



# PLANNING AND ZONING CASE CHECKLIST

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET  
ROCKWALL, TX 75087

P&Z CASE # Z2022-026 P&Z DATE June 14, 2022 CC DATE June 20, 2022 ☒ Approved ☐ Denied

ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

### Zoning Application

- ☒ Specific Use Permit
- ☐ Zoning Change
- ☐ PD Concept Plan
- ☐ PD Development Plan

### Site Plan Application

- ☒ Site Plan
- ☐ Landscape Plan
- ☐ Treescape Plan
- ☐ Photometric Plan
- ☒ Building Elevations
- ☐ Material Samples
- ☐ Color Rendering

### Platting Application

- ☐ Master Plat
- ☐ Preliminary Plat
- ☐ Final Plat
- ☐ Replat
- ☐ Administrative/Minor Plat
- ☐ Vacation Plat
- ☐ Landscape Plan
- ☐ Treescape Plan

### HPAB Application

- ☐ Exhibit

### Miscellaneous Application

- ☐ Variance/Exception Request

- ☐ Copy of Ordinance (ORD# \_\_\_\_\_)
- ☒ Applications
- ☐ Receipt
- ☒ Location Map
- ☒ HOA Map
- ☒ PON Map
- ☐ FLU Map
- ☐ Newspaper Public Notice
- ☒ 500-foot Buffer Public Notice
- ☐ Project Review
- ☐ Staff Report
- ☐ Correspondence
- ☐ Copy-all Plans Required
- ☐ Copy-Mark-Ups
- ☐ City Council Minutes – Laserfiche
- ☐ Minutes-Laserfiche
- ☐ Plat Filled Date \_\_\_\_\_
  - ☐ Cabinet # \_\_\_\_\_
  - ☐ Slide # \_\_\_\_\_

Notes: \_\_\_\_\_

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

## SITE PLAN APPLICATION FEES:

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

## ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- ☒ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1 & 2</sup>
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

## OTHER APPLICATION FEES:

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

### NOTES:

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

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 000 Breezy Hill Lane Lot 2 Rockwall TX

SUBDIVISION N/A

LOT 2 BLOCK A

GENERAL LOCATION At the North end of Breezy Hill Lane - the immediate property to the South is 1027 Breezy Hill. Property ID 106345

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

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

☒ OWNER David Scott & Christine Fischer

☐ APPLICANT

CONTACT PERSON David Scott Fischer

CONTACT PERSON

ADDRESS 1608 Lake Crest Ln

ADDRESS

CITY, STATE & ZIP Plano TX 75023

CITY, STATE & ZIP

PHONE 214-683-6617

PHONE

E-MAIL scott@downsfischer.com

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

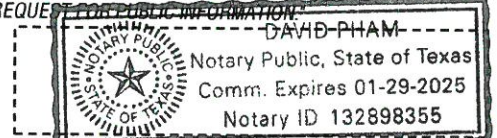
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DAVID SCOTT FISCHER [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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 \$ 350 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 5/20/22 DAY OF May, 2022 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 20 DAY OF May, 2022.

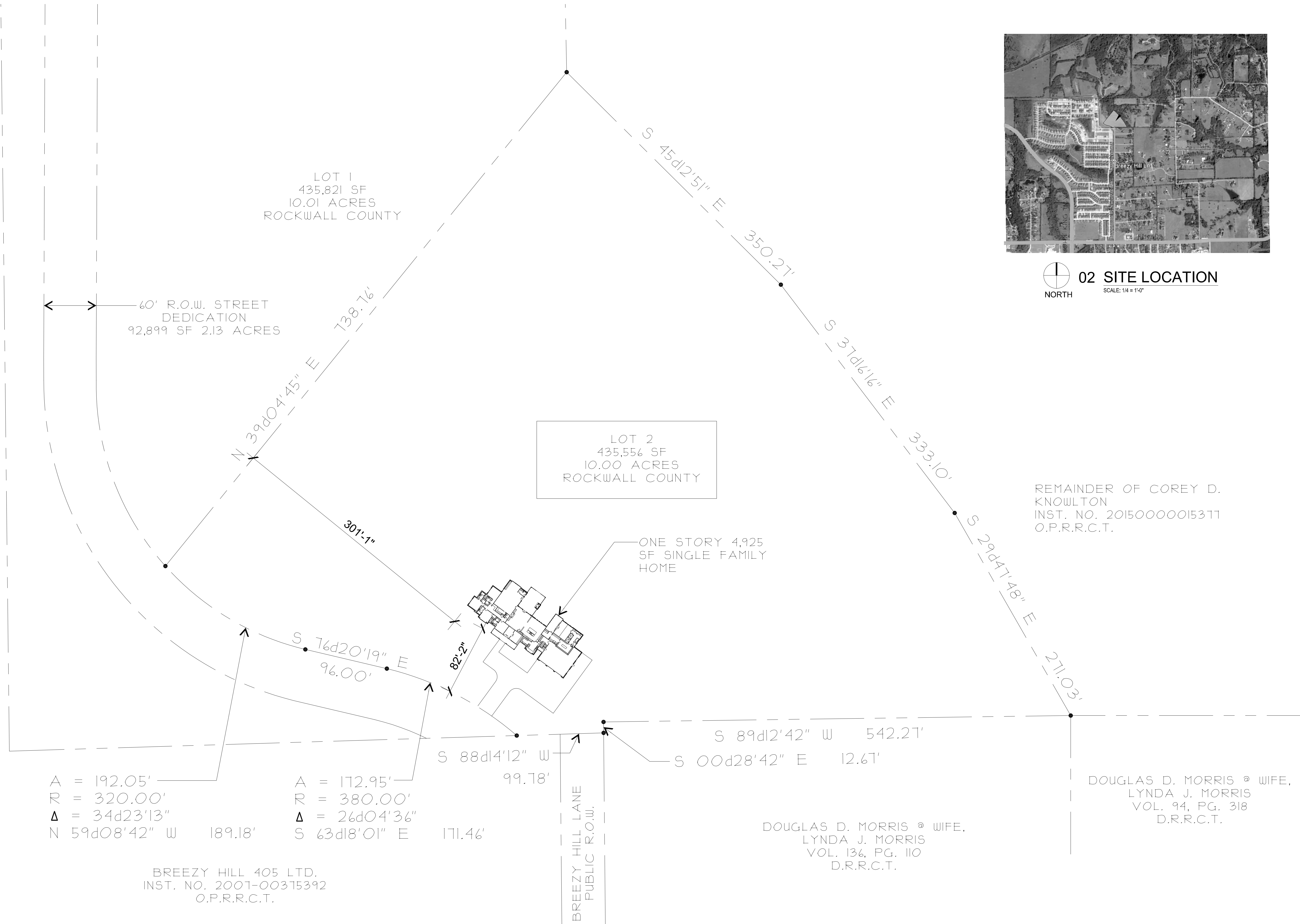
OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 1-29-2025





02 SITE LOCATION  
SCALE: 1" = 1'-0"

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE ISSUE	DESCRIPTION

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

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

ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

A2.1

SITE PLAN  
EXHIBIT

01 SITE PLAN EXHIBIT  
SCALE: 1" = 50'-0"

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

[illegible][illegible]

☒ PRELIMINARY -  
NOT FOR CONSTRUCTION

☐ BIDDING / PERMIT

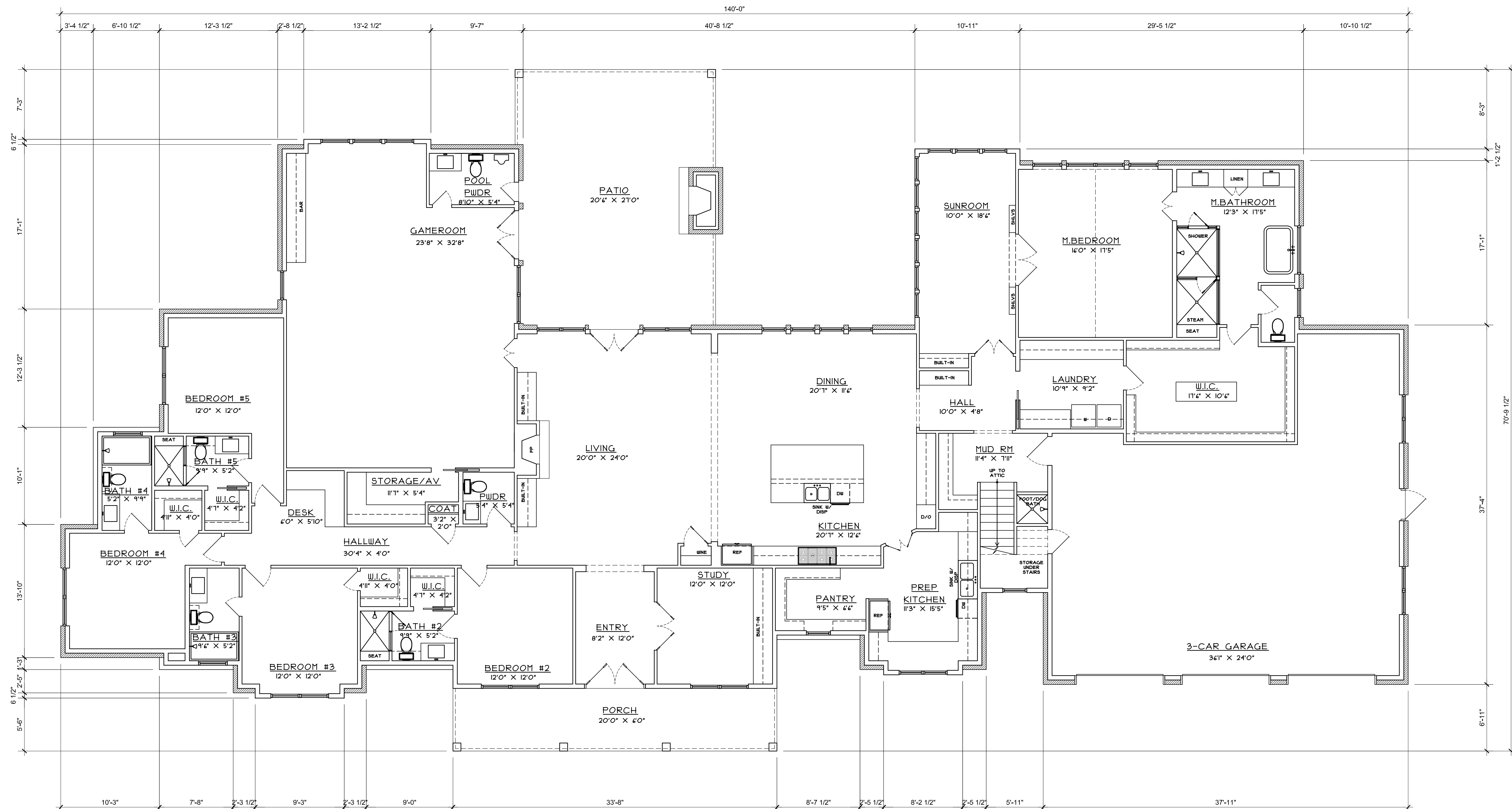
☐ REVISION / ADDENDUM

☐ FOR CONSTRUCTION

ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

LOOR PLAN  
4,925 SF





RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

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ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

A5.1

ELEVATIONS



2 LEFT ELEVATION  
Scale: 3/32" = 1'-0"



1 FRONT ELEVATION  
Scale: 3/32" = 1'-0"

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
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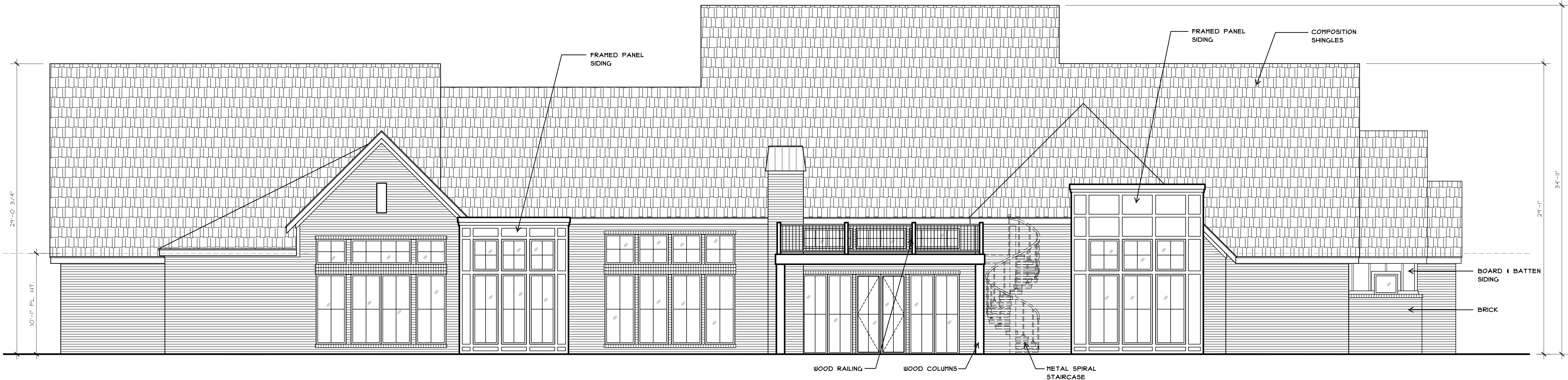
SHEET NO.

A5.2

ELEVATIONS



4 RIGHT ELEVATION  
Scale: 3/32" = 1'-0"



3 REAR ELEVATION  
Scale: 3/32" = 1'-0"





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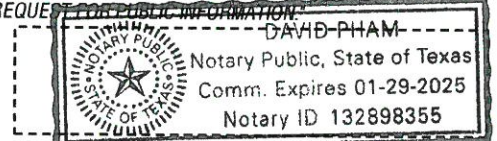
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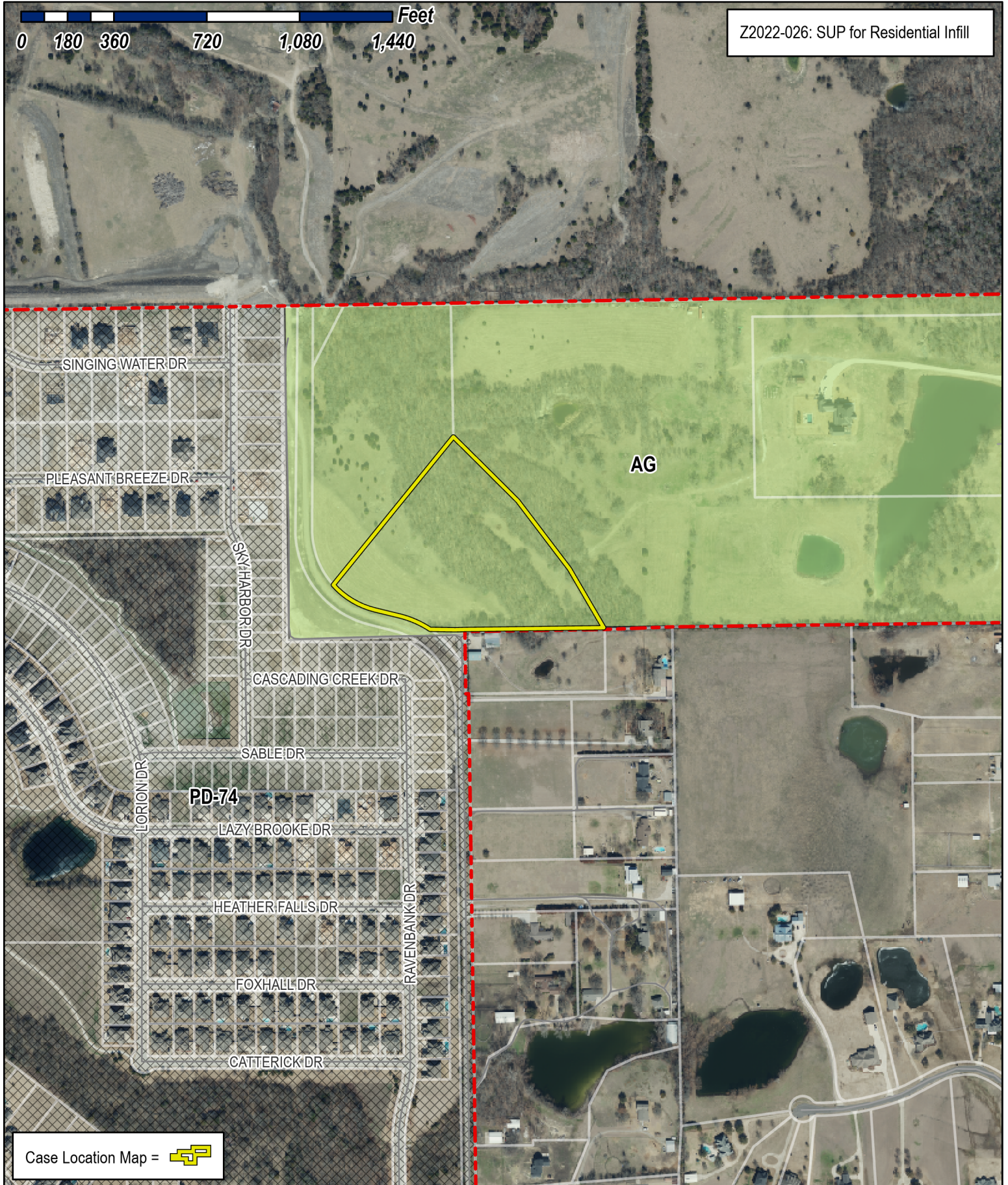


MY COMMISSION EXPIRES 1-29-2025



0 180 360 720 1,080 1,440 Feet

Z2022-026: SUP for Residential Infill



## City of Rockwall

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

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



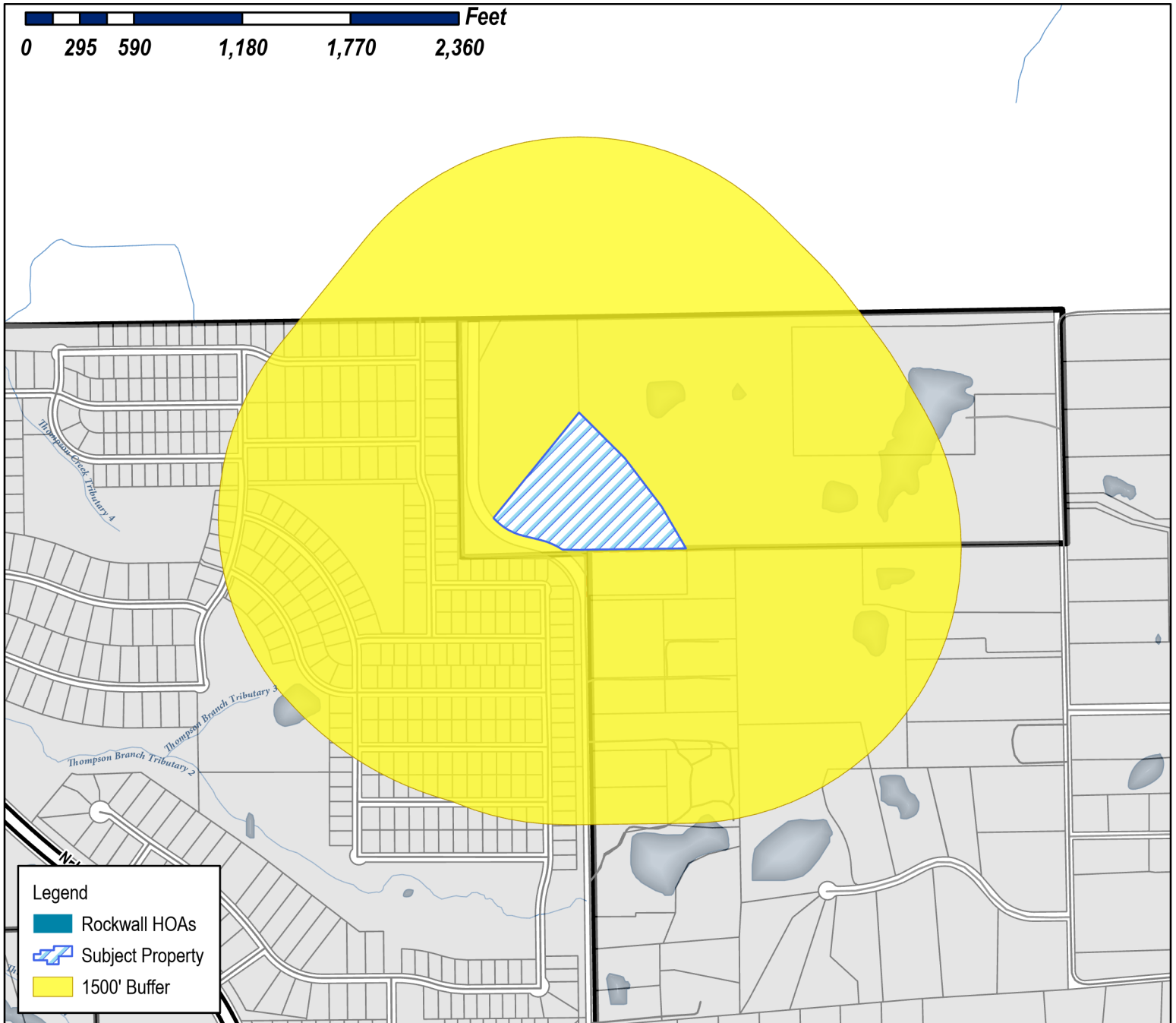




# City of Rockwall

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

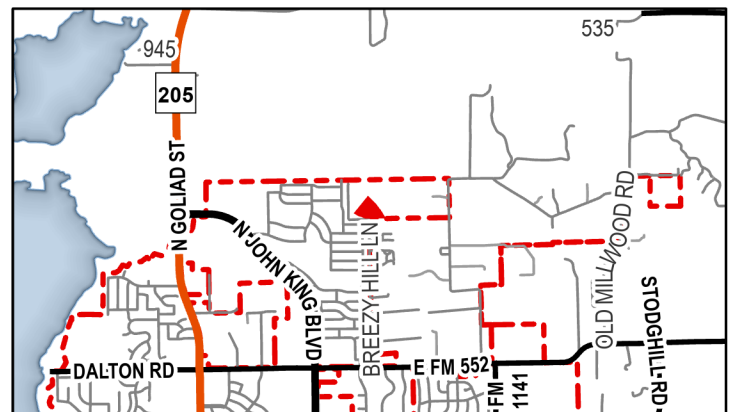
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**Case Number:** Z2022-026  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Agricultural  
**Case Address:** 000 Breezy Hill Lane Lot 2

