

PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # 22077-016 P&Z DATE 05/10/22 CC DATE 05/14/22 APPROVED/DENIED

ARCHITECTURAL REVIEW BOARD DATE _____ HPAB DATE _____ PARK BOARD DATE _____

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

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

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

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

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 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

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

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 714 Clem road

SUBDIVISION MUSTANG ACRES SUBDIVISION

LOT TRACTS BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING SF-1

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER JOHN CANAVAN

APPLICANT

CONTACT PERSON RITA CANAVAN

CONTACT PERSON

ADDRESS 714 CLEM ROAD

ADDRESS

CITY, STATE & ZIP ROCKWALL, TX 75087

CITY, STATE & ZIP

PHONE 972-670-3461

PHONE

E-MAIL CANRCF@GMAIL.COM

E-MAIL

NOTARY VERIFICATION [REQUIRED]

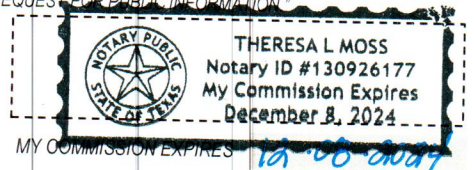
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED John & Rita Canavan [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 11 DAY OF April, 2022.

OWNER'S SIGNATURE Rita Canavan John Canavan

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Theresa L Moss





DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

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

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 714 Clem road

SUBDIVISION MUSTANG ACRES SUBDIVISION

LOT TRACTS BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING SF-1

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER JOHN CANAVAN

APPLICANT

CONTACT PERSON RITA CANAVAN

CONTACT PERSON

ADDRESS 714 CLEM ROAD

ADDRESS

CITY, STATE & ZIP ROCKWALL, TX 75087

CITY, STATE & ZIP

PHONE 972-670-3461

PHONE

E-MAIL CANRCF@GMAIL.COM

E-MAIL

NOTARY VERIFICATION [REQUIRED]

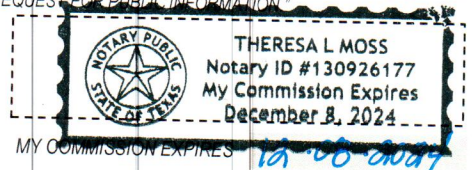
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED John & Rita Canavan [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

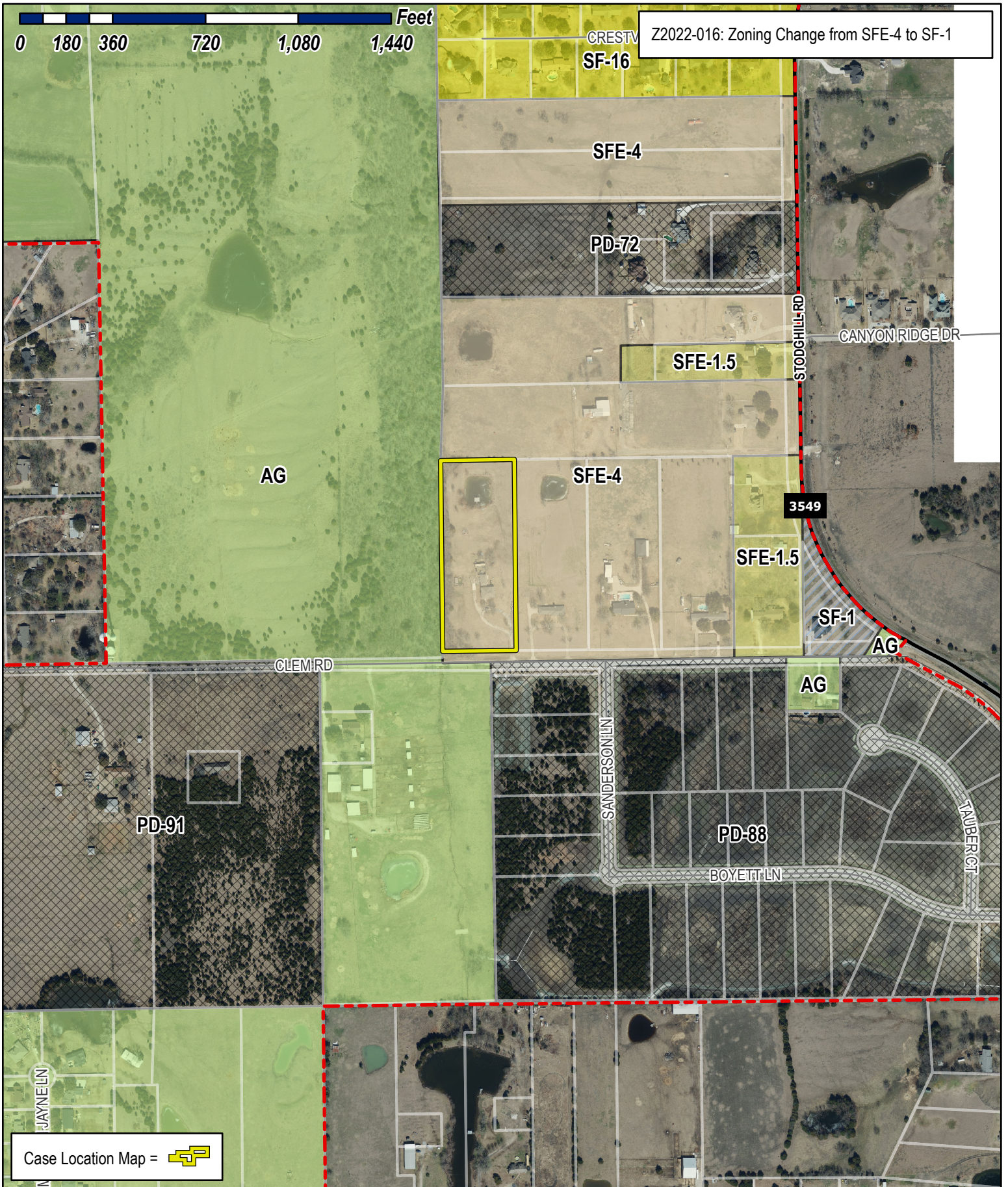
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. BY SIGNING THIS APPLICATION,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

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 11 DAY OF April, 2022.

OWNER'S SIGNATURE Rita Canavan John Canavan

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Theresa L Moss





Case Location Map = 



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.

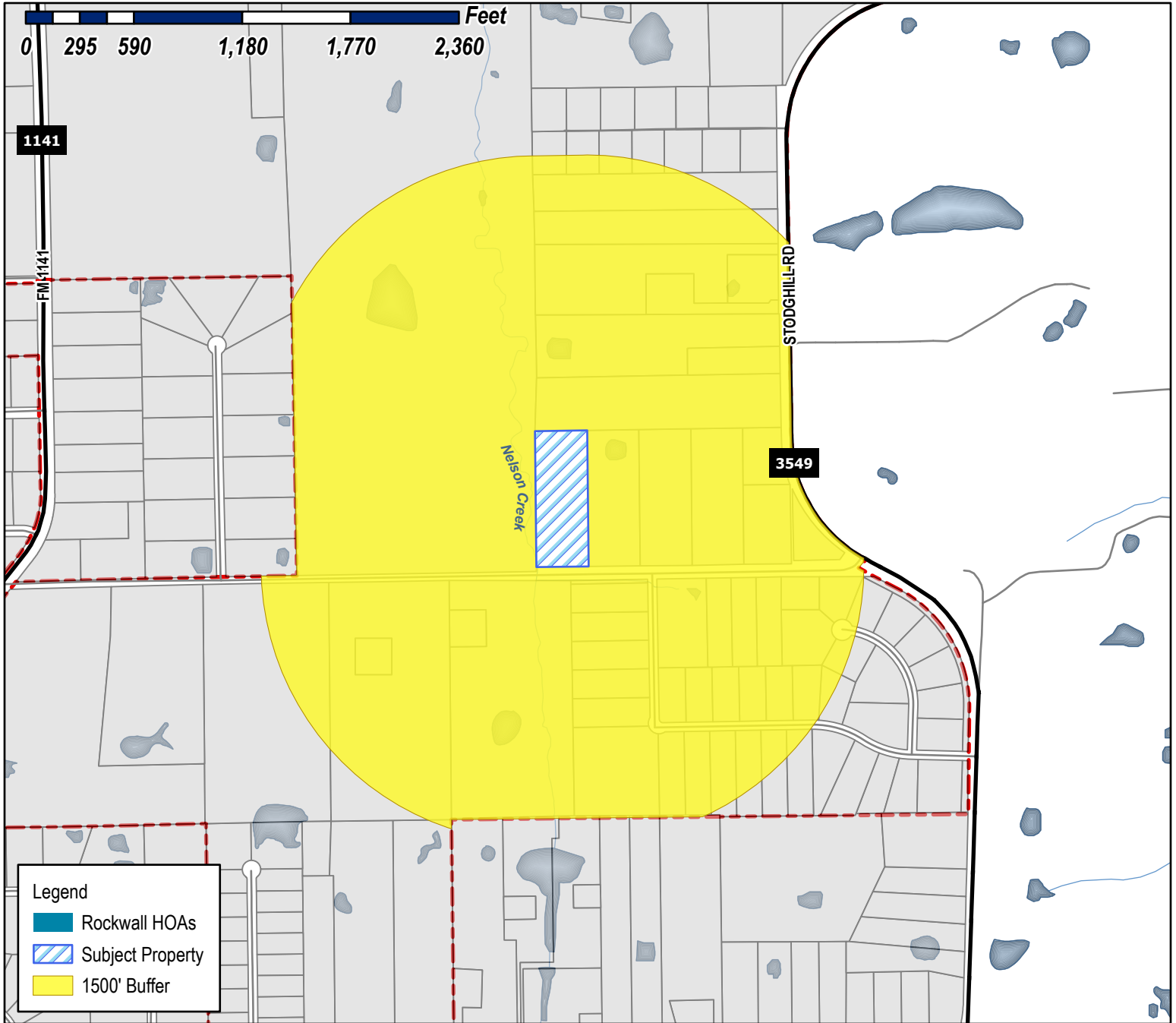




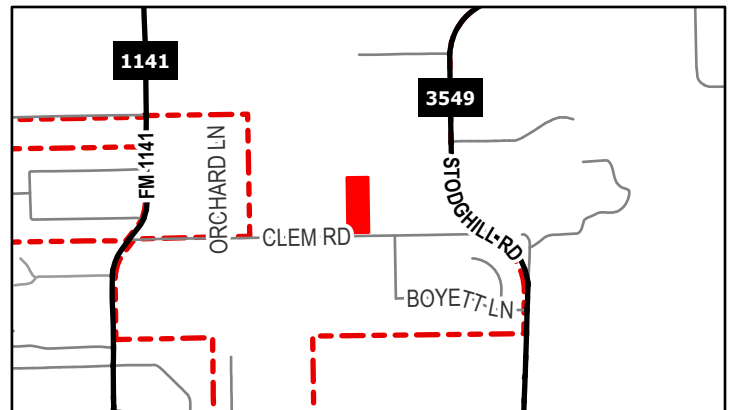
City of Rockwall

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

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



Case Number: Z2022-016
Case Name: Zoning Change from SFE-4 to SF-1
Case Type: Zoning
Zoning: Single-Family Estate 4
Case Address: 714 Clem Road



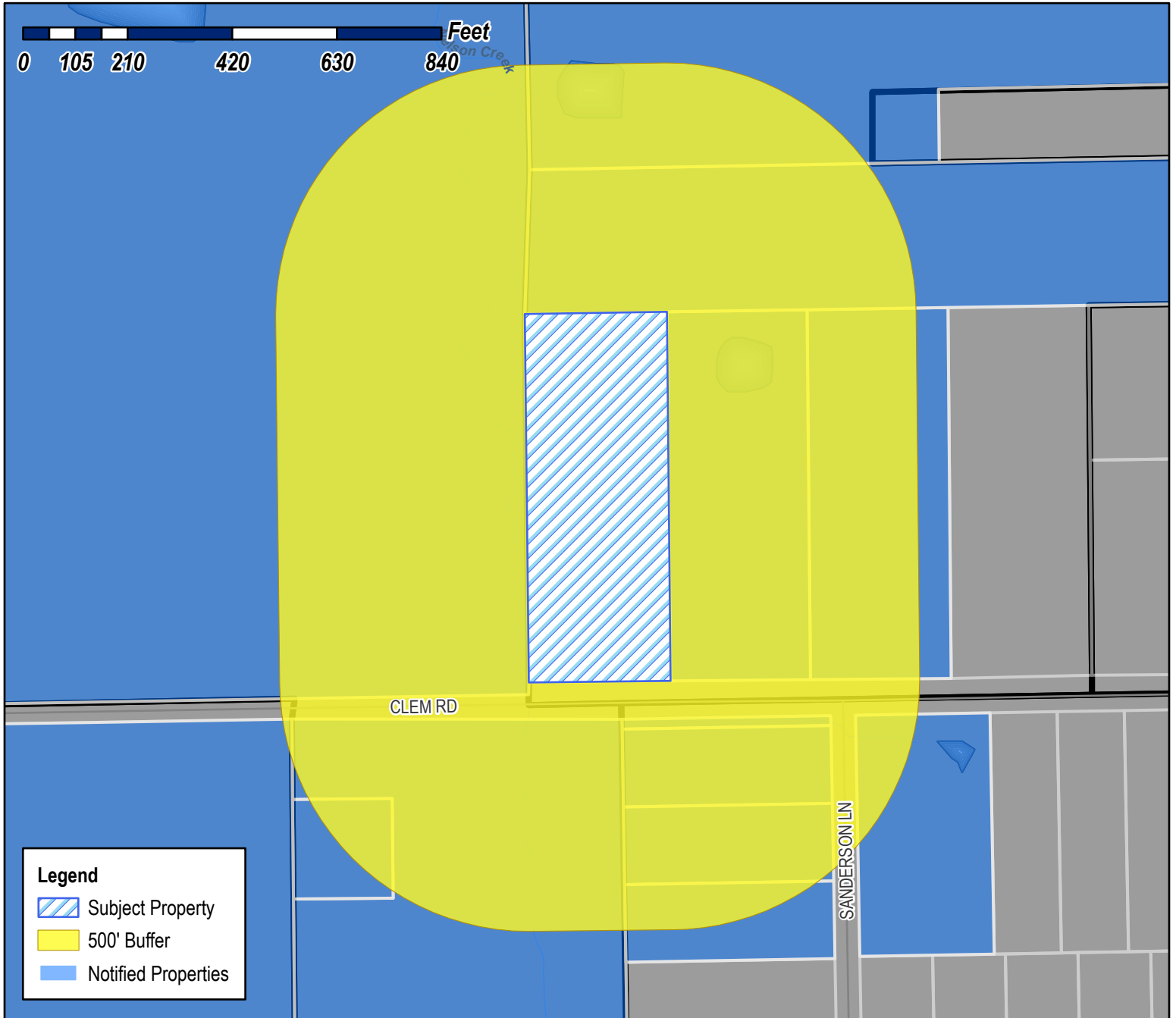
Date Saved: 4/12/2022
 For Questions on this Case Call (972) 771-7745



