



PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # P2020-037 P&Z DATE 10/13/20 CC DATE 10/18/20 APPROVED/DENIED _____
ARCHITECTURAL REVIEW BOARD DATE _____ HPAB DATE _____ PARK BOARD DATE _____

ZONING APPLICATION

- ☐ SPECIFIC USE PERMIT
- ☐ ZONING CHANGE
- ☐ PD CONCEPT PLAN
- ☐ PD DEVELOPMENT PLAN

SITE PLAN APPLICATION

- ☐ SITE PLAN
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN
- ☐ PHOTOMETRIC PLAN
- ☐ BUILDING ELEVATIONS
- ☐ MATERIAL SAMPLES
- ☐ COLOR RENDERING

PLATTING APPLICATION

- ☐ MASTER PLAT
- ☒ PRELIMINARY PLAT
- ☐ FINAL PLAT
- ☐ REPLAT
- ☐ ADMINISTRATIVE/MINOR PLAT
- ☐ VACATION PLAT
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN

- ☐ COPY OF ORDINANCE (ORD.# _____)
- ☒ APPLICATIONS
- ☒ RECEIPT
- ☒ LOCATION MAP
- ☐ HOA MAP
- ☐ PON MAP
- ☐ FLU MAP
- ☐ NEWSPAPER PUBLIC NOTICE
- ☐ 500-FT. BUFFER PUBLIC NOTICE
- ☐ PROJECT REVIEW
- ☐ STAFF REPORT
- ☐ CORRESPONDENCE
- ☐ COPY-ALL PLANS REQUIRED
- ☐ COPY-MARK-UPS
- ☐ CITY COUNCIL MINUTES-LASERFICHE
- ☐ MINUTES-LASERFICHE
- ☐ PLAT FILED DATE _____
 - ☐ CABINET # _____
 - ☐ SLIDE # _____

NOTES: _____

ZONING MAP UPDATED _____



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-037

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre) ¹
☒ Preliminary Plat (\$200.00 + \$15.00 Acre) ¹
☐ Final Plat (\$300.00 + \$20.00 Acre) ¹
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☐ PD Development Plans (\$200.00 + \$15.00 Acre) ¹

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address 534 FARM LANE
 Subdivision AVERY FARM Addition Lot _____ Block _____
 General Location FARM ROAD

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG Current Use AG
 Proposed Zoning _____ Proposed Use _____
 Acreage 48.583 Lots [Current] 1 Lots [Proposed] 9

☐ **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>Kurt Avery</u>	<input type="checkbox"/> Applicant <u>Carroll Consulting Group</u>
Contact Person <u>Kurt Avery</u>	Contact Person <u>BART CARROLL RACS</u>
Address <u>1043 ANNA CADE RD</u>	Address <u>PO Box 11</u>
City, State & Zip <u>Rockwall TX 75087</u>	City, State & Zip <u>LAVON TX 75146</u>
Phone <u>214 771 1090</u>	Phone <u>972 742 444</u>
E-Mail <u>KurtAvery@yahoo.com</u>	E-Mail <u>bart.carroll@yahoo.com</u>

NOTARY VERIFICATION [REQUIRED]

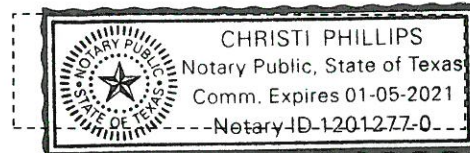
Before me, the undersigned authority, on this day personally appeared Kurt Avery [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"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 \$ 928.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 18th day of September, 20 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 18th day of September, 20 20.

Owner's Signature Kurt Avery

Notary Public in and for the State of Texas Christi Phillips



My Commission Expires 01-05-2021



City of Rockwall
The New Horizon

RockwallPLL

Receipt#: 1632

Date: 9/22/2020

Payment Receipt

Invoice #	Case Type	Case Number	Sub Type
	PZPLATAPP	P2020-037	PZPRELIMPL

Tender Type / Description	Amount
CHECK- CHECK	928.75
Sub Total:	928.75

Fees:

Fee Codes / Description	Amount
PZPRELPLAT- PZ - Preliminary Plat App Fee	928.75
Sub Total:	928.75

Total Amount Due:	928.75
Total Payment:	928.75

Kurt Avery
1043 Anna Cade Rd.
Rockwall, TX 75087

5/15/2020

To: City of Rockwall – Planning and Zoning Department

Re: Development Application for Variance at 534 Farm Lane in the ETJ

Please consider this formal request for a variance allowing for a privately maintained road to extend from the termination of Farm Lane (within the Extraterritorial Jurisdiction) by roughly 2000 feet into Tract 1, a 48.485 acre parcel described in Exhibit "A". Farm Lane is a privately owned and maintained road described as Tract 2 of Exhibit "A". It provides access to four residences including a homesite located within Tract 1.

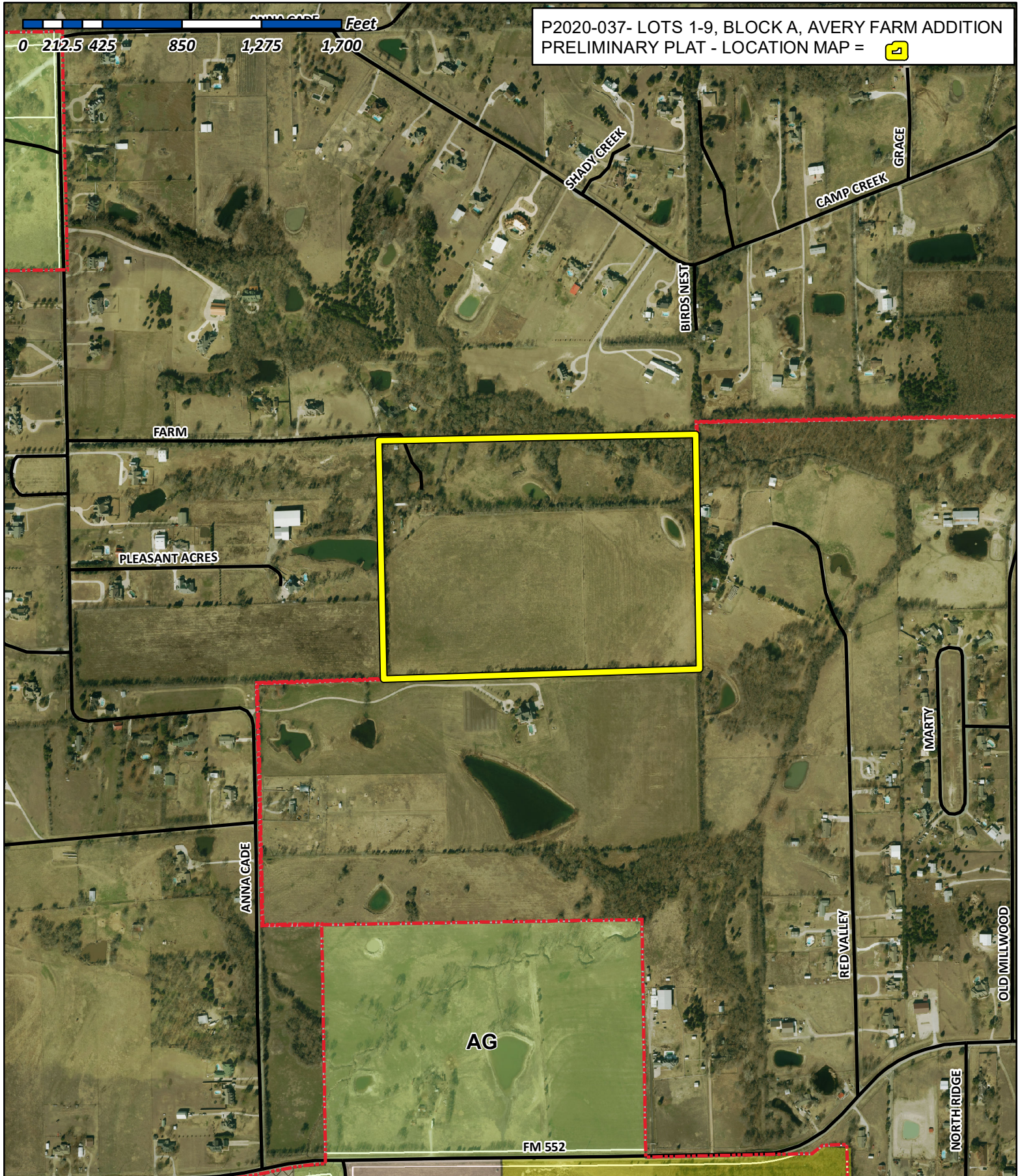
This extension is illustrated by the green line depicted in the attached aerial map which includes the existing Farm Lane in the northeast (top left) corner. It should be noted that the placement of the road on the map is an estimated depiction. The intent would be to extend the road the least distance necessary to create access to the lots, as to preserve aesthetics and reduce cost.

The purpose of this request is to resolve an access issue to potential subdivided lots proposed in accordance with the 212 Development Agreement restricting lots to greater than 5 acres in size. Maintenance of the proposed extension is to be provided by the landowners of the 5+ acre lots by an established Home Owners Association much like what is currently implemented for improvements on Anna Cade Circle. Thank you for your consideration.

Sincerely,



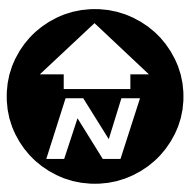
Kurt Avery

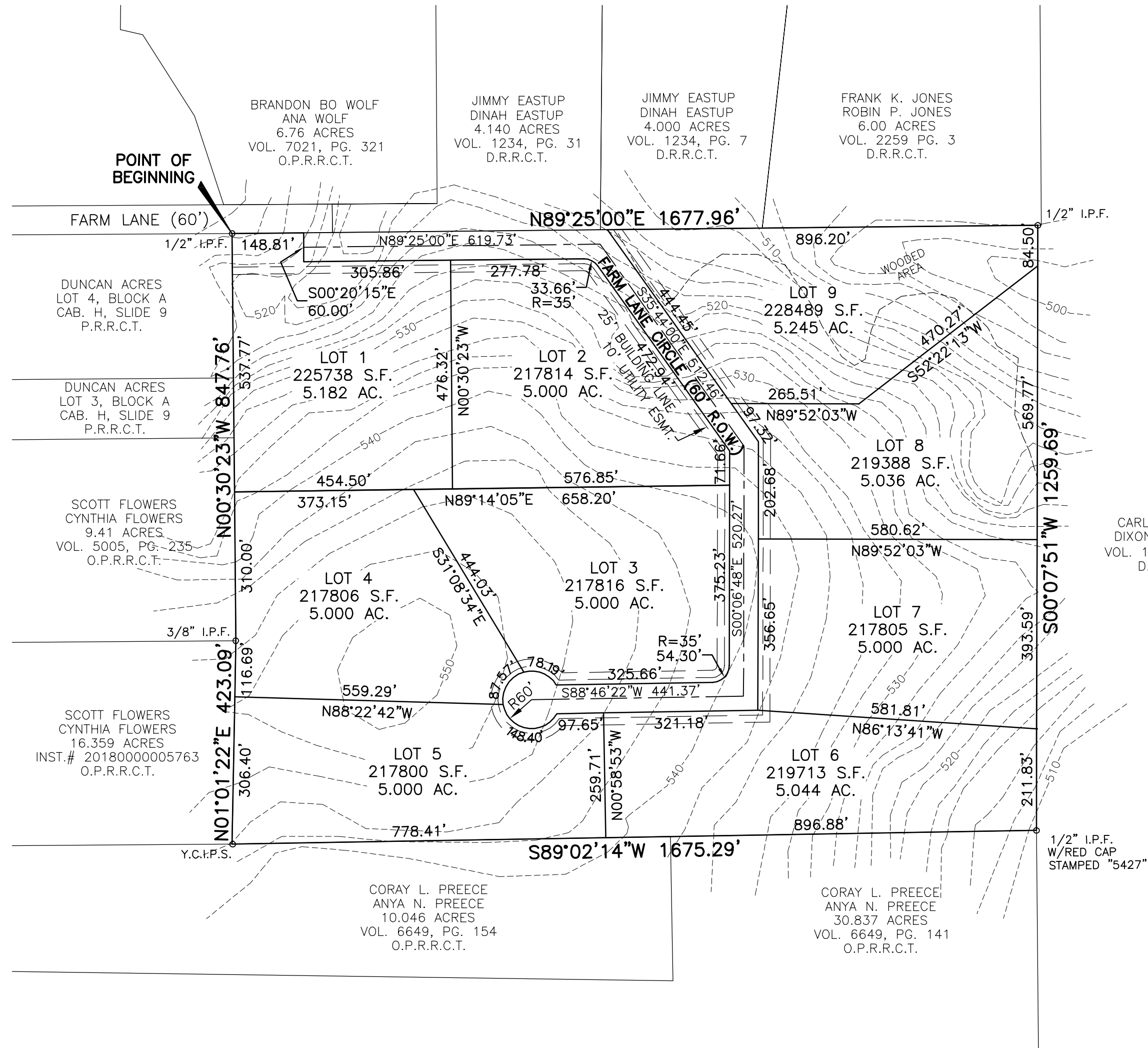


City of Rockwall

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

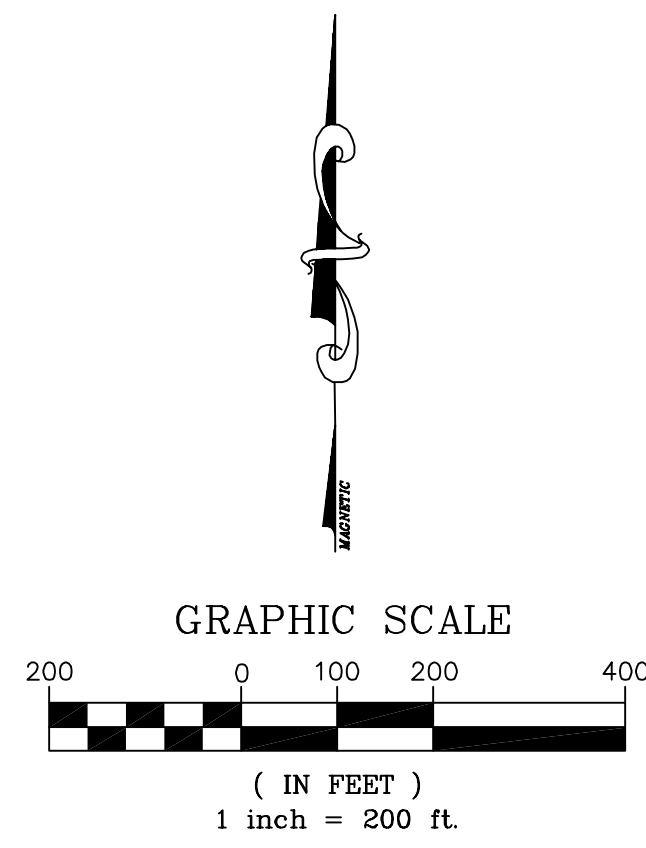
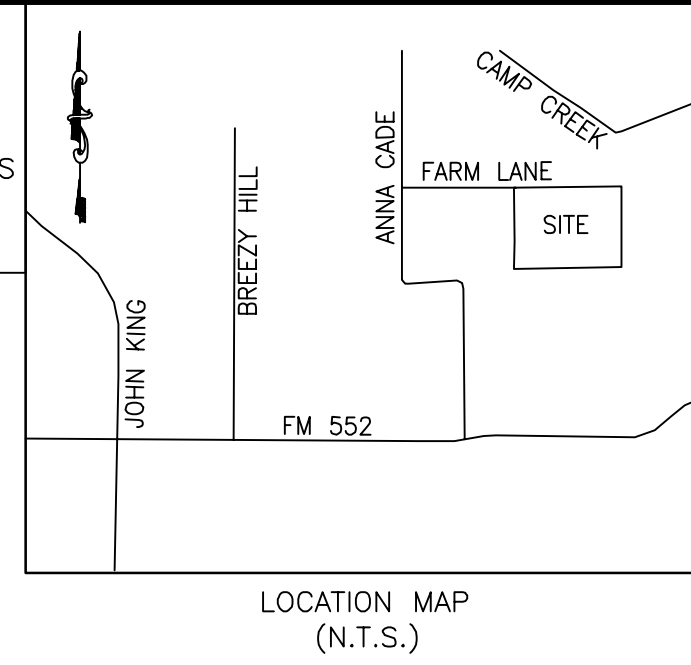
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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





LEGEND

I.P.F. - IRON PIN FOUND
D.R.R.C.T. - DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S. - YELLOW CAPPED IRON PIN SET
STAMPED "CCG INC RPLS 5129"



- NOTES:**
1. Located in the City of Rockwall, Texas E.T.J.
 2. This lot utilizes alternative type On-Site Sewage Facility.

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

Bearings based on the north line of deed recorded in Instrument No. 20170000018520, O.P.R.R.C.T. (N89°25'00"E)

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771-1090

PRELIMINARY PLAT

AVERY FARM ADDITION

9 LOTS

48.583 ACRES OF LAND

J. STRICKLAND SURVEY, ABSTRACT NO. 187

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

CARROLL CONSULTING GROUP, INC.

972-742-4411

P.O. BOX 11
LAVON, TEXAS 75166

TEXAS FIRM REGISTRATION NO.: 10007200
TBPELS REGISTRATION NO.: F-21608

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709-20	1"=200'	SEPTEMBER 17, 2020	CP

OWNER’S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Kurt Avery is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, and being the same called 47.451 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018520, Official Public Records, Rockwall County, Texas and being the same called 1.0331 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018521, Official Public Records, Rockwall County, Texas and being more particularly described as follows:

Beginning at a 1/2” iron pin found on the south line of Farm Lane for the northwest corner of said 47.451 acre tract and the northeast corner of Duncan Acres, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Slide 9, Plat Records, Rockwall County, Texas;

Thence, North 89°25’00” East, along the north line of said 47.451 acre tract, the south line of a 4.140 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 31, Deed Records, Rockwall County, Texas, the south line of a 4.000 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 7, Deed Records, Rockwall County, Texas and the south line of a 6.00 acre tract of land conveyed to Frank K. Jones and Robin P. Jones by deed recorded in Volume 2259, Page 3, Deed Records, Rockwall County, Texas, a distance of 1677.96 feet to a 1/2” iron pin found for the northeast corner of said 47.451 acre tract and being on the west line of a tract of land conveyed to Carl E. Glaze and Dixon A. Glaze by deed recorded in Volume 190, Page 493, Deed Records, Rockwall County, Texas;

Thence, South 00°07’51” West, along the east line of said 47.451 acre tract and the west line of said Glaze tract, a distance of 1259.69 feet to a 1/2” iron pin found with red cap stamped “5427” for the southeast corner of said 47.451 acre tract and the northeast corner of a 30.837 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 141, Official Public Records, Rockwall County, Texas;

Thence, South 89°02’14” West, along the south line of said 47.451 acre tract, the north line of said 30.837 acre tract and the north line of a 10.046 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 154, Official Public Records, Rockwall County, Texas, a distance of 1675.29 feet to a 1/2” iron pin set with yellow cap stamped “CCG INC RPLS 5129” for the southwest corner of said 47.451 acre tract and the southeast corner of a 16.359 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Instrument No. 20180000005763, Official Public Records, Rockwall County, Texas;

Thence, North 01°01’22” East, along the west line of said 47.451 acre tract and the east line of said 16.359 acre tract, a distance of 423.09 feet to a 3/8” iron pin found for the northeast corner of said 16.359 acre tract and the southeast corner of a 9.41 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Volume 5005, Page 235, Official Public Records, Rockwall County, Texas;

Thence, North 00°30’23” West, along the west line of said 47.451 acre tract, the east line of said 9.41 acre tract and the east line of said Duncan Acres, a distance of 847.76 feet to the Point of Beginning and containing 2,116,269 square feet or 48.583 acres of land.