**Date Saved:** 5/20/2022

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





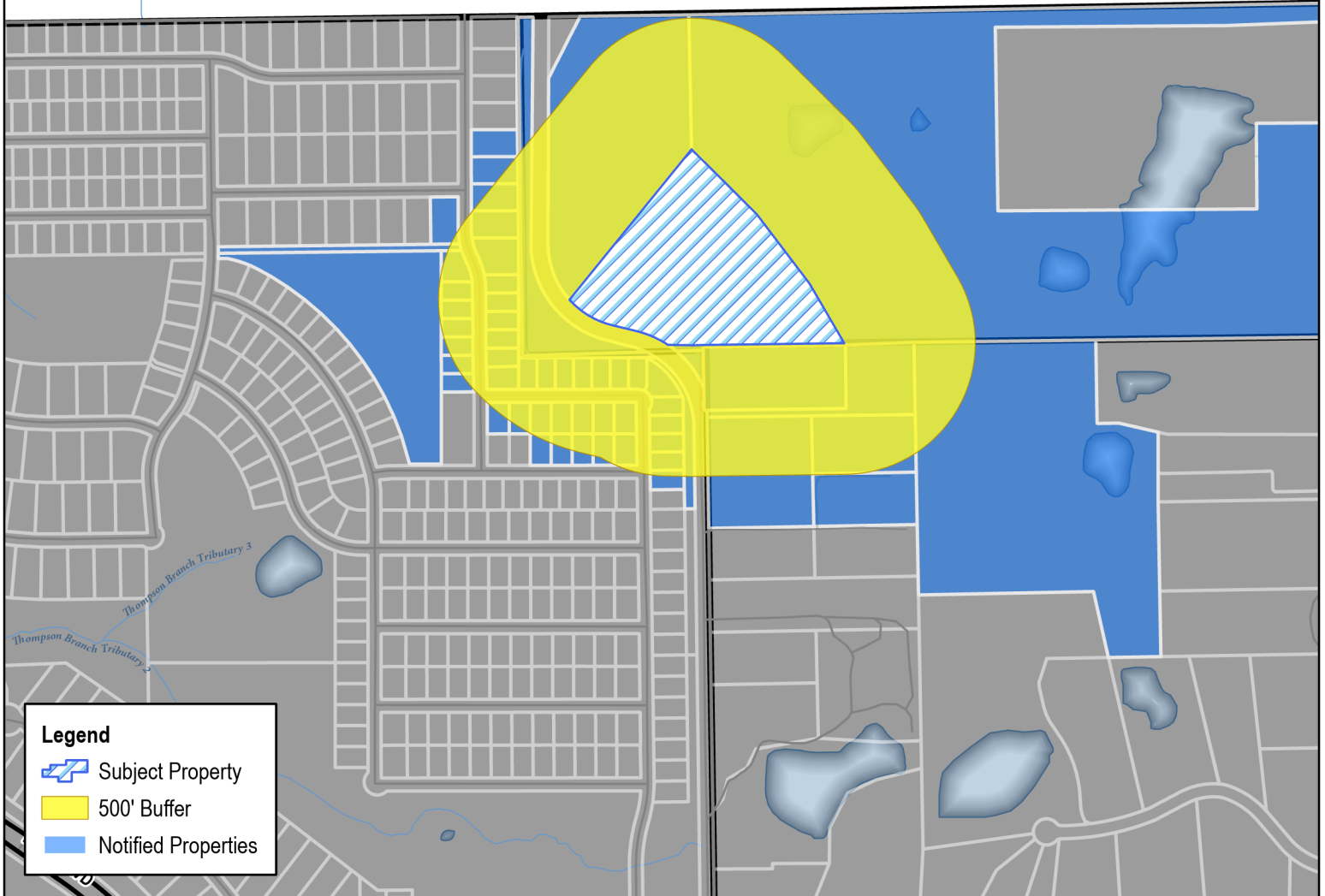
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0 230 460 920 1,380 1,840 Feet



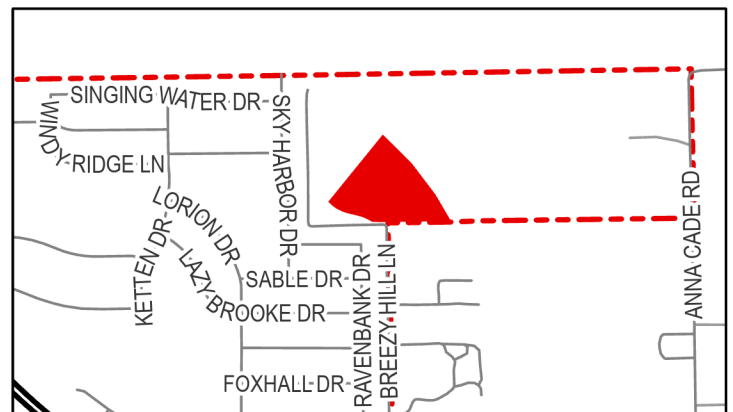
## Legend

- Subject Property
- 500' Buffer
- Notified Properties

**Case Number:** Z2022-026  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Agricultural  
**Case Address:** 000 Breezy Hill Lane Lot 2

**Date Saved:** 5/20/2022

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





KNOWLTON COREY D  
1460 ANNA CADE ROAD  
ROCKWALL, TX 75087

HEFNER SCOTT & CHERYL  
897 ANACONDA COURT  
CASTLE ROCKWA, CO 75225

WINDSOR HOMES CUMBERLAND LLC  
5310 HARVEST HILL RD SUITE 162  
DALLAS, TX 75225

WINDSOR HOMES CUMBERLAND LLC  
5310 HARVEST HILL RD SUITE 162  
DALLAS, TX 75225

WALLER DAVID AND SORAYA  
4550 SKY HARBOR DRIVE  
ROCKWALL, TX 75225

SANCHEZ ELENA  
4546 SKY HARBOR DRIVE  
ROCKWALL, TX 75225

GRAND HOMES 2014 LP  
15455 DALLAS PARKWAY SUITE 1000  
ADDISON, TX 75225

BH PHASE XI LTD  
8214 WESTCHESTER DRIVE SUITE 900  
DALLAS, TX 75225

GRAND HOMES 2014 LP  
15455 DALLAS PARKWAY SUITE 1000  
ADDISON, TX 75001

WINDSOR HOMES CUMBERLAND LLC  
5310 HARVEST HILL RD SUITE 162  
DALLAS, TX 75225

WINDSOR HOMES CUMBERLAND LLC  
8214 WESTCHESTER DR STE 710  
DALLAS, TX 75225

BH PHASE XI LTD  
8214 WESTCHESTER DRIVE SUITE 900  
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BREEZY HILL ESTATES HOMEOWNERS  
ASSOCIATION INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75225

BH PHASE XI LTD  
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ROCKWALL, TX 75087

BENNETT DONALD E  
987 BREEZY HILL LN  
ROCKWALL, TX 75087

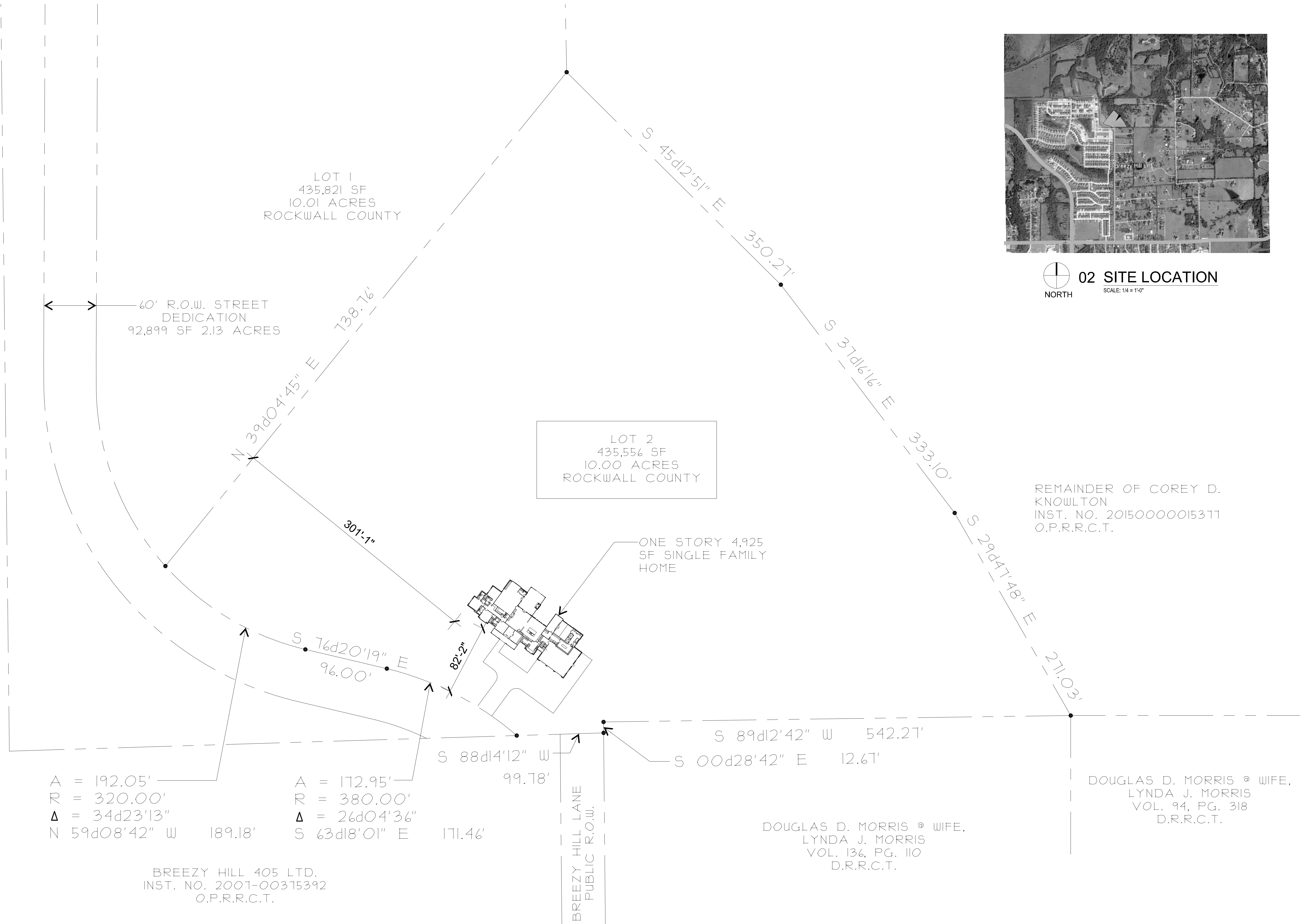
GREEN MAUREEN  
945 BREEZY HILL LANE  
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BENNETT DONALD E  
987 BREEZY HILL LN  
ROCKWALL, TX 75087

MORRIS DOUGLAS D  
1027 BREEZY HILL LN  
ROCKWALL, TX 75087

HOOKS KENNETH R JR & MARLA KIM  
3184 ANNA CADE CIRCLE  
ROCKWALL, TX 75087

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02 SITE LOCATION  
SCALE: 1" = 1'-0"

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A2.1

SITE PLAN  
EXHIBIT

01 SITE PLAN EXHIBIT  
SCALE: 1" = 50'-0"



RESIDENCE  
FOR  
SCOTT AND  
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DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

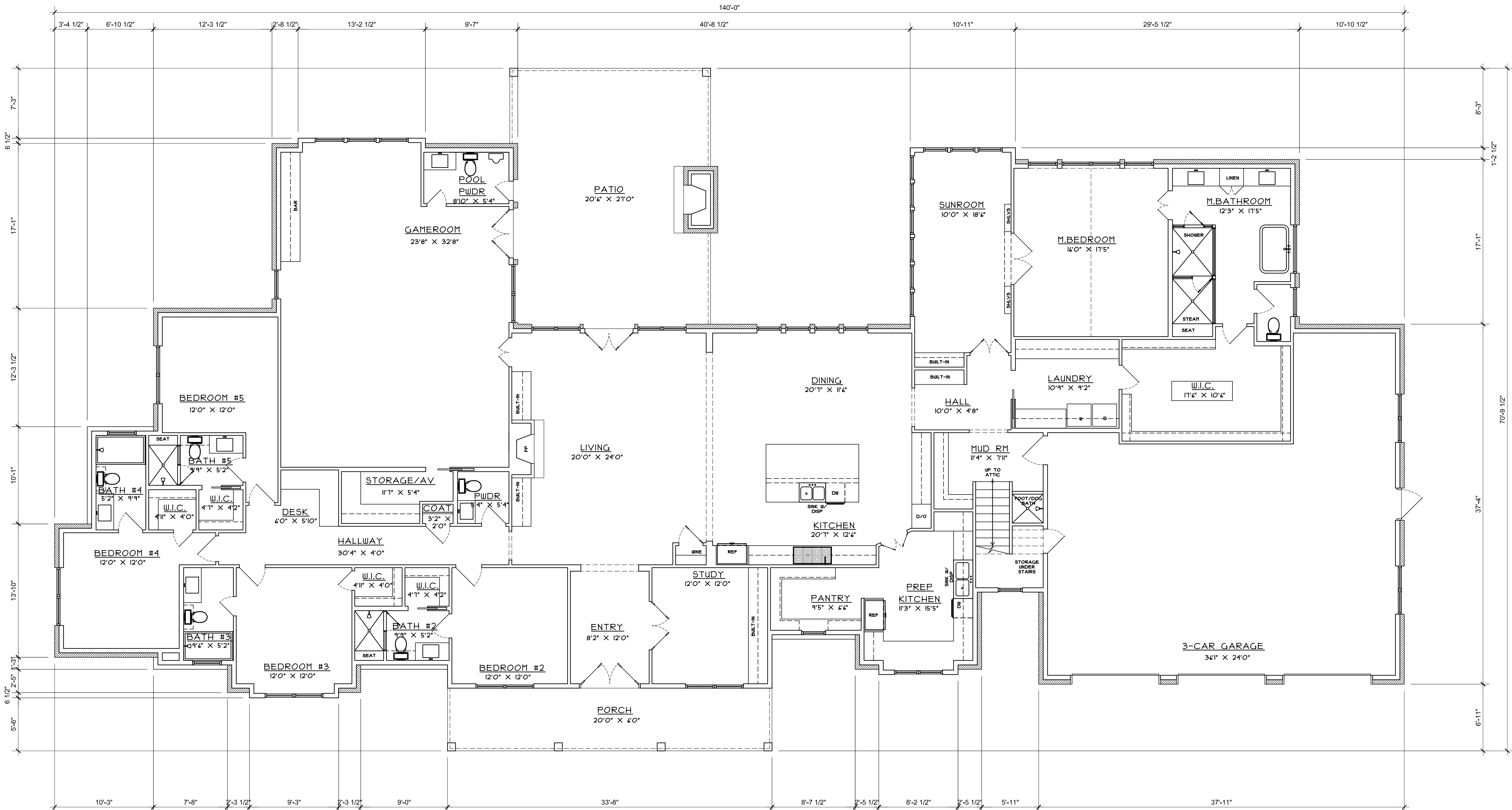
- ☒ PRELIMINARY -  
NOT FOR CONSTRUCTION
- ☐ BIDDING / PERMIT
- ☐ REVISION / ADDENDUM
- ☐ FOR CONSTRUCTION

ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

A3.2

FLOOR PLAN  
4,925 SF



1 FISCHER FLOOR PLAN - 4,925 SF  
Scale: 3/32" = 1'-0"

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE ISSUE	DESCRIPTION

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

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

ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

A5.1

ELEVATIONS



2 LEFT ELEVATION  
Scale: 3/32" = 1'-0"



1 FRONT ELEVATION  
Scale: 3/32" = 1'-0"



LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

[illegible][illegible]

☒ PRELIMINARY -  
NOT FOR CONSTRUCTION

☐ BIDDING / PERMIT

☐ REVISION / ADDENDUM

☐ FOR CONSTRUCTION

SHEET NO.

## ELEVATIONS



# PROJECT COMMENTS



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

DATE: 5/26/2022

PROJECT NUMBER: Z2022-026  
PROJECT NAME: SUP for Residential Infill  
SITE ADDRESS/LOCATIONS:

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

CASE CAPTION: Hold a public hearing to discuss and consider a request by David Scott and Christine Fischer for the approval of a Specific Use Permit (SUP) for Residential Infill Adjacent to Established Subdivision for the purpose of constructing a single-family home on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Bethany Ross	05/25/2022	Approved w/ Comments

05/25/2022: Z2022-026; Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision for Breezy Hill Lane  
Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This request is for the approval of a Specific Use Permit (SUP) for Residential Infill Adjacent to Established Subdivision for the purpose of constructing a single-family home on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane.

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](mailto:bross@rockwall.com).

M.3 For reference, include the case number (Z2022-026) in the lower right-hand corner of all pages on future submittals.

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

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

I.6 In this case, the proposed request appears to meet all of the requirements for Residential Infill Adjacent to an Established Subdivision, and the zoning requirements for a property in an Agricultural (AG) District.

M.7 Please review the attached Draft Ordinance prior to the May 31, 2022 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than June 7, 2022. In reviewing the Draft Ordinance, please pay close attention to staff's suggestions.

I.8 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 March 7, 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 June 14, 2022, Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on May 31, 2022.

I.9 The projected City Council meeting dates for this case will be June 20, 2022 (1st Reading) and July 5, 2022 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
------------	----------	----------------	-------------------



05/25/2022: General Items:

I - Must meet City Standards of Design and Construction

I - Impact Fees (Water & Roadway)

M- Siren fees due at platting

I - Retaining walls 3' and over must be engineered.

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

I - 10' Utility Easement required along all street ROW.

M- Will need to replat

Drainage Items:

I - Must include a grading plan for the building permit.

Water and Wastewater Items:

M - Must show the proposed connection for water services.

M- Must submit engineering plans for the water line extension prior to building permit.