City of Rockwall

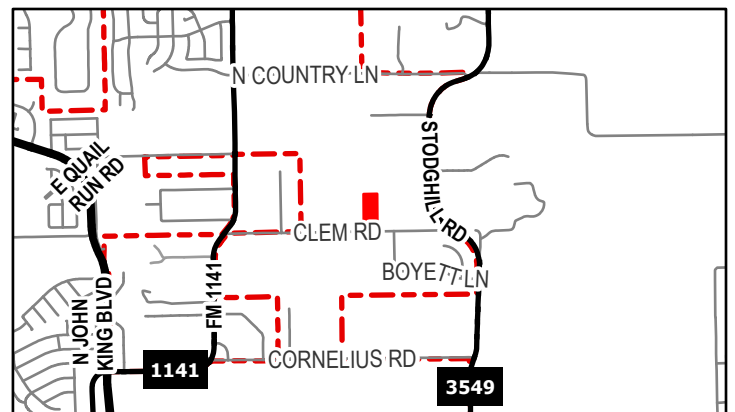
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2022-016
Case Name: Zoning Change from SFE-4 to SF-1
Case Type: Zoning
Zoning: Single-Family Estate 4
Case Address: 714 Clem Road

Date Saved: 4/12/2022
 For Questions on this Case Call (972) 771-7745



SWIATKIEWICZ CHRISTINE AND GABRIEL
1167 ROLLING MEADOW
LAVON, TX 75087

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
2030 CROSSWOOD LANE
IRVING, TX 75063

OWNBY MITCH AND SANDRA
2219 S ANDERSON LN
ROCKWALL, TX 75087

ARTERBURN ANDREW
2225 S ANDERSON LN
ROCKWALL, TX 75087

SWIATKIEWICZ CHRISTINE AND GABRIEL
2231 S ANDERSON LN
ROCKWALL, TX 75087

OWNBY MITCH AND SANDRA
255 COUNTRY CLUB DR
HEATH, TX 75032

CONNER KEVIN AND AMY
2652 N FM 3549
ROCKWALL, TX 75087

VALK JAMES WILLIAM JR & RENEE LUCILLE
BURNS
TRUSTEES OF JAMES WILLIMA VALK JR LIVING
TRUST
2730 FM 3549
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
379 N COUNTRY LN
ROCKWALL, TX 75087

FOGG GORDON C
505 CLEM RD
ROCKWALL, TX 75087

ARTERBURN ANDREW
605 HIGHLAND DRIVE
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
611 CLEM RD
ROCKWALL, TX 75087

CANAVAN JOHN P & RITA
714 CLEM RD
ROCKWALL, TX 75087

BELL SALLY REDDICK
768 CLEM RD
ROCKWALL, TX 75087

SHLENSKY HOWARD J & DARLA A
820 CLEM RD
ROCKWALL, TX 75087

BENEDETTO MATTHEW AND STEPHANIE
835 CLEM RD
ROCKWALL, TX 75087

BENEDETTO MATTHEW AND STEPHANIE
907 W HOLIDAY ROAD
ROCKWALL, TX 75087

FOGG GORDON C
PO BOX 842
ROCKWALL, TX 75087

PROJECT COMMENTS



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

DATE: 4/22/2022

PROJECT NUMBER: Z2022-016
 PROJECT NAME: Zoning Change From SFE-4 to SF-1
 SITE ADDRESS/LOCATIONS: 714 CLEM RD

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

CASE CAPTION: Hold a public hearing to discuss and consider a request by John and Rita Canavan for the approval of a Zoning Change from a Single-Family Estate 4.0 (SFE 4.0) District to a Single-Family 1 (SF-1) District for a five (5) acre tract of land identified as Lot 5 of the Mustang Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE 4.0) District, addressed as 714 Clem Road, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Bethany Ross	04/21/2022	Approved w/ Comments

04/21/2022: Z2022-016; Zoning Change (SFE-4.0 to SF-1)

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

- I.1 This request is for the approval of a Zoning Change from an Single Family Estate 4.0 (SFE-4.0) District to a Single Family 1 (SF-1) District for a five (5) acre tract of land identified as Lot 5 of the Mustang Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE 4.0) District, addressed as 714 Clem Road.
- I.2 For questions or comments concerning this case please contact Bethany Ross in the Planning Department at (972) 772-6488 or email bross@rockwall.com.
- M.3 For reference, include the case number (Z2022-016) in the lower right-hand corner of all pages on future submittals.
- M.4 According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Northeast Residential District and is designated for Low Density Residential land uses. Low Density Residential is defined as 2.0 dwelling units/acre. Based on this the proposed zoning change conforms to the Comprehensive Plan.
- I.5 Please note that if the property is subdivided all lots will need to meet the Single-Family 1 (SF-1) District requirements, which are as follows:

- Number of Dwelling Units/Lot 1.0
- Number of Dwelling Units/Acre 1.0
- Minimum Dwelling Unit 2,500 SF
- Minimum Lot Area 8,400 SF
- Minimum Lot Width 70-Feet
- Minimum Lot Depth 100-Feet
- Minimum Front Yard Setback 20-Feet
- Minimum Rear Yard Setback 10-Feet
- Minimum Side Yard Setback 6-Feet
- Between Buildings 10-Feet
- Building Height 36-Feet
- Maximum Lot Coverage 45%
- Required Parking Spaces 2

- M.6 Please review the attached Draft Ordinance prior to the April 26, 2022 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no

later than May 3, 2022.

I.7 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on May 3, 2022; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the May 10, 2022, Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on May 10, 2022.

I.8 The projected City Council meeting dates for this case will be May 16, 2022 (1st Reading) and June 6, 2022 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	04/21/2022	Approved w/ Comments

04/21/2022: Informational Comments.

- No sewer near the lot. Lot will need to be on Septic.
- If you are going to subdivide, each property must meet Rockwall Standards for frontage and access.
- Need to plat when developing or subdividing to include right-of-way dedication

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	04/19/2022	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Bethany Ross	04/22/2022	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	04/19/2022	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Bethany Ross	04/22/2022	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	04/18/2022	Approved

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.

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 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

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

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 714 Clem road

SUBDIVISION MUSTANG ACRES SUBDIVISION

LOT TRACT 5 BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING SF-1

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER JOHN CANAVAN

APPLICANT

CONTACT PERSON RITA CANAVAN

CONTACT PERSON

ADDRESS 714 CLEM ROAD

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE 972-670-3461

PHONE

E-MAIL CANRCF@GMAIL.COM

E-MAIL

NOTARY VERIFICATION [REQUIRED]

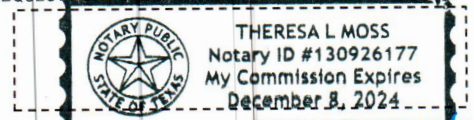
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED John & Rita Canavan [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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

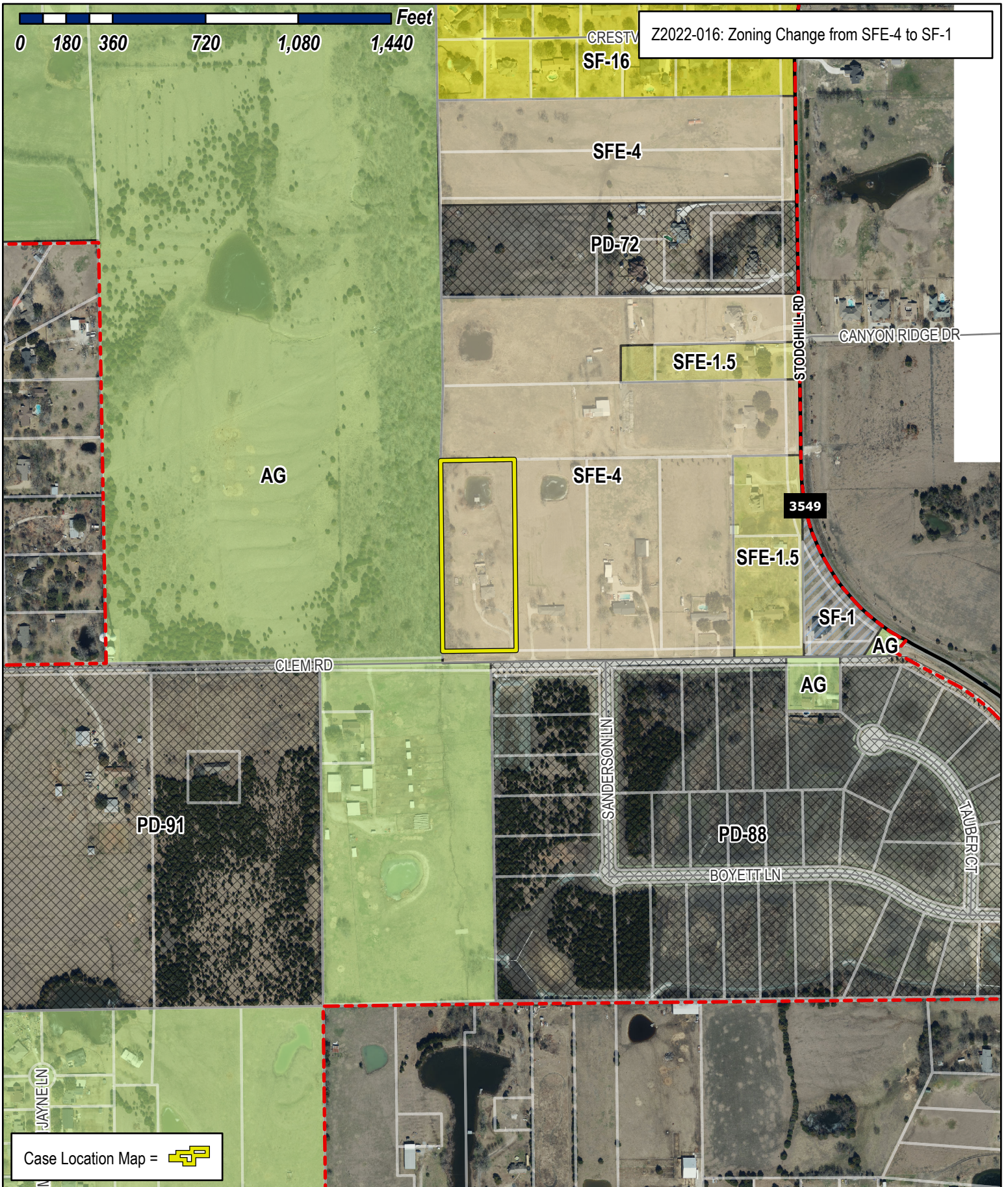
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 11 DAY OF April, 2022

OWNER'S SIGNATURE Rita Canavan John Canavan

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Theresa L Moss



MY COMMISSION EXPIRES 12-08-2024



Case Location Map = 



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.

