract 80 of the W. W. Ford Survey*) developed with a single-family home and is zoned Agricultural (AG) District. Following this is a vacant 25.513-acre tract of land (*i.e. Tract 4-01, Abstract 80 of the W. W. Ford Survey*) zoned Agricultural (AG) District. West of this is S. FM-549, which is classified as a TXDOT4D (*i.e. a Texas Department of Transportation, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the 5.41 tract of land from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District. The applicant has indicated to staff that this request is being made in order to facilitate the expansion and final platting of the subject property.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.04, *Single-Family Estate 4.0 (SFE-4.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size... (t)hese lots are typically in areas that are located in the City's hinterland,

away from higher density residential developments and non-residential development.” In this case, the properties adjacent to E. Cullins Road are zoned either Agricultural (AG) District or Single-Family Estate 2.0 (SFE-2.0) District. In the future it is anticipated all of these properties will transition to a Single-Family Estate (SFE) District zoned designation. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family Estate 4.0 (SFE-4.0) District, which are summarized as follows:

TABLE 1: SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT DEVELOPMENT STANDARDS

NUMBER OF DWELLING UNITS/LOT	1.0
NUMBER OF DWELLING UNITS/ACRE	0.25
MINIMUM DWELLING UNIT	2,500 SF
MINIMUM LOT AREA	174,240 SF
MINIMUM LOT WIDTH	200-FEET
MINIMUM LOT DEPTH	250-FEET
MINIMUM FRONT YARD SETBACK	50-FEET
MINIMUM REAR YARD SETBACK	10-FEET
MINIMUM SIDE YARD SETBACK	25-FEET
BETWEEN BUILDINGS	10-FEET
BUILDING HEIGHT	36-FEET
MAXIMUM LOT COVERAGE	35%
REQUIRED PARKING SPACES	2

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Southwest Residential District and is designated for Low Density Residential land uses. The Low Density Residential land use designation is defined as “...residential subdivisions that are two (2) units per gross acre or less ...” Based on this the proposed zoning change conforms to the Comprehensive Plan. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to “...(p)reserve the City’s current residential to non-residential land use ratio (i.e. 80% Residential; 20% Commercial) in order to maintain a balance mix of land uses for fiscal sustainability ...” [Section 02.01; CH. 1; Page 1-1]. In this case, the proposed zoning change conforms to the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, which was designed around the desired 80%/20% land use ratio. Based on this the proposed zoning change does not affect the current residential to non-residential percentage.

NOTIFICATIONS

On January 27, 2023, staff notified 13 property owners and occupants within 500-feet of the subject property. In addition, staff notified the Oaks of Buffalo Way Homeowner’s Association (HOA), which is the only Homeowner’s Association (HOA) or Neighborhood Group 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 written, staff had not received any notices regarding the applicant’s request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant’s request to rezone the subject property from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District, then staff would propose the following conditions of approval:

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



DEVELOPMENT APPLICATION

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

USE ONLY
 PLANNING & ZONING CASE NO. 22023-006
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: <input type="checkbox"/> MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹ <input type="checkbox"/> PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹ <input checked="" type="checkbox"/> FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> REPLAT (\$300.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> AMENDING OR MINOR PLAT (\$150.00) <input type="checkbox"/> PLAT REINSTATEMENT REQUEST (\$100.00) SITE PLAN APPLICATION FEES: <input type="checkbox"/> SITE PLAN (\$250.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)	ZONING APPLICATION FEES: <input checked="" type="checkbox"/> ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹ <input type="checkbox"/> SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2} <input type="checkbox"/> PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹ OTHER APPLICATION FEES: <input type="checkbox"/> TREE REMOVAL (\$75.00) <input type="checkbox"/> VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ² NOTES: ¹ : IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE. ² : 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 626 CULLINS ROAD
 SUBDIVISION W.W. FORD SURVEY A-B0 LOT BLOCK
 GENERAL LOCATION CULLINS + FM 549

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING CURRENT USE
 PROPOSED ZONING PROPOSED USE
 ACREAGE 5.41 ACRES LOTS [CURRENT] 1 LOTS [PROPOSED] 1

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

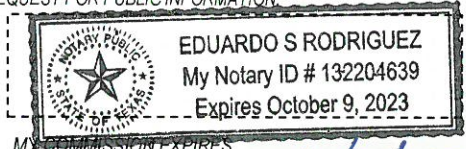
<input checked="" type="checkbox"/> OWNER <u>GENE and BROOKE ROGERS</u>	<input type="checkbox"/> APPLICANT <u>HO FETTY LAND SURVEYOR</u>
CONTACT PERSON <u>GENE and BROOKE ROGERS</u>	CONTACT PERSON <u>Harold Fetty</u>
ADDRESS <u>626 CULLINS ROAD</u>	ADDRESS <u>6770 FM 1565</u>
CITY, STATE & ZIP <u>Rockwall, TX 75087</u>	CITY, STATE & ZIP <u>Royse City TX 75189</u>
PHONE	PHONE <u>972-635-2255</u>
E-MAIL	E-MAIL <u>tracyendfetty.com</u>

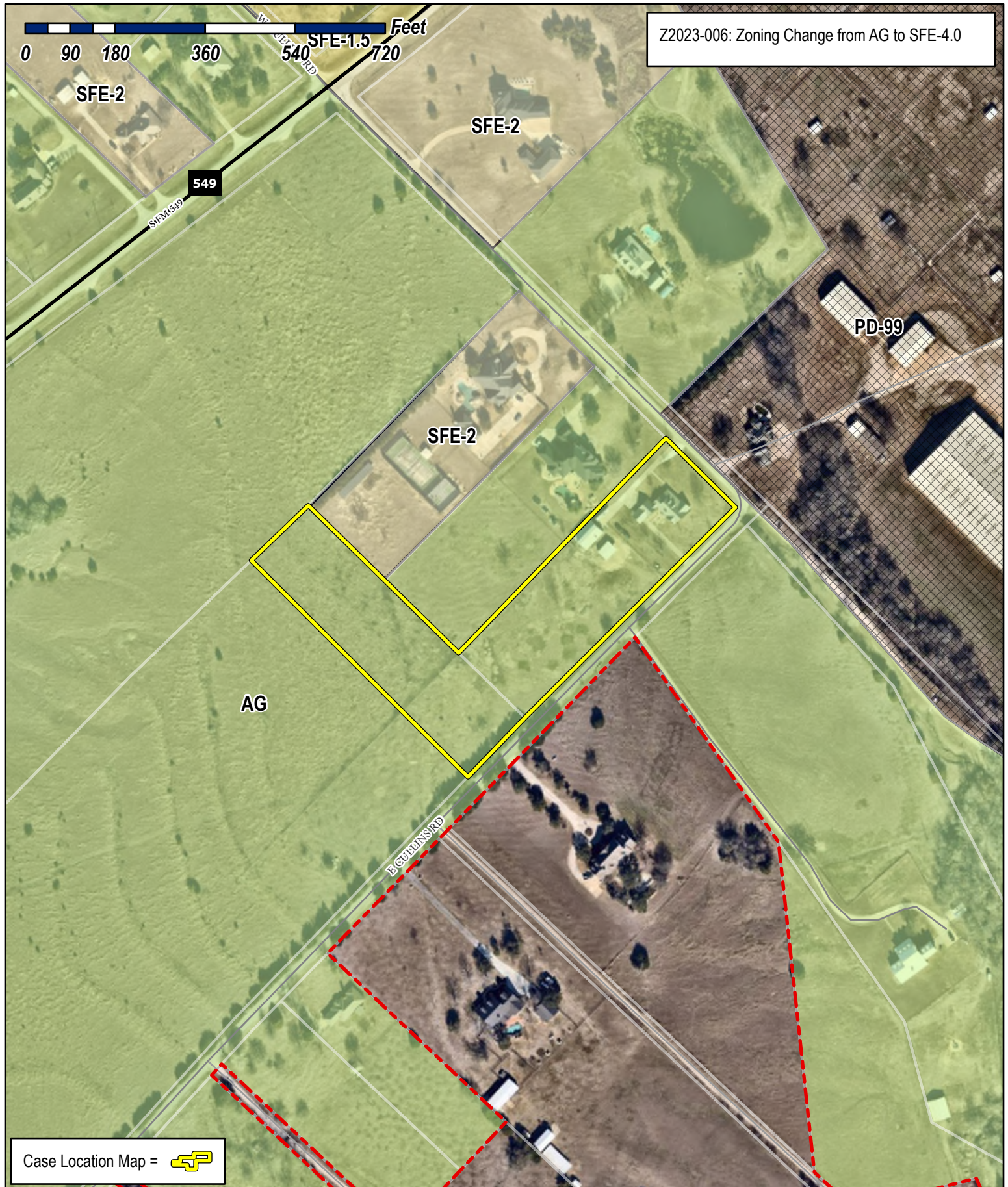
NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GENE ROGERS [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 \$ 286.77 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20th DAY OF January, 2023 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 20th DAY OF January, 2023
 OWNER'S SIGNATURE [Signature]
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]