I- Will require a septic permit from Rockwall County prior to building permit.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	05/24/2022	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	05/25/2022	Approved w/ Comments
05/25/2022: Approved automatic fire sprinkler systems shall be installed in all new homes and additions with a finished floor area of 5,000 square feet or greater and in all existing homes that have additions totaling more than 30% of the original finished floor area and exceeding a finished floor area of 5,000 square feet.			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	05/23/2022	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Chris Cleveland	05/23/2022	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	05/23/2022	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)<sup>1</sup>
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- ☐ REPLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

## SITE PLAN APPLICATION FEES:

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

## ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- ☒ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1 & 2</sup>
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

## OTHER APPLICATION FEES:

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

### NOTES:

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 000 Breezy Hill Lane Lot 2 Rockwall TX

SUBDIVISION N/A

LOT 2 BLOCK A

GENERAL LOCATION At the North end of Breezy Hill Lane - the immediate property to the South is 1027 Breezy Hill. Property ID 106345

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

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

☒ OWNER David Scott & Christine Fischer

☐ APPLICANT

CONTACT PERSON David Scott Fischer

CONTACT PERSON

ADDRESS 1608 Lake Crest Ln

ADDRESS

CITY, STATE & ZIP Plano TX 75023

CITY, STATE & ZIP

PHONE 214-683-6617

PHONE

E-MAIL scott@downsfischer.com

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

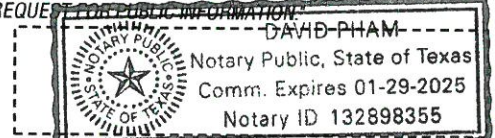
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DAVID SCOTT FISCHER [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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 \$ 350 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 5/20/22 DAY OF May, 2022 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 20 DAY OF May, 2022.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

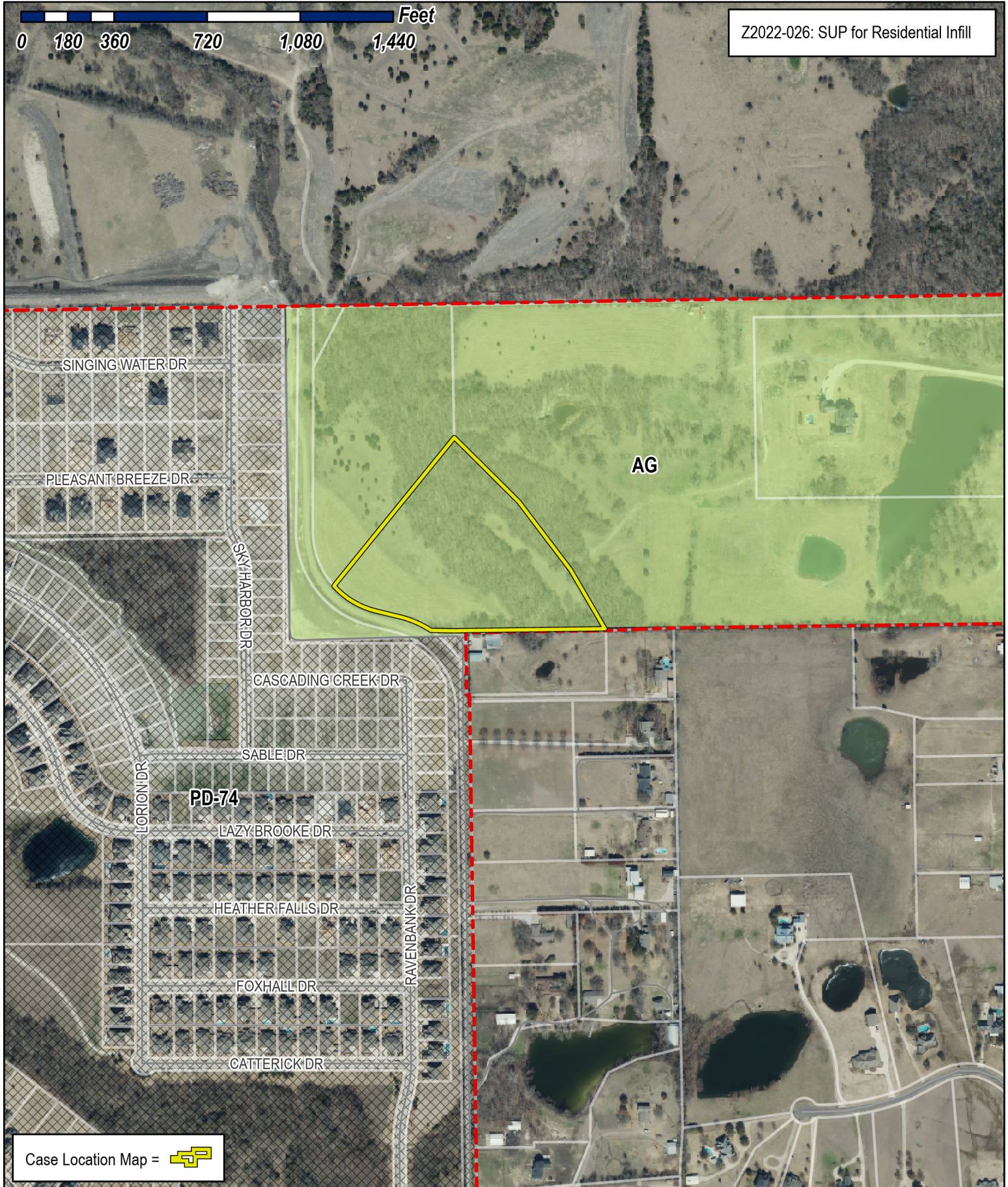


MY COMMISSION EXPIRES 1-29-2025



0 180 360 720 1,080 1,440 Feet

Z2022-026: SUP for Residential Infill



Case Location Map = 



## City of Rockwall

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

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



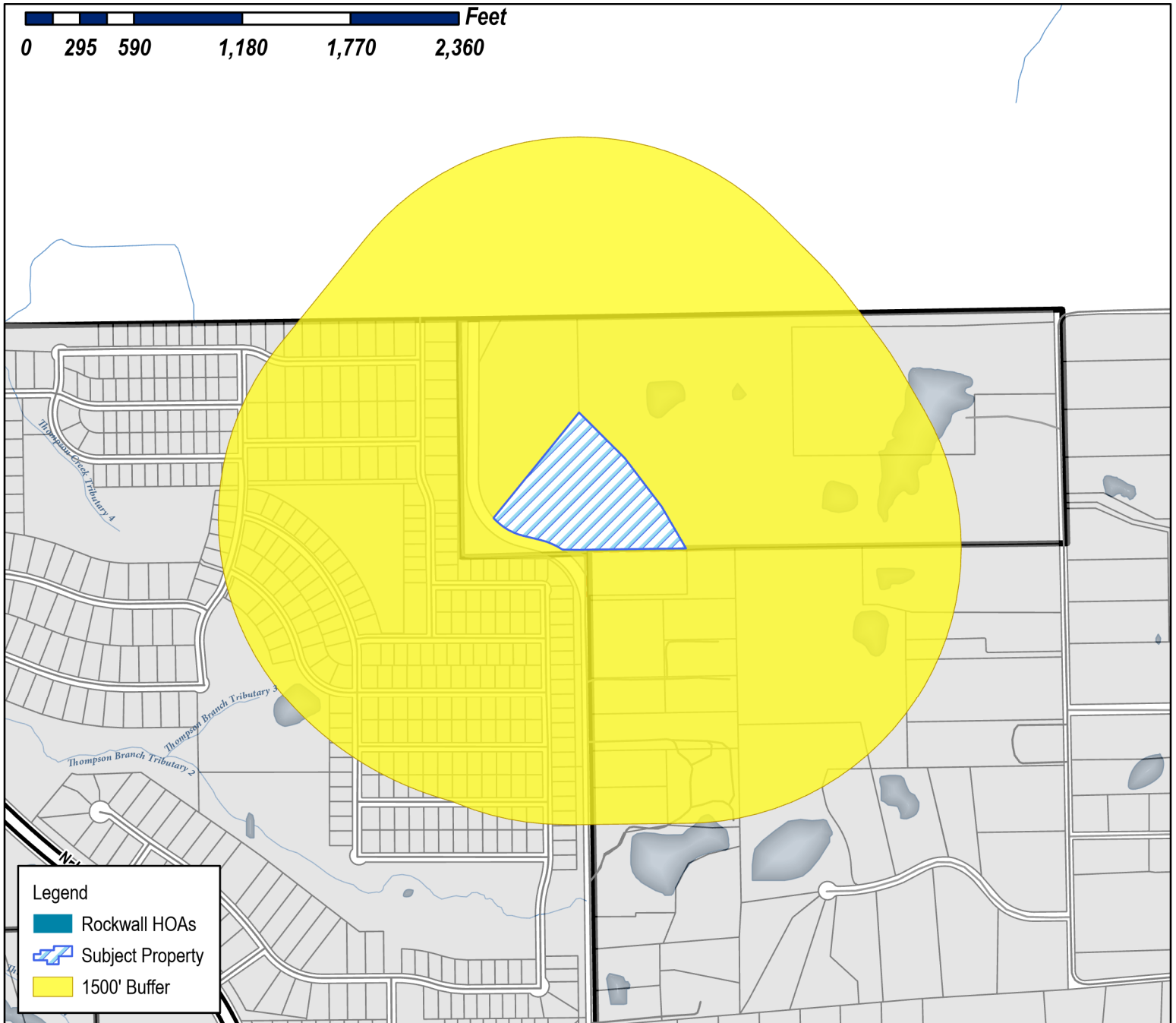




# City of Rockwall

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

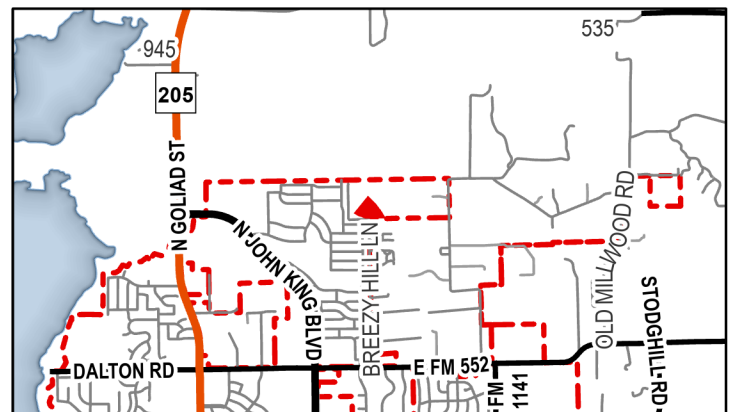
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**Case Number:** Z2022-026  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Agricultural  
**Case Address:** 000 Breezy Hill Lane Lot 2

**Date Saved:** 5/20/2022

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





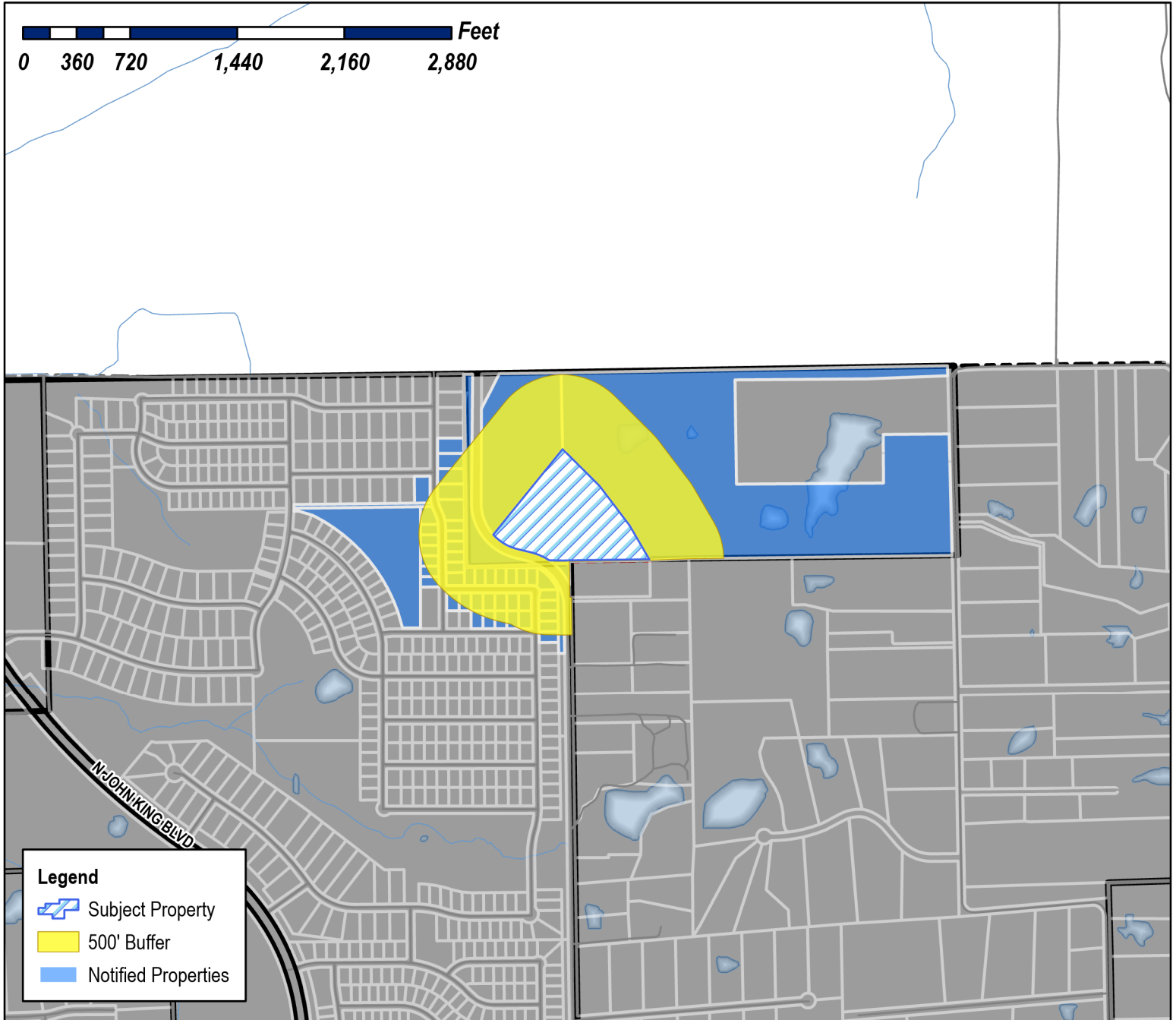
# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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0 360 720 1,440 2,160 2,880 Feet



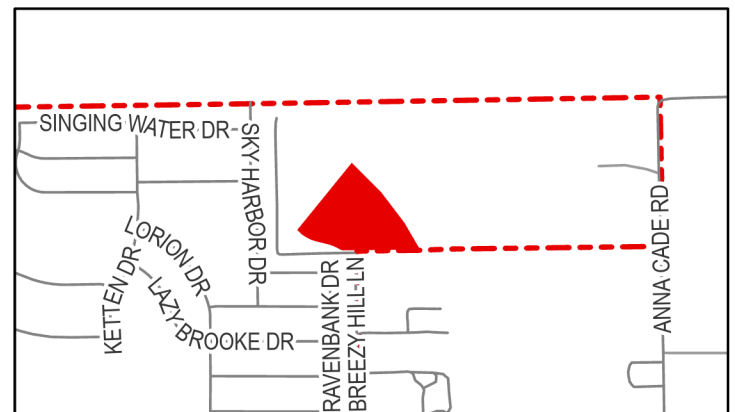
## Legend

-  Subject Property
-  500' Buffer
-  Notified Properties

**Case Number:** Z2022-026  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 000 Breezy Hill Lane Lot 2

**Date Saved:** 5/24/2022

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





BREEZY HILL ESTATES HOMEOWNERS  
ASSOCIATION INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75225

KNOWLTON COREY D  
1460 ANNA CADE ROAD  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
15455 DALLAS PARKWAY SUITE 1000  
ADDISON, TX 75225

SANCHEZ ELENA  
4546 SKY HARBOR DRIVE  
ROCKWALL, TX 75225

WALLER DAVID AND SORAYA  
4550 SKY HARBOR DRIVE  
ROCKWALL, TX 75225

WINDSOR HOMES CUMBERLAND LLC  
5310 HARVEST HILL RD SUITE 162  
DALLAS, TX 75225

WINDSOR HOMES CUMBERLAND LLC  
8214 WESTCHESTER DR STE 710  
DALLAS, TX 75225

BH PHASE XI LTD  
8214 WESTCHESTER DRIVE SUITE 900  
DALLAS, TX 75225

HEFNER SCOTT & CHERYL  
897 ANACONDA COURT  
CASTLE ROCKWA, CO 75225

# PUBLIC NOTICE



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

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

You are hereby notified that the Planning and Zoning Commission will consider the following application:

**Case No. Z2022-025: SUP for Residential Infill at 511 Bourne Street**

Hold a public hearing to discuss and consider a request by Javier Silva for the approval of a *Specific Use Permit (SUP)* for *Residential Infill Adjacent to Established Subdivision* for the purpose of constructing a single-family home on a 0.25-acre parcel of land identified as Lot E, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 511 Bourn Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, June 14, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, June 20, 2022 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Bethany Ross**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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

Your comments must be received by Monday, June 20, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2022-025: SUP for Residential Infill at 511 Bourne Street**

Please place a check mark on the appropriate line below:

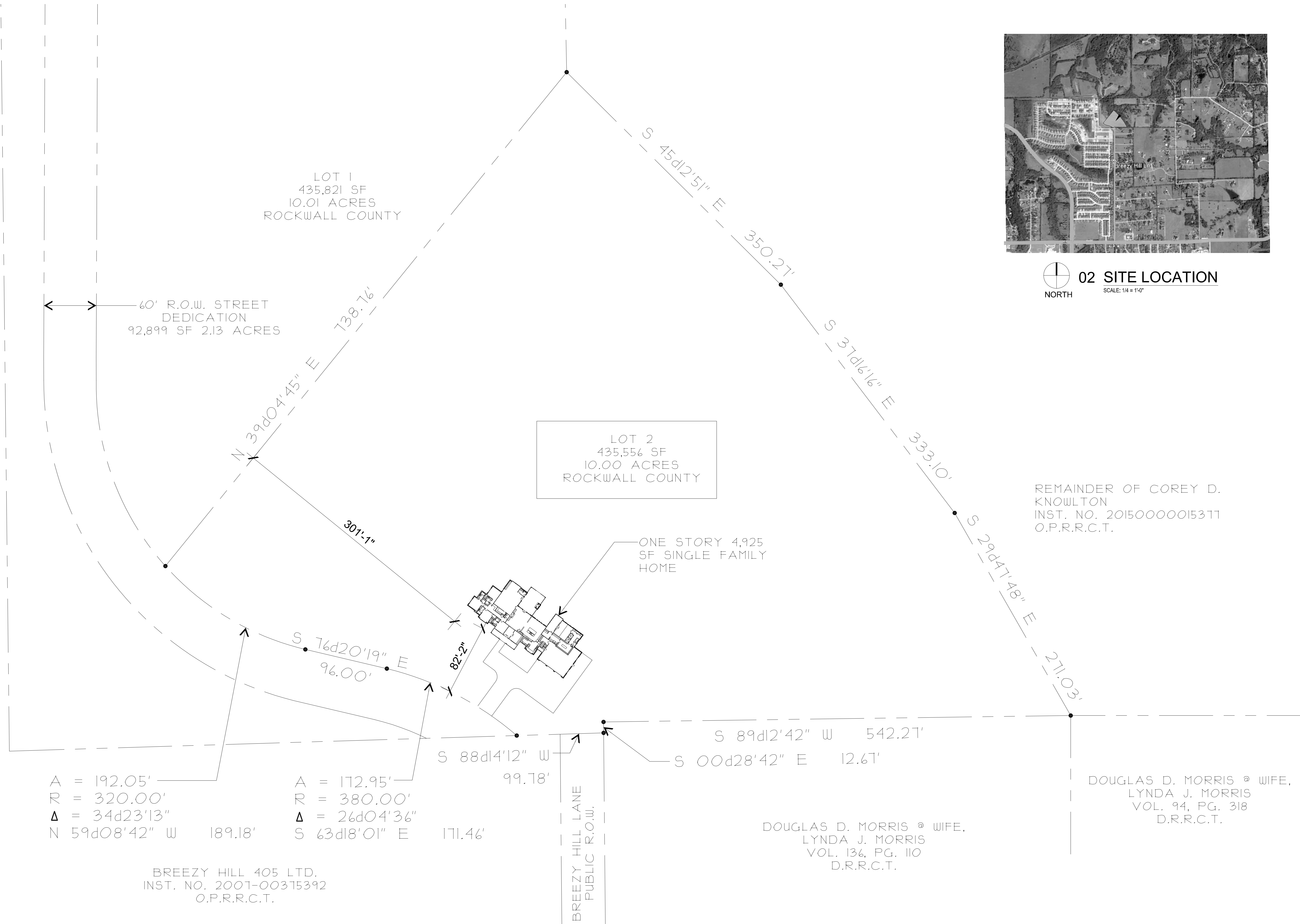
- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



02 SITE LOCATION  
SCALE: 1" = 1'-0"

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG	
DATE ISSUE	DESCRIPTION

REVISION LOG		
DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

☒ PRELIMINARY -  
NOT FOR CONSTRUCTION

☐ BIDDING / PERMIT

☐ REVISION / ADDENDUM

☐ FOR CONSTRUCTION

ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

A2.1

SITE PLAN  
EXHIBIT



RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE  
ISSUE

DESCRIPTION

REVISION LOG

DATE  
ISSUE

DESCRIPTION

REV.  
NO.

ISSUED FOR:

- ☒ PRELIMINARY -  
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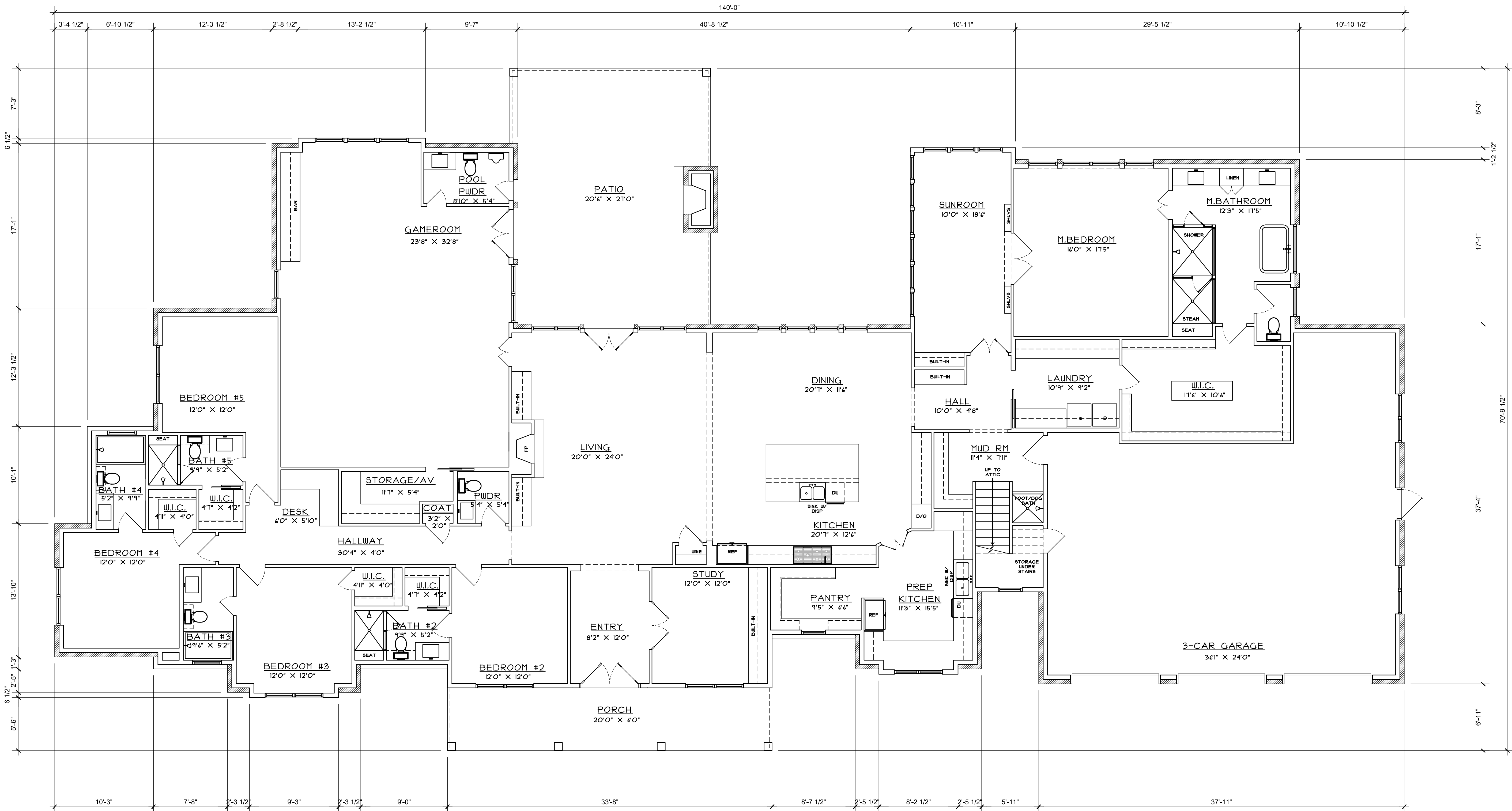
ARCH. PROJ. #:  
22307

SCALE:  
REF. DRAWING

SHEET NO.