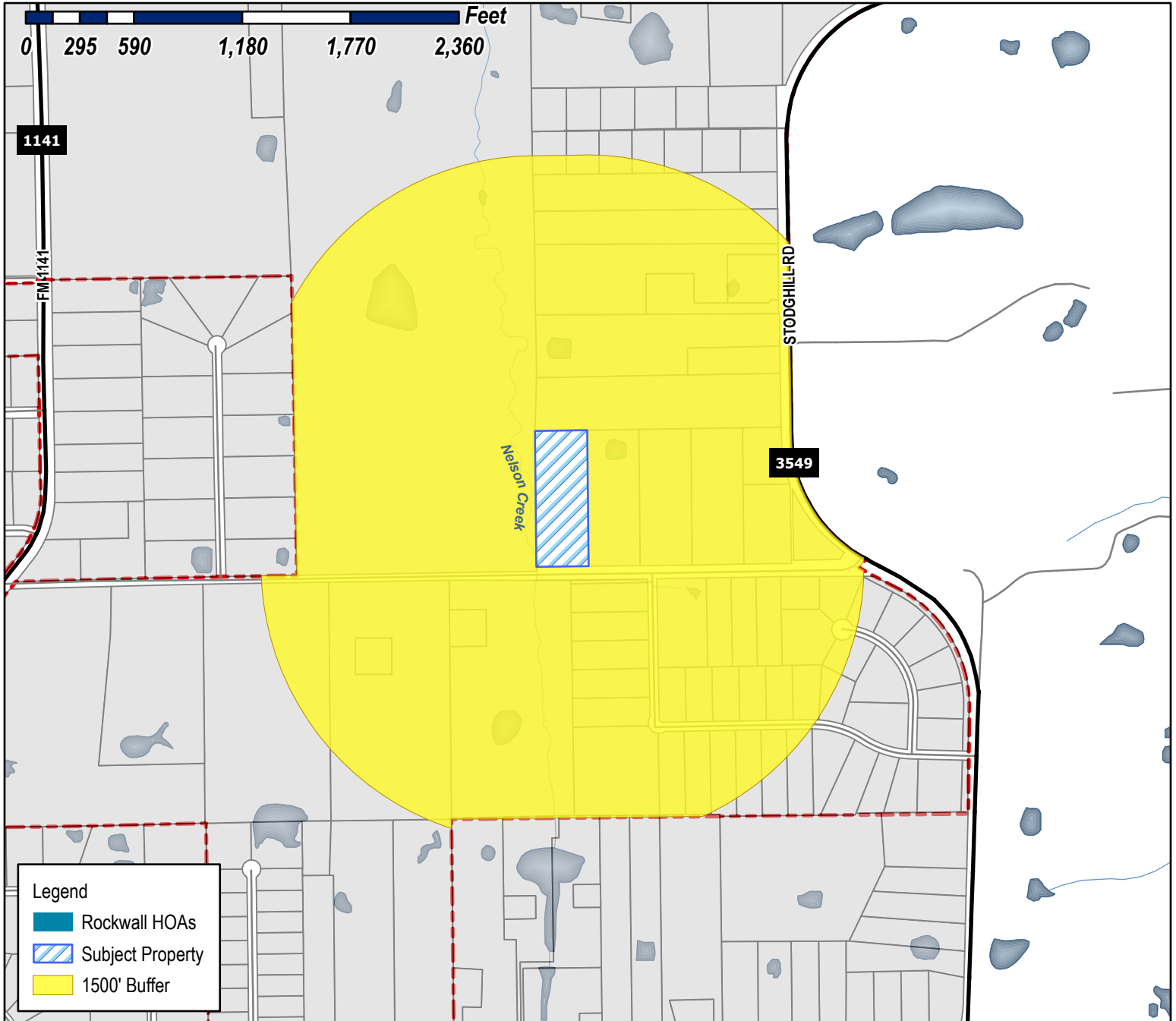




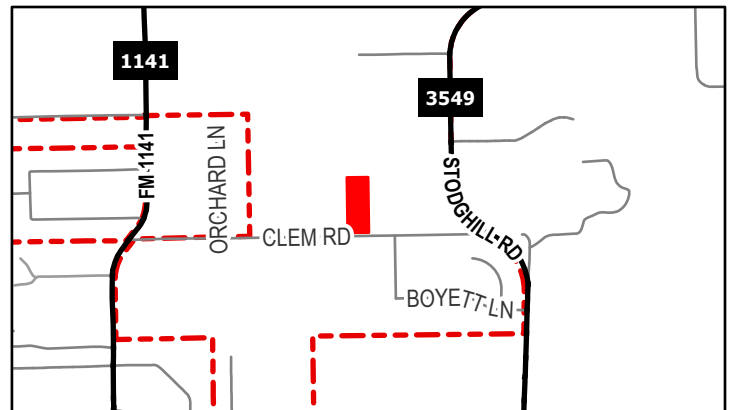
City of Rockwall

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

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



Case Number: Z2022-016
Case Name: Zoning Change from SFE-4 to SF-1
Case Type: Zoning
Zoning: Single-Family Estate 4
Case Address: 714 Clem Road



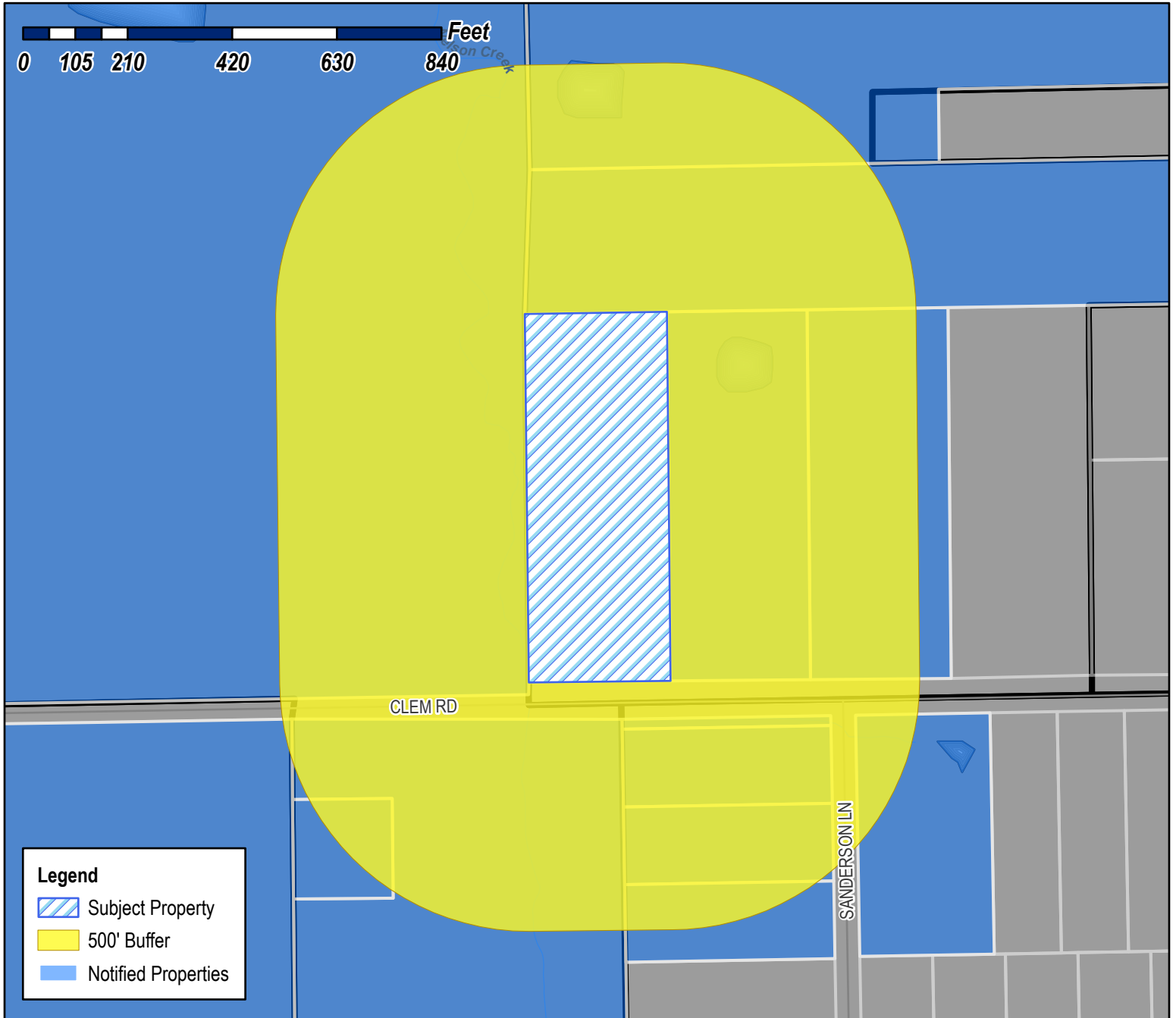
Date Saved: 4/12/2022
 For Questions on this Case Call (972) 771-7745



City of Rockwall

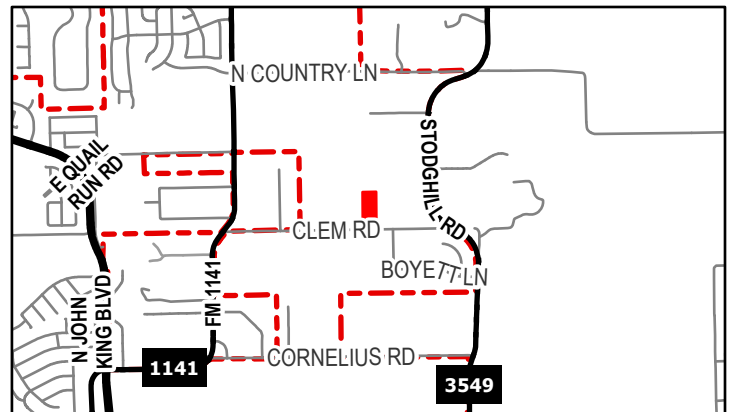
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2022-016
Case Name: Zoning Change from SFE-4 to SF-1
Case Type: Zoning
Zoning: Single-Family Estate 4
Case Address: 714 Clem Road

Date Saved: 4/12/2022
 For Questions on this Case Call (972) 771-7745



SWIATKIEWICZ CHRISTINE AND GABRIEL
1167 ROLLING MEADOW
LAVON, TX 75087

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
2030 CROSSWOOD LANE
IRVING, TX 75063

OWNBY MITCH AND SANDRA
2219 S ANDERSON LN
ROCKWALL, TX 75087

ARTERBURN ANDREW
2225 S ANDERSON LN
ROCKWALL, TX 75087

SWIATKIEWICZ CHRISTINE AND GABRIEL
2231 S ANDERSON LN
ROCKWALL, TX 75087

OWNBY MITCH AND SANDRA
255 COUNTRY CLUB DR
HEATH, TX 75032

CONNER KEVIN AND AMY
2652 N FM 3549
ROCKWALL, TX 75087

VALK JAMES WILLIAM JR & RENEE LUCILLE
BURNS
TRUSTEES OF JAMES WILLIMA VALK JR LIVING
TRUST
2730 FM 3549
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
379 N COUNTRY LN
ROCKWALL, TX 75087

FOGG GORDON C
505 CLEM RD
ROCKWALL, TX 75087

ARTERBURN ANDREW
605 HIGHLAND DRIVE
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
611 CLEM RD
ROCKWALL, TX 75087

CANAVAN JOHN P & RITA
714 CLEM RD
ROCKWALL, TX 75087

BELL SALLY REDDICK
768 CLEM RD
ROCKWALL, TX 75087

SHLENSKY HOWARD J & DARLA A
820 CLEM RD
ROCKWALL, TX 75087

BENEDETTO MATTHEW AND STEPHANIE
835 CLEM RD
ROCKWALL, TX 75087

BENEDETTO MATTHEW AND STEPHANIE
907 W HOLIDAY ROAD
ROCKWALL, TX 75087

FOGG GORDON C
PO BOX 842
ROCKWALL, TX 75087

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT TO A SINGLE-FAMILY 1 (SF-1) DISTRICT FOR A FIVE (5) ACRE TRACT OF LAND IDENTIFIED AS LOT 5 OF THE MUSTANG ACRES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from John and Rita Canavan for the approval of a *Zoning Change* from an Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District for a five (5) acre tract of land identified as Lot 5 of the Mustang Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 714 Clem Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family 1 (SF-1) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.05, *Single-Family 1 (SF-1) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JUNE, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: May 16, 2022

2nd Reading: June 6, 2022

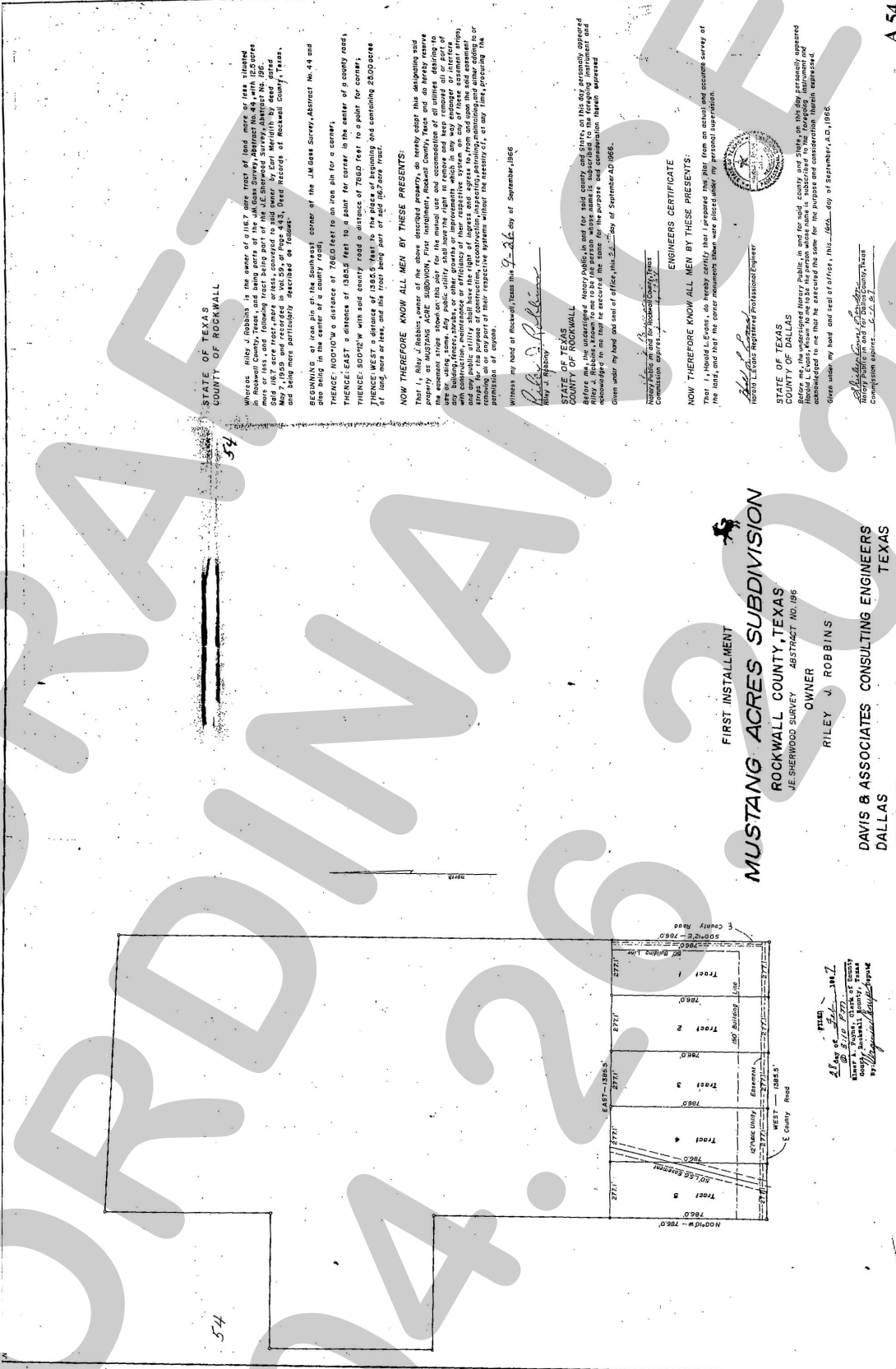
Exhibit 'A'
Legal Description

Legal Description: A Five (5) Acre Tract of Land Identified as Lot 5 of the Mustang Acres Addition
Addressed As: 714 Clem Road