Z2023-006: Zoning Change from AG to SFE-4.0

0 90 180 360 540 720 Feet

SFE-2


SFE-2

PD-99

SFE-2

AG

BOULINSRD

Case Location Map = 



City of Rockwall

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

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

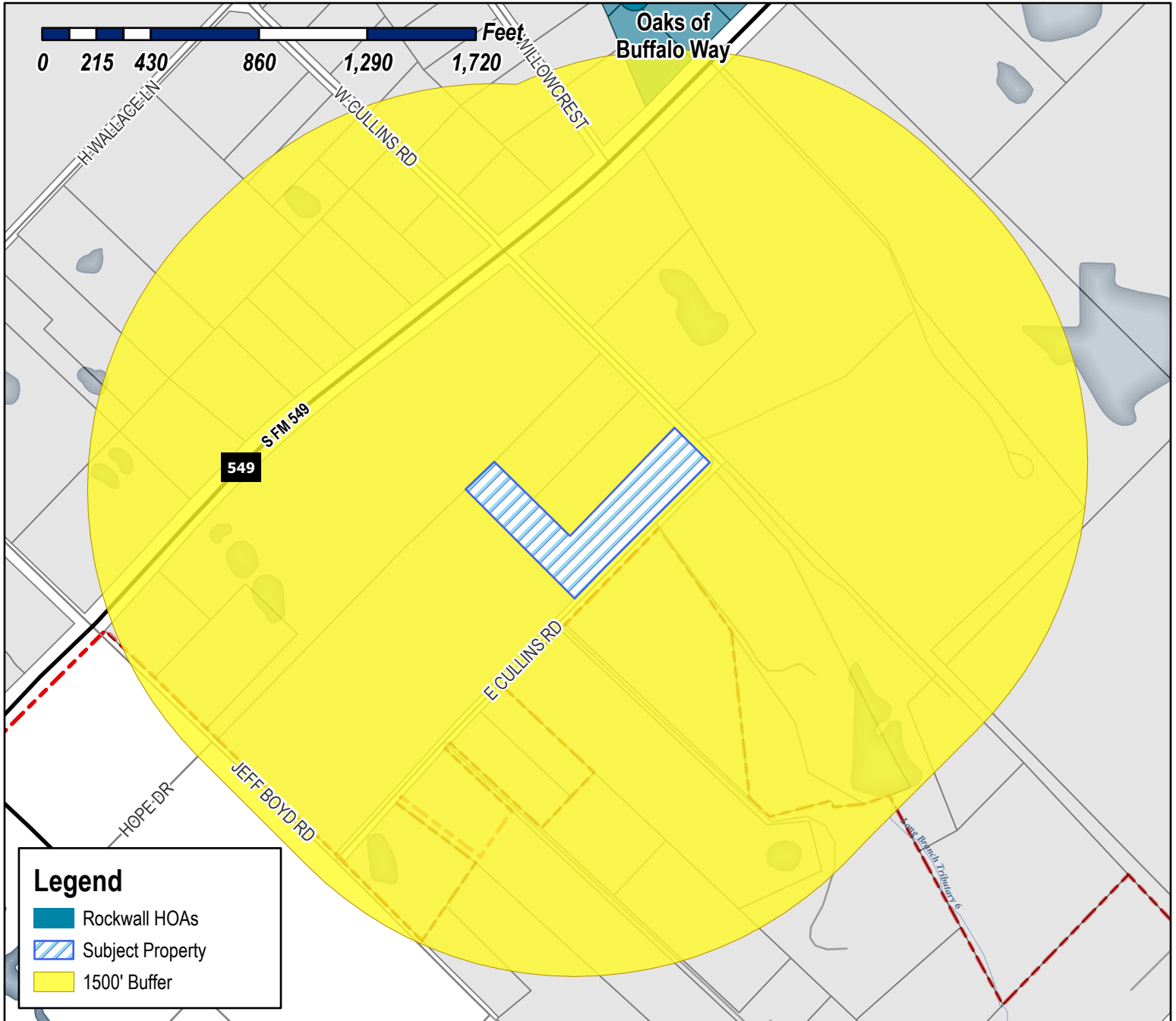




City of Rockwall

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Case Number: Z2023-006
Case Name: Zoning Change From AG to SFE-4.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 626 Cullins Road



Date Saved: 1/21/2023
 For Questions on this Case Call (972) 771-7745

Lee, Henry

From: Chapin, Sarah
Sent: Thursday, January 26, 2023 12:24 PM
Cc: Miller, Ryan; Lee, Henry; Ross, Bethany
Subject: Neighborhood Notification Program [Z2023-006]
Attachments: HOA Map (01.21.2023).pdf; Public Notice Z2023-006.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 *January 27, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, February 14, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, February 21, 2023 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 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>.

Z2023-006: Zoning Change for AG to SFE-4.0

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and take any action necessary.

Thank you,

Sarah Chapin

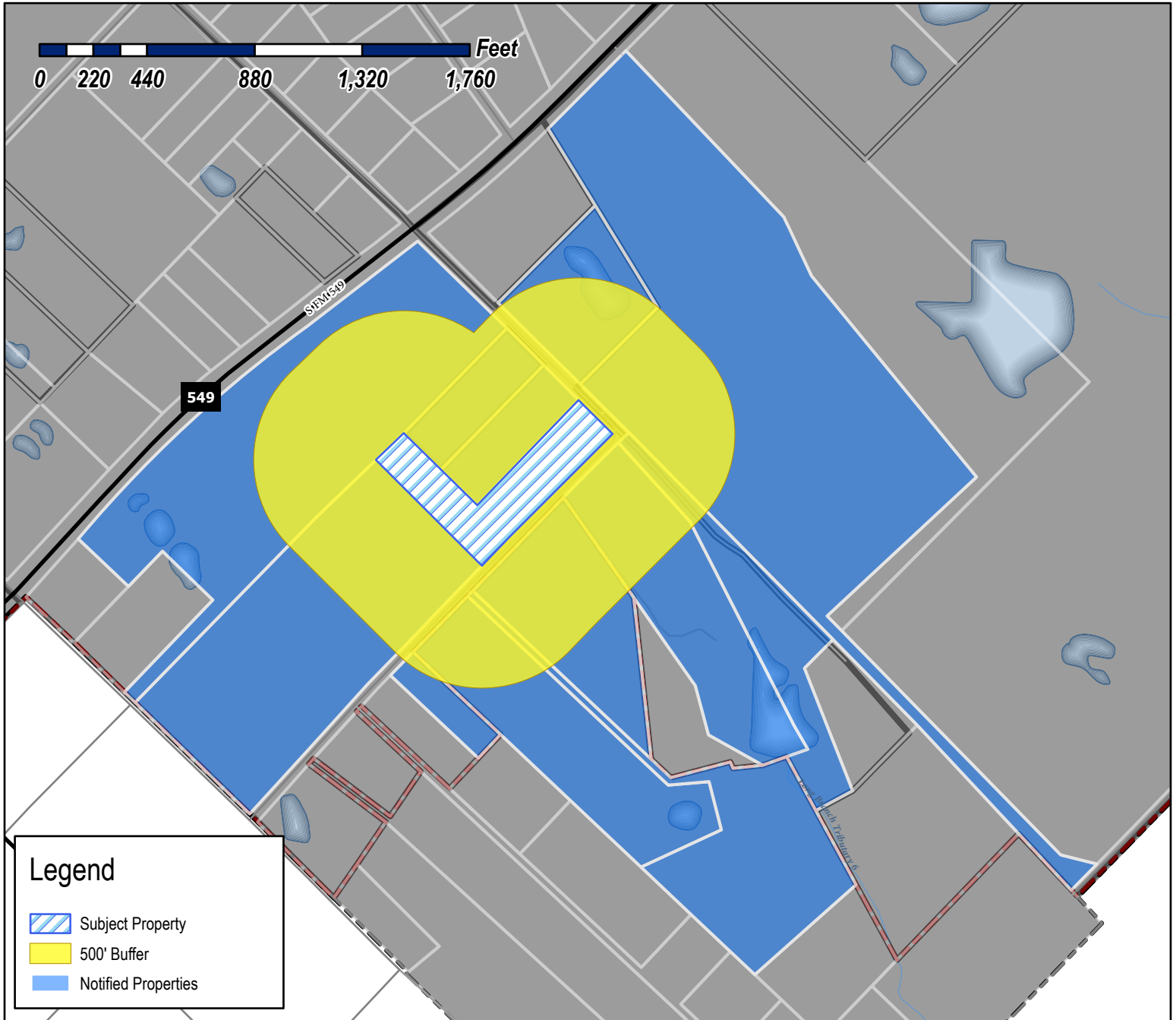
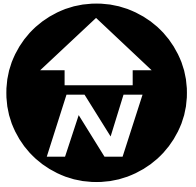
Planning Coordinator
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6568



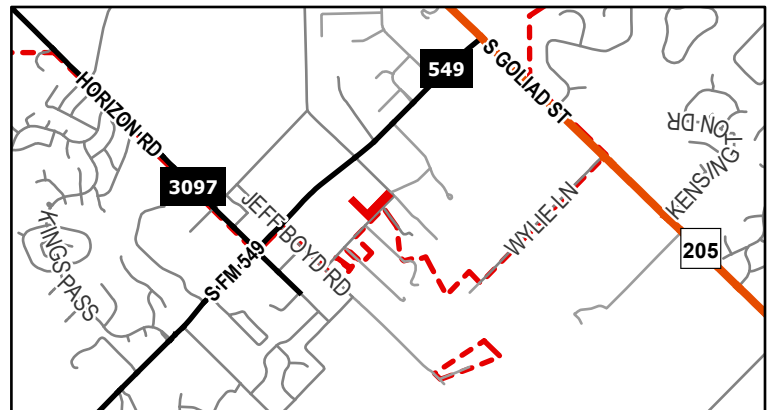
City of Rockwall

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

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Case Number: Z2023-006
Case Name: Zoning Change from AG to SFE-4.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 626 Cullins Road