A3.2

FLOOR PLAN  
4,925 SF



1 FISCHER FLOOR PLAN - 4,925 SF  
Scale: 3/32" = 1'-0"

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

[illegible][illegible]

☒ PRELIMINARY -  
NOT FOR CONSTRUCTION

☐ BIDDING / PERMIT

☐ REVISION / ADDENDUM

☐ FOR CONSTRUCTION

SHEET NO.

## ELEVATIONS



RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE  
ISSUE

DESCRIPTION



CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A TEN (10) ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK A, BREEZY HILL LANE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from David Scott and Christine Fischer for the approval of a Specific Use Permit (SUP) for *Residential Infill Adjacent to Established Subdivision* for the purpose of constructing a single-family home on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* to allow for the construction of a single-family home adjacent to an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 02.01, *Agricultural*

(AG) District, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

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

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

## 2.2 COMPLIANCE

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

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

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

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

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 5<sup>TH</sup> DAY OF JULY, 2022.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

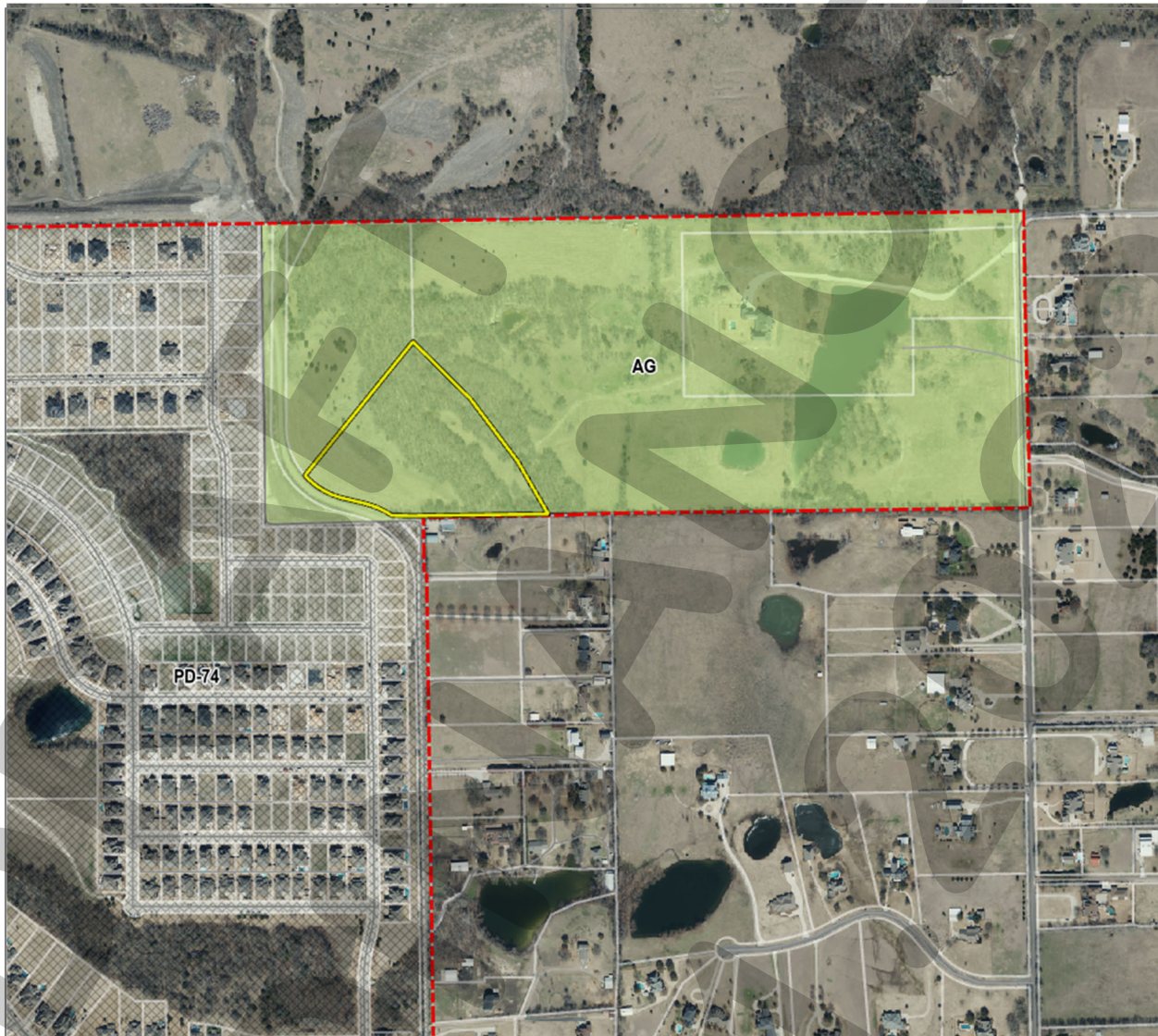
1<sup>st</sup> Reading: June 20, 2022

2<sup>nd</sup> Reading: July 5, 2022



**Exhibit 'A'**  
**Location Map and Legal Description**

Legal Description: Lot 2, Block A, Breezy Hill Addition





01 SITE PLAN EXHIBIT  
SCALE 1" = 500'  
NORTH

Exhibit 'C':  
Building Elevations

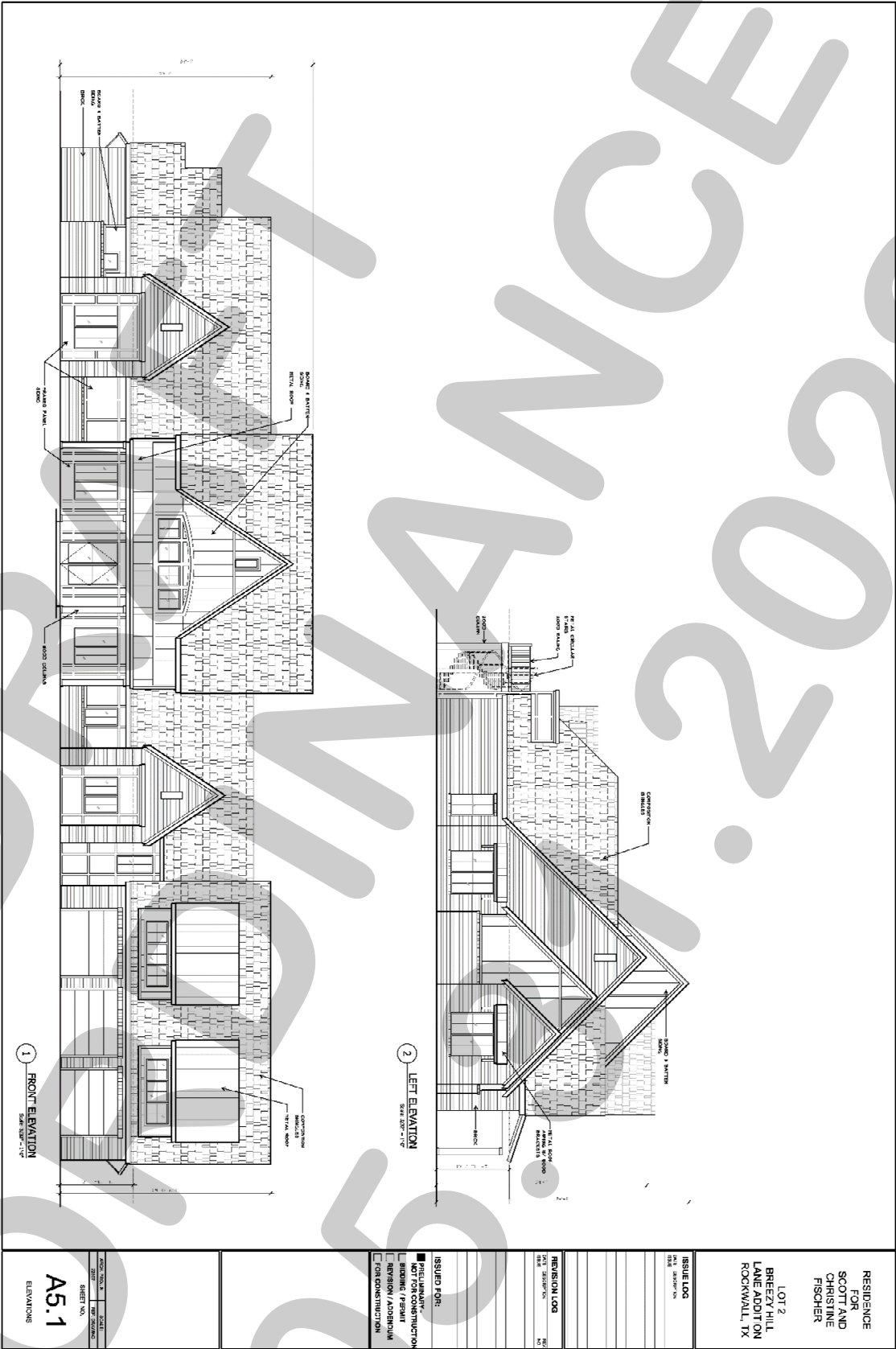
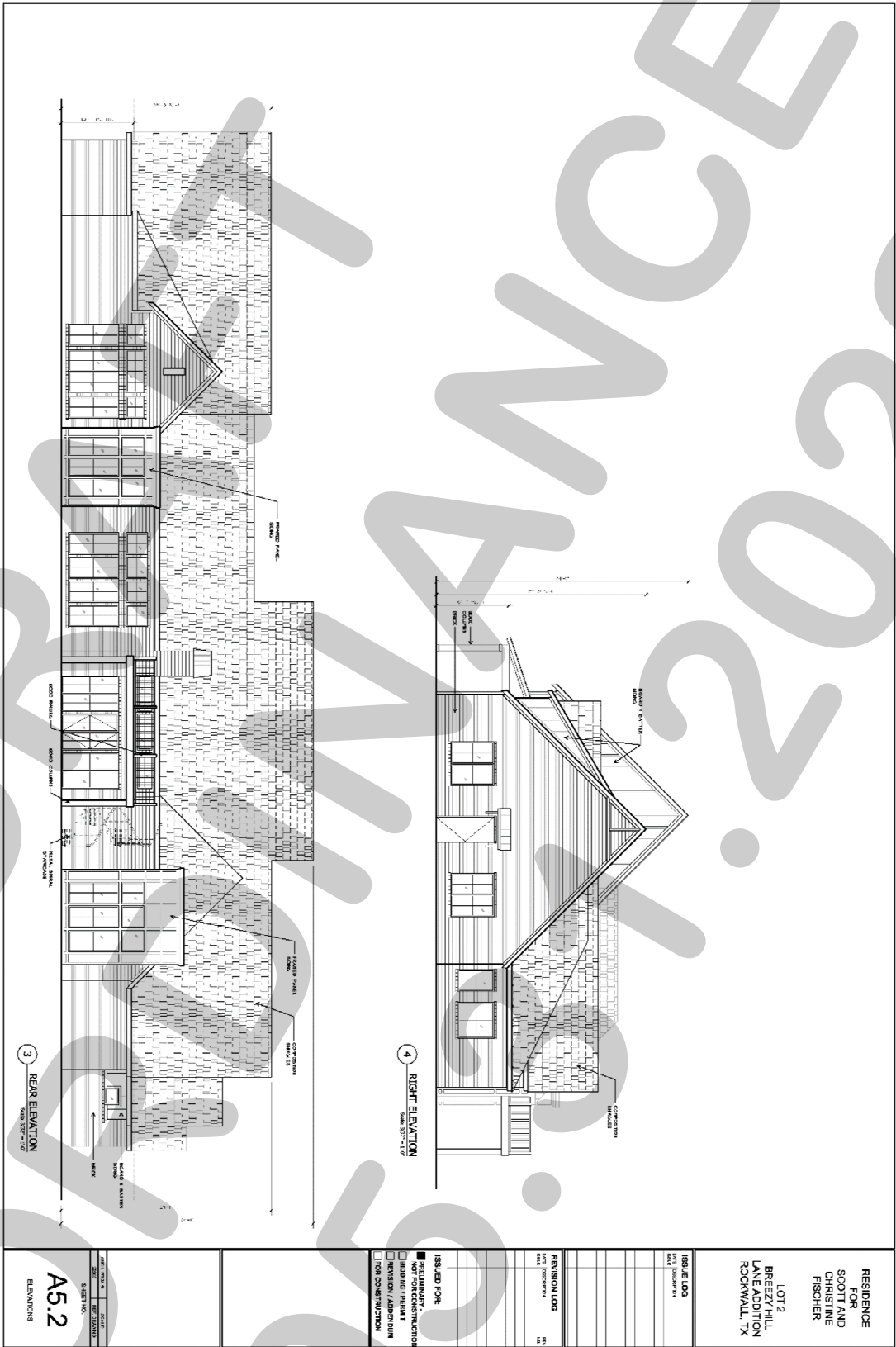




Exhibit 'C':  
Building Elevations





# 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](mailto:PLANNING@ROCKWALL.COM)

---

**TO:** Planning and Zoning Commission

**DATE:** June 14, 2022

**APPLICANT:** David Scott and Christine Fischer

**CASE NUMBER:** Z2022-026; *Specific Use Permit (SUP) for a Residential Infill Adjacent to an Established Subdivision for Breezy Hill Lane*

---

### **SUMMARY**

Hold a public hearing to discuss and consider a request by David Scott and Christine Fischer for the approval of a *Specific Use Permit (SUP) for Residential Infill Adjacent to Established Subdivision* for the purpose of constructing a single-family home on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and take any action necessary.

### **BACKGROUND**

The subject property was annexed on February 4, 2008 by *Ordinance No. 08-12 [Case No. A2004-003]*. At the time of annexation, the subject property was a portion of a larger 90.00-acre tract of land (*i.e. Tract 33 of the J. Strickland Survey, Abstract No. 187*), and was zoned Agricultural (AG) District. On May 5, 2020, the subject property was established as Lot 2, Block A, Breezy Hill Lane Addition by *Case No. P2020-007*. The subject property has remained vacant since its annexation.

### **PURPOSE**

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

### **ADJACENT LAND USES AND ACCESS**

The subject property is generally located at the terminus of Breezy Hill Lane. The land uses adjacent to the subject property are as follows:

- North:** Directly north of the subject property is a 10.010-acre parcel of land (*i.e. Lot 1, Block A, Breezy Hill Lane Addition*) zoned Agriculture (AG) District. Beyond this are the corporate limits of the City of Rockwall and the corporate limits of Rockwall County.
- South:** Directly south of the subject property are the corporate limits of the City of Rockwall followed by several residential properties situated within Rockwall County and the City of Rockwall's Extraterritorial Jurisdiction (ETJ).
- East:** Directly east of the subject property is a 50.29-acre tract of land (*i.e. Tract 33-02, of the J Strickland Survey, Abstract No. 187*) zoned Agricultural (AG) District. Beyond this is Anna Cade Road, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the corporate limits of the City of Rockwall followed by several properties with single-family homes situated on them.
- West:** Directly west of the subject property is Breezy Hill Lane, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Phase 11 of the Breezy Hill Subdivision, which was established in 2019 and contains 78 residential lots.

## **CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES**

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B) (11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” In this case, the subject property is located adjacent to the Breezy Hill Addition Subdivision, which was established in 2008, consists of more than five (5) lots and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being within an established subdivision and being zoned Agricultural (AG) District, requires a Specific Use Permit (SUP). In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, “...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [i.e. *Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ...”

The proposed single-family home meets all of the density and dimensional requirements for a property situated within an Agricultural (AG) District as stipulated by the Unified Development Code (UDC), with the exception of the orientation of the garage. Article 06, *Parking and Loading*, Section 04.01.B *Garages* states that “(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages, unless it is a *J-swing* garage where garage door is perpendicular to the street.” In this case, the applicant is proposing a flat front entry garage. Staff should point out that this property is situated on a rural lot at the terminus of Breezy Hill Lane; however, this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. In making a recommendation, the Planning and Zoning Commission is tasked with determining if the proposed house will have a negative impact on the existing adjacent subdivision (i.e. *Breezy Hill*).

## **NOTIFICATIONS**

On May 26, 2022, staff mailed nine (9) notices to property owners and occupants within 500-feet of the subject property. 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 has received no notices in favor or in opposition of the applicant's request.

## **CONDITIONS OF APPROVAL**

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

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the *Specific Use Permit (SUP)* ordinance and which are detailed as follows:
  - (a) Development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of the draft ordinance.
  - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of the draft ordinance; and,
  - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this *Specific Use Permit (SUP)* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

## PLATTING APPLICATION FEES:

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

## SITE PLAN APPLICATION FEES:

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

## ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- ☒ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1 & 2</sup>
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

## OTHER APPLICATION FEES:

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

### NOTES:

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 000 Breezy Hill Lane Lot 2 Rockwall TX

SUBDIVISION N/A

LOT 2 BLOCK A

GENERAL LOCATION At the North end of Breezy Hill Lane - the immediate property to the South is 1027 Breezy Hill. Property ID 106345

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

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

☒ OWNER David Scott & Christine Fischer

☐ APPLICANT

CONTACT PERSON David Scott Fischer

CONTACT PERSON

ADDRESS 1608 Lake Crest Ln

ADDRESS

CITY, STATE & ZIP Plano TX 75023

CITY, STATE & ZIP

PHONE 214-683-6617

PHONE

E-MAIL scott@downsfischer.com

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

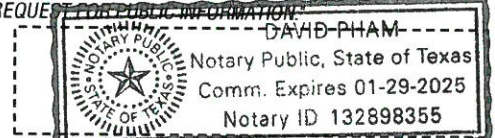
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DAVID SCOTT FISCHER [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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 \$ 350 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 5/20/22 DAY OF MAY, 2022 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 20 DAY OF May, 2022.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