Exhibit 'B'
Survey

DRAFT 2022-04-26 1422



STATE OF TEXAS
COUNTY OF ROCKWALL

Witness Riley J. Robbins is the owner of 1867.00 acres of land which he has abstracted
more or less, and following tract being part of the J.E. Sherwood Survey, Abstract No. 196.
and being more particularly described as follows:

BEGINNING in the east 1/4 of the Southeast corner of the J.E. Sherwood Survey, Abstract No. 196 and
THENCE NORTH 1/2 a distance of 786.0 feet to an iron pin for a corner;
THENCE EAST a distance of 1388.5 feet to a plain for corner in the center of a county road,
THENCE SOUTH with said county road a distance of 786.0 feet to a point for corner;
THENCE WEST a distance of 1388.5 feet to the place of beginning and containing 260.0 acres
of land, more or less, and the tract being part of said 1867.00 acre tract.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
That Riley J. Robbins, owner of the above described property, do hereby convey this undivided and
undivided part of the above described property with all the rights and appurtenances thereunto in
and to the several persons whose names are subscribed to the foregoing instrument and
the executors, administrators, heirs, assigns, personal representatives and assigns of the said
Riley J. Robbins, known to me to be the person whose name is subscribed to the foregoing instrument and
with construction, maintenance or efficiency of their respective system on any of these assessor strips,
and any public utility or communication, reconstruction, replacement, maintaining and make adding to or
removing all or any part of their respective systems without the necessity of, at any time, procuring the
permission of anyone.

Witness my hand at Rockwall, Texas this 26 day of September, 1966.

Riley J. Robbins
Riley J. Robbins

STATE OF TEXAS
COUNTY OF ROCKWALL
Know all men to whom these presents come that the within and above described premises were
abstracted to me by Riley J. Robbins, known to me to be the person whose name is subscribed to the foregoing instrument and
acknowledged to me in his last will and testament, this 26th day of September, 1966.

Notary Public in and for the State of Texas
Commission expires 1/1/71

ENGINEERS CERTIFICATE
NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
That Riley J. Robbins, owner of the above described property, do hereby convey this undivided and
undivided part of the above described property with all the rights and appurtenances thereunto in
and to the several persons whose names are subscribed to the foregoing instrument and
the executors, administrators, heirs, assigns, personal representatives and assigns of the said
Riley J. Robbins, known to me to be the person whose name is subscribed to the foregoing instrument and
acknowledged to me in his last will and testament, this 26th day of September, 1966.



STATE OF TEXAS
COUNTY OF DALLAS
I, Riley J. Robbins, do hereby certify that the within and above described premises were
abstracted to me by Riley J. Robbins, known to me to be the person whose name is subscribed to the foregoing instrument and
acknowledged to me in his last will and testament, this 26th day of September, 1966.

Riley J. Robbins
Riley J. Robbins, State Engineer
County of Dallas, Texas
My Commission Expires 1/1/71

A 54

FIRST INSTALLMENT
MUSTANG ACRES SUBDIVISION
ROCKWALL COUNTY, TEXAS
J.E. SHERWOOD SURVEY ABSTRACT NO. 196
OWNER
RILEY J. ROBBINS

DAVIS & ASSOCIATES CONSULTING ENGINEERS
DALLAS TEXAS
SCALE 1" = 200'
JULY, 1966



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: May 10, 2021

APPLICANT: John and Rita Canavan

CASE NUMBER: Z2022-016; *Zoning Change from Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District*

SUMMARY

Hold a public hearing to discuss and consider a request by John and Rita Canavan for the approval of a Zoning Change from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District for a five (5) acre tract of land identified as Lot 5 of the Mustang Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 714 Clem Road, and take any action necessary.

BACKGROUND

The City Council approved *Ordinance No. 04-35* annexing the subject property into the City on May 17, 2004 [Case No. A2004-002]. At the time of annexation, the subject property was zoned Agricultural (AG) District. On September 4, 2004, the subject property was rezoned [Case No. Z2004-026; *Ordinance No. 04-49*] from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a ~1944 SF home that constructed in 1960. No changes have occurred on the subject property since it was annexed and rezoned in 2004.

PURPOSE

On April 14, 2022, the applicants – *John and Rita Canavan* -- submitted an application requesting to change the zoning of the *subject property* from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District. The purpose of this request is to accommodate the future subdivision of the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 714 Clem Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are two (2) lots zoned Single-Family Estate 4.0 (SFE-4.0) District (*i.e. Tract 3 [9.09-acres] and 3-01[8.34-acres] of the J. E. Sherwood Survey, Abstract No. 193*). North of this is the Watson Estates Subdivision, which is zoned Planned Development District 72 (PD-72) for Single-Family Estate (SFE-4.0) District land uses and consists of three (3) lots on 11.66 acres. Beyond this are two (2), 5.87-acre tracts of land that are zoned Single-Family Estate 4.0 (SFE-4.0) District (*i.e. Tracts 5 and 5-3, of the J. E. Sherwood, Abstract No.193*). Beyond this is the Northcrest Estates 2 Addition, which consists of 14 lots on 14.37-acres. North of this are three (3) tracts of land zoned Agriculture (AG) District (*i.e. Tracts 1-02[12.125-acres], 1-01 [1.665-acres], and 3 [5.983-acres] of the J. E. Sherwood, Abstract No. 193*). North of these properties is North Country Lane, which is identified as an M4U (*i.e. major collector, four (4) lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is Clem Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of Clem Road is the Northgate Subdivision, which is zoned Planned Development District 88 (PD-88) and consists of 40 residential lots on 62.45-acres. Beyond this is the corporate limits of the City of Rockwall followed by

several properties situated within the City's Extraterritorial Jurisdiction (ETJ) with single-family homes situated on them.

East: Directly east of the subject property are three (3), five (5) acre lots zoned Single-Family Estate 4.0 (SFE-4.0) District (*i.e. Lots 2-4 of the Mustang Acres Addition*). East of this is a 3.044-acre lot zoned Single-Family Estate 1.5 (SFE-1.5) District (*i.e. Lot 1 of the Mustang Acres Addition*). Beyond this is a 1.14-acre lot zoned Single-Family 1 (SF-1) District (*i.e. Lot 1, Block A, Blueberry Hill Estate Addition*). East of this property is Stodgehill Road, which is identified as a TXDOT 4D (*i.e. Texas Department of Transportation, four (4) lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is a 101.43-acre tract of land zoned Agricultural (AG) District (*i.e. Tract 4 of the J.M. Gass Survey, Abstract No. 88*). Beyond this is the corporate limits of the City of Rockwall followed by several properties within the City's Extraterritorial Jurisdiction (ETJ) with single-family homes situated on them.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the five (5) acre parcel of land from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District for the purpose of subdividing the property into two (2) lots and constructing a single-family residential home on a portion of the larger tract. The existing single-family home will be situated on the smaller lot. It should be noted, that if this zoning change is approved, the applicant will be required to subdivide the subject property into two (2) buildable lots that are a minimum of one (1) acre each. It should also be noted, that if the applicant intends on utilizing an On-Site Sewage Facility (OSSF) the lots will be required to be a minimum of 1.50 acres in accordance with Division 5, *On-Site Sewage Facility*, of Chapter 44, *Utilities*, of the Municipal Code of Ordinances.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.05, *Single-Family 1 (SF-1) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size... (t)hese lots are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area." In this case, the majority of the properties adjacent to Clem are zoned Agricultural (AG) District, Single-Family Estate 4.0 (SFE-4.0) District, and Single-Family Estate 1.5 (SFE-1.5) District. Staff should point out that there is also one (1) property east of the subject property that is zoned Single-Family 1 (SF-1) District. In addition, south of the property, is a Planned Development District (*i.e. PD-88*) that allows for Single-Family 1 (SF-1) District land uses. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family 1 (SF-1) District, which are summarized as follows:

TABLE 1: SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT DEVELOPMENT STANDARDS

<i>Number of Dwelling Units/Lot</i>	1.0
<i>Number of Dwelling Units/Acre</i>	1.0
<i>Minimum Dwelling Unit</i>	2,500 SF
<i>Minimum Lot Area</i>	8,400 SF
<i>Minimum Lot Width</i>	70-Feet
<i>Minimum Lot Depth</i>	100-Feet
<i>Minimum Front Yard Setback</i>	20-Feet
<i>Minimum Rear Yard Setback</i>	10-Feet
<i>Minimum Side Yard Setback</i>	6-Feet
<i>Between Buildings</i>	10-Feet
<i>Building Height</i>	36-Feet
<i>Maximum Lot Coverage</i>	45%
<i>Required Parking Spaces</i>	2

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

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

NOTIFICATIONS

On April 26, 2022, staff notified 19 property owners and occupants within 500-feet of the subject property. Staff also notified the Nelson Creek Homeowner's Association (HOA), which is the only Homeowner's Association (HOA) or Neighborhood Group within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had not received any notices regarding the applicant's request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family Estate 1 (SF-1) District, then staff would propose the following conditions of approval:

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



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

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

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 714 Clem road

SUBDIVISION MUSTANG ACRES SUBDIVISION

LOT TRACT 5 BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING SF-1

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER JOHN CANAVAN

APPLICANT

CONTACT PERSON RITA CANAVAN

CONTACT PERSON

ADDRESS 714 CLEM ROAD

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE 972-670-3461

PHONE

E-MAIL CANRCF@GMAIL.COM

E-MAIL

NOTARY VERIFICATION [REQUIRED]

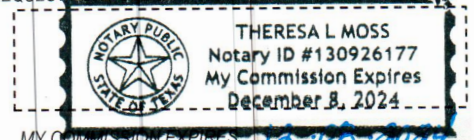
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED John & Rita Canavan [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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

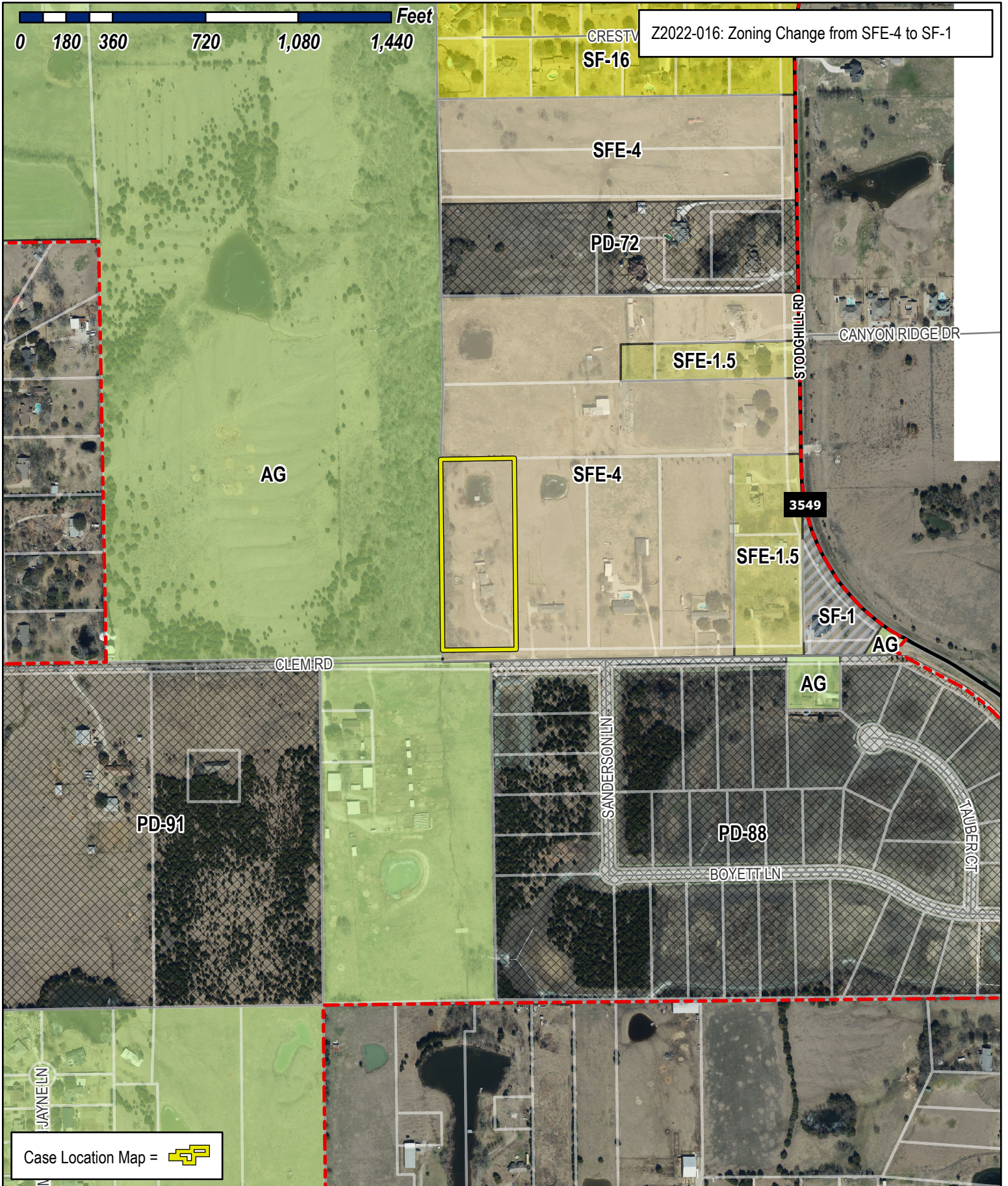
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 11 DAY OF April, 2022

OWNER'S SIGNATURE Rita Canavan John Canavan

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Theresa L Moss



MY COMMISSION EXPIRES 12-08-2024



Case Location Map = 



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.