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

NOTARY CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James Bart Carroll, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in and for the State of Texas.
My commission expires: _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the AVERY FARM ADDITION subdivision 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. I further certify that all other parties who have a mortgage or lien interest in the Avery Farm Addition subdivision have been notified and signed this plat. I 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. I also understand the following;

(1) No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

(2) 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.

(3) 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.

(4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

(5) 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.

(6) 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 Rules and 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 and County of Rockwall; or

(7) 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 County, accompanied by an agreement signed by the developer and/or owner, authoring 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 with the time stated in such written agreement, but in no case shall the City of County by 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 exactions made herein.

WITNESS, my hand, this the ____ day of _____, 2020.

Kurt Avery, Owner

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Kurt Avery, 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 purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2020.

Notary Public for the State of Texas
My Commission expires _____

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771–1090

Planning & Zoning Commission, Chairman

Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20____ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulations 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 _____, 20____.

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

PRELIMINARY PLAT

AVERY FARM ADDITION

9 LOTS

48.583 ACRES OF LAND

J. STRICKLAND SURVEY, ABSTRACT NO. 187

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

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11
LAVON, TEXAS 75166
972–742–4411
TEXAS FIRM REGISTRATION NO.: 10007200
TBPELS REGISTRATION NO.: F–21608

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
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DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2020-037

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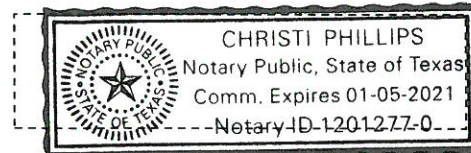
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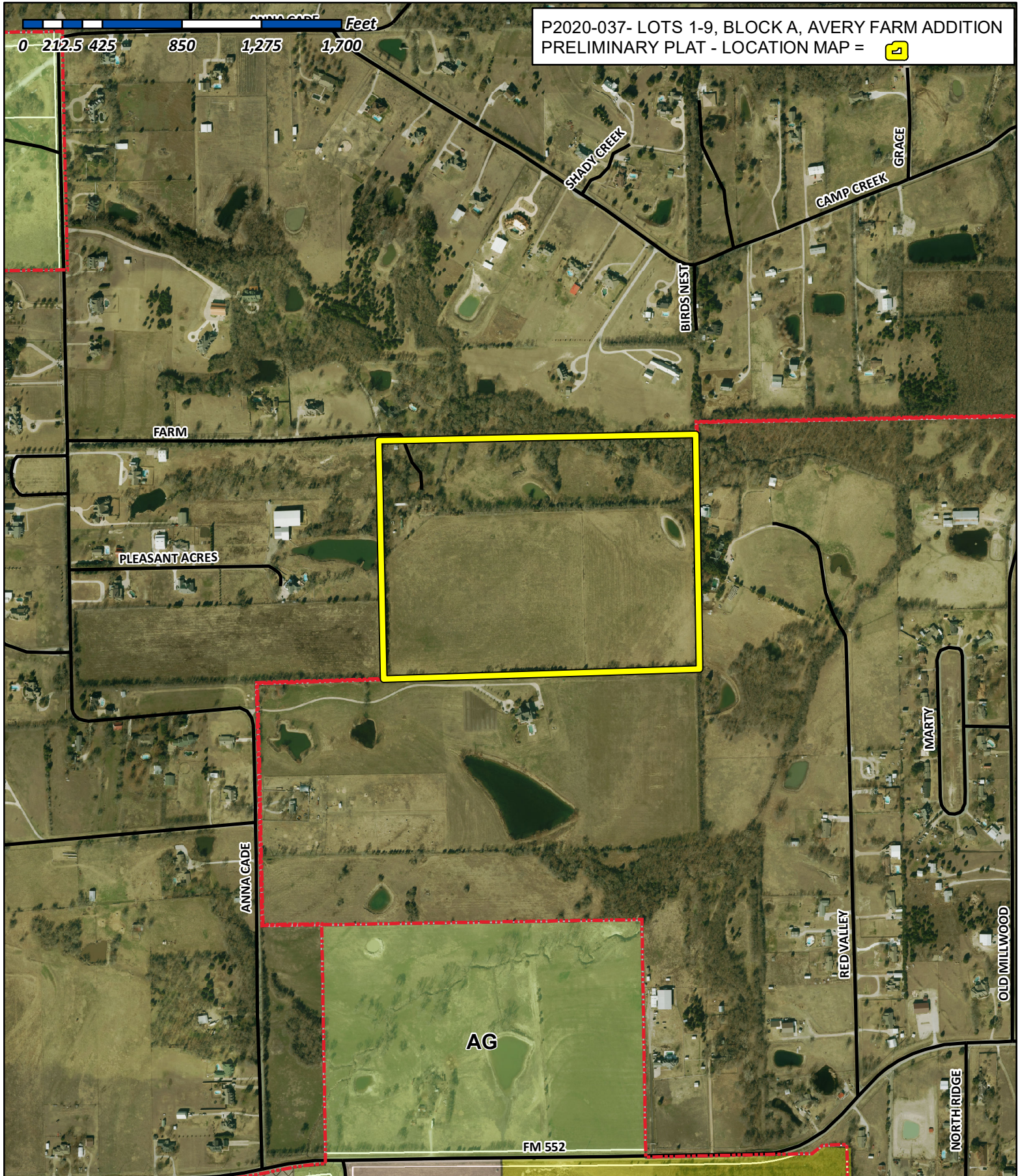
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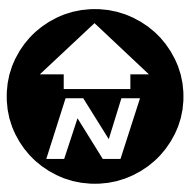
My Commission Expires 01-05-2021

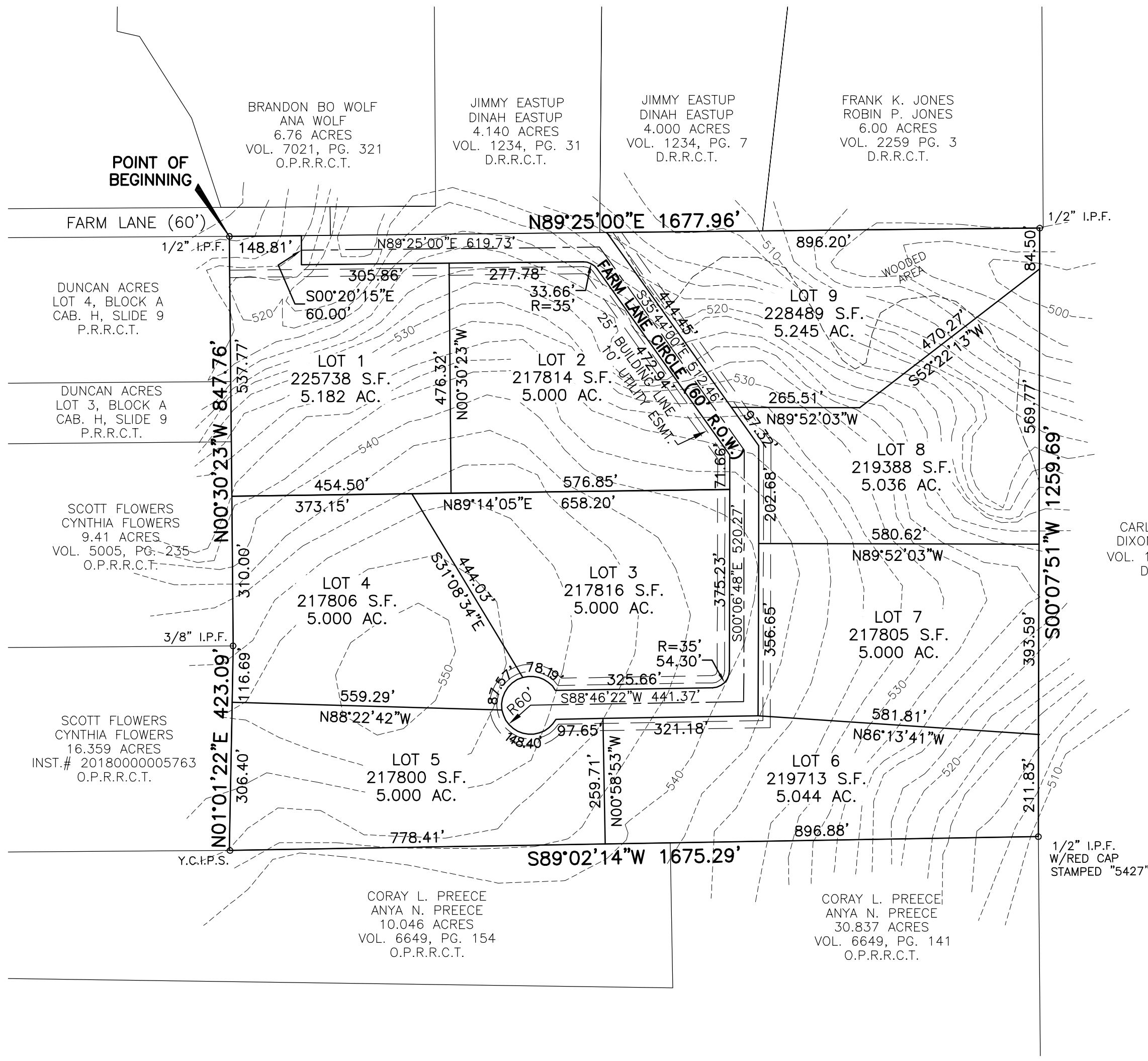


City of Rockwall

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

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LEGEND

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D.R.R.C.T. - DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S. - YELLOW CAPPED IRON PIN SET
STAMPED "CCG INC RPLS 5129"

LOCATION MAP
(N.T.S.)

GRAPHIC SCALE

200 0 100 200 400

(IN FEET)

1 inch = 200 ft.

NOTES:

1. Located in the City of Rockwall, Texas E.T.J.

2. This lot utilizes alternative type On-Site Sewage Facility.

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

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OWNER:
KURT AVERY
1043 ANNA CADE ROAD
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PRELIMINARY PLAT

AVERY FARM ADDITION

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TEXAS FIRM REGISTRATION NO.: 10007200
TBPELS REGISTRATION NO.: F-21608

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709-20	1"=200'	SEPTEMBER 17, 2020	CP

OWNER’S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Kurt Avery is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, and being the same called 47.451 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018520, Official Public Records, Rockwall County, Texas and being the same called 1.0331 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018521, Official Public Records, Rockwall County, Texas and being more particularly described as follows:

Beginning at a 1/2” iron pin found on the south line of Farm Lane for the northwest corner of said 47.451 acre tract and the northeast corner of Duncan Acres, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Slide 9, Plat Records, Rockwall County, Texas;

Thence, North 89°25’00” East, along the north line of said 47.451 acre tract, the south line of a 4.140 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 31, Deed Records, Rockwall County, Texas, the south line of a 4.000 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 7, Deed Records, Rockwall County, Texas and the south line of a 6.00 acre tract of land conveyed to Frank K. Jones and Robin P. Jones by deed recorded in Volume 2259, Page 3, Deed Records, Rockwall County, Texas, a distance of 1677.96 feet to a 1/2” iron pin found for the northeast corner of said 47.451 acre tract and being on the west line of a tract of land conveyed to Carl E. Glaze and Dixon A. Glaze by deed recorded in Volume 190, Page 493, Deed Records, Rockwall County, Texas;

Thence, South 00°07’51” West, along the east line of said 47.451 acre tract and the west line of said Glaze tract, a distance of 1259.69 feet to a 1/2” iron pin found with red cap stamped “5427” for the southeast corner of said 47.451 acre tract and the northeast corner of a 30.837 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 141, Official Public Records, Rockwall County, Texas;

Thence, South 89°02’14” West, along the south line of said 47.451 acre tract, the north line of said 30.837 acre tract and the north line of a 10.046 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 154, Official Public Records, Rockwall County, Texas, a distance of 1675.29 feet to a 1/2” iron pin set with yellow cap stamped “CCG INC RPLS 5129” for the southwest corner of said 47.451 acre tract and the southeast corner of a 16.359 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Instrument No. 20180000005763, Official Public Records, Rockwall County, Texas;

Thence, North 01°01’22” East, along the west line of said 47.451 acre tract and the east line of said 16.359 acre tract, a distance of 423.09 feet to a 3/8” iron pin found for the northeast corner of said 16.359 acre tract and the southeast corner of a 9.41 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Volume 5005, Page 235, Official Public Records, Rockwall County, Texas;

Thence, North 00°30’23” West, along the west line of said 47.451 acre tract, the east line of said 9.41 acre tract and the east line of said Duncan Acres, a distance of 847.76 feet to the Point of Beginning and containing 2,116,269 square feet or 48.583 acres of land.

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

NOTARY CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James Bart Carroll, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in and for the State of Texas.
My commission expires: _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the AVERY FARM ADDITION subdivision 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. I further certify that all other parties who have a mortgage or lien interest in the Avery Farm Addition subdivision have been notified and signed this plat. I 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. I also understand the following;

(1) No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

(2) 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.

(3) 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.

(4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

(5) 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.

(6) 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 Rules and 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 and County of Rockwall; or

(7) 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 County, accompanied by an agreement signed by the developer and/or owner, authoring 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 with the time stated in such written agreement, but in no case shall the City of County by 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 exactions made herein.

WITNESS, my hand, this the ____ day of _____, 2020.

Kurt Avery, Owner

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Kurt Avery, 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 purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2020.

Notary Public for the State of Texas
My Commission expires _____

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771–1090

Planning & Zoning Commission, Chairman

Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20____ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulations 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 _____, 20____.

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

PRELIMINARY PLAT

AVERY FARM ADDITION

9 LOTS

48.583 ACRES OF LAND

J. STRICKLAND SURVEY, ABSTRACT NO. 187
CITY OF ROCKWALL E.T.J., ROCKWALL COUNTY, TEXAS

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11
LAVON, TEXAS 75166
972–742–4411
TEXAS FIRM REGISTRATION NO.: 10007200
TBPELS REGISTRATION NO.: F–21608

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709–20	1”=200’	SEPTEMBER 17, 2020	CP

PROJECT COMMENTS



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

DATE: 9/25/2020

PROJECT NUMBER: P2020-037
PROJECT NAME: Avery Farm Subdivision
SITE ADDRESS/LOCATIONS: 534 FARM LN

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

CASE CAPTION: Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat for Lots 1-9, Block A, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	David Gonzales	09/24/2020	Needs Review

09/24/2020: P2020-037; Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition
Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of a Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road.

I.2 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6488 or email dgonzales@rockwall.com.

M.3 For reference, include the case number (P2020-037) in the lower right-hand corner of all pages of all revised plan submittals.

I.4 This project is subject to all requirements stipulated by Chapter 38, Subdivisions of the Code of Ordinances of The City of Rockwall and the Interim Interlocal Cooperation Agreement for Subdivision Regulation between Rockwall County and the City of Rockwall (ILA). (§01.02(D), Art. 11, UDC)

I.5 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections and return to staff as soon as practical, and provide any additional information that is requested.

M.6 Correct Title Block to read as follows:

Preliminary Plat
Avery Farm Addition
Lots 1-9, Block A and Lot 1, Block X
Being 48.583-Acres of Land
Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas

M.7 Tie two (2) corners to state plan coordinates (NAD 83 State Plane Texas, North Central [7202], US Survey Feet). [Section 38-8, of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances]

M.8 Show 100-Year floodplain and floodway boundaries (if applicable). [Section 38-8, of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances]

M.9 Show all drainage areas and all proposed storm drainages areas with sizes if applicable. [Section 38-8, of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances]

M.10 Provide a label for the private road indicating Lot 1, Block X. This will need to be tied down as a separate lot.

M.11 Provide a copy of the Homeowner Association documents. [Section 38-15(p), of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances]

M. 12 Please refer to the Checklist for Plat Submittals as found in the Interim Interlocal Cooperative Agreement for Subdivision Regulation (ILA) document and make the following corrections and/or provide a statement for each of the following items: (Exhibit 'A', ILA)

a) Provide a detailed statement of how the proposed subdivision will be served by water, wastewater, roadway and drainage facilities that have adequate capacity to serve the development. (Exhibit 'C', ILA)

b) Indicate water sources inside the extraterritorial jurisdiction (ETJ). Provide a Will Serve Letter from Mt. Zion Water Supply Company. (Section (4)(a)(1), Adequate Public Utilities (Water), Exhibit 'A', ILA)

c) Rockwall County to review and approve the sewage disposal method. (Section (4)(a)(2), Adequate Public Utilities (Wastewater), Exhibit 'A', ILA)

M.13 Adequate public facilities policy. "Adequate service for areas proposed for development. Land proposed for development in the city and in the city's extraterritorial jurisdiction must be served adequately by essential public facilities and services, including water facilities, wastewater facilities, roadway and pedestrian facilities, drainage facilities and park facilities. Land shall not be approved for platting or development unless and until adequate public facilities necessary to serve the development exist or provision has been made for the facilities, whether the facilities are to be located within the property being developed or offsite." (Section 38-5(d)(1), Policy, Municipal Code of Ordinances)

I.14 Once all revisions have been completed, please provide two (2) large copies [18" X 24" FOLDED] and one PDF version for a subsequent/final review by staff.

I.16 This case will be on the Consent Agenda for both meetings. Please note the scheduled meetings for this case:

- 1) Planning & Zoning Work Session meeting will be held on September 29, 2020
- 2) Parks and Recreations Board meeting will be held on October 6, 2020
- 3) Planning & Zoning Regular meeting will be held on October 13, 2020
- 4) City Council meeting will be held on October 19, 2020

I.17 Staff recommends that a representative be present for the meetings as scheduled above to answer any questions the Parks Board, Planning and Zoning Commission or the City Council may have regarding your request. All meetings will be held in the City's Council Chambers, and will begin at 6:00 p.m.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	09/24/2020	Needs Review

09/24/2020: M - Road transition does not meet requirements. Must include a switchback curve that has the proper radii per City standards.