Date Saved: 1/20/2023

For Questions on this Case Call: (972) 771-7746

ABREU JORGE AND TASHA
570 CULLINS RD
ROCKWALL, TX 75032

POPE TONY & KAREN
626 E CULLINS RD
ROCKWALL, TX 75032

HOPE LESLIE AND DARYL
530 CULLINS
ROCKWALL, TX 75032

HOLLAND SAUNDRA G
909 E CULLINS RD
ROCKWALL, TX 75032

WILSON BRET A & LESLIE
535 E CULLINS RD
ROCKWALL, TX 75032

BYRD GARY ETUX
707 E CULLINS RD
ROCKWALL, TX 75032

ROCKWALL HIGHGATE LTD
C/O SCOTT ASBURY
13155 NOEL RD # 900
DALLAS, TX 75240

OCCUPANT
326 CULLINS RD
ROCKWALL, TX 75032

FOLEY-TRAVIS LE'ARDEN J
403 TRAVIS LANE
ROCKWALL, TX 75032

KOHORST ED & OLIVIA CASEY
831 CULLINS RD
ROCKWALL, TX 75032

KEELING GEORGE W & BONNIE C
C/O MARTHA YELLE
3025 EVENING BREEZE WAY
PFLUGERVILLE, TX 78660

POPE TONY W & KARREN L
626 E CULLINS ROAD
ROCKWALL, TX 75032

BOYD WILKIE HUGH
489 JEFF BOYD RD
ROCKWALL, TX 75032

PUBLIC NOTICE



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

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

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

Z2023-006: Zoning Change from AG to SFE-4.0

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, 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, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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:

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-006: Zoning Change from AG to SFE-4.0

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.

Four horizontal grey bars for providing reasons for support or opposition.

Name: [Grey box]
Address: [Grey box]

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

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	SINGLE FAMILY ESTATE DISTRICTS
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Animal Boarding/Kennel with Outside Pens	(2)	(1)	S
Animal Boarding/Kennel without Outside Pens	(2)	(2)	S
Commercial Horse Corral or Stable	(9)	(5)	S
Private Horse Corral or Stable	(10)	(6)	P
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
Wholesale Nursery (<i>i.e. without Retail Sale On-Site</i>)	(13)		S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Bed and Breakfast	(2)	(2)	S
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A
Home Occupation	(9)	(7)	P
Portable Building	(15)	(10)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Detached Structure	(18)	(13)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Church/House of Worship	(4)	(2)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	SINGLE FAMILY ESTATE DISTRICTS
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna, as an Accessory	(2)	(1)	S
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Railroad Yard or Shop	(14)		S
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall	(21)		S
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0110 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) Property owners are responsible for maintenance, repair and replacement of all retaining walls, the HOA and the owner are responsible for drainage and detention systems in easements.

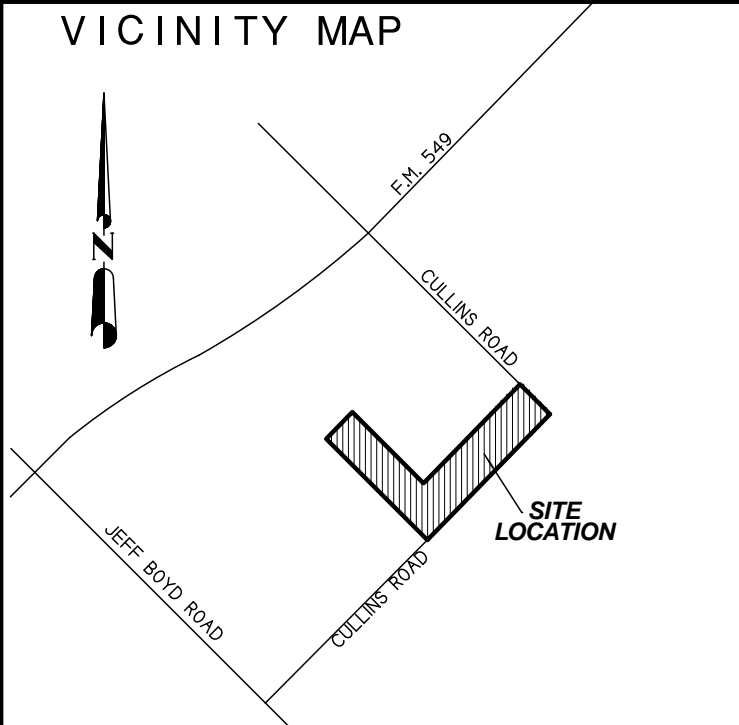
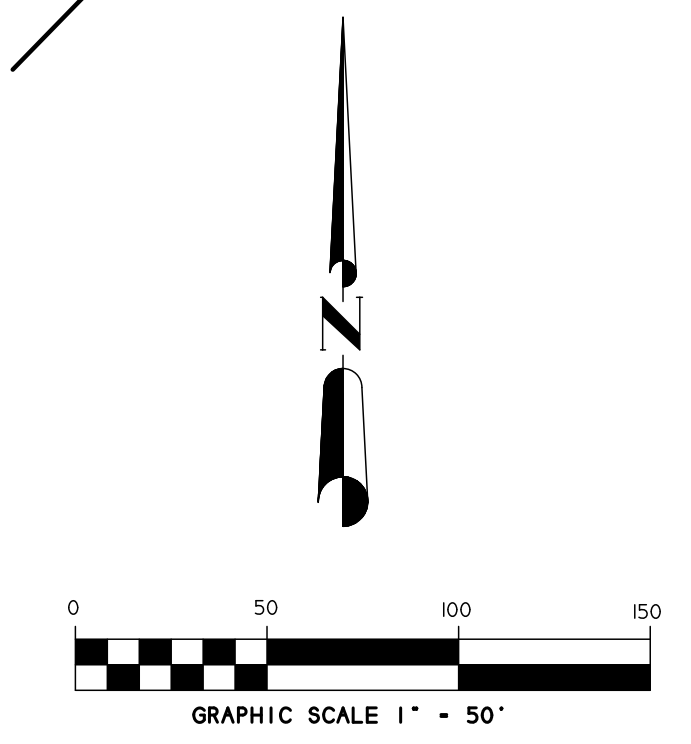
27.87 ACRES
WILKIE HUGH BOYD
V. 4804. PG. 254

3.00 ACRES
LESLIE HOPE
DARYL HOPE
DOC#20160000016212
O.P.R.R.C.T.

3.00 ACRES
JORGE ABREU
TAHSA ABREU
DOC#20210000014188
O.P.R.R.C.T.

TONY POPE
KAREN POPE
V. 7050. PG. 91

LOT 1
BLOCK A
5.41 ACRES
235,559 SQ. FT.



FINAL PLAT
G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

SYMBOL LEGEND			
⊙	TV	⊙	TEL
⊙	GAS	⊙	PH
⊙	METER	⊙	FIRE
⊙	CABLE RISER	⊙	HYDRANT
⊙	ELEC	⊙	POWER
⊙	BOX	⊙	POLE
⊙	SUBSURFACE	⊙	LP
⊙	JUNCTION BOX	⊙	WTR
⊙	METER	⊙	LP
⊙	POLE	⊙	NON ASD FOUND
⊙	POLE	⊙	1/2" IRF
⊙	POLE	⊙	CORNER 1
⊙	POLE	⊙	POLE
⊙	POLE	⊙	POLE

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

H.D. Fetty Land Surveyor, LLC

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

CITY CASE P2023-

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

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

All that certain lot, tract or parcel of land situated in the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated June 14, 1994 and being recorded in Volume 915, Page 141 of the Real Property Records of Rockwall County, Texas, and being part of a 90 acre tract as recorded in Volume 67, Page 417, Deed Records, Rockwall County, Texas, and being a part of a 23.429 acres tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated December 15, 2012 and being recorded in Volume 7050, Page 91 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/4" iron rod found for corner at the intersection of a turn in Cullins Road, said point being at the east most corner of said Pope tract and 90 acres tract of land;

THENCE S. 44 deg. 16 min. 14 sec. W. along the center of Cullins Road and southeast boundary of said Pope tract and 90 acres tract, a distance of 626.49 feet to a 1/2" iron rod found for corner;

THENCE S. 43 deg. 43 min. 03 sec. W. along the pavement of Cullins Road and southeast boundary of said Pope 23.429 acres tract, a distance of 161.97 feet to a Mag Nail set for corner;

THENCE N. 45 deg. 00 min. 00 sec. W., at 28.5 feet pass a 1/2" iron rod set for witness and continuing for a total distance of 647.33 feet to a 1/2" iron rod set for corner in the northwest boundary line of said pope 23.429 acres tract of land;

THENCE N. 44 deg. 14 min. 20 sec. E. along the northwest boundary of Pope 23.429 acres tract, a distance of 162.29 feet to a 1/2" iron rod found for corner at the north most corner of Pope 23.429 acres tract of land;

THENCE S. 44 deg. 58 min. 59 sec. E. a distance of 437.15 feet to a 1/2" iron rod found for corner at the west corner of said 3.00 acres tract;

THENCE N. 44 deg. 16 min. 14 sec. E. at 600.0 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 626.21 feet to a point for corner in Cullins Road;

THENCE S. 45 deg. 01 min. 11 sec. E. along the center of Cullins Road, a distance of 208.71 feet to the POINT OF BEGINNING and containing 235,559 square feet or 5.41 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

We also understand the following:

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

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

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

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

GENE ROGERS

BROOKE ROGERS

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of G & B ROGERS ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, _____.

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

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

WITNESS OUR HANDS, this ____ day of _____, _____.

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

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

FINAL PLAT

G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.