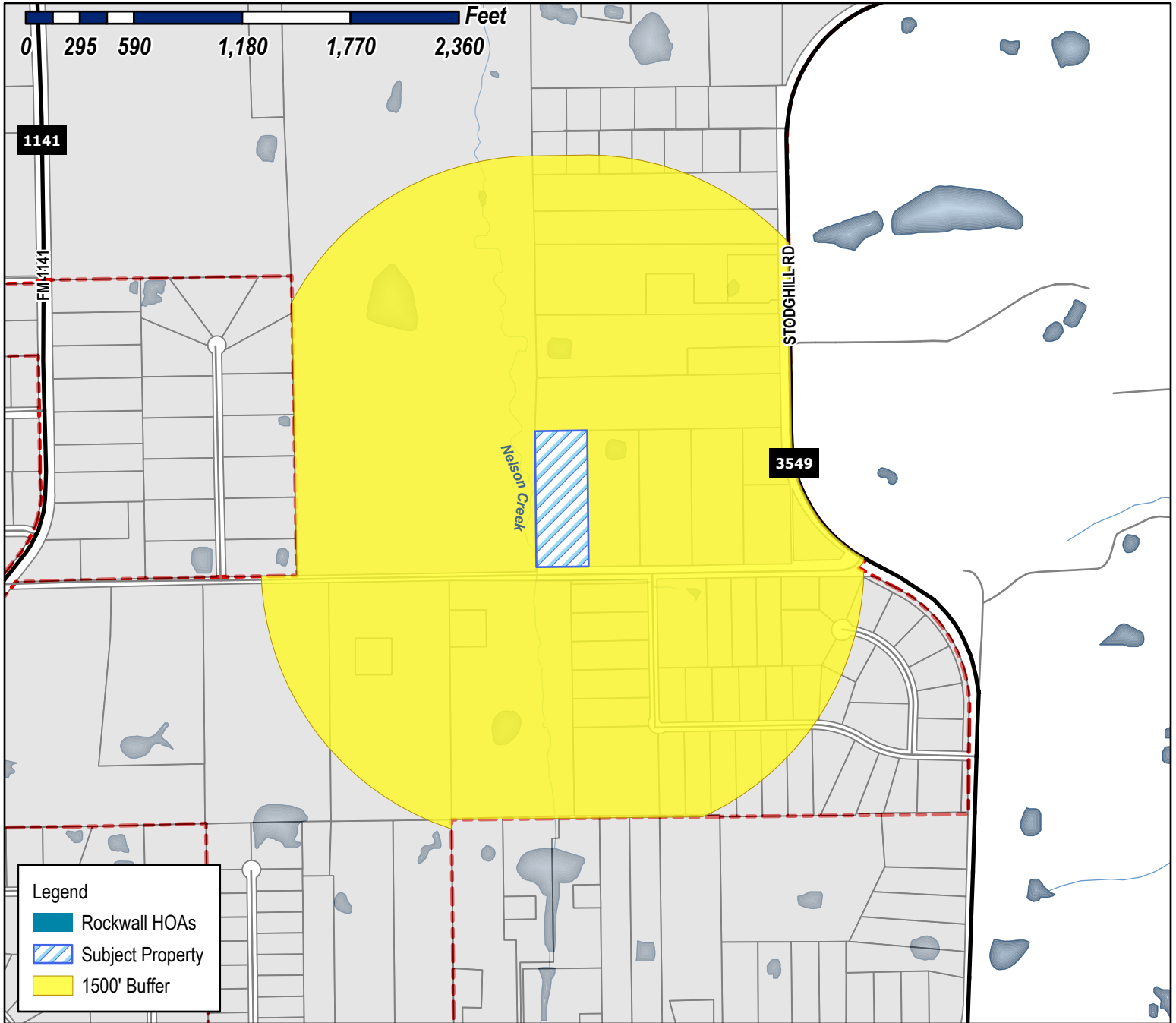




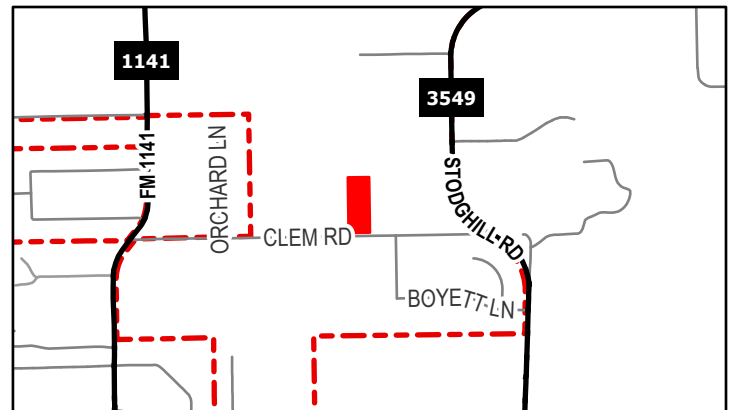
City of Rockwall

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

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



Case Number: Z2022-016
Case Name: Zoning Change from SFE-4 to SF-1
Case Type: Zoning
Zoning: Single-Family Estate 4
Case Address: 714 Clem Road



Date Saved: 4/12/2022
 For Questions on this Case Call (972) 771-7745



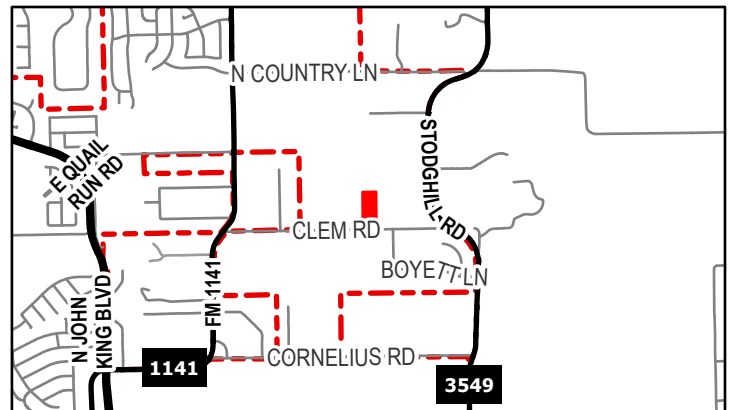
City of Rockwall

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

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



Case Number: Z2022-016
Case Name: Zoning Change from SFE-4 to SF-1
Case Type: Zoning
Zoning: Single-Family Estate 4
Case Address: 714 Clem Road



Date Saved: 4/12/2022
 For Questions on this Case Call (972) 771-7745

SWIATKIEWICZ CHRISTINE AND GABRIEL
1167 ROLLING MEADOW
LAVON, TX 75087

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
2030 CROSSWOOD LANE
IRVING, TX 75063

OWNBY MITCH AND SANDRA
2219 S ANDERSON LN
ROCKWALL, TX 75087

ARTERBURN ANDREW
2225 S ANDERSON LN
ROCKWALL, TX 75087

SWIATKIEWICZ CHRISTINE AND GABRIEL
2231 S ANDERSON LN
ROCKWALL, TX 75087

OWNBY MITCH AND SANDRA
255 COUNTRY CLUB DR
HEATH, TX 75032

CONNER KEVIN AND AMY
2652 N FM 3549
ROCKWALL, TX 75087

VALK JAMES WILLIAM JR & RENEE LUCILLE
BURNS
TRUSTEES OF JAMES WILLIMA VALK JR LIVING
TRUST
2730 FM 3549
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
379 N COUNTRY LN
ROCKWALL, TX 75087

FOGG GORDON C
505 CLEM RD
ROCKWALL, TX 75087

ARTERBURN ANDREW
605 HIGHLAND DRIVE
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
611 CLEM RD
ROCKWALL, TX 75087

CANAVAN JOHN P & RITA
714 CLEM RD
ROCKWALL, TX 75087

BELL SALLY REDDICK
768 CLEM RD
ROCKWALL, TX 75087

SHLENSKY HOWARD J & DARLA A
820 CLEM RD
ROCKWALL, TX 75087

BENEDETTO MATTHEW AND STEPHANIE
835 CLEM RD
ROCKWALL, TX 75087

BENEDETTO MATTHEW AND STEPHANIE
907 W HOLIDAY ROAD
ROCKWALL, TX 75087

FOGG GORDON C
PO BOX 842
ROCKWALL, TX 75087

11 NORTHEAST RESIDENTIAL DISTRICT

↑ NORTHERN ESTATES DISTRICT (PAGE 1-24)

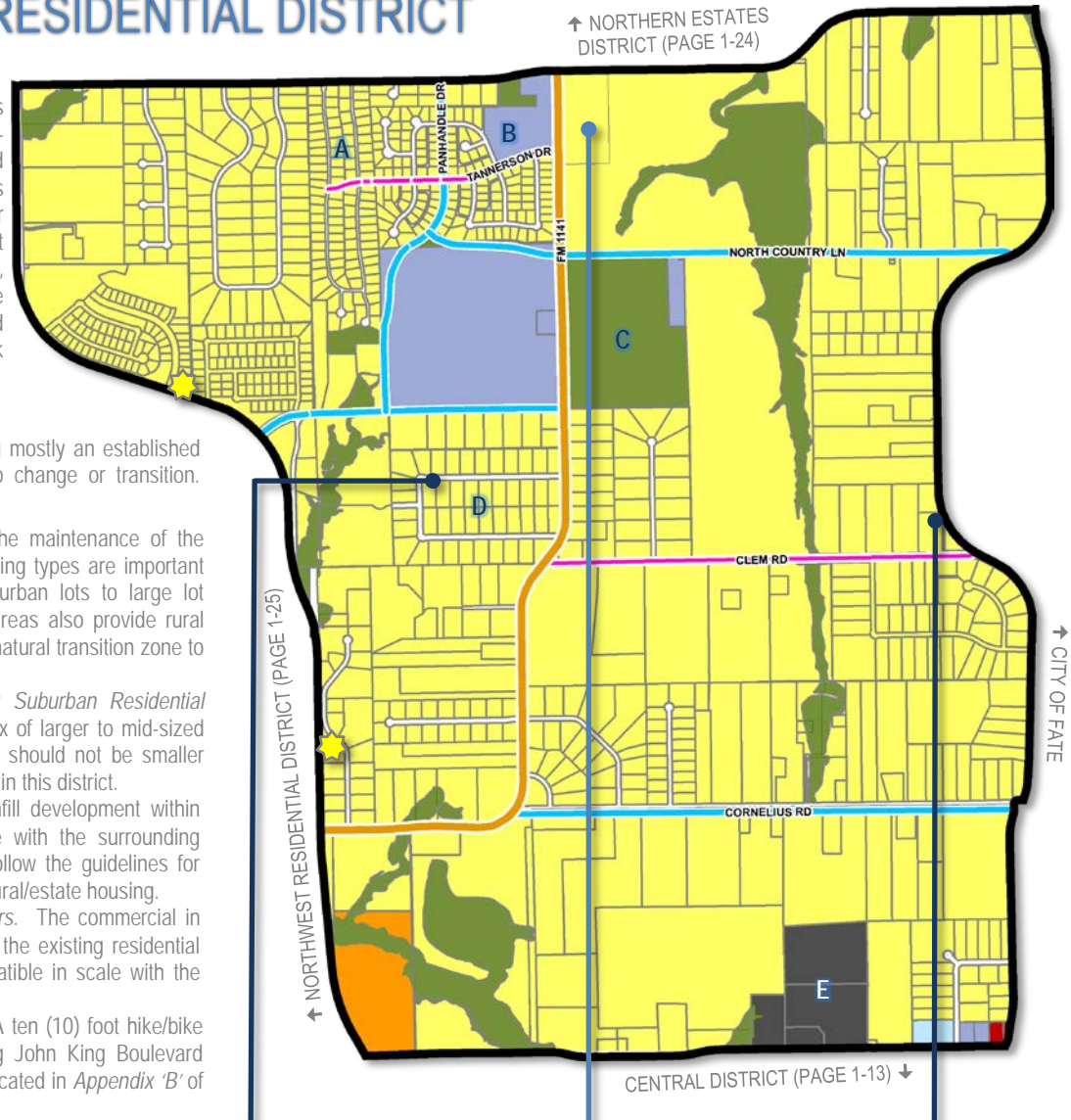
DISTRICT DESCRIPTION

The *Northeast Residential District* is characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

- 1 **Estate and Rural Residential.** The maintenance of the *Estate and Rural Residential* housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
- 2 **Suburban Residential.** Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district.
- 3 **Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
- 4 **Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 5 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.