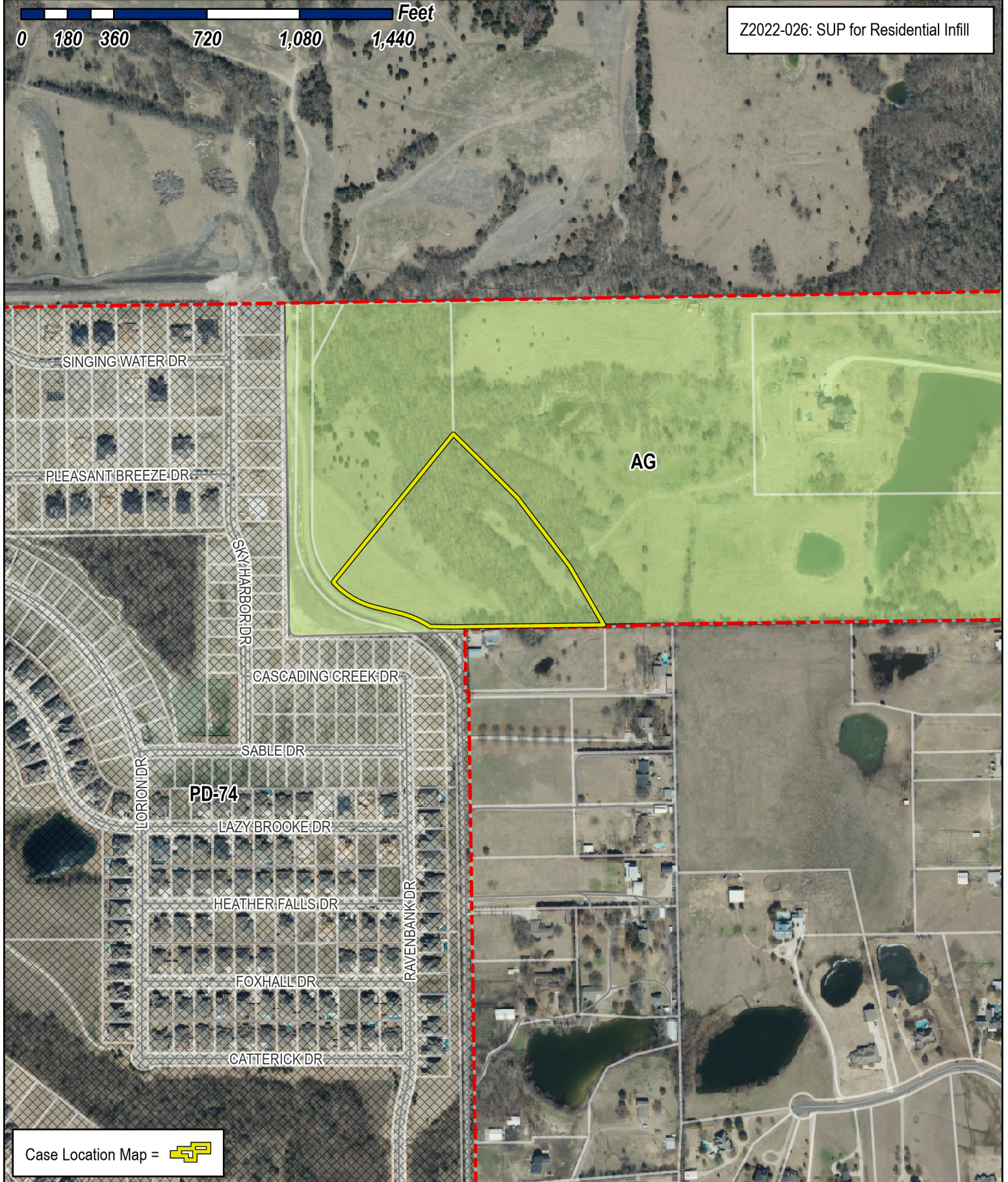


MY COMMISSION EXPIRES 1-29-2025



0 180 360 720 1,080 1,440 Feet

Z2022-026: SUP for Residential Infill



Case Location Map =



## City of Rockwall

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

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



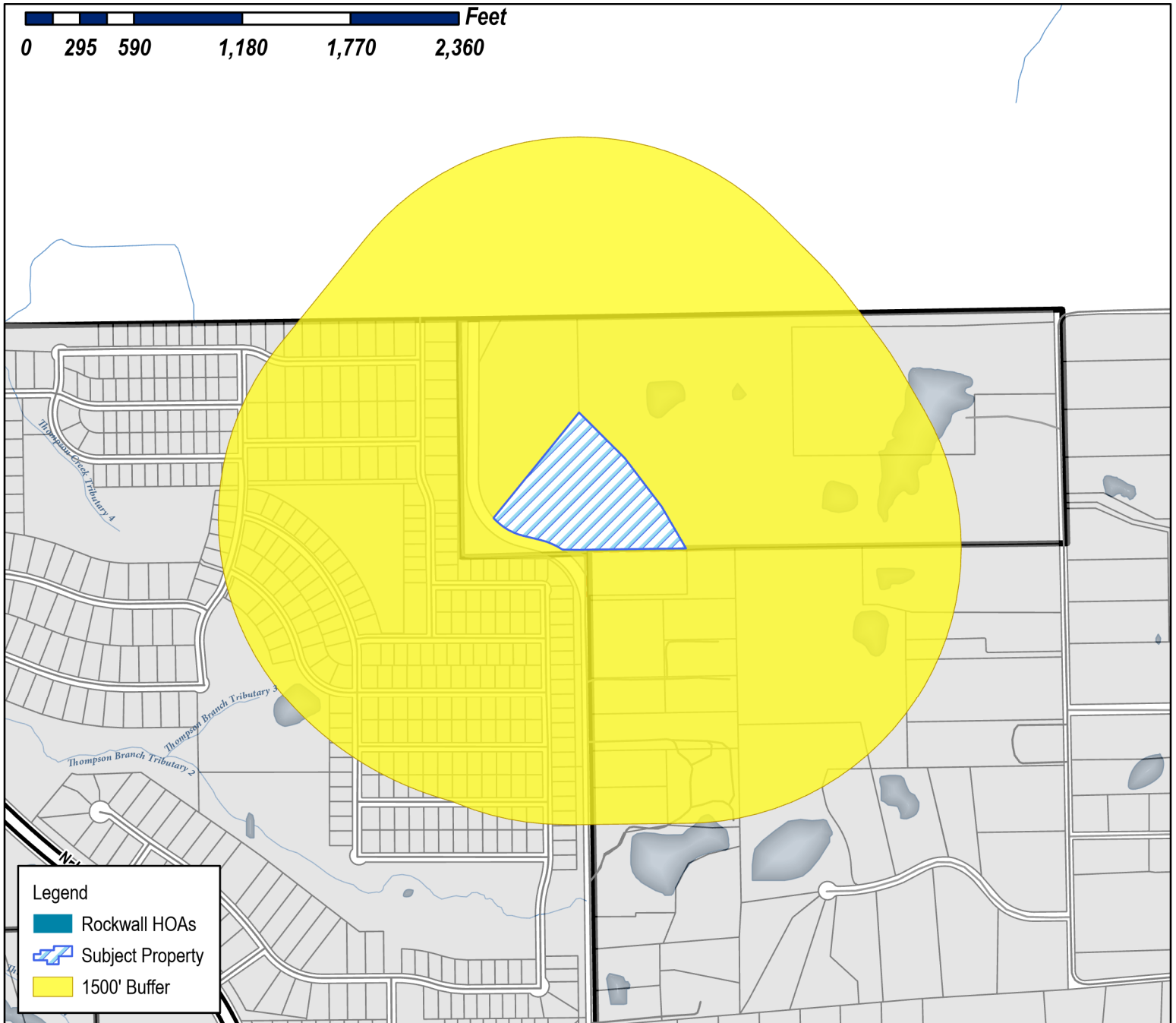




# City of Rockwall

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

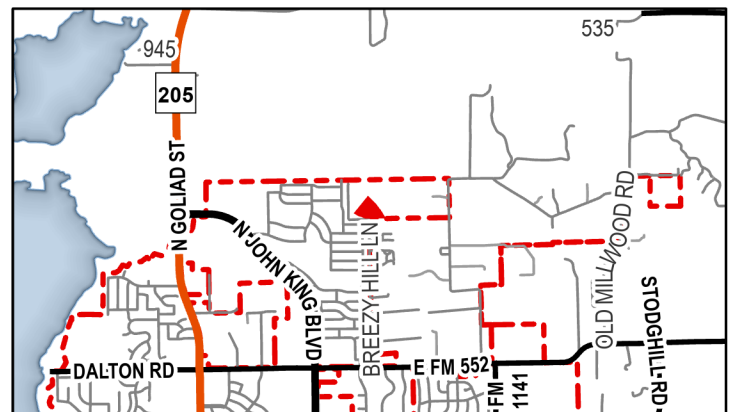
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**Case Number:** Z2022-026  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Agricultural  
**Case Address:** 000 Breezy Hill Lane Lot 2

**Date Saved:** 5/20/2022

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







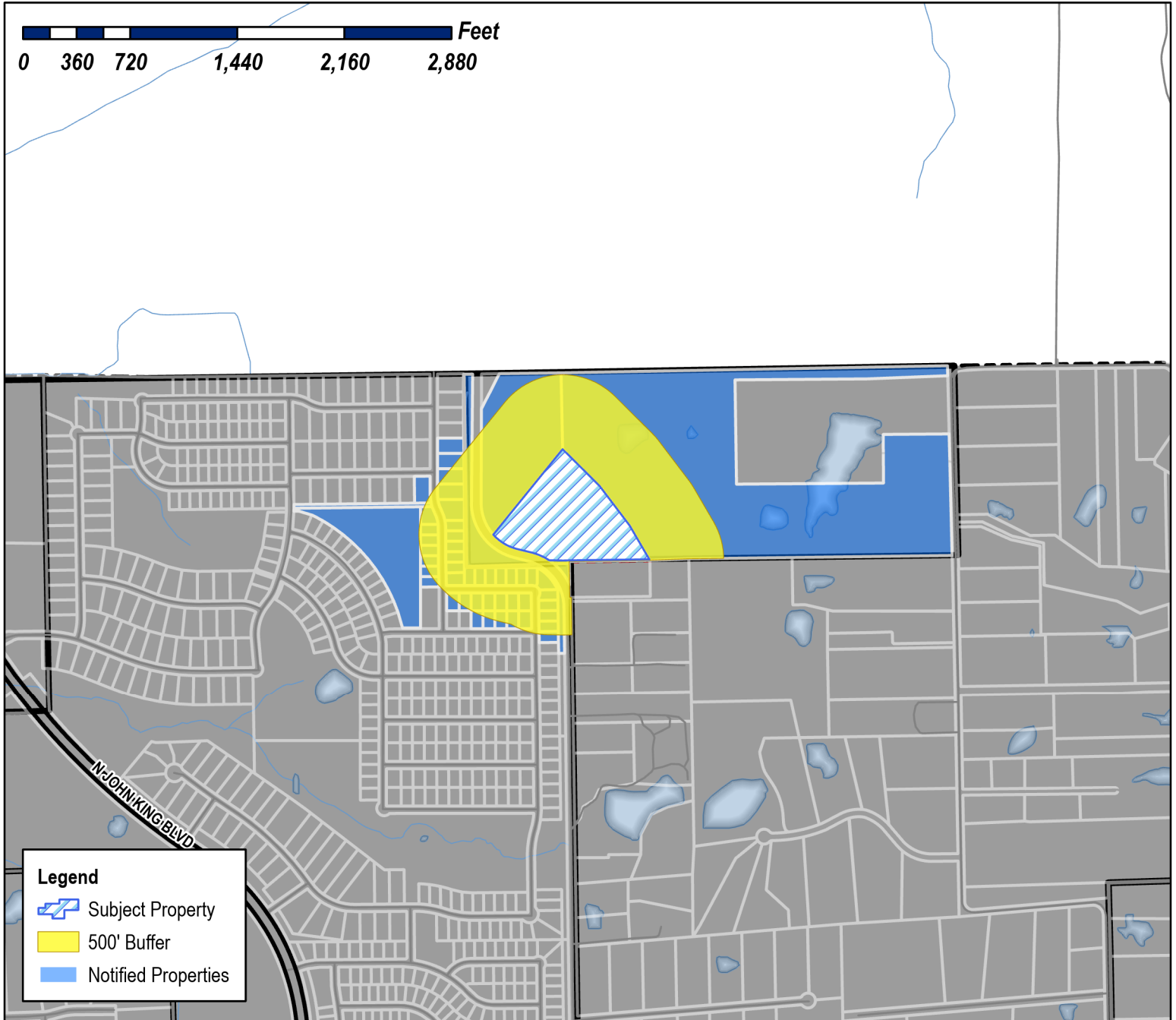
# City of Rockwall

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

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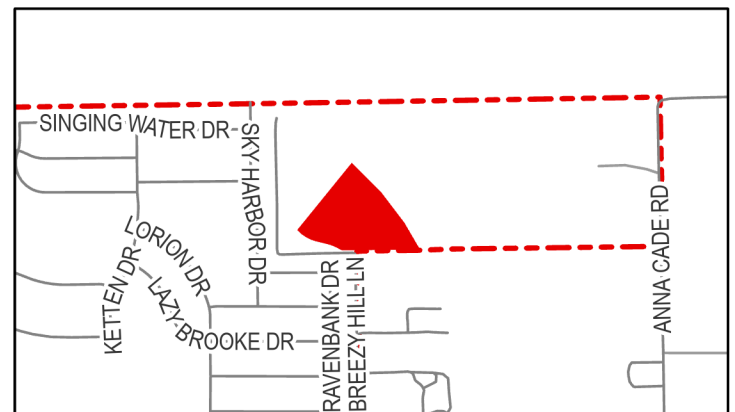
0 360 720 1,440 2,160 2,880 Feet



**Case Number:** Z2022-026  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 000 Breezy Hill Lane Lot 2

**Date Saved:** 5/24/2022

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



BREEZY HILL ESTATES HOMEOWNERS  
ASSOCIATION INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75225

KNOWLTON COREY D  
1460 ANNA CADE ROAD  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
15455 DALLAS PARKWAY SUITE 1000  
ADDISON, TX 75225

SANCHEZ ELENA  
4546 SKY HARBOR DRIVE  
ROCKWALL, TX 75225

WALLER DAVID AND SORAYA  
4550 SKY HARBOR DRIVE  
ROCKWALL, TX 75225

WINDSOR HOMES CUMBERLAND LLC  
5310 HARVEST HILL RD SUITE 162  
DALLAS, TX 75225

WINDSOR HOMES CUMBERLAND LLC  
8214 WESTCHESTER DR STE 710  
DALLAS, TX 75225

BH PHASE XI LTD  
8214 WESTCHESTER DRIVE SUITE 900  
DALLAS, TX 75225

HEFNER SCOTT & CHERYL  
897 ANACONDA COURT  
CASTLE ROCKWA, CO 75225

# PUBLIC NOTICE



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

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

You are hereby notified that the Planning and Zoning Commission will consider the following application:

**Case No. Z2022-025: SUP for Residential Infill at 511 Bourne Street**

Hold a public hearing to discuss and consider a request by Javier Silva for the approval of a *Specific Use Permit (SUP)* for *Residential Infill Adjacent to Established Subdivision* for the purpose of constructing a single-family home on a 0.25-acre parcel of land identified as Lot E, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 511 Bourn Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, June 14, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, June 20, 2022 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Bethany Ross**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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

Your comments must be received by Monday, June 20, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2022-025: SUP for Residential Infill at 511 Bourne Street**

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

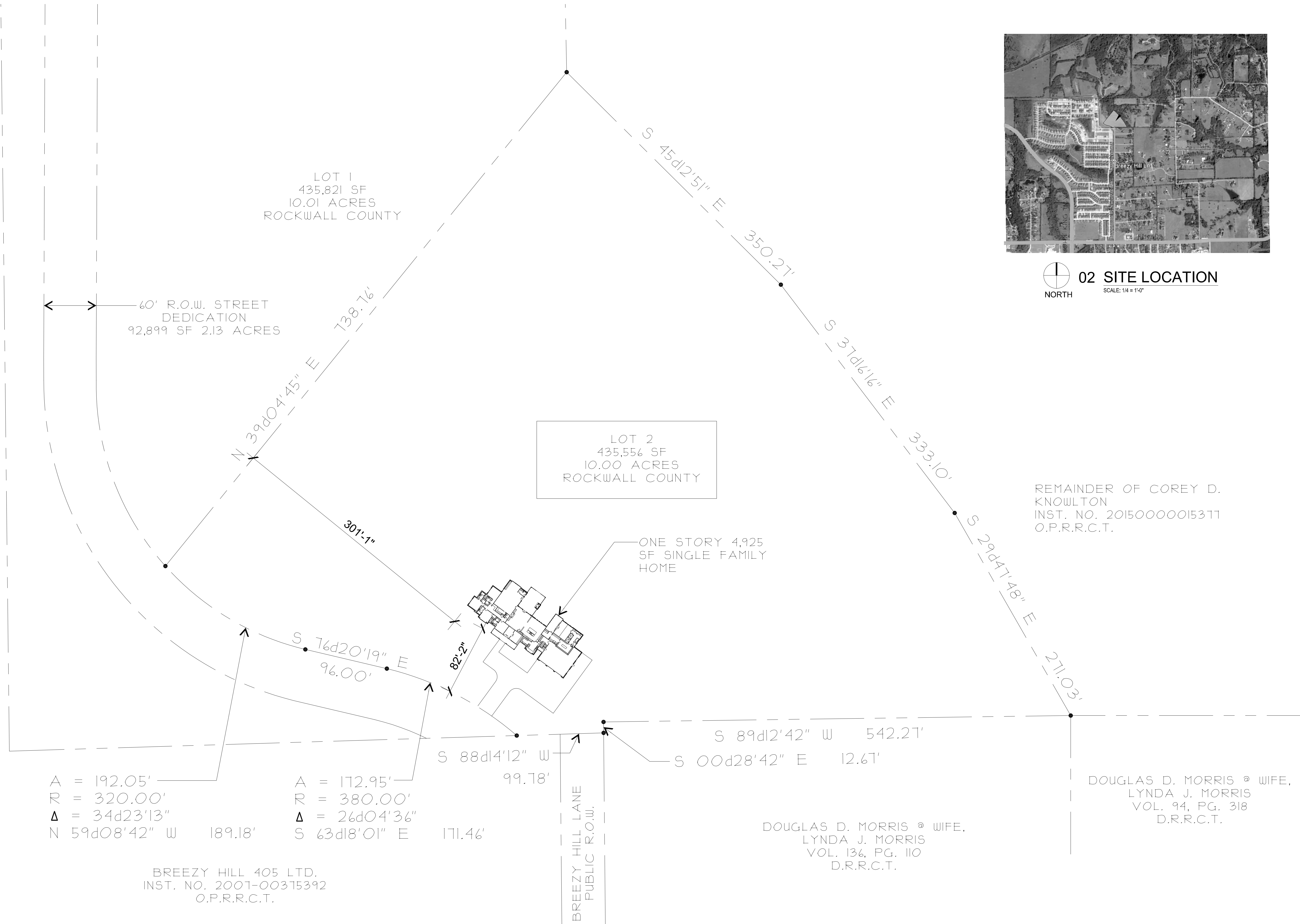
Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE





02 SITE LOCATION  
SCALE: 1" = 1'-0"

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG	
DATE ISSUE	DESCRIPTION

REVISION LOG		
DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

☒ PRELIMINARY -  
NOT FOR CONSTRUCTION

☐ BIDDING / PERMIT

☐ REVISION / ADDENDUM

☐ FOR CONSTRUCTION

ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

A2.1

SITE PLAN  
EXHIBIT

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE  
ISSUE

DESCRIPTION

REVISION LOG

DATE  
ISSUE

DESCRIPTION

REV.  
NO.

ISSUED FOR:

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

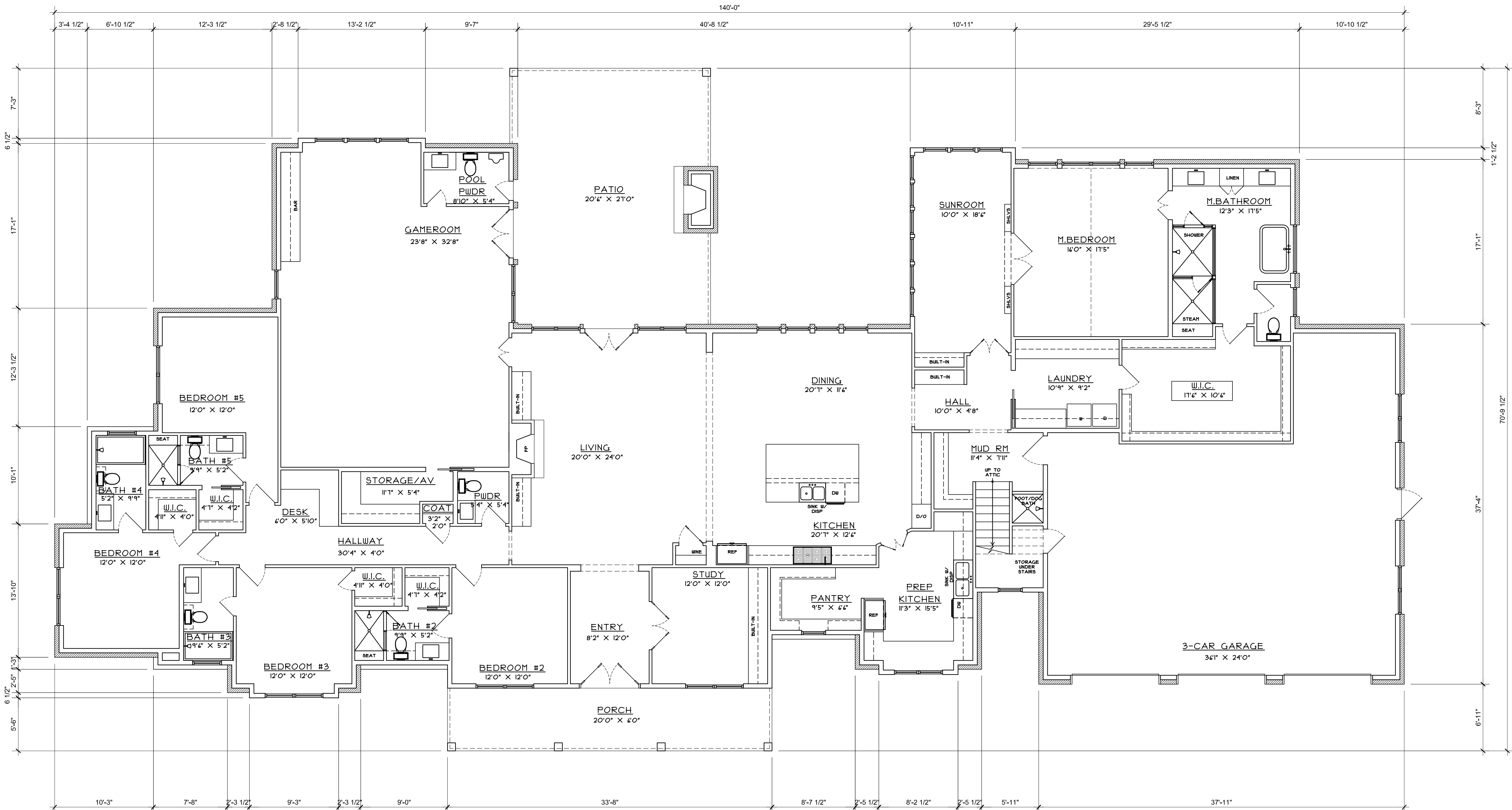
ARCH. PROJ. #:  
22307

SCALE:  
REF. DRAWING

SHEET NO.