W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND			
TV	GAS	TEL	FF
TELEVISION	GAS	PHONE	PIPE
CABLE WIRE	METER	BOX	HOVANT
		LP	POLE
		WATER	1/2" IRSE
		FILTER	MIN ROD FOUND
		JUNCTION BOX	1 CORNER T
EASEMENT LINE			
PROPERTY LINE			

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

CITY CASE P2023-

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT FOR A 5.41-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4-06 AND ALL OF TRACT 4-2 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* 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 Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rodgers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District for a 5.41-acre tract of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 4.0 (SFE-4.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.04, *Single-Family Estate 4.0 (SFE-4.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MARCH, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

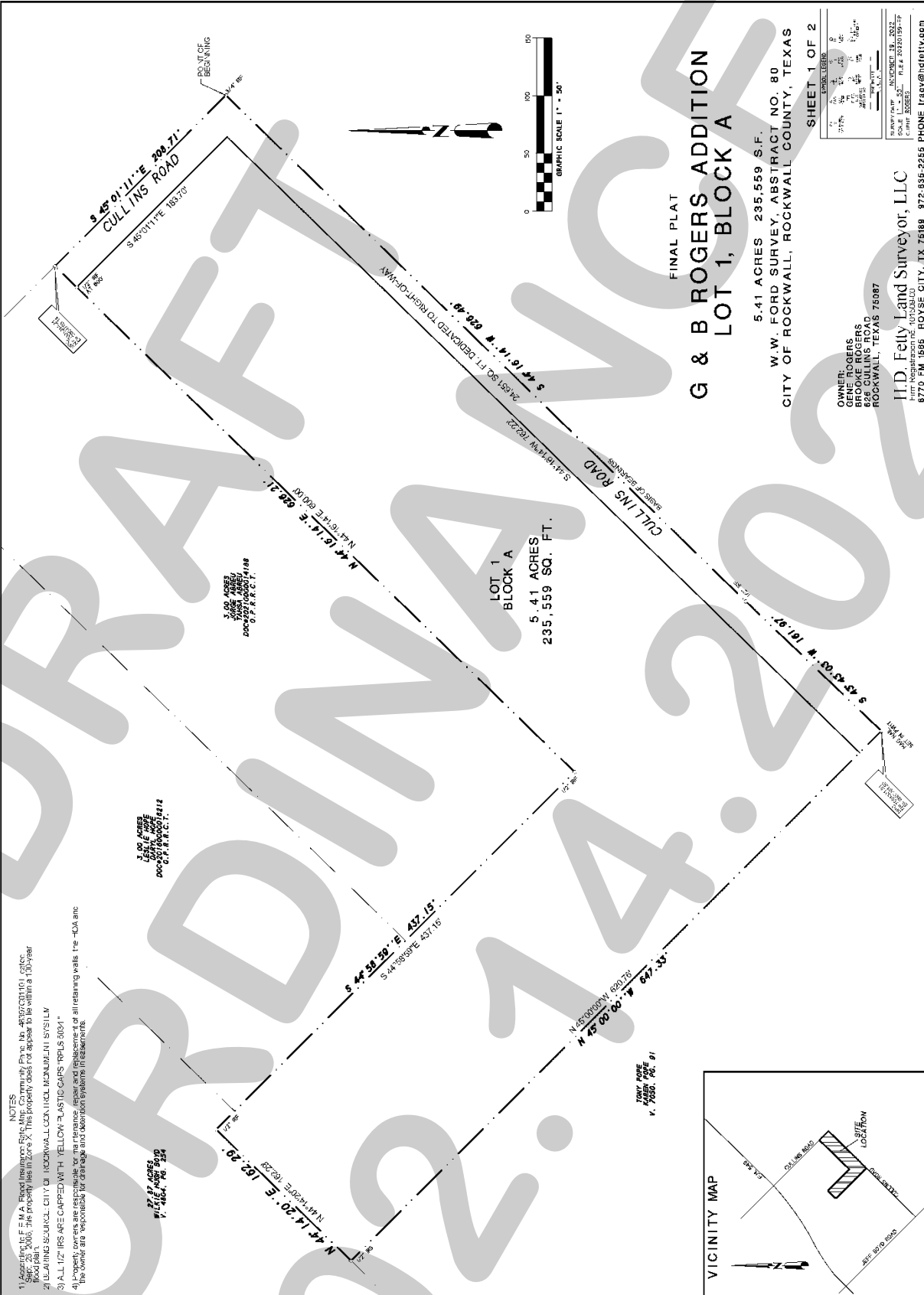
Exhibit 'A'
Legal Description

Addressed: 626 Cullins Road

Legal Description: A Portion of Tract 4-06 and All of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80



Exhibit 'B'
Survey





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: February 21, 2023

APPLICANT: Harold Fetty; *HD Fetty Land Surveyor*

CASE NUMBER: Z2023-006; *Zoning Change from Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District*

SUMMARY

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and take any action necessary.

BACKGROUND

The City Council approved *Ordinance No. 04-34* annexing the subject property into the City of Rockwall on May 17, 2004 [*i.e. Case No. A2004-001*]. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a ~1,849 SF single-family home that was constructed in 1994, a 462 SF detached garage also constructed in 1994, a 210 SF storage shed constructed in 1999, and a 378 SF attached carport that was constructed in 2006. No other changes or improvements have been made to the subject property since it was annexed.

PURPOSE

On January 20, 2023, the applicant -- *Harold Fetty of HD Fetty Land Surveyor*-- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District. The purpose of this request is to facilitate the submittal of a final plat to expand the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 626 Cullins Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Cullins Road, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 43.30-acre tract of land (*i.e. Tract 17-16 of the W. W. Ford Survey, Abstract No. 80*) developed with a *Commercial Horse Stable*, that is zoned Planned Development District 99 (PD-99) for Single-Family 10 (SF-10) District land uses. Following this is a 5.697-acre tract of land (*i.e. Tract 17-9 of the W. W. Ford Survey, Abstract No. 80*) developed with a single-family home that is zoned Agricultural (AG) District.

South: Directly south of the subject property is Cullins Road, which is classified as an R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the City limits of the City of Rockwall, and a 10.484-acre tract of land (*i.e. Tract 40-3, Abstract 80 of the W. W. Ford Survey*) developed with a single-family home that is zoned Agricultural (AG) District.

East: Directly east of the subject property is the intersection of Cullins Road and Travis Lane, which are classified as a *Minor Collector* and a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 43.30-acre tract of land (*i.e. Tract 17-16 of the W. W. Ford Survey, Abstract No. 80*) developed with a *Commercial Horse Stable* that is zoned Planned Development District 99 (PD-99) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is a 3.00-acre tract of land (*i.e. Tract 4-4, Abstract 80 of the W. W. Ford Survey*) developed with single-family home and zoned Agricultural (AG) District. Beyond this is a 2.921-acre tract of land (*i.e. 4-5, Abstract 80 of the W. W. Ford Survey*) developed with a single-family home and is zoned Agricultural (AG) District. Following this is a vacant 25.513-acre tract of land (*i.e. Tract 4-01, Abstract 80 of the W. W. Ford Survey*) zoned Agricultural (AG) District. West of this is S. FM-549, which is classified as a TXDOT4D (*i.e. a Texas Department of Transportation, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the 5.41 tract of land from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District. The applicant has indicated to staff that this request is being made in order to facilitate the expansion and final platting of the subject property.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.04, *Single-Family Estate 4.0 (SFE-4.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size... (t)hese lots are typically in areas that are located in the City's hinterland,

away from higher density residential developments and non-residential development.” In this case, the properties adjacent to E. Cullins Road are zoned either Agricultural (AG) District or Single-Family Estate 2.0 (SFE-2.0) District. In the future it is anticipated all of these properties will transition to a Single-Family Estate (SFE) District zoned designation. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family Estate 4.0 (SFE-4.0) District, which are summarized as follows:

TABLE 1: SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT DEVELOPMENT STANDARDS

NUMBER OF DWELLING UNITS/LOT	1.0
NUMBER OF DWELLING UNITS/ACRE	0.25
MINIMUM DWELLING UNIT	2,500 SF
MINIMUM LOT AREA	174,240 SF
MINIMUM LOT WIDTH	200-FEET
MINIMUM LOT DEPTH	250-FEET
MINIMUM FRONT YARD SETBACK	50-FEET
MINIMUM REAR YARD SETBACK	10-FEET
MINIMUM SIDE YARD SETBACK	25-FEET
BETWEEN BUILDINGS	10-FEET
BUILDING HEIGHT	36-FEET
MAXIMUM LOT COVERAGE	35%
REQUIRED PARKING SPACES	2

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Southwest Residential District and is designated for Low Density Residential land uses. The Low Density Residential land use designation is defined as “...residential subdivisions that are two (2) units per gross acre or less ...” Based on this the proposed zoning change conforms to the Comprehensive Plan. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to “...(p)reserve the City’s current residential to non-residential land use ratio (i.e. 80% Residential; 20% Commercial) in order to maintain a balance mix of land uses for fiscal sustainability ...” [Section 02.01; CH. 1; Page 1-1]. In this case, the proposed zoning change conforms to the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, which was designed around the desired 80%/20% land use ratio. Based on this the proposed zoning change does not affect the current residential to non-residential percentage.

NOTIFICATIONS

On January 27, 2023, staff notified 13 property owners and occupants within 500-feet of the subject property. In addition, staff notified the Oaks of Buffalo Way Homeowner’s Association (HOA), which is the only Homeowner’s Association (HOA) or Neighborhood Group 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 written, staff had not received any notices regarding the applicant’s request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant’s request to rezone the subject property from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District, then staff would propose the following conditions of approval:

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

PLANNING AND ZONING COMMISSION

On February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Zoning Change by a vote of 7-0.



