



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-011

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

### PLATTING APPLICATION FEES:

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

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

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

### OTHER APPLICATION FEES:

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

### NOTES:

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 171 Birds Nest Ln

SUBDIVISION Birds Nest Addition

LOT 1 & 2 BLOCK A

GENERAL LOCATION

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

CURRENT ZONING

CURRENT USE Vacant

PROPOSED ZONING

PROPOSED USE Residential

ACREAGE 4.02

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER Mike + Cheryl Birdwell

APPLICANT

CONTACT PERSON Mike + Cheryl

CONTACT PERSON

ADDRESS 171 Birds Nest Ln

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE 214-773-4527

PHONE

E-MAIL birdwellc@garlandtx.gov

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

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

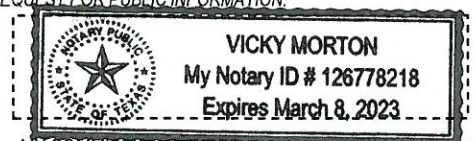
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.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

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

OWNER'S SIGNATURE M. Birdwell


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Vicky Morton



MY COMMISSION EXPIRES March 8, 2023

0 80 160 320 480 640 Feet

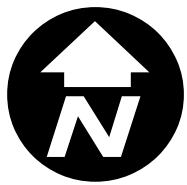
P2021-011- LOT 1 & 2, BLOCK A, BIRDS NEST ADDITION  
REPLAT - LOCATION MAP = 

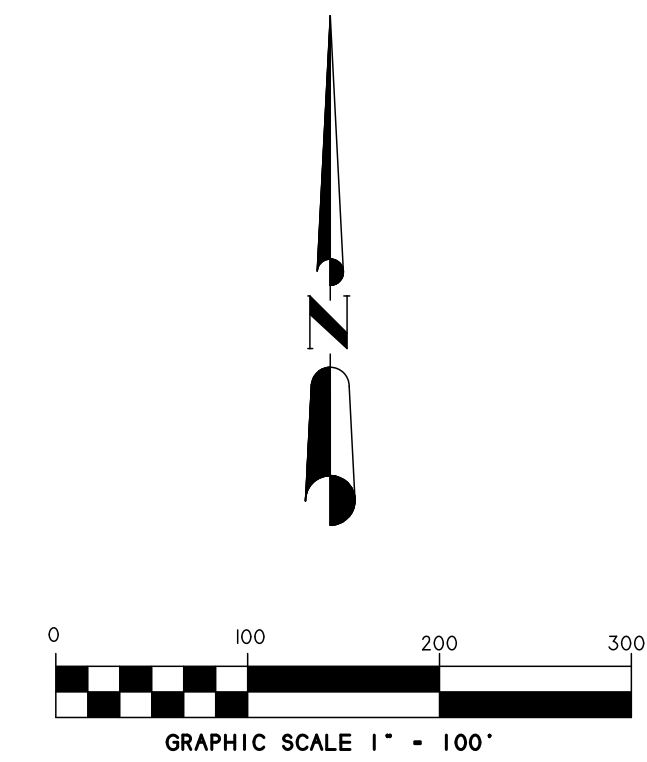
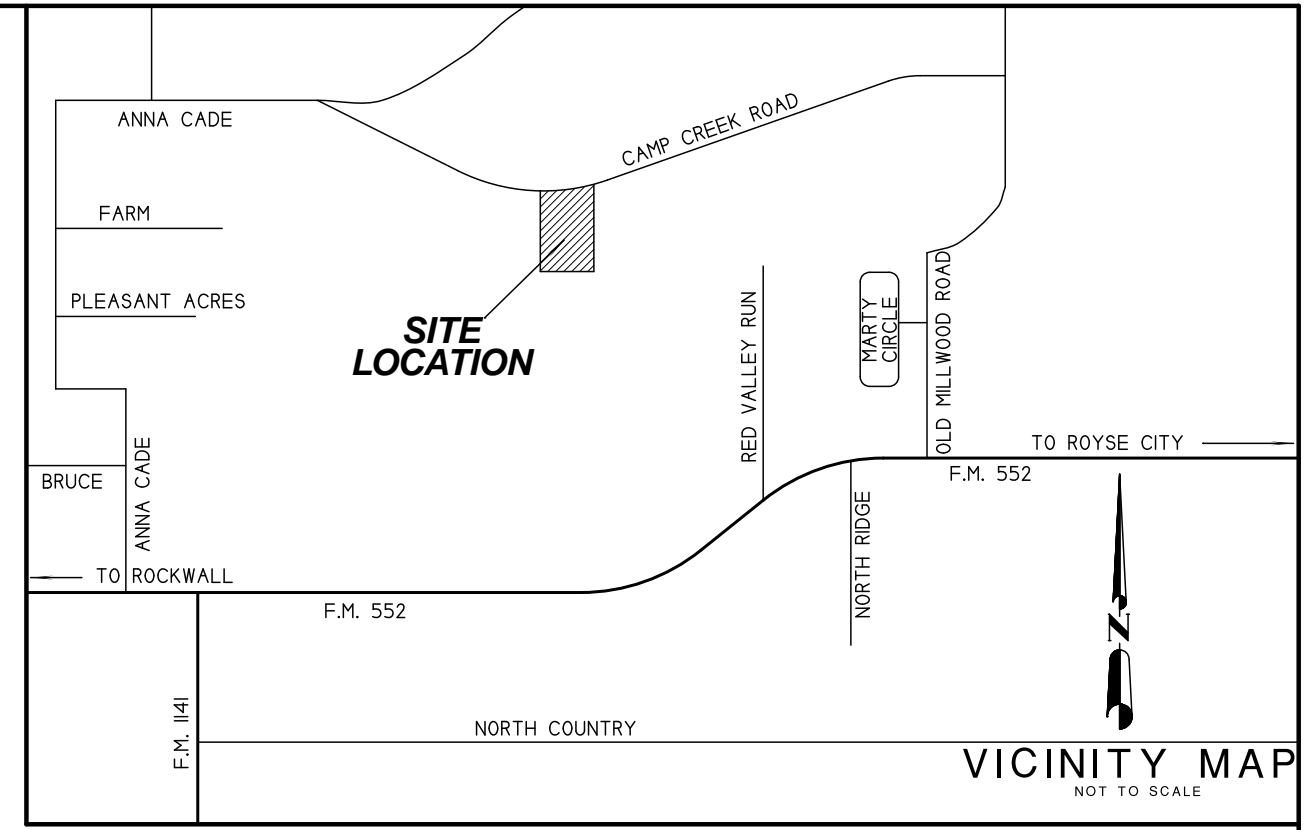
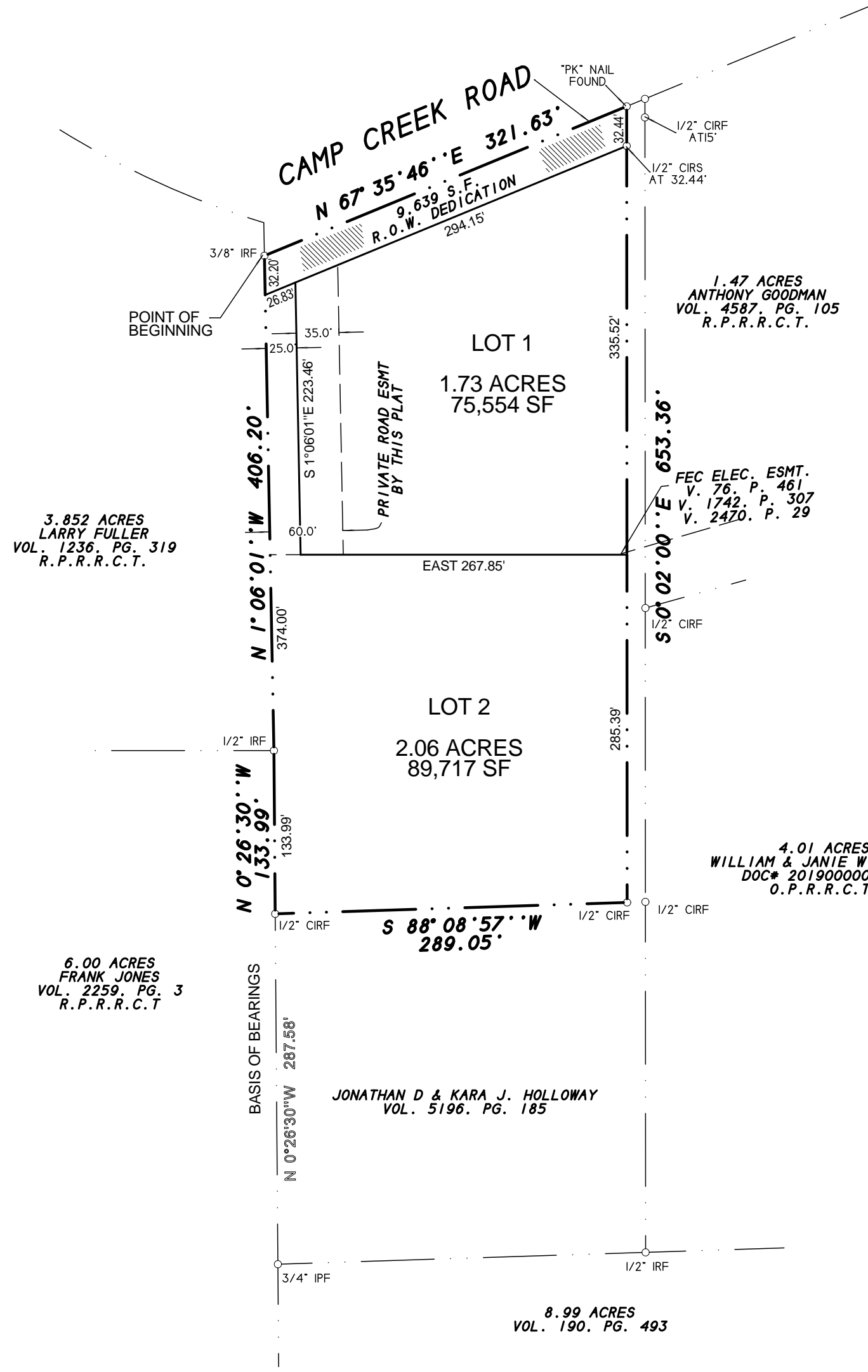


## City of Rockwall

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

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





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

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

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

**SHEET 1 OF 2**

SYMBOL LEGEND	
TV	GAS METER
CABLE METER	FENCE
ELECTRIC METER	EASEMENT LINE
ELECTRIC BOX	PROPANE TANK
WATER METER	AIR CONTROL
SUBSURFACE JUNCTION BOX	IRON NAIL FOUND
LIGHT POLE	CORNER
HYDRANT	POWER POLE
FIRE HYDRANT	IRON NAIL FOUND
POWER POLE	CORNER

**H.D. Fetty Land Surveyor, LLC**  
 Firm Registration no. 101509-00  
 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com  
 SURVEY DATE MARCH 19, 2021  
 SCALE 1" = 100' FILE# 20010726-FP  
 CLIENT BIRDWELL

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

We also understand the following:

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

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

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

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

MIKE BIRDWELL

CHERYL BIRDWELL

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

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

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

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

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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



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

RECOMMENDED FOR FINAL APPROVAL

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

APPROVED

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

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

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

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

Rockwall County Judge

Date

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

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SHEET 2 OF 2

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

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

H.D. Fetty Land Surveyor, LLC

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

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