POINTS OF REFERENCE

- A. Stoney Hollow Subdivision
- B. Celia Hays Elementary School
- C. North Country Lane Park
- D. Saddlebrook Estates Subdivision
- E. Resthaven Funeral Home



2 Current Suburban Residential



2 Future Suburban Residential



1 Current Rural Residential

LAND USE PALETTES

- Current Land Use
- Future Land Use

★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

BUILD OUT 1,964

5,794

% OF ROCKWALL 3.13%

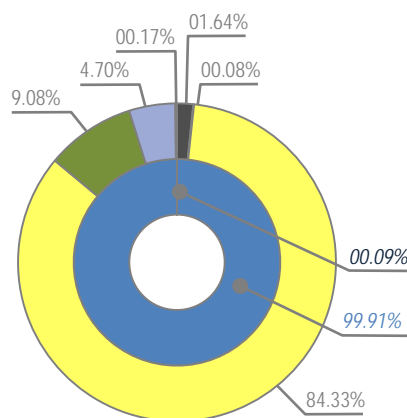
0.99%

3.10%

CURRENT 625

18

1,844



■ MINOR COLLECTOR	■ COMMERCIAL	0.09%
■ M4U	■ RESIDENTIAL	99.91%
■ M4D	■ MIXED USE	0.00%
■ CEMETERY (CEM)		32.34-ACRES
■ COMMERCIAL/RETAIL (CR)		1.52-ACRES
■ LOW DENSITY RESIDENTIAL (LDR)		1,658.33-ACRES
■ PARKS AND OPEN SPACE (OS)		178.54-ACRES
■ PUBLIC (P)		92.45-ACRES
■ QUASI-PUBLIC (QP)		3.25-ACRES

LEGEND:

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

PERMITTED LAND USES IN AN SINGLE FAMILY 1 (SF-1) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	SINGLE FAMILY 1 (SF-1) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Private Horse Corral or Stable	(10)	(6)	S
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A
Home Occupation	(9)	(7)	P
Portable Building	(15)	(10)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Detached Structure	(18)	(13)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Church/House of Worship	(4)	(2)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna, as an Accessory	(2)	(1)	S
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A

LEGEND:

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

PERMITTED LAND USES IN AN SINGLE FAMILY 1 (SF-1) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	SINGLE FAMILY 1 (SF-1) DISTRICT
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Railroad Yard or Shop	(14)		S
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall	(21)		S
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT TO A SINGLE-FAMILY 1 (SF-1) DISTRICT FOR A FIVE (5) ACRE TRACT OF LAND IDENTIFIED AS LOT 5 OF THE MUSTANG ACRES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from John and Rita Canavan for the approval of a *Zoning Change* from an Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District for a five (5) acre tract of land identified as Lot 5 of the Mustang Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 714 Clem Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family 1 (SF-1) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.05, *Single-Family 1 (SF-1) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JUNE, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: May 16, 2022

2nd Reading: June 6, 2022

Exhibit 'A'
Legal Description

Legal Description: A Five (5) Acre Tract of Land Identified as Lot 5 of the Mustang Acres Addition
Addressed As: 714 Clem Road





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: May 16, 2021
APPLICANT: John and Rita Canavan
CASE NUMBER: Z2022-016; *Zoning Change from Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District*

SUMMARY

Hold a public hearing to discuss and consider a request by John and Rita Canavan for the approval of a Zoning Change from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District for a five (5) acre tract of land identified as Lot 5 of the Mustang Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 714 Clem Road, and take any action necessary.

BACKGROUND

The City Council approved *Ordinance No. 04-35* annexing the subject property into the City on May 17, 2004 [Case No. A2004-002]. At the time of annexation, the subject property was zoned Agricultural (AG) District. On September 4, 2004, the subject property was rezoned [Case No. Z2004-026; *Ordinance No. 04-49*] from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a ~1944 SF home that constructed in 1960. No changes have occurred on the subject property since it was annexed and rezoned in 2004.

PURPOSE

On April 14, 2022, the applicants – *John and Rita Canavan* -- submitted an application requesting to change the zoning of the *subject property* from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District. The purpose of this request is to accommodate the future subdivision of the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 714 Clem Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are two (2) lots zoned Single-Family Estate 4.0 (SFE-4.0) District (*i.e. Tract 3 [9.09-acres] and 3-01[8.34-acres] of the J. E. Sherwood Survey, Abstract No. 193*). North of this is the Watson Estates Subdivision, which is zoned Planned Development District 72 (PD-72) for Single-Family Estate (SFE-4.0) District land uses and consists of three (3) lots on 11.66 acres. Beyond this are two (2), 5.87-acre tracts of land that are zoned Single-Family Estate 4.0 (SFE-4.0) District (*i.e. Tracts 5 and 5-3, of the J. E. Sherwood, Abstract No.193*). Beyond this is the Northcrest Estates 2 Addition, which consists of 14 lots on 14.37-acres. North of this are three (3) tracts of land zoned Agriculture (AG) District (*i.e. Tracts 1-02[12.125-acres], 1-01 [1.665-acres], and 3 [5.983-acres] of the J. E. Sherwood, Abstract No. 193*). North of these properties is North Country Lane, which is identified as an M4U (*i.e. major collector, four (4) lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is Clem Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of Clem Road is the Northgate Subdivision, which is zoned Planned Development District 88 (PD-88) and consists of 40 residential lots on 62.45-acres. Beyond this is the corporate limits of the City of Rockwall followed by

several properties situated within the City's Extraterritorial Jurisdiction (ETJ) with single-family homes situated on them.

East: Directly east of the subject property are three (3), five (5) acre lots zoned Single-Family Estate 4.0 (SFE-4.0) District (*i.e. Lots 2-4 of the Mustang Acres Addition*). East of this is a 3.044-acre lot zoned Single-Family Estate 1.5 (SFE-1.5) District (*i.e. Lot 1 of the Mustang Acres Addition*). Beyond this is a 1.14-acre lot zoned Single-Family 1 (SF-1) District (*i.e. Lot 1, Block A, Blueberry Hill Estate Addition*). East of this property is Stodgehill Road, which is identified as a TXDOT 4D (*i.e. Texas Department of Transportation, four (4) lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is a 101.43-acre tract of land zoned Agricultural (AG) District (*i.e. Tract 4 of the J.M. Gass Survey, Abstract No. 88*). Beyond this is the corporate limits of the City of Rockwall followed by several properties within the City's Extraterritorial Jurisdiction (ETJ) with single-family homes situated on them.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the five (5) acre parcel of land from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District for the purpose of subdividing the property into two (2) lots and constructing a single-family residential home on a portion of the larger tract. The existing single-family home will be situated on the smaller lot. It should be noted, that if this zoning change is approved, the applicant will be required to subdivide the subject property into two (2) buildable lots that are a minimum of one (1) acre each. It should also be noted, that if the applicant intends on utilizing an On-Site Sewage Facility (OSSF) the lots will be required to be a minimum of 1.50 acres in accordance with Division 5, *On-Site Sewage Facility*, of Chapter 44, *Utilities*, of the Municipal Code of Ordinances.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.05, *Single-Family 1 (SF-1) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size... (t)hese lots are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area." In this case, the majority of the properties adjacent to Clem are zoned Agricultural (AG) District, Single-Family Estate 4.0 (SFE-4.0) District, and Single-Family Estate 1.5 (SFE-1.5) District. Staff should point out that there is also one (1) property east of the subject property that is zoned Single-Family 1 (SF-1) District. In addition, south of the property, is a Planned Development District (*i.e. PD-88*) that allows for Single-Family 1 (SF-1) District land uses. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family 1 (SF-1) District, which are summarized as follows:

TABLE 1: SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT DEVELOPMENT STANDARDS

<i>Number of Dwelling Units/Lot</i>	1.0
<i>Number of Dwelling Units/Acre</i>	1.0
<i>Minimum Dwelling Unit</i>	2,500 SF
<i>Minimum Lot Area</i>	8,400 SF
<i>Minimum Lot Width</i>	70-Feet
<i>Minimum Lot Depth</i>	100-Feet
<i>Minimum Front Yard Setback</i>	20-Feet
<i>Minimum Rear Yard Setback</i>	10-Feet
<i>Minimum Side Yard Setback</i>	6-Feet
<i>Between Buildings</i>	10-Feet
<i>Building Height</i>	36-Feet
<i>Maximum Lot Coverage</i>	45%
<i>Required Parking Spaces</i>	2

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

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

NOTIFICATIONS

On April 26, 2022, staff notified 19 property owners and occupants within 500-feet of the subject property. Staff also notified the Nelson Creek Homeowner's Association (HOA), which is the only Homeowner's Association (HOA) or Neighborhood Group within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had not received any notices regarding the applicant's request.

CONDITIONS OF APPROVAL

If City Council chooses to recommend approval of the applicant's request to rezone the subject property from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family Estate 1 (SF-1) District, then staff would propose the following conditions of approval:

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

PLANNING AND ZONING COMMISSION

On May 10, 2022, The Planning and Zoning Commission approved a motion to recommend approval of the zoning change with a vote of 6-0, with commissioner Womble absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

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

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 714 Clem road

SUBDIVISION MUSTANG ACRES SUBDIVISION

LOT TRACT 5 BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING SF-1

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER JOHN CANAVAN

APPLICANT

CONTACT PERSON RITA CANAVAN

CONTACT PERSON

ADDRESS 714 CLEM ROAD

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE 972-670-3461

PHONE

E-MAIL CANRCF@GMAIL.COM

E-MAIL

NOTARY VERIFICATION [REQUIRED]

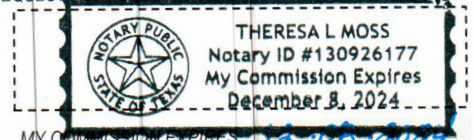
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED John & Rita Canavan [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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

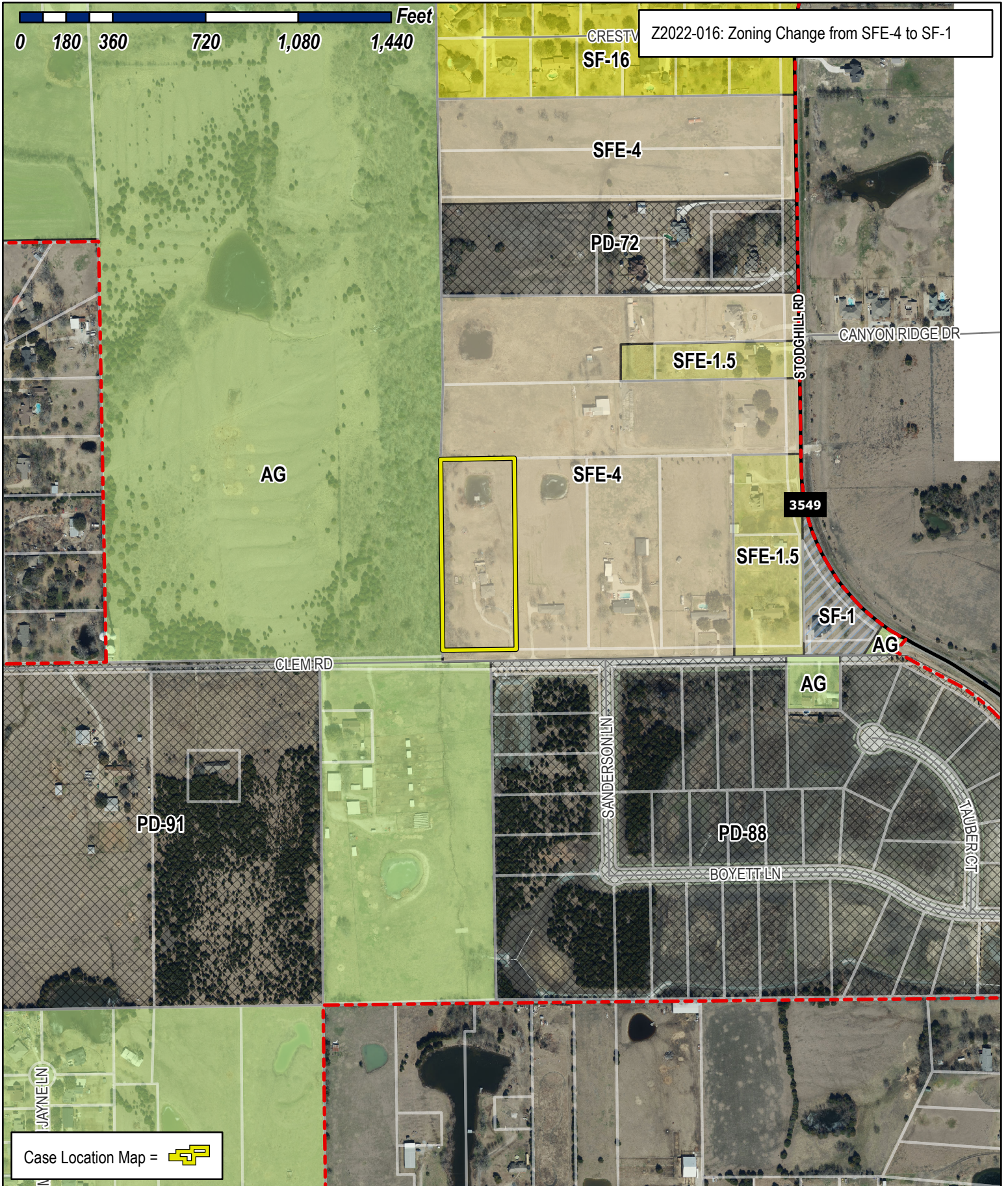
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 11 DAY OF April, 2022

OWNER'S SIGNATURE Rita Canavan John Canavan

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Theresa L Moss



MY COMMISSION EXPIRES 12-08-2024



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.