DEVELOPMENT APPLICATION

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

USE ONLY
 PLANNING & ZONING CASE NO. 22023-006
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: <input type="checkbox"/> MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹ <input type="checkbox"/> PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹ <input checked="" type="checkbox"/> FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> REPLAT (\$300.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> AMENDING OR MINOR PLAT (\$150.00) <input type="checkbox"/> PLAT REINSTATEMENT REQUEST (\$100.00) SITE PLAN APPLICATION FEES: <input type="checkbox"/> SITE PLAN (\$250.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)	ZONING APPLICATION FEES: <input checked="" type="checkbox"/> ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹ <input type="checkbox"/> SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2} <input type="checkbox"/> PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹ OTHER APPLICATION FEES: <input type="checkbox"/> TREE REMOVAL (\$75.00) <input type="checkbox"/> VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ² NOTES: ¹ : IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE. ² : 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 626 CULLINS ROAD
 SUBDIVISION W.W. FORD SURVEY A-B0 LOT BLOCK
 GENERAL LOCATION CULLINS + FM 549

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING CURRENT USE
 PROPOSED ZONING PROPOSED USE
 ACREAGE 5.41 ACRES LOTS [CURRENT] 1 LOTS [PROPOSED] 1

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

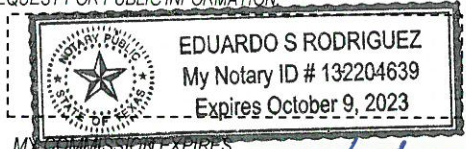
<input checked="" type="checkbox"/> OWNER <u>GENE and BROOKE ROGERS</u>	<input type="checkbox"/> APPLICANT <u>HO FETTY LAND SURVEYOR</u>
CONTACT PERSON <u>GENE and BROOKE ROGERS</u>	CONTACT PERSON <u>Harold Fetty</u>
ADDRESS <u>626 CULLINS ROAD</u>	ADDRESS <u>6770 FM 1565</u>
CITY, STATE & ZIP <u>Rockwall, TX 75087</u>	CITY, STATE & ZIP <u>Royse City TX 75189</u>
PHONE	PHONE <u>972-635-2255</u>
E-MAIL	E-MAIL <u>tracyendfetty.com</u>

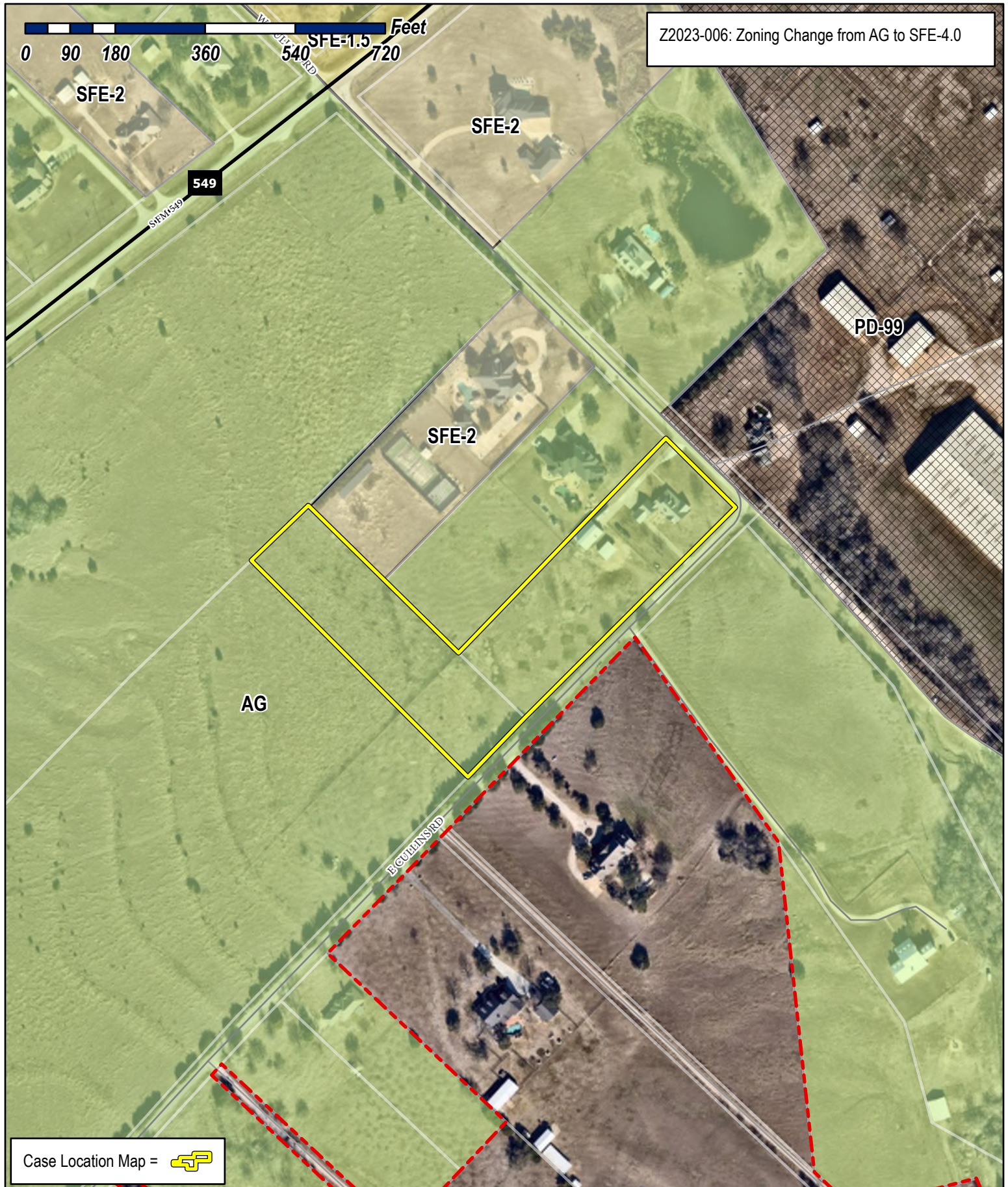
NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GENE ROGERS [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 \$ 286.77 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20th DAY OF January, 2023 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 20th DAY OF January, 2023
 OWNER'S SIGNATURE [Signature]
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]