A3.2

FLOOR PLAN  
4,925 SF



1 FISCHER FLOOR PLAN - 4,925 SF

Scale: 3/32" = 1'-0"

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE ISSUE	DESCRIPTION

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

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

ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

A5.1

ELEVATIONS



2 LEFT ELEVATION  
Scale: 3/32" = 1'-0"



1 FRONT ELEVATION  
Scale: 3/32" = 1'-0"



RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE  
ISSUE

DESCRIPTION

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A TEN (10) ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK A, BREEZY HILL LANE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from David Scott and Christine Fischer for the approval of a Specific Use Permit (SUP) for *Residential Infill Adjacent to Established Subdivision* for the purpose of constructing a single-family home on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* to allow for the construction of a single-family home adjacent to an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 02.01, *Agricultural*

(AG) District, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

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

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

## 2.2 COMPLIANCE

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

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

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

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

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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



PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 5<sup>TH</sup> DAY OF JULY, 2022.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

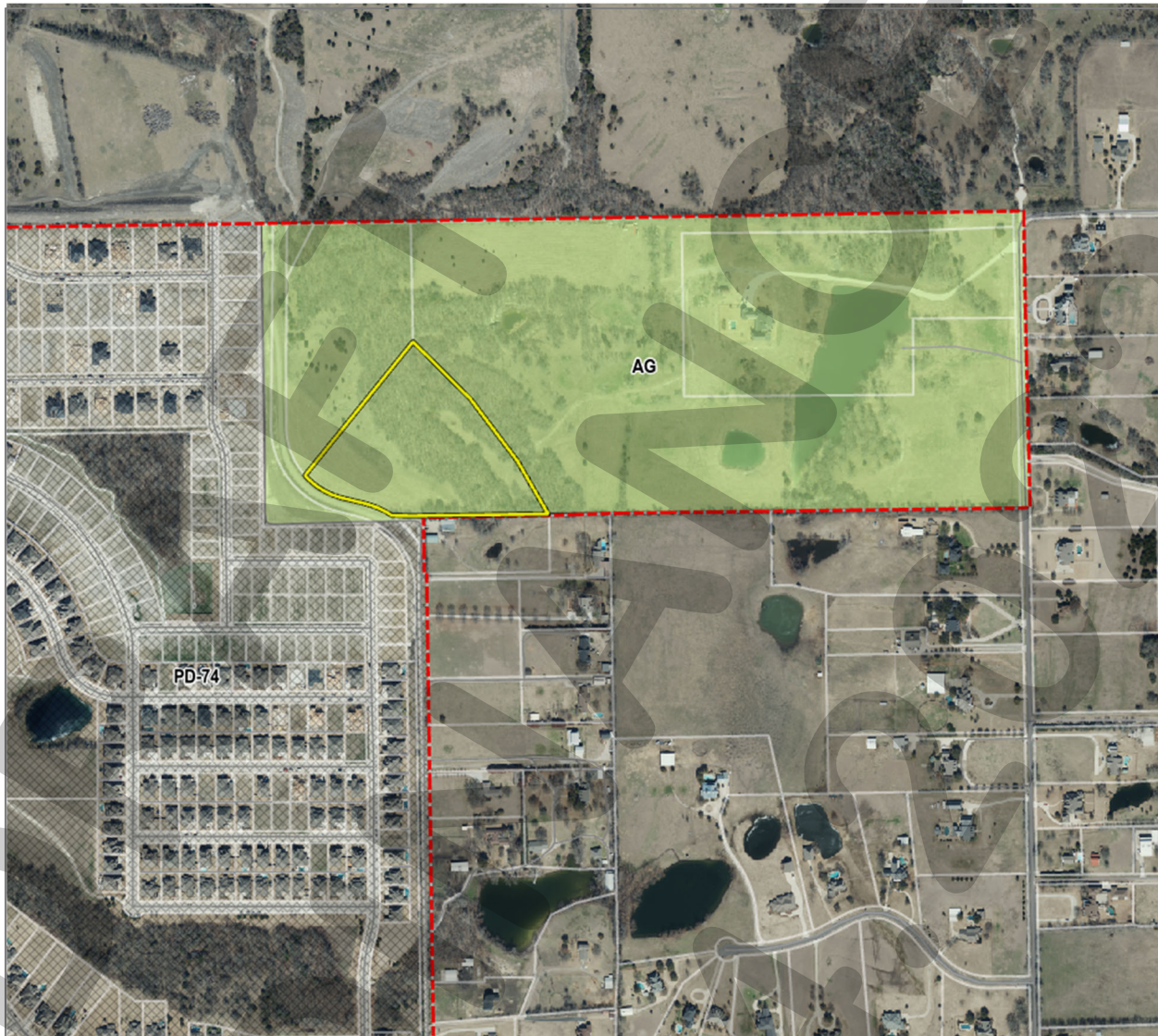
\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: June 20, 2022

2<sup>nd</sup> Reading: July 5, 2022

**Exhibit 'A'**  
**Location Map and Legal Description**

Legal Description: Lot 2, Block A, Breezy Hill Addition



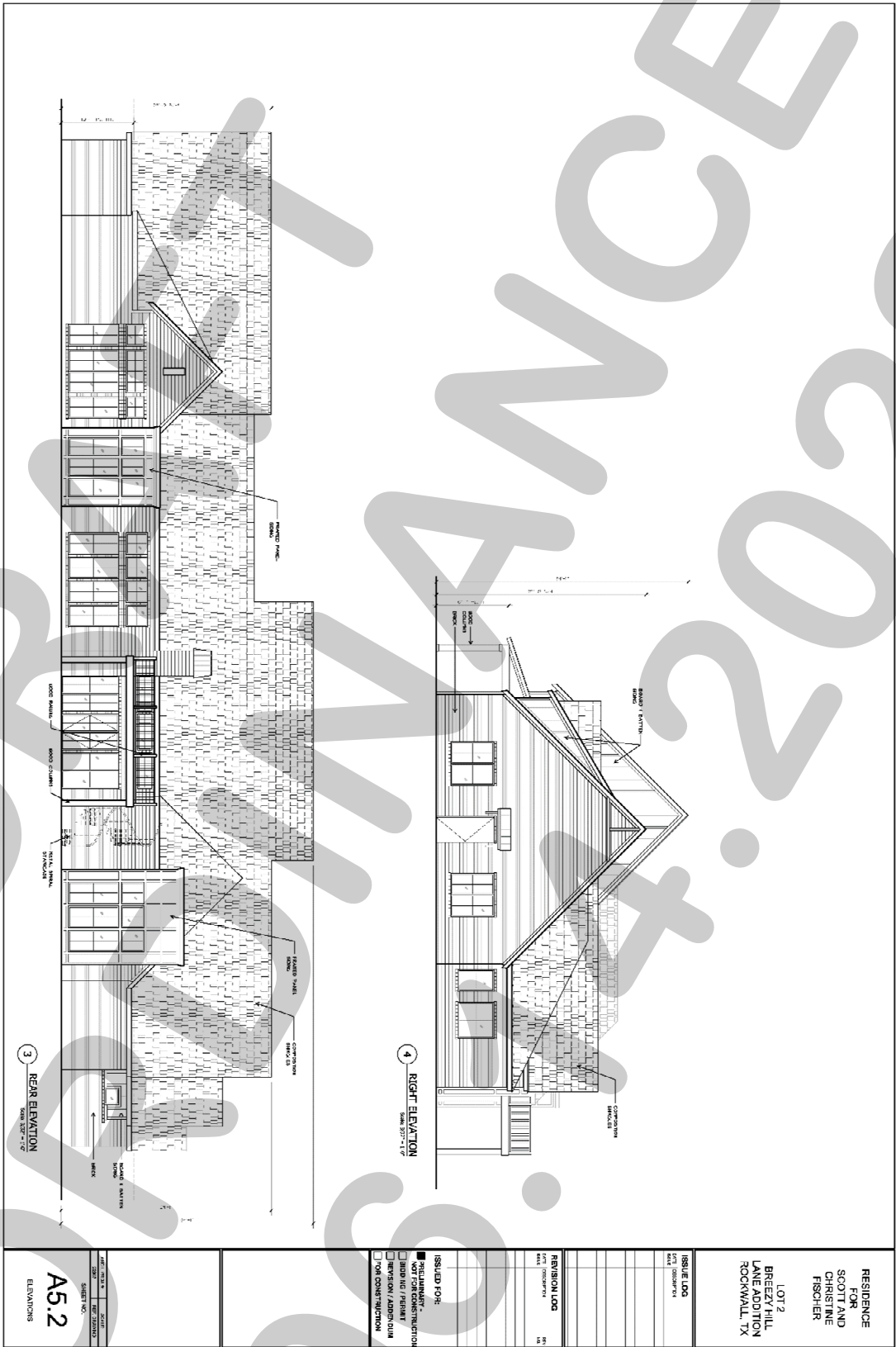
[illegible]

01 SITE PLAN EXHIBIT  
SCALE 1" = 500'  
NORTH



[illegible]

Exhibit 'C':  
Building Elevations





# 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:** June 20, 2022

**APPLICANT:** David Scott and Christine Fischer

**CASE NUMBER:** Z2022-026; *Specific Use Permit (SUP) for a Residential Infill Adjacent to an Established Subdivision for Breezy Hill Lane*

---

### **SUMMARY**

Hold a public hearing to discuss and consider a request by David Scott and Christine Fischer for the approval of a *Specific Use Permit (SUP) for Residential Infill Adjacent to Established Subdivision* for the purpose of constructing a single-family home on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and take any action necessary.

### **BACKGROUND**

The subject property was annexed on February 4, 2008 by *Ordinance No. 08-12 [Case No. A2004-003]*. At the time of annexation, the subject property was a portion of a larger 90.00-acre tract of land (*i.e. Tract 33 of the J. Strickland Survey, Abstract No. 187*), and was zoned Agricultural (AG) District. On May 5, 2020, the subject property was established as Lot 2, Block A, Breezy Hill Lane Addition by *Case No. P2020-007*. The subject property has remained vacant since its annexation.

### **PURPOSE**

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

### **ADJACENT LAND USES AND ACCESS**

The subject property is generally located at the terminus of Breezy Hill Lane. The land uses adjacent to the subject property are as follows:

- North:** Directly north of the subject property is a 10.010-acre parcel of land (*i.e. Lot 1, Block A, Breezy Hill Lane Addition*) zoned Agriculture (AG) District. Beyond this are the corporate limits of the City of Rockwall and the corporate limits of Rockwall County.
- South:** Directly south of the subject property are the corporate limits of the City of Rockwall followed by several residential properties situated within Rockwall County and the City of Rockwall's Extraterritorial Jurisdiction (ETJ).
- East:** Directly east of the subject property is a 50.29-acre tract of land (*i.e. Tract 33-02, of the J Strickland Survey, Abstract No. 187*) zoned Agricultural (AG) District. Beyond this is Anna Cade Road, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the corporate limits of the City of Rockwall followed by several properties with single-family homes situated on them.
- West:** Directly west of the subject property is Breezy Hill Lane, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Phase 11 of the Breezy Hill Subdivision, which was established in 2019 and contains 78 residential lots.



## **CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES**

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B) (11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” In this case, the subject property is located adjacent to the Breezy Hill Addition Subdivision, which was established in 2008, consists of more than five (5) lots and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being within an established subdivision and being zoned Agricultural (AG) District, requires a Specific Use Permit (SUP). In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, “...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [i.e. *Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ...”

The proposed single-family home meets all of the density and dimensional requirements for a property situated within an Agricultural (AG) District as stipulated by the Unified Development Code (UDC), with the exception of the orientation of the garage. Article 06, *Parking and Loading*, Section 04.01.B *Garages* states that “(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages, unless it is a *J-swing* garage where garage door is perpendicular to the street.” In this case, the applicant is proposing a flat front entry garage. Staff should point out that this property is situated on a rural lot at the terminus of Breezy Hill Lane; however, this request is a discretionary decision for the City Council. In making a motion, City Council is tasked with determining if the proposed house will have a negative impact on the existing adjacent subdivision (i.e. *Breezy Hill*).

## **NOTIFICATIONS**

On May 26, 2022, staff mailed 48 notices to property owners and occupants within 500-feet of the subject property. 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 has received no notices in favor or in opposition of the applicant's request.

## **CONDITIONS OF APPROVAL**

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

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the *Specific Use Permit (SUP)* ordinance and which are detailed as follows:
  - (a) Development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of the draft ordinance.
  - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of the draft ordinance; and,
  - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this *Specific Use Permit (SUP)* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

## **PLANNING AND ZONING COMMISSION**

On June 14, 2022, the Planning and Zoning Commission approved a motion to approve a recommendation to approve the Specific Use Permit (SUP) with a vote of 4-0, with Commissioners Thompson, Conway, and 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)<sup>1</sup>
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- ☐ REPLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

## SITE PLAN APPLICATION FEES:

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

## ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- ☒ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1 & 2</sup>
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

## OTHER APPLICATION FEES:

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

### NOTES:

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

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 000 Breezy Hill Lane Lot 2 Rockwall TX

SUBDIVISION N/A

LOT 2 BLOCK A

GENERAL LOCATION At the North end of Breezy Hill Lane - the immediate property to the South is 1027 Breezy Hill. Property ID 106345

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

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

☒ OWNER David Scott & Christine Fischer

☐ APPLICANT

CONTACT PERSON David Scott Fischer

CONTACT PERSON

ADDRESS 1608 Lake Crest Ln

ADDRESS

CITY, STATE & ZIP Plano TX 75023

CITY, STATE & ZIP

PHONE 214-683-6617

PHONE

E-MAIL scott@downsfischer.com

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

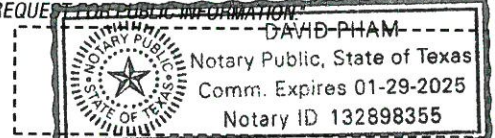
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DAVID SCOTT FISCHER [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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 \$ 350 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 5/20/22 DAY OF May, 2022 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 20 DAY OF May, 2022.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

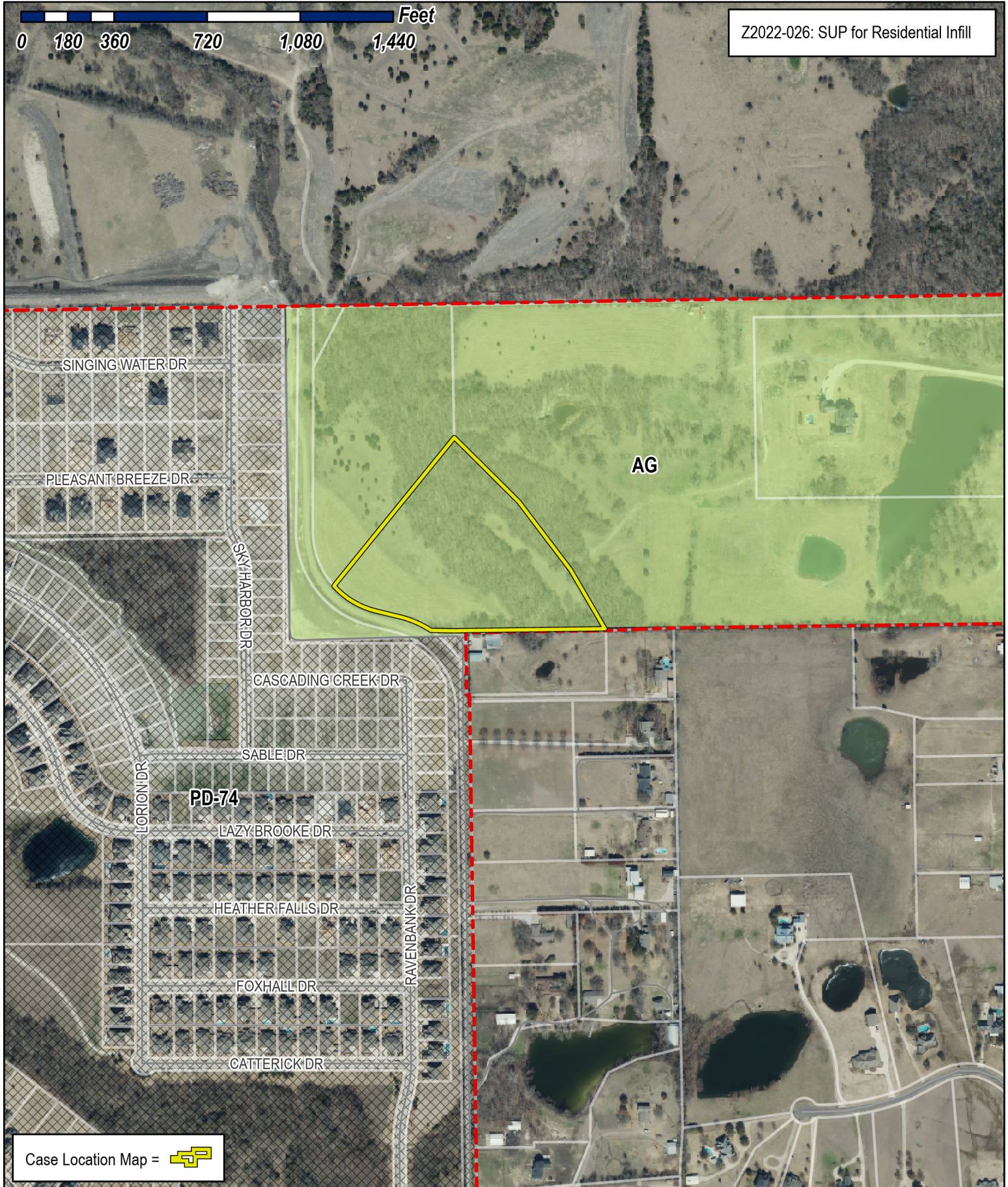


MY COMMISSION EXPIRES 1-29-2025



0 180 360 720 1,080 1,440 Feet

Z2022-026: SUP for Residential Infill



## City of Rockwall

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

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



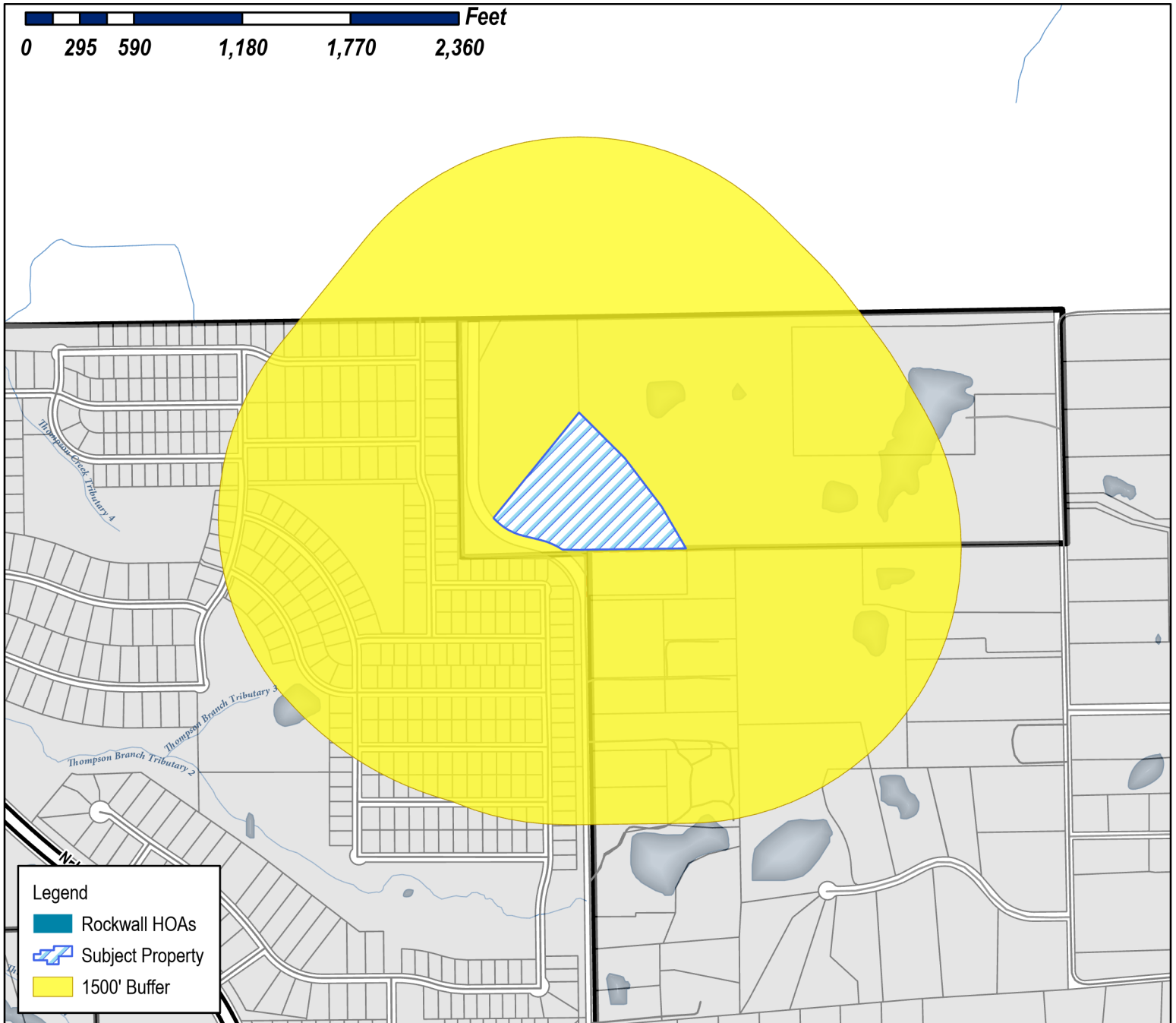




# City of Rockwall

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

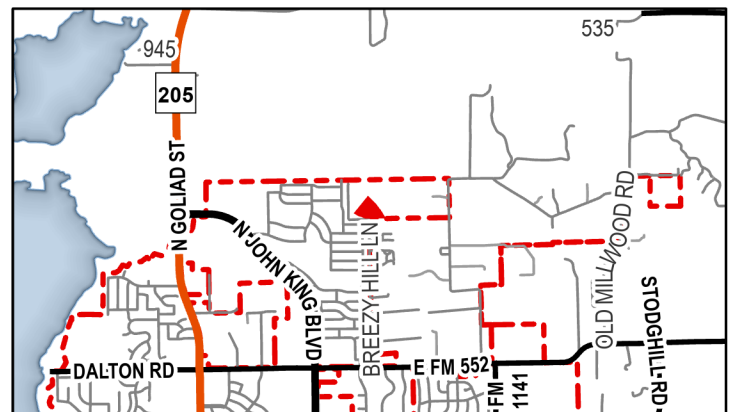
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**Case Number:** Z2022-026  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Agricultural  
**Case Address:** 000 Breezy Hill Lane Lot 2