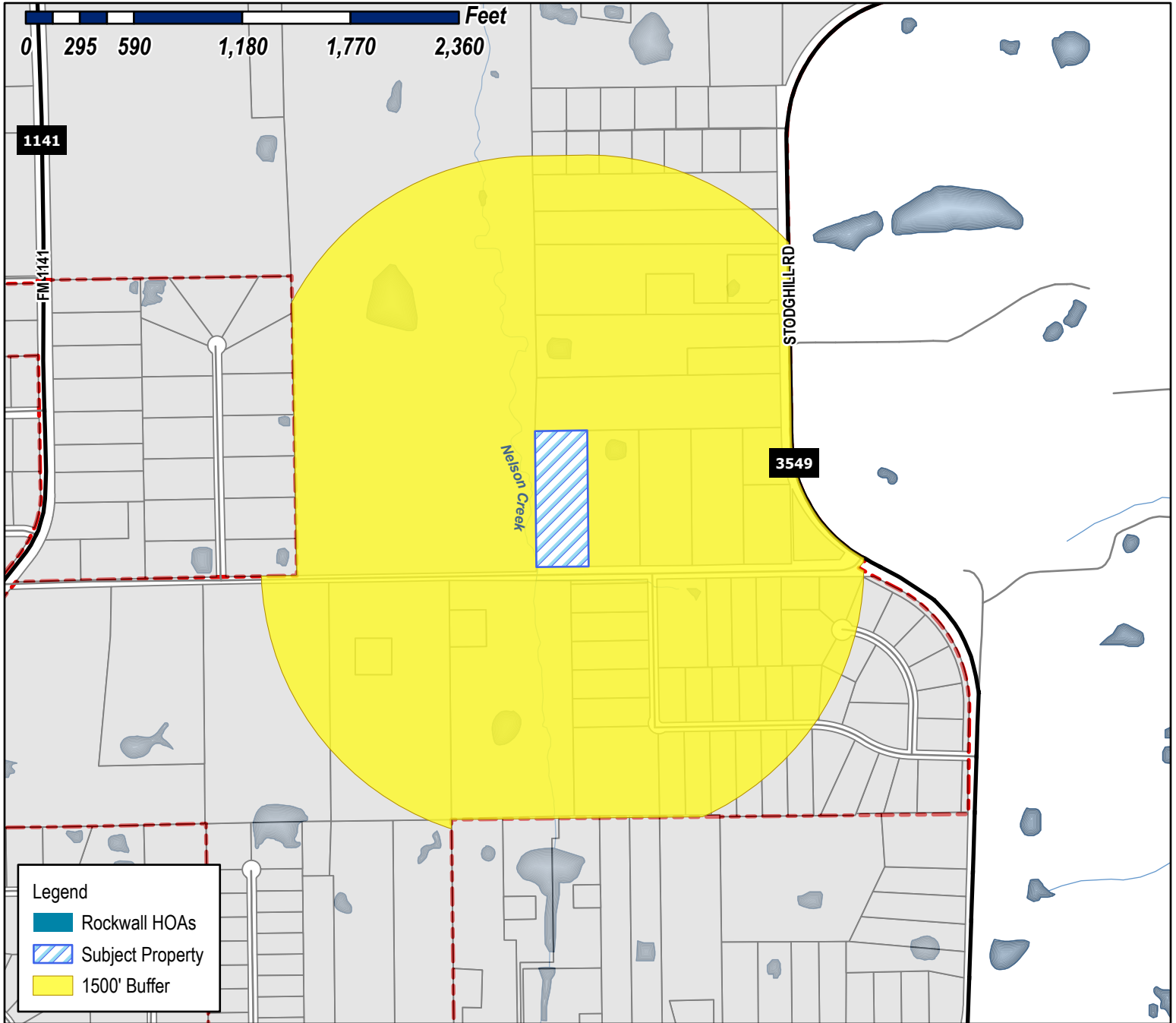




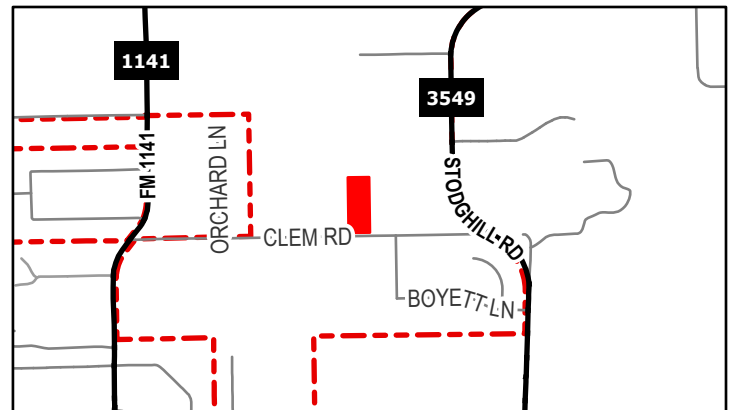
City of Rockwall

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

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



Case Number: Z2022-016
Case Name: Zoning Change from SFE-4 to SF-1
Case Type: Zoning
Zoning: Single-Family Estate 4
Case Address: 714 Clem Road



Date Saved: 4/12/2022
 For Questions on this Case Call (972) 771-7745



City of Rockwall

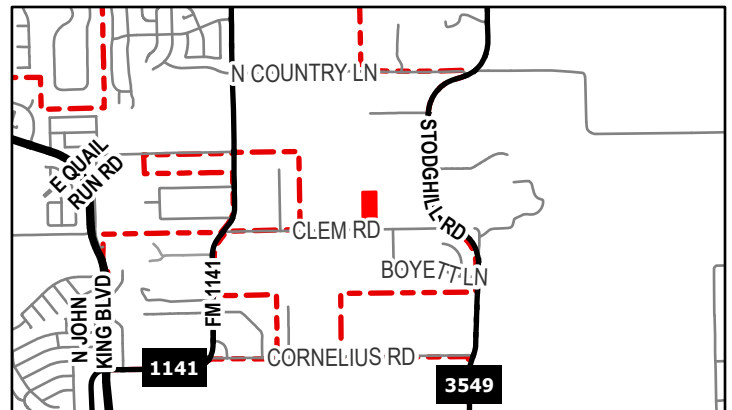
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2022-016
Case Name: Zoning Change from SFE-4 to SF-1
Case Type: Zoning
Zoning: Single-Family Estate 4
Case Address: 714 Clem Road

Date Saved: 4/12/2022
 For Questions on this Case Call (972) 771-7745



SWIATKIEWICZ CHRISTINE AND GABRIEL
1167 ROLLING MEADOW
LAVON, TX 75087

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
2030 CROSSWOOD LANE
IRVING, TX 75063

OWNBY MITCH AND SANDRA
2219 S ANDERSON LN
ROCKWALL, TX 75087

ARTERBURN ANDREW
2225 S ANDERSON LN
ROCKWALL, TX 75087

SWIATKIEWICZ CHRISTINE AND GABRIEL
2231 S ANDERSON LN
ROCKWALL, TX 75087

OWNBY MITCH AND SANDRA
255 COUNTRY CLUB DR
HEATH, TX 75032

CONNER KEVIN AND AMY
2652 N FM 3549
ROCKWALL, TX 75087

VALK JAMES WILLIAM JR & RENEE LUCILLE
BURNS
TRUSTEES OF JAMES WILLIMA VALK JR LIVING
TRUST
2730 FM 3549
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
379 N COUNTRY LN
ROCKWALL, TX 75087

FOGG GORDON C
505 CLEM RD
ROCKWALL, TX 75087

ARTERBURN ANDREW
605 HIGHLAND DRIVE
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
611 CLEM RD
ROCKWALL, TX 75087

CANAVAN JOHN P & RITA
714 CLEM RD
ROCKWALL, TX 75087

BELL SALLY REDDICK
768 CLEM RD
ROCKWALL, TX 75087

SHLENSKY HOWARD J & DARLA A
820 CLEM RD
ROCKWALL, TX 75087

BENEDETTO MATTHEW AND STEPHANIE
835 CLEM RD
ROCKWALL, TX 75087

BENEDETTO MATTHEW AND STEPHANIE
907 W HOLIDAY ROAD
ROCKWALL, TX 75087

FOGG GORDON C
PO BOX 842
ROCKWALL, TX 75087

11 NORTHEAST RESIDENTIAL DISTRICT

↑ NORTHERN ESTATES DISTRICT (PAGE 1-24)

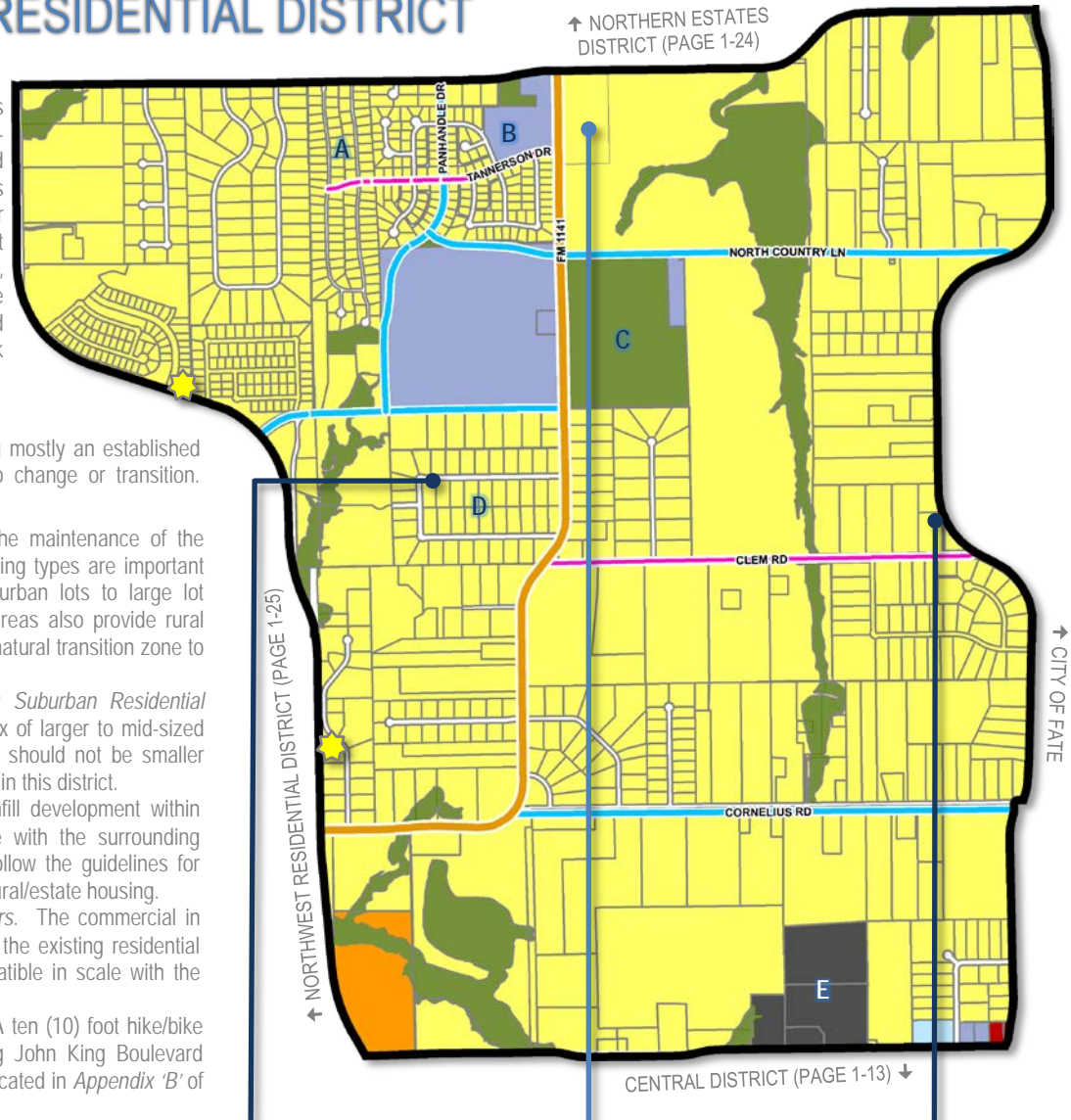
DISTRICT DESCRIPTION

The *Northeast Residential District* is characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

- 1 **Estate and Rural Residential.** The maintenance of the *Estate and Rural Residential* housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
- 2 **Suburban Residential.** Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district.
- 3 **Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
- 4 **Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 5 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.