Z2023-006: Zoning Change from AG to SFE-4.0

0 90 180 360 540 720 Feet

SFE-2

SFE-2

PD-99

SFE-2

AG

BOULINSRD

Case Location Map = 



City of Rockwall

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

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

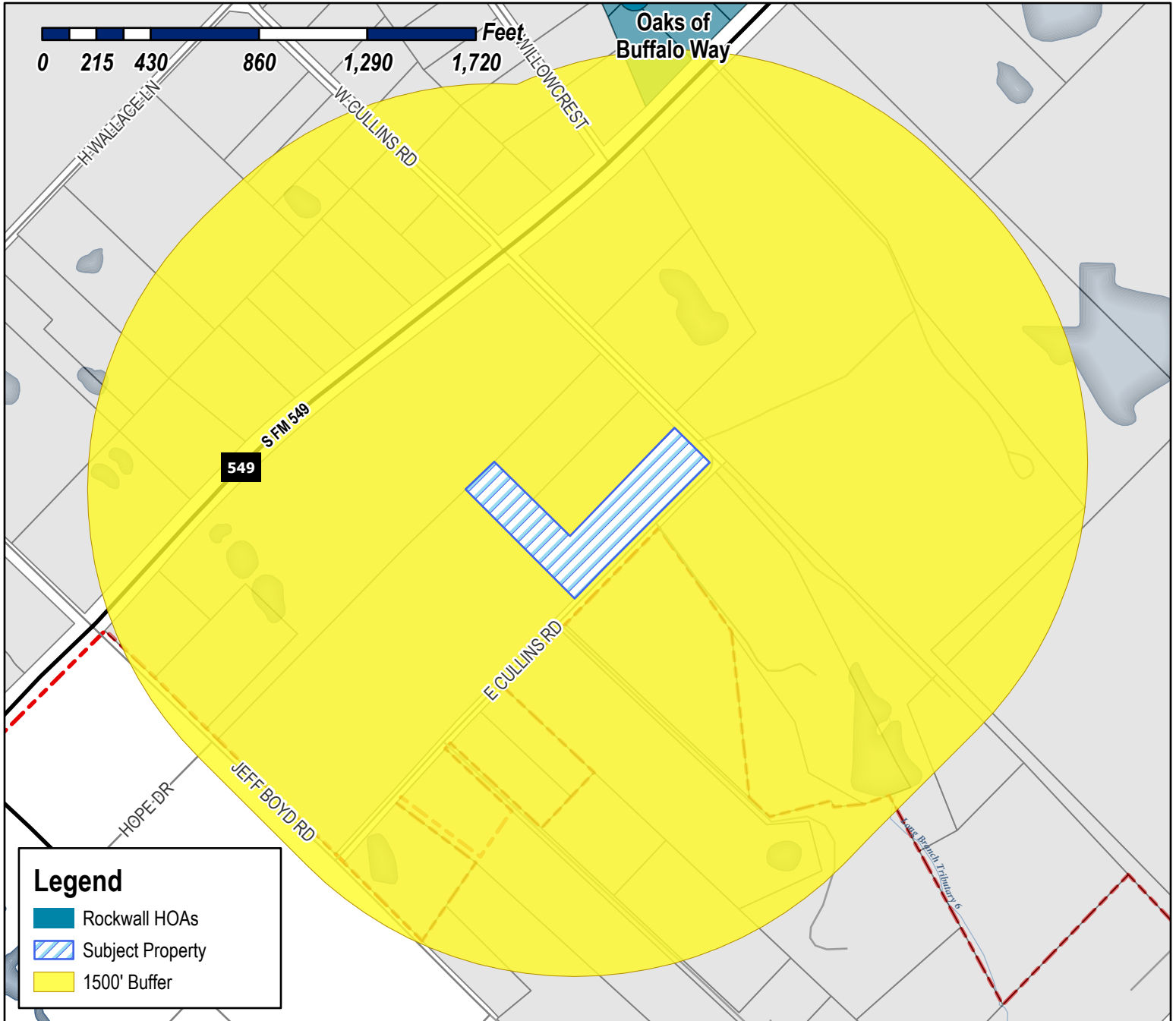




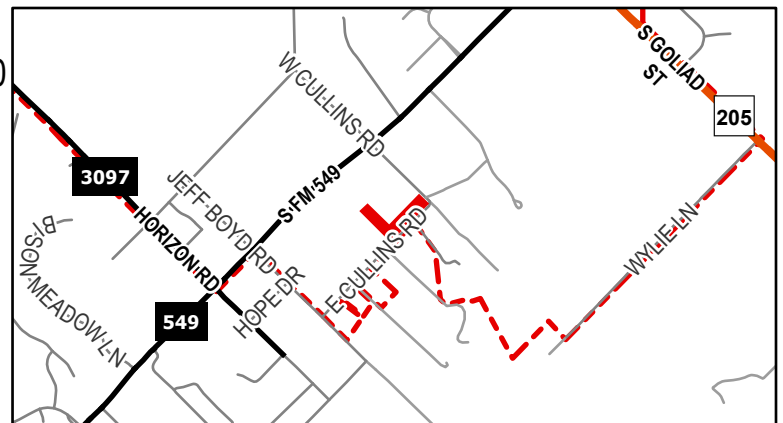
City of Rockwall

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Case Number: Z2023-006
Case Name: Zoning Change From AG to SFE-4.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 626 Cullins Road



Date Saved: 1/21/2023

For Questions on this Case Call (972) 771-7745

Lee, Henry

From: Chapin, Sarah
Sent: Thursday, January 26, 2023 12:24 PM
Cc: Miller, Ryan; Lee, Henry; Ross, Bethany
Subject: Neighborhood Notification Program [Z2023-006]
Attachments: HOA Map (01.21.2023).pdf; Public Notice Z2023-006.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 *January 27, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, February 14, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, February 21, 2023 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 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>.

Z2023-006: Zoning Change for AG to SFE-4.0

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and take any action necessary.

Thank you,

Sarah Chapin

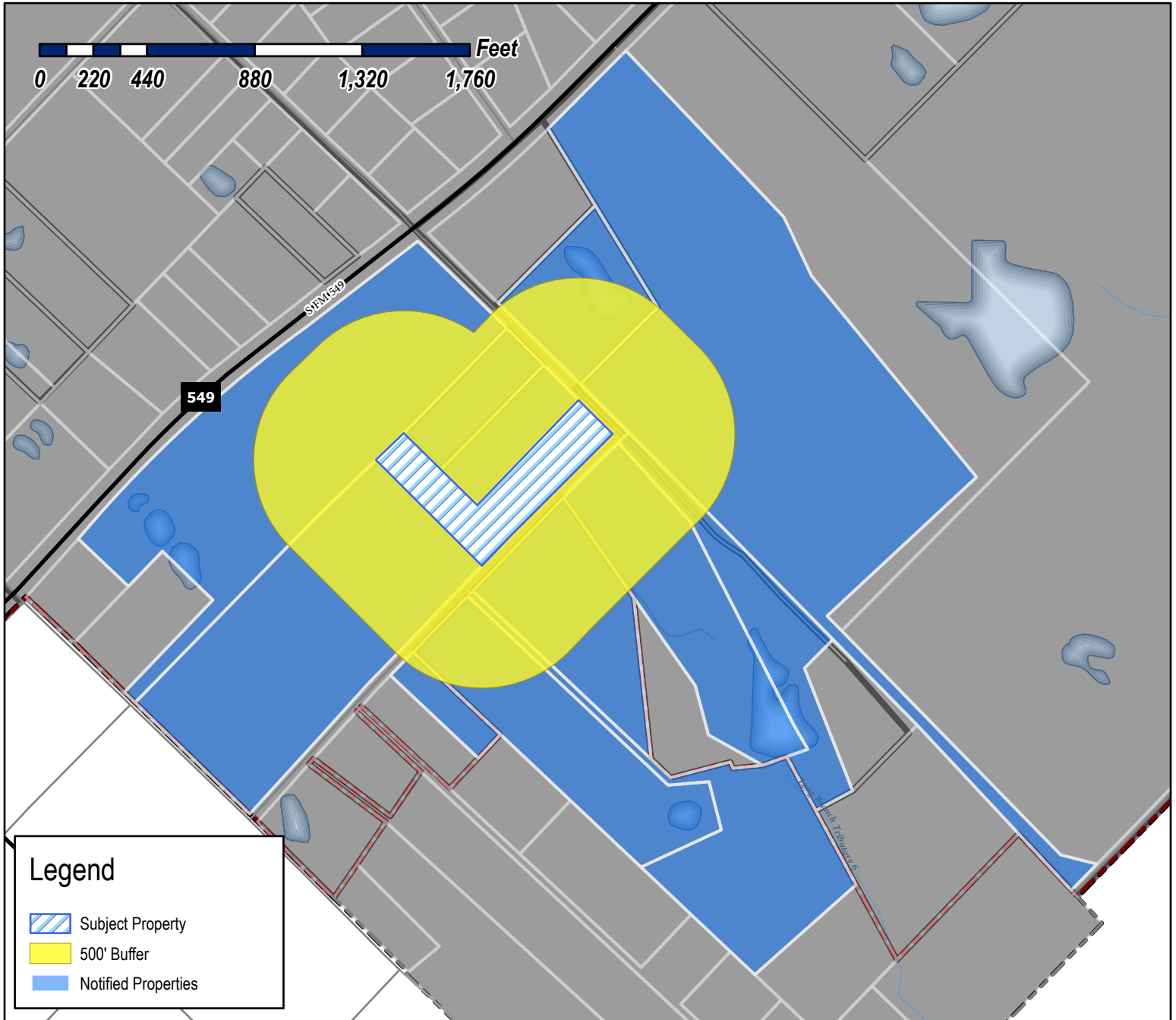
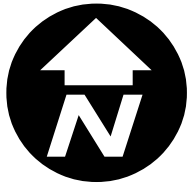
Planning Coordinator
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6568



City of Rockwall

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

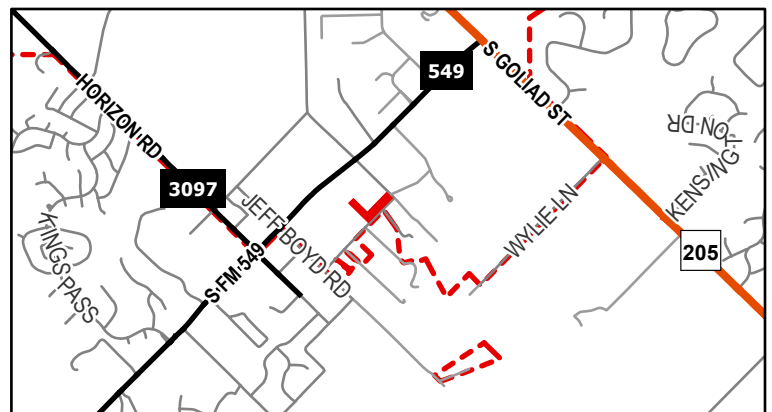
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Case Number: Z2023-006
Case Name: Zoning Change from AG to SFE-4.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 626 Cullins Road

Date Saved: 1/20/2023

For Questions on this Case Call: (972) 771-7746



ABREU JORGE AND TASHA
570 CULLINS RD
ROCKWALL, TX 75032

POPE TONY & KAREN
626 E CULLINS RD
ROCKWALL, TX 75032

HOPE LESLIE AND DARYL
530 CULLINS
ROCKWALL, TX 75032

HOLLAND SAUNDRA G
909 E CULLINS RD
ROCKWALL, TX 75032

WILSON BRET A & LESLIE
535 E CULLINS RD
ROCKWALL, TX 75032

BYRD GARY ETUX
707 E CULLINS RD
ROCKWALL, TX 75032

ROCKWALL HIGHGATE LTD
C/O SCOTT ASBURY
13155 NOEL RD # 900
DALLAS, TX 75240

OCCUPANT
326 CULLINS RD
ROCKWALL, TX 75032

FOLEY-TRAVIS LE'ARDEN J
403 TRAVIS LANE
ROCKWALL, TX 75032

KOHRST ED & OLIVIA CASEY
831 CULLINS RD
ROCKWALL, TX 75032

KEELING GEORGE W & BONNIE C
C/O MARTHA YELLE
3025 EVENING BREEZE WAY
PFLUGERVILLE, TX 78660

POPE TONY W & KARREN L
626 E CULLINS ROAD
ROCKWALL, TX 75032

BOYD WILKIE HUGH
489 JEFF BOYD RD
ROCKWALL, TX 75032

PUBLIC NOTICE



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

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

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

Z2023-006: Zoning Change from AG to SFE-4.0

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, 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, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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:

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-006: Zoning Change from AG to SFE-4.0

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.