M - Dedicated 20' wastewater line easement on north and east property lines.

M - All street must have radius that meets minimum standards.

M - Dedicated 20' water line easement on east and south property lines.

M - All street radii must have 50' radii at the centerline. ROW will be offset from the CL.

M - Need to show and label existing and proposed utilities.

The following items are informational for the engineering design process.

General Items:

- 4% Engineering Inspection Fees for engineering work.
- Impact Fees
- Engineering plan review fees apply.
- No structures in easements. Min. easement width is 20'.
- Required 10' utility easement required along all street frontage.
- Must meet City of Rockwall Standards of Design.
- Retaining walls 3' and taller must be designed by a structural engineer.
- All walls must be rock or stone face. No smooth concrete walls.

Streets/Paving:

- Streets must meet the City Council approved variance
- No dead-end streets allowed. Must have a cul-de-sac or turnaround per City Standards.
- Must meet driveway spacing requirements.
- All streets to be 1-ft above the 100 YR floodplain WSEL.

Water/Wastewater:

- Must have septic systems on each property
- Min Lot Size per Septic Systems is 1.5 acres per County Requirements.
- Must loop 8" water line on site. No dead-end lines allowed.
- No trees within 10' of non-steel encased public utilities.
- Per Water Master Plan a 12" Water Line required on south side and east side of platted properties. Dedicated 20' water line easement on east and south property lines.
- Per Wastewater Master Plan a 15" wastewater line required on south side and east side of platted properties. Dedicated 20' wastewater line easement on north and east property lines.

Drainage/Floodplain/Lakes:

- Detention is required if you increase the flow off the property. Drainage areas larger than 20 acres will need a detention study using unit hydrograph method. Review fees apply.
- Detention must be above the floodplain elevation where adjacent.
- Must have a wetlands/WOTUS determination for all lakes/ponds and streams/creeks on site.
- Must have a flood study for all changes and crossing of the floodplain. Review fees apply.
- Must have floodplain delineation/study for localized 100-year water surface elevation for all creek/stream.
- No lot to lot drainage allowed
- No vertical walls are allowed in detention easements.
- Must show and meet erosion hazard setback for all creeks/streams. Drainage easement/erosion hazard setback easement shall be in its own separate lot owned by the HOA.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	09/21/2020	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	09/21/2020	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	09/21/2020	Approved

09/21/2020: Post approval contact Jim Knickerbocker w/ Rockwall County Rural 911 Addressing (jknickerbocker@rockwallcountytexas.com) for address assignment of lots.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
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POLICE	David Gonzales	09/23/2020	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	09/21/2020	Approved
09/21/2020: No comments			



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2020-037

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

Platting Application Fees:

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

Site Plan Application Fees:

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

Zoning Application Fees:

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

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address 534 FARM LANE
 Subdivision AVERY FARM ADDITION Lot _____ Block _____
 General Location FARM ROAD

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG Current Use AG
 Proposed Zoning _____ Proposed Use _____
 Acreage 48.583 Lots [Current] 1 Lots [Proposed] 9

☐ **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>Kurt Avery</u>	<input type="checkbox"/> Applicant <u>Carroll Consulting Group</u>
Contact Person <u>Kurt Avery</u>	Contact Person <u>BART CARROLL RACS</u>
Address <u>1043 ANNA CADE RD</u>	Address <u>PO BOX 11</u>
City, State & Zip <u>Rockwall TX 75087</u>	City, State & Zip <u>LAVON TX 75146</u>
Phone <u>214 771 1090</u>	Phone <u>972 742 444</u>
E-Mail <u>KurtAvery@yahoo.com</u>	E-Mail <u>bart.carroll@yahoo.com</u>

NOTARY VERIFICATION [REQUIRED]

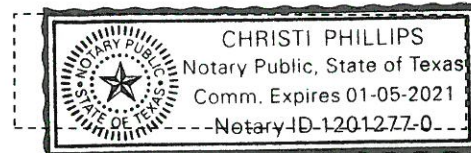
Before me, the undersigned authority, on this day personally appeared Kurt Avery [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"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 \$ 928.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 18th day of September, 20 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."

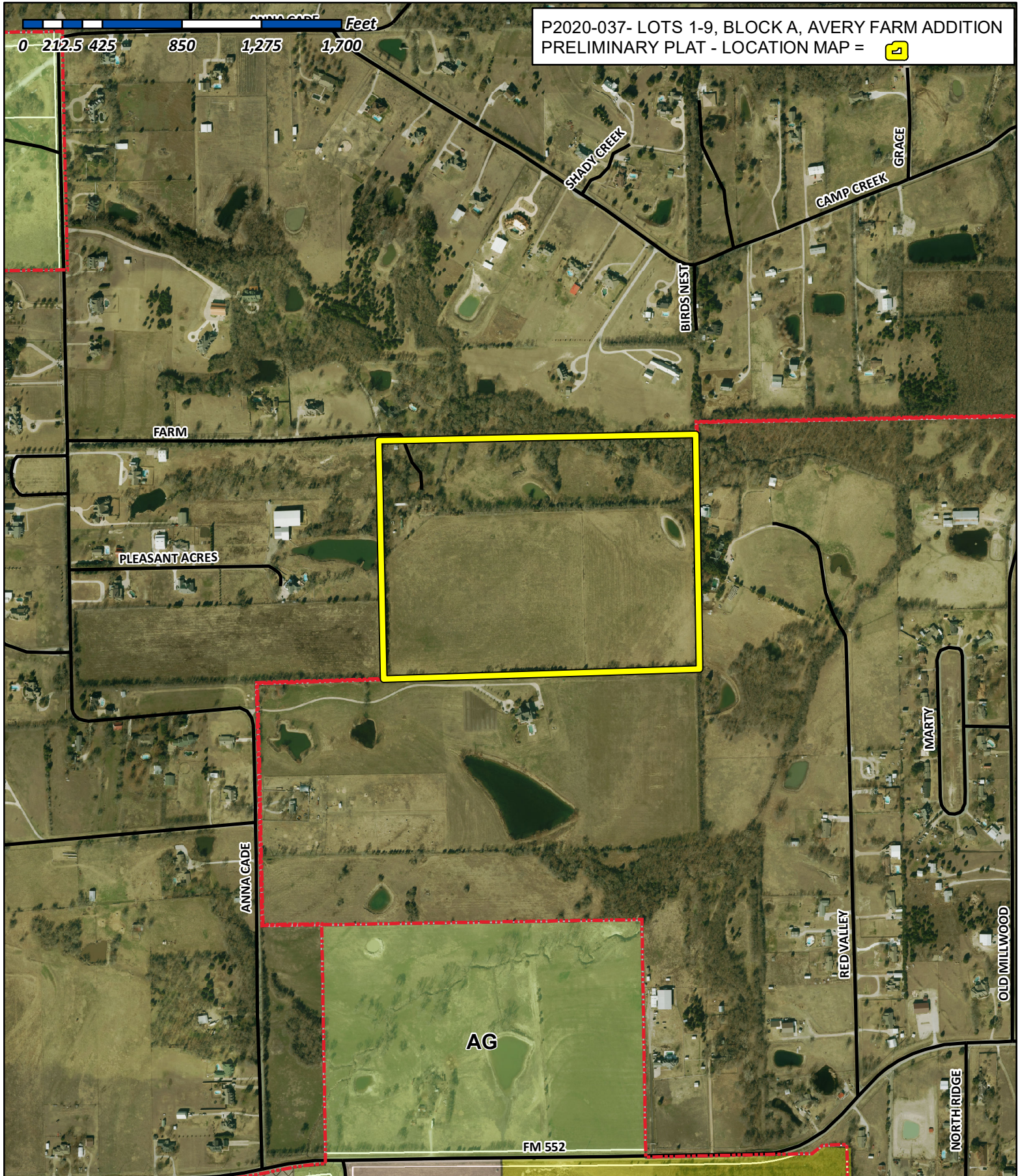
Given under my hand and seal of office on this the 18th day of September, 20 20.

Owner's Signature

Notary Public in and for the State of Texas



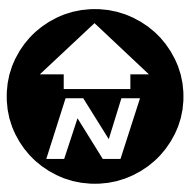
My Commission Expires 01-05-2021

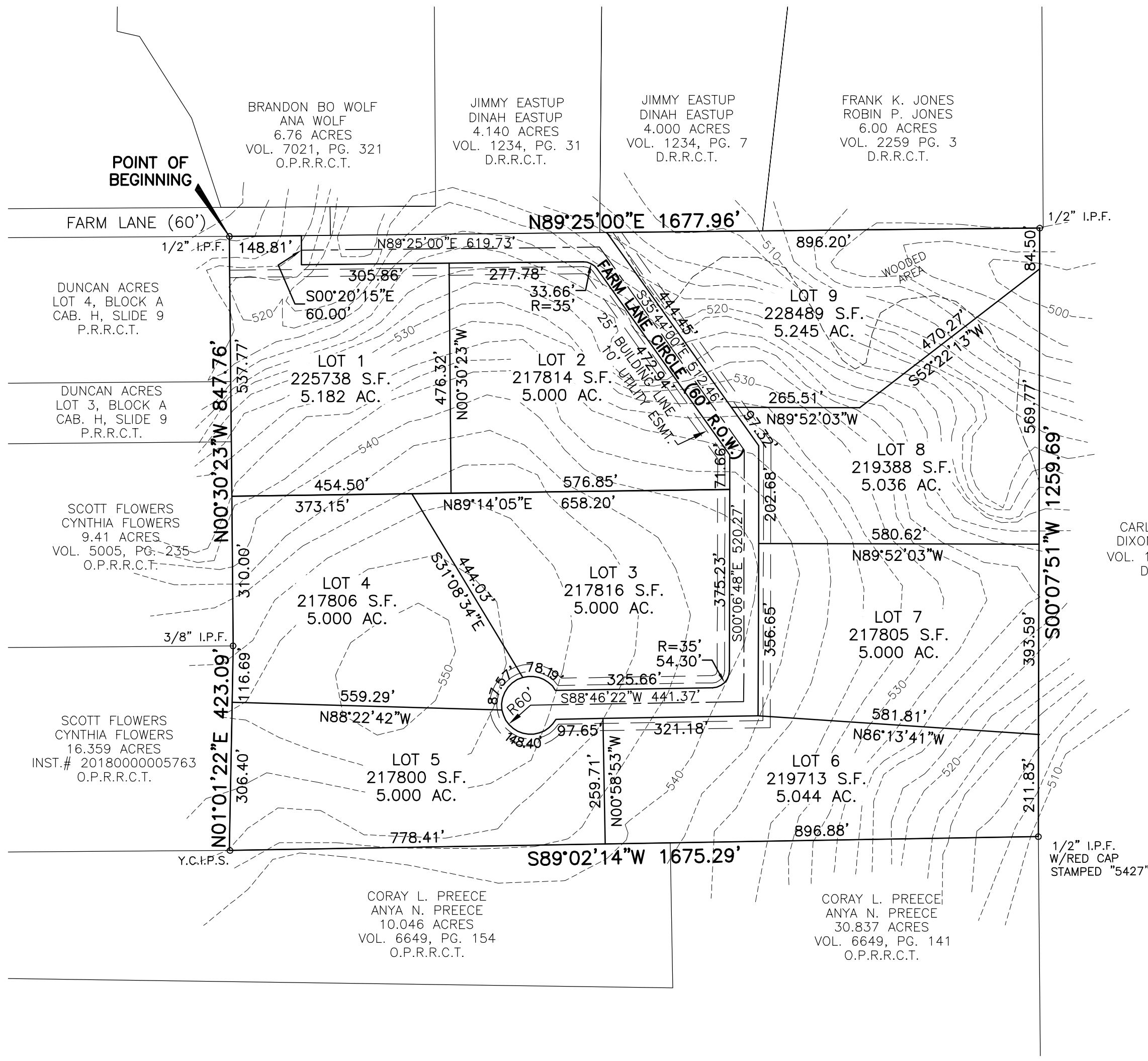


City of Rockwall

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

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





LEGEND

I.P.F. - IRON PIN FOUND
D.R.R.C.T. - DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S. - YELLOW CAPPED IRON PIN SET
STAMPED "CCG INC RPLS 5129"

LOCATION MAP
(N.T.S.)

GRAPHIC SCALE

200 0 100 200 400

(IN FEET)

1 inch = 200 ft.

NOTES:

1. Located in the City of Rockwall, Texas E.T.J.

2. This lot utilizes alternative type On-Site Sewage Facility.

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

Bearings based on the north line of deed recorded in Instrument No. 20170000018520, O.P.R.R.C.T. (N89°25'00"E)

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771-1090

PRELIMINARY PLAT

AVERY FARM ADDITION

9 LOTS

48.583 ACRES OF LAND

J. STRICKLAND SURVEY, ABSTRACT NO. 187
CITY OF ROCKWALL E.T.J., ROCKWALL COUNTY, TEXAS

CARROLL CONSULTING GROUP, INC.

972-742-4411

P.O. BOX 11
LAVON, TEXAS 75166

TEXAS FIRM REGISTRATION NO.: 10007200
TBPELS REGISTRATION NO.: F-21608

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709-20	1"=200'	SEPTEMBER 17, 2020	CP

OWNER’S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

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Thence, North 89°25’00” East, along the north line of said 47.451 acre tract, the south line of a 4.140 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 31, Deed Records, Rockwall County, Texas, the south line of a 4.000 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 7, Deed Records, Rockwall County, Texas and the south line of a 6.00 acre tract of land conveyed to Frank K. Jones and Robin P. Jones by deed recorded in Volume 2259, Page 3, Deed Records, Rockwall County, Texas, a distance of 1677.96 feet to a 1/2” iron pin found for the northeast corner of said 47.451 acre tract and being on the west line of a tract of land conveyed to Carl E. Glaze and Dixon A. Glaze by deed recorded in Volume 190, Page 493, Deed Records, Rockwall County, Texas;

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Thence, South 89°02’14” West, along the south line of said 47.451 acre tract, the north line of said 30.837 acre tract and the north line of a 10.046 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 154, Official Public Records, Rockwall County, Texas, a distance of 1675.29 feet to a 1/2” iron pin set with yellow cap stamped “CCG INC RPLS 5129” for the southwest corner of said 47.451 acre tract and the southeast corner of a 16.359 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Instrument No. 20180000005763, Official Public Records, Rockwall County, Texas;

Thence, North 01°01’22” East, along the west line of said 47.451 acre tract and the east line of said 16.359 acre tract, a distance of 423.09 feet to a 3/8” iron pin found for the northeast corner of said 16.359 acre tract and the southeast corner of a 9.41 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Volume 5005, Page 235, Official Public Records, Rockwall County, Texas;

Thence, North 00°30’23” West, along the west line of said 47.451 acre tract, the east line of said 9.41 acre tract and the east line of said Duncan Acres, a distance of 847.76 feet to the Point of Beginning and containing 2,116,269 square feet or 48.583 acres of land.

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

NOTARY CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James Bart Carroll, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in and for the State of Texas.
My commission expires: _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the AVERY FARM ADDITION subdivision 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. I further certify that all other parties who have a mortgage or lien interest in the Avery Farm Addition subdivision have been notified and signed this plat. I 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. I also understand the following;

(1) No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

(2) 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.

(3) 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.

(4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

(5) 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.

(6) 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 Rules and 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 and County of Rockwall; or

(7) 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 County, accompanied by an agreement signed by the developer and/or owner, authoring 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 with the time stated in such written agreement, but in no case shall the City of County by 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 exactions made herein.

WITNESS, my hand, this the ____ day of _____, 2020.

Kurt Avery, Owner

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Kurt Avery, 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 purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2020.

Notary Public for the State of Texas
My Commission expires _____

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771–1090

Planning & Zoning Commission, Chairman

Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20____ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulations 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 _____, 20____.

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

PRELIMINARY PLAT

AVERY FARM ADDITION

9 LOTS

48.583 ACRES OF LAND

J. STRICKLAND SURVEY, ABSTRACT NO. 187

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

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11
LAVON, TEXAS 75166
972–742–4411
TEXAS FIRM REGISTRATION NO.: 10007200
TBPELS REGISTRATION NO.: F–21608

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709–20	1”=200’	SEPTEMBER 17, 2020	CP

PROJECT COMMENTS



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

DATE: 9/25/2020

PROJECT NUMBER: P2020-037
PROJECT NAME: Avery Farm Subdivision
SITE ADDRESS/LOCATIONS: 534 FARM LN

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

CASE CAPTION: Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat for Lots 1-9, Block A, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	David Gonzales	09/24/2020	Needs Review

09/24/2020: P2020-037; Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition
Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of a Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road.

I.2 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6488 or email dgonzales@rockwall.com.

M.3 For reference, include the case number (P2020-037) in the lower right-hand corner of all pages of all revised plan submittals.

I.4 This project is subject to all requirements stipulated by Chapter 38, Subdivisions of the Code of Ordinances of The City of Rockwall and the Interim Interlocal Cooperation Agreement for Subdivision Regulation between Rockwall County and the City of Rockwall (ILA). (§01.02(D), Art. 11, UDC)

I.5 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections and return to staff as soon as practical, and provide any additional information that is requested.

M.6 Correct Title Block to read as follows:

Preliminary Plat
Avery Farm Addition
Lots 1-9, Block A and Lot 1, Block X
Being 48.583-Acres of Land
Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas

M.7 Tie two (2) corners to state plan coordinates (NAD 83 State Plane Texas, North Central [7202], US Survey Feet). [Section 38-8, of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances]

M.8 Show 100-Year floodplain and floodway boundaries (if applicable). [Section 38-8, of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances]

M.9 Show all drainage areas and all proposed storm drainages areas with sizes if applicable. [Section 38-8, of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances]

M.10 Provide a label for the private road indicating Lot 1, Block X. This will need to be tied down as a separate lot.