POINTS OF REFERENCE

- A. Stoney Hollow Subdivision
- B. Celia Hays Elementary School
- C. North Country Lane Park
- D. Saddlebrook Estates Subdivision
- E. Resthaven Funeral Home



2 Current Suburban Residential



2 Future Suburban Residential



1 Current Rural Residential

LAND USE PALETTES

- Current Land Use
- Future Land Use

★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

BUILD OUT 1,964

5,794

% OF ROCKWALL 3.13%

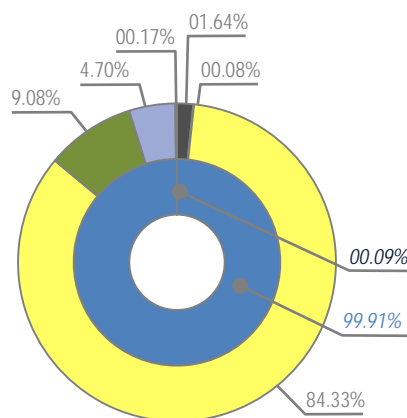
0.99%

3.10%

CURRENT 625

18

1,844



■ MINOR COLLECTOR	0.00%
■ M4U	0.01%
■ M4D	0.01%
■ COMMERCIAL	0.09%
■ RESIDENTIAL	99.91%
■ MIXED USE	0.00%
■ CEMETERY (CEM)	32.34-ACRES
■ COMMERCIAL/RETAIL (CR)	1.52-ACRES
■ LOW DENSITY RESIDENTIAL (LDR)	1,658.33-ACRES
■ PARKS AND OPEN SPACE (OS)	178.54-ACRES
■ PUBLIC (P)	92.45-ACRES
■ QUASI-PUBLIC (QP)	3.25-ACRES

LEGEND:

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

PERMITTED LAND USES IN AN SINGLE FAMILY 1 (SF-1) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	SINGLE FAMILY 1 (SF-1) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Private Horse Corral or Stable	(10)	(6)	S
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A
Home Occupation	(9)	(7)	P
Portable Building	(15)	(10)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Detached Structure	(18)	(13)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Church/House of Worship	(4)	(2)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna, as an Accessory	(2)	(1)	S
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A

LEGEND:

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

PERMITTED LAND USES IN AN SINGLE FAMILY 1 (SF-1) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	SINGLE FAMILY 1 (SF-1) DISTRICT
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Railroad Yard or Shop	(14)		S
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall	(21)		S
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT TO A SINGLE-FAMILY 1 (SF-1) DISTRICT FOR A FIVE (5) ACRE TRACT OF LAND IDENTIFIED AS LOT 5 OF THE MUSTANG ACRES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from John and Rita Canavan for the approval of a *Zoning Change* from an Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District for a five (5) acre tract of land identified as Lot 5 of the Mustang Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 714 Clem Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family 1 (SF-1) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.05, *Single-Family 1 (SF-1) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JUNE, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: May 16, 2022

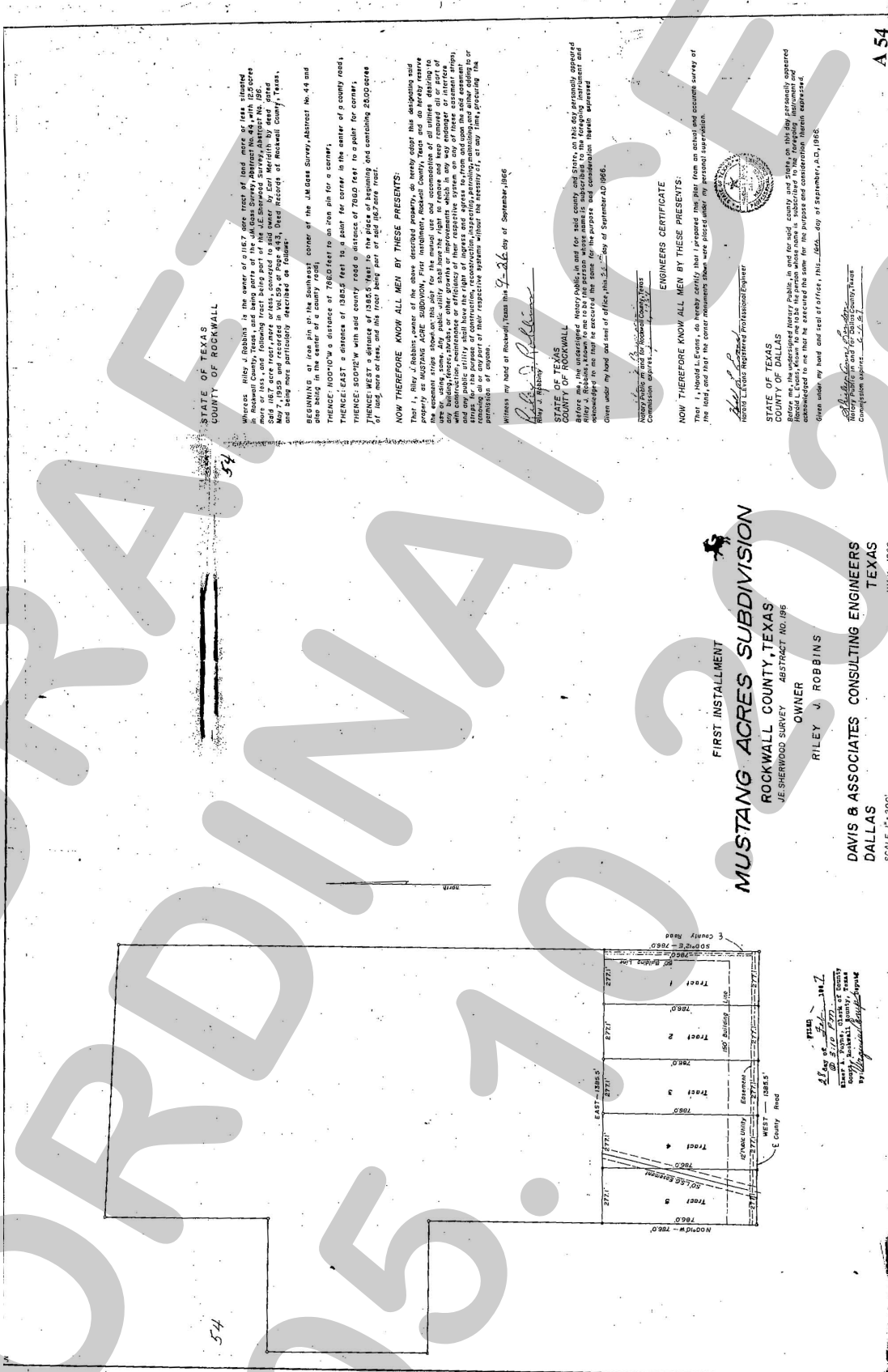
2nd Reading: June 6, 2022

Exhibit 'A'
Legal Description

Legal Description: A Five (5) Acre Tract of Land Identified as Lot 5 of the Mustang Acres Addition
Addressed As: 714 Clem Road



Exhibit 'B' Survey



STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS Riley J. Robbins is the owner of 187.7 acres of land, more or less, situated in the County of Rockwall, State of Texas, and following tract being part of the J.E. Sherwood Survey, Abstract No. 196, and 187.7 acres of land, more or less, owned by said owner and following tract being part of the J.E. Sherwood Survey, Abstract No. 196, and being more particularly described as follows:

BEGINNING at the corner of the county road;

THENCE NORTH 10° 10' 00" a distance of 786.0 feet to an iron pin for a corner;

THENCE EAST 90° 00' 00" a distance of 1385.5 feet to a plain for corner in the center of a county road;

THENCE SOUTH 70° 00' 00" with said county road a distance of 786.0 feet to a plain for corner;

THENCE WEST a distance of 1385.5 feet to the place of beginning and containing 2500 square feet of land, more or less, and the tract being part of said 187.7-acre tract.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Riley J. Robbins, owner of the above described property, do hereby certify that the above and foregoing description of said property and the boundaries thereon and the location of the easement strips shown on this plat for the mutual use and accommodation of all utilities desiring to use the same, are true and correct and that I have the right to receive and keep easement strips with construction easement and efficiency of their respective systems on any of these easement strips, and any public utility or contractor, reconstruction, reconstruction, maintaining and make adding to or removing all or any part of their respective systems without the necessity of, at any time, procuring the permission of anyone.

Witness my hand at Rockwall, Texas this 4th day of September, 1966.

Riley J. Robbins
Riley J. Robbins

STATE OF TEXAS
COUNTY OF ROCKWALL

Now before me, the undersigned authority, in and for said county and state, on this day personally appeared Riley J. Robbins, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 4th day of September, A.D. 1966.

Notary Public for the State of Texas
Commission Expires 11/1/71

ENGINEERS CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That Riley J. Robbins, on behalf of Riley J. Robbins, the owner of the above described property, has personally executed the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Witness my hand and seal of office, this 4th day of September, A.D. 1966.

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, in and for said county and state, on this day personally appeared Riley J. Robbins, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Witness my hand and seal of office, this 4th day of September, A.D. 1966.

Notary Public for the State of Texas
Commission Expires 11/1/71

ENGINEERS CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That Riley J. Robbins, on behalf of Riley J. Robbins, the owner of the above described property, has personally executed the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Witness my hand and seal of office, this 4th day of September, A.D. 1966.

Notary Public for the State of Texas
Commission Expires 11/1/71

FIRST INSTALLMENT
MUSTANG ACRES SUBDIVISION
ROCKWALL COUNTY, TEXAS
J.E. SHERWOOD SURVEY ABSTRACT NO. 196
OWNER
RILEY J. ROBBINS
DAVIS & ASSOCIATES CONSULTING ENGINEERS
DALLAS
SCALE 1" = 200'
JULY, 1966

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, in and for said county and state, on this day personally appeared Riley J. Robbins, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Witness my hand and seal of office, this 4th day of September, A.D. 1966.

Notary Public for the State of Texas
Commission Expires 11/1/71

ENGINEERS CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That Riley J. Robbins, on behalf of Riley J. Robbins, the owner of the above described property, has personally executed the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Witness my hand and seal of office, this 4th day of September, A.D. 1966.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, in and for said county and state, on this day personally appeared Riley J. Robbins, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Witness my hand and seal of office, this 4th day of September, A.D. 1966.

Notary Public for the State of Texas
Commission Expires 11/1/71

A 54



June 10, 2022

TO: John Canavan
714 Clem Road
Rockwall TX 75087

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

SUBJECT: Z2022-016; *Zoning Change (SFE-4.0 to SF-1)*

John and Rita:

This letter serves to notify you that the above referenced zoning case that you submitted for consideration by the City of Rockwall was approved by the City Council on June 6, 2022. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

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

Planning and Zoning Commission

On May 10, 2022, The Planning and Zoning Commission approved a motion to recommend approval of the zoning change with a vote of 6-0, with Commissioner Womble absent.

City Council

On May 16, 2022, the City Council approved a motion to approve the *Zoning Change* with the conditions of approval by a vote of 7-0.

On June 6, 2022, the City Council approved a motion to approve the *Zoning Change* with a vote of 6-0, with Council Member Macalik absent.

Included with this letter is a copy of *Ordinance No. 22-29*, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 772-6488.

Sincerely,


Bethany Ross
Planner

CITY OF ROCKWALL

ORDINANCE NO. 22-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT TO A SINGLE-FAMILY 1 (SF-1) DISTRICT FOR A FIVE (5) ACRE TRACT OF LAND IDENTIFIED AS LOT 5 OF THE MUSTANG ACRES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from John and Rita Canavan for the approval of a *Zoning Change* from an Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1 (SF-1) District for a five (5) acre tract of land identified as Lot 5 of the Mustang Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 714 Clem Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family 1 (SF-1) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.05, *Single-Family 1 (SF-1) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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


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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JUNE, 2022.



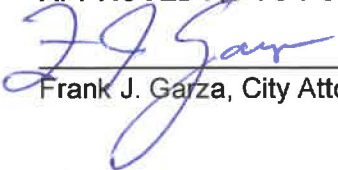
Kevin Fowler, Mayor

ATTEST:



Kristy Teague, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: May 16, 2022

2nd Reading: June 6, 2022

Exhibit 'A'
Legal Description

Legal Description: A Five (5) Acre Tract of Land Identified as Lot 5 of the Mustang Acres Addition
Addressed As: 714 Clem Road



Ross, Bethany

From: Ross, Bethany
Sent: Friday, April 22, 2022 10:51 AM
To: 'canrcf@gmail.com'
Subject: RE: Z2022-016: 714 Clem Road
Attachments: Draft Ordinance (04.20.2022).pdf

My apologies for the second email but I meant to also attach the draft ordinance.

Thank you,
Bethany Ross
Planner
City of Rockwall
972.772.6488 Office
bross@rockwall.com
<http://www.rockwall.com/planning/>

From: Ross, Bethany
Sent: Friday, April 22, 2022 10:45 AM
To: 'canrcf@gmail.com' <canrcf@gmail.com>
Subject: Z2022-016: 714 Clem Road

Good Morning John and Rita,

Attached are the project comments and engineering markups for your zoning change case: Z2022-016. All of these comments are just for informational purposes, you do not need to respond unless you have any questions. Please pay attention to the schedule for your case and please have at least one representative to each meeting below:

Planning and Zoning Commission Work Session Meeting: April 26, 2022
Planning and Zoning Commission Meeting: May 10, 2022
City Council (1st Reading): May 16, 2022
City Council (2nd Reading): June 6, 2022

All meetings will be held at 6:00 PM in the City Council Chambers of City Hall at 385 S. Goliad Street. If you have any additional questions please let me know. Thanks.

Bethany Ross
Planner
City of Rockwall
972.772.6488 Office
bross@rockwall.com
<http://www.rockwall.com/planning/>