Four horizontal grey bars for providing reasons for support or opposition.

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

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	SINGLE FAMILY ESTATE DISTRICTS
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Animal Boarding/Kennel with Outside Pens	(2)	(1)	S
Animal Boarding/Kennel without Outside Pens	(2)	(2)	S
Commercial Horse Corral or Stable	(9)	(5)	S
Private Horse Corral or Stable	(10)	(6)	P
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
Wholesale Nursery (<i>i.e. without Retail Sale On-Site</i>)	(13)		S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Bed and Breakfast	(2)	(2)	S
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A
Home Occupation	(9)	(7)	P
Portable Building	(15)	(10)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Detached Structure	(18)	(13)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Church/House of Worship	(4)	(2)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	SINGLE FAMILY ESTATE DISTRICTS
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna, as an Accessory	(2)	(1)	S
Antenna; for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Railroad Yard or Shop	(14)		S
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall	(21)		S
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0110 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) Property owners are responsible for maintenance, repair and replacement of all retaining walls, the HOA and the owner are responsible for drainage and detention systems in easements.

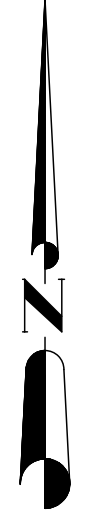
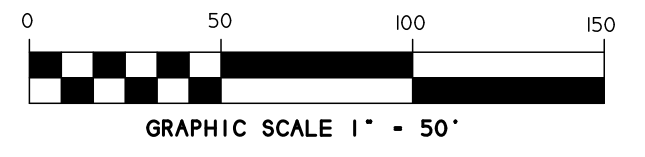
27.87 ACRES
WILKIE HUGH BOYD
V. 4804. PG. 254

3.00 ACRES
LESLIE HOPE
DARYL HOPE
DOC#20160000016212
O.P.R.R.C.T.

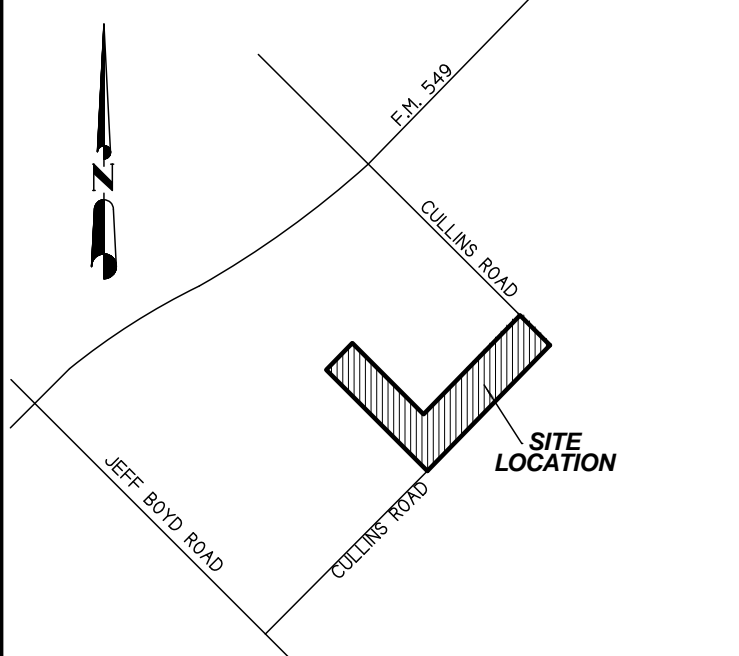
3.00 ACRES
JORGE ABREU
TAHSA ABREU
DOC#20210000014188
O.P.R.R.C.T.

TONY POPE
KAREN POPE
V. 7050. PG. 91

LOT 1
BLOCK A
5.41 ACRES
235,559 SQ. FT.



VICINITY MAP



FINAL PLAT
G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES 235,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

SYMBOL LEGEND			
TELEVISION	GAS	TEL	FIRE
CABLE RISER	METER	RISER	HYDRANT
ELEC	WTR	LP	ROW AND FOUND
BOX	METER	POLE	"1" CORNER
SUBSURFACE	JUNCTION BOX		
EASEMENT LINE			
Property Lines			

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

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

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

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

All that certain lot, tract or parcel of land situated in the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated June 14, 1994 and being recorded in Volume 915, Page 141 of the Real Property Records of Rockwall County, Texas, and being part of a 90 acre tract as recorded in Volume 67, Page 417, Deed Records, Rockwall County, Texas, and being a part of a 23.429 acres tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated December 15, 2012 and being recorded in Volume 7050, Page 91 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/4" iron rod found for corner at the intersection of a turn in Cullins Road, said point being at the east most corner of said Pope tract and 90 acres tract of land;

THENCE S. 44 deg. 16 min. 14 sec. W. along the center of Cullins Road and southeast boundary of said Pope tract and 90 acres tract, a distance of 626.49 feet to a 1/2" iron rod found for corner;

THENCE S. 43 deg. 43 min. 03 sec. W. along the pavement of Cullins Road and southeast boundary of said Pope 23.429 acres tract, a distance of 161.97 feet to a Mag Nail set for corner;

THENCE N. 45 deg. 00 min. 00 sec. W., at 28.5 feet pass a 1/2" iron rod set for witness and continuing for a total distance of 647.33 feet to a 1/2" iron rod set for corner in the northwest boundary line of said pope 23.429 acres tract of land;

THENCE N. 44 deg. 14 min. 20 sec. E. along the northwest boundary of Pope 23.429 acres tract, a distance of 162.29 feet to a 1/2" iron rod found for corner at the north most corner of Pope 23.429 acres tract of land;

THENCE S. 44 deg. 58 min. 59 sec. E. a distance of 437.15 feet to a 1/2" iron rod found for corner at the west corner of said 3.00 acres tract;

THENCE N. 44 deg. 16 min. 14 sec. E. at 600.0 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 626.21 feet to a point for corner in Cullins Road;

THENCE S. 45 deg. 01 min. 11 sec. E. along the center of Cullins Road, a distance of 208.71 feet to the POINT OF BEGINNING and containing 235,559 square feet or 5.41 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

We also understand the following:

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

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

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

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

GENE ROGERS

BROOKE ROGERS

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

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

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

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

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of G & B ROGERS ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, _____.

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

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

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall City Secretary City of Rockwall

City Engineer Date

FINAL PLAT
G & B ROGERS ADDITION
LOT 1, BLOCK A
5.41 ACRES 235,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND									
⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗
TV	GAS	TEL	FIRE	POWER	PHONE	WATER	SEWER	STORM	POLE
TELEVISION	CABLE	WIRE	WIRE	WIRE	WIRE	WIRE	WIRE	WIRE	WIRE
⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗
ELEC	ELEC	ELEC	ELEC	ELEC	ELEC	ELEC	ELEC	ELEC	ELEC
BOX	BOX	BOX	BOX	BOX	BOX	BOX	BOX	BOX	BOX
SUBSURFACE	SUBSURFACE	SUBSURFACE	SUBSURFACE	SUBSURFACE	SUBSURFACE	SUBSURFACE	SUBSURFACE	SUBSURFACE	SUBSURFACE
JUNCTION	JUNCTION	JUNCTION	JUNCTION	JUNCTION	JUNCTION	JUNCTION	JUNCTION	JUNCTION	JUNCTION
⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗
USE	USE	USE	USE	USE	USE	USE	USE	USE	USE
1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"
IRON	IRON	IRON	IRON	IRON	IRON	IRON	IRON	IRON	IRON
ROD	ROD	ROD	ROD	ROD	ROD	ROD	ROD	ROD	ROD
CORNER	CORNER	CORNER	CORNER	CORNER	CORNER	CORNER	CORNER	CORNER	CORNER
---	---	---	---	---	---	---	---	---	---
EASEMENT	EASEMENT	EASEMENT	EASEMENT	EASEMENT	EASEMENT	EASEMENT	EASEMENT	EASEMENT	EASEMENT
---	---	---	---	---	---	---	---	---	---
PROPERTY	PROPERTY	PROPERTY	PROPERTY	PROPERTY	PROPERTY	PROPERTY	PROPERTY	PROPERTY	PROPERTY
---	---	---	---	---	---	---	---	---	---

OWNER:
GENE ROGERS
BROOKE ROGERS
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

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

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT ROGERS

CITY CASE P2023-

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT FOR A 5.41-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4-06 AND ALL OF TRACT 4-2 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* 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 Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rodgers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District for a 5.41-acre tract of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 4.0 (SFE-4.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.04, *Single-Family Estate 4.0 (SFE-4.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MARCH, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

Exhibit 'A'
Legal Description

Addressed: 626 Cullins Road

Legal Description: A Portion of Tract 4-06 and All of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80



SURVEYORS CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT I, Harold D. Terry, L.R.P.S. No. 5224, do hereby certify that I prepared this plat in accordance with the provisions of the Texas Surveying Act, Chapter 86, and the rules and regulations thereunder, and that the other requirements of this act were properly observed in the preparation and execution of this plat.

Prepared by: Harold D. Terry
Registered Professional Land Surveyor, No. 5002

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing are of G & B ROGERS ADDITION, LOT 1, BLOCK A, and were approved by the City Council of the City of Rockwall on this _____ day of _____, 2023.

The approval of this plat by the City Council is subject to the approval of the City of Rockwall, Texas, and to the approval of the State of Texas.

City of Rockwall _____

WITNESS OUR HANDS this _____ day of _____, 2023.