M.11 Provide a copy of the Homeowner Association documents. [Section 38-15(p), of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances]

M. 12 Please refer to the Checklist for Plat Submittals as found in the Interim Interlocal Cooperative Agreement for Subdivision Regulation (ILA) document and make the following corrections and/or provide a statement for each of the following items: (Exhibit 'A', ILA)

a) Provide a detailed statement of how the proposed subdivision will be served by water, wastewater, roadway and drainage facilities that have adequate capacity to serve the development. (Exhibit 'C', ILA)

b) Indicate water sources inside the extraterritorial jurisdiction (ETJ). Provide a Will Serve Letter from Mt. Zion Water Supply Company. (Section (4)(a)(1), Adequate Public Utilities (Water), Exhibit 'A', ILA)

c) Rockwall County to review and approve the sewage disposal method. (Section (4)(a)(2), Adequate Public Utilities (Wastewater), Exhibit 'A', ILA)

M.13 Adequate public facilities policy. "Adequate service for areas proposed for development. Land proposed for development in the city and in the city's extraterritorial jurisdiction must be served adequately by essential public facilities and services, including water facilities, wastewater facilities, roadway and pedestrian facilities, drainage facilities and park facilities. Land shall not be approved for platting or development unless and until adequate public facilities necessary to serve the development exist or provision has been made for the facilities, whether the facilities are to be located within the property being developed or offsite." (Section 38-5(d)(1), Policy, Municipal Code of Ordinances)

I.14 Once all revisions have been completed, please provide two (2) large copies [18" X 24" FOLDED] and one PDF version for a subsequent/final review by staff.

I.16 This case will be on the Consent Agenda for both meetings. Please note the scheduled meetings for this case:

- 1) Planning & Zoning Work Session meeting will be held on September 29, 2020
- 2) Parks and Recreations Board meeting will be held on October 6, 2020
- 3) Planning & Zoning Regular meeting will be held on October 13, 2020
- 4) City Council meeting will be held on October 19, 2020

I.17 Staff recommends that a representative be present for the meetings as scheduled above to answer any questions the Parks Board, Planning and Zoning Commission or the City Council may have regarding your request. All meetings will be held in the City's Council Chambers, and will begin at 6:00 p.m.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	09/24/2020	Needs Review

09/24/2020: M - Road transition does not meet requirements. Must include a switchback curve that has the proper radii per City standards.

M - Dedicated 20' wastewater line easement on north and east property lines.

M - All street must have radius that meets minimum standards.

M - Dedicated 20' water line easement on east and south property lines.

M - All street radii must have 50' radii at the centerline. ROW will be offset from the CL.

M - Need to show and label existing and proposed utilities.

The following items are informational for the engineering design process.

General Items:

- 4% Engineering Inspection Fees for engineering work.
- Impact Fees
- Engineering plan review fees apply.
- No structures in easements. Min. easement width is 20'.
- Required 10' utility easement required along all street frontage.
- Must meet City of Rockwall Standards of Design.
- Retaining walls 3' and taller must be designed by a structural engineer.
- All walls must be rock or stone face. No smooth concrete walls.

Streets/Paving:

- Streets must meet the City Council approved variance
- No dead-end streets allowed. Must have a cul-de-sac or turnaround per City Standards.
- Must meet driveway spacing requirements.
- All streets to be 1-ft above the 100 YR floodplain WSEL.

Water/Wastewater:

- Must have septic systems on each property
- Min Lot Size per Septic Systems is 1.5 acres per County Requirements.
- Must loop 8" water line on site. No dead-end lines allowed.
- No trees within 10' of non-steel encased public utilities.
- Per Water Master Plan a 12" Water Line required on south side and east side of platted properties. Dedicated 20' water line easement on east and south property lines.
- Per Wastewater Master Plan a 15" wastewater line required on south side and east side of platted properties. Dedicated 20' wastewater line easement on north and east property lines.

Drainage/Floodplain/Lakes:

- Detention is required if you increase the flow off the property. Drainage areas larger than 20 acres will need a detention study using unit hydrograph method. Review fees apply.
- Detention must be above the floodplain elevation where adjacent.
- Must have a wetlands/WOTUS determination for all lakes/ponds and streams/creeks on site.
- Must have a flood study for all changes and crossing of the floodplain. Review fees apply.
- Must have floodplain delineation/study for localized 100-year water surface elevation for all creek/stream.
- No lot to lot drainage allowed
- No vertical walls are allowed in detention easements.
- Must show and meet erosion hazard setback for all creeks/streams. Drainage easement/erosion hazard setback easement shall be in its own separate lot owned by the HOA.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	09/21/2020	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	09/21/2020	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	09/21/2020	Approved

09/21/2020: Post approval contact Jim Knickerbocker w/ Rockwall County Rural 911 Addressing (jknickerbocker@rockwallcountytexas.com) for address assignment of lots.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
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POLICE	David Gonzales	09/23/2020	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	09/21/2020	Approved
09/21/2020: No comments			

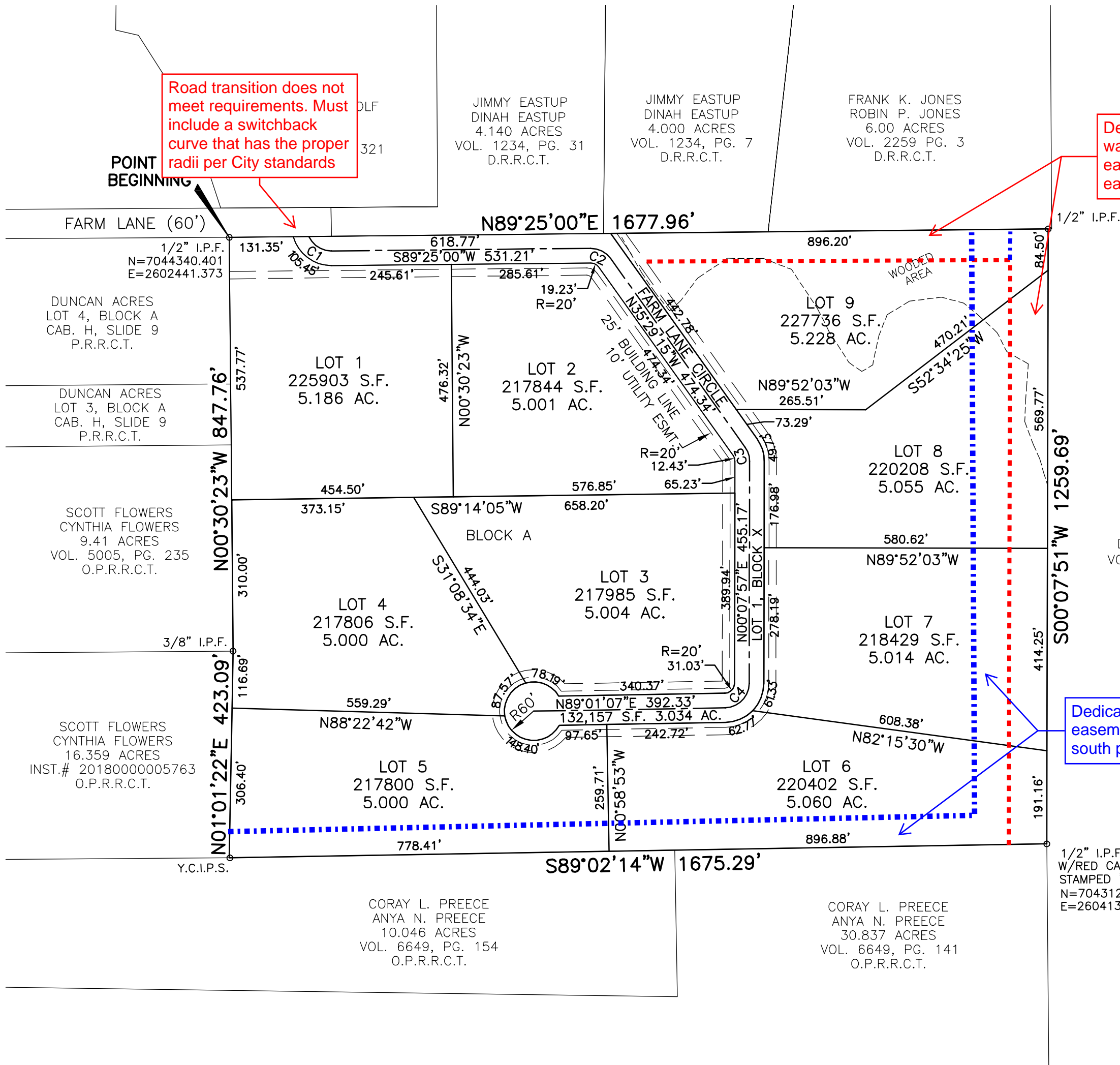
P2020-037; Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition

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

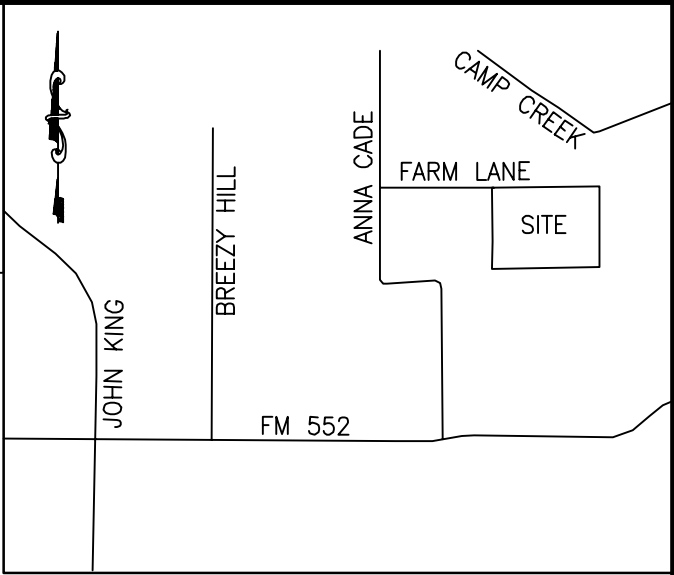
- I.1 This is a request for the approval of a Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road.
- I.2 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6488 or email dgonzales@rockwall.com.
- M.3 For reference, include the case number (*P2020-037*) in the lower right-hand corner of all pages of all revised plan submittals.
- I.4 This project is subject to all requirements stipulated by *Chapter 38, Subdivisions of the Code of Ordinances* of The City of Rockwall and the *Interim Interlocal Cooperation Agreement for Subdivision Regulation* between Rockwall County and the City of Rockwall (ILA). (§01.02(D), Art. 11, UDC)
- I.5 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections and return to staff as soon as practical, and provide any additional information that is requested.
- M.6 Correct Title Block to read as follows:
Preliminary Plat
Avery Farm Addition
Lots 1-9, Block A and Lot 1, Block X
Being 48.583-Acres of Land
Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas

[*Chapter 38, Subdivision Regulations, Municipal Code of Ordinances*]
- M.7 Tie two (2) corners to state plan coordinates (NAD 83 State Plane Texas, North Central [7202], US Survey Feet). [*Section 38-8, of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances*]
- M.8 Show 100-Year floodplain and floodway boundaries (if applicable). [*Section 38-8, of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances*]
- M.9 Show all drainage areas and all proposed storm drainages areas with sizes if applicable. [*Section 38-8, of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances*]
- M.10 Provide a label for the private road indicating Lot 1, Block X. This will need to be tied down as a separate lot.
- M.11 Provide a copy of the Homeowner Association documents. [*Section 38-15(p), of Chapter 38, Subdivision Regulations, Municipal Code of Ordinances*]
- M. 12 Please refer to the *Checklist for Plat Submittals* as found in the *Interim Interlocal Cooperative Agreement for Subdivision Regulation* (ILA) document and make the following corrections and/or provide a statement for each of the following items: (*Exhibit 'A', ILA*)
a) Provide a detailed statement of how the proposed subdivision will be served by water, wastewater, roadway and drainage facilities that have adequate capacity to serve the development. (*Exhibit 'C', ILA*)

- b) Indicate water sources inside the extraterritorial jurisdiction (ETJ). Provide a Will Serve Letter from Mt. Zion Water Supply Company. (*Section (4)(a)(1), Adequate Public Utilities (Water), Exhibit 'A', ILA*)
 - c) Rockwall County to review and approve the sewage disposal method. (*Section (4)(a)(2), Adequate Public Utilities (Wastewater), Exhibit 'A', ILA*)
- M.13 *Adequate public facilities policy.* "Adequate service for areas proposed for development. Land proposed for development in the city and in the city's extraterritorial jurisdiction must be served adequately by essential public facilities and services, including water facilities, wastewater facilities, roadway and pedestrian facilities, drainage facilities and park facilities. Land shall not be approved for platting or development unless and until adequate public facilities necessary to serve the development exist or provision has been made for the facilities, whether the facilities are to be located within the property being developed or offsite." (*Section 38-5(d)(1), Policy, Municipal Code of Ordinances*)
- I.14 Once all revisions have been completed, please provide two (2) large copies [18" X 24" FOLDED] and one PDF version for a subsequent/final review by staff.
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 - 4) City Council meeting will be held on October 19, 2020
- I.17 Staff recommends that a representative be present for the meetings as scheduled above to answer any questions the Parks Board, Planning and Zoning Commission or the City Council may have regarding your request. All meetings will be held in the City's Council Chambers, and will begin at 6:00 p.m.



LEGEND	
I.P.F.	- IRON PIN FOUND
D.R.R.C.T.	- DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T.	- OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S.	- YELLOW CAPPED IRON PIN SET
STAMPED "CCG INC RPLS 5129"	



Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	57.96'	50.00'		
C2	48.08'	50.00'		
C3	31.08'	50.00'		
C4	77.57'	50.00'		

- General Items:**
- I - 4% Engineering Inspection Fees for engineering work.
 - Impact Fees
 - I - Engineering plan review fees apply.
 - I - No structures in easements. Min. easement width is 20'.
 - I - Required 10' utility easement required along all street frontage.
 - I - Must meet City of Rockwall Standards of Design.
 - I - Retaining walls 3' and taller must be designed by a structural engineer.
 - I - All walls must be rock or stone face. No smooth concrete walls.
- Streets/Paving:**
- I - Streets must meet the City Council approved variance
 - I - No dead-end streets allowed. Must have a cul-de-sac or turnaround per City Standards.
 - I - Must meet driveway spacing requirements.
 - I - All streets to be 1-ft above the 100 YR floodplain WSEL.
- Water/Wastewater:**
- I - Must have septic systems on each property
 - I - Min Lot Size per Septic Systems is 1.5 acres per County Requirements.
 - M - Must loop 8" water line on site. No dead-end lines allowed.**
 - I - No trees within 10' of non-steel encased public utilities.
 - M - Per Water Master Plan a 12" Water Line required on south side and east side of platted properties. Dedicated 20' water line easement on east and south property lines.**
 - M - Per Wastewater Master Plan a 15" wastewater line required on south side and east side of platted properties. Dedicated 20' wastewater line easement on north and east property lines.**
- Drainage/Floodplain/Lakes:**
- I - Detention is required if you increase the flow off the property. Drainage areas larger than 20 acres will need a detention study using unit hydrograph method. Review fees apply.
 - I - Detention must be above the floodplain elevation where adjacent.
 - I - Must have a wetlands/WOTUS determination for all lakes/ponds and streams/creeks on site.
 - I - Must have a flood study for all changes and crossing of the floodplain. Review fees apply.
 - I - Must have floodplain delineation/study for localized 100-year water surface elevation for all creek/stream.
 - I - No lot to lot drainage allowed
 - I - No vertical walls are allowed in detention easements.
 - I - Must show and meet erosion hazard setback for all creeks/streams. Drainage easement/erosion hazard setback easement shall be in its own separate lot owned by the HOA.

- NOTES:
1. Located in the City of Rockwall, Texas E.T.J.
 2. This lot utilizes alternative type On-Site Sewage Facility.

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

Bearings based on the north line of deed recorded in Instrument No. 20170000018520, O.P.R.R.C.T. (N89°25'00"E)

FLOOD NOTE:

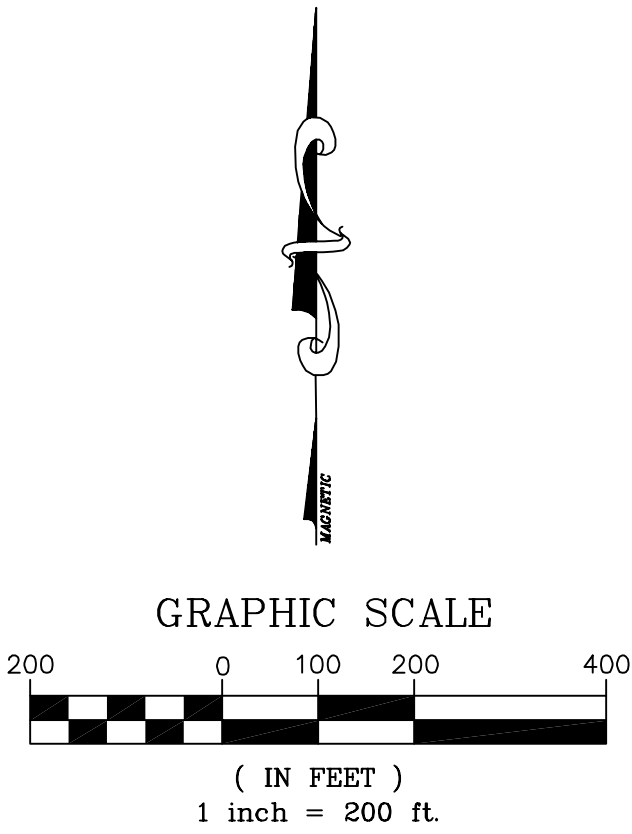
ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 48397C0035L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR ROCKWALL COUNTY, TEXAS, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

M-Need to show and label existing and proposed utilities.

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771-1090

Out
Situa
of

C		P.O.	
LAVON, TEXAS 75166		TBPELS REGISTRATION NO.: F-21608	
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709-20	1"=200'	OCTOBER 5, 2020	CP



OWNER’S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Kurt Avery is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, and being the same called 47.451 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018520, Official Public Records, Rockwall County, Texas and being the same called 1.0331 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018521, Official Public Records, Rockwall County, Texas and being more particularly described as follows:

Beginning at a 1/2” iron pin found on the south line of Farm Lane for the northwest corner of said 47.451 acre tract and the northeast corner of Duncan Acres, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Slide 9, Plat Records, Rockwall County, Texas;

Thence, North 89°25’00” East, along the north line of said 47.451 acre tract, the south line of a 4.140 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 31, Deed Records, Rockwall County, Texas, the south line of a 4.000 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 7, Deed Records, Rockwall County, Texas and the south line of a 6.00 acre tract of land conveyed to Frank K. Jones and Robin P. Jones by deed recorded in Volume 2259, Page 3, Deed Records, Rockwall County, Texas, a distance of 1677.96 feet to a 1/2” iron pin found for the northeast corner of said 47.451 acre tract and being on the west line of a tract of land conveyed to Carl E. Glaze and Dixon A. Glaze by deed recorded in Volume 190, Page 493, Deed Records, Rockwall County, Texas;

Thence, South 00°07’51” West, along the east line of said 47.451 acre tract and the west line of said Glaze tract, a distance of 1259.69 feet to a 1/2” iron pin found with red cap stamped “5427” for the southeast corner of said 47.451 acre tract and the northeast corner of a 30.837 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 141, Official Public Records, Rockwall County, Texas;

Thence, South 89°02’14” West, along the south line of said 47.451 acre tract, the north line of said 30.837 acre tract and the north line of a 10.046 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 154, Official Public Records, Rockwall County, Texas, a distance of 1675.29 feet to a 1/2” iron pin set with yellow cap stamped “CCG INC RPLS 5129” for the southwest corner of said 47.451 acre tract and the southeast corner of a 16.359 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Instrument No. 20180000005763, Official Public Records, Rockwall County, Texas;

Thence, North 01°01’22” East, along the west line of said 47.451 acre tract and the east line of said 16.359 acre tract, a distance of 423.09 feet to a 3/8” iron pin found for the northeast corner of said 16.359 acre tract and the southeast corner of a 9.41 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Volume 5005, Page 235, Official Public Records, Rockwall County, Texas;

Thence, North 00°30’23” West, along the west line of said 47.451 acre tract, the east line of said 9.41 acre tract and the east line of said Duncan Acres, a distance of 847.76 feet to the Point of Beginning and containing 2,116,269 square feet or 48.583 acres of land.