**Date Saved:** 5/20/2022

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





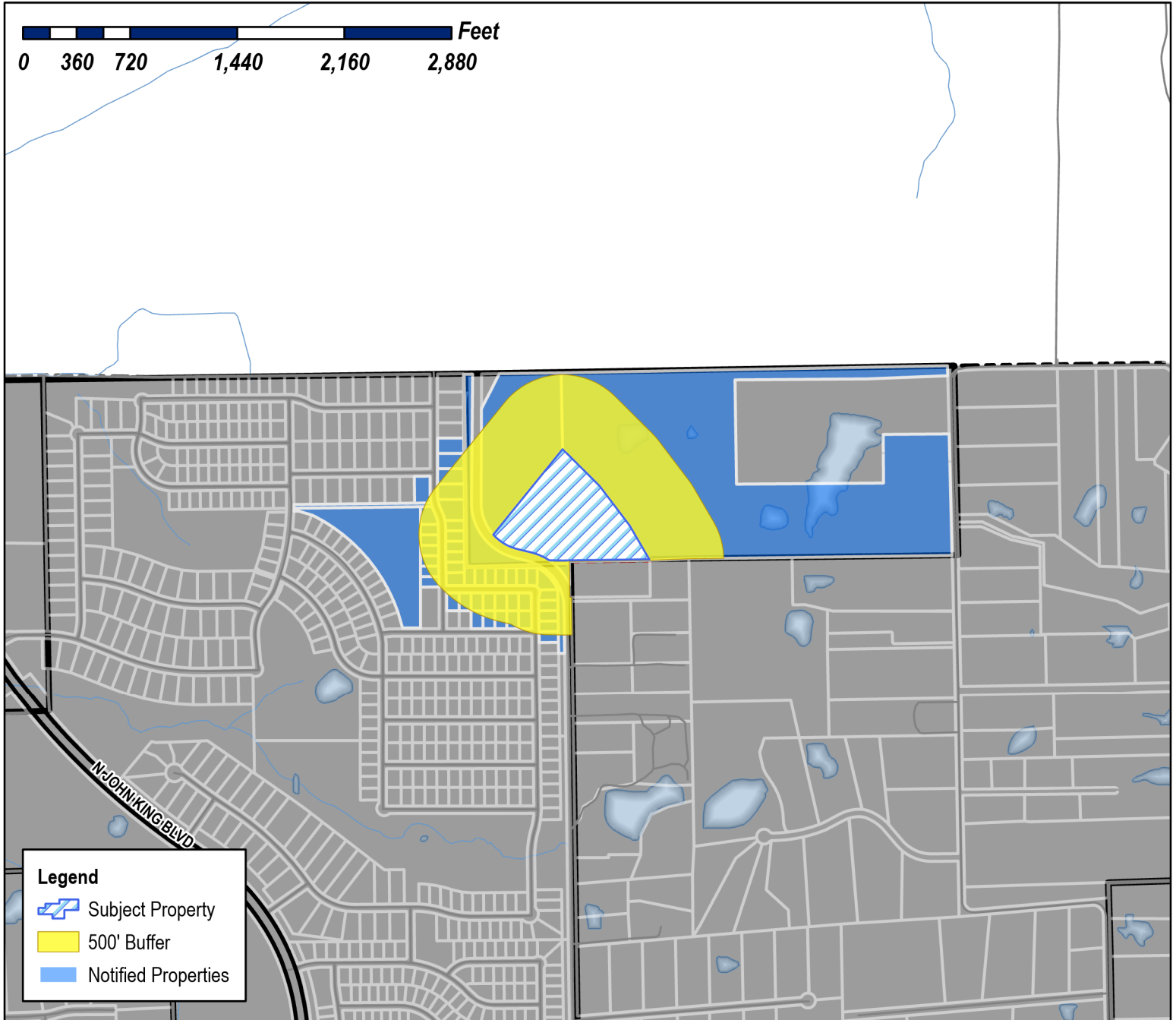
# City of Rockwall

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




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0 360 720 1,440 2,160 2,880 Feet



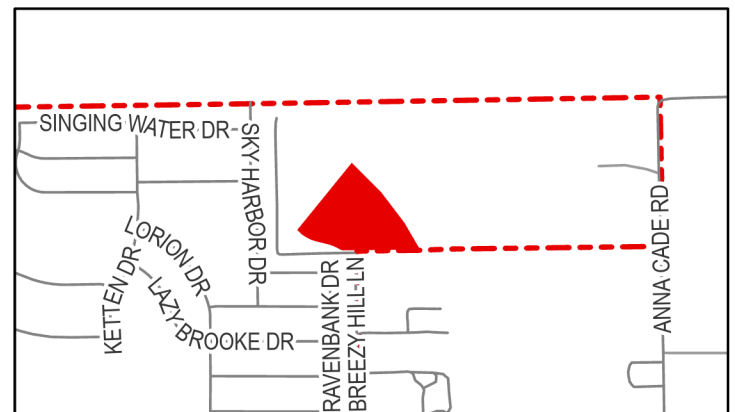
## Legend

-  Subject Property
-  500' Buffer
-  Notified Properties

**Case Number:** Z2022-026  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 000 Breezy Hill Lane Lot 2

**Date Saved:** 5/24/2022

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





BH PHASE XI LTD  
1001 CASCADING CREEK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
1005 CASCADING CREEK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
1006 CASCADING CREEK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
1009 CASCADING CREEK DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
1010 CASCADING CREEK DR  
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC  
1012 SABLE DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
1013 CASCADING CREEK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
1014 CASCADING CREEK DR  
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC  
1016 SABLE DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
1017 CASCADING CREEK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
1018 CASCADING CREEK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
1020 CASCADING CREEK DR  
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC  
1020 SABLE DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
1021 CASCADING CREEK DR  
ROCKWALL, TX 75087

BREEZY HILL ESTATES HOMEOWNERS  
ASSOCIATION INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75225

BH PHASE XI LTD  
1024 CASCADING CREEK DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
1024 SABLE DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
1025 CASCADING CREEK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
1028 CASCADING CREEK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
1028 SABLE DR  
ROCKWALL, TX 75087

KNOWLTON COREY D  
1460 ANNA CADE ROAD  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
15455 DALLAS PARKWAY SUITE 1000  
ADDISON, TX 75225

KNOWLTON COREY D  
205 BREEZY HILL DR  
ROCKWALL, TX 75087

KNOWLTON COREY D  
205 ROCKHOUSE LN  
ROCKWALL, TX 75087

BH PHASE XI LTD  
4414 RAVENBANK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
4504 RAVENBANK DR  
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC  
4505 SKY HARBOR DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
4506 SKY HARBOR DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
4508 RAVENBANK DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
4511 SKY HARBOR DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
4512 RAVENBANK DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
4514 SKY HARBOR DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
4516 RAVENBANK DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
4521 SKY HARBOR DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
4524 SKY HARBOR DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
4536 SKY HARBOR DR  
ROCKWALL, TX 75087

BH PHASE XI LTD  
4537 SKY HARBOR DR  
ROCKWALL, TX 75087

GRAND HOMES 2014 LP  
4538 SKY HARBOR DR  
ROCKWALL, TX 75087

SANCHEZ ELENA  
4546 SKY HARBOR DRIVE  
ROCKWALL, TX 75225

WALLER DAVID AND SORAYA  
4550 SKY HARBOR DRIVE  
ROCKWALL, TX 75225

BH PHASE XI LTD  
4602 RAVENBANK DR  
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC  
4602 SKY HARBOR DR  
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC  
4606 SKY HARBOR DR  
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC  
5310 HARVEST HILL RD SUITE 162  
DALLAS, TX 75225

HEFNER SCOTT & CHERYL  
735 PLEASANT BREEZE DR  
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC  
8214 WESTCHESTER DR STE 710  
DALLAS, TX 75225

BH PHASE XI LTD  
8214 WESTCHESTER DRIVE SUITE 900  
DALLAS, TX 75225

HEFNER SCOTT & CHERYL  
897 ANACONDA COURT  
CASTLE ROCKWA, CO 75225

# PUBLIC NOTICE



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

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

You are hereby notified that the Planning and Zoning Commission will consider the following application:

**Case No. Z2022-025: SUP for Residential Infill at 511 Bourne Street**

Hold a public hearing to discuss and consider a request by Javier Silva for the approval of a *Specific Use Permit (SUP)* for *Residential Infill Adjacent to Established Subdivision* for the purpose of constructing a single-family home on a 0.25-acre parcel of land identified as Lot E, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 511 Bourn Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, June 14, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, June 20, 2022 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Bethany Ross**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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

Your comments must be received by Monday, June 20, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2022-025: SUP for Residential Infill at 511 Bourne Street**

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

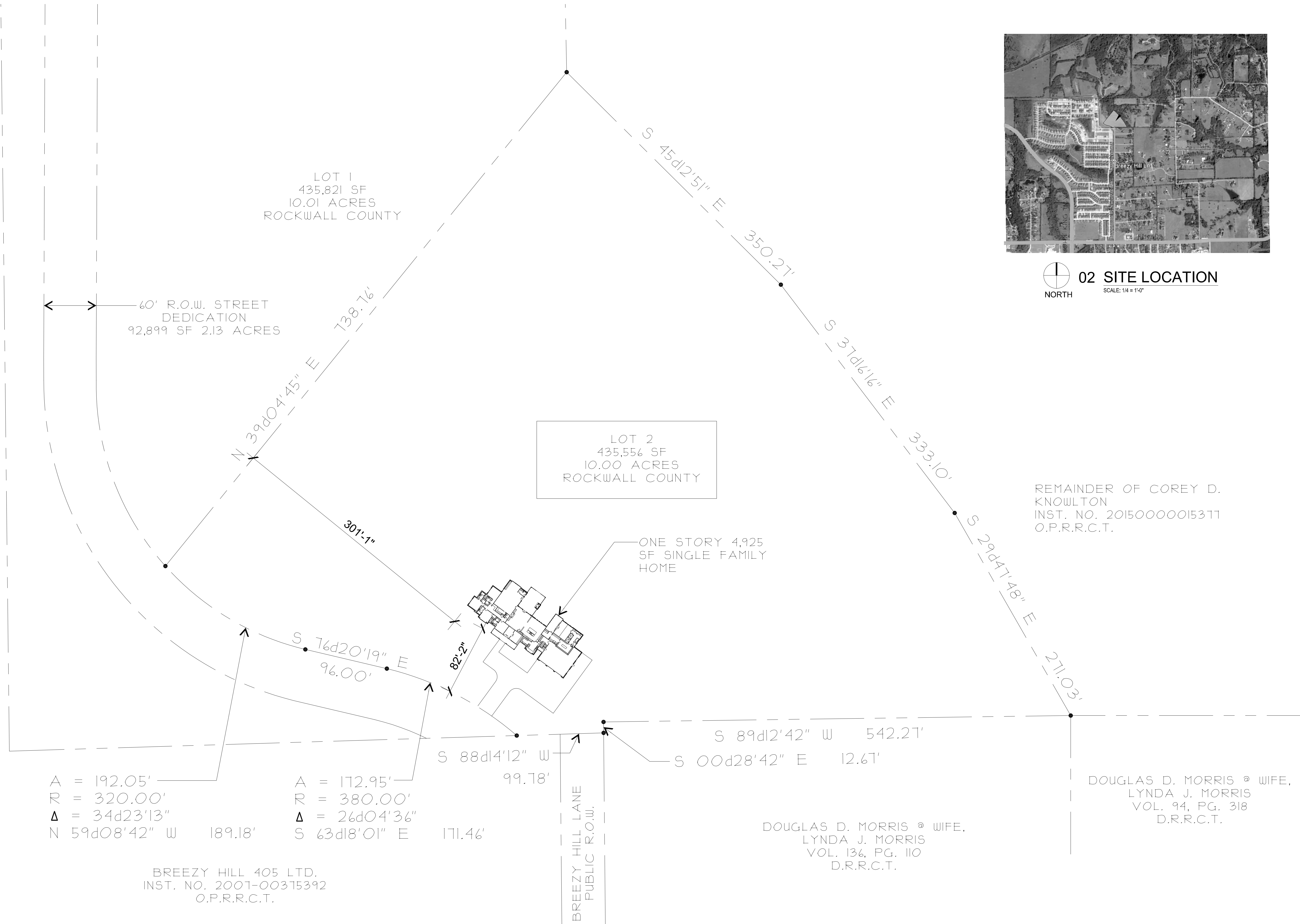
Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE





02 SITE LOCATION

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

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE ISSUE	DESCRIPTION

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

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

REMAINDER OF COREY D.  
KNOWLTON  
INST. NO. 201500000015311  
O.P.R.R.C.T.

ONE STORY 4,925  
SF SINGLE FAMILY  
HOME

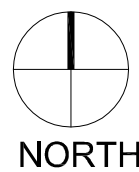
DOUGLAS D. MORRIS @ WIFE,  
LYNDA J. MORRIS  
VOL. 94, PG. 318  
D.R.R.C.T.

DOUGLAS D. MORRIS @ WIFE,  
LYNDA J. MORRIS  
VOL. 136, PG. 110  
D.R.R.C.T.

BREEZY HILL 405 LTD.  
INST. NO. 2007-00315392  
O.P.R.R.C.T.

A = 192.05' R = 320.00' Δ = 34d23'13" N 59d08'42" W 189.18'

A = 172.95' R = 380.00' Δ = 26d04'36" S 63d18'01" E 171.46'



01 SITE PLAN EXHIBIT

SCALE: 1" = 50'-0"

ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

A2.1

SITE PLAN  
EXHIBIT

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE  
ISSUE

DESCRIPTION

REVISION LOG

DATE  
ISSUE

DESCRIPTION

REV.  
NO.

ISSUED FOR:

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

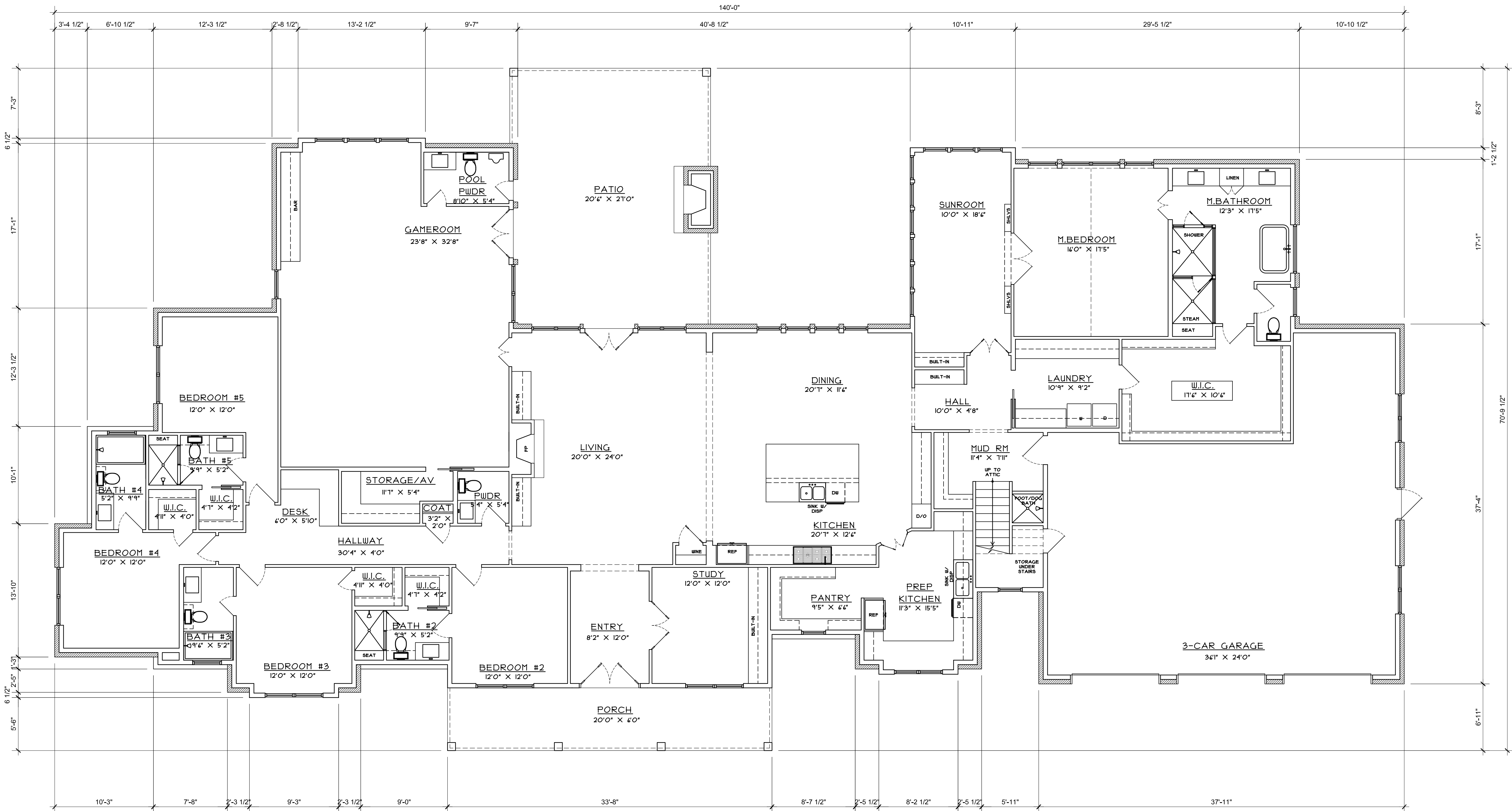
ARCH. PROJ. #:  
22307

SCALE:  
REF. DRAWING

SHEET NO.

A3.2

FLOOR PLAN  
4,925 SF



1 FISCHER FLOOR PLAN - 4,925 SF

Scale: 3/32" = 1'-0"

RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE ISSUE	DESCRIPTION

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

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

ARCH. PROJ. #:	SCALE:
22307	REF. DRAWING

SHEET NO.

A5.1

ELEVATIONS



2 LEFT ELEVATION  
Scale: 3/32" = 1'-0"



1 FRONT ELEVATION  
Scale: 3/32" = 1'-0"



RESIDENCE  
FOR  
SCOTT AND  
CHRISTINE  
FISCHER

LOT 2  
BREEZY HILL  
LANE ADDITION  
ROCKWALL, TX

ISSUE LOG

DATE  
ISSUE

DESCRIPTION

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A TEN (10) ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK A, BREEZY HILL LANE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from David Scott and Christine Fischer for the approval of a Specific Use Permit (SUP) for *Residential Infill Adjacent to Established Subdivision* for the purpose of constructing a single-family home on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* to allow for the construction of a single-family home adjacent to an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 02.01, *Agricultural*

(AG) District, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

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

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

## 2.2 COMPLIANCE

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

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

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

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

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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



PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 5<sup>TH</sup> DAY OF JULY, 2022.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

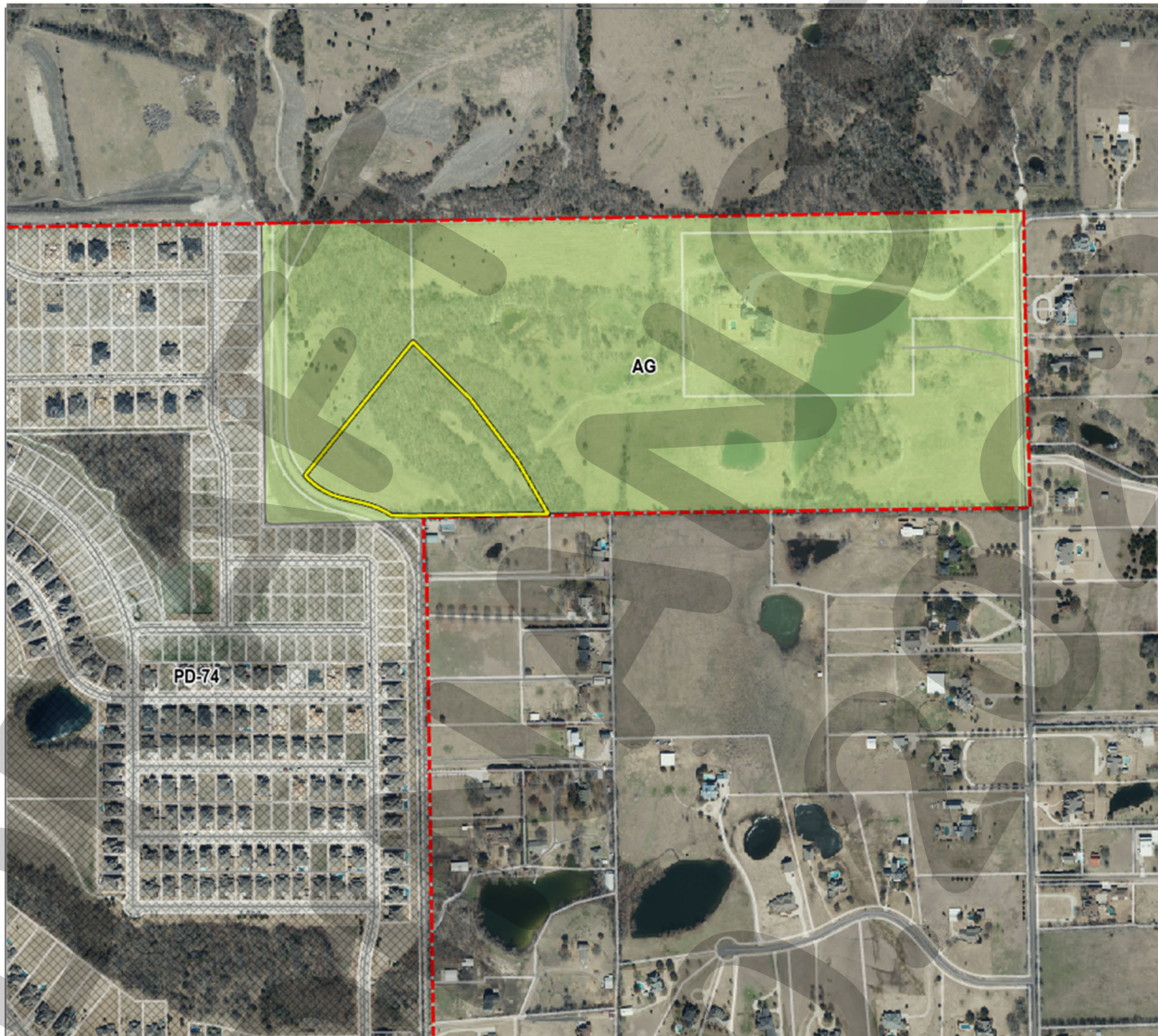
\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: June 20, 2022