Mayor/City Council _____ City Secretary/City of Rockwall _____

City Engineer _____ Title _____

FINAL PLAT

G & B ROGERS ADDITION
LOT 1, BLOCK A

5.41 ACRES, 295,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER INFORMATION

OWNER: GUYNE ROGERS
BROOKE ROGERS
826 CULLINS ROAD
ROCKWALL, TEXAS 75087

HD Fetty Land Surveyor, I.I.C.
6770 FM 1585, ROYSE CITY, TX 75169 972-835-2255 PHONE hrfetty@hdfetty.com

STATISTICS

City of Rockwall
County of Rockwall

NOTE: This plat has not yet been recorded with the County Clerk's Office. It is intended to be recorded with the County Clerk's Office, and it is the responsibility of the person filing this plat to ensure that it is properly recorded. The City of Rockwall is not responsible for the recording of this plat.

City of Rockwall _____ By: _____ Commission Expires _____

Notary Public in and for the State of Texas _____



DATE: March 16, 2023

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

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

SUBJECT: Z2023-006; *Zoning Change from AG to SFE-4.0 for 626 Cullins Road*

Harold Fetty:

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 March 6, 2023. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

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

Planning and Zoning Commission

On February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Zoning Change by a vote of 7-0.

City Council

On March 6, 2023, the City Council approved the Zoning Change by a vote of 7-0.

Included with this letter is a copy of *Ordinance No. 23-13*, 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,

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

Henry Lee, AICP, *Planner*
Planning and Zoning Department

CITY OF ROCKWALL

ORDINANCE NO. 23-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT FOR A 5.41-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4-06 AND ALL OF TRACT 4-2 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* 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 Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rodgers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District for a 5.41-acre tract of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 4.0 (SFE-4.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.04, *Single-Family Estate 4.0 (SFE-4.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

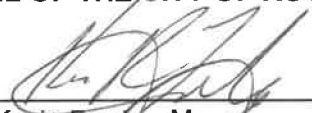
SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MARCH, 2023.



Kevin Fowler, Mayor

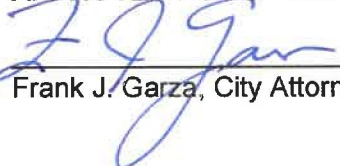
ATTEST:



Kristy Teague, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

Exhibit 'A'
Legal Description

Addressed: 626 Cullins Road

Legal Description: A Portion of Tract 4-06 and All of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80



Exhibit 'B' Survey

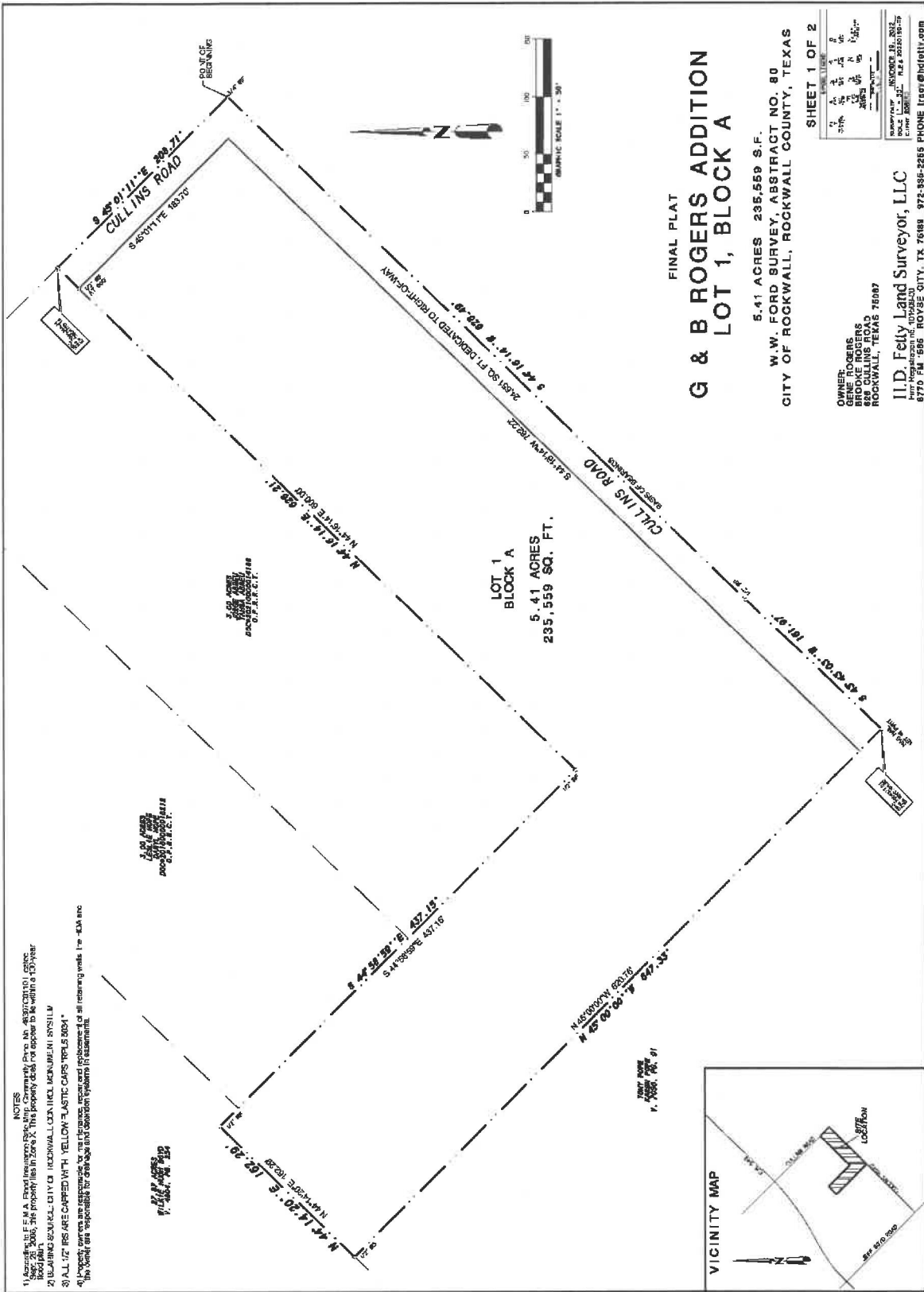


Exhibit 'B' Survey

COUNTY OF ROCKWALL
(Place location)

NOTICE TO THE PUBLIC

THE CITY OF ROCKWALL HAS RECEIVED AN APPLICATION FOR A SURVEY OF THE PROPERTY DESCRIBED AS FOLLOWS: **5.41 ACRES, 235,559 S.F., W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS.**

THE CITY ENGINEER HAS REVIEWED THE SURVEY AND HAS DETERMINED THAT THE SURVEY COMPLIES WITH THE CITY ENGINEERING REGULATIONS AND THE CITY ENGINEERING ORDINANCES. THE CITY ENGINEER HAS ISSUED THIS SURVEY MAP AND HAS RECOMMENDED THE SURVEY BE APPROVED BY THE CITY COUNCIL.

THE CITY ENGINEER HAS REVIEWED THE SURVEY AND HAS DETERMINED THAT THE SURVEY COMPLIES WITH THE CITY ENGINEERING REGULATIONS AND THE CITY ENGINEERING ORDINANCES. THE CITY ENGINEER HAS ISSUED THIS SURVEY MAP AND HAS RECOMMENDED THE SURVEY BE APPROVED BY THE CITY COUNCIL.

FINAL PLAT

G & B ROGERS ADDITION LOT 1, BLOCK A

5.41 ACRES, 235,559 S.F.
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

APPROVED:

City Engineer

RECOMMENDED FOR FINAL APPROVAL:

City Engineer

WITNESSES:

Witness

NOTICE: Read to the public at the City of Rockwall to verify the plat is correct and a correct copy has been filed with the City of Rockwall. The City Engineer has reviewed the survey and has determined that the survey complies with the City Engineering Regulations and the City Engineering Ordinances. The City Engineer has issued this survey map and has recommended the survey be approved by the City Council.

OWNER:
GENE ROGERS
BROOKE ROGERS
136 COLLINS ROAD
ROCKWALL, TEXAS 75087

FILED:
FILED FOR RECORD IN THE PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS
ON _____ 2023
BY _____

PREPARED BY:
H.D. FETTY Land Surveyor, I.C.
8779 FM 1955, ROYSE CITY, TX 75189 972-535-2555
Firm Registration # 015292-00

CITY OF ROCKWALL

PLAT NO. _____

DATE OF RECORDING _____

BOOK _____ PAGE _____

Lee, Henry

From: Lee, Henry
Sent: Friday, January 27, 2023 12:14 PM
To: 'Tracy Fetty'
Subject: Project Comments Z2023-006
Attachments: Project Comments (01.27.2023).pdf; Engineering Mark-Ups (01.27.2023).pdf; Draft Ordinance (01.21.2023).pdf

Good Afternoon,

Attached are the project comments and draft ordinance for your case. The meeting schedule for this case is as follows:

Planning and Zoning Commission Work Session: January 31, 2023
Planning and Zoning Commission Public Hearing: February 14, 2023
City Council: February 21, 2023 [1st reading], March 6, 2023 [2nd reading]

Please note that all meetings will be held at 6:00 PM at 385 S. Goliad Street in the City Council Chambers. Please also note that a representative is required to be at all meetings. Should you have any questions please let me know.

Thank you,



Henry Lee, AICP
Planner
Planning & Zoning Department
972.772.6434
HLee@rockwall.com
385 S. Goliad Street, Rockwall, TX 75087