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

NOTARY CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James Bart Carroll, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in and for the State of Texas.
My commission expires: _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the AVERY FARM ADDITION subdivision 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. I further certify that all other parties who have a mortgage or lien interest in the Avery Farm Addition subdivision have been notified and signed this plat. I 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. I also understand the following;

(1) No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

(2) 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.

(3) 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.

(4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

(5) 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.

(6) 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 Rules and 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 and County of Rockwall; or

(7) 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 County, accompanied by an agreement signed by the developer and/or owner, authoring 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 with the time stated in such written agreement, but in no case shall the City of County by 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 exactions made herein.

WITNESS, my hand, this the ____ day of _____, 2020.

Kurt Avery, Owner

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Kurt Avery, 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 purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2020.

Notary Public for the State of Texas
My Commission expires _____

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771–1090

Planning & Zoning Commission, Chairman

Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20____ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulations 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 _____, 20____.

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

PRELIMINARY PLAT

AVERY FARM ADDITION

Lots 1–9, Block A and Lot 1, Block X
Being 48.583 – Acres of Land

Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas
Case No.: P2020–037

CARROLL CONSULTING GROUP, INC.			
P.O. BOX 11		972–742–4411	
LAVON, TEXAS 75166		TEXAS FIRM REGISTRATION NO.: 10007200 TBPELS REGISTRATION NO.: F–21608	
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709–20	1”=200’	OCTOBER 5, 2020	CP



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: October 13, 2020

APPLICANT: Bart Carroll; *Carroll Consulting Group*

CASE NUMBER: P2020-037; *Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition*

SUMMARY

Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a preliminary plat for a single-family residential subdivision (*i.e. Avery Farm Addition*), which will be set on a 48.583-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). According to the preliminary plat, the development will consist of nine (9) single-family residential lots that will be a minimum of five (5) acres in size and be accessible via a 20-foot wide private gravel roadway (*i.e. Lot 1, Block X*). It should be noted that on July 1, 2020, the applicant was granted a variance to the paving standards contained in the *Interim Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality* by the City Council [Case No. MIS2020-009] to allow the 20-foot wide private gravel roadway.
- ☑ On January 18, 2005, the then owner of the subject property (*i.e. Patrick Acker on behalf of Loyd Acker Family Partnership, LTD*) entered into a 212 Development Agreement that stated that the subject property would not be developed without first being annexed into the City of Rockwall; however, *Section 4* of this *Agreement* allows the subject property to be subdivided "...in parts being greater than or equal to five (5) acres having adequate public street access and facilities where no new street or public facilities are required to be provided by the City." In this case, the applicant's request conforms to the allowances of this agreement.
- ☑ The preliminary plat is required to meet all of the requirements of the *Interim Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality* between Rockwall County and the City of Rockwall, the City of Rockwall's *Standards of Design and Construction Manual*, and Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.
- ☑ The purpose of the *preliminary plat* is to provide sufficient information to evaluate and review the general design of the development ensuring compliance with Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's *Standards of Design and Construction Manual*, and *Exhibit 'A', Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall*, of the *Interim Interlocal Agreement between Rockwall County and the City of Rockwall*. With the exception of the 20-foot wide gravel roadway to be constructed for the proposed development, the preliminary plat does meet the intent and stated purpose for the preliminary plat to be approved.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the Preliminary Plat for *Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2020-037

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

Platting Application Fees:

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

Site Plan Application Fees:

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

Zoning Application Fees:

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

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address 534 FARM LANE
 Subdivision AVERY FARM ADDITION Lot _____ Block _____
 General Location FARM ROAD

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG Current Use AG
 Proposed Zoning _____ Proposed Use _____
 Acreage 48.583 Lots [Current] 1 Lots [Proposed] 9

☐ **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>Kurt Avery</u>	<input type="checkbox"/> Applicant <u>Carroll Consulting Group</u>
Contact Person <u>Kurt Avery</u>	Contact Person <u>BART CARROLL RACS</u>
Address <u>1043 ANNA CADE RD</u>	Address <u>PO BOX 11</u>
City, State & Zip <u>Rockwall TX 75087</u>	City, State & Zip <u>LAVON TX 75146</u>
Phone <u>214 771 1090</u>	Phone <u>972 742 444</u>
E-Mail <u>KurtAvery@yahoo.com</u>	E-Mail <u>bart.carroll@yahoo.com</u>

NOTARY VERIFICATION [REQUIRED]

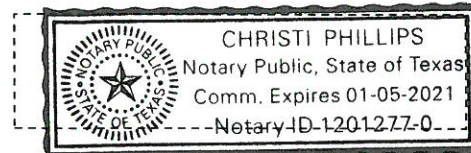
Before me, the undersigned authority, on this day personally appeared Kurt Avery [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"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 \$ 928.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 18th day of September, 20 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."

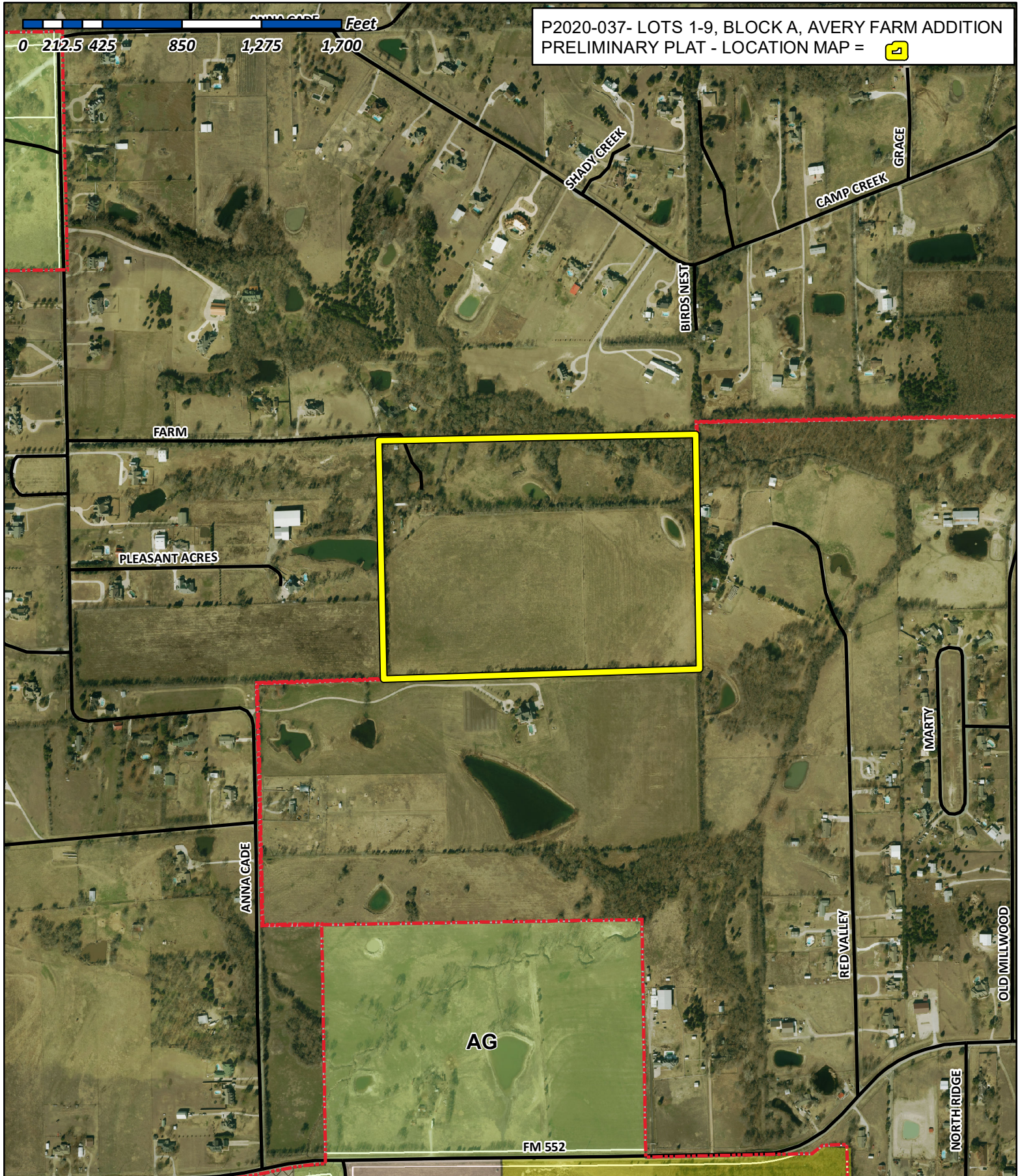
Given under my hand and seal of office on this the 18th day of September, 20 20.

Owner's Signature

Notary Public in and for the State of Texas



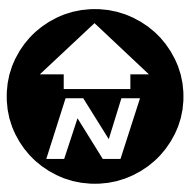
My Commission Expires 01-05-2021

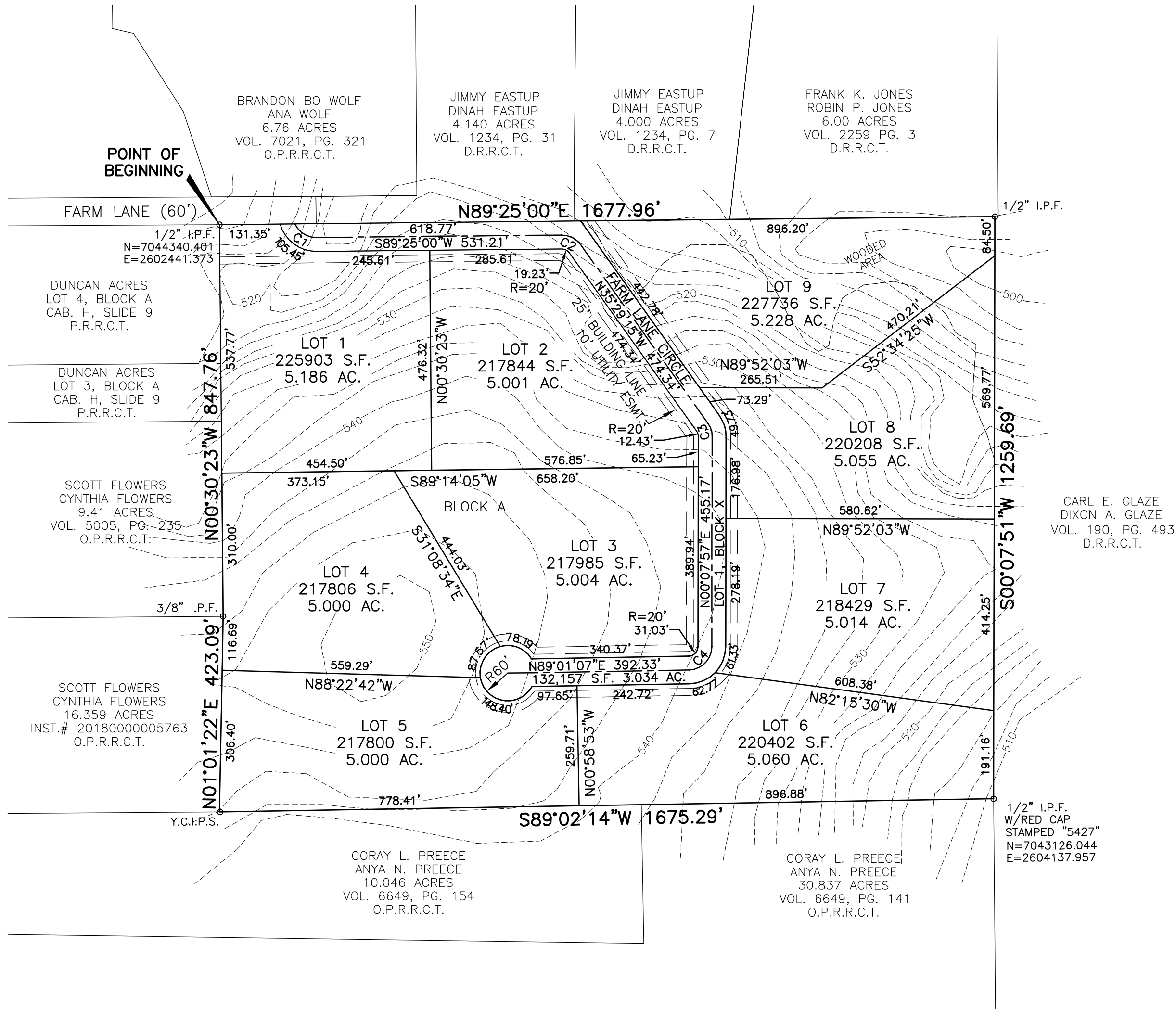


City of Rockwall

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

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

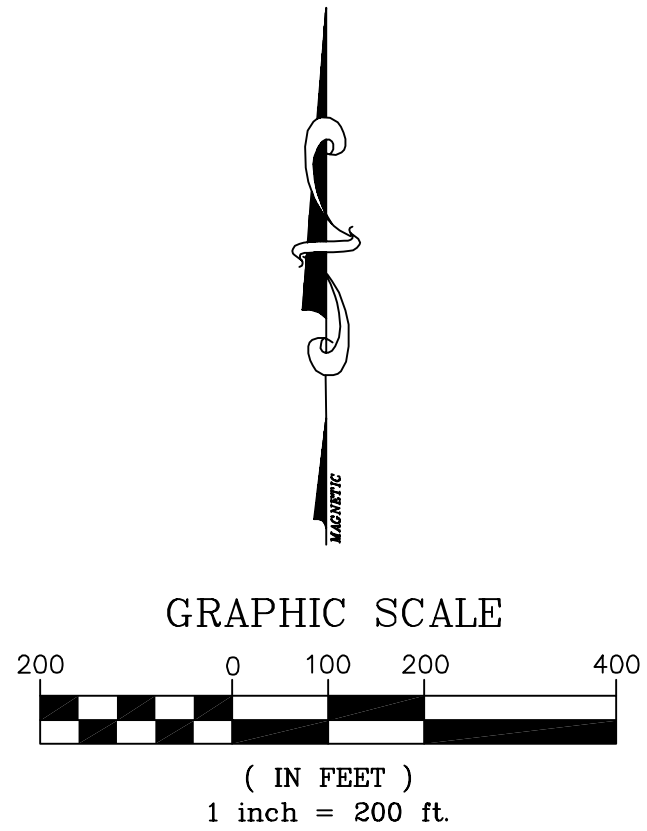
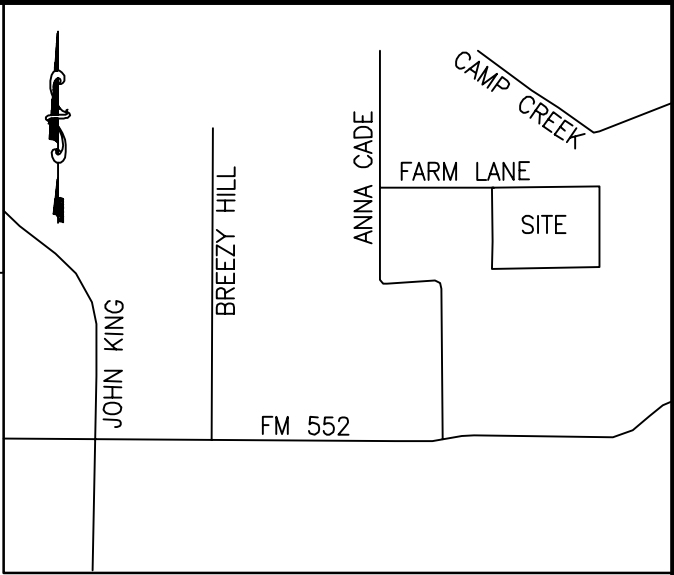




LEGEND

I.P.F. - IRON PIN FOUND
D.R.R.C.T. - DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S. - YELLOW CAPPED IRON PIN SET
STAMPED "CCG INC RPLS 5129"

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	57.96'	50.00'	66°25'19"	S57°22'20"E, 54.77'
C2	48.08'	50.00'	55°05'45"	S63°02'07"E, 46.25'
C3	31.08'	50.00'	35°37'12"	S17°40'39"E, 30.59'
C4	77.57'	50.00'	88°53'09"	S44°34'32"W, 70.02'



NOTES:

1. Located in the City of Rockwall, Texas E.T.J.
2. This lot utilizes alternative type On-Site Sewage Facility.

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

Bearings based on the north line of deed recorded in Instrument No. 20170000018520, O.P.R.R.C.T. (N89°25'00"E)

FLOOD NOTE:

ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 48397C0035L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR ROCKWALL COUNTY, TEXAS, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771-1090

PRELIMINARY PLAT

AVERY FARM ADDITION

Lots 1-9, Block A and Lot 1, Block X
Being 48.583 - Acres of Land

Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas

Case No.: P2020-037

CARROLL CONSULTING GROUP, INC.			
P.O. BOX 11		972-742-4411	
LAVON, TEXAS 75166		TEXAS FIRM REGISTRATION NO.: 10007200 TBPELS REGISTRATION NO.: F-21608	
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709-20	1"=200'	OCTOBER 5, 2020	CP

OWNER’S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Kurt Avery is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, and being the same called 47.451 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018520, Official Public Records, Rockwall County, Texas and being the same called 1.0331 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018521, Official Public Records, Rockwall County, Texas and being more particularly described as follows:

Beginning at a 1/2” iron pin found on the south line of Farm Lane for the northwest corner of said 47.451 acre tract and the northeast corner of Duncan Acres, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Slide 9, Plat Records, Rockwall County, Texas;

Thence, North 89°25’00” East, along the north line of said 47.451 acre tract, the south line of a 4.140 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 31, Deed Records, Rockwall County, Texas, the south line of a 4.000 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 7, Deed Records, Rockwall County, Texas and the south line of a 6.00 acre tract of land conveyed to Frank K. Jones and Robin P. Jones by deed recorded in Volume 2259, Page 3, Deed Records, Rockwall County, Texas, a distance of 1677.96 feet to a 1/2” iron pin found for the northeast corner of said 47.451 acre tract and being on the west line of a tract of land conveyed to Carl E. Glaze and Dixon A. Glaze by deed recorded in Volume 190, Page 493, Deed Records, Rockwall County, Texas;

Thence, South 00°07’51” West, along the east line of said 47.451 acre tract and the west line of said Glaze tract, a distance of 1259.69 feet to a 1/2” iron pin found with red cap stamped “5427” for the southeast corner of said 47.451 acre tract and the northeast corner of a 30.837 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 141, Official Public Records, Rockwall County, Texas;

Thence, South 89°02’14” West, along the south line of said 47.451 acre tract, the north line of said 30.837 acre tract and the north line of a 10.046 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 154, Official Public Records, Rockwall County, Texas, a distance of 1675.29 feet to a 1/2” iron pin set with yellow cap stamped “CCG INC RPLS 5129” for the southwest corner of said 47.451 acre tract and the southeast corner of a 16.359 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Instrument No. 20180000005763, Official Public Records, Rockwall County, Texas;

Thence, North 01°01’22” East, along the west line of said 47.451 acre tract and the east line of said 16.359 acre tract, a distance of 423.09 feet to a 3/8” iron pin found for the northeast corner of said 16.359 acre tract and the southeast corner of a 9.41 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Volume 5005, Page 235, Official Public Records, Rockwall County, Texas;

Thence, North 00°30’23” West, along the west line of said 47.451 acre tract, the east line of said 9.41 acre tract and the east line of said Duncan Acres, a distance of 847.76 feet to the Point of Beginning and containing 2,116,269 square feet or 48.583 acres of land.