2<sup>nd</sup> Reading: July 5, 2022

**Exhibit 'A'**  
**Location Map and Legal Description**

Legal Description: Lot 2, Block A, Breezy Hill Addition



**01 SITE PLAN EXHIBIT**

**02 SITE LOCATION**

**03 SITE PLAN EXHIBIT**

**04 SITE PLAN EXHIBIT**

**05 SITE PLAN EXHIBIT**

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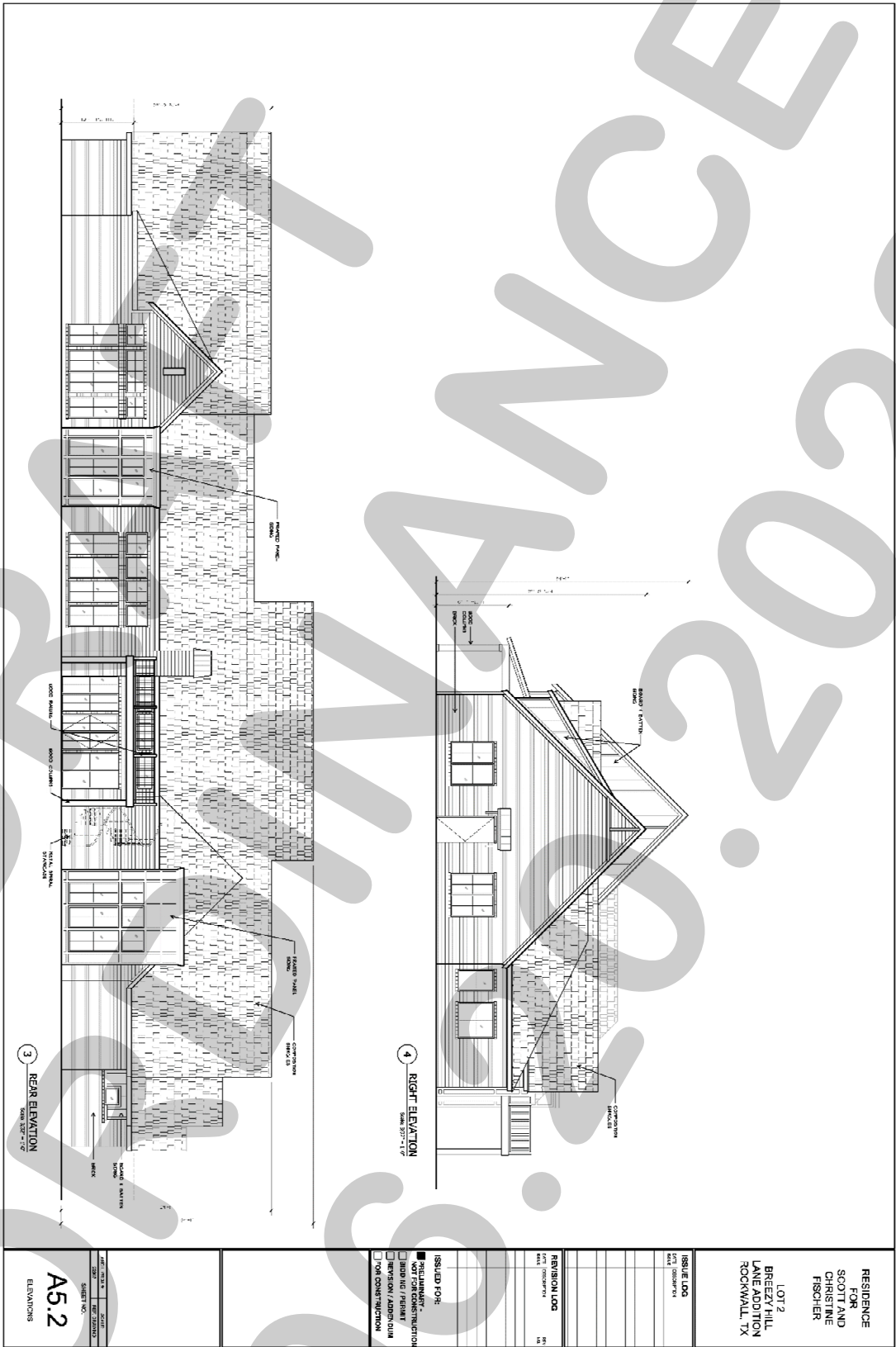


01 SITE PLAN EXHIBIT  
SCALE 1" = 500'  
NORTH



[illegible]

Exhibit 'C':  
Building Elevations



**CITY OF ROCKWALL**

**ORDINANCE NO. 22-38**

**SPECIFIC USE PERMIT NO. S-283**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A TEN (10) ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK A, BREEZY HILL LANE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City has received a request from David Scott and Christine Fischer for the approval of a Specific Use Permit (SUP) for *Residential Infill Adjacent to Established Subdivision* for the purpose of constructing a single-family home on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* to allow for the construction of a single-family home adjacent to an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 02.01, *Agricultural*



(AG) District, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

## **2.1 OPERATIONAL CONDITIONS**

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

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

## **2.2 COMPLIANCE**

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

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

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

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

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

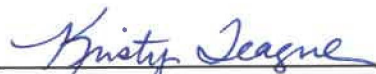
**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 5<sup>TH</sup> DAY OF JULY, 2022.**

  
Kevin Fowler, Mayor

**ATTEST:**

  
Kristy Teague, City Secretary



**APPROVED AS TO FORM:**

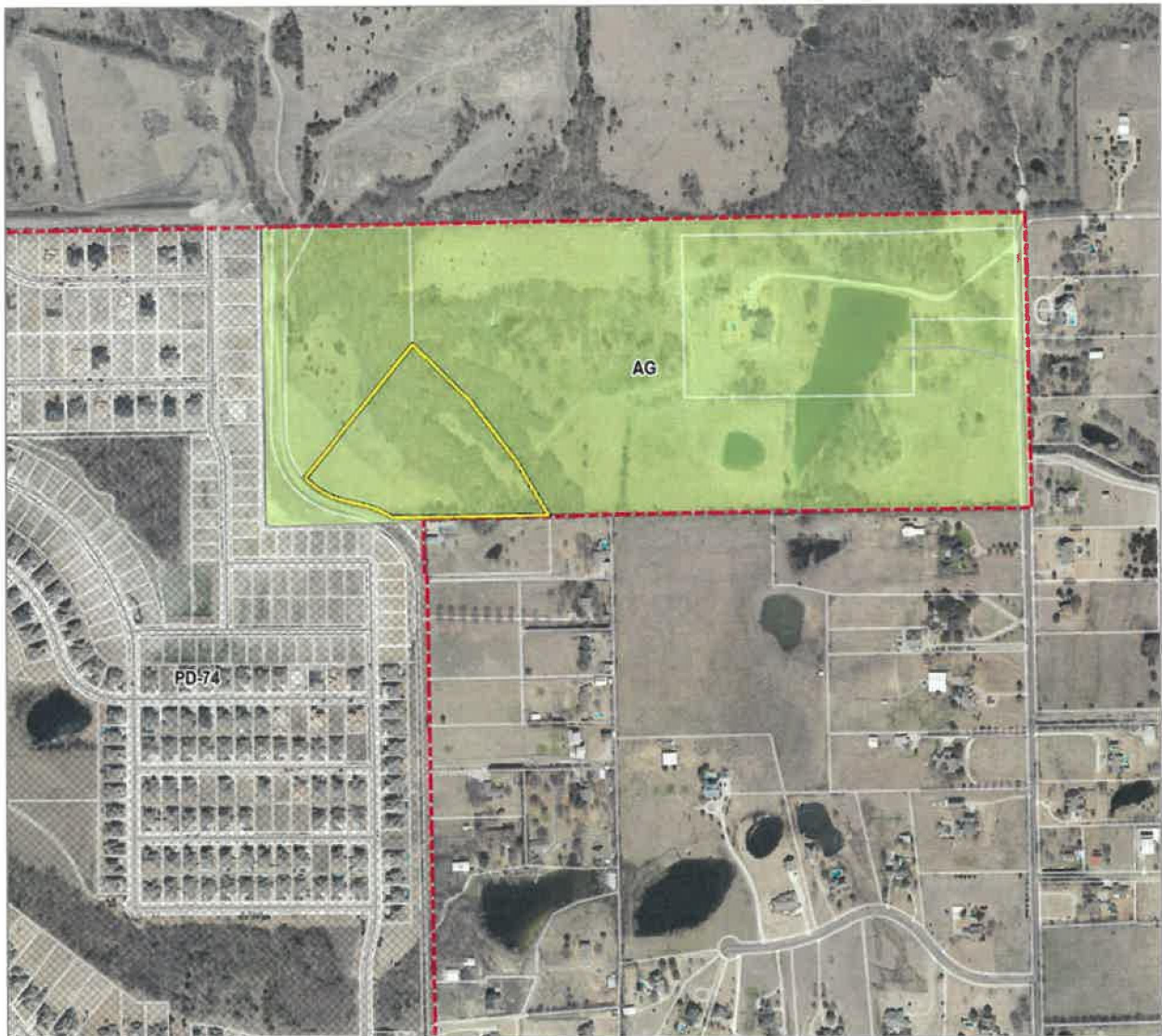
  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: June 20, 2022

2<sup>nd</sup> Reading: July 5, 2022

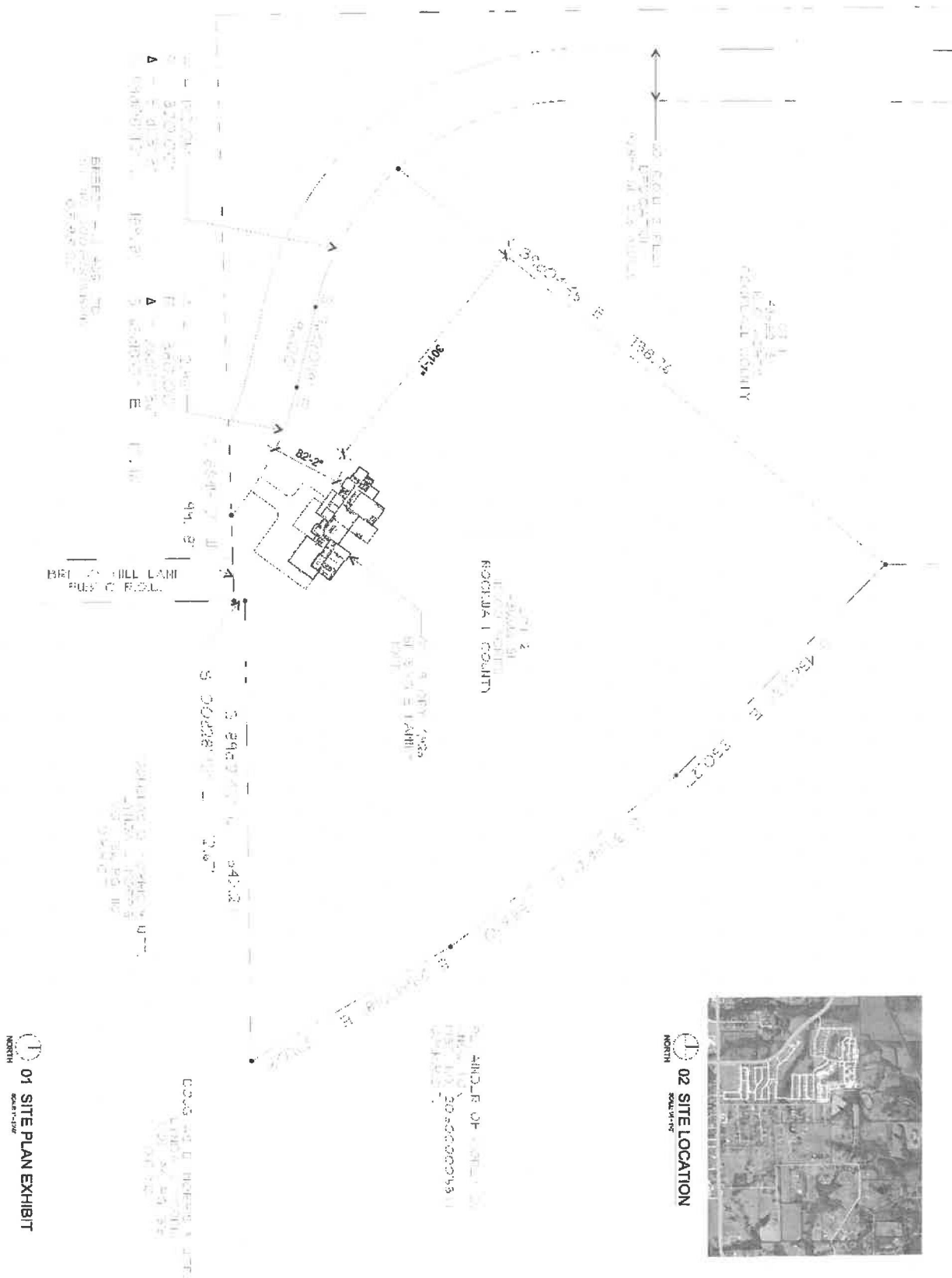
**Exhibit 'A'**  
**Location Map and Legal Description**

Legal Description: Lot 2, Block A, Breezy Hill Addition

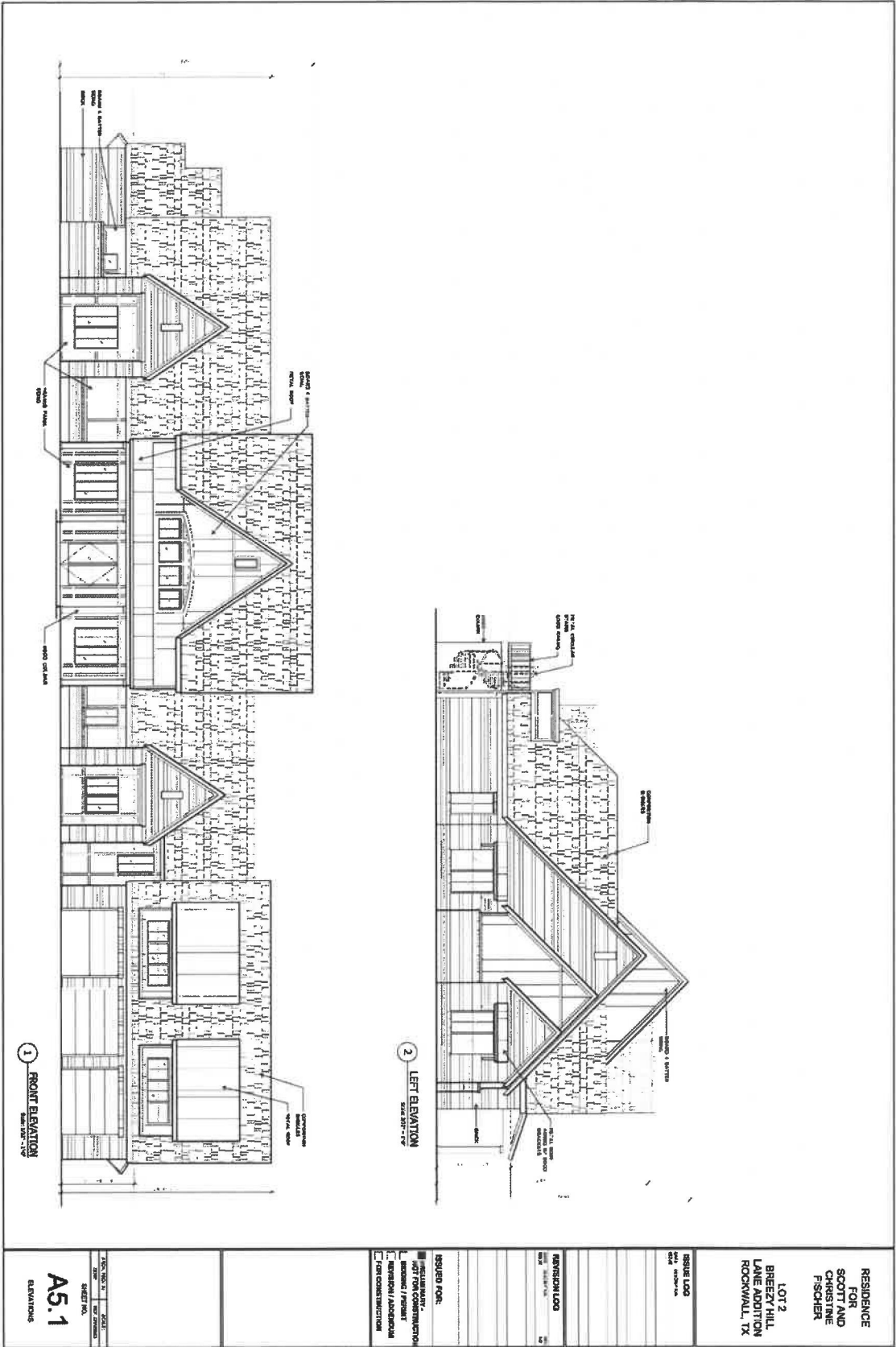




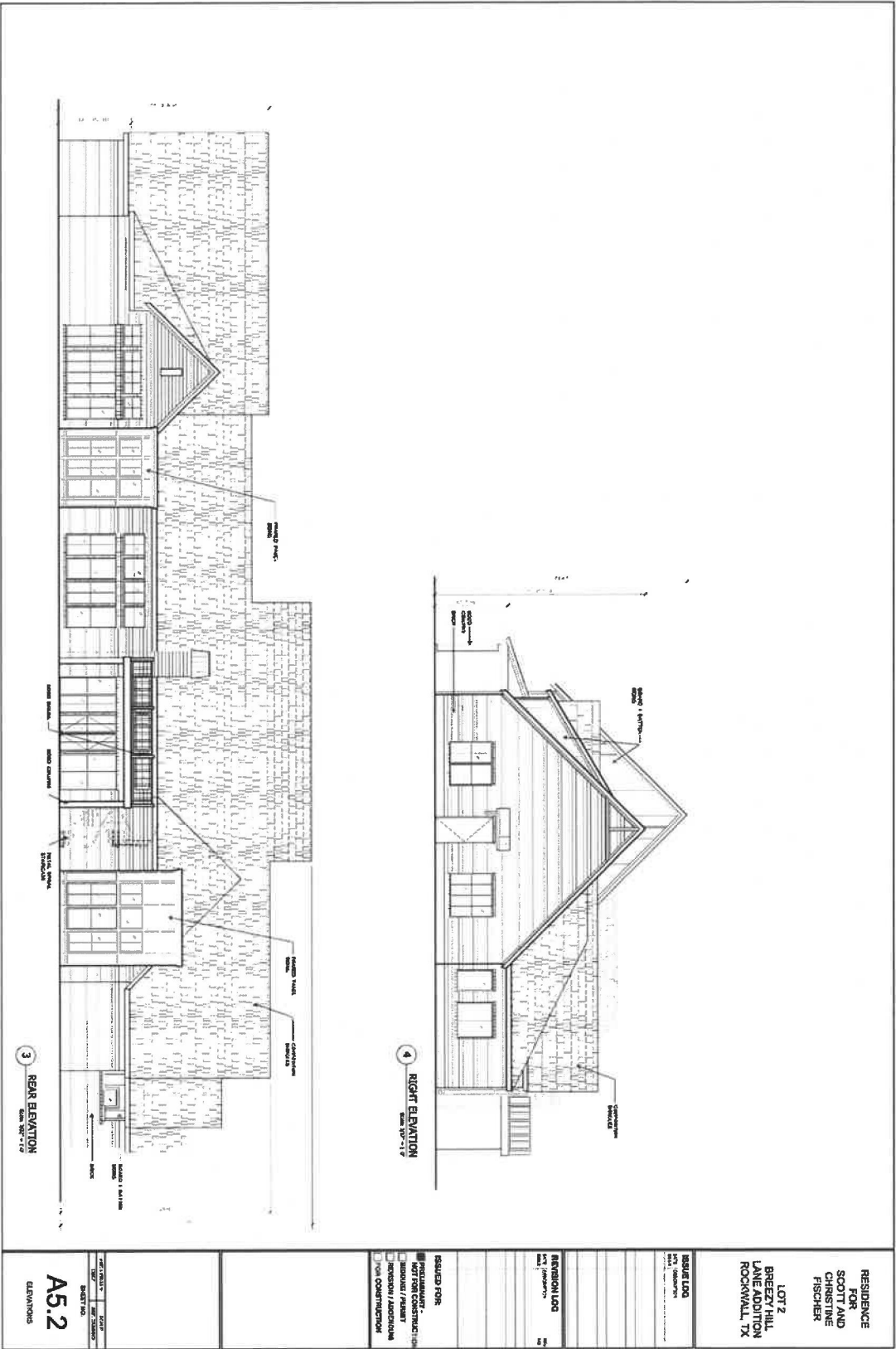
# **Exhibit 'B':** **Residential Plot Plan**



# Exhibit 'C': Building Elevations



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







July 5, 2022

TO: David Scott and Christine Fischer  
1608 Lake Crest Lane  
Plano, TX 75023

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

SUBJECT: Z2022-026; *Specific Use Permit (SUP) For Residential Infill Adjacent to an Established Subdivision*

David:

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 July 5, 2022. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
  - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the draft ordinance; and,
  - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On June 14, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 4-0, with Commissioner Womble, Thomas, and Conway absent.

City Council

On June 20, 2022, the City Council approved a motion to approve the Specific Use Permit (SUP) with the conditions of approval by a vote of 5-0, with Council Members Johannesen and Campbell absent.

On July 5, 2022, the City Council approved a motion to approve the Specific Use Permit (SUP) with the conditions of approval by a vote of 6-0, with Mayor Fowler absent.

Included with this letter is a copy of Ordinance No. 22-37, S-283, 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