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

NOTARY CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James Bart Carroll, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in and for the State of Texas.
My commission expires: _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the AVERY FARM ADDITION subdivision 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. I further certify that all other parties who have a mortgage or lien interest in the Avery Farm Addition subdivision have been notified and signed this plat. I 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. I also understand the following;

(1) No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

(2) 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.

(3) 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.

(4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

(5) 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.

(6) 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 Rules and 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 and County of Rockwall; or

(7) 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 County, accompanied by an agreement signed by the developer and/or owner, authoring 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 with the time stated in such written agreement, but in no case shall the City of County by 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 exactions made herein.

WITNESS, my hand, this the ____ day of _____, 2020.

Kurt Avery, Owner

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Kurt Avery, 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 purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2020.

Notary Public for the State of Texas
My Commission expires _____

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771–1090

Planning & Zoning Commission, Chairman

Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20____ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulations 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 _____, 20____.

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

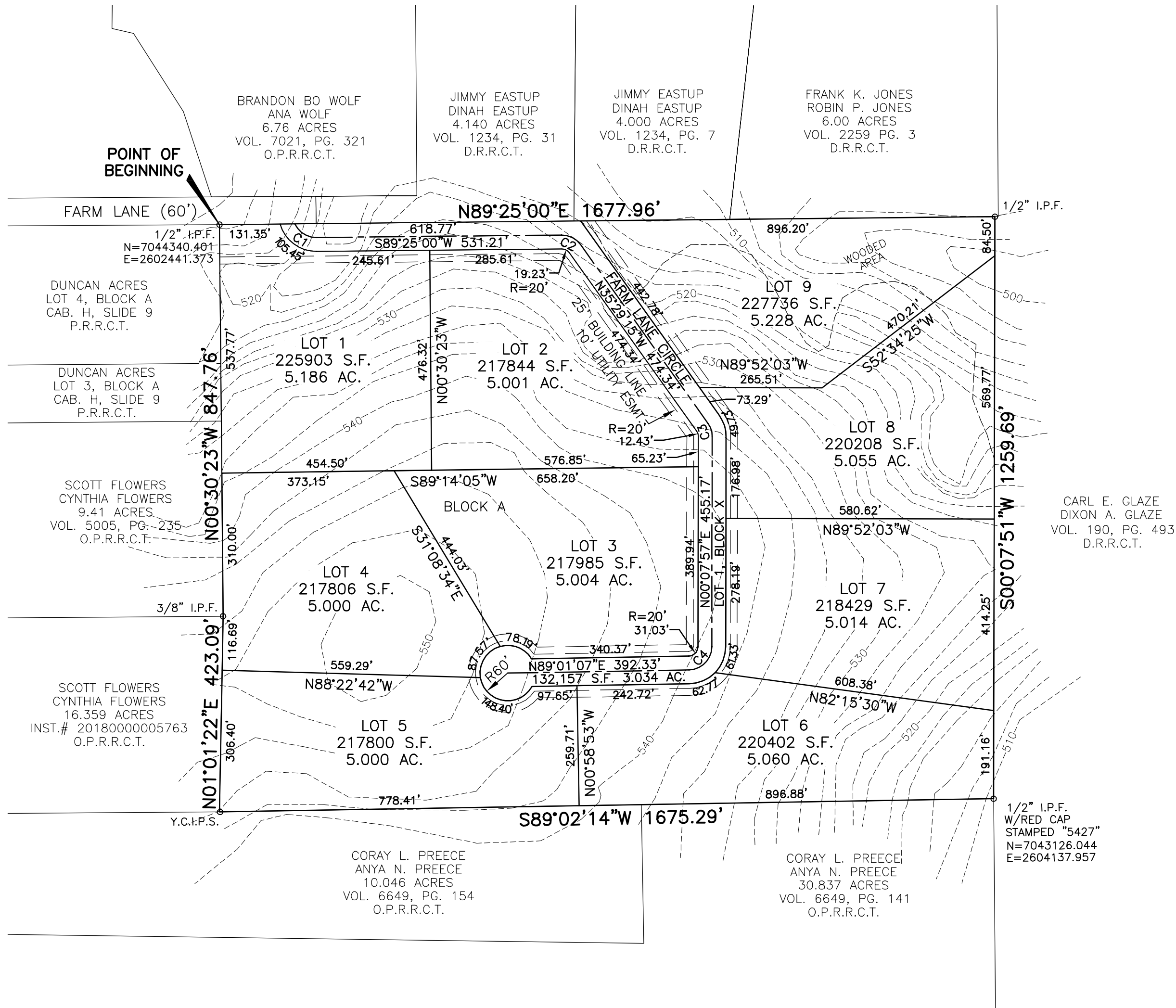
PRELIMINARY PLAT

AVERY FARM ADDITION

Lots 1–9, Block A and Lot 1, Block X
Being 48.583 – Acres of Land

Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas
Case No.: P2020–037

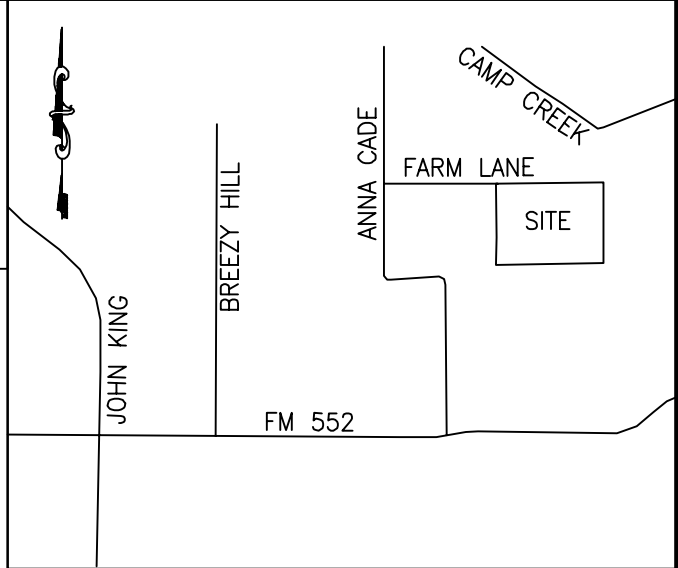
CARROLL CONSULTING GROUP, INC.			
P.O. BOX 11		972–742–4411	
LAVON, TEXAS 75166		TEXAS FIRM REGISTRATION NO.: 10007200 TBPELS REGISTRATION NO.: F–21608	
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709–20	1”=200’	OCTOBER 5, 2020	CP



LEGEND

I.P.F. - IRON PIN FOUND
D.R.R.C.T. - DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S. - YELLOW CAPPED IRON PIN SET
STAMPED "CCG INC RPLS 5129"

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	57.96'	50.00'	66°25'19"	S57°22'20"E, 54.77'
C2	48.08'	50.00'	55°05'45"	S63°02'07"E, 46.25'
C3	31.08'	50.00'	35°37'12"	S17°40'39"E, 30.59'
C4	77.57'	50.00'	88°53'09"	S44°34'32"W, 70.02'



LOCATION MAP
(N.T.S.)

CARL E. GLAZE
DIXON A. GLAZE
VOL. 190, PG. 493
D.R.R.C.T.

1/2" I.P.F.
W/RED CAP
STAMPED "5427"
N=7043126.044
E=2604137.957

PRELIMINARY PLAT

AVERY FARM ADDITION

Lots 1-9, Block A and Lot 1, Block X
Being 48.583 - Acres of Land

Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas
Case No.: P2020-037

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11
LAVON, TEXAS 75166
972-742-4411
TEXAS FIRM REGISTRATION NO.: 10007200
TBPELS REGISTRATION NO.: F-21608

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709-20	1"=200'	OCTOBER 5, 2020	CP

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771-1090

NOTES:

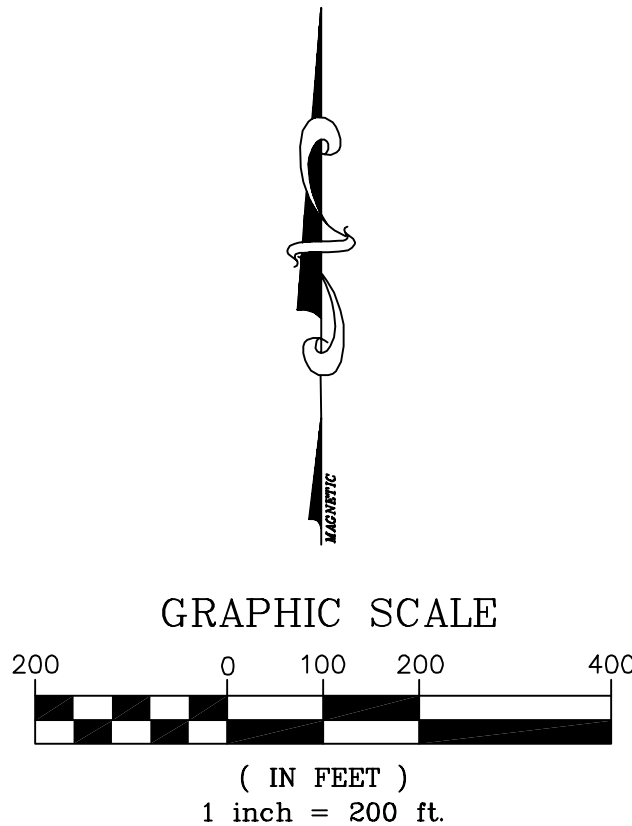
- Located in the City of Rockwall, Texas E.T.J.
- This lot utilizes alternative type On-Site Sewage Facility.

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

Bearings based on the north line of deed recorded in Instrument No. 20170000018520, O.P.R.R.C.T. (N89°25'00"E)

FLOOD NOTE:

ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 48397C0035L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR ROCKWALL COUNTY, TEXAS, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.



OWNER’S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Kurt Avery is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, and being the same called 47.451 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018520, Official Public Records, Rockwall County, Texas and being the same called 1.0331 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018521, Official Public Records, Rockwall County, Texas and being more particularly described as follows:

Beginning at a 1/2” iron pin found on the south line of Farm Lane for the northwest corner of said 47.451 acre tract and the northeast corner of Duncan Acres, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Slide 9, Plat Records, Rockwall County, Texas;

Thence, North 89°25’00” East, along the north line of said 47.451 acre tract, the south line of a 4.140 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 31, Deed Records, Rockwall County, Texas, the south line of a 4.000 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 7, Deed Records, Rockwall County, Texas and the south line of a 6.00 acre tract of land conveyed to Frank K. Jones and Robin P. Jones by deed recorded in Volume 2259, Page 3, Deed Records, Rockwall County, Texas, a distance of 1677.96 feet to a 1/2” iron pin found for the northeast corner of said 47.451 acre tract and being on the west line of a tract of land conveyed to Carl E. Glaze and Dixon A. Glaze by deed recorded in Volume 190, Page 493, Deed Records, Rockwall County, Texas;

Thence, South 00°07’51” West, along the east line of said 47.451 acre tract and the west line of said Glaze tract, a distance of 1259.69 feet to a 1/2” iron pin found with red cap stamped “5427” for the southeast corner of said 47.451 acre tract and the northeast corner of a 30.837 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 141, Official Public Records, Rockwall County, Texas;

Thence, South 89°02’14” West, along the south line of said 47.451 acre tract, the north line of said 30.837 acre tract and the north line of a 10.046 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 154, Official Public Records, Rockwall County, Texas, a distance of 1675.29 feet to a 1/2” iron pin set with yellow cap stamped “CCG INC RPLS 5129” for the southwest corner of said 47.451 acre tract and the southeast corner of a 16.359 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Instrument No. 20180000005763, Official Public Records, Rockwall County, Texas;

Thence, North 01°01’22” East, along the west line of said 47.451 acre tract and the east line of said 16.359 acre tract, a distance of 423.09 feet to a 3/8” iron pin found for the northeast corner of said 16.359 acre tract and the southeast corner of a 9.41 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Volume 5005, Page 235, Official Public Records, Rockwall County, Texas;

Thence, North 00°30’23” West, along the west line of said 47.451 acre tract, the east line of said 9.41 acre tract and the east line of said Duncan Acres, a distance of 847.76 feet to the Point of Beginning and containing 2,116,269 square feet or 48.583 acres of land.

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

NOTARY CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James Bart Carroll, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in and for the State of Texas.
My commission expires: _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the AVERY FARM ADDITION subdivision 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. I further certify that all other parties who have a mortgage or lien interest in the Avery Farm Addition subdivision have been notified and signed this plat. I 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. I also understand the following;

(1) No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

(2) 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.

(3) 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.

(4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

(5) 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.

(6) 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 Rules and 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 and County of Rockwall; or

(7) 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 County, accompanied by an agreement signed by the developer and/or owner, authoring 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 with the time stated in such written agreement, but in no case shall the City of County by 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 exactions made herein.

WITNESS, my hand, this the ____ day of _____, 2020.

Kurt Avery, Owner

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Kurt Avery, 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 purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2020.

Notary Public for the State of Texas
My Commission expires _____

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771–1090

Planning & Zoning Commission, Chairman

Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20____ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulations 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 _____, 20____.

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

PRELIMINARY PLAT

AVERY FARM ADDITION

Lots 1–9, Block A and Lot 1, Block X
Being 48.583 – Acres of Land

Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas
Case No.: P2020–037

CARROLL CONSULTING GROUP, INC.			
P.O. BOX 11		972–742–4411	
LAVON, TEXAS 75166		TEXAS FIRM REGISTRATION NO.: 10007200 TBPELS REGISTRATION NO.: F–21608	
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709–20	1”=200’	OCTOBER 5, 2020	CP

PROJECT COMMENTS



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

DATE: 10/12/2020

PROJECT NUMBER: P2020-037
PROJECT NAME: Avery Farm Subdivision
SITE ADDRESS/LOCATIONS: 534 FARM LN

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

CASE CAPTION: Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat for Lots 1-9, Block A, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	David Gonzales	10/12/2020	Approved w/Condition

10/08/2020: P2020-037; Revision 1 Comments - Preliminary Plat for the Avery Farm Addition

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

I.1 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6488 or email dgonzales@rockwall.com.

I.2 This project is subject to all requirements stipulated by Chapter 38, Subdivisions of the Code of Ordinances of The City of Rockwall and the Interim Interlocal Cooperation Agreement for Subdivision Regulation between Rockwall County and the City of Rockwall (ILA). (§01.02(D), Art. 11, UDC)

I.3 This case will be on the Consent Agenda for both meetings. Please note the scheduled meetings for this case:

- 1) Planning & Zoning Regular meeting will be held on October 13, 2020
- 2) City Council meeting will be held on October 19, 2020

I.4 Staff recommends that a representative be present for the meetings as scheduled above to answer any questions the Planning and Zoning Commission or the City Council may have regarding your request; however, you are not required to be present for the meetings. All meetings will be held in person in the City's Council Chambers, and will begin at 6:00 p.m.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	10/08/2020	Approved w/Condition

10/08/2020: Adequate water supply to meet the Needed Fire Flow for any structure added shall be provided in accordance with the International Fire Code.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	10/07/2020	Needs Review

10/07/2020: M - Dedicated 20' wastewater line easement on north and east property lines. Master Wastewater Plan.

M - Dedicated 20' water line easement on east and south property lines. Master Water Plan.

M - Road transition does not meet requirements. Must include a switchback curve that has the proper radii per City Standards of Design Section 2.

M - Need to show and label existing and proposed utilities.

M - Must loop 8" water line on site. No dead-end lines allowed. Standards of Design and Construction Section 5.

General Items:

I - 4% Engineering Inspection Fees for engineering work.

- Impact Fees

I - Engineering plan review fees apply.

I - No structures in easements. Min. easement width is 20'.

I - Required 10' utility easement required along all street frontage.

I - Must meet City of Rockwall Standards of Design.

I - Retaining walls 3' and taller must be designed by a structural engineer.

I - All walls must be rock or stone face. No smooth concrete walls.

Streets/Paving:

I - Streets must meet the City Council approved variance

I - No dead-end streets allowed. Must have a cul-de-sac or turnaround per City Standards.

I - Must meet driveway spacing requirements.

I - All streets to be 1-ft above the 100 YR floodplain WSEL.

Water/Wastewater:

I - Must have septic systems on each property

I - Min Lot Size per Septic Systems is 1.5 acres per County Requirements.

M - Must loop 8" water line on site. No dead-end lines allowed.

I - No trees within 10' of non-steel encased public utilities.

M - Per Water Master Plan a 12" Water Line required on south side and east side of platted properties. Dedicated 20' water line easement on east and south property lines.

M - Per Wastewater Master Plan a 15" wastewater line required on south side and east side of platted properties. Dedicated 20' wastewater line easement on north and east property lines.

Drainage/Floodplain/Lakes:

I - Detention is required if you increase the flow off the property. Drainage areas larger than 20 acres will need a detention study using unit hydrograph method. Review fees apply.

I - Detention must be above the floodplain elevation where adjacent.

I - Must have a wetlands/WOTUS determination for all lakes/ponds and streams/creeks on site.

I - Must have a flood study for all changes and crossing of the floodplain. Review fees apply.

I - Must have floodplain delineation/study for localized 100-year water surface elevation for all creek/stream.

I - No lot to lot drainage allowed

I - No vertical walls are allowed in detention easements.

I - Must show and meet erosion hazard setback for all creeks/streams. Drainage easement/erosion hazard setback easement shall be in its own separate lot owned by the HOA.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	10/07/2020	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	David Gonzales	10/08/2020	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	David Gonzales	10/08/2020	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	David Gonzales	10/08/2020	N/A
No Comments			

P2020-037; Revision 1 Comments - Preliminary Plat for the Avery Farm Addition

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

- I.1 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6488 or email dgonzales@rockwall.com.
- I.2 This project is subject to all requirements stipulated by *Chapter 38, Subdivisions of the Code of Ordinances* of The City of Rockwall and the *Interim Interlocal Cooperation Agreement for Subdivision Regulation* between Rockwall County and the City of Rockwall (ILA). (§01.02(D), Art. 11, UDC)
- I.3 This case will be on the Consent Agenda for both meetings. Please note the scheduled meetings for this case:
 - 1) Planning & Zoning Regular meeting will be held on October 13, 2020
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- I.4 Staff recommends that a representative be present for the meetings as scheduled above to answer any questions the Planning and Zoning Commission or the City Council may have regarding your request; however, you are not required to be present for the meetings. All meetings will be held in person in the City's Council Chambers, and will begin at 6:00 p.m.



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: October 19, 2020

APPLICANT: Bart Carroll; *Carroll Consulting Group*

CASE NUMBER: P2020-037; *Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition*

SUMMARY

Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a preliminary plat for a single-family residential subdivision (*i.e. Avery Farm Addition*), which will be set on a 48.583-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). According to the preliminary plat, the development will consist of nine (9) single-family residential lots that will be a minimum of five (5) acres in size and be accessible via a 20-foot wide private gravel roadway (*i.e. Lot 1, Block X*). It should be noted that on July 1, 2020, the applicant was granted a variance to the paving standards contained in the *Interim Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality* by the City Council [Case No. MIS2020-009] to allow the 20-foot wide private gravel roadway.
- ☑ On January 18, 2005, the then owner of the subject property (*i.e. Patrick Acker on behalf of Loyd Acker Family Partnership, LTD*) entered into a 212 Development Agreement that stated that the subject property would not be developed without first being annexed into the City of Rockwall; however, *Section 4* of this *Agreement* allows the subject property to be subdivided "...in parts being greater than or equal to five (5) acres having adequate public street access and facilities where no new street or public facilities are required to be provided by the City." In this case, the applicant's request conforms to the allowances of this agreement.
- ☑ The preliminary plat is required to meet all of the requirements of the *Interim Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality* between Rockwall County and the City of Rockwall, the City of Rockwall's *Standards of Design and Construction Manual*, and Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.
- ☑ The purpose of the *preliminary plat* is to provide sufficient information to evaluate and review the general design of the development ensuring compliance with Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's *Standards of Design and Construction Manual*, and *Exhibit 'A', Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall*, of the *Interim Interlocal Agreement between Rockwall County and the City of Rockwall*. With the exception of the 20-foot wide gravel roadway to be constructed for the proposed development, the preliminary plat does meet the intent and stated purpose for the preliminary plat to be approved.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Preliminary Plat for *Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On October 13, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the preliminary plat with the conditions of approval by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-037

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

Platting Application Fees:

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

Site Plan Application Fees:

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

Zoning Application Fees:

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

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address 534 FARM LANE
 Subdivision AVERY FARM ADDITION Lot _____ Block _____
 General Location FARM ROAD

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG Current Use AG
 Proposed Zoning _____ Proposed Use _____
 Acreage 48.583 Lots [Current] 1 Lots [Proposed] 9

☐ **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>Kurt Avery</u>	<input type="checkbox"/> Applicant	<u>Carroll Consulting Group</u>
Contact Person	<u>Kurt Avery</u>	Contact Person	<u>BART CARROLL RACS</u>
Address	<u>1043 ANNA CADE RD</u>	Address	<u>PO BOX 11</u>
City, State & Zip	<u>Rockwall TX 75087</u>	City, State & Zip	<u>LA VON TX 75146</u>
Phone	<u>214 771 1090</u>	Phone	<u>972 742 444</u>
E-Mail	<u>KurtAvery@yahoo.com</u>	E-Mail	<u>bart.carroll@yahoo.com</u>

NOTARY VERIFICATION [REQUIRED]

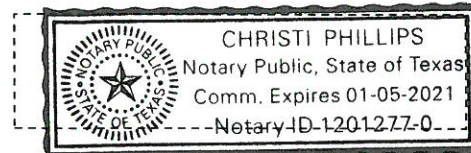
Before me, the undersigned authority, on this day personally appeared Kurt Avery [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"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 \$ 928.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 18th day of September, 20 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."

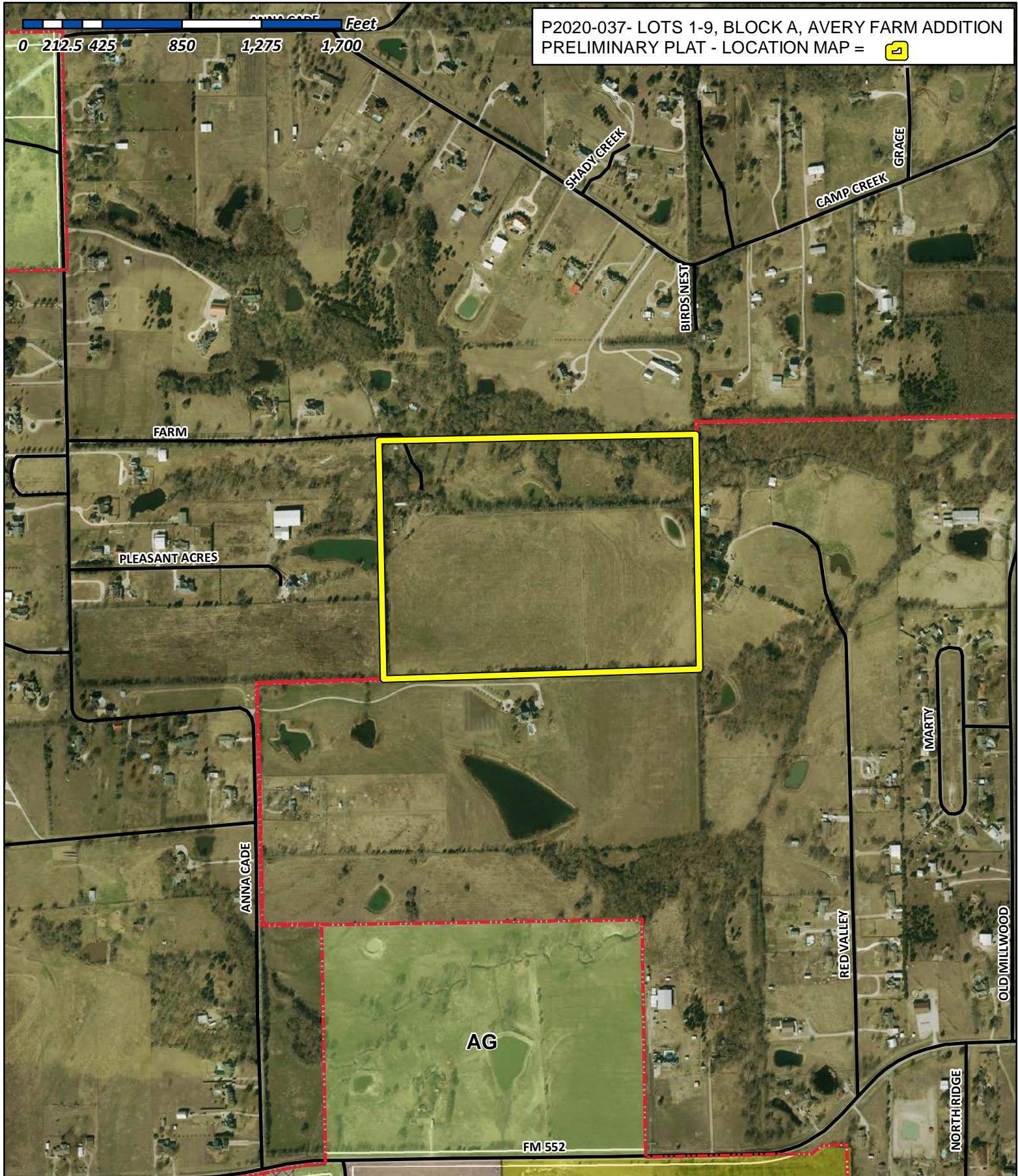
Given under my hand and seal of office on this the 18th day of September, 20 20.

Owner's Signature

Notary Public in and for the State of Texas



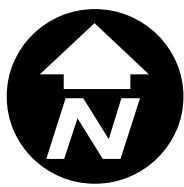
My Commission Expires 01-05-2021

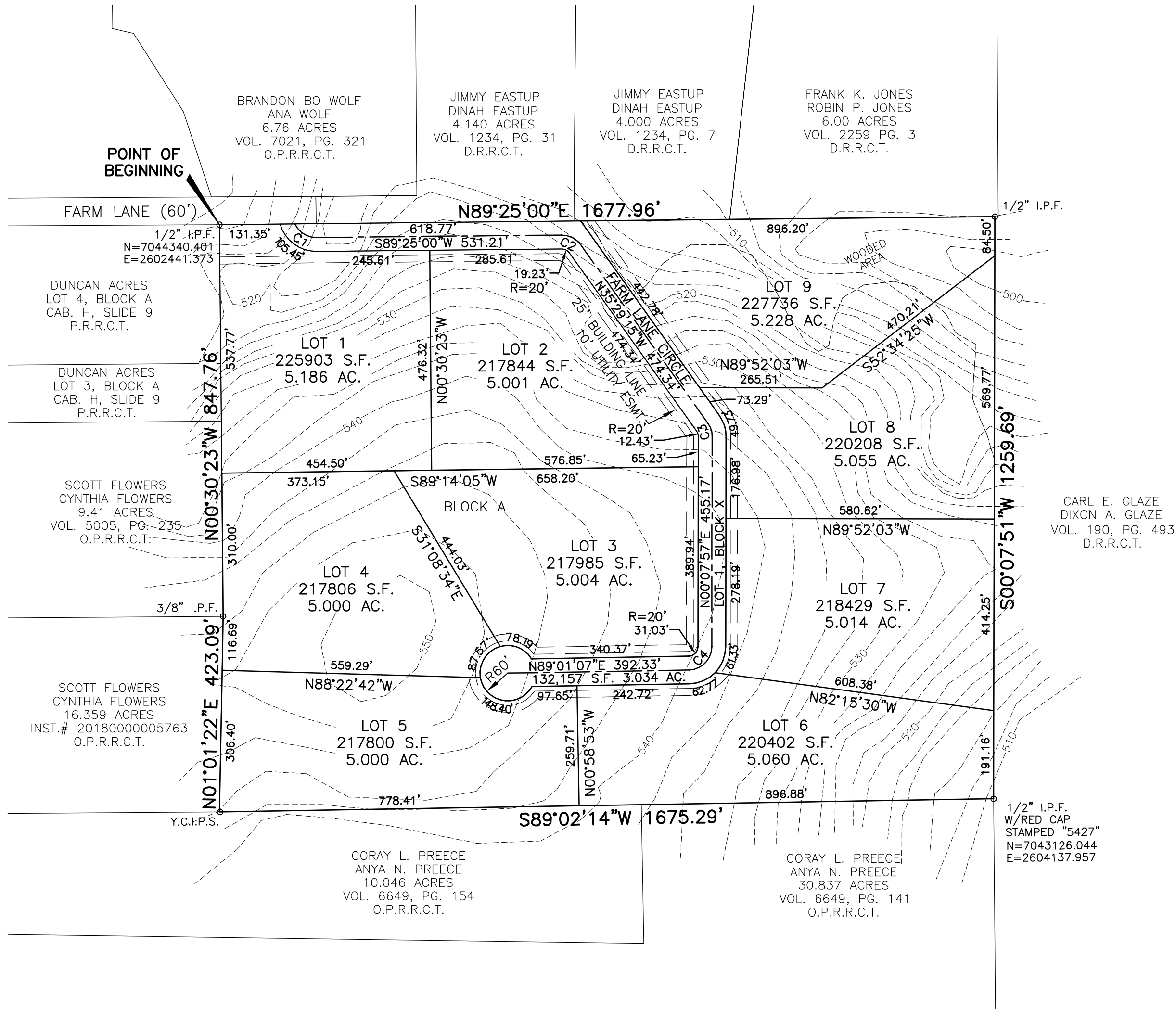


City of Rockwall

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

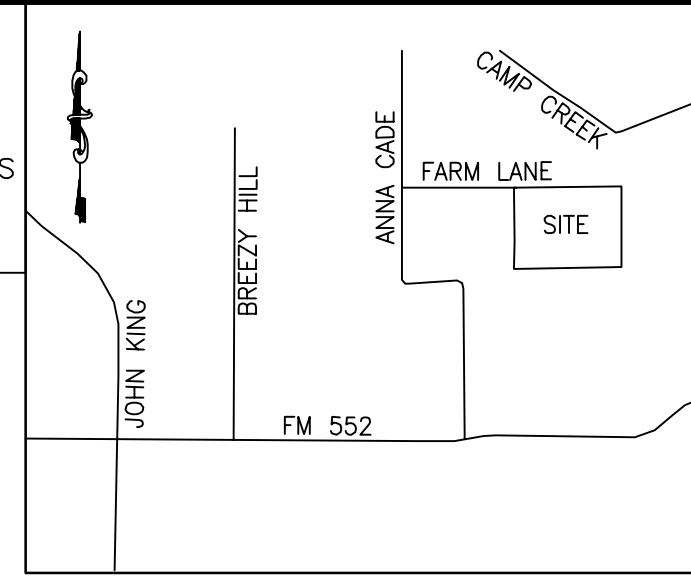
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



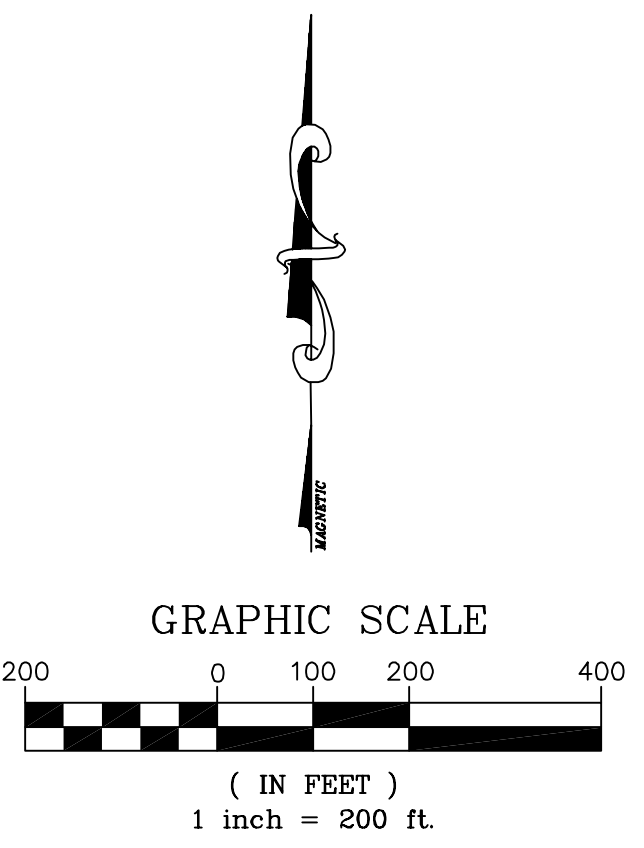


LEGEND

I.P.F. - IRON PIN FOUND
D.R.R.C.T. - DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S. - YELLOW CAPPED IRON PIN SET
STAMPED "CCG INC RPLS 5129"



Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	57.96'	50.00'	66°25'19"	S57°22'20"E, 54.77'
C2	48.08'	50.00'	55°05'45"	S63°02'07"E, 46.25'
C3	31.08'	50.00'	35°37'12"	S17°40'39"E, 30.59'
C4	77.57'	50.00'	88°53'09"	S44°34'32"W, 70.02'



NOTES:

1. Located in the City of Rockwall, Texas E.T.J.
2. This lot utilizes alternative type On-Site Sewage Facility.

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

Bearings based on the north line of deed recorded in Instrument No. 20170000018520, O.P.R.R.C.T. (N89°25'00"E)

FLOOD NOTE:

ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 48397C0035L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR ROCKWALL COUNTY, TEXAS, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771-1090

PRELIMINARY PLAT

AVERY FARM ADDITION

Lots 1-9, Block A and Lot 1, Block X
Being 48.583 - Acres of Land

Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas

Case No.: P2020-037

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11
LAVON, TEXAS 75166

972-742-4411
TEXAS FIRM REGISTRATION NO.: 10007200
TBPELS REGISTRATION NO.: F-21608

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709-20	1"=200'	OCTOBER 5, 2020	CP

OWNER’S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Kurt Avery is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, and being the same called 47.451 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018520, Official Public Records, Rockwall County, Texas and being the same called 1.0331 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018521, Official Public Records, Rockwall County, Texas and being more particularly described as follows:

Beginning at a 1/2” iron pin found on the south line of Farm Lane for the northwest corner of said 47.451 acre tract and the northeast corner of Duncan Acres, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Slide 9, Plat Records, Rockwall County, Texas;

Thence, North 89°25’00” East, along the north line of said 47.451 acre tract, the south line of a 4.140 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 31, Deed Records, Rockwall County, Texas, the south line of a 4.000 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 7, Deed Records, Rockwall County, Texas and the south line of a 6.00 acre tract of land conveyed to Frank K. Jones and Robin P. Jones by deed recorded in Volume 2259, Page 3, Deed Records, Rockwall County, Texas, a distance of 1677.96 feet to a 1/2” iron pin found for the northeast corner of said 47.451 acre tract and being on the west line of a tract of land conveyed to Carl E. Glaze and Dixon A. Glaze by deed recorded in Volume 190, Page 493, Deed Records, Rockwall County, Texas;

Thence, South 00°07’51” West, along the east line of said 47.451 acre tract and the west line of said Glaze tract, a distance of 1259.69 feet to a 1/2” iron pin found with red cap stamped “5427” for the southeast corner of said 47.451 acre tract and the northeast corner of a 30.837 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 141, Official Public Records, Rockwall County, Texas;

Thence, South 89°02’14” West, along the south line of said 47.451 acre tract, the north line of said 30.837 acre tract and the north line of a 10.046 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 154, Official Public Records, Rockwall County, Texas, a distance of 1675.29 feet to a 1/2” iron pin set with yellow cap stamped “CCG INC RPLS 5129” for the southwest corner of said 47.451 acre tract and the southeast corner of a 16.359 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Instrument No. 20180000005763, Official Public Records, Rockwall County, Texas;

Thence, North 01°01’22” East, along the west line of said 47.451 acre tract and the east line of said 16.359 acre tract, a distance of 423.09 feet to a 3/8” iron pin found for the northeast corner of said 16.359 acre tract and the southeast corner of a 9.41 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Volume 5005, Page 235, Official Public Records, Rockwall County, Texas;

Thence, North 00°30’23” West, along the west line of said 47.451 acre tract, the east line of said 9.41 acre tract and the east line of said Duncan Acres, a distance of 847.76 feet to the Point of Beginning and containing 2,116,269 square feet or 48.583 acres of land.

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

NOTARY CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James Bart Carroll, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in and for the State of Texas.
My commission expires: _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the AVERY FARM ADDITION subdivision 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. I further certify that all other parties who have a mortgage or lien interest in the Avery Farm Addition subdivision have been notified and signed this plat. I 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. I also understand the following;

(1) No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

(2) 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.

(3) 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.

(4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

(5) 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.

(6) 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 Rules and 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 and County of Rockwall; or

(7) 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 County, accompanied by an agreement signed by the developer and/or owner, authoring 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 with the time stated in such written agreement, but in no case shall the City of County by 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 exactions made herein.

WITNESS, my hand, this the ____ day of _____, 2020.

Kurt Avery, Owner

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Kurt Avery, 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 purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2020.

Notary Public for the State of Texas
My Commission expires _____

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771–1090

Planning & Zoning Commission, Chairman

Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20____ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulations 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 _____, 20____.

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

PRELIMINARY PLAT

AVERY FARM ADDITION

Lots 1–9, Block A and Lot 1, Block X
Being 48.583 – Acres of Land

Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas
Case No.: P2020–037

CARROLL CONSULTING GROUP, INC.			
P.O. BOX 11		972–742–4411	
LAVON, TEXAS 75166		TEXAS FIRM REGISTRATION NO.: 10007200 TBPELS REGISTRATION NO.: F–21608	
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709–20	1”=200’	OCTOBER 5, 2020	CP

MT ZION WATER SUPPLY CORPORATION

PO Box 2034, 5763 SH 205 South, Rockwall, Texas 75032 (972) 722-3203

www.mtzionwater.com

September 9, 2020

Kurt Avery

To Whom It May Concern:

Mt. Zion WSC has committed to serving the proposed development on Farm Lane after the necessary improvements are made. If you have any questions, please call our office at the above number.

Robin Baley

Robin E. Baley
Mt. Zion Water Supply Company



December 11, 2020

TO: Bart Carroll
Carroll Consulting Group
P O BOX 11
Lavon, TX 75166

COPY: Kurt Avery
1043 Anna Cade Road
Rockwall, TX 75087

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

SUBJECT: P2020-037; Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition

Bart Carroll.:

This letter serves to notify you that the above referenced platting case that you submitted for consideration by the City of Rockwall was approved by the City Council on October 19, 2020. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On October 13, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the preliminary plat with the conditions of approval by a vote of 7-0.

City Council

On October 19, 2020, the City Council approved a motion to approve the preliminary plat situated within the City's extraterritorial jurisdiction (ETJ) with the conditions of approval by a vote of 6-0, with Councilmember Johannesen absent.

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

Sincerely,


David Gonzales, AICP
Planning and Zoning Manager

Gonzales, David

From: Gonzales, David
Sent: Monday, October 12, 2020 9:02 AM
To: 'bart.carroll@yahoo.com'
Cc: 'kurtavery@yahoo.com'
Subject: P&Z Meeting Tomorrow Night
Attachments: 03_P2020-037.pdf

Bart,

Please find attached staff's memo for your request. The Planning Commission will be taking action at tomorrow night's meeting, on Tuesday, October 13, 2020. Although this item is on the Consent Agenda, you and/or your representative may want to be present should the commission have any questions regarding your project, but is not required. The Planning and Zoning Commission meeting is scheduled for 6:00 p.m. in the City's Council Chambers.

Do not hesitate to contact me should you have any questions.

Thank you,



DAVID GONZALES, AICP

PLANNING & ZONING MANAGER
PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM

385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[GIS DIVISION WEBSITE](#) | [CITY OF ROCKWALL INTERACTIVE MAPS](#) | [MAIN STREET DIVISION](#)

Gonzales, David

From: Christi Phillips <caphill2000@yahoo.com>
Sent: Tuesday, October 6, 2020 12:35 PM
To: Gonzales, David
Subject: Project No.: P2020-037
Attachments: AVERY FARM ADDITION 10-5-20.pdf

Avery Farm Addition revised pdf of plat. Copies will be delivered to the city.

Christi Phillips
Carroll Consulting Group, Inc.
P.O. Box 11
Lavon, TX 75166

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Gonzales, David

From: Gonzales, David
Sent: Wednesday, October 7, 2020 12:05 PM
To: Johnston, Sarah; Kistner, Ariana
Subject: FW: Project No.: P2020-037
Attachments: AVERY FARM ADDITION 10-5-20.pdf

Here is the revised plat for the Avery Farm Addition [P2020-037]. Please enter any comments you may have in City Works by Thursday afternoon, October 8, 2020.

Thank you,



DAVID GONZALES, AICP

PLANNING & ZONING MANAGER

PLANNING & ZONING DIVISION • CITY OF ROCKWALL

972.772.6488 OFFICE

DGONZALES@ROCKWALL.COM

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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[GIS DIVISION WEBSITE](#) | [CITY OF ROCKWALL INTERACTIVE MAPS](#) | [MAIN STREET DIVISION](#)

From: Christi Phillips [mailto:caphill2000@yahoo.com]
Sent: Tuesday, October 6, 2020 12:35 PM
To: Gonzales, David
Subject: Project No.: P2020-037

Avery Farm Addition revised pdf of plat. Copies will be delivered to the city.

Christi Phillips

Carroll Consulting Group, Inc.

P.O. Box 11

Lavon, TX 75166

This email was scanned by Bitdefender

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Gonzales, David

From: Miller, Ryan
Sent: Tuesday, September 29, 2020 11:36 AM
To: 'rmerritt@rockwallcountytexas.com'
Cc: 'cstoddart@rockwallcountytexas.com'; dmagness@rockwallcountytexas.com; Gonzales, David
Subject: RE: Avery Farms Addition

Ron ... The existing portion Farm Lane is a private roadway and is not a part of this project. Right now, Mr. Avery is the owner of Farm Lane, and is solely responsible for the maintenance of that roadway (this is per Mr. Avery and the deeds he provided us at the time of variance). Mr. Avery is also the developer of this project and will be incorporating private roadways into his development that will be an extension of Farm Lane. Farm Lane is only be an approach roadway. Based on this, I don't believe we can require him to pave the existing part of Farm Lane, and in accordance with the Interim Interlocal Agreement the City Council has granted Mr. Avery a variance to allow a gravel road section for his private roadways in the proposed development. If you have any additional questions please let me know. Thanks.



RYAN C. MILLER, AICP

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[GIS DIVISION WEBSITE](#) | [CITY OF ROCKWALL INTERACTIVE MAPS](#) | [UNIFIED DEVELOPMENT CODE](#)

NOTES

- 1) APPOINTED AND ELECTED OFFICIALS: BY REPLYING ALL TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

From: Gonzales, David
Sent: Tuesday, September 29, 2020 11:23 AM
To: Miller, Ryan
Subject: FW: Avery Farms Addition

FYI,



DAVID GONZALES, AICP

PLANNING & ZONING MANAGER
PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM

385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[GIS DIVISION WEBSITE](#) | [CITY OF ROCKWALL INTERACTIVE MAPS](#) | [MAIN STREET DIVISION](#)

From: Ron Merritt [<mailto:rmerritt@rockwallcountytexas.com>]
Sent: Tuesday, September 29, 2020 11:00 AM
To: Gonzales, David <DGonzales@rockwall.com>
Cc: David Magness <dmagness@rockwallcountytexas.com>; Craig Stoddart <cstoddart@rockwallcountytexas.com>
Subject: RE: Avery Farms Addition

The county is good with the lot sizes. Not sure we are all on the same page with the existing part of Farm lane not being required to be upgraded to a concrete road.

From: Ron Merritt
Sent: Tuesday, September 22, 2020 2:48 PM
To: David Magness <dmagness@rockwallcountytexas.com>
Subject: Fwd: Avery Farms Addition

Give me a call about this when you get a chance

Sent from my iPhone

Begin forwarded message:

From: Ron Merritt <rmerritt@rockwallcountytexas.com>
Date: September 22, 2020 at 2:43:54 PM CDT
To: Craig Stoddart <cstoddart@rockwallcountytexas.com>
Subject: Fwd: Avery Farms Addition

Give me a call on this when you get a chance

Sent from my iPhone

Begin forwarded message:

From: Ron Merritt <rmerritt@rockwallcountytexas.com>
Date: September 22, 2020 at 2:42:30 PM CDT
To: Ron Merritt <rmerritt@rockwallcountytexas.com>
Subject: Fwd: Avery Farms Addition

Sent from my iPhone

Begin forwarded message:

From: Ron Merritt <rmerritt@rockwallcountytexas.com>
Date: September 22, 2020 at 2:39:02 PM CDT
To: Ron Merritt <rmerritt@rockwallcountytexas.com>
Subject: Fwd: Avery Farms Addition

Sent from my iPhone

Begin forwarded message:

From: "Gonzales, David" <DGonzales@rockwall.com>
Date: September 22, 2020 at 11:27:43 AM CDT
To: Ron Merritt <rmerritt@rockwallcountytexas.com>
Subject: RE: Avery Farms Addition



Ron, call me when you have a chance...thanks,

DAVID GONZALES, AICP

PLANNING & ZONING MANAGER
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972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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STREET DIVISION](#)

From: Gonzales, David

Sent: Monday, September 21, 2020 4:23 PM

To: 'Ron Merritt' <rmerritt@rockwallcountytexas.com>

Subject: Avery Farms Addition

Ron,

The City received an application for a preliminary plat for the Avery Farms Addition. Please review and forward any comments within 10 days that the County will require of the applicant for approval of the plat.

Let me know if you have any questions.

Thank you,



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Gonzales, David

From: Gamez, Angelica
Sent: Tuesday, September 29, 2020 9:44 AM
To: Gonzales, David
Subject: FW: Project P2020-037
Attachments: steve rinner.docx

From: Kurt Avery [mailto:kurtavery@yahoo.com]
Sent: Monday, September 28, 2020 10:32 AM
To: Gamez, Angelica
Subject: Project P2020-037

Ms Gamez,
Please attach this “will serve” letter to our file (or forward wherever necessary) for the Avery Farm Subdivision.
Thank you.
Kurt Avery

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: September 28, 2020 at 9:20:13 AM CDT
To: kurtavery@yahoo.com

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Gonzales, David

From: Gonzales, David
Sent: Friday, September 25, 2020 5:03 PM
To: 'bart.carroll@yahoo.com'
Cc: 'kurtavery@yahoo.com'
Subject: P&Z Work Session Next Week
Attachments: Packet [WS] (09.29.2020).pdf

Bart,

Please find attached staff's memo for your request. The Planning Commission will be conducting a work session next week on Tuesday, September 29, 2020. Please be sure that you and/or your representative are present should the commission have any questions regarding your project. The Planning and Zoning Commission meeting is scheduled for 6:00 p.m. in the City's Council Chambers. Please be sure that all staff comment are addressed prior to submittal on mylar.

Do not hesitate to contact me should you have any questions.

Thank you,



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Gonzales, David

From: Gonzales, David
Sent: Monday, October 12, 2020 9:44 AM
To: 'bart.carroll@yahoo.com'
Cc: 'kurtavery@yahoo.com'
Subject: RE: Project Comments for Avery Farm Addition
Attachments: Engineering Mark-Ups [P2020-037 - 534 Farm Lane Subdiv -2] (10.09.2020).pdf; Project Comments [Revision 1] (10.09.2020).pdf

Bart,

Please see the attached staff comments that were not included with the staff report sent earlier.

Thank you,



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From: Gonzales, David
Sent: Monday, October 12, 2020 9:02 AM
To: 'bart.carroll@yahoo.com'
Cc: 'kurtavery@yahoo.com'
Subject: P&Z Meeting Tomorrow Night

Bart,

Please find attached staff's memo for your request. The Planning Commission will be taking action at tomorrow night's meeting, on Tuesday, October 13, 2020. Although this item is on the Consent Agenda, you and/or your representative may want to be present should the commission have any questions regarding your project, but is not required. The Planning and Zoning Commission meeting is scheduled for 6:00 p.m. in the City's Council Chambers.

Do not hesitate to contact me should you have any questions.

Thank you,



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Gonzales, David

From: Gonzales, David
Sent: Monday, September 21, 2020 4:23 PM
To: 'Ron Merritt'
Subject: Avery Farms Addition
Attachments: Preliminary Plat (09.18.2020).pdf; _Complete Packet P2020-037.pdf

Ron,

The City received an application for a preliminary plat for the Avery Farms Addition. Please review and forward any comments within 10 days that the County will require of the applicant for approval of the plat.

Let me know if you have any questions.

Thank you,



DAVID GONZALES, AICP

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Gonzales, David

From: Gonzales, David
Sent: Monday, November 23, 2020 11:33 AM
To: Williams, Amy; 'Bart C'
Cc: Kurt Avery; Christi Phillips
Subject: RE: Avery Farms Addition. Questions

Bart,

According to Chapter 38, Municipal Code of Ordinances and the Interim Interlocal Cooperation Agreement (ILA), and prior to the third party inspection, the HOA documents will need to be received by the City. I will have this as a condition of approval of the final plat.

Thank you,



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From: Williams, Amy
Sent: Monday, November 23, 2020 8:09 AM
To: 'Bart C' ; Gonzales, David
Cc: Kurt Avery ; Christi Phillips
Subject: RE: Avery Farms Addition. Questions

You will have to have a WOTUS & wetland determination on the creek and the ponds onsite. You'll also need to do an analysis of the creek to determine the 100 year fully developed water surface as well as detention analysis using the unit hydrograph since this drainage basin is over 20 acres. This analysis will require review fees per our Standards of Design. All of the forms are found on the City's website under the Engineering Department along with the fees for plan submittal and flood review. There also seems to be a dam where Farm Lane will be extended. Depending on whether you'll be removing or keeping this dam, your study will need to reflect this along with a dam breach analysis regardless if you are keeping the dam or not. The erosion hazard setback will also be required. The 100 year water surface and erosion hazard setback is normally in a lot and block of its own that is maintained by the HOA. All engineering must meet the City's Standards of Design and Construction. Therefore, a minimum of a looped 8" water line will need to be installed and fire hydrants every 400' and at street intersections. As to the start of the water line, you'll need to get with Mt. Zion Water to determine where you need to begin to get the flow for fire protection. No impact fees will be imposed. Without an HOA how will the street and drainage/erosion hazard setback be maintained? You'll need to check with David Gonzales regarding the HOA documents for final platting. Please keep in mind that the 1st engineering submittal may only be on Wednesdays per the Development Application Schedule found on the Planning's website. The next submittals remaining are December 9, December 30, January 13, January 27, and February 10.

Thank you,
Amy Williams, P.E.
Director of Public Works/City Engineer

City of Rockwall
385 S. Goliad
Rockwall, TX 75087
972-771-7746
972-771-7748 (fax)

"This email contains the thought and opinions of Amy Williams and does not reflect official City policy."

From: Bart C <bart.carroll@yahoo.com>

Sent: Saturday, November 21, 2020 8:07 AM

To: Gonzales, David <DGonzales@rockwall.com>; Williams, Amy <AWilliams@rockwall.com>

Cc: Kurt Avery <kurtavery@yahoo.com>; Christi Phillips <caphill2000@yahoo.com>

Subject: Avery Farms Addition. Questions

Attn: David Gonzales; Amy Williams,

Please consider the following questions as we work toward a Final Plat submission for the [12/18/20](#) deadline. All questions originate from the "Project Comments" for P2020-037 Avery Farm Subdivision.

- Please advise regarding the following floodplain items. Per FEMA maps and US Fish & Wildlife wetlands data, no part of the subject property is located within the 100-year floodplain or have any wetland designation. We're curious what form of certification is required to officially convey that information to the city?
- wetlands/WOTUS determination for all lakes/ponds/streams
- floodplain delineation study for localized 100-year water surface elevation for all creek/stream
- show and meet erosion hazard setback for all creeks/stream
- We'll need specifics from the city as to number of required hydrants and clarification as to where the 8" line and hydrant requirement begins: beginning of waterline (on Anna Cade), beginning of property line (starting of Farm Lane), or presumably the beginning of the *development* (end of Farm Lane where the subject property is located). Also, to what extent does the water need to be looped. It is my assumption that the existing 6" waterline would be extended to the developed property along Anna Cade and down Farm Lane (per the plat request), then increased to 8" and looped within the development to satisfy city requirement?
- We are assuming that there wont be any impact fees given that we are obtaining water from Mt. Zion and that the roadway will not be dedicated and maintained privately?
- How involved will the "Homeowner association documents" be required for Final Plat approval? At this time, we haven't formally decided on its structure.

Thank you for your consideration and have a great holiday.

Bart Carroll RPLS
Carroll Consulting Group Inc
bart.carroll@yahoo.com
972-742-4411

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Gonzales, David

From: Christi Phillips <caphill2000@yahoo.com>
Sent: Thursday, October 8, 2020 10:18 AM
To: Gonzales, David
Subject: Fw: Project No.: P2020-037
Attachments: AVERY FARM ADDITION 10-5-20.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Here is the plat again with the contours on.

Thanks

Christi Phillips
Carroll Consulting Group, Inc.
P.O. Box 11
Lavon, TX 75166

----- Forwarded Message -----

From: Christi Phillips
To: Gonzales David
Sent: Tuesday, October 6, 2020, 12:34:42 PM CDT
Subject: Project No.: P2020-037

Avery Farm Addition revised pdf of plat. Copies will be delivered to the city.

Christi Phillips
Carroll Consulting Group, Inc.
P.O. Box 11
Lavon, TX 75166

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